



DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS
AGENDA

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
July 11, 2016, 7:00 PM
WASHINGTON COUNTY ADMINISTRATION BUILDING
100 WEST WASHINGTON STREET
2ND FLOOR, ROOM 255**

CALL TO ORDER AND ROLL CALL

MINUTES

1. May 23, 2016 Planning Commission workshop meeting *
2. June 6, 2016 Planning Commission regular meeting *

SUBDIVISIONS

1. Vista Business Park – Love's Travel Stops (S-16-014) – Proposed preliminary/final plat for a lot for commercial development on 15.2 acres along the south side of Showalter Road; Zoning: HI (Highway Interchange); Planner: Lisa Kelly *

SITE PLANS

1. Vista Business Park – Love's Travel Stops (SP-16-009) – Proposed travel center with restaurants, fuel station and tire repair shop located on 2.94 acres along the south side of Showalter Road; Zoning: HI (Highway Interchange); Planner: Lisa Kelly *
2. FT & K Inc. (SP-16-016) – Proposed pet kennel with boarding and grooming on 142 acres on property located along the east side of Smoketown Road; Zoning: P (Preservation); Planner: Lisa Kelly *
3. Bowman Development – Eldorado Stone – Proposed light manufacturing and warehousing facility on 55.68 acres of land located at 18238 Showalter Road; Zoning: AP (Airport); Planner: Tim Lung *

OTHER BUSINESS

1. Annual Report – Steve Goodrich *
2. Update of Staff Approvals – Tim Lung
3. Planning Commission member re-appointment

ADJOURNMENT

UPCOMING MEETINGS

1. Monday, August 1, 2016, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administration Building, 100 W. Washington Street, Room 255, Hagerstown, Maryland
2. Monday, August 22, 2016, 3:00 p.m., Washington County Planning Commission workshop meeting, Washington County Administration Building, 100 W. Washington Street, Room 255, Hagerstown, Maryland

****a t t a c h m e n t s***

The Planning Commission reserves the right to vary the order in which the cases are called.

Individuals requiring special accommodations are requested to contact the Washington County Planning Department at 240-313-2435 Voice/TDD, to make arrangements no later than ten (10) days prior to the meeting. Notice is given that the Planning Commission agenda may be amended at any time up to and including the Planning Commission meeting.

120 West Washington Street, 2nd Floor | Hagerstown, MD 21740 | P: 240.313.2430 | F: 240.313.2431 | TDD: 7-1-1

WWW.WASHCO-MD.NET

**WASHINGTON COUNTY PLANNING COMMISSION
WORKSHOP MEETING
May 23, 2016**

The Washington County Planning Commission held a workshop meeting on Monday, May 23, 2016 at 7:00 p.m. at the Washington County Administration Building, 100 West Washington Street, Room 255, 2nd Floor, Hagerstown, Maryland.

Commission members present were: Chairman Terry Reiber, Clint Wiley, and Jeremiah Weddle. Staff members present were: Washington County Department of Planning & Zoning - Stephen Goodrich, Director; Jill Baker, Chief Planner; and Debra Eckard, Administrative Assistant; Washington County Division of Environmental Management Julie Pippel, Director.

CALL TO ORDER

The Chairman called the meeting to order at 7:00 p.m.

WORKSHOP

Ms. Baker introduced Julie Pippel, Director of the Division of Environmental Management. Ms. Pippel distributed copies of her division's organizational chart and she briefly reviewed it with Commission members. The Division is divided into two primary departments – the Department of Water Quality and the Department of Solid Waste. The Department of Water Quality is responsible for the day to day operations of the water treatment facilities, the wastewater treatment facility, the distribution system and the collection system as well as all supporting functions. The Department of Solid Waste is responsible for the landfill, recycling, and transfer stations throughout the County, including the solar initiatives being installed on landfill properties. Ms. Pippel noted that her Division is also responsible for the storm water permitting program, the pre-treatment program, laboratory services, and engineering services (supporting the Department of Water Quality).

Mr. Reiber asked if the County has accurate information to determine water and sewer capacity. Ms. Pippel explained that water meters have been upgraded by the City of Hagerstown over the past five years, which are producing accurate readings. Meters are calibrated every year as required by the State. Ms. Baker stated that the Towns that have their own distribution systems (Boonsboro, Williamsport, Smithsburg and Keedysville) are working to replace their meters also. Ms. Pippel stated that water meters need to be replaced every 10 to 12 years.

There was a discussion regarding the limitations for future development. Ms. Pippel began by explaining that the Water Resources Element is based on the 2005 adopted zoning. Growth build out requirements based on that zoning were examined and it was determined that the build out requirement for the Conococheague facility was 8.4 million gallons per day (mgd). Based on regulations, analysis was performed to determine how to fulfill the 8.4 mgd needed. Ms. Pippel briefly explained measures taken by the County to achieve fulfillment of the 8.4 mgd determined to be the need for the County based on the 2005 zoning. There were 318 edu (equivalent dwelling unit) remaining at the Conococheague facility to meet the 2005 zoning. She reminded members that these numbers are based on various assumptions.

There was a brief discussion regarding population projections and whether or not the County can support the needs of that population. It was noted that due to regulations set by the State of Maryland, the County's limits on the amount of discharge are not under local control, but under the State and its attempts to meet water quality goals. Members briefly discussed the utilization of bio-solids in lieu of commercial fertilizers.

Ms. Pippel discussed the current flow versus long term projections and when ultimate capacity could be met. The average growth period for the Conococheague facility is approximately 2.79% per year from 1995 to 2015. The average daily flow at the Conococheague facility in 2015 was 2.1 mgd. Using these calculations, in 2064 the County's average daily flow would be 8.2 mgd.

There was a brief discussion related to different types of businesses and the amount of water used and waste water discharged. Also, discussed were areas served by the County for sewer services, particularly in the Sharpsburg Pike and Walmart area. It was noted that the City of Hagerstown is proposing to expand its Medium Growth Area boundary in this vicinity. Members briefly discussed the County's water service and capacity. Ms. Pippel noted that the County currently serves the Town of Sharpsburg and Town of Keedysville; at this point in time, build out would be possible in these areas. Highfield and Ft. Ritchie are also served by the County; however, Ft. Ritchie has its own water system and water supply. Other areas served by the County are Elk Ridge (38 homes) and Sandy Hook (67 homes). Ms. Pippel stated that the City of Hagerstown provides the majority of water service in the County.

Mr. Goodrich asked if there is a standard ratio of a gain or loss when switching from a septic system to a public treatment facility. Ms. Pippel stated there is a gain [in loading] for the County, currently at a 1 ½ to 1 ratio; however, we are in current negotiations with the new trading policy for a 2 to 1 ratio.

Mr. Weddle asked if there is a cap on the amount of water we are allowed to take from the City. Ms. Pippel stated there is a cap. In the State of Maryland, even with ground water supplies, the County cannot withdraw more than the area under its control that is re-charged. The City is currently working on updating its Municipal Growth Element (which is the equivalent of the County's Water Resources Element]. It was noted that the City controls water services in all of the Growth Area. There was a brief discussion with regard to the City's policies for providing water services for areas outside the Growth Area.

Some discussion was focused on the County's ability to provide more water services in the County, finding a source of water and the costs associated with providing such services. Mr. Reiber expressed his opinion that the Comp Plan should include language about cooperation between the City and County for providing adequate water services to the Growth Area.

The Chairman adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Terry Reiber, Chairman

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
June 6, 2016**

The Washington County Planning Commission held a regular meeting on Monday, June 6, 2016 at 7:00 p.m. at the Washington County Administration Building, 100 West Washington Street, Room 255, 2nd Floor, Hagerstown, Maryland.

Commission members present were: Chairman Terry Reiber, Jeremiah Weddle, Dennis Reeder, Andrew Bowen, and Ex-Officio County Commissioner Leroy Myers, Jr. Staff members present were: Washington County Department of Planning & Zoning - Stephen Goodrich, Director; Eric Seifarth, Rural Preservation Administrator; Chris Boggs, Land Preservation Planner; and Debra Eckard, Administrative Assistant; and Washington County Department of Plan Review – Tim Lung, Deputy Director.

CALL TO ORDER

The Chairman called the meeting to order at 7:00 p.m.

MINUTES

Motion and Vote: Mr. Bowen made a motion to approve the minutes of the May 2, 2016 regular Planning Commission meeting as presented. The motion was seconded by Mr. Weddle and unanimously approved.

OTHER BUSINESS

AD-90-064 – Formerly Leon and Doris Bowers Agricultural Preservation District

Mr. Seifarth stated that the County Agricultural District Ordinance was established in 2009 whereby a land owner may enter into a preservation district for a period of 10 years or more. In exchange, the land owner receives property tax credits. There is approximately 28,000 acres currently enrolled in the program. Mr. Boggs stated that Mr. Arciniegas contacted the Department of Planning & Zoning looking for information regarding the Leon and Doris Bowers property situated along Hoffmaster Road in Knoxville. He was considering the purchase of this property with the intention of subdividing lots off of a portion of it near the road frontage. A State Ag District was originally established on this property in 1990, which at the time of Mr. Arciniegas' inquiry, would have been beyond the 10 year agricultural district restriction; and, therefore, could be terminated at the will of the landowner. At the time of the inquiry, Mr. Boggs did not realize that a new Ag District had been established in 2012 which restricts development for a 10 year period. Mr. Arciniegas purchased the property and an adjacent property with the assumption that he would be able to subdivide because the district could be easily terminated.

On April 26th, after Mr. Arciniegas had purchased the property, he again contacted staff and that is when the regulation associated with the 2012 Ag District that is not easily terminated was brought to his attention. At that point in time, Mr. Arciniegas wrote a letter to staff asking for a partial termination of the Ag District on approximately 15 to 20 acres citing economic hardship in accordance with Section 9.3 of the Agricultural District Ordinance which states that landowners may apply to terminate an Ag District on the basis of "severe economic hardship". The remaining portion of property would remain in the Ag District program. The Washington County Agricultural Preservation Advisory Board approved, via e-mail vote on May 9th and 10th, the partial termination. If the Planning Commission also approves this request, a public hearing before the Board of County Commissioners will be required. All three boards must give approval before the Ag District can be terminated.

Discussion and Comments: Mr. Reeder asked if the developer could subdivide more lots on the remaining lands after the 10 year period expires. Mr. Seifarth stated that a new road would be required to be constructed by the developer; however, he believes that it would cost more money to build the road than the developer would make on selling lots.

There was a brief discussion regarding road frontage on the proposed subdivision. It was noted that the developer will be required to meet all subdivision regulations and no guarantee was made at the time of purchase that the property could be subdivided.

Mr. Weddle expressed his opinion that the partial termination should be approved because the developer contacted the County prior to purchasing the property and was given the wrong information.

Mr. Bowen expressed his opinion that a developer/land speculator is responsible for researching all documents pertaining to a prospective purchase of land and assumes a certain amount of risk being involved. He does not believe that a "severe economic hardship" has been proven.

Mr. Reiber stated that he "has grave concerns about the interpretation and definition of economic hardships." He does not believe that economic hardship can be proven in land speculation.

Motion and Vote: Mr. Weddle made a motion to approve the partial termination of 15-20 acres of the Ag District due to misinformation from County staff that created an economic hardship for the owner with 94 acres remaining in the Ag District. The motion was seconded by Mr. Reeder.

Comments and Discussion before the Vote: Mr. Weddle said that he understands Mr. Bowen's position; however, he believes this is the best way to settle the issue without legal repercussions. He also stated that he has worked with staff on many issues and he believes the Commission should support its staff members. Commissioner Myers agreed with Mr. Weddle's comments and he also supports staff. He noted that claiming an economic hardship is the only option to terminate the district.

Mr. Reiber requested that the minutes reflect his belief that if the developer had thoroughly researched and verified the deed restrictions on the property, this would not be an issue. He also believes there is not an economic hardship (i.e. serious illness, foreclosure, etc.) to warrant the termination.

Vote: Mr. Weddle, Mr. Reeder and Commissioner Myers voted "Yes" and Mr. Bowen voted "No".

As a side discussion, Mr. Seifarth gave a brief overview of the County's IPP (Installment Payment Program), which was established in 2004. The County pays 10% per year plus interest for a 10 year period for an ag easement. The tax source is a real estate transfer tax which is piggy-backed onto the State tax. The County receives the first \$400,000 every year. In the first 10 year cycle, the County used these funds to purchase county easements. At that time, the Committee had considered using some of the funds for the State Ag Preservation Program, which has a 60/40 match component but rejected the option since sufficient funds for match were coming from the Ag Transfer Tax. It has been suggested that up to half of the \$400,000 each year be used to leverage the State 60/40 match. Mr. Reiber asked that staff make a formal presentation at a later date for the Planning Commission to decide if this is a recommendation it wants to support.

Update of Staff Approvals

Mr. Lung reported the following: 36 new submittals in May of which 20 were grading, utility and entrance permit reviews; 7 site specific grading plans; 1 forest stand delineation; one preliminary plat including a site plan for Cross Creek commercial (a small commercial building located at MD 65 and Battle Creek Boulevard); 3 minor subdivision plats; 1 simplified plat and 3 site plans including an addition to St. Andrews Church (Virginia Avenue & Halfway Boulevard); a truck tire service facility (French Lane); and entrance improvements to Meritus Health (Robinwood Drive). There were 6 subdivision plats approved for minor subdivisions and a simplified plat and 3 site plan approvals for Pen Mar Board of Realtors, Fahrney-Keedy Community Center and an expansion at Xerxes.

Election of Officers

Motion and Vote: Mr. Bowen made a motion to nominate Mr. Reiber as Chairman. The motion was seconded by Mr. Reeder and unanimously approved.

Motion and Vote: Mr. Bowen made a motion to nominate Mr. Wiley as Vice-Chairman. The motion was seconded by Commissioner Myers and unanimously approved.

ADJOURNMENT

Mr. Bowen made a motion to adjourn the meeting at 7:45 p.m. So ordered by the Chairman.

Respectfully submitted,

Terry Reiber, Chairman

**DIVISION OF ENGINEERING & CONSTRUCTION DEPARTMENT****PLAN REVIEW DEPARTMENT**

Washington County Administrative Annex

80 West Baltimore Street

Hagerstown, Maryland 21740-6003

Telephone/TDD 240-313-2460

Fax: 240-313-2461

Hearing Impaired CALL 7-1-1 for Maryland Relay

S U B D I V I S I O N S T A F F R E P O R T

NAME.....: VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS

NUMBER.....: S-16-014

OWNER.....: GORDON

LOCATION.....: SOUTHSIDE OF SHOWALTER ROAD

DESCRIPTION.: PROPOSED PRELIMINARY/FINAL LOT FOR COMMERCIAL

ZONING.....: HI

COMP PLAN...: IF

PARCEL.....: 02410047000000

SECTOR.....: 1

DISTRICT....: 13

TYPE.....: CM

GROSS ACRES.: 15.2

DWEL UNITS..: 0

TOTAL LOTS..: 1

DENSITY.....: 0 UNITS PER ACRE

PLANNER.....: LISA KELLY

SURVEYOR....: GORDON

RECEIVED.....: 03/24/2016

FOREST REVIEW FEE.....: \$0.00

DEVELOPMENT REVIEW FEE...: \$200.00

WATER & SEWER	WATER	SEWER
METHOD.....:	C	C
SERVICE AREA.....:	HN	HN
PRIORITY.....:	1	1

SCHOOLS	ELEM	MID	HIGH
NUMBER CODE	0	0	0
PUPIL YIELD	0	0	0

ROAD NAMES

1 SHOWALTER ROAD

2

3

4

COUNTY HISTORIC INVENTORY SITE #: NOT HIST

FIRE DISTRICT: 13

AMBULANCE DIST: M7

COMMENTS:

PROPOSED PRELIMINARY/FINAL LOT FOR COMMERCIAL DEVELOPMENT

FINAL APPROVAL GRANTED

APPROVAL GRANTED: _____
WASHINGTON COUNTY PLANNING COMMISSION
DATE: _____
COUNTY HEALTH OFFICER
FINAL APPROVAL GOOD FOR SIX (6) MONTHS FROM ABOVE DATE.

AREA TABULATION TABLE

TOTAL AREA REMAINING LANDS OF PARCEL 1, LIBER 2396, FOLIO 346	583,584 Sq.Ft. OR 12.93764 Ac.±
LESS RIGHT OF WAY DEDICATION	63,790 Sq.Ft. OR 1.46442 Ac.±
NEW AREA OF REMAINING LANDS OF PARCEL 1, LIBER 2396, FOLIO 346	499,774 Sq.Ft. OR 11.47322 Ac.±

NOTES:

- THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO NOTE ALL MATTERS AFFECTING TITLE.
- ZONING: HIGHWAY INTERCHANGE DISTRICT - HI
- THERE ARE NO FLOOD PLAINS, STEEP SLOPES, STREAMS AND OTHER RELATED BUFFERS, OR HABITAT OF THREATENED OR ENDANGERED SPECIES IDENTIFIED BY THE US FISH AND WILDLIFE SERVICE PER 50 CFR 17. REQUIRED TO BE SHOWN BY SECTIONS 306, 307 AND 314 OF THE WASHINGTON COUNTY SUBDIVISION ORDINANCE AND SECTION 4.21 (c&d) OF THE WASHINGTON COUNTY ZONING ORDINANCE. THIS SUBDIVISION IS NOT WITHIN 1000' OF THE APPALACHIAN TRAIL.
- THE PARCEL DOES NOT LIE WITHIN THE MAPPED 100-YEAR FLOOD PLAN PER FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 240070 0080 A, DATED MAY 1, 1978, FLOOD ZONE C.
- BEARINGS ARE BASED ON MARYLAND STATE PLANE, NAD83(2011), GRID NORTH.
- SHOWALTER ROAD IS CLASSIFIED AS A MINOR ARTERIAL.
- ANY DEVELOPMENT ON PARCEL A AND REMAINDER PARCEL 1 WILL REQUIRE SITE PLAN APPROVAL PER WASHINGTON COUNTY REGULATIONS.
- SOIL TYPES ARE SHOWN HEREON.
- THIS LOT IS TO BE SERVED BY PUBLIC WATER PROVIDED BY THE CITY OF HAGERSTOWN AND PUBLIC SEWER PROVIDED BY WASHINGTON COUNTY.
- THERE IS A 10 FT. WIDE DRAINAGE AND UTILITIES EASEMENT ALONG ALL FRONT LOT LINES AND AN 8 FT. WIDE DRAINAGE AND UTILITIES EASEMENT ALONG ALL SIDE AND REAR LOT LINES HEREBY RESERVED UNLESS OTHERWISE SHOWN HEREON.
- MINIMUM BUILDING SETBACKS: FRONT YARD-40'; SIDE YARD-10'; REAR YARD 10'. MINIMUM BUILDING SETBACK LINES ARE BASED ON THE CURRENT WASHINGTON COUNTY ZONING ORDINANCE. ACCESSORY STRUCTURES MAY BE CONSTRUCTED IN ACCORDANCE WITH SECTION 4.10 AND SECTION 23.5(B). ACCESSORY STRUCTURES ARE NOT PERMITTED WITHOUT THE PLACEMENT OF THE PRINCIPAL PERMITTED STRUCTURE. ZONED HI-HIGHWAY INTERCHANGE DISTRICT.
- TOTAL UPSTREAM WATERSHED AFFECTING THIS SUBDIVISION: IS LESS THAN 400 ACRES.
- CONTOURS AND BOUNDARY ARE BASED ON A FIELD SURVEY PERFORMED ON MAY 28, 2015 BY RES FROM FSA, INC.
- ALL GRADING ON EACH LOT DONE EITHER BEFORE OR AFTER THE CONSTRUCTION OF A DWELLING OR THEIR APPURTENANCES, SHALL BE THE FULL RESPONSIBILITY OF THE LOT OWNER.
- THIS PLAT HAS BEEN REVIEWED AND APPROVED PER THE HI ZONING DISTRICT. ANY DEVELOPMENT/CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE WASHINGTON COUNTY ZONING ORDINANCE CURRENTLY BEING ENFORCED.
- ON LOT STORMWATER MANAGEMENT IS REQUIRED AND WILL BE REVIEWED AND APPROVED BY THE WASHINGTON COUNTY PLANNING AND PERMITTING DEPARTMENT. LAND DEVELOPMENT ENGINEERING AT THE DESIGN PERMIT STAGE, STORMWATER MANAGEMENT MUST MEET THE CURRENT CONTENTS OF THE WASHINGTON COUNTY STORMWATER MANAGEMENT, SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AT THE TIME OF GRADING PERMIT APPLICATION. ALL ON LOT FACILITIES WILL BE OWNED AND MAINTAINED BY THE LOT OWNER. A PERFORMANCE BOND WILL BE REQUIRED PRIOR TO GRADING PERMIT ISSUANCE AND MAINTENANCE AGREEMENT WILL BE REQUIRED BETWEEN THE LOT OWNER AND THE COUNTY FOR STORMWATER MANAGEMENT FACILITIES.
- EACH ADDRESS IS BASED ON THE ENTRANCE AS SHOWN ON THIS PLAT. IF THE DRIVEWAY IS CONSTRUCTED AT A DIFFERENT LOCATION FROM THAT SHOWN HEREON, THE ADDRESS LISTED ABOVE MAY BE VOID AND THE OWNER/DEVELOPER OF THE LOT MUST REAPPLY TO THE PLANNING COMMISSION FOR A NEW ADDRESS ASSIGNMENT.

OWNER:
LOVES TRAVEL STOPS & COUNTRY STORES, INC.
10601 N. PENNSYLVANIA AVE
OKLAHOMA CITY, OK 73120

SIGNATURE _____ DATE _____

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY
THIS PLAN/PLAT HAS BEEN APPROVED BY THE WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY FOR INCLUSION INTO THE COUNTY CAPACITY MANAGEMENT PLAN FOR THE SYSTEM THAT SERVES THIS PROJECT. ALLOCATION GRANTED FOR CONSTRUCTION SHOWN ON THIS PLAN/PLAT SHALL BE IN ACCORDANCE WITH THE CAPACITY MANAGEMENT PLAN DEVELOPED FOR THIS SYSTEM BASED ON AVAILABILITY OF ALLOCATION REMAINING IN THE FACILITY.

PLAT No. _____
DATE _____
WASHINGTON COUNTY



SHOWALTER ROAD

VARIABLE WIDTH RIGHT-OF-WAY AS SHOWN ON WASHINGTON COUNTY ENGINEERING DEPARTMENT PLAT No. 100-10-341

CENTERLINE OF R.O.W.
PLAT No. 100-10-341

PAVEMENT WIDTH VARIES

SOILS TABLE

DsB - DUFFIELD SILT LOAM, 3 TO 9 PERCENT SLOPES 2.74 Ac. 21%
HuA - HAGERSTOWN SILT LOAM, 0 TO 3 PERCENT SLOPES 4.73 Ac. 37%
HaB - HAGERSTOWN SILT LOAM, 3 TO 8 PERCENT SLOPES 4.53 Ac. 35%
HcB - HAGERSTOWN-ROCK OUTCROP COMPLEX, 3 TO 8 PERCENT SLOPES 0.94 Ac. 7%

EASEMENT	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
	C7	125.00'	198.22'	178.09'	N 51°49'15" E	90°51'21"

PROPOSED SANITARY EASEMENT
8,933 Sq. Ft.

TAX MAP 0024, PARCEL 0470
PERINI INDUSTRIAL LAND, LLC
PARCEL A
PLAT No. 10590

LINE	BEARING	DISTANCE
L18	S 81°02'11" E	38.97'
L19	S 82°44'52" E	23.83'
L20	N 82°44'52" W	20.00'
L21	S 07°15'08" W	11.96'
L22	S 08°55'38" W	23.00'
L23	S 07°14'55" W	15.00'
L30	S 50°28'50" W	30.17'

OWNER'S STATEMENT
I/WE DO HEREBY CERTIFY, FOR OURSELVES AND OUR PERSONAL REPRESENTATIVES, HEIRS AND ASSIGNS, THAT I/WE ARE THE LEGAL AND TRUE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT AND THAT I/WE HEREBY ADOPT THE PLAN OF SUBDIVISION SHOWN HEREON, HEREBY ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AS SHOWN HEREON, HEREBY DEDICATE TO PUBLIC USE ALL UTILITY AND DRAINAGE EASEMENT AREAS AND ALL ALLEY, STREET, AND ROAD RIGHTS OF WAY DESIGNATED ON THIS PLAT, HEREBY AGREE TO KEEP OPEN ALL SPACES AND RECREATION AREAS SHOWN HEREON AND HEREBY AGREE THAT SAID DEDICATION SHALL NOT IMPOSE ADDED RESPONSIBILITY ON THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY REGARDING THE SUBJECTS OF SUCH DEDICATIONS UNTIL LEGAL ACCEPTANCE THEREOF BY SAID BOARD, AND I/WE HEREBY RESERVE THE FEE SIMPLE TITLE TO THE LAND UNDERLYING SAID EASEMENTS, RIGHTS OF WAY, OPEN SPACES AND RECREATION AREAS AND WITH REGARD TO SAID EASEMENTS AND RIGHTS OF WAY, HEREBY AGREE TO CONVEY THE SAME TO SAID BOARD FOR USE OF SAID WASHINGTON COUNTY, WITHOUT CONSIDERATION, UPON THE LEGAL ACCEPTANCE OF SAID EASEMENTS AND/OR RIGHTS OF WAY BY SAID BOARD.
THIS DEED AND AGREEMENT OF DEDICATION SHALL BE BINDING UPON MY/OUR GRANTEES, ASSIGNS, SUCCESSORS, HEIRS, AND PERSONAL REPRESENTATIVES.
THERE ARE NO SUITES, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS OF WAY AFFECTING THE PROPERTY INCLUDED ON THIS PLAN OF SUBDIVISION EXCEPT THE FOLLOWING:

AND ALL PARTIES HAVING AN INTEREST THEREIN HAVE HERE UNTO AFFIXED THEIR SIGNATURES, INDICATING THEIR ASSENT TO THIS PLAN OF SUBDIVISION.
I/WE DO HEREBY ASSENT TO THIS PLAN OF SUBDIVISION.
WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____ 2016.

OWNER _____

WITNESS _____

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THE PLAT SHOWN HEREON IS CORRECT; THAT IT IS PART OF THE LANDS CONVERTED BY LAGAN R. SHOWALTER, CLARENCE H. SHOWALTER, IVA S. GROVE, SUSQUEHANNA TRUST & INVESTMENT COMPANY, SUCCESSOR TRUSTEE OF THE TRUST ESTABLISHED BY MARTIN W. SHOWALTER UNDER INSTRUMENT DATED NOVEMBER 25, 1970, AND THE MENDONITE FOUNDATION, INC., AN INDIANA NON-PROFIT CORPORATION, UNTO PERINI INDUSTRIAL LAND, LLC, A MARYLAND LIMITED LIABILITY COMPANY, BY DEED DATED JUNE 10, 2004 AND RECORDED IN LIBER 2396, FOLIO 346 AND PART OF THE LANDS CONVEYED BY THE BON-TON DEPARTMENT STORES, INC., FORMERLY KNOWN AS THE BON-TON STORES, INC., A PENNSYLVANIA CORPORATION, AND ROBERT W. STEARNS, TRUSTEE UNDER THE TESTAMENT OF CLARENCE H. MARGOWITZ TRUST AGREEMENT, DATED NOVEMBER 2, 1987 UNTO PERINI INDUSTRIAL LAND, LLC, BY DEED DATED SEPTEMBER 23, 1999 AND RECORDED IN LIBER 1526, FOLIO 728, BOTH BEING FOUND AMONG THE LAND RECORDS OF WASHINGTON COUNTY, MARYLAND AND FURTHER THAT THIS SURVEY WAS PERSONALLY PREPARED BY ME OR THAT I WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED HEREON, ALL IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN COMAR 08.13.06.12 IN EFFECT AT THE TIME THIS SURVEY WAS PERFORMED.

DATE: 04/14/2016
GEORGE E. WAGER
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION No. 21062
EXPIRATION DATE: 08/24/2016

PRELIMINARY/FINAL PLAT
REMAINDER - PARCEL 1
LANDS OF
PERINI INDUSTRIAL LAND, LLC
SITUATE SOUTH OF SHOWALTER ROAD
ELECTION DISTRICT No. 13
WASHINGTON COUNTY, MARYLAND
SCALE: 1"=100' APRIL, 2016
S-16-014
SHEET: 1 OF 1



**DIVISION OF ENGINEERING & CONSTRUCTION MANAGEMENT
PLAN REVIEW DEPARTMENT**

Washington County Administrative Annex
80 West Baltimore Street
Hagerstown, Maryland 21740-6003
Telephone/TDD 240-313-2460
Fax: 240-313-2461

Hearing Impaired CALL 7-1-1 for Maryland Relay

S I T E P L A N S T A F F R E P O R T

BASE INFORMATION

SITE NAME....: VISTA BUSINESS PARK- LOVE'S TRAVEL STOPS
NUMBER.....: SP-16-009

OWNER.....: PERINI INDUSTRIAL LAND, LLC
LOCATION.....: SOUTH SIDE OF SHOWALTER ROAD
DESCRIPTION..: PROPOSED TRAVEL CENTER WITH RESTAURANTS, FUEL

ZONING.....: HI HIGHWAY INTERCHANGE
COMP PLAN...: IF Industrial Flex
PARCEL.....: 024100470000000
SECTOR.....: 1
DISTRICT....: 13

TYPE.....: CM
GROSS ACRES.: 2.94
DWEL UNITS..: 0
TOTAL LOTS..: 1
DENSITY.....: 0 UNITS PER ACRE

PLANNER.....: LISA KELLY
SURVEYOR....: GORDON
RECEIVED....: 03/22/2016

FOREST REVIEW FEE.....:\$0.00
DEVELOPMENT REVIEW FEE...:\$1,397.00

SITE ENGINEERING

	WATER	SEWER
METHOD.....	PUBLIC	PUBLIC
SERVICE AREA.....	HN	HN
PRIORITY.....	1	1
NEW HYDRANTS.....	1	
GALLONS PER DAY SEWAGE....	0	
SEWER PLANT.....	Hagerstown	
STORM WATER MANAGMT TYPE.: POND		
DRAIN DIRECTION.....		
FLOOD ZONE.....: C		
WETLANDS.....		
TOPOGRAPHY.....		
BEDROCK.....		
VEGETATION.....		

SITE DESIGN

IMPERVIOUS SURFACE PLANNED....: 70% BUFFER DESIGN MEETS REQUIREMENTS.: Y
 IMPERVIOUS MAXIMUM ALLOWED....: 0% LANDSCAPING MEETS REQUIREMENTS....: Y
 LIGHTING PLAN MEETS REQUIREMENTS.: Y
 OPEN SPACE AREA PLANNED-AC....: 0 PEDESTRIAN ACCESS IS ADEQUATE.....: Y
 OPEN SPACE MINIMUM ALLOWED....: 0 BUS ROUTE WITHIN WALKING DIST....:
 TOTAL PARKING SPACES PLANNED.: 178 LOADING AREAS MEET REQUIREMENTS...: Y
 PARKING SPACES-MINIMUM REQD.: 0
 PARKING SPACES/DWELLING UNIT.: 0
 RECREATIONAL VEHICLE PARKING.: Y

RESIDENTIAL AMENITY PLANS.....: N/A

SOLID WASTE DISPOSAL PLANS....: SCREENED DUMPSTER
 MATERIALS STORED ON SITE.....: N/A

COMMUNITY FACILITIES

	ELEM	MID	HI
SCHOOL NUMBER CODE	0	0	0
PUPIL YIELD	0	0	0
CURRENT ENROLLMENT	0	0	0
MAXIMUM CAPACITY	0	0	0

PROPOSED NEW ROAD NAMES

1 PERINI AVENUE 1
 2
 3
 4
 5
 6
 7
 8
 9
 10

NUMBER OF ACCESS POINTS:1
 COUNTY HISTORIC INVENTORY SITE #: NOT HIST
 ON NATIONAL HISTORIC REGISTER : N

FIRE DISTRICT: 13 MILES TO STATION: 0
 AMBULANCE DIST: M7 MILES TO STATION: 0

COMMENTS:

PROPOSED TRAVEL CENTER WITH RESTAURANTS, FUEL STATION AND
 TIRE REPAIR SHOP

REV 2

COPY

IN THE CIRCUIT COURT FOR WASHINGTON COUNTY, MARYLAND

In the Matter of:
2003 Mason Dixon LLC,
PETITIONER

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CASE NO. 21-C-13-049185

Judicial Review of the Decision of:
Board of Appeals of
Washington County

*

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In the Case of:
Love's Travel Stops &
County Stores, Inc.
(Case. No. AP2013-57

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Opinion and Order

Petitioner 2003 Mason Dixon, LLC, requests this Court to review and overturn the grant of a special exception use by the Board of Appeals of Washington County (Board) for property intended to be acquired by Respondent Love's Travel Stops & Country Stores, Inc. Petitioner 2003 Mason Dixon LLC, is a nearby landowner.

Respondent has contracted to purchase about 11 acres of a 70 acre parcel located at 18149 Showalter Road, Hagerstown, Maryland, adjacent to the Interstate 81/Showalter Road interchange and near the town of Maugansville. The 11 acre property (the property), zoned as Highway Interchange (HI), is currently used as farmland and has not yet been subdivided.

On September 9th, 2013, Respondent applied for a special exception to operate a truck stop at the property. The Board conducted a hearing on October 9th, 2013, and witnesses and evidence were presented by Petitioner, Respondent, and other interested individuals. After deliberating, the Board granted the special exception in a written opinion dated November 8th, 2013. Petitioner, thereafter, noted this appeal.

Questions Presented:

1. Is the Board of Appeals' opinion substantive enough to allow for judicial review?
2. Did the Board of Appeals err in approving a special exception use for the subject property?

Analysis:

To reach the second question, this Court must answer whether the Board's opinion goes beyond conclusory statements and refers to evidence in support of its findings, thus enabling judicial review. If this Court answers affirmatively, the second question is whether the Board's decision is based on substantial evidence.

1. Is the Board's decision amenable to judicial review?

Before judging the substance of the Board's decision, this Court must decide whether any substance exists. Maryland appellate courts have addressed this issue in the recent cases of Critical Area Comm'n for Chesapeake & Atl. Coastal Bays v. Moreland, LLC, 418 Md. 111, 12 A.3d 1223 (2011), and Mills v. Godlove, 200 Md. App. 213, 26 A.3d 1034 (2011).

In Moreland, the Court of Appeals considered whether a board of zoning appeals' decision was detailed with enough references to the evidence to support meaningful judicial review. Moreland, 418 Md. at 113. The appellees in Moreland argued that the board's decision was deficient because each finding was not immediately followed with "supportive and specific evidentiary references." Id. at 123. The Court of Appeals disagreed and stated that such a

requirement “does not have a foundation in our jurisprudence.” Id. at 128. Instead, there only must be “articulated evidence in support of a conclusory finding.” Id. at 128-129.

After reviewing related cases, the Court of Appeals found that the law requires a remand where the board “merely states conclusions, without pointing to the evidentiary bases for those conclusions.” Id. at 134. Where a decision “refers to evidence in the record in support of its findings, meaningful judicial review is possible.” Id. The lower courts “elevate[d] form over substance” when they remanded the case because the board “summarize[ed] the evidence in a separate section” from the board’s conclusory findings. Id.

The Court of Special Appeals applied the Moreland standard in Mills v. Godlove, a case out of this jurisdiction. In Mills, the circuit court reversed the Board because it failed to discuss any adverse effects inherent to the special exception use and whether those effects would be “unique or different at this particular locality.” Mills v. Godlove, 200 Md. App. 213, 236 (2011). The Board presented no evidence to support its conclusion that the proposed use was incompatible with any of the factors the Board is required to consider. Id. To meet the Moreland standard, the Board “should have fleshed out any adverse effects appellants’ use would have had on the neighborhood, and determined whether those effects were above and beyond those inherently associated” with the proposed use. Id. at 239.

In this case, the Board made 27 findings of fact before offering its rationale. The Board offered its conclusion at the beginning of its discussion, stating that the “customary adverse effects attendant to the proposed use are actually attenuated and ameliorated at this site.” Opinion of the Board of Appeals for Washington County, 5. The Board wrote that the “ample size” of the 11 acre site and its location in a mixed-use zone would make the property particularly suited to the location. Op. 5. The truck stop’s amenities would meet some of the

“fuel, food, and convenience” needs that are generated by the employees and customers of nearby businesses, particularly the Hagerstown airport. Op. 5. The property’s location is also the “ideal distance” from Interstate 81 and is “easily accessible” by trucks and cars. Op. 5.

The truck stop’s design also “ameliorate[s] any adverse effects associated with the use” because the truck services are towards the rear of the property. Op. 5. Fencing and vegetation will “maximize safety and security,” screen the “debris,” and “minimize[e] any incompatibilities.” Op. 5. The round-the-clock tire facilities would also enhance the “safety and cleanliness of the site.” Op. 6. Finally, the site’s stormwater facilities would not serve as a kind of “attractive nuisance for waterfowl.” Op. 6.

The Board then made the following observation:

No evidence was presented that the proposed use was incompatible with the neighborhood; disruptive of neighbors’ quiet enjoyment of their properties; detrimental to surrounding property values; generative of excessive odors, dust, gas, smoke, fumes, vibrations, or glare; generative of traffic that would exceed the capacity of existing infrastructure; or that the proposal was inappropriate use of land or structure.

Op. 6. This passage is a word for word reprint of language that the Court of Special Appeals disapproved of in Mills v. Godlove. See Mills, 200 Md. at 236. This Court cannot tell if the Board included this boilerplate language in a fit of absentmindedness or if it was a deliberate attempt to play with judicial fire. Had the Board only included conclusory language like the above quote, which fails to weave in the facts with the analysis, this Court would be constrained to remand. Nevertheless, it is apparent to this Court, notwithstanding the unfortunate choice of language noted above, that the Board, through its deliberation, weighed all the evidence before it and gave it the probative value it thought the evidence deserved.

This Court cannot say that the Board’s decision is refulgent with detailed evidentiary analysis, but precedent does not require it to be. In this case, the Board has offered a discussion

of the evidence, showing that it considered the evidence and the testimony offered to it. In particular, the Board discussed how the adverse effects on the neighborhood would be mitigated by the truck stop's design. The Board's evidentiary analysis supports its decision that the inherent adverse effects would be no greater, and perhaps even less adverse, at the proposed location than it would otherwise be at another location in the district. There is sufficient analysis under the Moreland standard that this Court believes that the Board's decision has met its burden of enabling judicial review.

II. Was the Board's decision based on substantial evidence and free of legal error?

Petitioner contends that the Board committed several errors in its consideration of the evidence by determining the following: that there was no evidence in opposition; the effects of the proposed use on the nearby airport were not given sufficient weight and consideration; that the proposed use was a "travel center;" that the special exception should not have been granted before subdivision; and that the board failed to consider all factors as required by the Zoning Ordinance for Washington County § 25.6. Respondent counters that there was substantial evidence to support the Board's decision and that the Board was not required to consider all factors under § 25.6.

Before reaching the final question whether there was substantial evidence, this Court must decide whether the Board legally erred in granting the special exception use as a "truck stop," in not reviewing all factors under § 25.6, and in granting the special exception on an unsubdivided parcel.

The Board's decision must not be premised upon an error in the law. Ad+Soil, Inc. v. County Commissioners of Queen Anne's County, 307 Md. 307, 338, 513 A.2d 893, 909 (1986). Upon discovering an error of law, the decision of an administrative agency, including a local

zoning board, is owed no deference. Belvoir Farms Homeowners Ass'n, Inc. v. North, 355 Md. 259, 267, 734 A.2d 227, 232 (1999). However, the administrative agency's "expertise should be taken into consideration and its decision should be afforded appropriate deference in our analysis of whether it was 'premised upon an erroneous conclusion of law.'" Marzullo v. Kahl, 366 Md. 158, 173, 783 A.2d 169, 178 (2001) citing Board of Physician Quality Assurance v. Banks, 354 Md. 59, 68, 729 A.2d 376 (1999). Finally, the Court may set aside a decision of an administrative agency that is arbitrary, illegal, or capricious. Mortimer v. Howard Research & Development Corporation, 83 Md.App. 432, 441 (1990), quoting Levy v. Seven Slade, Inc., 234 Md. 145, 149 (1964).

(i) Truck Stop or Travel Center?

Petitioner contends that the Board's acceptance of Respondent's characterization of the proposed use as a "travel center," a term not found in the Zoning Ordinance, constitutes error. In the Board's decision, they find that the "proposed facility is a travel center, rather than a truck stop," and goes on to proffer a characterization of a travel center. At the hearing in this case, counsel for Respondent admitted that the use of "travel center" is a "term of art" and a "marketing tool" to soften opposition and to identify and promote its business. Respondent also admitted that the application must meet the "truck stop" qualifications since Respondent applied for a "truck stop" special exception. The Board also considered the adverse effects inherent in a truck stop (traffic volumes, odors, fumes, noise, lighting, etc.) when they engaged in their analysis. This Court does not find the varying terms to be legally erroneous because the Board held the application to the standard for a special exception use as a "truck stop."

(ii) Should the Board Consider Every Factor?

Petitioner also argues that the Board failed to review all factors listed under § 25.6 of the Zoning Ordinance. The Zoning Ordinance requires that “the Board shall consider any other information germane to the case and shall give consideration to the following, *as applicable*.” Zoning Ordinance for Washington County § 25.6 (2013) (emphasis added). To decide whether the Board must consider every factor, this Court “must examine how the agency applied the law to the facts. This, of course, is a judgmental process involving a mixed question of law and fact, and great deference must be accorded to the agency.” Comptroller v. World Book Childcraft, Int’l, Inc., 67 Md.App. 424, 508 A.2d 148, cert. denied, 307 Md. 260, 513 A.2d 314 (1986).

The Zoning Ordinance empowers the Board to decide which factors are applicable. This Court will defer to the Board’s discretion so long as the record shows that the Board considered the evidence in relation to some of the factors. In its opinion, the Board discussed the emissions and “debris” that the truck stop may emit, the expected traffic flows from the truck stop, and how the truck stop may meet the needs of the surrounding community. Op. at 5-6. These conditions correspond to factors (f), (c), and (g) of § 25.6. Therefore, the Board fulfilled its regulatory requirement, and this Court finds no error.

(iii) Must the property be subdivided before granting the special exception?

Petitioner next argues that granting a special exception on an unsubdivided 11-acre parcel is improper because the special exception could, in some mysterious way, be applied to the entire 70-acre property. Petitioner does not cite to any statute or caselaw to support its proposition, and this Court will not find that the Board erred.

(iv) Is There Substantial Evidence to Support the Board’s Decision?

Having answered those questions, this Court may now move on to the final question of substantial evidence. A special exception proceeding is adjudicatory in nature and all parts of the proceeding are subject to full judicial review. Mossburg v. Montgomery County, 329 Md. 494, 506, 620 A.2d 886, 892 (1993). This Court's role in reviewing the decision of the Board "is limited to determining if there is substantial evidence in the record as a whole to support the agency's finding and conclusions, and to determine if the administrative decision is premised upon an erroneous conclusion of law." Maryland Aviation Admin. v. Noland, 386 Md. 556, 571, 873 A.2d 1145, 1154 (2005), quoting Bd. of Physician Quality Assurance v. Banks, 354 Md. 59, 67, 729 A.2d 376, 380 (1999). Furthermore, the circuit court "cannot substitute its judgment for that of the agency" when reviewing findings of fact "and must accept the agency's conclusions if they are based on substantial evidence and reasoning minds could reach the same conclusion based on the record." Eastern Outdoor Advertising Company v. Mayor and City Council of Baltimore, 128 Md.App. 494, 514, 739 A.2d 854 (1999) (citations omitted).

The quantity of "substantial evidence," also referred to as the "fairly debatable" test, is whether the record before the Board contains at least "a little more than a scintilla of evidence" to support the Board's reasoned decision. Friends of the Ridge v. Baltimore Gas and Electric Co., 120 Md.App. 444, 466, 707 A.2d 866 (1998), vacated in part, 352 Md. 645, 724 A.2d 34 (1999). Furthermore, if such substantial evidence exists, the circuit court must affirm, even though the court would not have reached the same conclusion as the Board, because "substantial evidence pushes the Board's decision into the unassailable realm of a judgment call, one which the court may not substitute its own exercise of discretion." Id.

This Court must also respect the Board's consideration of the evidence because "the assessment of the credibility of the witnesses is a matter entrusted to the Board." Cnty. Comm'rs of Carroll Cnty. v. Uhler, 78 Md. App. 140, 146, 552 A.2d 942, 945 (1989). If a reviewing court reversed based on its independent evaluation of the evidence, it would "constitute usurpation of the Board's function and, necessarily, substitution of [the court's] judgment, including assessment of credibility, for that of the Board." Id. at 146-147. Simply presenting evidence to the Board "does not entitle that testimony to be credited and the Board's determination not to credit it, in and of itself, provides substantial evidence for the Board's conclusion." Id. at 147.

The Maryland Court of Appeals has characterized the special exception use as "a valid zoning mechanism that delegates to an administrative board a limited authority to permit enumerated uses which the legislative body has determined can, *prima facie*, properly be allowed in a specified use district, absent any fact or circumstance in a particular case which would change this presumptive finding." People's Counsel for Baltimore Cnty. v. Loyola Coll. in Maryland, 406 Md. 54, 105-06, 956 A.2d 166, 197 (2008).

Since this is a special exception case, there is an added ingredient to this Court's analysis. A special exception application must be denied if it "would result in an adverse effect upon adjoining and surrounding properties unique and different from the adverse effect that would otherwise result from the development of such a special exception use located anywhere within the zone." Schultz v. Pritts, 291 Md. 1, 15, 432 A.2d 1319, 1327 (1981). The standard of review "is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those

inherently associated with such a special exception use irrespective of its location within the zone.” Id.

Schultz applies to this specific case because the Zoning Ordinance for Washington County does not apply a different standard, only that the exception be “consistent with the purpose of the district.” Zoning Ordinance for Washington County, § 28A.0 (Aug. 23, 2013); see also Montgomery Cnty. v. Butler, 417 Md. 271, 306, 9 A.3d 824, 845 (2010) (“Only then, after determining whether the zoning ordinance is silent on the matters to which Schultz and its progeny speak, may the Schultz line of cases become pertinent and controlling.”)

The designated special exception uses are “conceptually. . .compatible in the particular zone with otherwise permitted uses and with surrounding zones and uses already in place, provided that, at a given location, adduced evidence does not convince the body to whom the power to grant or deny individual applications is given that actual incompatibility would occur.” People's Counsel for Baltimore Cnty. v. Loyola Coll. in Maryland, 406 Md. 54, 106, 956 A.2d 166, 197-98 (2008)

Put differently, the Schultz standard is a geographic test focused on the *locus in quo*: Is there something about this specific site that amplifies the adverse effects of the special exception use? It is not required that the Board of Appeals include a comparison of the “potential adverse effects of the proposed use at the proposed location to the potential adverse effects of the proposed use at other, similarly-zoned locations throughout the jurisdiction” as “part of the required analysis to be made in the review process for each special exception application.” People's Counsel for Baltimore Cnty. v. Loyola Coll. in Maryland, 406 Md. 54, 66, 106-07, 956 A.2d 166, 198 (2008).

Combining both standards, this Court must affirm if there is substantial evidence to support the Board's conclusion that the proposed truck stop would not have any adverse effects above and beyond those inherently associated with a truck stop located anywhere else within the zone.

This case generated a considerable amount of evidence both for and against the special exception. Paul Perini, a member of the limited liability company that owns the property on which Respondent wishes to build, testified that several thousand employees work in the nearby vicinity without any gas station services nearby and only a single diner to serve their dining needs. Tr. 52:13-22. Airport Director Paul Ridenour wrote that a service station that caters to small vehicles would be compatible with the airport's development wishes. Resp't's Ex. E. Mr. Ridenour also testified the airport has made air cargo operations a future goal. Tr. 77:11 – 79-18. Respondent's planner, Mark Dyck, testified at length about Washington County's trucking needs. According to Mr. Dyck, Washington County has a high demand for tractor-trailer parking and that the truck stop would cut down on unauthorized parking by truckers. Tr. 33:25-34:8. Mr. Dyck also testified the truck stop may help meet air cargo needs as well as any local manufacturing and distribution facilities. Tr.43:9-16. Mr. Dyck also stated that the stormwater facilities would not attract waterfowl, which may pose a danger to aircraft. Tr. 47:25-48:11.

In terms of traffic, the Board heard testimony that the truck stop would be situated at an ideal location to service the Showalter Road interchange. Tr. 31:8-9. Disturbances to neighboring residents would be minimal because most Maugansville residents live on the opposite side of the interchange, over a half mile away. Tr. 41:2-9. To mitigate any emissions from the property, vegetation and fence would screen the property. Tr. 138:2-13; Op. at 2, 5.

Several people testified in opposition to the special exception. Jason Divelbiss, counsel to Petitioner, testified about how the particular location of the property may negatively impact Maugansville residents, local traffic flows, and the airport's future growth. Tr. 62:3-66:4. Andrew Wilkinson, a former Maugansville resident and co-counsel to Petitioner, testified about the adverse effects a truck stop may have on Maugansville traffic and disturb local residents. Tr. 87:21-89:13. Local businessman Robin Ferree told the Board of his concerns that the truck stop may not be the best use of the land in terms of future development. Tr. 80:17-82:24. Myron Martin, a Maugansville resident, also voiced his concerns about traffic flows and the prospect of criminal activity occurring at the truck stop. Tr. 71:18-73:4.

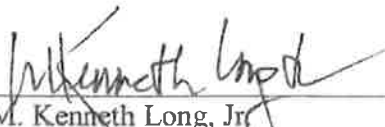
This Court has reviewed the testimony and the exhibits presented to the Board and read the deliberations of the Board, which both summarized and reviewed the evidence presented in the hearing. In its role as fact-finder, the Board is entitled to credit the evidence with whatever weight the Board believes is reasonable. If the Board gives full credit to Respondent's witnesses due to their experience in building truck stops, and does not credit the Petitioner and the witnesses testifying in opposition, then that decision forms part of the substantial evidence in support of its decision. See Uhler, 78 Md. App. at 146-147.

Throughout its deliberation and the written opinion, the Board weighed evidence both for and against the special exception, and decided that the "adverse effects at this site are no greater than those effects commonly attendant to such a use regardless of its placement in the Highway Interchange zone. Rather, the evidence and testimony showed [the Board] that the customary adverse effects attendant to the proposed use are actually attenuated and ameliorated at this site." Op. 5.

On balance, this Court finds that there is substantial evidence in the record, as recapitulated above, to support the Board's decision, and the Board is entitled to credit the evidence how it sees fit. Therefore, the Petitioner's appeal must be denied.

ORDER

The Petition for Judicial Review, the transcript and record of proceedings before the Board of Appeals, and the memoranda of the parties having been read and considered, and argument having been heard, and for the reasons contained in this Memorandum Opinion, it is this 26th day of June, 2014, by the Circuit Court for Washington County, Maryland, **ORDERED**, that the decision of the Board of Appeals of Washington County is **AFFIRMED** and the Petition for Judicial Review is **DENIED**.



M. Kenneth Long, Jr.
Administrative Judge

cc: Kirk Downey, Esq.
Leslie Powell, Esq.
Seymour Stern, Esq.
Andrew Wilkinson, Esq.

**BEFORE THE BOARD OF APPEALS
FOR WASHINGTON COUNTY, MARYLAND**

**LOVE'S TRAVEL STOPS &
COUNTRY STORES, INC.
Appellant**

Appeal No. AP2013-057

OPINION

This action is an appeal for a special exception to establish a truck stop/travel center.* The subject property is known as 18419 Showalter Road, Hagerstown, Maryland, is owned by Perini Industrial Land LLC, and is zoned Highway Interchange. A public hearing was held before the Board on October 9, 2013. Opposition was presented to this request.

Findings of Fact

The following findings of fact are made by the Board, based upon the testimony given and all data and other evidence presented, and upon a study of the specific property involved, as well as the neighborhood:

1. The Appellant proposes establishment of a travel center on the subject property.
2. The center will be located on approximately 11 acres at the western edge of the parcel.
3. Love's, with 300 locations in 39 states and 10,000 employees, is a Fortune 10 privately-held company.
4. This location would be their first location in the state of Maryland.
5. The proposed facility is a travel center, rather than a truck stop.
6. A travel center is for the convenience of truck, automobile, and recreational vehicle (RV) motorists. It provides fuel sales and other retail services, including fast food, on a smaller acreage. It does not have a full service restaurant or a lounge for drivers.

* At the hearing before the Board, the Appellant withdrew its request for variances relating to signage.

7. In contrast, a truck stop primarily caters to truckers on a 25–30 acre site with a full-service restaurant and drivers' lounge.
8. The proposed facility will have 16 fueling points for automobiles and motorcycles and 7 diesel lanes for trucks.
9. It will include an 11,000 square-foot building with fast food restaurants, retail sales space, and restrooms.
10. It will also include an 8,000 square foot tire care center, which is expected to sell an average of five tires per day. The Appellant has found that its 24-hour onsite operation helps to keep the travel center clean and secure.
11. Twenty-five percent of the traffic is expected to come from trucks, or around 400–500 truck trips per day.
12. 1,800 automobile trips are expected daily.
13. Peak hours are automobile heavy, as truckers generally try to avoid the heaviest automobile traffic periods.
14. Truck parking, including 100 spaces, will be located to the rear of the property.
15. The locality has a need for truck parking, particularly overnight.
16. There will be 78 parking spaces for automobiles or motorcycles.
17. The perimeter will be fenced and screened with plantings.
18. The site is approximately 1,000' from the Showalter Road/Interstate 81 interchange, a distance the Appellant has found is ideal for the location of a travel center.
19. The necessary stormwater management facilities will be of low-impact and designed to prevent standing water, so that geese, birds, and other waterfowl will not be attracted to the area or a threat to aviation.

20. The airport and its related businesses support 850 employees, and there are no convenience amenities (gas, snacks, coffee, and convenience sales) in the immediate area.

21. Air cargo operations are a goal of the airport and would require support for truck traffic.

22. The airport marketing plan calls for a mix of commercial uses in the area, but notes that a truck stop may be a "threat" to further development of the airport environs.

23. The Airport Director indicated a preference that land surrounding the airport be used for aviation or aviation-related support businesses, including hotels, motels, and the like, and questioned the proposed use's nexus to airport operations. He voiced some concerns regarding the location of the stormwater management facilities and lighting that may interfere with pilots' night vision.

24. Myron Martin, principal of Martin's Elevator, testified that he was concerned with crime that may attend the travel center, but agreed that retail gas sales were needed in the neighborhood.

25. Jason Divelbiss, the attorney for 2003 Mason Dixon LLC, testified that the site's proximity to the airport results in the proposal failing the *Schultz v. Pritts* test. He noted that the marketing plan calls an airport-adjacent truck stop a threat, noted that Showalter Road was only two lanes, and questioned its ability to handle voluminous truck traffic. He also pointed out the proximity of the Maugansville residential area, noting that Showalter Road dead-ends in Maugansville, making it difficult for trucks to turn around if they miss the interstate entrance. In short, he argued that the site's immediate proximity to the airport presents inherent adverse effects above and beyond those associated with the same use generally when compared to other sites in the HI zone.

26. Rob Ferree, president of Bowman Development Corporation, an adjacent landowner and the most-affected by the proposal, testified that Bowman envisioned a "higher-end" development in the immediate area to

support upscale jobs. He testified that the proposed use would result in diminished property values. Given the unique nature of the neighborhood due to the airport's presence, the proposed travel center is not a good "fit."

27. Andrew Wilkinson, a former 8-year resident of Maugansville, testified that the subject property was too close to significant residential development to be compatible with the neighborhood.

Rationale

The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as "a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood." Section 28A.

The Highway Interchange district "is established to provide suitable locations for commercial activities or light industrial land uses that serve highway travelers, provide goods and services to a regional population, or uses that have a need to be located near the interstate highway system to facilitate access by a large number of employees, or the receipt or shipment of goods by highway vehicles." Section 19.1. "Truck stops" are special exception uses in the HI district. Section 19.3(g) A "truck stop" is defined as "A structure or land used or intended to be used primarily for the sale of fuel for trucks and, usually long term truck parking, incidental service or repair of trucks, overnight accommodations, or restaurant facilities to serve the general public; or a group of facilities consisting of such a use and attendant eating, repair, sleeping or truck parking facilities." Section 28A.

Opponents to this proposal focused on the site's proximity to the airport, the airport's marketing plan, and whether the proposed use "fits with" or furthers the aims of the airport. That is not the standard by which we are required to adjudicate a special exception request.

A special exception use is, by its nature, deemed by the legislative authority to be a beneficial use compatible with the other allowed uses in the zone absent a showing that there "facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." *Schultz v. Pritts*, 291 Md. 1, 22-23 (1981). There is no question that certain adverse effects are attendant to a truck stop, including increased traffic volumes, odors, fumes, noise, and lighting, among others. These adverse effects associated with the use regardless of its location in the HI zone. The question here is whether these effects are worse, or more problematic, here than they would be at any other HI site.

We are convinced that the adverse effects at this site are no greater than those effects commonly attendant to such a use regardless of its placement in the HI zone. Rather, the evidence and testimony showed us that the customary adverse effects attendant to the proposed use are actually attenuated and ameliorated at this site.

The site is of ample size to support the travel center, and it is located in an area with open spaces and mixed uses. The uses include the airport, light industrial uses, warehouses, offices, and aviation-related and non-aviation related uses. The use will not be discordant with these uses; rather, its fuel, food, and convenience items will support these uses' employees and customers. It is located away from significant residential development. Moreover, the location is 1,000' from Interstate 81, making it easily accessible by trucks and traffic and the "ideal distance" from the interstate.

The design of the center itself is meant to ameliorate any adverse effects associated with the use. Truck traffic, fueling, and parking are kept to the rear of the property. The rear of the site will be fenced to maximize safety and security and to ensure that debris stays onsite, rather than polluting neighboring properties. Vegetative screening will further buffer the center from surrounding uses, minimizing any incompatibilities. There will be no full service restaurant or drivers' lounge as normally

found in truck stops. A 24-hour tire facility will further enhance the security and cleanliness of the site. The stormwater facilities will be designed so as to not be an attractive nuisance for waterfowl.

No evidence was presented that the proposed use was incompatible with the neighborhood; disruptive of neighbors' quiet enjoyment of their properties; detrimental to surrounding property values; generative of excessive odors, dust, gas, smoke, fumes, vibrations, or glare; generative of traffic that would exceed the capacity of existing infrastructure; or that the proposal was an inappropriate use of land or structure. We are convinced that the applicant has adequately addressed the requirements for a special exception and addressed the inherent adverse effects associated therewith.

Based upon all of the testimony and evidence presented, this Board finds that the subject request does not adversely affect the public health, safety, security, morals, or general welfare, nor does it result in dangerous traffic conditions, or jeopardize the life and property of neighborhood residents. Therefore, for the reasons set forth herein, this appeal is hereby GRANTED by a vote of 3-2.

Conditions

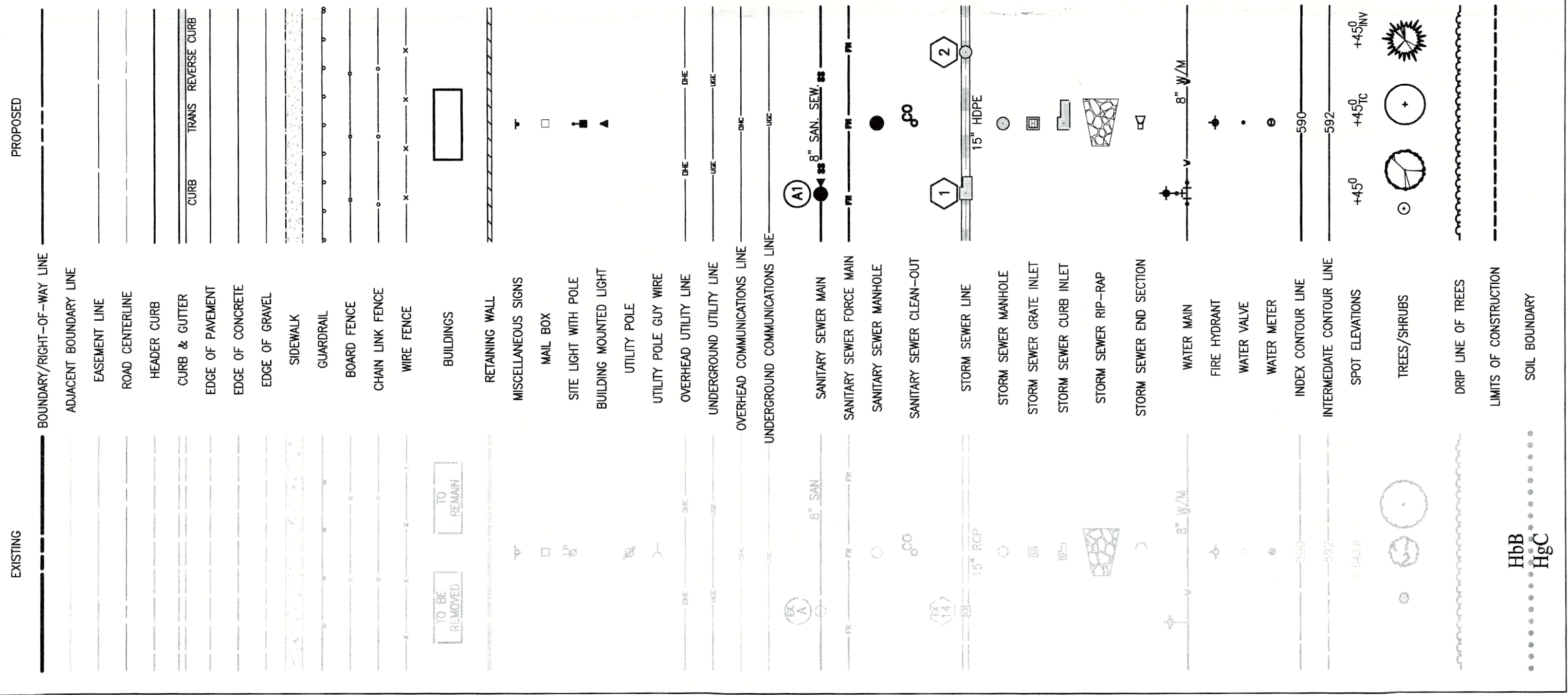
1. Truck parking is required to be located to the rear of the property.
2. The rear portion of the property will be screened from neighboring properties.
3. The perimeter of the rear portion of the property (the truck area) will be fenced, except for entrance and exit areas.

BOARD OF APPEALS

By: Matt Harsh, Chair

Date Issued: November 8, 2013

CIVIL LEGEND:



NO.	SHEET NUMBER AND REVISION DESCRIPTION	DATE
1.	ALL SHEETS-REVIEW AGENCY COMMENTS	05-13-16
2.	ALL SHEETS-REVIEW AGENCY COMMENTS	06-21-16

PROJECT NAME: VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS
COUNTY PROJECT NO. (SP, PP, GP): SP-16-009

ESD PRACTICES (CHAPTER 5 - STRUCTURAL & NON-STRUCTURAL)

TYPE	NO.	DA (ACRES) (TO STRUCTURE)	PROVIDED ESDv (AC-FT.)	WQv (AC-FT.)	CPv (GFS) (DISCHARGE)	PRINCIPLE SPILLWAY (AC-FT.)	STORAGE @ DHW (AC-FT.)	CPv (GFS) (DISCHARGE)	Q ₁₀ (CFS) (OFS)	Q ₁₀₀ (CFS) (OFS)
BORDETMENT	1	0.38	0.27	0.05	N/A	N/A	N/A	N/A	N/A	N/A
WO FILTER	1	12.04	9.04	89	1.143	1.143	0.63	0.63	10.01	85.33

TYPE	NO.	DA (ACRES) (TO STRUCTURE)	PRINCIPLE SPILLWAY (AC-FT.)	STORAGE @ DHW (AC-FT.)	CPv (GFS) (DISCHARGE)	Q ₁₀ (CFS) (OFS)	Q ₁₀₀ (CFS) (OFS)
DETENTION POND	1	12.04	9.04	89	2.15	1.143	0.63

TOTAL DA (SITE)	15.00 ACRES	CONSTRUCTION TYPE (CIRCLE ONE)	(NEW)	REDEVELOPMENT	RESTORATION
-----------------	-------------	--------------------------------	-------	---------------	-------------

NON-ESD PRACTICES (CHAPTER 3 - STRUCTURAL PRACTICES)

TYPE	NO.	DA (ACRES) (TO STRUCTURE)	PRINCIPLE SPILLWAY (AC-FT.)	STORAGE @ DHW (AC-FT.)	CPv (GFS) (DISCHARGE)	Q ₁₀ (CFS) (OFS)	Q ₁₀₀ (CFS) (OFS)
DETENTION POND	1	12.04	9.04	89	2.15	1.143	0.63

TOTAL DA (SITE)	15.00 ACRES	CONSTRUCTION TYPE (CIRCLE ONE)	(NEW)	REDEVELOPMENT	RESTORATION
-----------------	-------------	--------------------------------	-------	---------------	-------------

SITE PLAN SHOWING VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS

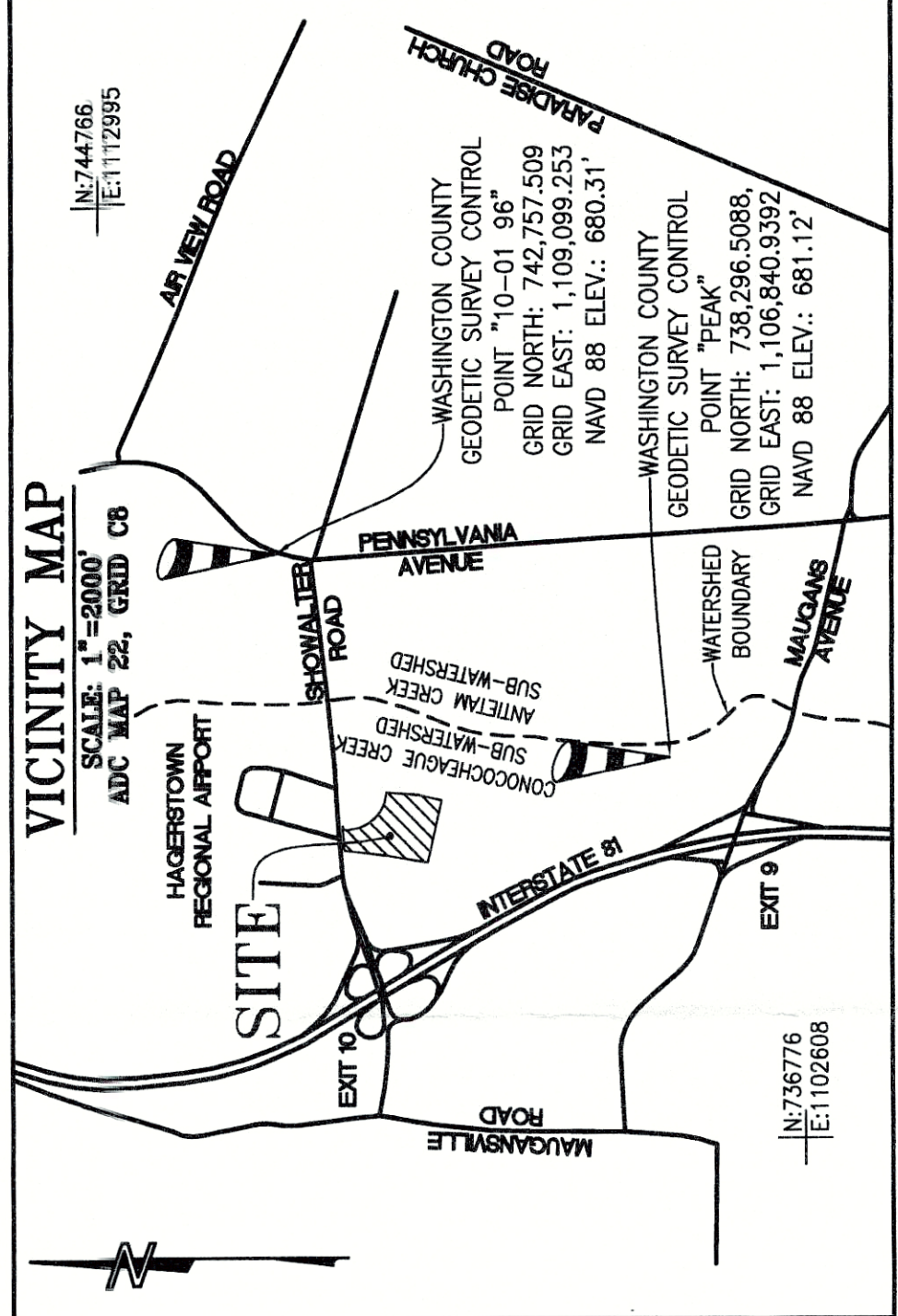
WASHINGTON COUNTY FILE NUMBER: SP-16-009
ELECTION DISTRICT 13
WASHINGTON COUNTY, MARYLAND
PART OF TAX MAP 24 - PARCEL 470 - LIBER 5206 FOLIO 395

ORIGINAL OWNER
PERINI INDUSTRIAL LAND, LLC
13601 PARADISE CHURCH ROAD
HAGERSTOWN, MD 21742
(301) 797-8710

DEVELOPER
LOVE'S TRAVEL STOPS AND
COUNTRY STORES, INC.
ATTN: RICK SHUFFIELD
10601 NORTH PENNSYLVANIA AVENUE
OKLAHOMA CITY, OK 73120
(405) 302-6466

Gordon
301 N. Mildred Street, Suite 1
Charles Town, WV 25414
Phone: 304-725-8456
www.gordon.us.com

PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING



REFERENCE PLANS:

- VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS (SP-16-009)
- SHOWALTER ROAD IMPROVEMENTS (SP-16-009)
- PRELIMINARY/FINAL PLAT REMANDER PARCEL 1 (S-16-014)
- SITE SPECIFIC GRADING PLAN 'VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS' (GP-16-012)
- FOREST STAND DELINEATION PLAN 'LANDS OF PERINI INDUSTRIAL LAND, LLC' (FS-14-003)
- SIMPLIFIED PLAT 'PARCEL A LANDS OF PERINI INDUSTRIAL LAND, LLC' (S-16-004)

OWNER/DEVELOPER CERTIFICATION
I/WE CERTIFY ALL/ANY PARTIES RESPONSIBLE FOR CLEARING, GRADING, CONSTRUCTION, AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF TRAINING AT A MARYLAND DEPARTMENT OF THE ENVIRONMENT APPROVED TRAINING PROGRAM FOR THE CONTROL OF SOIL EROSION AND SEDIMENT.

DATE _____ PRINTED NAME _____ SIGNATURE _____

ENGINEER/ARCHITECT DESIGN CERTIFICATION
I HEREBY CERTIFY THIS PLAN FOR SOIL EROSION AND SEDIMENT CONTROL AND POND CONSTRUCTION HAS BEEN DESIGNED IN ACCORDANCE WITH LOCAL ORDINANCES, COMAR 26.12.01.07 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL, AND MEETS THE MARYLAND POND STANDARD 378.

DATE _____ REG. NO. _____ SIGNATURE _____

OWNER/DEVELOPER CERTIFICATION
I/WE HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND IN ACCORDANCE WITH THE STORMWATER MANAGEMENT ORDINANCE OF WASHINGTON COUNTY AND THE POLICY ON CONSTRUCTION OF SUBDIVISION INFRASTRUCTURE FOR ACCEPTANCE AND OWNERSHIP BY WASHINGTON COUNTY (S-3).

DATE _____ PRINTED NAME _____ SIGNATURE _____

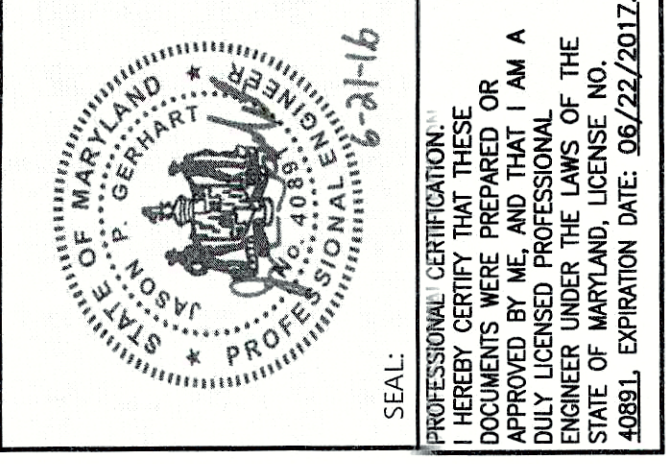
ENGINEER'S STORMWATER MANAGEMENT CERTIFICATION
I HEREBY AFFIRM THAT THE CONSTRUCTION FOR THE STORMWATER MANAGEMENT FACILITIES AS PERFORMED EITHER MEETS OR EXCEEDS THE REQUIREMENTS AND DESIGN INTENT OF THIS PLAN, INCLUDING ALL SPECIFICATIONS AND REFERENCED STANDARDS, AND HAS BEEN COMPLETED IN ACCORDANCE WITH GOOD CONSTRUCTION PRACTICES. I ALSO VERIFIED AND AFFIRMED THAT THE CONSTRUCTION OF THE STORMWATER MANAGEMENT FACILITIES AS PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS AND AT A LEVEL DEEMED NECESSARY TO ASSURE THE VERIFICATION MADE HEREIN AND ALL DISCREPANCIES BETWEEN THE AS-BUILT INFORMATION AND APPROVED PLANS HAVE BEEN NOTED AND ARE CONSIDERED ACCEPTABLE TO THE CONSULTANT.

SIGNATURE _____ DATE _____ SEAL _____

APPROVED:
WASHINGTON COUNTY PLAN REVIEW DEPARTMENT

SIGNATURE _____ DATE _____

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SECURITY CONSULTING
CIVIL ENGINEERING



REVISIONS
1. 05/13/2016 - REVIEW AGENCY COMMENTS
2. 06/21/2016 - REVIEW AGENCY COMMENTS

COVER SHEET

VISTA BUSINESS PARK - LOVE'S TRAVEL STOPS

TAX MAP 24 PARCEL 470
ELECTION DISTRICT 13
WASHINGTON COUNTY, MARYLAND

SP-16-009

SCALE:	HORIZ:	AS NOTED
	VERT:	
DATE:	MARCH	2016
JOB:	3007-0202	
DRAWN:	MAC	CHECK: JPG
CADD:	C-GI-001.DWG	
INCS:	GH-001	
SHEET:		01 OF 49




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THIS SHEET FOR LANDSCAPING PURPOSES ONLY!!!



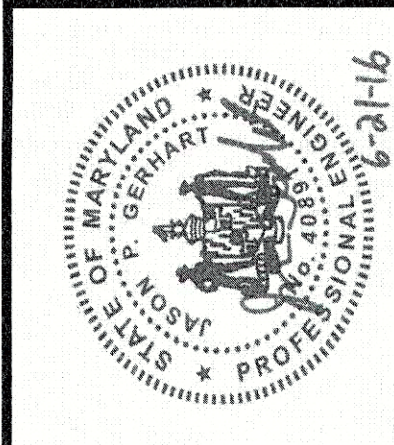
IN741129
ET105658



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PROGRAMMING AND PLANNING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING



SEAL:
PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE
DRAWINGS WERE PREPARED OR
APPROVED BY ME AND THAT I AM A
DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE
STATE OF MARYLAND LICENSE NO.
43881. EXPIRATION DATE: 06/22/2022

REVISIONS
1. 05/13/2016 - REVIEW AGENCY COMMENTS
2. 06/21/2016 - REVIEW AGENCY COMMENTS

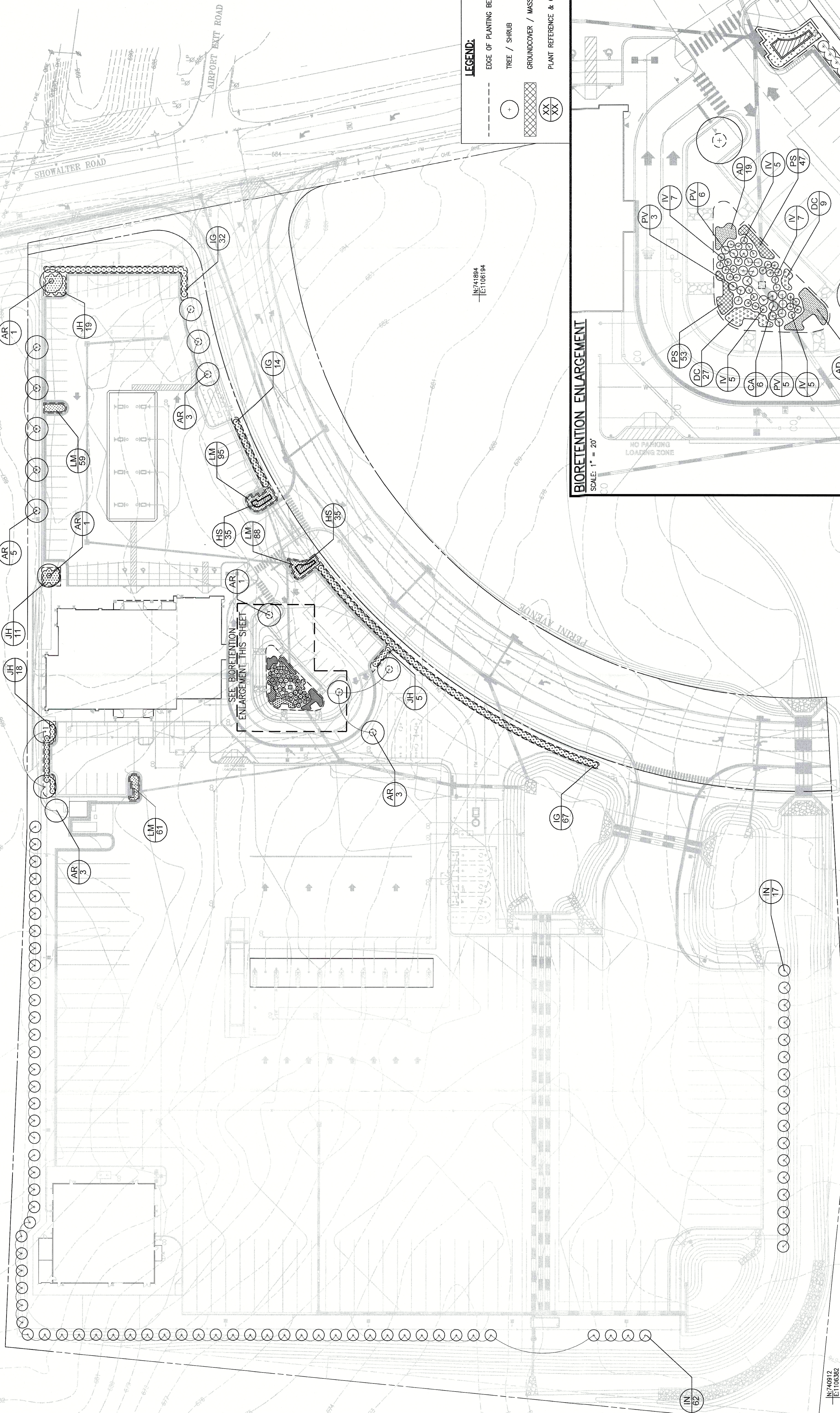
LANDSCAPE PLAN

**VISTA BUSINESS PARK -
LOVE'S TRAVEL STOPS**

TAX MAP 24 PARCEL 470
ELECTION DISTRICT 13
WASHINGTON COUNTY, MARYLAND

SP-16-009

SCALE: HORIZ: 1"=40' VERT: 1"=40'
DATE: MARCH 2016
JOB: 3007-0202
DRAWN: MAC [CHECK: JFG]
CADD: L-LP-101.DWG
INCS: LP-101
SHEET: 47 OF 49



LEGEND:

--- EDGE OF PLANTING BED

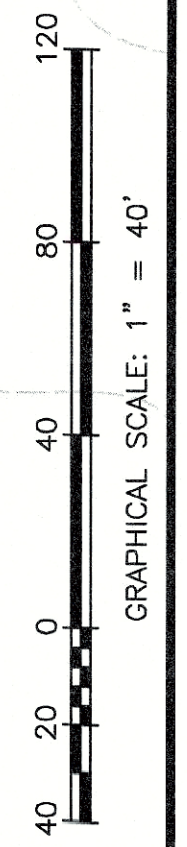
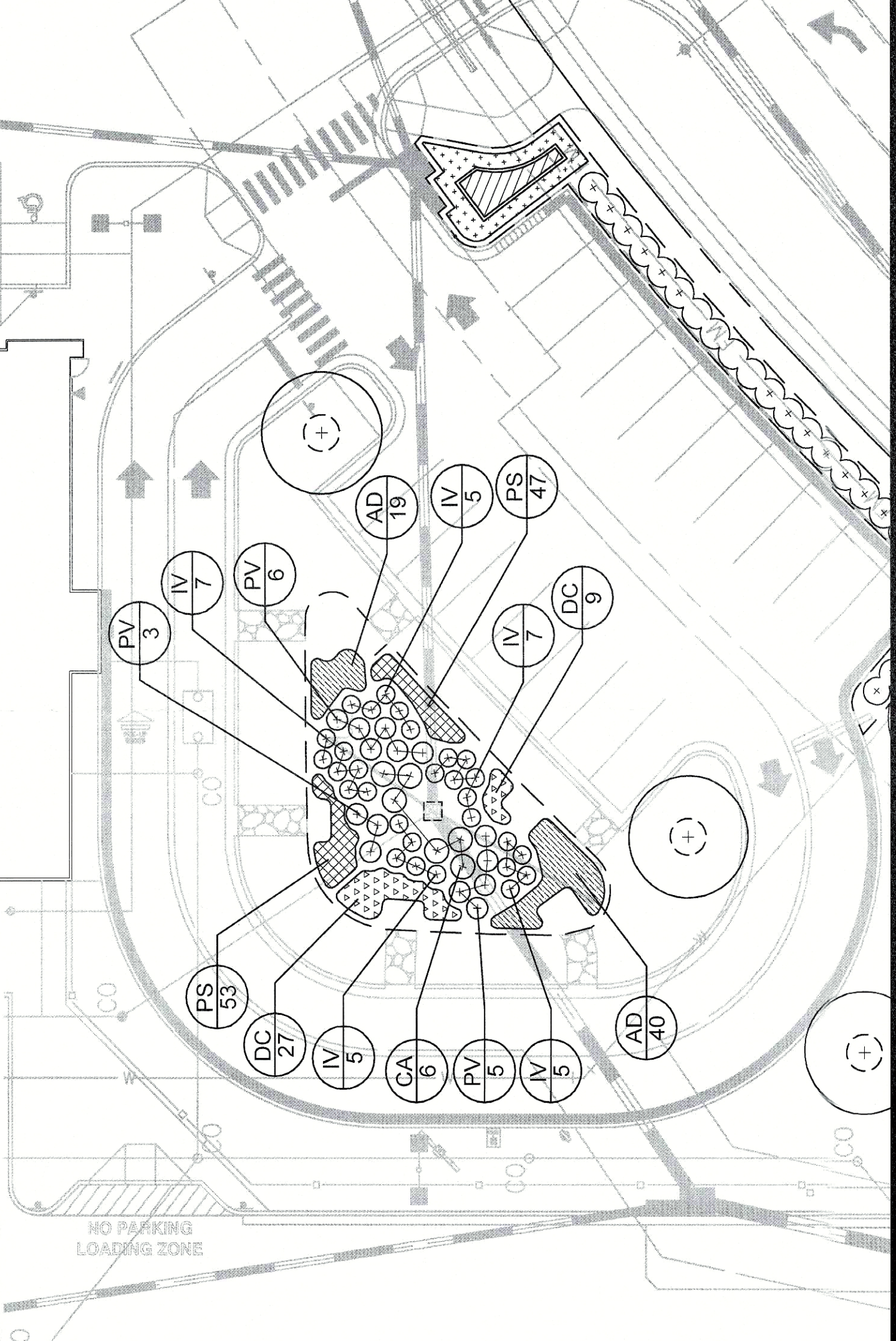
+ TREE / SHRUB

XX GROUNDCOVER / MASSING

⊗ PLANT REFERENCE & COUNT

BIORETENTION ENLARGEMENT

SCALE: 1" = 20'



IN740912
ET106382

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**DIVISION OF ENGINEERING & CONSTRUCTION MANAGEMENT
PLAN REVIEW DEPARTMENT**

Washington County Administrative Annex
80 West Baltimore Street
Hagerstown, Maryland 21740-6003
Telephone/TDD 240-313-2460
Fax: 240-313-2461

Hearing Impaired CALL 7-1-1 for Maryland Relay

S I T E P L A N S T A F F R E P O R T

BASE INFORMATION

SITE NAME....: FT & K, INC.
NUMBER.....: SP-16-016

OWNER.....: FT&K, INC.
LOCATION....: EAST SIDE OF SMOKETOWN ROAD
DESCRIPTION.: PROPOSED PET KENNEL WITH BOARDING AND GROOMING

ZONING.....: P PRESERVATION
COMP PLAN...: PR Preservation
PARCEL.....: 07210006200000
SECTOR.....: 2
DISTRICT....: 19

TYPE.....: CM
GROSS ACRES.: 142
DWEL UNITS..: 1
TOTAL LOTS..: 1
DENSITY.....: 01 UNITS PER ACRE

PLANNER.....: LISA KELLY
SURVEYOR....: FREDERICK SEIBERT & ASSOCIATES
RECEIVED....: 04/27/2016

FOREST REVIEW FEE.....:\$0.00
DEVELOPMENT REVIEW FEE..:\$500.00

SITE ENGINEERING

	WATER	SEWER
METHOD.....	PRIVATE	PRIVATE
SERVICE AREA.....		
PRIORITY.....	7	7
NEW HYDRANTS.....	0	
GALLONS PER DAY SEWAGE...	0	
SEWER PLANT.....		

STORM WATER MANAGMT TYPE.:
DRAIN DIRECTION.....:
FLOOD ZONE....: C
WETLANDS.....:
TOPOGRAPHY.....:
BEDROCK.....:
VEGETATION.....:

SITE DESIGN

IMPERVIOUS SURFACE PLANNED....: 1% BUFFER DESIGN MEETS REQUIREMENTS.: Y
 IMPERVIOUS MAXIMUM ALLOWED....: 0% LANDSCAPING MEETS REQUIREMENTS....: Y
 LIGHTING PLAN MEETS REQUIREMENTS.: Y
 OPEN SPACE AREA PLANNED-AC....: 0 PEDESTRIAN ACCESS IS ADEQUATE.....: Y
 OPEN SPACE MINIMUM ALLOWED....: 0 BUS ROUTE WITHIN WALKING DIST.....: Y
 TOTAL PARKING SPACES PLANNED.: 6 LOADING AREAS MEET REQUIREMENTS...: Y
 PARKING SPACES-MINIMUM REQD.: 5
 PARKING SPACES/DWELLING UNIT.: 6
 RECREATIONAL VEHICLE PARKING.: N

RESIDENTIAL AMENITY PLANS.....: N/A

SOLID WASTE DISPOSAL PLANS....: INSIDE
 MATERIALS STORED ON SITE.....: N/A

COMMUNITY FACILITIES

	ELEM	MID	HI
SCHOOL NUMBER CODE	0	0	0
PUPIL YIELD	0	0	0
CURRENT ENROLLMENT	0	0	0
MAXIMUM CAPACITY	0	0	0

PROPOSED NEW ROAD NAMES

1
 2
 3
 4
 5
 6
 7
 8
 9
 10

NUMBER OF ACCESS POINTS:0
 COUNTY HISTORIC INVENTORY SITE #: II357
 ON NATIONAL HISTORIC REGISTER : N

FIRE DISTRICT: 1 MILES TO STATION: 0
 AMBULANCE DIST: 19 MILES TO STATION: 0

COMMENTS:
 PROPOSED PET KENNEL WITH BOARDING AND GROOMING REV 2

NO CONDITIONS ON APPROVAL FROM BOARD OF APPEALS

SITE PLAN

for

*Situate along the western side of Smoketown Road
south of Keedysville Road*
WASHINGTON COUNTY, MARYLAND


OWNER/DEVELOPER:

FT & K, Inc.

c/o Katie Frey

6802 Smoketown Road
Sharpsburg, MD 21782

**FREDERICK
SEIBERT &
ASSOCIATES, INC.**



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128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013
(301) 791-3850 (301) 416-7478 FAX (801) 739-4656
(717) 397-1007

Legend

SYMBOL

FEATURE

EXISTING

PROPOSED

PROPERTY LINE CORNER
PERMANENT EASEMENT
CENTERLINE
CONTOUR

TREE LINE
EDGE OF PAVEMENT
CONCRETE CURB

STREAM/DITCH
FLOW LINE

SANITARY SEWER LINE, STUB
STORM DRAIN PIPE
FORCE MAIN

ROOF DRAIN PIPE
FIRE HYDRANT
WATER GAS REDUCER, BEEND

FIRE HYDRANT, METER
OVERHEAD ELECTRIC LINE
GUARDRAIL

RAILROAD TRACKS
BUILDINGS/HOUSES, GARAGES
SANITARY SEWER MANHOLE

STORM DRAIN INLET
HANDICAP PARKING
POLE LIGHT

SPOT SIGN
ROAD SIGN

DOUBLE WATER METER
DOUBLE SEWER CLEANOUT

POINT VALVE
BOTTOM OF CURB
TOP OF CURB

EXISTING

PROPOSED

Professional Certification
I hereby certify that these documents were prepared or approved by me,
and that I am a duly licensed professional engineer under the laws of the
State of Maryland, License No. 20945, Expiration Date 2017-08-23.

A circular professional engineer seal for the State of Illinois. The outer ring contains the text "STATE OF ILLINOIS" at the top and "PROFESSIONAL ENGINEER" at the bottom. Inside the ring, the text "JANUARY 1, 1900" is at the top and "JANUARY 1, 1900" is at the bottom. The center of the seal features a five-pointed star above the number "123456789". A signature, "J. Doe", is written across the seal in black ink.

RECEIVED

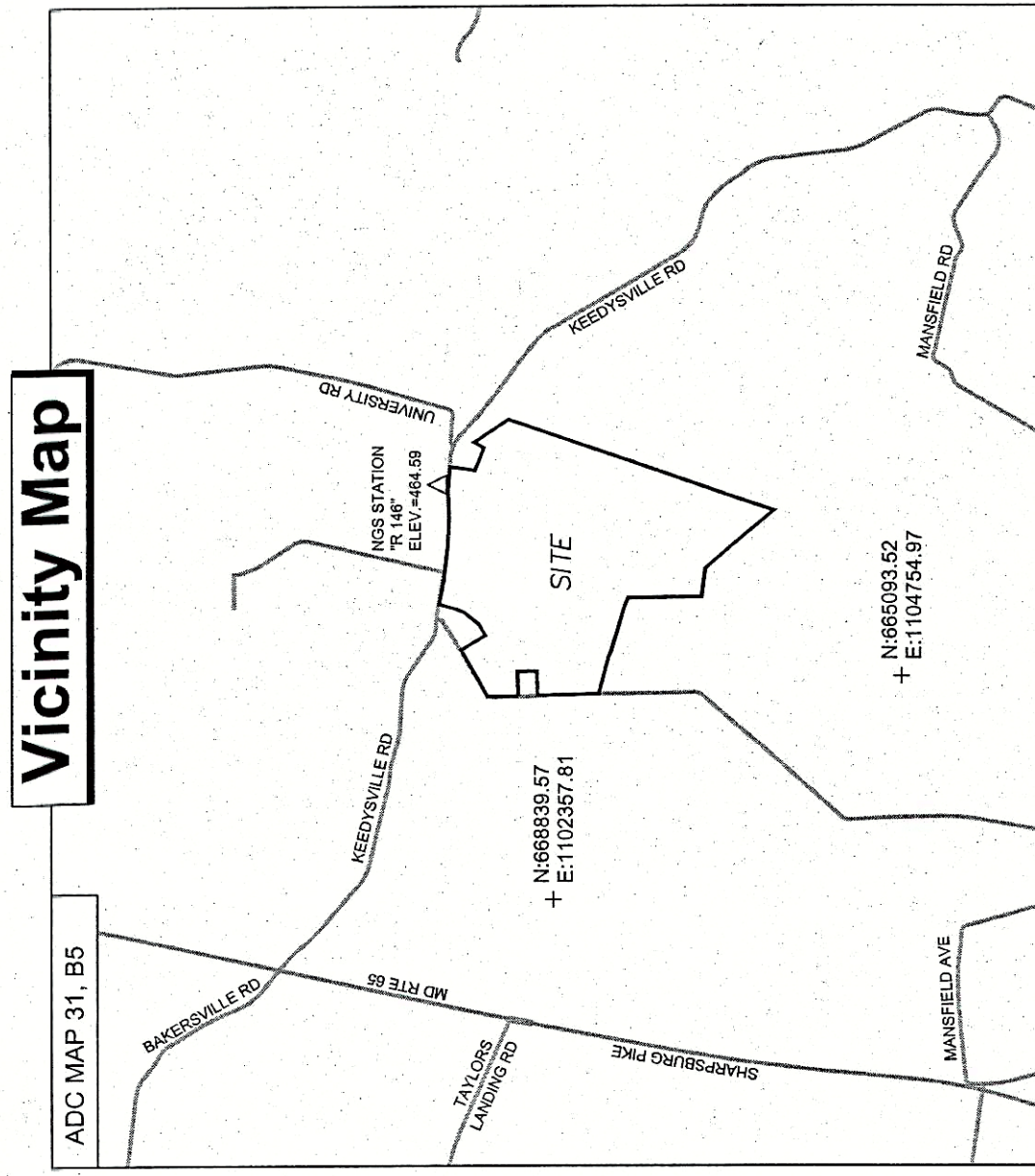
JUN 23 2016

WASHINGTON COUNTY
PLAN REVIEW DEPARTMENT

SOILS	MAP UNIT NAME	ACREAGE	PERCENTAGE	K-FACTOR
D1B	Burfield-Rock outcrop complex, 3 to 8 percent slopes	51.2 Ac.	5%	0.37
D1C	Burfield-Rock outcrop complex, 8 to 15 percent slopes	71.2 Ac.	5%	0.37
H1B	Funston silt loam, 3 to 8 percent slopes, very rocky	72.43 Ac.	50%	0.37
H1C	Funston silt loam, 8 to 15 percent slopes, very rocky	2.54 Ac.	2%	0.37
H2C	Hagerston silt clay loam, 8 to 15 percent slopes, very rocky	24.53 Ac.	17%	0.37
H3C	Hagerston silt clay loam, 15 to 30 percent slopes, very rocky	19.05 Ac.	13%	0.37
S1A	Swampston silt loam, 3 to 8 percent slopes	1.1 Ac.	1%	0.43
S1B	Swampston silt loam, 8 to 15 percent slopes	1.1 Ac.	1%	0.43

SENSITIVE AREA NOTICE

The stream buffers shown herein are established pursuant to the requirements of the Washington County Subdivision Ordinance Article IV, Section 409, in order to preserve or improve water quality, the property owner is required to establish and thereafter maintain in perpetuity vegetative ground cover in accordance with urban best management practices recommended by the Washington County Stream Buffer Ordinance. No permanent structures or construction are permitted within the stream buffer except those designed to improve water quality and riparian habitat. Stream buffers shall be established in accordance with the standards with all applicable regulations, laws, and policies. No septic systems shall be constructed within the buffer nor shall any reserve area be established within this buffer.



SCALE: 1" = 2,000'

<u>TYPE</u>	<u>NUMBER</u>	<u>TITLE</u>
G-001	SHEET 1	COVER SHEET
C-101	SHEET 2	SITE PLAN

Site Data

TAX MAP _____ 79
ELECTION DISTRICT _____ 12
ZONING _____
SETBACKS _____
P - PRESERVATION _____
S - 100' _____
SIDING _____
REAR - 50' _____
PET KENNEL WITH BOARDING _____
BY APPOINTMENT ONLY, MON. - FRI., 8AM - 5PM _____
20
NUMBER OF EMPLOYEES _____
NUMBER OF KENNELS _____
DELIVERIES _____
42.51 Acre _____
PARCEL AREA _____
NUMBER OF VARIOUS AREAS _____
TOTAL PARKING REQUIRED _____
TOTAL PARKING PROVIDED _____
REGULAR - 4 _____
5 SPACES _____
MINIMUM OF 5 SPACES UP TO 2.5 KENNEL,
UNITS, PLUS 1 SPACE PER 10 KENNEL UNITS
AFTER 50 _____
WATER & SEWER USAGE _____
WATER SERVICE - EXISTING WELL _____
SEWER SERVICE - EXISTING SEPTIC FIELD _____
EXISTING POOL & BUILDING MOUNTED, NONE PROPOSED _____
INSIDE TRASH CAN WITH PRIVATE HAULER _____
(SEE SITE PLAN)
STORAGE AND COLLECTION _____
FORESTRATION _____
SENSITIVE AREAS _____
THERE ARE NO KNOWN FLOODPLAINS, STREAMS AND
RELATED BUFFERS, OR HABITAT OF THREATENED OR
ENDANGERED SPECIES IDENTIFIED BY THE U.S. FISH
AND WILDERNESS SERVICE. THERE ARE NO OTHER
SPECIAL CONCERNS. THE ZONING ORDERING
SHOWN BY SECTION 421 OF THE ZONING ORDINANCE
BE SHOWN BY SECTION 421 OF THE ZONING ORDINANCE

General Notes

G.1 Any damage to adjoining public roads, utilities, etc. during construction will be repaired in kind by the contractor.

G.2 Surface investigation has been performed by Friedman and Associates, Inc. to determine the location, nature, extent, depth and/or other natural or man-made existing features (i.e., sewer, water, rock, sinkholes or other) that may be encountered during construction. Existing features are shown on the attached drawings. Contractor shall verify location and depth of all above and below ground utilities prior to construction.

G.3 The contractor shall locate existing utilities in advance of construction operations in the vicinity of proposed construction. The contractor shall take all necessary precautions to protect the existing utilities and to maintain uninterrupted service. Any damage incurred due to the contractor's operation shall be repaired immediately at the contractor's expense. Contractor to cause all work in areas where low hanging wires exist.

G.6 The contractor shall be responsible for coordination of this construction with the construction of other projects in the area.

G.7 The contractor shall notify the Architect/Engineer, before construction, of any conflict between the plans and actual field conditions.

G.8 The contractor shall protect all utilities and culvert pipes during construction by insuring proper cover, increasing cover, or constructing roadway and parking through base course before loading site with heavy construction equipment.

G.9 Job site safety is the sole responsibility of the contractor. The contractor shall perform all excavation in accordance with O.S.H.A. Regulations for trench safety.

G.10 The contractor shall perform his own field inspection and surveys (if necessary) to determine the limit of earthwork needed to complete the project. Any earthwork quantities that may be shown hereon are preliminary estimates only, and are intended for Soil Erosion Control plan review, if required. There has been no correction of quantities shown hereon.

G.11 The contractor shall be aware that in the event of discrepancy between sealed and figured dimensions shown on this plan, the figured dimensions shall govern.

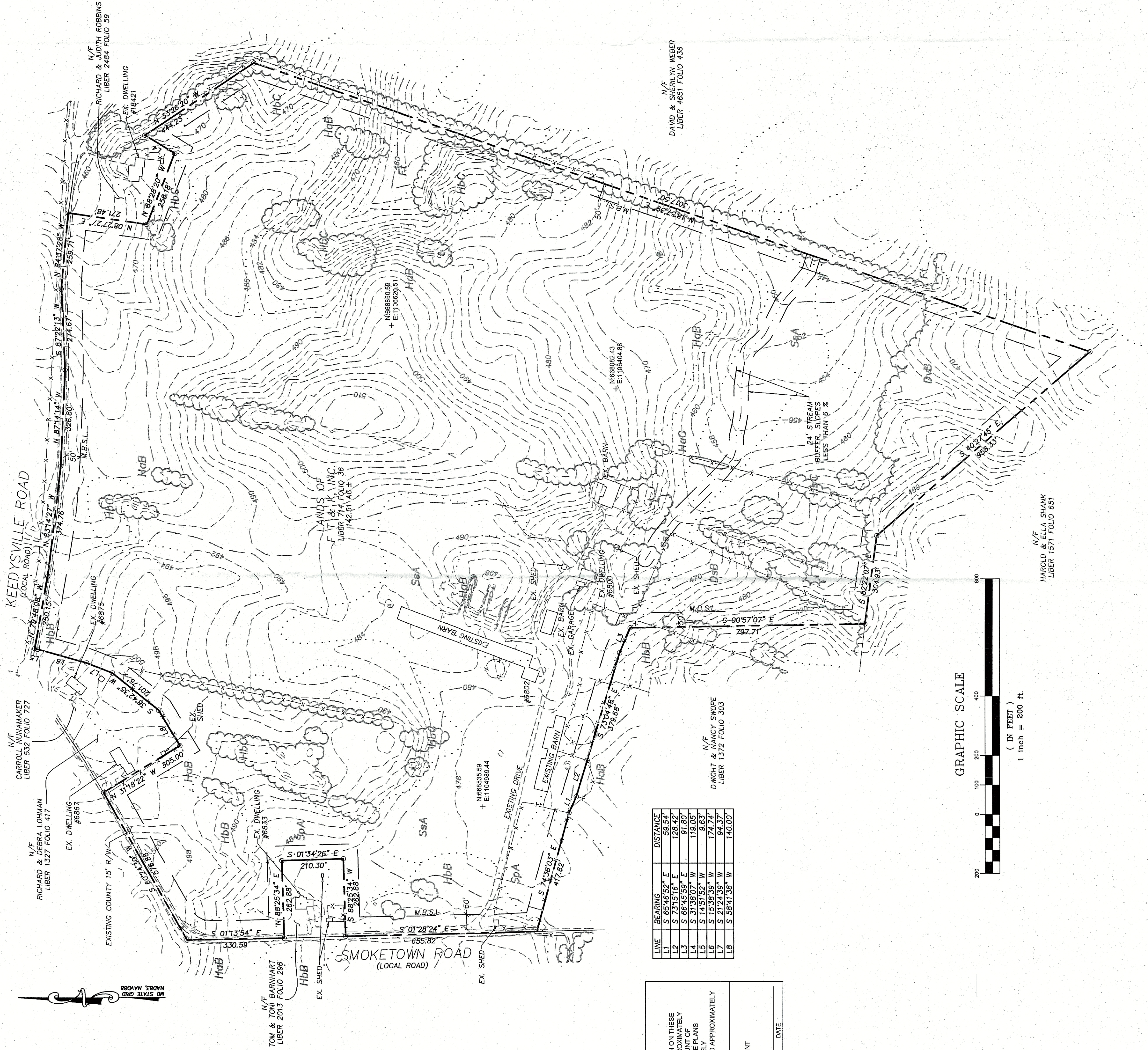
G.12 It shall be distinctly understood that failure to mention specifically any work which would naturally be required to complete the project that is not relative to the contractor's responsibility to complete such work shall not constitute an omission of work to be designed, mapped and signed to meet the minimum requirements of the Maryland code for the handicapped.

G.14 The existing site contours shown hereon were obtained from an aerial survey (Contour accuracy is to plus or minus one half the contour interval).

G.15 Existing lighting will consist of existing building mounted lights as shown.

G.16 The site is exempt from forest conservation per PA-2019-030 to establish a commercial boarding kennel with out door exercise area.

G.17 This site is exempt from forest conservation based on the limit of distance is less than 20,000 sf.



LINE	BEARING	DISTANCE
L1	S 75°46'52" E	59.54'
L2	S 63°15'16" E	128.42'
L3	S 66°45'59" E	91.80'
L4	S 31°38'07" W	119.05'
L5	S 14°51'52" W	9.63'
L6	S 15°38'39" W	174.74'
L7	S 15°24'39" W	94.37'
L8	S 58°41'38" W	140.00'

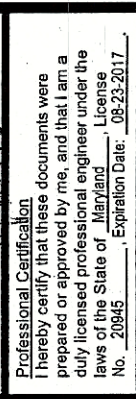
THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY _____ ACRES AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY _____ CU. YDS. OF EXCAVATION AND APPROXIMATELY _____ CU. YDS. OF FILL.

APPROVAL: _____
WASHINGTON COUNTY PLAN REVIEW DEPARTMENT

SIGNATURE

DATE

[illegible]



FREDERICK S. EIBERT & ASSOCIATES, INC. @ 2016

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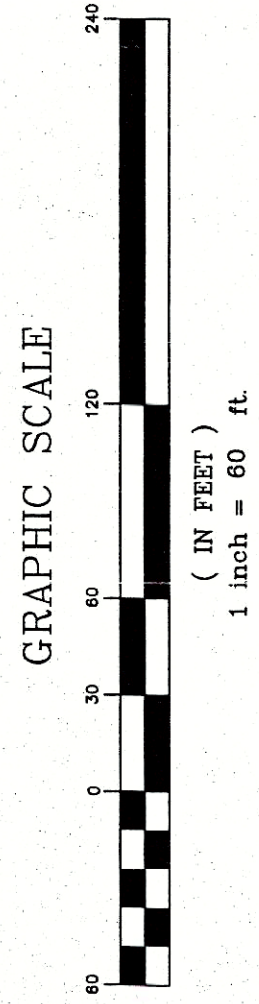
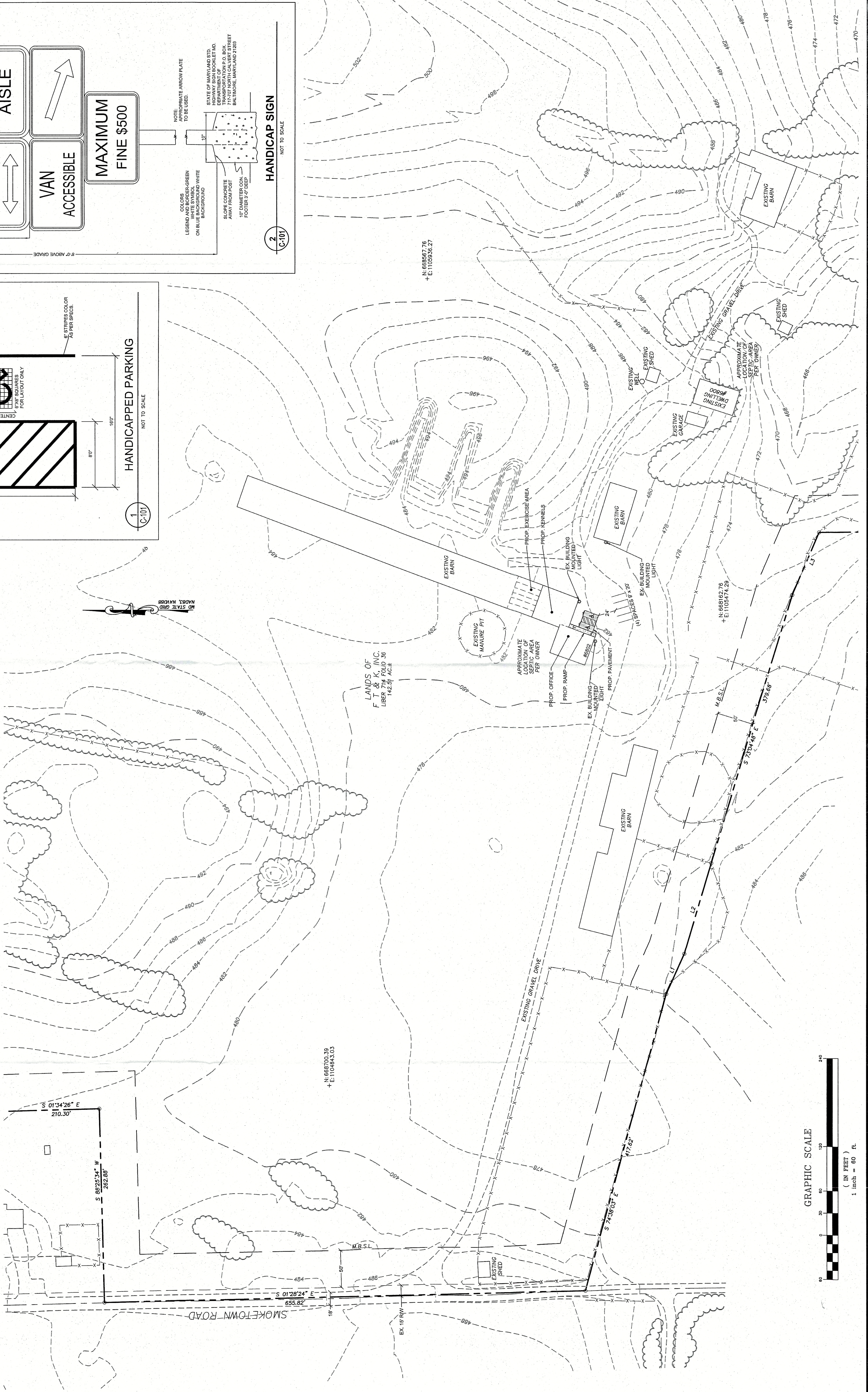
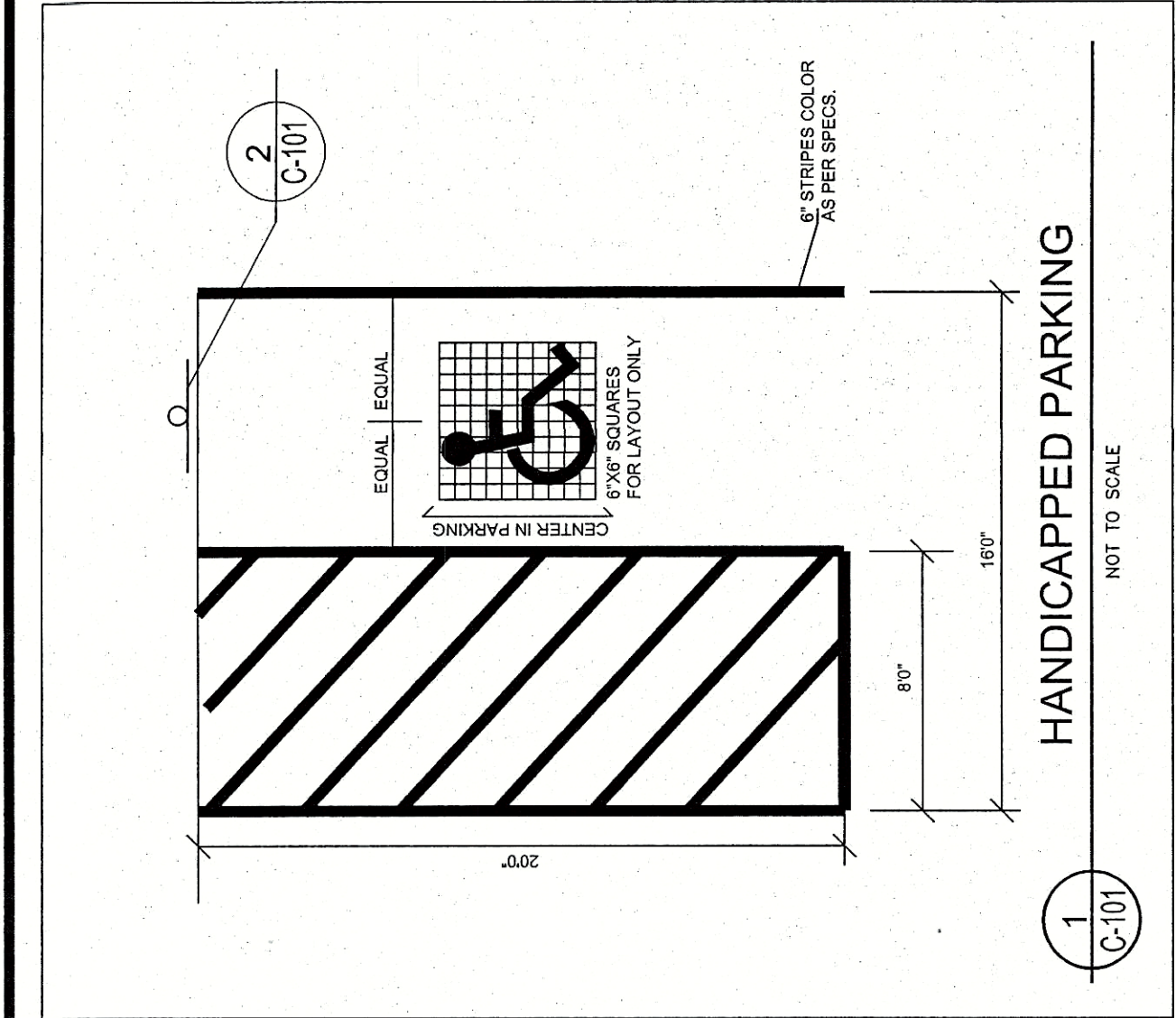
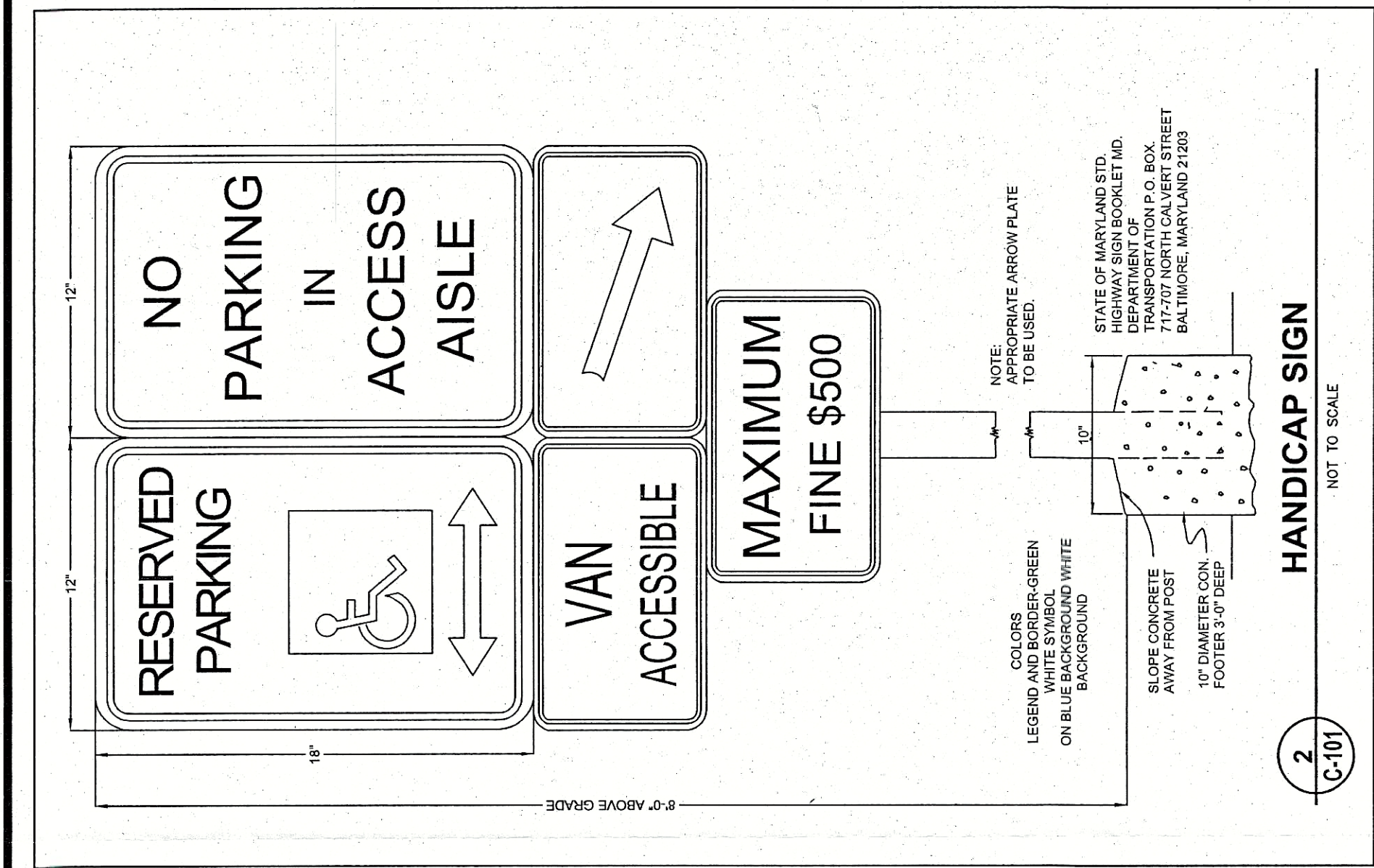
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20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
101 NORTH HANOVER STREET, CARLEISLE, PENNSYLVANIA 17013

www.fseinc.com (717) 592-1002 (717) 592-1003

[illegible]

SITE PLAN FOR F T & K, INC.

PROJECT NO:	1331 KF
CAD DWG FILE:	1331 SITE PLAN-02
DRAWN BY:	DATE
DWG#	04/20/2016
CHECK BY:	DATE
TAX MAP	ELECTION DIST
72-10-62	19
SCALE	1" = 60'
SHEET TITLE	
SITE PLAN	
C-101	
SHEET 2	OF 2
SP-16-016	





Washington County

M A R Y L A N D

DIVISION OF
ENGINEERING & CONSTRUCTION MANAGEMENT
PLAN REVIEW | PERMITTING | ENGINEERING | CONSTRUCTION

MEMO

TO: Washington County Planning Commission

FROM: Tim Lung, Deputy Director-Plan Review Department

DATE: June 29, 2016

SUBJECT: Request for Staff Approval Authority- Bowman Development

The Department of Plan Review has received a request from Frederick, Seibert & Associates on behalf of Bowman Development Corporation that the Planning Commission grant the Plan Review Department staff the authority to approve a site plan for proposed site improvements on property owned by Bowman Development located along the north side of Showalter Road west of Washington County Airport.

The existing building is currently being used for warehousing. The proposal is to renovate and expand the existing facility to accommodate a new prospective tenant, Eldorado Stone. Eldorado stone manufactures architectural stone veneer products. The applicant has submitted a concept plan showing the proposed improvements. If the request is granted, a complete site plan package will be submitted for review and approval by the staff.

The applicant is making this request due to the time sensitivity and urgency to obtain site plan approval in order to meet the prospective tenant's construction schedule.

A letter in support of this request from the Washington County Economic Development Commission is attached.

Staff has no objection to the granting of the request.

FREDERICK M. FREDERICK, RLS, PE
STEPHEN G. ZORETICH, RLA
RONALD A. SKUTCH, RLS
KEITH D. MOORE, PE
JUSTIN T. DOTY, PE
MATTHEW B. CESSNA, RLS
ROBERT D. HOLMES, RLS
SHANNON L. STOTLER, RLS

**FREDERICK,
SEIBERT &
ASSOCIATES, INC.**



CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

128 S. POTOMAC STREET, HAGERSTOWN, MD 21740

TELEPHONE:
(301) 791-3650
(301) 416-7478
FAX:
(301) 739-4956
INTERNET:
WWW.FSA-MD.COM
info@fsa-md.com

MEMO — June 29, 2016

SUBJECT — Concept Site Plan for Eldorado Stone

TO — Tim Lung, WC Deputy Director-Plan Review

CC — Rob Ferree, Bowman Development

FROM — Dave Trostle

REMARKS:

On behalf of our client, Bowman Development Corporation, we are requesting the Planning Commission grant staff the authority to review and approve the site plan for Eldorado Stone, located at 18238 Showalter Road, Hagerstown. This request is being made due to the urgency for plan approval to meet the tenants construction schedule for a new facility, as they are close to a deal on another piece of property in Antrim Township, Pennsylvania.

RECEIVED

JUN 29 2016

**WASHINGTON COUNTY
PLAN REVIEW DEPARTMENT**



Dear Terry Reiber, Chair of Washington County Planning Commission,

This letter is to confirm the Washington County Economic Development Commission's support for Eldorado Stone to bring its manufacturing operation to their current location on along Showalter Road.

Eldorado currently employs 22 people for warehousing of their product manufactured in Greencastle, PA. Eldorado plans to relocate their manufacturing operations from Greencastle, PA to their location in Washington County.

This move will create 220 new jobs paying wages in the range of \$11.00 to \$14.00 per hour. The additional manufacturing operations will result in the construction of 108,000 square feet. Total capital investment is valued at \$14.2 million.

Washington County is competing with PA for this project. If Eldorado is unable to move their manufacturing operations to Showalter Road, it is very likely they will remain in PA with their new buildings to be constructed in the Antrim Commons Business Park in Franklin County.

Respectfully,

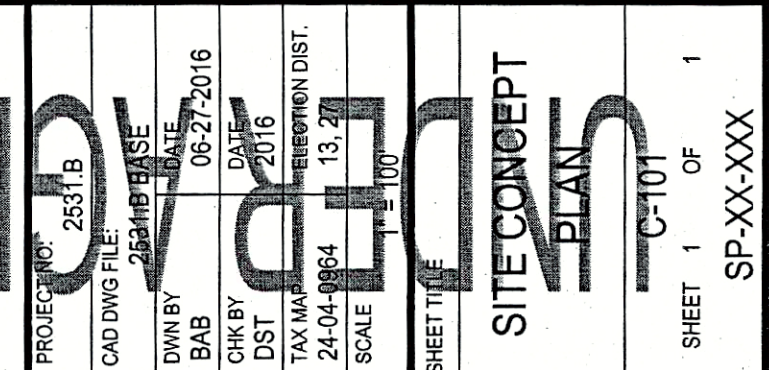
A handwritten signature in blue ink that reads "Julie M. Rohm".

Julie M. Rohm, Chair
Washington County Economic Development Commission




RECEIVED

JUN 29 2016

**WASHINGTON COUNTY
PLAN REVIEW DEPARTMENT**



SCALE: 1" = 2000'

HATCH LEGEND	
	EXISTING BUILDING
	PROPOSED BUILDING ADDITION
	PROPOSED PAVEMENT

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Jurisdiction Name: Washington County

Planning Contact Name: Stephen T. Goodrich, Director

Planning Contact Phone Number: 240-313-2430

Planning Contact Email: SGoodric@washco-md.net

Section I: Amendments and Growth Related Changes In Development Patterns

(A) Were any new comprehensive plan or plan elements adopted? Y ☐ N X

1. If no, go to (B).

2. If yes, briefly summarize what was adopted.

(B) Were there any growth related changes in development patterns? Y N X

(C) Were any amendments made to the zoning regulations? Y X N ☐

RZ-15-003 – This text amendment added a new ARTICLE 16A "PUD" PLANNED UNIT DEVELOPMENT DISTRICT to provide procedural guidelines and review standards for existing PUD districts.

(D) Were any amendments made to the zoning map? Y X N ☐

RZ-14-002 Modification of Rural Business Zoning Districts

This rezoning combined RB-E (Rural Business – Existing) and RB-N (Rural Business-New) Districts into a single RB (Rural Business) floating district. It simplified the procedures to apply the RB district and assigned underlying districts to all existing Rural Business districts. It also includes a change in the definition of "Home Occupations", along with a change removing related percentage requirements and replacing them with universal square footage requirements.

RZ-14-005 – This rezoning was in response to a request to bring the zoning in line with an existing use; it changed the Zoning Over Lay from Rural Village (RV) to Rural Business – New (RB-N).

RZ-15-004 – This rezoning granted Rural Business (RB) Zoning to an existing business in a rural area.

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Section II: Mapping and GIS Shapefiles

(A) Does your jurisdiction utilize GIS to prepare planning related maps? Y X N ☐

1. If no, include an address, parcel identification number or other means to identify the type and location of all new growth related changes or zoning map amendments listed in *Sections I(B) and I(D)*. Provide a paper map(s) that indexes the general location(s) of the growth related changes or zoning map amendment(s). *Contact MDP for mapping assistance.*
2. If yes, include a map(s) of the location(s) of the amendment(s) and submit applicable GIS shapefiles for all new growth related changes and zoning map amendments listed in *Sections I(B) and I(D)*. GIS shapefiles may be uploaded on the online Annual Report Webtool or via email or cd/dvd disk.

(B) Were there any growth related changes identified in *Sections I(B) ?* Y ☐ N X

1. If no, go to (C).
2. If yes, then include GIS shapefiles and map(s), that identify the location of each growth related change identified in *Section I(B)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s).

(C) Were there any zoning map amendments identified in *Section I(D)*. Y X N ☐

1. If no to (A) and (B), skip to *Section III: Consistency of Development Changes*.
2. If yes, then include GIS shapefiles and map(s), that identify the location of each zoning map amendment identified in *Section I(D)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s). *Contact MDP for mapping assistance.*

Section III: Consistency of Development Changes

There were no growth related changes identified in Sections I(B) through (D) in Calendar Year 2015.

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Section IV: Plan Implementation and Development Process (5-Year Report)

The Comprehensive Plan for Washington County was adopted in August, 2002. It is currently undergoing an update, with preliminary background and information gathered and in the analysis stage. In addition, an aggressive program of stakeholder meetings and public information gathering sessions has been completed. These were promoted through a wide variety of social media tools and traditional methods. Summaries of these meetings, and other activities related to the process can be found at:

http://www.washco-md.net/comp_plan/comp_part.shtm

Changes in development trends have been consistent with the 2002 Comprehensive Plan. The Rural areas of the county were rezoned in 2005; the Urban Growth Area was rezoned in 2012. Town Growth areas have been completed thru the public hearing process and await County Commissioner discussion.

Achievement of the visions and goals of the current comprehensive plan continues at a pace determined by the Board of County Commissioners. State or federal laws, or regulations have not been a factor in the pace of local implementation of the Comprehensive Plan. Future land use challenges and issues are primarily focused on the availability of water, sewer, and general infrastructure improvements.

There were no recommendations for improving the planning and development process within the jurisdiction identified in the current reporting year as a significant restructuring had occurred during a previous reporting year. There were no ordinances or regulations adopted related to the 12 planning visions under §1-201 of the Land Use Article.

Section V: Measures and Indicators

(Note: The Measures and Indicators Sections (D) – (G) are only required for jurisdictions issuing more than 50 new residential building permits in the reporting year).

(A) In the **Total** column in *Table 1, New Residential Permits Issued (Inside and Outside the PFA)* in (C) below, enter the total number of new residential building permits issued in 2014. Enter 0 if no new residential building permits were issued in 2014.

(B) In the **PFA** column in *Table 1*, enter the total number of permits issued inside the Priority Funding Area (PFA). Enter 0 if no new residential building permits issued inside the PFA in 2014.

(C) In the **Non-PFA** column in *Table 1*, enter the total number of permits issued outside the PFA. Enter 0 if no new residential building permits issued outside the PFA in 2014.

Table 1: New Residential Permits Issued (Inside and Outside the PFA)

<u>Residential</u>	PFA	Non - PFA	Total
# New Residential Permits Issued	136	42	178

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- (A)** If the **Total** number of new residential permits in *Table 1* is less than 50, then *Tables 2A and 2B* are optional and can be used to locally monitor changes less than 50 permits. Skip to (E) if the **Total** number of new residential permits in *Table 1* is 50 or more.

Table 2A: Amount of Residential Growth (Inside and Outside the PFA)

<u>Residential</u>	PFA	Non - PFA	Total
# Units Approved	42	139**	181
# Units Constructed	78	54	132
# Minor Subdivisions Approved	2	16	18
# Major Subdivisions Approved	1	2	3
Total Approved Subdivision Area (Gross Acres)	21.17	82.42	103.59
# Lots Approved	135	42	177
Total Approved Lot Area (Net Acres)	21.17	82.42	103.59
# Units Demolished*		3	3
# Units Reconstructed/Replaced*		3	3

*Not required.

** 33 of these units are located in a large residential development adjacent to the PFA, and in the UGA.

Table 2B: Amount of Commercial Growth (Inside and Outside the PFA)

<u>Commercial</u>	PFA	Non - PFA	Total
# Permits Issued	5	1	6
# Lots Approved	7	1	8
Total Building Square Feet Approved (Gross)	199,159	0	199,159
Total Square Feet Constructed (Gross)	82340	2361	84701

(A) Were more than 50 new residential building permits issued in 2014? Y X

N ☐

- If no, then the remainder of this Section is optional. Skip to *Section VI: Locally Funded Agricultural Land Preservation*.
- If yes, then complete *Tables 3 through 5* for Residential Growth and *Tables 6 through 8* for Commercial Growth in (F) and (G) below.

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B) Amount, Net Density and Share of Residential Growth:

Table 3: Amount of Residential Growth (Inside and Outside the PFA)

<u>Residential</u>	PFA	Non - PFA	Total
# Permits Issued	78	54	132
# Units Approved	136	42	178
# Units Constructed	78	54	132
Total Approved Subdivision Area (Gross Acres)	21.17	82.42	103.59
# Lots Approved	135	42	178

Table 4: Net Density of Residential Growth (Inside and Outside the PFA)

<u>Residential</u>	PFA	Non – PFA	Total
# Units Approved	136	42	178
Total Approved Lot Size (Net Acres)	21.17	82.42	103.59

Table 5: Share of Residential Growth (Inside and Outside the PFA)

<u>Residential</u>	PFA	Non – PFA	Total
# Units Approved	136	42	178
% of Total Units (# Units/Total Units)	76%	24%	100%

(G) Amount, Net Density and Share of Commercial Growth:

Table 6: Amount of Commercial Growth (Inside and Outside the PFA)

<u>Commercial</u>	PFA	Non - PFA	Total
# Permits Issued	5	1	6
Total Building Square Feet Approved (Gross)	82340	2361	84701
# Lots Approved	6	1	7
Total Subdivision Area (Gross Acres)	54.54	24.46	79

Table 7: Net Density of Commercial Growth (Inside and Outside the PFA)

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Section X: Submitting Annual Reports and Technical Assistance

- (A) Annual Reports may be submitted via email or hyperlink to david.dahlstrom@maryland.gov (preferred) or one copy may be mailed to:

Office of the Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Attn: David Dahlstrom, AICP

- (B) Annual Reports should include a cover letter indicating that the Planning Commission has approved the Annual Report and acknowledging that a copy of the Annual Report has been filed with the local legislative body. The cover letter should indicate a point of contact(s) if there are technical questions about your Annual Report.

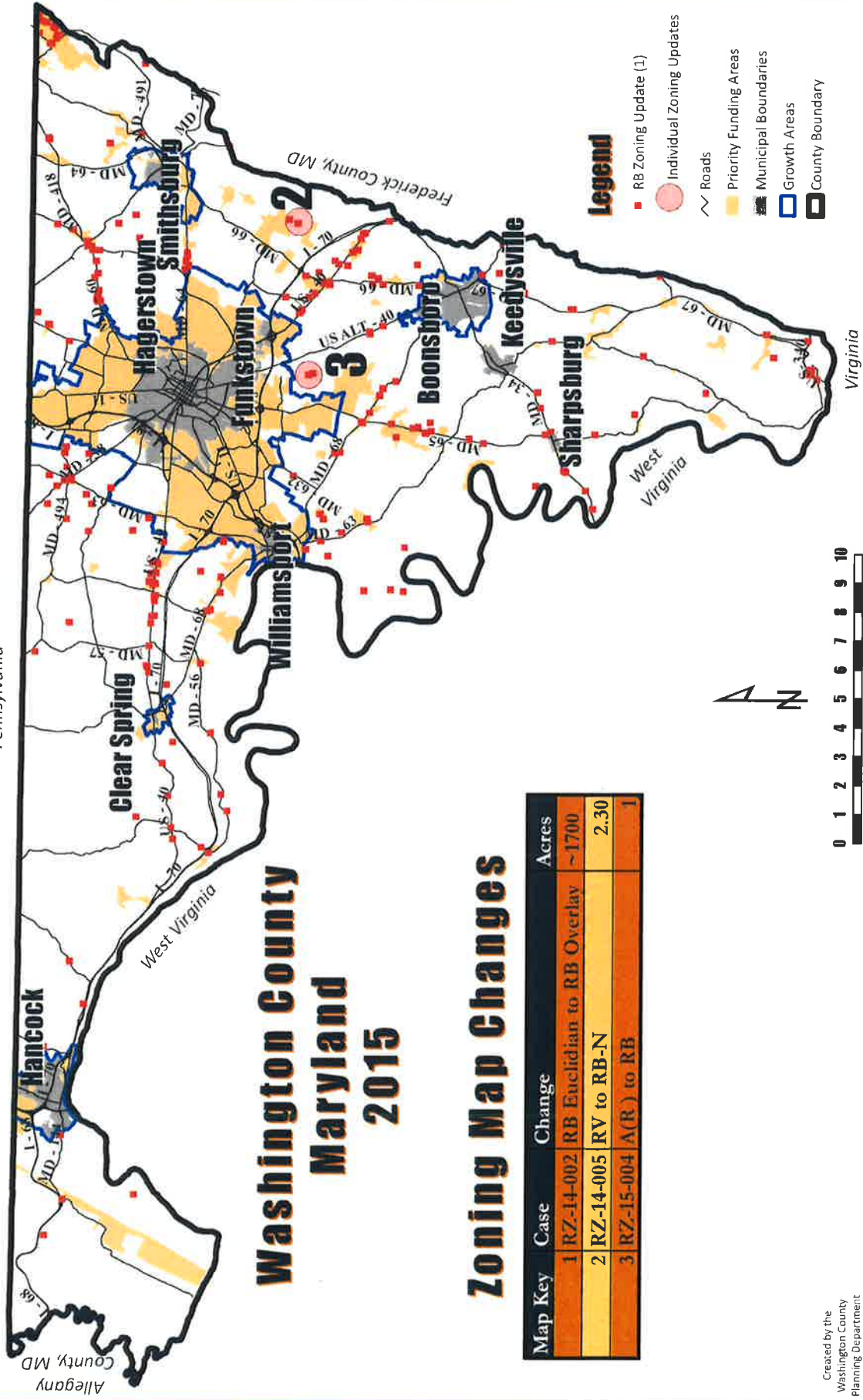
1. Was this Annual Report approved by the planning commission/board? Y X N ☐
2. Was this Annual Report filed with the local legislative body? Y X N ☐
3. Does the cover letter:
 - a. Acknowledge that the planning commission/board has approved the Annual Report. Y X N ☐
 - b. Acknowledge that the Annual Report has been filed with the local legislative body? Y X N ☐
 - c. Answer if all members of the Planning Commission/Board and Board of Appeals have completed an educational training course as required under §1-206(a)(2) of the Land Use Article? Y X N ☐
(See <http://planning.maryland.gov/YourPart/MPCA/PCBZACompletedEd.shtml> for a list having completed the course.)
 - d. Indicate a point of contact(s)? Y X N ☐

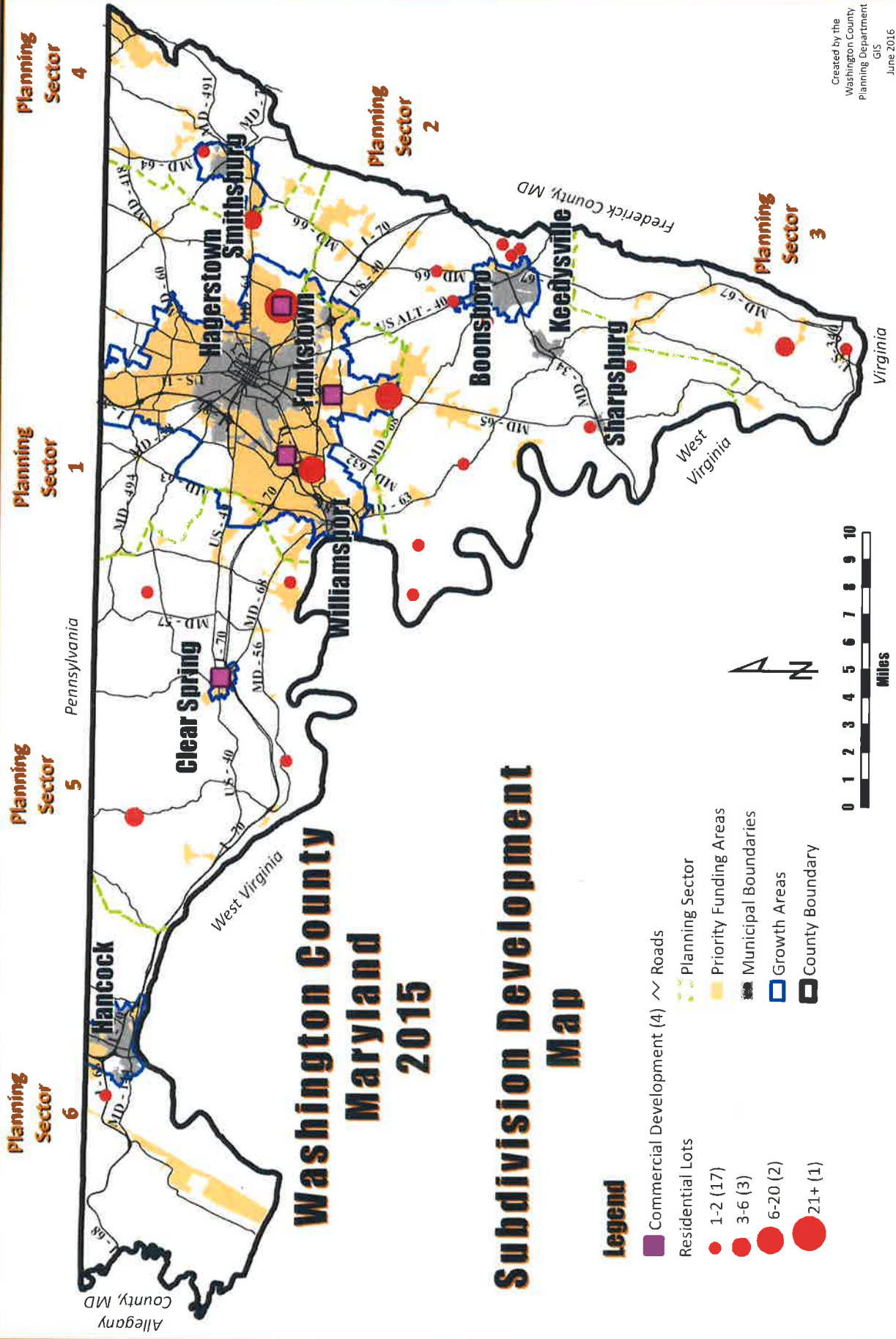
- (C) You may wish to send an additional copy of your Annual Report directly to your MDP Regional Office via email or hyperlink (preferred) or hardcopy.

- (D) If you need any technical assistance in preparing or submitting your reports, our Regional Planners are available to assist you. Regional Planner contact information can be found at: <http://planning.maryland.gov/OurWork/local-planning-staff.shtml>

- (E) Copies of this Annual Report worksheet and links to legislation creating these Annual Report requirements can be found on the Maryland Department of Planning website:
<http://planning.maryland.gov/YourPart/SGGAnnualReport.shtml>

- (F) If you have any suggestions to improve this worksheet or any of the annual report materials, please list or contact David Dahlstrom at david.dahlstrom@maryland.gov.





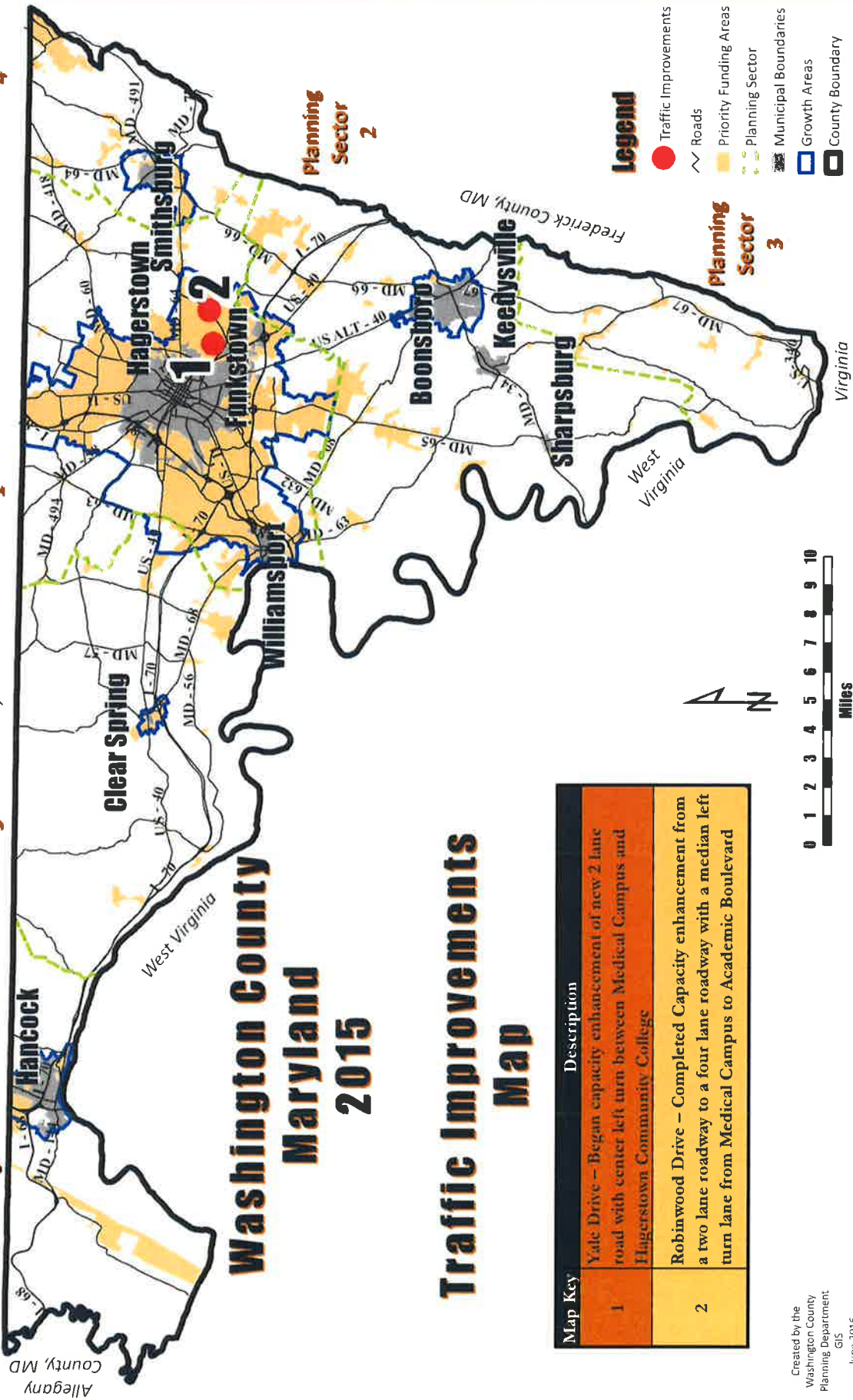


Planning
Sector
6

Planning
Sector
5

Planning
Sector
1

Planning
Sector
4



Washington County Maryland 2015 Traffic Improvements Map

Map Key	Description
1	Yale Drive – Began capacity enhancement of new 2 lane road with center left turn between Medical Campus and Hagerstown Community College
2	Robinwood Drive – Completed Capacity enhancement from a two lane roadway to a four lane roadway with a median left turn lane from Medical Campus to Academic Boulevard

Created by the
Washington County
Planning Department
GIS
June 2016

