

**WASHINGTON COUNTY PLANNING COMMISSION
PUBLIC INPUT MEETING AND REGULAR MEETING
January 8, 2024**

The Washington County Planning Commission held a public input meeting and its regular monthly meeting on Monday, January 8, 2024 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Vice-Chairman called the meeting to order at 6:00 p.m.

Planning Commission members present were: David Kline, Vice-Chairman, Denny Reeder, Terrie Shank, Jeff Semler and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill, Baker, Director; Jennifer Kinzer, Deputy Director; Travis Allen, Senior Planner; Misty Wagner-Grillo, Planner; Scott Stotelmyer, Planner; and Debra Eckard, Administrative Assistant.

PUBLIC INPUT MEETING

RZ-23-008 Williamsport Storage Bins LLC

Staff Presentation

Mr. Allen presented a rezoning map amendment request for property located at 429 and 431 South Artizan Street, Williamsport. The applicant is requesting a change in zoning from HI – Highway Interchange to RT – Residential Transition of these parcels totaling .74 acre. These two parcels are currently undeveloped and are immediately adjacent to Green Lawn Cemetery. These parcels contain a large amount of floodplain, especially on the south side. Mr. Allen briefly discussed criteria which should be considered by the Planning Commission when making its recommendation for a change in the zoning.

Mr. Allen noted that the site is currently served by public water from the Town of Williamsport and public sewer from the County. No school mitigation would be required as part of the development of this site because the two parcels were subdivided prior to the effective date of the Adequate Public Facilities Ordinance. The area surrounding the site is predominately residential with a few exceptions. Mr. Allen stated the two parcels are within close proximity to numerous historic sites. The Williamsport Historic area contains 337 contributing resources.

Mr. Allen reminded members that the RT zoning district is described in the Zoning Ordinance “to provide appropriate locations for single-family and two-family residential development in the Urban and Town Growth Areas”. The RT zoning district is intended to be the least dense residential zoning with two to four dwelling units per acre. The proposed request aligns with the 2002 Comprehensive Plan’s Land Use Plan designation for these parcels. This policy designation is described as the main transitional classification from the urban to the rural areas.

Mr. Allen noted that in the case of a piecemeal rezoning, the applicant is tasked with providing proof that a substantial change has occurred in the character of the neighborhood or a mistake in the zoning of the parcel was made during the last comprehensive rezoning (2012). In this case, the applicant is claiming that a mistake was made in the zoning of this property in 2012. Mr. Allen briefly reviewed the criteria that should be presented by the applicant to support the change or mistake. Staff has reviewed the application which includes the applicant’s justification for a mistake in the zoning and believes there is evidence to support the applicant’s claim that a mistake was potentially made in applying the HI classification on the property in 2012.

No public comments have been received to date regarding this request. As a point of clarification, Mr. Allen stated that address of 431 South Artizan Street was part of a re-addressing that occurred in 2018 and is **not** part of this request. The parcel to the south of 429 South Artizan Street is vacant and is not currently addressed; however, it is part of this rezoning request.

Applicant’s Presentation

Mr. Fred Frederick of Frederick, Seibert & Associates, the consultant, and Mr. Aaron Snook, the applicant, were both present at the meeting. Mr. Frederick noted that these two parcels were part of a larger commercial property; however, these two parcels were always separate lots. When the commercial property was sold, the applicant kept these two lots because they did not want it to be developed with an HI use. Mr. Frederick believes that the change that was not considered when the property was rezoned HI was the fact that the Snook family would not sell the lots. Mr. Frederick enumerated the criteria to be

considered when claiming a mistake in the zoning. He expressed his opinion that a mistake was made in the 2012 rezoning of the property but it was not intentional.

Public Comment

No public was present to make comments.

Motion and Vote: Mr. Semler made a motion to recommend approval of the request to the Board of County Commissioners. The motion was seconded by Mr. Reeder and unanimously approved with Commissioner Wagner abstaining from the vote.

The Vice-Chairman adjourned the public input meeting at 6:15 p.m.

REGULAR MEETING

NEW BUSINESS

MINUTES

Motion and Vote: Mr. Reeder made a motion to approve the minutes of the September 11, 2023 regular Planning Commission meeting as presented. The motion was seconded by Ms. Shank and unanimously approved.

Motion and Vote: Ms. Shank made a motion to approve the minutes of the December 4, 2023 regular Planning Commission meeting as presented. The motion was seconded by Mr. Semler and unanimously approved.

MODIFICATIONS

James and Staci Forrest [OM-23-015]

Ms. Wagner-Grillo presented a modification request to allow the approval of a one lot subdivision for a family member that does not meet road adequacy requirements per the Adequate Public Facilities Ordinance. The subject site is located along Clevelandtown Road, consists of 7.38 acres and is currently zoned Preservation. Ms. Wagner-Grillo noted that a memo from the Washington County Engineering Department states that Clevelandtown Road is not adequate for additional development. The property owner would be required to widen the road 16-feet in the front of the lot per requirements of the APFO.

Mr. Forrest stated that he intends to build a house on the lot for his parents. He stated that if they are required to widen the road, it would be cost prohibitive to build the house.

Motion and Vote: Ms. Shank made a motion to approve the modification request as presented. The motion was seconded by Mr. Reeder and unanimously approved.

Franklin and Pamela Thompson, Lot 1 [OM-23-016]

Ms. Wagner-Grillo presented a request to maintain the conventional setbacks in the A(R) district of 40-foot front, 15-foot side, and 50-foot rear yard versus imposing the Ag buffer setbacks of 50-feet from all property lines. The property is located at 13329 Edgemont Road. Ms. Wagner-Grillo explained that the applicant wants to subdivide a lot to construct a house for themselves. The Thompsons are currently farming the property which does not currently have an agricultural district designation; however, it is assessed as an agricultural land use.

Motion and Vote: Mr. Semler made a motion to approve the request as presented. The motion was seconded by Mr. Reeder and unanimously approved.

SITE PLANS

Grumbacker Lane, LLC [SP-23-022]

Mr. Stotelmyer presented for review and approval a site plan for a proposed gravel tractor trailer parking area located at 10319 Grumbacker Lane. The property is currently zoned P1 (Planned Industrial). There

will be two access points from Industrial Lane. There will be no water or sewer service on the site. Lighting will be pole mounted. No signage is proposed on the site. Hours of operation will be 24 hours per day, 7 days per week. There will be 3.16 acres of forest retained on site to meet Forest Conservation requirements. All agency approvals have been received.

Motion and Vote: Mr. Reeder made a motion to approve the site plan as presented. The motion was seconded by Mr. Semler and unanimously approved.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of November which included 3 site plans.

Comprehensive Plan Update

Ms. Baker noted that the public meetings have been concluded. Staff is organizing all comments received to date. Agencies comments were forwarded to the Planning Commission in December and stakeholder comments were sent in January. Staff continues working on individual comments received. The consensus of the members present is to begin holding workshop meetings starting at 4 pm. Staff will begin working on a schedule for workshop meetings.

UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, February 5, 2024 at 6 p.m.

ADJOURNMENT

Ms. Shank made a motion to adjourn the meeting at 6:50 p.m. The motion was seconded by Mr. Semler and so ordered by the Vice-Chairman.

Respectfully submitted,



David Kline, Vice-Chairman