

WASHINGTON COUNTY PLANNING COMMISSION

January 16, 2014

The Washington County Planning Commission held a public meeting on Thursday, January 16, 2014 at 7:00 p.m. in the Town of Hancock, 126 High Street, Hancock, Maryland for the purpose of reviewing proposed zoning and town growth area boundary changes.

Members present were: Chairman Terry Reiber, Clint Wiley, Drew Bowen and Ex-officio William McKinley. Staff members present were: Planning Director Stephen Goodrich, Chief Planner Jill Baker, Associate Planner Justin Lindley and Administrative Assistant Debra Eckard.

CALL TO ORDER

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

STAFF PRESENTATION

Ms. Baker gave a brief background and history of the implementation of the land use policy recommendations established in the Comprehensive Plan that was adopted by the County in 2002. A comprehensive rezoning of the rural areas of the County was completed in 2005 and a comprehensive rezoning of the Urban Growth Area was completed in 2012. The comprehensive rezoning of the Town Growth Areas is the final step in implementing the land use recommendations. Ms. Baker noted there have been several questions associated with the proposed rezoning and she addressed each as follows:

1. Is this an annexation? Ms. Baker explained that the proposed changes are not part of an annexation plan. The County cannot annex property into a municipality; annexations must be initiated by the property owner or the municipality.
2. Will this change my property taxes? Ms. Baker noted that the zoning changes will not affect property taxes. Property taxes are based on land use, not zoning.
3. Will I be required to hook up to public water and/or sewer? Ms. Baker stated this is not a plan to hook up existing development to public water and sewer. The Zoning Ordinance requires new development to connect to public water and public sewer unless there are extenuating circumstances. At this time, there are no plans to extend services in this area.
4. Is agriculture an allowed use? Ms. Baker stated that every zoning district in Washington County allows agriculture as a use.
5. Can I have animals? Animal husbandry is a permitted use; however, the number of animals is limited based on the amount of manure the animals produce.

Ms. Baker then presented a summary of changes proposed by the Planning Commission following comments received during public input meetings held in August 2013 and a workshop meeting held by the Planning Commission in November 2013. The proposed changes are as follows:

- North Pennsylvania Avenue – All properties north of the Town limits were removed from the Town Growth Area (TGA) and given the zoning designation of EC (Environmental Conservation).
- Robinson Road – All properties along Robinson Road previously zoned Residential Transition (RT) have been removed from the Town Growth Area and zoned EC.
- Hess Road – All properties along Hess Road previously zoned RT have been removed from the TGA and zoned EC.
- Tulip Lane – All properties along Tulip Lane previously zoned RT (with the exception of Parcels of 29 and 11) have been removed from the TGA and zoned EC.
- Sensel Road – Properties on the western portion of Sensel Road previously zoned Rural Urban (RU) have been left in the TGA and with a zoning designation of RT. Properties located on the remainder of Sensel Road previously zoned RT have been removed from the TGA and zoned to EC.

Ms. Baker announced that the Planning Commission will continue to take public comment on the proposed changes to the Town Growth Areas through the end of February 2014. Future meetings will be held in Clear Spring, Boonsboro and Smithsburg.

Public Comments

- Alvin Funk, 6123 Hess Road: Mr. Funk asked for an explanation of the differences between the zoning designations of C (Conservation) and EC (Environmental Conservation). He requested that his property remain in the Conservation district.
- Joe Lashley, 14701 Warfordsburg Road: Mr. Lashley requested that the zoning does not change from HI-1 to RT (Residential Transition) on his property.
- Matt Mills, 1654 Creek Road: Mr. Mills asked for an explanation of the Planning Commission's goal for the community. Mr. Bowen stated that the Planning Commission's role is to recommend zoning changes to account for future growth. The Planning Commission does not make the changes, only the Board of County Commissioners has the authority to make those changes. He noted that the State of Maryland requires that all entities that have zoning must update their plans every 5 to 10 years. Mr. Bowen explained that each municipality around the County has its own zoning authority and each municipality can expand its town boundaries. Mr. Mills believes that the community does not want any changes and that businesses need to be brought to the

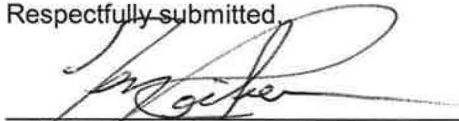
Main Street of Hancock, not the back roads. Mr. Bowen reiterated that the County Commissioners have no zoning authority within the Town of Hancock boundaries.

- Cheryl Funk, 6123 Hess Road: Ms. Funk thanked the Planning Commission for recommending that her property be taken out of the growth area. She asked why her property was being zoned from C (Conservation) to EC (Environmental Conservation). Mr. Wiley explained that the zoning designation Conservation is proposed to be eliminated and replaced with EC. Ms. Baker further explained that the EC designation has a density of 1 dwelling unit per 20 acres. The proposed RT zoning would have allowed for development within the Town Growth Area; however, rural properties outside the Growth Area are meant to be preserved, not developed. Ms. Funk asked if her well or septic were to fail, will she be allowed to replace them. Commission members told her she would be allowed to replace them.
- Paul Golden, 6106 Hess Road: Mr. Golden expressed his opinion that the property owners on Sensel Hill want "everything left as it is". A petition was circulated and 90% of the residents do not want any change. He believes that if water and sewer are extended past an existing property, property owners will be forced to hook up.
- Louise Golden, 6056 Sensel Road: Ms. Golden expressed her opinion that many of the properties on Sensel Hill would not be able to develop because the lots are not large enough. She also believes that if water and sewer are extended, everyone will be forced to hook up.
- Joan Leavy, 6229 Robinson Road: Ms. Leavy expressed her opinion that the proposed EC zoning designation for her property is too restrictive. She wants the property to remain in the C zoning district in order to be able to subdivide the property in the future for a family member, if needed.
- Michelle Iden, 6107 Sensel Road: Ms. Iden expressed her concern regarding the condition of the public roads in the area. Commissioner McKinley stated he would check into the poor road conditions in the Sensel Road/Hess Road area.
- Jessie Unger, 20908 Leitersburg Pike: Ms. Unger stated that she owns Parcels 13 and 95. She believes that parcels 29 and 11 should keep their current zoning and remain outside of the Town Growth Area because they have "boxed in" the adjoining properties. She fears that these properties will be developed in the future [possibly with Section 8 housing], which would be in her backyard.
- Carol Fox, 5932 Sensel Road: Ms. Fox owns parcels 62, 54 and 45 and would like to be taken out of the Town Growth Area.
- Pat Crouse, representing her mother Pat McKinley: Ms. Crouse thanked the Commission members for the zoning change to her property along Warfordsburg Road.

ADJOURNMENT

The Chairman adjourned the meeting at 8:20 p.m.

Respectfully submitted,


Terry Reiber, Chairman