

WASHINGTON COUNTY PLANNING COMMISSION
January 29, 2014

The Washington County Planning Commission held a public meeting on Wednesday, January 29, 2014 at 7:00 p.m. in the Town of Clear Spring at the Clear Spring High School Cafeteria located at 12630 Broadfording Road, Clear Spring, Maryland for the purpose of reviewing proposed zoning and town growth area boundary changes.

Members present were: Chairman Terry Reiber and Clint Wiley, 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 does not have the authority to initiate annexations in 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. She acknowledged that property taxes could increase if the Commissioners decide to raise taxes, but taxes would not change based solely on the zoning/rezoning of property.
3. Will I be required to hook up to public water and/or sewer? Ms. Baker stated this is not a plan to extend public water and sewer services. The Zoning Ordinance requires "new development" to connect to public water and public sewer unless there are extenuating circumstances, such as proximity to water/sewer lines or no available capacity.
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:

- Plumb Grove Mansion property – The property is currently zoned RR and is located within the Town Growth Area. A change was requested due to the historical nature of the property. The Planning Commission has reviewed the request and is now recommending that the property be moved outside the Town Growth Area with a zoning designation of EC (Environmental Conservation).
- Clear Spring School complex – The Clear Spring Historical Society requested that the Clear Spring school complex be removed from the Town Growth Area. The Planning Commission reviewed the request and due to the public ownership of the property and existing infrastructure, the Planning Commission decided this request would not be appropriate; therefore, it is recommended that the school complex be left in the Town Growth Area.
- 12211 & 12213 Big Spring Road: The property owner has requested that the property be zoned RU (Residential Urban). The Planning Commission has reviewed this request and recommends that the property be zoned RU.

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 town meetings will be held in Boonsboro and Smithsburg in February. Public hearings will be held with the Board of County Commissioners prior to adoption of any changes in the zoning or changes to the town boundary.

Public Comment.

- Betty Shank, 11981 Big Spring Road (P.O. Box 182): Ms. Shank stated that petitions with over 400 signatures from the community were presented to staff requesting that the proposed changes to the zoning and Town Growth Area boundary not be made. However, she believes that the Planning Commission did not consider what the community wanted. Ms. Shank stated that the Town's infrastructure does not have the capacity to handle any growth and noted that the proposed RT district would require new development to hook on to public water and sewer. Ms. Shank stated that the Clear Spring Historical Society requested the Plumb Grove Mansion property be zoned P (Preservation), not EC (Environmental Conservation). She expressed her

concern regarding the HI (Highway Interchange) zoning designation with regard to truck stops as a permitted use.

Ms. Baker briefly addressed the request for Preservation zoning for the Plumb Grove property. She explained that a Preservation zoning designation on the property would create "spot zoning", which is illegal by State law. She further explained that the County has a Historic Preservation overlay zone that the Historical Society could apply for; however, this zoning classification could not be put on the property as part of the comprehensive rezoning in accordance with Maryland State law.

- Johnna Maravelis, 138 Cumberland Street: Ms. Maravelis stated that she and her husband have recently moved to Clear Spring after living in Williamsport for 22 years. She discussed the Pilot truck stop and her concerns for safety issues and changes in the character of the neighborhood. Ms. Maravelis expressed her concerns with regard to the proposed changes and stated that she does not want to see the Town change.
- Lisa Poole, P.O. Box 434: Ms. Poole expressed her opinion that when zoning changes other changes will follow. She believes that the property owners of Clear Spring are not being heard and that the Clear Spring area is the next "target" for development.
- Don Bragunier: Mr. Bragunier expressed his concern regarding an increase in his taxes. Ms. Baker explained that if the property is continued to be used for agricultural purposes, taxes will not increase. However, if the property is subdivided and developed, taxes will increase because the use of the property has changed.
- Mary Glen Baer, 11705 Rocky Meadow Road: Ms. Baer stated that the people of Clear Spring do not want development. "We're like Hancock. Leave us alone".

Mr. Goodrich briefly addressed the differences between the RR (Rural Residential), which is being eliminated, and the RT (Residential Transitional) zoning districts as follows:

- There is a slight increase in density.
- Land uses have been revised with some commercial uses being removed.
- Public water and sewer is required for new development.

Mr. Goodrich stressed the point that property owners are still in control of what happens on their own property.

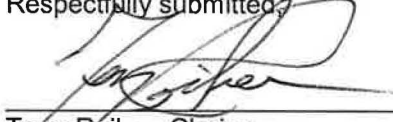
There was a question from the audience asking where truck stops could be located. Mr. Goodrich responded that truck stops are allowed in the Highway Interchange zoning district. He noted that the area shown on the map around Clear Spring designated HI (Highway Interchange) is already zoned HI and permits uses that are allowed in the Industrial Restricted zone.

- Brian Grush, Clear Spring Creamery, 12621 National Pike: Mr. Grush expressed his opinion that the residents of Clear Spring have a right to be concerned about property taxes being raised due to his experience with Alleghany County.
- Michael Johnson, 154 Cumberland Street: Mr. Johnson asked if a County Commissioner is present during all of the Town Growth Area meetings. Mr. Reiber responded that Commissioner Baker is in attendance at this evening's meeting and Commissioner McKinley [the Ex-Officio to the Planning Commission] was present at the meeting in Hancock. Commissioner Baker stated, from the audience, that he attended the meeting in order to hear the concerns of the residents of Clear Spring.

ADJOURNMENT

Chairman Reiber adjourned the meeting at 8:10 p.m.

Respectfully submitted,



Terry Reiber, Chairman