

WASHINGTON COUNTY PLANNING COMMISSION
June 2, 2014

The Washington County Planning Commission held its regular meeting on Monday, June 2, 2014 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, Vice-Chairman Clint Wiley, Drew Bowen, David Kline, and Ex-officio William McKinley. Staff members present were: Washington County Department of Planning & Zoning - Steve Goodrich, Director; Jill Baker, Chief Planner; Justin Lindley, Associate Planner; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting - Terry Irwin, Deputy Director; Tim Lung, Chief Planner; Lisa Kelly, Senior Planner; and Cody Shaw, Associate Planner.

CALL TO ORDER

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

MINUTES

Mr. Bowen made a motion to approve the minutes of the April 21, 2014 Planning Commission rezoning public meeting as presented. The motion was seconded by Mr. Wiley and unanimously approved.

Mr. Bowen made a motion to approve the minutes of the April 23, 2014 Planning Commission workshop meeting as presented. The motion was second by Mr. Wiley and unanimously approved.

Mr. Bowen made a motion to approve the minutes of the May 5, 2014 regular meeting as presented. The motion was seconded by Mr. Wiley and unanimously approved.

NEW BUSINESS

-MODIFICATIONS

William and Leona Sauser (SV-14-004)

Mr. Shaw presented for review and approval a modification request for William and Leona Sauser for property located along the west side of Harpers Ferry Road (Tax Map 83, Grid 10, Parcel 227). The property is currently zoned A(R) – Agricultural Rural. The owner is proposing to convey a single-family lot to an immediate family member; and, is requesting a modification from Section 405.2A of the Washington County Subdivision Ordinance, which requires access spacing of 300 feet for properties along a major collector. The justification for the requested modification as presented in the application states, "Topographic conditions create a steep slope where the existing driveway is proposed and would be difficult to navigate a vehicle up to the proposed house location". The applicant is requesting a reduction from 300 feet to 50 feet for access spacing.

Discussion and comments: Mr. Fred Frederick of Frederick, Seibert & Associates, the consultant, explained that by locating the driveway as proposed it would limit the disturbance to the environment and the 100 year floodplain located on the property.

Motion and Vote: Mr. Bowen made a motion to approve the modification request as presented. The motion was seconded by Mr. Wiley and unanimously approved. ♡

Letitride LLC (SV-14-006)

Mr. Shaw presented for review and approval a modification request for Letitride LLC for property located at 10903 Big Pool Road (Tax Map 45, Grid 2, Parcel 14). The property is currently zoned EC – Environmental Conservation. There is an existing single-family residence located on the 4.67 acre parcel. The proposed use would be a one acre lot around the existing house (Lot 1), a proposed one acre building lot (Lot 2) and 2.63 acres of remaining lands. The lot is to be conveyed to an immediate family member. The applicant is requesting a modification from Section 405.2.A of the Washington County Subdivision Ordinance, which requires access spacing of 300 feet. The justification for the requested modification as presented in the application states, "In an attempt to utilize the land in the most efficient manner and not create an oversized lot, the average lot width is 150 feet, thus 300 feet from an existing access would be difficult to achieve. The furthest away from an existing access that this access can be and still develop the land in an efficient manner is 180 feet from the existing access on an adjacent lot. A hardship would be created in that all 3 siblings that own this property would not be able to each have their own individual lot."

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

-PRELIMINARY CONSULTATION

Mr. Lung presented for review a preliminary consultation for the Mt. Aetna Technology Park which contains approximately 115 acres of property located north of the Meritus Medical Center, west of the Hagerstown Community College, and east of Eastern Boulevard. The property is currently zoned ORI – Office, Research & Industry and is owned by the Hagerstown Washington County Industrial Foundation (CHIEF). The concept plan includes several buildings of various sizes that would house offices and educational facilities. Discussions during the consultation were very broad and general in nature because this is a long-range plan that most likely will change depending on the businesses that locate here. Some areas of discussion during the consultation included the need for coordination between the County and the developer with regard to the road network that is proposed, the need for frontage roads for each pod of development to minimize the number of access points onto the major roads, and development of the site that minimizes the disturbance to the natural contours and environmental features of the property. Mr. Lung noted that the ORI zoning designation is a new zone that contains specific design standards that will need Planning Commission approval. This site may eventually be annexed into the City of Hagerstown and should be designed to meet City standards as well as County standards.

Discussion and comments: Mr. Wiley recommended that the development be pedestrian and bicycle friendly. Mr. Kline recommended that the developer make sure there is adequate capacity for utilities, especially electricity in case a substation is needed. Mr. Bowen recommended limited access onto major roadways.

Motion and Vote: Mr. Bowen made a motion to recognize the preliminary project as an on-going project over the next several years. The motion was seconded by Mr. Wiley and unanimously approved.

-SITE PLANS

Rockland Estates Event Center (SP-14-017)

Ms. Kelly presented for review and approval a site plan for the Rockland Estates Event Center located along the west side of Sharpsburg Pike on 25 acres. The property is currently zoned A(R) – Agricultural Rural. The property owner is proposing to hold special events in two tents (2,400 square feet each). The proposed tent locations are temporary. There will be no events in the barn or house. The Board of Zoning Appeals granted a special exception to establish a wedding reception and events venue in February of 2014. The site is served by individual well and septic. Restroom facilities will be in a temporary restroom trailer approved by the Health Department. Hours of operation will be by appointment only from 10 a.m. to 10 p.m. daily. Parking spaces required is 48 spaces and a total of 50 parking spaces will be provided. Parking will be located in a grassy area in front of the house, which was also approved by the Board of Zoning Appeals with the condition that if the grass parking area deteriorates to the point of soil erosion, the owner shall pave the parking area or cease operations until the grass is restored (a note to this effect is on the site plan). Lighting will be building mounted on existing sheds and temporary pole lights will be used for the parking area. There will also be lights in the tents. Solid waste disposal will be via trash cans. The site is exempt from Forest Conservation Ordinance requirements because there is no disturbance over 20,000 square feet. All agency approvals have been received.

Discussion and comments: There was a brief discussion regarding the two options for the tent locations and future plans for the business. There was a brief discussion regarding the entrance and road improvements required by the State Highway Administration. Mr. Reiber expressed his concern with regard to the narrow driveway and parking in the grass.

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

Triumph Development (SP-14-005)

Ms. Kelly presented for review and approval a site plan for Triumph Development located along the east side of Robinwood Drive. The property is currently zoned BL – Business Local. The developer is proposing to construct a bank and commercial retail sales building on 3.7 acres. The proposed bank will be 2,900 square feet and the two story retail building will be 36,000 square feet. There will be three access points for the site [one which will be a 40 foot shared access easement with the Elks Club]. In June 2011, an access modification was presented to the Planning Commission and approved, which reduced the access spacing from 500 feet to 300 feet. As a condition of this approval, a replat was required to remove the access restriction note and to eliminate the septic reserve area since public sewer is to be used. The currently proposed access points from Robinwood Drive do not coincide with the modification of 2011. The current proposal of a right-in and right-out access suits the revised site design and pushes the right-out access to the northeast corner of the property as far away from the intersection as possible. The access spacing and locations were revised and reviewed by the Washington County Public Works and Engineering Department. Based on the traffic study analysis, it was determined that the access points as shown were better for traffic flow on Robinwood Drive and for the site. The site will be served by public water and sewer. Hours of operation for the bank will be 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to noon on Saturday and the hours of operation for the commercial retail use will be 8:00 a.m. to 11:00 p.m., 7 days per week. There will be daily deliveries. Parking spaces required are 155 spaces and 158 spaces will be provided. There will be directional pavement markings to

aid traffic circulation on the site. There will be building mounted and pole mounted lighting. Solid waste removal will be a screened dumpster. Signs will be building and pole mounted. A pylon sign will be located near the entrance. A six foot vinyl fence will be constructed next to the retaining wall to screen the site from the single-family residences to the east. Landscaping will be located throughout the site and will include maples, dogwoods, shrubbery and ornamental grasses. Forest Conservation Ordinance requirements were met in 2007 when the site was originally submitted as a preliminary/final plat for Brian Kenworthy. All agency approvals have been received with the exception of Washington County Addressing and the City of Hagerstown Sewer Department.

Discussion and Comments: Mr. Wiley asked if the off-site (overflow) parking agreement with the Elks Club is still needed. Ms. Kelly stated that the developer will meet all parking requirements on site. Mr. Reiber asked if there would be enough parking available if a restaurant were to be part of the commercial use on the site. Mr. Zoretich of Frederick, Seibert & Associates, the consultant, stated that the uses would need to conform to the site design and parking requirements. He also noted that the recorded plat will show the shared access for the Elks Club and this site. Mr. Zoretich explained the reasons for the right-in/right-out access locations. Mr. Wiley expressed his concern with regard to the location of dumpsters in close proximity to the residences as well as lighting issues. Mr. Zoretich stated there is a buffer area between the dumpsters and the houses as well as a retaining wall. It was the consensus of the Commission members that the dumpster location should be moved. Mr. Bowen, as well as the other members of the Commission, expressed their concern with regard to the right-in access from Robinwood Drive so close to the intersection especially when a second access is proposed from the shared drive with the Elks Club. Mr. Zoretich stated this is an important element for the developer's business plan and has been reviewed and approved by the County's engineers. There was a brief discussion regarding screening along the vinyl fence.

Motion and Vote: Mr. Bowen made a motion to table the site plan until the July meeting, The site plan should be revised to show the new location of the dumpsters and additional screening along the back of vinyl fence. The motion was seconded by Mr. Wiley and unanimously approved.

Discussion following the vote: The Planning Commission members requested that staff provide, either in writing or in person during the July meeting, the justification for the location of the right-in only access from Robinwood Drive.

Truck Enterprises, Inc. (SP-14-009)

Mr. Shaw presented for review and approval a site plan for Truck Enterprises, Inc. located along the west side of Volvo Way (Tax Map 24, Grid 16, Parcel 698) on 8.5 acres. The functional description of the site is for truck sales and service. The property is currently zoned HI – Highway Interchange. The site is served by public water and public sewer. Parking spaces required is 101 spaces and 195 spaces will be provided. There will be 40 to 50 employees, with a maximum of 32 employees per shift. A photometric plan was submitted and approved meeting all County standards. The Board of Zoning Appeals approved an application for three free-standing signs in 2012. One sign is 502 square feet and is 73 feet tall, one sign is 348 square feet and is 73 feet tall, and the last sign is 160 square feet and is 20 feet tall. The Forest Conservation Ordinance requirement was met by a payment-in-lieu of planting. Storm water management will be addressed via micro bio-retention areas and ponds. All agency approvals have been received with the exception of final comments from the Maryland State Highway Administration.

Motion and Vote: Mr. Bowen made a motion to approve the site plan as presented contingent upon final approval from the State Highway Administration. The motion was seconded by Mr. Wiley and unanimously approved.

OTHER BUSINESS

City of Hagerstown – Sidewalks on Street Frontages of Commercial Properties

Mr. Reiber noted that a letter was received from the City of Hagerstown Planning Commission with regard to sidewalks on street frontages of commercial properties. It is the City's understanding that the former Sharrett property on the Dual Highway is being redeveloped and the City is strongly urging the developer and the County to ensure that sidewalks are built along the road frontage.

Mr. Reiber expressed his opinion that the recent pedestrian fatalities along Dual Highway are not associated with the lack of sidewalks and that the memorandum was unnecessary.

Mr. Wiley expressed his opinion that anything that can be done to ensure public safety should be done.

Mr. Lung explained that the developer will need to have a traffic study prepared prior to redevelopment of this site. Before a traffic study is prepared, a scoping document is required from the County and the State. The County's traffic engineer, Merle Saville, asked City staff to review the scoping for this project and this is the reason for the City's memorandum.

Farm Winery Concerns

Mr. Reiber stated that a letter was received from a citizen (Ms. Nicki Woodhams) in Rohrsersville regarding farm wineries. He met with staff today to discuss this issue and reported that Staff has met with the

complainant and has verified that all procedures have been followed in the approvals that were needed for the current development of the site. Mr. Reiber allowed Ms. Woodhams three minutes to voice her concerns.

Ms. Woodhams stated that she has spoken during the public comment portion of the County Commissioner's meetings twice. She believes that the text amendment was adopted without any public input from citizens in Rohrsersville. Mr. Wiley stated that the public hearing was advertised as required by law. Ms. Woodhams believes that the text amendment should be repealed and that farm wineries should not be allowed to sell wine, have conference centers, banquet facilities, wine tastings, wine festivals, or entertainment under the guise of an agricultural use.

Discussion and Comments: Mr. Wiley stated that he stands behind the Planning Commission's previous decisions regarding farm wineries as an agricultural business, which is a leading economic generator in the County. He expressed his opinion that farm wineries are no different than any other agricultural use, such as a tree farm, milk production, pumpkin patches, etc. He expressed his opinion that the complainant does not want this business in close proximity to her property and has nothing to do with the text amendment as written. Mr. Reiber noted that all properties throughout the County were considered when the changes were made to the text amendment. Mr. Bowen expressed his opinion that this facility (Big Cork Winery) is no different than the South Mountain Creamery, which had to expand its facilities and construct additional buildings in order to make the farm productive again. He believes that vineyards are a good way to protect agricultural lands. It was noted that if the developer intends to hold special events on this site, a special exception use would need to be granted by the Board of Zoning Appeals through a public hearing process.

Mr. Goodrich stated that staff discussed options with Ms. Woodhams with regard to filing complaints or submitting a text amendment to the Zoning Ordinance in order to correct what she believes is wrong with the Ordinance. Mr. Irwin noted that if Ms. Woodhams would submit a text amendment that would ultimately be approved, it would not affect Big Cork Winery or its operation.

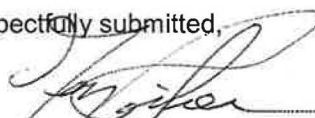
Organizational Charts

Mr. Goodrich presented several organizational charts for the Commission members review and use. He briefly explained the reorganization of the Department of Planning and Zoning and the Department of Plan Review and Permitting and the responsibilities of each.

ADJOURNMENT

Mr. Bowen made a motion to adjourn the meeting at 9:00 p.m. The motion was seconded by Mr. Wiley and so ordered by the Chairman.

Respectfully submitted,



Terry Reiber, Chairman