

WASHINGTON COUNTY PLANNING COMMISSION
November 3, 2014

The Washington County Planning Commission held its regular meeting on Monday, November 3, 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, Dennis Reeder, Drew Bowen and Ex-officio William McKinley. Staff members present were: Washington County Department of Planning & Zoning – Steve Goodrich, Director and Debra Eckard, Administrative Assistant; and Washington County Department of Plan Review & Permitting - Terry Irwin, Deputy Director; Tim Lung, Chief Planner; Lisa Kelly and Cody Shaw, Senior Planners.

CALL TO ORDER

The Chairman called the meeting to order at 7:05 p.m.

MINUTES

Mr. Goodrich explained that minutes for the October 6, 2014 must be re-affirmed because, while there were unanimous decisions for approval, there were no formal motions made for the two rezoning cases [RZ-14-005 and RZ-14-003] on last month's agenda.

Motion and Vote: Mr. Bowen made a motion to re-affirm the Planning Commission's recommended approval for RZ-14-005 (Jason Adkins). The motion was seconded by Mr. Reeder and unanimously approved by members present.

Motion and Vote: Mr. Bowen made a motion to re-affirm the Planning Commission's recommended approval for RZ-14-003 (Text Amendment). The motion was seconded by Mr. Reeder and unanimously approved by members present.

NEW BUSINESS

Trovinger Mill Cell Tower (SP-14-046)

Mr. Shaw presented for review and approval a site plan for a proposed wireless cell tower and facility to be located at 20307 Trovinger Mill Road. The property is currently zoned A(R) – Agricultural Rural. The leased area will be approximately 4.6 acres. On May 28, 2014, the Board of Zoning Appeals granted a request for a special exception to permit the construction of a wireless cellular communication facility. The maximum height of the tower will be 195 feet and it will be made of galvanized steel. The site will require no employees; therefore, the site does not have potable water or sanitary services. A 7 foot high chain link fence will surround the 70 x 80 foot compound. Existing trees will provide screening and landscaping. The site is exempt from Forest Conservation Ordinance requirements because there is less than 20,000 square feet of disturbance. All agency approvals have been received.

Discussion and Comments: Mr. Reiber asked if there is any environmental friendly appearance or camouflage proposed for the tower. The consultant stated there would be no changes to the appearance of the tower.

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

Creek Solar (SP-14-046)

Mr. Shaw presented for review and approval a site plan for Creek Solar located along the north side of Earth Care Road at the County Landfill. The site is approximately 11.5 acres in size and will be used for solar powered generation. The property is currently zoned EC – Environmental Conservation. Forest Conservation Ordinance requirements were previously addressed [SP-99-043]. Approvals are pending from the Department of Plan Review and Permitting, Washington County Soil Conservation District, and Washington County Engineering Department.

Discussion and Comments: Mr. Fred Frederick of Frederick, Seibert & Associates, the consultant, noted that this project will be constructed on property owned by Washington County at the current landfill location. He stated that all approvals should be received by the end of the week. Mr. Rob Babcock of EPG Solar stated that the project is designed to serve the County and will allow all energy credits to go back to the County. He briefly explained how the system will work and how the credits will be given to the County. Mr. Babcock stated that the County is making no investment in this project.

Motion and Vote: Mr. Bowen made a motion to approve the site plan contingent upon approvals from all outstanding agencies. The motion was seconded by Mr. Reeder and unanimously approved.

Seneca Ridge (SP-14-042)

Ms. Kelly presented for review and approval a modification for parking requirements from Section 22.2.f.8v of the Zoning Ordinance. A site plan was previously approved in 2003 for five 24 unit apartment

buildings (120 units total). In 2007, the term 'apartment' was changed to 'condominium' and the change was approved via a letter from the Department of Planning and Community Development Director Michael Thompson on behalf of the Planning Commission. The project has been idle until recently and the developer has now requested a change from condominiums to apartments. The Department of Plan Review and Permitting informed the developer that a new site plan would be required, which was submitted in September. New landscaping requirements require landscaping islands every 15 [parking] spaces. Under the new regulations, the Planning Commission may modify these requirements if there are conflicts with storm water management needs on the site or if long linear strips of landscaped area are provided instead of small islands. A total of 282 parking spaces are required including six recreational vehicle spaces. To meet current parking and landscaping requirements, a total of 16 parking spaces would be lost if the islands are installed. The property is currently zoned RM (Residential Multi-family) and is approximately 12 acres. Dumpsters will be used for solid waste disposal. Public water and sewer will serve the site. A tot lot, pre-teen lot, and two adult recreation areas are proposed. Lighting will be pole mounted; no business signs are proposed. Ms. Kelly requested that the Planning Commission grant staff the authority to approve the site plan after all agency approvals have been received. Approvals are pending from the City of Hagerstown Water and Sewer Departments and the Washington County Department of Plan Review & Permitting.

Discussion and Comments: Mr. Steve Cvijanovich of Renn Engineering, the consultant, stated that the parking area has been re-configured and designed with long, 20 foot wide landscape areas that will also be used as a water quality device to treat water quality prior to quantitative control within the storm water management area. He noted that the Soil Conservation District and Land Use Engineering had no objection to this proposal. Mr. Cvijanovich noted that the proposed linear strips more than double the landscape area required by the Zoning Ordinance.

Motion and Vote: Mr. Bowen made a motion to approve the parking modification as requested and to grant staff the authority to approve the site plan contingent upon all agency approvals. The motion was seconded by Mr. Reeder and unanimously approved.

OTHER BUSINESS

Liberty at Hunter's Green II (SP-14-037)

Mr. Irwin presented a project on the Liberty at Hunter's Green site located along the east side of Newgate Boulevard and north of Halfway Boulevard. The site is currently zoned IG (Industrial General). In 2007, the Planning Commission approved a site plan for development of this entire site as a warehousing facility. Only a portion of the site was developed with a building. Earlier this year, Liberty Property Trust, who owns the property, approached the County with a plan to construct a manufacturing facility on the remaining portion of the site. The tenant that will occupy the proposed building wishes to remain anonymous at this time. The proposed building would be smaller than originally approved, but more parking would be required because the use is changing from warehousing to manufacturing. On June 19th, Liberty Property Trust requested a concurrent review of the revised site plan and the building permit application, which was granted. Both the site plan and the building permit were approved on August 6, 2014. It is anticipated that the building will be occupied and operational by March of 2015. Mr. Irwin stated that the proposed manufacturing use is a permitted use in the Industrial General zone. The previously approved storm water management ponds, which were built at the time the first building was constructed on the site, will be more than adequate to serve the proposed manufacturing use. According to a letter from Liberty Property Trust dated July 2nd, the facility will employ approximately 230 employees; 170 employees on the day shift and 60 employees on the 2nd shift.

Discussion and comments: Mr. Fred Frederick of Frederick, Seibert & Associates, the consultant, stated that the Washington County Department of Business Development has been working with Liberty Property Trust and its tenant. He noted that the building that was approved in 2007 was much larger than needed for the currently proposed use. However, because this is a manufacturing use instead of a warehousing use, more parking was needed that can now be accommodated with the decrease in the size of the building. He also noted there would be less tractor trailer traffic associated with the proposed use.

Mr. Reiber expressed his opinion that the change in use from warehousing to manufacturing is a major change that could have a significant impact on the site. He also believes that the Commission was not given adequate information prior to this evening's meeting in order to review County policies and regulations that could pertain to this site and the proposed use. Mr. Bowen concurred with Mr. Reiber's comments and expressed concern that what was approved in 2007 may not meet the needs of what is currently being proposed.

INITIAL ADVICE

Emerald Pointe PUD

Mr. Jason Divilbiss, attorney representing Emerald Pointe PUD, stated that a traffic impact study was submitted in July, revised in September and October, and is waiting for a final determination from the State Highway Administration and the Washington County Division of Engineering and Construction Management. Mr. Divilbiss distributed copies of design plans showing the location and configuration of a full movement access from the commercial section of the PUD onto Marsh Pike, the location and configuration of a full movement access onto Maryland Route 60, and a concept showing how the two

general access points fit into the overall design of the project. He noted that the full movement access onto Maryland Route 60 would most likely change based upon re-alignment of traffic associated with the Eastern Boulevard extension project.

Discussion and Comments: Mr. Reiber noted that concerns were previously expressed regarding traffic connectivity from the commercial portion to the residential portion of the development. He asked if any of those issues have been addressed. Mr. Divelbiss showed members on the overall design plan that a golf cart/pedestrian path is proposed that would connect these two areas. He stated that discussions were held with regard to connecting the residential and commercial areas; however, there is a floodplain and a Forest Conservation area that make it logistically difficult to achieve. Mr. Reiber expressed his opinion that the connectivity issue still needs to be considered.

Mr. Bowen expressed his concern that a signal is not proposed at the intersection of Marsh Pike, Foxleigh Meadows entrance and the Emerald Pointe commercial entrance. Mr. Divelbiss stated that a signal is not currently warranted at this location. However, when it is warranted, which will be closer to full build out of the commercial area, a signal will be installed at the expense of the developer. Mr. Bowen expressed his opinion that the County taxpayers should not be responsible for the cost of a signal at this location. He also believes that a signal should be installed now. Mr. Divelbiss stated that the developer agrees that a signal should be installed; however, at this time the criteria that warrants a signal has not been met.


ADJOURNMENT

Mr. Reeder made a motion to adjourn the meeting at 8:25 p.m. The motion was seconded by Mr. Bowen and so ordered by the Chairman.

UPCOMING MEETINGS

1. Monday, December 1, 2014, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administration Building, 100 West Washington Street, Room 255, Hagerstown, Maryland

Respectfully submitted,


Terry Reiber, Chairman