

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
November 7, 2016**

The Washington County Planning Commission held a regular meeting and a workshop meeting on Monday, November 7, 2016 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: Vice-Chairman Clint Wiley, Dennis Reeder, Drew Bowen, Jeremiah Weddle, David Kline and BOCC Ex-Officio Leroy Myers, Jr. Staff members present were: Washington County Department of Planning & Zoning - Stephen Goodrich, Director; Jill Baker, Chief Planner; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review – Tim Lung, Deputy Director, Cody Shaw, Senior Planner, and Lisa Kelly, Senior Planner.

**CALL TO ORDER**

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

**MINUTES**

**Motion and Vote:** Mr. Reeder made a motion to approve the minutes of the September 19, 2016 workshop meeting as presented. The motion was seconded by Mr. Kline and unanimously approved.

**Motion and Vote:** Mr. Reeder made a motion to approve the minutes of the October 3, 2016 regular meeting as presented. The motion was seconded by Mr. Kline and unanimously approved.

**OLD BUSINESS**

**Emerald Pointe Development Plan Revision (DP-14-001)**

Mr. Lung presented for review and approval a revision to the final development plan for the Emerald Pointe PUD located along the east side of Marsh Pike. He reminded Commission members that during the October meeting, a revision was approved to the final development plan that reflected the latest concept plan that was approved by the County Commissioners. The primary change that was approved during the October meeting was the removal of a convenience store with gas pumps within the commercial area which also contained a mix of retail, office and restaurant uses.

The revised development plan currently being presented proposes changes to the uses within the commercial area, including a 2,520 square foot coffee shop that has been added to Building C formerly designated completely as a bank. The proposed coffee shop requires the building to be made smaller to accommodate a drive-thru on the north side of the building and parking has been revised accordingly. A 5,100 square foot portion of the retail/office building has been reassigned and labeled as restaurant space. The developer is requesting that a determination be made if these changes are considered a major or minor change. If the change is determined to be minor, the developer is requesting approval of the final development plan as presented. Mr. Lung stated that the Washington County Engineering Department and the State Highway Administration have determined that the proposed change to the development plan will not affect the findings of the previously submitted traffic impact study. He also noted that the revised plan had been presented to the Development Advisory Committee (DAC).

**Motion and Vote:** Mr. Kline made a motion that the proposed change is a minor revision. The motion was seconded by Mr. Bowen and unanimously approved.

**Motion and Vote:** Mr. Kline made a motion to approve the revised final development plan as presented. The motion was seconded by Mr. Myers and unanimously approved.

**Map and Text Amendment Applications**

Mr. Goodrich reminded members that map amendments (RZ-16-003, RZ-16-004, RZ-16-007) and text amendments (RZ-16-005, RZ-16-006) were presented at a public meeting on October 17, 2016. The minutes from the public meeting were not completed in time for this evening's meeting. However, the Planning Commission may proceed with making its recommendations on these rezoning applications or these cases can be tabled until the December meeting. Mr. Goodrich also noted that a memo was distributed to the Planning Commission regarding our public notice process due to complaints from citizens at the public meeting. He explained that the County is required, by law, only to publish the meeting notice in the local newspaper; however, staff goes beyond that minimum requirement to make citizens aware of the public meetings by way of the items listed in the memo. Ms. Baker stated that Planning Commission member Terry Reiber requested additional information for one of the text amendments, which will be provided to the Planning Commission.

**Discussion and Comments:** Mr. Kline stated he is prepared to make a recommendation; however, he noted that citizens that spoke at the public meeting were not present at this meeting. He also noted that the Planning Commission is only making a recommendation and citizens have the opportunity to be heard at the County Commissioner's public hearing. Mr. Bowen believes the Commission should wait until the minutes are completed; however, he is prepared to make a recommendation. Mr. Weddle expressed his opinion that the Commission should move forward with making its recommendations; however, he had no objection to waiting until December. Mr. Reeder stated he was prepared to make a recommendation

tonight but had no objection to waiting. Mr. Wiley expressed his opinion that the Commission should wait until December.

**Consensus:** By consensus the Planning Commission tabled all of the rezoning recommendations until the December meeting.

## **NEW BUSINESS**

### **SITE PLANS**

#### **Sunnyview (SP-16-001)**

Ms. Kelly presented for review and approval a site plan for Sunnyview Inc. located along the northwest side of Clear Spring Road, north of Williamsport. The property is currently zoned IG (Industrial, General). The property owner is proposing to establish a towing business in an existing two-story brick building on a .27 acre parcel. There will be an impoundment storage gravel area to the rear of the building with a 6 foot chain link fence. In May 2014, the Board of Zoning Appeals granted a special exception to establish the proposed use with the following variances: from the minimum 50 foot setback from an existing structure to 10 feet; from the minimum 25 foot left and right side yard setbacks to 0 to create an outside impoundment storage area; and from the minimum 25 feet from the street right-of-way to 5 feet for the placement of a free-standing sign. The site is served by public water and individual septic system. There will be two access points from Clear Spring Road. One parking space is required and five parking spaces have been provided. There will be one employee. Lights will be building mounted. The proposed sign will be 8 feet high. Trash will be collected by a private hauler. Deliveries will be made by UPS occasionally. 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.

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

#### **Barn at the View Coffee Shoppe (SP-16-032)**

Mr. Shaw presented for review and approval a site plan for Barn at the View Coffee Shoppe located at 14035 Pennsylvania Avenue on a .46 acre parcel currently zoned BL (Business Local). The owner is proposing a coffee shop on the first floor and a residential apartment (currently existing) on the second floor of an existing building. The number of employees will be a maximum of six per shift. Hours of operation will be 6 a.m. to 4 p.m., Monday thru Saturday. The site is served by public water and public sewer. Lighting will be building mounted. The site is exempt from Forest Conservation Ordinance requirements because there is less than 20,000 square feet of disturbance and exempt from storm water management requirements because there is less than 5,000 square feet of disturbance. The Board of Zoning Appeals granted an appeal on October 5, 2016 to allow the reduction of the required 25 foot setback from a street right-of-way to 5 feet for the placement of a free standing sign for a commercial business. The parking requirement for this site is 20 parking spaces and 21 parking spaces are being provided; however, this is being accomplished through a shared parking facility arrangement, which must be approved by the Planning Commission. If approved, a perpetual joint parking easement must be signed and recorded prior to site plan approval. Approvals have been received from the Washington County Health Department, Washington County Engineering Department, Washington County Soil Conservation District and the State Highway Administration; approvals are pending from the Washington County Plan Review Department – Land Use, Washington County Water Quality Department, City of Hagerstown Water and Sewer Departments.

**Motion and Vote:** Mr. Bowen made a motion to approve the site plan as presented contingent upon receipt of all agency approvals and receipt of the fully executed shared parking facility easement. The motion was seconded by Mr. Kline and unanimously approved.

## **OTHER BUSINESS**

### **Update of Staff Approvals**

Mr. Lung reported that 57 new submittals were received by the Department of Plan Review during the month of October. Submittals included the following: Engineering/Permitting review - 29 reviews for entrance, grading and utility permits; Engineering/Planning review - 9 grading plans, 2 storm water concept plans, a town plan, and 3 two-year updates; Land Use review - 1 Forest Stand Delineation, 1 simplified subdivision plat, 1 final subdivision plat, 3 preliminary/final minor subdivision plats, and 7 site plans. Site plan reviews include the re-development of the old Sears Auto Center at the Valley Mall for a restaurant and several retail shops; DOT Foods expansion for a truck servicing facility; and a minor expansion to the Valspar/Rust Oleum plant. Approvals in October included 4 minor subdivision plats, 2 grading plans, a town plan, 2 two-year updates, 3 forest stand delineations, and 6 site plans which included a dock expansion in Hunter's Green Business Park, ENR upgrades to the Conococheague Waste Water Treatment Plant, Emerald Pointe Community Center, and 2 in-home businesses.

**WORKSHOP**

Ms. Baker presented the Mineral Resources element of the Comprehensive Plan for review and comment. The element has been expanded slightly from its current version and includes non-coal/non-fuel sources, sandstone quarrying and Marcellus shale fracking issues. A map has been included from the Maryland Department of the Environment showing the potential areas for shale exploration (Page 8). It was noted that the majority of fracking potential is in Garrett and Allegheny counties. Information pertinent to current regulations that tend to minimize impacts, such as the zones of dewatering influence, have been included in this chapter. Mining reclamation will be an important part of this chapter.

**Discussion and Comments:** There was a brief discussion regarding mining reclamation concepts and re-use of existing facilities. Members also discussed the various mining operations that are currently active in the County.

**UPCOMING MEETINGS**

1. Monday, December 5, 2016, 7:00 p.m., Washington County Planning Commission regular meeting, County Administration Building, 100 W. Washington Street, Room 255, Hagerstown, Maryland

**ADJOURNMENT**

Mr. Bowen made a motion to adjourn the meeting at 7:50 p.m. The motion was seconded by Mr. Myers and so ordered by the Vice-Chairman.

Respectfully submitted,

  
Clint Wiley