

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
June 1, 2020**

Due to current social meeting restrictions put in place by the Governor of Maryland because of the COVID-19 pandemic, the Washington County Planning Commission held its regular monthly meeting on Monday, June 1, 2020 at 7:00 p.m. virtually using Zoom software. No physical meeting took place.

Planning Commission members present were: Clint Wiley, Dennis Reeder, David Kline and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Travis Allen, Comprehensive Planner; Meghan Jenkins, GIS Analysis; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting: Ashley Holloway, Director; Rebecca Calimer, Chief of Plan Review; and Lisa Kelly, Senior Planner.

Other attendees included: Adam Hager and Ed Schreiber, Frederick, Seibert & Associates; Jimmy Rowland; and Julie Greene, Herald Mail.

CALL TO ORDER

The 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 May 4, 2020 regular meeting as presented. The motion was seconded by Commissioner Wagner and unanimously approved with the following members voting in favor of the approval: Mr. Reeder, Commissioner Wagner, Mr. Kline and Mr. Wiley.

Motion and Vote: Mr. Kline made a motion to approve the minutes of the May 18, 2020 public rezoning information meeting as presented. The motion was seconded by Mr. Reeder and approved with the following members voting in favor of the approval: Mr. Kline, Mr. Reeder and Mr. Wiley. Commissioner Wagner abstained from the vote.

-OLD BUSINESS

RZ-20-001 Recommendation

On May 18, 2020, the Planning Commission held a public rezoning information meeting for a map amendment application submitted by the Jone L. Bowman Residuary Trust and Linda Lou Ebersole Family Irrevocable Trust. The subject parcels are located at 11107, 11111, 11115 and 11119 Hopewell Road. The current zoning is HI (Highway Interchange); the applicants are requesting a change in zoning to RT (Residential Transition).

Motion and Vote: Mr. Reeder made a motion to recommend approval to the Board of County Commissioners of the map amendment request as presented. The motion was seconded by Mr. Kline and approved with the following members voting in favor of the approval: Mr. Kline, Mr. Reeder, and Mr. Wiley; Commissioner Wagner abstained from the vote.

-NEW BUSINESS

SITE PLANS

Windy Hill Dollar General Store [SP-20-010]

Ms. Kelly presented for review and approval a site plan for Dollar General Windy Hill located along the north side of Clear Spring Road (Route 68) east of Clear Spring. The site was previously occupied by the Windy Hill Restaurant. The parcel is 1.98 acres in size and is currently zoned HI (Highway Interchange). The developer is proposing to demolish the existing building and construct a new 9100 square foot Dollar General Store. There will be one combined access onto Clear Spring Road. Thirty-two parking spaces are required; 34 parking spaces will be provided. The site will be served by a private well and septic system. Hours of operation will be 9 am to 10 pm, 7 days per week. Six to 10 employees are projected. Deliveries will be by tractor trailer on a weekly basis. Trash disposal will be provided by a screened dumpster. Lighting will be building and pole mounted. A new sign will be installed at the site of the existing sign at the front of the parcel near the access point. Landscaping will be provided adjacent to the building along the west side and to the north and northeast to screen adjacent properties. Forest Conservation requirements will

be met by paying the fee in lieu of \$2,352.24. All agency approvals have been received with the exception of the Washington County Health Department.

Discussion and Comments: Mr. Adam Hager of Frederick, Seibert & Associates, the consultant, stated that the use of the existing well and septic system has been discussed with the Washington County Health Department. The proposed use will be less intensive than the restaurant; therefore, no QUIDI testing will be required. An inspector for the Health Department also met with the consultant on site to inspect the existing septic system. Once the Health Department begins to review plans again, approval should happen quickly.

Motion and Vote: Mr. Reeder made a motion to grant staff the authority to approve the site plan upon receipt of approval from the Health Department. The motion was seconded by Mr. Kline and approved with the following members voting in favor of the approval: Mr. Kline, Mr. Reeder, Commissioner Wagner, and Mr. Wiley.

-INITIAL ADVICE

Dollar General Huyett's [SP-20-013]

Ms. Kelly presented a waiver request from Article 12.6(k) of the Washington County Zoning Ordinance, which requires all commercial businesses to have public water and public sewer facilities. The subject site is located at 16525 National Pike and is currently zoned BG (Business General). The site contained a single-family house, which has been demolished, and an existing commercial business, which has closed.

Discussion and Comments: Mr. Ed Schreiber of Frederick, Seibert & Associates, the consultant, stated that the Health Department made an on-site visit, provided testing of the existing septic system, and has given its approval of using the existing septic system upon completion of system upgrades. A site plan has been submitted to the County's Department of Plan Review & Permitting, and will be presented to the Planning Commission at a future date.

Consensus: The Planning Commission, by consensus, approved the waiver from Article 12.6(k) of the Washington County Zoning Ordinance, to allow the developer to use the existing septic system upon completion of upgrades to the system. Members in favor of the waiver were: Mr. Reeder, Mr. Kline, Commissioner Wagner, and Mr. Wiley.

OTHER BUSINESS

Update of Staff Approvals

Mr. Holloway noted that Commission members received a full written report of all approvals prior to the meeting. During the month of May, the following plans were received: 3 storm water concept plans, 3 standard grading plans, 3 site specific grading plans, 3 simplified plats, 2 subdivision replats, 2 site plans, and 6 inspection and maintenance agreements. Also, there were 18 utility permits, 9 entrance permits, and 9 grading permits issued.

Forest Conservation Annual Report

Mr. Allen provided a brief power point presentation and summary of the Forest Conservation Annual Report. This report provides an overview of what has been planted and cleared as well as enforcement and non-compliance issues. A summary of the data reflects development activities occurring in Washington County during the prior fiscal year. Mr. Allen noted that he used data from FY 2018 as a comparison for FY 2019. He noted that in FY 2019, 218 projects were reviewed; 77 were found to be exempt from Forest Conservation Ordinance requirements, leaving 141 projects to comply with Forest Conservation requirements. Approximately 161 acres of land were put into long-term protection.

- **Forest Bonds:** Bond money is collected when Forest Conservation mitigation is the planting of trees. The bond is released after 2 years if the developer completes all requirements of the project's Forest Conservation Plan.
- **Payment-in-Lieu:** The payment in lieu (PIL) funds collected in FY 2019 were more than 3 times the amount collected in FY 2018. Over \$300,000 was for one project (Vista Business Park Distribution Facility). PIL expenditures by the Washington County Soil Conservation District in FY 2018 were \$136,000 versus \$32,000 in FY 2019.
- **Implementation:** Implementation costs in FY 2019 excluding PIL monies were \$50,000 for staff inspections, labor, etc. Labor hours are estimated. Mr. Allen presented a chart showing

expenditures for FY 1995 to FY 2020, noting that PIL collection during FY 2019 was the highest recorded during the 25-year period.

- **Forest Banking:** Forest Banking is a new concept to Washington County. A new forest bank containing 10 acres was established in FY 2019; more than half has already been used.
- **Enforcement and non-compliance:** The Planning Commission granted the Department of Planning & Zoning staff the authority to review non-compliance fees in cases where the developer would not comply with forest conservation requirements. There were no non-compliance fees issued during this time period due to the Department's willingness to work with owners and developers to find amicable solutions to problems that have come up.

Planning Commission Member Appointment

Ms. Baker announced that Mr. Bowen's appointment ends on June 30, 2020. Commission members are asked to review applications received by the County showing an interest in serving on the Planning Commission and forward three recommendations to the County Commissioners. The Board of County Commissioners will make the final decision and appointment. Members reviewed several applications and chose three applicants, which Staff will forward to the County Commissioners and request this vacancy to be filled as soon as possible.

ADJOURNMENT

Mr. Kline made a motion to adjourn the meeting at 8:00 p.m. The motion was seconded by Mr. Reeder and so ordered by the Chairman.

UPCOMING MEETINGS

Monday, July 6, 2020, 7:00 p.m. – Washington County Planning Commission regular meeting.

Respectfully submitted,



Clint Wiley, Chairman