

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
June 2, 2025**

The Washington County Planning Commission held its regular monthly meeting on Monday, June 2, 2025 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Vice-Chairman called meeting to order at 6:00 p.m.

Planning Commission members present were: Jeff Semler, Vice-Chairman, Denny Reeder, Jay Miller, Terrie Shank, BJ Goetz, and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Travis Allen, Senior Planner; Misty Wagner-Grillo and Scott Stotelmyer, Planners; and Debra Eckard, Office Manager.

NEW BUSINESS

MINUTES

Motion and Vote: Mr. Miller made a motion to approve the minutes of the May 5, 2025 Planning Commission meeting as presented. The motion was seconded by Mr. Reeder and unanimously approved with Mr. Goetz abstaining from the vote.

Mr. Semler announced that the Black Rock PUD Remand was being removed from the agenda because staff is waiting on legal advice from the County Attorney's office.

PRELIMINARY CONSULTATIONS

Chaberton Solar Hearthstone LLC [PC-25-002]

Ms. Wagner-Grillo presented a preliminary consultation for a proposed 2-megawatt community solar energy generating station (SEGS) on 37.15 acres to be located at 16615 Lappans Road. The property is currently zoned A(R) – Agricultural Rural. A preliminary consultation was held on April 10, 2025 with the reviewing agencies and developer. Currently, the proposed use is a Special Exception use in the AR zoning district which would require a public hearing with the Board of Zoning Appeals. After July 1, 2025, the County will be required to accept SEGS as a permitted use in any location in accordance with State legislation that was recently adopted; a site plan will be required.

Ms. Baker further explained that the Maryland General Assembly passed legislation this year that preempts counties with regard to siting of SEGS. According to the new law, any SEGS that will produce 1-megawatt or greater of electricity must be permitted as a principal permitted use in all zoning districts.

Discussion and Comments: Mr. Semler asked how high the solar panels would be situated off the ground and if farming or grazing could be accommodated under them. A representative from Chaberton stated there is significant bedrock on the site which currently prohibits farming. No farming or grazing is proposed under the solar arrays.

No action required.

ORDINANCE MODIFICATIONS

Carol L. Gregory [OM-25-004]

Mr. Stotelmyer presented an ordinance modification to allow the creation of two lots with panhandle entrances more than 400-feet in length. The property is located at 7660 Fairplay Road and is currently zoned A(R) – Agricultural Rural. The property owner wishes to subdivide the property for her two daughters. The two panhandle lots would be created from the second point of access. The panhandles will be 25-feet wide and 426-feet and 825-feet in length respectively.

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

SITE PLANS**St. James School – Turner Athletic Center [SP-23-016]**

Mr. Stotelmyer presented a revised site plan for the Turner Athletic Center at St. James School located at 17525 Kellett Drive. The property is currently zoned A(R) – Agricultural Rural. There is one access point to the site from Kellett Drive. Required parking is 81 spaces; 92 spaces will be provided. Water will be provided by an on-site spring; sewer will be provided by Washington County.¹ Hours of operation will be 8 am to 10 pm. Lighting will be building mounted and pole mounted. No new signage is proposed. This project is exempt from Forest Conservation Ordinance requirements. All agency approvals have been received.

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

(¹ Staff stated at the meeting that sewer was provided by Washington County. This is incorrect. The school is served by a private community package treatment plant that is monitored and maintained by Maryland Department of the Environment.)

Fed Ex #219 Hagerstown [SP-24-026]

Mr. Stotelmyer presented a site plan for proposed security upgrades including the installation of an automated overhead trust gate, security fencing, site lighting and new pavement on an existing gravel lot located along Halfway Boulevard. There will be no water or sewer service to the property. Hours of operation will be 24 hours per day, 7 days per week. There will be pole mounted lighting on the site. Forest Conservation requirements were addressed on a previous project. All agency approvals have been received.

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

Cedar Springs Business Park Lots 1 and 2 [PSP-24-001]

Mr. Stotelmyer presented a preliminary plat/site plan for the Cedar Springs Business Park Lots 1 and 2 located at 12000 Greencastle Pike. The property is currently zoned HI – Highway Interchange. The developer is proposing two mixed-use buildings of 27,000 sq. ft. and 45,000 sq. ft. respectively. There will be one access point from Greencastle Pike. Required parking is 136 spaces; 215 parking spaces will be provided. Water will be provided by the City of Hagerstown and sewer will be provided by Washington County. Hours of operation will be 8 am to 5 pm, Monday thru Friday. Lighting will be pole mounted and building mounted. No signage is proposed. Forest Conservation requirements were addressed on a previous project. Approval is pending from the Washington County Health Department, Washington County Dept. of Water Quality, Washington County Engineering Department and Washington County Land Development.

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

Sheetz #184 – Huyetts [SP-25-001]

Ms. Wagner-Grillo presented a site plan for the proposed redevelopment of the Sheetz convenience store located at 12404 Lager Drive. The property is currently zoned BL – Business Local. The developer is proposing to replace the existing Sheetz with a 6,139 sq. ft. convenience store, removing the car wash, adding a drive-thru, and upgrading the signage and canopy. Existing parking is 59 spaces; parking required is 31 spaces; 48 spaces will be provided. Forest conservation requirements were previously addressed through a payment-in-lieu. The existing storm water management area is a bio-retention area. Water will be provided by the City of Hagerstown; sewer will be provided by the County. All agency approvals have been received.

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

Bowman Lightner Phase 4 [SP-25-002]

Ms. Wagner-Grillo presented a site plan for a proposed addition to a gravel trailer storage lot located at 15935 Spielman Road. The property is 63.38 acres in size and is currently zoned HI – Highway Interchange. The developer is proposing a gravel overflow parking lot for box truck trailers only; this is not for overflow truck parking. The hours of operation will be 7 am to 6 pm. There will be no

employees on site. No lighting or signage is proposed. Forest conservation requirements will be met by on-site retention. The existing storm water management area will be expanded. All agency approvals have been received.

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

17165 Black Stallion Lane – Heritage Manor [SP-25-003]

Ms. Wagner-Grillo presented a site plan for a proposed 45 bed assisted living facility located at 17165 Black Stallion Lane. The property is 2.37 acres in size and is currently zoned A(R) – Agricultural Rural with the RB – Rural Business overlay. The previous use of this property was a nursing home. There will be 15 employees, 4 staff members per shift. The hours of operation will be 24 hours per day, 7 days per week. Parking required is 19 spaces; 19 spaces will be provided. The existing structure has a private well and septic system. The existing signage will be updated. Additional building mounted lights are being proposed and a photometric plan has been approved. This project is exempt from Forest Conservation requirements. All agency approvals have been received.

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

Hard Rock Excavation [SP-24-033]

Ms. Wagner-Grillo presented a site plan for a proposed excavating contractor business with office on 3.78 acres located at 17028 Broadfording Road. The property is currently zoned A(R) – Agricultural Rural. The Board of Zoning Appeals granted a waiver for density and setbacks to allow for two homes on the property and a special exception was granted for a contractor's equipment and storage yard with office spaces for the excavation business. Hours of operation will be 7 am to 5 pm. There will be eight employees. There is no proposed lighting; there is existing signage. Water will be provided by the City of Hagerstown and a private septic system for sewage. Storm water management will be provided on-site. The developer is proposing to meet forest conservation requirements using the payment-in-lieu of planting option. All agency approvals have been met with the exception of Forest Conservation.

Motion and Vote: Mr. Miller made a motion to approve the site plan contingent upon approval of the Forest Conservation payment-in-lieu. The motion was seconded by Mr. Reeder and unanimously approved.

Fulton Properties, Inc. [SP-24-023]

Ms. Wagner-Grillo presented a site plan for a proposed gravel tractor trailer storage lot on 43.72 acres located at 14557 Industry Drive. The property is currently zoned PI – Planned Industrial. No additional employees are proposed. There is no additional lighting or signage proposed. Hours of operation will be 8 am to 5 pm. Forest Conservation requirements will be met using on-site plantings and a landscaped buffer along the rear of the property to screen adjacent residential uses. Storm water management will be met on-site using submerged gravel wetland. Approvals are pending from the Soil Conservation District and Land Development.

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

FOREST CONSERVATION

Overdale Estates, Phase 2, Lot 1 [S-25-005]

Mr. Allen presented a request to use the payment-in-lieu of planting option to satisfy all forest mitigation for a one lot subdivision located at 12612 Jefferson Boulevard. The property is currently zoned AR – Agricultural Rural. There is a 2.6 acre planting requirement resulting from the subdivision of 13.01 acres. The applicant wants to retain the remaining lands to use for agricultural purposes. Staff recommends that at least a portion of the planting requirement be accomplished on-site in accordance with the intent of the Forest Conservation Ordinance. There is ample space to accommodate on-site mitigation providing benefits to the site as well as the neighborhood. Mr. Allen suggested that a landscaping strip could be planted to buffer the residential lots adjoining the property as well as the salvage yard. Mr. Allen reminded members there is more than \$400,000 in the PIL account which is becoming increasingly more difficult to spend in the time allotted by the Ordinance. Landowners are not always willing to place forest easements on their properties even

though they are being paid for it. By placing at least a portion of the forest on-site, it would reduce the amount of the PIL payment going into the PIL account.

Discussion and Comments: Mr. Gordon Poffenberger of Fox & Associates, Inc. was present to represent the property owner. He reiterated the owner's wish to use the payment-in-lieu of planting option and to keep the remaining lands as pasture.

Mr. Miller expressed his opinion that the Commission should listen to Staff's recommendation and believes that a compromise should be reached with the property owner. Mr. Goetz expressed his opinion that this is not a commercial or warehouse use and it is wrong to take away the farmland to plant trees because we are losing farmland to warehouses and solar array projects. Mr. Allen noted that most of the warehouse projects have accomplished at least part, if not all, mitigation on-site. He also explained that agriculture is given special consideration in the Ordinance in relation to agricultural structures and land uses. This case is different because there will be a residential component on the property which triggers the need for mitigation. Commissioner Wagner expressed his opinion that requiring mitigation on site (2.6 acres) would not be a significant hardship on a property that is 30 acres in size. He agrees that a compromise with the property owner would be beneficial. Mr. Semler reviewed the topography and soils of the property and believes a buffer would be a good compromise.

Motion and Vote: Ms. Shank made a motion to approve the request with afforestation in the form of a 35-foot buffer along the property boundary with the salvage yard and the remainder of the mitigation to be eligible for the payment-in-lieu of planting. The motion was seconded by Mr. Reeder and approved with four votes in favor and one vote opposed.

OTHER BUSINESS

Trinity Nursing Academy

Mr. Allen presented a request to change the permitted land use in an existing Rural Business zoning district from a former HVAC repair shop to a Maryland licensed training school for nursing students. The property is located at 20142 National Pike. Mr. Allen explained that when an RB zone is approved, it is approved for a specific land use. The Planning Commission is charged with determining if the new proposed use constitutes a significant change in the intensity of the use of the property. If the proposed use is deemed a significant change in scale and intensity, a public hearing would be required.

Mr. Talabi of the Trinity Nursing Academy stated that the structure is currently vacant. The Academy is proposing renovations to accommodate the nursing school with approximately 16 students and 8 staff members on-site. An increase of approximately 10-feet is proposed to accommodate 2 classrooms and a few offices; however, there will be no significant increase to the building footprint at this time.

Ms. Baker explained that the use was established for an office-type setting and is now being proposed for an educational use. The Planning Commission must consider if the change would be significant enough in scale and intensity to warrant public input or is the change reasonable and will not change the intensity of the former use of the property.

Mr. Goetz questioned that if the type of educational facility would change in the future, could that change the intensity of the use. Mr. Allen stated that each change in use in the RB zoning district is reviewed on a case-by-case basis by the Zoning Administrator and would be brought back to the Planning Commission for its consideration if there was a question about the intensity of the newly proposed use.

Motion and Vote: Mr. Goetz made a motion to approve the request based on information presented by the applicant and staff that the intensity and scale of the proposed use is not a significant change. The motion was seconded by Mr. Reeder and unanimously approved.

Annual Report

Ms. Kinzer presented the Washington County Annual Report for 2024 which is a requirement from Maryland Dept. of Planning. She highlighted several points of interest contained within the document. There were 182 new permits issued in 2024; 66% development inside the PFAs and 34% outside the PFAs. The Board of County Commissioners approved six rezoning cases: four map amendments and two text amendments. There were three annexations by the City of Hagerstown.

Four sewer and water service amendments were approved throughout the County to bring properties into compliance with County Health Department regulations. Through December 31, 2024, the County preserved over 41,000 acres of land. The total acres encumbered in 2024 was 1,975.1 for a total value of over \$8 million. Units approved on existing lots were 10. Total minor subdivisions were 16; five in the PFA areas and 11 in the rural areas. There were 46 major subdivision lots which included one in the rural area and the student housing (apartments) for the new school at Meritus. Total units in major subdivisions were 397 in PFAs and 36 outside the PFAs; which is 92% inside the PFAs and 8% outside the PFAs. The total number of lots in the PFA was 410 lots and 54 lots in the rural area. This equates to 88% development in the PFAs and 12% in the rural area. There were 23 commercial site plans in 2024: 17 in the PFAs and 6 in the rural area.

Motion and Vote: Mr. Reeder made a motion to approve the 2024 Annual Report as presented and to forward the Report to the Maryland Dept. of Planning. The motion was seconded by Mr. Goetz and unanimously approved.

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of April including six site plans.

Determination of CIP consistency with adopted Comprehensive Plan

Ms. Baker presented the summary of projects included in the County's Capital Improvements Program, which is a 10-year program. The Planning Commission is tasked with determining if proposed projects in FY 2026 are consistent with the goals and objectives of the County's adopted 2002 Comprehensive Plan.

Consensus: The Planning Commission reached a consensus that the approved CIP is consistent with the County's adopted 2002 Comprehensive Plan. (Commissioner Wagner abstained)

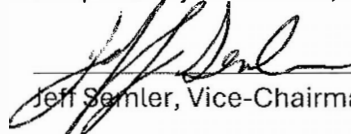
ADJOURNMENT

Mr. Reeder made a motion to adjourn the meeting at 7:20 p.m. The motion was seconded by Mr. Miller and so ordered by the Vice-Chairman.

UPCOMING MEETINGS

1. July 7, 2025, 6:00 p.m. – Washington County Planning Commission regular meeting

Respectfully submitted,



Jeff Semler, Vice-Chairman