

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
July 6, 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, July 6, 2020 at 7:00 p.m. virtually using Zoom software. No physical meeting took place.

Planning Commission members present were: Clint Wiley, Dennis Reeder, BJ Goetz, 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; and Rebecca Calmer, Chief of Plan Review.

Other attendees included: Adam Hager, Frederick, Seibert & Associates; Derek Heckman, 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 June 1, 2020 meeting as presented. The motion was seconded by Mr. Goetz and unanimously approved.

NEW BUSINESS

FOREST CONSERVATION

Gaver Meadows [FP-20-002]

Mr. Allen presented for review and approval a request to utilize off-site retention to satisfy a portion of the 20.6 acre planting requirement for the Gaver Meadows development at 607 Beaver Creek Road and a request to remove 9 specimen trees from the site. Article 10.1 of the Washington County Forest Conservation Ordinance (FCO) describes the Preferred Sequence of Techniques for Mitigation for forest conservation plans. The list describes preferred techniques from on-site retention and planting to the payment of fee in lieu, which is the least preferred technique. The overall intent of the Ordinance is to preserve or create as much forest on-site within the constraints of the development before meeting mitigation obligations off-site.

Mr. Allen noted that the second request is to remove 9 specimen trees from the site. Specimen trees are greater than 30 inches in diameter and are prioritized for retention in Article 8 of the Ordinance. Removal of specimen trees requires a variance as described in Article 15 of the Ordinance. The applicant must demonstrate unwarranted conditions of hardship exist and that removal of the specimen trees will not adversely affect water quality.

Mr. Allen noted that a majority of the planting will be on-site and the off-site forest easement will be directly adjacent to the site. The applicant's justification statement indicates that the proposed development will not be feasible without the removal of the 9 specimen trees; 13 specimen trees will be retained. In the applicant's justification, there was no clear evaluation of the effect on water quality; however, several of the forest easements will be located in the floodplain on the western boundary line which will provide water quality benefits.

Motion and Vote: Mr. Goetz made a motion to approve the request to utilize off-site retention as well as to remove the 9 specimen trees as presented. The motion was seconded by Mr. Reeder and unanimously approved with Mr. Goetz, Mr. Reeder, Mr. Kline, and Commissioner Wagner voting in favor of the motion.

OTHER BUSINESS

17318 Shepherdstown Pike

Ms. Calmer presented for review a proposal to modify land use within an RB (Rural Business) zone at 17318 Shepherdstown Pike. The Planning Commission is charged with determining if this is a minor change or a major change in land use per Section 5E.7 of the Washington County Zoning Ordinance. The site is

currently occupied by the Antietam Gallery. The proposed use is a Dollar General Store. At this time, there is no official application or plan submitted to the County. Ms. Calimer noted that pictures of the proposed Dollar General were distributed to the Planning Commission prior to the meeting as well as two e-mails from concerned citizens.

Mr. Adam Hager of Frederick, Seibert & Associates, the consultant, noted that the property is currently zoned P (Preservation) with the RB (Rural Business) floating zone. The property is located along Route 34, which is a State highway. The applicant believes the road will be adequate for the proposed use. The property is served by public utilities and has adequate parking available. The proposed plan would be subject to Historic District Commission review because it is located within the Antietam Overlay zone. The proposed store would not be a typical metal building but rather a wooden structure with a "general store" look, which the applicant believes is more compatible with the surrounding neighborhood and the historic feel of the area. Mr. Hager noted that the adjacent property owners they have spoken to are in favor of the proposal. The property to the north has an agricultural preservation easement; property to the south is home to the Sharpsburg Pharmacy which he stated is heavily used.

Mr. Hager stated that a setback variance would be required from the Board of Zoning Appeals because parking is not permitted in the setback area. Therefore, a public hearing would be required and Mr. Hager believes this would give citizens an opportunity to voice their concerns.

Discussion and Comments: Mr. Wiley expressed his opinion that a Board of Zoning Appeals public hearing for a parking variance is not adequate for public input. He believes the Town will be very sensitive to the historic presence and preservation of the area. Mr. Reeder noted that he has received comments from concerned citizens regarding traffic in the area. He believes that a Dollar General store would create more traffic than the current use on the site. Mr. Kline expressed his opinion that this is a major change in the neighborhood and citizens should be given the opportunity to comment. Mr. Goetz concurred with the other Commissioners' comments.

Mr. Hager expressed his opinion that the proposed use will not be more intense than the pharmacy next door. He also believes that the proposed use will not generate new traffic in the area. This is already a busy highway and would draw customers from the traffic going by.

Commissioner Wagner expressed his opinion that the proposed building would be compatible with the surrounding area. He doesn't believe this would generate additional traffic; it would be a convenience for the community, not a destination for travelers.

Mr. Kline expressed his opinion that citizens need to be given ample opportunity to comment and give input on the proposal due to the historic character of the area; Mr. Wiley concurred.

Motion and Vote: Mr. Kline made a motion that the proposed change is a major change and should require public hearings for citizen comments. The motion was seconded by Mr. Reeder and passed with Mr. Kline, Mr. Reeder, and Mr. Goetz voting in favor of the motion; Commissioner Wagner abstained from the vote.

Update of Staff Approvals

Mr. Holloway presented the following information for month of June: Land Development - 60 inspection and maintenance agreements; 7 standard grading plans; 2 site specific grading plans; 2 subdivision replats; 2 site plans and 1 Forest Stand Delineation. Permitting – 21 grading plans, 16 entrance permits, and 3 utility permits issued. A detailed, written report was provided to the Planning Commission members prior to the meeting.

Annual Report

Ms. Baker presented the Annual Report that is submitted each year to the State of Maryland. She gave a brief overview of each section of the Annual Report. In 2019, the County issued approximately 200 new residential permits, primarily within the Priority Funding Areas (PFA). The PFAs are designated for growth and development because infrastructure in these areas is readily available. It was noted that the Development Capacity Analysis is in the process of being updated as part of the Comp Plan Update. The County's agricultural preservation program is actively preserving farmland with a goal of 50,000 acres in total. Currently, there is approximately 34,000 acres permanently preserved in the County. Other elements of the Report discuss residential and commercial development and growth in the County; and adequate public facilities management and mitigation. The County's Adequate Public Facilities Ordinance covers roads, schools, public water, public sewer, and fire protection. The last section of the Report was

a brief survey designed by the State to assist MDP and MDOT with identifying potential pedestrian/bicycle projects and project funding.

Comprehensive Plan Update – Transportation Element

Mr. Allen presented a draft of the Transportation Element within the Comprehensive Plan. The Transportation Element establishes goals and policies for the maintenance and improvements of the County's overall multi-modal transportation system. It recognizes the relationship between land use and transportation to promote efficiencies. Within the element we will analyze the strengths and weaknesses of our transportation system and identify future needs for inter-modal travel. Transportation investments affect many other elements of the Comp Plan, such economic development, housing, community facilities, etc. that affect our quality of life as a whole. As the County becomes more urbanized, we will need to consider other modes of travel, prioritized to avoid congestion and sprawl.

Mr. Allen believes that we need to have transportation planning as well as accessibility planning working together focusing on the community's needs. A brief overview of transportation planning entities and the local, region and state levels was provided to describe how the County's transportation system comes to fruition.

At the local level, the County has several Plans and Ordinances that discuss transportation. The APFO ensures development of roads concurrent with new development throughout the County. The Zoning Ordinance and Subdivision Ordinance detail standards for roadways and the Comp Plan lays out long-term visions for transportation and establishes long-term priorities.

Some key design concepts associated with road transportation planning include: capacity, level of service, functional classifications and access management. Functional road classifications range from interstate roadways to local roads serving local residential communities. Other strategies to consider before building roads include Transportation Demand Management which involves strategies such as transit investment, ride sharing and tolls. The last strategy is traffic calming measures which promotes a safer roadway environment and improves livability within the local communities.

Transit is provided by the Washington County Commuter bus system utilizing 9 fixed bus routes and 19 vehicles. Paratransit service is also available for people with disabilities. Human service transportation is provided through various public and private entities throughout the County. In 2010, the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) produced a Transit Development Plan. The Plan looked at various indicators such as people with disabilities, households with no vehicles, etc. The Plan identified select areas within the City of Hagerstown and the Town of Williamsport as possessing the greatest need among areas currently served by the County Commuter system.

Mr. Allen noted that Washington County has an outstanding bicycle and pedestrian transportation network. He discussed the potential adoption of a Complete Streets Policy which is a comprehensive and integrated policy that requires roads and adjacent rights-of-way to be planned, designed, operated and maintained in a manner to provide safe travel for all ages and modes of transportation. Recreational trails also include water travel; one of the newest trails in Washington County is the Antietam Water Trail.

Freight transportation is a major mode of travel in our County because of the close proximity of two major interstates, I-70 and I-81. According to the Long Range Transportation Plan prepared by the MPO, there will be 7,000 to 10,000 more trucks on the road over the next 25 years; thereby creating the need for additional truck parking. Rail and air travel are becoming more popular modes of transportation not only for moving freight but for moving people from one place to another. Policies to support these two modes of travel were discussed.


ADJOURNMENT

Mr. Reeder made a motion to adjourn the meeting at 8:15 p.m. The motion was seconded by Commissioner Wagner and so ordered by the chairman.

UPCOMING MEETINGS

1. Monday, August 3, 2020, 7:00 p.m., Washington County Planning Commission regular meeting

Respectfully submitted,


Clint Wiley, Chairman