



DEPARTMENT OF PLANNING & ZONING
PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

AGENDA
WASHINGTON COUNTY PLANNING COMMISSION
100 W Washington Street, Room 2000
July 6, 2026, 6:00 PM

CALL TO ORDER AND ROLL CALL

NEW BUSINESS

MINUTES

1. June 1, 2026 Planning Commission meeting minutes * *Discussion/Action*

ORDINANCE MODIFICATION

1. **Hope Valley Farm [OM-26-002]** – Misty Wagner-Grillo * *Discussion/Action*
Ordinance modification for inadequacy of Valley Road for a commercial development approved by the Board of Zoning Appeals on January 21, 2025; Location: 1055 Valley Road, Knoxville; Zoning: EC – Environmental Conservation

SITE PLAN

1. **Bridgestone – Hagerstown [SP-25-047]** - Misty Wagner-Grillo * *Discussion/Action*
Proposed construction of a Bridgestone auto service store and associated parking/loading areas and utilities; Location: 13324 Pennsylvania Avenue; Zoning: BG – Business General

FOREST CONSERVATION

1. **Jamison Door [GP-26-007]** – Travis Allen * *Discussion/Action*
Request to establish an offsite easement to satisfy 6.44-acres of total planting requirement and to remove four specimen trees from a site that is for a proposed 14.8-acre gravel pad for a future building; Location: Intersection of Yale Drive and Professional Boulevard; Zoning: ORI/RT – Office, Research & Industry/Residential Transition

OLD BUSINESS

1. **Washington County Board of County Commissioners [FCO-26-001]** – Travis Allen * *Discussion/Action*
Proposed text amendments to Articles 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20 and 21 of the Washington County Forest Conservation Ordinance

OTHER BUSINESS

1. **Update of Projects Initialized** – Jennifer Kinzer * *Information/Discussion*

ELECTION OF OFFICERS

ADJOURNMENT

UPCOMING MEETINGS

1. August 3, 2026, 6:00 p.m. – Washington County Planning Commission regular meeting

*attachments

Disclaimer: Copies of plans contained in this packet do not necessarily reflect the complete plan submission received by our office. The number of pages per plan may be reduced to accommodate size limitations of our website. Complete plans may be viewed in our offices by calling for an appointment. The Planning Commission reserves the right to vary the order in which the cases are called. Individuals requiring special accommodations are required to contact the Washington County Planning Department at 240-313-2430 to make arrangements no later than 10 working days prior to the meeting. Notice is given that the Planning Commission agenda may be amended at any time up to and including the Planning Commission meeting.

WASHINGTON COUNTY PLANNING COMMISSION
REZONING PUBLIC INPUT AND REGULAR MEETING
June 1, 2026

The Washington County Planning Commission held a rezoning public input meeting and its regular monthly meeting on Monday, June 1, 2026 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 Chairman called the rezoning public input meeting to order at 6:00 p.m.

Planning Commission members present were: Jeff Semler, Chairman, Jay Miller, Vice-Chairman, Terrie Shank, Laura Lane-Unsworth, and Doug Wright, Jr. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Interim Director; Travis Allen, Senior Planner; Kyla Shingleton, Comprehensive Planner; Misty Wagner-Grillo, Planner; and Debra Eckard, Office Manager.

REZONING PUBLIC INPUT MEETING

Washington County Board of County Commissioners [FCO-26-001]

Mr. Allen presented a text amendment application to amend several sections of the Forest Conservation Ordinance to comply with requirements of Maryland Senate Bill 256 (SB 256) and to provide clarification of existing regulations currently found in the Ordinance to meet the intent of Maryland's Forest Conservation Act. The majority of proposed amendments are mandated by SB 256 which was passed in 2023. Subsequent amendments under House Bill 1511 require that most of these changes under the original bill be adopted by July 1, 2026. These changes represent the most significant update to the Statewide Forest Conservation Act in 30 years. A statewide Technical Study on Changes in Forest Cover and Tree Canopy in Maryland was released in 2022, which mandated HB 991 in 2021. The Study was completed using higher resolution aerial imagery than has previously been available and was the most comprehensive study of changes in forest cover since 1991. The purpose of the Study was to evaluate the effectiveness of forest protection laws in Maryland over the last 20 years and to track progress of the State's commitment to completing its portion of the Chesapeake Bay Agreement.

Mr. Allen briefly noted that State laws, such as the Forest Conservation Act have been effective in stabilizing forest loss across the State overall, particularly in the last 10 years, despite a growing population. He noted that the positive nature of this trend is somewhat mitigated by a concurrent trend which revealed a replacement in forest cover with what the Study terms "*tree canopy outside of forests*". This refers to a trend known as "*forest fragmentation*". Fragmented forests do not offer the same benefits to people and wildlife as contiguous blocks of intact forest cover.

Mr. Allen summarized some of the major provisions that will take effect Statewide as follows:

1. **Changes to forest mitigation ratios:** Forest cleared for development must be replaced at 1:1 ratio unless in a Priority Funding Area (and not in a priority retention area), in which case mitigation will be a 0.5:1 ratio.
2. **New Qualified Exemption:** Qualified exemptions related to transit-oriented development, multi-family housing and solar photovoltaic facilities mean these types of projects are now responsible for reforestation requirements, not afforestation.
3. **Expanded Priority Areas for Retention:** Existing forests in urban areas and in high value watersheds are among the new areas prioritized for retention during development.
4. **Expanded Opportunities for Public Review and Challenge:** Forest clearing that takes place in the expanded priority retention areas will now sometimes require public notice and/or comment as part of the project approval.
5. **Minimum Distances for Stream Buffers:** Intermittent streams must be buffered at least 50 feet from the stream channel while perennial streams must be buffered at least 100 feet from the stream channel. Unforested stream buffers will need to be planted as part of the project's mitigation.

In addition to the state-mandated changes, staff are proposing other changes to the Ordinance to provide clarification and to clean-up the existing text in the Ordinance. Mr. Allen noted that a comprehensive amendment to the Ordinance has not occurred since its adoption in 1993. Time has clarified how we administer the Ordinance on a day-to-day basis with far greater clarity than was possible 30 years ago.

The proposed changes have been preliminarily reviewed by the Department of Natural Resources (DNR) for consistency with requirements of SB 256. DNR is the agency responsible for administering the Forest Conservation Act statewide. The proposed language incorporates all comments received from DNR. Letters of support have been received from Jill Baker, the former Director of Planning & Zoning and the

Washington County Soil Conservation District. Staff recommend approval of these proposed amendments to meet requirements of SB 256 and to provide consistent implementation of forest conservation policies and regulations.

Discussion and Comments: There was a brief discussion regarding farmers clearing land to use in their farming operations. Mr. Allen stated that if the land is being used for farming operations, they would be exempt from forestation requirements; however, if the land is cleared to be used for a use such as a wedding venue then forestation would be required.

There was a brief discussion regarding the new public notification requirement. Mr. Allen explained that disturbance of forest in specific priority retention areas, such as: forested urban areas, high value watershed areas, forest suitable for interior forest dwelling species and stream buffers would require public notification. Notification could be made by mailing letters to affected property owners and allowing public comment via e-mail or standard mail. If more than 75% of the priority area is being cleared a public meeting for verbal comment would be required. If the Planning Commission would deny a request, the developer would need to seek other forest conservation measures.

Public Comment

Ms. Jill Baker, Williamsport – Ms. Baker spoke in favor of the proposed amendments. She noted that the State is trying to prevent forest fragmentation by providing many options for developers to retain or mitigate disturbed forest. She encouraged the Planning Commission to review each project on an individual basis and consider the proposed technique(s) chosen by the developer for mitigation.

Mr. Semler closed the Public Input Meeting at 6:23 p.m. and called the regular meeting to order.

NEW BUSINESS

MINUTES

Mr. Wright requested a change to the minutes of May 4, 2026.

Motion and Vote: Mr. Miller made a motion to approve the minutes of the May 4, 2026 Planning Commission meeting as amended. The motion was seconded by Ms. Shank and unanimously approved.

PRELIMINARY PLAT/SITE PLAN

Home2Suites – South Hagerstown [PSP-25-003]

Ms. Wagner-Grillo presented a preliminary plat/site plan for a proposed 4-story, 105-room hotel with a footprint of 25,200 square feet at 18565 Champs Crossing Drive. Lot 4 is 2.39-acres and is currently zoned HI (Highway Interchange). Water service will be provided by the City of Hagerstown and sewer service will be provided by Washington County. Storm water management will be handled through an off-site pond east of the McDonald's. Hours of operation will be 24 hours/day, 7 days/week; 20 employees are proposed. Parking required is 106 spaces; parking provided will be 112 spaces. Lighting will be pole and building mounted; a photometric plan has been submitted with the site plan. Pylon pole and building mounted signs are proposed. Landscaping will be provided around the building and throughout the parking area. Forest Conservation requirements were mitigated on a previously approved plat using off-site forest mitigation. All agency approvals have been received.

Discussion and Comments: Mr. Wright expressed his opinion that sidewalks should be provided for ease in access to other businesses in the area.

Mr. Semler asked if storm water management has been sized to accommodate Lots 3 and 5. Ms. Wagner-Grillo stated it can accommodate the remaining lots.

Mr. Miller expressed his concern that the County continues to approve projects and also continues to discuss the lack of water and sewer capacity. Ms. Kinzer stated that the City of Hagerstown as well as the County's Department of Water Quality have reviewed and approved this plan. She explained that this does not guarantee services; however, it indicates there is still allocation available. Allocation is given on a first-come/first serve basis.

Motion and Vote: Mr. Miller made a motion to approve the preliminary plat/site plan as presented. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

FOREST CONSERVATION

Fulton Forest Conservation Plan [TWN-26-010]

Mr. Allen presented two requests to meet forest conservation requirements on property located on Conococheague Street in Williamsport. The first request is to provide a payment-in-lieu of planting for 1.16-acres and the second request is to remove one specimen tree. The developer is proposing a gravel parking lot for tractor trailer parking in the Town of Williamsport. Mr. Allen explained that the County approves forest conservation requirements in the Town while the Town will approve the site plan. He noted that under normal circumstances, this project would qualify for the express procedure without Planning Commission approval. However, because the developer is requesting the removal of one specimen tree, the Planning Commission must approve the payment-in-lieu of request. The Forest Conservation Plan indicates the retention of forest on-site in existing floodplains; the remaining existing forest that is not being put under easement is located within a utility easement that precludes retention. The specimen tree is located in a centralized area of the site which makes retention very difficult. One specimen tree will be retained on the site.

Discussion and Comment: Mr. Miller asked if off-site retention on another parcel was considered. Mr. Allen noted that typically this developer does as much on-site retention as possible then requests the payment-in-lieu of planting to meet the remaining mitigation requirements. He reminded members that if the specimen tree removal was not requested, this project would be eligible for express approval without the Planning Commission's approval. Mr. Miller stated he is not in favor of approving the payment-in-lieu of planting request.

Motion and Vote: Mr. Miller made a motion to approve the request to remove one specimen tree. The motion was seconded by Mr. Wright and unanimously approved.

Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require reforestation. The motion was seconded by Ms. Lane-Unsworth.

Discussion before the vote: Mr. Allen asked for clarification if the Planning Commission wants the developer to provide mitigation on-site or use a different technique of mitigation.

Amended Motion and Vote: Ms. Shank made a motion to deny the payment-in-lieu of planting request and require another mitigation technique. The motion was seconded by Ms. Lane-Unsworth and unanimously approved.

OLD BUSINESS

Cascade Properties LLC [RZ-26-002]

Staff Presentation

Ms. Shingleton stated that a proposed text amendment to the Special Economic Development zoning district, Article 19, Sections 19c.2, 19c.3, 19c.6 and 19c.7 of the Washington County Zoning Ordinance was submitted. The proposed amendments to Article 19 of the Zoning Ordinance would include newly permitted and special exception uses as well as residential setbacks and design criteria which would allow for more opportunities, redevelopment and revitalization of the former Fort Ritchie Army Base.

Discussion and Comment: Mr. Wright expressed his opinion that Section 19.C.2 should not include electroplating or other uses that would put more serious chemical discharge into the sewage system. He believes those types of activities should occur in more industrialized areas in the County.

Ms. Kinzer reminded members that variety stores were stricken as a principally permitted use by the applicant during the public input meeting.

Motion and Vote: Mr. Miller made a motion to recommend approval to the Board of County Commissioners the proposed text amendment with electroplating and variety stores stricken from the text. The motion was seconded by Mr. Wright and unanimously approved.

Michael Godinez/Dominion Realty LLC [RZ-26-003]

Ms. Shingleton stated a proposed map amendment for properties located at 18128 and 18132 Maugans Avenue was submitted. The applicant is proposing to rezone the properties from RM (Residential Multi-family) to HI (Highway Interchange). The applicant is claiming a mistake in the original zoning of the property as well as a change in the character of the neighborhood. In the case of mistake, the applicant contends that the County erred in rezoning the properties due to the inconsistent application of the HI-1 zoning classification to properties along Maugans Avenue during the 2002 comprehensive rezoning. In the case of substantial change in the character of the neighborhood, the applicant contends there has been

an increase in average daily traffic on Maugans Avenue and substantial commercial development in close proximity of the subject parcels.

Due to the reasons stated above, Staff believes it is logical to apply the Highway Interchange zoning classification to these properties based on the separation from the neighborhood that is currently zoned RM (Residential Multi-family) and the close proximity to other commercial uses.

Discussion and Comment: Mr. Semler does not believe there was a mistake in the original zoning; however, he does believe there has been a change in the character of the neighborhood.

Motion and Vote: Mr. Miller made a motion to recommend approval of the proposed map amendment to the Board of County Commissioners based on a change in the character of the neighborhood. The motion was seconded by Ms. Shank and unanimously approved.

OTHER BUSINESS

Annual Report

Ms. Kinzer presented the 2025 Annual Report which is required by the Maryland Department of Planning (MDP). She briefly highlighted sections of the Report. During 2025, 63% of the County's permits were issued in six PFAs (Priority Funding Areas), which is where the State wants development focused and 37% were outside the PFA (in the rural area). The County goal in the 2002 Comprehensive Plan was 80% in the PFAs and 20% in the rural areas (80/20 ratio); the 2040 Comp Plan goal is an 85/15 ratio. This goal continues to follow State guidance to keep development where services are available and on smaller lots leaving more of the rural community untouched.

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of April including 12 site plans. She also noted that the final plat for the Village at Valencia – Phase I has been submitted.

ADJOURNMENT

Mr. Miller made a motion to adjourn the meeting at 7:25 p.m. The motion was seconded by Ms. Lane-Unsworth and so ordered by the Chairman.

UPCOMING MEETINGS

1. July 6, 2026, 6:00 p.m. – Washington County Planning Commission regular meeting

Respectfully submitted,

Jeff Semler, Chairman

**ORDINANCE MODIFICATION STAFF REPORT****BASE INFORMATION**

SITE NAME.....: Hope Valley Farm
NUMBER.....: OM-26-002

OWNER.....: SMITH CINDY ANNE WILLIAMS MARGARET ELIZABETH
LOCATION.....: 1055 VALLEY Road
Knoxville, MD 21758

DESCRIPTION.....: Ordinance Modification for road inadequacy (Valley Road). Roads are required to be 18ft in width for commercial development. BZA approved expansion of existing commercial use on 1/21/2025.

Please see attached Ordinance Modification application and memo prepared by Fred Frederick dated May 12, 2026

ZONING.....: Environmental Conservation
COMP PLAN LU.....: Environmental Conservation
PARCEL.....: 11006043
PLANNING SECTOR.....: 3
ELECTION DISTRICT.....: 11

TYPE.....:
GROSS ACRES.....: 21.52
DWELLING UNITS.....:
TOTAL LOTS.....: 1
DENSITY.....: N/L Units Per Acre

PLANNER.....: Misty Wagner-Grillo
ENGINEER.....: FREDERICK SEIBERT & ASSOCIATES
RECEIVED.....: June 3, 2026

SITE ENGINEERING*HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION*

FLOOD ZONE.....: Yes
WETLANDS.....: Yes
WATERSHED.....: Potomac River FR Cnty
ENDANGERED SPECIES.....: None
HISTORIC INVENTORY.....: III026
EASEMENTS PRESENT.....: None

SCHOOL INFORMATION

Staff Comments:
SCHOOL DISTRICT
Not Applicable
PUPIL YIELD

ELEMENTARY

Pleasant Valley

MIDDLE

Boonsboro

HIGH

Boonsboro

CURRENT ENROLLMENT
MAXIMUM CAPACITY

PUBLIC FACILITIES INFORMATION



WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

FIRE DISTRICT.....: Potomac Valley
AMBULANCE DISTRICT.....: BOONSBORO

WATER & SEWER INFORMATION

	WATER	SEWER
METHOD.....:	No Provider	No Provider
SERVICE AREA.....:	No Provider	No Provider
PRIORITY.....:	7-No Planned Service-Well	7-No Planned Service-Septic
NEW HYDRANTS.....:		
GALLONS PER DAY SEWAGE...:		
PLANT INFO.....:		None

APPLICANT

TELEPHONE _____

(home) (work) (cell)

TELEPHONE _____
(home) (work) (cell)

TELEPHONE _____

ZONING DISTRICT **EC** ROAD FRONTAGE(FT) **943'**

LOCATION / ADDRESS

1055 Valley Road

Knoxville, MD 21758

EXISTING AND PROPOSED USE OF PROPERTY Existing use is a small scale farm with a childrens

learning center. The proposed use approved by the BZA is a Conservation Education and banquet/reception facility with a total capacity of 90 people.

Seasonal events from April 1-October 31 ending at 9:30 PM. Events are to be catered by outside vendors

LOT TO BE CONVEYED TO IMMEDIATE FAMILY MEMBER Yes

SUBDIVISION MODIFICATION INFORMATION

MODIFICATION TO SUBDIVISION ORDINANCE SECTION Art IV APFO section 4.3

MODIFICATION IS TO ALLOW The above mentioned use to conduct business as approved by the BZA

on Valley Road. There are sections of Valley Road with road widths below 18' which is the APFO minimum for commercial development.

Ordinance Modification is to allow said use operate without improving Valley Road to 18'

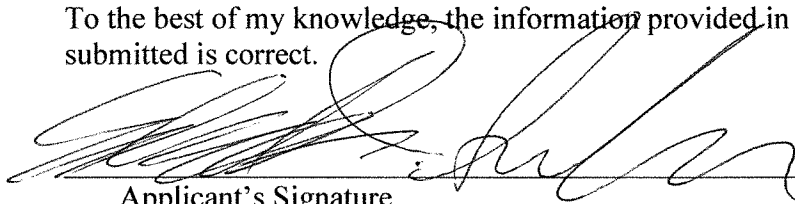
STATEMENT OF JUSTIFICATION TO THE REQUESTED MODIFICATION (quantify modification – i.e. hardship resulting from irregular shape; safety hazard; topographic conditions; extraordinary hardship; other

Please see enclosed memo from Fred Frederick dated May 12, 2026. The items in this memo along with additional testimony provided during the PC meeting will be provided.

(Attach additional sheets if necessary)

In addition, two (2) sketch plans, drawn to scale must accompany this application showing: the dimensions and shape of proposed lot with acreage; size and location of existing and/or future structures; existing/proposed roadways and associated access right-of-ways or easements; existing/proposed entrance/exit to property; natural or topographic peculiarities of the lot in question.

To the best of my knowledge, the information provided in this application and other material submitted is correct.


Applicant's Signature

6/2/2026
Date

Property Owner's Signature

Date

STAFF USE ONLY:

STAFF PLANNER: _____ DATE RECEIVED: _____

NUMBER: _____

MEETING DATE: _____

May 12, 2026

Washington County Planning Commission
747 Northern Avenue
Hagerstown, MD 21742

Attention: Jennifer Kinzer

RE: Site Plan for Hope Valley Farm
SP-25-013
FSA No. 2024-0121

Dear Ms. Kinzer,

I have reviewed the adequate public facilities ordinance, latest revision dated October 22, 2013 and under Section 3.1 of that ordinance I would like to take this plan before the Washington County Planning Commission to discuss the road adequacy section as it relates to this project.

We understand that the existing Valley Road varies in width from 18 feet to 14.5 feet as it serves this property. We note that the ordinance used to require (in prior issues of this ordinance) that the road only needed to be 16 feet wide. The latest revision now requires the road to be 18 feet wide for commercial development. It is well beyond the means of the two ladies that run Hope Valley Farm to widen Valley Road to 18 feet.

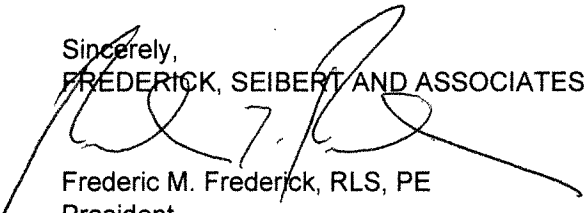
What this ordinance does not address is commercial developments that are 1. Being done to promote Agri-tourism, 2. Limited commercial development that is done to preserve the viability of the farm and 3. Limited commercial developments that are restricted in the amount of events they can hold either by the owners choice or by a Board of Zoning Appeals decision or in most cases by both of the above items.

As this project proceeded through the Board of Zoning Appeals to allow it's proposed limited use, the fact that Valley Road was narrow was clearly discussed.

Since the administration of the adequate public facilities ordinance (APFO) is clearly administrated by the Planning Commission, and since this site plan clearly needs to go before the Planning Commission for its final approval, we hereby request that this plan be placed on the Washington County Planning Commission Agenda to discuss the uniqueness of this plan and its proposed use and it's limitations as outlined on the plan and the Board of Zoning Appeals decision and allow the Planning Commission to make a determination on Valley Road and how it affects this project.

Thank you for placing this on the next available Planning Commission agenda to be discussed with the Planning Commission.

Sincerely,
FREDERICK, SEIBERT AND ASSOCIATES, INC.


Frederic M. Frederick, RLS, PE
President

FMF/vab.2024-0121 PC letter

Preliminary Engineer's Opinions of

Probable Costs

for
Valley Road Widening
Overall Length of Widening 3700 L.F.



fsa-md.com

CIVIL ENGINEERS **LAND SURVEYORS** **LANDSCAPE ARCHITECTS**

By: FMF
Date: 06.1.2026
Job No: 2024-0121

ITEM #	DESCRIPTION	UNIT	UNIT COST	QUANTITY	EXTENDED COST
100	General				
101	Mobilization	LS	\$6,000.00	1	\$6,000.00
102	Traffic Control	LS	\$15,000.00	1	\$15,000.00
	Subtotal				\$21,000.00
200	Grading				
201	Excavation	CY	\$55.00	635	\$34,925.00
203	Topsoil- Stripping & Stockpiling	CY	\$8.00	200	\$1,600.00
204	Full Depth Saw Cut	LF	\$8.00	3,700	\$29,600.00
	Subtotal				\$66,125.00
300	Paving				
301	Hot Mix Superpave 12.5 mm Surface Pave @ 2"	TON	\$132.00	225	\$29,700.00
302	Hot Mix Superpave 19.0 mm Base Pave @ 6"	TON	\$120.00	360	\$43,200.00
303	MDSHA Graded Aggregate Base @ 8"	TON	\$44.00	360	\$15,840.00
304	Mill and Overlay	SY	\$11.00	825	\$9,075.00
	Subtotal				\$97,815.00
400	Soil, Seeding and Mulch				
401	Topsoil-Placing (4" Depth)	SY	\$9.00	150	\$1,350.00
402	Permanent Seeding and Mulching	SY	\$20.00	400	\$8,000.00
	Subtotal				\$9,350.00

Estimated Total Cost

15% Contingency

Bonded

\$194,290.00

\$29,143.50

\$223,433.50

*This is an engineer's cost estimate and all quantities and costs are approximate

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed
am a duly licensed professional engineer under the laws of the State of Maryland, License No. 14060,
Expiration Date: 08-12-2026



June 2, 2026



Professional Certification:
I hereby certify that these documents were prepared
or approved by me, and that I am a duly licensed
professional under the laws of the State of _____,
License # _____,
Expiration Date _____.

FSA

FREDERICK, SEIBERT & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS

tes-inc.com

1114 WILLIAMSVILLE PIKE
GREENCASTLE, PA 17228
487.735.1600
487.735.1601

130 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
487.735.1600

500 SOUTH HANOVER STREET
CARLEISLE, PA 17032
717.750.8411

14 EAST MAIN STREET
NEPTUNE COLLEGE, PA 17068
717.752.2531

[illegible]

ROAD WIDTHS FOR VALLEY ROAD

WASHINGTON COUNTY, MARYLAND

PROJECT NO. 2024-0121	
DRAWN BY CALEB FRITZ	DATE 05.26.2026
PROJECT MANAGER: FRED FREDERICK	
EMAIL: FFREDERICK@FSA-INC.COM	
TAX MAP-GRID-PARCEL 88-1-83	
SCALE 1" = 100'	
SHEET TITLE	

ROAD
EXHIBIT

C-101
SHEET 01 OF 02



STATION 4+25



STATION 18+50



STATION 41+50



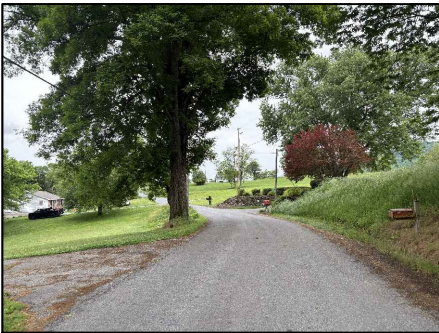
STATION 48+00



STATION 51+00



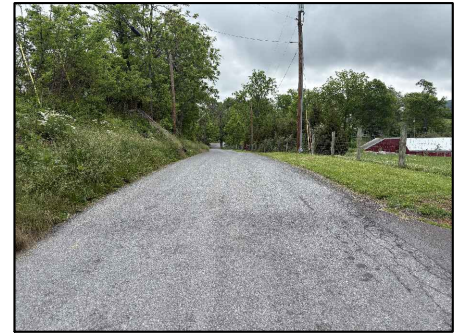
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STATION 60+00



STATION 67+50



STATION 68+50



STATION 74+00

**BEFORE THE BOARD OF APPEALS
FOR WASHINGTON COUNTY, MARYLAND**

CINDY SMITH & MARGARET WILLIAMS * Appeal No.: AP2024-052

Appellant

*** * * * * * * * * * * ***

OPINION

Cindy Smith and Margaret Williams (hereinafter “Appellants”) request a special exception for an environmental conservation education and banquet/reception facility, and a variance from the off-street dust-free parking requirement at the subject property. The subject property is located at 1069 Valley Road, Knoxville, Maryland 21758 and is zoned Environmental Conservation. The Board held a public hearing in this matter on December 18, 2024.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required.

Findings of Fact

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Cindy Smith and Margaret Williams are the owners of the subject property, located at 1069 Valley Road, Knoxville, Maryland. The subject property is zoned Environmental Conservation.

2. The subject property consists of approximately 29.7 acres of farmland containing several barns and other accessory buildings. Approximately two (2) acres of the property are dedicated to cut flower production, as well as housing animals.

3. Appellants have created a flower farm at the subject property, growing

flowers to fulfill subscription sales, on-site sales, farmers' markets and "self-pick" services.

4. Appellants also operate Wild Sprouts, Inc. providing nature-based education and learning services at the subject property.

5. Appellants propose to host special events at the subject property using the existing farm and accessory buildings for weddings and receptions. There will be no new construction of buildings for this use.

6. Per the Fire Marshal, Appellants are limited to 99 people, however they expect capacity to be more like 50-60 people plus staff.

7. Appellants propose the use to be seasonal from April to October, for events to end by 9:30 p.m. with lights out by 10:00 p.m., that there will only be one (1) event per weekend and all events will have outside vendors for food and entertainment. Appellants are willing to submit to these as conditions of the proposed use.

8. Appellants will clearly mark the subject property for entry and exit for visitors and will encourage event attendees to utilize Route 67 because there are less residences to pass before arriving at the subject property.

9. The Ordinance dictates that Appellants need sixty-one (61) parking spaces, which they believe will be far more than they actually utilize. They plan to have parking primarily in the grass areas and want to avoid having to pave a large area.

10. The traffic data shows a total of 400 trips in and around the immediate area and three (3) vehicle accidents since 2019.

11. Many of Appellants' immediate neighbors as well as others submitted letters and testimony in support of the proposed use.

12. There was opposition presented to this appeal.

Rationale
Special Exception

The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as “a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood.” Article 28A. In addition, Section 25.6 sets forth the limitations, guides, and standards in exercise of the board’s duties and provides:

Where in these regulations certain powers are conferred upon the Board or the approval of the Board is required before a permit may be issued, or the Board is called upon to decide certain issues, the Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the permit. However, the application for a permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would adversely affect the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:

- (a) The number of people residing or working in the immediate area concerned.
- (b) The orderly growth of a community.
- (c) Traffic conditions and facilities
- (d) The effect of such use upon the peaceful enjoyment of people in their homes.
- (e) The conservation of property values.
- (f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.
- (g) The most appropriate use of the land and structure.
- (h) Decision of the courts.
- (i) The purpose of these regulations as set forth herein.
- (j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

For the reasons set forth herein, the Board concludes that the special exception should be granted.

Appellants presented thorough and detailed testimony regarding the proposed use, their plans and their attempts to address concerns that have been raised about the subject property. They were prepared to accept self-imposed conditions that limit the

size and intensity of events. Appellants had overwhelming support from neighbors, friends, customers, parents and others from the community. Although it is not an enumerated part of the criteria, it is clear that the current operation of the property is a service to many in the community.

The Board heard from witnesses in opposition to the special exception request, based on concerns for traffic on Valley Road. Both opposition witnesses noted that Valley Road is narrow and is essentially a one-lane road in many spots. They testified that there were numerous blind curves and areas where you have to stop to allow another vehicle pass. They were concerned that drivers who were not familiar with the road could be put in dangerous situations while travelling to events at the subject property. On the other hand, many of the immediate neighbors did not believe there was any reason to be concerned about traffic. Appellants' engineer, Fred Frederick testified that the traffic trips are very low in the area and volume increase is not a concern based on Appellants' vision of the events business. Mr. Frederick also noted additional modifications could be made during the site plan review process to address traffic concerns.

While Valley Road is narrow and can be difficult to navigate, it is not unlike a number of roads in Washington County that wind their way to farms, events and reception locations, businesses and commercial enterprises. While care should be taken in the development of the events business and the use of the only road that serves the property, it does not rise to the level of preventing the proposed use. The Board does not find that the proposed use will create dangerous traffic or other safety concerns within the surrounding area. Notwithstanding that, Appellants would be best served with encouraging carpooling or shuttle service off-site to minimize the traffic along a narrow roadway.

The Board finds no cause for concern regarding the number of people residing or working in the area which is relatively small, nearby public gatherings or the conservation of property values.

The inclusion of one event per weekend for six (6) months each year will not affect the character of the neighborhood, and it is not inconsistent with the existing uses in the area. Appellants testified that the proposed use will not produce any noise, odor, gas, smoke, fumes, or vibrations upon the surrounding properties. There was no evidence presented that the proposed use would have any effect on property values or the peace and enjoyment of nearby homes.

The Board finds that the proposed use is an appropriate use of land and/or structure. The Board recognizes there may be other appropriate uses for the property, but the proposed use is permitted by special exception. There is an inherent appropriateness to such use as deemed by the Board of County Commissioners, subject to review of the criteria to evaluate the impact on surrounding properties.

Notwithstanding the analysis pursuant to *Schultz v. Pritts* and the related appellate opinions, there are no judicial decisions directly affecting the subject property.

The proposed project is consistent with the orderly growth of the community. The proposed use has adequate buffering and screening to shield adjacent property owners and does not require any variances for setback requirements. Thus, the proposed project can be completed and still maintain the other requirements of the Ordinance. The Board finds that the proposed use is consistent with the purpose and vision of the Ordinance.

Having considered the testimony and evidence presented and having further considered the criteria set forth in the Ordinance, the Board finds that the proposed use at the subject property will have no greater “adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.” *Schultz v. Pritts*, 291 Md. 1, 15 (1981). For all these reasons, we conclude that this appeal meets the criteria for a special exception, and Appellant’s request should be granted.

Variance

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.¹ “Practical Difficulty” may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

Practical difficulty and undue hardship are typically the result of a property being unique. “‘Uniqueness’ of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.” *North v St. Mary’s Cnty.*, 99 Md.App. 502, 514 (1994).

In this case, Section 22.12(f)(iv) requires that “parking and access lanes/aisles with a total area greater than 3,400 square feet shall be paved.” The Ordinance further defines paving as “a durable and dustless surface that shall be properly drained and maintained.” Appellants have requested to utilize the existing grass areas in lieu of paving as required by the Ordinance. Appellants presented testimony that paving would be a significant expense and would detract from the charm and aesthetics of the otherwise natural, agricultural setting. Under the circumstances, strict compliance with the

¹ “When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive (“or”), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements.” *Belvoir Farms Homeowners Ass’n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)

Ordinance would render conformance unnecessarily burdensome. The Board finds that variance relief is necessary to relieve this burden and to observe the spirit and intent of the Ordinance.

Accordingly, the request for a special exception for an environmental conservation education and banquet/reception facility at the subject property is hereby GRANTED, by a vote of 4 to 1. Likewise, the request for a variance from the off-street dust-free parking requirement at the subject property is hereby GRANTED, by a vote of 5 to 0. Both the special exception and the variance relief are granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board. They are also subject to the following conditions, which Appellants suggested in their presentation:

1. Special events will have a maximum capacity of 99 people, including staff and vendors;
2. Special events will only be held from April 1st to October 31st each year;
3. Events will end by 9:30 p.m., and lights out will be at 10:00 p.m.;
4. Appellants will limit events to one (1) per weekend; and
5. Events will be catered and utilize outside vendors.

BOARD OF APPEALS

By: Tracie Felker, Chair

Date Issued: January 17, 2025

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



MEMORANDUM

TO: Misty Wagner-Grillo, Planner, Department of Planning and Zoning

FROM: Heather Williams, CFM, Senior Plan Reviewer/ Floodplain Manager *hwr*

DATE: June 22, 2026

SUBJECT: OM-26-002 Hope Valley Farm 1055 Valley Road from the property frontage, southeast passed both intersections of Deer Path to its intersection with US Highway 340, Knoxville

We have reviewed the ordinance modification request to allow the proposed use to operate without improving Valley Road to 18 feet.

1. **Valley Road.** We evaluated the proposed commercial use against the *Policy to Determine the Adequacy of Existing Highways, dated May 2005*, and have determined that Valley Road is inadequate for commercial development. In accordance with APFO Article 2.3.13 Definitions New Development, this change in use required a zoning permit and thus qualifies as New Development. In accordance with APFO Article IV – Roads, all new development shall be served by an adequate network of existing and proposed new roads. In accordance with the Highway Adequacy Policy, the road segment, determined by the division, is studied based on actual measurements and engineering studies provided by the applicant.
2. Measurements provided by the applicant and illustrated on Road Exhibit Sheets C-101 & C-102 show that Valley Road ranges from 15.64 feet wide to 23.0 feet wide.
3. The County Highway Adequacy Policy requires an 18-foot road width, based upon the number of trips for this commercial project. This road width improvement is required along the proposed lot frontage and out to the nearest road deemed adequate, which is US-Highway 340. That same number of trips, according to the attached AASHTO table, would require widening the road to 20 -feet. The Washington County Highway Adequacy Policy is already more lenient than the National AASHTO standards.

4. **Request for Special Consideration.** If Planning Commission decides to grant this request, we ask that they consider a special condition that the Developer/Owner be required to widen, to a minimum of eighteen (18) feet of pavement, the road along the frontage of the proposed commercial use property.
 - a. **Other comments.** We also note for the record that should this modification be granted it does not relieve the Developer/Owner of any other requirements including providing adequate intersection sight distance for the site plan entrance and exit proposed on Valley Road in accordance with County Policy and AASHTO standards.

Williams, Heather

From: Hobbs, Scott
Sent: Monday, June 22, 2026 4:19 PM
To: Williams, Heather
Cc: Calimer, Rebecca
Subject: AASHTO Information - Table 5-5 - Local Roads

Heather,

See below as discussed with Rebecca.

Thank you,
Scott



A Policy on Geometric Design of Highways and Streets

2018
7th Edition

Table 5-5. Minimum Width of Traveled Way and Shoulders for Two-Lane Local Roads in Rural Areas

U.S. Customary				Metric			
Design Speed (mph)	Minimum Width of Traveled Way (ft) for Specified Design Volume (veh/day)			Design Speed (km/h)	Minimum Width of Traveled Way (m) for Specified Design Volume (veh/day)		
	under 400	400 to 2000	over 2000		under 400	400 to 2000	over 2000
15	18	20 ^a	22	20	5.4	6.0 ^a	6.6
20	18	20 ^a	22	30	5.4	6.0 ^a	6.6
25	18	20 ^a	22	40	5.4	6.0 ^a	6.6
30	18	20 ^a	22	50	5.4	6.0 ^a	6.6
35	18	20 ^a	22	60	5.4	6.0 ^a	6.6
40	18	20 ^a	22	70	6.0	6.6	6.6
45	20	22	22	80	6.0	6.6	6.6
50	20	22	22	90	6.6	6.6	6.6 ^b
55	22	22	22b	100	6.6	6.6	6.6 ^b
60	22	22	22b	All speeds	Width of graded shoulder on each side of the road (m)		
65	22	22	22b		0.6	1.0	1.8
All speeds	Width of graded shoulder on each side of the road (ft)						
	2	3	6				

^a For roads in mountainous terrain with design volume of 400 to 600 veh/day, an 18-ft [5.4-m] traveled-way width may be used.

^b Consider using traveled-way width of 24 ft [7.2 m] where substantial truck volumes are present or agricultural equipment frequently uses the road

MEMORANDUM

TO: Misty Wagner-Grillo, Planner, Department of Planning and Zoning

FROM: Rebecca Calimer, EIT, CFM, Chief of Plan Review

DATE: June 18, 2026

SUBJECT: OM-26-002 Hope Valley Farm 1055 Valley Road from the property frontage, southeast passed both intersections of Deer Path to its intersection with US Highway 340, Knoxville

We have reviewed the ordinance modification request to allow the proposed use to operate without improving Valley Road to 18 feet.

1. **Valley Road.** We evaluated the proposed commercial use against the *Policy to Determine the Adequacy of Existing Highways*, dated May 2005, and have determined that Valley Road is inadequate for commercial development. In accordance with APFO Article 2.3.13 Definitions New Development, this change in use required a zoning permit and thus qualifies as New Development. In accordance with APFO Article IV – Roads, all new development shall be served by an adequate network of existing and proposed new roads. In accordance with the Highway Adequacy Policy, the road segment, determined by the division, is studied based on actual measurements and engineering studies provided by the applicant.
2. Measurements provided by the applicant and illustrated on Road Exhibit Sheets C-101 & C-102 show that Valley Road ranges from 15.64 feet wide to 23.0 feet wide.
3. The County Highway Adequacy Policy requires an 18-foot road width, based upon the number of trips for this commercial project. This road width improvement is required along the proposed lot frontage and out to the nearest road deemed adequate, which is US-Highway 340. That same number of trips, according to the attached AASHTO table, would require widening the road to 20 -feet. The Washington County Highway Adequacy Policy is already more lenient than the National AASHTO standards.
4. **Request for Special Consideration.** If Planning Commission decides to grant this request, we ask that they consider a special condition that the Developer/Owner be required to widen, to a minimum of eighteen (18) feet of pavement, the road along the frontage of the proposed commercial use property.
 - a. **Other comments.** We also note for the record that should this modification be granted it does not relieve the Developer/Owner of any other requirements including providing adequate intersection sight distance for any future entrance proposed on Valley Road in accordance with County Policy and AASHTO standards.

From: [Jeff Martin](#)
To: [Misty Wagner-Grillo](#)
Subject: Re: Review Request for an Ordinance Modification for Hope Valley Farms-Valley RD
Date: Tuesday, June 16, 2026 7:58:16 PM

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Any claims of being a County official or employee should be disregarded.

Good Evening,

My only concern would be the increased traffic on a lane and a half road. We have had issues in the area with fire response, as recent as the begging of the year, due to the size of the road and now adding increased traffic during peak event times may cause bigger problems.

Jeffrey Martin
Fire Chief
Potomac Valley Fire Company

On Jun 12, 2026, at 3:20 PM, Misty Wagner-Grillo <mgrillo@washco-md.net> wrote:

Good afternoon,

Just a friendly reminder that any comments on the attached Ordinance Modification would be helpful for the Planning Commission's review on July 6, 2026.

Please see additional information on this request in the email below.

Thank you,
Misty

<image001.png>

Misty Wagner-Grillo
Planner
Washington County Planning & Zoning
747 Northern Avenue



WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

SITE PLAN STAFF REPORT

BASE INFORMATION

SITE NAME.....: Bridgestone - Hagerstown
NUMBER.....: SP-25-047

OWNER.....: HAGERSTOWN KITCHEN INC
LOCATION.....: 13324 PENNSYLVANIA Avenue
Hagerstown, MD 21742

DESCRIPTION.....: Construction of a Bridgestone auto service store and associated parking/loading areas and utilities.

ZONING.....: Business, General
COMP PLAN LU.....: Commercial
PARCEL.....: 27020283
PLANNING SECTOR.....: 1
ELECTION DISTRICT.....: 27

TYPE.....: Commercial
GROSS ACRES.....: 1.85
DWELLING UNITS.....: 0
TOTAL LOTS.....: 1
DENSITY.....: 0 Units Per Acre

PLANNER.....: Misty Wagner-Grillo
ENGINEER.....: KIMLEY-HORN & ASSOCIATES INC
RECEIVED.....: December 19, 2025

SITE ENGINEERING

HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION

FLOOD ZONE.....: No
WETLANDS.....: No
WATERSHED.....: Antietam Creek
ENDANGERED SPECIES.....: None
STEEP SLOPES.....: No
STREAM BUFFER.....: No
HISTORIC INVENTORY.....: No Resources Present
EASEMENTS PRESENT.....: None
Staff Comments:
Not Applicable



WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

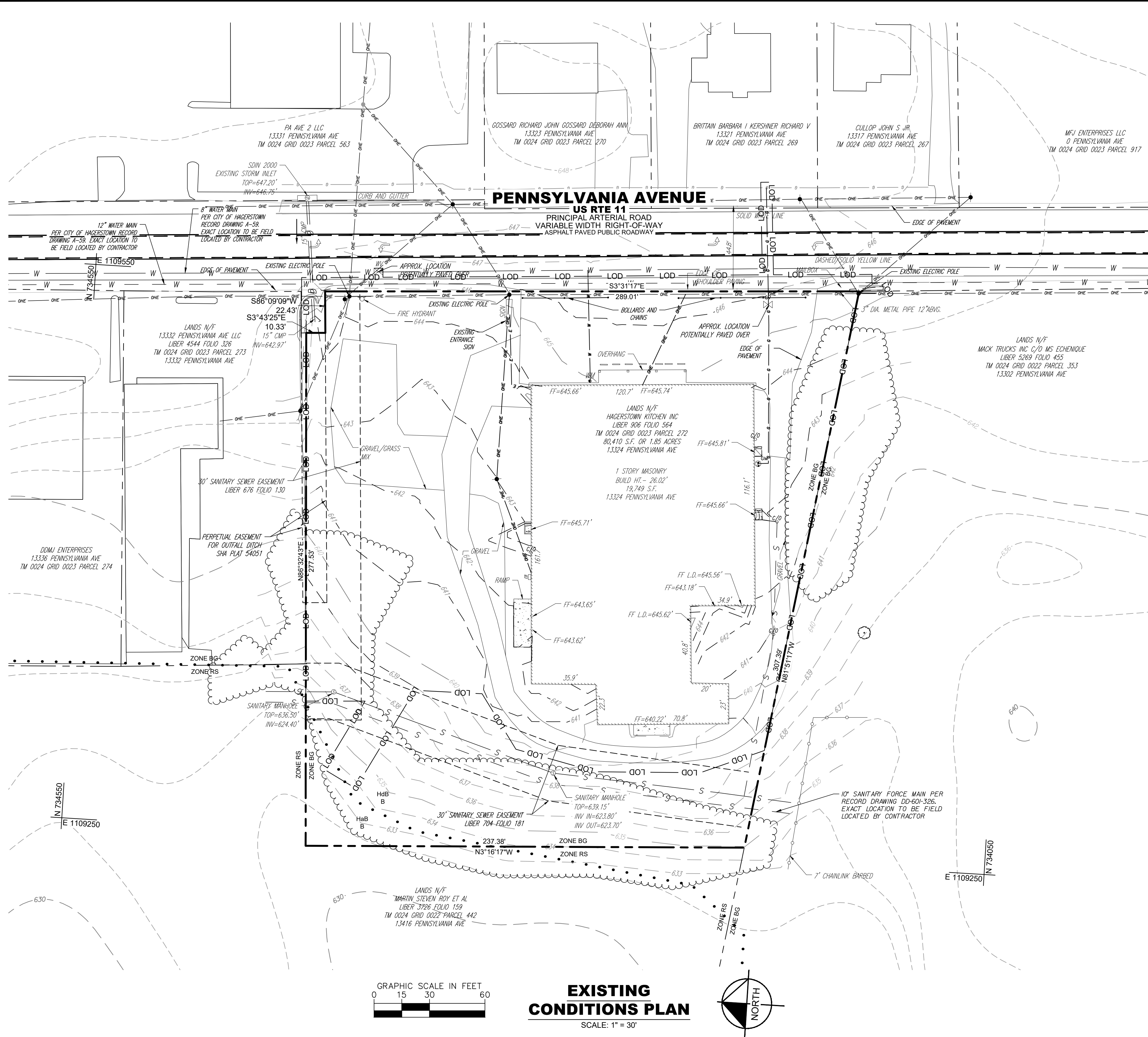
SITE DESIGN		
Impervious Area Plan	Impervious Maximum Allowed	Open Space Area Planned
80	80	
Open Space Minimum Required	Residential Amenity Plans	Solid Waste Disposal Plans
		Dumpster
Materials Stored on Site	Buffer Design Meets Requirements	Landscaping Meets Requirements
	Yes	Yes
Lighting Plan Meets Requirements	Pedestrian Access is Adequate	Bus Stop is Within Walking Distance
Yes		
Loading Area Meets Requirements		
		Not Fast Track
Parking Spaces - Total Planned	Parking Spaces - Per Dwelling Unit	
30		
Parking Spaces - Minimum Required	Recreational Parking Provided	
26	No	

	SCHOOL INFORMATION		
	ELEMENTARY	MIDDLE	HIGH
SCHOOL DISTRICT	Paramount	Western Heights	North Hagerstown
PUPIL YIELD			
CURRENT ENROLLMENT			
MAXIMUM CAPACITY			

PUBLIC FACILITIES INFORMATION	
FIRE DISTRICT.....:	Longmeadow
AMBULANCE DISTRICT.....:	MAUGANSVILLE

	WATER & SEWER INFORMATION	
	WATER	SEWER
METHOD.....:	City	County Line - City Treatment
SERVICE AREA.....:	City	County Line - City Treatment
PRIORITY.....:	1-Existing Service	1-Existing Service
NEW HYDRANTS.....:		
GALLONS PER DAY SEWAGE...:		
PLANT INFO.....:		Hagerstown (City)

Plotted By: Williams, Java Sheet Set: BRIDGESTONE SITE PLAN Layout: 24x36 June 08, 2026 12:39:23pm K:\BAL-CAD\114313000-bridgestone - Hagerstown\CAD\plan sheets\2 EXISTING CONDITIONS PLAN.dwg
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SURVEY CONTROL/BENCHMARK

HORIZONTAL DATUM: NAD83 (2011)

VERTICAL DATUM: NAVD88

SURVEY CONTROL TIE POINTS:

POINT #1

REBAR & CAP

NORTH 734,399.06 FEET
EAST: 1,109,531.57 FEET
ELEV: 644.15 FEET

POINT #2

REBAR & CAP

NORTH 734,177.02 FEET
EAST: 1,109,560.48 FEET
ELEV: 645.99 FEET

POINT #3

REBAR & CAP

NORTH 734,167.40 FEET
EAST: 1,109,289.96 FEET
ELEV: 636.50 FEET

POINT #4

REBAR & CAP

NORTH 734,329.91 FEET
EAST: 1,109,322.94 FEET
ELEV: 640.32 FEET

SURVEY INFORMATION

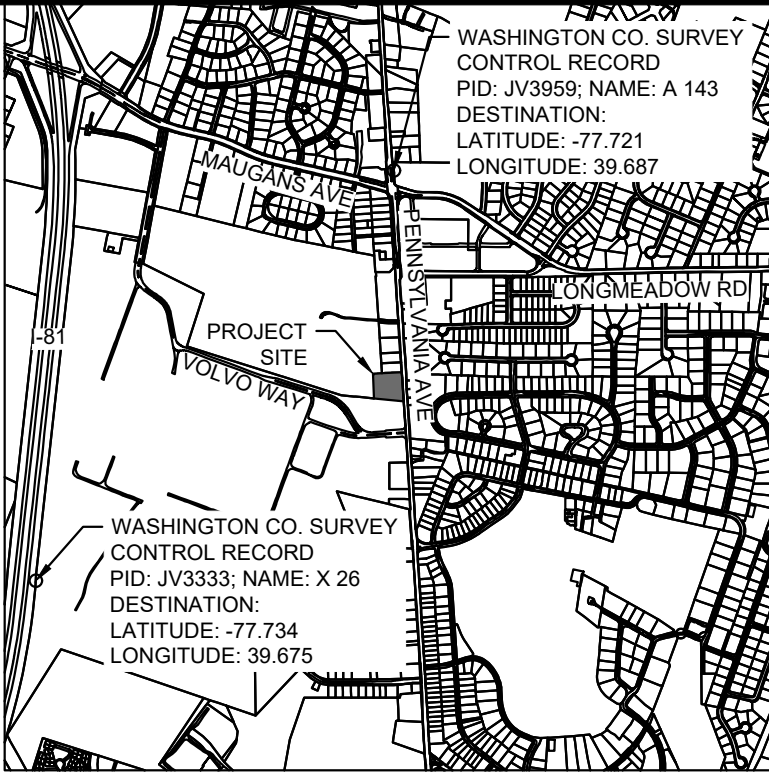
- THIS PLAN IS BASED ON AN ALTA/NSPS LAND TITLE SURVEY DRAWING PREPARED BY GRS GROUP, LLC ENTITLED "ALTA/NSPS LAND TITLE SURVEY LANDS N/F HAGERSTOWN KITCHEN, INC LIBER 906 FOLIO 564" DATED OCTOBER 2025. HORIZONTAL DATUM: NAD 83 (2011) VERTICAL DATUM: NAVD88
- SITE SURVEY HAS BEEN SUPPLEMENTED BY WASHINGTON COUNTY GIS.

SENSITIVE AREA NOTE:

THE SUBJECT PROPERTY DOES NOT CONTAIN EXISTING NON-TIDAL WETLANDS, STREAMS, OR 100-YEAR FLOODPLAIN. THERE ARE NO SENSITIVE AREA BUFFERS REQUIRED FOR THIS PROJECT SITE.

GEOTECHNICAL NOTES:

- GEOTECHNICAL TEST INFORMATION AND GEOLOGICAL FEATURES DEPICTED HEREON ARE SHOWN PER THE "GEOTECHNICAL ENGINEERING REPORT", DATED OCTOBER 21, 2025 PREPARED BY ECS MID-ATLANTIC, LLC.
- IF ANY CAVE ENTRANCES, SINKHOLES/SOIL SUBSIDENCE AREAS, AND/OR ROCK COLLAPSES ARE OBSERVED DURING WORK ACTIVITIES, CONTRACTOR TO CEASE CONSTRUCTION WITHIN A 100-FOOT RADIUS OF THE FEATURE AND CONTACT THE DESIGNATED SITE KARST SPECIALIST FOR FURTHER INSPECTION.



VICINITY MAP
SCALE: 1" = 2000'

EXISTING CONDITIONS LEGEND

---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	LIMITS OF DISTURBANCE
---	EXISTING EASEMENT
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	EXISTING BUILDING
---	EXISTING GAS
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING STORMDRAIN
---	EXISTING SANITARY
---	EXISTING 8" WATER
---	EXISTING 12" WATER
---	EXISTING FENCE LINE
---	EXISTING TREE LINE
---	SOIL BOUNDARY LINE
---	EXISTING POWER POLE
---	EXISTING WATER METER
---	EXISTING WATER VALVE
---	EXISTING FIRE HYDRANT
---	EXISTING STORM MANHOLE
---	EXISTING GAS VALVE
---	EXISTING GAS METER
---	EXISTING SANITARY CLEANOUT
---	EXISTING TREE

SOIL TYPES					
MAP UNITS	SOIL NAME	HYDROLOGIC SOIL GROUP	CLASSIFICATION	ACRES OF OVERALL PROJECT AREA	% OF OVERALL PROPERTY AREA
HaB	HAGERSTOWN SILT LOAM, 3 TO 8 PERCENT SLOPES	B	ALL AREAS ARE PRIME FARMLAND	1.80	0.97%
HdB	HAGERSTOWN-DUFFIELD -URBAN LAND COMPLEX, 0 TO 8 PERCENT SLOPES	B	NOT PRIME FARMLAND	0.05	0.03%
TOTAL:				1.85	100.00%

PROPERTY OWNER INFORMATION

MAP 24 PARCEL 0272 - HAGERSTOWN KITCHEN INC. - 906/564 - ZONED: BG - CURRENT USE: COMMERCIAL

ADJOINING LANDOWNERS

MAP 24 PARCEL 273 - 13332 PENNSYLVANIA AVE LLC - 4544/326 - ZONED: BG - CURRENT USE: COMMERCIAL
MAP 24 PARCEL 442 - MARTIN STEVEN ROY ET AL - 3726/159 - ZONED: RS - CURRENT USE: AGRICULTURAL
MAP 24 PARCEL 353 - MACK TRUCKS INC C/O MS ECHENIQUE - 5269/455 - ZONED: BG - CURRENT USE: INDUSTRIAL
MAP 24 PARCEL 267 - CULLOP JOHN SHEFFEY III TRUSTEE KAREN RUTH CULLOP TRUST UNDER LAST WILL AND - 7482/69 - ZONED: RU - CURRENT USE: RESIDENTIAL
MAP 24 PARCEL 269 - BRITTAIN BARBARA I KERSHNER RICHARD V - 1173/398 - ZONED: RU - CURRENT USE: RESIDENTIAL
MAP 24 PARCEL 270 - GOSSARD RICHARD JOHN GOSSARD DEBORAH ANN - 6795/477 - ZONED: RU - CURRENT USE: RESIDENTIAL
MAP 24 PARCEL 563 - PA AVE 2 LLC - 5899/471 - ZONED: BG - CURRENT USE: INDUSTRIAL

CALL 48 HOURS BEFORE YOU DIG

IT'S THE LAW! DIAL 811

Know what's below. Call before you dig.

PROJECT SP-25-047

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY

EXISTING
CONDITIONS PLAN

MD

Kimley»Horn

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111 ROCKVILLE PIKE, SUITE 1100, ROCKVILLE, MD 20850
PHONE: 240-608-6288
WWW.KIMLEY-HORN.COM

STATE OF MARYLAND
PROFESSIONAL ENGINEER
33949
EXPIRATION DATE: 07/15/2027

KHA PROJECT	114-313000
DATE	06/08/2026
SCALE	AS SHOWN
DESIGNED BY	DE
DRAWN BY	DE
CHECKED BY	SSK

WASHINGTON CO. SURVEY CONTROL RECORD
PID: JV3959 NAME: A 143
DESTINATION: LATITUDE: -77.721
LONGITUDE: -77.721
LONGITUDE: -77.721

WASHINGTON CO. SURVEY CONTROL RECORD
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DESTINATION: LATITUDE: -77.734
LONGITUDE: -77.734
LONGITUDE: -77.734

BY

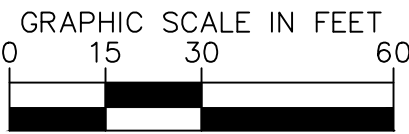
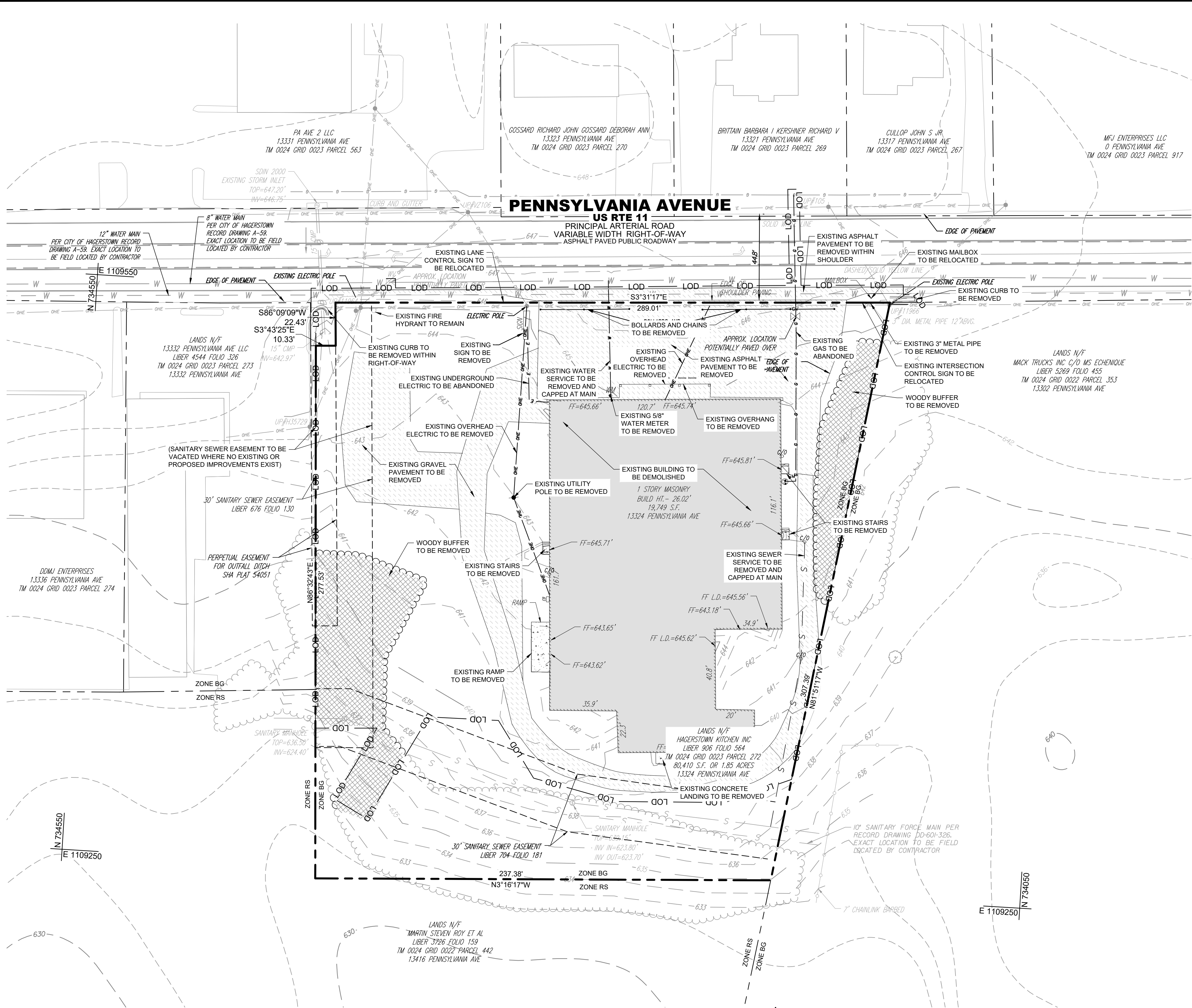
DATE

REVISIONS

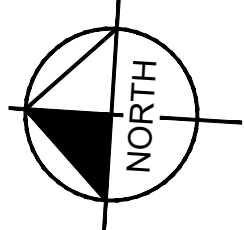
No.

SHEET NUMBER
2 OF 33

Plotted By: Williams, Java Sheet Set: BRIDGESTONE SITE PLAN Layout: 3 DEMOLITION PLAN June 08, 2026 12:50:01pm K:\BAL-CIV\114313000-Bridgestone - Hagerstown CAD\plansheets\3 DEMOLITION PLAN.dwg
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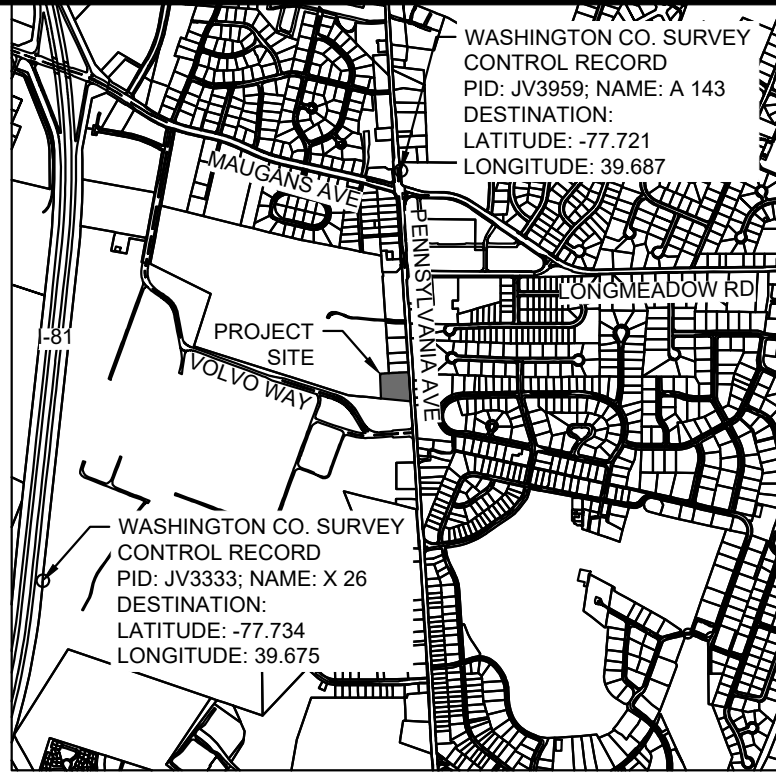


DEMOLITION PLAN
SCALE: 1" = 30'



DEMOLITION NOTES

- LOCATIONS OF EXISTING UTILITIES ARE FOR REFERENCE ONLY. CONTRACTOR IS TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK WITH REPRESENTATIVE UTILITY COMPANIES AND FOR THE IMPLEMENTATION OF REQUIRED UTILITY-RELATED WORK.
- THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE UPON ENCOUNTERING ANY HAZARDOUS MATERIALS DURING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES. THE CONTRACTOR SHALL DOCUMENT THE SAME TO THE OWNER'S REPRESENTATIVE AND OBTAIN DIRECTION AS TO THE APPROPRIATE ACTION(S) TO BE TAKEN.
- FOR ALL UTILITIES TO BE RELOCATED, THE SERVICE SHALL NOT BE INTERRUPTED WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER.
- CONTRACTOR IS RESPONSIBLE TO SAFEGUARD THE SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.



VICINITY MAP
SCALE: 1" = 2000'

DEMOLITION LEGEND

---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	LIMITS OF DISTURBANCE
---	EXISTING EASEMENT
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	EXISTING BUILDING TO BE REMOVED
---	EXISTING GAS TO REMAIN
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING OVERHEAD ELECTRIC TO REMAIN
---	EXISTING STORMDRAIN TO REMAIN
---	EXISTING SANITARY TO REMAIN
---	EXISTING GAS TO BE ABANDONED
---	EXISTING UNDERGROUND ELECTRIC TO BE ABANDONED
---	EXISTING OVERHEAD ELECTRIC TO BE REMOVED
---	EXISTING WATER TO BE ABANDONED
---	EXISTING FENCE LINE
---	EXISTING TREE LINE
---	EXISTING POWER POLE
---	EXISTING FIRE HYDRANT TO REMAIN
---	EXISTING STORM MANHOLE TO REMAIN
---	EXISTING TREE
---	EXISTING WATER METER TO BE REMOVED
---	EXISTING WATER VALVE TO BE REMOVED
---	EXISTING GAS VALVE TO BE REMOVED
---	EXISTING GAS METER TO BE REMOVED
---	EXISTING SANITARY CLEANOUT TO BE REMOVED
---	EXISTING POWER POLE TO BE REMOVED
---	EXISTING TREE LINE TO BE REMOVED
---	EXISTING PAVEMENT TO BE REMOVED

Kimley»Horn

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111 ROCKVILLE PIKE, SUITE 1100, ROCKVILLE, MD 20850
PHONE: 240-608-4288
WWW.KIMLEY-HORN.COM

STATE OF MARYLAND
PROFESSIONAL ENGINEER
3949

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO. 3949
EXPIRATION DATE 07/14/2027

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	DRAWN BY	CHECKED BY
114-313000	06/08/2026	1" = 30'	DE	JLW	SSK	

DEMOLITION PLAN

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY
MD

SHEET NUMBER
3 OF 33

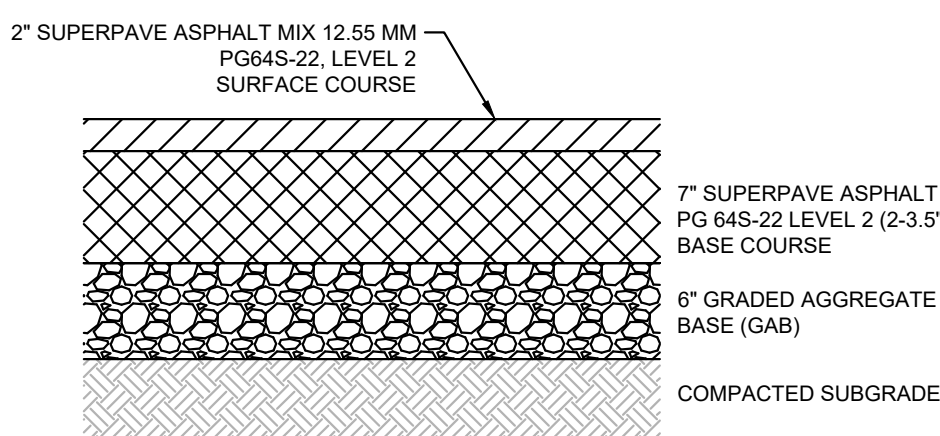
CALL 48 HOURS BEFORE YOU DIG

811

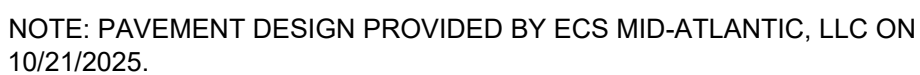
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Know what's below.
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PROJECT SP-25-047

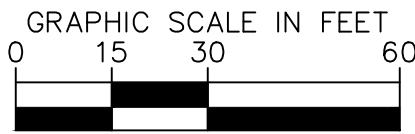
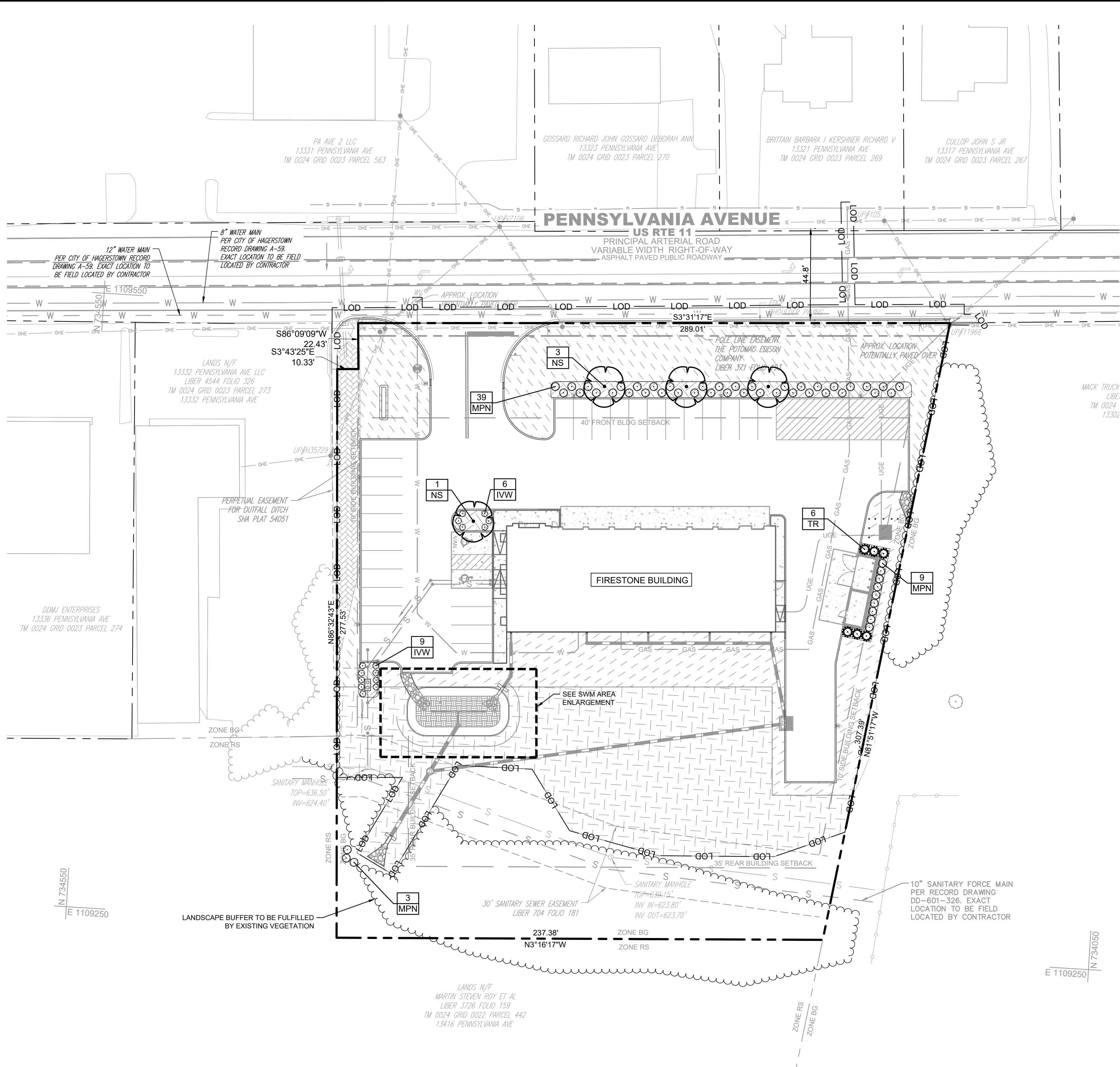


NOTE: PAVEMENT DESIGN PROVIDED BY DEREK BENNETT (SHA) ON 10/08/25

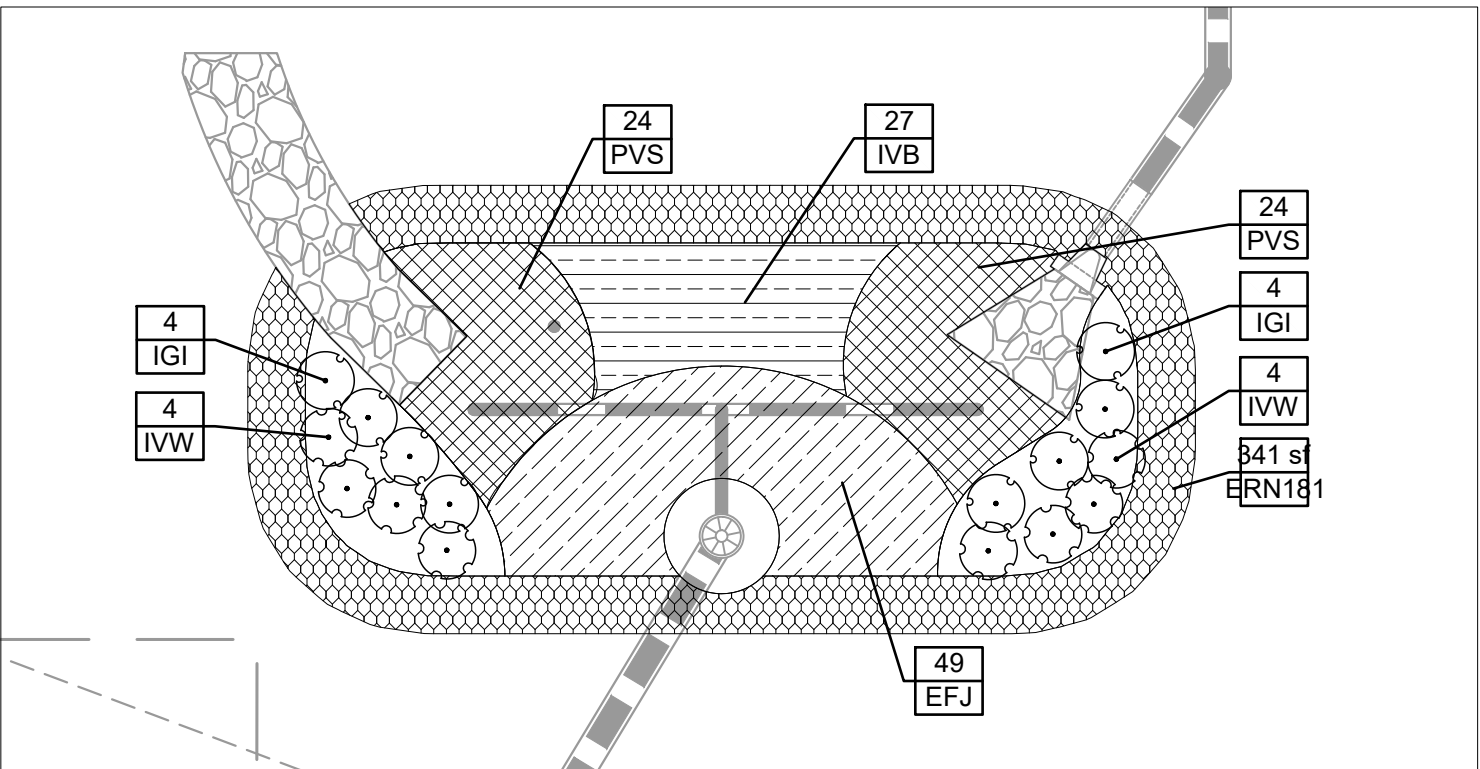
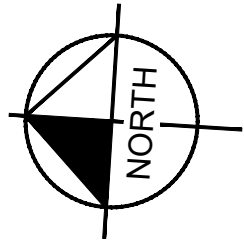


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4 OF 33

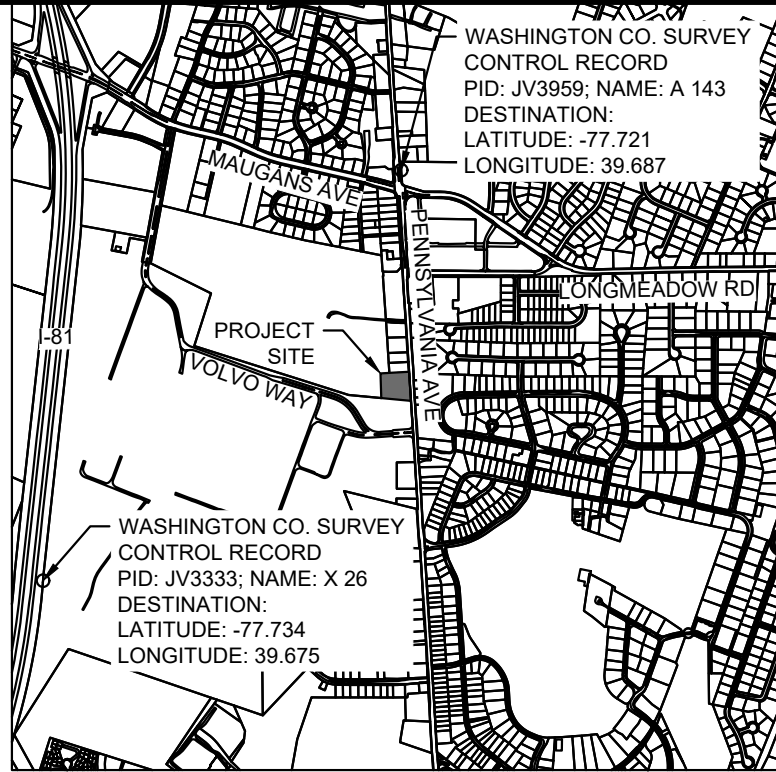
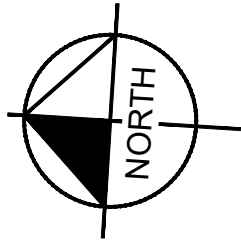
Plotted By: Lloyd, Walker, Sheet Set: BRIDGESTONE SITE PLAN, Layout: 6 LANDSCAPE PLAN, May 18, 2026 03:48:08pm K:\BAL-CIV\114313000-Bridgestone - Hagerstown\CAD\plansheets\7 LANDSCAPE PLAN.dwg
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LANDSCAPE PLAN
SCALE: 1" = 30'



SWM AREA ENLARGEMENT
SCALE: 1"=10'



VICINITY MAP
SCALE: 1" = 2000'

PARKING LANDSCAPE AREA CALCULATIONS

WCZO Sec 22.12.8(i&ii)

Total Site Area	18,498 SF
Parking Landscaped Area Required	5% x 18,498 SF = 925 SF
Parking Landscaped Area Provided	1,537 SF
Parking Facility Shade Trees Required	1 Tree per 300 SF* = 4 Shade Trees
Parking Facility Shade Trees Provided	4 Shade Trees

*1 Parking Facility Shade Tree required per 300 SF of Landscaped Area Required

LANDSCAPE AREA CALCULATIONS

WCZO Sec 22.11.1(C)

Total Site Area	80,410 SF
Replacement Requirement	5% x 80,410 SF = 4,021 SF
Landscape Area Provided	
Maximum Area Credit From SWM	1,407 SF (35% x 4,021 SF)
Existing Trees to Remain	8,566 SF
Proposed Landscape Area	1,978 SF
TOTAL	11,620 SF
REQUIREMENT IS MET:	11,620 SF > 4,021 SF

- NOTES:
- STORMWATER MANAGEMENT MAY BE CREDITED TOWARD THE REQUIRED LANDSCAPE AREA, ALLOWED TO CONTRIBUTE UP TO 35% OF THE TOTAL LANDSCAPING REQUIREMENT.
 - PROPOSED LANDSCAPE AREA CALCULATED FROM MULCH AREA, LESS MULCH USED AROUND ENTRANCE SIGN.

PLANT SCHEDULE LANDSCAPE COVERAGE

SYMBOL **CODE** **QTY** **BOTANICAL NAME** **COMMON NAME** **CONT** **CAL / HT**

DECIDUOUS TREES

	NS	4	Nyssa sylvatica	Black Gum	B & B	2 1/2" MIN.
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EVERGREEN TREES

	TR	6	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	B & B	6' HT
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SYMBOL **CODE** **QTY** **BOTANICAL NAME** **COMMON NAME** **CONT** **HEIGHT**

SHRUBS

	IVW	15	Ilex verticillata	Winterberry	Cont.	18" HT MIN.
	MPN	48	Myrica pensylvanica	Northern Bayberry	Cont.	36" HT.

GROUND COVERS

	SOD	15793 SF
	HYDROSEED	13566 SF
	MULCH	2015 SF

SWM PLANT SCHEDULE

SYMBOL **CODE** **QTY** **BOTANICAL NAME** **COMMON NAME** **CONT** **HEIGHT**

SHRUBS

	IGI	8	Ilex glabra	Inkberry Holly	Cont.	18" HT MIN.
	IVW	8	Ilex verticillata	Winterberry	Cont.	18" HT MIN.

SYMBOL **CODE** **QTY** **BOTANICAL NAME** **COMMON NAME** **CONT** **SPACING**

GROUND COVERS

	ERN181	341 sf	ERNST SEED MIX 181 ERNMX-181 NATIVE STEEP SLOPE MIX W. ANNUAL RYE GRASS	ERNST SEED MIX 181	Seed	60 LBS. / AC.
	EFJ	49	Eupatoriadelphus fistulosus	Joe Pye Weed	1 GAL.	24" o.c.
	IVB	27	Iris versicolor	Blue Flag	1 GAL.	24" o.c.
	PVS	48	Panicum virgatum	Switch Grass	1 GAL.	24" o.c.

CALL 48 HOURS BEFORE YOU DIG

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PROJECT SP-25-047

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WWW.KIMLEY-HORN.COM

STATE OF MARYLAND
LANDSCAPE ARCHITECT
4389

05/18/2026

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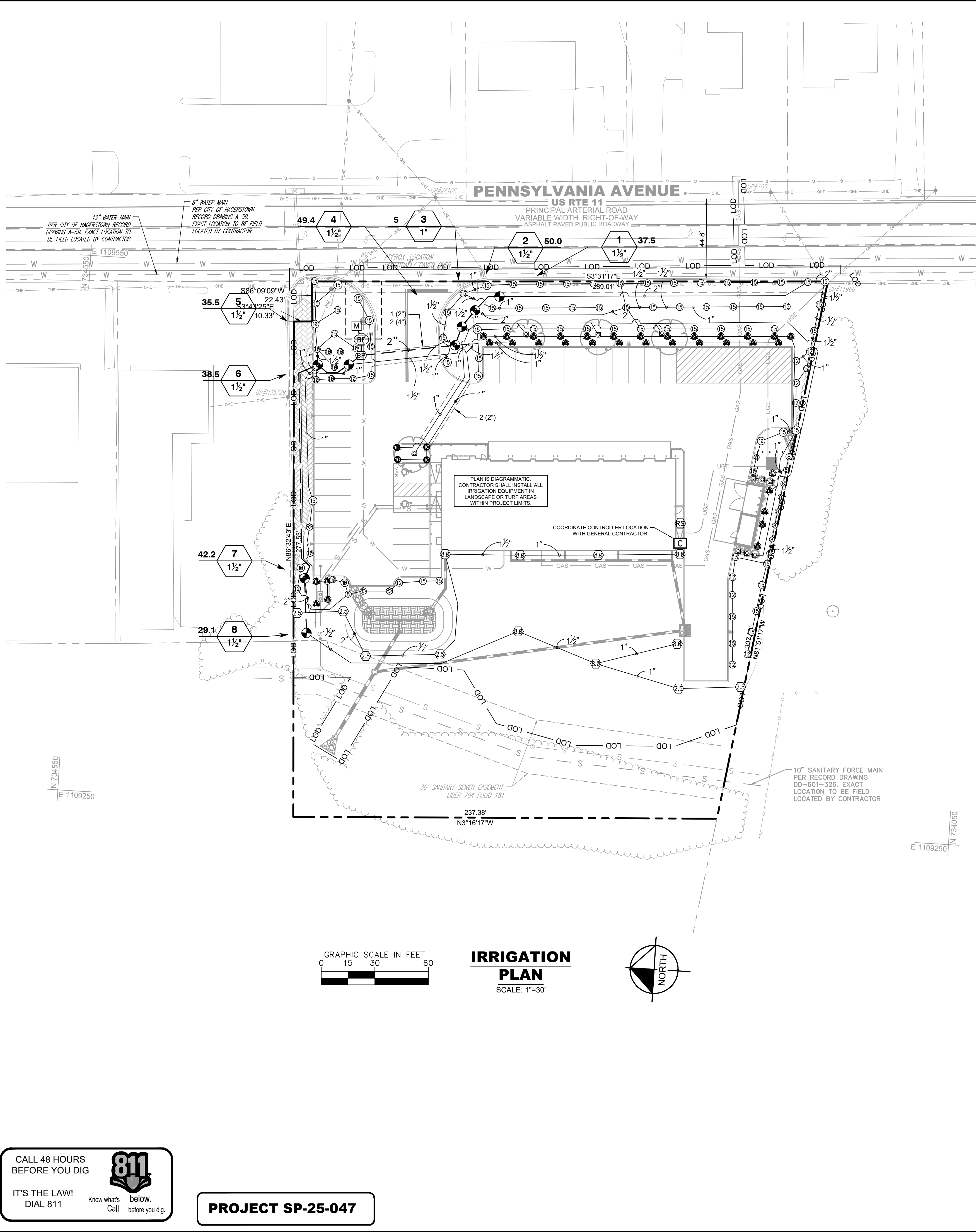
KHA PROJECT 114-313000
DATE 05/18/2026
SCALE AS SHOWN
DESIGNED BY WWL
DRAWN BY WWL
CHECKED BY ABE

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY, MD

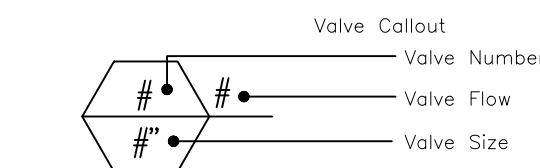
SHEET NUMBER
7 OF 33

Plotted By: Lloyd, Walker, Sheet Set: BRIDGESTONE SITE PLAN, Layout: 8 IRRIGATION PLAN, May 18, 2026 03:48:43pm, K:\BAL-QW\114313000-bridgestone - hagerstown\CAD\10 sheets\7.1 IRRIGATION PLAN.dwg
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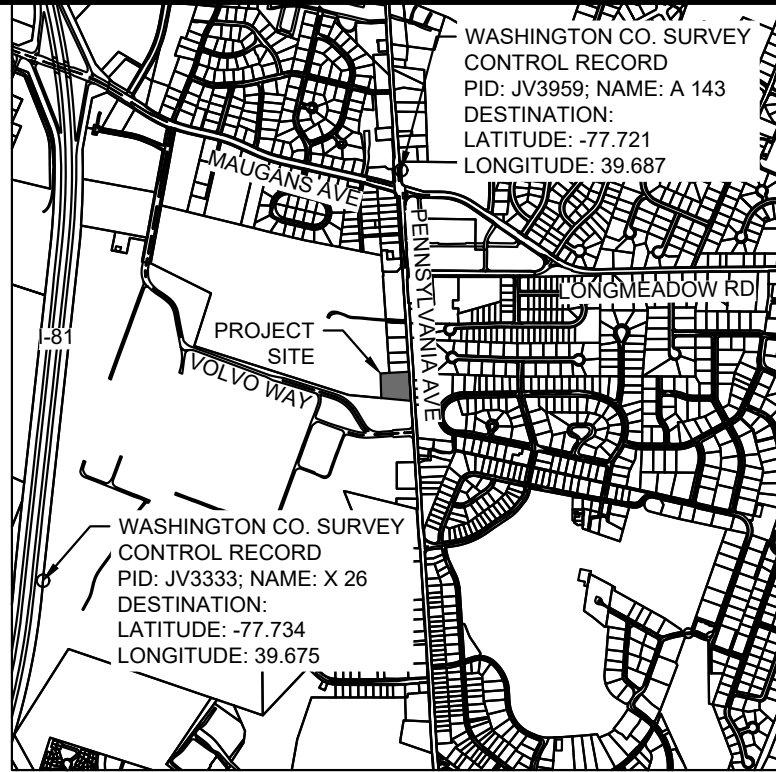
IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
    	Rain Bird 1806-PRS 15 Strip Series Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	4	30
   	Rain Bird 1806-PRS 8 Series MPR Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	8	30
   	Rain Bird 1806-PRS 10 Series MPR Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	11	30
   	Rain Bird 1806-PRS 12 Series MPR Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	11	30
   	Rain Bird 1806-PRS 15 Series MPR Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	56	30
   	Rain Bird 1806-PRS ADJ Turf Spray 6.0in. Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2in. NPT Female Threaded Inlet. Pressure Regulating.	17	30
    	Rain Bird 1812-PRS 15 Strip Series Shrub Spray 12" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet. With Pressure Regulating Device.	33	30
   	Rain Bird 1812-PRS 8 Series MPR Shrub Spray 12" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet. With Pressure Regulating Device.	1	30
   	Rain Bird 1812-PRS 10 Series MPR Shrub Spray 12" Pop-Up Sprinkler with Co-Molded Wiper Seal. Side and Bottom Inlet. 1/2" NPT Female Threaded Inlet. With Pressure Regulating Device.	3	30
  	Rain Bird 1806-1400 Flood Food Bubbler 6.0in. poppin, install w/ PA-80 adapter.	10	30
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
	Rain Bird 5006-PC 2.5 Turf Rotor, 6in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle. Pressure Regulating	6	45
	Rain Bird 5006-PC 6.0 Turf Rotor, 6in. Pop-Up, Plastic Riser. Adjustable to Full Circle. Standard Angle Nozzle. Pressure Regulating	7	45
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	
	Rain Bird PEB 1in., 1-1/2in., 2in. Plastic Industrial Remote Control Valve. Low Flow Operating Capability. Globe Configuration.	8	
	Febco 825Y 1" Reduced Pressure Backflow Preventer	1	
	Rain Bird ESP-LXD 50 Station, 2-Wire Decoder based Controller. (1) ESP-LXD 50-Station, Indoor/Outdoor, Plastic Wall-Mount Enclosure. System Requirements: Rain Bird FD-XXX-TURF Field Decoders, 1 Paige Electric Cable P7072D & Rain Bird WC20 Dry Splices Only. Ground System w/ (X) LSP-1TURF Line Surge Protectors in Rain Bird Round Valve Boxes. Install Per Manufacturers Recommendations.		
			
	Hunter MINI-CLIK Rain Sensor, mount as noted	1	
	Booster Pump 5 HP Pump Min.	1	
	Water Meter 1"	1	
Irrigation Lateral Line: PVC Class 200 SDR 21		+/- 3,655 lf	
Irrigation Mainline: PVC Schedule 40		+/- 298.7 lf	
Pipe Sleeve: PVC Schedule 40		AS NEEDED	



VALVE SCHEDULE

NUMBER	MODEL	SIZE	TYPE	GPM	PSI	PSI @ POC
1	Rain Bird PEB	1-1/2"	Turf Spray	37.46	38.4	58.6
2	Rain Bird PEB	1-1/2"	Turf Spray	49.95	36.2	64.8
3	Rain Bird PEB	1"	Bubbler	5	32.3	44.4
4	Rain Bird PEB	1-1/2"	Turf Spray	49.39	35.5	63.2
5	Rain Bird PEB	1-1/2"	Shrub Spray	35.49	38.7	58.9
6	Rain Bird PEB	1-1/2"	Turf Spray	38.53	37.4	57.5
7	Rain Bird PEB	1-1/2"	Turf Rotor	42.16	54.3	78.5
8	Rain Bird PEB	1-1/2"	Turf Rotor	29.11	51.9	69.5



VICINITY MAP
SCALE: 1" = 2000'

IRRIGATION SYSTEM NOTES

- CONTRACTOR SHALL REFER TO THE IRRIGATION DETAILS, IRRIGATION SCHEDULE, SPECIFICATIONS AND ALL CONTRACT DOCUMENTS FOR FURTHER INSTRUCTIONS.
- IRRIGATION QUANTITIES ARE PROVIDED FOR CONVENIENCE. IN THE EVENT OF QUANTITY DISCREPANCIES THE DRAWING SHALL TAKE PRECEDENCE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BIDDING.
- ANY SUBSTITUTIONS FOR SPECIFIED IRRIGATION EQUIPMENT MUST BE APPROVED BY THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE IN WRITING PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL FIELD ADJUST LOCATION OF IRRIGATION EQUIPMENT AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR INTERFERE WITH EXISTING ABOVE GROUND ELEMENTS. ALL FIELD ADJUSTMENTS SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL FAMILIARIZE HIM/HERSELF WITH THE LIMITS OF WORK AND EXISTING CONDITIONS AND VERIFY ALL INFORMATION. IF DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE IN WRITING WITHIN SEVEN CALENDAR DAYS OF NOTICE TO PROCEED.
- IRRIGATION PLAN IS DIAGRAMMATIC. EQUIPMENT SHOWN ON IMPERVIOUS SURFACES IS FOR GRAPHIC CLARITY UNLESS OTHERWISE NOTED. CONTRACTOR OR SHALL INSTALL ALL EQUIPMENT WITHIN LANDSCAPE AREAS IN PROPERTY LIMITS.

CRITICAL ANALYSIS

Generated:	2026-05-18 14:26
P.O.C. NUMBER: 01	
Water Source Information:	
FLOW AVAILABLE	
Water Meter Size:	1"
Flow Available	37.5 GPM
PRESSURE AVAILABLE	
Static Pressure at POC:	31 PSI
Elevation Change:	5.00 ft
Service Line Size:	4"
Length of Service Line:	20 ft
Booster Pump pressure provided:	50 PSI
Pressure Available:	79 PSI
DESIGN ANALYSIS	
Maximum Station Flow:	49.95 GPM
Flow Available at POC:	37.5 GPM
Residual Flow Available:	-12.45 GPM
Critical Station:	7
Design Pressure:	45 PSI
Friction Loss:	5.25 PSI
Fittings Loss:	0.53 PSI
Elevation Loss:	0 PSI
Loss through Valve:	3.52 PSI
Pressure Req. at Critical Station:	54.3 PSI
Loss for Fittings:	0.23 PSI
Loss for Main Line:	2.32 PSI
Loss for POC to Valve Elevation:	0 PSI
Loss for Backflow:	10.9 PSI
Loss for Water Meter:	10.8 PSI
Critical Station Pressure at POC:	78.5 PSI
Pressure Available:	79 PSI
Residual Pressure Available:	0.52 PSI

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY

SHEET NUMBER
9 OF 33

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PHONE: 240-608-4288
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STATE OF MARYLAND
LANDSCAPE ARCHITECT
4389
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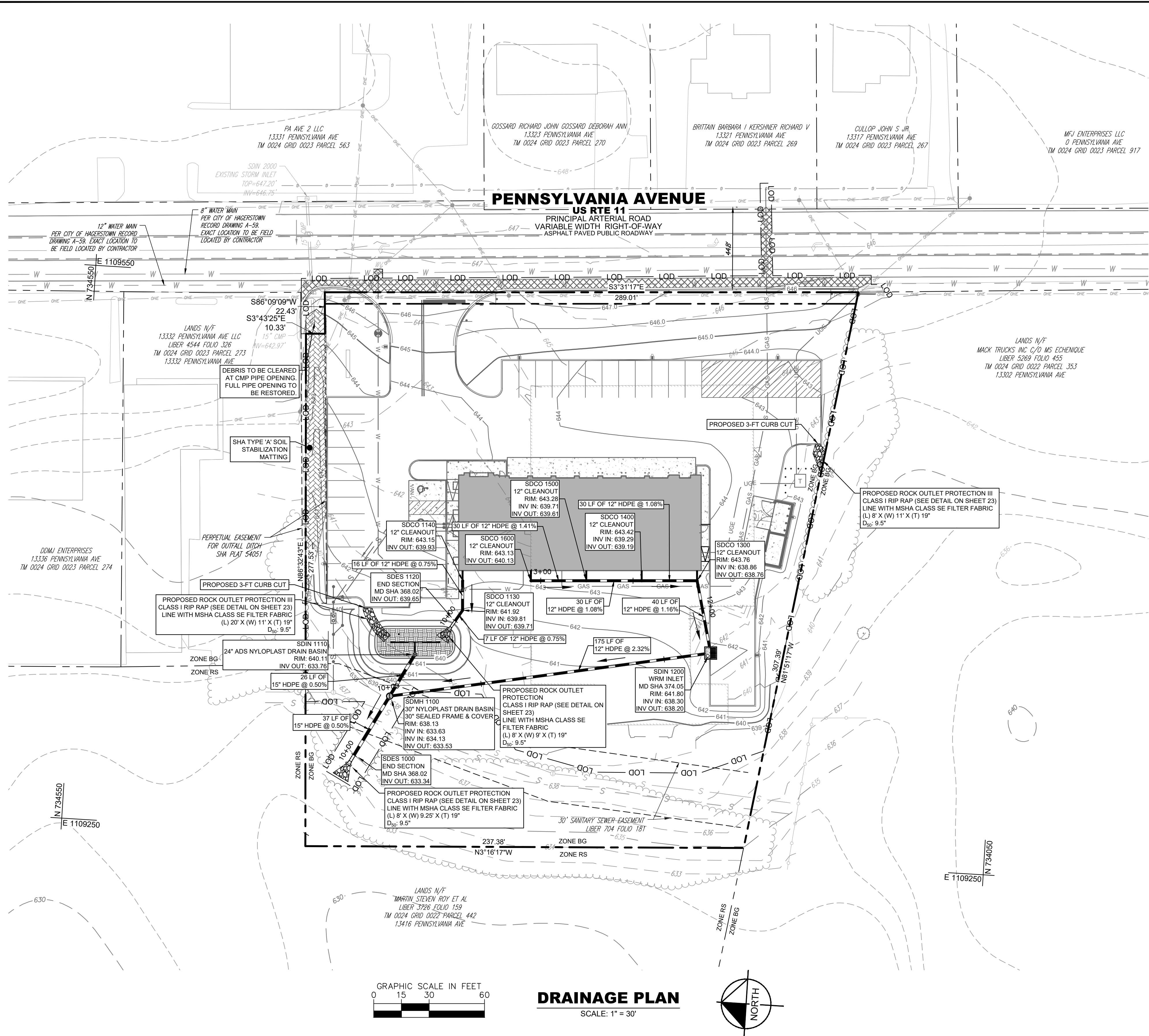
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DESIGNED BY WVL
DRAWN BY WVL
CHECKED BY JSH

DATE

REVISIONS

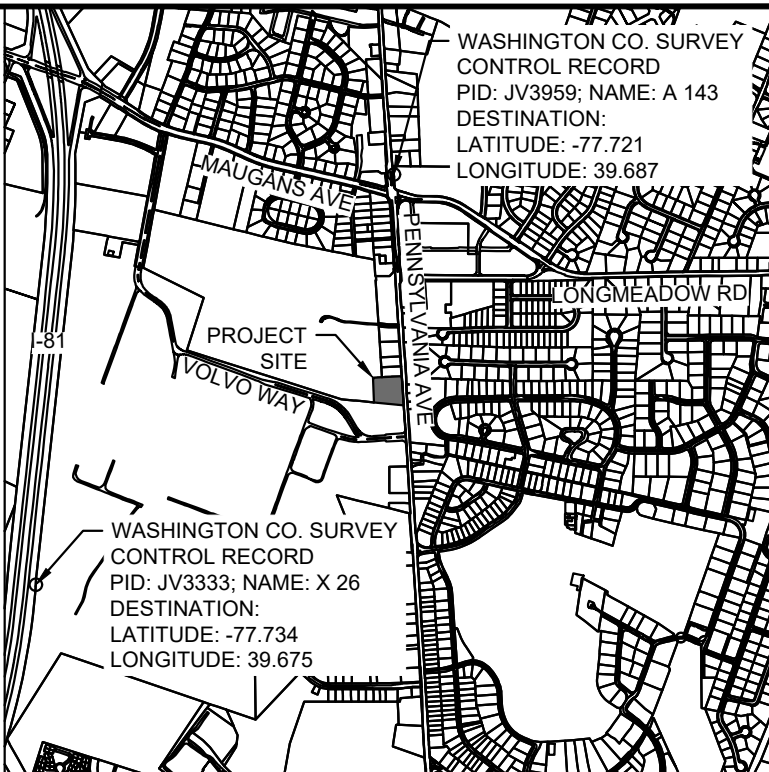
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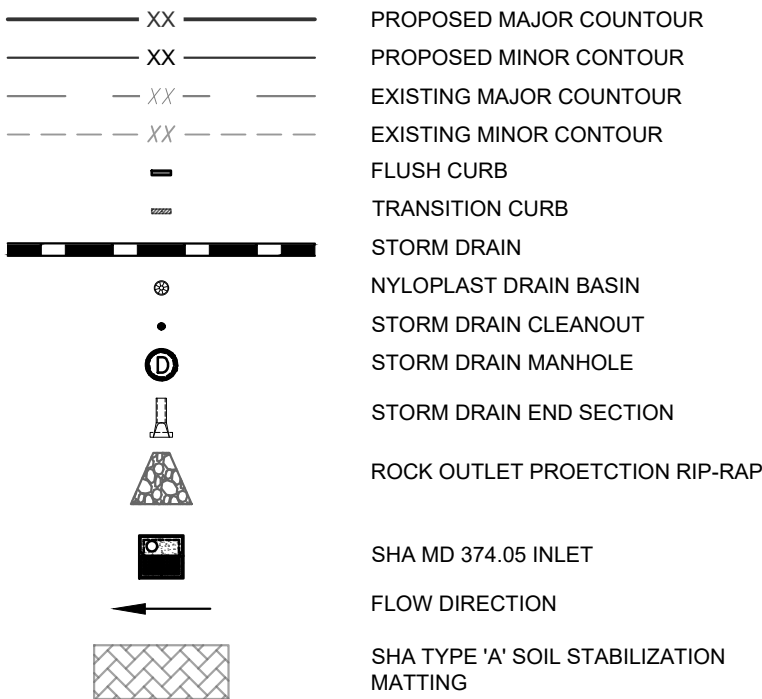
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2. PIPE JOINTS AND STRUCTURE TIE-INS TO BE WATERTIGHT.



VICINITY MAP

SCALE: 1" = 2000'

DRAINAGE PLAN LEGEND



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114313000	DATE	06/08/2026	SCALE	AS SHOWN	DESIGNED BY	DB	DRAWN BY	DB
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DRAINAGE PLAN

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WASHINGTON COUNTY

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13 OF 33

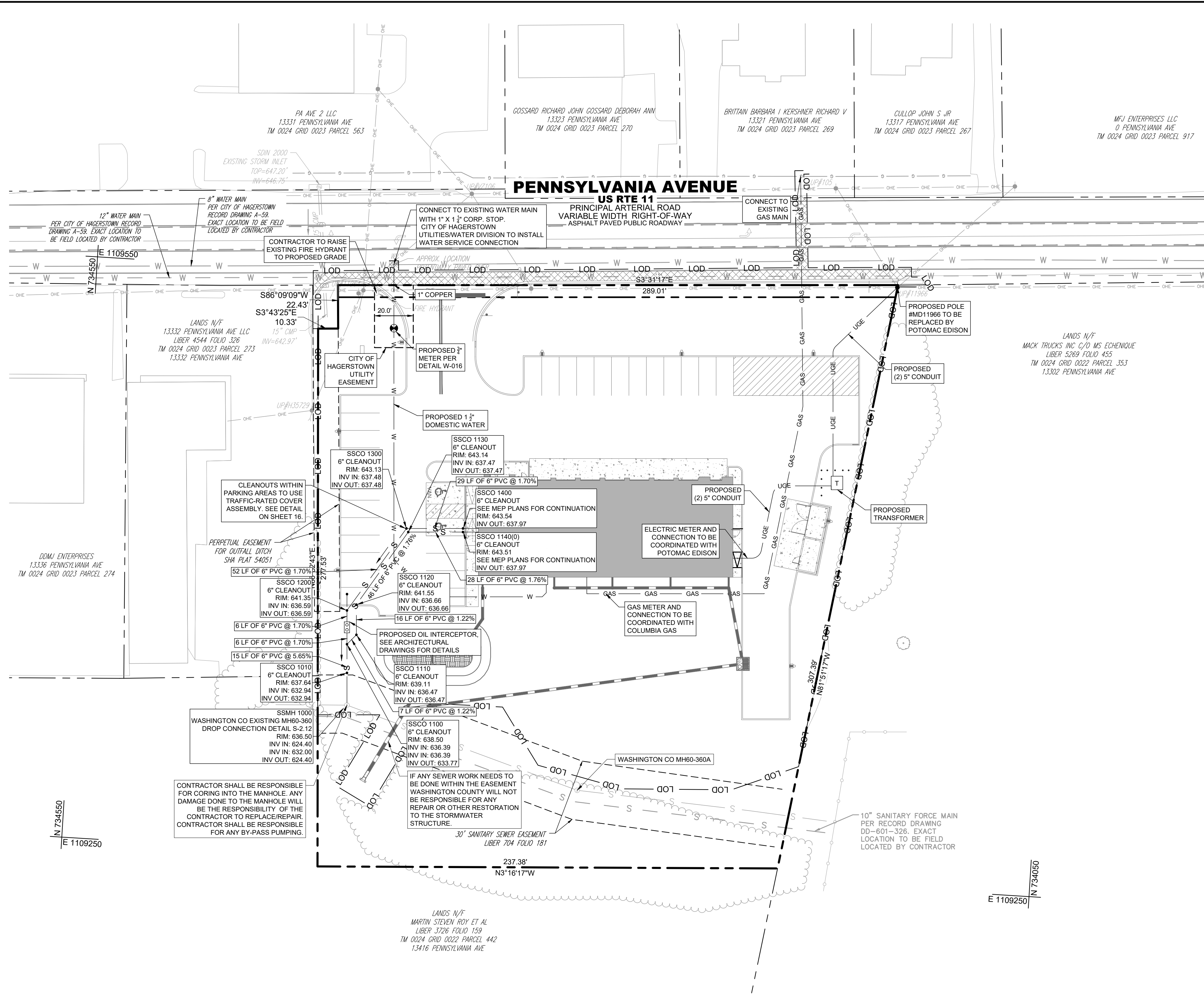
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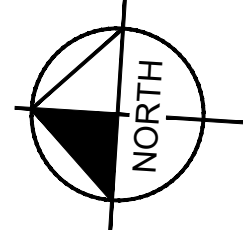
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before you dig.

PROJECT SP-25-047



UTILITY PLAN

SCALE: 1" = 30'



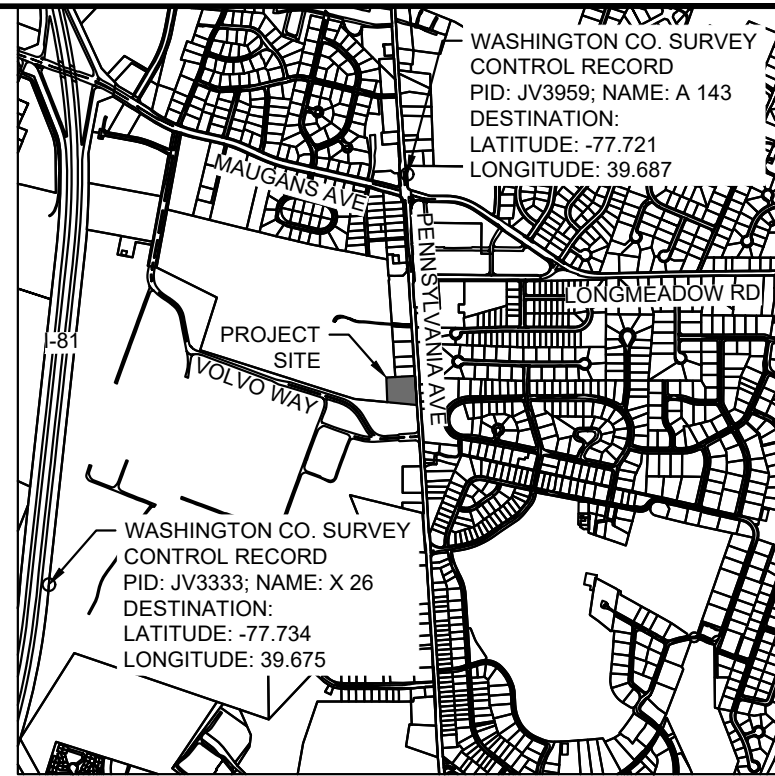
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**PROJECT SP-25-047**

GENERAL NOTES:

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2. CONTRACTOR TO NOTIFY DEPARTMENT OF WATER QUALITY (240) 313-2600 AT LEAST 5 DAYS BEFORE SEWER WORK TO BE DONE.
3. WATER ALLOCATION:
200 GPD (1 EDU) EXISTING ALLOCATION, 5/8" WATER METER
200 GPD (1 EDU) PROPOSED ALLOCATION, 3/4" WATER METER
4. SEWER ALLOCATION:
200 GPD (1 EDU) EXISTING ALLOCATION
200 GPD (1 EDU) PROPOSED ALLOCATION



VICINITY MAP

SCALE: 1" = 2000

UTILITY LEGEND

	PROPOSED SANITARY
	PROPOSED SANITARY CLEANOUT
	PROPOSED GREASE TAP
	FLOW DIRECTION
	PROPOSED WATER
	PROPOSED METER
	PROPOSED UNDERGROUND ELECTRIC
	PROPOSED GAS
	EXISTING SANITARY
	EXISTING SANITARY MANHOLE
	EXISTING STORM
	EXISTING STORM MANHOLE
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING OVERHEAD ELECTRIC
	EXISTING UTILITY POLE
	EXISTING STREET LIGHT

THIS PLAN/PLAT HAS BEEN REVIEWED BY THE WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY FOR INCLUSION INTO THE COUNTY CAPACITY MANAGEMENT FOR THE SYSTEM THAT SERVES THIS PROJECT. ALLOCATION GRANTED FOR CONSTRUCTION SHOWN ON THIS PLAN/PLAT SHALL BE IN ACCORDANCE WITH THE CAPACITY MANAGEMENT PLAN DEVELOPED FOR THIS SYSTEM BASED ON AN AVAILABILITY OF ALLOCATION REMAINING IN THE FACILITY.

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY DATE

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY

THIS APPROVAL IS FOR GENERAL CONFORMANCE WITH THE COUNTY'S REQUIREMENTS FOR DESIGN AND LAYOUT OF PROPOSED SEWER AND/OR WATER SYSTEM IMPROVEMENTS OR EXTENSIONS. ALL SEWER AND/OR WATER SYSTEM IMPROVEMENTS OR EXTENSIONS SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE COUNTY'S LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF SANITARY SEWERS AND/OR WATER LINE. THIS APPROVAL DOES NOT GUARANTEE AVAILABILITY OF SEWER AND/OR WATER SERVICE TO THE PROPOSED SEWER AND/OR WATER SYSTEM. THIS IS NOT A CONFORMANCE WITH ALL RULES, POLICIES AND REGULATIONS ESTABLISHED BY THE COUNTY AND EFFECT AT THE TIME APPLICATION FOR SERVICE IS MADE AND/OR THE AVAILABILITY OF ALLOCATION REMAINING IN OTHER JURISDICTIONS' FACILITIES THAT MAY BE GRANTED TO THE COUNTY. THIS APPROVAL SHALL BE VALID FOR TWO YEARS.

DATE	PRINTED NAME	SIGNATURE
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CITY OF HAGERSTOWN UTILITIES DEPARTMENT – WATER DIVISION

This approval is for the design and layout of the proposed water system improvements. All water system improvements shall be constructed to the standards in effect at the time of construction. This approval does not guarantee availability of water service. Water service is available subject to conformance with all policies and standards in effect at the time of application for service, payment of fees and approval of the water service application. The Water Division does not guarantee a specific water pressure or flow at any meter or fire hydrant. This approval is valid for a period of one year.

(Signature)

(Date)

Kimley»»Horn

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LICENSE NO. 33949
EXPIRATION DATE 01/14/2027

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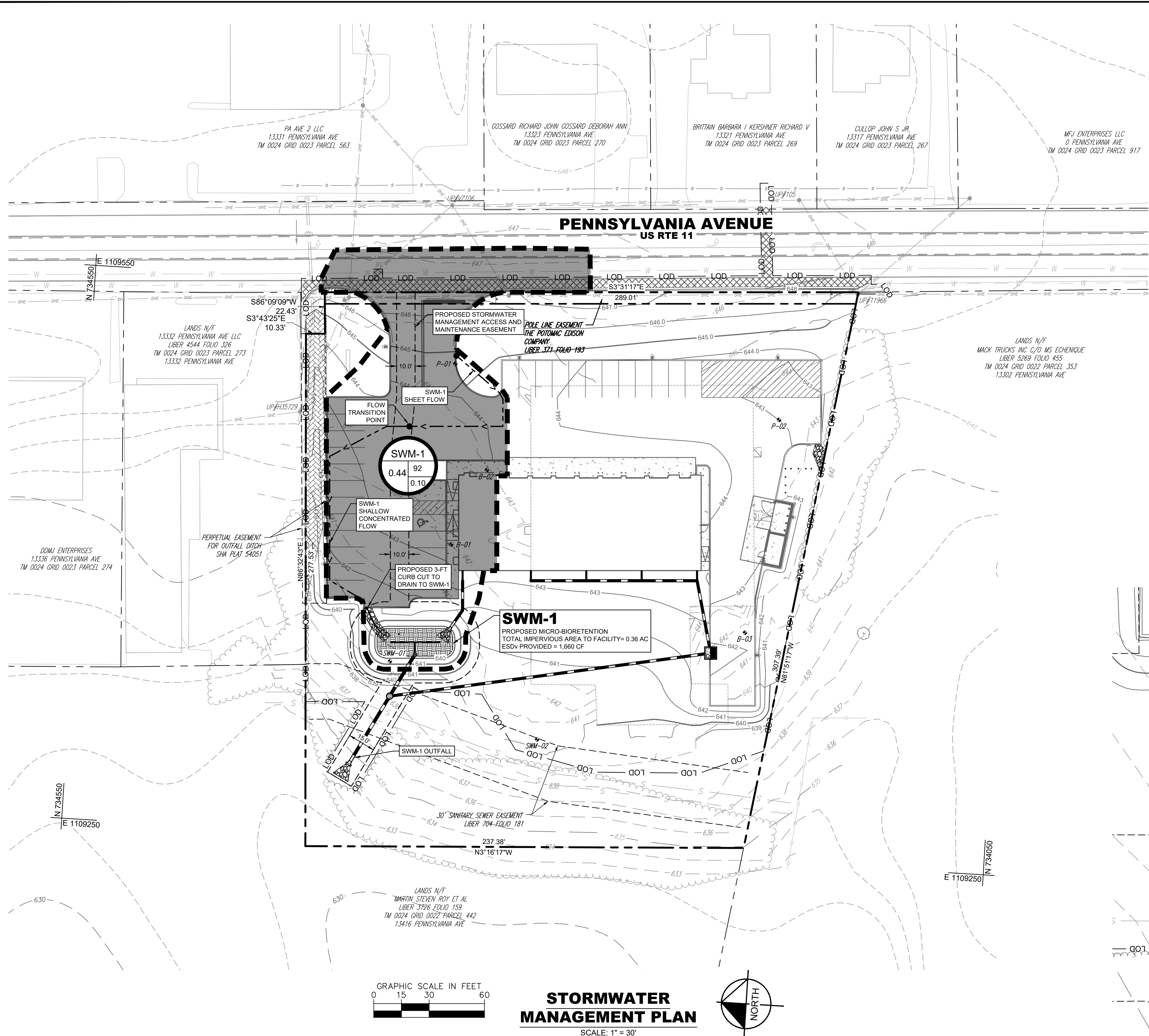
UTILITY PLAN

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY

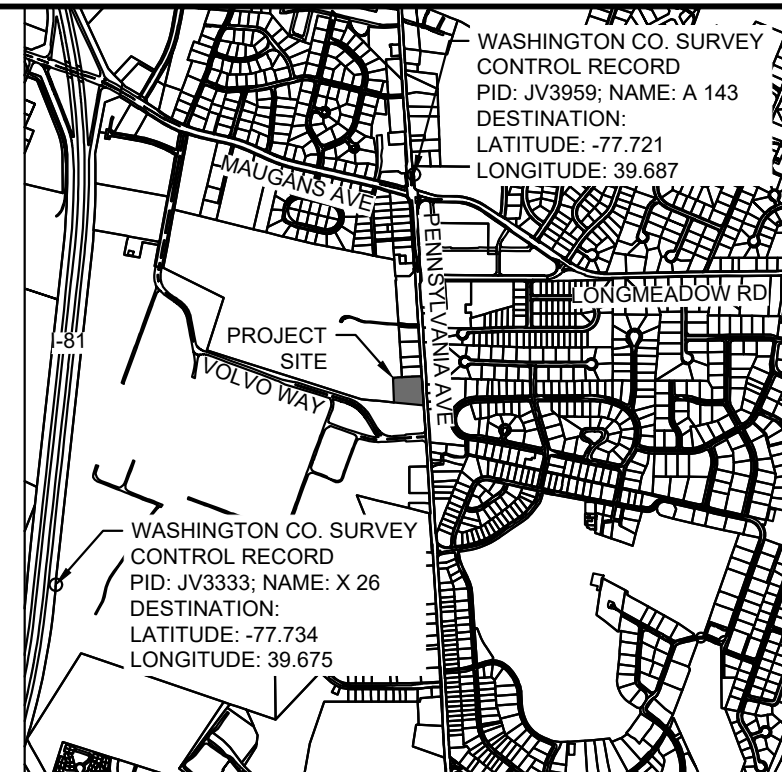
SHEET NUMBER

15 OF 33



GENERAL NOTES:

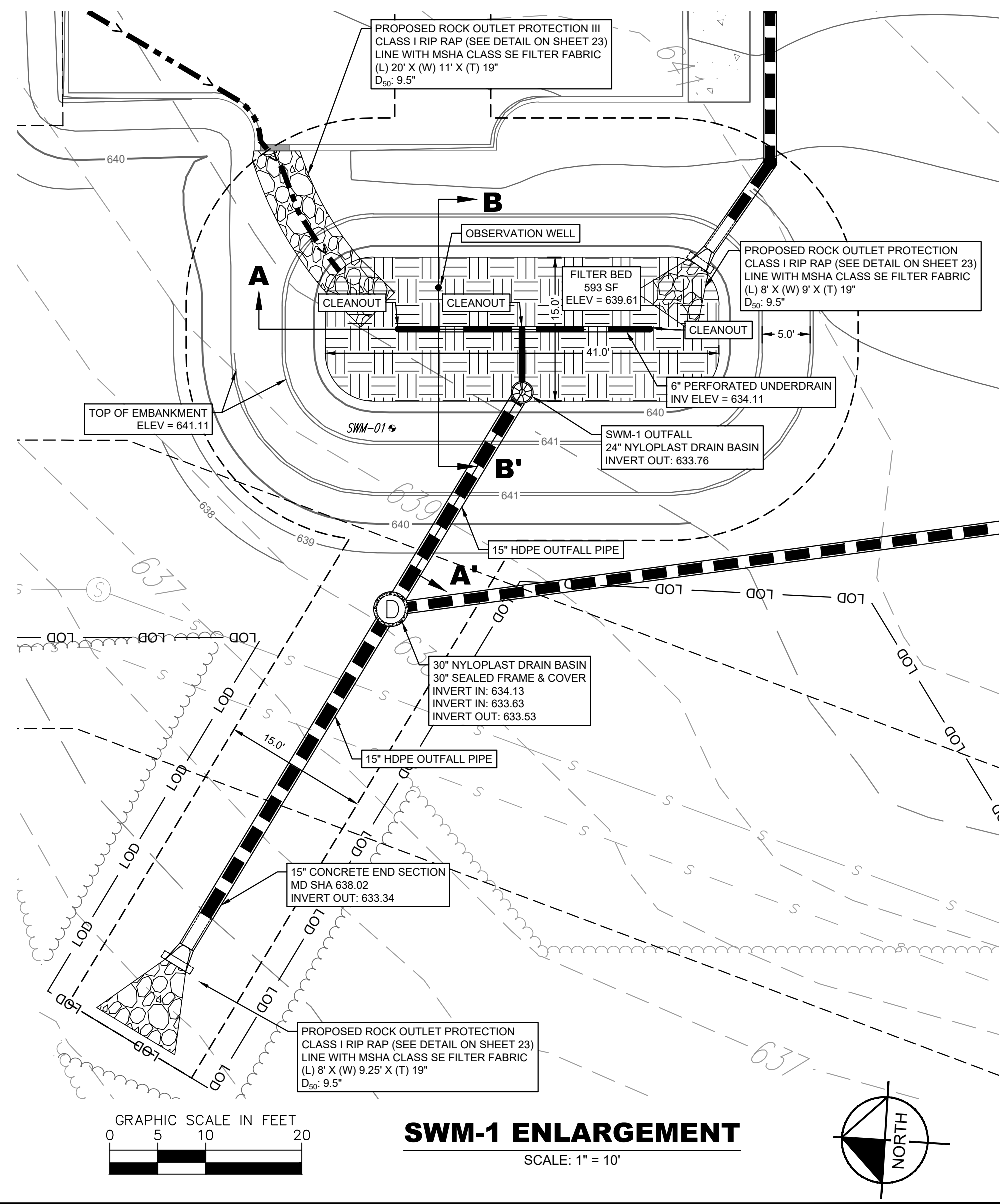
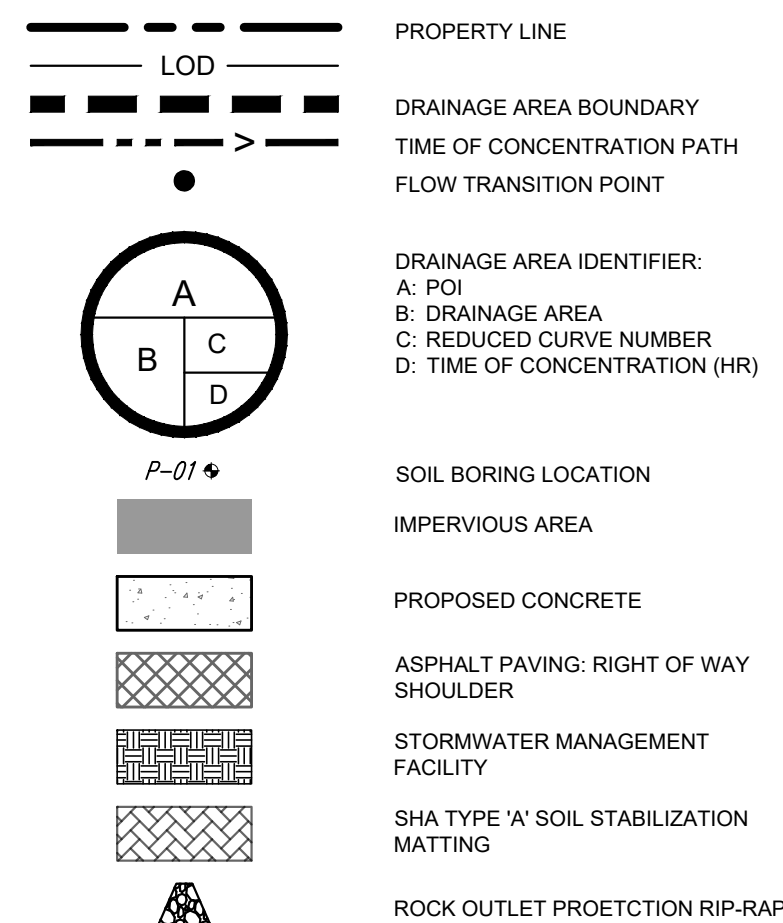
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VICINITY MAP

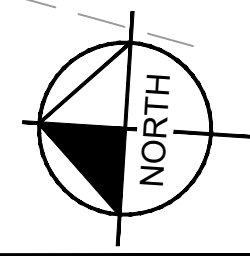
SCALE: 1" = 2000'

STORMWATER MANAGEMENT LEGEND



SWM-1 ENLARGEMENT

SCALE: 1" = 10'

[illegible]

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111 ROCKVILLE PIKE, SUITE 1100, ROCKVILLE, MD 208
PHONE: 240-608-4288
WWW.KIMLEY-HORN.COM



PROFESSIONAL CERTIFICATION: I HEREBY
CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I
AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND.

LICENSE NO.	33949
EXPIRATION DATE	01/14/2027

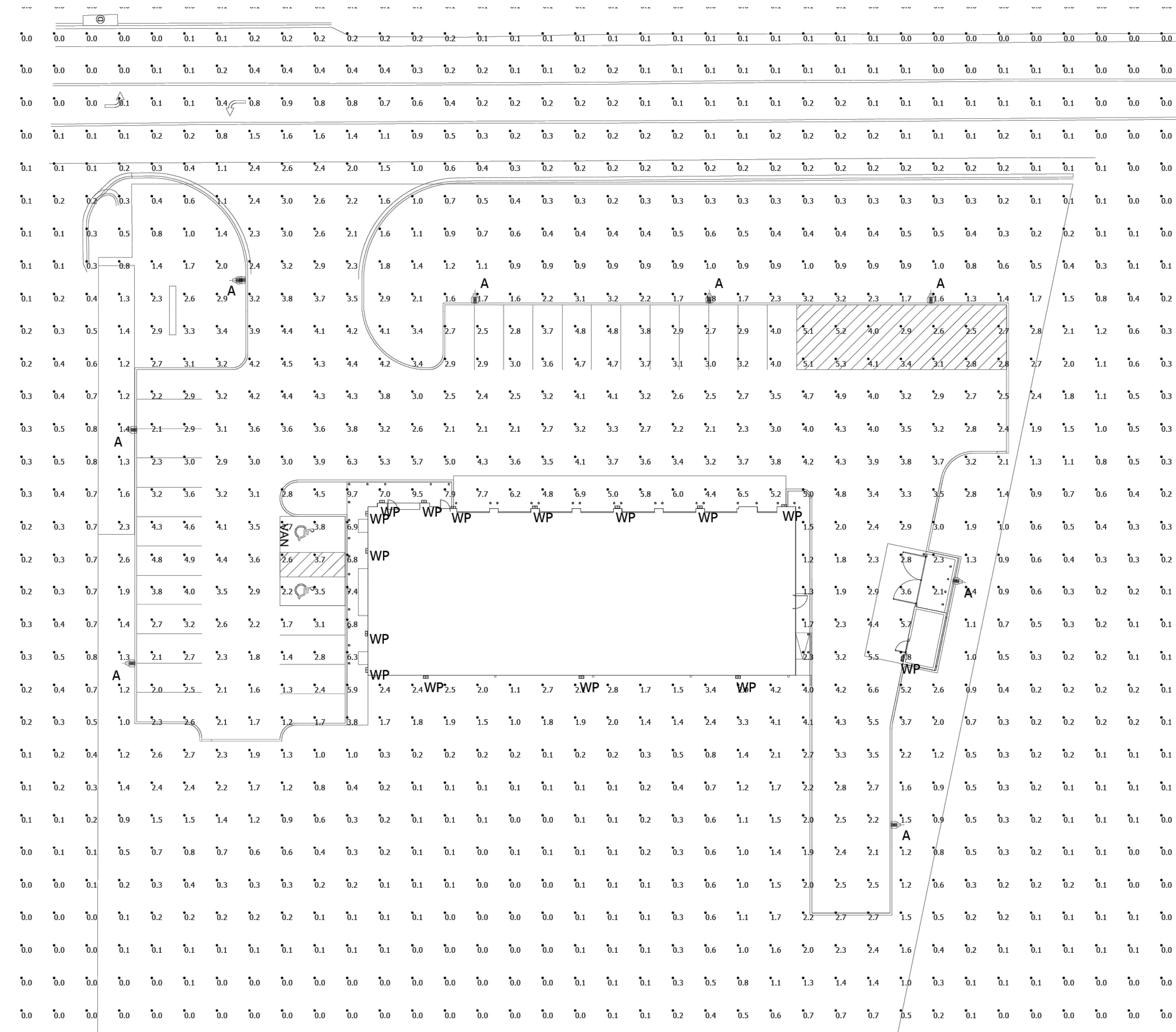
KHA PROJECT	DATE	SCALE	AS SHOWN
114313000	06/08/2026	DESIGNED BY	DB
		DRAWN BY	DB
		CHECKED BY	SSK

STORMWATER MANAGEMENT PLAN

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

WASHINGTON COUNTY

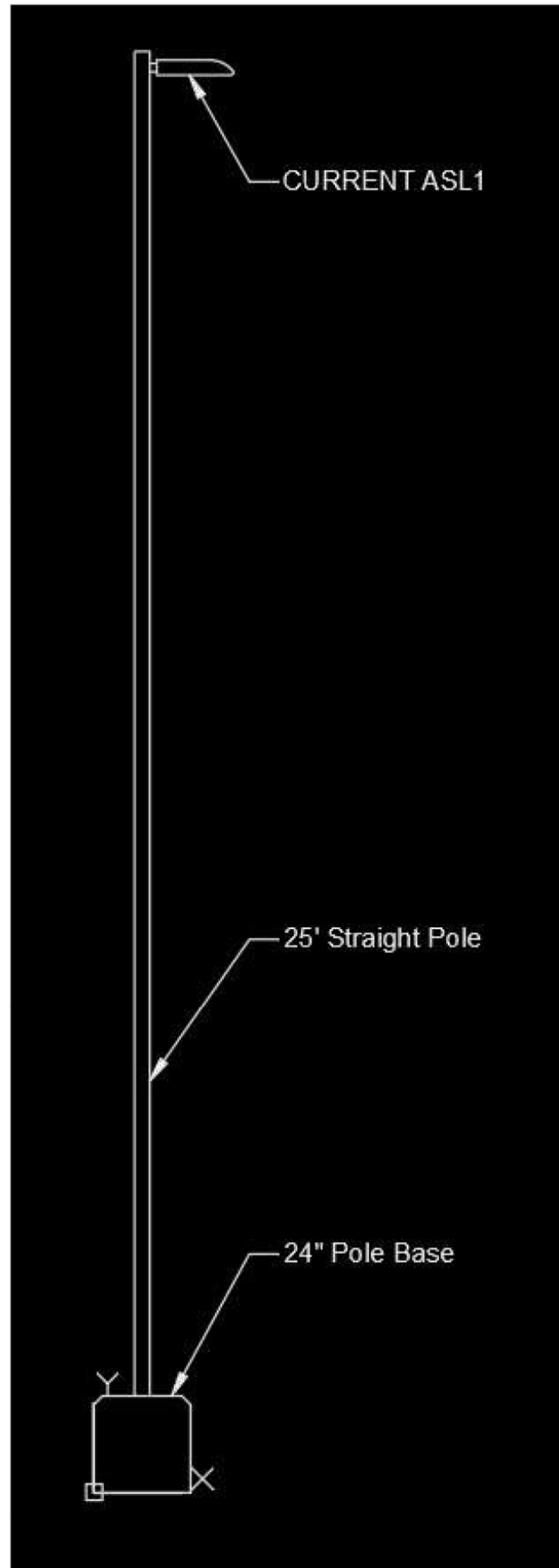
SHEET NUMBER
21 OF 33



Luminaire Schedule								
Symbol	Qty	Label	Mounting Height	LLF	Lum. Lumens	Lum. Watts	Description	BUG Rating
	8	A	27	1.000	15305	115	ASL1-160L-115-5K7-4W-UNV-A-BLT	B2-U0-G3
	15	WP	10	1.000	1821	15	LC2-48L-15-5K7-3-UNV-BLT	B0-U1-G0

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Overall Area	Illuminance	Fc	1.02	9.7	0.0	N.A.	N.A.
Paved Area	Illuminance	Fc	3.57	9.7	1.2	2.98	8.08

Note: #SES-25-40-1-D2--BLT w/ anchor bolts & base cover.
(25', 4" sq, 11 ga, black) - 27' Overall Mounting Height.
Please confirm EPA and Windload rating prior to ordering.
Customer is responsible for base selection per local conditions.



- Notes:
- 1: Luminaire data is tested to industry standards under laboratory conditions. Operating voltage and normal manufacturing tolerances of LED and drivers may effect field results.
 - 2: Conformance to facility code and other local requirements is the responsibility of the owner and/or the owner's representative.
 - 3: This design may not meet Title 24 or local energy code requirements. If this design needs to be altered to meet compliance, please contact the design team with specific requirements.

**Note: For national account pricing/quotations and order placement, please contact Steve Friedman at Hermitage Lighting.
(847)830-1444
sfriedman@gohermitage.com**



Revisions	
R1	11/20/25 Changed to 115W
R2	03/11/26 Updated Civil Base

Drawn By: DHK
Checked By:
Date: 3/11/2026

Scale: 1" = 20'

BRIDGESTONE - HAGERSTOWN
SITE PHOTOMETRIC PLAN

PENNSYLVANIA AVENUE
HAGERSTOWN, MD

A252183R2



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 33949 EXPIRATION DATE 01/14/2027		
KHA PROJECT 114313000	DATE 06/08/2026	SCALE AS SHOWN DESIGNED BY _____ DRAWN BY _____ CHECKED BY _____

SITE LIGHTING PLAN

BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

SHEET NUMBER
30 OF 33

Firestone
COMPLETE AUTO CARE

LOCATION
13324 Pennsylvania Ave
Hagerstown, MD 21742

DESIGNER: CM **DATE**

PROJECT MANAGER
Logan Smith
FIRESTONE PROJECT MANAGER

REVISION DATE: 08.06.2025

CUSTOMER APPROVAL	
Print Name _____	Title _____
Signature _____	Date _____

☐ Approved

☐ Approved as Noted

☐ Not Approved
Resubmit with Changes

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BRIDGESTONE - HAGERSTOWN
PREPARED FOR
ZAREMBA GROUP, LLC

SIGNAGE DETAILS

KHA PROJECT	DATE	SCALE	AS SHOWN
114313000	06/08/2026	DESIGNED BY	---
		DRAWN BY	---
		CHECKED BY	---

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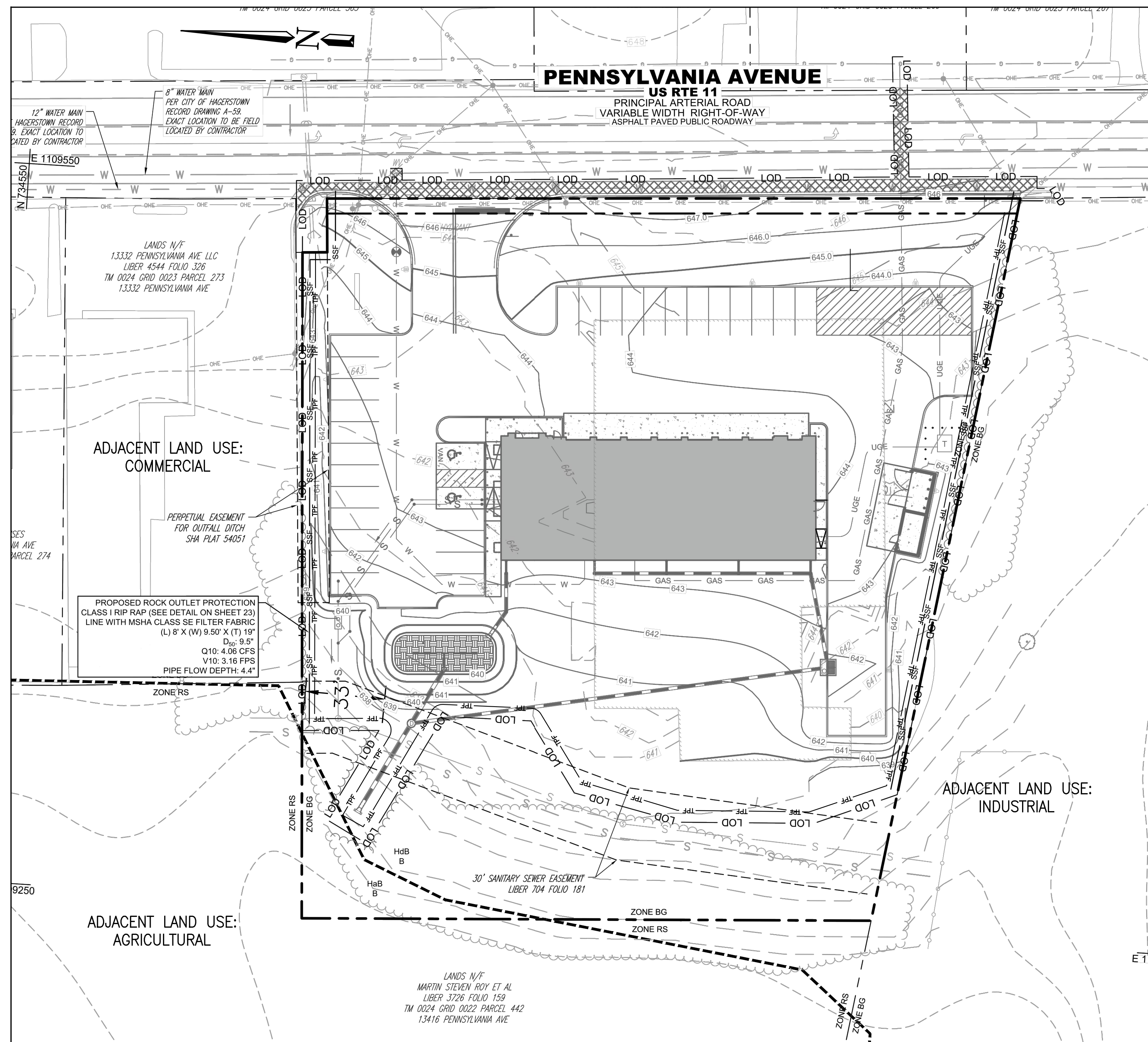
LICENSE NO.	33949
EXPIRATION DATE	01/04/2027

STATE OF MARYLAND
SYLVESTER A. KRUIZE
33949
PROFESSIONAL ENGINEER

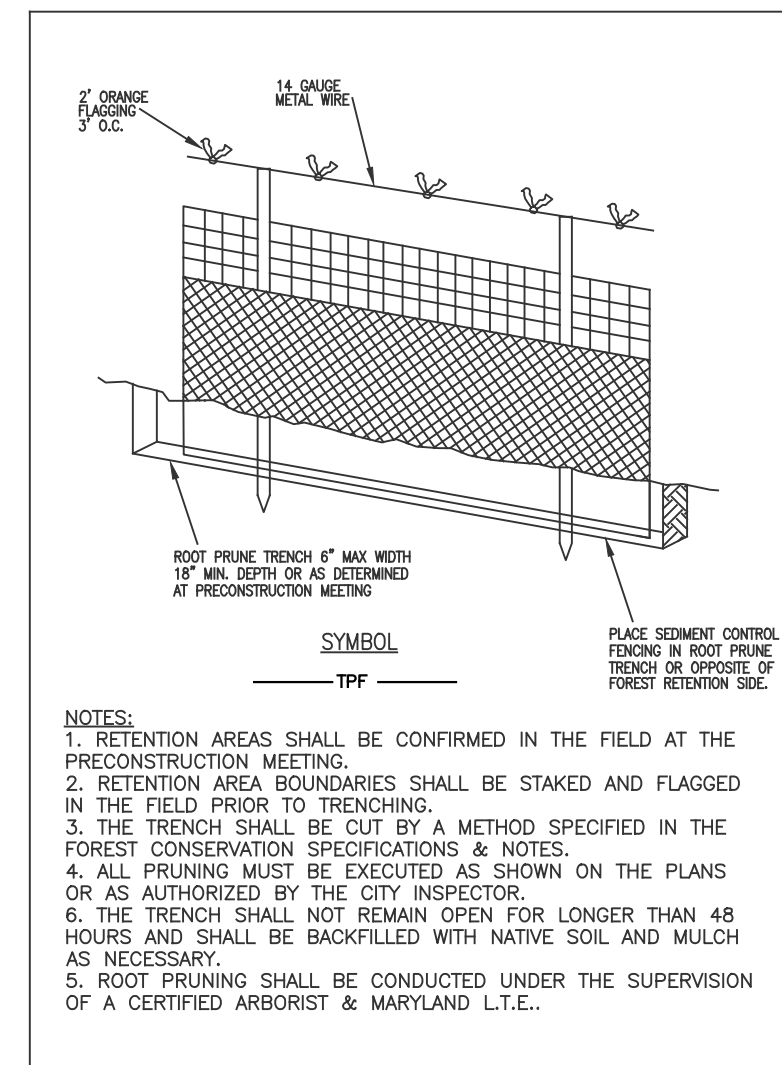
Kimley»»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
111 ROCKVILLE PIKE, SUITE 1100, ROCKVILLE, MD 20850
PHONE: 240-608-4288
WWW.KIMLEY-HORN.COM

No.	REVISIONS	DATE	BY
-----	-----------	------	----



FOREST CONSERVATION PLAN
SCALE: 1"=30'



F1: TREE PROTECTION/SILT FENCE &
ROOT PRUNING DETAIL
N.T.S.

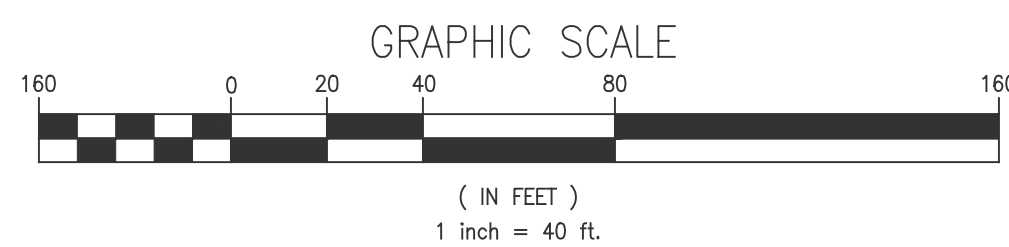
FOREST CONSERVATION OBLIGATION SUMMARY		
REQUIREMENT	AREA (SF)	AREA (AC.)
AFFORESTATION ("Q")	12,196.8	0.28
TOTAL PLANTING REQ'D	12,196.8	0.28
TOTAL PLANTING PROVIDED*	0	0.00
PLANTING BALANCE (DEFICIT)**	12,196.8	0.28

*TO BE PROVIDED AS BY PAYMENT IN-LIEU OF PLANTING IN THE AMOUNT
OF 12,196.8 SF X \$0.30/SF = \$3,659.04

Forest Conservation Worksheet 2.2						
Net Tract Area						
A.	Total Tract Area					A = 1.85
B.	Deductions					B = 0.00
C.	Net Tract Area					C = 1.85
Land Use Category						
Input the number "1" under the appropriate land use zoning, and limit to only one entry						
	ARA 0	MCR 0	IDA 0	HDR 0	MPD 0	CIA 1
D.	Afforestation Threshold (Net Tract Area x 15%)					D = 0.28
E.	Conservation Threshold (Net Tract Area x 15%)					E = 0.28
Existing Forest Cover						
F.	Existing Forest Cover within the Net Tract Area					F = 0.00
G.	Area of Forest Above Conservation Threshold					G = 0.00
Break Even Point						
H.	Break Even Point					H = 0.00
I.	Forest Clearing Permitted Without Mitigation					I = 0.00
Proposed Forest Clearing						
J.	Total Area of Forest to be Cleared					J = 0.00
K.	Total Area of Forest to be Retained					K = 0.00
Planting Requirements						
L.	Reforestation for Clearing Above the Conservation Threshold					L = 0.00
M.	Reforestation for Clearing Below the Conservation Threshold					M = 0.00
N.	Credit for Retention above the Conservation Threshold					N = 0.00
P.	Total Reforestation Required					P = 0.00
Q.	Total Afforestation Required					Q = 0.28
R.	Total Planting Requirement					R = 0.28
**PIL Calculation		Convert Planting Requirement to Sq. Ft.				12196.80
		If Project is inside a Priority Funding Area:				3659.04
		If Project is outside of a Priority Funding Area:				4390.85

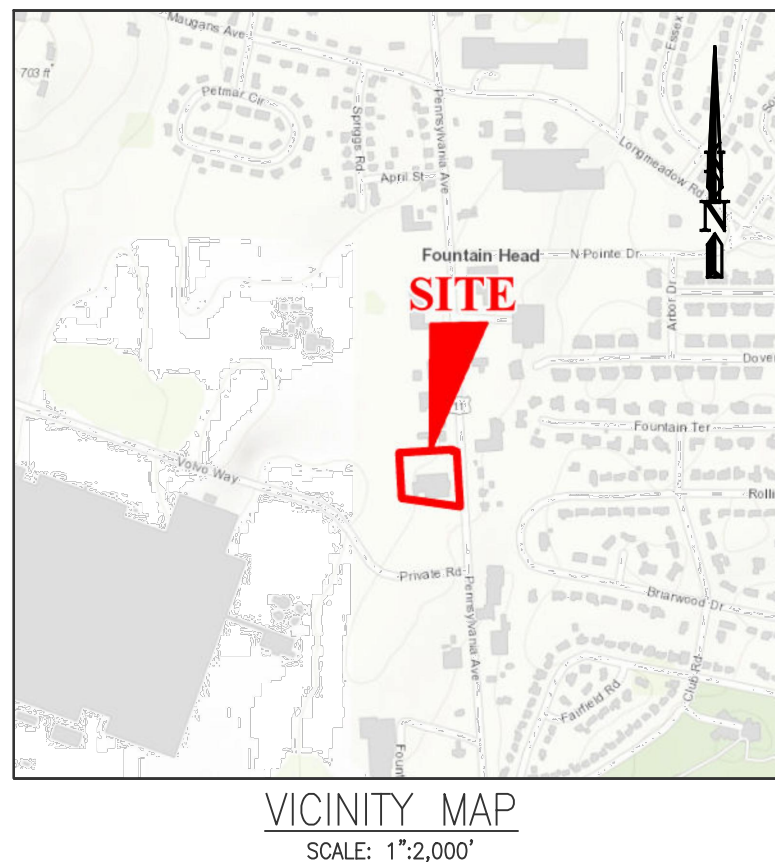
FOREST CONSERVATION PLAN GENERAL NOTES

1. TOTAL SITE AREA: 1.85 AC.
2. EXISTING LAND USE: VACANT
3. SITE ZONING: BC
4. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ARE BASED ON A SURVEY COMPLETED BY GRS GROUP, LLC AND DATED OCTOBER 30, 2025.
5. THE SITE IS LOCATED INSIDE THE PRIORITY FUNDING AREA.
6. NO RARE, THREATENED, OR ENDANGERED SPECIES WERE ENCOUNTERED DURING THE FIELD INVESTIGATIONS. THE SITE IS NOT LOCATED WITHIN A SENSITIVE SPECIES PROJECT REVIEW AREA PER MD DNR GIS DATA.
7. THE SITE LIES WITHIN ZONE X UNSHADED (AREA OF MINIMAL FLOOD HAZARD) PER FEMA FLOOD INSURANCE RATE MAP 2404.030136D (EFF. 8/15/2017).
8. THERE ARE NO KNOWN RECORDS OF HISTORICAL OR ARCHEOLOGICAL RESOURCES WITHIN OR ADJACENT TO THE STUDY AREA.
9. FOREST, AS DEFINED BY THE STATE FOREST CONSERVATION TECHNICAL MANUAL, THIRD EDITION, 1997 (MD DNR), DOES NOT EXIST WITHIN THE STUDY AREA.
10. NO SPECIMEN TREES ARE LOCATED ON THE SITE.
11. THE FOREST STAND DELINEATION FIELD WORK WAS CONDUCTED BY KEVIN C. HAINES OF HOLLY OAK CONSULTING, LLC ON SEPTEMBER 10, 2025.
12. INDICATIONS OF WETLANDS PER THE 1987 CORPS OF ENGINEERS' WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS' WETLAND DELINEATION MANUAL: ATLANTIC AND GULF COASTAL PLAIN REGION WERE NOT FOUND WITHIN THE PROPERTY. IN ADDITION NO STREAMS ARE LOCATED ON THE PROPERTY. SEE THE WETLAND DELINEATION REPORT PREPARED BY HOLLY OAK CONSULTING, LLC.



STEEP SLOPES NOTE:
15-24.9% & 25.0%+ SLOPES DO NOT EXIST ON THIS SITE.

MAP UNIT SYMBOL		MAPPED SOIL TYPES	HYDRIC (%)	K-FACTOR (WHOLE SOIL)	DRAINAGE CLASS
HdB	HAGERSTOWN SILT LOAM 3-8% SLOPES		0	0.37	WELL DRAINED
HdB	HAGERSTOWN-DUFFIELD-URBAN LAND COMPLEX, 0-8% SLOPES		0	0.37	WELL DRAINED



FOREST CONSERVATION PLAN		OWNER:		©		REVISION DESCRIPTION		BY		DATE	
BRIDGESTONE HAGERSTOWN 13324 PENNSYLVANIA AVE MAP: 0024-480-0023 PARCELS/022 27TH ASSASSIN DISTRICT ZONING: BG WASHINGTON COUNTY, MARYLAND		 HOLLY OAK CONSULTING, LLC 303 SYCAMORE ROAD SEVERNA PARK, MD 21146 TELEPHONE (443) 906-3419 info@hollyoakconsulting.com		HAGERSTOWN KITCHEN, INC. 19221 LONGMEADOW ROAD HAGERSTOWN, MD 21742		2025 Holly Oak Consulting, LLC. These drawings are the property of Holly Oak Consulting, LLC and unauthorized reproduction for any purpose is an infringement upon copyright laws. Violators will be subject to prosecution to the fullest extent of the law.					
JOB NO. 25-55-53		SCALE: AS SHOWN		DATE: 5/18/2026		DRAWN BY: KCH		DESIGNED BY: -		CHECKED BY: -	



DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

MEMORANDUM

TO: Washington County Planning Commission

FROM: Travis Allen, Senior Planner

DATE: July 6, 2026

RE: Forest Conservation Mitigation Review for Jamison Door (GP-26-007)

Attached you will find supporting documentation for two requests to meet forest conservation requirements for this project. The first request is to establish an offsite easement to satisfy 6.44-acres of the total planting requirement for a gravel pad being constructed for a future building at the intersection of Yale Drive and Professional Boulevard. The second request is to remove 4 specimen trees from the site as a part of its development.

Enclosed for your review are two documents in support of the applicant's request. These include the forest conservation plan; which shows the location of the onsite and offsite easements and depicts the specimen trees proposed for removal, and the justification letter from Qualified Professional Dustin Horst that make their case for both of these requests.

Article 10.1 of the Washington County Forest Conservation Ordinance (FCO) describes the Preferred Sequence of Techniques for Mitigation for forest conservation plans. This list describes a hierarchy of techniques ranging from onsite retention or planting to the payment of fee in lieu. The overall intent of the FCO is to preserve or create as much forest onsite as is feasible within the constraints of each development project before meeting mitigation obligations offsite.

The removal of specimen trees requires that approval of a variance under Article 15 of the FCO. The applicant must demonstrate the conditions of hardship that exist to warrant the removal of the specimen trees and show that their removal would not adversely affect water quality.

If you have questions or comments regarding this request, please contact me using the information provided below.

Travis Allen
Senior Planner
(240) 313-2432
tallen@washco-md.net

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2431 | TDD: 7-1-1

WWW.WASHCO-MD.NET

MEMO —Offsite Mitigation & Specimen Tree Removal Request

**SUBJECT — Grading Plan for Jamison Door
GP-26-007**

TO — Washington County Planning Commission

DATE — June 12, 2026

FROM — Dustin Horst

REMARKS:

The total development on this parcel is 23.0 acres. The existing site consists of agricultural crop fields with two forested areas and several specimen trees. The proposed development is for a pad level ready site for a small warehouse and associated parking. The required forest conservation for this project is 7.97 acres.

There is a total of four (4) specimen trees within the proposed development. All are congregated at the northwest corner of the property. All four must be removed to allow the proposed development to occur. As this site has a wide variation of elevation changes, the specimen trees are in areas with 10'+/- of excavation. Saving said trees would greatly hinder the ability to develop this parcel. Water Quality will not be negatively affected by the removal of the specimen trees due to the site being developed and treated by ways of environmental site design practices and stormwater management facilities.

The entirety of the 23.0 acres is being developed with impervious area or being treated with stormwater management facilities (submerged gravel wetlands, ponds, and stormdrains). All remaining existing forest is being retained and all open areas being planted in forest. After all onsite mitigation techniques have been exhausted, additional forest mitigation is required. The proposed offsite retention easement total is 12.88 acres and is based on the forest mitigation requirement at a ratio of 2:1.

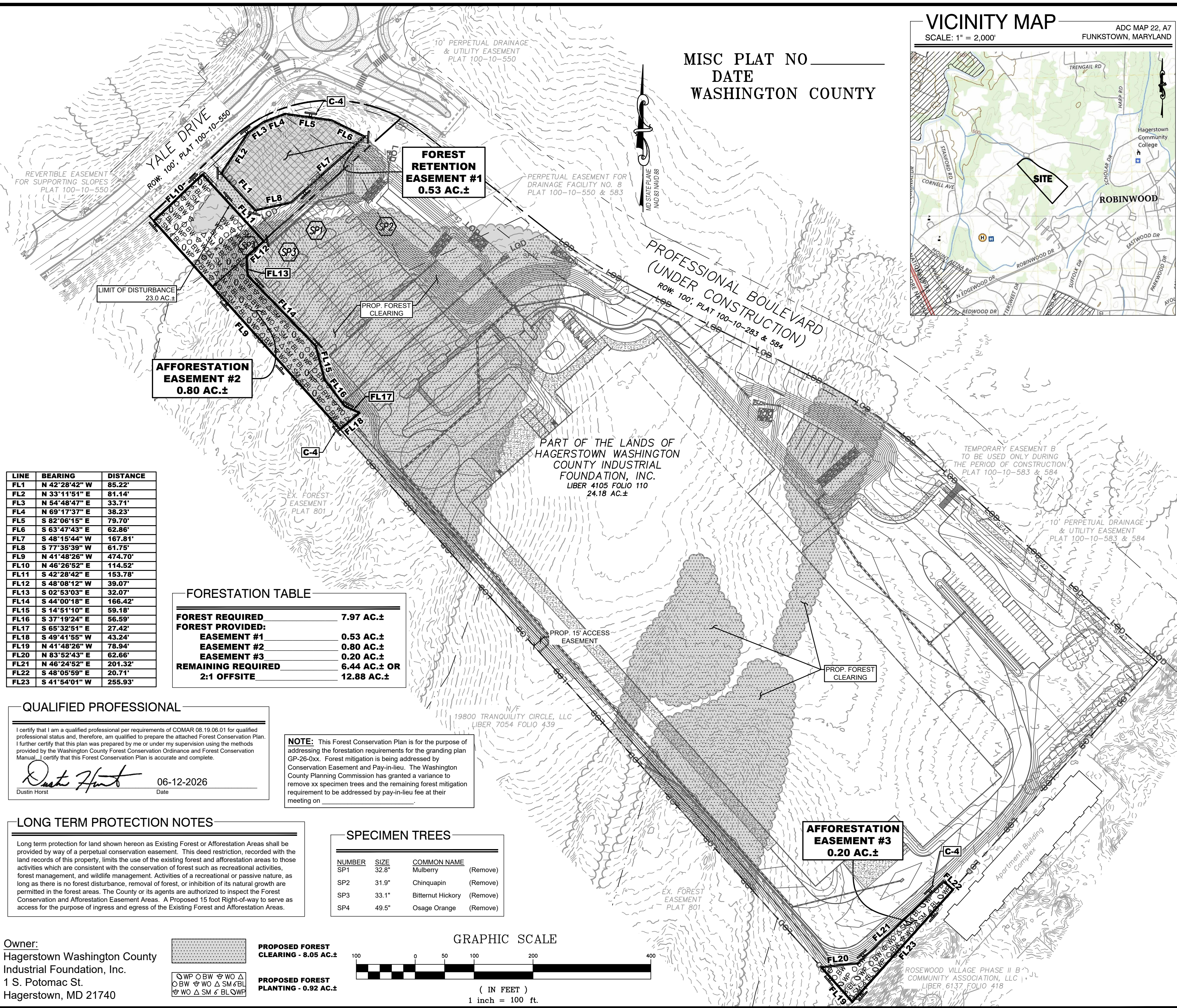
On behalf of the property owner, I request the approval of a variance for removal of 4 specimen trees and for offsite forest mitigation to meet the forest requirements for the development of Jamison Door.

Sincerely,



Dustin Horst

P:\94950_FOLDERS\PROJECTS\600306042_JUNG\6042_FCP.DWG, 2026-06-12



JAMISON DOOR

SITUATED AT THE SOUTHEAST INTERSECTION OF YALE DRIVE & PROFESSIONAL BOULEVARD
NORTH OF MERTUS HOSPITAL AND WEST OF HAGERSTOWN COMMUNITY COLLEGE

WASHINGTON COUNTY, MARYLAND

JAMISON DOOR
55 JV JAMISON DRIVE HAGERSTOWN, MD 21740
ATTN: SWIGHT CLARK (301) 733-3100

FOREST CONSERVATION PLAN

FCP-101
SHEET 14 OF 16

PROJECT NO.	6042.J
DWN BY	DWH
DATE	04-13-2026
PROJECT MANAGER	Trevor Frederick
EMAIL	tfrederick@fsc-inc.com
TAX MAP GRID/PARCEL	0050-0009-0295
SCALE	1" = 100'
SHEET TITLE	



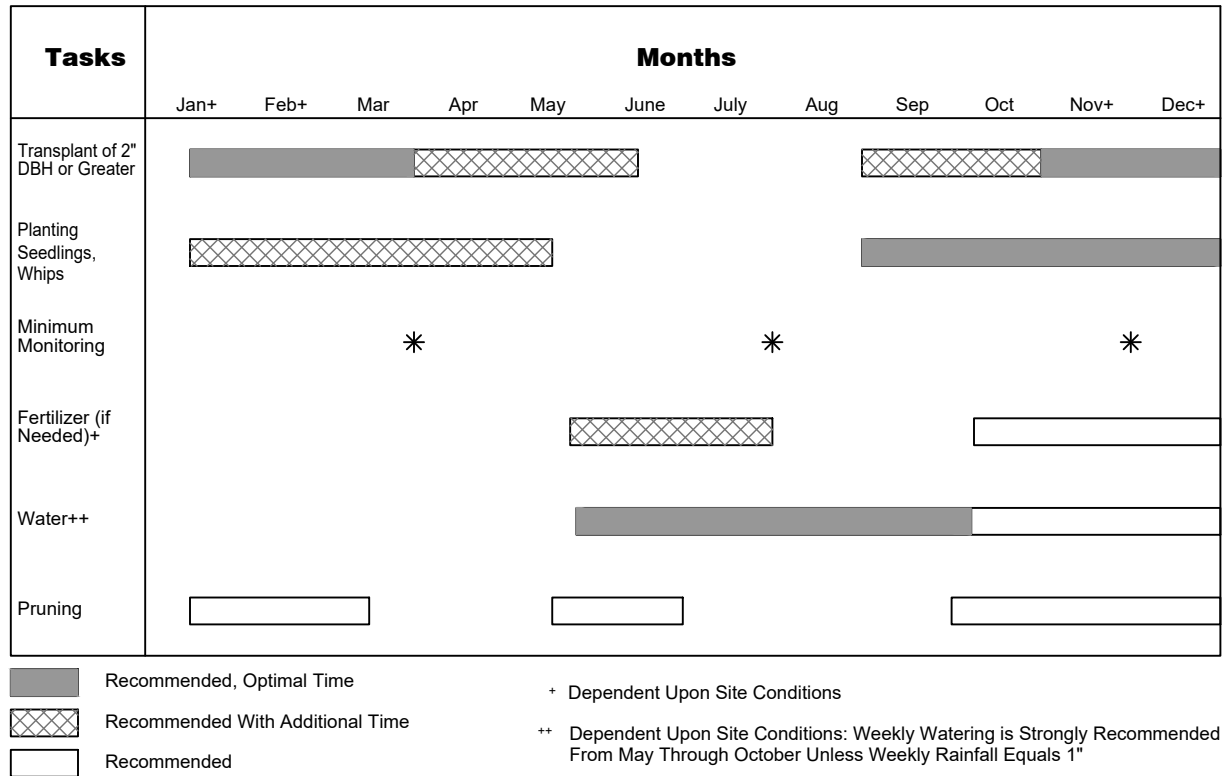
FREDERICK, SEIBERT & ASSOCIATES, INC. © 2026
CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS

128 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
301.791.3550

20 WEST BALTIMORE STREET
GREENBELT, MD 21738
717.297.1007

305 SOUTH HANOVER STREET
NEW BLANCK, MD 21766
717.275.7501

Tree Planting and Maintenance Calendar

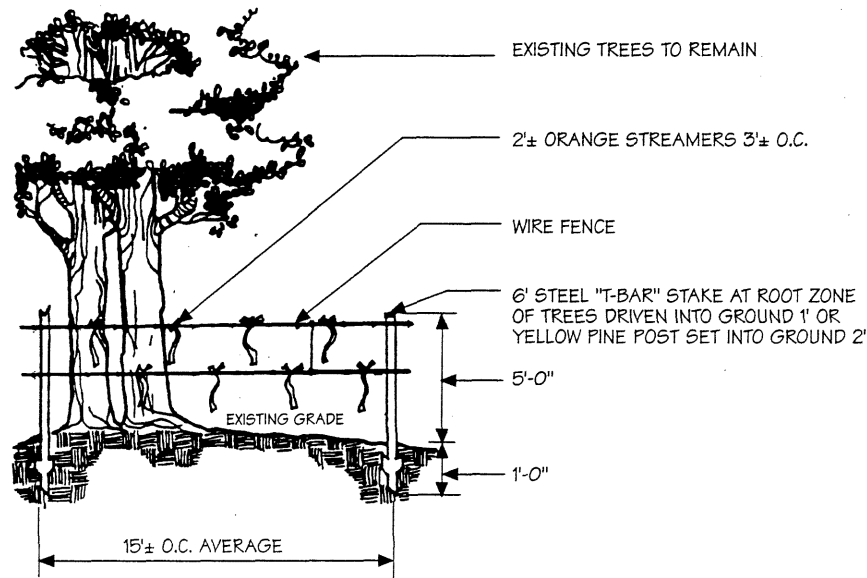


Notes:

- Activities during November through February depend on ground conditions.
- Planting of oaks and pines in the fall shall be done when the soil moisture is high.
- The planting and care of trees is most successful when coordinated with the local conditions. This calendar summarizes some of the recommended time frames for basic reforestation and stress reduction activities.

FOREST CONSERVATION WORKSHEET 2.2

NET TRACT AREA	
A. Total Tract Area.....	= 24.18 Ac.
B. Deductions.....	= 0.00 Ac.
C. Net Tract Area.....	= 24.18 Ac.
LAND USE CATEGORY CIA	
D. Afforestation Threshold (Net Tract Area x 15%).....	= 3.63 Ac.
E. Conservation Threshold (Net Tract Area x 15%).....	= 3.63 Ac.
EXISTING FOREST COVER	
F. Existing Forest Cover within the Net Tract Area.....	= 8.57 Ac.
G. Area of Forest Above Conservation Threshold.....	= 4.94 Ac.
BREAK EVEN POINT	
H. Break Even Point.....	= 4.62 Ac.
I. Forest Clearing Permitted Without Mitigation.....	= 3.95 Ac.
PROPOSED FOREST CLEARING	
J. Total Area of Forest to be Cleared.....	= 8.05 Ac.
K. Total Area of Forest to be Retained.....	= 0.52 Ac.
PLANTING REQUIREMENTS	
L. Reforestation for Clearing Above the Conservation Threshold.....	= 1.24 Ac.
M. Reforestation for Clearing Below the Conservation Threshold.....	= 6.21 Ac.
N. Credit for Retention above the Conservation Threshold.....	= 0.00 Ac.
P. Total Reforestation Required.....	= 7.45 Ac.
Q. Total Afforestation Required.....	= 0.00 Ac.
R. Total Planting Requirement.....	= 7.45 Ac.
	or 324,522.0 S.F.



Notes:

- Wire fence for forest protection device only.
- Boundaries of Retention Area will be established as part of the forest conservation plan review process.
- Boundaries of Retention Area should be staked and flagged prior to installing device.
- Avoid root damage when placing anchor posts.
- Wire should be securely attached to posts.
- Device should be properly maintained throughout construction.
- Protection signs are also required, see Figure C-4.
- Locate fence outside the Critical Root Zone.

Wire Tree Protection Fence

Figure C-6

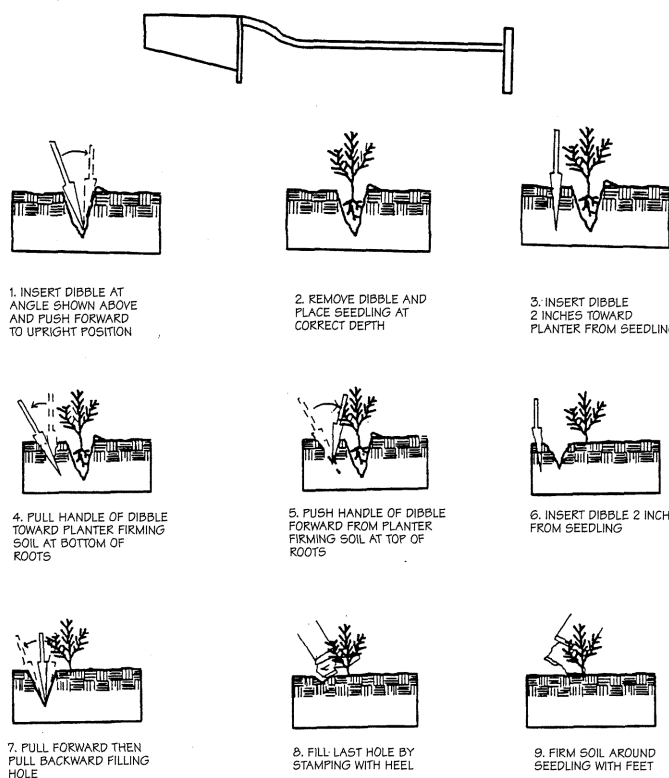
FORESTATION NOTES

- Forest areas shown hereon [] have been reviewed and approved by the Washington County Planning Commission and are in compliance with the requirements of the Washington County Forest Conservation Ordinance. Clearing of forested areas have not been approved. Those areas noted as "Forest Retention Areas" are not to be disturbed by a regulated activity as defined in the Washington County Ordinance until that regulated activity and its associated forest disturbance is reviewed and approved by the Washington County Planning Commission according to the requirements and standards of the Forest Conservation Ordinance in effect at the time.
- Property owners are advised that there are penalties and fines associated with violation of these restrictions. Activities of a recreational or passive nature, as long as there is no forest disturbance, removal of the existing forest, or inhibition of its natural growth processes are permitted in these forest areas.
- This note or reference to its existence on this plat shall be included in each and every deed of conveyance for any lot shown on this plat.
- The Retention Area shown [] on this plat is to be retained by the respective property owners in a natural forested condition, pursuant to the Washington County Forest Conservation Ordinance of 1993. Furthermore, the use of the Retention and Planting Area shall be limited to forest conservation practices activities which are consistent with the preservation of the Retention Area as natural forest land, as stipulated by the same Ordinance.

FOREST CONSERVATION SEQUENCE OF CONSTRUCTION

- All temporary protection devices and/or permanent devices shall be put into place.
 - Permanent signage will be placed as shown on the plan around the perimeter of the entire Forest Area within 30 days of subdivision plat approval and/or completion of construction.
 - During any building or site construction, the forest retention area(s) shall be protected by highly visible, well anchored temporary fencing.
 - All temporary fencing shall be in place prior to any grading or land clearing.
 - All temporary fencing shall be maintained throughout construction and until all graded areas have been stabilized.
 - Attachment of signs or any other objects to trees is prohibited.
 - No equipment, machinery, vehicles, materials or excessive pedestrian traffic shall be allowed within protected areas.
- A pre-construction meeting will be required after the boundaries of the limits of disturbance have been staked and flagged, the forest protection devices have been installed, and before any disturbance has taken place on the site. It is the owner and/or developer's responsibility to arrange for the pre-construction meeting. The owner and/or developer shall contact the Washington County Planning and Zoning Department (240-313-2430) for inspection of the installed devices prior to the start of construction with at least five (5) days notice. If the inspection reveals improperly installed protection devices, corrections will have to be made and re-inspected prior to the start of construction.
- Once approval has been granted by the Washington County Plan Review & Permitting Department, clearing and/or grading of the site for construction of street, utility, and building areas may commence.
- A post-construction meeting will be required after all construction has ceased and graded areas have been stabilized, all temporary protective devices shall be removed and replaced with the appropriate permanent signage. It is the owner and/or developer's responsibility to arrange for the post-construction meeting. The owner and/or developer shall contact the Washington County Department of Plan Review and Permitting (240-313-2430) for inspection of the final installed devices with at least five (5) days notice. If the inspection reveals improperly installed permanent protection devices, corrections will have to be made and re-inspected prior to the completion of site stabilization.

Planting With Dibble Bar

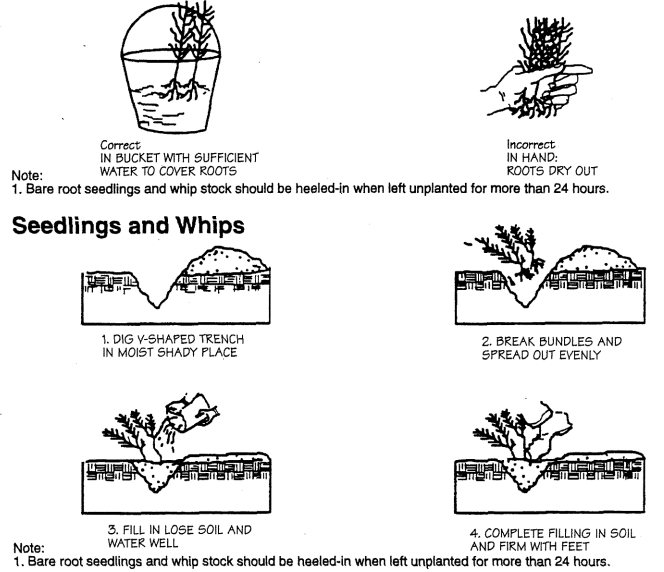


Source: Adapted from Duryea & Dougherty, Forest Regeneration Manual, Kluwer Academic Publishers, Boston, 1991 and Forest Conservation Manual, 1991

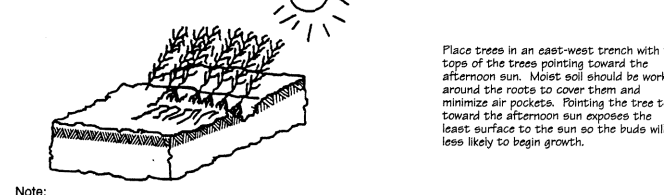
Seedling Planting Techniques

Figure C-19

Handling Seedlings in the Field



Bare Root Trees



Source: Adapted from Forest Conservation Manual, 1991

Handling Bare Root Stock

Figure C-17

MISC PLAT NO _____ DATE _____ WASHINGTON COUNTY

PLANTING AND MAINTENANCE NOTES

- Owner is to complete all planting work and preparation using his own resources and equipment or qualified contractor.
- Plant material is to be purchased by the owner from a nursery within one hundred miles of the site. A list of two potential nursery sources is:
 - A. East Coast Greens, 2629 McDowell Road, Saint Thomas, PA 17252, (717) 369-4995
 - B. John S. Ayton State Tree Nursery, 580 Taylor Ave, Annapolis, MD 21401, (877) 620-8367
- The cost estimate for bonding purposes is \$12,022.56; this is based on forest mitigation required 0.92 acres (40,075.2 S.F.) at the rate of 30 cent per square foot.
- The plantings shown hereon will be planted by the Fall of 2027. If the areas to be planted with trees are overgrown with weeds or tall grasses and invasive plants, this area will need to be brush hogged and/or an herbicide shall be applied two weeks prior to planting. Note, no clearing or mowing is allowed in wetland areas.
 - A. Undisturbed sites: Disturbance of soils should be limited to the planting field for each plant. As shown in Figure C-18.
- The trees are to be protected with "Tubex" tree shelters or approved equal when planted. "Tubex" tree shelters are to be placed on every other tree (See Tree Shelter Note). Note a tree shelter will necessitate more frequent watering.
 - A. Undisturbed sites: Disturbance of soils should be limited to the planting field for each plant. As shown in Figure C-18.
- Owner is to water trees and to prevent spread of invasive plants throughout the "forest" planting area for the three year maintenance period. Recommended type of watering is with a soaker hose to allow water to deeply irrigate the tree.
- It is the owner or developers responsibility to notify the Washington County Planning and Zoning Department attention Travis Allen (240)313-2432 of when the planting has been completed. The Washington County Planning Department will make an inspection and issue a report to the owner or developer. The three year maintenance period will begin when the Washington County Planning and Zoning Department determines that the planting has been completed in accordance with the Forest Conservation Ordinance requirements.
- The owner or developer shall make an effort to maintain a 65% survival of the original planting at all times. The owner or developer can replant in order to maintain the 65% survival rate during the three year period with advance notice to the Washington County Planning Department. If the final inspection determines there is less than 65% survival it will be the owner/developer's responsibility to correct the deficiencies and possibly provide an additional maintained period.

Construction Signs and Permanent Signs

Figure C-4

PLANT LIST

SYMBOL	PLANT	SIZE	ROOT	*PHASE QUANTITY
WP	Pinus strobus	1/4 to 1/2	Container	100
BW	Juglans nigra	1/4 to 1/2	Container	75
WO	Quercus alba	1/4 to 1/2	Container	75
SM	Prunus serotina	1/4 to 1/2	Container	100
BL	Robinia pseudoacacia	1/4 to 1/2	Container	75
Total				425

* This reforestation/afforestation is for a planting of seedlings / whips within 0.92 acres of easements #2 & #3 to be completed by the fall of 2027.

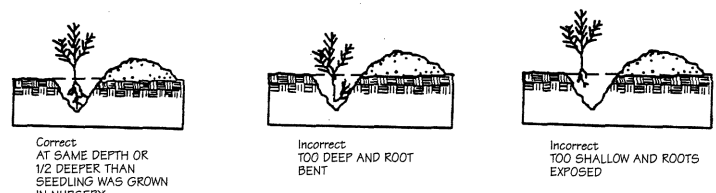
NOTES

- Tree location as shown on this afforestation plan are generalized to show a random planting to give a more natural look to the forest. Actual placement of trees may vary due to field conditions.
- The minimum number of 450 trees per acre is required with approximate 10'x10' spacing and maintaining a 65% minimum survival rate. The tree selection used for this planting are species native to this physiographic region of the State of Maryland.
- A mix of rapid growth to slow growth trees and trees with differing height at maturity are proposed to emulate natural growth patterns. Any species substitution would be allowed as long as the quantity is met. And the species are listed on the Washington County Forest Conservation Ordinance native tree and shrub list.

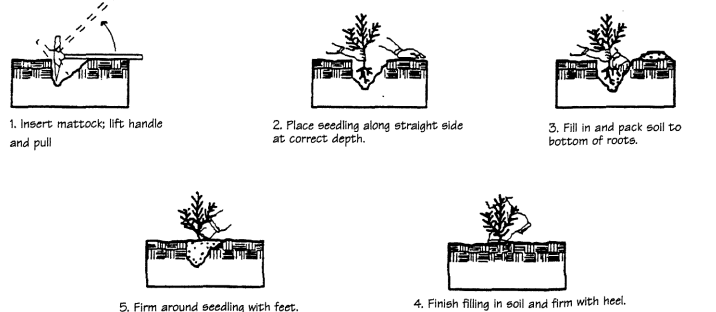
Seedling and Whip Planting



Correct and Incorrect Planting Depth



Mattock Planting

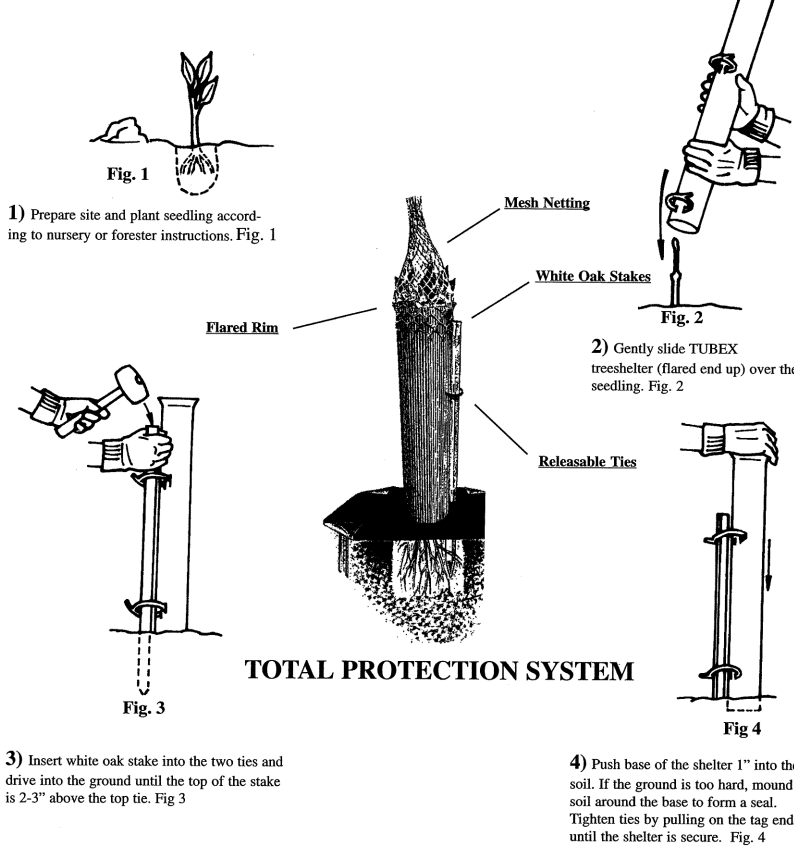


Source: Adapted from Forest Conservation Manual, 1991

Seedling and Whip Planting Techniques

Figure C-18

TREESHelters Installation Instructions



TOTAL PROTECTION SYSTEM

TREE SHELTER NOTE:
Tree protection devices such as "Tubex" tree shelters or approved equal to be used with single stem trees such as ash, oaks and etc. and not to be used with a multi stem tree. Care must be taken when using these devices as not to allow grasses to grow around them. This would attract small animals and insects that would eventually kill the tree.

JAMISON DOOR

SITUATED AT THE SOUTHEAST INTERSECTION OF YALE DRIVE & PROFESSIONAL BOULEVARD
NORTH OF MERTUS HOSPITAL AND WEST OF HAGERSTOWN COMMUNITY COLLEGE

WASHINGTON COUNTY, MARYLAND

JAMISON DOOR
55 JV JAMISON DRIVE HAGERSTOWN, MD 21740
ATTN: SWIGHT CLARK (301)-733-3100

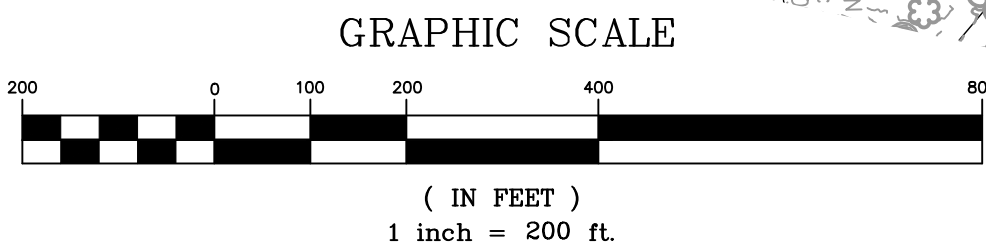
PROJECT NO.	6042.J
DWN BY	DWH
DATE	04-13-2026
PROJECT MANAGER	Trevor Frederick
EMAIL:	tfrederick@fsc-inc.com
TAX MAP GRID-PARCEL	0050-0009-0295
SCALE	1" = 200'
SHEET TITLE	

FOREST CONSERVATION PLAN

FCP-102
SHEET 15 OF 16

P:\948507\PROJECTS\948507\DWG\2024\001-FCP-JAMISON.DWG 2025-06-12

Owner:
9738 Downsville Pike, LLC
1825 Howell Rd. Suite 4
Hagerstown, MD 21740



MISC PLAT NO _____
DATE _____
WASHINGTON COUNTY

LINE	BEARING	DISTANCE
FL1	S 52°51'19" E	417.03'
FL2	S 30°43'44" W	1036.18'
FL3	S 25°47'52" W	529.13'
FL4	N 52°53'48" W	337.96'
FL5	N 26°13'09" E	1304.53'
FL6	N 26°13'09" E	272.78'

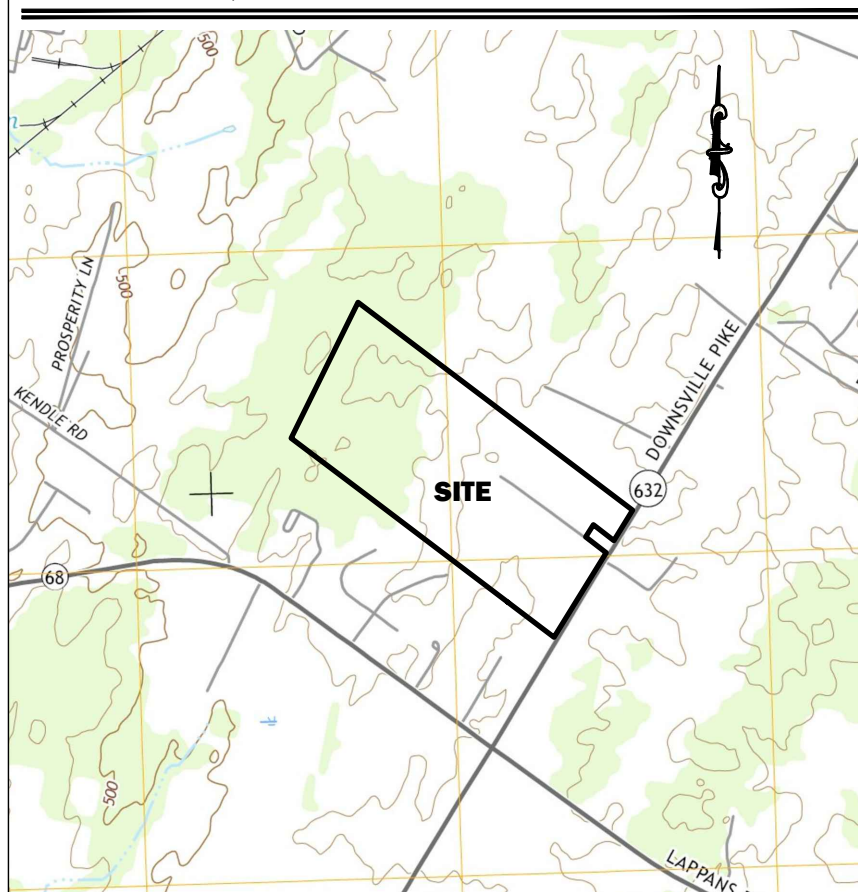
LINE	BEARING	DISTANCE
L1	S 31°44'21" W	150.00'
L2	N 53°19'46" W	152.29'

VICINITY MAP

SCALE: 1" = 2,000'

USGS MAPS (WILLIAMSPORT, MARYLAND)

ADC MAP 25, F3



JAMISON DOOR

SITUATED AT THE SOUTHEAST INTERSECTION OF YALE DRIVE & PROFESSIONAL BOULEVARD
NORTH OF MERITUS HOSPITAL AND WEST OF HAGERSTOWN COMMUNITY COLLEGE

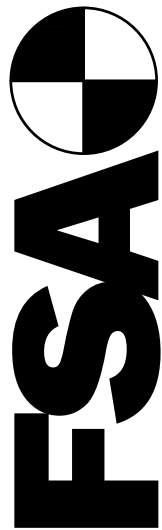
WASHINGTON COUNTY, MARYLAND

JAMISON DOOR
55 JV JAMISON DRIVE HAGERSTOWN, MD 21740
ATTN: SWIGHT CLARK (801)-733-3100

PROJECT NO.	2024-0051
DWN BY	DWH
DATE	06-12-2026
PROJECT MANAGER	Trevor Frederick
EMAIL:	tfrederick@fsc-inc.com
TAX MAP GRID-PARCEL	0050-0009-0295
SCALE	1" = 200'
SHEET TITLE	OFF-SITE FOREST CONSERVATION PLAN

FCP-103
SHEET 16 OF 16

GP-26-007



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20 WEST BALTIC STREET
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305 SOUTH HANOVER STREET
NEW BLADENBURG, PA 17088
717.275.7501

WASHINGTON COUNTY, MARYLAND

FOREST CONSERVATION ORDINANCE

Revision ~~78~~

Adopted and Effective ~~November 18, 2014~~, , 2026

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WASHINGTON COUNTY, MARYLAND FOREST CONSERVATION ORDINANCE

ARTICLE 1 PURPOSE

1.1 PURPOSE

The Board of County Commissioners for Washington County has determined that in order to meet the requirements of Natural Resources Article, §5-1601, et seq., Annotated Code of Maryland, the provisions of this Ordinance are enacted. This Ordinance provides the requirements and guidance for the preservation or replanting, whichever is applicable, of trees or forests during certain development activities by requiring forest stand delineations, forest conservation plans, maintenance agreements, and sureties.

ARTICLE 2 DEFINITIONS

In this Ordinance the following terms have the meanings indicated.

2.1 "Afforestation"

The establishment of a forest, according to the definitions and procedures contained herein, on an area not presently in forest cover.

2.2. "Agricultural activity"

Farming activities, including plowing, tillage, cropping, installation of best management practices, seeding, cultivating, and harvesting for the production of food and fiber products, except commercial logging and timber harvesting operations. This term includes the grazing and raising of livestock, aquaculture, sod production, orchards, nurseries, and other products cultivated as part of a recognized commercial enterprise.

2.3 "Agricultural and resource areas"

Undeveloped areas zoned for densities of less than or equal to one dwelling unit per 5 acres and corresponds to Washington County Zoning Classifications A, EC and P.

2.4 "Applicant"

A person as defined in Section 2.49 who is applying for subdivision, site plan, grading or sediment control permit approval, or who has received approval of a forest stand delineation or forest conservation plan.

2.5 "Approved forest management plan"

A document approved by the Department of Natural Resources forester assigned to Washington County which operates as a protective agreement for forest conservation as described in the Natural Resources Article, §5-1607(e)-(f), Annotated Code of Maryland.

2.6 "Best Management Practice (BMP)."

Conservation practices or systems of practices and management measures that:

A. Control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxics, and sediment; and

B. Minimize adverse impacts to the surface water, groundwater flow and circulation patterns, and to their chemical, physical, and biological characteristics.

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2.62.7 "Caliper"

The diameter of a tree measured at 2 inches above the root collar.

2.72.8 "Champion tree"

The largest tree of its species within the United States, the State of Maryland, Washington County, or a municipality.

2.8 "Champion tree of the State"

~~A tree which appears in the list of State champion trees contained in the Appendix of the Washington County Forest Conservation Manual.~~

2.9 "C.O.M.A.R."

The Code of Maryland Regulations. Any reference to a specific C.O.M.A.R. section shall include any amendments to that section or any successor sections that may be subsequently adopted.

2.10 "Commercial and industrial uses"

Manufacturing operations, office complexes, shopping centers, and other similar uses and their associated storage areas, yarding, and parking areas, and corresponds to the uses enumerated in Washington County Zoning Ordinance classifications BT, BL, BG, HI, ORT, PB, ~~RB-E, RB-NRB~~, RV, SED, IG, ~~IT~~, PI, AP, IM and ~~IR as principally permitted, special exceptions or accessory uses.~~

2.11 "Commercial logging or timber harvesting operations"

The cutting and removing of tree stems from a site for commercial purposes, leaving the root mass intact. The cutting and removal of trees from a site for the purpose of preparing the site for future development is not included in this definition.

2.12 "Critical habitat area"

A critical habitat for an endangered species and its surrounding protection area. A critical habitat area shall:

- A. Be likely to contribute to the long-term survival of the species;
- B. Be likely to be occupied by the species for the foreseeable future; and
- C. Constitute habitat of the species which is considered critical under Natural Resources Article, §§4-2A-04 and 10-2A-06, Annotated Code of Maryland.

2.13 "Critical habitat for endangered species"

A habitat occupied by an endangered species as determined or listed under Natural Resources Article, §§4-2A-04 and 10-2A-04, Annotated Code of Maryland.

2.14 "Declaration of intent"

A. A signed and notarized statement by a landowner or the landowner's agent certifying that the activity on the landowner's property is exempted under Section 3.2 of this Ordinance.

1. Is for certain activities exempted under this Ordinance or Natural Resources Article, §§5-103 and 5-1601-5-1612, Annotated Code of Maryland;

2. Does not circumvent the requirements of this Ordinance or Natural Resources Article, §§5-103 and 5-1601-5-1612, Annotated Code of Maryland; and

3. Does not conflict with the purposes of any other declaration of intent;

B. The document required under COMAR 08.19.01.05 or this Ordinance

2.15 "Degraded Forest"

A forest ecosystem that has lost its natural structure, function, and/or diversity due to human activity or other disturbances, leading to diminished capacity to regenerate and provide ecosystem services.

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2.162.16 "Department"

The Washington County ~~Planning Commission and its staff or other county departments designated by the Planning Commission~~Department of Planning and Zoning.

2.162.17 "Development Project"

The grading, construction, or redevelopment activities occurring on a specific tract of land where the tract of land is 20,000 square feet or greater.

2.172.18 "Development project completion"

For the purposes of afforestation, reforestation, or payment into a fund the term refers to:

- A. The release of the development bond, if required; or
- B. Acceptance of the project's streets, utilities, and public services by the appropriate authority; or
- C. Designation by the Department that a:
 - (1) Development project has been completed, or
 - (2) Particular stage of a staged development project, including a ~~planned-unit~~mixed use development, has been completed.

2.19 "Disturbance"

Any activity on a development site requiring the cutting of trees, clearing, grading, grubbing, excavating, filling, or otherwise modifying the existing topography or forested features.

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2.182.20 "Easement"

A grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which is included in the conveyance of land.

2.192.21 "Forest"

A biological community dominated by trees and other woody plants covering a land area of at least 10,000 square feet as long as there are at least 100 live trees per acre with at least 50 percent of those trees having a 2-inch or greater diameter at 4.5 feet above the ground. Areas that have been cut but not cleared of stumps or the root mat may also be included. "Forest" does not include orchards.

2.202.22 "Forest Conservancy District Board"

The forestry board created for The Washington County Forestry Conservancy District under Natural Resources Article, §§5-601--5-610, Annotated Code of Maryland.

2.242.23 "Forest conservation"

The retention of existing forest or the creation of new forest at the levels set by this Ordinance.

2.222.24 "Forest Conservation and Management Agreement"

An agreement as applicable and described in Tax-Property Article, §8-211, Annotated Code of Maryland, C.O.M.A.R. 08.19.05.01.

2.232.25 "Forest conservation plan"

A plan prepared according to the requirements of this Ordinance and the Washington County Forest Conservation Technical Manual for the purpose of guiding the development or subdivision process in a manner that maximizes the preservation of existing trees and forest on the subject site and specifies how, when and where new planting will occur.

2.242.26 "Forest cover"

The area of a site meeting the definition of forest.

2.252.27 "Forest management plan"

A plan establishing best conservation and management practices for a landowner in assessment, ~~development, and use~~ of the resource values of forested property. ~~and~~

2.262.28 "Forest Mitigation Bank"

An area of land which has been intentionally afforested or reforested or has existing forest protected by the application of a permanent easement for the express purpose of providing forest mitigation credits.

2.272.29 "Forest Mitigation Bank Agreement"

An agreement between an individual owning a Forest Mitigation Bank and Washington County which commits the banker to certain procedures and requirements for maintenance and protection when creating and operating the Forest Mitigation Bank.

2.282.30 "Forest Mitigation Bank Credit Transaction Notice"

Method of tracking acreage deductions resulting from the sale of credits in a legally established forest mitigation bank to meet the forest mitigation requirements for a development project that shall be recorded in land records prior to final forest conservation plan approval.

2.292.31 "Forest Mitigation Bank Plan"

A plan submitted for approval of a Forest Mitigation Bank to the Washington County Department of Planning and Zoning or Planning Commission by an individual proposing to establish a forest mitigation bank.

2.302.32 "Forest stand delineation"

An accurate scaled drawing containing all of the information required by Article 5 of this Ordinance as well as the Washington County Forest Conservation Technical Manual prepared for the purpose of evaluating the existing vegetation on a site proposed for development and determining appropriate locations for the development, afforestation and reforestation.

2.342.33 "Growing season"

The period of consecutive frost-free days as stated in the current soil survey for Washington County published by the National Cooperative Soil Survey Program, 16 U.S.C. §590 (a)--(f).

2.322.34 "Hardship"

The inability of a person to successfully comply with the provisions of this Ordinance relative to any regulated activity as a result of specific conditions existing on that site that severely restrict opportunities for mitigation while at the same time do not achieve the goals of this Ordinance.

2.332.35 "High density residential areas"

Areas zoned for densities greater than 1 dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities, and water and sewer service.

2.342.36 "Impervious surface"

Those surfaces that rainwater cannot infiltrate, including but not limited to building rooftops, pavement, sidewalks, driveways, etc.

2.352.37 "Immediate family member"

Father, mother, step father, step mother, son, daughter, brother, sister, step son or step daughter. The owner of the property or a child of the owner.

2.362.38 "Institutional development area"

Schools, colleges and universities, military installations, transportation facilities, utility and sewer projects, government offices and facilities, golf courses, recreation areas, parks, and cemeteries regardless of their Washington County Zoning Ordinance classification. Church buildings and related structures are governed by the Zoning District and corresponding land use category where they are located.

2.372.39 "Intermittent stream"

A stream in which surface water is absent during a part of the year as shown on the most recent 7.5 minute topographic quadrangle published by the United States Geologic Survey as confirmed by field verification.

2.382.40 "Landscaping plan"

A plan drawn to scale, showing dimensions and details for reforesting an area at least 35 feet wide and covering 2,500 square feet or greater using native or indigenous plants when appropriate and made part of an approved forest conservation plan.

2.392.41 "Linear Project"

A regulated activity whose limits are not necessarily confined to a single unit of land but more typically occur on or across multiple parcels. A linear project will usually have an elongated configuration with nearly parallel sides and be for the purpose of constructing utilities and other public services not otherwise contained in an application for subdivision or site plan approval. For the purpose of completing the calculation to determine mitigation requirements, the net tract area of a linear project shall be the land area contained within an easement, right of way, limits of disturbance, limits of construction or other such defined project boundary.

2.402.42 "Local agency"

Each unit in the executive, legislative or judicial branch of Washington County or municipal government, including an office or department of public works.

2.412.43 "Lot"

A separate and distinct unity of land described in a deed or identified on an approved subdivision plat. The term may be used interchangeably with "parcel" or "tract."

2.422.44 "Installation and Maintenance agreement"

The short-term management agreement required under Natural Resources Article, §5-1605, Annotated Code of Maryland and this Ordinance that

details how the areas designated for afforestation and reforestation will be maintained to ensure protection, satisfactory establishment and survival.

2.432.45 "Medium density residential areas"

Areas zoned for densities greater than 1 dwelling unit per 5 acres and less than or equal to 1 dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities, and water and sewer service.

2.442.46 "Minor Subdivision"

As defined in the subdivision Ordinance, a subdivision of 7 lots or less.

2.452.47 "Mixed Use Development"

Development permitted in the MXR, MXC and ~~MXI-MXE~~ floating zones described in the Washington County Zoning Ordinance and characterized by a combination of different types of residential, commercial and employment-focused industrial uses and arranged on the site according to a comprehensive development plan. ~~A mixed-use development may also be referred to as a PUD.~~

2.462.48 "Natural regeneration"

The natural establishment of trees and other vegetation with at least 400 woody, free-to-grow seedlings per acre at the end of the 3-year maintenance period, which are capable of reaching a height of at least 20 feet at maturity.

2.472.49 "Net tract, lot or parcel area"

- A. Except in agriculture and resource areas or as modified by the Express Procedures in Article 6A, the net tract, lot or parcel area is the total area of a site, including both forested and non-forested areas, to the nearest 1/100th acre, reduced by the area found to be within the boundaries of the 100-year floodplain as defined by the adopted Washington County Floodplain Management Ordinance.
- B. In agriculture and resource areas, the part of the total tract for which land use will be changed or will no longer be used for primarily agricultural activities, reduced by the area found to be within the boundaries of the 100-year floodplain as defined by the adopted Washington County Floodplain Management Ordinance.
- C. In a linear project, the net tract, lot or parcel area is the area contained within the easement, right of way, limits of disturbance, limits of construction or other such defined project boundary.
- D. Previously developed areas covered by impervious surface and

located in priority funding areas at the time of the application for subdivision plan, grading, or sediment control permit approval are exempt. Previously ~~disturbed or~~ mitigated areas are also exempt.

2.482.50 "Nontidal Wetlands"

An area that is:

- (1) Inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation; and
- (2) Considered a nontidal wetland in accordance with the publication known as the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands," published in 1989 and as may be amended and interpreted by the U.S. Environmental Protection Agency.

2.492.51 "Offsite"

Beyond the boundaries of the tract, lot and remaining lands.

2.502.52 "Onsite"

Within the boundaries of the tract, lot or parcel being developed, including an area classified as a 100-year floodplain and the remaining lands.

2.512.53 "Owner"

The individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under the Subdivision Ordinance and this Ordinance.

2.522.54 "100-year flood"

A flood which has a 1 percent chance of being equaled or exceeded in any given year. Except for Class III waters (natural trout streams), a body of water with a watershed less than 400 acres is excluded.

2.532.55 "100-year floodplain"

An area along or adjacent to a stream or body of water, except tidal waters, that is capable of storing or conveying floodwaters during a 100-year frequency storm event, or a 100-year flood, as shown on the Federal Emergency Management Agency's 100 year floodplain delineation maps and as regulated by the Washington

County Floodplain Management Ordinance.

2-542.56 "Parcel"

A separate and distinct unity of land described in a deed or identified on an approved subdivision plat. The term parcel may be used interchangeably with "lot" or "tract."

2-552.57 "Perennial stream"

A stream containing surface water throughout an average rainfall year, as shown on the most recent 7.5 minute topographic quadrangle published by the United States Geologic Survey, as confirmed by field verification.

Commented [TA1]: Added in response to DNR comment from Model Ordinance

2-562.58 "Person"

The State or County Government, municipal corporation, or other political subdivision of the State, or any of their units, or an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any of their affiliates, or any other entity.

2-57 "Planned Unit Development or PUD"

~~A development pursuant to an integrated plan that provides flexibility in land use design and is approved by Washington County. A PUD usually contains a variety of residential uses of varying densities, a specific amount of commercial area and at least 25% of the land area dedicated to recreation and open space and corresponds to the Washington County Zoning Ordinance classification of PUD. Development in the PUD and MX districts are similar in nature.~~

2-582.59 "Planted Green Infrastructure"

The implementation of natural systems in man-made environments to imitate and/or replicate natural forest processes.

2-592.60 "Priority Funding Area"

An area defined by the State of Maryland or Washington County according to predetermined guidelines under State Finance and Procurement Article, §5-7b-02, Annotated Code of Maryland for the purpose of targeting growth and economic development through economic incentives. ~~Priority Funding Areas are depicted on Map 57 of the adopted Comprehensive Plan.~~

2-602.61 "Public utility"

Any electricity transmission line, electric generating station, water, sewer,

electric, gas, telephone, and television cable service lines.

2.612.62 "Qualified Conservation"

The conservation of all or part of an existing forest that:

- A. Has been approved by the appropriate State of local forest conservation program for the purpose of establishing a forest mitigation bank; and
- B. Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest.

2.622.63 "Reforestation"

Replacement of previously existing forest removed as a result of a regulated activity. The creation of a biological community dominated by trees and other woody plants containing at least 100 live trees per acre, with at least 50 percent of those trees having the potential of attaining a 2-inch or greater diameter measured at 4.5 feet above the ground, within 7 years, according to procedures set forth in the Washington County Forest Conservation Technical Manual. The term also includes landscaping of areas under an approved landscaping plan establishing a forest at least 35 feet wide and covering 2500 square feet or more of area. Reforestation for a linear project involving overhead transmission lines may consist of a biological community dominated by trees and woody shrubs with no minimum height or diameter criteria.

2.57 "Regulated activity"

Any of the following activities, when that activity occurs on a unit of land which is 20,000 square feet or greater:

- A. Subdivision as defined by the Washington County Subdivision Ordinance;
- B. Grading;
- C. An activity that requires a sediment control permit; or
- D. An activity that requires a site plan as defined and regulated by the Washington County Zoning Ordinance-;
- ~~D-E.~~ Incremental development involving regulated activities occurring at different times on a given tract, parcel or lot cumulatively exceeding 20,000 square feet in accordance with Article 3.1.

2.58 "Retention"

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The deliberate protection and maintenance of existing trees, shrubs, or plants on the site according to established standards as provided in the Washington County Forest Conservation Technical Manual.

2.59 "Sediment control permit"

The authorization of an activity regulated under a sediment control plan as provided in the Environment Article, Title 4, Annotated Code of Maryland.

2.60 "Seedling"

An unbranched woody plant, less than 24 inches in height and having a diameter of less than 1/2 inch measured at 2 inches above the root collar.

2.61 "Selective clearing"

The careful and planned removal of trees, shrubs, and plants using specific standards and protection measures according to an approved forest conservation plan ~~as defined in Section 0.~~

2.62 "Site plan"

A graphic representation of existing conditions and proposed improvements on a lot, tract or parcel as required and defined in the Washington County Zoning Ordinance.

2.63 "Special Planning Areas"

Those areas designated as Special Planning Areas on the Land Use Plan Map of Washington County's adopted Comprehensive Plan for the County and as they may be further delineated or interpreted by the Planning Commission regardless of the zoning classification.

2.64 "Steep Slope"

Slopes of 25% or more, or slopes greater than 15% where the soil ~~erodability~~ erodibility coefficient or K factor as determined by the most current soil survey for Washington County, Maryland is 0.35 or greater.

2.65 "Stream"

As defined in the Washington County Subdivision Ordinance a perennial or intermittent stream identified in the most current soil survey for Washington County, Maryland and field verified when necessary.

2.66 "Stream buffer"

An area on one or both sides of a stream that is designated for the

purpose of protecting, preserving or improving water quality by providing for filtration and dissipation of the energy of flowing water or the maintenance or stabilization of the stream bank to prevent erosion. Stream buffer distance guidelines are defined in the Washington County Subdivision Ordinance. Buffers must be at least 50 feet from the stream channel along intermittent streams and at least 100 feet from the stream channel from perennial stream, measured from and perpendicular to the top of the stream bank.

2.67 "Stream restoration project"

An activity that:

- A. Is designed to stabilize stream banks or enhance stream function or habitat located within an existing stream, waterway, or floodplain;
- B. Avoids and minimizes impacts to forests and provides for replanting on-site an equivalent number of trees to the number removed by the project;
- C. May be performed under a municipal separate storm sewer system permit, a watershed implementation plan growth offset, or another plan administered by the State or local government to achieve or maintain water quality standards; and
- D. Is not performed to satisfy stormwater management, wetlands mitigation, or any other regulatory requirement associated with proposed development activity.

2.672.68 "Street Tree"

Trees selected from the approved street tree list that are a minimum of 1.5 inches in diameter at 4.5 feet above the ground and are planted in a linear fashion along a street rather than as a forest as defined in this ordinance.

2.682.69 "Subdivision"

Any division of a unit of land into 2 or more lots, parcels, tracts or other units for the purpose, whether immediate or future, of transfer of ownership, sale, lease, or development as defined in the Subdivision Ordinance.

2.692.70 "Timber Harvesting"

A tree cutting operation affecting 1 or more acres of forest or developed woodland within a 1-year interval that disturbs 5,000 square feet or more of forest floor. Grubbing and clearing of root mass are not included in the definition.

2.702.71 "Town Growth Area"

An area encompassed by a Town Growth Area Boundary recommended

by the Comprehensive Plan and further defined by urban zoning categories located proximate and surrounding certain incorporated towns in Washington County where growth and development is encouraged.

2.742.72 "Transit-Oriented Development"

A deliberately planned type of urban development that creates compact, mixed-use communities near transit where people enjoy easy access to jobs and services. "TOD" typically means development within a half-mile of a transit station or adjacent to a transit corridor which maximizes transit usage, walking, and bicycling.

2.722.73 "Tract"

A separate and distinct unity of land described in a deed or identified on an approved subdivision plat. The term may be used interchangeably with "lot" or "parcel."

2.732.74 "Tree"

A large, branched woody plant having one or several self-supporting stems or trunks that reach a height of at least 20 feet at maturity.

2.742.75 "Urban Growth Area"

An area encompassed by an Urban Growth Area Boundary recommended by the Comprehensive Plan and further defined by urban zoning categories located proximate and surrounding the corporations of Hagerstown, Funkstown and Williamsport growth and development and investment and improvement in public infrastructure is encouraged.

2.752.76 "Variance"

A relaxation of the requirements or standards of this Ordinance.

2.762.77 "Washington County Forest Conservation Technical Manual"

The Maryland Department of Natural Resources' ~~State~~ *Forest Conservation Technical Manual, ~~Third-Fourth~~ Edition, 1997-2024* incorporated herein by reference, that establishes standards of performance required and provides guidance in preparing forest stand delineations and forest conservation plans and any subsequent revisions.

2.772.78 "Watershed"

A contiguous area of land, described as a subbasin in water quality regulations adopted by the Department of the Environment under COMAR 26.08.02.08, bounded by surface elevations that cause the water to flow naturally to the lowest elevation within the boundary.

2-782.79 "Whip"

An unbranched woody plant greater than 24 inches in height and having a diameter of less than 1 inch measured at 2 inches above the root collar.

2-792.80 "Worksheet"

The official set of forest mitigation data calculated to the nearest one-hundredth acre, defining the size of the net tract area together with the required forest calculations prepared in accordance with this chapter.

ARTICLE 3 APPLICATION

3.1 Except as provided in Section 3.2 of this article, this Ordinance applies to:

A. A person, as defined in Section 2.49 making application for a Preliminary Consultation, Preliminary and/or Final Subdivision, Preliminary and/or Final Site Plan, PUD, grading plan, or sediment control approval, or any combination thereof, on units of land that are 20,000 square feet or greater in size after the effective date of this Ordinance.

B. A public utility not exempt under Subsection 3.2 J or K of this article.

C. A unit of county or municipal government, including a public utility or public works project, making application for a subdivision, project plan, grading, or sediment control approval on areas 20,000 square feet or greater.

~~B-D.~~ Incremental development involving regulated activities occurring at different times on a given tract, parcel or lot cumulatively exceeding 20,000 square feet in accordance may be tracked cumulatively for forest mitigation purposes.

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3.2 This Ordinance does not apply to:

A. A person as defined in Section 2.49 making application for a Preliminary Consultation, Preliminary and/or Final Subdivision, Preliminary and/or Final Site Plan, grading plan, sediment control approval or any combination thereof on a unit of land less than 20,000 square feet, except as per Article 3.1D.

B. A person as defined in Section 2.49 making application for a simplified subdivision as described in Section 318 of the Washington County Subdivision Ordinance.

- C. A person as defined in Section 2.49 who has made an application as required in the applicable Ordinance for a Preliminary and/or Final Subdivision, Preliminary and/or Final Site Plan, grading plan, sediment control plan or any combination thereof before the effective date of this Ordinance.
 - (1) Application to the appropriate agency for any one of the above plan approvals before the effective date of this Ordinance shall exempt the subsequent plan approvals required by Washington County for the same project from the requirements of this Ordinance.
 - (2) Exemption of one section, phase or portion of a whole project will not exempt remaining future sections, phases or portions of the project.
 - (3) Where there is disagreement about whether an individual submittal is part of an exempt project the Planning Commission shall make the final decision.
- D. An activity, including subdivision, required for the purpose of constructing a dwelling house intended for the use of the owner of the land, or an immediate family member of the owner, if the activity:
 - (1) Does not result in the cutting, clearing, or grading of more than 20,000 square feet of forest;
 - (2) Is the subject of a declaration of intent filed with the Department, as provided for in Section 3.3 of this article, which states the name or names of the immediate family member(s) and the relationship to the owner, and that transfer of ownership to a person or persons who are not immediate family members of the owner within 5 years of the date of the declaration may result in a loss of exemption;
 - (3) Does not result in the creation of more than one lot per owner or immediate family member.
- E. A residential construction activity, except subdivision, conducted on a single lot, tract or parcel of land of any size which existed at the time of the adoption of this Ordinance if the activity:
 - (1) Does not result in the cumulative cutting, clearing, or grading of more than 20,000 square feet of forest; and
 - (2) Does not result in the cutting, clearing, or grading of a forest that is subject to the requirements of a previous forest

conservation plan approved under this Ordinance; and

- (3) Is the subject of a declaration of intent filed with the Department, as provided for in Section 3.3 of this article, stating that the lot will not be the subject of a regulated activity within 5 years of the date of filing of the declaration of intent.

~~F. A Planned Unit Development (PUD), a Planned Business District (PB) or a Planned Industrial District (PI), that has received zoning approval, as specified in Sections 16.5(a)2, Article 17 or Article 18, respectively, of the Washington County Zoning Ordinance before the effective date of this Ordinance. All subsequent plans for development of the subject site in an approved PUD, PB or PI zone shall also be exempt.~~

~~G.F.~~ Agricultural activities that do not result in a change in land use category, including the operation of orchards and tree farms and the construction and use of agricultural support buildings and other related structures built using accepted best management practices. A person engaging in an agricultural activity that causes clearing of 20,000 square feet or more of forest within a 1-year period shall not be exempt under this section unless the person files a declaration of intent as provided for in Section 3.3 of this article. The declaration of intent shall include:

- (1) A statement that the landowner or landowner's agent will practice agriculture on that portion of the property for 5 years from the date of the declaration; and
- (2) A sketch map of the property which shows the area to be cleared.

~~H.G.~~ A real estate transfer to provide a security, leasehold, or other legal or equitable interest, including a transfer of title, of a portion of a lot, tract or parcel, if:

- (1) The transfer does not involve a change in land use, or new development or redevelopment, with associated land disturbing activities; and
- (2) Both the grantor and grantee file a declaration of intent, as provided for in Section 3.3 of this article.

~~I.H.~~ Highway construction activities governed under Natural Resources Article, §5-103, Annotated Code of Maryland.

~~J.I.~~ The cutting or clearing of public utility rights-of-way or land for

electric generating stations licensed under Public Utility Companies Article §§7-207 and 7-208 or 7-205, §§54A and 54B or §54-I, Annotated Code of Maryland or land for electric generating stations licensed under Article 78, §§54A and 54B or §54-I, Annotated Code of Maryland, if:

- (1) Required certificates of public convenience and necessity have been issued in accordance with Natural Resources Article, §5-1603(f), Annotated Code of Maryland; and
- (2) Cutting or clearing of the forest is conducted to minimize the loss of forest.

~~K.J.~~ Any routine maintenance or emergency repairs of public utility rights-of-way licensed under Public Utility Companies, §7-207 and 7-208 or 7-205, Annotated Code of Maryland;

~~L.K.~~ Commercial logging and timber harvesting operations, including harvesting conducted subject to the forest conservation and management program under Tax-Property Article, §8-211, Annotated Code of Maryland, that are completed before the adoption of this Ordinance.

~~M.L.~~ Commercial logging and timber harvesting operations, as noted in L above, completed after adoption of this Ordinance on property which:

- (1) Has not been the subject of application for a grading permit for development within 5 years after the logging or harvesting operation, and

(2) Is the subject of a declaration of intent as provided for in Section 3.3 of this article and approved by the Department.

~~(2)(3)~~ Forest harvests within areas protected under an approved forest conservation plan shall meet the requirements specified in COMAR 08.19.05.02.

~~N.M.~~ Noncoal surface mining regulated under Environment Article, Title 15, Subtitle 8, Annotated Code of Maryland.

~~O.N.~~ Strip or deep mining of coal regulated under Environment Article, Title 15, Subtitle 5 or 6, Annotated Code of Maryland.

~~P.O.~~ The cutting or clearing of trees to comply with the requirements of:

- (1) 14 C.F.R. 77.25 relating to objects affecting navigable airspace, provided that the Federal Aviation Administration

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has determined that the trees are a hazard to aviation.

(2) The exemption does not apply to the cutting or clearing of trees to facilitate the expansion or extension of the boundaries of any airport or runway.

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P. New development as the result of a teardown and rebuilding on the same footprint, with no increase in the area of the tract's impervious surfaces. An activity on a previously developed area covered by impervious surface and located in priority funding areas at the time of the application for subdivision plan, grading, or sediment control permit approval.

Q. Any stream restoration project, as defined in Article 2, for which the applicant for a grading or sediment control permit has executed a binding maintenance agreement of at least 5 years with the affected property owner or owners.

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R. Maintenance or retrofitting of a stormwater management structure that may include clearing of vegetation or removal and trimming of trees, so long as the maintenance or retrofitting is within the original limits of disturbance for construction of the existing structure, or within any maintenance easement for access to the structure.

S. The construction of a new federal government facility projected to house the employment of at least 2,500 persons;

T. Replats or other changes to previously approved lots not requiring subdivision

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3.3 DECLARATION OF INTENT

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A. The purpose of the declaration of intent is to verify that the proposed activity is exempt under Natural Resources Article, §§5-103 and 5-1601, et. seq., Annotated Code of Maryland and Section 3.2 of this Ordinance.

B. A person seeking an exemption under Section 3.2 D, E, G, H, and M of this Article shall file a declaration of intent concurrently with other permits required to conduct the exempt activity with the applicable department.

(1) Within 10 (ten) days of approval of any permit required to conduct an exempt activity listed in Section 3.2 D,E,G,H and M, the applicant shall provide proof of recordation of the declaration of intent in the Washington County Land Records.

- C. A declaration of intent shall contain the following minimum information:
- (1) The property owner's name and permanent mailing address at the time of filing of the declaration of intent.
 - (2) The liber and folio location of the deed for the property which is the subject of the declaration of intent.
 - (3) An accurate measured description of the area of the lot, tract or parcel which is to be subject to the declaration of intent.
 - (4) The statements required by Section 3.2 D, E, G, H, or M above, as applicable, that are required to be a part of the declaration of intent.
 - (5) Any other information determined necessary by the Department to implement the intent of this Ordinance.
 - (6) When not provided on a subdivision plat for recordation, a declaration of intent shall be notarized.
- D. The declaration of intent is effective for 5 years.
- E. Exempted activities as specified in Section 3.2 above are not precluded by a declaration of intent as long as they do not conflict with its purpose and comply with applicable requirements.
- F. A regulated activity may be conducted on that area of the property not covered under the declaration of intent if the requirements of this Ordinance are satisfied.
- G. When a regulated activity occurs on an area covered by a declaration of intent within 5 years of the effective date of the declaration of intent,
- (1) There shall be an immediate loss of exemption, or
 - (2) There may be a noncompliance action taken by the Department, as appropriate, under this Ordinance; or
 - (3) The property owner may be required to meet the requirements of this Ordinance for afforestation and reforestation on the area in noncompliance.
- H. The Department may require a person failing to file a declaration of intent at the appropriate time or in the appropriate manner to do so within a specified amount of time or be subject to noncompliance or

enforcement actions permitted under this Ordinance.

- I. The Department may require a person found in noncompliance with a declaration of intent to:
 - (1) Meet the retention, afforestation and reforestation requirements established in this Ordinance; and/or
 - (2) Pay a noncompliance fee, as periodically established by resolution by the Board of County Commissioners for Washington County, per square foot of forest cut or cleared in violation of the declaration of intent; and/or
 - (3) Be subject to other enforcement actions appropriate under Natural Resources Article, §5-1601, et. seq., Annotated Code of Maryland and this Ordinance
- J. In its determination of appropriate enforcement action, the Department may consider whether failure to file a declaration of intent by a person required to file is a knowing violation of this Ordinance.

ARTICLE 4 GENERAL REQUIREMENTS

4.1 A person making application after the effective date of this Ordinance for a Preliminary Consultation, Preliminary and/or Final subdivision, Preliminary and/or Final Site plan, grading permit, or sediment control permit approval, or any combination thereof, for an area of land of 20,000 square feet or greater shall:

- A. Submit to the Department a forest stand delineation and a forest conservation plan for the lot, tract or parcel on which the development is located; and
- B. Use methods approved by the Department, as provided in the Washington County Forest Conservation Technical Manual, to protect retained forests and trees during construction.

4.2 If a local agency or person using state funds makes application to conduct a regulated activity, the following provisions of COMAR 08.19.04.01D–G apply.

- A. The subdivision or project plan or application for grading or sediment control permit or other construction plan shall be submitted to the Department.
- B. The Department shall notify the Maryland Department of Natural Resources within 15 days of receipt of the project plan or application.

- C. Within 15 days of receipt of notice from the Department, The Maryland Department of Natural Resources shall:
 - (1) Determine whether the project has impact on significant forest resources; and
 - (2) Notify the Department whether the project is subject to the State program.
- D. If the Maryland Department of Natural Resources determines that the project is subject to the State program, the:
 - (1) Time limit for approval of the forest stand delineation and preliminary and final forest conservation plans shall begin when the Maryland Department of Natural Resources receives the necessary documents from the local authority; and
 - (2) The Department may not approve a subdivision plan or project plan or issue the grading or sediment control permit until the Department receives notice from the Maryland Department of Natural Resources that the standards and requirements of the State program have been satisfied or that the authority for review and approval has been delegated by the Maryland Department of Natural Resources to the Department.
- E. If the Maryland Department of Natural Resources determines the project need not be reviewed under the State program, the time limit for approval of the forest stand delineation and forest conservation plan shall be governed under the Washington County Forest Conservation Ordinance and shall begin when the Department receives notice from the Maryland Department of Natural Resources.

4.3 Where applicable according to the standards contained in Article 6A, an applicant may choose to use the standards and guidelines of the Express Procedure as provided in Article 6A.

ARTICLE 5 FOREST STAND DELINEATION

5.1 GENERAL

- A. In order to provide the greatest opportunity for the consideration of the forest conservation goals, priorities and techniques contained in this Ordinance in the design of land use proposals, the forest stand delineation should be prepared by the applicant and approved by

the Department prior to the design of a subdivision, site plan, grading plan or sediment control plan.

- B. An approved forest stand delineation shall accompany a request for review or approval of a Preliminary Consultation, Preliminary and/or Final subdivision plat, Preliminary and/or Final Site plan, PUD Preliminary Development Plan, grading permit application, sediment control application or any combination thereof, whichever is the first applicable step in the plan review procedures specified by Washington County as necessary for approval of the development proposal.
- C. When an activity is eligible to use the Express Procedures as described in Article 6A the Forest Stand Delineation may be submitted for approval at the same time as the subdivision or site plan.

5.2 FOREST STAND DELINEATION CONTENTS

- A. All forest stand delineations shall contain all information required by the Washington County Forest Conservation Technical Manual for a full delineation, except as allowed in 5.3 below.
- B. A forest stand delineation shall be prepared by a licensed forester, licensed landscape architect, or a qualified professional who meets the requirements stated in C.O.M.A.R. 08.19.06.01.
- C. The individual who prepared the delineation shall certify, on the drawing, that he or she meets the professional qualifications stated in C.O.M.A.R. 08.19.06.01 and that the delineation is accurate and complete.
- D. The forest stand delineation shall be used during the preliminary review process to determine the most suitable and practical areas for forest conservation and shall contain the following components:
 - (1) A topographic map delineating all streams, and steep slopes over 25 percent;
 - (2) A soils map delineating soils with structural limitations, hydric soils, or soils with a soil K value greater than 0.35 on slopes of 15 percent or more;
 - (3) Forest stand maps indicating total acres of qualified forest, species, location, and size of trees and showing dominant and co-dominant forest types as well as all priority retention areas noted in Article 8;

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~~(3)~~a. Forest stands should be field sampled using the following Washington County Forest Conservation Technical Manual criteria: One plot per four acres of forest stand area; Two plots minimum per stand; and Three plots minimum for the total forested area of the site

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(4) Narrative analysis including forest stand characteristics listed in 5.2D(3), site description, sampling methodology, sampling data sheets and the identification of priority forests and priority areas noted in Articles 8 and 10.2 of this Ordinance for forest retention, afforestation or reforestation.

(5) Location of 100-year floodplains as defined in the Washington County Floodplain Management Ordinance and all environmentally sensitive areas including non-tidal wetlands, intermittent streams and their buffers of at least 50 feet from the stream channel and perennial streams and their buffers of at least 100 feet from the stream channel, stream buffers consistent with the requirements for identifying stream buffers in the Subdivision Ordinance;

(6) Habitat supporting rare, threatened and endangered species as identified by the Maryland Department of Natural Resources Wildlife and Heritage Service:-

~~(6)~~(7) Other information determined to be necessary by the Department in order to adequately evaluate the areas suitable and practical for forest conservation. The Department's request for additional information shall be made in writing and shall specify the additional information needed.

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E. Intermediate Forest Stand Delineations are not recognized by Washington County.

5.3 SIMPLIFIED FOREST STAND DELINEATION

A. A simplified delineation may be submitted for an area:

(1) When no forest cover exists; or

(2) When no forest cover is disturbed during a construction activity;

(3) When the Forest is designated to be under a long term protective agreement as defined in this Ordinance-

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~~(3)(4)~~ The tract does not include any priority forests or priority areas as noted in Article 8.

B. The Department shall consider a simplified forest stand delineation complete if it includes:

- (1) All requirements under Section 5.2D(1), (2), ~~(4), and (5), (6) and (7)~~ of this Article;
- (2) A map showing existing forest cover and forest type as verified by field inspection and proposed limits of ground disturbance; and
- (3) Other information determined necessary by the Department in order to adequately evaluate the areas suitable and practical for forest conservation.

5.4 PERIOD OF EFFECTIVENESS

- A. An approved forest stand delineation may remain in effect for a period not longer than 5 years from the date of approval.
- B. The Department may require revision to an approved Forest Stand Delineation within the 5 year effective period if it is determined that a change in site conditions has occurred.

~~C. Approval status may be extended in five year increments upon certification from a qualified professional that site conditions have not changed significantly or materially from the time of original approval.~~

5.5 REVIEW PERIOD SPECIFIED

- A. Within 30 calendar days after receipt of the forest stand delineation, the Department shall notify the applicant or other transmitting agency whether the forest stand delineation is complete and correct.
- B. If found incomplete or incorrect the Department shall notify the applicant of the corrective measures needed and that the 30 day review period is suspended until a corrected plan is submitted.
- C. If the Department fails to notify the applicant within 30 days, the delineation shall be treated as complete and correct.
- D. The 30 day review period may be extended in 15 day increments by the Department upon appropriate notification to the applicant.
- E. The 30 day review period may be extended in 15 day increments

by the Department upon a request from the applicant.

ARTICLE 6 FOREST CONSERVATION PLAN

6.1 GENERAL PROVISIONS

- A. In developing a forest conservation plan, the applicant shall give priority to retention of existing forest on the site.
- B. Except when using the Express Procedure described in Article 6A, if existing forest on the site cannot be retained, the applicant shall demonstrate to the satisfaction of the Department:
 - (1) Why the priority forests and priority areas specified in Article 8 cannot be left in an undisturbed condition;
 - (2) How the sequence of priorities for afforestation or reforestation will be followed in compliance with Article 10; and
 - (3) Where on the site afforestation or reforestation will occur in compliance with Article 10.
- C. Except when using the Express Procedure as described in Article 6A, if the applicant proposes to make a payment into the local forest conservation fund instead of retention, afforestation or reforestation, the applicant shall demonstrate to the satisfaction of the Department that the guidelines for retention or requirements for afforestation or reforestation cannot be reasonably accomplished.
- D. The Department shall have the authority to determine if a payment instead of afforestation or reforestation is permitted and appropriate.

~~E. The following is general guidance to an applicant to indicate the appropriate Forest Conservation Ordinance requirement which is to accompany the indicated subdivision, site plan, grading, or sediment control permit. The Department may alter the sequence indicated for good cause. The number in () indicates the Forest Conservation Ordinance requirement that is to accompany the selected plan.~~

SELECTED PLAN

~~A. SIMPLIFIED SUBDIVISION PLAT (0)~~

~~B. PRELIMINARY SUBDIVISION PLAT (1)~~

- ~~G. PRELIMINARY SUBDIVISION PLAT AND SITE PLAN (2)~~
- ~~D. PRELIMINARY/FINAL SUBDIVISION (WHEN SITE PLAN REQUIRED AND TO BE SUBMITTED AT A LATER DATE) (1 or 2)~~
- ~~E. PRELIMINARY/FINAL SUBDIVISION AND SITE PLAN (2)~~
- ~~F. PRELIMINARY/FINAL SUBDIVISION (WHEN NO SITE PLAN IS REQUIRED FOR THE PROPOSED USE) (2)~~
- ~~G. FINAL SUBDIVISION [(3) WHEN B ABOVE HAS BEEN COMPLETED OR (0) WHEN C ABOVE HAS BEEN COMPLETED]~~
- ~~H. SITE PLAN (WHEN PRELIMINARY/FINAL SUBDIVISION HAS ALREADY BEEN APPROVED) (3)~~
- ~~I. SITE PLAN (WHEN NO SUBDIVISION IS REQUIRED OR PROPOSED) (2)~~
- ~~J. GRADING PERMIT APPLICATION (WHEN NO SUBDIVISION OR SITE PLAN IS REQUIRED OR PROPOSED) (2)~~
- ~~K. GRADING PERMIT (FOR SITES WHERE SUBDIVISION AND SITE PLANS HAVE BEEN APPROVED) (0)~~
- ~~L. SEDIMENT CONTROL PERMIT (WHEN NO SUBDIVISION OR SITE PLANS ARE REQUIRED OR PROPOSED) (2)~~
- ~~M. SEDIMENT CONTROL PERMIT (WHEN SUBDIVISION OR SITE PLANS HAVE BEEN APPROVED) (0)~~
- ~~N. PUD PRELIMINARY DEVELOPMENT PLAN (1)~~
- ~~O. PUD FINAL DEVELOPMENT PLAN (2 OR 3)~~

~~FOREST CONSERVATION ORDINANCE REQUIREMENT~~

- ~~(0) NO FOREST CONSERVATION ORDINANCE REQUIREMENT~~
- ~~(1) PRELIMINARY FOREST CONSERVATION PLAN~~
- ~~(2) PRELIMINARY AND FINAL FOREST CONSERVATION PLAN~~
- ~~(3) FINAL FOREST CONSERVATION PLAN~~

F. Nontidal Wetlands. A regulated activity under the local program is subject to the following requirements:

- (1) Nontidal wetlands shall be considered to be priority areas for

forest retention and replacement.

- (2) Forested nontidal wetland identification and delineation should be included at the earliest stage of planning to assist the applicant in avoidance and reduction of impacts to forested nontidal wetlands and to avoid delay in the approval process.
- (3) For the purposes of delineation, permitting, and mitigation, areas determined to be nontidal wetlands under COMAR 08.05.04 shall be regulated under Environment Article, Title 9, Annotated Code of Maryland ~~COMAR 08.05.04~~ or this Ordinance, whichever is more stringent.
- ~~(4)~~ For the purpose of calculating reforestation mitigation under this Ordinance, a forested nontidal wetland permitted to be cut or cleared and required to be mitigated under Environment Article, Title 9, Annotated Code of Maryland ~~COMAR~~
- ~~(5)(4)~~ ~~08.05.04~~ shall be shown on the forest conservation plan and subtracted on an acre for acre basis from the total amount of forest to be cut or cleared as part of a regulated activity.

- G. All forest conservation plans shall be prepared by a licensed forester, a licensed landscape architect, or a qualified professional who meets the requirements stated in C.O.M.A.R. 08.19.06.01.

6.2 PRELIMINARY FOREST CONSERVATION PLAN.

- A. A preliminary forest conservation plan shall:

- (1) Be submitted according to the guidance provided in Section 6.1 E;
- (2) Include the approved forest stand delineation for the site as specified in Article 5;
- (3) Include a table that lists the following, in square feet:
 - (a) Net tract area,
 - (b) Area of forest conservation required, and
 - (c) Area of forest conservation that the applicant proposes to provide, including both onsite and offsite areas according to the standards contained in Articles 7, 8 or 9, whichever is applicable;

- (4) Include a clear graphic indication of the forest conservation provided on the site drawn to scale, showing areas where retention of existing forest or afforestation or reforestation is proposed;
- (5) Include an explanation of how the provisions of Section 6.1 A and B of this article have been met;
- (6) In the case of afforestation or reforestation, include a proposed afforestation or reforestation plan;
- (7) Include a proposed construction timetable showing the sequence of forest conservation procedures;
- (8) Show the proposed limits of disturbance;
- (9) Show proposed stockpile areas;
- (10) Incorporate a proposed 2 or 3-year installation and maintenance agreement that shows how areas designated for afforestation or reforestation will be installed and maintained to ensure protection and satisfactory establishment and indicates the responsible parties;
- (11) Include a depiction of all existing and planned utility easements on the site with reference to the beneficiary.
- (11)(12) Information required in the Washington County Forest Conservation Technical Manual; and
- (12)(13) Other information the Department determines is necessary to implement this Ordinance.
- (13)(14) Be drawn at the same scale as the plan it accompanies.

6.3 FINAL FOREST CONSERVATION PLAN

A. A final forest conservation plan shall:

- (1) Be submitted according to the guidance provided in Section 6.1 E;
- (2) Show proposed locations and types of protective devices to be used during construction activities to protect trees and forests designated for conservation;
- (3) In the case of afforestation or reforestation, include an afforestation or reforestation plan, with a timetable and

description of needed site and soil preparation, species, size, and spacing to be used;

- (4) Incorporate a binding 2 or 3-year installation and maintenance agreement as applicable and described in C.O.M.A.R. 08.19.05.01 that details how the areas designated for afforestation or reforestation will be maintained to ensure protection and satisfactory establishment, including:
 - (a) Watering, fertilizing, control of competing vegetation, protection from diseases, pests, mechanical injury and
 - (b) A reinforcement planting provision if survival rates fall below required standards, as provided in the Washington County Forest Conservation Technical Manual;
 - (c) An indication of the parties responsible for installation and maintenance of the site including a current phone number and address.
 - (d) A statement that the ~~two~~-2 or 3-year maintenance period shall not begin until after it has been determined by Washington County that the afforestation or reforestation have been completed according to the approved Forest Conservation Plan.
 - (e) The binding installation and maintenance agreement and its inclusions noted in 4 a-d above shall be binding for a 3-year period when bare root or container grown whip or seedling stock is installed.
- (5) Show the amount of financial security to be provided before approval of the final forest conservation plan~~issuance of a Use and Occupancy permit~~, determined according to the guidelines contained in Article 13;
- (6) Incorporate a long-term binding protective agreement as applicable and described in C.O.M.A.R. 08.19.05.02 that:
 - (a) Provides protection for areas of forest conservation that are not already protected in perpetuity including areas of afforestation, reforestation, and retention,
 - (b) Limits uses in areas of forest conservation to those uses that are designated and consistent with forest conservation, including recreational activities and

forest management practices that are used to preserve forest; and

- (c) Must be recorded in the Land Records of Washington County with or on the final plat of subdivision or, in cases where no subdivision occurs, as a covenant or other form of deed restriction.
 - (d) Contains signatures of any lien holders acknowledging the presence and terms of any easements contained in the plan
- (7) Include the substantive elements required under Section 6.2A(2)–(5), (7)–(9), and (11)–(12) of this article, as finalized elements of the forest conservation plan; and
- (8) Other information the Department determines is necessary to implement this Ordinance.

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B. REVIEW TIME SPECIFIED

- (1) At least 20 days before approval of the Forest Conservation Plan, the local authority shall:
- (a) Provide notice that is consistent with local authority notice requirements to all property owners abutting and adjacent to the boundary of the subject property of any proposed clearing of a priority retention area as described in Natural Resources Article, §5-1607, Annotated Code of Maryland; and
 - b. On a net tract area of at least 5 acres and if at least 75% of the priority retention area is proposed to be cleared, provide an opportunity for written and verbal comment before plan approval; or
 - c. For any other project where priority retention area is proposed for clearing, provide an opportunity for public written comment before plan approval.
- 2) Property separated from the subject property by a public right-of-way shall be considered abutting and adjacent.
- (2)(3) Within 45 calendar days after receipt of the final forest conservation plan, the Department shall notify the applicant whether the forest conservation plan is complete and approved.

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~~(3)~~(4) If the Department fails to notify the applicant within 45 calendar days, the plan shall be treated as complete and approved.

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~~(4)~~(5) The Department may require further information and extend the deadline in 15 calendar day increments under extenuating circumstances with appropriate notice to the applicant.

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(6) At the request of the applicant, the Department may extend the deadline in 15 calendar day increments under extenuating circumstances.

(7) A person petitioning for a judicial review of an approved forest conservation plan shall file the petition to the Department not later than 30 days after approval of the forest conservation plan.

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Any judicial review of a forest conservation plan shall be:

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a. Conducted in accordance with the Maryland state law; and

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b. Limited to the record compiled by the local authority.

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B-C. The Department's review of a final forest conservation plan shall be concurrent with the review of the plan it accompanied.

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C-D. If a forest conservation plan is required by this subchapter, a person may not cut, clear, or grade until the county has approved the forest conservation plan.

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D-E. CORRECTIVE ACTION PERMITTED

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(1) The Department may revoke an approved forest conservation plan if it finds that:

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(a) A provision of the plan has been violated;

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(b) Approval of the plan was obtained through fraud, misrepresentation, a false or misleading statement, or omission of a relevant or material fact;

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(c) Changes in the development or in the condition of the site necessitate preparation of a new or amended plan;

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(d) The availability of new information that was not known

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at the time of the original review and approval necessitates preparation of a new or amended plan; or

- (e) The plan does not accomplish the purpose of this Ordinance.
- (2) The Department or its designate may issue a stop work order against a person who violates a provision of this Ordinance or a regulation, order, approved forest conservation plan, or maintenance agreement.
- (3) Before revoking approval of a forest conservation plan, the Department shall notify the violator in writing and provide an opportunity for correction.

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ARTICLE 6A EXPRESS PROCEDURES

6A.1 PURPOSE AND INTENT

- A. The purpose of an Express Procedure is to provide an alternate review and approval mechanism which will allow certain development activities to meet the intent of the Forest Conservation Ordinance through a review and approval process that is proportionate to the impact on forest resources.
- B. The Express Procedure allows the combination of the various steps in the review process that are described as separate in this Ordinance. It will not require documentation of a progression through the sequence of priorities for afforestation and reforestation.
- C. Certain development activities, such as those described in the eligibility standards contained in this article, result in small afforested or reforested areas that may not be located in priority areas and provide little or no real benefit to improvements in water quality. The goal of the Express Procedure is to create significant sized forest stands in priority areas where they will provide real benefits to improvements in water quality. This will occur through the aggregation and accumulation of payment in lieu of fees. The funds are expended by Washington County on a schedule and in locations that will more closely meet the intent and purpose of this Ordinance.

6A.2 ELIGIBILITY TO USE EXPRESS PROCEDURE

- A. An application must meet the following criteria in order to use the Express Procedure.

- (1) Subdivisions of 7 lots or less when the afforestation or reforestation requirement as calculated from the worksheet is 2 acres or less or;
- (2) Where no subdivision is proposed, when the afforestation or reforestation requirement as calculated from the worksheet is 2 acres or less; and
- (3) There is no disturbance proposed in those priority areas described in Article 8, Sections 8.2A, C, or D or in Article 10, Sections 10.2A, ~~1, 2, 4, 5, 6, or 7.~~

6A.3 THE EXPRESS PROCEDURE

- A. If the eligibility criteria are met the applicant may choose to use the Express Procedure without prior approval by the ~~department~~Department or Planning Commission.
- B. Nothing in this section shall prevent the applicant from using the procedures described elsewhere in this Ordinance.
- C. The Forest Stand Delineation may be prepared in the simplified format as described in Section 5.3. In addition, the Forest Stand Delineation shall identify those areas described in Section 6A.2A.3.
- D. The Forest Stand Delineation and Forest Conservation Plan may be submitted, reviewed and approved concurrently with the applicable subdivision or site plan.
- E. The net tract area as requested on the worksheet and upon which calculations are based to determine afforestation and reforestation requirements shall be equal to the area of the proposed subdivided lots or the area of the entire parcel to be developed when no subdivision is proposed.
- ~~F. The applicant may select the payment in lieu of fee to meet the requirements of afforestation or reforestation without prior approval by the Planning Commission.~~
- ~~G.F.~~ G.F. The payment in lieu of fee shall be paid prior to final approval of the subject ~~subdivision or site plan~~ final forest conservation plan.

6A.4 ADDITIONAL GUIDELINES

- A. After an applicant has chosen to use the Express Procedure for an eligible subdivision, the remaining land of the original parcel is not eligible to use the procedure again. It shall be subject to the

requirements of this Ordinance as if the Express Procedure did not exist.

- B. Upon a request from the applicant, the Planning Commission or its designee may determine that further use of the Express Procedure for additional subdivision or development on the remaining land is appropriate.
- C. Where the Express Procedures described in this article vary from those described elsewhere in this Ordinance, the Express Procedures may be followed without violation of the Ordinance as long as the subdivision or site development proposal meets the eligibility requirements.

D. Projects which use the Express Procedure shall submit a simplified forest conservation plan which includes a map showing the project's limit of disturbance, the forest conservation worksheet and note the monetary amount to be paid into the Washington County Forest Conservation Fund. This plan does not need to be recorded in the Land Records of Washington County if a permanent forest conservation easement is not being established onsite or offsite.

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ARTICLE 7 AFFORESTATION

7.1 Definitions

A. AFFORESTATION under this section means the planting of trees where no or little forest exists on-site, in order to meet the afforestation thresholds.

B. AFFORESTATION THRESHOLD means the percentage of a net tract area up to which establishment of forest is required if the existing forest area is less than the threshold, as determined by the land use category.

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7.2 A person making application for a regulated activity as defined herein after the effective date of this Ordinance shall:

- A. Conduct afforestation on the lot, tract or parcel in order to produce the minimum amount of forest cover specified below that corresponds to the land use proposed for the site.

LAND USE PROPOSED

MINIMUM FOREST COVER

AGRICULTURAL AND RESOURCE

20% OF NET TRACT AREA

(As defined in Section 2.3 of this Ordinance)

SPECIAL PLANNING AREAS 20% OF NET TRACT AREA
(As defined in Section 2.60 of this Ordinance)

MEDIUM DENSITY RESIDENTIAL 20% OF NET TRACT AREA
(As defined in Section 2.37 of this Ordinance)

HIGH DENSITY RESIDENTIAL 15% OF NET TRACT AREA
(As defined in Section 2.27 of this Ordinance)

~~PUD'SMXD'S~~ 15% OF NET TRACT AREA
(As defined in Section 2.50 of this Ordinance)

COMMERCIAL AND INDUSTRIAL 15% OF NET TRACT AREA
(As defined in Section 2.10 of this Ordinance)

INSTITUTIONAL DEVELOPMENT 15% OF NET TRACT AREA
(As defined in Section 2.30 of this Ordinance)

B. Comply with the following when cutting into forest cover that is currently below the afforestation percentages described in Section 7.1(A) of this article:

(1) The required afforestation shall be determined by the amount of forest existing before cutting or clearing begins; and

(2) Forest cut or cleared from a site which requires afforestation to meet the minimums specified in Section 7.1A above shall be reforested at a 2 to 1 ratio and added to the afforestation determined necessary in B1 above.

C. Linear projects that involve no change in land use may not be subject to afforestation requirements.

D. Solar photovoltaic facilities may not be subject to afforestation requirements under this article.

E. All unforested stream buffers must be afforested or reforested, unless the applicant demonstrates to the Department or the Planning Commission that afforestation in the riparian buffer:

(1) Would be in conflict with allowable uses as established for the riparian buffer;

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- (2) Is located on park property and conflicts with the mission and established stewardship practices of the park; or
- (3) Is not suitable for the establishment and retention of the required planting materials, in which case substitute environmental protection measures must be implemented.

ARTICLE 8 PRIORITIES FOR RETENTION

8.1. The following trees, shrubs, plants, and specific areas are considered priorities for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Department, that reasonable efforts have been made to protect them and the project or development plan cannot be reasonably altered:

- A. Trees, shrubs, and plants located in sensitive areas including within the 100-year floodplain, intermittent streams and their buffers of at least 50 feet from the stream channel and perennial streams and their buffers streams and their buffers of at least 100 feet from the stream channel, on steeply sloped areas, nontidal wetlands, and critical habitats;
- B. Contiguous forest that connects the largest undeveloped or most vegetated tracts of land within and adjacent to the site;
- C. Forest suitable for forest interior-dwelling species;
- ~~B-D.~~ Forest located in a Tier II or Tier III high quality watershed as identified by the Maryland Department of the Environment;
- ~~C-E.~~ Forest located in a water resource protection zone, a reservoir watershed, or a wellhead protection area as identified by a local jurisdiction; and
- F. Forests in urban areas that are most important for providing wildlife habitat or mitigating flooding, high temperatures, or air pollution; as delineated in the priority urban forest map in the State Forest Conservation Technical Manual.
- ~~D-G.~~ Forested buffers adjacent to areas of differing land use when appropriate, or adjacent to highways or utility rights-of-way.

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8.2. The following trees, shrubs, plants, and specific areas are considered priorities for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Planning Commission that the applicant qualifies for a variance under Article 15 of this Ordinance.

A. Trees, shrubs, or plants determined to be rare, threatened, or endangered under:

- (1) The federal Endangered Species Act of 1973 in 16 U.S.C. §§1531--1544 and in 50 CFR Part 17,
- (2) The Maryland Non-game and Endangered Species Conservation Act, Natural Resources Article, §§10-2A-01--10-2A-09, Annotated Code of Maryland, and
- (3) COMAR 08.03.08 governing threatened or endangered species;

B. Trees that:

~~C.(1)~~ ~~are~~ Are part of an historic site or associated with a historic structure listed in the Washington County Historic Sites Survey, Maryland Inventory of Historic Properties or in the National Register of Historic Places; ~~and/or~~

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~~D.(2)~~ Have been designated by the State or the Department as a national, State, or county champion tree; and

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~~E.C.~~ Any tree having a diameter measured at 4.5 feet above the ground of:

- (1) 30 inches or more; or
- ~~(2)~~ 75 percent or more of the diameter, measured at 4.5 feet above the ground, of the current State champion tree of that species as designated by the Department of Natural Resources and contained in Appendix N of the Washington County Forest Conservation Technical Manual.

ARTICLE 9 REFORESTATION

9.1 DEFINITIONS

A. REFORESTATION under this section means the planting of trees to replace forest that has been recently or is proposed to be removed by development.

9.2 FOREST CONSERVATION THRESHOLD.

~~A. There is a forest conservation threshold established for all land use categories, as provided in Subsection B of this article. The forest conservation threshold is the percentage of the net tract area at which the reforestation requirement changes from a ratio of 1/4 acre planted for each acre removed above the threshold to a ratio of 2 acres planted for each acre removed below the threshold.~~

~~B.A. After reasonable efforts to minimize the cutting or clearing of trees and other woody plants have been exhausted, the forest conservation plan shall provide for reforestation in accordance with Article 10.2 or payment into the forest conservation fund according to the formula set forth in Section 9.1 C of this article and consistent with Section 6.1 of this article, and the following forest conservation thresholds for the applicable land use category:~~

Commented [TA2]: This section modified in accordance with SB 256, Model Ordinance, DNR Comments and elimination of obsolete references. Conservation threshold is eliminated in new legislation.

<u>CATEGORY OF USE</u>	<u>THRESHOLD PERCENTAGE</u>
AGRICULTURAL AND RESOURCE AREAS (As defined in Section 2.3 of this Ordinance)	50 %
SPECIAL PLANNING AREAS (As defined in Section 2.60 of this Ordinance)	50 %
MEDIUM DENSITY RESIDENTIAL AREAS (As defined in Section 2.37 of this Ordinance)	25 %
INSTITUTIONAL DEVELOPMENT AREAS (As defined in Section 2.30 of this Ordinance)	20 %
HIGH DENSITY RESIDENTIAL AREAS (As defined in Section 2.27 of this Ordinance)	20 %
PUD'S (As defined in Section 2.50 of this Ordinance)	15 %
COMMERCIAL AND INDUSTRIAL USE AREAS (As defined in Section 2.10 of this Ordinance)	15 %

C.B. CALCULATIONS

~~(1) Except as provided in 7.2.A, for all existing forest cover measured to the nearest 1/100th acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1 acre planted for every 1 acre removed; and~~

- a. For all existing forest cover located in a priority funding area designated under section 5-7B-03 of the State Finance and Procurement Article, and not identified as a priority for retention as described in Natural Resources Article §5-1607 Annotated Code of Maryland, measured to the nearest 1/100th acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of ½ acre planted for every 1 acre removed.
- (2) Upon meeting the reforestation and afforestation requirements in this section, all unforested riparian buffers on site shall be afforested and reforested, unless the applicant demonstrated to the Local Authority that afforestation in the riparian buffer:
 - a. Would be in conflict with allowable uses as established for the riparian buffer;
 - b. Is located on park property and conflicts with the mission and established stewardship practices of the park; or
 - ~~b. Is not suitable for the establishment and retention of the required planting materials, in which case substitute environmental protection measures must be implemented. All existing forest cover, measured to the nearest 1/10th acre, cleared from the net tract area above the applicable forest conservation threshold shall be reforested at a ratio of 1/4 acre planted for each acre removed.~~
- ~~(2) Each acre of forest retained on the net tract area above the applicable forest conservation threshold shall be credited against the total number of acres required to be reforested under paragraph (1) of this subsection. The calculation of the credit shall be according to the criteria provided in the Washington County Forest Conservation Technical Manual.~~
- ~~(3) All existing forest cover, measured to the nearest 1/10th acre, cleared from the net tract area below the applicable forest conservation threshold shall be reforested at a ratio of 2 acres planted for each acre removed below the threshold.~~
- (3) Transit-oriented development, as defined under § 7-101 of the Transportation Article, shall be:

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a. Reforested at a ratio of at least 1/4 acre replanted for each acre removed; or

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b. Mitigated in a manner in which 1/2 acre of forest is permanently protected for each acre removed;

(4) The construction of multifamily housing, consisting of a single structure containing at least 25 dwelling units, shall be:

a. Reforested at a ratio of at least 1/4 acre replanted for each acre removed; or

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b. Mitigated in a manner in which 1/2 acre of forest is permanently protected for each acre removed.

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ARTICLE 10 PREFERRED SEQUENCE OF TECHNIQUES AND AREAS FOR MITIGATION

The priority sequence for the location of required forest mitigation according to the techniques described in Articles 10.1 and 10.2 shall be as follows:

(1) If the applicant has demonstrated to the satisfaction of the Department that all onsite retention, afforestation or reforestation opportunities have been exhausted, offsite locations for accomplishing required forest mitigation will prioritize providing mitigation in the same watershed as the project.

(2) If the applicant has demonstrated to the satisfaction Department that the required forest mitigation cannot be reasonably accomplished in the same watershed as the project's location, then the offsite retention, reforestation or afforestation shall occur in another watershed within the boundaries of Washington County.

10.1 PREFERRED SEQUENCE OF TECHNIQUES FOR MITIGATION

A. After all techniques for retaining existing forest on the site have been exhausted, the preferred sequence of techniques for afforestation and reforestation is as follows:

- (1) Selective clearing and supplemental planting on site;
- (2) Onsite afforestation or reforestation using transplanted or nursery stock that is greater than 1.5 inches diameter measured at 4.5 feet above the ground;
- (3) Onsite afforestation or reforestation, using whip and seedling stock;

(4) Natural regeneration onsite where the technique can successfully meet the criteria defined in Article 2.

~~(4)~~(5) Credit from an approved Forest Mitigation Bank that created new forest cover. The credit applied to the mitigation requirement is equal to 100% of the credit secured from the Forest Mitigation Bank;

~~(5)~~(6) Offsite afforestation or reforestation, arranged by the applicant on private lands using transplanted or nursery stock that is greater than 1.5 inches diameter measured at 4.5 feet above the ground;

(6) Offsite afforestation or reforestation arranged by the applicant on public lands using transplanted or nursery stock that is greater than 1.5 Inches diameter measured at 4.5 feet above the ground;

(7) Offsite afforestation or reforestation, arranged by the applicant on private lands using whip and seedling stock;

(8) Offsite afforestation or reforestation, arranged by the applicant on public lands using whip and seedling stock;

(9) Landscaping of areas under an approved landscaping plan which establishes a forest that is at least 35 feet wide and covering 2,500 square feet or more of area;

(10) The use of qualified conservation, as defined in Article 2, completed in an existing forest mitigation bank to meet:

a. Up to 50% of the afforestation or reforestation requirement, in which case, the afforestation or reforestation credit granted may not exceed 50% of the forest area encumbered in perpetuity; or

b. If a local jurisdiction proposes, and after public comment, the Maryland Department of Natural Resources approves a written justification for the increase, up to 60% of the afforestation or reforestation requirement, in which case the afforestation or reforestation credit granted may not exceed 50% of the forest area encumbered in perpetuity.

~~(10) Credit from an approved Forest Mitigation Bank that protected existing forest. The credit shall not exceed 50% of the area of existing forest protected;~~

~~(11) Natural regeneration on-site.~~

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~~(12)~~(11) Off-site protective easements on existing forested areas not currently protected in perpetuity as identified on an approved Forest Stand Delineation that incorporates a long-term binding protective agreement, as applicable and described in C.O.M.A.R. 08.19.05.02 that:

- (a) Provides protection for areas of forest conservation, including areas of afforestation, reforestation, and retention;
 - (b) Limits uses in areas of forest conservation to those uses that are designated and consistent with forest conservation, including passive recreational activities and forest management practices that are used to preserve forest;
 - (c) Is recorded in the Land Records of Washington County with or on the final plat of subdivision or, in cases where no subdivision occurs, as a covenant or other form of deed restriction, and, if applicable includes the signature of both parties to the agreement; and
 - (d) Is located on a single lot of record.
- ~~(e)~~ Credit for an off site protective easement may not exceed 50% of the area of existing forest cover protected.

~~(11)~~(13) Payment of fee in lieu instead of afforestation and reforestation according to Article 11.

B. Within the Urban Growth Area or Town Growth Areas after all on site priority areas listed in Article 8.1 have been shown to be protected by forest conservation easements the following sequence for afforestation and reforestation may be used toward meeting forest conservation requirements as part of a final Forest Conservation Plan:

(1) Forest creation using transplanted or nursery stock,

~~(2)~~ Planting of street trees from the list in Appendix P with full credit based on the area of mature canopy coverage. Street trees must be provided with long term protective measures that include replacement for trees that do not survive beyond 5 years after planting.

(3) Acquisition as a mitigation technique of an off-site protective easement for existing forested areas not currently protected in perpetuity, in which case the afforestation or reforestation credit granted may not exceed 50% of the area of forest cover protected;

(4) The restoration of on- or off-site degraded forest, including soil enhancement without grading, the removal of invasive species, wildlife control, the improvement of understory, and new tree plantings, as appropriate, in which case the afforestation or reforestation credit granted may not exceed 50% of the area of forest restored; and

(5) The establishment of planted green infrastructure or planted environmental site design practices beyond the amount required under § 4-203 of the Environment Article may grant full credit as a mitigation technique; and

- C. A sequence other than the one described in Subsection A of this article may be used for a specific project, if necessary, to achieve the objectives of this Ordinance or other Washington County land use policies, or to take advantage of opportunities to consolidate forest conservation efforts. An alternate sequence must be approved by the Planning Commission.
- D. Native plant materials shall be used unless otherwise permitted by the Department.
- E. A long term binding protective easement for afforestation or reforestation on private property shall be in the form of an unencumbered perpetual easement granted by the property owner and any lien holder in favor of the County.

F. Policies on overlapping land preservation easements:

(1) A permanent forest conservation easement may be established over an existing land preservation easement provided the following criteria are met:

- a. The existing land preservation easement does not guarantee the retention of the qualified forest area in perpetuity;
- b. Assurance that the property is not encumbered by any covenants or other types of restrictions which could impair the property's use as a forest conservation easement or be released by interest holders and;
- c. Written permission is obtained by the property owner or their designee from the holder of the original land

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preservation easement indicating that the forest conservation easement does not conflict with the terms of the original easement;

d. A long-term binding protective easement for forest retention on private property shall be in the form of an unencumbered perpetual easement granted by the property owner and any lien holder in favor of the County recorded in the Land Records of Washington County.

e. If located offsite, credit for an overlapping protective easement may not exceed 50% of the area of existing forest cover protected.

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10.2 PREFERRED SEQUENCE OF PRIORITY AREAS FOR AFFORESTATION OR REFORESTATION

A. The following is considered the preferred sequence of priority areas for afforestation and reforestation:

(1) Establish or enhance forested buffers adjacent to intermittent streams and their buffers of at least 50 feet from the stream channel and perennial streams and their buffers of at least 100 feet from the stream channel;

~~(2) Establish forest buffers in nonforested areas on 100-year floodplains, when appropriate and permitted by the Washington County Floodplain Management Ordinance;~~

~~(3)~~(2) Establish or increase existing forested corridors to connect existing forests within or adjacent to the site. Where practical, forested corridors should be a minimum of 300 feet in width to facilitate wildlife movement;

~~(4)~~(3) Establish or enhance forest buffers adjacent to critical habitats where appropriate;

~~(5)~~(4) Establish plantings to stabilize slopes of 25 percent or greater and slopes of 15 percent or greater with a soil K value greater than 0.35 including the slopes of ravines or other natural depressions;

~~(6)~~(5) Establish buffers adjacent to areas of differing land use when appropriate, or adjacent to highways or utility rights-of-way;

(6) Establish forest areas adjacent to existing forests to increase

the overall area of contiguous forest cover, when appropriate.

- (7) Establish or enhance forest buffers in Special Planning Areas identified in the most recently adopted Comprehensive Plan.

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- B. On-site forest retention and planting as a form of mitigation is encouraged. However, large scale planting and retention of forest and protective easements on multiple individual lots intended for sale to individual owners in new residential subdivisions is a less preferred mitigation technique.
- C. Forest planting and long-term protective easements shall not be established on ~~parcels~~ units of land of less than 20,000 square feet unless the area contains priority areas or priority forests as noted in Article 8. All forest conservation easements shall have a minimum width of at least 35'.

10.3 TIME PERIOD SPECIFIED

- A. A person required to conduct afforestation or reforestation under this article shall accomplish it within 1 year or two growing seasons, whichever is a greater time period, following final Forest Conservation Plan approval, and before development project completion. Each phase is considered a separate development project.
- B. The time period may be increased for good cause by the Department.

ARTICLE 11 PAYMENT INSTEAD OF AFFORESTATION AND REFORESTATION

11.1 FOREST CONSERVATION FUND.

- A. There is established the Washington County Forest Conservation Fund.
- B. If a person subject to this Ordinance demonstrates to the satisfaction of the Department that requirements for reforestation or afforestation cannot be reasonably accomplished in accordance with Article 10, and appropriate credits generated by a forest mitigation bank in the same watershed or County are not available, ~~or the person is eligible to use the Express Procedure as described in Article 6A,~~ the person shall contribute money into the Washington County Forest Conservation Fund. The amount of the contribution shall be determined by application of a square footage rate to the area of required planting as determined in the forest conservation

plan or on the forest conservation worksheet. The rate shall be periodically established by the County Commissioners for Washington County, Maryland by resolution.

- C. The Department shall have the authority to determine if a payment instead of afforestation or reforestation is permitted and appropriate.
- D. When an applicant is eligible to use the Express Procedure described in Article 6A, the decision to select the payment in lieu of afforestation or reforestation shall not require prior approval by the Department.
- E. Projects which have been given approval by the Department to pay into the Washington County Forest Conservation Fund shall submit a modified forest conservation plan which includes a map showing the limit of disturbance, the worksheet and note the monetary amount to be paid into the Forest Conservation Fund. This plan does not need to be recorded in the Land Records of Washington County if a permanent forest conservation easement is not being established onsite or offsite.
- F. Money contributed instead of afforestation or reforestation under this article shall be paid prior to the ~~issuance of a permit to begin the construction activity~~ approval of the final forest conservation plan.
- G. Washington County shall accomplish the reforestation or afforestation for which the money is deposited according to the priorities and standards contained in this Ordinance within 2 years or three growing seasons, whichever is a greater time period, after receipt of the money or after completion of the project, whichever is later.
- H. The time period specified in F above may be extended one time for an additional 1 year or two growing seasons by Washington County with appropriate notification to the person who contributed the money.
- I. Money contributed under this article shall remain in the account and shall not be returned.
- J. Money deposited in the Washington County Forest Conservation Fund:
 - (1) Shall be spent on the costs directly related to afforestation and reforestation, including but not limited to site identification, acquisition, and preparation, the acquisition of

planting stock, compensation to persons engaged in the planting activity and maintenance of forest previously planted or protected with payment in lieu funds. The fund may also be used to acquire and establish an easement which permanently retains existing forest, particularly priority forest or priority areas noted in Article 8, or to achieve urban tree canopy goals.

- (2) Shall be identified as being for afforestation and reforestation so as not to be confused with funds collected as penalties which may be used for other purposes as specified in Section 16.1 B.
- (3) Shall not revert to the general fund.
- (4) Shall not be utilized outside the boundaries of Washington County.

ARTICLE 12 RECOMMENDED TREE SPECIES

12.1 RECOMMENDED TREE SPECIES LIST.

- A. Tree species used for afforestation or reforestation should be native to Washington County, when appropriate and possible, and selected from the list of species approved by the Department and contained in the Washington County Forest Conservation Technical Manual Appendix.

ARTICLE 13 SURETY

13.1 A person shall be required to furnish a financial security in the form of a bond, an irrevocable letter of credit, or personal checks~~surety~~, unless exempt by the Department, to assure that the afforestation, reforestation and maintenance are conducted according to the approved forest conservation plan.

- A. A surety, as required in this Ordinance, is for the purpose of securing financial resources from the applicant to conduct the afforestation, reforestation and required maintenance according to the approved forest conservation plan if the applicant is unable to or fails to do so.

13.2 AMOUNT AND FORM OF SURETY

- A. The surety shall be in an amount equal to the cost, as estimated by the applicant and approved by the Department, of the required afforestation, reforestation, tree protection and maintenance during the 2 or 3- year period covered by the agreement, plus a 15%

contingency reserve.

- B. The surety shall be in a form and of a content approved by the Department.
- C. The surety shall be provided prior to ~~recordation of an approved subdivision plat or issuance of a building permit, whichever is earlier and applicable~~ approval of the final forest conservation plan.

13.3 RELEASE OF SURETY

- A. The surety may be released partially or completely.
- B. The Department shall have sole authority to determine when a surety shall be released and whether it shall be a partial or complete release.
- C. The surety shall not be completely released until the afforestation and reforestation are completed, the 2 or 3 year installation and maintenance agreement has expired and the establishment of the required forest cover is determined by the Department to meet the intent of the approved forest conservation plan and this Ordinance.
- D. The surety may be partially released upon written request from the applicant and consideration of the remaining afforestation or reforestation to be completed and the success of the maintenance performed to date.

13.4 Forfeiture of Surety

- A. The surety shall be subject to forfeiture if the principal fails to comply with the Forest Conservation Plan or the Maintenance Agreement.
- B. Before forfeiture of the surety, the Department shall notify the principal and the issuer, by certified mail, of the failure of the principal to comply with the Forest Conservation Plan or the Maintenance Agreement, and shall give the principal 30 days to come into compliance.
- C. ~~—~~If a person fails to come into compliance within the 30-day period, the surety shall be forfeited and the County and its agents shall be allowed access to the property to accomplish the previously bonded planting.

ARTICLE 14 TREE PROTECTION DEVICES AND SITE WORK

- 14.1 Standards for the protection of trees from construction activity are

provided in the Washington County Forest Conservation Manual.

142 Before cutting, clearing, grading, or construction begins on a site for which a forest conservation plan is required by this article, the applicant shall demonstrate to the Department, or its designate, that protective devices have been established.

~~14.3 On sites with forest retention, signs~~Signage, and other protective devices shall be installed within 30 days of subdivision plat approval, and the Department shall be notified for inspection. Signs shall remain posted in perpetuity to deter disturbance of the protected area.

~~14.4~~ Areas of disturbance identified on an approved forest conservation plan shall be identified, surveyed, and delineated on the plan and clearly marked in the field by a qualified professional. Except in the cases of septic percolation testing, geotechnical analysis, and survey lines, any person who extends the disturbance beyond the preapproved limits, without obtaining prior approval from the county, shall be in violation of this subchapter.

~~14.5~~ Critical root zone. No person shall perform any construction activity within the critical root zone of any tree that is to be retained or within any area designated for retention, unless such activity is identified on the forest conservation plan and approved by the county.

~~14.6~~ Correcting soil compaction. Any forest conservation easement which is to receive planting that has been affected by grading or construction activities shall have the compacted soil restored to pre-disturbance conditions prior to tree installation so that normal root growth and plant development may occur.

~~14.314.7~~ The installation of trees for planted forest easements shall be conducted by a licensed landscaping contractor, forester, or other licensed tree care professional.

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ARTICLE 15 VARIANCES

15.1 PROCEDURE

A. A person may request and the Planning Commission may grant a variance where, owing to the special features of the applicant's property or other circumstances, the standards or requirements of this Ordinance would result in unwarranted hardship to the applicant.

B. An applicant for a variance shall:

- 1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- 2) Describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in

similar areas:

- 3) Verify that the granting of the variance will not confer on the applicant a special privilege that would be denied to other applicants;
- 4) Verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant;
- 5) Verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and
- A-6) Verify that the granting of a variance will not adversely affect water quality.

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B-C. No variance shall be granted by the Planning Commission except upon a finding that the applicant has met the requirements in Subsections A and B of this article ~~relief granted is consistent with the spirit and intent of the Forest Conservation Act and that the relief granted will not adversely affect water quality.~~

G-D. Upon receiving a request for a variance, the Department shall, within a reasonable time, schedule the matter for consideration and action on the agenda of a Planning Commission meeting. The applicant shall be given due notice. Any party may appear at the meeting.

D-E. In granting a variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when expressly made a part of the terms under which a variance is granted, shall be deemed a violation of this Ordinance.

E-F. Notice of request for a variance shall be given to the Department of Natural Resources within 15 days of receipt by the Planning Commission.

F-G. There is established by this Ordinance the right and authority of the Department of Natural Resources to initiate or intervene in an administrative, judicial, or other original proceeding or appeal in the State concerning an approval of a variance under Natural Resources Article, §5-1601, et. seq., Annotated Code of Maryland, or this Ordinance.

G-H. RELOCATION OF FOREST CONSERVATION EASEMENTS.

Forest conservation easements are intended to be permanently established in the original location where they are designated. Easement relocation should only be considered in very limited circumstances where it is no longer possible to maintain the forest conservation easement to meet the minimum definition of a forest, as defined in Article 2, in the original location. If the property owner, or their designee, believes that circumstances have changed since the time that the forest easement was originally established to make meeting minimum standards impossible, the owner or their designee shall file a request with the Department that explains why the relocation is believed to be appropriate. The Department may authorize relocation of the forest conservation easement if the following procedures are followed:

- 1) The applicant must demonstrate to the satisfaction of the Department that the request is not based on conditions or circumstances which are the result of actions by the applicant and;
 - 2) Only acreage contained within the easement that can no longer be maintained to meet minimum Ordinance requirements should be considered for relocation, with any unaffected acreage remaining in the original easement location and;
 - 3) All opportunities to reconfigure the affected acreage onsite have been exhausted.
 - 4) If requesting to move the affected acreage offsite, the applicant must follow the preferred sequence of mitigation techniques in Article 10.1 in making their request to relocate the affected acreage offsite. Credit for all acreage relocated offsite may not exceed 50% of the area of forest cover protected; and
 - 5) An amended record plat and other appropriate documentation, in a form acceptable to the County, are recorded among the land records.
- H.6) Under no circumstances may the acreage contained within a permanent forest conservation easement be abandoned without replacement elsewhere in Washington County unless the regulated activity which generated the forest mitigation has been permanently withdrawn.

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ARTICLE 16 ADMINISTRATION AND ENFORCEMENT

16.1 ADMINISTRATION

A. Department of Planning and Zoning ("Department").

- (1) The review of all required plan submissions shall be administered by the Washington County Department of Planning and Zoning ("Department"). The Department shall also administer the forest banking program.
- (2) All applications, maps, and documents relative to plan submissions subject to the provisions of this Ordinance shall be submitted to the Department, which will review all information and present the relevant information and the Department's recommendations to the Washington County Planning Commission.
- (3) The Department may refer the subdivision, site, grading or development plan to any County agency or any other agency it deems appropriate for their review, comments or recommendations pertaining to the forest resources. These recommendations shall be considered by the Planning Commission in making its decision.
- (4) The Department shall collect all required sureties and installation and maintenance agreements required by this Ordinance. A Department inspector will administer field checks of all required forest improvements and may issue penalties and citations for noncompliance with this chapter.
- (5) Representatives authorized by the Department may enter properties subject to the provisions of this Ordinance at access easements designated on the approved development plan for the purposes of inspection, review, and enforcement in order to implement and administer the requirements of this Ordinance.

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B. Washington County Planning Commission.

- (1) Approval of the preliminary and final forest conservation plans shall rest with the Washington County Planning Commission ("WCPC"). The Department may also approve these plans as agents of the WCPC, in the case of minor subdivisions, final plats, site plans, and grading plans.
- (2) The WCPC shall accept county agency and public comments and consider these comments as part of the record and its decision-making process.
- (3) The WCPC shall act upon variance requests as outlined in Article 15.

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C. Washington County Treasurer's Office and the Office of Budget and

Finance.

(1) Any funds collected or held under this chapter shall be deposited with the Washington County Treasurer and accounted for by the Office of Budget and Finance.

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D. County Attorney's office. The County Attorney's office shall review for legal sufficiency all legal agreements described in Article 20.

E. Washinton County Soil Conservation District Board of Supervisors

(1) Per Memorandum of Understanding ("MOU") between the Board of Commissioners of Washington County and Washington County ("BOCC") and the Soil Conservation District Board of Supervisors ("SCD"), the fee-in-lieu program shall be jointly administered by the BOCC and SCD as specified in the signed MOU.

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16.116.2 NONCOMPLIANCE FEES

A. A person found to have failed to comply with the spirit or intent of this Ordinance, regulations adopted under this Ordinance, the approved forest conservation plan, or the associated 2 or 3-year installation and maintenance agreement, shall be assessed by the Department a penalty in an amount established by resolution of the Board of County Commissioners for Washington County per square foot of the area found to be in noncompliance with required forest conservation or planting.

A.B. Money collected under Section 16.1 of this article shall be deposited in the Forest Conservation Fund as required by Article 11 of this Ordinance, and may be used by the Department for purposes related to implementation and administration of this Ordinance, including but not limited to the acquisition of land or planting stock, personnel salaries and benefits, supplies and training.

C. Noncompliance fees shall be identified as such in the Forest Conservation Fund and ~~need-shall~~ not be returned.

16.216.3 VIOLATIONS

A. Any person found to have violated any provision of this Ordinance, regulations adopted under this Ordinance, the approved forest conservation plan, or the associated 2 or 3-year installation and maintenance agreement shall be liable for a penalty not to exceed \$1,000, which may be recovered in a civil action brought by the Department or the Board of County Commissioners for Washington County. Civil actions arising under this subsection shall be prosecuted pursuant to Section 26.2.1(b) through (n) of the Zoning Ordinance for

Washington County, Maryland.

- (1) In addition to the penalties noted in A above, any Forest Mitigation Bank found to be in violation of this ordinance, regulations adopted under this ordinance, the approved forest conservation plan or the associated 2 or 3 year installation and maintenance agreement shall not be permitted to provide additional mitigation credits until the violation has been remedied.
- B. Each day a violation continues is a separate violation of this Ordinance, regulations adopted under this Ordinance, the approved forest conservation plan, or the associated 2 or 3-year installation and maintenance agreement.
- C. In addition to any other remedies provided for by law, the Board of County Commissioners for Washington County or the Department may institute legal proceedings to compel compliance, including but not limited to restoration and reforestation of an area, with the provisions of this Ordinance, regulations adopted under this Ordinance, the approved forest conservation plan, or the associated 2 or 3-year installation and maintenance agreement.
- D. The Department or the Board of County Commissioners for Washington County may issue a stop work order against any person who violates any provision of this Ordinance, regulations adopted under this Ordinance, the approved forest conservation plan, or the associated 2 or 3-year installation and maintenance agreement.
- E. The Department or the Board of County Commissioners for Washington County may revoke an approved forest conservation plan for cause, including violation of conditions of the plan, obtaining a plan approval by misrepresentation, failing to disclose a relevant or material fact, or a change in conditions. The Department shall notify, in writing by certified and first class mail, the owner or the person responsible for such violation indicating the nature of the violation and specifying the corrective measures required to be undertaken by a specific date. Upon the written request of the owner or person responsible, the Department shall hold a hearing to reconsider the revocation of the plan.
- F. Penalties paid as a result of a civil action brought by the Department shall be deposited in the Forest Conservation Fund and may be used by the Department for purposes related to the implementation and administration of this Ordinance as set forth in this Article.

G. The Department of Natural Resources shall be given notice of an enforcement action within 15 days of the start of an enforcement action.

H. Procedure for Investigation.

(1) When a Department inspector determines that a violation of the approved plan has occurred, the inspector shall notify the on-site personnel or the permittee in writing of the violation, describe the required corrective action and the time period in which to have the violation corrected.

(2) If the violation persists after the date specified for corrective action in the notice of violation, the Department inspector may issue a stop work order on that site. The Department inspector shall determine the extent to which work is stopped, which may include all work on the site except that work necessary to correct the violation.

(3) If reasonable efforts to correct the violation are not undertaken by the permittee, the Department inspector may refer the violation for legal action.

(4) The Department inspector may deny the issuance of any permits to an applicant when it determines that the applicant is not in compliance with the provisions of a building or grading permit or approved erosion and sediment control plan.

(5) Any step in the enforcement process may be taken at any time, depending upon the severity of the violation.

(4)(6) If a person is working without a permit, the Department inspector shall stop work on the site except activity necessary to provide erosion and sediment control.

ARTICLE 17 ANNUAL REPORT

17.1 On or before ~~March-August 3~~^{1st} of each year, the Department shall submit to the Maryland Department of Natural Resources a report on:

A. The number, location, and type of projects subject to the provisions of this Ordinance;

B. The total acreage of forested and unforested floodplain area in all projects reviewed.

C. The amount and location of acres cleared, conserved, and planted, including any areas which utilize forest mitigation bank credits or areas located in the 100 year floodplain, in connection with a

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development project;

~~B.D.~~ The linear length and acreage of unforested stream buffers within project limits prior to construction;

~~C.E.~~ The linear length and acreage of stream buffers conserved, afforested or reforested in connection with a development project;

~~D.F.~~ The amount of reforestation and afforestation fees and noncompliance penalties collected and expended, the number of acres for which the fees were collected, and the number of acres reforested, afforested, or conserved using the fees; and

~~E.G.~~ The costs of implementing the Forest Conservation Program.

~~H.~~ The acreage and location of all local forest mitigation banks approved during the past year with a description of the priority areas afforested or reforested by the bank;

~~I.~~ The number of acres debited from each forest mitigation bank since the last annual report;

~~F.J.~~ The number, location and type of violations and type of enforcement activity conducted in accordance with Article 16.

~~G.K.~~ To the extent practicable, the size and location of all conserved and planted areas submitted in an electronic GIS format.

17.2 The annual report shall be accompanied by a letter of transmittal signed by the Washington County official responsible for administration of the program.

ARTICLE 18 AMENDMENTS

18.1 This Ordinance may be amended by the Board of County Commissioners for Washington County.

- A. A person other than the Board of County Commissioners for Washington County may request amendment to this Ordinance by submitting the request to the Department in writing.
- B. All amendments are subject to approval by the Department of Natural Resources.
- C. Washington County shall demonstrate to the Department of Natural Resources that an amendment is as or more stringent than the provisions of Natural Resources Article, §5-1601, et seq., Annotated Code of Maryland.

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- D. All amendments to this Ordinance shall be evaluated according to the following procedure:
- (1) The Board of County Commissioners for Washington County shall hold at least one public hearing at which parties in interest and citizens shall have the opportunity to be heard.
 - (2) Notice of the time and place of the public hearing, together with a summary of the proposed amendment shall be published in at least one (1) newspaper of general circulation in the jurisdiction once each week for two (2) successive weeks, with the first such publication of notice appearing at least 14 days prior to the hearing.
 - (3) The amendment, if approved, may not become effective until at least 10 days after the hearing.
 - (4) The Department shall provide an analysis of the purpose and effects of the proposed amendment and the results of the public hearing to the Board of County Commissioners for Washington County before action on the amendment.
 - (5) The Department shall provide notice to the Department of Natural Resources of the final action on the amendment.

ARTICLE 19 FEES

19.1 When a Forest Stand Delineation or Forest Conservation Plan is determined to be required according to this Ordinance, the Board of County Commissioners for Washington County shall establish, by resolution, fees for services rendered in connection with this Ordinance.

- A. The Forest Conservation Plan Review Fee shall be paid at the same time as the subdivision, site plan, grading plan, or sediment control plan fee, whichever is first applicable.
- B. Forest Conservation Plan Review Fees may be deposited in the Washington County General Fund and may be used for any purpose in the implementation of this Ordinance.

ARTICLE 20 FOREST MITIGATION BANKS

20.1 ESTABLISHING A FOREST MITIGATION BANK

- A. A person may create a Forest Mitigation Bank as defined in this ordinance from which applicants may acquire credits to meet

the afforestation or reforestation requirements of this ordinance.

B. There shall be two (2) types of Forest Mitigation Banks:

- (1) Forest Mitigation Banks that establish new forest cover and
- (2) Forest Mitigation Banks that protect existing forest cover.
- (3) A Forest Mitigation Bank may include a combination of the two (2) types noted above. Each type must be noted on the approved Forest Mitigation Bank Plan.

C. Definitions

~~(4)~~(1) Existing Forest Cover (Qualified Conservation)

(a) Meets or exceeds the definition of a "forest" as defined in Article 2 of this Ordinance when the forest banking applicant submits a forest conservation plan; or

(b) Met or exceeded the definition of a "forest" as defined in Article 2 of this Ordinance at any time in the 5 years prior to the submission of the forest conservation plan, and that was subject to a commercial forestry declaration of intent in connection with an approved forest management plan, as defined in Article 2.

(c) Includes priority retention areas noted in Article 8.

(d) The use of qualified conservation, as defined in Article 2, completed in an existing forest mitigation bank may be used to meet:

(1) Up to 50% of the afforestation or reforestation requirement, in which case, the afforestation or reforestation credit granted may not exceed 50% of the forest area encumbered in perpetuity; or

(2) If, a local jurisdiction proposes, and after public comment, the Maryland Department of Natural Resources approves a written justification for the increase, up to 60% of the afforestation or reforestation requirement, in which case the afforestation or reforestation credit granted may not exceed 50% of the forest area encumbered in perpetuity.

~~(5)~~(2) Establishment of New Forest Cover

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(a) Forest newly created on land that does not meet the definition of a “forest” as defined in Article 2 of this Ordinance at the time the forest banking applicant submits a forest conservation plan, and that was not the subject of forest cutting subject to either an agriculture or commercial forestry declaration of intent within the last 5 years.

(b) Includes priority afforestation or reforestation areas as identified in Article 10.2.

~~C.D.~~ The Forest Mitigation Bank shall:

- (1) Provide for the new planting of forest or protect existing forest in accordance with a forest bank agreement and approved plan.
- (2) Be protected by an easement and deed restrictions which require the land in the bank to remain forested in perpetuity and are enforceable by the Department.
- (3) Limit the use of the land in the bank to those activities which are consistent with forest conservation, such as recreational activities, forest management under a forest conservation and management program under Tax-Property Article 8-211, Annotated Code of Maryland, or activities specified in a forest management plan prepared by a licensed forester and approved by the Department of Natural ResourcesWashington County.
- (4) Use native plant species unless inappropriate; and
- (5) Cause trees to be planted or retained which:
 - (a) Establish, retain or enhance forested buffers adjacent to intermittent streams of at least 50 feet from the stream channel and perennial streams to widths of at least 50 100 feet;
 - (b) Establish, retain or increase existing forested corridors which, where practical, should be a minimum of 300 feet wide, but in no case less than 100 feet wide to facilitate wildlife movement or to connect existing forests within or adjacent to the site;
 - (c) Establish, retain or enhance forest buffers adjacent to critical habitats where appropriate;
 - (d) Establish, retain or enhance forested areas in 100 year floodplains;

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- (e) Stabilize slopes of 25 percent or greater;
- (f) Stabilize slopes of 15 percent or greater with a soil K factor value greater than 0.35 including the slopes of ravines or other natural depressions;
- (g) Establish or retain forest buffers adjacent to areas of differing land uses where appropriate, or adjacent to highways or utility rights-of-way; or
- (h) Establish forest areas adjacent to existing forests to increase the overall area of contiguous forest cover, when appropriate.

~~(h)~~ Establish, retain or enhance forested areas that serve as water re-charge zones for municipal or county public water supplies as determined by hydrological studies

~~(i)~~ Establish, retain or enhance forest buffers in Special Planning Areas identified in the most recently adopted Comprehensive Plan.

- (6) Be planted following the guidelines of the current Technical Manual as applicable.

D.E. Prior to approval, a person proposing to create a Forest Mitigation Bank shall submit to the Department a:

- (1) Completed application on the form provided by Washington County which has been signed by all property owners or an agent who is authorized by notarized affidavit delegating such authority from the owners to the agent.
- (2) Forest Mitigation Bank Plan which must be drawn to scale and contain a:

- (a) Vicinity map of the proposed mitigation bank site;
- (b) A forest stand delineation which meets the criteria in Section 5.2 of this ordinance if existing forest is to be protected.

(c) Copy of a deed to the property;

(d) A survey or other legally sufficient description of the bank for inclusion in the deeds of easement, deed restrictions or covenants, verifying and supporting the boundaries shown on the Plan;

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(e) A title report or other assurances that verifies:

(1) The property is not encumbered by any covenants or other types of restrictions which could impair the property's use as a Forest mitigation Bank or a release from interest holders (if there is another encumbrance on the property, a subordination agreement will need to be submitted); and

(2) There is legally sufficient access to the Forest Mitigation Bank site which can be used by the County and its assignees to inspect the Forest Mitigation Bank

~~(e)~~(f) Detailed planting plan, if indicated, which shall include a timetable and description of the site and soil preparation needed, existing site conditions, soil types, contours and areas of steep slope, floodplain, boundary of proposed easements with metes and bounds, species, size and spacing to be utilized, prepared by a licensed Maryland forester, a licensed landscape architect, or a qualified professional who meets the requirements stated in COMAR 08.19.06.01a.

(3) For Mitigation Banks that contain new plantings, a binding two ~~(2)~~or three-year maintenance agreement as described in Section 6.3 A(1-8) that:

(a) Sets forth how the areas planted will be maintained to ensure protection and satisfactory establishment and survival, and;

(b) Includes watering, fertilization, invasive control measures, and reinforcement planting provisions if survival falls below required standards and;

~~(c)~~ The method and amount of any surety and;

~~(d)~~ A copy of the deed to the property and;

~~(e)~~ A survey or other legally sufficient description of the bank site for inclusion in the deeds of easement, deed restrictions or covenants, verifying and supporting the boundaries shown on the plan and;

~~(f)~~ A title report or other assurance that verifies:

~~(1) The property is not encumbered by any covenants or other types of restrictions which could impair the~~

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~~property's use as a Forest Mitigation Bank or a release from interest holders and;~~

~~(2) There is legally sufficient access to the Forest Mitigation Bank site which can be used by the County and its assignees to inspect the Forest Mitigation Bank and;~~

~~(g) Description of the system to be used by the person owning and operating the Forest Mitigation Bank to identify and keep track of the portions of the bank that will be debited to meet an applicant's mitigation requirements and the applicant's contact information.~~

F. The proposed Forest Mitigation Bank shall be presented to the Planning Commission at a meeting open to the public. The Planning Commission will make a recommendation to the Board of County Commissioners of Washington County in favor or against the establishment of the Forest Mitigation Bank. The Board of County Commissioners will then act upon the matter at a meeting open to the public.

E.G. The owner of an approved Forest Mitigation Bank shall enter into an agreement with Washington County which contains:

(1) The approved afforestation or reforestation plan;

(2) The approved system for marking and tracking the portions of the bank that will be debited and;

~~(3) An acknowledgement that credits cannot be debited from a Forest Mitigation Bank to meet forest mitigation requirements for a development project under current review until the Board of County Commissioners of Washington County has given their final approval and all required legal documentation has been signed and recorded in the Land Records of Washington County. For planted Forest Mitigation Banks, the bank may not debit any portion of the newly planted forest until two (2) or three years of successful growth has been achieved, the site has been inspected by Washington County and determined to meet a specified survival rate and the security has been released.~~

(a) Required legal documentation includes an easement plat prepared by a licensed land surveyor with a metes and bounds description and area tabulation of the entire bank acreage; the Forest Mitigation Bank Deed of Easement shall be signed and recorded along with the appropriate exhibits (Description of Easement Property and

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Declaration of Maintenance and Inspection Covenants, Conditions, and Restrictions; also any subordination agreements if applicable)

F.H. Protective signage shall be installed around the boundaries of the Forest Mitigation Bank within 30 days of final forest bank plat approval in accordance with Article 14, and the Department shall be notified for inspection.

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20.2 PAYMENT BY CREDITS FROM A FOREST MITIGATION BANK

A. If a person subject to this ordinance demonstrates to the satisfaction of the Planning Commission that requirements for afforestation or reforestation on-site or off-site cannot be reasonably be accomplished according to the priorities in Article 10 of this ordinance the person may contribute credits from a Forest Mitigation Bank. A credit is required for each tenth of an acre of required mitigation.

B. Credits from a Forest Mitigation Bank shall be applied to planting requirements according to the Preferred Sequence of Techniques of Mitigation contained in Section 10.1 of this ordinance.

C. Proof of purchased credits from an approved Forest Mitigation Bank must be provided as follows:

(1) For a subdivision, evidence of the intent to use Forest Mitigation Bank credits and availability for purchase must be provided before Planning Commission approval of a subdivision. ~~Proof of payment must be provided prior to the affixation of the signature evidencing the Planning Commission approval of the subdivision and plat recordation.~~

(2) For a lot of record when a site plan is required, evidence of the intent to use Forest Mitigation Bank credits and availability for purchase must be provided before Planning Commission approval of the site plan. ~~Proof of payment must be provided prior to the affixation of the signature evidencing the Planning Commission approval.~~

(3) For a subdivision or lot of record, ~~proof of payment~~ a Notice of Forest Banking Credit Transaction for Forest Mitigation Bank credits must be ~~provided~~ recorded prior to ~~issuance of a building permit~~ the approval of a final plat of subdivision or site plan.

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~~(3)~~(4) Any financial agreements between persons regarding approved forest bank transfers shall occur solely as a private transaction. Neither the Department nor the County shall become a party to the financial aspects of any transfers.

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20.3 RELEASE OF UNCOMMITTED FOREST MITIGATION BANK ACREAGE

- A. Upon application from a Forest Mitigation Bank owner, the Board of County Commissioners may release uncommitted forest bank acreage from the terms of the easement and deed restrictions referenced in Section 20.1-~~C-(2) and (3)~~.
- B. Uncommitted acreage shall be defined as the total acreage of the mitigation bank covered by the easement and deed restrictions minus the total area in the mitigation bank for which credits have been debited.
- C. If the Board of County Commissioners approves the release of the uncommitted acreage in the Forest Mitigation Bank the applicant must provide a plat prepared by a licensed land surveyor with a metes and bounds description and area tabulation of the entire bank acreage, acreage committed and uncommitted acreage to be released.
- D. If approved, the acreage shall not be considered released and free of easement restrictions until proof of recordation of the release documents is provided to Washington County.
- E. If approved, the applicant shall be responsible for the cost of preparation and recordation of all documents necessary to complete the release.

ARTICLE 21 BIENNIAL REVIEW BY THE DEPARTMENT OF NATURAL RESOURCES

- A. The Department shall submit the necessary documentation to comply with COMAR 08.19.02.04.

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Plan Review Projects Initialized - May 01, 2026 - May 31, 2026

					Land Development Reviews			
Record #	Type	Status	Opened Date	Accepted Date	Title	Location	Consultant	Owner
S-26-020	Final Plat	In Review	05/06/2026	5/29/2026	ARBORVIEW PHASE 1 SECTION 1 FINAL PLAT		FOX & ASSOCIATES INC	DRB GROUP MID-ATLANTIC LLC
FS-26-011	Forest Stand Delineation	Approved	05/13/2026	5/18/2026	FOREST STAND DELINEATION FOR ALLEGHENY POWER		FREDERICK SEIBERT & ASSOCIATES	POTOMAC EDISON COMPANY THE
FS-26-013	Forest Stand Delineation	Received	05/18/2026	5/18/2026	FOREST STAND DELINEATION FOR CHEWSVILLE INVESTMENTS, LLC	21223 TWIN SPRINGS DRIVE SMITHSBURG, MD 21783	FREDERICK SEIBERT & ASSOCIATES	CHEWSVILLE INVESTMENTS LLC
FS-26-012	Forest Stand Delineation	Approved	05/15/2026	5/18/2026	FOREST STAND DELINEATION FOR KUEFFNER FARM		FREDERICK SEIBERT & ASSOCIATES	KUEFFNER ERNEST W
SIM26-020	IMA	Active	05/12/2026		19984 BEAVER CREEK ROAD HN	19984 BEAVER CREEK ROAD HAGERSTOWN, MD 21740	FREDERICK SEIBERT & ASSOCIATES	BROOKES HOUSE INC
SIM26-016	IMA	Active	05/06/2026		12948 PECKTONVILLE ROAD BP	12948 PECKTONVILLE ROAD BIG POOL, MD 21711	FREDERICK SEIBERT & ASSOCIATES	CLIPP WAYNE CECIL JR
SIM26-021	IMA	Requested	05/12/2026		9837 PEMBROKE DRIVE HN	9837 PEMBROKE DRIVE HAGERSTOWN, MD 21740	FREDERICK SEIBERT & ASSOCIATES	GHTTAS HOLDINGS LLC
SIM26-015	IMA	Active	05/06/2026		9785 MEADOW ROCK DRIVE HN	9785 MEADOW ROCK DRIVE HAGERSTOWN, MD 21740	FREDERICK SEIBERT & ASSOCIATES	DRAWBAUGH DAVID J DRAWBAUGH JENNIFER A
SIM26-019	IMA	Active	05/06/2026		21604 JEFFERSON BOULEVARD SM	21604 JEFFERSON BOULEV SMITHSBURG, MD 21783	FOX & ASSOCIATES INC	DILLER LYNN M
SIM26-018	IMA	Active	05/06/2026		19740 TOMS ROAD BO	19740 TOMS ROAD BOONSBORO, MD 21713	FREDERICK SEIBERT & ASSOCIATES	ROBERTSON JANET ELLIS
SIM26-017	IMA	Active	05/06/2026		15719 SHINHAM ROAD HN	15719 SHINHAM ROAD HAGERSTOWN, MD 21740	COREY'S CONSTRUCTION	FATH TYLER FATH KATHLEEN
SIM26-022	IMA	Requested	05/27/2026		9821 PEMBROKE DRIVE HN	9821 PEMBROKE DRIVE HAGERSTOWN, MD 21740	FREDERICK SEIBERT & ASSOCIATES	GHTTAS HOLDINGS LLC
TWN-26-003	Improvement Plan	In Review	05/06/2026	5/11/2026	FUNKSTOWN VOLUNTEER FIRE COMPANY ADDITION	2 SO WESTSIDE AVENUE FUNKSTOWN, MD 21734		FIRE CO FUNKSTOWN VOLUNTEER
S-26-019	Preliminary-Final Plat	In Review	05/01/2026	6/9/2026	PRELIMINARY/FINAL PLAT - LOT 4, PERINI INDUSTRIAL LAND, LLC	13815 CRAYTON BOULEV HAGERSTOWN, MD 21742	FOX & ASSOCIATES INC	PERINI INDUSTRIAL LAND LLC
S-26-021	Preliminary-Final Plat	Revisions Required	05/11/2026	5/18/2026	HILL & RICHTER LOT 1		FREDERICK SEIBERT & ASSOCIATES	HILL KENNETH RICHTER MONICA LENA
PWA2026-007	PWA	Active	05/01/2026		FT RITCHIE - RESERVOIR ROAD IMPROVEMENTS	24910 RESERVOIR ROAD CASCADE, MD 21719	FREDERICK SEIBERT & ASSOCIATES	CASCADE PROPERTIES LLC
SP-15-024.R02	Redline Revision	Approved	05/27/2026	5/27/2026	CHANGE OF USE FROM AUTOMATIVE REPAIR TO LANDSCAPE CONTRACTOR		FREDERICK SEIBERT & ASSOCIATES	Mike Fanning
SP-16-032.R02	Redline Revision	Approved	05/15/2026	5/15/2026	344 SQFT ADDITION TO EXISTING COFFEE SHOP.	14105 PENNSYLVANIA AVENUE HAGERSTOWN, MD	FREDERICK SEIBERT & ASSOCIATES	THE BARN AT THE VIEW, LLC C/O JILL MILLER 14109 PLEASANT MEADOWS LANE

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Land Development Reviews								
Record #	Type	Status	Opened Date	Accepted Date	Title	Location	Consultant	Owner
SI-26-009	Simplified Plat	Approval Letter Issued	05/14/2026	5/19/2026	SIMPLIFIED PLAT LOTS 176 & 177 PARCEL A & B	11203 PARKWOOD DRIVE HAGERSTOWN, MD 21742	FREDERICK SEIBERT & ASSOCIATES	OLSON SCOTT C
SP-26-025	Site Plan	Revisions Required	05/22/2026	5/22/2026	CREEKSIDE LOGISTICS	12520 GREENCASTLE PIKE HAGERSTOWN, MD 21740	BOHLER ENGINEERING P C	CREEKSIDE LOGISTICS CENTER OWNER LLC
SP-26-023	Site Plan	Pending	05/13/2026		PLUMBERS AND STEAMFITTERS LOCAL UNION NO. 486	1301 WE WASHINGTON STREET, SUITE# 101 HAGERSTOWN, MD 21740	MARTIN EUSTACE	PLUMBERS & STEAMFITTERS LOCAL UNIO
SP-26-024	Site Plan	In Review	05/19/2026	6/9/2026	SERVICE TIRE TRUCK CENTER	13815 CRAYTON BOULEV HAGERSTOWN, MD 21742	FREDERICK SEIBERT & ASSOCIATES	PERINI INDUSTRIAL LAND LLC
SP-26-022	Site Plan	In Review	05/11/2026	5/19/2026	FIX N' GO - HANCOCK	3981 WESTERN PIKE HANCOCK, MD 21750	FREDERICK SEIBERT & ASSOCIATES	AKHMEDOV IZMIR
GP-26-008	Site Specific Grading Plan	In Review	05/18/2026	5/19/2026	PARADISE HEIGHTS SECTION C-2 LOT GRADING	19046 AMESBURY ROAD HAGERSTOWN, MD 21742		PARADISE HEIGHTS LAND
SGP-26-044	Standard Grading Plan	Final Approvals	05/28/2026	6/3/2026	BLANE BIDLE	19804 TOMS ROAD BOONSBORO, MD 21713	FREDERICK SEIBERT & ASSOCIATES	ROBERTSON KELLY LYNN BIDLE BLANE BRADLEY
SGP-26-043	Standard Grading Plan	Revisions Required	05/27/2026	5/28/2026	NORCROSS	11351 CRYSTAL FALLS DRIVE SMITHSBURG, MD 21783		FOLLETT JOHN A FOLLETT VICKI A
SGP-26-035	Standard Grading Plan	Final Approvals	05/04/2026	5/11/2026	JAIRO	1820 HOFFMASTER ROAD KNOXVILLE, MD 21758		TORRES CLARIVET
SGP-26-041	Standard Grading Plan	Pending Payment	05/26/2026		MATTHEW PASTOR	12434 PLEASANT VALLEY ROAD SMITHSBURG, MD 21783	FREDERICK SEIBERT & ASSOCIATES	PASTOR MATTHEW
SGP-26-038	Standard Grading Plan	In Review	05/12/2026	5/20/2026	SMALLWOOD	2205 BACK ROAD SHARPSBURG, MD 21782	COREY'S CONSTRUCTION	SMALLWOOD RICHARD LEE JR & SMALLWOOD AMY CATHERINE
SGP-26-036	Standard Grading Plan	In Review	05/04/2026	5/13/2026	EBY BARN	13830 LEISHEAR COURT CLEAR SPRING, MD 21722	FREDERICK SEIBERT & ASSOCIATES	William Eby
SGP-26-037	Standard Grading Plan	In Review	05/07/2026	5/13/2026	BRADLEY LEATHERMAN		FREDERICK SEIBERT & ASSOCIATES	LEATHERMAN MARIAN SUE ETAL LEATHERMAN BRADLEY DEAN
SWCP26-011	Stormwater Concept Plan	In Review	05/08/2026	5/11/2026	SWEENEY BROS PROPERTIES, LLC	16619 HUNTERS GREEN PARKWA HAGERSTOWN, MD 21740		SWEENEY BROS PROPERTIES LLC
SSWP26-031	Stormwater Standard Plan	Pending Payment	05/26/2026		MATTHEW PASTOR	12434 PLEASANT VALLEY ROAD SMITHSBURG, MD 21783		PASTOR MATTHEW
SSWP26-030	Stormwater Standard Plan	Approved	05/20/2026	5/26/2026	LEROY HOSTETTER - ROOFED BEDPACK BARN	22001 GROVE ROAD HAGERSTOWN, MD 21742		HOSTETTER LEROY M HOSTETTER JANET L
SSWP26-028	Stormwater Standard Plan	In Review	05/11/2026	5/13/2026	BRADLEY LEATHERMAN		FREDERICK SEIBERT & ASSOCIATES	LEATHERMAN MARIAN SUE ETAL LEATHERMAN BRADLEY DEAN
SSWP26-032	Stormwater Standard Plan	In Review	05/27/2026	5/28/2026	NORCROSS	11351 CRYSTAL FALLS DRIVE SMITHSBURG, MD 21783		FOLLETT JOHN A FOLLETT VICKI A
SSWP26-026	Stormwater Standard Plan	In Review	05/04/2026	5/11/2026	JAIRO	1820 HOFFMASTER ROAD KNOXVILLE, MD 21758		TORRES CLARIVET
SSWP26-027	Stormwater Standard Plan	In Review	05/04/2026	5/13/2026	EBY BARN	13830 LEISHEAR COURT CLEAR SPRING, MD 21722	FREDERICK SEIBERT & ASSOCIATES	William Eby
SSWP26-029	Stormwater Standard Plan	In Review	05/12/2026	5/20/2026	SMALLWOOD	2205 BACK ROAD SHARPSBURG, MD 21782	COREY'S CONSTRUCTION	SMALLWOOD RICHARD LEE JR & SMALLWOOD AMY CATHERINE

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Land Development Reviews								
Record #	Type	Status	Opened Date	Accepted Date	Title	Location	Consultant	Owner
SSWP26-033	Stormwater Standard Plan	In Review	05/29/2026	6/3/2026	BLANE BIDLE	19804 TOMS ROAD BOONSBORO, MD 21713		ROBERTSON KELLY LYNN BIDLE BLANE BRADLEY
TIS-26-003	Traffic Impact Study	Pending	05/29/2026		MERITUS MEDICAL OFFICE		STREET TRAFFIC STUDIES, LTD	MERITUS MEDICAL CENTER INC
TIS-26-004	Traffic Impact Study	Pending	05/29/2026		THE LEARNING CENTER	11067 ROBINWOOD DRIVE HAGERSTOWN, MD 21742	STREET TRAFFIC STUDIES, LTD	PATRIOT FEDERAL CREDIT UNION
TYU-26-014	Two Year Update	Pending Documents	05/27/2026		EASTERDAY POST OFFICE	W/S OF OSTERTAG PASS & N OF OL NATIONAL PIKE (US ALT 40) BOONSBORO MD 21713	R LEE ROYER & ASSOCIATES	MASLOW ROBERT C MASLOW MICHELE C
TYU-26-013	Two Year Update	Pending Documents	05/21/2026		COLONIAL PARK LOT 32	114 HARVARD ROAD HAGERSTOWN, MD 21742	TRIAD ENGINEERING	MASN RELATY LLC
TYU-26-012	Two Year Update	Pending Documents	05/21/2026		COLONIAL PARK LOT 30	126 HARVARD ROAD HAGERSTOWN, MD 21742	TRIAD ENGINEERING	MASN RELTY LLC
TYU-26-011	Two Year Update	In Review	05/20/2026	5/20/2026	HAG. REG. AIRPORT EXISTING STOCKPILE	AIR PARK ROAD AT HAGERSTOWN REGIONAL AIRPORT	FOX & ASSOCIATES INC	WASHINGTON COUNTY COMMISSIONERS 100 W. WASHINGTON ST.
TYU-26-010	Two Year Update	Final Approvals	05/20/2026	5/21/2026	REGENT PARK	20111 REGENT CIRCLE HAGERSTOWN, MD 21742	FREDERICK SEIBERT & ASSOCIATES	LAH CARRIAGE FORD LLC
TYU-26-009	Two Year Update	Approved	05/15/2026	5/20/2026	MERITUS SCHOOL OF OSTEOPATHIC MEDICINE GRADUATE STUDENT HOUSING	19513 INNOVATION DRIVE HAGERSTOWN, MD 21742	HRG	MERITUS MEDICAL CENTER INC
TYU-26-008	Two Year Update	In Review	05/15/2026	5/18/2026	ELMWOOD FARM - SECTIONS 4&5	NORTH SIDE OF LAPPANS ROAD NEAR WILLIAMSPORT	FOX & ASSOCIATES INC	FELIXS FOLLY LLC
GPT-26-023	Type 2 Grading Plan	Approved	05/11/2026	5/18/2026	FLETCHERS GROVE. 5 EVERETT DR. LOT 25	5 EVERETT DRIVE BOONSBORO, MD 21713	RICHMOND AMERICAN HOMES OF MARYLAND, INC	RICHMOND AMERICAN HOMES OF MARYLAN
GPT-26-026	Type 2 Grading Plan	Approved	05/19/2026	5/19/2026	ROSEHILL MANOR LOTS 113 & 114	19645 LAVENDER LANE HAGERSTOWN, MD 21742		DAN RYAN BUILDERS MID ATLANTIC INC
GPT-26-028	Type 2 Grading Plan	In Review	05/29/2026	6/3/2026	HARPER PARK LOT 5	19132 GRAINARY DRIVE HAGERSTOWN, MD 21742		HARPER PARK LLC
GPT-26-024	Type 2 Grading Plan	Approved	05/14/2026	5/19/2026	REGENT PARK LOT 2 - 20162 REGENT CIRCLE	20162 REGENT CIRCLE HAGERSTOWN, MD 21742	FREDERICK SEIBERT & ASSOCIATES	LAH CARRIAGE FORD LLC
GPT-26-025	Type 2 Grading Plan	Approved	05/19/2026	5/20/2026	ROSEHILL MANOR LOTS 75 & 76	13330 SNAPDRAGON WAY HAGERSTOWN, MD 21742		DAN RYAN BUILDERS MID ATLANTIC INC
GPT-26-027	Type 2 Grading Plan	Approved	05/27/2026	6/1/2026	REGENT PARK LOT 24 - 20163 REGENT CIRCLE	20163 REGENT CIRCLE HAGERSTOWN, MD 21742	FREDERICK SEIBERT & ASSOCIATES	LAH CARRIAGE FORD LLC

Plan Review Projects Initialized - May 01, 2026 - May 31, 2026

Permits Reviews							
Record #	Type	Status	Opened Date	Title	Location	Consultant	Owner
2026-02186	Entrance Permit	Review	05/27/2026	COMMERCIAL	SP-26-021 16516 HUNTERS GREEN PARKWAY		16503 HUNTERS GREEN LLC
2026-02151	Entrance Permit	In Progress	05/26/2026	STICK BUILT HOME	S-08-022 20163 REGENT PARK, LOT 24		LAH CARRIAGE FORD LLC
2026-02201	Entrance Permit	Review	05/28/2026	FOREST HARVEST	SI-10-007 14136 HEAVENLY ACRES RIDGE		MITCHELL STANLEY W
2026-02234	Entrance Permit	In Progress	05/29/2026	STICK BUILT HOME	S-09-052 13434 PLEASANT VALLEY ROAD, LOT 6	MT. TABOR BUILDERS	PASTOR MATTHEW
2026-02229	Entrance Permit	In Progress	05/29/2026	SEMI-DETACHED HOME	S-24-034 13347 SNAPDRAGON WAY, LOT 97		DAN RYAN BUILDERS MID ATLANTIC INC
2026-01992	Entrance Permit	In Progress	05/13/2026	STICK BUILT HOME	S-08-022 20162 REGENT CIRCLE, LOT 2		LAH CARRIAGE FORD LLC
2026-02113	Entrance Permit	Review	05/21/2026	STICK BUILT HOME	S-24-042 19046 AMESBURY ROAD, SECTION C-2, LOT 134		PARADISE HEIGHTS LAND 10306 REMINGTON DRIVE
2026-01863	Entrance Permit	Approved	05/06/2026	STICK BUILT HOME	S-06-050 17038 BROADFORDING ROAD, LOT 1		OLIVER HOMES INC
2026-02213	Entrance Permit	Review	05/28/2026	PUBLIC	PP-25-001 NORTH SIDE OF MT. AETNA ROAD	DAN RYAN BUILDERS INC	DRB GROUP MID-ATLANTIC LLC
2026-02014	Floodplain Permit	Review	05/14/2026	FLOODPLAIN	GP-25-004 11400 ROBINWOOD DRIVE		HAGERSTOWN JUNIOR COLLEGE
2026-02061	Floodplain Permit	Review	05/19/2026	FLOODPLAIN	5118 BERM ROAD		LONG RODNEY JAY LONG FARRAH MAE
2026-01903	Grading Permit	In Progress	05/07/2026	COMMERCIAL	SP-26-009 100 WESTERN MARYLAND PARKWAY		CCBCC OPERATIONS LLC
2026-02228	Grading Permit	In Progress	05/29/2026	ROSEHILL MANOR LOT 97	S-24-034 13347 SNAPDRAGON WAY, LOT 97		DAN RYAN BUILDERS MID ATLANTIC INC
2026-02175	Grading Permit	In Progress	05/27/2026	GRADING PERMIT FOR 20163 REGENT CIRCLE	S-08-022 20163 REGENT PARK, LOT 24		LAH CARRIAGE FORD LLC
2026-02013	Grading Permit	In Progress	05/14/2026	STICK BUILT HOME	S-08-022 20162 REGENT CIRCLE, LOT 2		LAH CARRIAGE FORD LLC
2026-01996	Grading Permit	In Progress	05/13/2026	STICK BUILT HOME	6020 RIVER ROAD	J.R. SERVICES LLC	WRIDE TIMOTHY B
2026-01902	Grading Permit	In Progress	05/07/2026	BRADLEY LEATHERMAN			LEATHERMAN MARIAN SUE ETAL LEATHERMAN BRADLEY DEAN
2026-01938	Grading Permit	Approved	05/11/2026	FLETCHERS GROVE. 5 EVERETT DR. LOT 25	5 EVERETT DRIVE, LOT 25		RICHMOND AMERICAN HOMES OF MARYLAN
2026-02235	Grading Permit	In Progress	05/29/2026	STICK BUILT HOME	S-09-052 13434 PLEASANT VALLEY ROAD, LOT 6		PASTOR MATTHEW
2026-02209	Grading Permit	In Progress	05/28/2026	MODULAR HOME	LOR 2205 BACK ROAD		SMALLWOOD RICHARD LEE JR & SMALLWOOD AMY CATHERINE
2026-02127	Grading Permit	In Progress	05/22/2026	STICK BUILT HOME	S-23-041 7359 MOUNTAIN LAUREL ROAD, LOT 2		CAPPUCCILLI JOHN CAPPUCCILLI VICTORIA
2026-02161	Grading Permit	In Progress	05/26/2026		SP-26-025 12520 GREENCASTLE PIKE		CREEKSIDE LOGISTICS CENTER OWNER LLC
2026-01912	Grading Permit	Approved	05/07/2026	STICK BUILT HOME	S-06-050 17038 BROADFORDING ROAD, LOT 1		OLIVER HOMES INC
2026-01972	Grading Permit	Review	05/12/2026	POTOMAC OVERLOOK	TYU-25-019 19302 COPPER CANYON DRIVE		POTOMAC OVERLOOK HOLDINGS LLC
2026-02183	Grading Permit	Review	05/27/2026		TWN-24-001 202 MAPLE AVENUE, LOT 1		BOONSBORO TOWN OF
2026-02150	Grading Permit	Review	05/26/2026	ARBORVIEW PHASE 1	PP-25-001 NORTH SIDE OF MT. AETNA ROAD	DAN RYAN BUILDERS INC	DRB GROUP MID-ATLANTIC LLC

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Permits Reviews							
Record #	Type	Status	Opened Date	Title	Location	Consultant	Owner
2026-02035	Non-Residential Ag Certificate	Approved	05/15/2026	FARM BUILDING	LOR 22001 GROVE ROAD		HOSTETTER LEROY M HOSTETTER JANET L
2021-01634.R01	Revision	Review	05/22/2026	CREEKSIDE LOGISTICS FIRE SUPPRESSION REVISIONS	SP-26-025 12520 GREENCASTLE PIKE	LAWRENCE T. VALENZA	CREEKSIDE LOGISTICS CENTER OWNER LLC
2026-02106	Utility Permit	Approved	05/21/2026		CEDAR CREST AVENUE/WEST WASHINGTON STREET	PIPER JEFFREY ALLEN	SPONAUGLE STUART
2026-01891	Utility Permit	Approved	05/06/2026	COMCAST	13305 MAUGANSVILLE ROAD	COMCAST	CHURCH MENNONITE MT OLIVE
2026-01944	Utility Permit	Review	05/11/2026	COMCAST	9 NORTH COLONIAL DRIVE BLOCK 10 LOT 1 2	COMCAST	JOHNSON EARLENE M
2026-01964	Utility Permit	Review	05/12/2026	ANTIETAM BROADBAND	20524 BLUEBIRD AVENUE LOT E4	ANTIETAM CABLE TELEVISION INC	PALMA SALMON FRANCISCO EDMUNDO MON
2026-02155	Utility Permit	Review	05/26/2026		ARBORVIEW, PHASE 1 SUBDIVISION		DRB GROUP MID-ATLANTIC LLC
2026-02033	Utility Permit	Approved	05/15/2026	CITY OF HAGERSTOWN UTILITIES	10801 ROSEWOOD DRIVE LOT R32	CITY OF HAGERSTOWN (WATER DEPT)	HONG QUAN

Plan Review Projects Initialized - May 01, 2026 - May 31, 2026

	Type	Total
LandDev Total by Group: 55	Final Plat	1
	Forest Stand Delineation	3
	IMA	8
	Improvement Plan	1
	Preliminary-Final Plat	2
	PWA	1
	Redline Revision	2
	Simplified Plat	1
	Site Plan	4
	Site Specific Grading Plan	1
	Standard Grading Plan	7
	Stormwater Concept Plan	1
	Stormwater Standard Plan	8
	Traffic Impact Study	2
	Two Year Update	7
	Type 2 Grading Plan	6
Permits Total by Group: 34	Entrance Permit	9
	Floodplain Permit	2
	Grading Permit	15
	Non-Residential Ag Certificate	1
	Revision	1
	Utility Permit	6
Total		89