

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
August 7, 2023**

The Washington County Planning Commission held its regular monthly meeting on Monday, August 7, 2023 at 7:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Planning Commission members present were: David Kline, Vice Chairman, BJ Goetz, Denny Reeder, Terrie Shank, Jeff Semler and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jennifer Kinzer, Deputy Director; Scott Stotelmyer, Planner; Travis Allen, Comprehensive Planner; and Debra Eckard, Administrative Assistant; Washington County Division of Engineering: Heather Williams, Senior Plan Reviewer; and Washington County Soil Conservation District: Denise Price and Mark Kendle.

**CALL TO ORDER AND ROLL CALL**

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

**MINUTES**

**Motion and Vote:** Mr. Reeder made a motion to approve the minutes of the July 10, 2023 meeting as presented. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

**OLD BUSINESS**

**RZ-23-00 – Text Amendment – Truck Stops – Recommendation**

Ms. Kinzer reminded members that a public input meeting was held on June 5, 2023 regarding proposed changes to the definition of and the appropriate zoning districts for truck stops. Several citizens were present at the public input meeting and provided comments.

**Motion and Vote:** Mr. Reeder made a motion to recommend approval of the proposed text amendment to the Board of County Commissioners. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

**NEW BUSINESS**

**PRELIMINARY CONSULTATION**

**PC-23-005 – Tidal Wave Hagerstown**

Ms. Williams presented a concept plan for a proposed car wash with individual towel and vacuum stations to be located at 10320 thru 10400 Sharpsburg Pike. The property is currently zoned HI (Highway Interchange). A preliminary consultation was held on June 29, 2023 with the consultant and various County agencies.

**Discussion and Comments:** Members made inquiries regarding road improvements and traffic signals along Sharpsburg Pike. Mr. Andrew Stein with Bohler Engineering, the consultant, stated there is a signalized intersection being proposed in conjunction with development across Sharpsburg Pike. Sharpsburg Pike would be widened along the west side of the south bound lane. The site has been configured so there will be no stacking of vehicles on Sharpsburg Pike.

**ORDINANCE MODIFICATIONS**

**Dennis Minnick [OM-23-009]**

Ms. Williams presented an ordinance modification request to allow the creation of a lot that does not meet the 25-foot public road frontage requirement. The site is located on Pleasant Valley Road in Smithsburg behind an existing residence at 12345 Pleasant Valley Road. The property is currently zoned EC (Environmental Conservation). The applicant is proposing a single-family home on a 5 acre lot which has been designated for agricultural use only. The property is accessed by a private driveway owned by the applicant.

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

**PFCU Robinwood Lot 2 [OM-23-007]**

Mr. Stotelmyer presented an ordinance modification from Subdivision Ordinance Section 405.11.B to allow the creation of a lot without fully functional road frontage. The property is located at 11067 Robinwood Drive and is currently zoned BL (Business Local). The proposed lot would share an existing access with Lot 1. All agency approvals have been received.

**Discussion and Comments:** There was a brief discussion regarding ingress and egress to the site. Mr. Trevor Frederick of Frederick, Seibert & Associates, stated the right in/right out on Robinwood Drive will be the main point of access for the site. Patriot Federal also has access from the light at the entrance to the Elks Club. Mr. Goetz suggested moving the dumpster located on the Patriot Federal site to a different location to allow better access to the new lot.

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

**FOREST CONSERVATION****Crosspoint Residential – Townes at Rockspring [PSP-22-001]**

Mr. Allen presented a request to use the payment-in-lieu option to satisfy the remaining planting requirement for the Townes at Rockspring and a request to remove one specimen tree. He explained that this is a preliminary forest conservation plan for a 123-unit townhouse development. As each phase is implemented, a portion of the forest conservation plan would be shown on each plat submitted for approval. The total planting requirement is 6.36 acres resulting from the disturbance of 17.23 acres for the development. A portion of the forest mitigation will be retained on site. Mr. Allen believes the developer has made a good faith effort to accomplish as much mitigation on site as possible within the constraints of the development.

In regard to the specimen tree removal request, the justification statement cites grading limitations and storm water management requirements that make it difficult to keep the tree. The site layout has been designed to retain as much forest as possible and in conjunction with the street trees and storm water management techniques proposed this will help mitigate water quality impacts.

**Motion and Vote:** Mr. Semler made a motion to approve the request as presented. The motion was seconded by Ms. Shank and unanimously approved.

**12001 Hopewell Road [SP-22-028]**

Mr. Allen presented a request to remove 13 specimen trees at 12001 Hopewell Road as part of the proposed office and warehouse development on this site. The applicant's justification letter noted that 12 of 13 trees proposed for removal are Osage Orange, which is a native tree but an invasive species. Staff commends the developer for keeping all forest mitigation on-site and preserving a wetland area.

**Motion and Vote:** Ms. Shank made a motion to approve the request as presented. The motion was seconded by Mr. Semler and unanimously approved.

**SITE PLANS****Crosspoint Residential – Townes at Rockspring [PSP-22-001]**

Mr. Stotelmyer presented a preliminary site plan for the Townes at Rockspring townhouse development located along the west side of Massey Boulevard and east side of Hickory School Road. The property is currently zoned RS (Residential Suburban) and RT (Residential Transition). The developer is proposing a 123 unit townhouse development on 17.23 acres. The average lot size will be 2200 square feet. All lots will have access to newly constructed streets. There will be one access to Massey Boulevard and one access to Hickory School Road. Each unit will have two parking spaces and there will be a common parking area with 329 parking spaces available. All lots will be served by public water and public sewer. Open space area will be 4.77 acres in size and will include two play areas. Lighting will be provided along the streets and in common areas. Landscaping will be provided in the open space areas and along the boundary. All agency approvals have been received.

**Discussion and Comments:** Mr. Reeder expressed his concern regarding the amount of traffic generated by this development onto Hickory School Road as well as Virginia Avenue without any road improvements or the installation of a traffic signal on Virginia Avenue.

Mr. Lauren Stevens owns a blasting business on an adjoining property and expressed his concern regarding the removal of the trees that are currently a buffer for his property. He stated that he stores explosives for the State Fire Marshall's Office and explained there are distances that must be maintained for the underground storage facility that may interfere with the proposed road. He also expressed concern regarding sewer issues in the area.

**Consensus:** Commission members tabled this agenda item until more details regarding the following issues are addressed: specific clearances for the neighboring explosives business, traffic concerns (i.e. Was a traffic study completed? What are the plans for improving roads and intersections?), and impacts to the school (specifically during construction).

#### **12001 Hopewell Road [SP-22-028]**

Mr. Stotelmyer presented a site plan for a proposed 208,000 square foot warehouse on 46 acres located at 12001 Hopewell Road. There will be one access point from Hopewell Road. The site will be served by public water and public sewer. There will be approximately 60 employees; hours of operation will be 24 hours/day, 7 days/week. There will be pole mounted lights around the parking area as well as building mounted lights. Landscaping will be provided throughout the parking area, around the building and at the entrance. There will be one ground mounted sign at the entrance. All agency approvals have been received.

**Discussion and Comments:** Mr. Reeder asked if the developer has considered solar on the roof of the warehouse. A representative of the developer stated the building will be solar-ready.

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

#### **OTHER BUSINESS**

#### **Martin and Colleen Katz [RZ-23-005]**

Mr. Allen presented a request from Martin and Colleen Katz to fully terminate the Rural Business floating zone that was applied to their property at 8524 Fahrney Church Road. He explained that this lot was subdivided from the San Mar Children's Home in 2022. The property owners want to construct an addition to their home; however, the RB zoning designation significantly limits the development of this property.

**Motion and Vote:** Mr. Goetz made a motion to recommend approval to fully terminate the Rural Business floating zone on property located at 8524 Fahrney Church Road to the Board of County Commissioners. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

#### **Forest Conservation Easement Candidate**

Mr. Kendle presented a request to use Forest Conservation payment-in-lieu of funds to purchase forest conservation easements on approximately 64 acres of existing forest. The first parcel is owned by Phil Baker-Shenk located at 6720 Remsburg Road and contains 6.87 acres of existing forest. The Department of Natural Resources dates some of trees on this site to the Civil War era and the Battle of Antietam. This parcel would protect a main drainage channel that discharges directly to the Potomac River and adjoins a C&O Canal NHP easement which would connect to hundreds of acres of wildlife corridors and other protected lands.

Mr. Kendle explained the second parcel is owned by David Foltz and is located at 6500 Sharpsburg Pike. This section of forest (56.4 acres) also contains trees that date to the Civil War era and the Battle of Antietam. This parcel is one of only two documented areas in Washington County known to host the October Ladies' Tresses Orchid (important to pollinators). This easement would protect two perennial streams that discharge directly to the Potomac River, joins the Antietam Battlefield, and adjoins the previously presented Phil Baker-Shenk easement. The cost to purchase these two easements is \$161,748.

**Motion and Vote:** Mr. Goetz made a motion to recommend approval of the purchase of these two easements using payment-in-lieu funds to the Board of County Commissioners. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

#### **Update of Projects Initialized**

Ms. Kinzer provided a written report for the land development plan review projects (71 total) initialized during the month of June including 3 site plans and 4 preliminary-final plats.

Comprehensive Plan Update

Ms. Kinzer announced the Comprehensive Plan 2040 was released on July 25<sup>th</sup> with a presentation to the Board of County Commissioners, a press release by the PR Department, and an e-mail to approximately 100 stakeholders. Staff will be making bi-weekly posts on Facebook to remind citizens to make comments.

We discussed a series of public input meetings to be hosted by the Planning Commission around the County. A list of meeting dates, times and locations was distributed to members. A power point presentation will be played at each meeting and will be posted on-line. Maps will be displayed around each meeting room including the Protected Lands Map, Septic Tiers Map, Highway Map and Land Use Map. There will be a minimum of 4 staff members present at each meeting to take comments. Handouts will be available for citizens to take home. These meetings will not be live-streamed. Commission members are highly encouraged to attend these meetings.

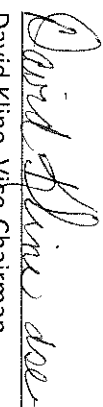
UPCOMING MEETINGS

1. Washington County Planning Commission regular meeting, September 11, 2023 at 7:00 p.m.

ADJOURNMENT

Mr. Semler made a motion to adjourn the meeting at 8:05 p.m. The motion was seconded by Ms. Shank and so ordered by Mr. Kline.

Respectfully submitted,

  
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David Kline, Vice-Chairman