



FOR PLANNING COMMISSION USE ONLY  
 Rezoning No. \_\_\_\_\_  
 Date Filed: \_\_\_\_\_

WASHINGTON COUNTY PLANNING COMMISSION  
 WATER & SEWER PLAN AMENDMENT APPLICATION

2003 Mason Dixon LLC  
 Applicant

Property Owner     Contract Purchaser  
 Attorney             Consultant  
 Other: \_\_\_\_\_

P.O. Box 4217, 11535 Hopewell Road, MD  
 Address

Attn: Brad Fulton  
 Primary Contact

(301) 582-2700  
 Phone Number

Same as Above  
 Address

bfulton@acandt.com  
 E-mail Address

Property Location: 17939 Mason Dixon Road

Tax Map: 10 Grid: 20 Parcel No.: 68 Acreage: +/- 172.29 ac.

Tax Account ID: 13-000239

Current Zoning: PI

Current Priority Service Area: W5/S5

Proposed Priority Service Area: W3/S3

Is this request a:  Text Amendment     Map Amendment     Both



Brad Fulton  
 Applicant's Signature  
 Authorized Person

Subscribed and sworn before me this 17<sup>th</sup> day of April, 2025.

My commission expires on Aug. 26, 2028

Elizabeth A Loar  
 Notary Public

FOR PLANNING COMMISSION USE ONLY

<input checked="" type="checkbox"/> Application Form	<input type="checkbox"/> Names and Addresses of all Adjoining & Confronting Property Owners
<input checked="" type="checkbox"/> Fee Worksheet	<input checked="" type="checkbox"/> Vicinity Map
<input checked="" type="checkbox"/> Application Fee	<input checked="" type="checkbox"/> Justification Statement
<input checked="" type="checkbox"/> Ownership Verification	<input type="checkbox"/> 25 copies of complete Application Package
<input checked="" type="checkbox"/> Boundary Plat (Including Metes & Bounds)	



WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING FEE WORKSHEET

FOR PLANNING COMMISSION USE ONLY  
Rezoning No. \_\_\_\_\_  
Date Filed: \_\_\_\_\_

PLEASE COMPLETE ONLY THE SECTION THAT APPLIES.

Applicant's Name: 2003 Mason Dixon LLC Date: 5/23/25

**Zoning Ordinance Map Amendment** ..... \$ 2,000.00  
 Number of Acres \* \_\_\_\_\_ x \$20.00 [1 acre minimum]  
 per acre ..... \$ \_\_\_\_\_  
 Engineering Review Fee ..... \$ 150.00  
 Technology Fee ..... \$ 15.00  
**TOTAL FEES DUE – MAP AMENDMENT** ..... \$ \_\_\_\_\_  
 \*Minimum charge of \$20.00 [if less than one acre]

**Text Amendment** ..... \$ 2,000.00  
 Choose One:  Adequate Public Facilities Ordinance  
 Forest Conservation Ordinance  
 Solid Waste Plan  
 Subdivision Ordinance  
 Zoning Ordinance  
 Other: \_\_\_\_\_  
 Technology Fee ..... \$ 15.00  
**TOTAL FEES DUE – TEXT AMENDMENT** ..... \$ 2,015.00

**Water and Sewer Plan Amendment** ..... \$ 2,000.00  
 Technology Fee ..... \$ 15.00  
**TOTAL FEES DUE – WATER AND SEWER PLAN AMENDMENT** .... \$ 2,015.00

**Forest Conservation Exemption** ..... \$ 25.00  
 Technology Fee ..... \$ 15.00  
**TOTAL FEES DUE – FOREST EXEMPTION** .... \$ 40.00

Please make checks payable to "Washington County Treasurer".

Real Property Data Search ( )  
Search Result for WASHINGTON COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)**Special Tax Recapture: AGRICULTURAL TRANSFER TAX**

Account Number: District - 13 Account Identifier - 000239

**Owner Information**

Owner Name: 2003 MASON DIXON LLC Use: AGRICULTURAL  
Principal Residence:NO  
Mailing Address: 11535 HOPEWELL RD Deed Reference: /02173/ 00676  
HAGERSTOWN MD 21740-2109

**Location & Structure Information**

Premises Address: 17939 MASON DIXON RD Legal Description: 172.29 ACRES  
HAGERSTOWN 21740-0000 17939 MASON DIXON RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
0010 0020 0068 13010330.22 0000 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
172.2900 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements  
/

**Value Information**

	Base Value	Value		
		As of 01/01/2023	Phase-in Assessments As of 07/01/2024	As of 07/01/2025
Land:	129,500	129,500		
Improvements	35,700	46,100		
Total:	165,200	175,600	172,133	175,600
Preferential Land:	69,500	69,500		

**Transfer Information**

Seller: MARTIN LEO E & MARY E ET AL	Date: 10/31/2003	Price: \$1,450,000
Type: ARMS LENGTH VACANT	Deed1: /02173/ 00676	Deed2:
Seller: MARTIN LEO E & MARY E	Date: 04/15/2003	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /01979/ 00339	Deed2:
Seller: MARTIN LEO E	Date: 12/03/1996	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /01308/ 01041	Deed2:

**Exemption Information**

Partial Exempt Assessments:Class	07/01/2024	07/01/2025
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00 0.00 0.00

**Special Tax Recapture: AGRICULTURAL TRANSFER TAX****Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:

CLERK OF CIRCUIT COURT  
WASHINGTON COUNTY

THIS DEED, made this 31st day of October, A.D., 2003, by The Mennonite Foundation, Inc., an Indiana non-profit corporation, Trustee of the Charitable Remainder Unitrust of Leo Martin and Mary Martin, dated March 12, 2003, which maintains its principal office at P.O. Box 483, Goshen, IN 46527 (the "Trustee") and Leo E. Martin and Mary E. Martin, husband and wife, residing at 13729 Paradise Church Road, Hagerstown, MD 21742, hereinafter collectively called "Grantor" and 2003 Mason Dixon LLC, a Maryland limited liability company, hereinafter called "Grantee".

**RECITALS:**

The Trustee is the trustee of a Charitable Remainder Unitrust, established on March 12, 2003 for the benefit of Leo E. Martin and Mary E. Martin. On April 14, 2003, the Martins granted and conveyed to the Trustee an undivided forty (40%) per cent interest in and to the property more particularly described on Schedule "A" attached hereto and made a part hereof with the Martins retaining a sixty (60%) per cent undivided interest therein, both parties holding title as tenants in common.

The Charitable Remainder Unitrust provides, in pertinent part, that the Trustee may continue the investment in the property or in the alternative, it may sell the Trust's interest in such property. The Trustee has elected to so grant and convey its individual interest in accordance with the terms of a contract of sale by and between itself, the Martins and the Grantee for the consideration as hereinafter recited.

WITNESSETH: That for and in consideration of the sum of One Million Four Hundred Fifty Thousand and 00/100 (\$1,450,000.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, including the Recitals which are incorporated by reference herein, the said Grantor herein does hereby grant and convey unto the said Grantee, all those tracts or parcels of land more particularly described on Schedule "A" which is attached hereto and made a part hereof.

Being all of the same property conveyed to Leo E. Martin and Mary E. Martin by Leo E. Martin, by a Deed dated September 16, 1996 and recorded at Liber 1308, folio 1041; and to The Mennonite Foundation, Inc., an Indiana non-profit corporation, Trustee of the Charitable Remainder Unitrust of Leo Martin and Mary Martin, dated March 12, 2003, by a Deed from Leo E. Martin and Mary E. Martin dated April 14, 2003 and recorded at Liber 1979, folio 339, two of the land records of Washington County, Maryland.

The above described property is subject to all the covenants, conditions, restrictions, easements, limitations and offers of dedication, of record, if any.

And the said Grantor does hereby covenant that it will warrant specially the property hereby conveyed and that it will execute such other and further assurances thereof as may be requisite.

2173 0677

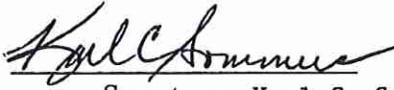
CLERK OF CIRCUIT COURT  
WASHINGTON COUNTY

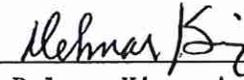
Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN TESTIMONY WHEREOF, the corporate Grantor has caused this deed to be duly executed by Delmar King, its Asst. Treas. and its corporate seal hereunto affixed and duly attested by Karl C. Sommers its Secretary.

Attest to Signature  
and Corporate Seal:

THE MENNONITE FOUNDATION, INC.  
an Indiana non-profit corporation, Trustee  
of the Charitable Remainder Unitrust of  
Leo E. Martin and Mary E. Martin, dated  
March 12, 2003.

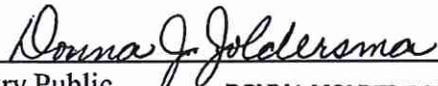
  
Secretary, Karl C. Sommers

By:  (SEAL)  
Delmar King, Assistant Treasurer

STATE OF INDIANA, COUNTY OF ELKHART, To-Wit:

I HEREBY CERTIFY, That on this 28th day of October A. D., 2003, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Delmar King, who acknowledged himself to be an authorized signatory on behalf of the Mennonite Foundation, Inc., Trustee, and that he, as such party, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of said Trust.

Witness my hand and official Notarial Seal.

  
Notary Public  
DONNA J JOLDERSMA  
NOTARY PUBLIC STATE OF INDIANA  
ELKHART COUNTY  
MY COMMISSION EXP. JAN. 29, 2008

My Commission Expires:

2173 0678

CLERK OF CIRCUIT COURT  
WASHINGTON COUNTY

Witness the hand and seal of said Grantor.

Witness:

Leo E. Martin (SEAL)  
Leo E. Martin

Mary E. Martin (SEAL)  
Mary E. Martin

STATE OF MARYLAND, COUNTY OF WASHINGTON, To-Wit:

I HEREBY CERTIFY, that on this 31st day of October, A.D., 2003, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Leo E. Martin and Mary E. Martin, personally known to me to be the persons whose names are subscribed to the foregoing instrument and who did each acknowledge that they executed the same for the purposes therein contained.

Witness my hand and official Notarial Seal.

Leo E. Martin  
Notary Public

My Commission Expires: 3-24-07

The undersigned, a member in good standing of the Bar of the Court of Appeals of Maryland, hereby certifies that the within instrument was prepared by him.

E. Kenneth Groye, Jr.  
E. Kenneth Groye, Jr.

IMP FD SURE 2	20.00
RECORDING FEE	20.00
REGISTRATION T	11,020.00
TR TAX COUNTY	7,000.00
TR TAX STATE	7,250.00
TOTAL	25,310.00
Rest # WA02	Rcpt # 4654
DJW TLC	Blk # 5668
Oct 31, 2003	02:56 PM

AGRICULTURE TAX \$ 172.29  
 ACREAGE 1.2  
 CLERK 9/21/03

October 31, 2003

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Washington County

By ARM Date 10/31/03

CLERK OF CIRCUIT COURT  
WASHINGTON COUNTY

**PARCEL #1:** All that tract or parcel of land, together with the improvements thereon, and all the rights, ways, privileges and appurtenances thereto belonging or in anywise appertaining, situate on and along the Mason-Dixon Line and the Cumberland Valley Railway and described as follows:

BEGINNING for the same at a planted stone standing on the Maryland-Pennsylvania Line 1,077.5 feet West of a mile stone on said Line, the aforesaid planted stone being also a corner of the lands hereby conveyed and the lands now or formerly of Charles V. Larrick and Bertha M. Larrick, his wife, and G. Albert McLaughlin, and running thence with said lands of the said Charles V. Larrick and Bertha M. Larrick, his wife, and G. Albert McLaughlin, with true bearings South 20° 30' West 448.95 feet to a stake, thence North 81° 51' West 542.33 feet to a post on the right-of-way line of the Cumberland Valley Railroad, thence leaving the lands of said Charles V. Larrick and Bertha M. Larrick, his wife, and G. Albert McLaughlin, and running with the Cumberland Valley Railroad right-of-way parallel to and 40 feet distant from the center line of said Railroad, South 8° 25-1/2' West 2,774.32 feet to a post, thence leaving said right-of-way South 85° 13' East 1,110.96 feet, thence South 82° 28' East 908.1 feet to a post, thence North 22° 8' East 2,327.86 feet to an iron pipe, thence North 11° 30' East 980.6 feet to a pipe, thence North 62° 35' West 322 feet to the Southwest corner of a barn, thence North 59° 17' West 65.4 feet to a stake in the Maryland-Pennsylvania boundary line, said stake being 558.9 feet East of a

mile stone in the said State Line, and thence West with said State Line a distance of 1,634.4 feet to the point of beginning;

CONTAINING 172.01 acres of land, more or less;

**PARCEL #2:** All that tract or parcel of land situate on the South side of the Public Road leading from State Line to Mason-Dixon, approximately one (1) mile West of State Line, and being described as follows:

BEGINNING for the tract herein conveyed at a point marked by a stake in the Mason-Dixon Line, said point being in the Southern marginal line of the County Road known as the State Line Road, and also at the end of the second or North 54° 03' West 387.29 foot line in the deed to Elmer F. Strite and Edna M. Strite, his wife, from Charles S. Elliott and wife, dated the 9th day of February, A.D., 1967, and recorded in Liber 451, folio 310 among the Land Records of Washington County, and running thence along said Mason-Dixon Line and with part of the third line of the aforementioned deed, South 81° 45' East 226.61 feet to a stake, thence leaving said Mason-Dixon Line and running South 17° 24' West 110.99 feet to a point marked by a stake in the second line of the aforesaid deed, thence with said second line North 54° 03' West 235.59 feet to the end thereof;

CONTAINING 0.28 of an acre of land, more or less.





## Water & Sewer Plan Amendment Application

2003 Mason Dixon LLC  
17939 Mason Dixon Road  
Hagerstown, MD 21740  
(TM 10, Parcel 68, Tax ID No. 13-000239)  
+/- 172.29 ac.

Current: W5 / S5 - Planned Service  
Proposed: W3 / S3 - Programmed Service

### JUSTIFICATION STATEMENT

The within amendment is requested for the dual purpose of:

- 1) Recognizing the public water distribution system and public wastewater treatment system of the Antrim Township (Pennsylvania) Municipal Authority (ATMA) as systems which may provide public water and wastewater service to eligible properties in Washington County; and
- 2) Amending the priority classification for water and sewerage service from W5 / S5 "Planned Service" to W3 / S3 "Programmed Service" for the above identified +/- 172.29 ac. property located at 17939 Mason Dixon Road, Hagerstown, MD 21740 (TM 10, Parcel 68, Tax ID No. 13-000239).

### Public Water & Sewer Service from ATMA

The subject property is currently located within the Washington County Urban Growth Boundary and is zoned PI (Planned Industrial) (see attached Zoning Map)

The County's draft 2040 Comprehensive Plan update keeps the property within the Growth Boundary and assigns a "Business – Commercial Mix" classification on the future land-use map. (see attached Land-Use Map)

As per the current 2009 Water and Sewerage Plan for Washington County, the property is classified W5 / S5 "Planned Service." (see attached Service Area Map)

Notwithstanding the foregoing and notwithstanding the property being located in close proximity to I-81 and the Hagerstown Regional Airport, the closest public

water and sewer mains to which the property could connect are cost prohibitive to extend.

Therefore, in furtherance of the planned development of the property for two (2) warehouse / distribution buildings consisting of +/- 1,237,600 sf. and +/- 611,520 sf., respectively (see attached Site Plan Cover Sheet and Site, Utility & Dimensioning Plan) the property owner requested and received permission to have the property served by the ATMA (see attached June 9, 2021 letter from the ATMA agreeing to serve the property and July 22, 2022 letter confirming the available capacity sufficient to serve the property).

As per the August 16, 2022 letter from Washington County Department of Planning and Zoning to the ATMA, a copy of which is attached hereto, no objection was raised to the ATMA's intent to serve the property with public water and sewer service provided the property owner / developer filed the within application for Amendment to the Water and Sewer Plan and all required development plans.

On the basis of these prior acknowledgements and approvals, the property owner has completed the construction of water and wastewater mains from the ATMA's distribution and collection systems to the property. (see attached Construction Plan Cover Sheet and Plan/Profile Sheet)

This request is consistent with the County's adopted Comprehensive Plan for the County (2002) which encourages support for and future investment in economic development activity within the urban growth area, in particular the areas around the Hagerstown Regional Airport (see Art. II, Ch. 4, Economic Development).

The County's draft Comprehensive Plan 2040 continues to identify the urban growth area generally and the area around the Hagerstown Regional Airport specifically as priority economic development areas (see Ch. 9 – Economic Development). As such, the within request is also consistent with the County's draft Comprehensive Plan update.

With regard to the requirements stated in Appendix B of the Plan entitled "Policies, Procedures and Criteria for amendment to the County Plan for Water and Sewerage" the Property Owner provides the following:

**Appendix B, Section II (C)**

Criteria applicable to requests for amendment of priority classifications for water and sewerage service where major water and/or sewerage facilities are proposed by property owners:

**1. Eligibility for S-5/W-5 (Planned Service) Classification:**

- a. As discussed above, the property is currently located within the Urban Growth Area and the provision of service to the Property is consistent with the policies of the Comprehensive Plan for the County.
- b. The method of providing water and sanitary sewer service to the Property has been determined satisfactory to the ATMA, has been previously approved by the ATMA and has been constructed by the Property Owner.
- c. A Preliminary Consultation has been held with the Planning Commission to discuss water and sewer service to the Property, culminating in the letter attached hereto dated August 16, 2022 from County Staff to the ATMA expressing no objection.

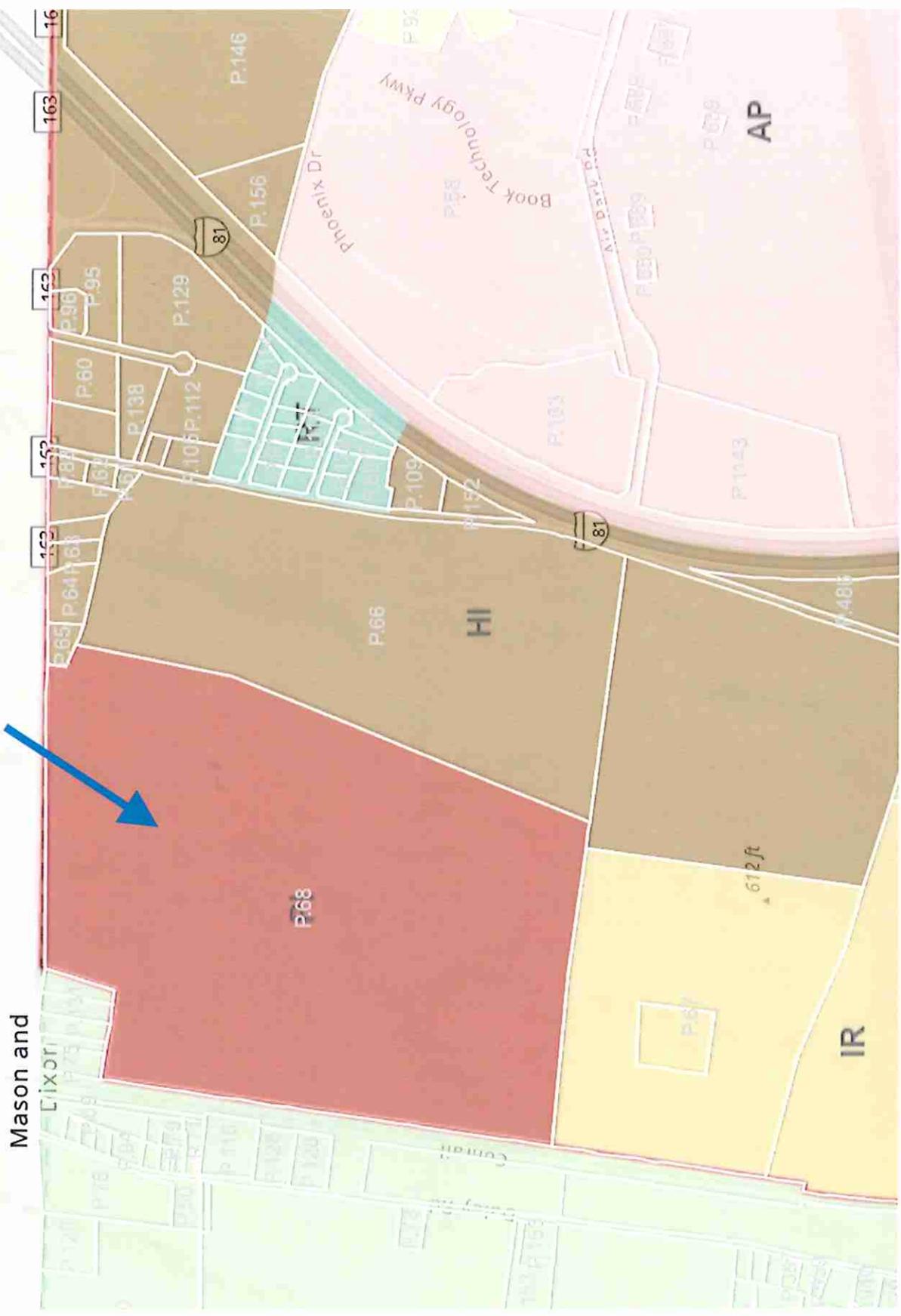
**2. Eligibility for S-3/W-3 (Programmed Service) Classification:**

- a. All of the requirements for S-5/W-5 have been met as per above.
- b. Arrangements have been made with the ATMA for acceptance of the constructed water and sewer facilities, operating and maintenance responsibility, allocation of capacity, and/or connections to the public system.
- c. The proposed development, if approved for service from the ATMA, will not be under the jurisdiction of the Washington County Department of Water Quality.
- d. Adequate capacity currently exists to serve the property.
- e. Preliminary site plan is in the process of being obtained from the Planning Commission and other appropriate public agencies responsible for approval of plans.

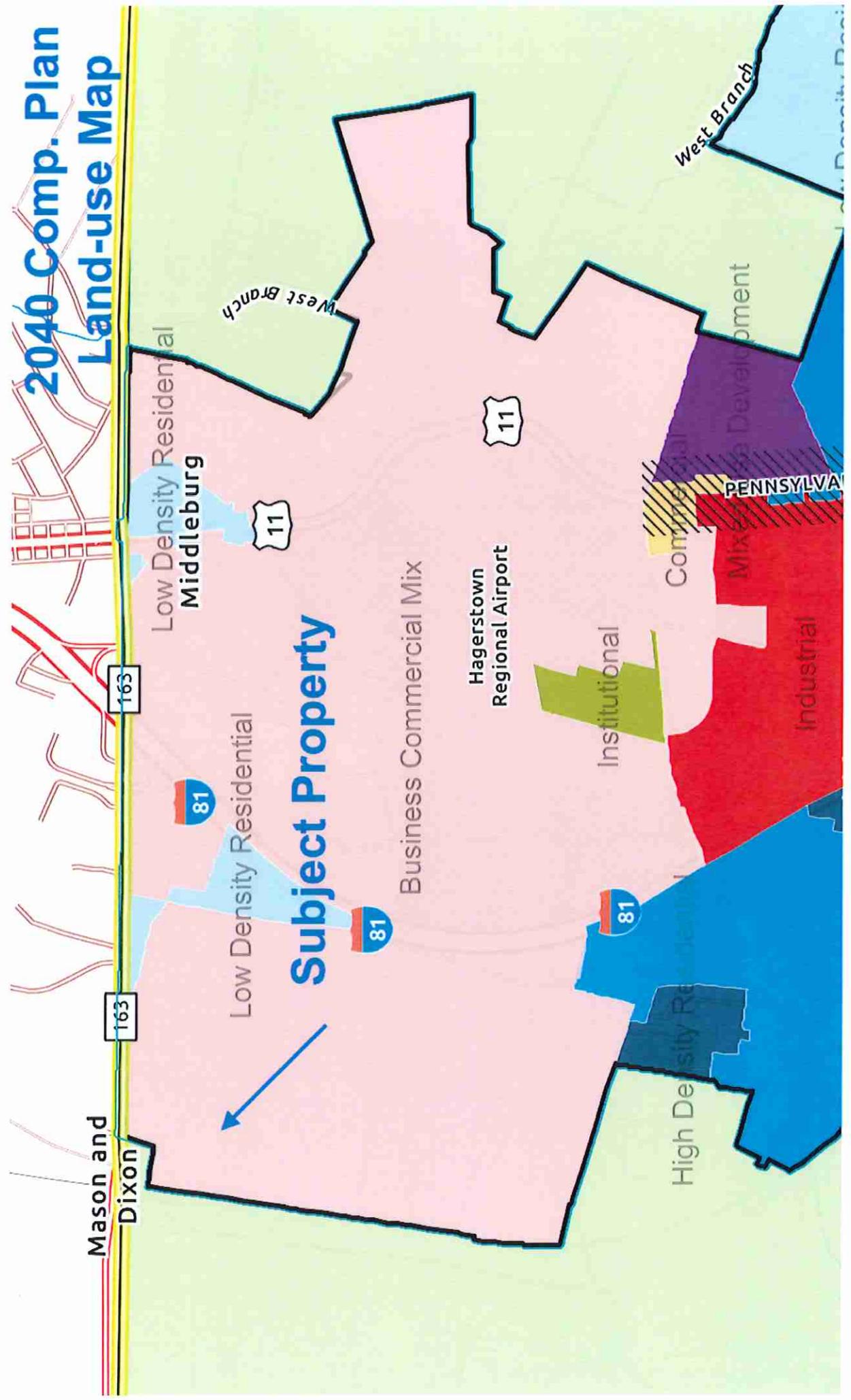
**2003 Mason Dixon LLC  
TM 10, Parcel 68  
+/- 172.29 ac.**

**Zoning Map**

**Current: W5 / S5 - Planned Service  
Proposed: W3 / S3 - Programmed Service**



# 2040 Comp. Plan Land-use Map



Mason and  
Dixon

163

81

Low Density Residential

**Subject Property**

81

Business Commercial Mix

Hagerstown  
Regional Airport

11

Institutional

81

High Density Residential

Commercial

Mixed Use Development

Industrial

PENNSYLVANIA

West Branch

Low Density Residential  
Middleburg

11

West Branch

**2003 Mason Dixon LLC  
TM 10, Parcel 68  
+/- 172.29 ac.**

**Water and Sewerage Plan  
Service Area Map**

**Current: W5 / S5 - Planned Service  
Proposed: W3 / S3 - Programmed Service**

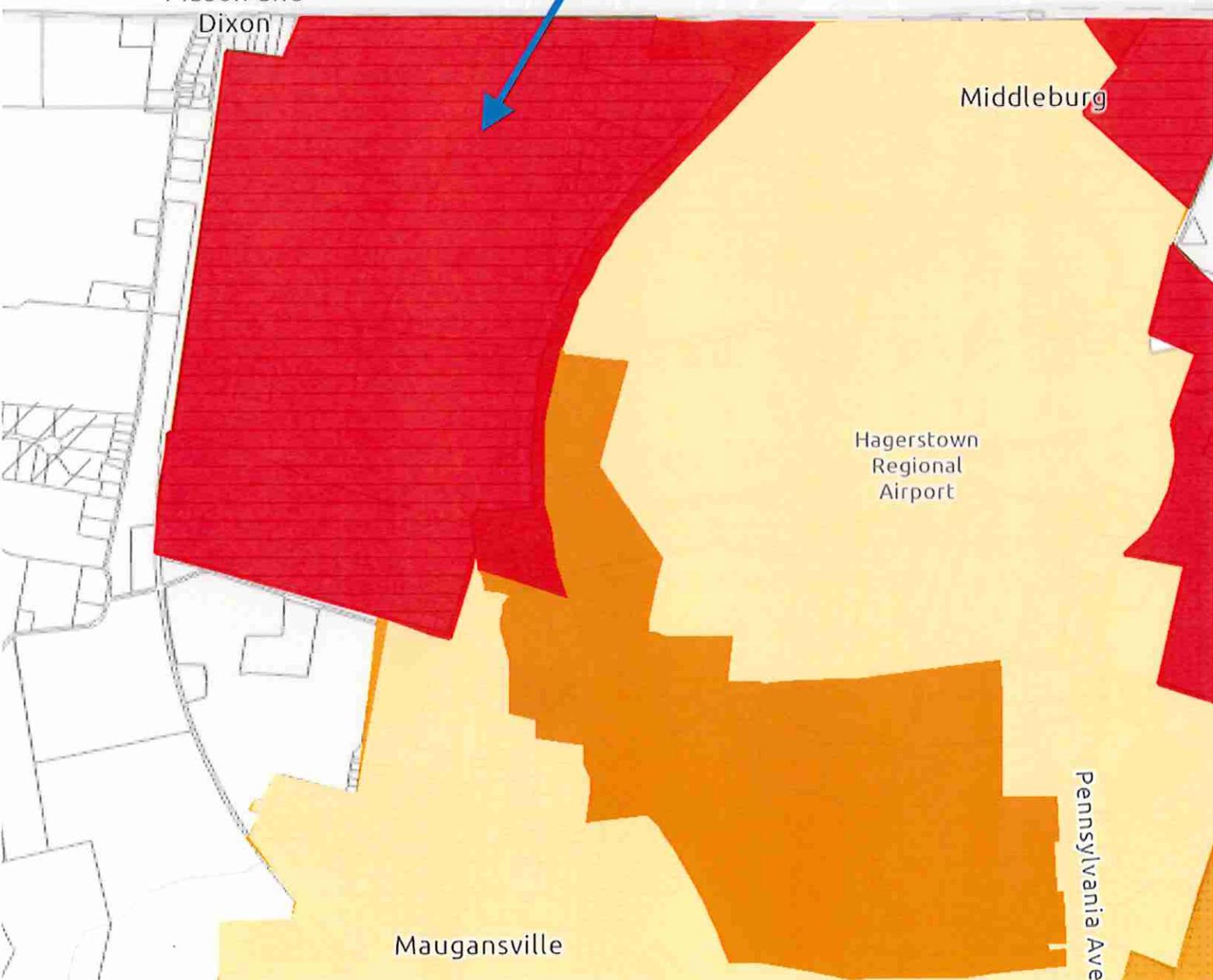
Mason and  
Dixon

Middleburg

Hagerstown  
Regional  
Airport

Maugansville

Pennsylvania Ave





## ANTRIM TOWNSHIP MUNICIPAL AUTHORITY

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10655 Antrim Church Road, Post Office Box 130, Greencastle, PA 17225  
Phone: (717) 597-3818 Fax: (717) 597-4257 [www.twp.antrim.pa.us](http://www.twp.antrim.pa.us)

2003 Mason Dixon LLC  
17939 Mason Dixon Road  
Hagerstown MD 21740

June 9, 2021

RE: 2003 Mason Dixon LLC  
17939 Mason Dixon Rd  
Hagerstown MD 21740  
Intent to serve Sewer/Water Utilities

To Whom It May Concern:

The Antrim Township Municipal Authority will serve sewer and water utilities to 2003 Mason Dixon LLC subject to the availability of capacity at that time, as approved by the Antrim Township Municipal Authority at its regular meeting on Monday, May 24, 2021. This agreement to serve is transferable for the property located at 17939 Mason Dixon Rd., Hagerstown MD 21740, upon written approval of the Antrim Township Municipal Authority.

Sincerely,

Roger A. Nowell  
Antrim Township Public Works Director  
13431 Worleytown Road  
Greencastle PA 17225  
Office: 717-597-3818 ext. 106  
Mobile: 717-816-1570  
Field Office: 717-597-9798  
Email: [rnowell@twp.antrim.pa.us](mailto:rnowell@twp.antrim.pa.us)  
Website: [www.twp.antrim.pa.us](http://www.twp.antrim.pa.us)



# ANTRIM TOWNSHIP MUNICIPAL AUTHORITY

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10655 Antrim Church Road, Post Office Box 130, Greencastle, PA 17225  
Phone: (717) 597-3818 Fax: (717) 597-4257 [www.twp.antrim.pa.us](http://www.twp.antrim.pa.us)

2003 Mason Dixon LLC  
17939 Mason Dixon Road  
Hagerstown MD 21740

July 22, 2022

RE: 2003 Mason Dixon LLC  
17939 Mason Dixon Rd  
Hagerstown MD 21740  
Capacity to serve Sewer/Water Utilities

To Whom It May Concern:

Per the Antrim Township Municipal Authority 2021 Primary Facility Report as submitted to DEP, the public water system produced 95,721 GPD during 2021. The system has present capacity to produce <400,000 GPD and permitted capacity to produce up to 792,000 GPD.

Per the Antrim Township 2021 Chapter 94 report as submitted to DEP, the public sewer system treated 0.666 MGD during 2021. The maximum design capacity of the treatment plant is 1.200 MGD, with an increased hydraulic design capacity up to 1.900 MGD as a result of a just completed expansion to the sewer treatment plant.

No capacity issues are expected as a result of this water/sewer expansion into Maryland/Washington County for the referenced project.

Sincerely,

Roger A. Nowell  
Antrim Township Public Works Director  
13431 Worleytown Road  
Greencastle PA 17225  
Office: 717-597-3818 ext. 106  
Mobile: 717-816-1570  
Field Office: 717-597-9798  
Email: [rnowell@twp.antrim.pa.us](mailto:rnowell@twp.antrim.pa.us)  
Website: [www.twp.antrim.pa.us](http://www.twp.antrim.pa.us)



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

August 16, 2022

Antrim Township Municipal Authority  
c/o Roger Nowell, Director, Antrim Twp. Public Works  
10655 Antrim Church Road  
P.O. Box 130  
Greencastle, PA 17225

Re: 17939 Mason Dixon Road, Hagerstown, MD 21740 (TM 10, Grid 20, Parcel 68)(the "Property")  
Intent to Serve – Sewer/Water Utilities

Mr. Nowell:

As per the letter dated June 9, 2021, the Antrim Township Municipal Authority (ATMA) has agreed and is willing to serve the above referenced Property located in Washington County, Maryland with public water and sewer service, subject to the availability of capacity at the time of development.

As the governing jurisdiction that will review any land development plans for the Property, Washington County hereby acknowledges and has no objection to the ATMA's intent to serve the Property with public water and sewer service. The developer will be required to file the appropriate applications for Washington County Water and Sewer Plan amendments and development plans prior to connection of services.

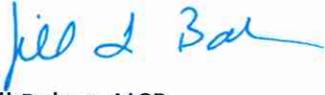
Please be advised that the Washington County Sewer Service Policy currently provides as follows, which the Property will be expected to comply with in the event Washington County public sanitary sewer infrastructure is extended in the vicinity:

**Article I, Section I – 1 General**

D. *Duty of Owners to Connect* - the owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, *situated within the County* and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the County, and located *within 350 feet of said sanitary sewer* is hereby required at their expense to ... connect such facilities directly with the proper public sanitary sewer in accordance with all applicable provisions of the County law within the time prescribed by the County. (emphasis added)

Should you have any further questions regarding this action please contact me at 240-313-2430.

Sincerely,

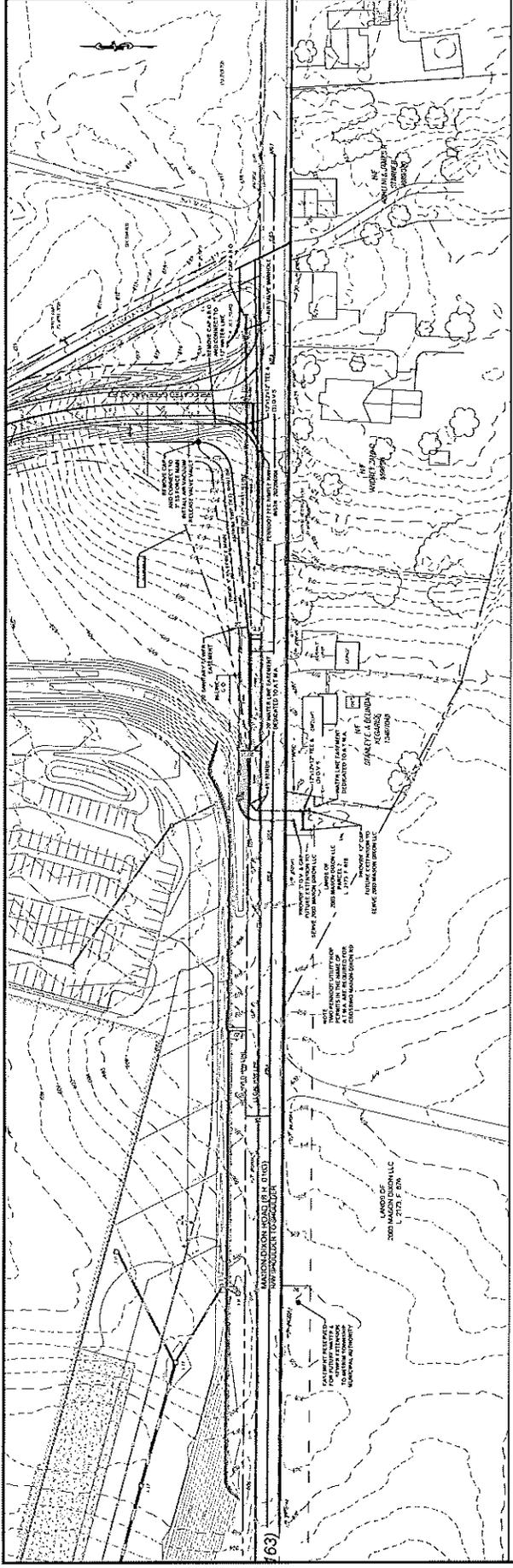


Jill Baker, AICP  
Director

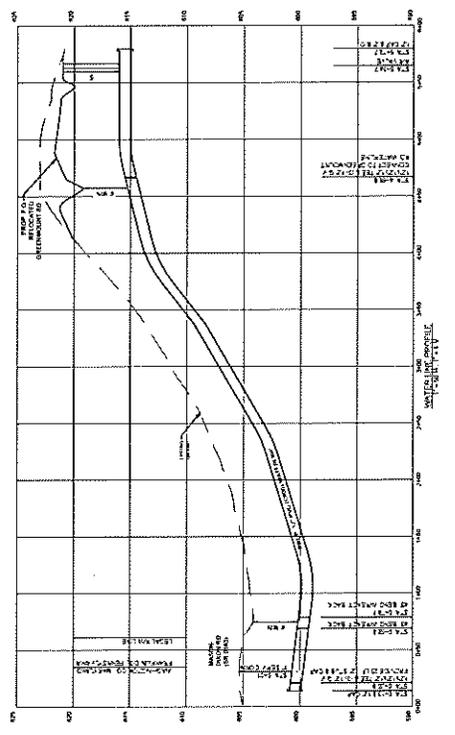
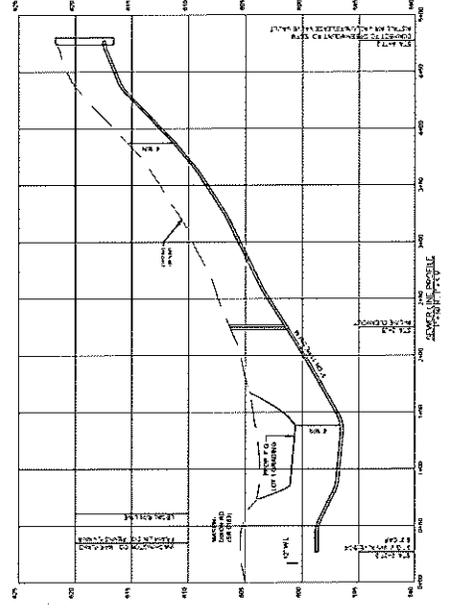
Cc: Mark Bradshaw, Director, Washington County Environmental Management  
John Martirano, County Administrator  
Kirk Downey, County Attorney  
Jason Divelbiss, Esq., JD Law Company Inc.



**FSA**  
 FRANKLIN COUNTY ASSOCIATES, INC.  
 1100 WASHINGTON STREET, SUITE 200  
 FRANKLIN, PA 16801  
 PHONE: 717.795.1111



**LEGEND**  
 WATERLINE CASINGMENT  
 (NO SHOWN)





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

April 6, 2026

Case #: WS-25-004

## Application for Water and Sewerage Plan Amendment Staff Report and Analysis

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<b>Property Owner(s):</b>	2003 Mason Dixon LLC
<b>Applicant(s):</b>	2003 Mason Dixon LLC
<b>Location:</b>	17939 Mason Dixon Road
<b>Comprehensive Plan Designation:</b>	Business Commercial Mix
<b>Zoning Map:</b>	10
<b>Parcel(s):</b>	P. 68
<b>Acreage:</b>	172.29 acres
<b>Existing Service Area Designation:</b>	W-5/S-5 Planned Service
<b>Requested Service Area Designation:</b>	W-3/S-3 Programmed Service
<b>Date of Public Information Meeting:</b>	April 6, 2026

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### I. Introduction

In accordance with Maryland law, each County is required to prepare, adopt and maintain a Water and Sewer Plan to demonstrate that safe and adequate facilities can and will be provided to support growth and development. Washington County, in cooperation with all other utility providers, last adopted a Water and Sewer Plan in 2011 that forecasted short- and long-term water and wastewater facility needs over a 10-year period. On occasion, amendments can be made to the document to update information regarding new water/sewerage facilities, changes in the type, size or capacity of existing facilities, changes in the priority classification for service, or changes to the boundaries of existing service areas. In this specific case, the applicant is requesting to:

- 1) Change the priority classification for water and sewer service from W-5/S-5 (Planned Service) to W-3/S-3 (Programmed Service); and
- 2) Recognize the public water distribution system and public wastewater system of Antrim Township Municipal Authority (Pennsylvania) to provide these services to eligible properties in Washington County, Maryland.

The applicant seeks these amendments in service of the planned development of two warehouse/distribution facilities consisting of +/- 1,237,600 sf. and +/- 611,520 sf., respectively. A site plan for these two facilities is currently under review by various regulatory agencies (County file SP-23-004).

## II. Background Information

### A. Location and Description of Subject Properties

The subject parcel, totaling 172.29 acres, is located at the northern limit of the County's Urban Growth Area (UGA) boundary at the Pennsylvania border on Mason Dixon Road. The property is zoned Planned Industrial, but is currently being used for agricultural purposes and improved only by agricultural support buildings.

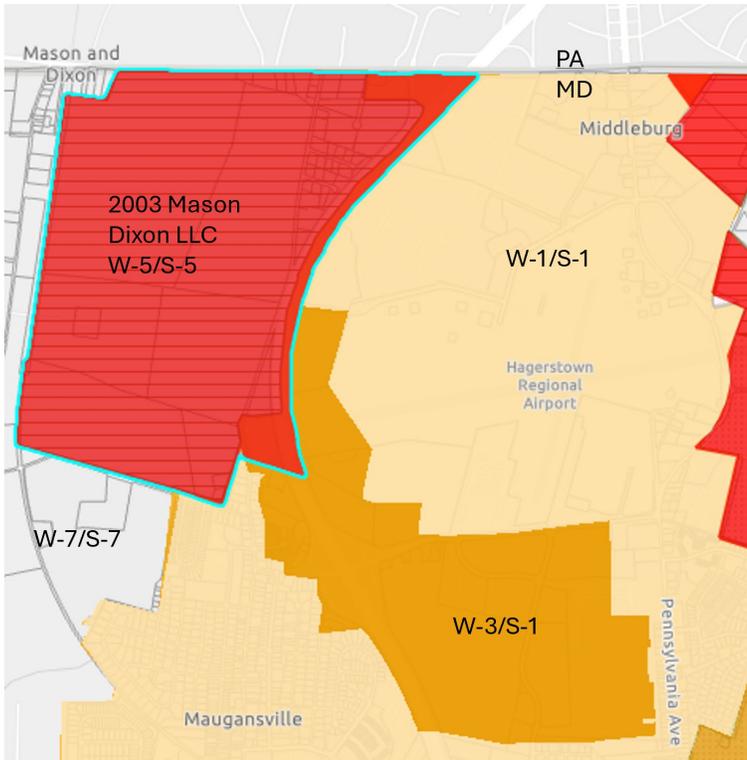


Image: Water and Sewer Service Designations Vicinity Map

As shown in the map at left, the property is designated as W-5/S-5 (Planned Service - shown in red in the image) in the 2009 Water and Sewer Plan. Several properties in this same location are given these same designations, as they represent the current limit of water and sewer service in the northwestern corner of the UGA. Properties within or immediately surrounding the Hagerstown Regional Airport are either W-1/S-1 (Existing Service - yellow) or W-3/S-1 (Programmed Service for water, Existing Service for sewer - orange). Properties west of the CSX railroad line, which runs along the western boundary of the subject site, are designated W-7/S-7 (No Planned Service - gray) with no planned connection to either public water or sewer in the immediately foreseeable

future.

### B. Water and Sewer Plan Amendment Criteria

Appendix B of the 2009 Water and Sewer Plan outlines the policies, procedures and criteria for amendments to the Plan. The eligibility criteria for amendments to the service priority classification specified in Appendix B include the following for a W-3/S-3 classification:

#### 1) Eligibility for S-3/W-3 (Programmed Service) Classification:

- a. All of the requirements for S-5/W-5 have been met (see # 2 below).

- b. Arrangements have been made with the appropriate agency for acceptance of facilities, operating and maintenance responsibility, allocation of capacity, and/or connections to the public system.
- c. When the proposed development is located within an area that is under the jurisdiction of the Washington County Department of Water Quality (WCDWQ), the developer shall have obtained approval of the establishment of a new WCDWQ Service Area or expansion of an existing WCDWQ Service Area pursuant to WCDWQ Policy and Procedures.
- d. Adequate capacity shall be existing or be programmed by the service providing agency responsible for the system that will serve the site. Any capital costs to be incurred by public agencies should be included in the Capital Improvements Program of the appropriate jurisdiction.
- e. Preliminary plat and/or site plan approval has been obtained from the Planning Commission and other appropriate public agencies responsible for approval of plans, or future operating maintenance costs of sanitary facilities.
- f. A discharge permit, where appropriate, has been approved by appropriate State agencies.
- g. A hydrogeologic study, where appropriate, supports the establishment of a community water system which will not be detrimental to adjoining wells.

**2) Eligibility for S-5/W-5 (Planned Service) Classification:**

- a. The provision of service has been determined to be consistent with the policies of the Comprehensive Plan for the County and if applicable, the appropriate municipality.
- b. The method of providing water and sanitary sewer service to the Property has been determined satisfactory and has received written acknowledgement by the appropriate public agencies such as the Health Department, Department of Water Quality, and municipalities. Agency acknowledgement will be for the method of service in concept and not in design.
- c. A Preliminary Consultation has been held with the Planning Commission.
- d. If necessary, the Planning Commission has determined that the property is located within an Urban or Town Growth Area and has determined an appropriate service area designation, i.e. Urban/Town Growth Area, Rural Village, or Restricted Service.

Appendix B also specifies additional criteria for applications which would extend collection or transmission facilities beyond the boundaries of existing ten-year service area, including:

- 1) Location of the proposed development or service area (boundaries, acreage, map) & relationship to existing service area and facilities.
- 2) Number of people existing in development or service area.
- 3) Number of people to be served in development or service area by planned staged development.
- 4) Relationship to Comprehensive Plan.
- 5) Relationship to Water and Sewerage Plan.

### III. Staff Analysis

As noted in the introduction, the applicant seeks a new water and sewer service priority classification, as well as affirmation of Antrim Township Municipal Authority (ATMA) to provide these services to eligible properties in Washington County, Maryland. The staff analysis that follows will utilize the criteria outlined in the previous section of this report to determine whether the requirements for amendments to the currently adopted Water and Sewer Plan have been met. By meeting these criteria, it stands to reason that the provision of water and sewer service by a utility outside of the State of Maryland would be consistent with Washington County plans and policies for these services.

#### A. Requested Change from W-5/S-5 to W-3/S-3

##### 1) Eligibility for W-3/S-3 (Programmed Service) Classification:

- a. All of the requirements for S-5/W-5 have been met
  - **See responses in section #2 below.**
- b. Arrangements have been made with the appropriate agency for acceptance of facilities, operating and maintenance responsibility, allocation of capacity, and/or connections to the public system.
  - **As indicated by the June 9, 2021 letter included in application materials, arrangements have been made with the ATMA for acceptance of the constructed water and sewer facilities, operating and maintenance responsibility, allocation of capacity, and/or connections to the public system.**
- c. When the proposed development is located within an area that is under the jurisdiction of the Washington County Department of Water Quality (WCDWQ), the developer shall have obtained approval of the establishment of a new

WCDWQ Service Area or expansion of an existing WCDWQ Service Area pursuant to WCDWQ Policy and Procedures.

- **The proposed development, if approved for service from the ATMA, will not be under the jurisdiction of the Washington County Department of Water Quality.**
- d. Adequate capacity shall be existing or be programmed by the service providing agency responsible for the system that will serve the site. Any capital costs to be incurred by public agencies should be included in the Capital Improvements Program of the appropriate jurisdiction.
- **ATMA's July 22, 2022 letter included in application materials indicates there is sufficient existing capacity to serve the proposed development.**
- e. Preliminary plat and/or site plan approval has been obtained from the Planning Commission and other appropriate public agencies responsible for approval of plans, or future operating maintenance costs of sanitary facilities.
- **County Site Plan SP-23-004 is currently under agency review. Addressing the water and sewer service issue is one of the key elements in the plan achieving final approval by the Planning Commission.**
- f. A discharge permit, where appropriate, has been approved by appropriate State agencies.
- **The status of the discharge permit is not currently known, but it would be issued by ATMA and is outside of the purview of Maryland water quality regulations.**
- g. A hydrogeologic study, where appropriate, supports the establishment of a community water system which will not be detrimental to adjoining wells.
- **A geotechnical study was conducted as part of SP-23-004 by ECS Mid-Atlantic on July 12, 2022 related to proposed stormwater management facilities. The review revealed that the site is underlain by the Rockdale Run Formation which is susceptible to the formation of sinkholes and sinkholes and karst features were observed during the site walk by the consultant. These conclusions support the requested connection to public water and sewer services as a part of the proposed project to address environmental health concerns that could arise from the use of individual well and septic systems in this part of the County.**

**2) Eligibility for S-5/W-5 (Planned Service) Classification:**

- a. The provision of service has been determined to be consistent with the policies of the Comprehensive Plan for the County and if applicable, the appropriate municipality.
  - **The property is located within the County’s UGA which defines where the highest intensity urbanization in the County has and is planned to occur. The UGA is the centralized location for many of the infrastructure needs of the overall population, including public water and sewer service. All properties within the UGA are anticipated in long range land use plans to connect to public water and sewer facilities when they become available to a given location.**
  - The request aligns with the following goals or policies from the County’s recently adopted Comprehensive Plan:
    - i. **Plan Goal # 4: Maintain policies and strategies that direct growth to areas where the County can provide adequate infrastructure and community resources for existing and future development.**
    - ii. **Community Facilities Chapter Recommendation: Assess the necessity and feasibility to expand the public sewerage facilities to the existing and potential areas within the UGA which are not currently served and where existing on-site systems may need improvement.**
    - iii. **Economic Development Chapter:** The area around Hagerstown Regional Airport is identified as one of the Targeted Economic Development Areas due to the abundance of infrastructure available, the amount of vacant land available for development and its location provides excellent access to local and regional transportation routes.
    - iv. **Growth Management and Land Use Chapter:** The land use proposed for this development falls within the basic parameters of the Business Commercial Mix land use policy area which has been applied to the property on the adopted Land Use Plan. The Policy Area is described as being “... *intended to provide potential areas for mixed employment and commercial uses. They include suitable locations for uses that facilitate access by a large number of employees and the receipt or shipment of goods by highway vehicles.*”

- b. The method of providing water and sanitary sewer service to the Property has been determined satisfactory and has received written acknowledgement by the appropriate public agencies such as the Health Department, Department of Water Quality, and municipalities. Agency acknowledgement will be for the method of service in concept and not in design.
  - **As indicated by the June 9, 2021 letter provided by the applicant, the method of providing water and sanitary sewer service to the Property has been determined satisfactory to the ATMA.**
- c. A Preliminary Consultation has been held with the Planning Commission.
  - **A preliminary consultation with the Planning Commission was completed on October 3, 2022.**
- d. If necessary, the Planning Commission has determined that the property is located within an Urban or Town Growth Area and has determined an appropriate service area designation, i.e. Urban/Town Growth Area, Rural Village, or Restricted Service.
  - **Not applicable – this property was previously given a W-5/S-5 service priority classification at the time the Water and Sewer Plan was adopted and is within the UGA.**

### 3) Additional Appendix B Criteria

- a. Location of the proposed development or service area (boundaries, acreage, map) & relationship to existing service area and facilities.
  - **ATMA service area boundaries were not provided in application materials or available in a review of publicly available documents on the Township's website. Plans for the water and sewer line extension into Antrim County were not reviewed by Washington County as that part of the project lies outside of our regulatory authority.**
- b. Number of people existing in development or service area.
  - **See 3a above**
- c. Number of people to be served in development or service area by planned staged development.
  - **See 3a above**
- d. Relationship to Comprehensive Plan.
  - **See prior response to this question on page 6.**
- e. Relationship to Water and Sewer Plan.

- **As previously discussed, the property’s inclusion within the UGA in the recently adopted Comprehensive Plan as well as its prior W-5/S-5 service priority classification in the 2009 Water and Sewer Plan clearly indicate an intent to provide public water and sewer facilities to the site when feasible.**
- The request aligns with many goals or objectives in the 2009 Plan, including:
  1. **Goal #1: “To protect the health, safety and welfare of the people of Washington County by providing acceptable and adequate water supply and sanitary sewerage facilities to all areas of the County.”**
  2. **Goal #4: “To provide for the qualified management of water resources in the County in cooperation with the municipalities of the County, in order to effectively cope with water pollution and to conserve and/or improve the quality of streams and groundwater within and adjacent to the County.”**
  3. **Objective #9: “To manage the extension and expansion of existing water and sewer lines and facilities to serve the land which is considered to be within the designated urban and town growth areas and Priority Funding Areas in accordance with capacity analysis.”**

➤ **Reviewing Agency Comments**

The Washington County Health Department offered the following comment when routed a copy of the application:

*“Prior to a site plan being approved, a letter of conformance with the Water and Sewer Plan would be required, along with the allocation form for both water and sewer. The Washington County Health Department has no objection to the proposal.”*

**IV. Recommendation**

The property’s location inside the County’s UGA, as assigned by both the Comprehensive Plan’s recently adopted Land Use Plan and 2009 Water and Sewer Plan, demonstrate a clear intent to connect properties in this portion of the County to public water and sewer facilities when they become available. The unique circumstances of this property being located right on the Pennsylvania border enable the property to seek out more economical public water and sewer service across state lines, potentially preserving local allocation for neighboring properties yet to be fully developed and reducing the burden on City and County water and wastewater systems.



As indicated by the image at left, the property falls within one of the wellhead protection areas identified by the Maryland Department of the Environment and included in the Water Resources Element of the County's Comprehensive Plan update. Wellhead Protection is a strategy designed to protect public drinking water supplies by managing the land surface around a well where activities might affect the quality of the water.

**Wellhead Protection Area**

The wellhead protection area was designated in this area due to the potential for contamination as a result of the groundwater being under the direct influence of surface water (GWUDI). GWUDI has been a long-term issue in the County, resulting from the karst topography in this area, a subsurface characteristic that was specifically noted as being found on the subject property in the geotechnical study conducted as part of SP-23-004 review by ECS Mid-Atlantic on July 12, 2022.

In 2017, the City of Hagerstown approved an exemption to their Water and Wastewater Policy allowing the extension of services outside of the designated MRGA when well testing fails to gain approval of the Health Department due to GWUDI issues. The City will not be the service provider under the terms of the applicant's request, but these environmental constraints support the need for this property to connect to public water and sewer to avoid potential groundwater contamination from the proposed development.

Overall, staff finds that the requested amendment is consistent with the goals and policies of the adopted Comprehensive Plan for the County as well as the goals and policies of the adopted Water and Sewer Plan for the County. Staff recommends approval of this amendment to change the priority service classification (from W-5/S-5 to W-3/S-3) and to recognize the public water distribution system and public wastewater system of Antrim Township Municipal Authority to provide these services to eligible properties in Washington County, Maryland.

Respectfully submitted,

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