

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
March 4, 2019**

The Washington County Planning Commission held its regular monthly meeting on Monday, March 4, 2019 at 7:00 p.m. at the Washington County Administration Building, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Commission members present at the meeting were: Clint Wiley, Andrew Bowen, Jeremiah Weddle, Denny Reeder, Robert Goetz, Jr., David Kline and Ex-Officio Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Stephen Goodrich, Director; Jill Baker, Deputy Director; Travis Allen, Comprehensive Planner; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting: Ashley Holloway, Director; Cody Shaw, Chief of Plan Review; and Lisa Kelly, Senior Planner.

CALL TO ORDER

The Chairman called the meeting to order at 7:00 p.m.

-NEW BUSINESS

MINUTES

Motion and Vote: Mr. Bowen made a motion to approve the minutes of the February 4, 2019 meeting as presented. The motion was seconded by Mr. Weddle and unanimously approved.

Motion and Vote: Mr. Goetz made a motion to approve the minutes of the February 13, 2019 workshop meeting as presented. The motion was seconded by Mr. Weddle and unanimously approved.

SUBDIVISIONS

Harper Park [PP-15-001]

Ms. Kelly presented for review and approval a preliminary plat for 73 single-family lots located on the west side of Paradise Church Road. The property is currently zoned RT (Residential, Transition). The total area of development is 52.3 acres; 15 acres are remaining. The site will be served by public water and public sewer. New streets will be constructed with access onto Paradise Church Road and an eventual interconnection with the Paradise Heights subdivision to the south. In 2016, the Planning Commission approved a modification to allow the creation of 5 panhandle lots. Final plats will be approved in phases based on offsite road improvements. In 2016, the developers of Harpers Park agreed to enter into a Memorandum of Understanding with the County. The MOU is based on several conditions; one of which states, "The first phase of 10 lots can be approved without any offsite improvements to Longmeadow Road". This condition has been changed to 14 lots instead of 10 lots; the 15th lot would trigger the required offsite improvements. Forest Conservation Ordinance requirements will be met by planting new forest and retaining existing forest on-site in the amount of 13 acres. All reviewing agency approvals have been received.

Discussion and Comments: Commissioner Wagner asked if a traffic light would be installed at the intersection of Longmeadow Road and Paradise Church Road. Mr. Goetz noted that the MOU states, "At the same time as developer widens Longmeadow Road, the County will enter into an agreement with developer and pay for a traffic signal at intersection with Paradise Church Road".

Mr. Bowen asked if the proposed development is inside the Urban Growth Area. Mr. Schreiber stated it is in the UGA. He also noted that a reserved access has been requested by the County for the adjacent property for future access and connectivity. There was a brief discussion regarding the future expansion of Paradise Church Road at its intersection with Marsh Pike. Mr. Goodrich noted that funds are currently in the proposed CIP in the year 2025. Mr. Goetz made an inquiry regarding the widening of Longmeadow Road. Ms. Kelly was not familiar with the plans, which would be handled through the County's Engineering Department. Mr. Bowen recommended additional information be provided when the final plans are submitted for review. Ms. Kelly stated that the Planning Commission does not normally review the final plats which are approved by staff unless there is a problem or issue that needs Planning Commission consideration and input. Mr. Bowen suggested that when the plat for the 15th lot is submitted, the planner should remind the Planning Commission about the required offsite improvements that have been agreed upon between the County and the developer.

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

Mr. Bowen left the meeting at 7:15 p.m.

SITE PLANS

Millstone Solar [SP-18-043]

Ms. Kelly presented for review and approval a proposed solar energy generating system on a leased area of 11.30 acres within a 61.61 acre parcel. The property is located along the north side of Millstone Road and is currently zoned EC (Environmental Conservation). The system will consist of approximately 7,904 solar modules on a ground mounted system. The entire system will be surrounded with a minimum 8 foot fence. There will be no employees or customers; visits will be twice a year for repair and maintenance and mowing on a periodic and as needed basis. Upon termination of the lease, all equipment will be removed and the property will be returned to its current composition. Access to the site will be from an entrance on Millstone Road. In October 2018, the Board of Appeals granted a special exception to establish the proposed system with the condition that the site be limited to 15 acres. Forest Conservation requirements will be met by retaining existing forest on-site in the amount of 2.04 acres. A separate forest conservation easement plat has been submitted and is currently under review. All reviewing agency approvals have been received.

Discussion and comments: Mr. Kline asked if the solar generating system would be visible from the C & O Canal. Mr. Gordon Poffenberger of Fox & Associates, Inc. (the consultant), stated there is a row of trees along the south side of the array along Millstone Road. He believes this would shield the C & O Canal from the arrays. Ms. Baker expressed her opinion the Canal would be at a lower elevation than the array and may be visible only when the leaves are not on the trees.

Mr. Weddle asked if the developer has a maintenance plan. It was noted that the developer will be planting a blend of rye and three different types of clover which will be cut 3 or 4 times per year as needed. There was a brief discussion regarding the proposed fencing, which will be an agricultural style fencing. It will be 8 feet high with no barbed wire on top.

Motion and Vote: Mr. Goetz made a motion to approve the site plan as presented with the developer using an 8 foot fence. The motion was seconded by Mr. Kline and unanimously approved.

North End Storage II [SP-19-001]

Ms. Kelly presented for review and approval a site plan for the construction of 73 self-storage units on 4.83 acres located along the southwest side of Longmeadow Road. The property is currently zoned BL (Business Local). The units will be divided into three buildings with permeable paving between. Hours of operation will be 7 days per week, 24 hours per day. There will be no water or sewer facilities. Four parking spaces will be required and 5 spaces will be provided. Lighting will be building mounted. A sign will be located on the left side of the entrance. Landscaping will be located in front of the site. Forest Conservation requirements will be met by retaining existing forest on site in the amount of .94 acres and paying the fee in lieu of \$7,710.12. A separate forest conservation easement plat has been submitted and is currently being reviewed. All reviewing agency approvals have been received.

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

Washington County Safety Training Complex [SP-18-044]

Mr. Shaw presented for review and approval a site plan for a proposed public safety training complex on 49.59 acres located along the west side of Sharpsburg Pike. The property is currently zoned RT (Residential Transition). Hours of operation will be Monday thru Friday, 7 a.m. to 10 p.m., and Saturday and Sunday, 8:30 a.m. to 3:30 p.m. Total required parking spaces is 169, parking provided will be 176 spaces. The site will be served by public water from the City of Hagerstown and public sewer from Washington County. Storm water management for the site will be handled via storm water bio-retention areas. Forest Conservation requirements are currently being reviewed and discussed. Lighting will be pole and building mounted. The photometric plan meets all County standards and requirements. No reviewing agency approvals have been received and staff is requesting that the Planning Commission grant staff the authority to approve the plan once all agency approvals have been received.

Discussion and Comments: Mr. Reeder asked if the proposed parking requirements will accommodate future growth. Mr. Shaw stated that parking requirements would be reviewed during future phases of development.

Motion and Vote: Mr. Reeder made a motion to grant staff the authority to approve the site plan pending receipt of all agency approvals. The motion was seconded by Mr. Weddle and unanimously approved with Commissioner Wagner abstaining from the vote.

FOREST CONSERVATION

Washington County Safety Training Complex [FP-19-002]

Mr. Allen presented for review and approval a request to remove two specimen trees on the site of the proposed Washington County Safety Training Complex located on Sharpsburg Pike. The Forest Conservation Plan proposes 5.25 acres of forest clearing and the removal of two different specimen trees (a 35" White Mulberry and a 34" Black Cherry). Specimen trees are described in the Forest Conservation Ordinance as trees that are greater than 30" in diameter, 4 ½ feet off the ground. Trees of this size are prioritized for retention under Article 8.2 of the Ordinance. There are 25 specimen trees on the site; 23 trees will be retained. The applicant has tried to minimize forest clearing to the greatest extent possible. The applicant, in their request, states that due to site conditions and slope, storm water must be drained to the south of the building which is the current location of these two trees and where it is proposed a drain would be located. They also noted that the removal of the forest around the specimen trees from site grading would likely result in their mortality regardless.

Motion and Vote: Mr. Reeder made a motion to approve the variance request to remove two specimen trees. The motion was seconded by Mr. Kline and unanimously approved with Commissioner Wagner abstaining from the vote.

Andrew Michael Forest Mitigation Bank [FBK-19-001]

Mr. Allen presented for review and approval a request to establish a 9.62 acre forest mitigation bank along Cearfoss Pike, just west of the Cearfoss traffic circle. The property is currently zoned A(R) – Agricultural Rural. The purpose of forest mitigation banks is to provide off-site mitigation for forest conservation when developers must offset regulated forest clearing. To utilize acreage contained within the forest bank, a prospective future development project must demonstrate that they cannot reasonably accomplish other, more preferred techniques. If demonstrated, credits can be purchased from the bank to meet forest mitigation requirements for the proposed project. Article 20 of the Forest Conservation Ordinance notes the targeted characteristics for establishing a new forest bank. Specific environmental characteristics of this site includes: a forest buffer to an intermittent stream; a wetland listed on the National Wetlands Inventory; a perennial stream and flood plain immediately off the subject site connected to Toms Run; and a 153 acre MET land conversation easement immediately adjacent. Staff is seeking approval to establish the forest mitigation bank upon the condition that all other requirements are successfully met.

Motion and Vote: Mr. Reeder made a motion to approve the forest mitigation bank contingent upon the applicant meeting all other requirements. The motion was seconded by Mr. Kline and unanimously approved with Commissioner Wagner abstaining from the vote.

Professional Court Lot 8 [FP-19-003]

Mr. Allen presented for review and approval a request to utilize on-site natural regeneration to satisfy the remaining 0.14 acre planting requirement for the extension of Professional Boulevard. The property is owned by the Washington County Mental Health Center and is located within the City of Hagerstown. There are two different mitigation plats that will accompany the construction of Professional Boulevard. The second property is immediately adjacent to this site and is owned by Nationwide Health Properties. The second plat is listed as County file FP-19-004.

Natural regeneration is a less preferred option but still very viable under the right circumstances. Mr. Allen stated that the overall forest conservation plan would retain a useful forest buffer immediately next to the Antietam Creek and would provide for the planting of 193, 3" caliper street trees. The natural regeneration area is being proposed in an area at the Mental Health Center with forest on all sides.

Motion and Vote: Mr. Kline made a motion to approve the request to utilize on-site natural regeneration for the Professional Boulevard extension project. The motion was seconded by Mr. Weddle and unanimously approved with Commissioner Wagner abstaining from the vote.

-OTHER BUSINESS**MPCA Workshop**

Mr. Doug Wright, MPCA Board member and Chairman of the City of Hagerstown Planning Commission, gave a brief presentation on the upcoming Regional Planning Commissioners Workshop. This workshop will be held on Friday, March 29 from 10:00 a.m. to 3:00 p.m. at USMH. This will be a free event and will include a free luncheon.

Update of Staff Approvals

Mr. Holloway presented the following update for February: 17 permit approvals and 21 Land Development approvals including 3 simplified plats, 1 forest stand delineation, 3 forest conservation plans, 1 traffic impact study, storm water concept plans, grading plans; and 1 red line revisions.

Discussion of Proposed Text Amendments

Ms. Baker presented two proposed text amendments that will be heard by the Planning Commission at its April meeting. The first text amendment is related to alcohol manufacturing uses. Ms. Baker noted there is currently some interest in farm distilleries but the County does not have any regulations in its Zoning Ordinance. This would be similar to the wineries which are required to produce a minimum of 2 acres of product on site used as part of the fermenting/distilling/brewing process. State law has recently added pub breweries and microbreweries which will also be included in this amendment.

The second amendment is related to mineral extraction operations. In the previous Zoning Ordinance, before the Rural Area rezoning, there were definitions for low, moderate and high mineral extractions. The low volume extraction was applied to one acre of land or less; the moderate volume extraction was applied to less than five acres of land; and high density extraction was applied to more than five acres of land. The definitions were carried forward to the new Ordinance; however, the land uses did not carry forward to the Land Use Chart. Currently, as the Ordinance is written, an Industrial Mineral Overlay is required for any mineral extraction. The proposed text amendment would correct this issue.

CIP Recommendation

Mr. Goodrich briefly reviewed new projects proposed as part of the Capital Improvements Plan for the upcoming fiscal year. He explained that growth supporting projects should be within the Growth Area and projects in the Rural Area are meant to improve safety and bring facilities up to a minimum standard. The Planning Commission is charged with determining if these projects are consistent with the County's Comprehensive Plan. Staff has reviewed the proposed projects and recommends a Planning Commission position that the CIP is consistent with the Comprehensive Plan.

Discussion and Comments: Mr. Wiley asked if the Professional Boulevard Bridge is included in the CIP. Mr. Goodrich stated that the Professional Boulevard Bridge is not in the list of **new** projects; however, it is included in the project for the road construction in the CIP. Mr. Wiley stated that the Planning Commission supported this project in the past and continues to support it. He noted that a recent article from the US Bureau of Economic Analysis names Washington County as having the fastest growing GDP (Gross Domestic Product) in the State of Maryland. He expressed his opinion that now is not the time to pull back on this project which will encourage growth. Other Commission members agreed with Mr. Wiley and reiterated the importance of this project and the Planning Commission's support.

Motion and Vote: Mr. Kline made a motion to recommend that the Planning Commission finds the proposed CIP to be consistent with the County's Comprehensive Plan. The motion was seconded by Mr. Reeder and unanimously approved.

Financial Disclosure Statement

Mr. Goodrich distributed the Financial Disclosure Statements which are required to be completed by each Planning Commission member on a yearly basis. He asked that Commission members complete the form and return to staff.

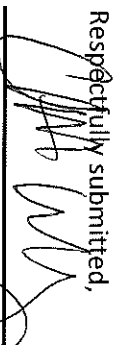
-ADJOURNMENT

Mr. Weddle made a motion to adjourn the meeting at 8:30 p.m. The motion was seconded by Commissioner Wagner and so ordered by the Chairman.

-UPCOMING MEETINGS

1. Monday, March 18, 2019, 6:30 p.m., Washington County Planning Commission Civility Training and Workshop meeting, Washington County Administration Building, 100 W. Washington Street, Room 2001, Hagerstown, MD 21740
2. Monday, April 1, 2019, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administration Building, 100 W. Washington Street, Room 2000, Hagerstown, MD 21740

Respectfully submitted,



Clint Wiley, Chairman