



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

AGENDA

WASHINGTON COUNTY PLANNING COMMISSION REGULAR MEETING

August 5, 2019, 7:00 PM

WASHINGTON COUNTY ADMINISTRATIVE COMPLEX
100 WEST WASHINGTON STREET
2ND FLOOR, PUBLIC MEETING ROOM #2000

CALL TO ORDER AND ROLL CALL

PUBLIC INFORMATION MEETING

1. **RZ-17-005 Alcohol Production Facilities** – Proposed text amendment to the Washington County Zoning Ordinance, Articles 3, 11, 12, 13, 14 and 28A for Alcohol Production Facilities; Planner: Jill Baker *
2. **WS-19-002 Town of Smithsburg** – Proposed amendment to the Washington County Water and Sewerage Plan for property located along the northeast quadrant of MD 64 and MD 77 from the current designation of S-7 [No Planned Public Sewer Service] and S-5 [Long Term Planned Service] to S-3 [Programmed Service for parcels 29, 120 and 262] and S-5 [Long Term Planned Service for parcels 83, 121, 124, p/o 195, 214, 224, 305, 350 and 351]; Planner: Steve Goodrich *

NEW BUSINESS

MINUTES

1. July 8, 2019 Planning Commission regular meeting minutes *

PRELIMINARY CONSULTATIONS

1. **Cascade Towne Center Phase IA [PC-19-001]** – Concept plan for 36 proposed semi-detached townhome lots consisting of 4 acres of residential development located along both sides of North Boyd Street; Zoning: SED (Special Economic Development); Planner: Ashley Holloway *

SITE PLANS

1. **Leitersburg Ruritan Park [SP-19-007]** – Proposed 12,000 square foot community center on 10.26 acre parcel located along the southeast side of Leiter Street and the east side of Leitersburg-Smithsburg Road; Zoning: RV (Rural Village); Planner: Lisa Kelly *
2. **US MD5048 Green Hill [SP-19-010]** – Proposed 156 foot monopole commercial communications tower on 139 acres located south of Wagaman Road and west of Garis Shop Road; Zoning: A(R) (Agricultural Rural); Planner: Lisa Kelly *

OTHER BUSINESS

1. **Update of Staff Approvals** – Ashley Holloway
2. **Discussion of Solar Energy Generating Systems** – Jill Baker

ADJOURNMENT

UPCOMING MEETINGS

1. Monday, September 9, 2019, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administrative Complex, 100 W. Washington Street, 2nd Floor, Public Meeting Room #2000, Hagerstown, Maryland

100 West Washington Street, Suite 2600 | Hagerstown, MD 21740 | P: 240.313.2430 | F: 240.313.2431 | TDD: 7-1-1

****a t t a c h m e n t s***

The Planning Commission reserves the right to vary the order in which the cases are called. Individuals requiring special accommodations are requested to contact the Washington County Planning Department at 240-313-2430, to make arrangements no later than ten (10) 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

M A R Y L A N D

DEPARTMENT OF PLANNING & ZONING

COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

RZ-19-005

August 5, 2019

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS

ARTICLES 3, 11, 12, 14, 28A

Proposal: Application is being made to amend several sections of the Zoning Ordinance to address uses associated with alcohol production facilities.

Staff Report: Alcohol production facilities are not a new land use to Washington County. However, the location and marketing of such uses continue to evolve. Historically, these types of uses were characterized as being similar to any other beverage manufacturing and/or bottling facility. But more recently the alcohol manufacturing industry has begun to evolve from just a manufacturing use into an interactive customer experience through educational demonstrations, facility tours, and sampling areas to promote their products. This evolution has created new opportunities for smaller businesses to create niche economies that provide unique experiences for consumers. The purpose of these amendments is to update the ordinance to consolidate and streamline the definitions for different types of alcohol manufacturing facilities and where they should be located.

Analysis: As alcohol production facilities and State required alcohol manufacturing licenses have continued to evolve, the County has attempted to accommodate these uses in the Zoning Ordinance. In 2012, the County took its first action toward incorporating new types of alcohol manufacturing uses into the Zoning Ordinance. At that time wineries and breweries were defined and listed as principal and special exception uses in several districts based upon the type of State alcohol manufacturing license. Farm wineries and breweries as well as limited commercial wineries and breweries were defined and included in various commercial, industrial, and rural districts in the County.

Over the last several years new types of manufacturing licenses have been approved by the State legislature. They include pub-breweries, micro-breweries, and distilleries. As mentioned previously, changes were also made to existing manufacturing licenses to change regulations regarding the sale, distribution, and manufacturing processes. Because this industry continues to evolve, the proposed amendments are being offered to help consolidate and streamline the definitions and permitted locations for alcohol production facilities as a whole rather than associate the uses with specific manufacturing licenses that are subject to change during each legislative session.

To consolidate the definitions of the various types of alcohol production facilities a new definition is being proposed to cover all types of alcohol manufacture. There is also a new definition proposed to allow for farm-based facilities in the rural areas of the County similar to how they are permitted currently.

Because of the consolidated definitions, proposed amendments also include streamlining the zoning districts in which these types of uses shall be permitted. In this case, alcohol production facilities are proposed to be permitted as follows:

- **Principally Permitted.** In the urban area the use shall be principally permitted in the Business, General (BG), Industrial Restricted (IR), and Industrial, General (IG) districts. By allowing the use in these districts they shall also be principally permitted in the Planned Business (PB) and Highway Interchange (HI) zoning districts through cross references. In the rural areas, these uses shall be principally permitted in the Rural Business (RB) floating zone district.
- **Special Exception Use.** In the urban area the use may be permitted as a special exception in the Business Local (BL) district. In the rural areas the use may be permitted by special exception in the Agriculture Rural (AR), Environmental Conservation (EC), Preservation (P), and Rural Village (RV) districts.

Farm-based alcohol production facilities are proposed to be permitted as follows:

- **Principally Permitted.** Because of the agricultural component of the farm-based facility definition, the use is only permitted in the rural area zoning districts of AR, EC, P and RB (Floating Zone).
- **Special Exception Use.** Even though the definition requires an agricultural component to the facility operation, the use is proposed to be a special exception use in the Rural Village (RV) zoning district. While rural villages are located primarily in the rural areas, they have characteristics that include a denser residential presence than other rural areas throughout the County. The potential for a manufacturing/commercial type use to lie within a close proximity to existing residential areas prompted the decision to allow these uses through a special exception process.

Staff Recommendation: Based upon feedback and comments from other government agencies, developers, property owners, and the general public, Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,



Jill L. Baker
Deputy Director

RZ-19-005
 PROPOSED TEXT AMENDMENTS FOR PUBLIC INPUT MEETING
 ALCOHOL PRODUCTION FACILITIES

- (1) **ARTICLE 3 – DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES; LAND USE REGULATIONS (RURAL AREA USES)** is amended to eliminate the column titled "Intensity of Use" in its entirety.
- (2) **ARTICLE 3 – DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES; LAND USE REGULATIONS (RURAL AREA USES)** is amended as follows:

Section 3.3 (1) Table of Land Use Regulations

A(R)-Agriculture (Rural)
 EC-Environmental Conservation
 P-Preservation
 RV-Rural Village RB-Rural Business IM-Industrial Mineral

Table No. 3.3(1)
 TABLE OF LAND USE REGULATIONS
 (RURAL AREA USES)

LAND USES	A(R)	EC	P	RV	RB	IM
K. Manufacturing						
Brewery, Farm with a valid Class 8 manufacturing license	P	P	P	P	P	N
Brewery, Commercial with a valid Class 5 manufacturing	SE	SE	SE	SE	P	N
Wineries, Farm with a valid Class 4 manufacturing license	P	P	P	P	P	N
Wineries, Commercial with a valid Class 3 manufacturing license	SE	SE	SE	SE	P	N
Alcohol Production Facility	SE	SE	SE	SE	P	N
Alcohol Production Facility, Farm Based	P	P	P	SE	P	N

P-Permitted
 SE-Special Exception
 A-Accessory
 N-Not Permitted

- (3) **ARTICLE 11 "BL" BUSINESS, LOCAL DISTRICT** is amended as follows:

Section 11.3 Special Exception Uses (Requiring Board Authorization After Public Hearing)

d) Alcohol Production Facility

- (4) **ARTICLE 12 "BG" BUSINESS, GENERAL DISTRICT** is amended as follows:

Section 12.1 Principal Permitted Uses

(b) Alcohol Production Facility

- (5) **ARTICLE 13 "IR" INDUSTRIAL GENERAL DISTRICT** is amended as follows:

Section 13.1 Principal Permitted Uses

(a) Uses of a light industrial nature including, but not limited to the following:

Alcohol Production Facility

(6) **ARTICLE 14 "IG" INDUSTRIAL, GENERAL DISTRICT** is amended as follows:

Section 14.1 Principal Permitted Uses

(a) Uses of a general industrial nature, but not limited to the following:

~~Manufacture and bottling of alcoholic beverage~~ Alcohol Production Facility

(7) **ARTICLE 28A DEFINITIONS** is amended as follows:

Alcohol Production Facility:

An establishment for the manufacturing, bottling, packaging, storage, promotion and sale of alcoholic beverages produced in accordance with a state-issued manufacturing license. Accessory uses at such facilities may include tasting rooms, accessory food sales related to alcohol production, sales of novelty and gift items related to the manufacturing operation, and the sale of alcoholic beverages produced on-site.

Alcohol Production Facility, Farm-Based:

An establishment located on agriculturally assessed land for the manufacturing, packaging, storage, promotion and sale of alcoholic beverages produced in accordance with a state-issued manufacturing license utilizing ingredients produced on the associated farm. Accessory uses at such facilities may include tasting rooms, accessory food sales related to alcohol production, sales of novelty and gift items related to the manufacturing operation, and the sale of alcoholic beverages produced on-site.

Brewery, Commercial:

~~An establishment with facilities for manufacturing and bottling malt beverages for sale on-site or through wholesale or retail outlets in accordance with a valid Class 5 manufacturing license from the State of Maryland. A commercial brewery is a brewery that does not meet the definition of a Farm Brewery. Accessory uses may include beer tasting rooms at which beer tasting occurs, accessory food sales related to the beer tasting, and the sale of beer produced on site. The area for beer tasting, accessory food sales related to the beer tasting, and sales of beer produced on-site shall not exceed 25 percent of the area of the structures located on-site and being used for manufacturing and bottling.~~

Brewery, Farm:

~~An establishment located on a farm with a producing hopfield or similar growing area which may have facilities for brewing, processing, bottling, packaging, and storage of beer on the premises where the owner or lessee manufactures beer in accordance with a valid Class 8 manufacturing license from the State of Maryland. If the Farm Brewery produces beer on site, at a minimum, Farm Breweries must produce at least 2 acres of the agricultural products used in processing the beer on-site at the Farm Brewery. Accessory uses at the Farm Brewery may include tasting rooms at which beer tasting occurs, accessory food sales related to the beer tasting, sales of novelty and gift items related to the beer and processing facility, sales of beers produced on-site, occasional promotional events, and guided tours. The area for beer tasting,~~

~~accessory food sales related to the beer tasting, and sales of novelty and gift items related to the beer and processing facility shall not exceed 25 percent of the area of the structures located at the farm and being used for the Farm Brewery. A Farm Brewery and its accessory uses shall be considered a bona fide and normal agricultural activity and an agricultural land management activity. A Zoning Permit and Site Plan approval is not required for a Farm Brewery that includes a tasting room, accessory food sales related to the beer tasting, sales of novelty and gift items related to the beer. Notwithstanding the foregoing, a Farm Brewery with a tasting room shall be required to file with the County Division of Plan Review and Permitting, evidence that the vehicular access to the Farm Brewery used by patrons satisfies the County sight distance requirements set forth in the County's "Policy for Determining Adequacy of Existing Highways" if such vehicular access is onto a County public road.~~

Winery, Commercial:

~~An establishment with facilities for manufacturing and bottling wine for sale onsite or through wholesale or retail outlets in accordance with a valid Class 3 manufacturing license from the State of Maryland. A commercial winery is a winery that does not meet the definition of a Farm Winery. Accessory uses may include wine tasting rooms at which wine tasting occurs, accessory food sales related to wine tasting, and the sale of wine produced on site. The area for wine tasting, accessory food sales related to the wine tasting, and sales wine produced on site shall not exceed 25 percent of the area of the structures located at the and being used for manufacturing and bottling.~~

Winery, Farm:

~~An establishment located on a farm with a producing vineyard, orchard, or similar growing area which may have facilities for fermenting, processing, bottling, packaging, and storage of wine, sparkling wine and/or juice on the premises where the owner or lessee manufactures wine and/or sparkling wine in accordance with a valid Class 4 manufacturing license from the State of Maryland. If the Farm Winery produces wine, sparkling wine and/or juice on the premises, the Farm Winery must produce at least 2 acres of the agricultural products used in processing the wine, sparkling wine and/or juice on-site at the Farm Winery. Accessory uses at the Farm Winery may include tasting rooms at which wine tasting occurs, accessory food sales related to the wine tasting, sales of novelty and gift items related to the wine and the vineyard, sales of wines produced on-site, occasional promotional events related to the wine and the vineyard, and guided tours. The area for wine tasting, accessory food sales related to the wine tasting, and sales of novelty and gift items related to the wine and the vineyard shall not exceed 25 percent of the area of the structures located at the farm and being used for the Farm Winery. A Farm Winery and its accessory uses shall be considered a bona fide and normal agricultural activity and an agricultural land management activity. A Zoning Permit and Site Plan approval is not required for a Farm Winery that includes a tasting room, accessory food sales related to the wine tasting, sales of novelty and gift items related to the wine and the vineyard, sales of wines produced on-site. Notwithstanding the foregoing, a Farm Winery with a tasting room shall be required to file with the County Division of Plan Review and Permitting evidence that the vehicular access to the Farm Winery used by patrons satisfies the County sight distance requirements set forth in the County's "Policy for Determining Adequacy of Existing Highways" if such vehicular access is onto a County public road.~~



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WATER AND SEWERAGE PLAN AMENDMENT
STAFF REPORT AND ANALYSIS
WS-19-002

BACKGROUND

The Mayor and Council of the Town of Smithsburg have requested amendment of the Washington County Water and Sewerage Plan. The Town requests that the County “...*amend the sewer service area boundaries to match those of the growth area boundary and revise the designation to S-1, since the development plans are underway.*” The area where the Town requests that this change be made is located in the east quadrant of the intersection of MD Routes 64 and 77. (See attached map) This area is included within the Town’s Growth Area boundary in the Municipal Growth Element of its 2012 Comprehensive Plan. It is also identified as a potential annexation area in that same plan. The Town followed thru on this intention after a request by developer Cloverly Hill LLC and annexed its land (parcels #29, 120 and 262 see attached map) into the Town of Smithsburg in March 2019. It is Cloverly Hill’s development plans that the Town refers to as “underway” in its amendment request. The area is also indicated within the Smithsburg Town Growth Area in the County’s adopted Comprehensive Plan. There are 12 parcels of land in the area requested to be included in the service area. Three are owned by Cloverly Hill LLC and the remaining 9 are owned by individuals.

Per the Water and Sewerage Plan’s definitions, a **service area** is a geographic area served or potentially served by a system of sanitary sewers connected to a treatment plan. Typically, a service area bears the name of the jurisdiction that owns and/or operates the treatment plant or the name of a municipality that is a primary provider of services in the area. In this case it is the Smithsburg Wastewater Treatment Plant service area because it provides service to the Town and surrounding area identified for future growth. The Town of Smithsburg was the former owner of the plant which is now owned and operated by Washington County. It is the Smithsburg Wastewater Treatment Plant service area that the Town has requested be expanded to include the subject 12 parcels.

The amendment application also includes the request to modify the service priority designation to S-1. **Service priority designations** are a label for a parcel’s relationship with an urban or town growth area and a very general indicator of when the public service might be provided. It is not a commitment or guarantee of public service or a date when it will be available. Public sewer service is preferred and/or required within growth areas. Private on-site

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wells and septic systems are discouraged or sometimes prohibited in growth areas if connections to a public system are available. In all cases, private on-site systems are considered temporary until connection to a public system can be made.

Of the four priority designations used by Washington County in its plan, three indicate a preference for public sewer service in Town and Urban Growth Areas and a very generalized time frame for that service to be provided. S-5 indicates that the property is within the growth area and public service, meaning connection to a public sewerage system, is preferred and *planned* in the future. No specific development proposals have been made and no designs for system improvements or line extensions to meet capacity or assignments of capacity have been made. S-3 indicates that the parcel(s) are located in a growth area and that public service is preferred, expected and *programmed* by way of certain approvals of some form of development plan. Also, necessary capital projects to facilitate provision of service are included in the jurisdiction's Capital Improvements Program (CIP) that will enable the provision of service to the development proposal.

An S-1 service priority designation is an indicator that parcels within it are "...currently served (by a public system) or where actual work is progressing or where a notice to proceed with a contract for this work has been let ..."

DISCUSSION

The area where the Town has requested inclusion within the Smithsburg Treatment Plant service area and the change in priority designation includes 12 parcels of land. Three are currently owned by developer Cloverly Hill, LLC. These three parcels (# 29, 120 and 262) were annexed into the municipality of Smithsburg and received a mixture of General Commercial and Town Residential zoning. Parcel 262 currently has a service priority designation in the Water and Sewerage Plan of S-7 indicating no planned public sewer service. Parcel 29 has a combination of priority designations S-5 and S-7 with the boundary between the two following the former growth area boundary. Parcel 120 is designated as S-5. These parcels are vacant except for farm buildings on parcel 262. A stone dwelling on parcel 262 has been demolished.

Six parcels (# 121, 124, 214, 224, 305 and 350) have a priority designation of S-5 indicating that public sewer service is planned for the future. They are included in the analysis of the amendment because they are included in the Town and County growth areas. Each of these six parcels has a dwelling located on it and none are connected to a public sewer system. There are no allocations, construction drawings, funding or intention on the part of the service provider to require connections of these parcels. A public sewer system does not exist in the

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area. These dwellings are connected to the public water system and there are fire hydrants located along Cloverly Farm Lane.

Three remaining parcels are included within the Town and County growth areas but currently have a service priority designation of S-7 meaning that public sewer service is not planned for them and no development proposals requiring public service have been presented. Parcels 83 and 351 are combined and occupied by a dwelling and related out buildings. These two parcels are located in the southern corner of the subject area and front on MD Route 77. The remaining Parcel 195 is located in the northern corner of the subject area, is vacant of buildings and is planted with orchard and vineyard. It has frontage along Raven Rock Road (aka MD Route 491).

The impending development of the Cloverly Hill properties (parcels #29, 120 and 262) which have been annexed into the Town, has prompted this request from the Town. It is supported and encouraged by the Cloverly Hill developer. The development plan as described in the application is to develop the property with a mixed-use intergenerational community containing single family homes, town homes, independent living cottages, independent living apartments, assisted living units with additional memory care units, a shared services center, a daycare facility, a shared emergency services facility, a restaurant and general commercial uses. It would occupy 68 acres. Final designs are not complete. The application indicates a residential density of approximately 1.97 units per acre and a need for treatment of approximately 67,200 gallons of effluent per day (residential and commercial). All of this development is proposed to be served by public water and sewerage facilities and thus the need for the inclusion in the service area boundary and the requested S-1 priority designation.

Review of a Water and Sewerage Plan amendment at the staff level includes seeking input from other government agencies that are involved in providing the sought-after service. In this case the sewer service provider is the Washington County Division of Environmental Management (DEM) which operates and maintains the Smithsburg Wastewater Treatment Plant. Funding for treatment plant upgrades to accommodate future growth in the Town and surrounding growth area and to meet the State of Maryland's Enhanced Nutrient Removal (ENR) standards is included in the County's most recent Capital Improvements Program (CIP). The project is identified as the Smithsburg WWTP ENR upgrade. The project has a total projected budget of \$7.4 million with funding extending to FY2021. DEM remarks that the plant improvements are in the design stage now and it estimates completion of the upgrade by the end of 2021. The planned upgrade will increase the plant capacity from the current 0.33 million gallons per day (MGD) to 0.45 MGD. While there is some capacity in the treatment plant for

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some new development now (131 EDUs), DEM expressed objection to the requested S-1 service priority designation because service to these parcels does not exist nor is it under construction. There are no service lines in the ground for imminent hook-up and the final designs of the proposed Cloverly development are not complete or approved. No other agencies have commented on the application.

ANALYSIS

The Mayor and Council of the Town of Smithsburg have requested that the Washington County Water and Sewerage Plan be amended to include 12 parcels within the service area boundary of the Smithsburg Wastewater Treatment Plant and to assign a service priority designation of S-1 indicating that public sewer service is existing or under construction.

The request for amendment to include these 12 parcels within the service area of the Smithsburg Wastewater Treatment Plant seems to be appropriate, logical and meets the intention and requirements stated in the Water and Sewerage Plan. The area is located within the recently revised Smithsburg Town Growth Area as indicated in its Comprehensive Plan. It is also located in the Town Growth Area identified in the County's Comprehensive Plan. Both plans intend for growth areas to be served by public water and sewer facilities. The Smithsburg treatment plant is the only public facility available to serve these parcels. It is stated and accepted practice and policy for land uses in growth areas to be served by public health facilities to maximize density and to gain maximum returns on the public investments in these systems. Five of the seven parcels that have dwellings on them are at or below the minimum lot size that traditionally supports on-site health facilities. The interim nature of on-site septic systems warrants inclusion of existing developed properties as a back-up plan for the future of these parcels if on-site systems fail. All of the parcels except 83, 351, 195 and 262 have recently been assigned the water service priority W-1 indicating public water service is existing. An 8-inch water line exists under the bed of Cloverly Farm Lane and provides service to the 5 dwellings on both sides of the lane and the dwelling at the end of the lane. In fact the water line also extends to Parcel 262 where it provided water to the now demolished stone house and still standing barn.

The Cloverly parcels have been annexed into the Town as intended by its municipal growth element with the clear purpose of accessing the Town's public water and sewer systems in order to achieve the density and intensity of development indicated by a proposed development plan. The Town has assigned zoning districts to allow the development as planned.

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Inclusion of all 12 parcels in an expanded service area for the Smithsburg Wastewater Treatment Plant would be appropriate and consistent with Comprehensive Plans and Water and Sewerage Plan criteria.

The eligibility requirements for assignment of any of the three priority designations applicable to the timing of public service are contained in the Water and Sewerage Plan.

Eligibility for an S-5 designation requires determination of consistency with the respective Comprehensive Plan and acknowledgement by the service provider of the conceptual method of service. Where applicable, a preliminary review and analysis of a proposed development plan should be conducted. In this case, that has occurred with respect to the Cloverly proposed development but is not applicable to the remaining already developed parcels.

Eligibility for the S-3 designation includes all of those for S-5 plus acceptance by the service provider of the new facilities operating and maintenance responsibility and allocation of capacity. Approval of the expansion of the service area should be secured from the service provider, capacity should be existing or programmed and capital costs should be included in a CIP. A preliminary plat or site plan should have received approval from a Planning Commission when applicable.

Criteria to be eligible for an S-1 designation include all of those for S-5 and S-3 and the facilities should be under construction or completed.

There is no public sewer service existing to these 12 parcels and it is not under construction. No contract for construction has been approved or issued and the design of a collection system or improvements to the plant to add capacity are not complete. It is entirely appropriate for these parcels to have service area priorities indicating public service is planned or programmed in their future, but it is a fact that it does not now exist. Assigning S-1 to the area doesn't meet criteria specified in the Water and Sewerage Plan and could also have a negative impact on parcels that are now using on-site septic systems if those systems should fail and repairs or replacement is necessary.

Although the Water and Sewerage Plan's **Priority Classification Requirements** (page IV-41&42) clearly state "Individual on-lot disposal systems including alternate on-lot sewerage treatment systems shall not be permitted ..." except when a public system is inadequate or not available, recent experience has shown that agencies involved in permitting repairs or replacements have been zealous in promoting or requiring connection to a public system. In order to prevent obstacles to repairs to existing systems that may result from an S-1 designation,

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it would be wise to assign the S-5 category. This would allow repair or replacement of an on-lot disposal system until a public connection is actually available. S-5 would indicate that public service is planned in the future but no concrete plans have been made. These property owners with existing dwellings or the vacant parcels would be protected from a required hook up as long as their systems operate properly.

Perhaps a better arrangement for service priority designations would be to assign S-3 to the parcels proposed for development by Cloverly Hill LLC (# 29, 120 and 262). These parcels were annexed into the Town of Smithsburg in order to gain access to public health facilities and the Town has assigned zoning districts to facilitate a development proposal that it has reviewed on multiple occasions. Designs for additional capacity at the treatment plan, some of which is acknowledged to be for the proposed Cloverly development, are well underway and costs are included in the County's CIP. S-1 may not be appropriate at this time because the service is not existing or under construction but conversion to S-1 when the improvements are actually under construction would be automatic and would not require additional amendment applications from the Town or developer. S-3 indicates that connection is programmed and expected by all parties.

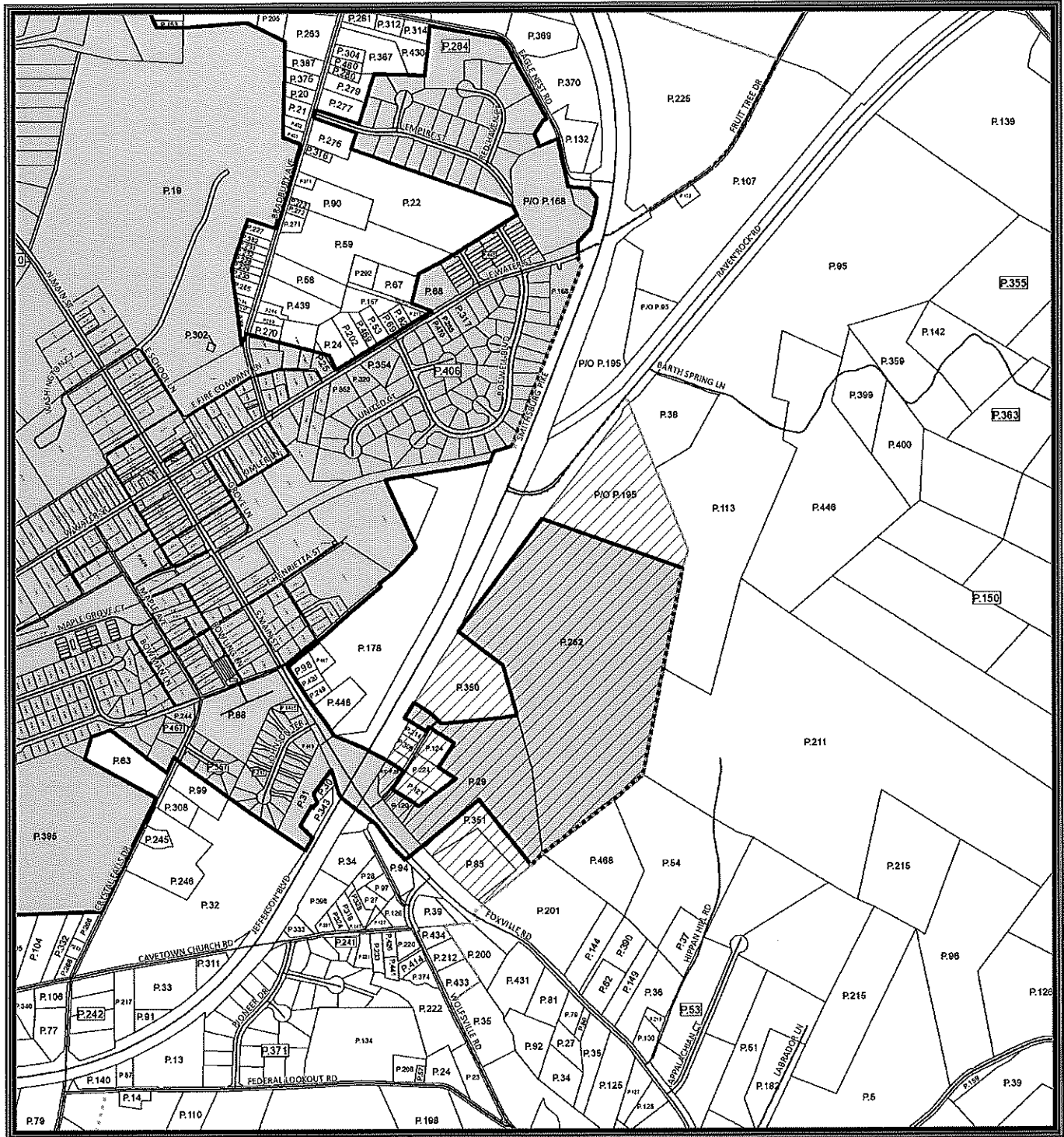
At this point in the analysis it is appropriate to extend service area boundaries to include all 12 parcels. Assignment of the S-3 priority designation to the three Cloverly parcels and S-5 to the remaining nine parcels appears to meet the designation criteria. Property owner and general public feedback have yet to be provided and may alter the analysis provided to date.

Respectfully submitted,






Stephen T. Goodrich, Director
Department of Planning and Zoning

WS-19-002 - Smithsburg, Maryland



Legend

-  WS-19-002 Area
-  County Growth Area
-  Municipal Boundaries



WARNING! : This map was created by the Washington County Planning Department and is intended for the recipients use only. It is not for general distribution to the public, and should not be scaled or copied. Any modifications or changes to this map are prohibited without the express prior written approval of the Planning Department GIS. Sources of the data contained hereon are from various public agencies which may have use restrictions or disclaimers.

SOURCE: 2009 Water and Sewerage Plan

WS-19-002



MAYOR AND COUNCIL

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www.townofsmithsburg.org

Stephen Goodrich, Director
Washington County Department of Planning and Zoning
100 W. Washington Street, Suite 2600
Hagerstown, MD 21740

Mr. Goodrich,

The Mayor and Council of the Town of Smithsburg along with the Town Planning Commission have been working with the developer of land recently annexed into the Town at the northeast quadrant of Leitersburg-Smithsburg Road (MD 64) and Wolfsville Road (MD 77). As part of these discussions with the developer, the location of the public sewer service area delineated in the 2009 Sewerage Plan for these properties appears inconsistent with the more recently adopted Plans by the County and the Town. We acknowledge that this boundary was adopted to correlate with the adopted Town Growth Area in place at the time. However, since the adoption of the 2009 Sewerage Plan both the Town (in 2012) and the County (in 2015) have reviewed the growth area boundary in this location and expanded those boundaries to include all Cloverly properties.

With these changes to the Town Growth Area Boundary in both the Town and County Comprehensive Plans, the effect is that growth is projected to these areas and that they should be served by public sewer facilities. However, the County has not yet updated the public sewer service area boundaries in the Sewerage Plan to align with these decisions. As such the service areas bisect two of the Cloverly properties designating them with a portion as S5 and a portion as S7.

This split designation is causing hindrances to the progress of the Cloverly project. For this reason, the Mayor and Council are hereby respectfully asking the County to amend the sewer service area boundaries to match those of the growth area boundary and revise the designation to S1, since the development plans are underway.

The Mayor and Council of the Town of Smithsburg thank you in advance for your prompt attention to this matter. If you have any questions please feel free to contact our Development Coordinator Randy Dick at 301-991-3502 or by email at rdick@townofsmithsburg.org.

Respectfully,

Jack Kesselring
Mayor of Smithsburg

VIII. DATA TO BE INCLUDED IN APPLICATIONS FOR AMENDMENT TO THE COUNTY PLAN

The following data, as applicable, shall be included in an application for amendment of the Water and Sewerage Plan for the creation of a new service area, expansion of an existing service and the establishment of a priority classification of S-5 or W-5 or higher.

Applications for amendment shall address the interrelationship of water supply and waste water disposal.

Applications for the establishment of new service areas or the creation of new or improved major facilities must include the following as appropriate to the project:

1. Proposed type, capacity, size and location of facilities (new or proposed for use) and map.

Mixed Use Intergenerational community with the following uses: Single Family Homes, Town Homes, Independent Living cottages, Independent Living apartments, Assisted Living units with additional Memory Care Units, Shared Services Center, Daycare Facility, Shared Emergency Services Facility, Restaurant, and General Commercial use at the northeast quadrant of Leitersburg-Smithsburg Road (MD 64) and Wolfsville Road (MD 77)

2. Name and location of development or service area (boundary, drainage area, acreage and map).

The proposed name of this development will be Cloverly and the development shall occur on lands located in the northeast quadrant of Leitersburg-Smithsburg Road (MD 64) and Wolfsville Road (MD 77). The properties have a total acreage of 68.18 acres and are in the Antietam Creek watershed drainage area.

3. Number of people (existing in drainage or service area, density of development).

Final design has not been complete however the estimated residential density of the proposed development will be approximately 1.97 units per acre. There will also be some limited commercial development and institutional uses.

4. Number of people to be served in drainage or service area by planned staged development.

Final design has not been complete so staging of development is currently unknown.

5. Design, average and peak flows.

Based on the preliminary design concept, the approximate amount of EDU usage is anticipated to be 336 EDUs. Each EDU is based on 200 gallons per day, totaling an estimated average of 67,2000 gallons per day.

6. Degree and type of treatment given.

Treatment is handled by the Washington County Department of Water Quality. According to the 2009 Washington County Water and Sewerage Plan:

“The [Smithsburg Wastewater Treatment Plant] utilized sequence batch reactors (activated sludge process), tertiary filters and UV disinfection.” (Page IV-4)

7. Sludge disposal plans.

According to the 2009 Washington County Water and Sewerage Plan, “Sludge generated at this WwTP is transported and processed at the Conococheague WwTP.” (Page IV-4)

8. Transmission facilities (size of pipe).

Final design of development and infrastructure has not been completed, therefore, size of transmission and utilities has not been determined at this time.

9. Effluent disposal plans (spray irrigation, discharge to stream, etc.).

According to the 2009 Washington County Water and Sewerage Plan, “Effluent is discharged into the Little Grove Creek.” (Page IV-5)

10. Classification of stream receiving discharge.

Little Grove Creek is a tributary of Antietam Creek. The Antietam Creek has a recreational water classification of III-P.

11. Operation and maintenance costs.

N/A.

12. Proposed means of financing improvement.

Extension of services will be provided through developer direct cost of construction.

13. Description of ground and surface water resources within the service or development area, including the quantity and quality of these resources.

There are no ground or surface water resources within the development area.

14. Sources of pollution or contamination of groundwater resources within the development or service area.

N/A. There are no ground or surface water resources within the development area.

15. Source and amount of water to be withdrawn.

The properties currently have public water service from the Town of Smithsburg.

16. Relationship to Comprehensive Plan.

The change in service area designation would be consistent with recent changes to both the County and Town growth area boundary changes. See #18 below.

17. Relationship to Water and Sewer Plan.

The proposed change in service area is consistent with the policies of the Water and Sewer Plan. Table 11 on page IV-28 of the Water and Sewerage Plan outlines immediate five- and ten-year priorities for sewerage development. According to the table, the Smithsburg WwTP is listed as priority to expand capacity and upgrade to ENR technology. This clearly indicates the intent of future growth within the Smithsburg growth area.

18. Reason for change.

The location of the public sewer service area delineated in the 2009 Sewerage Plan for these properties appears inconsistent with the more recently adopted Plans by the County and the Town. We acknowledge that this boundary was adopted to correlate with the adopted Town Growth Area in place at the time. However, since the adoption of the 2009 Sewerage Plan both the Town (in 2012) and the County (in 2015) have reviewed the growth area boundary in this location and expanded those boundaries to include all of the Cloverly property.

With these changes to the Town Growth Area Boundary in both the Town and County Comprehensive Plans, the effect is that growth is projected to these areas and that they should be served by public sewer facilities. However, the County has not yet updated the public sewer service area boundaries in the Sewerage Plan to align with these decisions. As such the service area bisects the Cloverly development designating as S5 and as S7.

This split designation is causing hindrances to the progress of the Cloverly project. For this reason, the Mayor and Council are hereby respectfully asking the County to amend the sewer service area boundaries to match those of the growth area boundary and revise the designation to S1, since the development plans are underway.

19. Alternatives and the rationale used in determining the means of providing water supply.

N/A. Property will be served by public water.

20. Rationale for selecting a particular design and alternatives for any proposed treatment facility, pumping station or interceptor.

Final design has not been complete. All necessary improvements and/or extensions to collection systems will be completed in accordance with all County and/or Town of Smithsburg engineering requirements.



Washington County

M A R Y L A N D

DIVISION OF

ENGINEERING & CONSTRUCTION MANAGEMENT

PLAN REVIEW | PERMITTING | ENGINEERING | CONSTRUCTION

PRELIMINARY CONSULTATION DISTRIBUTION

TO:
Washington County Health Dept.
Washington County E&CM Engineering
Washington County PR Engineering
Washington County DEM-Engineering Services
Washington County Dept. of Planning & Zoning
Washington County Forest Conservation
Maryland State Highway Administration
Washington County Soil Conservation District
Washington County Board of Education
Washington County Emergency Services
Washington County Grid Technician
Washington County Sheriff's Dept.
Smithsburg Fire Department

FROM: Cody Shaw

DATE: April 25, 2019

RE: Preliminary Consultation
PC-19-001 – Cascade Town Centre – Ph. 1A

Please find attached the Preliminary Consultation for the above referenced project.

CLS/msg

Attachments

Cc: Ashley Holloway, Director, Plan Review & Permitting
Fox & Associates, Inc.
Cascade Town Centre Development LLC, Owner/Developer

**PRELIMINARY CONSULTATION
PC-19-001 – CASCADE TOWN CENTRE -PHASE 1A**

A preliminary consultation was held on Thursday, April 25, 2019 at 1:30 p.m. in the offices of the Washington County Division of Plan Review & Permitting, 80 West Baltimore Street, Hagerstown, Maryland. A concept plan was presented for 36 proposed semi-detached townhome lots consisting of 4 acres of residential development, located along both sides of North Boyd Street. The property is zoned SED (Special Economic Development).

Present and participating in the consultation were: Ashley Holloway, Director/Zoning Administrator, Cody Shaw, Chief of Plan Review, Mark Stransky, Sr. Plan Review/Floodplain Mgr., Gail Abbott and Rebecca Calimer, Plan Reviewers, Mist Grimmer, Sr. Office Associate, Washington County Division of Plan Review & Permitting; Andrew Eshleman, Public Works Director; Scott Hobbs, Director of Engineering; Mark Bradshaw, Deputy Director Washington County DEM – Engineering; Jill Baker, Deputy Director & Travis Allen, Parks & Environmental Planner, Dept. of Planning & Zoning.; Dee Price, Washington County Soil Conservation District; Mark McKenzie, Maryland State Highway Administration; Gordon Poffenberger, Fox & Associates, Inc., Consultant; Greg Murray, WRM; Joe Lee, Cascade Town Centre Development, LLC, Owner/ Developer.

WASHINGTON CO. PLAN REVIEW DEPT. – ENGINEERING REVIEW

Mr. Mark Stransky was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary. Mr. Stransky wrote, “I have reviewed the above-referenced project and am providing the following comments:

1. Provide borings of the existing roadway. Borings should extend to the subgrade.
2. Provide a description of the proposed access route from this development site to a public roadway (State or County).
3. SWM/Drainage. Provide an assessment of the condition/capacity of the existing storm drain system within the project area as well as downstream to its outfall location at Lake Wastler.
4. SWM/Drainage. A drainage and/or SWM easement may be necessary for this project to utilize the existing lakes for SWM purposes.
5. SWM. This project can be considered redevelopment for complying with SWM requirements. Therefore, 50% of the WQv must be addressed by either treatment or reduction of existing impervious area.
6. SWM. SWM credits for impervious area to be removed should be limited to impervious area on Cascade Town Centre Development, LLC property and not include the County-owned portion of Ft. Ritchie.
7. SWM. Provide an assessment of the condition/capacity of Lake Wastler and Lake Royer including the impact of this development on those lakes.
8. SWM. The dam at Lake Wastler was determined to be under sized per MD378 criteria. It was determined that the dam was incapable of holding the 10-yr or 100-yr storm. Refer to the Fort Ritchie Redevelopment SWM Master Plan (dated 4/28/09).
9. Title Sheet. Gate 2 is identified on the plan as the “Main Entrance”, is this correct? Gate 2 is currently closed to traffic.
10. Sheet 3. If the existing sewer system is to be replaced, the County may require a complete rebuild of the existing roadway within the project area.
11. Place project number “PC-19-001” at bottom of the sheet.

Please contact me if you have any questions.”

Discussions took place regarding access easements for both SWM and roads with this project and as a precedent for future development on this property. Mr. Stransky stated that he has reviewed the project as if the road and water and sewer systems were public systems. Mr. Eshelman noted that from a SWM perspective and for proper allocation of credits, it would be advantageous to list on the plan the buildings that have been removed from this property. Mr. Poffenberger stated that determination of building square footage for credit purposes, would be difficult using the original drawings. Mr. Stransky responded that he would look through the COPT (Corporate Office Properties Trust) file and drawings to see if there was anything that could be of further assistance.

WASHINGTON COUNTY DEPT. OF PLANNING AND ZONING

Ms. Jill Baker was present and provided the following comments:

Ms. Baker stated that the department was viewing this project from a net gain perspective regarding the APFO (Adequate Public Facilities Ordinance). Based on the assessment of the property there are 27 units. It appears that 4 units were demolished therefore, the adequacy test would be performed based on a net gain of 5 units. Cascade Elementary School is well below its adequacy standards and Smithsburg Middle and High Schools are currently in good standing. Discussion took place regarding the previous number of units vs. the current number of units and the related credits. Ms. Baker stated that credits would be given for what is currently in place.

Mr. Allen was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary.

Mr. Allen wrote, “A Forest conservation plan will need to be developed to mitigate for the land disturbance proposed. The FSD (Forest Stand Delineation) has noted that the site contains ample existing forest of good quality, much of which is located on steep, rocky slopes not well suited for development. An onsite forest retention easement that protects the spring heads located in the northwestern corner of the development site would be optimal for sensitive resource protection.”

Mr. Allen stated that a Forest Conservation Plan would be required, and the Forestation worksheet numbers must be based on the limit of disturbance and the area of the new lots created. However, the area would be reduced by the existing impervious surface, thereby mitigating for new disturbance vs. what was already there. Mr. Allen further stated that the FSD showed good quality forest onsite, much of it located in steep rocky slope. He suggested that placing an easement in the area of the springheads would also be beneficial for sensitive area functions. Mr. Poffenberger responded that the plan was to place the steep slope in a forest easement, giving them a credit toward the next project. Ms. Baker suggested Forest Banking as an option. Mr. Murray stated that there is a concern regarding the methods utilized on this property related to precedents set for future property development.

MARYLAND STATE HIGHWAY ADMINISTRATION

Mr. Mark McKenzie was present and provided the following comments. Mr. McKenzie stated that access must be identified and meet required standards.

Mr. Poffenberger asked if the County was going to allow the property to be platted as a public street with individual lots, having an easement across both Cascade property and County

property. Mr. Eshleman responded that the current concern with accepting the road as a public right of way is the time frame for additional property development. He suggested completing the upgrades so that the options are in place and stated that he would prefer the entrance on Pen Mar Road be utilized. Mr. Poffenberger interjected that the other option was to plat the property as a public right of way with the County as the owner. Mr. Eshleman responded that an easement is preferred, with the option to be publicly dedicated once development of all the land has taken place.

Mr. Murray pointed out that the areas in front of Lakeside Hall and around the parade field are in the Historic District. This carries with it restrictions regarding what can and cannot be performed. Mr. Stransky suggested that a Right of Way Reservation Plan might be the best option. This would mean that the first steps of the S-3 Infrastructure Policy, inspection and design, would be completed and the project would not proceed until an agreement had been reached as to how that would be accomplished. Mr. Poffenberger questioned whether this process was to allow for individual lots to be recorded. Mr. Shaw stated that a public road frontage of 25 feet is required for a subdivision and that modifications through the Planning Commission may be a feasible way to achieve temporary road frontage in moving forward with the project. Mr. Poffenberger asked if the County would allow platting of a right of way strip to Pen Mar road across County property to the main gate. Mr. Murray interjected that a common easement would be important, due to the possible sale of property in the future.

Mr. Murray inquired about when a new water system becomes a County owned system. He pointed out the potential for additional County revenue with a County owned system vs. a private water system. This led to comments from Mr. Bradshaw.

WASHINGTON COUNTY DEPT. OF ENVIRONMENTAL MANAGEMENT

Mr. Mark Bradshaw was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary. Mr. Bradshaw's comments were as follows:

1. "A previous I&I (Inflow & Infiltration) identified the downstream line as a major source of I&I. The report indicated that the line needed to be replaced with a new 12" line along with the manhole. These improvements will need to be made prior to the lines being dedicated to the County.
2. The sewer lines downstream from this project will need to be dedicated to the County.
3. Each of the new parcels will need to have an individual sewer lateral.
4. Each of the new parcels will need to have an individual water meter.
5. The waterlines not in the public street will need to be dedicated to the County.
6. Each parcel will need to purchase water and sewer allocation.
7. An existing fire hydrant will need to be relocated so it isn't located within the pavement for the proposed cul-de-sac/
8. Review fee is \$200.00."

Mr. Bradshaw further stated that the County's intent is to take ownership of the water and sewer system, turning it into a public system. The County is not requiring upgrades to the water system other than to create easements over the mains not located in the public streets. The County would take ownership of those mains at this time. Mr. Murray confirmed that the County intends to take ownership of the new water system as well as the water mains currently on the site, without replacement. Mr. Bradshaw affirmed that was correct. Mr. Murray stated that it has always been the intent to completely replace the infrastructure as the property was developed. However, the

requirement to rebuild the entire system prior to building a single house is an issue. A master meter, as previously stated by the County, would be more feasible.

Mr. Bradshaw sent additional written comments on May 7, 2019 and requested these comments be added to the minutes. The comments are as follows:

1. "The Department of Water Quality will allow this project to move forward without having to upgrade the entire sewer system prior to building any structures. The project can move forward under the following conditions:
 - a. An agreement between the County and Developer will need to be executed prior to the plans being approved. The Agreement will need to state that the developer will upgrade the entire sewer system downstream from the project within 2 years of receiving final plat approval.
 - b. A financial security in the amount of \$500,000 will need to be provided to the County prior to executing said agreement."

WASHINGTON COUNTY SOIL CONSERVATION DISTRICT

Ms. Dee Price was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary.

"While we agree there are springheads, "streams" on site, it appears as though they have been graded and piped via a storm drain previously (please clarify). Therefore, a "Stream Buffer" per the criteria would not be required. However, the District recommends a proposal be submitted for protection of this watercourse, i.e. thermal impacts, etc."

Ms. Price added that breach analysis of the structures will be required depending on what happens in the watershed. This can be completed now or as the need arises. If the springheads on the slope can be protected via forest conservation that is beneficial.

WASHINGTON COUNTY BOARD OF EDUCATION

A portion of the written comments provided by Mr. Chad Chriswell are represented here. A complete copy of his comments is attached to this summary. Mr. Chriswell wrote:

"Based on the above Pupil Generation Rates, the proposed development will generate approximately 12 elementary school, 4 middle school, 4 high school students. Based on the number of other proposed developments that have already been tested against the APFO, and are within the aforementioned attendance zones, WCPS would anticipate that this development could adversely impact all three (3) facilities."

Physical Design Comments:

"The Department of Facilities Planning and Development and the Department of Transportation have no comment on the layout of the subdivision or the proposed dwelling locations at this point in time based on the conceptual nature of this plat. Based on the current layout of the Fort Ritchie Property and potential revisions or details that will be provided with future submissions, the Cascade Town Centre developer and the potential residents of this subdivision should be advised that WCPS would likely provide bus service pickup for residents of this development on the main entrance lane of Barracks Avenue."

WASHINGTON COUNTY SHERIFF'S DEPARTMENT

The following written comments were provided by Sheriff Doug Mullendore, a copy of which is attached to this summary.

"I have reviewed the Preliminary Consultation Plans for Phase 1A Cascade Town Center. I did not see an issue with the plans as proposed. The only comment I would have is there needs to be consideration given for all emergency services (Fire, EMS and Police) for this area as development proceeds. This entire area is a long way for the primary response units to travel for any kind of emergency."

WASHINGTON CO. PLAN REVIEW & PERMITTING DEPT. - LAND USE

Mr. Cody Shaw was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary.

1. "Add file numbers to the bottom right corner of the plan (PC-19-001)
2. Is this development going to be PUD?
3. Provide the parcel acreage in the site data table.
4. Provide the dimensions for each lot.
5. Per Section 19C.6 of the Washington County Zoning Ordinance, minimum lot size for "dwelling, multi-family" is 3,600 sq. ft.
6. On street parking is not allowed per section 22.12.f.l.v of Zoning Ordinance. An overflow parking lot would be required to accommodate the extra 0.5 spaces needed for residential overflow parking. If this cannot be done, an appeal may be needed from BZA.
7. If the roads are not going to be public by the time the site plan would be submitted, modifications would be needed for the subdivision of lots without public road frontage.
8. Tot lots have a 50' setback from all streets/parking lots. Details of the tot lots would be needed at the site plan stage.
9. Front yard setback is 5 ft (although driveways need to account for the two parking spaces)."

Mr. Shaw stated that the required minimum lot size under SED zoning is 3,600 square feet for a multi-family dwelling. Therefore, an appeal would be required from the BZA (Board of Zoning Appeals) for the current lot size of 2,000 square feet shown on the plan. Mr. Shaw suggested that with the requests for overflow on-street parking, Tot Lot setback reduction, and a revised minimum lot size, Mr. Poffenberger should make application to the BZA prior to presenting the plan to the Planning Commission. Mr. Poffenberger and Mr. Murray agreed.

The minutes will be prepared for a future Planning Commission agenda.

CLOSING COMMENTS

There being no further discussion, the consultation concluded. All agencies will receive a written summary of the meeting. If there are any discrepancies in the report the Plan Review Staff should be contacted. The written summary will be submitted to the Planning Commission and their comments shall also be incorporated within and be made a part of the record of comments and issues, which need to be addressed by the developer as he proceeds through the approval process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cody Shaw". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Cody Shaw
Chief of Plan Review

CLS/msg
Attachments

PC-19-001 – Cascade Town Centre – PH.1A – 36 Townhome Lots
Agency Comments

Washington County Soil Conservation District

While we agree there are springheads, "streams" on site, it appears as though they have been graded and piped via a storm drain previously (please clarify). Therefore, a "Stream Buffers" per the criteria would not be required. However, the District recommends a proposal be submitted for protection of this watercourse, i.e. thermal impacts, etc.

Washington County Dept. of Planning & Zoning- Forest Conservation

A forest conservation plan will need to be developed to mitigate for the land disturbance proposed.

The FSD has noted that the site contains ample existing forest of good quality, much of which is located on steep, rocky slopes not well suited for development. An onsite forest retention easement that protects the spring heads located in the northwestern corner of the development site would be optimal for sensitive resource protection.

Washington County Division of Water Quality

1. A previous I&I identified the downstream line as a major source of I&I. The report indicated that the line needed to be replaced with a new 12" line along with the manhole. These improvements will need to be made prior to the lines being dedicated to the County
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6. Each parcel will need to purchase water and sewer allocation.
7. An existing fire hydrant will need to be relocated so it isn't located within the pavement for the proposed cul-de-sac.
8. Review fee is \$200.00.

=====
Department of Engineering Services

Date: 5/6/19

Project Name: Cascade Town Center Phase 1A

Project # PC-19-001

Reviewed By: Mark Bradshaw
=====

1. The Department of Water Quality will allow this project to move forward without having to upgrade the entire sewer system prior to building any structures. The project can move forward under the following conditions:
 - a. An agreement between the County and Developer will need to be executed prior to the plans being approved. The Agreement will need to state that the developer will upgrade the entire sewer system downstream from the project within 2 years of receiving final plat approval.
 - b. A financial security in the amount of \$500,000 will need to be provided to the County prior to executing said agreement.

Land Use (Cody):

PR&P Land Use Comments:

1. Add file numbers to the bottom right corner of the plan (PC-19-001).
2. Is this development going to be a PUD?
3. Provide the parcel acreage in the site data table.
4. Provide the dimensions for each lot.
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7. If the roads are not going to be public by the time the site plan would be submitted, modifications would be needed for the subdivision of lots without public road frontage.
8. Tot lots have a 50' setback from all streets/parking lots. Details of the tot lots would be needed at the site plan stage.
9. Front yard setback is 5 ft (although driveways need to account for the two parking spaces).

Cody,

I have reviewed the Preliminary Consultation Plans for Phase 1A Cascade Town Center. I did not see an issue with the plans as proposed. The only comment I would have is there needs to be consideration given for all emergency services (Fire, EMS and Police) for this area as development proceeds. This entire area is a long way for the primary response units to travel for any kind of emergency.

Sheriff Doug Mullendore

Washington County Sheriff's Office

500 Western Maryland Parkway

Hagerstown, Maryland

(240) 313-2101



DIVISION OF
PLAN REVIEW & PERMITTING

April 22, 2019

Fox and Associates, Inc.
981 Mt. Aetna Road
Hagerstown, MD 21740
Attn: Gordon Poffenberger, PE

Re: Cascade Town Centre, Phase 1A (PC-19-001)

Gordon,

I have reviewed the above-referenced project and providing the following comments:

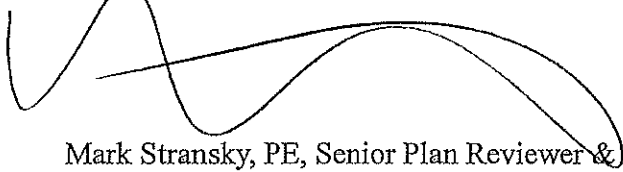
1. Provide borings of the existing roadway. Borings should extend to the subgrade.
2. Provide a description of the proposed access route from this development site to a public roadway (State or County).
3. SWM/Drainage. Provide an assessment of the condition/capacity of the existing stormdrain system within the project area as well as downstream to its outfall location at Lake Wastler.
4. SWM/Drainage. A drainage and/or SWM easement may be necessary for this project to utilize the existing lakes for SWM purposes.
5. SWM. This project can be considered redevelopment for complying with SWM requirements. Therefore, 50% of the WQv must be addressed by either treatment or reduction of existing impervious area.
6. SWM. SWM credits for impervious area to be removed should be limited to impervious area on Cascade Town Centre Development, LLC property and not include the County-owned portion of Ft. Ritchie.
7. SWM. Provide an assessment of the condition/capacity of Lake Wastler and Lake Royer including the impact of this development on those lakes.
8. SWM. The dam at Lake Wastler was determined to be undersized per MD378 criteria. It was determined that the dam was incapable of holding the 10-yr or 100-yr storm. Refer to the Fort Ritchie Redevelopment SWM Master Plan (dated 4/28/09).
9. Title Sheet. Gate 2 is identified on the plan as the "Main Entrance", is this correct? Gate 2 is currently closed to traffic.
10. Sheet 3. If the existing sewer system is to be replaced, the County may require a complete rebuild of the existing roadway within the project area.
11. Place project number "PC-19-001" at the bottom of the sheet.

Please contact me if you have any questions.

80 West Baltimore Street | Hagerstown, MD 21740-6003 | P: 240.313.2460 | TDD: 711

WWW.WASHCO-MD.NET

Respectfully,

A handwritten signature in black ink, consisting of a series of loops and curves, positioned over the typed name.

Mark Stransky, PE, Senior Plan Reviewer & Floodplain Manager

Attachments (1)

Copy(ies) to: Cody Shaw, Chief
Andrew Eshelman, PE, Director of Public Works
Denise Price, Washington County SCD

April 1, 2019

RECEIVED

Mr. Cody Shaw
Washington County Division of Plan Review and Permitting
80 West Baltimore Street
Hagerstown, Maryland 21740-6003

APR - 4 2019

**WASHINGTON COUNTY
PLAN REVIEW DEPARTMENT**

Dear Mr. Shaw:

Re: PC-19-001 Cascade Town Centre – Ph. 1A -36 Townhome Lots

Thank you for the opportunity to review the above-referenced Concept Plan sent from your office on March 25, 2019. Washington County Public Schools' (WCPS) review is twofold. The first review is to comment on the available capacity at the schools that would be impacted by the proposed subdivision. This review is being provided for informational purposes only, as WCPS does not approve Adequate Public Facility Ordinance (APFO) or mitigation requests, and will also be provided to the Washington County Director of Planning and Zoning. The information provided in this letter is current as of the date it is being written, but is subject to change in the future and should in no way be considered a fixed value. The second part of the review is to provide comment on the physical design and any potential concerns of the proposed subdivision as related to the day-to-day operations of WCPS. These comments are provided as information only, subject to other agency comments or review and/or future modification by WCPS.

Available Capacity Comments

According to the Washington County Adequate Public Facilities Ordinance, the local-rated capacity (LRC) standard for elementary schools is 90% of state-rated capacity (SRC); and for secondary schools it is 100% of state-rated capacity. By way of this letter, WCPS is notifying the county that this proposed development is located in the Cascade Elementary, Smithsburg Middle, and Smithsburg High attendance zones.

The proposed development has thirty-six (36) townhome units.

Enrollment

The following information is provided in the event that the referenced units have not been previously tested against the APFO.

The school enrollments for these attendance zones (in December of 2018 – see attachment), stated as a percentage of the respective local- and state-rated capacities, are shown below:

	Based on Actual December 2018 Enrollment	Current Seats Available per LRC or SRC
Cascade Elementary	65% of LRC	86

Smithsburg Middle	76% of SRC	198
Smithsburg High	91% of SRC	77

Based on the concept plan, the total number of units proposed by the Cascade Town Centre is twenty-four (24) duplex units. Below are the Pupil Generation Rates for the proposed subdivision, as adopted by the Board of County Commissioners on April 19, 2016 (see attachment). Per unit yields are based on the recent trends of:

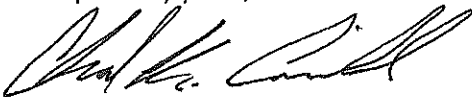
	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
Townhome:	.33	.10	.11

Based on the above Pupil Generation Rates, the proposed development will generate approximately 12 elementary school, 4 middle school, and 4 high school students. Based on the number of other proposed developments that have already been tested against the APFO, and are within the aforementioned attendance zones, WCPS would anticipate that this development could adversely impact all three (3) facilities. WCPS recognizes that mitigation agreements with developers and AMC calculations are done at the sole discretion of the Board of County Commissioners and Washington County staff.

Physical Design Comments:

The Department of Facilities Planning and Development and the Department of Transportation have no comment on the layout of the subdivision or the proposed dwelling locations at this point in time based on the conceptual nature of this plat. Based on the current layout of the Fort Ritchie Property and potential revisions or details that will be provided with future submissions, the Cascade Town Centre developer and potential residents of this subdivision should be advised that WCPS would likely provide bus service pickup for the residents of this development on the main entrance lane of Barricks Avenue.

Respectfully yours,



Chad K. Criswell
Senior Project Manager and Planning Supervisor

Copy: Jeff Proulx, Chief Operating Officer (email)
Robert Rollins, III, Director of Facilities Planning and Development (email)
Stephen Goodrich, Washington County Director of Planning and Zoning (email)

BOARD OF EDUCATION OF WASHINGTON COUNTY

Hagerstown, Maryland 21740

December 31, 2018

OFFICIAL ENROLLMENT

as required by Section 5.3 and 5.5 (c) of the current Adequate Public Facilities Ordinance
(APFO) for the determination of the available capacity at school facilities.
2018-2019

	School	State Rated Capacity	Local Rated Capacity	Enrollment	
E L E M E N T A R Y	Bester	608	547	610	
	Boonsboro	514	463	580	
	Cascade	274	247	161	
	Clear Spring	385	347	424	
	Eastern	572	510	430	
	Emma K. Doub	297	269	341	
	Fountaindale	352	317	385	
	Fountain Rock	298	268	255	
	Greenbrier	252	227	220	
	Hancock	295	268	237	
	Hickory	235	212	309	
	Jonathan Hager	471	424	373	
	Lincolnshire	555	500	546	
	Maugansville	735	662	691	
	Old Forge	377	339	375	
	Pangborn	745	671	766	
	Paramount	409	368	429	
	Pleasant Valley	229	206	237	
	Potomac Heights	294	247	299	
	Rockland Woods	751	671	586	
Ruth Ann Monroe	695	626	571		
Salem Avenue	725	653	735		
Sharpsburg	249	227	242		
Smithsburg	419	377	363		
Williamsport	568	513	585		
				10,750	Sub-Total Elementary Schools
M I D D L E	Boonsboro	872		750	
	Clear Spring	563		349	
	E. Russell Hicks	797		822	
	Northern	818		729	
	Smithsburg	829		631	
	Springfield	860		839	
	Western Heights	828		960	
				5,080	Sub-Total Middle Schools
H I G H	Barbara Ingram	149		295	
	Boonsboro	1,030		938	
	Clear Spring	574		452	
	Hancock Middle/High	584		250	
	North Hagerstown	1,337		1,337	
	Smithsburg	829		752	
	South Hagerstown	1,209		1,255	
	Wash. Co. Technical	575		595	
Williamsport	935		905		
				6,779	Sub-Total High Schools
O T H	Marshall Street Ed. Ctr.	90		46	
	Job Development Center	60		31	
				77	Sub-Total Other Schools
	TOTAL			22,686	

Washington County Public Schools

Pupil Generation Rates 2015/2016

As adopted by the Board of County Commissioners on April 19, 2016 Per APFO Section 5.5, "Measuring for Available Capacity" for Housing Developments over five units.

	Elementary	Middle	High
Single Family	.43	.18	.21
Town Home	.33	.10	.11
Multi-Family	.33	.13	.14

GENERAL NOTES

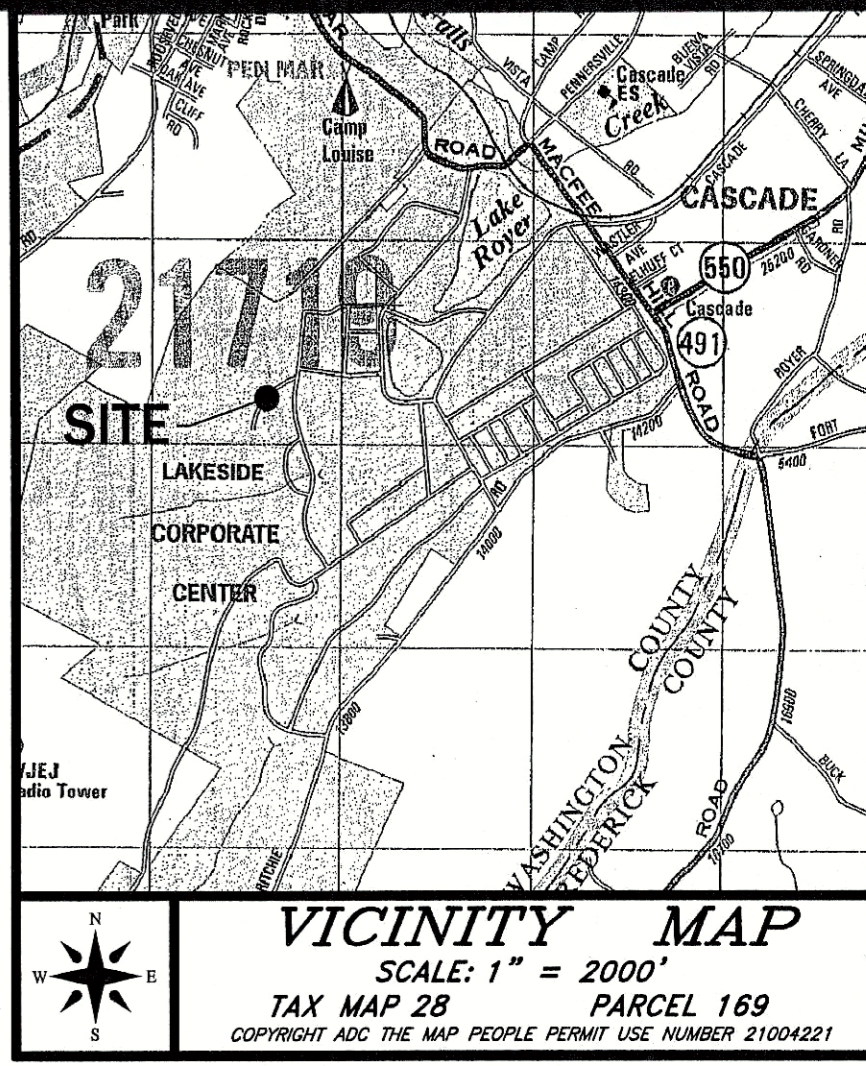
- NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY FOX & ASSOCIATES, INC. TO DETERMINE THE EXISTENCE OR LOCATION OF GROUND WATER, ROCK OR OTHER NATURAL OR MAN-MADE FEATURES. EXCEPT AS SPECIFICALLY INDICATED, NO ENVIRONMENTAL STUDIES HAVE BEEN CONDUCTED BY OUR FIRM.
- EXISTING UTILITY INFORMATION SHOWN HEREON IS FROM DRAWINGS AND/OR OTHER SOURCES PROVIDED BY OWNERS OF THE VARIOUS UTILITIES. EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY MISS UTILITY AT (1-800-257-7777) A MINIMUM OF 48 HOURS BEFORE BEGINNING ANY WORK SHOWN ON THESE DRAWINGS. ANY DAMAGE TO UTILITIES BY THE CONTRACTOR SHALL BE REPAIRED BY THE CONTRACTOR AT HIS EXPENSE AND TO THE SATISFACTION OF THE UTILITY OWNER. HAND PIT EXCAVATION SHALL BE PROVIDED AS NEEDED BY CONTRACTOR TO LOCATE EXISTING UNDERGROUND UTILITIES.
- EXISTING UTILITIES SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY. EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BEFORE BEGINNING CONSTRUCTION.
- NO TITLE REPORT HAS BEEN CONDUCTED BY THIS COMPANY OR FURNISHED TO US BY OTHERS. PROPERTY LINE INFORMATION HAS BEEN TAKEN FROM DEED (S) OF RECORD AND NOT FIELD VERIFIED.
- THERE IS NO 100 YEAR FLOODPLAIN ON THIS SUBJECT PROJECT AREA AS SHOWN ON FEMA PANEL No. 24043001600 EFFECTIVE DATE AUGUST 15, 2017.
- THERE ARE NO KNOWN HABITATS OF THREATENED OR ENDANGERED SPECIES IDENTIFIED BY THE U.S. FISH AND WILDLIFE SERVICE PER 50 CFR AS REQUIRED TO BE SHOWN BY SECTION 314 OF THE SUBDIVISION ORDINANCE AND SECTION 4.21 OF THE ZONING ORDINANCE.
- THERE ARE NO AREAS OF STEEP SLOPES AS DEFINED BY THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT PER ARTICLE 28.631 WITHIN THE ANTICIPATED PROJECT AREA SHOWN HEREON.
- THERE ARE NO WETLANDS WITHIN THE PROJECT AREA PER MAPPING BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

CONCEPT PLAN FOR PRELIMINARY CONSULTATION

CASCADE TOWN CENTRE

PHASE 1A - 36 TOWNHOME LOTS

SITUATE ALONG BOTH SIDE OF NORTH BOYD STREET
ELECTION DISTRICT 14 (RINGGOLD)
WASHINGTON COUNTY, MARYLAND



ADC MAP 13
GRID F6

AGENCY & UTILITY CONTACTS

COUNTY D.P.W. - ENGINEERING AND CONSTRUCTION	(240) 313-2400
COUNTY SEWER (DEPT. OF WATER QUALITY)	(240) 313-2600
POTOMAC EDISON	(301) 562-5271
WASH. CO. SCD	(301) 797-6821 X 3
ANTITAM CABLE	(301) 797-1835
VERIZON	(301) 790-7135
COLUMBIA GAS	(800) 440-6111

UTILITY NOTIFICATION:
THE SOIL CONSERVATION DISTRICT MAKES NO REPRESENTATION AS TO THE EXISTENCE OR NONEXISTENCE OF ANY UTILITIES AT THE CONSTRUCTION SITE. SHOWN ON THESE CONSTRUCTION DRAWINGS ARE THOSE UTILITIES WHICH HAVE BEEN IDENTIFIED. IT IS THE RESPONSIBILITY OF THE LANDOWNERS OR OPERATORS AND CONTRACTORS TO ASSURE THEMSELVES THAT NO HAZARD EXISTS OR DAMAGE WILL OCCUR TO UTILITIES. IT IS REQUIRED BY LAW THAT MISS UTILITY BE CONTACTED AT: PHONE No. 1-800-257-7777.

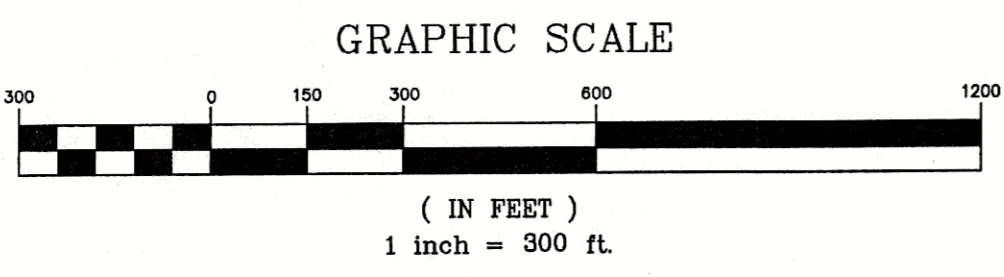
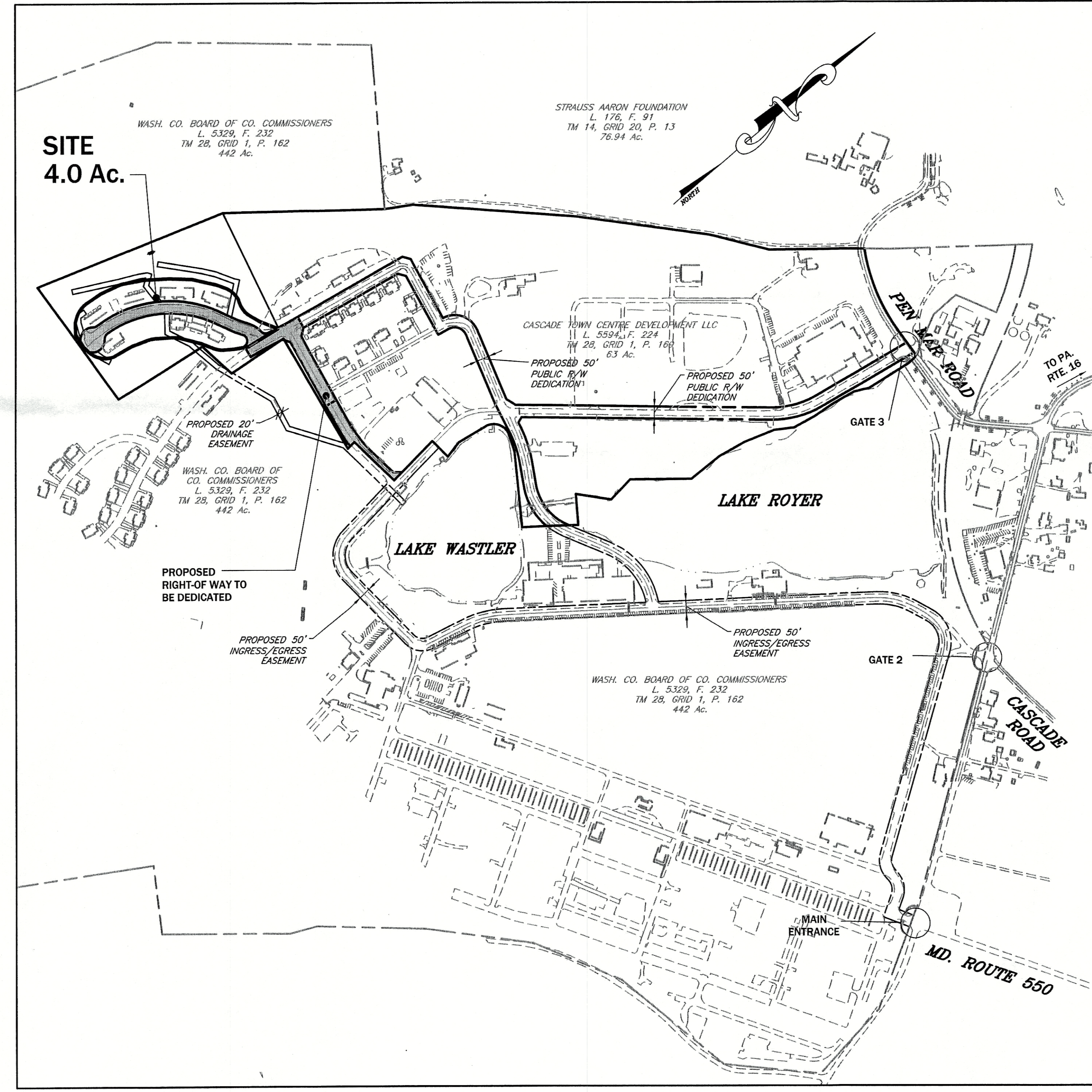
STORMWATER MANAGEMENT NARRATIVE

AS OF MARCH, 2019, 84 BUILDINGS ON THE FORMER FORT RITCHIE HAVE BEEN REMOVED, SEVERAL OF WHICH INCLUDED THEIR ASSOCIATED PARKING AREAS. THESE DEMOLISHED BUILDINGS RANGE IN SIZE FROM SMALL PAVILIONS TO LARGE APARTMENT BUILDINGS AND MOVIE THEATRES.

HERE IS A DETAILED LIST OF THE DEMOLISHED STRUCTURES WHICH HAVE BEEN REMOVED OFF OF THE SUBJECT 63 ACRE PROPERTY:

BLDG 800	OFFICERS QUARTERS
BLDG 811	OFFICERS QUARTERS
BLDG 825	PRIOR USE UNKNOWN
BLDG 832	PAVILION
BLDG 834	PRIOR USE UNKNOWN
BLDG 835	PRIOR USE UNKNOWN
BLDG 836	SWIMMING POOL

AS PART OF THE PRELIMINARY PLAT SUBMITTAL PACKAGE, IT WILL BE OUR INTENTION TO SHOW THAT THE REMOVAL OF THE EXISTING 33 RESIDENTIAL DWELLING UNITS AND THE REMOVAL OF THE PREVIOUS BUILDINGS LISTED ABOVE, THERE WILL STILL BE A NET REDUCTION IN IMPERVIOUS COVER WHICH MEANS THAT POST-DEVELOPMENT RUNOFF WILL BE LESS THAN THE PREVIOUS RATES WHEN THE FORT WAS IN OPERATION. THIS ALSO MEANS THAT THE PROJECT WILL HAVE NO IMPACT ON THE EXISTING DOWNSTREAM CONVEYANCE SYSTEMS OR THE EXISTING LAKES.



OWNER / DEVELOPER
CASCADE TOWN CENTRE DEVELOPMENT LLC
14303 LAKE ROYER DRIVE
CASCADE, MD 21719
240-432-2747
ATTN: JOE LEE, PRESIDENT

INDEX OF SHEETS

COVER SHEET	1
EXISTING CONDITIONS PLAN	2
CONCEPT PLAN	3
FOREST STAND DELINEATION	4
NORTH BOYD STREET CROSS-SECTIONS	5 - 7



DISTURBED AREA QUANTITIES

THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 4.0 ACRES AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY 950 C.Y. OF EXCAVATION AND 4,260 C.Y. OF FILL.

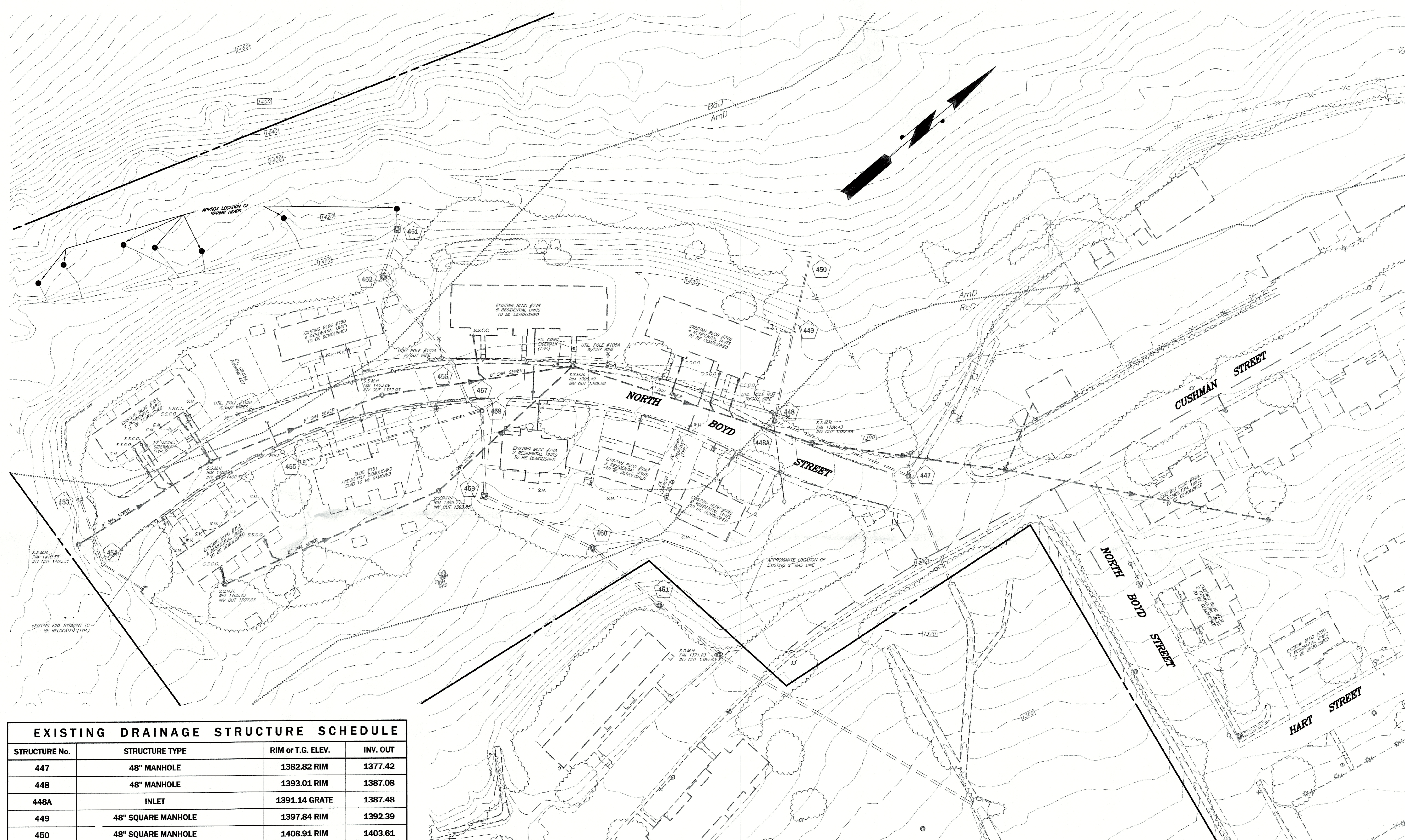
* THESE QUANTITIES ARE APPROXIMATE AND SHALL NOT BE USED BY THE CONTRACTOR FOR BIDDING PURPOSES.

ENGINEER 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.

7/11/19 DATE
27053 REG. NO.
EXPIRES 1/25/20

PC-19-001 SWCP19-011
18-50935 D-6260 SHEET 1 OF 7



EXISTING DRAINAGE STRUCTURE SCHEDULE			
STRUCTURE No.	STRUCTURE TYPE	RIM or T.G. ELEV.	INV. OUT
447	48" MANHOLE	1382.82 RIM	1377.42
448	48" MANHOLE	1393.01 RIM	1387.08
448A	INLET	1391.14 GRATE	1387.48
449	48" SQUARE MANHOLE	1397.84 RIM	1392.39
450	48" SQUARE MANHOLE	1408.91 RIM	1403.61
451	MANHOLE	1412.84 RIM	1407.96
452	MANHOLE	1404.32 RIM	1399.52
453	INLET	1405.54 GRATE	
454	INLET	1407.70 GRATE	1404.25
455	INLET	1400.57 GRATE	
456	INLET	1401.38 GRATE	1398.31
457	INLET	1400.85 GRATE	1397.38
458	MANHOLE	1399.69 RIM	1393.84
459	MANHOLE	1392.85 RIM	1382.83
460	MANHOLE	1385.77 RIM	1378.97
461	MANHOLE	1372.07 RIM	1368.92

SOIL TYPES ON SITE
 AmD AIRMONT COBBLY LOAM 8 TO 25 PERCENT SLOPES EXTREMELY STONY
 BaD BACTOWN COBBLY LOAM 15 TO 25 PERCENT SLOPES EXTREMELY STONY
 RcC RAVENROCK GRAVELLY LOAM 3 TO 15 PERCENT SLOPES EXTREMELY STONY

NO.	DATE	REVISION	BY

EXISTING CONDITIONS PLAN
CASCADE TOWN CENTRE
PHASE 1A - 36 TOWNHOMES
 SITUATE ALONG BOTH SIDES OF NORTH BOYD STREET
 ELECTION DISTRICT 14 (RINGGOLD)
 WASHINGTON COUNTY, MARYLAND

SCALE: 1" = 40'
 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.: 27053 EXP. DATE: 1/25/20
 PROJECT NO.: 18-50935
 DRAWING NO.: D-6260
 DATE: JAN. 2019
 DRAWN BY: G.S.P.
 CHECKED BY: G.S.P.

DATE	REVISION	DRAWN BY

CONCEPT PLAN
CASCADE TOWN CENTRE
PHASE 1A - 36 TOWNHOMES
SITUATE ALONG BOTH SIDES OF NORTH BOYD STREET
ELECTION DISTRICT 14 (RINGGOLD)
WASHINGTON COUNTY, MARYLAND

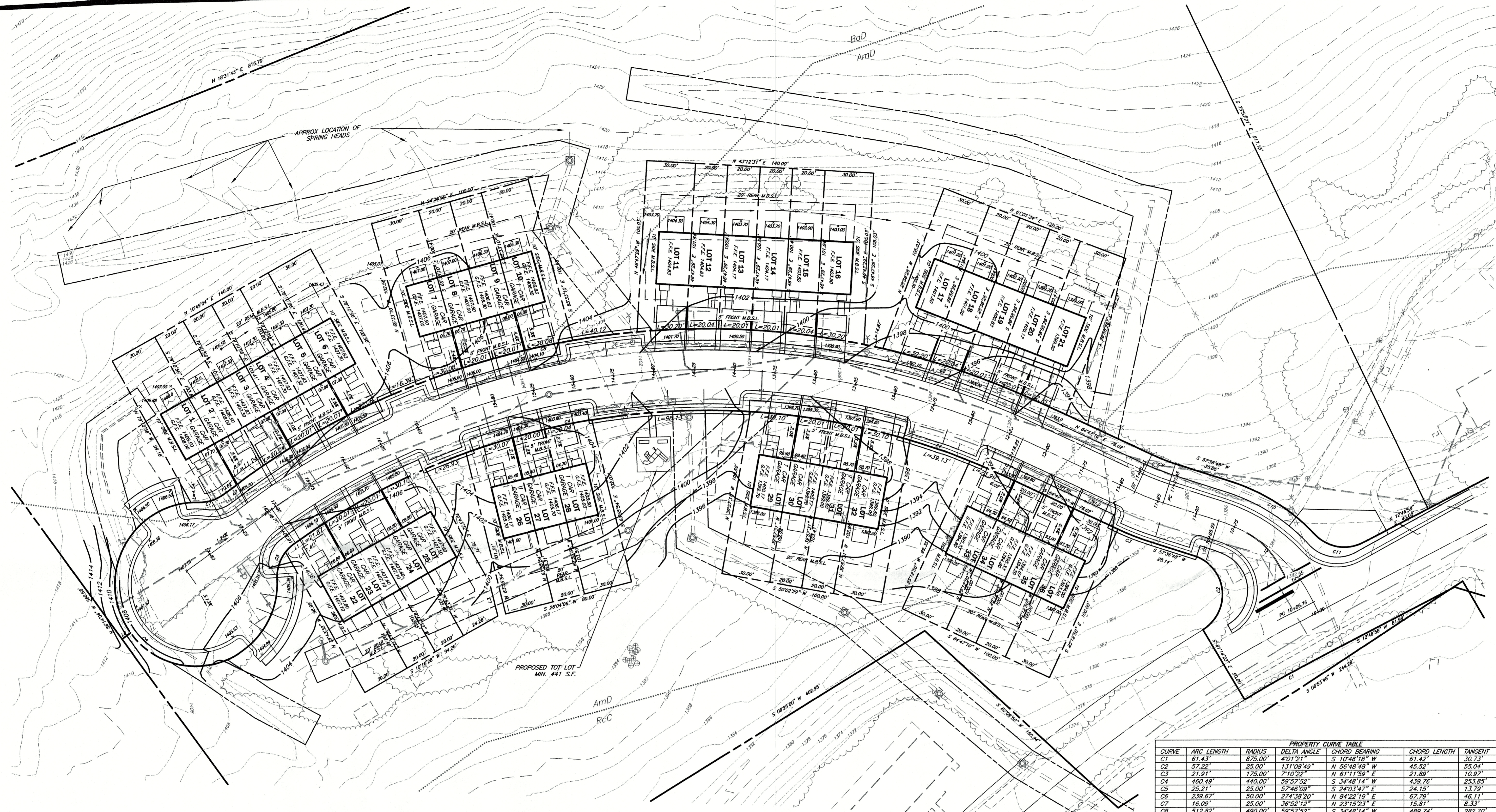
SCALE: 1" = 30'

PROFESSIONAL CERTIFICATION



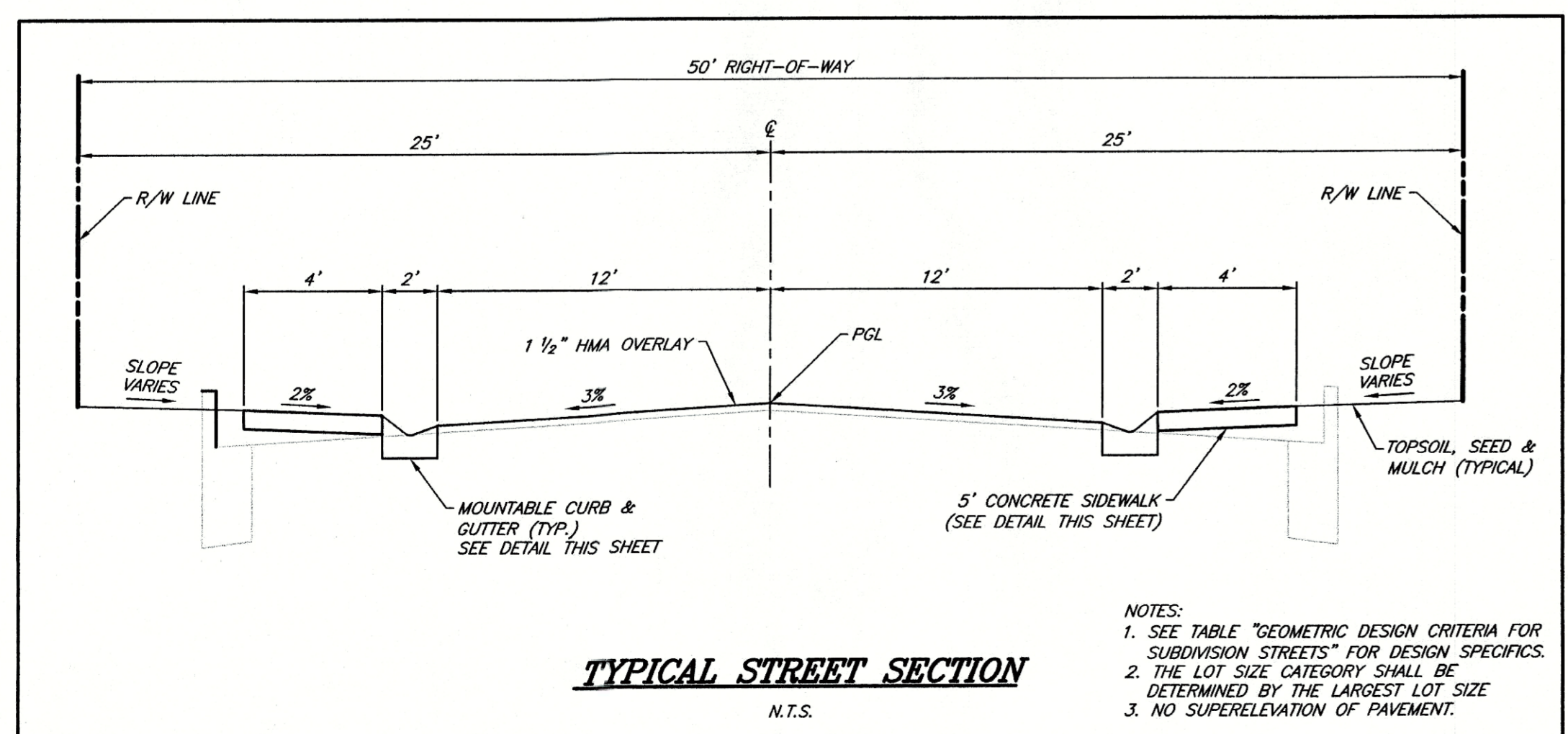
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LICENSE No.: 27053 EXP. DATE: 1/25/20

PROJECT NO. 18-50935
DRAWING NO. D-6260
DATE: JAN. 2019
DRAWN BY: G.S.P.
CHECKED BY: G.S.P.



PROPERTY CURVE TABLE						
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT
C1	61.43'	875.00'	4°01'21"	S 10°46'18" W	61.42'	30.73'
C2	57.23'	25.00'	131°08'49"	N 56°48'48" W	45.52'	55.04'
C3	21.51'	175.00'	7°10'22"	N 61°11'59" E	21.85'	10.93'
C4	480.49'	440.00'	59°57'52"	S 34°48'14" W	439.76'	253.85'
C5	25.21'	25.00'	57°46'09"	S 24°03'47" E	24.15'	13.79'
C6	239.67'	50.00'	274°38'20"	N 84°22'19" E	67.78'	46.11'
C7	18.09'	25.00'	36°52'12"	N 23°15'23" E	15.81'	8.33'
C8	512.82'	490.00'	59°57'53"	S 34°48'14" W	489.74'	282.70'
C9	15.65'	125.00'	7°10'22"	N 61°11'59" E	15.64'	7.81'
C10	61.99'	125.00'	28°24'51"	S 71°49'13" W	61.36'	31.65'
C11	31.96'	25.00'	73°14'41"	N 49°24'19" E	28.83'	18.58'
C12	151.73'	525.00'	16°33'33.55"	S 87°38'55" E	151.21'	76.40'
C13	90.30'	575.00'	8°59'54.07"	N 83°52'05" W	90.21'	45.25'

PROPERTY LINE TABLE		
LINE	BEARING	SLOPE DIST
L1	N 04°49'17" E	1.04'
L2	N 04°49'17" E	19.48'
L3	S 63°55'54" E	21.09'
L4	S 56°42'25" W	25.23'
L5	S 12°46'58" W	81.98'
L6	S 03°45'56" W	6.49'

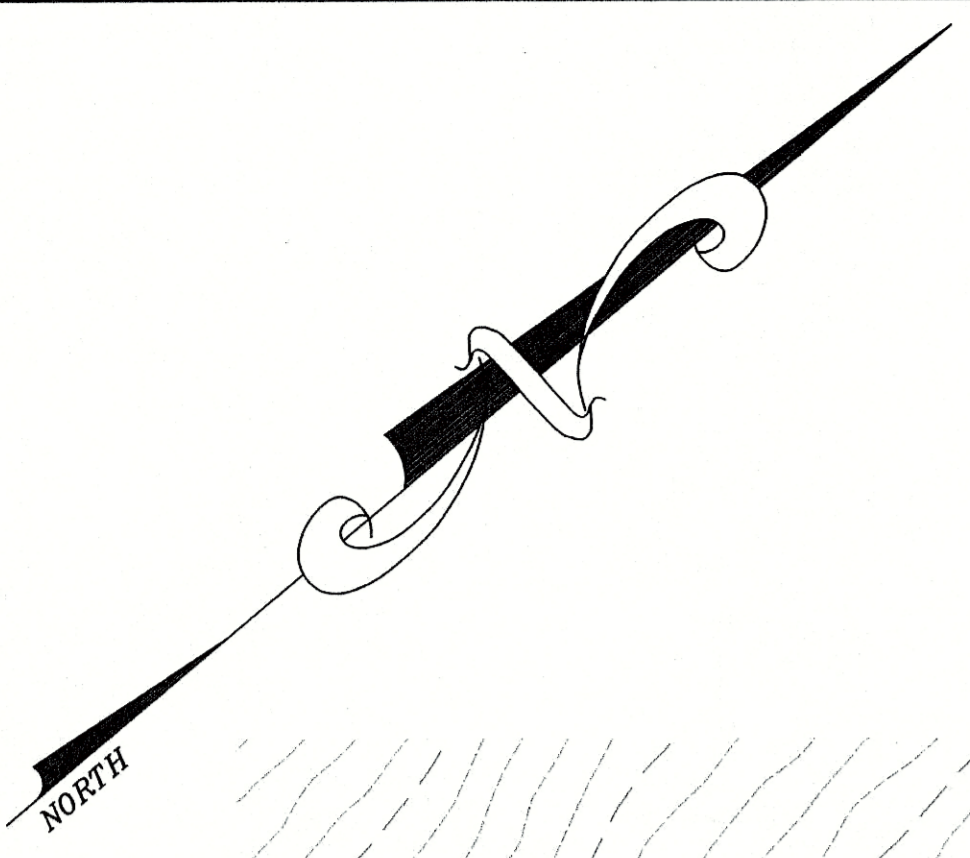


SITE DATA

TAX MAP/PARCEL	28/169
ELECTION DISTRICT	14 (RINGGOLD)
ZONING	SED
PARCEL ACREAGE	62.96 Ac.
EXCISE TAX CLASSIFICATION	RESIDENTIAL
TOTAL LOTS	36 RESIDENTIAL SEM-DETACHED LOTS
MIN. LOT SIZE	20' x 100' = 2,000 S.F. or 0.05 Acres
BUILDING HEIGHT	3 STORY (32' ±)
BUILDING SETBACKS	FRONT: 5 FT. SIDE: 10 FT. (EXTERIOR SIDE ONLY) REAR: 20 FT.
PRE-DEVELOPMENT IMPERVIOUS AREA	BUILDING AREA: 25,743 Sq. Ft. = 0.59 Ac. ASPHALT STREET & DRIVEWAYS: 28,832 Sq. Ft. = 0.66 Ac. CONC. SIDEWALK: 12,670 Sq. Ft. = 0.29 Ac. 67,245 Sq. Ft. = 1.54 Ac. = 16.2% *
POST-DEVELOPMENT IMPERVIOUS AREA	BUILDING AREA: 23,040 Sq. Ft. = 0.53 Ac. ASPHALT STREET PAVING: 26,691 Sq. Ft. = 0.61 Ac. ASPHALT DRIVEWAYS: 16,560 Sq. Ft. = 0.38 Ac. STREET VALLEY CURB & SIDEWALK: 11,074 Sq. Ft. = 0.25 Ac. ON LOT FRONT CONC STOOPS/SIDEWALK: 2,052 Sq. Ft. = 0.05 Ac. ON LOT REAR CONC. PATIOS: 3,600 Sq. Ft. = 0.08 Ac. 83,017 Sq. Ft. = 1.90 Ac. = 20.0% *

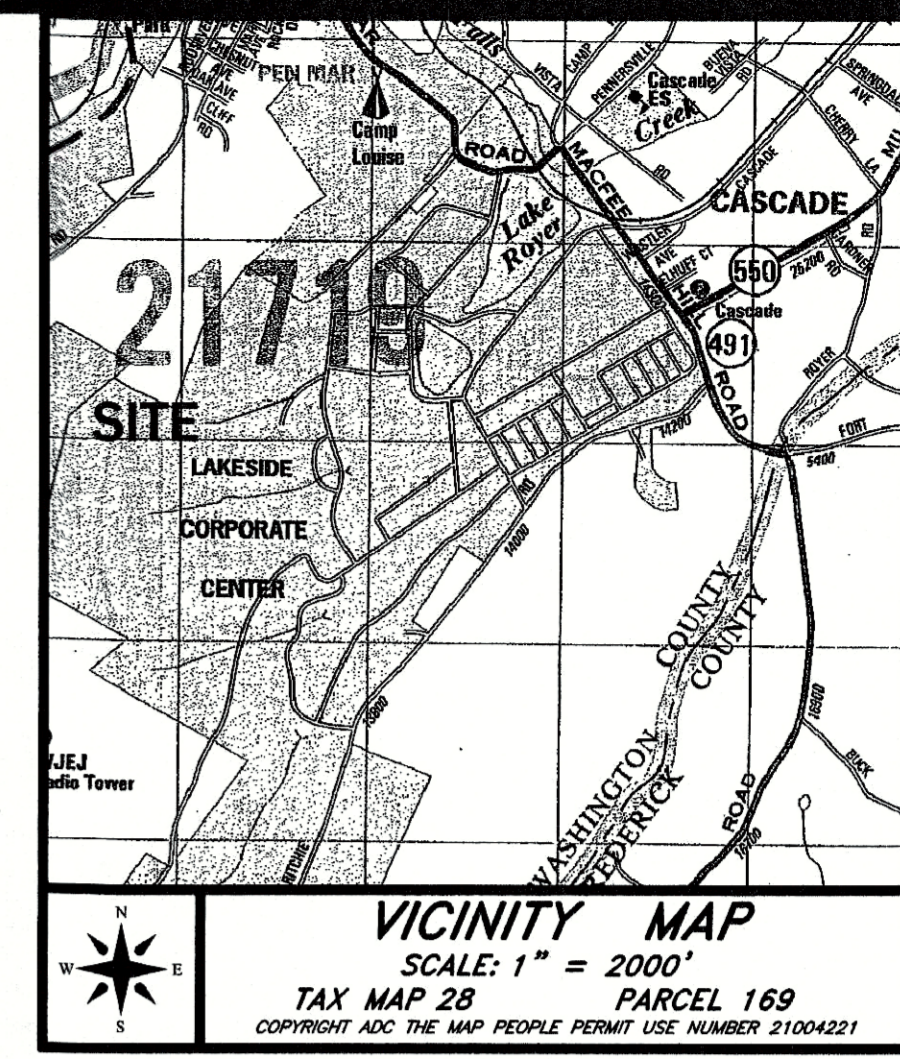
CONTOURS: PHOTOGRAMMETRY & FIELD RUN
WATER SERVICE: WASHINGTON COUNTY
SEWER SERVICE: WASHINGTON COUNTY
TRASH & RECYCLABLES: CURBSIDE PICKUP BY PRIVATE HAULER
GROSS DWELLING UNIT DENSITY: 3.8 UNITS / ACRE (THIS SECTION) *
PARKING REQUIRED: TOWNHOUSES 2.5 SPACES / UNIT = 90 SPACES
PARKING PROVIDED: 2 SPACES IN DRIVEWAY = 2 x 36 = 72 SPACES ON STREET = 18
TOTAL PARKING PROVIDED = 90
PARKING RATIO: 2.5 SPACES / UNIT
PROJECTED DAILY SEWERAGE EFFLUENT: 7,200 G.P.D.
EXISTING WATER ALLOCATION: 0 G.P.D.
PROPOSED WATER ALLOCATION: 36 LOTS x 200 = 7,200 G.P.D.
TENTATIVE PROJECTED BUILDING SCHEDULE: 2 - 3 YEARS
DEVELOPMENT RESPONSIBILITIES LANDSCAPING & RECREATION FACILITIES: DEVELOPER

* AREA PERCENTAGES AND SECTION DENSITY WERE CALCULATED BASED ON THE SECTION AREA AS DEFINED ON THE FOREST STAND DELINEATION (9.48 Ac.)



NOTES

1. THIS PARCEL IS NOT AFFECTED BY THE 100-YR FLOODPLAIN AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (DFIRM) 24043C0160D. EFFECTIVE DATE 8/15/17.
2. THERE ARE NO KNOWN HABITATS OF THREATENED OR ENDANGERED SPECIES IDENTIFIED BY THE U.S. FISH & WILDLIFE SERVICE PER 50 CFR AS REQUIRED TO BE SHOWN BY SECTION 314 OF SUBDIVISION ORDINANCE AND SECTION 4.21 OF ZONING ORDINANCE.
3. THERE ARE AREAS OF STEEP SLOPES AS DEFINED BY THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT PER ARTICLE 28.631 ON THE LOT SHOWN HEREON.
4. THE WASHINGTON COUNTY SOIL SURVEY, MAP 14, ISSUED 2002, SHOWS NO THREE DOT STREAMS WITHIN THE AREA OF THE FSD.
5. THERE ARE NO WETLANDS WITHIN THE PROJECT AREA PER MAPPING BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.



ADC MAP 13
GRID F6

FOX & ASSOCIATES INC.
Est. 1966
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FOX & ASSOCIATES, INC.
ENGINEERS • SURVEYORS • PLANNERS

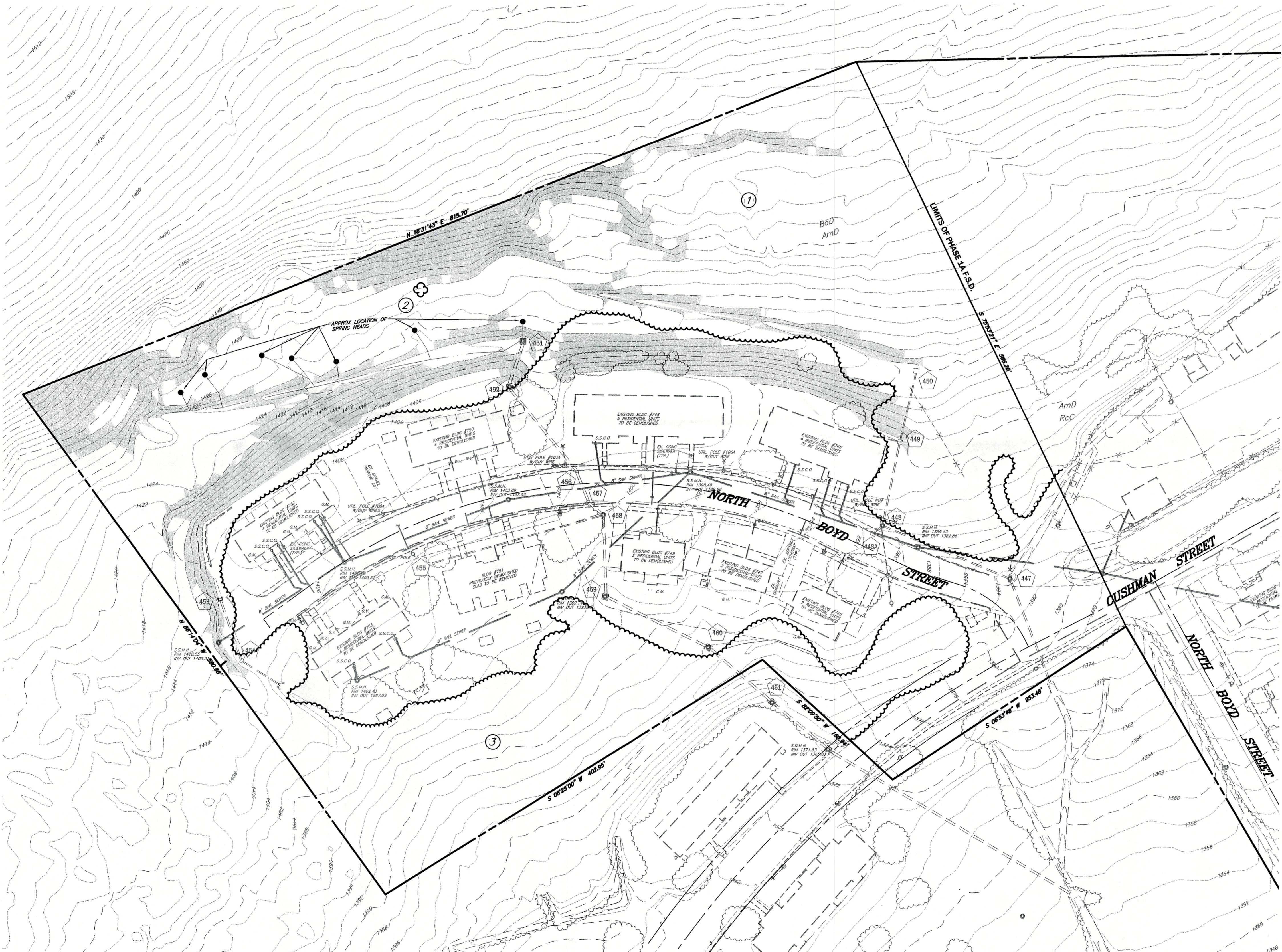
82 NORMANS MILL COURT
SUITE 'G'
FREDERICK, MD. 21701
PHONE: (301)733-8503
or
FAX: (301)733-1853
Email: foxassoc@foxassocinc.com
www.foxassocinc.com

NOTE

1. THIS FOREST STAND DELINEATION IS ONLY ON THE 9.48 ACRE TRACT SHOWN.

SITE DATA

TAX MAP/PARCEL	28/169
ELECTION DISTRICT	14 (RINGGOLD)
ZONING	SED
WATERSHED	ANTIETAM CREEK (02140502)
PARCEL ACREAGE	Total Ac. (PER DEED) - FSD 9.48 AC.
MINIMUM BUILDING SETBACKS:	FRONT 25' SIDE 10' REAR 20'
EXISTING USE:	VACANT (FORMER MILITARY BASE)



LEGEND

- FOREST STAND NUMBER
- FOREST SAMPLING PLOT
- STREAM
- SPECIMEN TREE
- FORESTED AREA
- MINIMUM BUILDING SETBACK LINE (MBSL)
- EXISTING EDGE OF PAVEMENT
- EXISTING EDGE OF GRAVEL
- EXISTING 2X CONTOUR
- EXISTING 10X CONTOUR
- SOIL TYPE & BOUNDARY
- EXISTING FENCELINE

- AREAS OF STEEP SLOPES BETWEEN 15% & 25%
- AREAS OF STEEP SLOPES GREATER THAN 25%

SOIL TYPES ON SITE

SOIL DESCRIPTION	K' FACTOR	% OF DELINEATION
AmD ARMONT COBBLY LOAM 8 TO 25 PERCENT SLOPES EXTREMELY STONY	0.20	44.5
BcD BAYTOWN COBBLY LOAM 15 TO 25 PERCENT SLOPES EXTREMELY STONY	0.05	35.9
RcC RAVENROCK GRAVELLY LOAM 3 TO 15 PERCENT SLOPES EXTREMELY STONY	0.10	18.6
		100.0

FOREST STAND No. A ---- 5.40 ACRES
TOTAL FOREST ----- 5.40 ACRES

I CERTIFY THAT I AM QUALIFIED TO PREPARE THIS PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE FOREST CONSERVATION ACT PURSUANT TO COMAR 08.19.08.01A AND THAT TO THE BEST OF MY KNOWLEDGE, THE INFORMATION HEREON SATISFIES THE REQUIREMENTS OF THE WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE.

J. Mark Fream

FOREST STAND DELINEATION PLAN
CASCADE TOWN CENTRE
PHASE 1A - 36 TOWNHOMES
SITUATE ALONG BOTH SIDES OF NORTH BOYD STREET
ELECTION DISTRICT 14 (RINGGOLD)
WASHINGTON COUNTY, MARYLAND

SCALE: 1" = 40'
PROFESSIONAL CERTIFICATION

STATE OF MARYLAND
JULY 19, 2019
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.: 27053 EXP. DATE: 1/25/20

PROJECT NO. 18-50935
DRAWING NO. D-6260
DATE: JAN. 2019
DRAWN BY: G.S.P.
CHECKED BY: G.S.P.

SITE PLAN FOR LEITERSBURG RURITAN PARK

PRESENTED FOR APPROVAL IS A SITE PLAN FOR LEITERSBURG RURITAN PARK.

THE SUBJECT SITE IS LOCATED ALONG THE SOUTH EAST SIDE OF LEITER STREET AND THE EAST SIDE OF THE LEITERSBURG SMITHSBURG ROAD IN LEITERSBURG. ZONING IS RURAL VILLAGE.

THE OWNER, THE RURITAN CLUB, IS PROPOSING TO CONSTRUCT A 12,000 SQUARE FOOT COMMUNITY CENTER ON THE CLUBS 10.26 ACRE PARCEL. BUILDING HEIGHT WILL BE 18 FEET. SIDEWALKS WILL SURROUND THE BUILDING. AN EXISTING SMALL BUILDING WITH CANOPY AND GRAVEL PARKING LOT WILL REMAIN ALONG WITH A BASKETBALL COURT AND A SAND VOLLEYBALL COURT.

ACCESS TO THE SITE IS BY WAY OF AN EXISTING ENTRANCE ON LEITER STREET.

HOURS OF OPERATION WILL BE 7AM TO 8PM APRIL THROUGH SEPTEMBER AND 8AM TO 5PM OCTOBER THROUGH APRIL.

THERE WILL BE ONE TO TWO EMPLOYEES.

PARKING REQUIRED IS 37 SPACES WITH 42 SPACES PROVIDED.

EXISTING WELL AND SEPTIC WILL SERVE THE NEW BUILDING.

LIGHTING WILL BE BUILDING MOUNTED AND POLE LIGHTS IN THE PARKING LOT. NO NEW SIGNAGE IS PROPOSED.

SOLID WASTE WILL BE TAKEN CARE OF BY A DUMPSTER AND COMPACTOR.

EXISTING TREES ON-SITE WILL REMAIN.

FOREST CONSERVATION REQUIREMENTS ARE BEING PROPOSED TO BE MET BY PAYING THE FEE IN LIEU OF \$3,136.32.

ALL APPROVALS HAVE BEEN RECEIVED BY OUR OFFICE.



SITE PLAN STAFF REPORT

BASE INFORMATION

SITE NAME.....: Leitersburg Ruritan Park
 NUMBER.....: SP-19-007

OWNER.....: RURITAN CLUB INC LEITERSBURG
 LOCATION.....: Leiter Street S/S
 DESCRIPTION.....: Site Plan for Leitersburg Ruritan Park

ZONING.....: Rural Village
 COMP PLAN LU.....: Rural Village
 PARCEL.....: 09005714
 PLANNING SECTOR.....: 1
 ELECTION DISTRICT.....: 09

TYPE.....: Commercial
 GROSS ACRES.....: 10.26
 DWELLING UNITS.....: 0
 TOTAL LOTS.....: 1
 DENSITY.....: 0 Units Per Acre

PLANNER.....: Cody L Shaw
 ENGINEER.....: FREDERICK SEIBERT & ASSOCIATES
 RECEIVED.....: January 29, 2019

SITE ENGINEERING

HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION

FLOOD ZONE.....: No
 WETLANDS.....: None
 WATERSHED.....: Antietam Creek
 ENDANGERED SPECIES.....: State Listed
 STEEP SLOPES.....: No
 STREAM BUFFER.....: No
 HISTORIC INVENTORY.....: I174 On National Register
 EASEMENTS PRESENT.....: None

Staff Comments:

Not Applicable



Washington County
MARYLAND

WASHINGTON COUNTY DIVISION OF PLAN REVIEW & PERMITTING

80 West Baltimore Street | Hagerstown, MD 21740-6003 | P: 240.313.2460 | F: 240.313.2461 | Hearing Impaired: 7-1-1

SITE DESIGN

Impervious Area Plan	Impervious Maximum Allowed	Open Space Area Planned
4		0
Open Space Minimum Required	Residential Amenity Plans	Solid Waste Disposal Plans
0	n/a	dumpster
Materials Stored on Site	Buffer Design Meets Requirements	Landscaping Meets Requirements
no outside storage	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	
42		
Parking Spaces - Minimum Required	Recreational Parking Provided	
37	No	

ACCESS SPACING VARIANCE NEEDED: No

NUMBER OF ACCESS POINTS: 1

SCHOOL INFORMATION

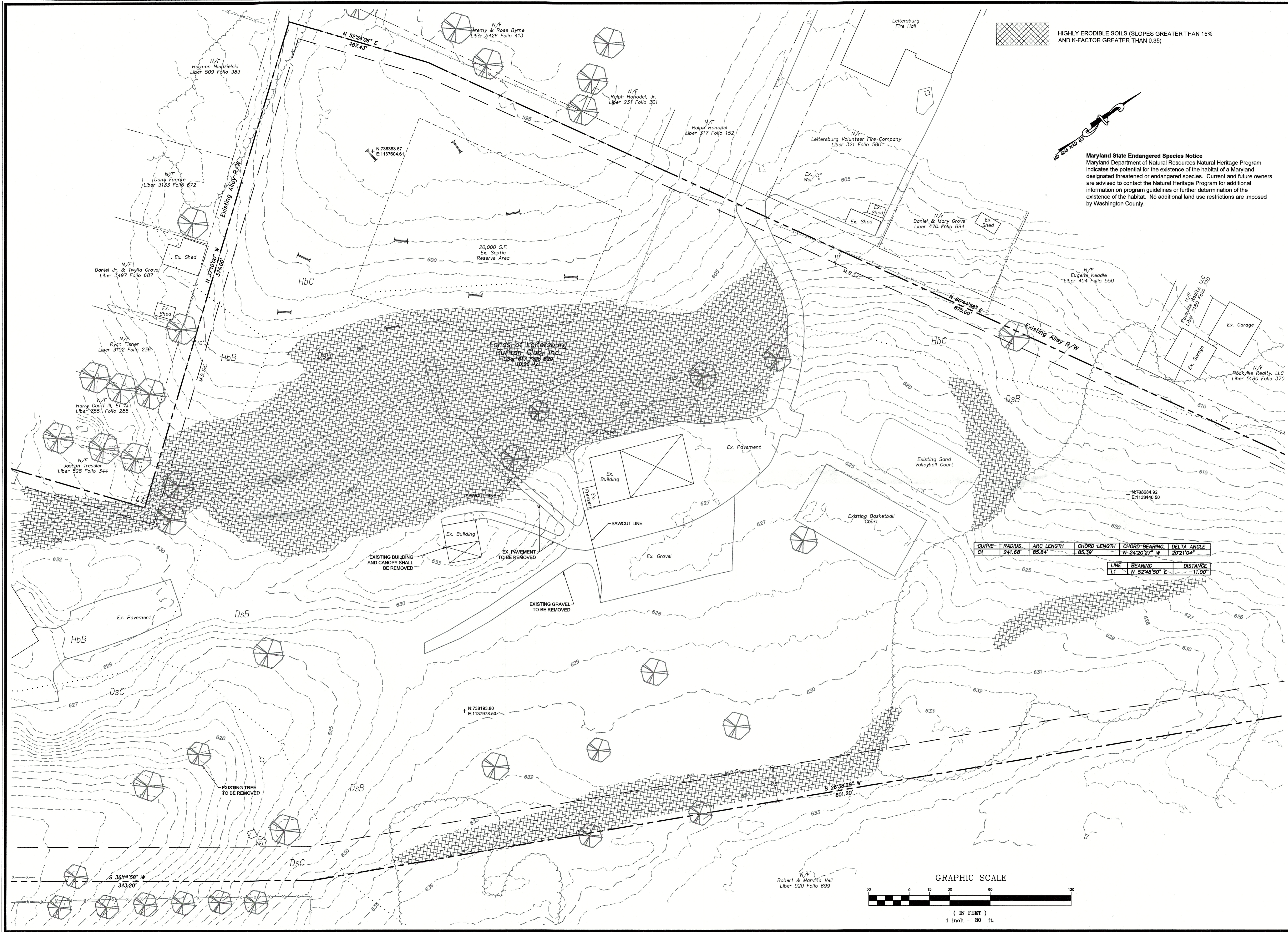
	ELEMENTARY	MIDDLE	HIGH
SCHOOL DISTRICT	Old Forge	Smithsburg	Smithsburg
PUPIL YIELD			
CURRENT ENROLLMENT			
MAXIMUM CAPACITY			

PUBLIC FACILITIES INFORMATION

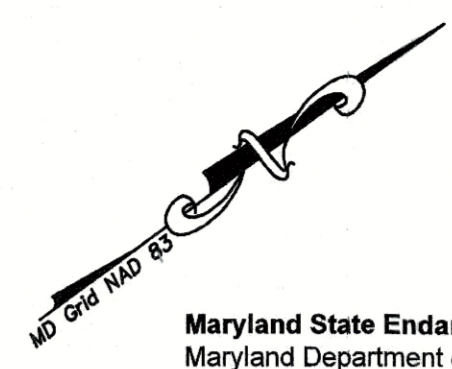
FIRE DISTRICT.....:	LEITERSBURG
AMBULANCE DISTRICT.....:	SMITHSBURG

WATER & SEWER INFORMATION

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



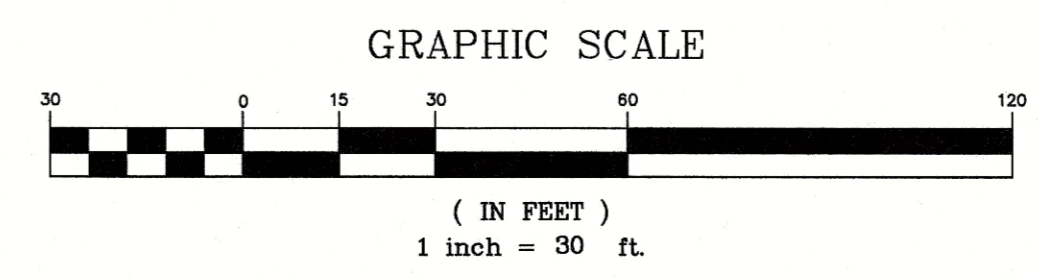
HIGHLY ERODIBLE SOILS (SLOPES GREATER THAN 15% AND K-FACTOR GREATER THAN 0.35)



Maryland State Endangered Species Notice
 Maryland Department of Natural Resources Natural Heritage Program indicates the potential for the existence of the habitat of a Maryland designated threatened or endangered species. Current and future owners are advised to contact the Natural Heritage Program for additional information on program guidelines or further determination of the existence of the habitat. No additional land use restrictions are imposed by Washington County.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CT	241.68'	65.64'	65.39'	N-24°20'27" W	20°21'04"

LINE	BEARING	DISTANCE
L1	N 52°48'50" E	11.00'



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. 30345, Expiration Date: 08-23-2019.

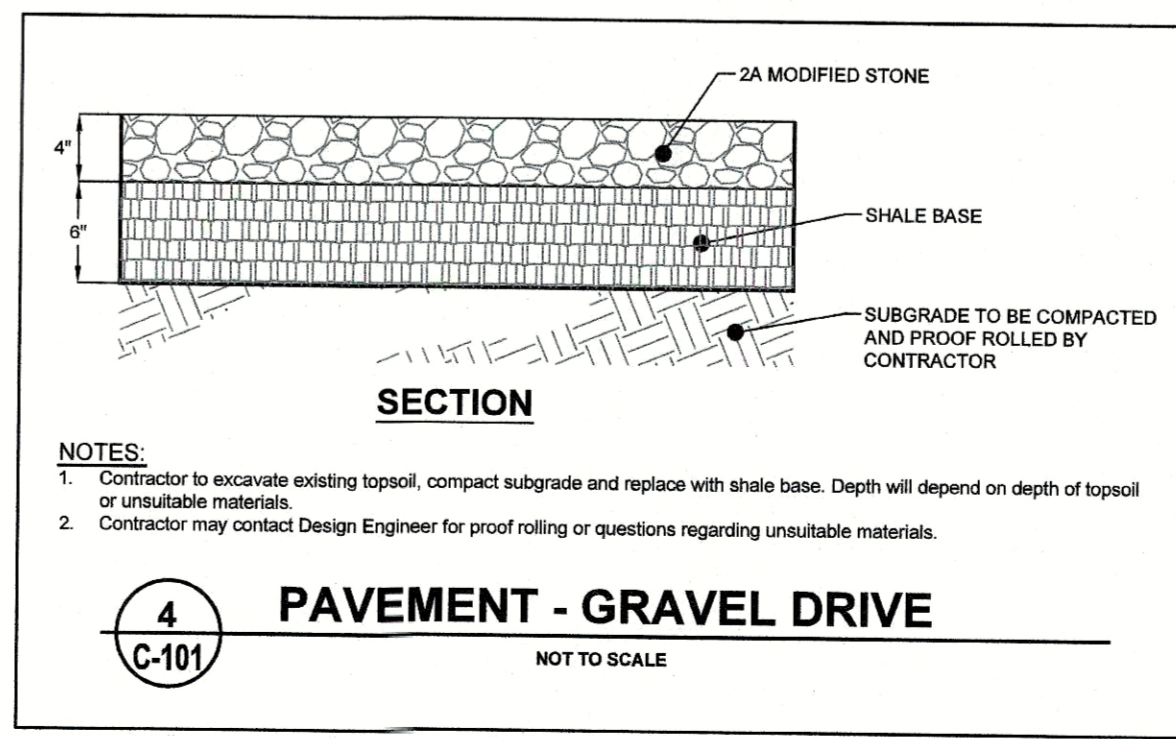
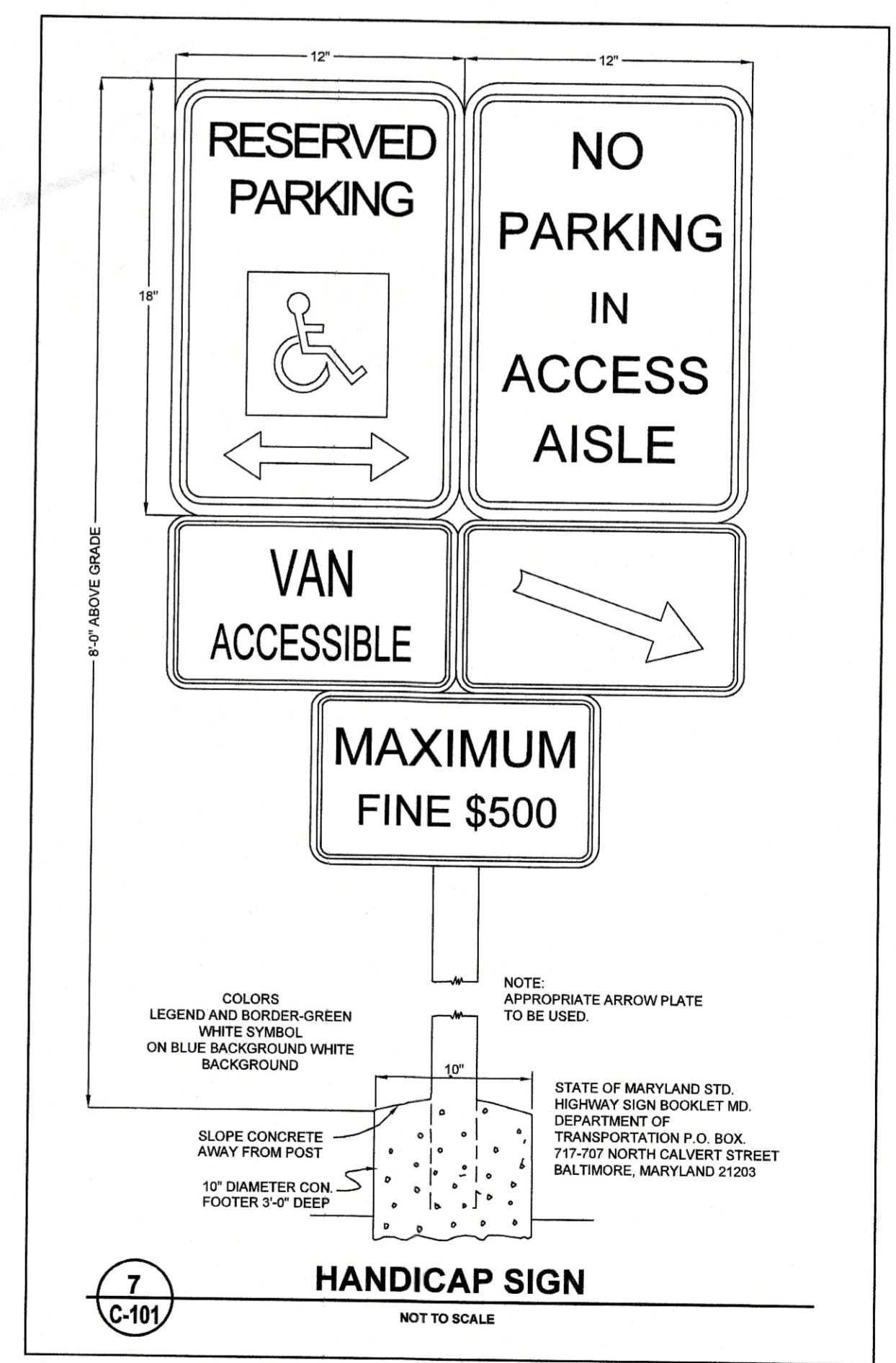
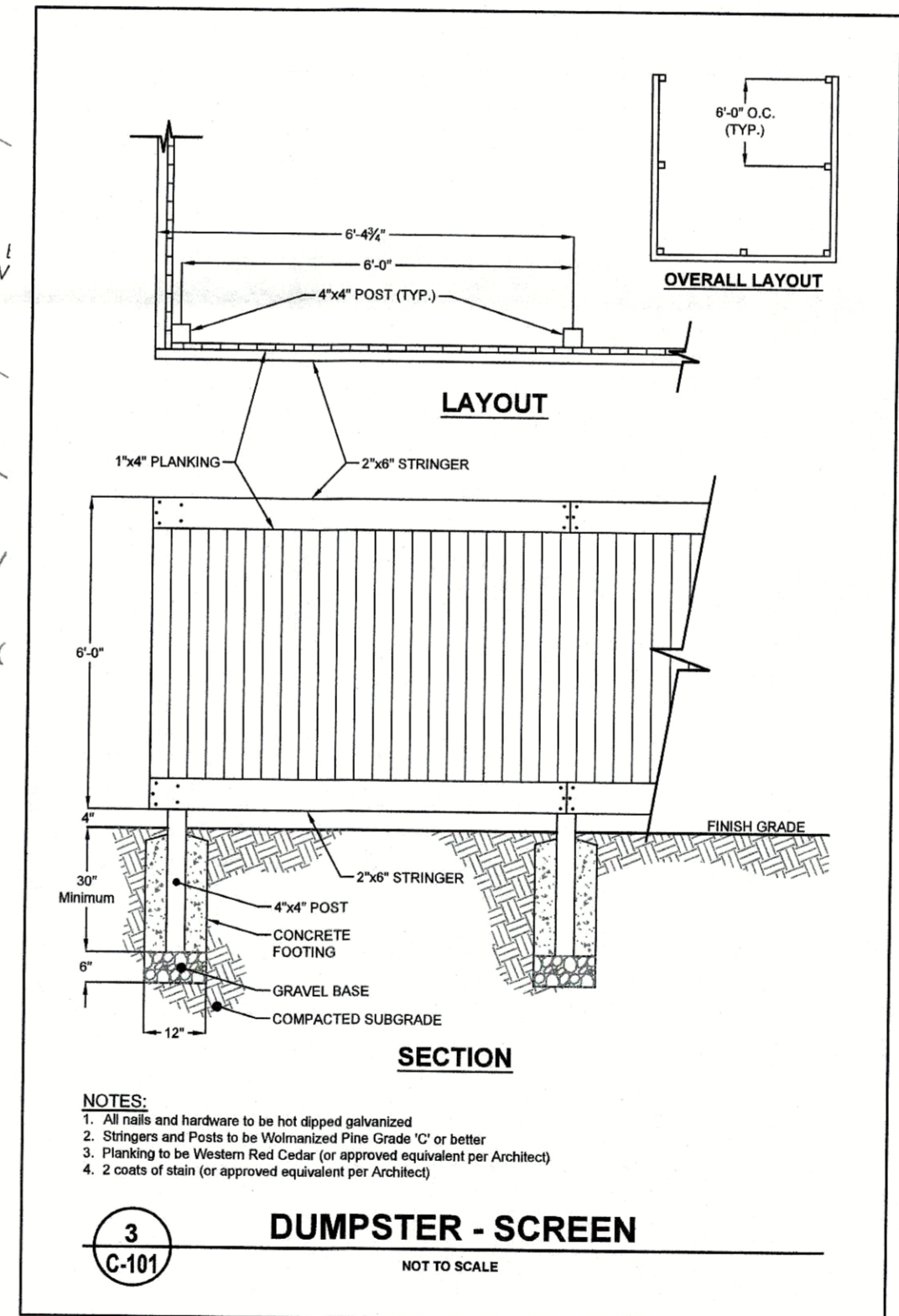
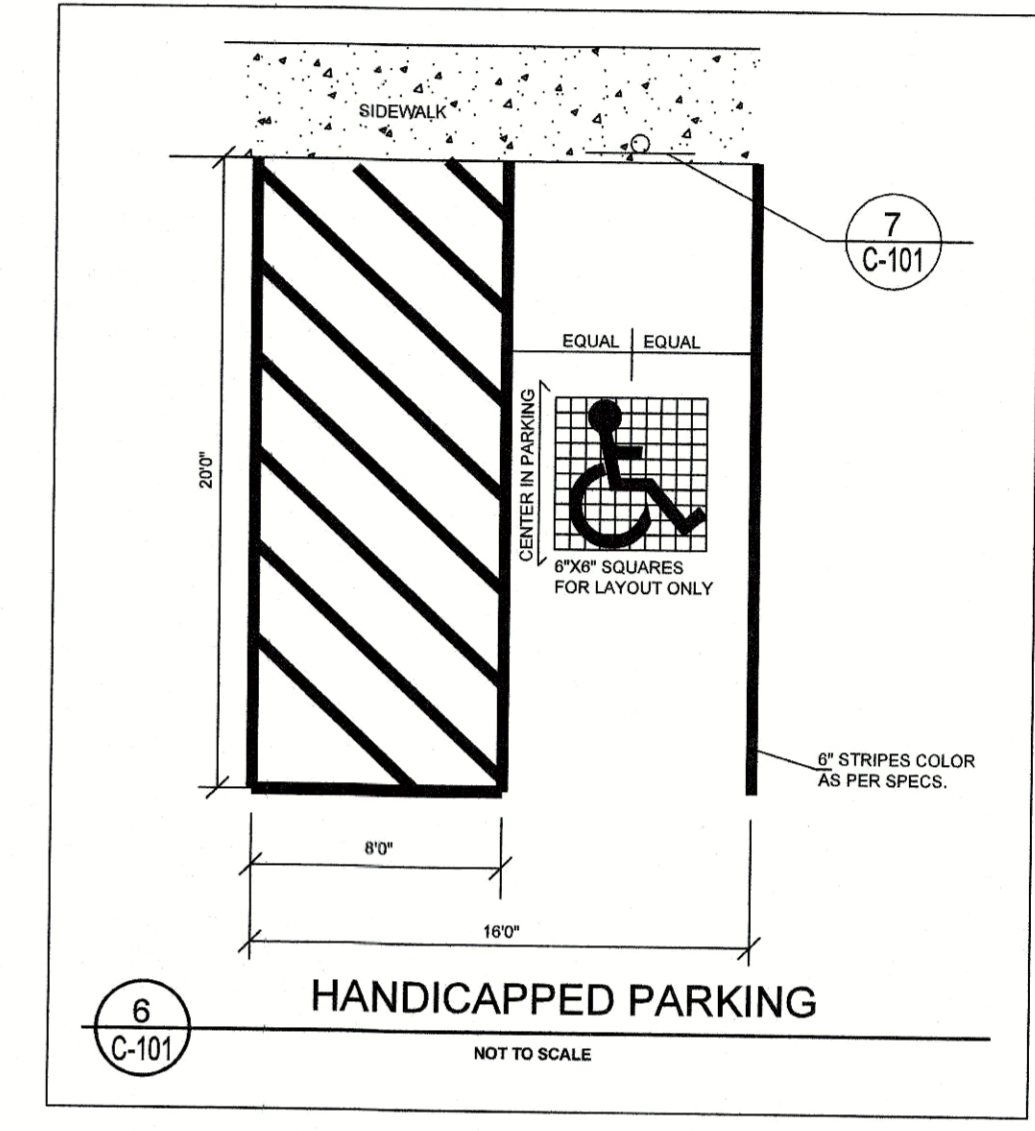
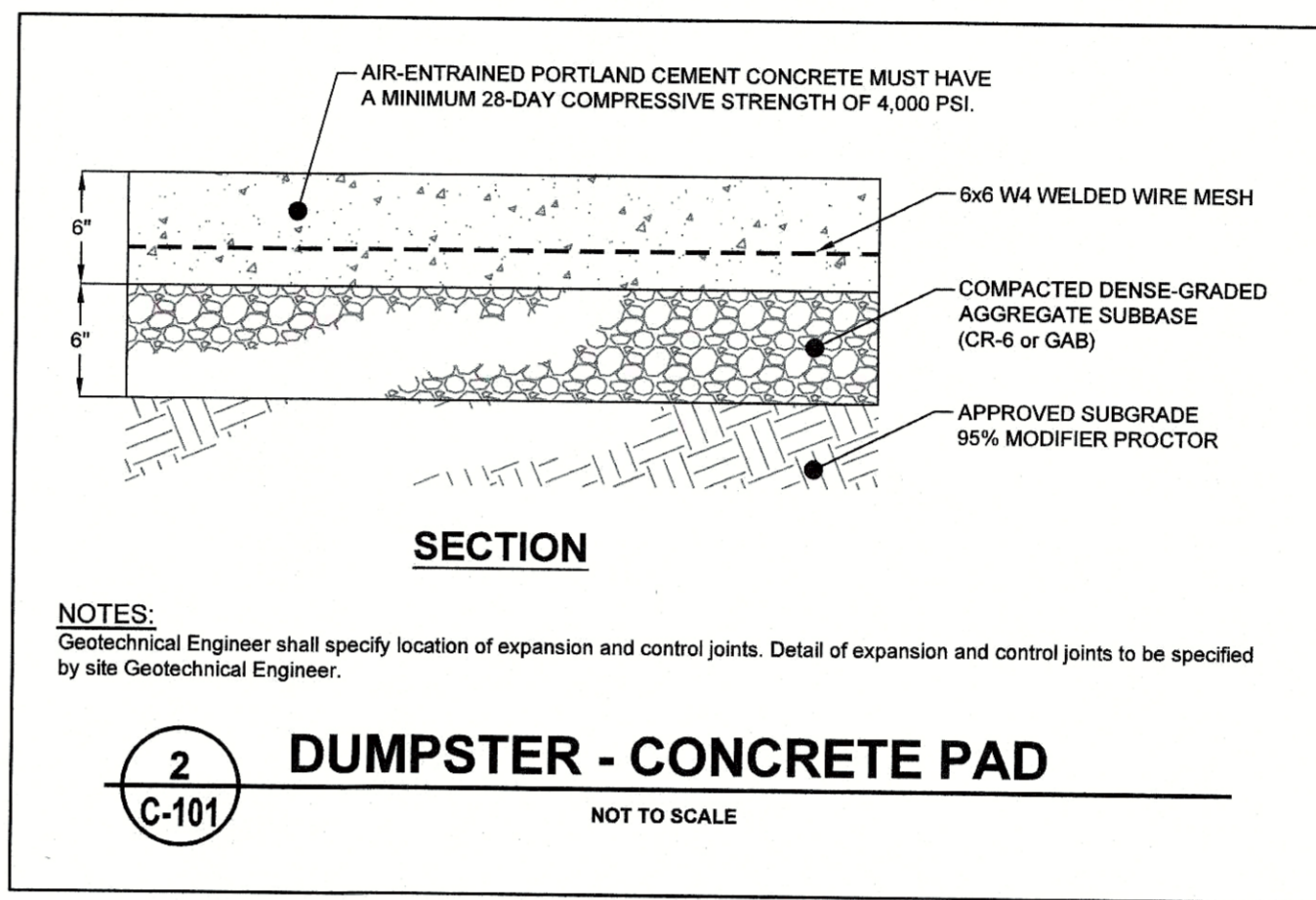
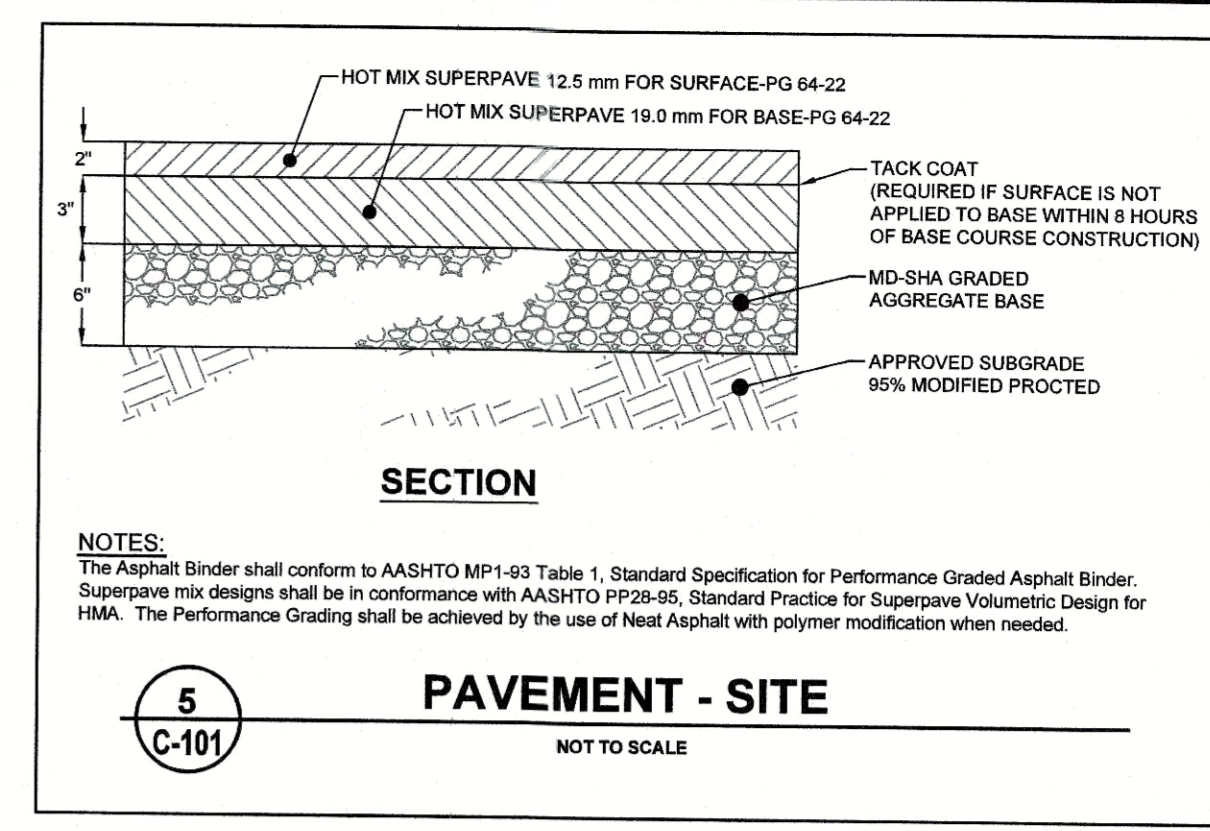
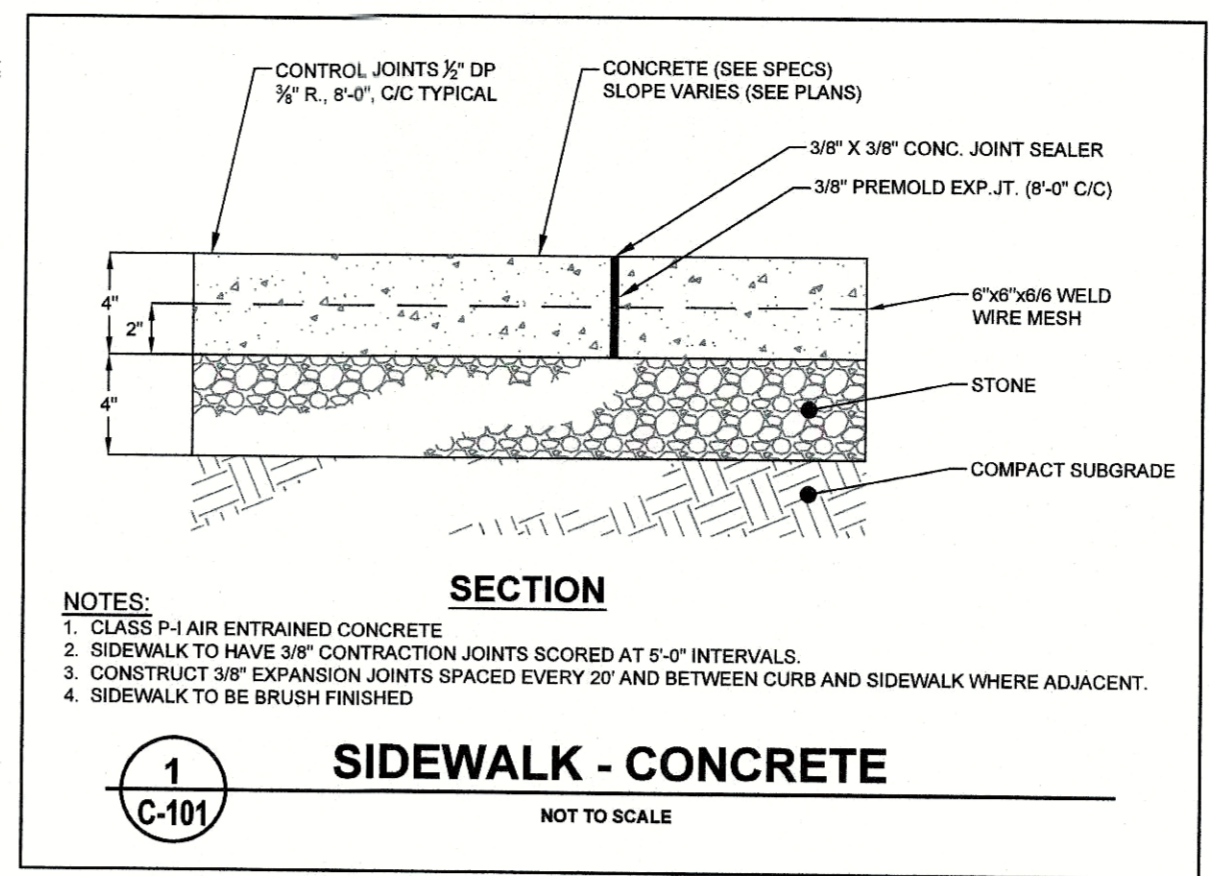
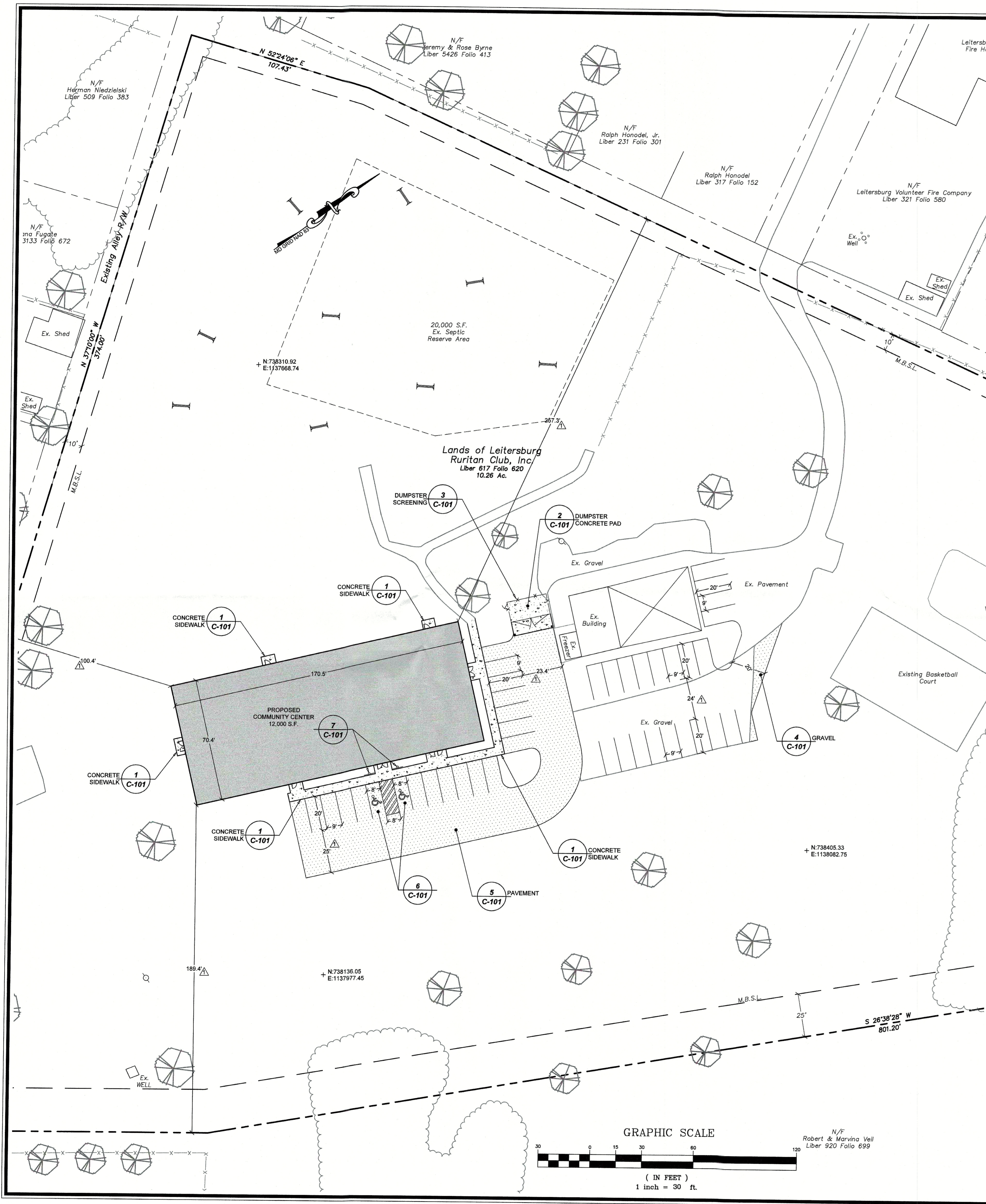
FREDERICK SEIBERT & ASSOCIATES, INC.
 CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS
 20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
 101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17015
 © 2018
 www.fsa-inc.com

DATE	DESCRIPTION

Leitesburg Ruritan Club, Inc.
 Situate along the southeastern side of Liller Street and Leitesburg Smithsburg Pike
 WASHINGTON COUNTY, MARYLAND
 CLIENT:
 Leitesburg Ruritan Club, Inc.
 2147 Liller Street Hagerstown, MD 21742
 (301) 352-2722

PROJECT NO:	7197
CAD DWG FILE:	7197-Existing Conditions.dwg
DWN BY:	DWH
DATE:	09-20-2018
CHK BY:	
DATE:	
TAX MAP:	28-14-300
ELECTION DIST.:	09
SCALE:	1" = 30'

SHEET TITLE
EXISTING CONDITIONS
 V-101
 SHEET 2 OF 6



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. 20851 Expiration Date: 09-23-2019.

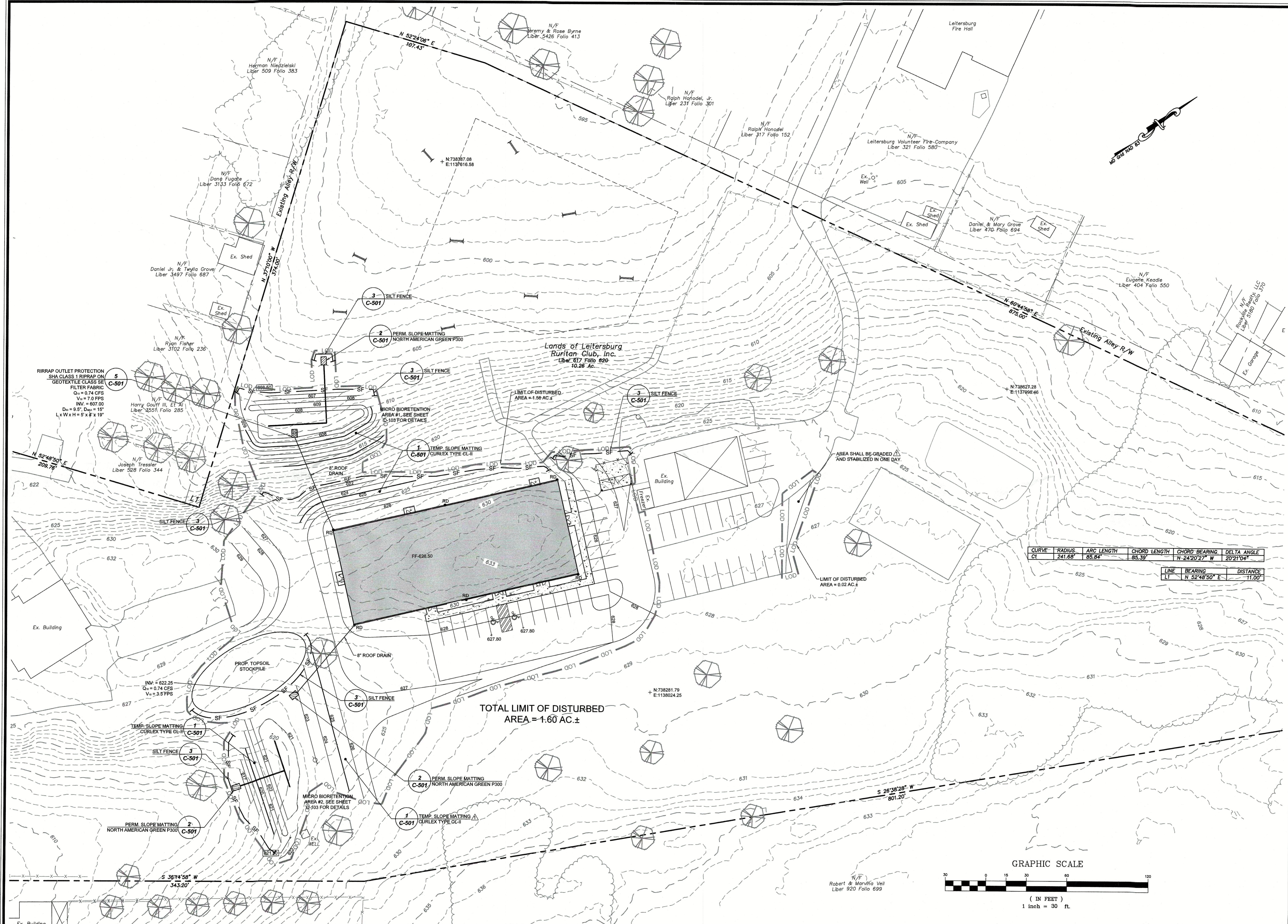
FREDERICK SEIBERT & ASSOCIATES, INC.
© 2018
Civil Engineers - Surveyors - Landscape Architects - Land Planners
128 SOUTH HANOVER STREET, GREENCASTLE, PENNSYLVANIA 17228
101 NORTH HANOVER STREET, GREENCASTLE, PENNSYLVANIA 17015
(717) 761-5415
www.fsa-inc.com

DATE	DESCRIPTION
5/20/2018	REVISION PER PLAN REVIEW COMMENTS

Leitersburg Ruritan
Situate along the southeastern side of Leiber Street and Leitersburg Smitzburg Pike
WASHINGTON COUNTY, MARYLAND
CLIENT:
Leitersburg Ruritan Club, Inc.
21427 Leiber Street Hagerstown, MD 21742
(301) 736-2722

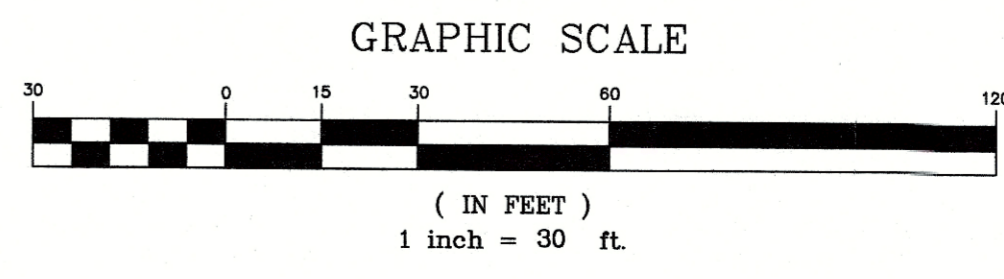
PROJECT NO:	7197
CAD DWG FILE:	7197-Site Plan.dwg
DWN BY:	DWH
DATE:	09-20-2018
CHK BY:	DATE
TAX MAP:	ELECTION DIST.
26-14-300	09
SCALE:	1" = 30'

SITE PLAN
C-101
SHEET 3 OF 6
SP-19-007



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	241.68'	85.84'	85.39'	N 24°20'27" W	20°21'04"

LINE	BEARING	DISTANCE
L1	N 52°48'50" E	11.00'



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. 30283 Expiration Date: 09-22-2018

FREDERICK SEIBERT & ASSOCIATES, INC.
 CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS
 2205 SOUTH HANOVER STREET, HAGERSTOWN, MARYLAND 21740
 101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013
 (410) 391-9900 (717) 391-9987 (717) 798-8111

DATE	DESCRIPTION
5/30/2018	REVISED PER WSCSD

Leitersburg Ruritan
 Situate along the southeastern side of Leiter Street and Leitersburg Smithsburg Pike
 WASHINGTON COUNTY, MARYLAND
 CLIENT:
 Leitersburg Ruritan Club, Inc.
 21427 Leiter Street Hagerstown, MD 21742
 (301) 732-2722

PROJECT NO.	7197
CAD DWG FILE:	7197-Grading & SEC Plan.dwg
DWN BY	DWH
CHK BY	
TAX MAP	26-14-300
SCALE	1" = 30'
SHEET TITLE	GRADING AND SEC PLAN

Site Plan for US MD 5048 Green Hill

Presented for approval is a site plan for US MD 5048 Green Hill Cellular Tower.

The subject site is located south of Wagaman Road and west of Garis Shop Road. Zoning is Agricultural Rural.

The developers are proposing to construct a 195 foot monopole commercial communications tower on 139 acres owned by Ralph & Teresa Shank. The tower will service AT&T and will have space available to locate other carriers. It is needed at this time to fill a gap in cellular coverage for this area.

Total disturbed area will be 4,992 square feet.

The proposed facility will consist of one 16 foot long and 4 foot wide concrete equipment pad within a 40 foot by 50 foot fenced compound. Fifteen antennas will be mounted on the proposed 195 foot monopole.

The structure will not support lights or signs unless required for aircraft warning.

If the antennas are no longer used for telecommunications purposed for a continuous period of one year, they shall be removed from the tower by the owner at their expense.

An eight foot chain link fence will gate will surround the compound.

Access to the site will be by way of a lane from Wagaman Road.

No landscaping, employees or public facilities are required for this site.

All approvals have been received.



SITE PLAN STAFF REPORT

BASE INFORMATION

SITE NAME.....: US-MD -5048 Green Hill
NUMBER.....: SP-19-010

OWNER.....: SHANK RALPH W JR & TERESA T TR
LOCATION.....: Wagaman Road S/S
DESCRIPTION.....: Site Plan for US-MD 5048 Green Hill (Cellular Communication Tower)

ZONING.....: RT; A(R) Refer to Map
COMP PLAN LU.....: Agriculture
PARCEL.....: 10019893
PLANNING SECTOR.....: 1
ELECTION DISTRICT.....: 10

TYPE.....: Commercial
GROSS ACRES.....: 139.35
DWELLING UNITS.....: 1
TOTAL LOTS.....: 1
DENSITY.....: 0.0072 Units Per Acre

PLANNER.....: Cody L Shaw
ENGINEER.....: Phil Stetler
RECEIVED.....: March 5, 2019

SITE ENGINEERING

HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION

FLOOD ZONE.....: Yes
WETLANDS.....: Yes
WATERSHED.....: Antietam Creek
ENDANGERED SPECIES.....: None
STEEP SLOPES.....: No
STREAM BUFFER.....: No
HISTORIC INVENTORY.....: I416
EASEMENTS PRESENT.....: AD-92-004

Staff Comments:

Not Applicable



Washington County
MARYLAND

WASHINGTON COUNTY DIVISION OF PLAN REVIEW & PERMITTING

80 West Baltimore Street | Hagerstown, MD 21740-6003 | P: 240.313.2460 | F: 240.313.2461 | Hearing Impaired: 7-1-1

<i>SITE DESIGN</i>		
Impervious Area Plan	Impervious Maximum Allowed	Open Space Area Planned
Open Space Minimum Required	Residential Amenity Plans	Solid Waste Disposal Plans
Materials Stored on Site	Buffer Design Meets Requirements	Landscaping Meets Requirements
Lighting Plan Meets Requirements	Yes	Yes
Yes	Pedestrian Access is Adequate	Bus Stop is Within Walking Distance
Loading Area Meets Requirements		
Parking Spaces - Total Planned	Parking Spaces - Per Dwelling Unit	Not Fast Track
0		
Parking Spaces - Minimum Required	Recreational Parking Provided	
0	No	

ACCESS SPACING VARIANCE NEEDED: No

	<i>SCHOOL INFORMATION</i>		
	ELEMENTARY	MIDDLE	HIGH
SCHOOL DISTRICT	Rockland Woods	E Russell Hicks	South Hagerstown
PUPIL YIELD			
CURRENT ENROLLMENT			
MAXIMUM CAPACITY			

	<i>PUBLIC FACILITIES INFORMATION</i>	
FIRE DISTRICT.....:	FUNKSTOWN	
AMBULANCE DISTRICT.....:	HAGERSTOWN	

	<i>WATER & SEWER INFORMATION</i>	
	WATER	SEWER
METHOD.....:	No Provider	County
SERVICE AREA.....:	No Provider	County
PRIORITY.....:	7-No Planned Service-Well	5-Long Term Planned Service
NEW HYDRANTS.....:		
GALLONS PER DAY SEWAGE...:		
PLANT INFO.....:		Conococheague

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

**Vertical Bridge Holdings, LLC
Applicant**

Appeal No. AP2016-05

OPINION

This action is a request for a special exception to install a 199' monopole commercial communication tower. The subject property is located 18811 Wagaman Road, Hagerstown, Maryland; is owned by the Ralph W. Shank, Jr. and Teresa T. Shank Trusts; and is zoned Agricultural (Rural). The Board held a public hearing on the matter on February 26, 2016. No opposition was presented to this request.

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. The Applicant seeks a special exception to erect a 195' monopole commercial communication tower* on the subject 139.4-acre property.
2. Construction of the tower is needed to fill a gap in the cellular communication coverage in the area, particularly in-car and in-building coverage.
3. No other site is available for co-location that would obviate the need to construct this tower.
4. The tower will serve AT&T and will have space available to co-locate other carriers.

* The tower is proposed to be 195' in height. The Applicant asked for a special exception for a 199' tower to provide a four-foot buffer to guard against any after-discovered conditions that may result in the proposed tower being a few feet higher than anticipated.

5. The tower will be located in the center of a 450'x450' leased area.
6. Its installation will not impact the current and ongoing agricultural use of the remainder of the property.
7. The tower is unmanned and passive and will not be generative of noise, odors, dust, pollution, vibration, or glare.
8. The Applicant conclusively demonstrated that the proposed tower meets all of the requirements set forth in the Zoning Ordinance.
9. The proposal conforms to the Comprehensive Plan and will be compatible with the existing neighborhood.

Rationale

The Board has authority to grant a special exception pursuant to § 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." § 28.62. The Ordinance specifically acknowledges the need for wireless towers while seeking to minimize their obtrusive visual impact: "It is the intent of these regulations to minimize the visual impact of towers and equipment, to minimize the number of towers through shared use and co-location, to encourage utilization of technological designs that will either eliminate or reduce the need for new towers to support equipment and to ensure that all towers and equipment are compatible with surrounding land uses while assuring wireless communications service to the citizens of Washington County." § 4.22.

The need for this tower is clearly established by the evidence. A gap in coverage exists (especially when one is in a vehicle or inside a structure), and that gap cannot be eliminated except by the erection of this tower. No co-location options exist on existing structures that would obviate the need to construct this tower.

The proposed tower is compatible with and not adverse to the

character and integrity of surrounding properties. The photo simulation shows that it is not visible, or is minimally visible, from many parts of the neighborhood, particularly those parts most dense with residential use. The tower is not generative of noise, odors, dust, pollution, vibration, or glare. It is unmanned and unlit. It is a passive use that will not affect the surrounding agricultural use on the remainder of the property. It will have a *de minimis* traffic impact, as maintenance at the site will occur infrequently. In short, the placement of the tower at the proposed site 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).

Based upon all of the testimony and evidence presented, this Board finds that the subject request does not adversely affect the public health, safety, security, morals, or general welfare, nor does it result in dangerous traffic conditions, or jeopardize the life and property of neighborhood residents. Accordingly, for the reasons set forth herein, this appeal is hereby GRANTED by a vote of 5-0.

BOARD OF APPEALS
By: Matt Harsh, Chair

Date Issued: March 24, 2016



WASHINGTON COUNTY BOARD OF ZONING APPEALS

Washington County Administrative Annex
80 West Baltimore Street
Hagerstown, Maryland 21740-6003
Telephone: 240-313-2460
Fax: 240-313-2461

Hearing Impaired call 7-1-1 for Maryland Relay

March 24, 2016

VERTICAL BRIDGE HOLDINGS LLC C/O RICHARD LEMANOWICZ
LEMANOWICZ LLP
1012 NORTH BETHLEHEM PIKE SUITE 200-B3
LOWER GWYNEDD PA 19002

RE: Board Of Zoning Appeals Decision
Docket No: AP2016-005
Hearing Date: February 24, 2016

A disposition of your appeal case has been made by the Board of Zoning Appeals. Following a public hearing and pursuant to consideration of all the facts and testimony, the Board hereby grants your request as set forth in the attached opinion.

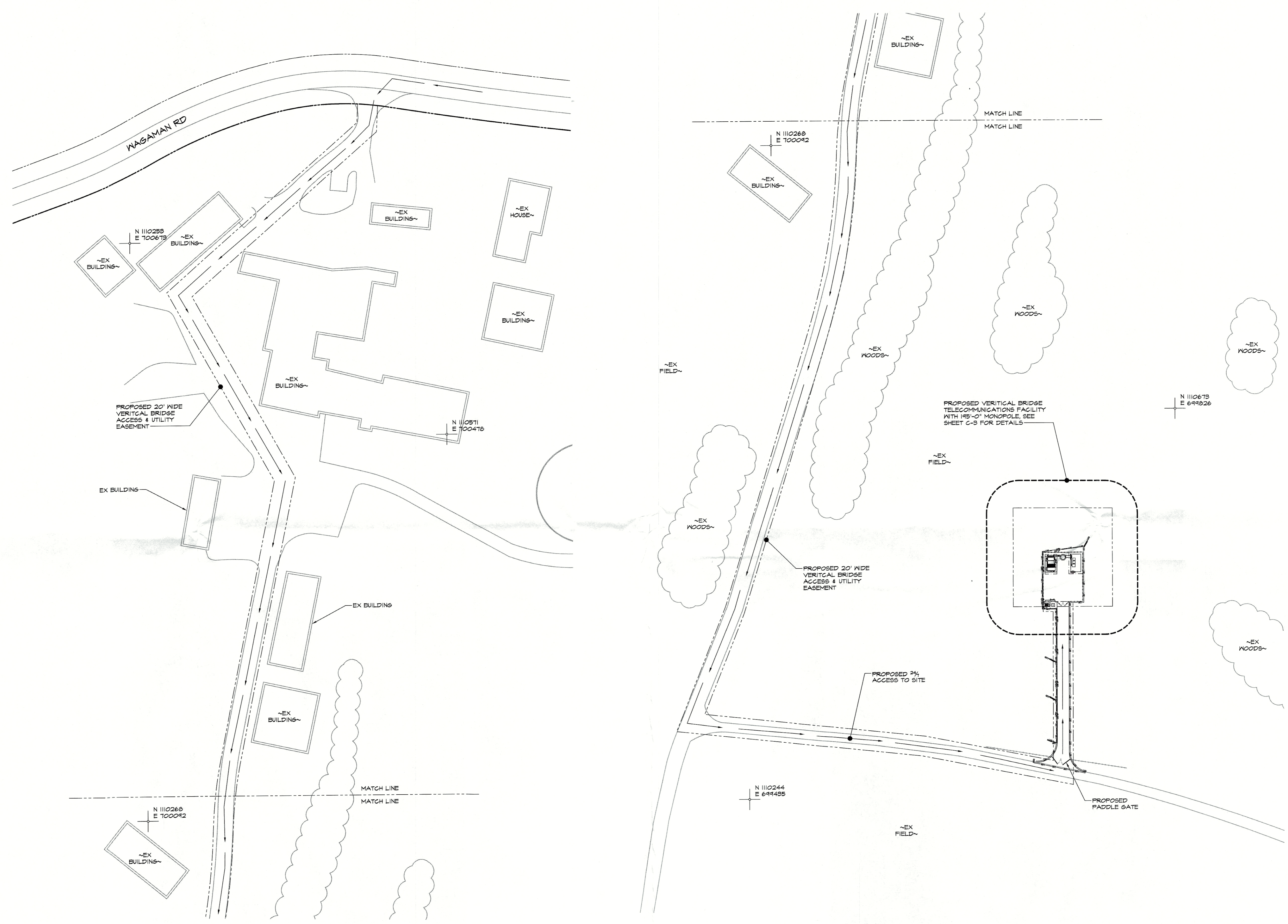
Any person or persons joint or severally, aggrieved by any decision of the Board of Appeals, may appeal the same to the Circuit Court of Washington County, within thirty (30) days of the date of the opinion. The Court may affirm, reverse, vacate or modify the decision complained of in the appeal.

Respectfully yours,

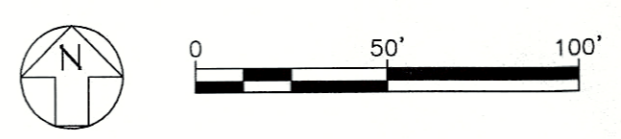

Secretary to the Board

cc: SHANK RALPH W JR & TERESA T TR

A B C D E F G H J K L M N P Q R



ENLARGED SITE PLAN
SCALE: 1" = 50'-0"

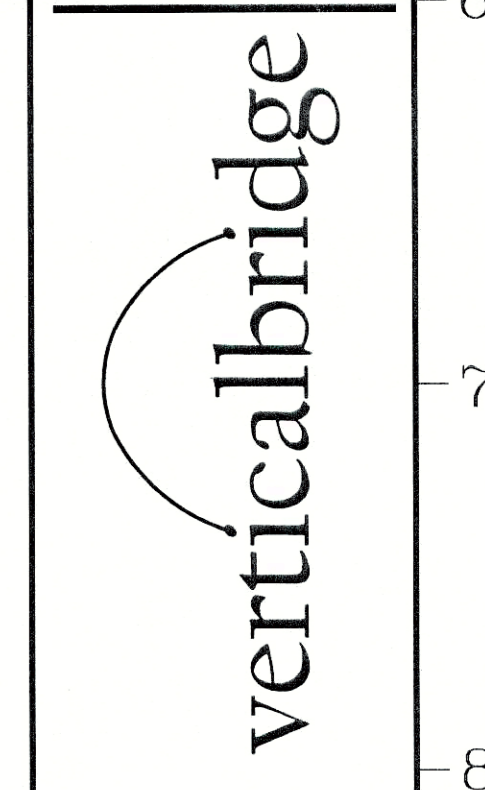


MORRIS & RITCHIE ASSOCIATES, INC.
Civil/Structural Engineers
1220-C East Toppe Road, Suite 605
Towson, Maryland 21286
410-821-1690
410-821-1748 Fax



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. 37723, EXPIRATION DATE: 07/04/2019.

US-MD-5048
GREEN HILL
18309 WAGAMAN ROAD
HAGERSTOWN, MARYLAND 21740
WASHINGTON COUNTY



REVISIONS:

NO.	DESCRIPTION	DATE

COUNTY COMMENTS 06/03/19
COUNTY COMMENTS 04/01/19

DESIGNED BY: JT
DRAWN BY: DNT
PROJECT NO: 19847.003
DATE: 2/11/19
SCALE: AS NOTED

TITLE:

Enlarged Site Plan

SHEET:

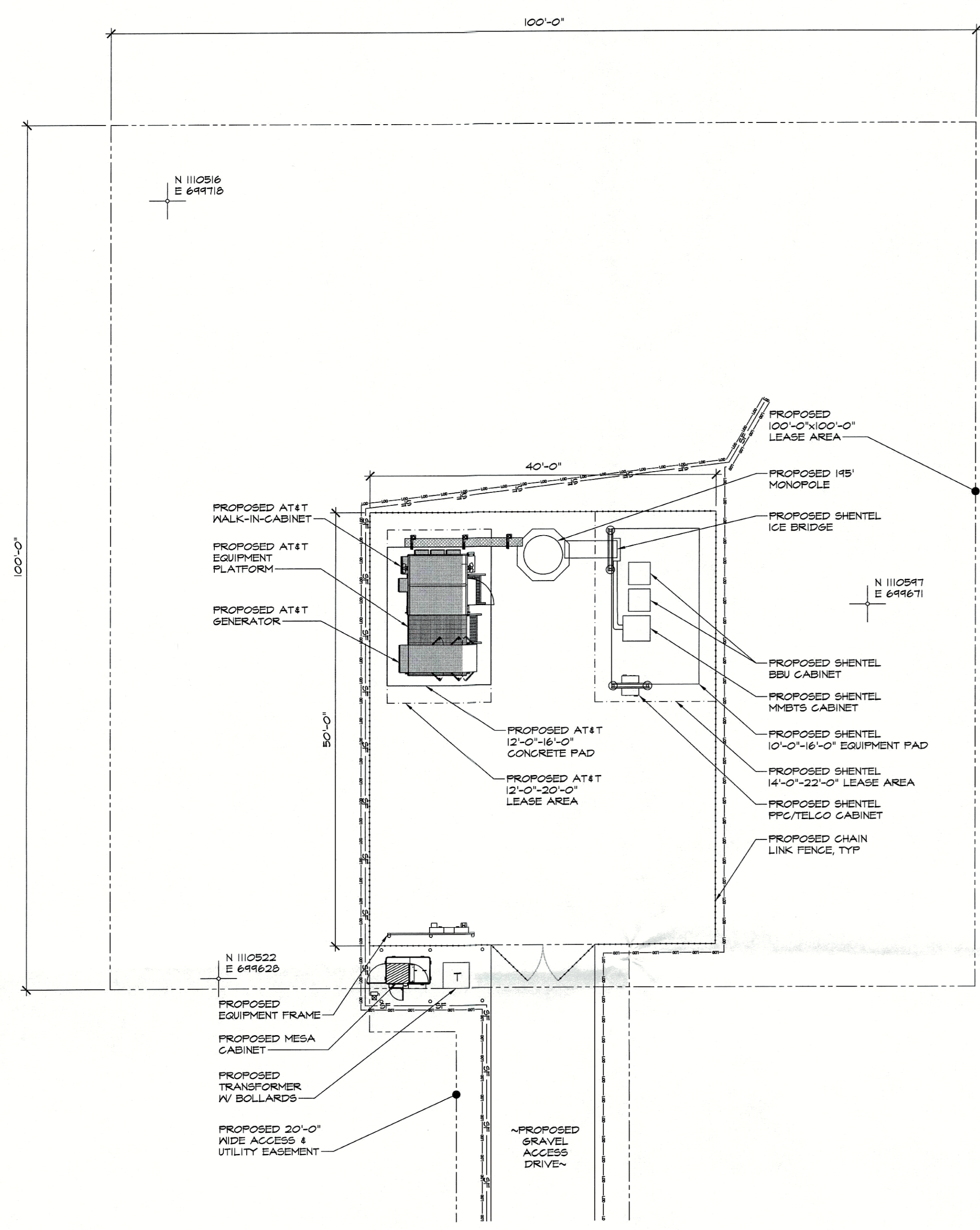
C-2



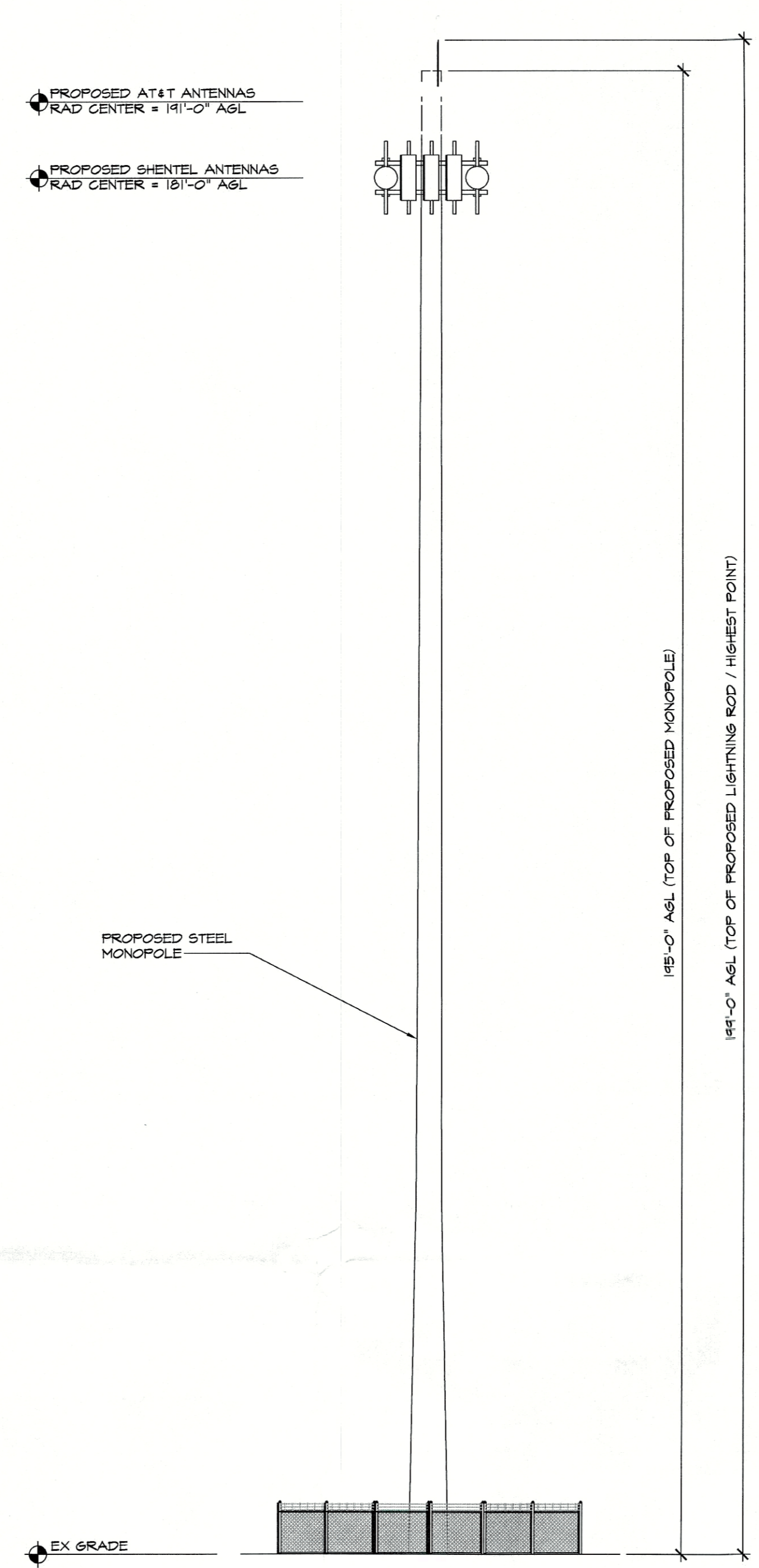
Know what's below. Call before you dig.

PROTECT YOURSELF. GIVE THREE WORKING DAYS NOTICE.
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.

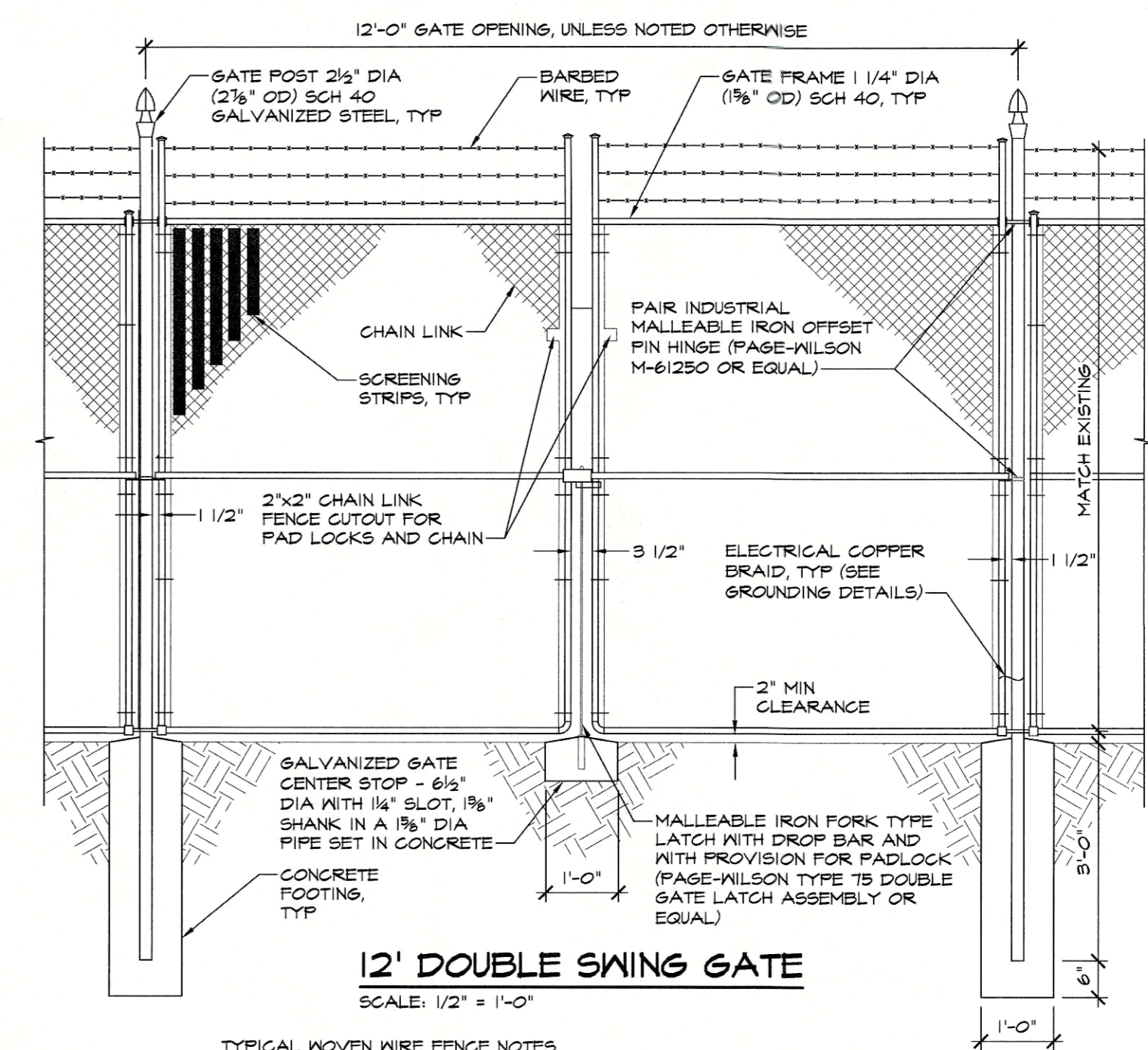
A B C D E F G H J K L M N P Q R



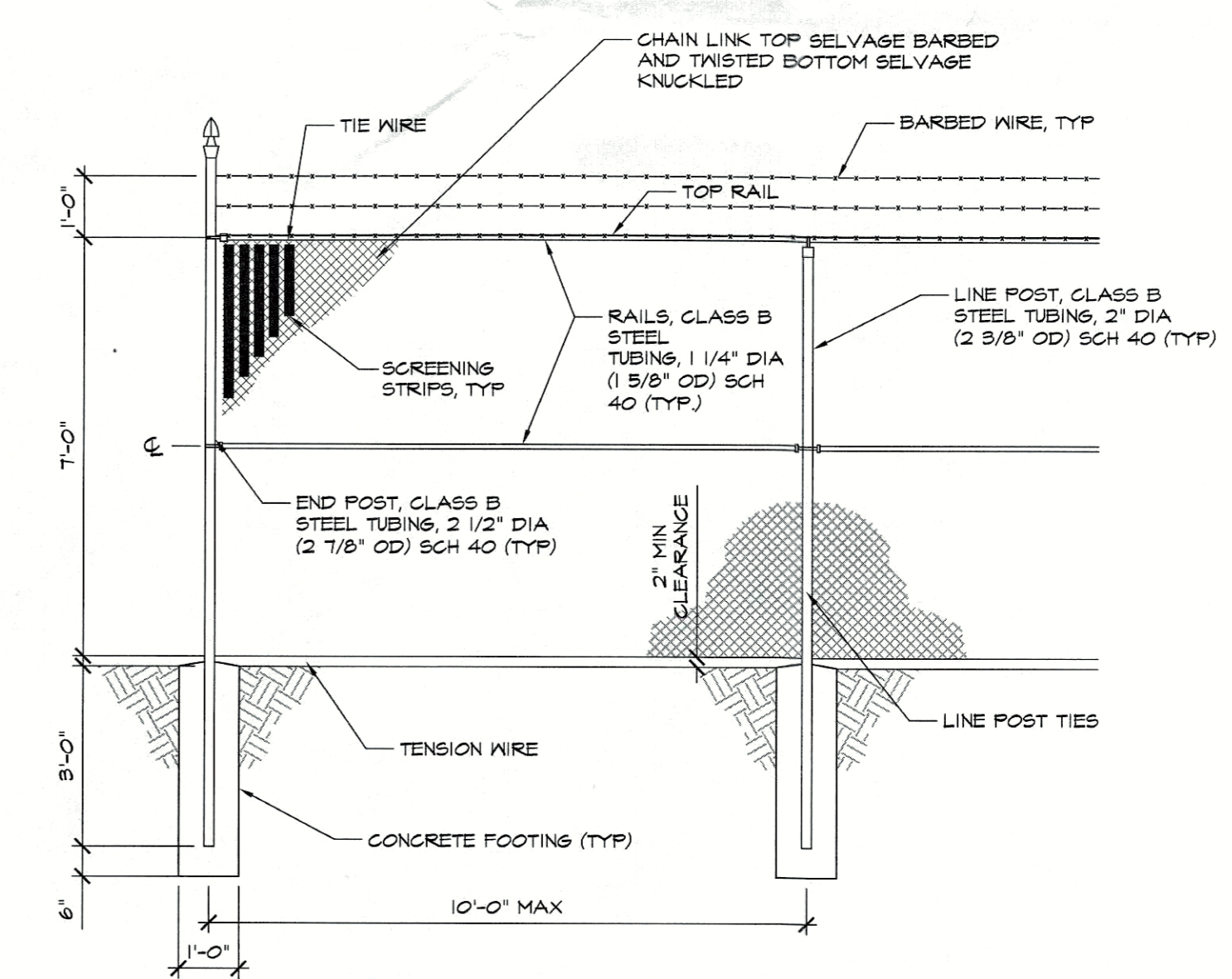
ENLARGED COMPOUND LAYOUT
SCALE: 1" = 10'-0"



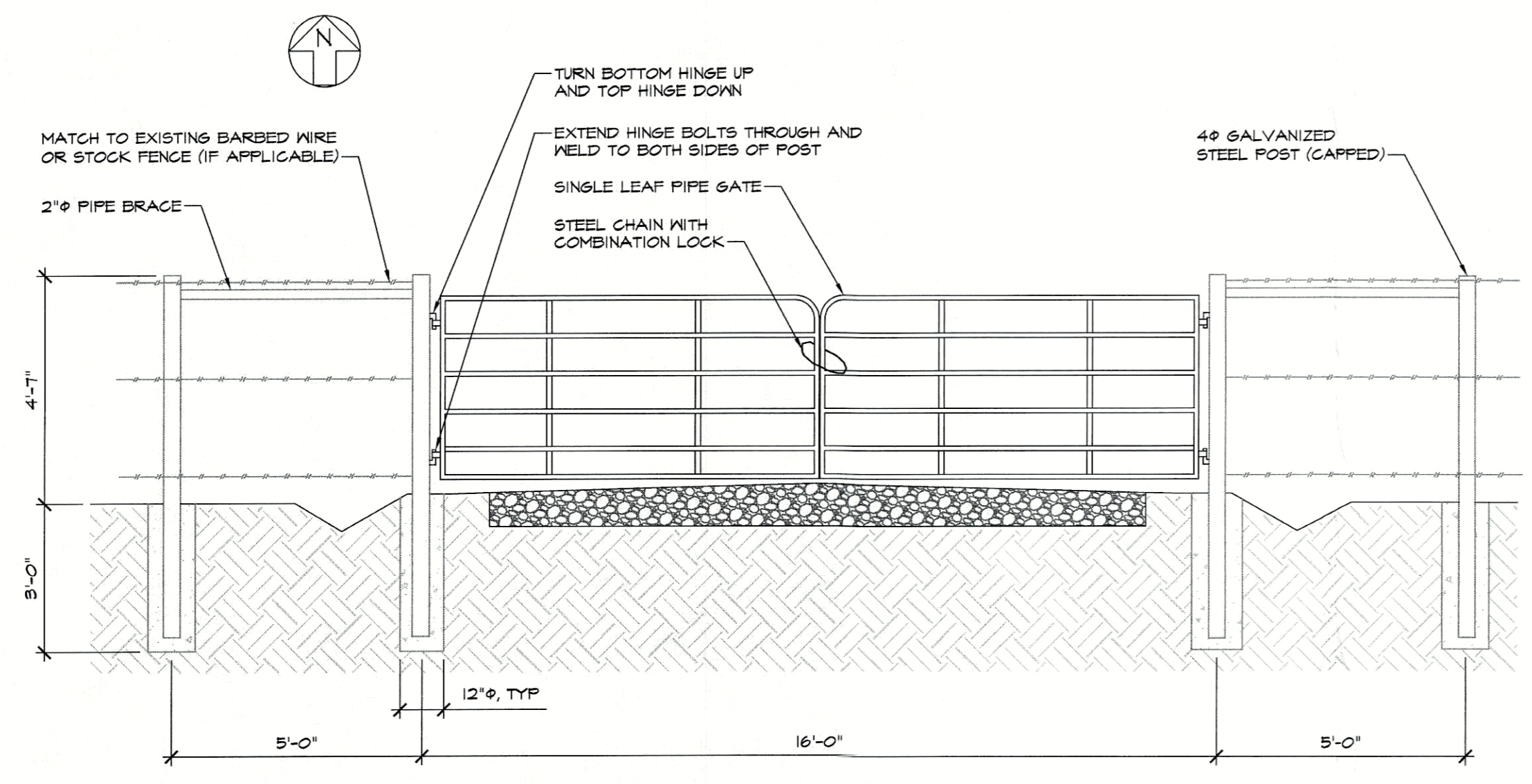
TOWER ELEVATION
SCALE: 1" = 15'-0"



- TYPICAL WOVEN WIRE FENCE NOTES**
- GATE POST, CORNER, TERMINAL OR FULL POST 2 1/2" DIA (2 7/8" OD) SCHEDULE 40 FOR GATE WIDTHS UP THRU 6 FEET OR 12 FEET FOR DOUBLE SWING GATE PER ASTM-F1083.
 - LINE POST: 2" DIA (2 3/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - GATE FRAME: 1 1/4" DIA (1 5/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - TOP RAIL & BRACE RAIL: 1 1/4" DIA (1 5/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - FABRIC: 4 GA. CORE WIRE SIZE, 2" MESH, CONFORMING TO ASTM-A392.
 - TIE WIRE: MINIMUM 11 GA. GALVANIZED STEEL AT POSTS AND RAILS, A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED MAX 24" INTERVALS.
 - TENSION WIRE: 1 GA. GALVANIZED STEEL.
 - BARBED WIRE: DOUBLE STRAND 12-2 1/2" OD TWISTED WIRE TO MATCH WITH FABRIC, 14 GA. 4 FT. BARBS SPACED ON APPROXIMATELY 4" CENTERS.
 - GATE LATCH: 1-3/8" OD PLUNGER ROD WITH MUSHROOM TYPE CATCH AND LOCK, KEYS ALIKE FOR ALL SITES IN A GIVEN MTA.
 - LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED WITH, IF REQUIRED.



- TYPICAL WOVEN WIRE FENCE NOTES**
- GATE POST, CORNER, TERMINAL OR FULL POST 2 1/2" DIA (2 7/8" OD) SCHEDULE 40 FOR GATE WIDTHS UP THRU 6 FEET OR 12 FEET FOR DOUBLE SWING GATE PER ASTM-F1083.
 - LINE POST: 2" DIA (2 3/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - GATE FRAME: 1 1/4" DIA (1 5/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - TOP RAIL & BRACE RAIL: 1 1/4" DIA (1 5/8" OD) SCHEDULE 40 PIPE PER ASTM-F1083.
 - FABRIC: 4 GA. CORE WIRE SIZE, 2" MESH, CONFORMING TO ASTM-A392.
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 - TENSION WIRE: 1 GA. GALVANIZED STEEL.
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 - GATE LATCH: 1-3/8" OD PLUNGER ROD WITH MUSHROOM TYPE CATCH AND LOCK, KEYS ALIKE FOR ALL SITES IN A GIVEN MTA.
 - LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED WITH, IF REQUIRED.
 - CHAINLINK FENCE SHALL INCLUDE VERTICAL PVC SCREENING SLATS, ALL SIDED. (COLOR: DARK GREEN OR BLACK)



PADDLE GATE DETAIL
SCALE: 3/8" = 1'-0"

MRA
MORRIS & RITCHIE ASSOCIATES, INC.
Civil / Structural Engineers
1220-C East Joppa Road, Suite 606
Towson, Maryland 21286
410-821-1690
410-821-1748 Fax

STATE OF MARYLAND
JACOB TORRES
PROFESSIONAL ENGINEER
NO. 37128
JUL 15 2019

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. 37128, EXPIRATION DATE: 07/04/2019.

US-MD-5048
GREEN HILL
1800 WABAYAN ROAD
HAGERSTOWN, MARYLAND 21740
WASHINGTON COUNTY

verticalbridge

REVISIONS:

NO.	DESCRIPTION	DATE

COUNTY COMMENTS 06/03/19
COUNTY COMMENTS 04/01/19

DESIGNED BY: JT
DRAWN BY: DNT
PROJECT NO: 14647.003
DATE: 2/11/19
SCALE: AS NOTED

TITLE: Site Details

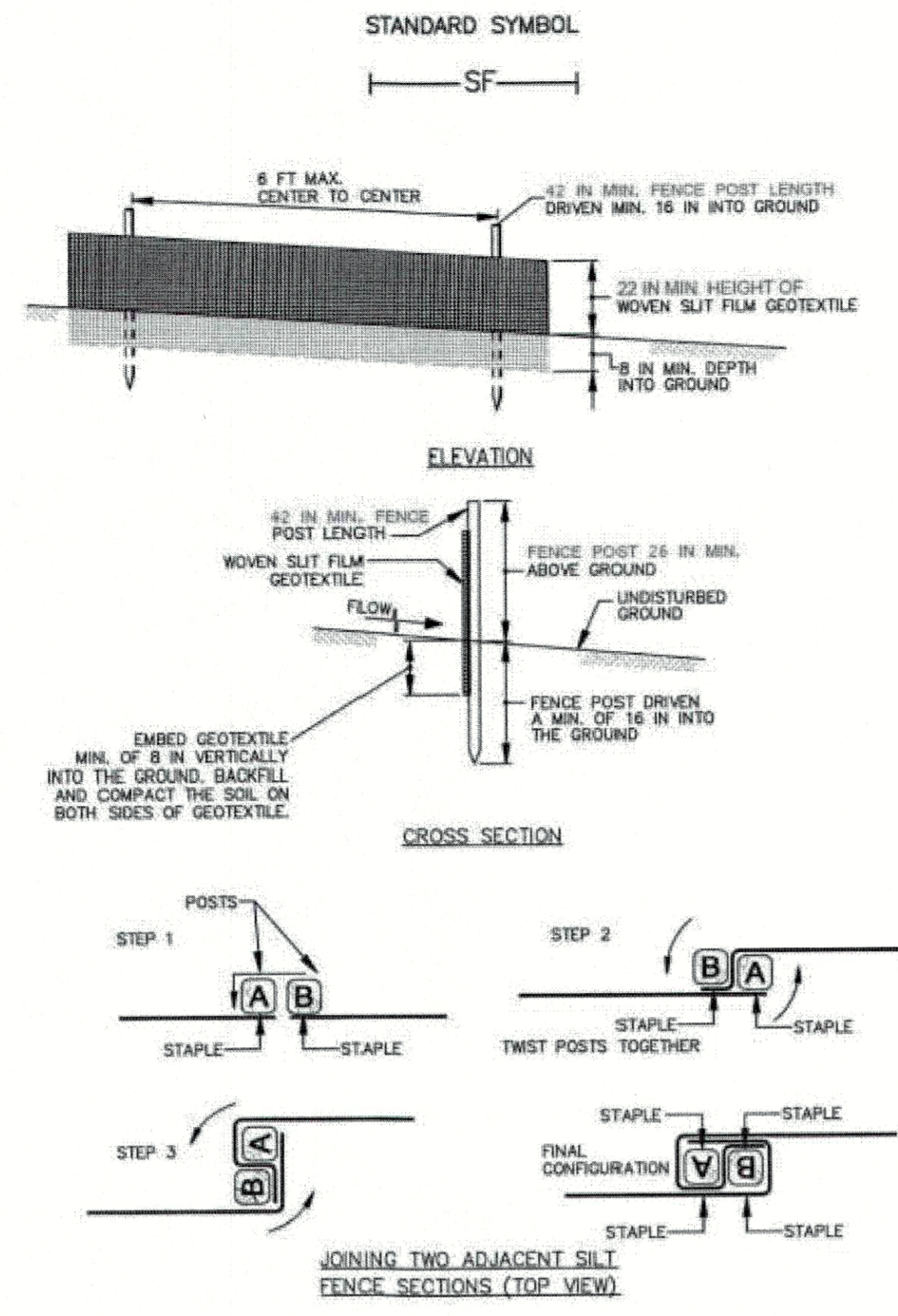
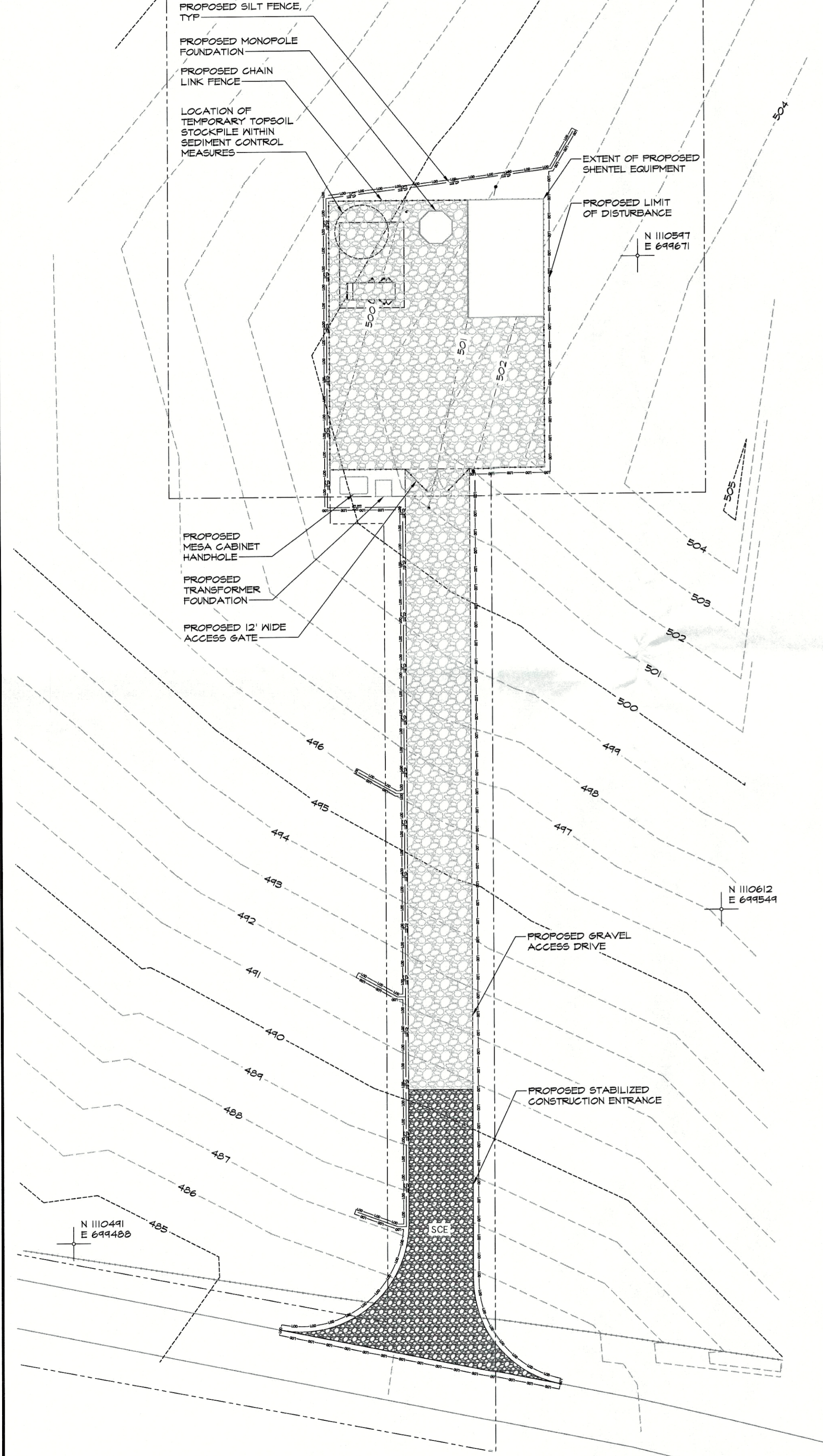
SHEET: C-3

811
Know what's below.
Call before you dig.
PROTECT YOURSELF. GIVE THREE WORKING DAYS NOTICE.
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPLICANT.



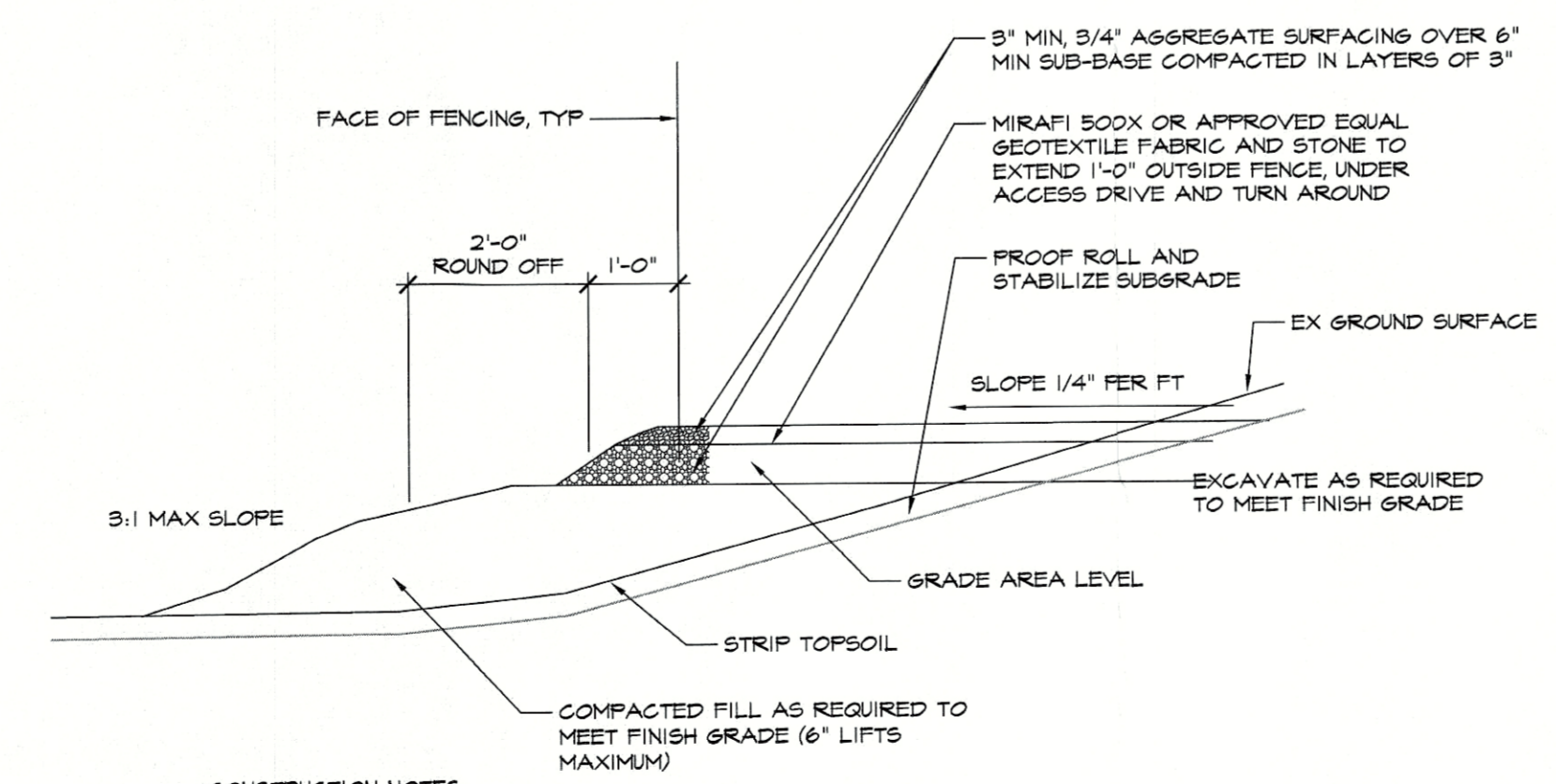
Know what's below. Call before you dig.

PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE... THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY...



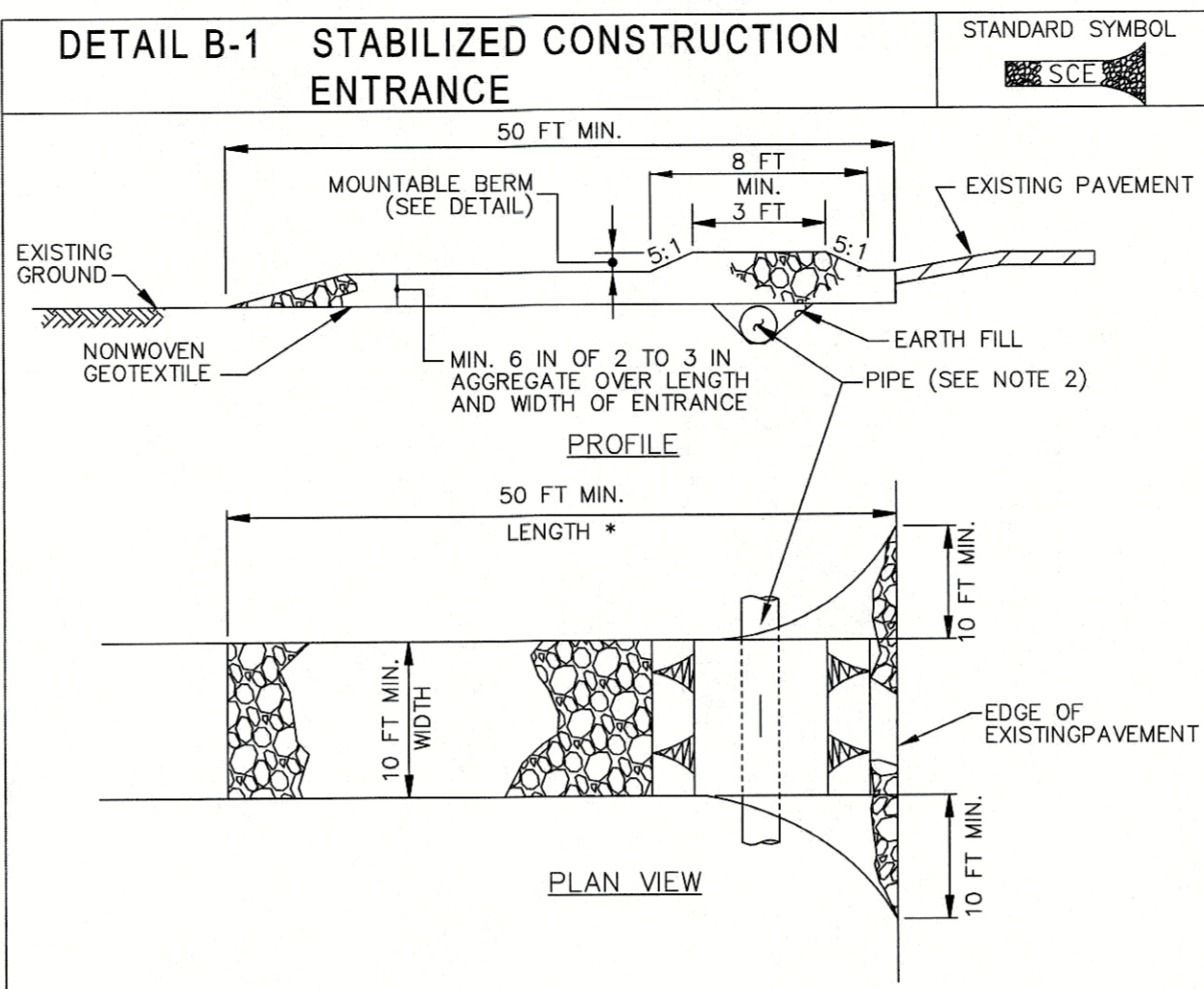
- CONSTRUCTION SPECIFICATIONS: 1. USE WOOD POSTS 1 1/4 x 1 1/4 x 1/2 INCH (MINIMUM) SQUARE CUT OF SOUND QUALITY HARDWOOD... 2. USE 42 INCH MINIMUM POSTS DRIVEN 16 INCH MINIMUM INTO GROUND... 3. USE WOVEN SUT FILM GEOTEXTILE AS SPECIFIED IN SECTION H-1...

SILT FENCE DETAILS NOT TO SCALE

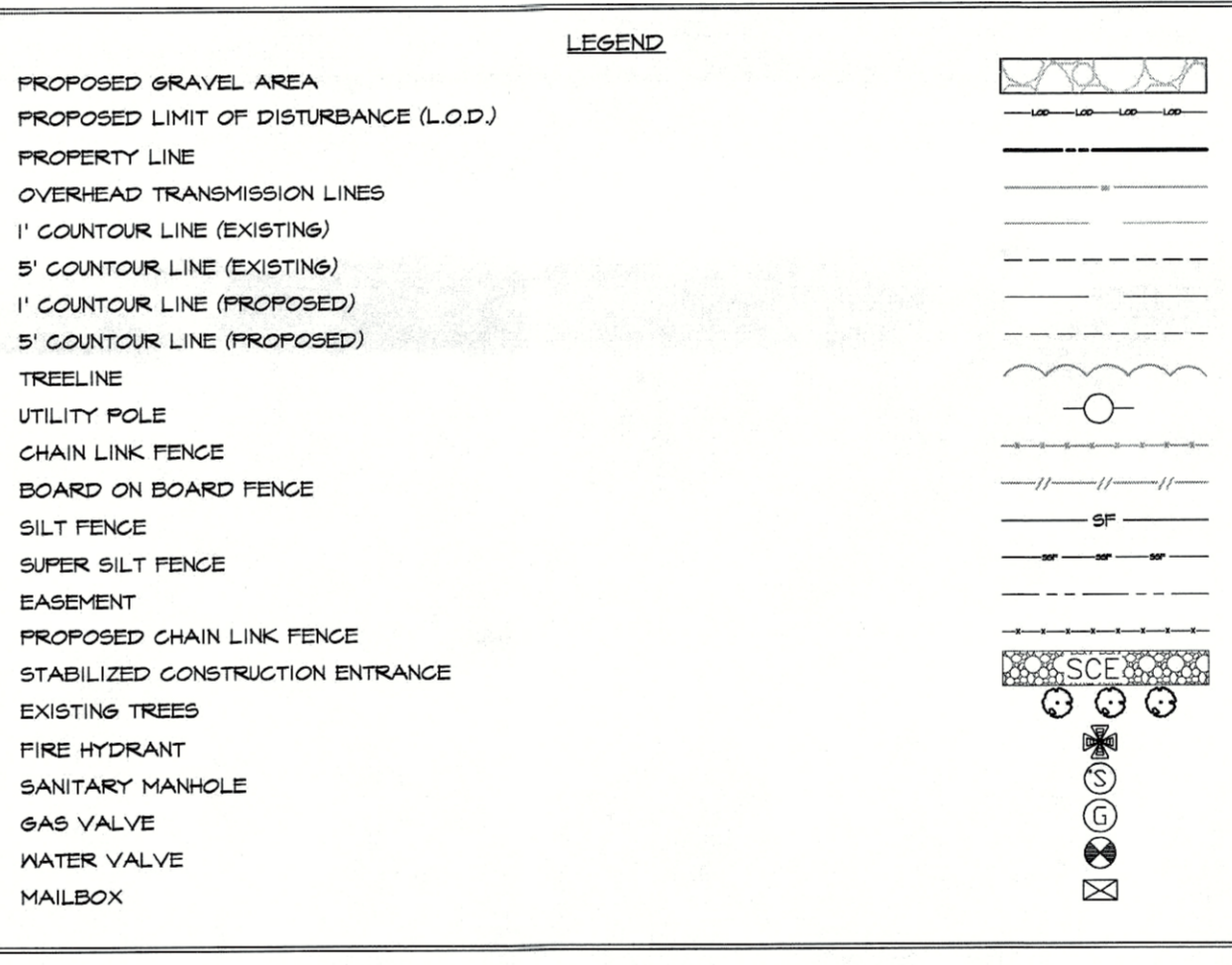


- CONSTRUCTION NOTES: 1. CLEAR AND GRUB THE LAND ALONG THE ACCESS DRIVE... 2. REMOVE ALL EXISTING ORGANIC MATERIAL TO SUITABLE SUBGRADE... 3. PLACE GEOTEXTILE FABRIC OVER SUBGRADE AND THEN PLACE AGGREGATE BASE... 4. GRAVEL SUBBASE SPECIFICATION: MARYLAND DOT, SECTION 304 GRADED AGGREGATE BASE COURSE VIRGINIA DHT, SECTION 210 AGGREGATE BASE COURSE

LEASE AREA, ACCESS DRIVE & TURN AROUND AREA SURFACING SCALE: 1/2" = 1'-0"



- CONSTRUCTION SPECIFICATIONS: 1. PLACE STABILIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH THE APPROVED PLAN... 2. PLACE ALL SURFACE WATER FLOWING TO OR DIVERTED TOWARD THE SCE UNDER THE ENTRANCE... 3. PREPARE SUBGRADE AND PLACE NONWOVEN GEOTEXTILE, AS SPECIFIED IN SECTION H-1... 4. PLACE CRUSHED AGGREGATE (2 TO 3 INCHES IN SIZE) OR EQUIVALENT RECYCLED CONCRETE... 5. MAINTAIN ENTRANCE IN A CONDITION THAT MINIMIZES TRACKING OF SEDIMENT...



- SEQUENCE OF OPERATIONS: 1. CONTACT ENVIRONMENTAL COMPLIANCE SECTION AT (301)-600-1823 AND MARYLAND DEPARTMENT OF THE ENVIRONMENT AT 301-668-2880, FIVE (5) DAYS PRIOR TO STARTING CONSTRUCTION... 2. CONTACT MISS UTILITY 72 HOURS PRIOR TO THE START OF CONSTRUCTION AT 1-800-257-1111 OR 811... 3. IF APPLICABLE, ORANGE HIGH VISIBILITY FENCE SHALL BE MANUALLY INSTALLED ALONG THE LIMIT OF DISTURBANCE... 4. WITH THE PERMISSION OF THE SEDIMENT CONTROL INSPECTOR, CLEAR, GRUB AND DEMO AS NECESSARY IN ORDER TO INSTALL THE INITIAL SEDIMENT AND EROSION CONTROL MEASURES ONLY... 5. INSTALL INITIAL SEDIMENT AND EROSION CONTROL MEASURES AS FOLLOWS: -INSTALL STABILIZED CONSTRUCTION ENTRANCE -INSTALL ALL SILT FENCE... 6. BEGIN GRADING OF THE SITE AS PER THE APPROVED PLAN... 7. INSTALL GRAVEL ROADWAY, GRAVEL COMPOUND, FENCING, BUILDINGS, AND TOYER... 8. AS AREAS NOT TO BE COVERED WITH GRAVEL ARE BROUGHT TO FINAL GRADE, TOP SOIL, SEED AND VEGETATIVELY STABILIZE... 9. REPAIR AND RE-GRASS ALL ERODED AREAS, MAINTAIN ALL DISTURBED AREAS UNTIL THEY ARE STABILIZED WITH NEW GROUND COVER... 10. IF APPLICABLE, FINAL SPOIL GENERATED BY THE PROPOSED WORK SHALL BE REMOVED FROM THE SITE AND TAKEN TO A SITE WITH AN OPEN GRADING PERMIT AND AN APPROVED SEDIMENT CONTROL PLAN... 11. UPON STABILIZATION OF THE SITE WITH ESTABLISHED VEGETATION AND WITH PERMISSION OF THE SEDIMENT CONTROL INSPECTOR, REMOVE ACCUMULATED SEDIMENT FROM THE DEVICES, AND REMOVE THE SEDIMENT CONTROL DEVICES. STABILIZE ANY AREAS DISTURBED BY THIS PROCESS.

- GRADING & EXCAVATING NOTES: 1. ALL EXCAVATIONS ON WHICH CONCRETE IS TO BE PLACED SHALL BE LEVEL ON UNDISTURBED AND UNFROZEN SOIL AND BE FREE FROM LOOSE MATERIAL AND EXCESS GROUNDWATER... 2. CONCRETE FOUNDATIONS SHALL NOT BE PLACED ON ORGANIC MATERIAL... 3. ANY EXCAVATION OVER THE REQUIRED DEPTH SHALL BE FILLED WITH EITHER MECHANICALLY COMPACTED GRANULAR MATERIAL OR CONCRETE OF THE SAME QUALITY SPECIFIED FOR THE FOUNDATION... 4. AFTER COMPLETION OF THE FOUNDATION AND OTHER CONSTRUCTION BELOW GRADE AND BEFORE BACKFILLING... 5. - USE APPROVED MATERIALS CONSISTING OF EARTH, LOAM, SANDY CLAY, SAND - BE FREE FROM CLODS OR STONES OVER 2-1/2" MAXIMUM DIMENSIONS - BE PLACED IN 6" LAYERS AND COMPACTED TO 98% STANDARD PROCTOR EXCEPT IN GRASSES/LANDSCAPED AREAS, WHERE 90% STANDARD PROCTOR... 6. REMOVE ALL VEGETATION, TOPSOIL, DEBRIS, WET AND UNSATISFACTORY SOIL MATERIALS, OBSTRUCTIONS, AND DELETERIOUS MATERIALS FROM GROUND SURFACE PRIOR TO PLACING FILLS... 7. PROTECT EXISTING GRAVEL SURFACING AND SUBGRADE IN AREAS WHERE EQUIPMENT LOADS WILL OPERATE... 8. REPLACE EXISTING GRAVEL SURFACING ON AREAS FROM WHICH GRAVEL SURFACING IS REMOVED DURING CONSTRUCTION OPERATIONS... 9. DAMAGE TO EXISTING STRUCTURES AND UTILITIES RESULTING FROM CONTRACTOR'S NEGLIGENCE SHALL BE REPAIRED/REPLACED TO OWNER'S SATISFACTION AT CONTRACTOR'S EXPENSE... 10. CONTRACTOR SHALL COORDINATE THE CONSTRUCTION SCHEDULE WITH PROPERTY OWNER SO AS TO AVOID INTERRUPTIONS TO PROPERTY OWNER'S OPERATIONS... 11. ENSURE POSITIVE DRAINAGE DURING AND AFTER COMPLETION OF CONSTRUCTION... 12. ALL CUT AND FILL SLOPES SHALL BE MAXIMUM 2 HORIZONTAL TO 1 VERTICAL... 13. CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING SITE VEHICLE TRAFFIC AS TO NOT ALLOW VEHICLES LEAVING THE SITE TO TRACK MUD ONTO PUBLIC STREETS... SOIL EROSION, SEDIMENT CONTROL & SEEDING NOTES: 1. ALL SOIL EROSION / SEDIMENT CONTROL MEASURES SHALL COMPLY WITH THE '2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL' AND THE PROVISIONS OF THE APPROVED PLAN... 2. ALL GRADING AND STABILIZATION SHALL COMPLY WITH THE '2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL', 'SECTION B - GRADING AND STABILIZATION' AND THE PROVISIONS OF THE APPROVED PLAN... 3. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES (EMPs) ARE TO BE CONSTRUCTED AND / OR INSTALLED PRIOR TO OR AT THE INITIATION OF GRADING IN ACCORDANCE WITH '2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL', AND THE APPROVED PLAN... 4. A GRADING UNIT IS THE MAXIMUM CONTIGUOUS AREA ALLOWED TO BE GRADED AT A GIVEN TIME AND IS LIMITED TO 20 ACRES... 5. FOR INITIAL SOIL DISTURBANCE OR RE-DISTRIBUTION, TEMPORARY OR PERMANENT STABILIZATION MUST BE COMPLETED WITHIN: a) THREE (3) CALENDAR DAYS AS TO THE SURFACE OF ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES, AND ALL SLOPES STEEPER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1), AND b) SEVEN (7) CALENDAR DAYS AS TO ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE NOT UNDER ACTIVE GRADING... 6. STOCKPILES MUST BE STABILIZED IN ACCORDANCE WITHIN THE SEVEN (7) DAY STABILIZATION REQUIREMENT... 7. ALL CONSTRUCTED CHANNELS AND SWALES SHALL HAVE SPECIFIED TREATMENT INSTALLED TO THE DESIGN FLOW DEPTH COMPLETED DOWNSTREAM TO UPSTREAM AS CONSTRUCTION PROGRESSES... 8. ALL STORM DRAIN AND SANITARY SEWER LINES NOT IN PAVED AREAS ARE TO BE MULCHED AND SEEDDED WITHIN THREE (3) DAYS OF INITIAL BACKFILL UNLESS OTHERWISE SPECIFIED ON PLANS... 9. ELECTRIC POWER, TELEPHONE, AND GAS LINES ARE TO BE COMPACTED, SEEDDED, AND MULCHED WITHIN THREE (3) DAYS AFTER INITIAL BACKFILL UNLESS OTHERWISE SPECIFIED ON PLANS... 10. NO SLOPES SHALL BE GREATER THAN 2:1... 11. AS REQUIRED BY SECTION B, OF THE MARYLAND STANDARD AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL, 'ADEQUATE VEGETATIVE STABILIZATION' IS DEFINED AS 95 PERCENT GROUND COVER, THE WASHINGTON COUNTY SOIL CONSERVATION DISTRICT REQUIRED THE PROJECT ADHERE TO THIS FOR SCHEDULING OF THE FINAL SITE CLOSEOUT REVIEW AND / OR RELEASE OF THE SITE FOR SOIL EROSION AND SEDIMENT CONTROL.

TEMPORARY SEEDING SUMMARY table with columns for species, application rate, seeding dates, seeding depths, fertilizer rate, lime rate.

PERMANENT SEEDING SUMMARY table with columns for species, application rate, seeding dates, seeding depths, fertilizer rate, lime rate.



MRA MORRIS & RITCHIE ASSOCIATES, INC. Civil/Structural Engineers 1220-C East Joppa Road, Suite 606 Towson, Maryland 21286 410-821-1699 410-821-1748 Fax

PROFESSIONAL CERTIFICATION JUL 15 2019

US-MD-5048 GREEN HILL 1209 MAGAWAN ROAD HAGERSTOWN, MARYLAND 21740 WASHINGTON COUNTY

verticalbridge

REVISIONS table with columns for NO, DESCRIPTION, DATE.

COUNTY COMMENTS 06/03/19 COUNTY COMMENTS 04/01/19 DESIGNED BY: JT DRAWN BY: DNT PROJECT NO: 1947.003 DATE: 2/11/19 SCALE: AS NOTED

TITLE: Grading Plan & Soil Erosion & Sediment Control Plan

SHEET: C-4

Solar Energy Generating Systems (SEGS) Current Regulations

Use Chart:

	AR	EC	P	IM	IR	IG	PI	AP
Solar Energy Generating Systems, in accordance with Section 4.26	SE	SE	SE	SE	SE	SE	SE	SE

Setback Chart:

	Front	Side	Rear
AR	50	50	50
EC	50	50	50
P	50	50	50
IM	n/a	n/a	n/a
IR	50	25 ¹	25 ¹
IG	50	25 ¹	25 ¹
PI	50/150 ²	150/75 ³	150/75 ³
AP	150/50 ²	150/75 ³	150/75 ³

¹Where the proposed uses or buildings abut a lot in a RR, RT, RS, RU, or RM District, any residential use in a mixed-use development, or any lot occupied by a dwelling, school, place of worship or institution for human care not located on the same lot as the said use or building, or any lot which is part of a duly recorded residential subdivision, the side and rear setbacks shall be one hundred (100) feet.

²A front yard adjacent to an expressway or primary highway as shown on the Washington County Highway Plan shall be one hundred fifty (150) feet. Front yards on other County or municipal streets or interior roads within an industrial park shall be fifty (50) feet.

³Adjoining a residential district, one hundred fifty (150) feet or seventy-five (75) feet where proper screening as determined by the Planning Commission along the property line is provided. Adjoining a business or industrial district, seventy-five (75) feet.

Definitions:

Solar Array:

A ground mounted solar collection system consisting of a linked series of photovoltaic modules.

Solar Collection System:

A panel or other solar energy device, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

Solar Energy Generating System (SEGS):

A grid-tie solar facility consisting of multiple solar arrays whose primary purpose is to generate electricity for distribution and/or sale into the public utility grid and not for onsite consumption.

Specific Regulations for Solar Energy Generating Systems:

Section 4.26 Solar Energy Generating Systems

The purpose of this section is to establish regulations to facilitate the installation and construction of Solar Energy Generating Systems as defined in Section 28A (hereinafter “SEGS”) for landowners, subject to reasonable restrictions which will preserve the public health and safety.

SEGS shall be permitted as a land use as specified in Sections 3.3 and 21.42 of this ordinance. However, SEGS shall be prohibited as a use in defined Priority Preservation Areas, Rural Legacy Areas, and Antietam Overlay zones.

A. Design Standards

The following standards shall apply to the development of Solar Energy Generating Systems:

1. A property owner who has installed or intends to install a solar energy generation system shall be responsible for negotiating with other property owners in the vicinity for any necessary solar easement and shall record the easement with the Clerk of the Court. A property owner who fails to secure an easement for the receipt of solar energy acts at his own peril and has no recourse against the person allowing or causing the obstruction of the owner’s receipt of solar energy. Other property owners in the vicinity may obstruct solar energy collection systems unless a valid easement has been secured.
2. Solar Energy Generating Systems shall adhere to the setback, height, and coverage requirements of the district in which they are located. All above ground facilities associated with such generating system (excluding perimeter security fencing) shall be considered a structure for the purposes of determining required setbacks.
3. Minimum Lot Size. No such generating system shall be erected on any lot less than twenty acres in size.
4. Buffer Yards. The area designated as a buffer yard may include any required side, rear, or front yards. A 25-foot wide buffer yard shall be required where the adjoining lot is either zoned for or contains dwellings, hospitals, nursing homes, schools, or other institutions for human care. The buffer area shall be measured between the lot line and any area of the lot proposed for use or development and shall be screened with vegetative plantings. The plantings shall be spaced so as to create an opaque screen between the adjoining land uses at a height of no less than 10 feet at maturity. The Planning Commission may waive and/or modify this requirement if the strict application of the provisions of this section reduces

the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot.

5. Access. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. A security fence (height and material to be established through the special use permit process) shall be placed around the perimeter of the solar energy generating system and electrical equipment shall be locked. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

6. Electrical Wires. All electrical wires associated with a Solar Energy Generating System, other than wires necessary to connect the solar generator to the off-site distribution system, the wiring to the disconnect junction box, and the grounding wires shall be located underground.

7. Lighting. All structure mounted and parking lot lighting shall be constructed so that light and glare are diffused toward the ground.

8. Appearance, Color and Finish - The solar energy collection structures shall remain painted or finished the color of finish that was originally applied by the manufacturer.

9. Signs. Signage shall comply with Article 22 Division II of this Ordinance. In addition, warning signage shall be placed on electrical equipment and generating system entrances. All sites shall be identified by means of a sign no larger than two (2) square feet in size affixed to the fence identifying the entity using the site and shall provide the telephone number of a contact person in the event of an emergency.

10. Noise. Audible sound due to Solar Energy Generating System operations shall not exceed fifty-five (55) dBA for any period of time, when measured from the property line of any adjacent property improved with a dwelling unit at the time of the issuance of the zoning certificate. The level however may be exceeded during short-term events such as utility outages and/or severe windstorms.

11. Electromagnetic Interference. The system shall be operated so that no disruptive electromagnetic interference is caused to off-site telecommunications, surveillance or other similar systems. If it has been demonstrated that a system is causing such disruptive interference, the system owner shall promptly eliminate the disruptive interference or cease operation of the system.

12. Code Compliance. A Solar Energy Generating System and all of its components shall comply with all applicable construction and electrical codes.

13. Utility notification and interconnection. Solar Energy Generating Systems that connect to the electric utility shall comply with applicable Public Service Commission regulations.

14. Public Service Commission. In accordance with the Maryland Annotated Code, Public Utilities Companies, Section 7-207.1, any property owner seeking to construct a Solar Energy Generating System and connect such system to the main power grid with the capability of transporting energy back to their main power company shall apply to the

Public Service Commission (PSC) for approval and provide documentation of such approval to Washington County prior to construction and issuance of a building permit.

15. Violations. It is unlawful for any person to construct, install, or operate a Solar Energy Generating System that is not in compliance with this section or with any condition contained in a building permit issued pursuant to this section.

16. Life of the project and final reclamation. As part of the site plan approval, a description of the decommissioning and final land reclamation plan after anticipated useful life or abandonment or termination of the project shall be required. This will include evidence of an agreement with the property owner that ensures proper final removal of power generating equipment.

B. Design Standards in Airport Zones

For the purpose of this section an Airport Zone shall mean all Euclidean and overlay districts outlined in Article 21 of this Ordinance.

Anyone planning to establish a SEGS within any Airport district should refer to the Federal Aviation Administration (FAA) guidance document FAA-ARP-TR-10-1 – Technical Guidance for Evaluating Selected Solar Technologies on Airports. In addition, the following design standards shall apply to installation of SEGS in any Airport Zone:

1. Solar collection devices shall be limited to photovoltaic devices only. Concentrated solar power systems are prohibited due to potential reflectivity, electromagnetic interference, and thermal plume hazards.
2. All SEGS projects located within airport zones shall be subject to review by the FAA.