

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
April 4, 2022**

The Washington County Planning Commission held its regular monthly meeting on Monday, April 4, 2022 at 7:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Planning Commission members present were: Clint Wiley, Chairman, Denny Reeder, Teresa Shank, Robert Goetz, Jr., Jeff Semler, and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Lisa Kelly, Senior Planner; and Debra Eckard, Administrative Assistant.

**CALL TO ORDER**

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

**MINUTES**

**Motion and Vote:** Mr. Semler made a motion to approve the minutes of the February 28, 2022 Planning Commission workshop meeting. The motion was seconded by Mr. Reeder and unanimously approved.

**Motion and Vote:** Ms. Shank made a motion to approve the minutes of the March 7, 2022 Planning Commission regular meeting. The motion was seconded by Mr. Goetz and unanimously approved.

**OLD BUSINESS**

**Stoney Creek Farm Recommendation [RZ-21-008]**

Ms. Baker stated that a public rezoning input meeting was held on Monday, March 21, 2022 for the Stoney Creek Farm rezoning application request. The property is located at 19223 Manor Church Road. The applicant is requesting the Rural Business floating zone on 65.37 acres of land currently zoned Environmental Conservation. She reminded members there are six criteria outlined in the Zoning Ordinance relative to the Rural Business overlay that should be considered when reviewing this application. Those criteria are as follows:

1. The proposed district will accomplish the purpose of the RB District.
2. The proposed site development meets criteria identified in Section 5E.4 of Article 5F and include:
  - a. The proposed RB District is outside any designated growth area.
  - b. The proposed RB District has safe and usable road access.
  - c. On-site issues relating to sewage disposal, water supply, stormwater management, etc. can be adequately addressed
  - d. The location of the RB District would not be incompatible with existing uses, cultural or historic resources or agricultural preservation efforts
3. The road providing access to the site is appropriate for the proposed RB land use.
4. Adequate sight distance along roads can be provided at proposed point of access to the site.
5. The proposed landscaped areas can provide adequate buffering of the proposed RB land use from the existing land uses in the vicinity.
6. The proposed land use is not of a scale, intensity or character that would be incompatible with adjacent land uses or structure.

**Discussion and Comments:** Mr. Wiley expressed his opinion this is a challenging issue from the perspective of competing land uses. Ms. Shank asked if any additional information regarding sight distance was received from the applicant. Ms. Baker noted that traffic studies were provided and sight distance issues were addressed when the existing use was approved by the County. There was a brief discussion regarding the definition of agritourism.

Mr. Semler expressed his concerns regarding sewage disposal and water supply for the site. He asked if there will be a detailed water study and sewage disposal system. Ms. Baker stated that the Health Department would need to approve both the well and the septic system before site plan approval would be given. The applicant would need to meet the same requirements that anyone in the rural area would be required to meet. Mr. Semler asked about fire suppression for the new structures. Ms. Baker stated this would fall under the guidance of the Building Code. She believes the structures would need to follow the same guidance as any other residential structure built in the rural area. Mr. Semler expressed his opinion

that, although the new structures look very nice, they do not fit the historical character of the area. Ms. Baker stated that the historical or cultural context can be interpreted in many ways and she gave several examples.

Ms. Goetz asked if the events that were previously held on the property would continue to be permitted. Ms. Baker stated that the Board of Zoning Appeals approved a variance to hold events on the site. Events could continue to be held in accordance with the BZA approval. If the zoning change is approved, the applicant would be limited to the uses shown on the approved site plan. At this time, the proposal does not include the wedding reception facilities; thus, this use would not be permitted. Mr. Goetz expressed his opinion that either use would increase the traffic on Manor Church Road.

Commissioner Wagner asked what the enforcement procedure would be if the applicant violates the conditions of the approval. Ms. Baker briefly explained that a complaint would first be filed with the Zoning office, there would be an investigation and if the owner is in violation, a correction notice would be issued giving them 30 days to correct the issue. If the property is in compliance after 30 days, the issue has been resolved. If not in compliance, the County would have a number of actions that include fines or filing a lawsuit in court.

**Motion and Vote:** Mr. Reeder made a motion to recommend, to the Board of County Commissioners, denial of the rezoning request because the application does not meet all of the required criteria set forth in the Zoning Ordinance. The motion was seconded by Mr. Semler and unanimously approved with Commissioner Wagner abstaining from the vote.

## **NEW BUSINESS**

### **SITE PLANS**

#### **Project Cypress [SP-21-033]**

Ms. Kelly presented for review and approval a site plan for a proposed 300,000 square foot manufacturing plant on a 41.5 acre parcel located along the proposed section of Halfway Boulevard Extended and Newgate Boulevard. The property is currently zoned HI (Highway Interchange). There will be two access points off Halfway Boulevard Extended. The hours of operation will be 7 days per week, 24 hours per day. The site will be served by public water and public sewer. There will be 69 office employees and 400 plant employees. Required parking is 482 spaces; 486 spaces will be provided. Freight and delivery will be by tractor trailer daily. Site lighting will be pole and building mounted; signage will be building mounted. Landscaping will be installed throughout the parking lot and in front of the building. There will be several screened dumpsters for refuse. Forest Conservation requirements will be met by onsite and offsite retention of forest. All agency approvals have been received.

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

#### **2021 Downsville Pike LLC [SP-21-026]**

Ms. Kelly presented for review and approval a site plan for a proposed gravel parking area for trailers on an existing contractor's office and storage yard business located along the southeast side of Downsville Pike just south of the I-70 interchange. The property is currently zoned HI (Highway Interchange). The two existing access points onto Downsville Pike will remain. The hours of operation will be 24 hours per day, 7 days per week. There will be approximately 45 employees at the site. Public water and individual septic currently serve the site. No new signage or lighting are proposed. There is existing parking for employees; no new spaces will be required. Forest Conservation requirements will be met by planting .58 acres of trees along the eastern property line which is a high priority area.

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

## **OTHER BUSINESS**

### **Black Rock PUD Revision**

Ms. Baker presented for review a request for a determination of a minor vs. major amendment to the approved Black Rock PUD development. In February, the developer proposed a revision to the existing approved development plan of 595 units. At that time, the developer wanted to cluster the units in a different configuration. The Planning Commission reviewed this request and determined this was a major change to the approved plan and advised the applicant that a new public hearing process would be

necessary to evaluate the proposed revision. The applicant has taken the Planning Commission's comments into consideration and has submitted a new revision to the approved plan. Staff has reviewed the new revision and notes that the applicant has spread the development over the entire parcel rather than clustering. The number (595) and types of residential units and amenities are similar to the approved development plan but in a different configuration.

**Discussion and Comments:** Mr. Wiley asked if the proposed changes have been dictated by the current market trends. Ms. Baker stated that is the case.

There was a brief discussion regarding the location of the various types of housing and it was noted there is more open space on the revised plan. There was discussion regarding the need for a water tower. Mr. Sassan Shaool was present at the meeting. He stated that land has been set aside for a water tower if the need arises; however, the County has not asked for a water tower to be constructed.

**Motion and Vote:** Mr. Semler made a motion to deem the revised plan as a minor change to the approved development plan. The motion was seconded by Mr. Goetz and unanimously approved.

**Update of Staff Approvals**

Ms. Kinzer presented a report for the land development plan review projects submitted in February. There were a total of 140 submissions, 87 permit based and 53 land development based. There has been an increase in site plans during the past month.

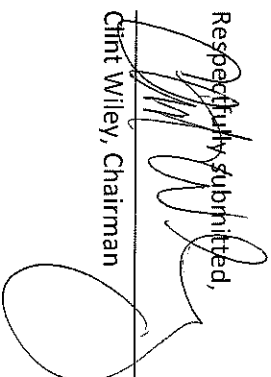
**UPCOMING MEETINGS**

1. Monday, May 2, 2022, 7:00 p.m. – Washington County Planning Commission regular meeting

**ADJOURNMENT**

Ms. Shank made a motion to adjourn the meeting at 8:00 p.m. The motion was seconded by Mr. Semler and so ordered by the Chairman.

Respectfully submitted,



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Clint Wiley, Chairman