



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

AGENDA

WASHINGTON COUNTY PLANNING COMMISSION

October 5, 2020, 7:00 PM

VIRTUAL MEETING ONLY

CALL TO ORDER AND ROLL CALL

MINUTES

1. August 31, 2020 Planning Commission regular meeting minutes *

PUBLIC INPUT MEETING

1. Solid Waste Management & Recycling Plan Amendment [SW-20-001] Proposed text amendment for "Office Building Recycling Plans"; Planner: Jill Baker

NEW BUSINESS

FOREST CONSERVATION

1. Jone L. Bowman Subdivision [S-20-025] Request to move 1.44 acre forest easement off-site; Property located at 11107, 11111, and 11115 Hopewell Road; Zoning: RT (Residential Transition); Planner: Travis Allen
2. Soil Conservation Easement Candidates – Request to use funds from the Forest Conservation Fund to purchase easements on various properties

OTHER BUSINESS

1. 17165 Black Stallion Lane - Request for a change of use from an assisted living facility to a proposed transitional or shelter care facility located at 17165 Black Stallion Lane; Zoning: A(R) with RB floating zone
2. Update of Staff Approvals – Ashley Holloway

CLOSED SESSION

ADJOURNMENT

UPCOMING MEETINGS

1. Monday, November 2, 2020 – Washington County Planning Commission regular meeting

**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 10 working 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.



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

SW-20-001

September 2020

**WASHINGTON COUNTY SOLID WASTE MANAGEMENT
AND RECYCLING PLAN
TEXT AMENDMENT
STAFF REPORT AND ANALYSIS**

Chapter 5 - Section 5.1.8

Proposal: Application is being made to amend the Solid Waste Management and Recycling Plan to include an Office Building Recycling Plan in accordance with new legislation passed by the Maryland General Assembly in 2019.

Purpose: The purpose of these amendments is to establish a plan that requires office building owners to be responsible for fulfilling recycling requirements throughout their buildings. This plan will apply to office building located in the County that contain 150,000 square feet or greater of office space.

Proposed Amendments:

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5.1.8.1 Office Building Recycling Plan

Collection and Marketing

In accordance with Section 9-1714 of the Environment Article of the Annotate Code of Maryland passed in 2019 by the Maryland State Legislature, office building owners will be responsible for providing all containers necessary to fulfill recycling requirements throughout their buildings that have 150,000 square feet or greater of office space, as well as determining the collection schedule directly with the collection contractor. Each owner of the participating office building must provide by October 1, 2021 recycling receptacles for the collection of paper and cardboard, metals, and plastic materials and for the removal for further recycling of recyclable materials deposited into the recycling receptacles. Distinctive colors and/ or markings of recycling containers should be provided to avoid cross contamination. Office building owners must ensure collection and transportation of recyclable materials from office building locations to markets or tipping as commercial recycling at a processing and transfer station at the prevailing tipping fee rate. Owners and/or tenants will be responsible for placing recyclables in building recycling bins prior to their removal on the scheduled pick up day.

Stakeholders

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

WWW.WASHCO-MD.NET

Stakeholders include the owners and tenants of applicable office buildings, and Washington County, Maryland.

Required Participants

At the time of the implementation of this requirement, the following properties were identified through SDAT records that met the 150,000 square-foot or greater area of office space:

- Citibank Complex; 14625 Citicorp Drive, Hagerstown; approx. 441,000 sq. ft.
- First Data; 1 Western Maryland Parkway, Hagerstown; approx. 248,000 sq. ft.
- Robinwood Medical Campus; 11110 Medical Campus Road, Hagerstown; approx. 294,000 sq. ft.

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Schedule of Implementation

By October 1, 2021:

- Washington County will post literature about the office building recycling program on the County webpage. Office building owners will begin to educate workers/tenants (as applicable) about the program and the requirements of the law.
- Office building owners will coordinate with tenants (as applicable) to reach agreement as to which entity will be responsible for carrying out the office building recycling program.
- Office building owners will provide recycling receptacles for the collections of recyclable materials.
- On or before October 1, 2021, office building owners meeting the required participant level, must have recycling services in place and operational in order to meet the requirements of the office building recycling program. Owners of all size office buildings are encouraged to voluntarily participate in this recycling effort.

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Program Monitoring:

Monitoring of recyclable materials bins will be carried out by office building owners and/or tenants.

Washington County may require the office building owner and/or tenant to report to the County metrics associated with the office building recycling program.

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Enforcement:

The County is not required to manage or enforce the recycling activities of an office building located within the boundaries of one of its municipalities; however, an enforcement agent of the County or municipality may conduct inspections in order to enforce this program.

The Department of Solid Waste and Recycling will notify the office building owners of the implementation requirements in accordance with Sections 9-1703 and 9-1714 of the Environment

Article, Annotated Code of Maryland. The County Attorney's Office will determine if a County should enforce the law and what level of enforcement actions should be used.

Analysis: In 2019, the Maryland General Assembly passed Senate Bill 370, Environmental-Recycling – Office Buildings requiring all office buildings that have 150,000 square feet or greater of office space provide separate collection of recyclable materials by October 1, 2021. The law became effective on October 1, 2019 amends Sections 9-1703 and 9-1714 of the Environmental Article, Annotated Code of Maryland. Section 9-1703 (b) (15) of the Environment Article, Annotated Code of Maryland requires Washington County to revise its recycling plan within the Solid Waste Management Plan by October 1, 2020.

There are currently three (3) properties that have been identified through State Department of Tax Assessment records as having office space greater than 150,000 square feet. They included the Citibank Complex located at 14625 Citicorp Drive, First Data located at 1 Western Maryland Parkway, and Robinwood Medical Campus located at 11110 Medical Campus Road. It will be the responsibility of these building owners to coordinate with tenants on the implementation of the recycling program. Monitoring of the programs will be carried out by the building owners/tenants and may be required to report their recycling metrics to the County.

The proposed amendments have been reviewed by Maryland Department of the Environment and have been found to be consistent with the requirements of the Environmental Article of the Annotated Code of Maryland.

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
Director



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

MEMORANDUM

TO: Washington County Planning Commission
FROM: Travis Allen, Comprehensive Planner
DATE: September 21, 2020
RE: Jone L. Bowman Forest Conservation Easement Relocation Request (S-20-025)

Attached you will find documentation for a request to relocate a 1.44-acre forest easement from its current location at 11107, 11111 and 11115 Hopewell Road. Enclosed for your review are two documents in support of the applicant's request. These include copies of the revised subdivision plat (S-20-025), which shows the requested removal of the existing forest easement at the Hopewell Road properties and the intended offsite location where the owner has proposed to relocate the easement onto land that he owns near Porters Lane and Exline Road; and a justification letter from Qualified Professional Shannon Stotler.

Article 10.1 of the Washington County Forest Conservation Ordinance (FCO) describes the Preferred Sequence of Techniques for Mitigation for forest conservation plans. This list describes a hierarchy of techniques ranging from onsite retention and planting to payment of fee in lieu. The overall intent of the FCO is to preserve or create as much forest onsite as is feasible within the constraints of each development project before meeting mitigation obligations offsite.

For easement relocation requests, the owner/developer must demonstrate why the current plan cannot be feasibly completed and why other forest mitigation techniques higher in the Article 10.1 Sequence are not suitable for this project. Forest easements are intended to be permanent in the location that they were originally established unless special circumstances require reevaluation.

If you have questions or comments regarding this request, please contact me using the information provided below.

Travis Allen
Comprehensive Planner
tallen@washco-md.net

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

WWW.WASHCO-MD.NET

September 9, 2020

Washington County Planning Commission

RE: Jone L Bowman- Replat of lots 2-4 & Parcel B, S-20-025

Our client, Donald M Bowman Trustee, has submitted a replat of subdivision to remove the existing Forest Conservation Easement that has reserved a 75 foot strip of land along the back property lines of 3 residential lots that was originally intended to be planted with trees which would eventually create a forest as described by the ordinance. To mitigate the forest conservation requirement the applicant is proposing to place a Forest Conservation Easement over existing mature forest lands he owns further west in Washington County at a 2:1 ratio or 2.86 acres.

In order to proceed with the re-plat, the Planning Commission, as stated in Section 10.1.C of the Washington County Forest Conservation Ordinance, must approve the alternate sequence in priority regarding mitigation.

As a qualified professional in the State of Maryland I would much rather see large tracts of existing forest be protected in the form of easements rather than much smaller areas of potential forest being created, specifically on residential lots. Protecting large stands of existing forest has a continuing positive effect on storm water management, water quality, wildlife and passive recreation. Small scale afforestation has a limited impact on any of the positive attributes mentioned above in comparison to an existing mature forest.

Beyond the items mentioned above, a brief field visit revealed the area designated to be planted is littered with many existing invasive species that would make a successful planting difficult.

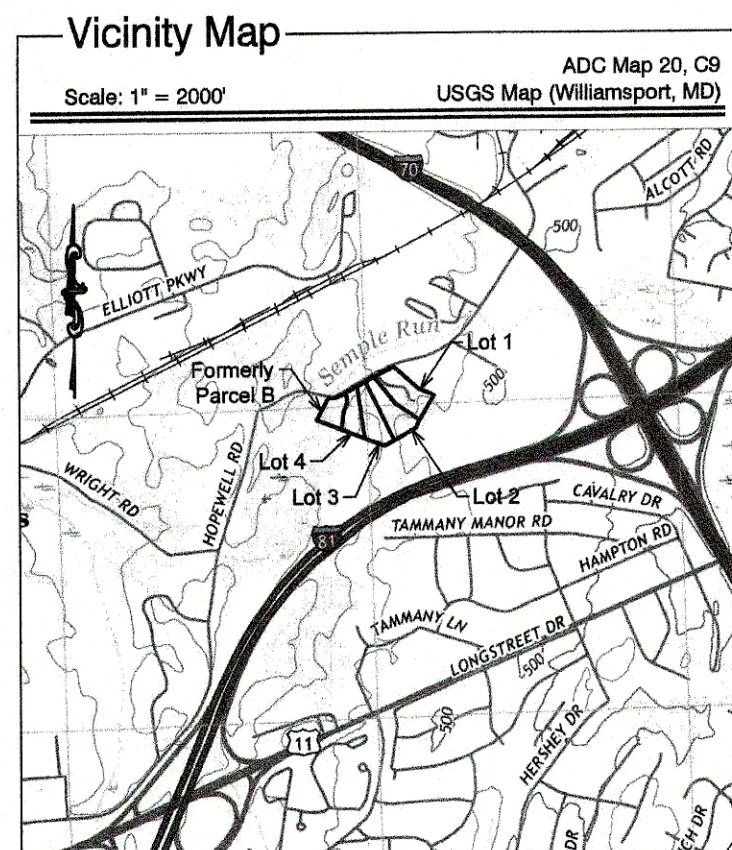
The applicant has the existing forest to use and would not have to go out and plant, post bonds and maintain the area for two years. The lots can be sold without the concern that homeowners will begin to maintain the area as a lawn.

Please consider these items and allow the applicant move forward with relocating the forest easement in a much more suitable area.

Regards,



Shannon Stotler,
Qualified Professional



Notes:
Any development must comply with the Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.

The stream buffer shown hereon is greater than that required by the ordinance due to the 100 year floodplain. Should the floodplain not be present, the 8% slopes would require a 32' buffer.

SOILS	PERCENTAGE	ACREAGE
Fa	14%	1.39 Ac.
HaB	4%	0.44 Ac.
HcB	53%	5.14 Ac.
HcC	5%	0.45 Ac.
Mn	2%	0.17 Ac.
SpA	22%	2.12 Ac.

SENSITIVE AREA NOTICE

The stream buffers shown hereon are established pursuant to the requirements of the Washington County Subdivision Ordinance Article IV, Section 409. In an effort to preserve or improve water quality, the property owner is required to establish and thereafter maintain in perpetuity vegetative ground cover in accordance with urban best management practices recommended by the Washington County Soil Conservation District. No permanent structures or construction are permitted within the stream buffer except those designed to improve water quality or flow as approved by the Washington County Planning Commission in accordance with all applicable regulations, laws, and policies. No septic systems shall be constructed within the buffer nor shall any reserve area be established within the buffer.

	Existing Forest Conservation Easement to be Remain 1.25 Ac.
	Existing Forest Conservation Easement to be Removed 1.44 Ac.
	Existing Easement for Ingress and Egress from Hopewell Road to Forest Conservation Area to be Removed

ADDRESS TABLE

Lot 1	11119 Hopewell Road (Existing)
Lot 2	11115 Hopewell Road
Lot 3	11111 Hopewell Road
Lot 4	11107 Hopewell Road

Note: Each address is based on the entrance as shown on this plat. If the driveway is constructed at a different location from that shown hereon, the address listed above may VOID and the owner/developer of the lot must reply to the Planning Commission for a new address assignment.

Certificate of Approval FINAL APPROVAL GRANTED

DATE: _____

By: _____
Washington County Planning Commission
Final Approval good for one hundred eighty (180) days from above date

PLAT NO _____
DATE _____
WASHINGTON COUNTY

MARK	DESCRIPTION	DATE

Dedication for Individuals

I/we do hereby certify, for ourselves and our personal representatives, heirs and assigns, that I/we are the legal and true owner(s) of the property shown and described on this plat and that I/we hereby adopt the plan of subdivision shown hereon, hereby establish the minimum building restriction lines shown hereon, hereby dedicate to public use all utility and drainage easement areas and all alley, street, and road rights of way designated on this plat, hereby agree to keep open all spaces and recreation areas shown hereon and hereby agree that said dedication shall not impose and responsibility on the Board of County Commissioners of Washington County regarding the subjects of such dedications until legal acceptance thereof by said Board, and I/we hereby reserve the fee simple title to the land underlying said easements, rights of way, open spaces and recreation areas and with regard to said easements and rights of way, hereby agree to convey the same to said Board for the use of said Washington County, without consideration, upon the legal acceptance of said easements and/or rights of way by said Board.

This deed and agreement of dedication shall be binding upon my/our grantees, assigns, successors, heirs, and personal representatives.

There are no sales, actions at law, leases, liens, mortgages, trusts, easements, or rights of way affecting the property included on this plan of subdivision except the following:

and all parties having an interest therein have hereunto affixed their signatures, indicating their assent to this plan of subdivision.

I/we do hereby assent to this plan of subdivision.

Witness our hands and seals this 12 day of August, 2020.

Owner: Donald Bowman (formerly Parcel B) _____ (Seal)

Owner: Donald Bowman Trustee (Lot 3 & 4) _____ (Seal)

Owner: Nicholas Bodnar (Lot 2) _____ (Seal)

Owner: Samantha Bodnar (Lot 2) _____ (Seal)

Witness _____

RECEIVED

AUG 27 2020

WASHINGTON COUNTY
PLANNING DEPARTMENT

Interim Facilities Provision Certification

In compliance with C.O.M.A.R. 26.03.01.05 B.(1) and (2), the individual water supply and individual sewer systems are hereby permitted on a temporary interim basis. Future lot owners are advised that the individual systems serving the lot(s) indicated on this plat are of a temporary interim nature and that connection to a future community system shall be made within one (1) year or less after the system become available.

Owner: Donald Bowman (formerly Parcel B) _____ (Seal)

Owner: Donald Bowman Trustee (Lot 3 & 4) _____ (Seal)

Owner: Nicholas Bodnar (Lot 2) _____ (Seal)

Owner: Samantha Bodnar (Lot 2) _____ (Seal)

Certificate of Approval of Individual Water Supply and Individual Sewage Supply

I hereby certify that the minimum ownership area complies with the minimum width and minimum area requirements specified in C.O.M.A.R. 26.04.03.03. Such minimum ownership shall remain equal to the minimum width and minimum area set forth in C.O.M.A.R. 26.04.03.A (2) until community sewerage and water have been made available. Not more than one principle building may be erected or constructed on a lot or lots contained in the minimum ownership areas established by C.O.M.A.R. 26.04.03.A (2) until community sewerage has been made available.

Date: _____ County Health Officer

Land Surveyor's Certification

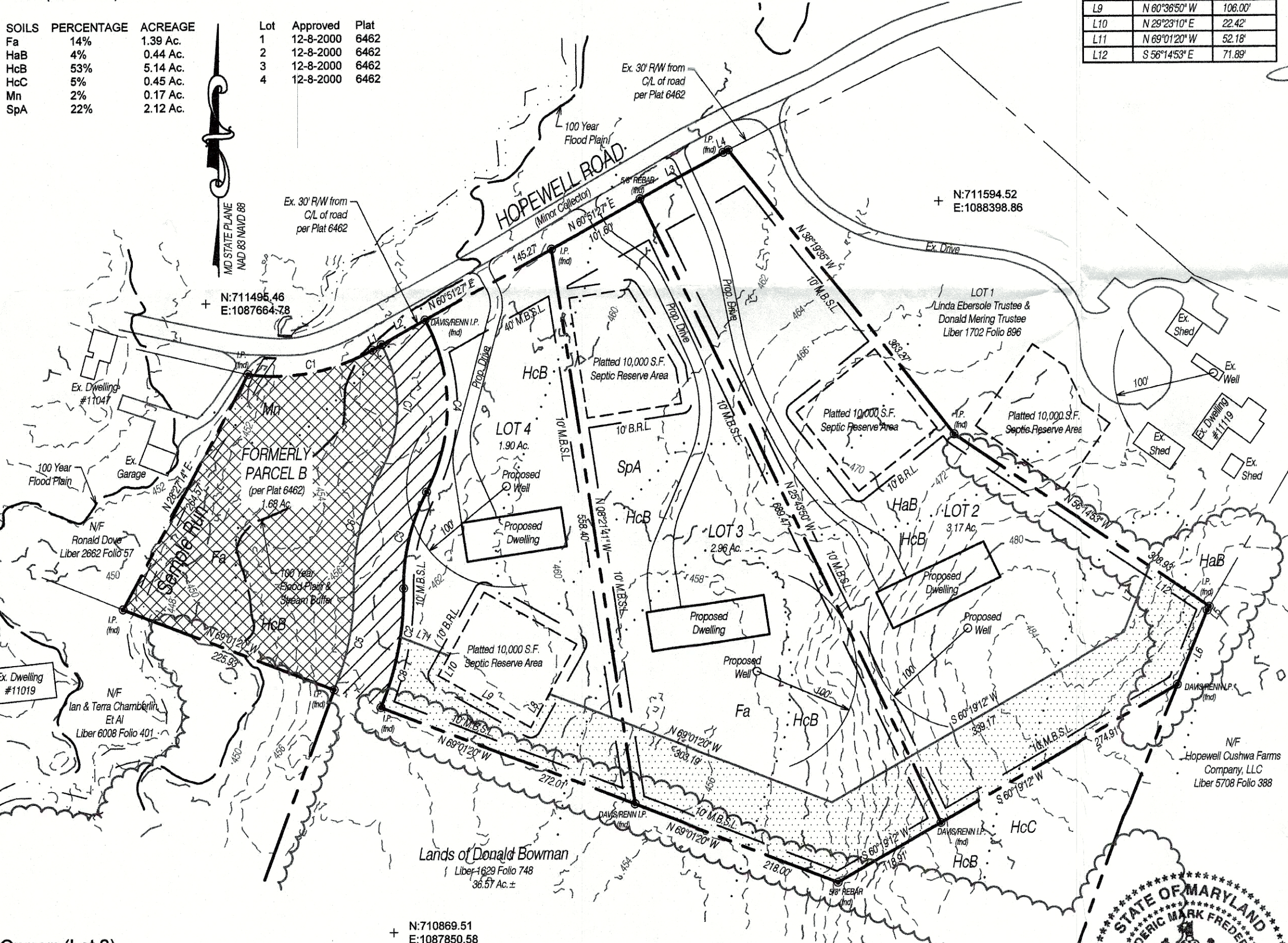
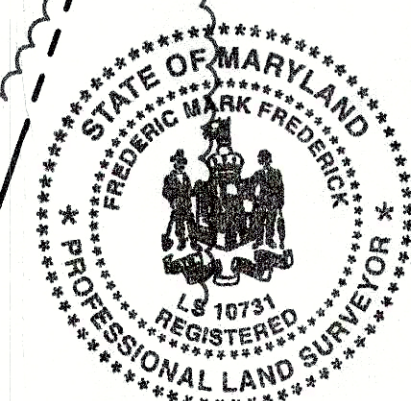
I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the lands conveyed by Samantha Ebersole Bodnar to Samantha Ebersole Bodnar and Nicholas Shayne Bodnar, husband and wife, by deed dated May 12, 2020 and recorded in the Land Records of Washington County, Maryland in Liber No. 6249, folio 355, and part of the lands conveyed by Donald M. Bowman, Personal Representative of the Estate of Jone L. Bowman to Donald M. Bowman, Trustee of the Jone L. Bowman Residuary Trust U/A dated April 23, 2013, by deed dated April 16, 2018 and recorded in the Land Records of Washington County, Maryland in Liber No. 5210, folio 33, and part of the lands conveyed by Jone L. Bowman to Donald M. Bowman, by deed dated January 20, 2001 and recorded in the Land Records of Washington County, Maryland in Liber No. 1629, folio 748, and that stones marked □ and/or bars marked ○ have been placed as indicated.

I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the Laws of the State of Maryland, License No. LS-10731 Expiration Date 1/16/2022.

Date: August 17, 2020 _____ Professional Land Surveyor

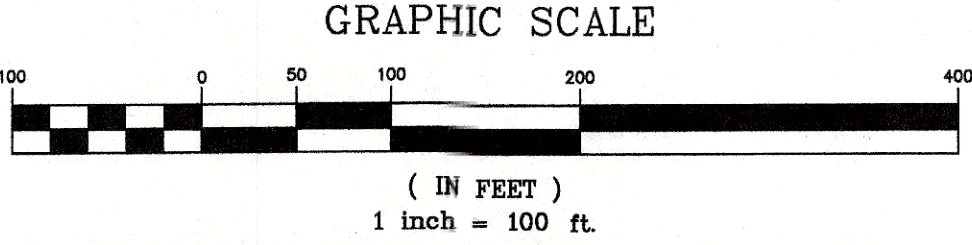
General Notes

- 10,000 square feet is hereby reserved for sewage disposal. No permanent physical objects are permitted in this area.
- There is a 10 ft. wide drainage and utilities easement along all front lot lines and an 8 ft. wide drainage and utilities easement along all side and rear lot lines hereby reserved unless otherwise shown hereon.
- Bearings, distances and coordinates are based on MD Grid NAD83.
- Soil types are as shown hereon.
- Current Minimum Building Setbacks: front yard-40'; side yard-10'; rear yard-07'. Minimum Building Setback Lines are based on the current Washington County Zoning Ordinance. Accessory structures may be constructed in accordance with Section 4.10 and Section 23.5 (b). Accessory Structures are not permitted without the placement of the principal permitted structure. Zoned HI - Highway Interchange.
- 5a. Pending Rezoning case RZ-2020-001 is requesting RT zoning. Minimum Building Setbacks in the RT district are as follows: front yard-40'; side yard-12'; rear yard-50'. Total upstream watershed affecting this subdivision: is less than 400 Acres.
- Parcel does lie in the 100 year flood plain per FEMA Flood Insurance Rate Map, Community Panel No. 24043C0281D dated August 15, 2017, Flood Zone A.
- Contours and boundary are based on a field survey performed on April 24, 2020 by SLS from FSA, Inc.
- There are no steep slopes, or habitat of threatened or endangered species identified by the U.S. Fish and Wildlife Service per 50 CFR 17 as required to be shown by Sections 306, 307 and 314 of the Washington County Subdivision Ordinance and Section 4.21 (C&D) of the Washington County Zoning Ordinance. This subdivision is not within 100' of the Appalachian Trail.
- An existing right of way 30 feet in width as measured from the centerline of Hopewell Road has been dedicated for the purpose of future road widening of said road.
- No other wells or septic lines within 100 feet of the Lot Lines.
- All grading on each lot, done either before or after the construction of a dwelling or their appurtenances, shall be the full responsibility of the lot owner.
- No permanent structures (fences, sheds, play equipment, retaining walls, etc.) shall be permitted within any storm drainage easement, either shown or described, on the Final Plat of Subdivision.
- The proposed well location shown hereon are for general purposes only and are not to be construed as the only approved location for a proposed well. The proposed well location must be at least 100 feet away from any septic area or reserve septic area on any lot, at least 10 feet from any property line, 30 feet from the house foundation and 15 feet from any road or right-of-way.
- This plat has been reviewed and approved per the Zoning Ordinance. Any development/construction shall be in accordance with the Washington County Zoning Ordinance currently being enforced.
- This plat was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.
- The purpose of this replat is to remove the existing forest conservation easements from Lots 2, 3, 4, and formerly Parcel B and place it into an off-site retention easement, as shown on sheet 2. These tracts of land have previously been approved and recorded on Plat 6462, dated December 27, 2000. All conditions and restrictions from previous plat apply unless stated otherwise.



Owner: (Lot 2)
Nicholas & Samantha Bodnar
10228 Governor Ln. Blvd. #3004
Williamsport, MD 21795

Owner: (Lot 3 & 4 & Formerly Parcel B)
Donald Bowman
10228 Governor Ln. Blvd. #3002
Williamsport, MD 21795



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AUG 18 2020

WASHINGTON COUNTY
PLAN REVIEW DEPARTMENT

Professional Certification:
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional under the laws of the State of Maryland, License # 10731.
Expiration Date 01-16-2022

isa-inc.com
FREDERICK, SEIBERT & ASSOCIATES, INC.
CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS
© 2020
305 SOUTH HANOVER STREET
CHESAPE, VA 21033
717.701.8111
20 WEST BALTIMORE STREET
GREENCASTLE, PA 17228
717.567.1107
128 SOUTH POTOMAC STREET
HAGERSTOWN, MD 21740
301.791.3600

**SUBDIVISION OF JONE L. BOWMAN
FROM PLAT 6462**
Situate along the southern side of Hopewell Road
North of Interstate 81, West of Interstate 70 and East of Wright Road
WASHINGTON COUNTY, MARYLAND
Donald Bowman
10228 Governor Ln. Blvd. Suite 3002 Williamsport, MD 21795

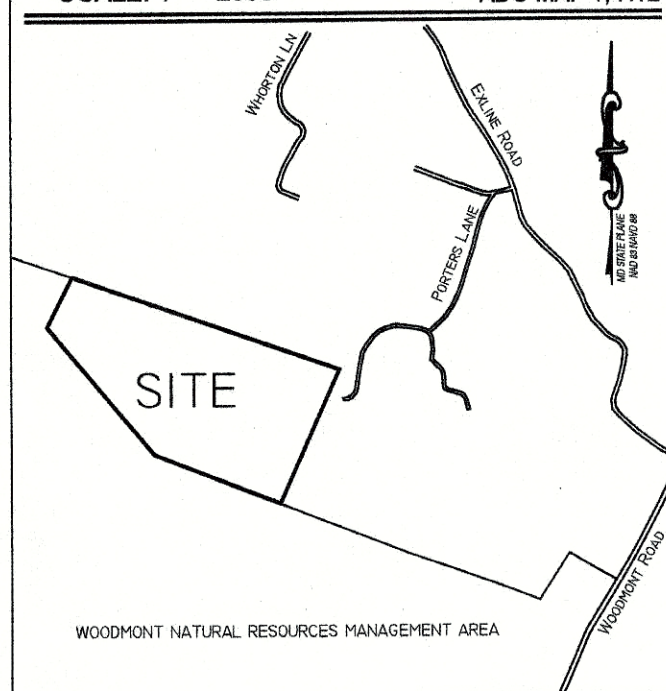
PROJECT NO.	7904
DWN BY	DWH
DATE	07-06-2020
PROJECT MANAGER	EMAIL
D. Trostle	Dave@isa-md.com
Tax Map-Grid-Parcel	0048-0022-0246
SCALE	1" = 100'
SHEET TITLE	

REPLAT OF SUBDIVISION
LOTS 2-4 & PARCEL B

C-101
SHEET 1 OF 2

S-20-025

VICINITY MAP



FORESTATION NOTES

- Forest areas shown hereon have been reviewed and approved by the Washington County Planning Commission and are in compliance with the requirements of the Washington County Forest Conservation Ordinance. Clearing of forested areas have not been approved. Those areas noted as "Forest Retention Areas" are not to be disturbed by a regulated activity as defined in the Forest Conservation Ordinance until that regulated activity and its associated forest disturbance is reviewed and approved by the Washington County Planning Commission according to the requirements and standards of the Forest Conservation Ordinance in effect at the time.
- Property owners are advised that there are penalties and fines associated with violation of these restrictions. Activities of a recreational or passive nature, as long as there is no forest disturbance, removal of the existing forest, or inhibition of its natural growth processes are permitted in these forest areas.
- This note or reference to its existence on this plat shall be included in each and every deed of conveyance for any lot shown on this plat.
- The Retention Area shown on this plat is to be retained by the respective property owners in a natural forested condition, pursuant to the Washington County Forest Conservation Ordinance of 1993. Furthermore, the use of the Retention and Planting Area shall be limited to forest conservation practices activities which are consistent with the preservation of the Retention Area as natural forest land, as stipulated by the same Ordinance.

FOREST CONSERVATION SEQUENCE OF CONSTRUCTION

- All temporary protection devices and/or permanent devices shall be put into place.
 - Permanent signage will be placed as shown on the plan around the perimeter of the entire Forest Area within 30 days of subdivision plat approval and/or completion of construction.
 - During any building or site construction, the forest retention area(s) shall be protected by highly visible, well anchored temporary fencing.
 - All temporary fencing shall be in place prior to any grading or land clearing.
 - All temporary fencing shall be maintained throughout construction and until all graded areas have been stabilized.
 - Attachment of signs or any other objects to trees is prohibited.
 - No equipment, machinery, vehicles, materials or excessive pedestrian traffic shall be allowed within protected areas.
- A pre-construction meeting will be required after the boundaries of the limits of disturbance have been staked and flagged, the forest protection devices have been installed, and before any disturbance has taken place on the site. It is the owner and/or developer's responsibility to arrange for the pre-construction meeting. The owner and/or developer shall contact the Washington County Planning and Zoning Department (240-313-2430) for inspection of the installed devices prior to the start of construction with at least five (5) days notice. If the inspection reveals improperly installed protection devices, corrections will have to be made and re-inspected prior to the start of construction.
- Once approval has been granted by the Washington County Plan Review & Permitting Department, clearing and/or grading of the site for construction of street, utility, and building areas may commence.
- A post-construction meeting will be required after all construction has ceased and graded areas have been stabilized, all temporary protective devices shall be removed and replaced with the appropriate permanent signage. It is the owner and/or developer's responsibility to arrange for the post-construction meeting. The owner and/or developer shall contact the Washington County Department of Plan Review and Permitting (240-313-2430) for inspection of the final installed devices with at least five (5) days notice. If the inspection reveals improperly installed permanent protection devices, corrections will have to be made and re-inspected prior to the completion of site stabilization.

QUALIFIED PROFESSIONAL

I certify that I am a qualified professional per requirements of COMAR 08.19.06.01 for qualified professional status and, therefore, am qualified to prepare the attached Forest Conservation Plan. I further certify that this plan was prepared by me or under my supervision using the methods provided by the Washington County Forest Conservation Ordinance and Forest Conservation Manual. I certify that this Forest Retention Easement Plat is accurate and complete.

Shannon Stotler 7-9-2020
Shannon Stotler Date

FOREST CONSERVATION WORKSHEET 2.2

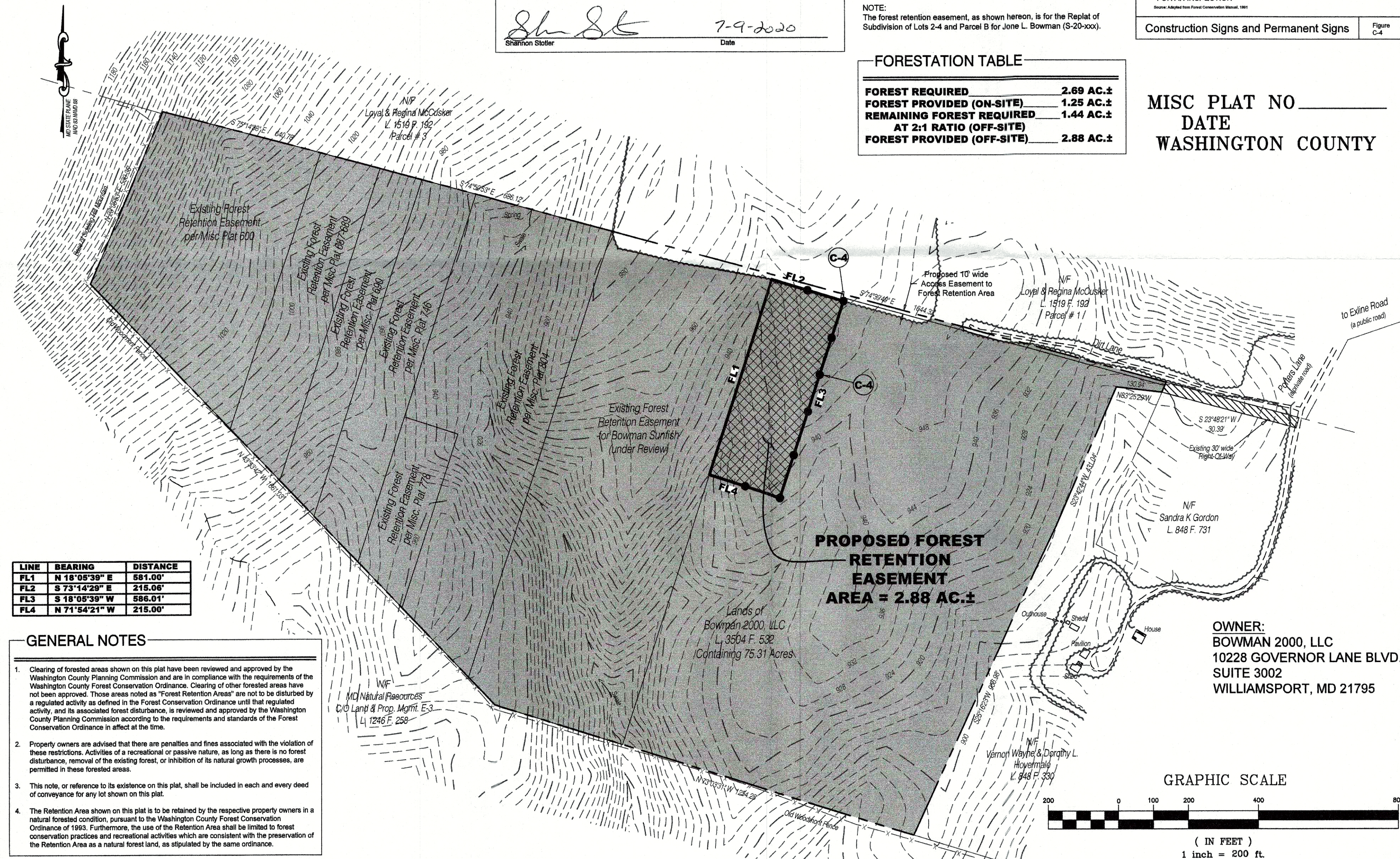
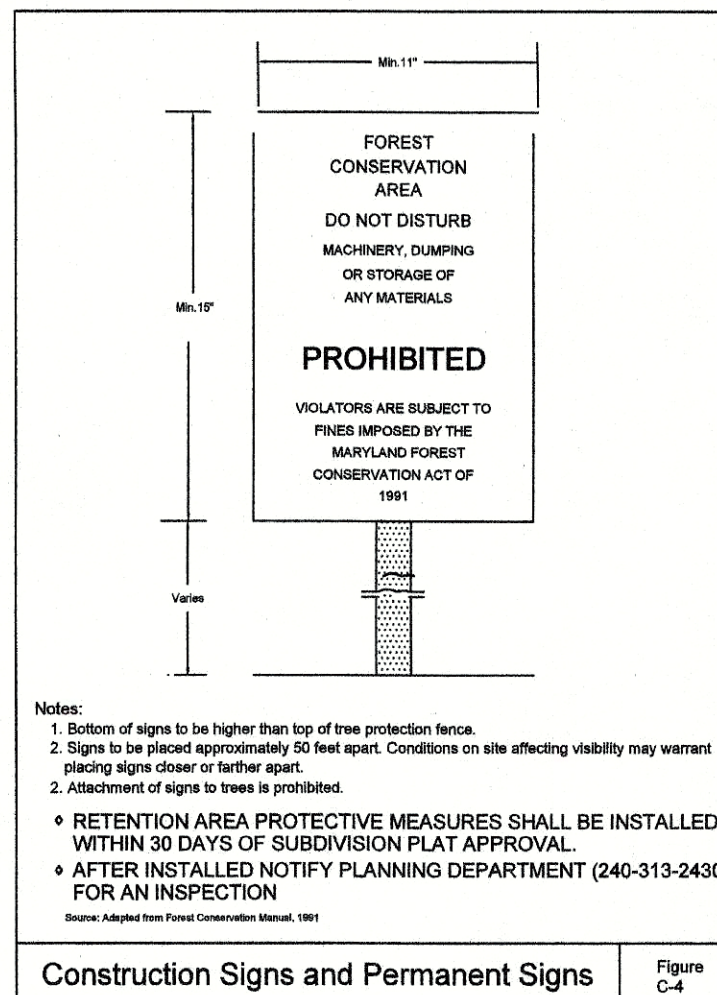
NET TRACT AREA	
A. Total Tract Area	= 14.73 Ac.
B. Deductions	= 1.26 Ac.
C. Net Tract Area	= 13.47 Ac.
LAND USE CATEGORY MDR	
D. Afforestation Threshold (Net Tract Area x 20%)	= 2.69 Ac.
E. Conservation Threshold (Net Tract Area x 25%)	= 3.37 Ac.
EXISTING FOREST COVER	
F. Existing Forest Cover within the Net Tract Area	= 0.00 Ac.
G. Area of Forest Above Conservation Threshold	= 0.00 Ac.
BREAK EVEN POINT	
H. Break Even Point	= 0.00 Ac.
I. Forest Clearing Permitted Without Mitigation	= 0.00 Ac.
PROPOSED FOREST CLEARING	
J. Total Area of Forest to be Cleared	= 0.00 Ac.
K. Total Area of Forest to be Retained	= 0.00 Ac.
PLANTING REQUIREMENTS	
L. Reforestation for Clearing Above the Conservation Threshold	= 0.00 Ac.
M. Reforestation for Clearing Below the Conservation Threshold	= 0.00 Ac.
N. Credit for Retention above the Conservation Threshold	= 0.00 Ac.
P. Total Reforestation Required	= 0.00 Ac.
Q. Total Afforestation Required	= 2.69 Ac.
R. Total Planting Requirement	= 2.69 Ac.
or 117,178.4 S.F.	

NOTE:
The forest retention easement, as shown hereon, is for the Replat of Subdivision of Lots 2-4 and Parcel B for Jone L. Bowman (S-20-xxx).

FORESTATION TABLE

FOREST REQUIRED	2.69 AC.±
FOREST PROVIDED (ON-SITE)	1.25 AC.±
REMAINING FOREST REQUIRED AT 2:1 RATIO (OFF-SITE)	1.44 AC.±
FOREST PROVIDED (OFF-SITE)	2.88 AC.±

MISC PLAT NO _____
DATE _____
WASHINGTON COUNTY



GENERAL NOTES

- Clearing of forested areas shown on this plat have been reviewed and approved by the Washington County Planning Commission and are in compliance with the requirements of the Washington County Forest Conservation Ordinance. Clearing of other forested areas have not been approved. Those areas noted as "Forest Retention Areas" are not to be disturbed by a regulated activity as defined in the Forest Conservation Ordinance until that regulated activity, and its associated forest disturbance, is reviewed and approved by the Washington County Planning Commission according to the requirements and standards of the Forest Conservation Ordinance in effect at the time.
- Property owners are advised that there are penalties and fines associated with the violation of these restrictions. Activities of a recreational or passive nature, as long as there is no forest disturbance, removal of the existing forest, or inhibition of its natural growth processes, are permitted in these forested areas.
- This note, or reference to its existence on this plat, shall be included in each and every deed of conveyance for any lot shown on this plat.
- The Retention Area shown on this plat is to be retained by the respective property owners in a natural forested condition, pursuant to the Washington County Forest Conservation Ordinance of 1993. Furthermore, the use of the Retention Area shall be limited to forest conservation practices and recreational activities which are consistent with the preservation of the Retention Area as a natural forest land, as stipulated by the same ordinance.



JONE L. BOWMAN

SITUATE ALONG THE WESTERN SIDE OF PORTERS LANE AND EXLINE ROAD
EAST OF RISER ROAD, SOUTH OF NATIONAL PIKE US ROUTE 40

WASHINGTON COUNTY, MARYLAND

DONALD BOWMAN
10228 GOVERNOR LANE BLVD. SUITE 3002 WILLIAMSPORT, MD 21795

PROJECT NO.	5598
DWN BY	DWH
DATE	07/07/2020
PROJECT MANAGER	EMAIL
TAX MAP GRID-PARCEL	0015-0023-0032
SCALE	1" = 200'
SHEET TITLE	

FOREST RETENTION
EASEMENT PLAT

C-102
SHEET 2 OF 2



WASHINGTON COUNTY SOIL CONSERVATION DISTRICT

1260 Maryland Avenue, Suite 101 • Hagerstown, MD 21740
(301)797-6821, Ext. 3

facebook.com/wcscd
www.conservaionplace.com

TO: Jill Baker, Director
Travis Allen, Comprehensive Planner
Department of Planning and Zoning

FROM: Elmer D. Weibley, CPESC, District Manager
Dee Price, CESSWI, Urban Program Director

DATE: August 20, 2020

SUBJECT: FCA Candidates

A handwritten signature in blue ink, appearing to be "EDW", is written over the name "Elmer D. Weibley" in the "FROM:" line.

We have attached information regarding three landowners, who have expressed interest in moving forward with creating a Forest Conservation Easement, on the properties. All the sites were evaluated and scored using the adopted ranking criteria.

We have provided the information below for each site, as well as, a summary spreadsheet with our cost estimates and ranking scores:

1. Map of subject property
2. Descriptive paragraph for each property prepared by the DNR County Forester, Aaron Cook
3. Project Ranking Sheet
4. Real Property Data Search

We look forward to presenting these candidates for consideration at the September Planning Commission Meeting and will be happy to answer any questions and provide any further information at that time.

Please contact our office at 301-797-6821, Ext. 3 if you have any questions.

/EDW

District Board of Supervisors

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Chair

J.D. Rinehart
Vice Chair

J. Scott Shank, III
Treasurer

Janet Stiles Fulton
Supervisor

Edward C. Wurmb, D.V.M.
Supervisor

Boyd Michael
Associate

J. Tyler Harp
Associate

FOREST CONSERVATION FUND PAYMENT IN LIEU CANDIDATE SITES FALL 2020

PROJECT/LANOWNER NAME	PLANTING ACRES	EXISTING FOREST ACRES	COST ESTIMATE	RANKING SCORE
Dirk and Nancy DeVault	0	20.73	\$53,452	60
Gary and Brenda Beachley	0	9.6	\$26,240	55
Jeffery and Susan Lescaleett	0	40.44	\$102,156	49
Total Funds Required			\$181,848	
5% Contingency			\$9,100	
Total Acres Protected*		70.77		
* Cost per Acre protected=\$2,698/ac-\$.06/sqft				
Total Funding Request			\$190,948	
Forest Conservation Fund Balance Less Encumbered Funds as of 8/5/20			\$375,470	
Forest Conservation Fund balance after project completion			\$184,522	

Dirk & Nancy DeVault Forest Conservation Easement

16315 & 16323 Shinham Road
Hagerstown, MD 21740

MPV: 22-13-010-250
20.73 ac.



150 75 0 150 300 450 600
Feet



Landowner: Devault, Shinham Road Tract

Prepared by: Aaron Cook, Forester

The potential easement area encompasses an undetermined acreage of existing forest areas on the property, primarily along the floodplain and adjacent slopes overlooking Tom's Run, which flows through the center of the tract. This parcel (map 9, parcel 122, 26.96 acres in size) occupies rolling to steep topography along nearly 1,320 linear feet of Tom's Run and several tributaries. As such, much of the property occurs along a major stream terrace to Conococheague Creek and is highly dissected by Toms Run and its ephemeral tributaries, flowing southwest through the property before joining the Conococheague to the south. Almost all of the property was historically utilized for agricultural purposes, remaining relatively open until mid-1970s when intensive agricultural practices were abandoned. Following cessation of these agricultural uses, the current early successional forest dominated by a mixture of black cherry, black locust, black walnut, mulberry and ash began to reclaim the open fields; along with invasive autumn-olive and multiflora rose. The areas immediately adjacent to the ephemeral drainages and Toms Run have been lightly wooded for some time, allowing an older mixed oak-hardwood forest type dominated by northern red oak, black oak, shagbark hickory, and American sycamore to establish. Access is limited given the nature of the terrain and dense nature of the understory, portions of the site north of Tom's Run are landlocked, but accessible by foot.



Maryland Forest Service

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**WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE
PAYMENT IN LIEU PROGRAM
EXISTING FOREST PROJECT RANKING CRITERIA**

PROJECT NAME

DIRK & NANCY DEVAULT

TO BE CONSIDERED FOR PROGRAM INCLUSION, THE EXISTING FOREST MUST MEET THE DEFINITION OF "FOREST" CONTAINED IN THE WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE

Ranking Factor	Description	Maximum Total Points	Score	Notes
1	Adjacent to perennial or intermittent stream Perennial stream (10 pts.), Intermittent (5 pts.), No stream (0 pts.)	10	10	
2	Connects forest "Islands" creating forested corridors Forested corridor is at least 300' wide (10 pts.), 200' wide (5 pts.), does not create corridor (0 pts.)	10	0	
3	Adjacent to critical habitat Adjacent to Class III Trout Waters with natural populations of trout (10 pts.), within Class III watershed (5 pts), wetlands (3 pts.), No critical habitats (0 pts.)	10	0	
4	Contiguous forest cover Easement will increase forest to 100 acre block (5pts.), 50 acres(3 pts.), will not adjoin existing forest (0 pts.)	5	0	
5	100 year floodplain Easement will cover 100% of 100 year forested floodplain (5 pts.), 50% (3 pts.), 0% (0 pts.)	5	5	Easement will protect 100% of the flood plain on the property.
6	Site access Easily accessible , maintenance and long term monitoring, (10 pts)	10	10	
7	Site conditions, including control of non-native/invasive plant species Adequately stocked forest of predominately native tree and shrub species of good health and vigor(10 pts.,) over or under stocked forest with no greater than 20% non-native/invasive species and landowner has demonstrated commitment to control (5 pts.), requires extensive invasive control (0 pts.)	10	10	
8	Total existing forest area > 5 acres (10 pts.), 2-5 acres (5 pts.), < 2 acres (1 pt.)	10	10	
	Watershed location Located in Antietam or Conococheague watershed (10 pts.)	10	10	
9	Sensitive species Identified Sensitive species area Identified for site and no adverse effects from project (5pts.), no sensitive species area Identified for site, (0pts.)	5	5	***
TOTAL POINTS POSSIBLE		85	60	

*** Forest Interior Dwelling Sensitive Species

*** DNR Biodiversity Conservation Network Tier 5 - Significant for Biodiversity Conservation

Real Property Data Search (w3)

Search Result for WASHINGTON COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: AGRICULTURAL TRANSFER TAX			
Exempt Class: None					
Account Identifier:		District - 13 Account Number - 010250			
Owner Information					
Owner Name:		DEVAULT NANCY		Use:	AGRICULTURAL
Mailing Address:		16315 SHINHAM RD HAGERSTOWN MD 21740-2209		Principal Residence:	NO
				Deed Reference:	/05846/ 00330
Location & Structure Information					
Premises Address:		SHINHAM RD HAGERSTOWN 0-0000		Legal Description:	PTLT2/3 TR A 20.73AC SHINHAM ROAD WEST OF CEARFOSS
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0009	0021	0122	13010330.22	0000	
					Block:
					2 3
					Assessment Year:
					2020
					Plat No:
					Plat Ref:
Special Tax Areas: None			Town: None		
			Ad Valorem: None		
			Tax Class: None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				20.7300 AC	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Garage					
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of	
				01/01/2017	
Land:		3,800		3,800	
Improvements		0		0	
Total:		3,800		3,800	
Preferential Land:		3,800		3,800	
Phase-in Assessments					
				As of	
				07/01/2019	
				As of	
				07/01/2020	
Transfer Information					
Seller: LOPER KEYE N		Date: 10/03/2018		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05846/ 00330		Deed2:	
Seller:		Date:		Price: \$0	
Type:		Deed1: /00585/ 00578		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Tax Exempt: None		Special Tax Recapture: AGRICULTURAL TRANSFER TAX			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					

Gary & Brenda Beachley
Forest Conservation Easement
Lots 1 & 2

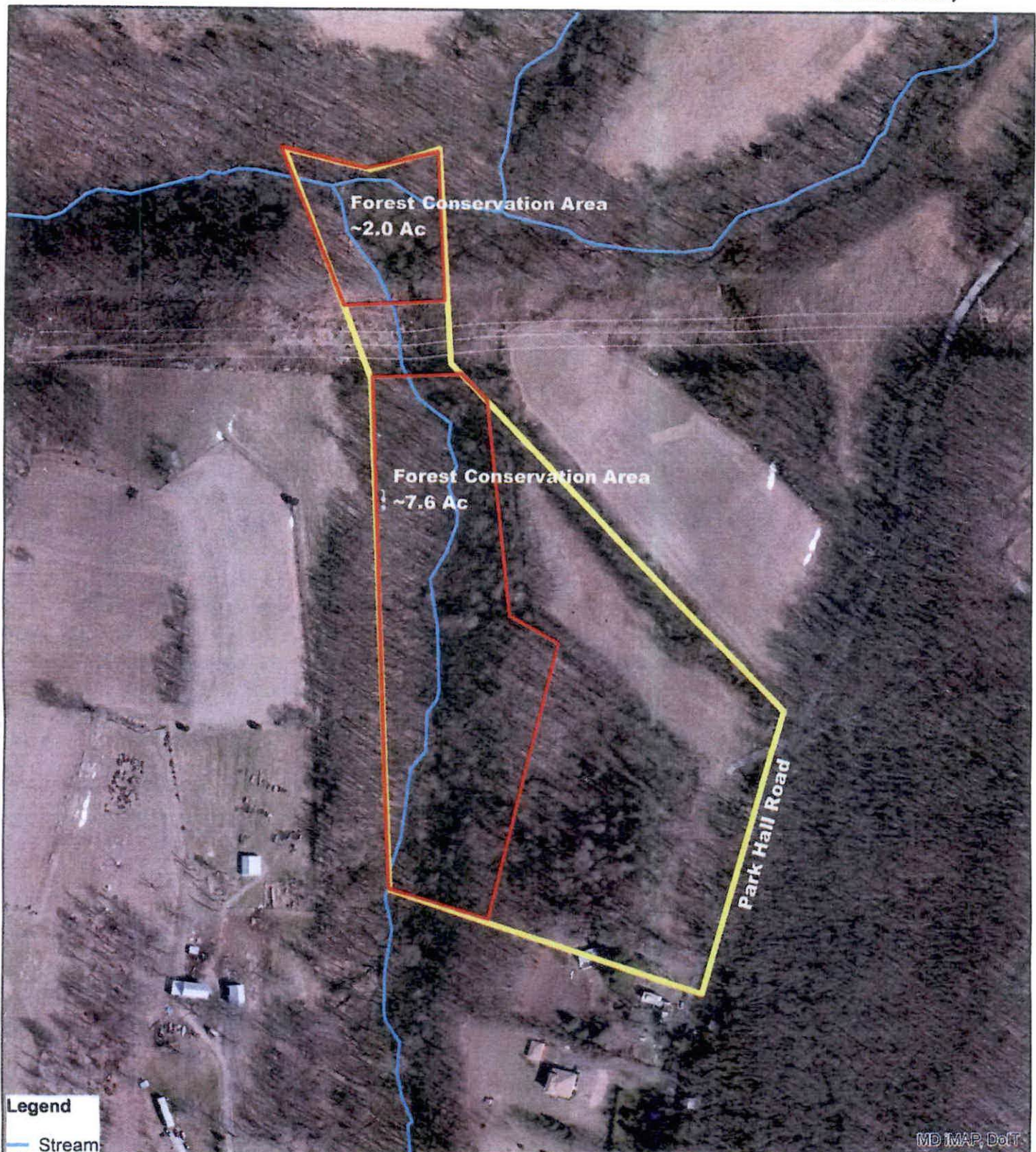
Date: 9/23/2019

Approximate Acres: 19.16

Legal Description: MPV: 22-08-017514 (12.69 Ac, Lot 1), -012199 (6.47 Ac, Lot 2)

Field Office: WASHINGTON COUNTY SERVICE CENTER

Assisted By: Ginger Noble
& Elmer Weibley



300 0 300 600
Feet





Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

Landonwer: Beachley, Park Hall Road Tract

Prepared by: Aaron Cook, Forester
AMC

The potential easement area is located on the west slope of South Mountain and encompasses an undetermined acreage of existing forest areas on the property, primarily along the floodplain and adjacent steep slopes overlooking the Dog Creek and an unnamed tributary, which meets Dog Creek in the northwest corner of the site. This parcel (map 78, parcel 77, lots 1 & 2, 12.69 and 6.47 acres in size, respectively) occupies a mosaic of open meadow, utility right-of-way, and mixed oak-hardwood forest. The forest composition is defined by a combination of thin, rocky soil, aspect, and past harvests. Areas with northern aspects and along the floodplain of Dog Creek and its tributary are dominated by an uneven aged mixture of small sawtimber sized yellow-poplar and mixed oak. The understory in these areas is more uniform woody shrub layer of witch-hazel and spicebush. Portions of the western facing aspects were commercially harvested in the mid-2000s, resulting in a residual forest of scattered sawtimber sized chestnut oak and a younger, densely stocked, midstory of regenerated poletimber sized yellow-poplar and red maple. Areas not incorporated into the past harvest are adequately stocked with a mixed oak overstory and sparse ericaceous understory with thickets of chestnut oak seedlings.



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**WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE
PAYMENT IN LIEU PROGRAM
EXISTING FOREST PROJECT RANKING CRITERIA**

PROJECT NAME

GARY & BRENDA BEACHLEY (PARK HALL ROAD TRACT)

TO BE CONSIDERED FOR PROGRAM INCLUSION, THE EXISTING FOREST MUST MEET THE DEFINITION OF "FOREST" CONTAINED IN THE WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE

Ranking Factor		Description	Maximum Total Points	Score	Notes
1	Adjacent to perennial or intermittent stream	Perennial stream (10 pts.), Intermittent (5 pts.), No stream (0 pts.)	10	10	
2	Connects forest "Islands" creating forested corridors	Forested corridor is at least 300' wide (10 pts.), 200' wide (5 pts.), does not create corridor (0 pts.)	10	0	
3	Adjacent to critical habitat	Adjacent to Class III Trout Waters with natural populations of trout (10 pts.), within Class III watershed (5 pts), wetlands (3 pts.), No critical habitats (0 pts.)	10	0	
4	Contiguous forest cover	Easement will increase forest to 100 acre block (5pts.), 50 acres(3 pts.), will not adjoin existing forest (0 pts.)	5	0	
5	100 year floodplain	Easement will cover 100% of 100 year forested floodplain (5 pts.), 50% (3 pts.), 0% (0 pts.)	5	0	Easement will protect 100% of the flood plain on the property.
6	Site access	Easily accessible , maintenance and long term monitoring, (10 pts)	10	10	
7	Site conditions, including control of non-native/invasive plant species	Adequately stocked forest of predominately native tree and shrub species of good health and vigor(10 pts.,) over or under stocked forest with no greater than 20% non-native/invasive species and landowner has demonstrated commitment to control (5 pts.), requires extensive invasive control (0 pts.)	10	10	
8	Total existing forest area	> 5 acres (10 pts.), 2-5 acres (5 pts.), < 2 acres (1 pt.)	10	10	
	Watershed location	Located in Antietam or Conococheague watershed (10 pts.)	10	10	
9	Sensitive species Identified	Sensitive species area Identified for site and no adverse effects from project (5pts.), no sensitive species area Identified for site, (0pts.)	5	5	***
TOTAL POINTS POSSIBLE			85	55	

*** Forest Interior Dwelling Sensitive Species

*** DNR Biodiveristy Conservation Network Tier 5 - Significant for Biodiversity Conservation

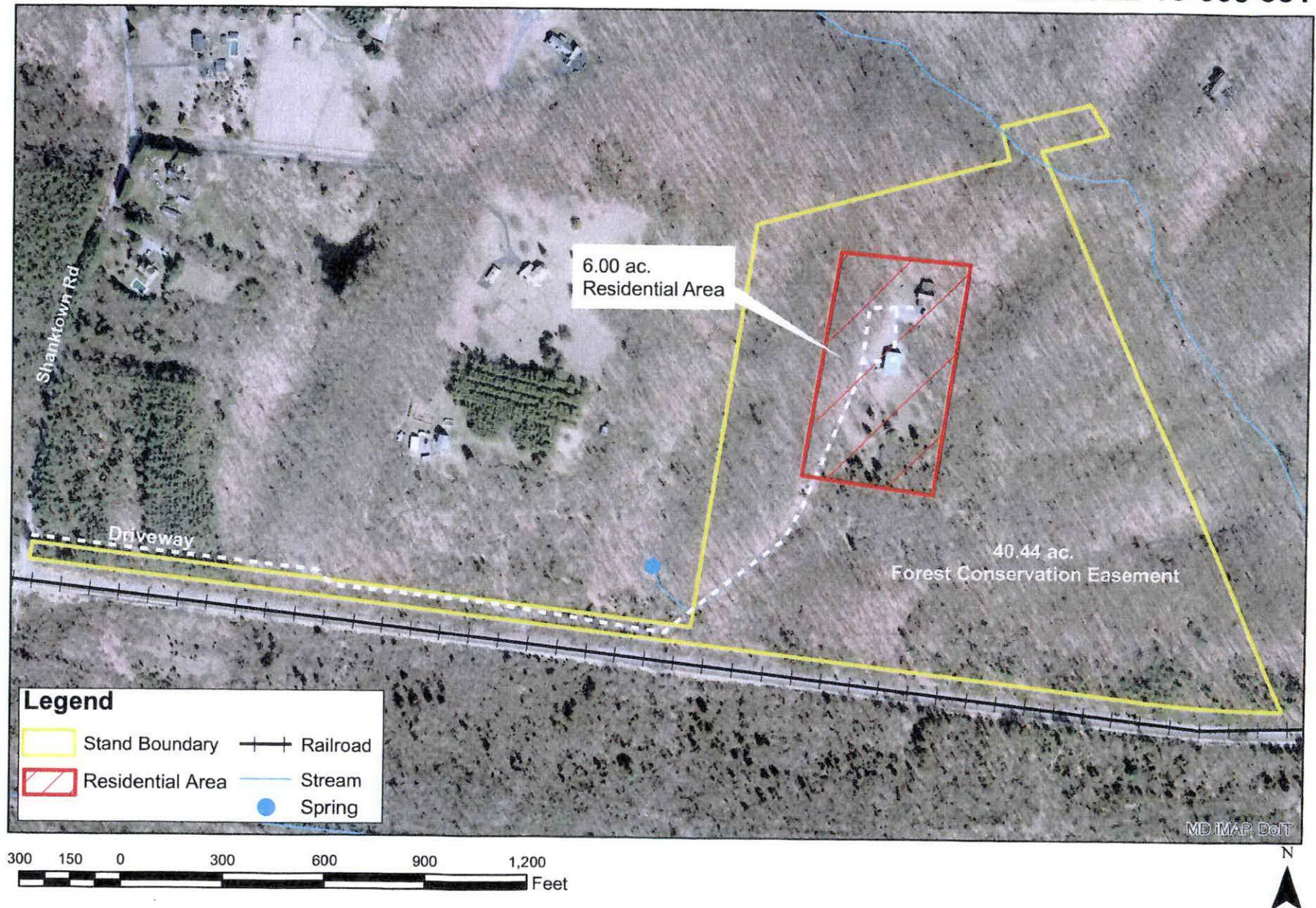
Search Result for WASHINGTON COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		AGRICULTURAL TRANSFER TAX								
Account Identifier:		District - 08 Account Number - 012199								
Owner Information										
Owner Name:		BEACHLEY GARY L BEACHLEY BRENDA K				Use:		AGRICULTURAL		
Mailing Address:		10 BEDROCK LN KEEDYSVILLE MD 21756-1304				Principal Residence:		NO		
						Deed Reference:		/02149/ 00464		
Location & Structure Information										
Premises Address:		21130 PARK HALL RD ROHRERSVILLE 21779-0000				Legal Description:		LOT 2 6.47 ACRES 21130 PARK HALL ROAD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	8890
0078	0007	0077		0000			2	2018	Plat Ref:	
Special Tax Areas:				Town:				NONE		
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
						6.4700 AC				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2018		07/01/2018		07/01/2019		
Land:		1,200		1,200						
Improvements		0		0						
Total:		1,200		1,200		1,200		1,200		
Preferential Land:		1,200						1,200		
Transfer Information										
Seller: REICH JUNE K				Date: 10/03/2003		Price: \$150,000				
Type: ARMS LENGTH VACANT				Deed1: /02149/ 00464		Deed2:				
Seller: KELLER URSULA B				Date: 02/25/1997		Price: \$0				
Type: NON-ARMS LENGTH OTHER				Deed1: /01321/ 00422		Deed2:				
Seller: GOVER S CLARK & URSULA B KELLER				Date: 05/31/1990		Price: \$0				
Type:				Deed1: /00956/ 00494		Deed2:				
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		AGRICULTURAL TRANSFER TAX								
Homestead Application Information										

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		AGRICULTURAL TRANSFER TAX			
Account Identifier:		District - 08 Account Number - 017514			
Owner Information					
Owner Name:		BEACHLEY GARY L BEACHLEY BRENDA K		Use:	AGRICULTURAL
Mailing Address:		10 BEDROCK LN KEEDYSVILLE MD 21756-1304		Principal Residence:	NO
				Deed Reference:	/02149/ 00464
Location & Structure Information					
Premises Address:		21136 PARK HALL RD ROHRERSVILLE 21779-0000		Legal Description:	LOT 1 12.69 ACRES 21136 PARK HALL ROAD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: 8890
0078	0007	0077		0000	1 2018 Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	Property Land Area 12.6900 AC
					County Use 000000
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2018	As of 07/01/2018	As of 07/01/2019
Land:		2,300	2,300		
Improvements		0	0		
Total:		2,300	2,300	2,300	2,300
Preferential Land:		2,300			2,300
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2018	07/01/2019	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		AGRICULTURAL TRANSFER TAX			
Homestead Application Information					
Homestead Application Status: No Application					

JEFFERY & SUSAN LESCALLEET
Forest Conservation Easement
40.44 ac.

10701 Shanktown Road
Big Pool, MD 21711
MPV: 22-15-005-831





Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

Landowner: Lescalleet

Prepared by: Aaron Cook, Forester

The potential easement area encompasses an undetermined acreage of existing forest areas on the property. This parcel (map 45, parcel 173, 46.44 acres in size) occupies rolling to steep topography as much of the property occurs along a major stream terrace to the Potomac River and is highly dissected by several ephemeral tributaries, flowing south through the property before joining the Potomac to the south. A small area of the property was historically utilized for agricultural purposes, remaining relatively open until mid-1970s when intensive agricultural practices were abandoned. Following cessation of these agricultural uses, the current early successional forest dominated by a mixture of black cherry, black locust, black walnut, Virginia pine, and ash began to reclaim the open fields; along with invasive autumn-olive and multiflora rose. The remaining areas are composed of older mixed oak forest. This forest was selectively logged in 2020, the harvest left a desirable mixture of saw and poletimber size white oak and mixed oak, while creating enough disturbance to allow oak regeneration an opportunity to establish in the future.



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**WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE
PAYMENT IN LIEU PROGRAM
EXISTING FOREST PROJECT RANKING CRITERIA**

PROJECT NAME

JEFFERY & SUSAN LESCALEET

TO BE CONSIDERED FOR PROGRAM INCLUSION, THE EXISTING FOREST MUST MEET THE DEFINITION OF "FOREST" CONTAINED IN THE WASHINGTON COUNTY FOREST CONSERVATION ORDINANCE

Ranking Factor	Description	Maximum Total Points	Score	Notes
1	Adjacent to perennial or intermittent stream Perennial stream (10 pts.), Intermittent (5 pts.), No stream (0 pts.)	10	10	
2	Connects forest "Islands" creating forested corridors Forested corridor is at least 300' wide (10 pts.), 200' wide (5 pts.), does not create corridor (0 pts.)	10	0	
3	Adjacent to critical habitat Adjacent to Class III Trout Waters with natural populations of trout (10 pts.), within Class III watershed (5 pts), wetlands (3 pts.), No critical habitats (0 pts.)	10	0	
4	Contiguous forest cover Easement will increase forest to 100 acre block (5pts.), 50 acres(3 pts.), will not adjoin existing forest (0 pts.)	5	4	Adjoins the Beachley tract to create a 70 acre forest easement block.
5	100 year floodplain Easement will cover 100% of 100 year forested floodplain (5 pts.), 50% (3 pts.), 0% (0 pts.)	5	0	
6	Site access Easily accessible , maintenance and long term monitoring, (10 pts)	10	10	
7	Site conditions, including control of non-native/invasive plant species Adequately stocked forest of predominately native tree and shrub species of good health and vigor(10 pts.,) over or under stocked forest with no greater than 20% non-native/invasive species and landowner has demonstrated commitment to control (5 pts.), requires extensive invasive control (0 pts.)	10	10	
8	Total existing forest area > 5 acres (10 pts.), 2-5 acres (5 pts.), < 2 acres (1 pt.)	10	10	
	Watershed location Located in Antietam or Conococheague watershed (10 pts.)	10	0	
9	Sensitive species Identified Sensitive species area Identified for site and no adverse effects from project (5pts.), no sensitive species area Identified for site, (0pts.)	5	5	***
TOTAL POINTS POSSIBLE		85	49	

*** Forest Interior Dwelling Sensitive Species

*** DNR Biodiveristy Conservation Network Tier 4 - Moderately Significant for Biodiversity Conservation
Targeted Ecological Area

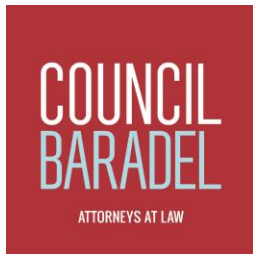
***DNR

Real Property Data Search (w1)

Search Result for WASHINGTON COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: AGRICULTURAL TRANSFER TAX		
Account Identifier: District - 15 Account Number - 005831		
Owner Information		
Owner Name:	LESCALLEET JEFFREY L & LESCALLEET SUSAN J	Use: AGRICULTURAL Principal Residence: YES
Mailing Address:	10701 SHANKTOWN RD BIG POOL MD 21711-1323	Deed Reference: /01198/ 00735
Location & Structure Information		
Premises Address:	10701 SHANKTOWN RD BIG POOL 21711-0000	Legal Description: 46.44 ACRES ROW E OF SHANKTOWN RD FT FREDERICK MT VIEW EST
Map: 0045	Grid: 0022	Parcel: 0173
Neighborhood: 15010022.22	Subdivision: 0148	Section:
Block:	Lot: 13	Assessment Year: 2018
Plat No: 941	Plat Ref:	
Town: None		
Primary Structure Built 1992	Above Grade Living Area 2,232 SF	Finished Basement Area
		Property Land Area 46.4400 AC
County Use		
Stories 2	Basement YES	Type STANDARD UNIT
Exterior FRAME/	Quality 4	Full/Half Bath 2 full
Garage 1 Attached		Last Notice of Major Improvements
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	73,500	73,500
Improvements	137,300	137,000
Total:	210,800	210,500
Preferential Land:	8,500	8,500
		210,500
		210,500
Transfer Information		
Seller: BRANCH DONOVAN N & JANE E	Date: 12/21/1990	Price: \$95,000
Type: ARMS LENGTH IMPROVED	Deed1: /01198/ 00735	Deed2:
Seller: LONG JOHN E	Date: 07/08/1988	Price: \$500
Type: NON-ARMS LENGTH OTHER	Deed1: /00882/ 00241	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: AGRICULTURAL TRANSFER TAX		
Homestead Application Information		
Homestead Application Status: Approved 03/21/2011		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

1. This screen allows you to search the Real Property database and display property records.



BRITT G. RIFE
Writer's E-Mail: Rife@CouncilBaradel.com
Writer's Telephone Extension: 3451

September 17, 2020

VIA ELECTRONIC MAIL

Mr. Ashley R. Holloway
Director of Plan Review & Permitting/Zoning Administrator
80 W. Baltimore Street
Hagerstown, Maryland 21740

Re: 17165 Black Stallion Lane, Hagerstown (the "Property")

Dear Mr. Holloway,

As I indicated in my letter of August 19, I represent and am contacting you on behalf of the contract purchaser ("Purchaser") of the captioned Property. In that letter, I had requested that you determine whether a change in the use of the property from an elderly assisted living center to residential addiction treatment, counseling and support center would require further approval of County authorities. You responded that the Property's use would need to be recategorized from that of an Assisted Living Facility to a Transitional or Sheltered Care Facility, and thus would require a Planning Commission hearing.

Accordingly, please allow this letter to serve as Purchaser's formal request for a hearing on this matter at the Planning Commission's October 5 meeting.

As stated in my earlier letter, Purchaser's prospective tenant, Hilda's Place, is interested in operating at the Property a facility that would provide addiction and other psychological counseling and support services in a residential setting.

Hilda's Place ("Tenant"), a non-profit organization, is interested in the Property precisely because the Property formerly hosted an elderly assisted care facility (Clearview Nursing Home), which can be converted to an addiction treatment facility with very little effort. This is, of course, because the operations are so similar. Like Clearview, Tenant will be providing living quarters and group meals to those in its care. Tenant will have the same need of the resident rooms, kitchen and toilet facilities that Clearview utilized. The only practical difference

between the operations of Clearview and Hilda's Place has to do with the needs of the care recipients.

Ordinarily, it seems that the Planning Commission would review the existing site plan for a property that is subject to a change in use in an RB Zone. In this case, it happens that no site plan is currently on file with the County, given that the original structures have been in place since 1964, prior to the RB Zone designation and various site plan requirements. Nevertheless, I have enclosed a survey of property from 1994, together with a recent aerial photograph, each of which reflects the current configuration of the Property. Owing to the similarity of the previous use of the Property and Tenant's proposed use, Tenant has no need to reconfigure the Property. Its building, its parking area and its vehicular entrances will undergo no change. For all purposes, the exterior, physical attributes of the Property will remain as they are.

From the perspective of County residents, the only change will be the community that is served at the Property. As we are all aware, the recent opioid crisis has taken a dramatic toll upon public health and public order and has severely tested County resources. Tenant's mission is to ameliorate the troubling effects of this crisis. Indeed, the County Health Department recognizes the potential contribution Tenant can make in public efforts to combat this scourge. It has endorsed Tenant's operations at the Property, as evidenced by the enclosed letter. Tenant plans to conduct its services under a public-private partnership, with oversight from public health agencies.

For all the promise that Tenant's operations hold, they create no imposition upon the surrounding neighborhood. Tenant's operations do not involve intensive medical treatments, such as detoxification or the administration of methadone or similar drugs. The residents are simply in need of counseling, encouragement and a place to recuperate. It is not at all unlike what was offered the residents of Clearview.

Nor would Tenant's operations increase traffic to the Property. Like Clearview, Hilda's Place is a *residential* treatment facility with 24-hour care and supervision. Services are not conducted by hourly appointment. Rather, they are provided throughout the day to those who reside at the Property. Indeed, given the nature of Tenant's operations, there will likely be less traffic at the Property, given that the residents will have fewer visitors.

As you are aware, Section 5.E.7 of the Zoning Ordinance provides that the Planning Commission shall determine "whether or not there has been a significant change in the use and intensity of the property that could result in the need for a new public hearing to approve the changed use." In light of the foregoing, we believe that it is evident that the proposed change in use does not represent a "significant change". Rather, the change is merely one of zoning categories. Tenant's proposed use and the Clearview's former use are functionally similar, given

that no physical reconfiguration of the site, no increase in traffic and no fundamental difference in operations will attend the change in use.

I look forward to your response. Should you have any questions, do not hesitate to contact me. I remain

Very truly yours,

Britt G. Rife



WASHINGTON COUNTY HEALTH DEPARTMENT

925 N Burhans Blvd., • Hagerstown, MD 21742

240-313-3310

<http://washcohealth.org>

September 11, 2020

Theresa Thomas MS, CAC
Hilda's Place Behavioral Health Org

Ms. Thomas,

This letter serves as a letter of support of Hilda's Place establishing a Level 3.1 Residential-Low Intensity Program for Adults in Washington County, Maryland, which will be located at 17165 Black Stallion Lane, Hagerstown, Maryland. Continued expansion of substance use disorder services is critical to the health of our community. As the Local Addiction Authority, I look forward to working with you on this project.

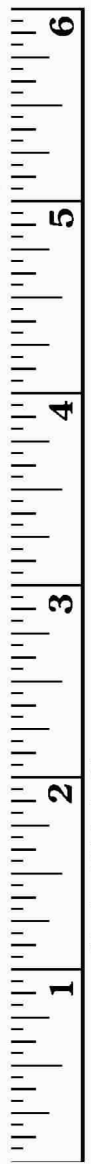
Please feel free to contact me if you have any questions or need additional support.

Sincerely,

A handwritten signature in blue ink, appearing to read "V. Sterjning", followed by the text "LCSW-C" in a stylized, cursive font.

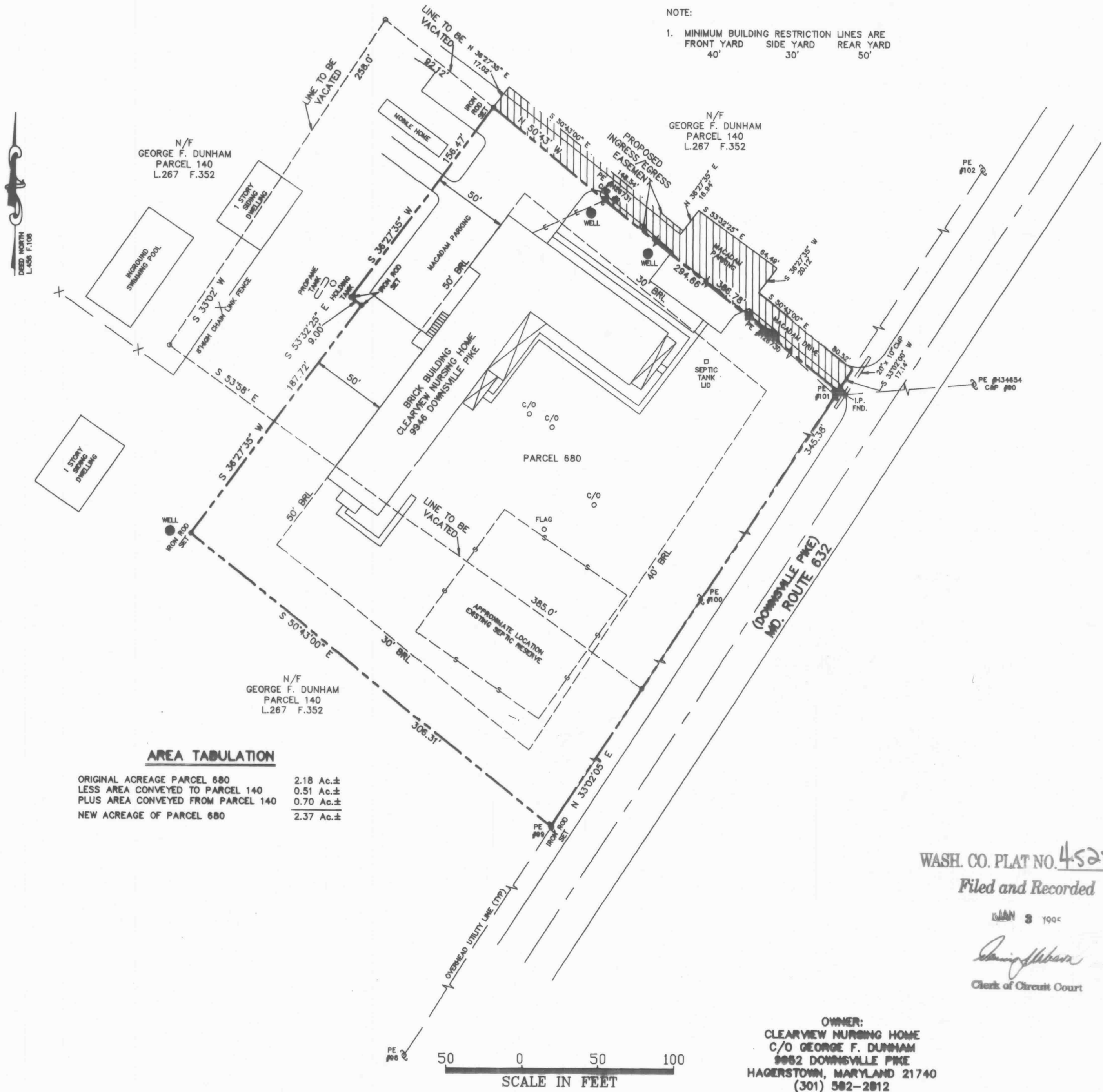
Victoria E. Sterjning, LCSW-C
Director of Behavioral Health
Local Addiction Authority

WASHINGTON COUNTY CIRCUIT COURT (Plats) Plat 4528, MSA_C2167_4556. Date available 1995/01/03. Printed 09/08/2020.



Maryland State Archives

FILE NAME: PLSURV



AREA TABULATION

ORIGINAL ACREAGE PARCEL 680	2.18 Ac.±
LESS AREA CONVEYED TO PARCEL 140	0.51 Ac.±
PLUS AREA CONVEYED FROM PARCEL 140	0.70 Ac.±
NEW ACREAGE OF PARCEL 680	2.37 Ac.±

NOTE:
1. MINIMUM BUILDING RESTRICTION LINES ARE
FRONT YARD 40' SIDE YARD 30' REAR YARD 50'

OWNER:
CLEARVIEW NURSING HOME
C/O GEORGE F. DUNHAM
9952 DOWNSVILLE PIKE
HAGERSTOWN, MARYLAND 21740
(301) 592-2812

ASSOCIATED ENGINEERING SCIENCES, INC.
CIVIL ENGINEERS

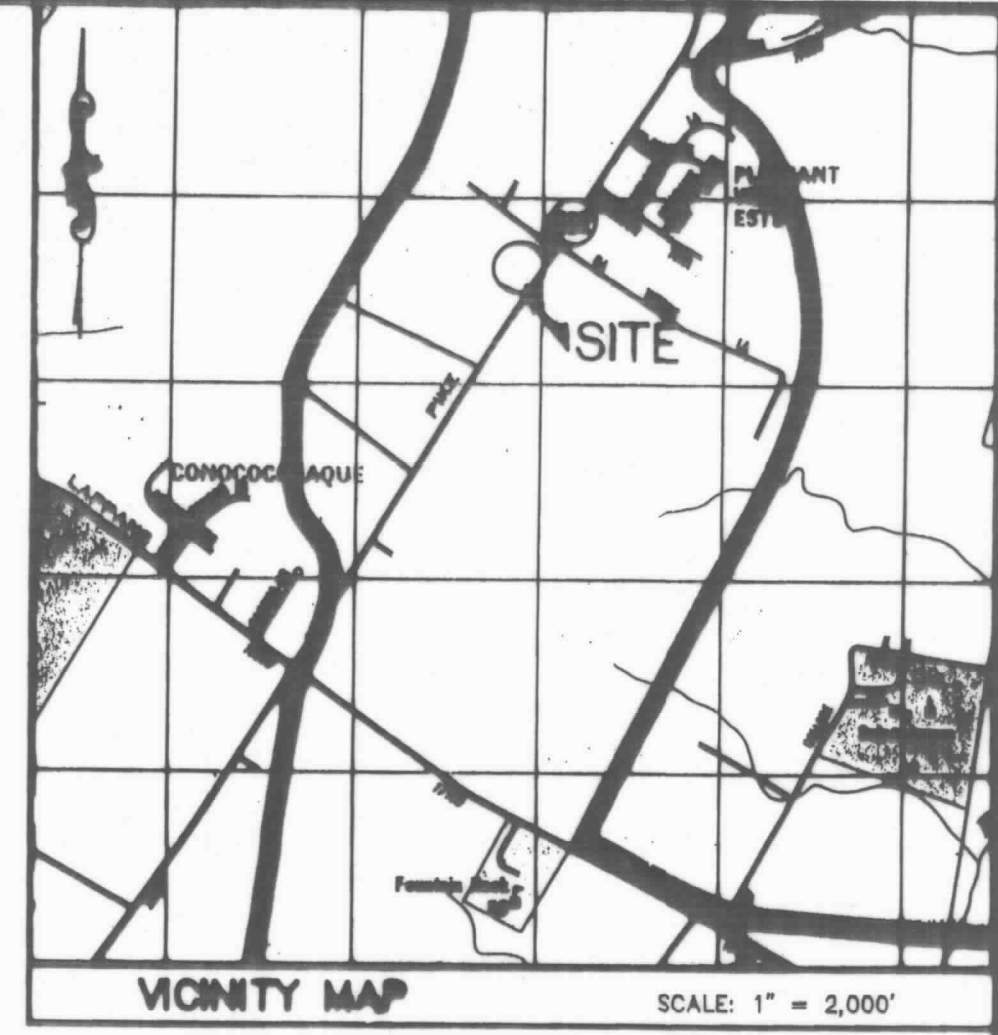
34 WEST FRANKLIN STREET
PHONE: (301) 797 - 9160

WASH. CO. PLAT NO. 4528

Filed and Recorded

JAN 3 1995

David M. Harris
Clerk of Circuit Court



OWNER'S STATEMENT

APPLICATION IS HEREBY MADE FOR APPROVAL OF THE INDICATED TRANSFER OF LAND FOR THE READJUSTMENT OF PROPERTY LINES AND NOT FOR DEVELOPMENT. ANY DEVELOPMENT OF THIS LAND WILL BE SUBMITTED IN THE REGULAR MANNER FOR APPROVAL IN ACCORDANCE WITH THE PROVISIONS OF THE EXISTING SUBDIVISION ORDINANCE.

SIGNED: *George F. Dunham*
OWNERS:

APPROVAL GRANTED 12-27-94
(DATE)

WASHINGTON COUNTY PLANNING COMMISSION
BY: *Robert C. And*
(CHAIRMAN)

APPROVED AS A SUBDIVISION OF LAND NOT FOR DEVELOPMENT WITH THE STIPULATION THAT THE FOREGOING OWNER'S STATEMENT BE A PART OF THE DEED OF CONVEYANCE.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF; THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED BY GEORGE F. DUNHAM TO CLEARVIEW NURSING HOME, INC., A MARYLAND CORPORATION BY DEED DATED JULY 17, 1987, AND RECORDED IN THE LAND RECORDS OF WASHINGTON COUNTY, IN LIBER 458, AT FOLIO 108.

SIGNATURE: *David M. Harris* DATE: 12-22-94
DAVID M. HARRIS RPLS 10978



**SIMPLIFIED PLAT
of
SUBDIVISION
CLEARVIEW NURSING HOME**

TAX MAP: 56, PARCEL 680 ELECTION DISTRICT: 2 ZONED: A JOB NO. 4075

DATE 11-28-94	SCALE 1" = 50'	DRAWN BY LV CHECKED BY DH	SHEET NO. 1 OF 1
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REVISED PER WACO COMMENTS 12-22-94

+
-
Home
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17165 Black Stallion Ln, Hagerst X

Show search results for 17165 Black ...

