

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

#### REVISED AGENDA

#### WASHINGTON COUNTY PLANNING COMMISSION November 2, 2020, 7:00 PM VIRTUAL MEETING ONLY

#### **CALL TO ORDER AND ROLL CALL**

#### **MINUTES**

1. October 5, 2020 Planning Commission regular meeting minutes \*

#### **NEW BUSINESS**

#### **MODIFICATIONS**

1. Mark A. Grove [OM-20-009] Modification to create a previous simplified parcel to a building lot without public road frontage located south of Dry Run Road; Zoning: A(R) – Agricultural Rural; Planner: Lisa Kelly \*

#### PRELIMINARY CONSULTATION

1. Foxberry Farms, Lots 8-14 [PC-20-003] Preliminary consultation for Foxberry Farms, Lots 8-14 along the west side of Leitersburg/Chewsville Road; Zoning: A(R) – Agricultural Rural; Planner: Lisa Kelly \*

#### **FOREST CONSERVATION**

 Potomac Edison Ringgold Substation [SP-20-015] Request to use off-site forest retention to meet requirements of the Washington County Forest Conservation Ordinance for property located at 12918 Bikle Road; Zoning: BG – Business General; Planner: Travis Allen \*

#### **OTHER BUSINESS**

- 21036 National Pike Request for a change of use from a recreation center to an automotive repair business located at 21036 National Pike; Zoning: RB – Rural Business; Planner: Ashley Holloway \*
- 2. **Update of Staff Approvals –** Ashley Holloway
- 3. Demolition Permit 2020-03241 Demolition permit for property at 17705 Millers Sawmill Road, Sharpsburg Jill Baker

#### **ADJOURNMENT**

#### **UPCOMING MEETINGS**

1. Monday, December 7, 2020 – Washington County Planning Commission regular meeting

\*attachments

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.

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



#### 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

#### ORDINANCE MODIFICATION STAFF REPORT

|                                   | BASE INFORMAT               | ION                                    |                           |
|-----------------------------------|-----------------------------|--|---------------------------|
| SITE NAME:                        | Mark A. Grove               |  |                           |
| NUMBER:                           | OM-20-009                   | ·                                      |                           |
| OWNER:                            | GROVE MARK ANDREW           |  |                           |
| LOCATION                          | South of Dry Run Road       |  |                           |
| DESCRIPTION:                      | Modification to create a pr | evious simplified parcel t             | to a building lot without |
|                                   | public road frontage        |  |                           |
| ZONING                            | Agricultural, Rural         |  |                           |
| COMP PLAN LU:                     | Agriculture                 |  |                           |
| PARCEL:                           | 04012542                    |  |                           |
| PLANNING SECTOR:                  | 5                           |  |                           |
| ELECTION DISTRICT:                | 04                          |  |                           |
| ТҮРЕ:                             |                             |  |                           |
| GROSS ACRES:                      | 8.1                         |  |                           |
| DWELLING UNITS:                   |                             |  |                           |
| TOTAL LOTS:                       | 1                           |  |                           |
| DENSITY:                          | N/L Units Per Acre          |  |                           |
| PLANNER:                          | Lisa A Kelly                |  |                           |
| ENGINEER:                         | SHELLY, WITTER & FOX        |  |                           |
| RECEIVED:                         | October 6, 2020             |  |                           |
|                                   | SITE ENGINEERI              | NG                                     |                           |
| HYDROL                            | GRAPHY, SENSITIVE & ENVIRON |  |                           |
| FLOOD ZONE                        | No                          | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | '                         |
| WETLANDS                          | None                        |  |                           |
| WATERSHED                         | Conococheague Creek         |  |                           |
| ENDANGERED SPECIES:               | None                        |  |                           |
| HISTORIC INVENTORY:               | No Resources Present        |  |                           |
| EASEMENTS PRESENT                 | None                        |  |                           |
|                                   | SCHOOL INFORMA              | TION                                   |                           |
| Staff Comments:                   | ELEMENTARY                  | MIDDLE                                 | HIGH                      |
| SCHOOL DISTRICT NOT A PUPIL PIECE | Clear Spring                | Clear Spring                           | Clear Spring              |
| CURRENT ENROLLMENT                |                             |  |                           |
| MAXIMUM CAPACITY                  |                             |  |                           |
|                                   | PUBLIC FACILITIES INFO      | RMATION                                |                           |
| FIRE DISTRICT:                    | CLEAR SPRING                |  |                           |
| AMBULANCE DISTRICT:               | CLEAR SPRING                |  |                           |
|                                   | WATER & SEWER INFO          | RMATION                                |                           |
|                                   | WATER                       |  | SEWER                     |
| METHOD:                           | Well/Cistern                |  | Septic Tank               |



#### 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

| SERVICE AREA:           | Well                      | Septic                      |
|-------------------------|---------------------------|-----------------------------|
| PRIORITY:               | 7-No Planned Service-Well | 7-No Planned Service-Septic |
| NEW HYDRANTS:           |                           |                             |
| GALLONS PER DAY SEWAGE: |                           |                             |
| PLANT INFO:             |                           | None                        |



RECEIVED

SEP 2 9 2020

## DIVISION OF PLAN REVIEW & PERMITTING

WASHINGTON COUNTY PLAN REVIEW DEPARTMENT

## WASHINGTON COUNTY PLANNING COMMISSION APPLICATION FOR SUBDIVISION ORDINANCE MODIFICATION

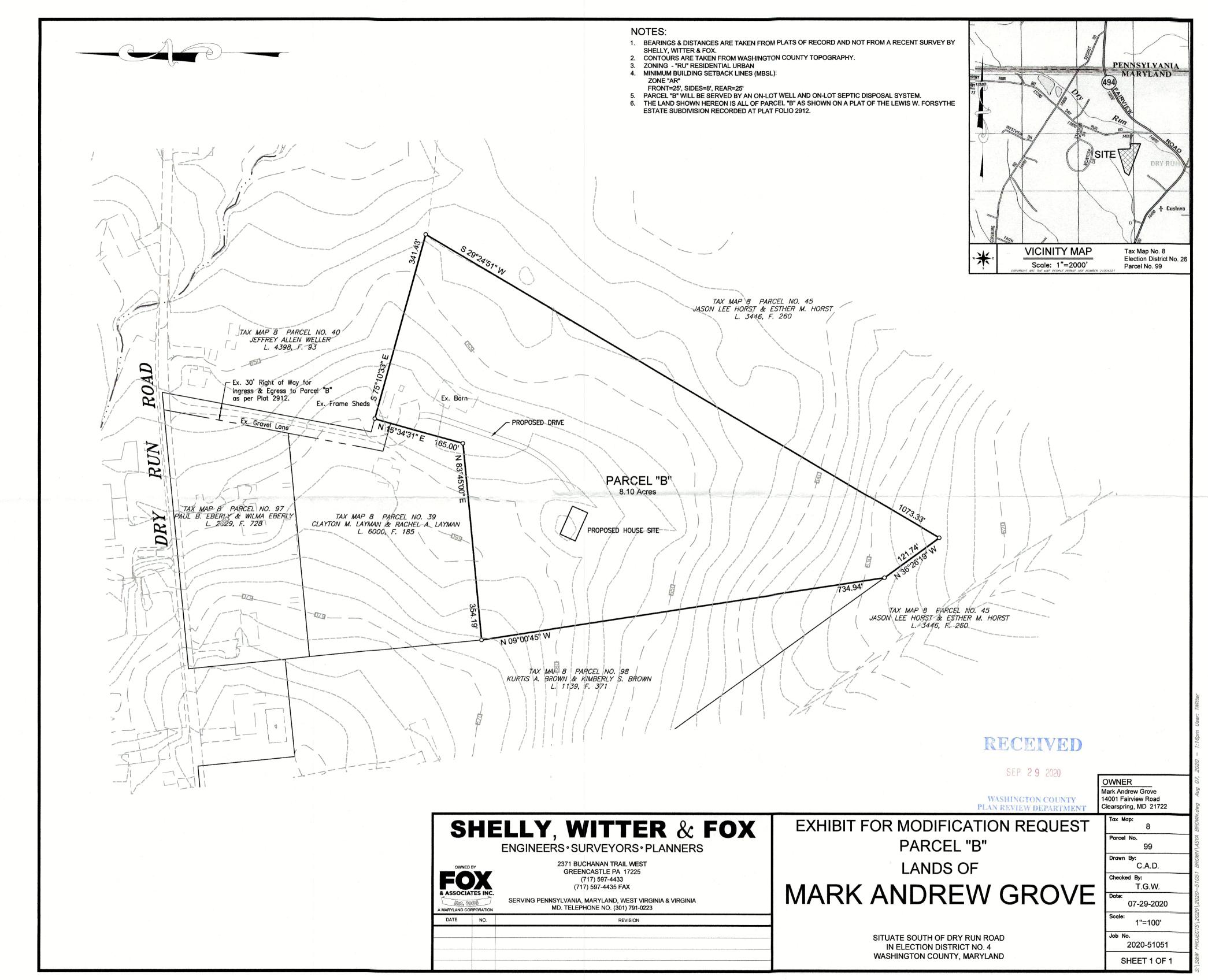
| APPLICANT  |
|--|
| NAME Mark A. Grove   |
| MAILING ADDRESS 14001 Fairview BD Clear Spring MD 21722  |
| MAILING ADDRESS 14001 Fairview BD Clear Spring MD 21728 TELEPHONE N/A N/A 240-310-4416  (home) (work) (cell) |
| PROPERTY OWNER   |
| NAME Mark A. Grove   |
| MAILING ADDRESS 14001 Fairview BD Clear Spring MD 21722  |
| MAILING ADDRESS 14001 Fairview BD Clear Spring MO 21722 TELEPHONE N/A N/A 240-310-4416 (home) (work) (cell)  |
| CONSULTANT   |
| NAME Timothy G. Witter Clo Shelly Witter + Fox   |
| NAME Timothy G. Witter Clo Shelly Witter, + Fox<br>ADDRESS 2371 Buchanan Trail West, Green castle            |
| TELEPHONE PA 17225 717-597-4433  |
| DESCRIPTION OF PROPERTY  |
| TAX ACCOUNT ID # (Required) 04-012542  |
| PARCEL REFERENCE: MAP 8 GRID 19 PARCEL 99  |
| PROPOSED LOT ACREAGE 8. TOTAL SITE ACREAGE 8.  |
| ZONING DISTRICT $"BU"$ ROAD FRONTAGE (FT) $NB$   |
| 9/24/18 Page 1 of 7  |

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

|          | LOCATION/ADDRESS BO Dry hun BO Clear Spring MD 21722  |
|----------|---|
|          | existing and proposed use of property <u>Agricultural</u> (5x.) Proposed Residential  |
|          | LOT TO BE CONVEYED TO IMMEDIATE FAMILY MEMBER   |
|          | SUBDIVISION MODIFICATION INFORMATION  |
|          | MODIFICATION TO SUBDIVISION ORDINANCE SECTION 405.11.B  |
|          | modification is to allow bot to be connected to residential building lot without public road frontage   |
|          | STATEMENT OF JUSTIFICATION TO THE REQUESTED MODIFICATION (quantify modification – i.e. hardship resulting from irregular shape; safety hazard; topographic conditions; extraordinary hardship; other  |
|          | This parcel of land was Subdivided and approved on November 2 1989 as a parcel to be added to the adjoining property but was never conveyed to that adjoiner and same how has since been conveyed as a standarde lot without public road frontage. This being the case this lot was not approved as a highing (30) foot wide private right of way was reserved for access to this lot. Unbeknown to the present owner (Attach additional sheets if necessary) |
|          | In addition, twelve (12) sketch plans, drawn to scale must accompany this application showing: the dimensions and shape of proposed lot with acreage; size and location of existing and/or future structures; existing/proposed roadways and associated access right-of-ways or easements; existing/proposed entrance/exit to property; natural or topographic peculiarities of the lot in question.  |
| 6        | capplicant) at the time they purchased this property  |
| <i>`</i> | capplicant) at the time they purchased this property were they aware of the regulatory issues to make this a buildable lot.   |
| 9        | this a buildable lot.   |

NUMBER:

MEETING DATE:





## DIVISION OF PLAN REVIEW & PERMITTING

#### PRELIMINARY CONSULTATION DISTRIBUTION

TO: Washington County Health Dept.

Washington County PR Engineering Washington County Forest Conservation Washington County Bd. Of Education

Maryland Dept. of Transportation, State Highway Adm.

**Washington County Soil Conservation District** 

**Washington County Emergency Services** 

Washington County Addressing Washington County Sheriff's Dept.

**Leitersburg Fire Department** 

Potomac Edison

FROM: Lisa Kelly

DATE: September 17, 2020

RE: Preliminary Consultation

PC-20-003 - Foxberry Farms - Lts. 8-14

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

LAK/msg

**Attachments** 

Cc: Ashley Holloway, Director, Plan Review & Permitting Frederick, Seibert & Associates, Inc.

McClanahan 2006 LLC, George Manger, Owner/Developer

#### PRELIMINARY CONSULTATION PC-20-003 – FOXBERRY FARMS

A preliminary consultation was held on Thursday, September 17, 2020 at 1:30 p.m. via teleconference, in the offices of the Washington County Division of Plan Review & Permitting, 80 West Baltimore Street, Hagerstown, Maryland. A concept plan was presented for Foxberry Farms Lots 8-14. The developer is proposing seven single family lots with sizes ranging from 2.29 to 23.9 acres, for a total of 53.6 acres. Remaining lands total 26.5 acres. The first seven lots were created as Keuper Estates in the early and mid-two thousands. The project is located along the west side of Leitersburg – Chewsville Road and is zoned A(R) Agricultural Rural.

Present and participating in the consultation were: Rebecca Calimer, Chief of Plan Review; Lisa Kelly, Senior Planner; Gail Abbott, Sr. Plan Reviewer/ Floodplain Manager; Misti Grimmer, Sr. Office Associate, Washington County Division of Plan Review & Permitting; Chad Criswell, Washington County Board of Education; Tim Lung, Washington County Health Department; Mark McKenzie, Maryland State Highway Administration; Ed Schreiber, Frederick, Seibert & Associates, Inc., Consultant.

#### WASHINGTON COUNTY HEALTH DEPARTMENT

Mr. Tim Lung was present and provided the following comments. Mr. Lung stated that the plan had been reviewed by Ms. Kimmy Armstrong and that the sites on the concept plan have been perked. However, prior to approval of the Preliminary/Final plat, wells will be required to be drilled, approved and shown on the plat. The Health Department review fee of \$350 will be due at the time of plat submittal. He further stated that if there is an intent to develop the remaining lands without going through an additional plat process, a well would also be required on this property.

#### MARYLAND STATE HIGHWAY ADMINISTRATION

Mr. Mark McKenzie was present and provided the following comments. Mr. McKenzie stated that he did not see a need for additional improvement at this time. There are six existing lots for which the curb and gutters were widened to meet requirements.

#### WASHINGTON CO. PLAN REVIEW DEPT. - ENGINEERING REVIEW

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

I have reviewed the above-referenced plan and have the following comments.

- 1. Any development shall comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.
- 2. The applicant has submitted an ESD Concept plan and the County provided comments on that plan. In addition to those comments, stormwater quantity control should be provided for the ultimate buildout condition of the subdivision per ordinance requirements.

Please contact me if you have any questions.

Ms. Abbott further commented that the entire ESD volume is required to be treated and Quantitative Control is needed for the two-and ten-year storms. She observed that the water quality calculations were completed for just the roadway and she recommends that Stormwater Management be designed for ultimate buildout conditions. Ms. Abbott went on to say that she did not comment on traffic due to the small number of lots generating few trips and does not see the need for a traffic study.

#### WASHINGTON COUNTY PUBLIC SCHOOLS

Mr. Chad Criswell was present and provided the following comments. Written comments were also provided, a copy of which is attached to this summary. Mr. Criswell stated that he did not have any additional comments. He said that once plans are submitted, they may have further comments regarding roads and busses.

Partial written comments are as follows: "By way of this letter, Washington County Public Schools (WCPS) is notifying the county that this proposed development is located in the Old Forge Elementary, Smithsburg Middle and Smithsburg High attendance zones.

The proposed phase I of this development identifies fourteen (14) dwelling units. For the purpose of this response, it will be assumed that all fourteen (14) units are single family homes.

Based on the Pupil Generation Rates, the proposed development will generate approximately 6 elementary school, 3 middle school, and 3 high school students. Based on the current enrollment, this development would adversely impact the ability of Old Forge Elementary to accommodate the increased number of students."

Ms. Kelly commented that she was included in an email regarding the mitigation process that will be required for Old Forge Elementary School. Mr. Schreiber responded that he has been in contact with Ms. Jill Baker, Director of Planning and Zoning, regarding the process.

## WASHINGTON COUNTY DEPT. OF PLANNING AND ZONING -FOREST CONSERVATION

Mr. Allen provided the following written comments.

Mr. Allen wrote, "The County's Protected Lands Web map reveals the potential presence of habitat suitable for state-listed rare, threatened or endangered species along the northernmost portions of the parcel along Little Antietam Creek. DNR Wildlife and Heritage review is presently occurring to verify the presence of this habitat.

Due to the potential for RTE species habitat and the utility of this forest as a stream buffer, it should be targeted for retention in forest conservation plans for this development.

Steep slope areas along the perimeter of this parcel, particularly those adjacent to floodplain, would also be a target for permanent forest retention.

The FSD under review also notes the presence of several specimen trees within the proposed subdivision. All efforts should be made to save as many of these trees as possible in the development plans.

Any specimen trees which cannot be saved will require a variance to remove under Article 15 of the County's Forest Conservation Ordinance. This will require a letter to be prepared by a Qualified Professional describing the conditions of hardship that warrant the removal of any specimen trees and the effect the removal would have on water quality for the site. The letter will be a part of the project's review by the Planning Commission at their monthly meeting.

If permanent protections signs have not been previously established around the 3.41-acre easement created by Plat 9855, they should be installed around its boundaries (along with any new onsite easements) as a part of the fulfillment of the new forest conservation plan."

Mr. Schreiber commented that he has not received communication from Mr. Allen regarding the acceptability of the Forest Stand Delineation (FSD), when he does, he will move forward with the plat.

#### WASHINGTON COUNTY DEPT. OF PLANNING AND ZONING - ADDRESSING

Mr. John Baker provided the following written comments.

- 1. "Winchester Drive will extend back with block range of 21100 -21199.
- 2. Addresses will be assigned at the time of Preliminary Final submittal."

#### WASHINGTON COUNTY SHERIFF'S DEPARTMENT

Sheriff Mullendore provided the following written comments.

"I have reviewed the proposal for seven lot single family building lots on the west side of Leitersburg- Chewsville Rd. I did not see any issues with the proposal."

#### WASHINGTON COUNTY SOIL CONSERVATION DISTRICT

Ms. Dee Price provided the following written comments.

- 1. "Provide a Soils Map from the digitized or hard copy version of Soil Survey.
- 2. Evaluate all streams (all segments separately) evidence of flow, soil types, drainage areas, intermittent or otherwise, to determine the need for Stream Buffers. Also, include adjacent and adjoining Steep Slope and other sensitive areas...as applicable. Please review the Sensitive Area Review criteria to ensure all components have been addressed and any concerns for the lots are addressed early in the design stages.
- 3. Provide the Sensitive Area Notice if Stream Buffers are determined necessary."

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

Ms. Kelly was present and provided the following comments. Ms. Kelly stated that lot size, width and road frontage requirements have been met for a Preliminary Final Plat submittal. She inquired about the plans for the Remaining Lands. Mr. Schreiber responded that they would likely remain agricultural property. Ms. Kelly stated that if adjoining owners were interested in purchasing the property a Simplified Plat might be considered.

The Consultant will move forward with the Preliminary Final Plat and 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,

Lisa Kelly,

Senior Planner

LAK/msg Attachments

#### Kelly, Lisa

From:

Mullendore, Doug

Sent:

Thursday, August 20, 2020 2:54 PM

To:

Kelly, Lisa

Subject:

PC-20-003

Lisa,

I have reviewed the proposal for seven lot not see any issues with the proposal.

Sheriff Doug Mullendore Washington County Sheriff's Office 500 Western Maryland Parkway Hagerstown, Maryland (240) 313-2101



10435 Downsville Pike Hagerstown, MD 21740 301-766-2800

August 25, 2020

Ms. Lisa Kelly
Washington County Division of Plan Review and Permitting
80 West Baltimore Street
Hagerstown, Maryland 21740-6003

Dear Ms. Kelly:

Re: PC-20-003 Foxberry Farms – Lots 8-14 Preliminary Consultation

Thank you for the opportunity to review the above-referenced preliminary consultation sent from your office on August 17, 2020. The preliminary consultation plan for the Foxberry Farms subdivision indicated that there were seven (7) dwellings previously constructed, and now seven (7) more are proposed. If approved, in accordance with the Adequate Public Facility Ordinance (APFO), the entire development should be reclassified as a "Major Subdivision" and subject to mitigation.

Based on the preliminary consultation, Washington County Public Schools' (WCPS) 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 APFO or mitigation requests. 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.

#### **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 Old Forge Elementary, Smithsburg Middle, and Smithsburg High attendance zones.

The proposed phase I of this development identifies fourteen (14) dwelling units. For the purpose of this response, it will be assumed that all fourteen (14) units are single family homes.

#### **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 June of 2020 – see attachment), stated as a percentage of the respective local-and state-rated capacities, are shown below:

Pacad on

|                      | Daseu on        |                         |
|----------------------|-----------------|-------------------------|
|                      | Actual June     | Current Seats Available |
|                      | 2020 Enrollment | per LRC or SRC          |
| Old Forge Elementary | 106% of LRC     | -18                     |
| Smithsburg Middle    | 71% of SRC      | 243                     |
| Smithsburg High      | 83% of SRC      | 156                     |
|                      |                 |                         |

Building a Community That Inspires Curiosity, Creativity, and Achievement.



10435 Downsville Pike Hagerstown, MD 21740 301-766-2800

Based on the preliminary consultation plan, the total number of units proposed by this development would be fourteen (14) single family (assumed) homes. Below are the Pupil Generation Rates for the proposed subdivision, as adopted by the Board of County Commissioners on October 29, 2019 (see attachment). Per unit yields are based on the recent trends of:

Elementary

<u>Middle</u>

<u>High</u>

Single Family home:

.43

.22

.22

Based on the above Pupil Generation Rates, the proposed development will generate approximately 6 elementary school, 3 middle school, and 3 high school students. Based on current enrollments, this development would adversely impact the ability of Old Forge Elementary to accommodate the increased number of students. With inadequate funding identified within the County's Capital Improvement Plan to replace, modernize, or construct new facilities, any proposed development may stress current infrastructure and have an adverse effect on schools and existing communities affected by the development. 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. Future educational capital needs to accommodate increased enrollment from this development, and all prior approved developments, should be considered as part of any Planning Approval process.

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)
Jill Baker, Washington County Director of Planning and Zoning (email)

#### **BOARD OF EDUCATION OF WASHINGTON COUNTY**

Hagerstown, Maryland 21740 June 10, 2020

#### 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 facilites.

2019-2020

| Scho            | Capacity    | Local<br>Rated<br>Capacity                | Enrollment |                                     |
|-----------------|-------------|---|------------|-------------------------------------|
| Bester          | 628         | 565                                       | 553        |                                     |
| Boonsboro       | 499         | 449                                       | 616        |                                     |
| Cascade         | 278         | 250                                       | 153        |                                     |
| Clear Spring    | 386         | 347                                       | 410        |                                     |
| Eastern         | 572         | 515                                       | 429        |                                     |
| Emma K. Doub    | 297         | 267                                       | 362        |                                     |
| Fountaindale    | 365         | 329                                       | 391        |                                     |
| Fountain Rock   | 271         | 244                                       | 278        |                                     |
| Greenbrier      | 274         | 247                                       | 223        |                                     |
| Hancock         | 295         | 266                                       | 229        |                                     |
| Hickory         | 268         | 241                                       | 308        |                                     |
| Jonathan Hage   | er 471      | 424                                       | 401        |                                     |
| Lincolnshire    | 545         | 491                                       | 536        |                                     |
| Maugansville    | 755         | 680                                       | 748        |                                     |
| Old Forge       | 366         | 329                                       | 347        |                                     |
| R               | 745         | 671                                       | 732        |                                     |
| Paramount       | 408         | 367                                       | 422        |                                     |
| Pleasant Valle  | 225         | 203                                       | 261        |                                     |
| Potomac Heigl   | nts 294     | 265                                       | 323        |                                     |
| Rockland Woo    | ds 751      | 676                                       | 658        |                                     |
| Ruth Ann Mon    | roe 692     | 623                                       | 619        |                                     |
| Salem Avenue    | 722         | 650                                       | 753        | 201001                              |
| Sharpsburg      | 249         | 224                                       | 249        |                                     |
| Smithsburg      | 431         | 388                                       | 383        |                                     |
| Williamsport    | 568         | 511                                       | 574        | 10,958 Sub-Total Elementary Schools |
| Boonsboro       | 870         |   | 699        |                                     |
| M Clear Spring  | 605         | 3, 2, 4, 4, 5, 4                          | 356        |                                     |
| E. Russell Hick | s 841       | 1.000 C C C C C C C C C C C C C C C C C C | 874        |                                     |
| Northern        | 913         | Lik fight in the first                    | 794        |                                     |
| Smithsburg      | 839         | A three day or the stage per              | 596        | ,                                   |
| Springfield     | 1,096       | to the first party                        | 872        |                                     |
| Western Heigh   |             | Little                                    | 981        | 5,172 Sub-Total Middle Schools      |
| Barbara Ingrar  |             | fatt barranta                             | 302        |                                     |
| Boonsboro       | 1,098       |   | 900        |                                     |
| Clear Spring    | 656         |   | 470        |                                     |
| Hancock Midd    |             |   | 242        |                                     |
| North Hagerst   |             |   | 1,306      |                                     |
| Smithshura      | 897         |   | 741        | ]                                   |
| South Hagerst   | own 1,240   |   | 1,329      | ]                                   |
| Wash. Co. Ted   | chnical 642 |   | 606        |                                     |
| Williamsport    | 1,094       |   | 895        | 6,791 Sub-Total High Schools        |
| Marshall Stree  |             | Element to smile                          | 44         |                                     |
| Job Developm    |             |   | 32         | 76 Sub-Total Other Schools          |
|                 | TOTAL       |   | 22,997     |                                     |

## Washington County Public Schools

## Pupil Generation Rates 2018/2019

As adopted by the Board of County Commissioners on October 29, 2019 Per Resolution No. RS-2019-24 to the Alternate Mitigation Contribution (AMC) Formula and per Adequate Public Facilities Ordinance (APFO) Section 5.5, "Measuring for Available Capacity" for Housing Developments over five units.

|                     | Elementary | Middle | High |
|---------------------|------------|--------|------|
| Single Family       | .43        | .22    | .22  |
| Town Home           | .32        | .11    | .14  |
| <b>Multi-Family</b> | .31        | .12    | .16  |

#### <u>Agency Comments- PC-20-003 – Foxberry Farms</u>

#### **Forest Conservation**

The County's Protected Lands Webmap reveals the potential presence of habitat suitable for state-listed rare, threatened or endangered species along the northernmost portions of the parcel along Little Antietam Creek. DNR Wildlife and Heritage review is presently occurring to verify the presence of this habitat.

Both due to the potential for RTE species habitat and the utility of this forest as a stream buffer, it should be targeted for retention in forest conservation plans for this development.

Steep slope areas along the perimeter of this parcel, particularly those adjacent to floodplain, would also be a target for permanent forest retention.

The FSD under review also notes the presence of several specimen trees within the proposed subdivision. All efforts should be made to save as many of these trees as possible in the development plans.

Any specimen trees which cannot be saved will require a variance to remove under Article 15 of the County's Forest Conservation Ordinance. This will require a letter to be prepared by a Qualified Professional describing the conditions of hardship that warrant the removal of any specimen trees and the effect the removal would have on water quality for the site. The letter will be a part of the project's review by the Planning Commission at their monthly meeting.

If permanent protections signs have not been previously established around the 3.41-acre easement created by Plat 9855, they should be installed around its boundaries (along with any new onsite easements) as a part of the fulfillment of the new forest conservation plan.

#### **Soil Conservation District**

- 1. Provide a Soils Map from the digitized or hard copy version of Soil Survey.
- 2. Evaluate all streams (all segments separately) evidence of flow, soil types, drainage areas..., intermittent or otherwise, to determine the need for Stream Buffers. Also, include adjacent and adjoining Steep Slope and other sensitive areas...as applicable. Please review the Sensitive Area Review criteria to ensure all components have been addressed and any concerns for the lots are addressed early in the design stages.
- 3. Provide the Sensitive Area Notice if Stream Buffers are determined necessary.

#### **Comprehensive Planning – Address**

- -Winchester Drive will extend back with block range of 21100-21199
- Addresses will be assigned at the time of Preliminary Final Plat submittal

#### **Engineering Plan Review**

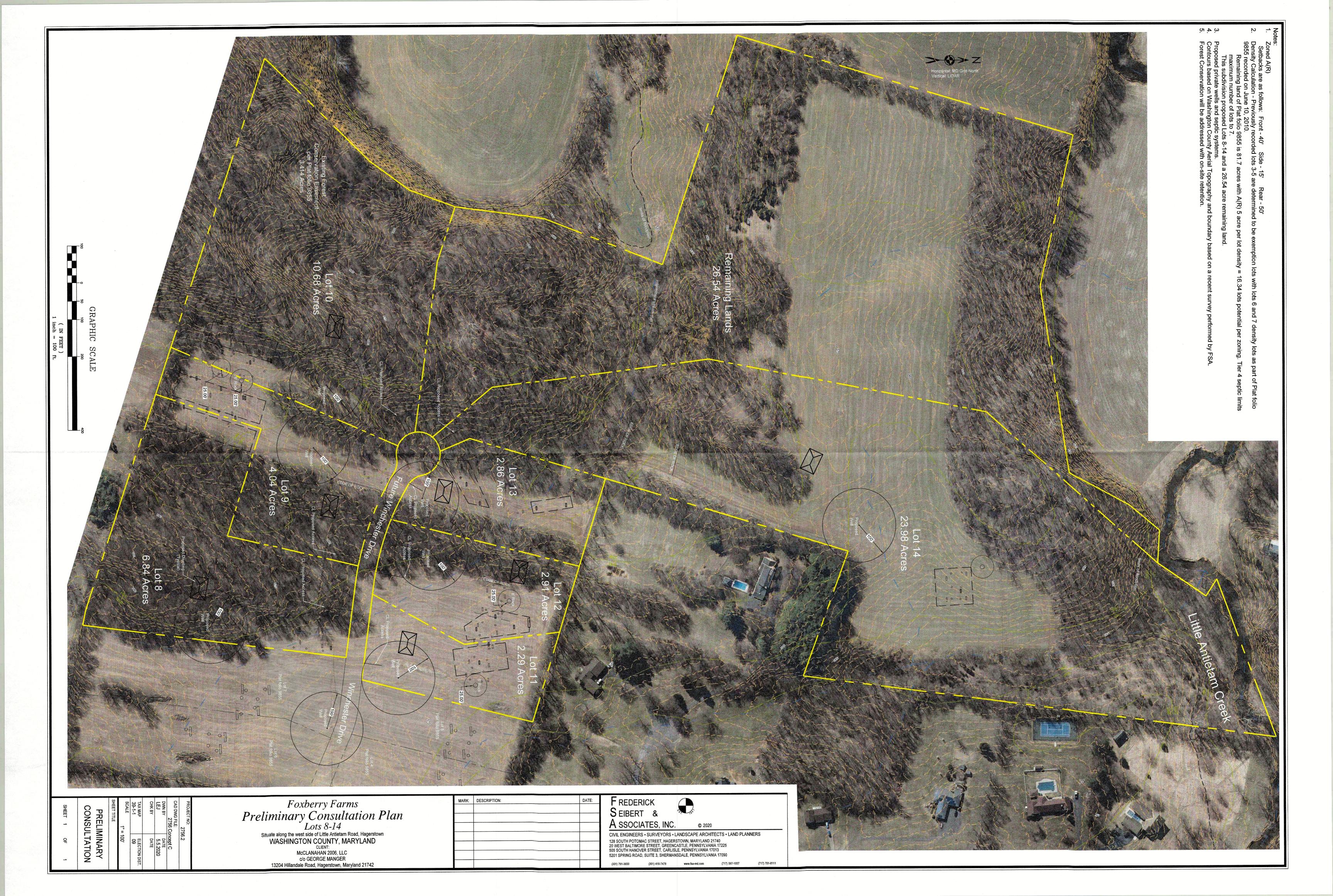
I have reviewed the above-referenced plan and have the following comments.

- 1. Any development shall comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.
- 2. The applicant has submitted an ESD Concept plan and the County provided comments on that plan. In addition to those comments, stormwater quantity control should be provided for the ultimate buildout condition of the subdivision per ordinance requirements.

Please contact me if you have any questions.

Gail Abbott, PE, CFM

Division of Plan Review and Permitting





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

### MEMORANDUM

TO: Washington County Planning Commission

FROM: Travis Allen, Comprehensive Planner

DATE: November 2, 2020

RE: Forest Conservation Mitigation Approval for Ringgold Substation (SP-20-015)

Attached you will find supporting documentation for a request to meet forest conservation requirements for this project. The applicant proposes to utilize offsite retention to satisfy the .91-acre planting requirement for the Ringgold Substation project at the intersection of MD-64 and Bikle Road in Smithsburg.

Enclosed for your review are two documents in support of the applicant's request. These include the forest conservation plan that shows the location of the offsite easement, and a justification letter from Qualified Professional Shannon Stotler that makes their case for this request.

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 of techniques ranging from onsite retention and planting to the 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.

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

Travis Allen Comprehensive Planner (240) 313-2432 tallen@washco-md.net

CIVIL ENGINEERING | SURVEYING | LANDSCAPE ARCHITECTURE

**MEMO** — Offsite Mitigation

**SUBJECT** — Potomac Edison-Ringgold Substation

TO — Washington County Planning Commission

CC — Travis Allen

FROM — Shannon Stotler

**REMARKS:** 

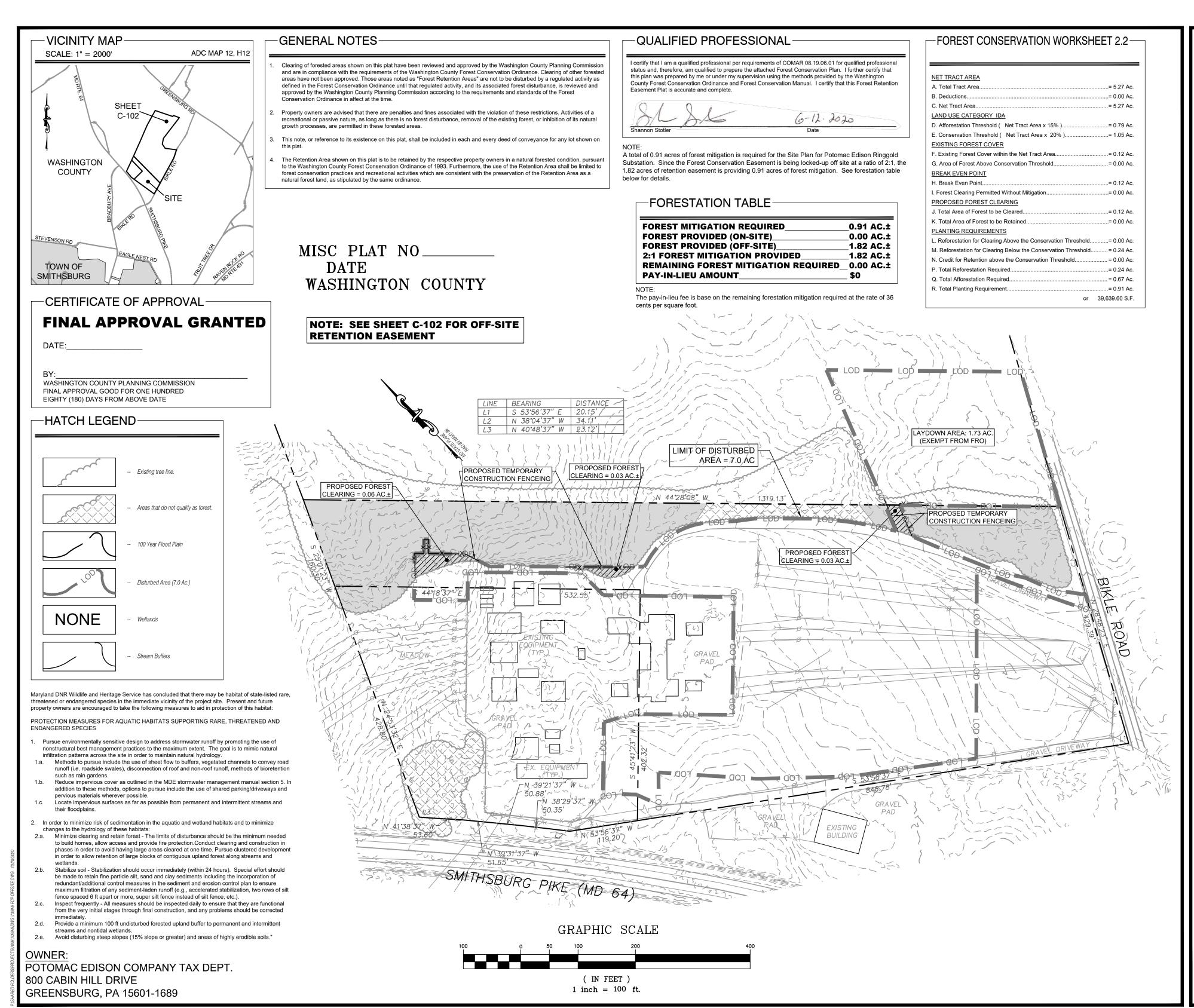
The total tract area for the development of the Potomac Edison Ringgold Substation consists of 15.33 acres. Within the parcels, the proposed development for the Site Plan is 7.0 acres of total earth disturbance. However, 1.73 acres of the earth disturbance will be returned to pre-development conditions and is exempt from the forestation requirements. There is 0.12 acres of forest clearing within the limits of disturbance and the required forest mitigation for the proposed development is 0.91 acres.

There is existing qualified forest along the northern property lines of the substation parcels. However, the developer has expansion plans that would prohibit the use of this forest for a conservation easement.

The developer has negotiated with the adjacent land owner on the north side of the substation to preserve 1.82 acres of existing forest within a 100-yr mapped floodplain. This 2:1 mitigation ratio would completely satisfy the forestation requirements for the development. This is a priority area and is better suited for conservation area than the forest on the substation property.

Sincerely,

Shannon Stotler



SUBSTATION GOLD

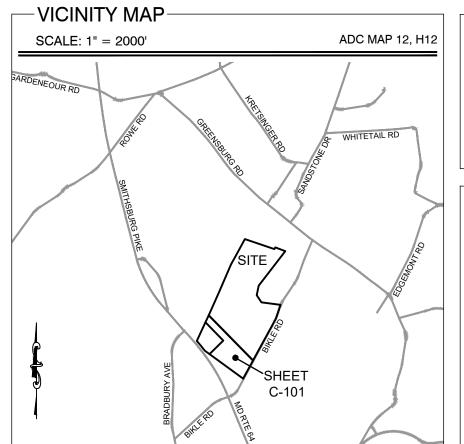
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COUNTY, MARYLAND IINGTON

7099.6 DWH 06-05-2020 PROJECT MANAGER TAX MAP-GRID-PARCEL 0040-0001-0100/0235 1" = 100' SHEET TITLE

FOREST RETENTION **EASEMENT PLAT** 

C-101



#### -FOREST CONSERVATION SEQUENCE OF CONSTRUCTION-

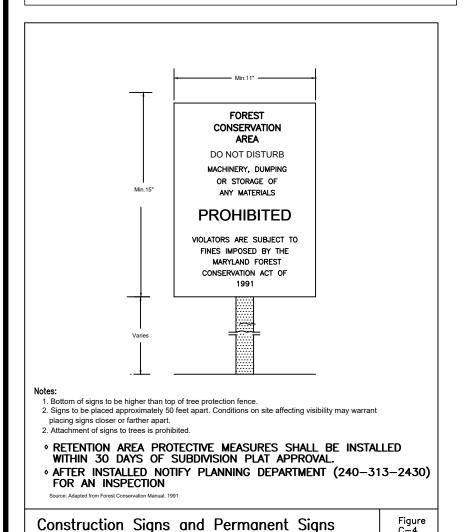
1. All temporary protection devices and/or permanent devices shall be put into place.

- Permanent signage will be place 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.

2. 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

3. 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.

4. 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 repection reveals improperly installed permanent protection devices, corrections will have to be made and re-inspected prior to the completion of site stabilization



#### -OWNERS' STATEMENT-

I/we do hereby certify, for ourselves, 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 forest retention easement plat as shown hereon. The forest retention easement as shown hereon shall be perpetual, run with the property, and shall bind the owner(s) and its respective personal representatives, heirs, assigns, and successors to the conditions and restrictions set forth on this plat and within the Washington County Forest Conservation Ordinance.

Owner: Vixen Hollow, LLC

#### FORESTATION NOTES

Forest areas shown hereon have be 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

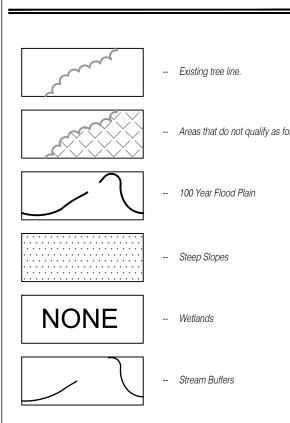
- Property owners are advised that there are penalties and fines associated with violation of these restrictions. Activities of a recreational or passive mature, as long as there is no forest disturbance, removal of the existing forest, or inhibition of its natural growth processes are permitted in these 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.

#### 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 affect 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.

#### FOREST CONSERVATION WORKSHEET 2.2

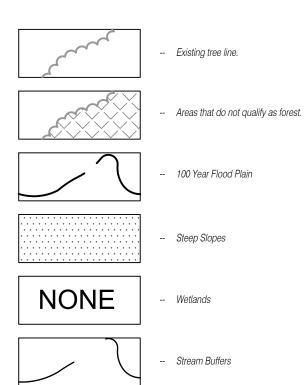
| NET TRACT AREA                |                                      |          |
|-------------------------------|--------------------------------------|----------|
| A. Total Tract Area           |                                      | = 5.27 A |
| B. Deductions                 |                                      | = 0.00 A |
| C. Net Tract Area             |                                      | = 5.27 A |
| LAND USE CATEGORY ID          | <u>DA</u>                            |          |
| D. Afforestation Threshold (  | ( Net Tract Area x 15% )             | = 0.79 A |
| E. Conservation Threshold     | ( Net Tract Area x 20%)              | = 1.05 A |
| EXISTING FOREST COVE          | <u>R</u>                             |          |
| F. Existing Forest Cover wit  | thin the Net Tract Area              | = 0.12 A |
| G. Area of Forest Above Co    | onservation Threshold                | = 0.00 A |
| BREAK EVEN POINT              |                                      |          |
| H. Break Even Point           |                                      | = 0.12 A |
| I. Forest Clearing Permitted  | Without Mitigation                   | = 0.00 A |
| PROPOSED FOREST CLE           | ARING                                |          |
| J. Total Area of Forest to be | e Cleared                            | = 0.12 A |
| K. Total Area of Forest to be | e Retained                           | = 0.00 A |
| PLANTING REQUIREMENT          | <u>TS</u>                            |          |
| L. Reforestation for Clearing | g Above the Conservation Threshold   | = 0.00 A |
| M. Reforestation for Clearin  | ng Below the Conservation Threshold. | = 0.24 A |
| N. Credit for Retention above | ve the Conservation Threshold        | = 0.00 A |
| P. Total Reforestation Requ   | uired                                | = 0.24 A |
| Q. Total Afforestation Requ   | iired                                | = 0.67 A |
| •                             |                                      |          |



| LINE | BEARING        | DISTANCE |
|------|----------------|----------|
| FL1  | N 88°16'17" E  | 284.65'  |
| FL2  | S 71°19'29" E  | 32.29'   |
| FL3  | N 32°07'16" E  | 10.05'   |
| FL4  | S 82°10'16" E  | 138.63'  |
| FL5  | S 69°06'20" E  | 91.13'   |
| EL C | 0.070051441134 | 200 001  |

# GRAPHIC SCALE

-HATCH LEGEND



FL6 S 37°35'41" W 300.00' FL7 N 51°56'49" W 457.43'

( IN FEET ) 1 inch = 100 ft. 50' UTILITY **EASEMENT** FOREST RETENTION **EASEMENT**  $AREA = 1.82 AC.\pm$ 100 YEAR FLOODPLAIN PER FEMA F.I.R.M. COMMUNITY PANEL NO. 24043C0170D, DATED: AUG. 15, 2017

SIMONE HEURICH

PROPOSED

15' ACCESS EASEMENT

LIBER 4433 FOLIO 458

- 100 YEAR FLOODPLAIN PER FEMA F.I.R.M. COMMUNITY PANEL

NO. 24043C0165D, DATED: AUG. 15, 2017

STREAM BUFFER

PROPOSED 15'

ACCESS EASEMENT

DWELLIN A total of 0.91 acres of forest mitigation is required for the Site Plan for Potomac Edison #13112 Ringgold Substation. Since the Forest Conservation Easement is being locked-up off site at a ratio of 2:1, the 1.82 acres of retention easement is providing 0.91 acres of forest mitigation. See forestation table below for details. -FORESTATION TABLE-

MISC PLAT NO\_\_\_\_\_

**WASHINGTON COUNTY** 

GLENN & MARGARET FISHACK

LIBER 1340 FOLIQ 724

DATE

WILLIAM & AUDREY PARTLOW, JR.

LIBER 1091 FOLIO 984;

**FOREST MITIGATION REQUIRED** 0.91 AC.± 0.00 AC.± FOREST PROVIDED (ON-SITE) **FOREST PROVIDED (OFF-SITE)** 1.82 AC.± 2:1 FOREST MITIGATION PROVIDED 1.82 AC.± REMAINING FOREST MITIGATION REQUIRED 0.00 AC.± **PAY-IN-LIEU AMOUNT \$0** 

The pay-in-lieu fee is base on the remaining forestation mitigation required at the rate of 36 cents per square foot.

**DWELLING** 

DWFLLING

\_\_#13037

PROJECT NO. 7099.6 06-05-2020 DWH PROJECT MANAGER | EMAIL TAX MAP-GRID-PARCEL 0040-0002-0040 1" = 100' SHEET TITLE

FOREST RETENTION **EASEMENT PLAT** 

> C-102 SHEET 2 OF 2

OWNER: VIXEN HOLLOW, LLC 16039 CLOVERTON LN. WILLIAMSPORT, MD 21795



SUBSTATION COUNTY, MARYLAND HINGTON 5 Ū

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#### ADKINS AUTOMOTIVE LLC

EZ-DUMPER & AMSOIL DEALER



September 22, 2020

Washington County Permitting 80 West Baltimore Street Hagerstown, MD 21740

RE:

**Business Concept Plan** 

Dear Mr. Holloway:

Attached is a copy of the business concept plan that we're proposing for the property located at 21036 National Pike, Boonsboro, MD 21713 (currently known as Family Rec Center) being purchased by Jason Adkins and Tanya Phillips as owners of JTA Investments LLC.

We would like to move Adkins Automotive LLC operations to this location. The intent of the mini golf and the go-carts will be to reopen at a later date due to the failure of maintenance that needs to be completed from the previous operators that leased the property. The primary focus of this property will be to begin the operation of Adkins Automotive LLC.

We would like to be a part of the November meeting. This property will ultimately be known as "Adkins Business Park".

Respectfully,

Jeson Adkins

President of Adkins Automotive LLC



## ADKINS BUSINESS PARK

