



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

## AGENDA

### WASHINGTON COUNTY PLANNING COMMISSION

October 7, 2019, 7:00 PM

### WASHINGTON COUNTY ADMINISTRATIVE COMPLEX

100 WEST WASHINGTON STREET

2<sup>ND</sup> FLOOR, PUBLIC MEETING ROOM #2000

#### CALL TO ORDER AND ROLL CALL

#### PUBLIC INFORMATION MEETING

1. **City of Hagerstown [WS-19-003]** – Proposed amendment to the Washington County Water and Sewerage Plan; Applicant: City of Hagerstown; Requested Amendments: Chapter 2.C, Chapter 3.P.1 and P.3, Chapter 3.Q.1 and Q.2, Chapter 3.R, Chapter 4.D, Chapter 4.S.1 and 3, Chapter 4.T.1 and 2, and Chapter 4.U; Planner: Steve Goodrich (information will be sent under separate cover)

#### - MINUTES

1. September 9, 2019 Planning Commission meeting minutes \*

#### OLD BUSINESS

1. **RZ-19-003 – Downsville Pike Land LLC** – Proposed map amendment for 1.6 acres of property located at 10656 and 10662 Downsville Pike; Present Zoning: RS (Residential Suburban); Proposed Zoning: (HI) Highway Interchange; Planner: Travis Allen \*
2. **RZ-19-004 – JPK Properties LLC** – Proposed map amendment for 2.86 acres of property located at 18423 Breathedsville Road; Present Zoning: A(R) – Agricultural Rural; Proposed Zoning: A(R) with RB (Rural Business floating zone); Planner: Jill Baker \*

#### NEW BUSINESS

#### - SITE PLANS

1. **Mountain View Animal Emergency [SP-19-021]** – Proposed construction of a 16,330 square foot animal hospital on 3.35 acres located along the west side of Crayton Boulevard; Zoning: HI (Highway Interchange); Planner: Lisa Kelly \*
2. **Thomas Bennett Hunter [SP-19-016]** – Proposed construction of a ready mix cement plant on 19.37 acres located along the south side of Hopewell Road; Zoning: IG (Industrial General); Planner: Lisa Kelly \*
3. **Dollar General – Hagerstown [SP-19-024] TENTATIVE** – Proposed construction of a Dollar General to be located on Virginia Avenue; Zoning: BL (Business Local); Planner: Ashley Holloway \* (Lisa Kelly will be presenting this plan for Ashley Holloway)

#### FOREST CONSERVATION

1. Procedures in Accounting for Local Forest Conservation Funds; Planner: Jill Baker

#### OTHER BUSINESS

1. **Update of Staff Approvals**

#### ADJOURNMENT

## **UPCOMING MEETINGS**

1. Monday, November 4, 2019, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administrative Complex, 100 W. Washington Street, 2<sup>nd</sup> Floor, Public Meeting Room #2000, Hagerstown, Maryland

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

**The Planning Commission reserves the right to vary the order in which the cases are called. Individuals requiring special accommodations are requested to contact the Washington County Planning Department at 240-313-2430, to make arrangements no later than ten (10) days prior to the meeting. *Notice is given that the Planning Commission agenda may be amended at any time up to and including the Planning Commission meeting.***



# CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

RECEIVED

AUG 21 2019

August 14, 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

Steve Goodrich  
Planning Director  
Washington County  
100 W. Washington Street  
Hagerstown, MD 21740

RE: Amendment Request  
2009 County Water & Sewer Plan

Dear Mr. Goodrich:

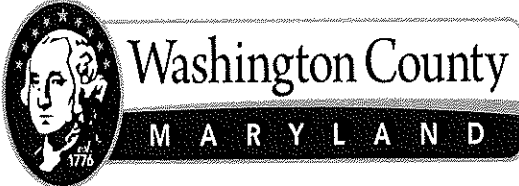
Attached is an application from the City of Hagerstown for a request to amend Washington County's 2009 Water and Sewer Plan. At this time, we are not proposing any revisions to the technical data or capital improvement plans related to the City's water and wastewater systems. Any amendments related to that data will come following completion of our upcoming Master Plan project for our water and wastewater utilities. This current amendment request is strictly related to the growth and utility planning in the City's 2018 Comprehensive Plan Update, which municipalities are required to include per State law.

If you have any questions about this request, please do not hesitate to contact me. I can be reached directly at (301) 739-8577, ext. 140, or [kmaher@hagerstownmd.org](mailto:kmaher@hagerstownmd.org).

Sincerely,

Kathleen A. Maher, AICP  
Director, Planning & Code Administration Department

c: Mayor and City Council  
Scott Nicewarner, City Administrator  
Rob Slocum, County Administrator  
Hagerstown Planning Commission  
Nancy Hausrath, City Utilities Director  
Dan DiVito, County Division of Environmental Management  
Jill Thompson, Director of DCED  
Susan Small, County Department of Business Development



FOR PLANNING COMMISSION USE ONLY  
Rezoning No. WS-19-003  
Date Filed: 8-22-19

WASHINGTON COUNTY PLANNING COMMISSION  
ORDINANCE TEXT AMENDMENT APPLICATION

City of Hagerstown  
Applicant

1 E. Franklin Street, Hagerstown, MD 21740  
Address

Scott Nicewarner, City Administrator  
Primary Contact

City Hall, 1 E. Franklin Street, Hagerstown, MD  
Address

- Property Owner       Contract Purchaser
- Attorney               Consultant
- Other: Municipal W&S Service Provider

(301) 739-8577, ext. 112  
Phone Number

snicewarner@hagerstownmd.org  
E-mail Address

- Adequate Public Facilities Ordinance
- Forest Conservation Ordinance
- Subdivision Ordinance
- Solid Waste Plan
- Water and Sewer Plan
- Zoning Ordinance
- Other \_\_\_\_\_

Section No. Revisions to Chapters 2, 3 and 4

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].

Scott A. Nicewarner  
Applicant's Signature

Subscribed and sworn before me this 14<sup>th</sup> day of August, 2019.

My commission expires on December 8, 2022 Nerna Kay Spicker  
Notary Public

FOR PLANNING COMMISSION USE ONLY

- Application Form
- Fee Worksheet
- Application Fee
- Proposed Text Changes
- 30 copies of complete Application

## Chapter 2, Background Information

### C. Land Use & Growth Management Strategy

Please add a new subsection for 'Land Use & Growth Management Strategy of the City of Hagerstown' on II-38:

visionHagerstown 2035 is the City of Hagerstown's comprehensive plan and it sets the policies and recommended actions to guide future development, infrastructure, and the physical character of Hagerstown for a 20-year period. Major focus areas of the plan include growth and annexation, wastewater and water resources, revitalization of existing land, revitalization of downtown, transportation, housing and neighborhood revitalization, and environmental resources. The plan meets the legal requirements for local government planning in Maryland pursuant to State enabling legislation and requirements contained in the Land Use Article in the Annotated Code of Maryland. This includes the requirements for a Water Resources Element and a Municipal Growth Element, which provide analyses of projected growth in and around the city and the available public water and wastewater capacity to serve development in and around the city.

The Growth Management and Land Use Element of the City's comprehensive plan sets forth the policies to guide future residential and non-residential development, annexation, and redevelopment of vacant and underutilized areas. This element contains the future land use plan for the city and its growth area, which includes 10 different land use policy classifications. These land use classifications are implemented through the City's Land Management Code and a comprehensive rezoning process for the city following plan adoption. The goals of this element of the plan are to:

1. Channel future growth in a way that strengthens the City's role as the provider of urban services to the Hagerstown Urban Growth Area, and as the economic, cultural, and institutional center of Washington County;
2. Enlarge the city's corporate boundaries in order to become a stronger city, increase economic development, deliver urban services in an efficient manner, and promote fiscal stability;
3. Physically integrate the proposed growth area with existing developed areas of the city;
4. Re-use and revitalize vacant and underutilized land, to support economic development and neighborhood enhancement goals;
5. Re-align the Medium Range Growth Area (MRGA) to include areas where growth is more likely to occur and to de-emphasize areas where growth is not likely to happen within the 20 year life of the plan.

As required by State law for municipalities, the City's comprehensive plan defines a growth boundary around the city which is prioritized for growth based on the ability to provide public

water and wastewater to serve new development. The plan identifies the City of Hagerstown as the number one priority for service to ensure redevelopment and infill development in the city has sufficient utility capacity available to serve new customers. The provision of City water service outside the corporate limits of the city is contingent upon location in the City's growth area, unless an exception is granted for outside that area, and upon annexation or granting of a pre-annexation agreement on the property, as required by the City's *Annexation Policy*. The City's comprehensive plan in 2008 established a two-tier growth area – a Medium Range Growth Area (MRGA) and a Long Range Growth Area (LRGA). *visionHagerstown 2035* re-established this growth tier system and made some adjustments to the MRGA boundary based on current growth demands.

The MRGA and the city are the City's planned area of service for its water and wastewater resources for the 20 year life of the plan. The analysis of growth and available capacity to serve growth in the plan has determined that there is adequate capacity to meet the projected growth demands in the city and the MRGA for the 20 year life of the plan. There is not sufficient capacity currently for full build out of the MRGA, however. The boundaries of the LRGA mirror the County's 2002 Urban Growth Area boundary. Because of these capacity limitations, City water and wastewater service is not planned for the area between the MRGA and LRGA boundaries before 2035, unless an exception is provided by the City Utilities Director or the Mayor and City Council through the City's *Water and Wastewater Policy*. Any City water lines located outside the LRGA are considered restricted and new service shall not be permitted, except for health and safety reasons.

The City developed a *Water and Wastewater Policy* in 2004 to address those exceptions which the City Utilities Director and the Mayor and City Council may consider for service requests outside the growth area. Subsequent amendments tied this policy to the MRGA and added additional exceptions consistent with comprehensive plan goals. The policy implements the City's comprehensive plan direction that service outside the MRGA may be considered for employment centers in support of City and County economic development and other goals and policies in the City plan. The City's *Water and Wastewater Policy* acknowledges that water commitments may have been made previously outside the MRGA and those commitments will be honored. In addition, existing lots of record for residential development which were platted along streets containing public water or wastewater lines before the adoption of this policy have the legitimate expectation of eventual service, and so requests for water for single-family and two-family homes in this circumstance will be honored through an exemption in this policy. The policy also provides conditions for certain exceptions for public health and safety reasons, such as 1) a property with a failing or condemned well or septic system, and 2) existing or proposed lots for single-family and two-family development along streets containing water or wastewater lines in the GWUDI area near Hagerstown where the Health Department will not approve new wells. The policy sets a cap on the number of lots that may be approved for the GWUDI exception per year. Other possible exceptions are for system improvements, affordable

housing developments, facilities for an essential public service, and vital economic development projects in targeted areas for industrial and non-retail economic development.

The entirety of the City's Comprehensive Plan, Water and Wastewater Policy, and Annexation Policy may be viewed on the Planning and Zoning page of the City web site at [www.hagerstownmd.org](http://www.hagerstownmd.org).

## **Chapter 3, Existing and Planned Water Supply Systems**

### **P. Service Area Requirements**

#### **1. Urban and Town Growth Area Service Areas**

**Please add a new paragraph at the end of this section on III-31:**

The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy.

#### **3. Restricted Service Areas**

**Please insert at the end of the sentence in the first paragraph on III-32:**

The use of the facilities within these service areas is limited to the following conditions, provided the service request is consistent with the policies and plans of the service provider:

**Please add a footnote at the end of the above modified sentence on III-32:**

Any existing or future City water lines extending outside the LRGA shall be considered restricted and no additional connections will be permitted, except for health and safety reasons as outlined in the City Water & Wastewater Policy. Requests for services in this circumstance shall be reviewed on a case-by-case basis by the City for compliance with the City Water & Wastewater Policy.

## Q. Priority Classification Requirements

### 1. W-1 Priority (Existing Service or Under Construction)

**Please modify 'footnote 12' to sub-section 'a' on III-33:**

The adequacy or availability of community water service to a particular parcel of land is a judgment which must be made in each case through consultation among the responsible agencies, including the service provider, and cannot be made on the basis of this Plan alone. The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy.

**Please modify sub-section 'b' on III-33:**

Extensions of existing community water systems shall be permitted and encouraged, provided the service request is consistent with the policies and plans of the service provider.

### 2. W-3 Priority (Programmed Service)

**Please modify sub-section 'b' on III-34:**

Extensions of existing community water systems shall be permitted and encouraged, provided the service request is consistent with the policies and plans of the service provider.

## R. Water Service Priority Area Maps

**Please add a new paragraph three on III-35:**

The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater



Policy. The City's growth area map and service policy may be viewed on the City's web site: [www.hagerstownmd.org](http://www.hagerstownmd.org).

## **Chapter 4, Existing and Planned Wastewater Systems**

### **D. City of Hagerstown**

**Please modify the second to last sentence of the first paragraph on IV-12-13:**

City wastewater collection and treatment service is also provided to industrial, commercial, residential and institutional customers in certain areas within the Consolidated General Service Agreement area of Washington County.

**Please add a new paragraph two on IV-13:**

The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy.

### **S. Service Area Requirements**

#### **1. Urban and Town Growth Area Service Areas**

**Please add a new paragraph at the end of this section on IV-40:**

The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy.

#### **3. Restricted Use Service Areas**

**Please insert at the end of the sentence in the first paragraph on IV-41:**

The use of the facilities within these service areas is limited to the following conditions, provided the service request is consistent with the policies and plans of the service provider:

**Please add a footnote at the end of the above modified sentence on IV-41:**

Any existing or future City water lines extending outside the LRGA shall be considered restricted and no additional connections will be permitted, except for health and safety reasons as outlined in the City Water & Wastewater Policy. Requests for services in this circumstance shall be reviewed on a case-by-case basis by the City for compliance with the City Water & Wastewater Policy.

## T. Priority Classification Requirements

### 1. S-1 Priority (Existing Service or Under Construction)

**Please modify 'footnote 17' to sub-section 'a' on IV-42:**

The adequacy or availability of community sewerage service to a particular parcel of land is a judgment which must be made in each case through consultation among the responsible agencies, including the service provider, and cannot be made on the basis of this Plan alone. The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy.

**Please modify sub-section 'b' on IV-42:**

Extensions of existing community water systems shall be permitted and encouraged, provided the service request is consistent with the policies and plans of the service provider.

### 2. S-3 Priority (Programmed Service)

**Please modify sub-section 'b' on IV-43:**

Extensions of existing community water systems shall be permitted and encouraged, provided the service request is consistent with the policies and plans of the service provider.

#### U. Sewerage Service Priority Area Maps

Please add a new paragraph three on IV-44:

The City of Hagerstown's Comprehensive Plan established a two tiered growth area around the city, Medium Range Growth Area and Long Range Growth Area. Areas within the MRGA are planned for service. Areas outside the MRGA are not planned for City water or wastewater service before 2035, unless an exemption is granted by the Mayor and City Council through the City's Water & Wastewater Policy. The City's growth area map and service policy may be viewed on the City's web site: [www.hagerstownmd.org](http://www.hagerstownmd.org).

PUBLIC COMMENTS  
RECEIVED FOR  
RZ-19-003  
DOWNSVILLE PIKE  
LAND LLC

September 5, 2019

Dear County Commissioners,

My name is Mary Bowling and my family lives on Lincolnshire road in Halfway. We heard about the request to rezone Halfway Blvd. and Downsville pike. Our family has lived in this area for years. My grandmother is a 101 and lives in oak ridge area. She is against it and so is our family especially when I have a disabled son who doesn't like a lot of noise. We don't want the character of our area destroyed. This rezoning is to line one's pockets (theirs) at the expense of others (ours). When Sheetz and Health at work built, they didn't take away from the character and were very respectful. Many years and a lot of noise, litter and pollution to make something we don't need or want. These are some of the issues we have discussed with our family.

- Less than a half a mile from Sharpsburg pike where it could be built with not as much inconvenience to our neighborhood and parks.
- Interstate 70 already has a lot of traffic problems we feel it will just cause more.
- There are other highway interchanges they could build at that wouldn't destroy the character of our area. Along with causing problems while being built.
- One of them is on interstate 70 at Williamsport with the Polit. Which already might have zoning in place.
- Taking away from one of the nicest parks with all the amenities. Walking trails, baseball & softball fields and a disabled playground etc. (not all parks have these things).
- Moving certain parts of the park like softball fields (maybe) cost us taxpayers money.
- Some of the houses along Downsville Pike were built by my family and are at least 60 years old.

My question is to you the commissioners. Is the friendship between this company and others like them who build gas stations more important than our neighborhoods and park? Why can't they build this gas station on Sharpsburg pike like others. Again, it is to line their pockets at our expense. It is more feasible because there are restaurants, lodging and Walmart (24 hour) for all travelers.

Why should you destroy the quietness of this area with tractor trailer and their Jake brakes along with more pollution and litter? Is there a petition to sign? If so, we would like all names below added. Please consider saying no to rezoning.

Sincerely,

Mary A. Bowling

Walter W. Bowling

Steven B. Krumbeck

Lance C. Krumbeck

Mary C. Clever

September 4, 2019

Mr. Stephen T. Goodrich  
Director  
Washington County Department of Planning & Zoning  
120 W. Washington St., 2<sup>nd</sup> Floor  
Hagerstown, MD 21740

RECEIVED

SEP 05 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

RE: Rezoning Case No. RZ-19-003

Dear Mr. Goodrich:

We are in receipt of your letter of August 22, 2019 RE the above rezoning case. We are residents of Oak Ridge which empties onto Halfway Boulevard. We currently have a number of safety issues with Halfway Boulevard and the zoning of this residential property to highway interchange would only compound the problems.

Halfway Boulevard faults:

1. No room for driver error – no shoulder from Oak Ridge Drive to Downsville Pike
2. No sidewalk for pedestrians attempting to reach Marty Snook Park and the Downsville Pike Sheetz Store.
3. A small sidewalk and wheelchair ramp was recently installed on the corners of Downsville Pike at Halfway Blvd., however, there is no way for a walker or someone in a wheelchair to reach that crosswalk – so a total waste of manpower and money.
4. Halfway Blvd. is a speedway from Virginia Avenue to Downsville Pike. Parking for Police cars was added several years ago but apparently there are no available Police to sit there.
5. A turn lane was installed a year or two ago to enter our Development (Oak Valley Drive). You take your life in your hands sitting in that lane when vehicles are coming off the I70 ramp at speeds of 50-60 mph. If a vehicle is turning onto Oak Valley Drive from the Downsville Pike, the vehicle immediately behind them swings out into the turn lane for vehicles entering Oak Valley Drive from the Virginia Avenue side. We have witnessed some very close calls – within mere inches of the turning vehicle.
6. Residents of our development have repeatedly asked for some relief from the traffic to no avail:
  - a. Install a NO TURN ON RED at the corner of Halfway Blvd. and Downsville Pike. Between the hours of 6-8 a. m. and 4-6 p.m. it is next to impossible to exit left out of our development onto Halfway Blvd.
  - b. The ineffective crosswalk sign at Oak Valley Drive is a joke. Trying to cross Halfway Blvd. to enter Marty Snook Park is like playing dodge ball. Apparently people need to study their driving handbook as NO ONE STOPS to let pedestrians cross. We even had a near miss with a Sheriff patrol SUV.

This is just our summation of the problems therein and I am sure my neighbors can come up with many more experiences. We feel that rezoning that corner property and placing a commercial entity there will just add to the safety issues noted above. Since the Sheetz store was built it feels like the traffic has doubled as has the number of vehicles exiting the I70 Downsville Pike exit.

You have given us Marty Snook Park with all its wonderful amenities – now let us be able to get to it! Instead of rezoning to a commercial property, make the owners a generous offer and annex that property into the Park. We could use some additional green space instead of blacktop and car emissions. Let's have the tax payers win one for a change!

Sincerely,

Marvin and Christine Shives  
10815 Brentwood Terrace  
Hagerstown, MD 21740  
Email: S1924@myactv.net

## Zoning Board Hearing – September 9, 2019

Good evening. My name is Lorna Bock, and I live at 10811 Brentwood Terrace in Oak Ridge Estates. I have owned this property for 38 years and grew up living with my family on Red Oak Drive in the old section of Oak Ridge.

I'm here again, as I was in 2017, to speak in opposition to the proposed rezoning of parcels P-210 and P-408 from RS to HI. My concerns are centered around the traffic flow on Halfway Blvd and the safety of residents of Oak Ridge and Woodmore developments, the many visitors to Marty Snook County Park and anyone traveling on Halfway Blvd.

Over the years, the traffic on Halfway Boulevard has steadily increased. It used to be easy to enter and exit both development and the park. Pedestrians could safely use the crosswalk on Halfway Blvd to enjoy the Marty Snook Park. After the construction for 632 at the I-70 interchange at Downsville Pike, and subsequently the new Sheetz store, traffic flow and safety became major concerns.

Currently, the traffic flow of cars exiting west bound I-70 continuing on to Halfway Boulevard and merging with cars turning on red traveling south on Downsville Pike creates a steady stream of traffic making it almost impossible to enter Halfway Boulevard from Oak Ridge, Woodmore or the Park, because there is not a "no turn on red" light. During certain times of the day, it is also difficult to enter these areas if you have to cross oncoming traffic. Sitting in the left turn lane on Halfway Blvd trying to turn onto Oak Valley Drive and watching the cars come speeding toward you from 632 during evening rush hours is terrifying. You sit and pray that they see you sitting there. If traffic is like this now, I can only imagine what it will be like if the zoning is changed from RS to HI and another commercial property is constructed on this site.

As Mr. Smith has admitted earlier this evening, I must assume the property owners are revisiting this rezoning, not because they have more basis for the change, but in hopes that the membership changes of the County Commissioners since 2017 will be their ace in the hole. I am sure that the owners and County Commissioners could come to some resolution to purchase the property for the use of the park if the owners base the sale price on the actual purchase price and the fact that the house and property has not been properly maintained during their ownership. Mr. Smith gambled on his purchase without doing his homework. If he presents a **reasonable price** I'm sure the County would strongly consider it. This solution will benefit the park, the residents of this area and the entire community. Also, I believe the minutes of the County Commissioners' meetings will clarify Mr. Smith's interpretation of why the rezoning was voted down previously.

Lorna Bock  
10811 Brentwood Terrace  
Hagerstown, MD 21740  
301-331-5458  
Lorna.bock@gmail.com

## Goodrich, Stephen

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**From:** Goodrich, Stephen  
**Sent:** Tuesday, September 3, 2019 8:24 AM  
**To:** Eddie Morris  
**Subject:** RE: Property on Downsville Pike

RECEIVED

SEP 03 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

Dear Mr. Morris,

Thank you for your comments on the proposed rezoning of the property located at the intersection of Halfway Blvd and the Downsville Pike (RZ-19-003). Your comments will be considered as part of the record and the Planning Commission's recommendation to the Board of County Commissioners. It will also be forwarded to the Board of County Commissioners for consideration in the decision on the application.

Steve Goodrich

--

Stephen T. Goodrich, Director  
Department of Planning and Zoning  
100 West Washington Street, Suite 2600  
Hagerstown, MD 21740  
P: (240) 313-2430  
F: (240) 313-2431  
<https://www.washco-md.net/index.php/2017/03/09/planzone-home/>  
[www.washco-md.net](http://www.washco-md.net)

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-----Original Message-----

**From:** Eddie Morris <ab92umdforlife@yahoo.com>  
**Sent:** Monday, September 2, 2019 8:01 PM  
**To:** &County Commissioners <contactcommissioners@washco-md.net>  
**Subject:** Property on Downsville Pike

[EXTERNAL SENDER]

This email is in response to the letter I received via US Mail that concerns an attempt to turn property currently classified as residential to commercial property. I live at 17801 Stone Valley Circle as my house backs up to Halfway Blvd. My name is Edwin L Morris. My phone is (301) 988-0215 for any one needing to contact me concerning this letter.

I am vehemently OPPOSED to this property being classified as commercial. There is no viable reason for this. For one, this property was purchased by a developer. When he purchased the property, he knew it was classified as residential. Just because a developer purchases a residential property doesn't mean he can use the power of political donations to



sway a board of elected commissioners to mysteriously classify the property now as commercial. This is an awful form of crony-capitalism. He bought it as residential property and should develop it as residential property. He feels he can gain a greater profit margin by developing this as a residential as compared to residential. The board of commissioners should not compromise the members of the community for a developer looking to make a greater profit margin. People have invested their wages, their families and their "dream homes" in this residential area. We have a much deeper investment in this area than does a non-residential developer.

Two, I know that some commissioners will use the flimsy excuse that "any thing is better than what the property looks like now". That actually is not factual. Once it is classified as commercial, then practically any type of business can go there including industry. The wrong type of business hurts the value of property in nearby areas, and I won't stand for that. This side of Downsville Pike has no commercial property on it from Halfway Blvd all the way down until you get to the Little General Store in Downsville. This is a 5-mile stretch on that side of Downsville with no commercial property. I would certainly like to hear a valid reason as to why this would need to change all of a sudden. Those of us that live in this community of living will have to live with whatever type of establishment goes in there. One would hope our elected commissioners would put themselves in our shoes. Sheetz is on the other side of the Pike. I don't want to hear that we have commercial property nearby. Sheetz established another store with low wages being shelled out even though there is another Sheetz less than 2 miles away. It has brought nothing to the community other than low wages and another stop light to slow traffic in an area where traffic should move more smoothly.

We have vacant properties in nearby areas that could be used for eating establishments, if that is truly what is going in there. It took a long time to fill the old sub shop on the corner of Downsville Pike and Oak Ridge Drive. Off of Wesel Blvd., the restaurant that sat next to Ollie's sits vacant as does the sale of the Crazy Horse Restaurant and Saloon. There are building spaces available throughout the county that sit vacant. I would like to see us fill those before classifying yet another residential property as commercial.

I repeat that this letter is in OPPOSITION to the property on Downsville Pike being converted from a residential property to one used for commercial use. I bought my home in an area a good distance from commercial properties. I am not interested in any more low wage businesses being brought closer to me and lowering the value of residential properties in the area. I have four voting members in my household that all agree with me on this matter. I am hoping a little bit of intelligence and common sense will prevail over any political contribution.

Edwin L Morris

## Goodrich, Stephen

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**From:** Emily Becker <emilymarie1998@hotmail.com>  
**Sent:** Tuesday, September 10, 2019 10:16 PM  
**To:** Goodrich, Stephen  
**Subject:** No to Rezoning

[EXTERNAL SENDER]

Dear Mr. Goodrich,

I am a lifelong resident of Washington County, specifically Woodmore. I am unable to appear in person because I am currently enrolled in St. Mary's College of Maryland, studying Anthropology and Archaeology. During my studies, I have seen how development has destroyed communities, and in this case, the current owners already demolished the Anita Rice home that could have qualified for the Historic Registry.

Rezoning will hurt the neighborhood by adding more traffic to an already congested portion of Halfway Boulevard. There is not room on the corner for commercial development and the traffic that will come with it.

My dad, who spoke at the meeting this week, shared Mr. Allen's report with me. The analysis shows that the applicants have not met their obligation in their application: "Staff analysis has concluded that convincing proof has not been offered by the applicant demonstrating either a mistake in the current zoning, or a substantial change in the character of the neighborhood since the 2012 UGA Rezoning in their petition to rezone the property from RS to HI."

Allow the properties to remain RS, as they have been for many years. That's what is best for the neighborhood.

Thank you,

Emily Becker  
10811 Wyncote Drive

## Goodrich, Stephen

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**From:** Melissa Brown <melissajbrown85@yahoo.com>  
**Sent:** Tuesday, September 10, 2019 2:37 PM  
**To:** Goodrich, Stephen  
**Subject:** Rezoning case RZ-19-003

[EXTERNAL SENDER]

Dear Mr. Goodrich and the Zoning and Planning Commission,

It has come to my attention that the planning commission has not received many comments regarding the rezoning case RZ-19-003. I am voicing my opposition, and I want my opposition noted in the official record.

The staff report clearly finds that the applicant has not met his obligation to prove the land should be rezoned. "Staff analysis has concluded that convincing proof has not been offered by the applicant demonstrating either a mistake in the current zoning, or a substantial change in the character of the neighborhood since the 2012 UGA Rezoning in their petition to rezone the property from RS to HI."

The properties are zoned RS because they are adjacent to the park and surrounded by homes and a park. The zoning is appropriate. Rezoning to HI will be detrimental to the neighboring homes and to Marty Snook Park.

We have been in our home for one year, and we love our neighborhood. We would be devastated if the zoning changes, with added traffic and all of the other problems that come with it. There is already many issues with traffic at the intersection of our road, Oak Valley Drive and Halfway Blvd, so I can't imagine what it's going to be like if the zoning changes. Please don't let this happen to our neighborhood!

Do not rezone the properties HI.

Thank you,  
Eric and Melissa Brown  
10808 Oak Valley Drive  
Hagerstown, MD 21740

**From:** Aline Novak <[alinenovak@outlook.com](mailto:alinenovak@outlook.com)>  
**Sent:** Wednesday, September 11, 2019 6:03 PM  
**To:** Goodrich, Stephen <[SGoodric@washco-md.net](mailto:SGoodric@washco-md.net)>  
**Subject:** Zoning

[EXTERNAL SENDER]

Dear Mr. Goodrich,  
My husband, Bill Davies, attended the planning commission meeting Monday night. While we did not speak last night or submit written comments before the meeting. We are as opposed this year as we were when it was last on the agenda. We submitted comments at that time.

The land is zoned RS because it is surrounded by homes and a park. The zoning is appropriate, and it should not be changed just because a developer wants to profit by letting land he owns waste away. Rezoning to HI will be detrimental to the neighboring homes and to Marty Snook Park.

It is my understanding that the applicant has the burden of proof, and Mr. Allen, from the planning department, says that the threshold has not been met. To quote Mr. Allen's report, "Staff analysis has concluded that convincing proof has not been offered by the applicant demonstrating either a mistake in the current zoning, or a substantial change in the character of the neighborhood since the 2012 UGA Rezoning in their petition to rezone the property from RS to HI."

Please do not rezone the properties to HI.

Thank you,

Aline Novak and William Davies  
17724 Stone Valley Drive  
Hagerstown, MD  
21740

**Eckard, Debra S.**

---

**From:** Goodrich, Stephen  
**Sent:** Thursday, September 12, 2019 7:54 AM  
**To:** Eckard, Debra S.  
**Subject:** FW: RZ-19-003

Please acknowledge receipt, print for file and inform Travis

**From:** juliebecker@myactv.net <juliebecker@myactv.net>  
**Sent:** Wednesday, September 11, 2019 8:53 PM  
**To:** Goodrich, Stephen <SGoodric@washco-md.net>  
**Subject:** RZ-19-003

[EXTERNAL SENDER]

Dear Mr. Goodrich,

It has come to my attention that the planning commission noted that only four people commented on the rezoning application. I was opposed in 2017 and I am opposed now. Please accept these written comments and enter them into the record.

The RS zoning is appropriate. Where the Sheetz is located is zoned HI. They followed the rules. Mr. Smith is hoping that you will change the zoning to HI so that he can earn a profit. No developer should profit at the expense his neighbors. In this case, Woodmore, Friendship Park, and Oak Ridge will be forever impacted by this developers desire to earn money. It will hurt the neighborhood that has remained steady and stable for decades.

The applicant has the burden of proof. To quote County Planner Travis Allen's report, "Staff analysis has concluded that convincing proof has not been offered by the applicant demonstrating either a mistake in the current zoning, or a substantial change in the character of the neighborhood since the 2012 UGA Rezoning in their petition to rezone the property from RS to HI."

Allow the properties to remain RS, as the planners did in 2012.

Thank you,

Julie Becker  
10811 Wyncote Drive  
Hagerstown, MD. 21740

RECEIVED

SEP 17 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

Stephen T. Goodrich, Director

Washington County Department of Planning & Zoning

120 West Washington Street

Hagerstown, MD 21740

Re: Rezoning Case RZ-19-003

Dear Mr. Goodrich

I would like to go on record supporting my neighbors in opposing the rezoning of 10662 and 10656 Downville Pike from Residential Suburban to Highway Interchange

As a 25+ yr. resident of Brentwood Terrace, I have seen a tremendous increase in traffic, noise, and congestion in my neighborhood.

Halfway Blvd is a race track. Deer are slaughtered at an alarming rate. Our quality of life has been drastically reduced.

As a taxpayer I am deeply troubled by County Government using our neighborhood as a huge Monopoly game with rezoning approvals sold to the highest bidder. This is morally wrong and greatly degrades the community.

There is no need for more restaurants, convenience stores or random businesses. Use your head and do the right thing. Have a conscience. Thank you.

Sincerely,

Steve Marfellen, & Brande McAbee



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

September 18, 2019

Steven & Mary McAbee  
10835 Brentwood Terrace  
Hagerstown, MD 21740

RE: Rezoning Case RZ-19-003

Dear Mr. & Mrs. McAbee:

This letter acknowledges receipt of your recent correspondence regarding the proposed map amendment for RZ-19-003 – Downsville Pike Land LLC.

Your correspondence will be made a part of the record for this case and will be entered into the file and considered by the Washington County Planning Commission and the Board of County Commissioners in their deliberations concerning the proposed amendment.

Sincerely,

Stephen T. Goodrich, Director  
Washington County Department of Planning  
& Zoning

STG/dse

Planning Commission Hearing  
September 9, 2019

Good evening. My name is Joe Powell. First, I want to thank the Commission for giving me this opportunity to share my thoughts regarding this rezoning proposal. I'm a resident of Washington County and live on Brentwood Terrace in the Oak Ridge development. I, like many of my neighbors in Oak Ridge and Woodmoor, face the daily challenge of safely merging into the traffic flow on Halfway Boulevard. I come before you tonight to speak in opposition to the rezoning of the properties located at 10662 and 10656 Downsville Pike.

On December 12, 2017, I spoke before the Board of County Commissioners regarding my opposition to the proposed rezoning of these same two parcels of land. At that meeting, I asked the Commissioners to consider several facts before they voted on the proposal. Those were:

- 1- The safety of both drivers and pedestrians due to the traffic flow patterns along the Downsville Pike and Halfway Boulevard and their intersection.
- 2- I believe Downsville Pike is a dividing line that separates Highway Interchange (HI) land from Residential Suburban (RS) properties. (MAP 1)
- 3- Several statements were made on the application about the similarities between the Sheetz store which is "across Downsville Pike from the Site" and the proposed development of parcels 210 and 408. When in fact, the entrance to Sheetz is located on a dead-end road with virtually all traffic being created by visitors to the store. As opposed to nearly 100% of the traffic going by the proposed rezoning site being generated by the local residents, commuters, and visitors to the Marty Snook Memorial Park.

After thoughtfully considering all the facts and circumstances regarding this rezoning proposal, the County Commissioners voted to NOT APPROVE the rezoning in 2017.

Today, two years later, the County is being asked again to rezone these two parcels. Very little has changed in this neighborhood over the past two years, but for some reason the



property owners have determined they have an opportunity to produce a different outcome.

As you deliberate over this proposal, please consider the facts I stated earlier and another hazard that rezoning would produce.

In September 2017, a Concept Plan was developed for the use of these two parcels. (MAP 2) Building and parking lot locations were shown along with entrance and exits on Halfway Blvd and Rt. 632 – Downsville Pike. A pedestrian walkway was also included for the convenience of the visitors to Marty Snook Park. Everything looks good, until you pull back and consider traffic flow to enter and exit the proposed coffee/ice cream shop.

A wider view of the area, provides an opportunity to examine traffic coming from the four main directions to the planned entrance on Halfway Blvd. Let's look at each. (MAP 3)

- 1- Traffic traveling South from Hagerstown on Downsville Pike (Red line) would turn right onto Halfway Blvd, make a **U-TURN** at the intersection of Oak Valley Drive and Halfway Blvd, and proceed east to the entrance.
- 2- Traffic traveling North from the Downsville area or the exit ramp of I-70 East onto Rt. 632 (Green line) would turn left at the traffic light onto Halfway Blvd, make a **U-TURN** at the intersection of Oak Valley Drive and Halfway Blvd, and proceed east to the entrance.
- 3- Traffic traveling West on I-70 would, at the end of the exit ramp (Blue line), proceed West onto Halfway Blvd, make a **U-TURN** at the intersection of Oak Valley Drive and Halfway Blvd, and proceed east to the entrance.
- 4- Traffic traveling East on Halfway Blvd (Brown line) would proceed east to the entrance.

Three of the four traffic directions would require a **U-TURN** to be made at the entrance of Marty Snook Park in order to visit this shop. U-Turns are already a common occurrence today. I have personally seen cars, trucks, and even pickup trucks with trailers making U-turns at this location. Just yesterday, I witnessed the first of three cars in the left turn lane at the entrance of the Park make a U-TURN and was almost hit by the second car as it entered the Park.

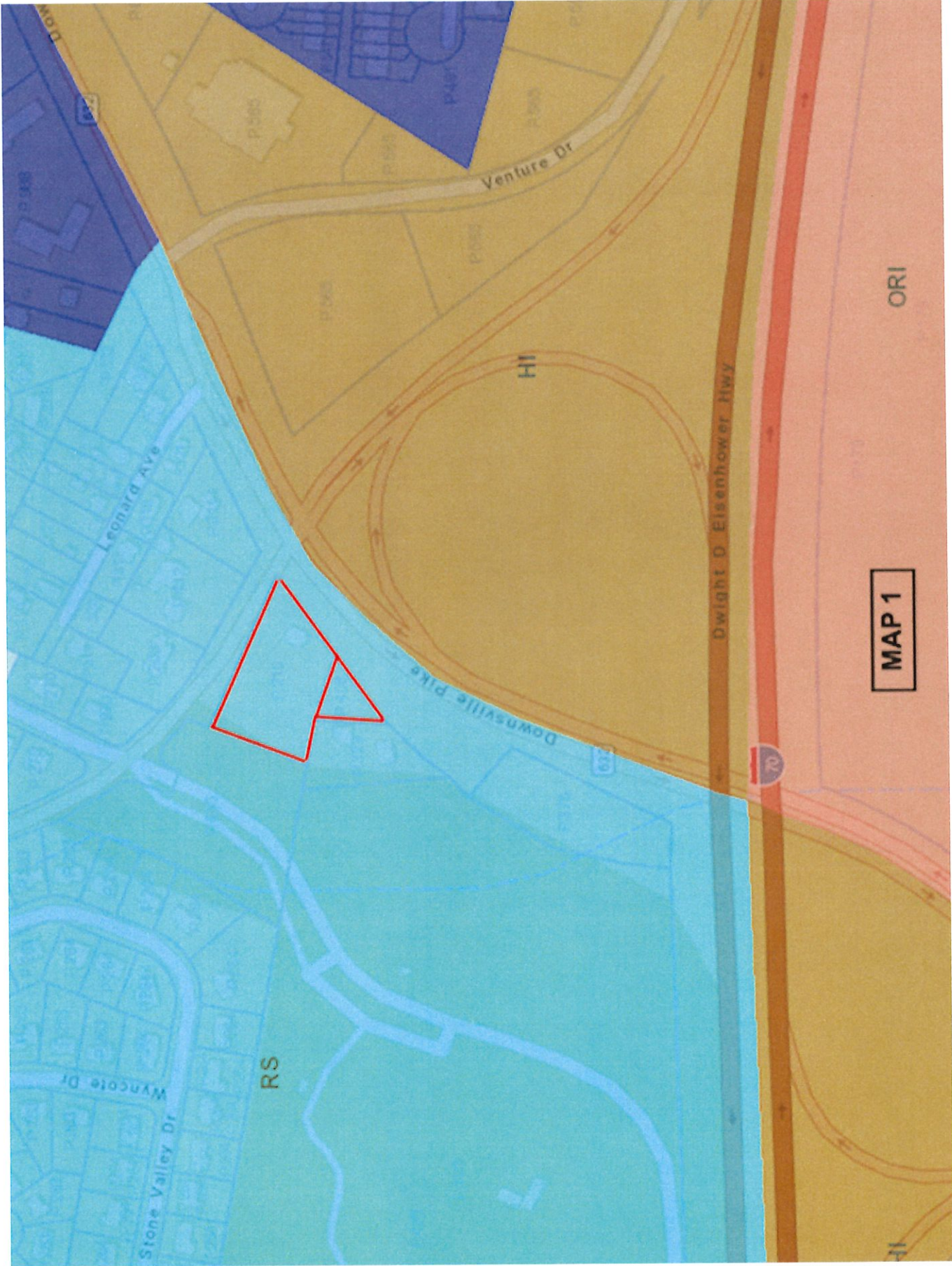
Exiting the property is less challenging except for two situations:

- 1- The exit onto Downsville Pike through the existing Park and Ride that is owned and maintained by the County might conflict with the purpose of the Park and Ride; and
- 2- Traffic exiting onto Halfway Blvd and wanting to turn left at the traffic light onto Rt 632 must merge left within approximately 100 feet into the of first of two left turn lanes.

I'm sure almost everyone who travels through this area of Washington County would certainly agree that using this land for any commercial business would create additional hazard and safety concerns for the local residents and commuters. Please thoughtfully consider my concerns along with those of many of my neighbors, and the recommendation made in the Comprehensive Planner's Report and Analysis.

My father, Reno Powell, served on this Board in the 80's and 90's. I know he served in a fair and unbiased manner, and based his decisions on facts and analysis, while always keeping in mind the welfare of the County residents. I have faith that this Board will do the same and vote NO to the rezoning proposal.

Thank You.



ORI

MAP 1

Venture Dr

Leonard Ave

HI

Downsville Pike

Dwight D Eisenhower Hwy

RS

Wyncote Dr

Stone Valley Dr

HI



MAP 2

80°



0 100 200 300 feet

James Run

Leonard Ave

632

Health@Work

Sheetz

632

Halfway Blvd

Downsville pike

Park & Ride

Venture Dr

MAP 3

Show

3D

- +

Traveling South on Rt 632

Traveling North on Rt 632 & East on I-70

Traveling West on I-70

Traveling East on Halfway Blvd



Health@Work

Sheetz

Park & Ride

MAP 3

Show

3D

- +

10811 Wyncote Drive  
Hagerstown, Maryland 21740

August 27, 2019

RE: RZ-19-003 Downsville Pike

RECEIVED

SEP 04 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

Dear Mr. Goodrich, the members of the planning commission, and the elected Board of County Commissioners,

As I did in 2017, I am writing in opposition of the proposed rezoning of 10662 and 10656 Downsville Pike from RS – Residential Suburban to HI – Highway Interchange. My thoughts have not changed! I reviewed the applicant's original paperwork and the initial ruling on the applicant's appeal. Though similar, this letter is not identical to the letter I submitted previously. I request that you read my letter in full.

The applicant cites the poor condition of the homes on the property. Prior to the recent decay of one of the properties, it was inhabited. In 2018, one home was demolished, and one garage was removed. The county inspectors have allowed the buildings and properties decline, so a rezoning to permit a restaurant is called for? If the properties had been maintained, they'd be occupied by owners or tenants.

The applicant's theory that the changing neighborhood calls for a change to HI is not wholly supported by his documents. There are hundreds of homes within yards of the property in question. Additionally, there is a county park that serves thousands of children and adults each year through its pool, fields, and playgrounds. The park houses hundreds of school-aged children each summer as part of the county's summer programs, as it has for decades. Marty Snook Park and these homes have not changed in decades, countering the applicant's argument that the neighborhood is changing.

Regarding traffic at the intersection: With the addition of a new Sheetz, it is likely that the intersection will see increased traffic counts, but those increases will not be due solely to Washington County residents. Highway travelers with no concern for the safety and living conditions of local residents will hop off the interstate, purchase fuel and convenience items, and hop back on the interstate. The increased tax revenues will be minimal, but in increased traffic, litter, noise, and light pollution will not be minimal. Adding another convenience-style property to the corner opposite of the planned Sheetz will not benefit the community or the neighborhood.

The oddly engineered intersection of Halfway Boulevard and MD 632 (Downsville Pike) should not be further negatively impacted by a commercial (HI) zoning. Both Downsville Pike and Halfway Boulevard lack sidewalks and crosswalks for pedestrians to safely walk along and cross the roads. The planned Sheetz already calls for a new traffic light and re-engineering. Recent "improvements" to the sidewalks and crosswalks are mindboggling. There are eight to ten feet of sidewalk and cut curb at the intersections that then attach to non-existent sidewalks. Why are there sidewalks to nowhere? How will residents of the neighborhoods or park patrons safely approach the new business at the intersection? The increased pedestrian traffic on Halfway Boulevard is already noteworthy. The new businesses will lead to exponentially more foot traffic, especially since the Virginia Avenue Sheetz closed. Will Washington County and its taxpaying citizens be on the hook for adding sidewalks along Halfway Boulevard due to the addition of this business? That is not acceptable.

I regularly see pedestrians walking on the edge of Halfway Boulevard and on the shoulder of Downsville Pike as they travel to and from the Sheetz. New businesses on an already awkward corner will exacerbate the unsafe conditions for pedestrians and drivers alike.

Just today, as I approached the intersection, a child and her mother were attempting to exit Marty Snook Park to cross Halfway Boulevard. Traffic was preventing them from crossing safely to enter the Oak Ridge side of the neighborhood. Engineers cannot create a workable traffic lighting system for that location because it is too close to Downsville Pike and Stone Valley Drive.

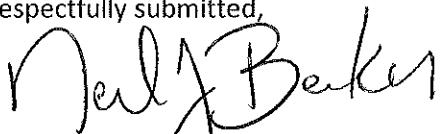
How will drivers enter and exit the new business? Vehicles struggle to enter and exit the park safely, and the addition of a restaurant or convenience store will not improve the flow of traffic. Drivers, especially those unfamiliar with the intersection routinely drive through the red turn arrow from Halfway Boulevard to northbound Downsville Pike. Drivers exiting westbound Interstate 70 routinely run the red light at Halfway Boulevard to avoid waiting two-three minutes for a green light. Accidents and near-misses at the current intersection and at the entrance of Marty Snook Park already should be evidence enough that adding a gas station or other business on the site is inappropriate.

The construction of a restaurant, gas station, or other convenience style business negatively impacts the environment. Just feet from the applicant's property is a small stream/run that is part of the Potomac and Chesapeake watershed. The increased litter and pollution that will negatively impact the neighborhood and park will also negatively impact the watershed. It is the responsibility of every citizen, elected official, and appointee to preserve and protect the environment. Changing the property's zoning to HI opens the door for unnecessary pollutants entering the watershed. Will the property owner and the county ensure the safety of the environment?

Would Marty Snook, whose name will forever be associated with Halfway Park approve of such commercial development that endangers drivers, pedestrians, and the environment?

The previous Board of County Commissioners voted 3-2 against the rezoning, but Mr. Fitzgerald pulled his application prior to the vote being finalized in hopes that a pro-development Board would approve it. Please listen to the voters and the previous Board and vote against this rezoning request.

Respectfully submitted,

A handwritten signature in black ink that reads "Neil Becker". The signature is written in a cursive style with a large, looping "N" and "B".

Neil Becker  
10811 Wyncote Drive  
Hagerstown, MD 21740

## Goodrich, Stephen

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**From:** neil becker <neilbecker@hotmail.com>  
**Sent:** Tuesday, September 10, 2019 1:30 PM  
**To:** Goodrich, Stephen; Wagner, Randall  
**Subject:** Planning and Zoning Comments  
**Attachments:** Downsville rezoning meeting september 2019.docx; Cline Contribution.jpg

[EXTERNAL SENDER]

Mr. Goodrich and Commissioner Wagner,  
Good afternoon. Please share this message and attachments with the planning commission members.

First, I am passionate about this topic because it has been on and off the radar for over two years. My comments may have been emotional, but they are based in the facts presented by Travis Allen, County Planner. Please don't mistake my passion for anger. I am not angry at county staff or at the planning commission. I am frustrated that the zoning appeal continues to appear due to the legal wrangling of Mr. Smith and Mr. Fitzgerald. They have let the properties fall into utter disrepair to add to their argument that no one wants to live there. If my property looked like theirs, I would have received countless citations for code violations and the county would have cleared the property at my expense. The applicants don't care about the homes or the neighborhood; they are investors hoping to reap a huge pay day.

Second, attached are my comments from last night and links to H-M articles that cover the previous commissioners' decision(s). I brought the contribution to Mr. Cline's attention, but he never responded to my inquiry personally. It is important to enter these articles and points into the record since Mr. Smith specifically stated that the application was withdrawn in hopes that a new set of commissioners would look favorably on his application. Adding to Marty Snook Park was brought up by Mr. Smith, but that is never mentioned in Mr. Allen's report. I did not mention it last night. And the commissioners did not vote down the rezoning with arguments for more park land. It was voted down because the applicant did not prove his case, which can be verified by pulling the public record.

H-M Ethics Article: [https://www.heraldmailmedia.com/news/local/halfway-rezoning-case-postponed-again-so-cline-can-see-ethics/article\\_21148db0-2f5d-5765-b722-cad7736ac871.html](https://www.heraldmailmedia.com/news/local/halfway-rezoning-case-postponed-again-so-cline-can-see-ethics/article_21148db0-2f5d-5765-b722-cad7736ac871.html)

H-M article clarifying the Park topic: [https://www.heraldmailmedia.com/instant/lack-of-majority-delays-downsville-pike-rezoning-case/article\\_d2c4d51a-48e6-11e8-8009-6383afad7431.html](https://www.heraldmailmedia.com/instant/lack-of-majority-delays-downsville-pike-rezoning-case/article_d2c4d51a-48e6-11e8-8009-6383afad7431.html)

H-M Article voting down the rezoning: [https://www.heraldmailmedia.com/instant/majority-of-commissioners-oppose-rezoning-request-near-snook-park/article\\_4b001ae0-58c7-11e8-913f-2bc23e229499.html](https://www.heraldmailmedia.com/instant/majority-of-commissioners-oppose-rezoning-request-near-snook-park/article_4b001ae0-58c7-11e8-913f-2bc23e229499.html)

Downsville Pike is the boundary between HI and RS. It's that simple. When Sheetz was proposed, I did not write or speak in opposition. I did write to express my concerns regarding pedestrian and driver safety. Sheetz proceeded appropriately within the zoning and the laws, and the new light and entrance/exit on Venture Drive is working safely. While traffic does stack up periodically, especially with school bus stops at the apartment entrance, the traffic signals keep traffic moving appropriately. Approving the HI application for the Downsville properties will directly impact traffic flow on both Downsville Pike and Halfway Boulevard without the luxury of additional traffic signals and acceleration and deceleration lanes.



Again, I respectfully request that the details of the staff report and analysis guide your decision. Additionally, I request that you listen to the residents of the affected neighborhoods. The land is zoned RS because that fits the neighborhood. The developers invested in the properties in hopes that they could flip them for a profit. No ice cream parlor is going to land on that site. Whoever is working with Mr. Smith and Mr. Fitzgerald has hopes of a much larger return via a 24-hour convenience store, a fast food restaurant, liquor store, or other high traffic businesses that will not improve the neighborhood or Marty Snook Park. If you approve the rezoning, they will seek several variances for setbacks, access, egress, and environmental impacts. Sidewalks will not go all the way to the Woodmore entrances at Stone Valley Drive and Meadowood Drive. The current entrance to Marty Snook Park will be even more dangerous, and the unsafe u-turns on Halfway Blvd and Downville Pike will increase. Following the many variances, in future years, improving increasingly unsafe location will fall upon the county and the state, which really means every taxpayer, not developers.

Thank you for hearing me out, again. Please review the attached documents and included links.

Neil

Neil Becker 10811 Wyncote Drive, Hagerstown, MD 21740

\*To WC Planning and Zoning Staff and Planning Commission:

Included below are my thoughts shared at last night's meeting. Not 100% word-for-word because I amended for time and to address some of Mr. Smith's comments regarding his previous application.

I can see the intersection of Halfway Blvd and Downsville Pike due to my home's elevation.

I have made my thoughts known to the planning commission this year and to the county commissioners in 2017/2018 when the previous application was submitted.

I have concerns about traffic, driver safety, pedestrian safety, light pollution, noise pollution, and environmental pollution.

Mr. Smith and Mr. Fitzgerald purchased the properties in question with full knowledge of their RS zoning. At least one of the properties was occupied until just a few years ago, and the developers made the owners (or their estate) purchase offers they couldn't refuse. The properties have fallen into even greater disrepair since the applicants obtained ownership, and a garage and one home have been demolished. Since last fall, there has been no maintenance to the properties. Grass has not been cut. Trees and shrubs are untrimmed. It appears that someone has used the middle of the properties as a trash dump since the demolition last fall.

The developers insist that traffic has increased, a mistake was made by not zoning the properties HI in 2012, and that the neighborhood has changed.

Tonight I will use a variety of excerpts from the County Staff Report and Analysis as I address this board:

**Regarding traffic:**

“trends cannot be discerned from the first-time collections from 2016”

“a new access onto Halfway Blvd would be required.”

“A traffic study may be required”

“New access to Halfway Blvd would require a minimum of 500’ spacing” which is challenging due to the location of the Marty Snook Park entrance and the entrance to the Oak Ridge development

“There are challenges with the existing transportation patterns. The location presents a challenge in terms of access.”

“there is very limited access to Halfway Blvd.”

“Access from the park and ride lot to a commercial use at the corner may also lead to traffic and parking conflicts between the two uses at certain times of the day or week.”

**Regarding a “Mistake”:**

If a “mistake” has been made, “it does not require the local governing body to change the zoning”

“Staff analysis has revealed that the neglect of the existing structures has played an equal if not larger role than road and traffic-related impacts in the continued viability of residential use at the site since 2012.”

“The applicant has not met the burdens in proving that that a substantial change has occurred in the neighborhood since the 2012 rezoning.”

**Regarding change in the neighborhood:**

“the parcels have a long history of residential use”

“maintenance of the properties has not been kept up by the current owners”

“staff would contend that this is a clear case of demolition by neglect. By not keeping up on the maintenance, it removed almost *any* likelihood that the houses would be sold or re-occupied”

“the neglect of the properties has had a **greater** impact on their current marketability for continued residential use.”

“Staff would disagree with the applicant’s assertion that roadway improvements have significantly impacted the continued residential viability of the site.”

The neighborhood has not changed since 2012 rezoning. “If the property owner felt aggrieved by the Board’s decision in 2012 to retain the previous RS zoning designation, they had the option to appeal at that time.”

Stable neighborhood: “The last approved piecemeal rezoning in the immediate vicinity of the site occurred in 2000, lending further credence to the stable character of the neighborhood.”

**The Staff’s Conclusion:**

“The staff analysis has concluded that convincing proof **has not been offered by the applicant** demonstrating either a mistake in the current zoning or a substantial change in the character of the neighborhood in the 2012 rezoning.”

“Please do be reminded that ALL permitted uses within the BL, BG, PB, and ORT zoning districts could potentially be allowed at the site if the zoning on the site is changed from RS to HI.”

That means the owners would not be held to building an “ice cream parlor” as they presented in 2017.

Listen to County staff and neighborhood residents. DO NOT REZONE!



Maryland State Board of Elections

Name of Entity : Cline, Jeff Citizens For  
Filing Period Name : 01/10/2018 Annual

Entity Number : 01005201  
Report Due Date : 01/17/2018

08/24/2017		\$150.00	Check	\$50.00
	Real Estate			
08/24/2017		\$25.00	Check	\$25.00
	Government			
07/12/2017		\$100.00	Check	\$100.00
	Architect/Surveyor			
08/22/2017		\$25.00	Check	\$25.00
08/24/2017		\$75.00	Check	\$50.00
	Retired			
10/04/2017	Gideon Properties LLC 380 S. Cleveland Ave., Hagerstown, Maryland 21740	\$400.00	Check	\$400.00
07/17/2017		\$100.00	Check	\$100.00
07/09/2017		\$150.00	Check	\$50.00
07/15/2017		\$100.00	Check	\$50.00
08/14/2017		\$850.00	Check	\$450.00
08/07/2017		\$25.00	Check	\$25.00
07/17/2017		\$75.00	Check	\$25.00
08/07/2017		\$100.00	Check	\$50.00

Company owned by Mike Fitzgerald, who is requesting a zoning change from the County Commissioners contributed \$400 to Commissioner Jeff Cline.

PUBLIC COMMENTS

RECEIVED FOR

RZ-19-004

JPK EXCAVATING

RZ-19-004

-----Original Message-----

From: George Anikis <[geoanne@myactv.net](mailto:geoanne@myactv.net)>  
Sent: Monday, September 16, 2019 9:09 AM  
To: Goodrich, Stephen <[SGoodric@washco-md.net](mailto:SGoodric@washco-md.net)>  
Subject: Keplinger's Excavation request

RECEIVED

SEP 16 2019

WASHINGTON COUNTY  
PLANNING DEPARTMENT

[EXTERNAL SENDER]

Good morning Steve:

Hope all is well with you. A voice from the past. I wanted to share my concern regarding the Kiplinger request on Breathedsville Road. To begin with, the road is narrow with no shoulders. There are only two ways for traffic on Breathedsville Road to exit onto the Sharpsburg Pike; Manor Church Rd to the south and Lappans Rd to the north. The exit onto the Sharpsburg Pike from Manor Church Rd for trucks pulling a flatbed and making a right turn to go north requires the truck to cross the southbound lane to effect the turning radius. Steve, check with the State Police barracks concerning the number of accidents at the intersection of Manor Church Road (Spielman Road on the west side) and the Sharpsburg Pike. There have been four or five in the last year. The line of sight looking south is poor, as there is a dip in the intersection. The exit to the Sharpsburg Pike from Lappans has a traffic signal, making it somewhat safer for flatbeds to execute a turn. In the interest of safety, please review the road and traffic patterns. perhaps a requirement that all equipment using a flatbed be required to use Lappans and limit the use of manor Church Rd.

Regards,

George Anikis

## Site Plan for Mountain View Animal Emergency

Presented for approval is a site plan for Mountain View Animal Emergency.

The site is located along the west side of Crayton Boulevard, north of Maugans Avenue. Zoning is Highway Interchange.

The owners are proposing to construct a 16,330 square foot animal hospital on their 3.35acre parcel. Three future additions are also proposed totaling 7,600 square feet. Building height will be 30 feet. A small fenced yard will be in the rear of the building. A loading area will be on the east side.

There will be one main access into the site from Crayton Boulevard.

The hospital will be open 24 hours a day, 7 days a week.

A total of 98 parking spaces will be provided on-site; 80 spaces are required.

Public water and sewer are to service the hospital.

Deliveries will be by box truck daily.

Solid Waste/recycling will be collected inside.

Site lighting will be building mounted and pole mounted in parking lot.

Signage will be building mounted.

Landscaping will be installed around the building and in the parking islands.

Included will be maple trees, various shrubs, and day lilies.

Forestation requirements are to be met by paying the fee in lieu of \$6,664.68 for .51 acres required.

All approvals from the needed agencies have been received.





SITE PLAN STAFF REPORT

BASE INFORMATION

SITE NAME.....: Mountain View Animal Emergency
NUMBER.....: SP-19-021
OWNER.....: MOUNTAIN VIEW AE PROPERTIES LLC
LOCATION.....: West side of Crayton Boulevard
DESCRIPTION.....: Proposed animal hospital
ZONING.....: Highway Interchange Airport Overlay
COMP PLAN LU.....: Industrial/Flex
PARCEL.....: 27014461
PLANNING SECTOR.....: 1
ELECTION DISTRICT.....: 27
TYPE.....: Commercial
GROSS ACRES.....: 3.35
DWELLING UNITS.....: 0
TOTAL LOTS.....: 1
DENSITY.....: 0 Units Per Acre
PLANNER.....: Lisa A Kelly
ENGINEER.....: FREDERICK SEIBERT & ASSOCIATES
RECEIVED.....: June 7, 2019

SITE ENGINEERING

HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION

FLOOD ZONE.....: No
WETLANDS.....: No
WATERSHED.....: Antietam Creek
ENDANGERED SPECIES.....: None
STEEP SLOPES.....: No
STREAM BUFFER.....: No
HISTORIC INVENTORY.....: No Resources Present
EASEMENTS PRESENT.....: None

Staff Comments:

Not Applicable



Washington County  
MARYLAND

WASHINGTON COUNTY DIVISION OF PLAN REVIEW & PERMITTING

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

<i>SITE DESIGN</i>		
Impervious Area Plan	Impervious Maximum Allowed	Open Space Area Planned
52		
Open Space Minimum Required	Residential Amenity Plans	Solid Waste Disposal Plans
	N/a	Dumpster
Materials Stored on Site	Buffer Design Meets Requirements	Landscaping Meets Requirements
No	Yes	Yes
Lighting Plan Meets Requirements	Pedestrian Access is Adequate	Bus Stop is Within Walking Distance
Yes		
Loading Area Meets Requirements		
		<b>Not Fast Track</b>
Parking Spaces - Total Planned	Parking Spaces - Per Dwelling Unit	
98		
Parking Spaces - Minimum Required	Recreational Parking Provided	
80	No	

ACCESS SPACING VARIANCE NEEDED: No

	<i>SCHOOL INFORMATION</i>		
	ELEMENTARY	MIDDLE	HIGH
SCHOOL DISTRICT	Maugansville	Western Heights	North Hagerstown
PUPIL YIELD			
CURRENT ENROLLMENT			
MAXIMUM CAPACITY			

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

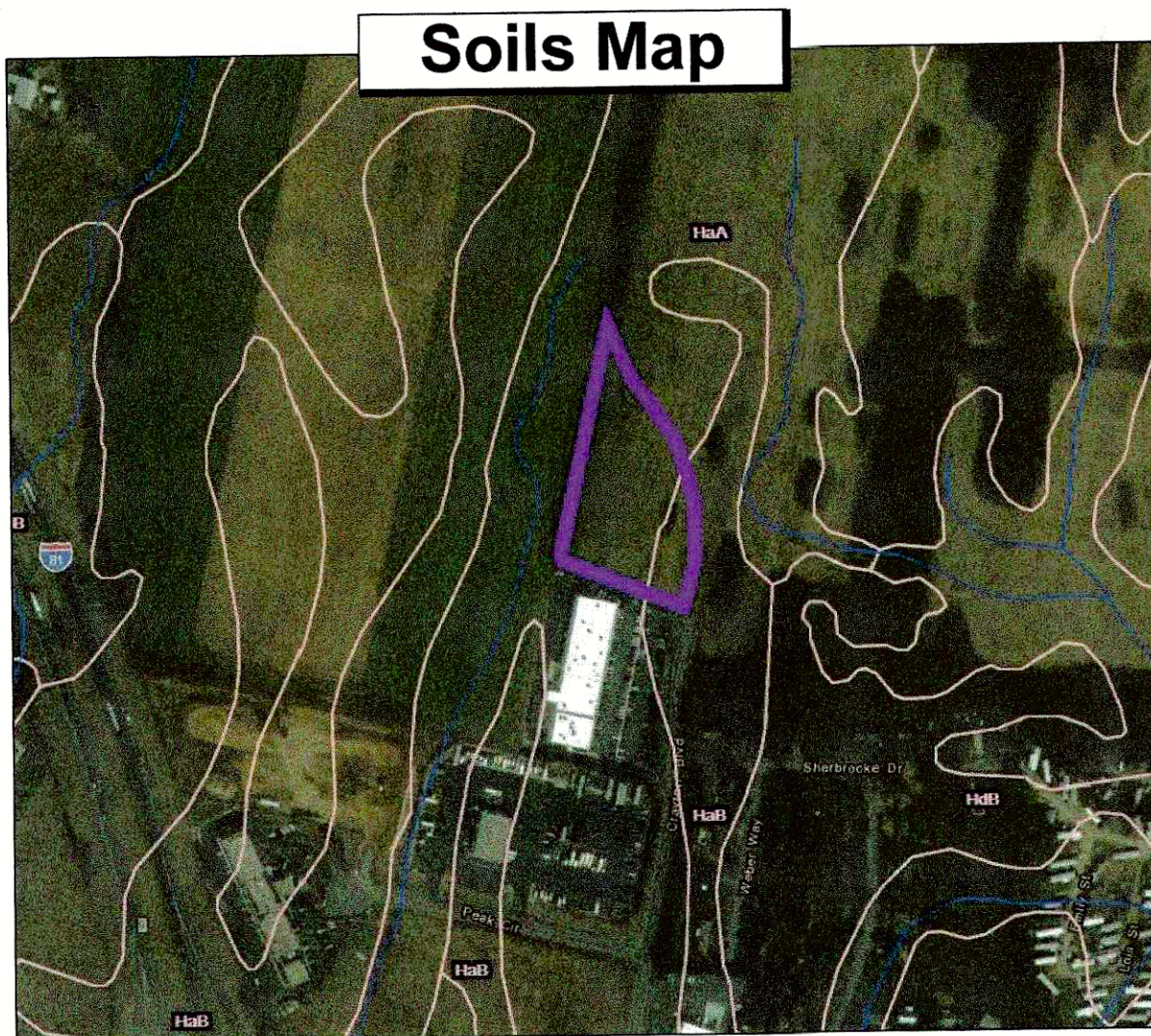
	<i>WATER &amp; SEWER INFORMATION</i>	
	WATER	SEWER
METHOD.....:	City	County Line - City Treatment
SERVICE AREA.....:	City	County Line - City Treatment
PRIORITY.....:	3-Programmed Service	1-Existing Service
NEW HYDRANTS.....:		
GALLONS PER DAY SEWAGE...:		
PLANT INFO.....:		Hagerstown (City)

# SITE PLAN for *MOUNTAIN VIEW ANIMAL EMERGENCY*

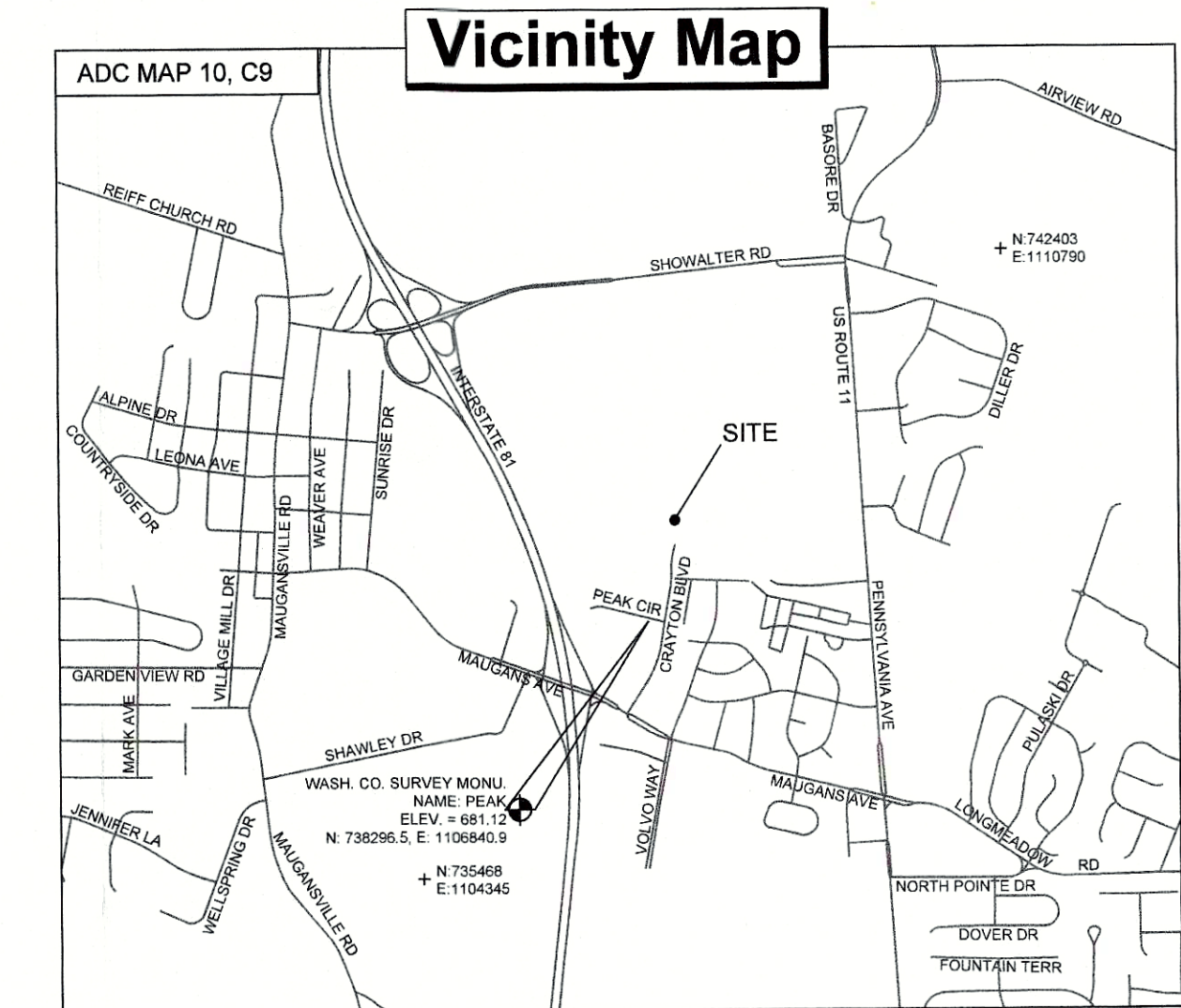
13810 Crayton BLVD, Hagerstown MD, 21742  
WASHINGTON COUNTY, MARYLAND

**OWNER/DEVELOPER:**  
Mountain View AE Properties, LLC  
18501 Maugans Ave. #105  
Hagerstown, MD 21742

Attn: Sean Williams  
Phone: (301)-733-7339  
Email: sean@mvaevet.com



**Soils Map**



**Vicinity Map**

SCALE: 1" = 2,000'

**Approvals**

<p><b>MD-ENG-6A</b> 1/69</p> <p><b>UTILITY NOTIFICATION</b> The Soil Conservation District makes no representation as to the existence or nonexistence of any utilities at the construction site. Shown on these construction drawings are those utilities which have been identified. It is the responsibility of the landowners or operators and contractors to assure themselves that no hazard exists or damage will occur to utilities. It is suggested that Miss Utility be contacted at: Phone No. 1-800-257-7777</p> <p><b>DISTURBED AREA QUANTITY</b> THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY <u>3.4</u> ACRES AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY <u>1,930</u> CU. YDS. OF EXCAVATION AND APPROXIMATELY <u>4,044</u> CU. YDS. OF FILL.</p> <p><b>WASHINGTON COUNTY SOIL CONSERVATION DISTRICT SOIL EROSION AND SEDIMENT CONTROL PLAN APPROVAL</b> By: _____ Date: _____ (PLAN IS VALID FOR TWO YEARS FROM DATE OF APPROVAL)</p> <p><b>APPROVAL: WASHINGTON COUNTY DIVISION OF PLAN REVIEW AND PERMITTING</b> SIGNATURE: _____ DATE: _____</p> <p><b>ENGINEER'S STORMWATER MANAGEMENT CERTIFICATION</b> "I verify and affirm that the Construction for the Stormwater Management Facilities as performed either meets or exceeds the requirements and design intent of this plan, including all specifications and referenced standards, and has been completed in accordance with good construction practices. I also verify and affirm that I have reviewed the construction inspection documentation and the as-built information; that it has been done in accordance with Washington County requirements and at a level deemed necessary to assure the Verification made herein; and all discrepancies between the as-built information and approved plans have been noted and are considered acceptable to the Consultant."</p> <p>SIGNATURE: _____ DATE: _____ SEAL: _____</p> <p><b>WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY</b> This plan/plat has been reviewed by the Washington County Department of Water Quality for inclusion into the county capacity management plan for the system that serves this project. Allocation granted for construction shown on this plan/plat shall be in accordance with the capacity management plan developed for this system based on availability of allocation remaining in the facility.</p> <p>SIGNATURE: _____ DATE: _____</p> <p><b>WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY</b> This approval is for general conformance with the County's requirements for design and layout of proposed sewer and/or water system improvements or extensions. All sewer and/or water system improvements or extensions shall be constructed in strict accordance with the County's latest edition of the Standard Specifications for Construction of Sanitary Sewers and/or Water Lines. This approval does not guarantee availability of sewer and/or water service. Sewer and/or water service availability is subject to conformance with all rules, policies and regulations established by the County and in effect at the time application for service is made, and/or the availability of allocation remaining in other jurisdictions' facilities that may be granted to the County. This approval shall be valid for a period of TWO years.</p> <p>SIGNATURE: _____ DATE: _____</p>	<p><b>OWNER / DEVELOPERS CERTIFICATION</b> "We certify all any parties responsible for clearing, grading, construction and/or development will be done pursuant to this plan and responsible personnel involved in the construction project will have a Certificate of Training at a Maryland Dept. of the Environment approved training program for the control of soil erosion and sediment."</p> <p>DATE: _____ PRINTED NAME: _____ SIGNATURE: _____</p> <p><b>OWNER / DEVELOPERS CERTIFICATION</b> "We hereby certify that all clearing, grading, construction and/or development will be done pursuant to this plan and in accordance with the Stormwater Management Ordinance of Washington County and the policy on construction of subdivision infrastructure for acceptance and ownership by Washington County (S-3)."</p> <p>DATE: _____ PRINTED NAME: _____ SIGNATURE: _____</p> <p><b>ENGINEER / ARCHITECT DESIGN CERTIFICATION</b> I hereby certify this plan for soil erosion and sediment control has been designed in accordance with local ordinances, COMAR 26.17.01.07, and Maryland Standards and Specifications for Soil Erosion and Sediment Control.</p> <p>DATE: _____ REG. NO: _____ SIGNATURE: _____</p> <p><b>Professional Certification</b> I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 20945, Expiration Date: 2015-08-23.</p>
--	---

**Sheet Index**

TYPE	NUMBER	TITLE
C-001	SHEET 1	COVER SHEET
C-002	SHEET 2	GENERAL DETAILS & NOTES
V-101	SHEET 3	EXISTING CONDITIONS PLAN
C-101	SHEET 4	SITE & DIMENSIONING PLAN
C-102	SHEET 5	UTILITY PLAN
C-103	SHEET 6	GRADING AND SEDIMENT EROSION CONTROL PLAN
C-104	SHEET 7	STORMWATER MANAGEMENT PLAN
C-501	SHEET 8	STORMWATER MANAGEMENT DETAILS AND NOTES
C-502	SHEET 9	SITE DETAILS AND NOTES
C-503	SHEET 10	SEDIMENT EROSION CONTROL DETAILS & NOTES
C-504	SHEET 11	UTILITY DETAILS AND NOTES
L-101	SHEET 12	LANDSCAPE PLAN

**FREDERICK SEIBERT & ASSOCIATES, INC.** © 2019

CIVIL ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ LAND PLANNERS

128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740  
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225  
505 SOUTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013  
5201 SPRING ROAD, SUITE 3, SHERMANS DALE, PENNSYLVANIA 17090

(301) 791-3650      (301) 416-7478      (717) 597-1007      FAX (301) 739-4956

**SWM Narrative**

CURRENTLY THE SITE CONSISTS OF AN UNDEVELOPED 3.38 AC. FIELD USED TO GROW CROPS. THERE IS A RIDGE LINE RUNNING DOWN THE CENTER CAUSING TWO DRAINAGE AREAS. THE EASTERN DRAINAGE AREA DRAINS TO AN AREA THAT IS CURRENTLY UNDER CONSTRUCTION AS CRAYTON BLVD IS BEING EXTENDED. THE AREA TO THE WEST DRAINS TO A FIELD.

THE PURPOSE OF THIS PLAN IS TO BUILD AN EMERGENCY ANIMAL HOSPITAL FOR LARGE AND SMALL PETS. THIS HOSPITAL WILL BE SUPPORTED BY ASSOCIATED PARKING AND DRIVE AISLES. THE FUTURE ADDITIONS HAVE BEEN INCLUDED IN THE SWM CALCULATIONS.

ACCORDING TO THE ATTACHED ESDV WORKSHEET THE REQUIRED ESDV IS 13,565 CF. THIS IS BEING MET BY USING NON-ROOFTOP DISCONNECTION AND THE TWO BIO-RETENTION GARDENS.

QUANTITY CONTROL IS ALSO BEING ADDRESSED IN THE BIO-RETENTION PONDS.

**DOWNSTREAM STATEMENT:**

THIS SITE IS SPLIT INTO TWO DRAINAGE AREAS AN EAST AND A WEST. THE DRAINAGE AREA TO THE EAST DRAINS TO THE LARGER OF THE SWM STRUCTURES THEN INTO A ROAD SIDE CHANNEL/STORM DRAIN SYSTEM. THE STRUCTURE RELEASES THE RUNOFF AT A LOWER RATE THAN THE PREDEVELOPMENT CONDITIONS. THE DRAINAGE AREA TO THE WEST DRAINS TO A SWM STRUCTURE THAT DISCHARGES TO AN UNDEVELOPED FIELD AT THE POINT THE EXIST SITE DISCHARGES. THE POST DEVELOPMENT DISCHARGE HAS BEEN REDUCED FROM THE PREDEVELOPMENT RATE.

Non - ESD Practices (Chapter 3 - Structural Practices)										
TYPE	NO.	DA (ACRES) (To Structure)	IMPERVIOUS DA (ACRES) (To Structure)	RCN	STORAGE @ DHW (ac-ft)	PRINCIPLE SPILLWAY TYPE	PRINCIPLE SPILLWAY Size (inches)	CPv (cfs) (Discharge)	Qp10 (cfs)	Q100 (cfs)
BIO-RETENTION GARDEN	EAST	2.22 AC	1.22 AC	55		DIRT SPILLWAY	96 IN	4.90 CFS	0.19 CFS	7.90 CFS
BIO-RETENTION GARDEN	WEST	1.13 AC	0.66 AC	55		DIRT SPILLWAY	96 IN	0.04 CFS	1.57 CFS	2.28 CFS

NOTE: ALL FILL MATERIAL BROUGHT FROM OFFSITE MUST COME FROM A SITE WITH AN APPROVED SEDIMENT EROSION CONTROL PLAN.

Total DA (Site) \_\_\_\_\_  
Construction Type (circle one)  New  Redevelopment  Restoration

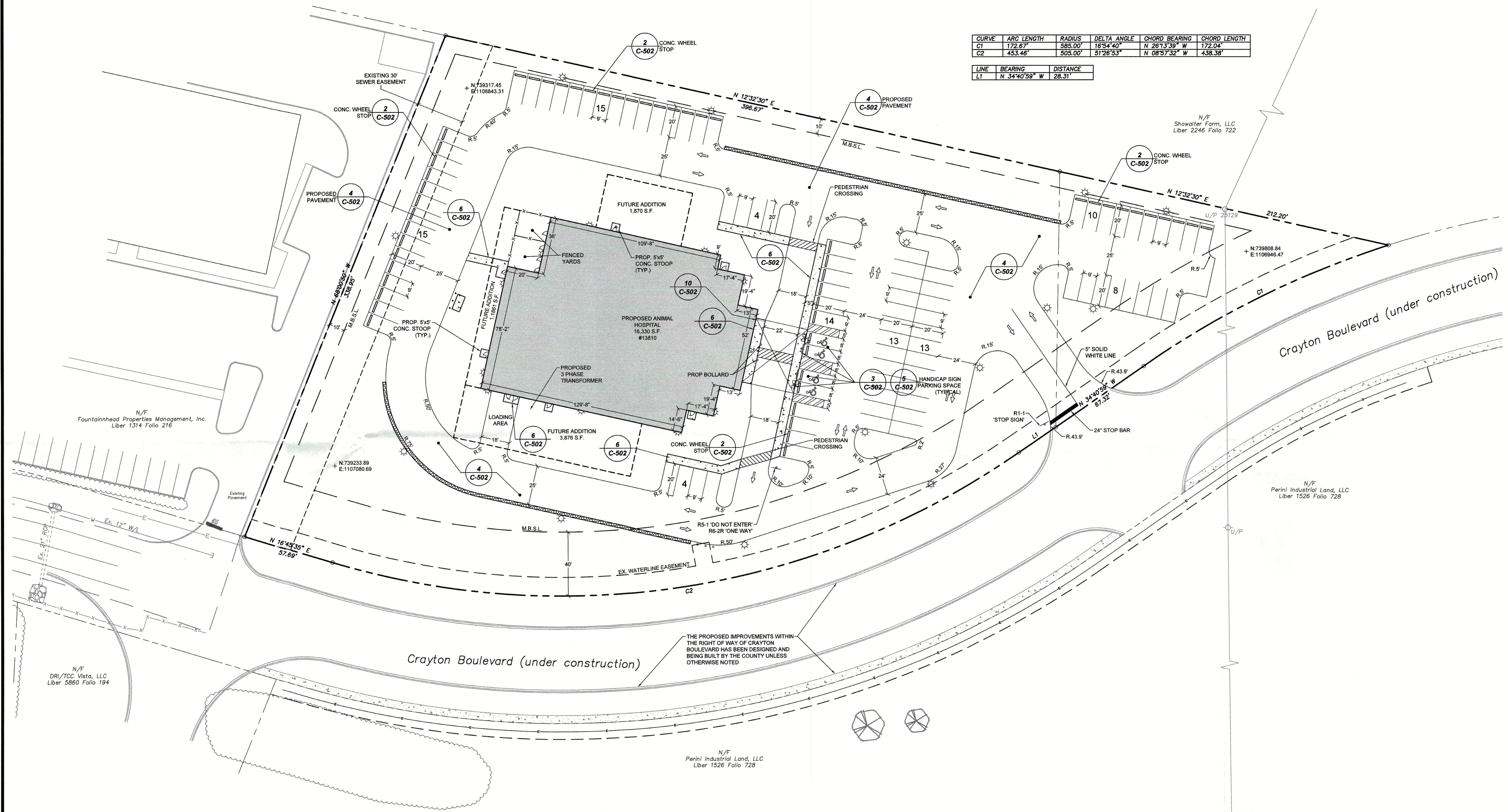
	GRADING CHK BY: AGH DATE: 5/8/2019	PROJECT NUMBER: 1725.MVAE
	SEC CHK BY: AGH DATE: 5/8/2019	<b>COVER SHEET</b>
	SWM CHK BY: KDM DATE: 5/8/2019	C-001
	PLAN CHK BY: AGH DATE: 5/8/2019	SHEET 1 OF 12
DESCRIPTION:	DATE:	SP-19-021



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	172.67'	585.00'	16°54'40"	N 26°13'39" W	172.04'
C2	453.46'	505.00'	51°26'53"	N 08°57'32" W	438.38'

LINE	BEARING	DISTANCE
L1	N 34°40'59" W	28.31'

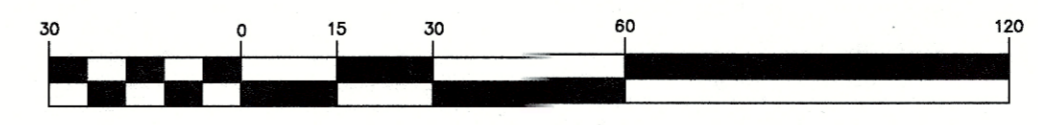


Crayton Boulevard (under construction)

Crayton Boulevard (under construction)

THE PROPOSED IMPROVEMENTS WITHIN THE RIGHT OF WAY OF CRAYTON BOULEVARD HAS BEEN DESIGNED AND BEING BUILT BY THE COUNTY UNLESS OTHERWISE NOTED

GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

Professional Certification  
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.  
Licenses No. 20265      Expiration Date 08/22/2019

**FREDERICK & SEIBERT & ASSOCIATES, INC.**  
 CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS  
 1315 SOUTH HANOVER STREET, GREENCASTLE, PENNSYLVANIA 17225  
 505 SOUTH HANOVER STREET, GREENCASTLE, PENNSYLVANIA 17033  
 301 SPRING ROAD, SUITE 1, GREENBANDVILLE, PENNSYLVANIA 17036  
 (717) 761-1111  
 www.fsa-inc.com

DATE	DESCRIPTION

**Mountain View Animal Emergency**  
 13810 Crayton Blvd  
 Hagerstown, MD 21742  
**WASHINGTON COUNTY, MARYLAND**  
 CLIENT:  
 Mountain View AE Properties, LLC, c/o Sean Williams  
 18501 Malignans Ave. #105, Hagerstown, MD 21742  
 (301) 735-7839

PROJECT NO:  
1725.MVAE  
 CAD DWG FILE:  
04-C-101-Site & Dimensioning.dwg  
 DWN BY:      DATE:  
DWH            04-26-2019  
 CHK BY:      DATE:

TAX MAP:      ELECTION DIST.  
24-11-1214    27  
 SCALE:            1" = 30'

SHEET TITLE  
**SITE AND DIMENSIONING PLAN**

C-101  
SHEET 4 OF 12  
SP-19-021

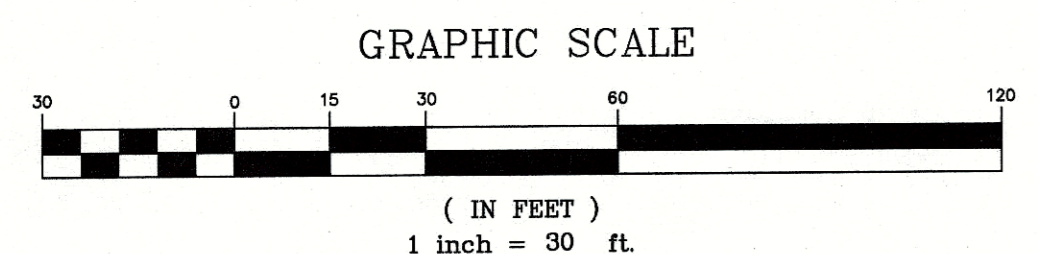
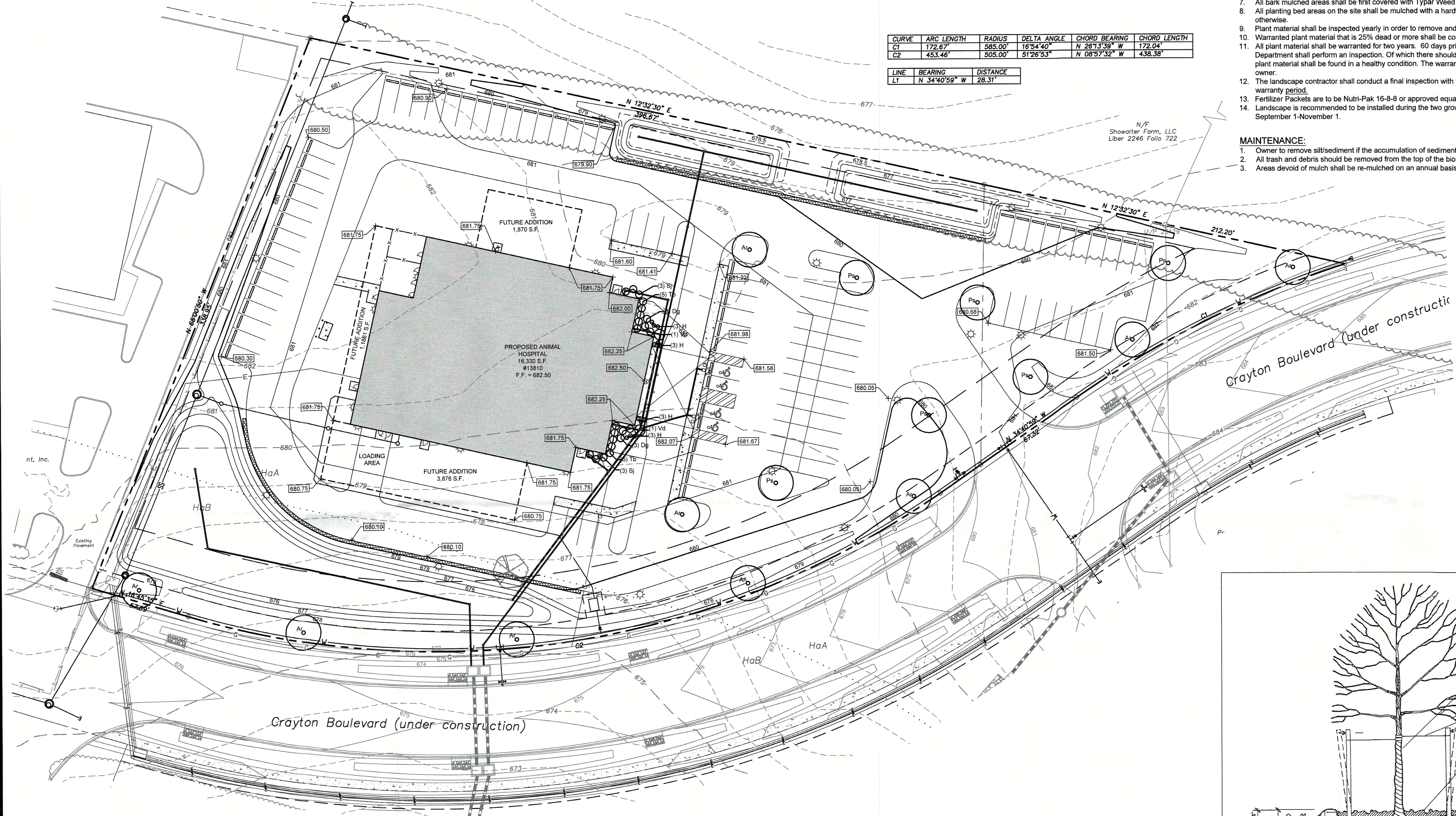
MD State Grid  
NAD83, NAD88

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	172.67'	585.00'	16°34'40"	N 26°13'39" W	172.04'
C2	453.46'	505.00'	51°26'53"	N 08°57'32" W	438.38'

LINE	BEARING	DISTANCE
L1	N 34°40'59" W	28.31'

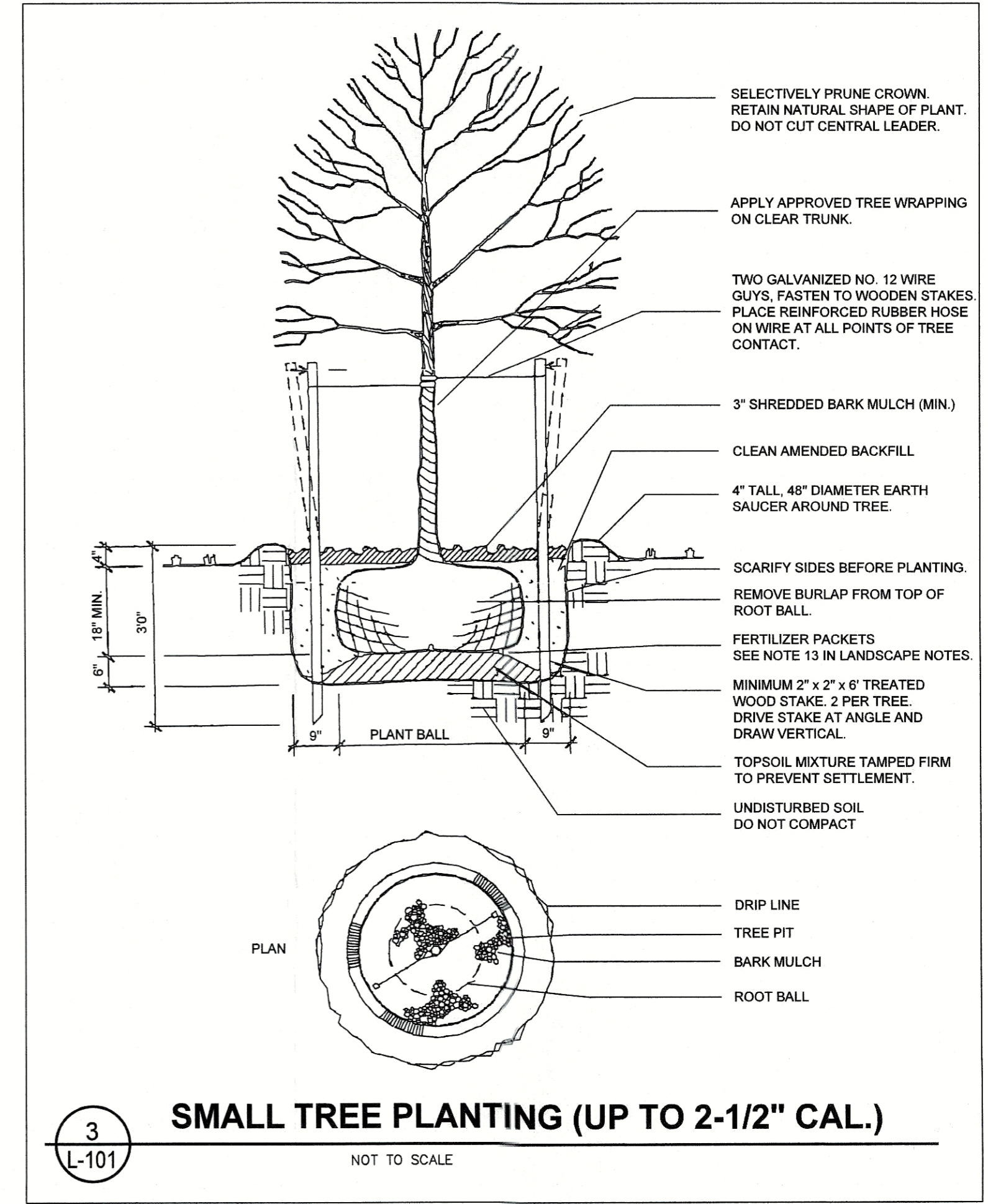
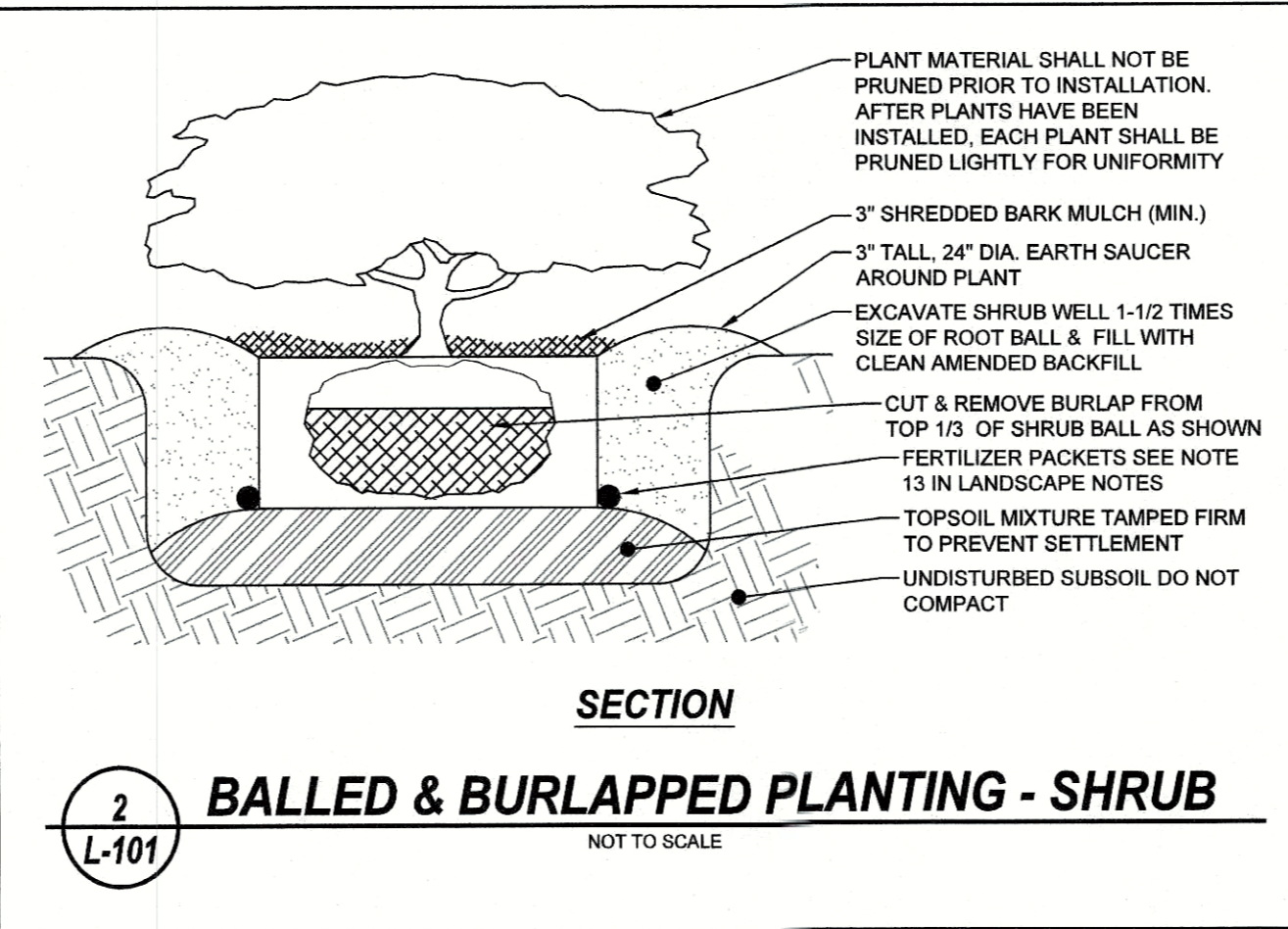
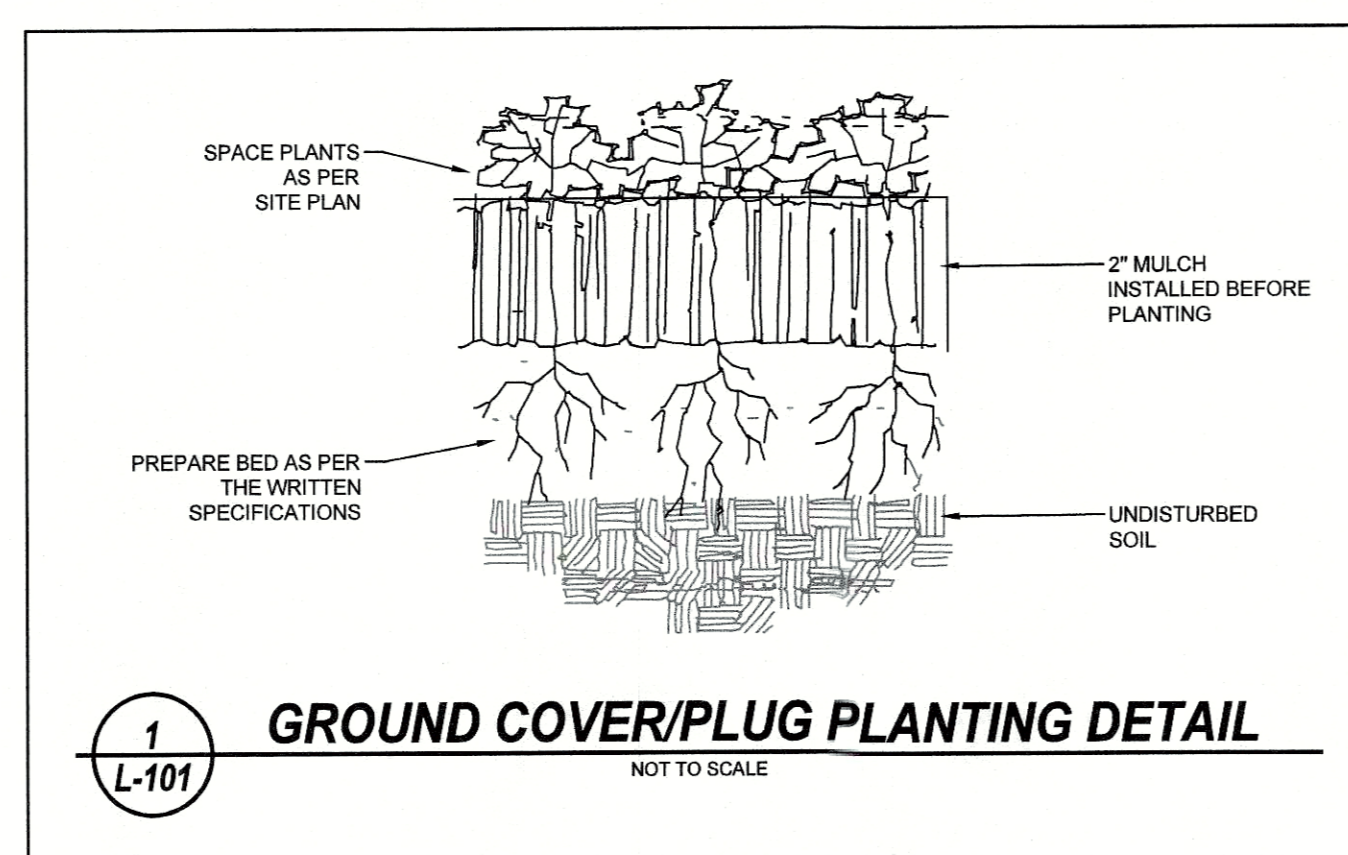
- GENERAL LANDSCAPE NOTES:**
- Landscape contractor is to call Miss Utility and have all underground utilities marked prior to any digging or planting.
  - Landscape Contractor shall install all plant material in a timely fashion.
  - Landscape Contractor shall be responsible for all watering, weeding, repairs and replacements prior to final acceptance.
  - NO Substitutions of plant material without written permission of FSA. Planting plans have been proposed with plant sizes, types, and locations as important design elements.
  - Plants shall be in accordance with the current issue of American Standards for Nursery Stock published by the American Association of Nurserymen.
  - All plants shall be watered thoroughly during installation and prior to final acceptance.
  - All bark mulched areas shall be first covered with Typar Weed Barrier or approved equal.
  - All planting bed areas on the site shall be mulched with a hardwood bark mulch at a depth of approx. 3", unless noted otherwise.
  - Plant material shall be inspected yearly in order to remove and replace dead, diseased vegetation.
  - Warranted plant material that is 25% dead or more shall be considered dead and shall be replaced at no charge.
  - All plant material shall be warranted for two years. 60 days prior to the end of the warranted period, the Engineering Department shall perform an inspection. Of which there should be a 90% survival rate of all plant material. All surviving plant material shall be found in a healthy condition. The warranty shall commence on the date of initial acceptance by the owner.
  - The landscape contractor shall conduct a final inspection with the owner or owner's representative at the end of the warranty period.
  - Fertilizer Packets are to be Nutri-Pak 16-8-8 or approved equal per manufacturer's recommendations.
  - Landscape is recommended to be installed during the two growing seasons. Spring: April 15-June 15, Fall: September 1-November 1.

- MAINTENANCE:**
- Owner to remove silt/sediment if the accumulation of sediment exceeds one inch over the bioretention area.
  - All trash and debris should be removed from the top of the bioretention area as necessary.
  - Areas devoid of mulch shall be re-mulched on an annual basis.



**PLANT SCHEDULE**

9	Ar	Acer rubrum 'October Glory'	2" cal.
6	Ps	Prunus subhirtella 'Autumnalis'	2" cal.
6	Sj	Spirea japonica 'Neon Flash'	3 gal.
10	Tb	Taxus baccata 'Repandens'	18-24"
6	Dg	Deutzia gracilis 'Nikko'	3 gal.
2	Vd	Viburnum dentatum 'Blue Muffin'	5 gal.
12	H	Hemerocallis 'Happy Returns'	1 gal.



Professional Certification  
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 20388. Expiration Date: 08-30-2018.

**FREDERICK SEIBERT & ASSOCIATES, INC.**  
© 2019  
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS  
128 SOUTH POTOMAC STREET, AGRESTOWN, MARYLAND 21740  
501 SOUTH HANCOCK STREET, CARLEISLE, PENNSYLVANIA 17003  
501 SPRING ROAD, SUITE 3, SHERMANSDALE, PENNSYLVANIA 17090  
(801) 971-8600 (801) 462-2701 (717) 781-8111  
www.fsa-inc.com

DATE:	DESCRIPTION:	MARK:

**Mountain View Animal Emergency**  
13810 Crayton Blvd  
Hagerstown, MD 21742  
WASHINGTON COUNTY, MARYLAND  
CLIENT: Mountain View AE Properties, LLC, c/o Sean Williams  
16501 Morningside Ave, Hagerstown, MD 21742  
(801) 752-3339

PROJECT NO: 1725.MVAE  
CAD DWG FILE: 12-L-101-Landscape Plan.dwg  
DWN BY: DWH DATE: 04-29-2019  
CHK BY: DATE:                        
TAX MAP: 24-11-1214 ELECTION DIST: 27  
SCALE: 1" = 30'  
SHEET TITLE: **LANDSCAPE PLAN**  
L-101  
SHEET 12 OF 12  
SP-19-021

## Site Plan for Thomas Bennett Hunter Inc

Presented for approval is a site plan for Thomas Bennett Hunter.

The subject site is located along the southside of Hopewell Road. Zoning is Industrial General.

The developers are proposing to construct a ready mix cement plant on their 19.37acre parcel, situated between Purina Mills and the Freightliner property.

An appeal (AP2018-017) for a special exception was approved by the Zoning Board of Appeals in August 2018 to allow for the establishment of the cement plant. Plans include the construction of a 1,200 square foot office and 6,000 square foot shop, a concrete plant, a backup portable plant, and outdoor stockpiles.

Hours of operation will be 6 am to 6pm Mon thru Friday and 6am to 12 noon Saturdays.

Employees per day will be 12 to 18 persons.

Delivery/freight will be 4 tractor trailers per date.

Parking required is 22 spaces and 23 are provided.

Public water and sewer will service the site.

Lights will be pole mounted throughout parking area.

Landscaping will include arborvitae, redcedar, and laurel shrubs.

Forest Conservation requirements have been met with a previously approved plat in 2016 that showed existing 3.85 acres of forest in a permanent easement.

All needed agencies have given their approval.



WASHINGTON COUNTY DIVISION OF PLAN REVIEW & PERMITTING

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

SITE PLAN STAFF REPORT

BASE INFORMATION

SITE NAME.....: Thomas, Bennett & Hunter, Inc.
NUMBER.....: SP-19-016
OWNER.....: THOMAS BENNETT & HUNTER INC
LOCATION.....: Hopewell Road S/S
DESCRIPTION.....: Site Plan for Thomas, Bennett & Hunter, Inc
Functional description of the site is for a concrete plant, for nonresidential nonretail construction
ZONING.....: Industrial, General
COMP PLAN LU.....: Industrial/Flex
PARCEL.....: 24000400
PLANNING SECTOR.....: 1
ELECTION DISTRICT.....: 24
TYPE.....: Commercial
GROSS ACRES.....: 19.34
DWELLING UNITS.....: 0
TOTAL LOTS.....: 1
DENSITY.....: 0 Units Per Acre
PLANNER.....: Cody L Shaw
ENGINEER.....: FREDERICK SEIBERT & ASSOCIATES
RECEIVED.....: May 3, 2019

SITE ENGINEERING

HYDROGRAPHY, SENSITIVE & ENVIRONMENTAL INFORMATION

FLOOD ZONE.....: No
WETLANDS.....: No
WATERSHED.....: Conococheague Creek
ENDANGERED SPECIES.....: None
STEEP SLOPES.....: Yes
STREAM BUFFER.....: No
HISTORIC INVENTORY.....: No Resources Present
EASEMENTS PRESENT.....: S-15-035

Staff Comments:

Not Applicable



Washington County  
MARYLAND

WASHINGTON COUNTY DIVISION OF PLAN REVIEW & PERMITTING

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

<i>SITE DESIGN</i>		
Impervious Area Plan	Impervious Maximum Allowed	Open Space Area Planned
50.2	100	0
Open Space Minimum Required	Residential Amenity Plans	Solid Waste Disposal Plans
0	n/a	dumpster/private hauler
Materials Stored on Site	Buffer Design Meets Requirements	Landscaping Meets Requirements
	Yes	Yes
Lighting Plan Meets Requirements	Pedestrian Access is Adequate	Bus Stop is Within Walking Distance
Yes		
Loading Area Meets Requirements		
		<b>Not Fast Track</b>
Parking Spaces - Total Planned	Parking Spaces - Per Dwelling Unit	
23		
Parking Spaces - Minimum Required	Recreational Parking Provided	
22	No	

ACCESS SPACING VARIANCE NEEDED: No  
NUMBER OF ACCESS POINTS: 1

	<i>SCHOOL INFORMATION</i>		
	ELEMENTARY	MIDDLE	HIGH
SCHOOL DISTRICT	Jonathan Hager	Springfield	Williamsport
PUPIL YIELD			
CURRENT ENROLLMENT			
MAXIMUM CAPACITY			

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

	<i>WATER &amp; SEWER INFORMATION</i>	
	WATER	SEWER
METHOD.....:	County Line - City Treatment	County
SERVICE AREA.....:	County Line - City Treatment	County
PRIORITY.....:	1-Existing Service	3-Programmed Service
NEW HYDRANTS.....:		
GALLONS PER DAY SEWAGE...:		
PLANT INFO.....:		Conococheague



BEFORE THE BOARD OF APPEALS  
FOR WASHINGTON COUNTY, MARYLAND

THOMAS, BENNETT & HUNTER,  
INC  
Applicant

Appeal No. AP2018-017

OPINION

This appeal is a request for a special exception to establish a "ready-mix cement concrete mixing plant at the subject property which is located at 11661 Hopewell Road, Hagerstown, Maryland 21740; is owned by Hagerstown-Washington County Industrial Foundation, Inc.; and is zoned Industrial General. The Board held a public hearing on the matter on July 11, 2018.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Applicant has operated its ready-mix cement concrete mixing plant at the current location on Burhans Boulevard in Hagerstown, Maryland since 1939.
2. The subject property is approximately 19.37 acres of unimproved ground located between the Purina Mills property and the Freightliner property on Hopewell Road. It is located in the area identified as the "Hopewell Valley" targeted economic development area by the 2002 Washington County Comprehensive Plan.
3. The proposed project is to construct a small single-story office/shop building, a large ready-mix cement concrete plant, a back-up portable plant and outdoor stockpiles. There will be approximately 20-25 employees on-site and the plant would operate from 6:00 a.m. to 6:00 p.m. during the week and 6:00 a.m. to noon on Saturdays.
4. The west side of the subject property contains a forest conservation area, which is located between the Freightliner property and the proposed plant site. There is a residence located on the Freightliner property, towards the eastern boundary line.

5. There was no opposition presented to Applicant's request.

### **Rationale**

The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as "a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood." Article 28A. In the instant case, the Board is called upon to consider a request to establish a ready-mix cement concrete mixing plant and also to relieve Applicant of specific setback requirements particular to such uses, pursuant to Section 14.2 of the Zoning Ordinance.

The proposed use is a permitted special exception use in this zone, and one that is consistent with the uses on directly adjacent and neighboring properties. It is also highly consistent with the elements of the Comprehensive Plan, which identifies the area as a targeted economic development area. The relocation of businesses to this area furthers the intent and purpose of the Comprehensive Plan. The area has been developed largely by manufacturing and warehouse uses and the proposed use is both consistent and an appropriate fit among the other uses.

There is nothing unique about the subject property or the surrounding properties that would produce more adverse effects at this location as opposed to somewhere else in the zone. The subject property is located near a highway interchange where significant truck traffic already exists due to the existing uses, the property has a forest conservation buffer on the only side with any residential connection, and the noise, dust and other environmental cast-offs from the proposed use are no more than other uses in the immediate area. In short, the construction of a ready-mix cement concrete mixing plant at the subject property will have no greater "adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." *Schultz v. Pritts*, 291 Md. 1, 15 (1981). The special exception request is GRANTED, by a vote of 5-0.

As part of the special exception consideration, Section 14.2 of the Ordinance requires that a 1,000 foot setback should be maintained from any contiguous residential property. The Ordinance further permits the Board to determine whether such a setback is necessary, and specifically permits a setback as minimal as 25 feet for ready-mix concrete cement plants. Here, Applicant seeks to reduce the setback to 100 feet which is

consistent with the setback requirement in the Industrial General zoning district generally. This appears to be a reasonable request, designed to provide appropriate setback space while also relieving the burden of the full setback imposed by the Ordinance. The fact that the adjacent "residential use" is ancillary to a commercial truck operation on property zoned Highway Interchange, also supports the reasonableness of such a reduction in the setback requirements. The Board finds that is not necessary to impose the full 1,000 setback requirement and further finds that the proposed setback of 100 feet is both reasonable and appropriate under the circumstances.


Accordingly, this request for a special exception is hereby GRANTED by a vote of 5-0.

BOARD OF APPEALS

By: Paul Fulk, Chair

Date Issued: August 1, 2018

**Approvals**

MD-ENG-6A 1/89  UTILITY NOTIFICATION The Soil Conservation District makes no representation as to the existence or nonexistence of any utilities at the construction site. Shown on these construction drawings are those utilities which have been identified. It is the responsibility of the landowners or operators and contractors to assure themselves that no hazard exists or damage will occur to utilities. It is suggested that Miss Utility be contacted at:  Phone No. 1-800-257-7777	USDA SCS  OWNER / DEVELOPERS CERTIFICATION "I/We certify all party parties responsible for clearing, grading, construction and/or development will be done pursuant to this plan and responsible personnel involved in the construction project will have a Certificate of Training at a Maryland Dept. of the Environment approved training program for the control of soil erosion and sediment."  DATE _____ PRINTED NAME _____  SIGNATURE _____
DISTURBED AREA QUANTITY  THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 15.1 ACRES AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY 15,000 CU. YDS. OF EXCAVATION AND APPROXIMATELY 39,700 CU. YDS. OF FILL.	OWNER / DEVELOPERS CERTIFICATION "I/We hereby certify that all clearing, grading, construction and/or development will be done pursuant to this plan and in accordance with the Stormwater Management Ordinance of Washington County and the policy on construction of subdivision infrastructure for acceptance and ownership by Washington County (S-3)."  DATE _____ PRINTED NAME _____  SIGNATURE _____
ENGINEER / ARCHITECT DESIGN CERTIFICATION I hereby certify this plan for soil erosion and sediment control has been designed in accordance with local ordinances, COMAR 26.17.01.07, and Maryland Standards and Specifications for Soil Erosion and Sediment Control.  9/19/2019 44044 DATE REG. NO. <i>Anthony Taylor</i> SIGNATURE	WASHINGTON COUNTY SOIL CONSERVATION DISTRICT SOIL EROSION AND SEDIMENT CONTROL PLAN APPROVAL  By: _____ Date: _____ (PLAN IS VALID FOR TWO YEARS FROM DATE OF APPROVAL)
ENGINEER'S STORMWATER MANAGEMENT CERTIFICATION "I verify and affirm that the Construction for the Stormwater Management Facilities as performed either meets or exceeds the requirements and design intent of this plan, including all specifications and referenced standards, and has been completed in accordance with good construction practices. I also verify and affirm that I have reviewed the construction inspection documentation and the as-built information, that it has been done in accordance with Washington County requirements and at a level deemed necessary to assure the Verification made herein, and all discrepancies between the as-built information and approved plans have been noted and are considered acceptable to the Consultant."  SIGNATURE _____ DATE _____ SEAL _____	APPROVAL: WASHINGTON COUNTY DIVISION OF PLAN REVIEW AND PERMITTING  SIGNATURE _____ DATE _____
PROFESSIONAL CERTIFICATION I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 44044, Expiration Date: 06/09/2021.  	WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY This approval is for general conformance with the County's requirements for design and layout of proposed sewer and/or water system improvements or extensions. All sewer and/or water system improvements or extensions shall be constructed in strict accordance with the County's latest addition of the Standard Specifications for Construction of Sanitary Sewers and/or Water Lines. This approval does not guarantee availability of sewer and/or water service. Sewer and/or water service availability is subject to conformance with all rules, policies and regulations established by the County and in effect at the time application for service is made, and/or the availability of allocation remaining in other jurisdictions' facilities that may be granted to the County. This approval shall be valid for a period of TWO years.  SIGNATURE _____ DATE _____
	WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY This plan/plot has been reviewed by the Washington County Department of Water Quality for inclusion into the county capacity management plan for the system that serves this project. Allocation granted for construction shown on this plan/plot shall be in accordance with the capacity management plan developed for this system based on availability of allocation remaining in the facility.  SIGNATURE _____ DATE _____

**SITE PLAN**

for

**Thomas, Bennett, & Hunter  
Hagerstown Plant**

Situate along the South side of Hopewell Road approximately 0.25 miles northeast of Halfway Boulevard  
WASHINGTON COUNTY, MD

**CONTRACT OWNER/DEVELOPER:**

Thomas, Bennett, & Hunter Inc.  
401 N. Burhans Blvd.  
Hagerstown, MD 21740

ATTN: Kevin Beaver

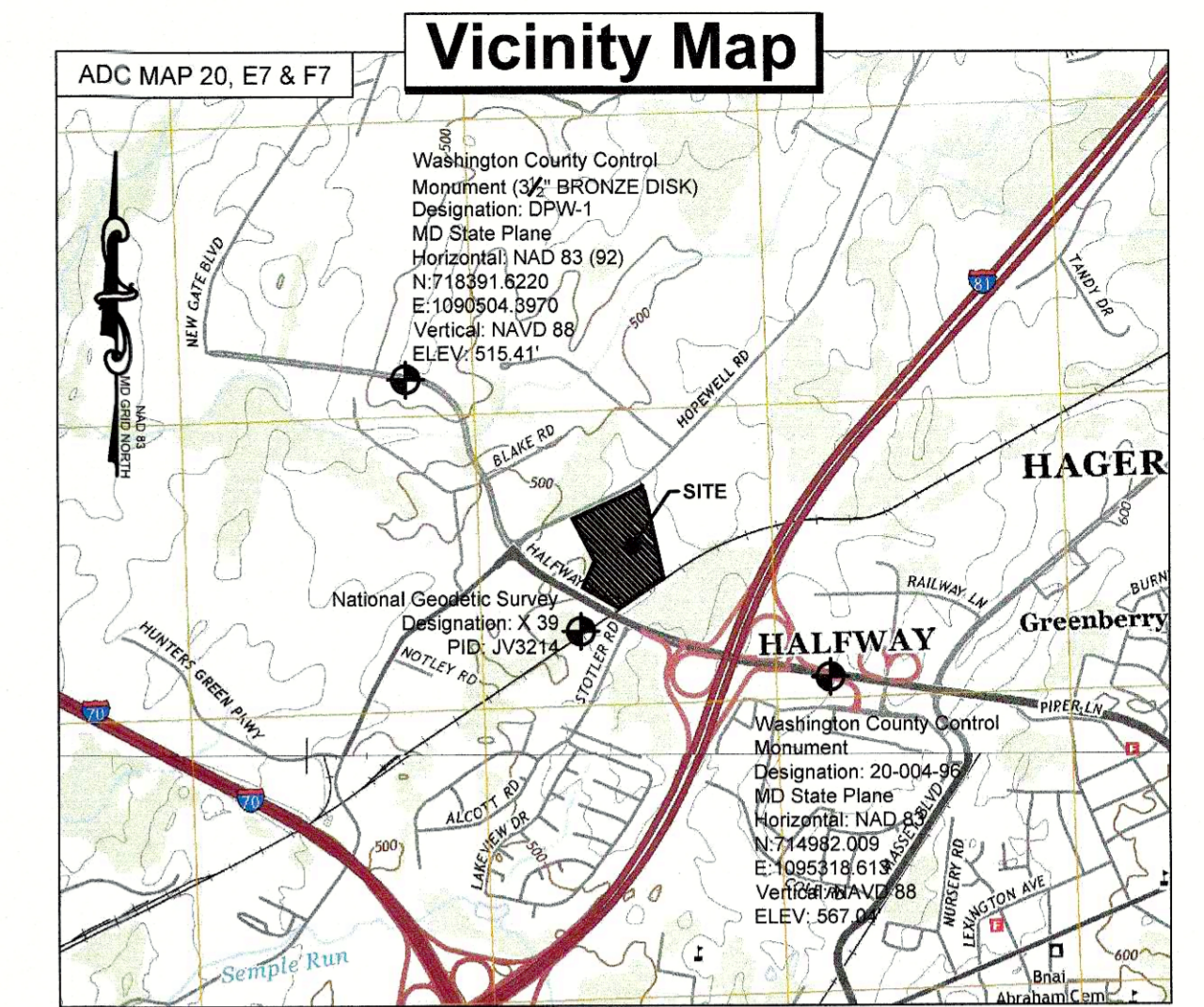
PHONE: 410-848-9030

Email: <mailto:kevin.beaver@tbhconcrete.com>

**FREDERICK SEIBERT & ASSOCIATES, INC.** © 2019

CIVIL ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ LAND PLANNERS  
128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740  
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225  
101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013

(301) 791-3650 (301) 416-7478 (717) 597-1007 FAX (301) 739-4566



TAX MAP: 48  
PARCEL: 572  
TAX ID: 24-000400  
HOPEWELL ROAD IS CLASSIFIED AS A MINOR COLLECTOR ROAD SPEED LIMIT 40 MPH

**Sheet Index**

TYPE	NUMBER	TITLE
G-001	SHEET 1	COVER SHEET
G-002	SHEET 2	GENERAL NOTES
V-101	SHEET 3	EXISTING CONDITIONS PLAN
C-101	SHEET 4	SITE & DIMENSIONS PLAN
C-102	SHEET 5	GRADING & SEC PLAN
C-103	SHEET 6	SWM PLAN
L-101	SHEET 7	LANDSCAPE PLAN
C-501	SHEET 8	SITE DETAILS
C-502	SHEET 9	SEC DETAILS
C-503	SHEET 10	SEC DETAILS
C-504	SHEET 11	SWM DETAILS
L-501	SHEET 12	LANDSCAPE DETAILS
C-201	SHEET 13	HOPEWELL ROAD WIDENING PLAN
C-202	SHEET 14	HOPEWELL ROAD WIDENING PLAN

**Division of Plan Review & Permitting Notes**

- In conformance with the Stormwater Management Ordinance of Washington County, a performance security and executed maintenance agreement shall be required from the developer prior to issuance of any building or grading permit for construction per these plans.
- This project will require a third party qualified professional to be present at the preconstruction meeting. Construction inspection will be required for this project per the "Roadway and Stormwater Management Construction Verification Procedures" dated October 17, 2008.
- A complete set of approved plans and a copy of the grading permit must be on site and available for use by the inspector, or other representative of Washington County Division of Public Works.
- Developer/Contractor shall contact the certifying engineer and the County at least 5 days prior to the start of construction of the stormwater management system to schedule and coordinate inspection time tables.
- This development plan must comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control, Ordinance.
- All grading for this project shall be the full responsibility of the property owner.
- A utility permit will be required for any proposed utility work located within the County right-of-way.
- A public works agreement and performance security will be required for all improvements within the County right-of-way that are not otherwise regulated under a utility permit or entrance permit.
- This development plat must comply with the current Washington County Stormwater Management, Grading, Soil Erosion and Sediment Control Ordinance.

**SWM Narrative**

This site was evaluated for its' environmental impacts including streams, springs and seeps, wetlands, floodplains, forests, slopes, and soils. The lot currently has approximately 7.63 acres of existing woods with the remaining area being farmed with row crops. The lot currently is divided into two watersheds with a highpoint running north to south. The east watershed is approximately 3.52 acres and the west watershed is approximately 17.75 acres. Prior to preparing a conceptual plan, an environmental resource inventory was completed. Along with the aforementioned woods, existing soils were conditions were researched. The soils on the lot are Hagerstown silt loam (HaB) which comprises about 55% of the lot and Hagerstown silty clay loam (HbB). Both soils are hydrologic soil group (HSG) B soils. The HaB soils has a erosion factor for whole soil (Kw) of 0.37 and is the soil that is being actively farmed. There are existing steep slopes on site which are slopes greater than 25% or slopes greater than 15% with a Kw greater than 0.35. Soils maps for the site can be found in Appendix A. The area of steep slopes being impacted by the proposed improvements are being minimized to the maximum extent practicable and are located within the existing forest on the west side of the lot. Highly erodible soils (HES) exist on the lot with the majority being located in the forest on the west side of the lot. The impact on the HES are being minimized to the maximum extent practicable. An area of forest located in the center of the lot is being proposed to be cleared for the construction of the building. A total of approximately 3.80 acres of forest is being proposed to be cleared on the lot for the ultimate construction of the proposed improvements. The remainder of the existing forest will be placed in a forest will be placed in a forest conservation easement to meet the requirement of the Washington County Forest Conservation Ordinance. There are two intermittent streams onsite that are shown on the USDA Soils Maps for Washington County. We found no evidence of sink holes or flow and the drainage area is less than 100 acres so a stream buffer is not required.

To meet the requirements of the Washington County Stormwater Management Ordinance, we are required to treat 9.99 acres of proposed impervious area which equates to an ESDv of 77,723 c.f. and a WQv of 35,329 c.f. 0.20 acres of impervious area for the Hopewell Road improvements qualify for N-2 Non-Rooftop Disconnection that provides 701 c.f. of ESDv. 1.57 acres of impervious area will be treated in a M-8 Bioretention Swale that will provide 4,320 c.f. of ESDv. The remainder of the ESDv will be treated in an I-2 Infiltration Basin. The geotechnical analysis found an infiltration rate of 3.3 inches per hour. The basin has been sized to infiltrate the 100 year storm event with no runoff leaving the facility.

**SWM NOTE:**  
In conformance with the Stormwater Management Ordinance of Washington County, a performance security and executed maintenance agreement shall be required from the developer prior to issuance of any building or grading permit for construction per these plans.

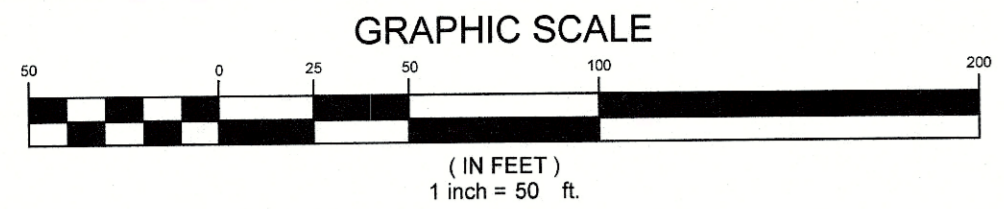
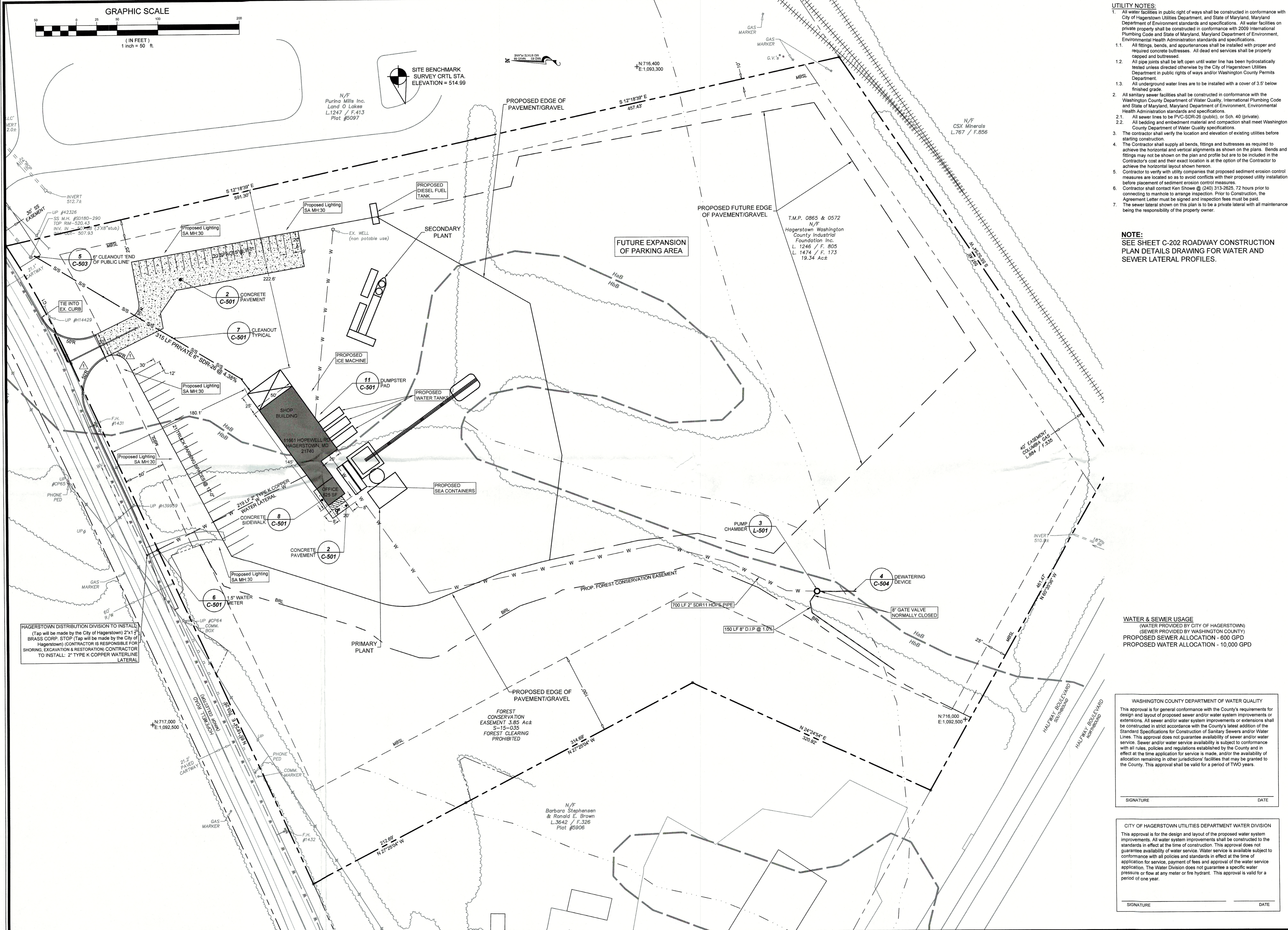
Total DA (Site)	
Construction Type (circle one)	<input checked="" type="radio"/> New <input type="radio"/> Redevelopment <input type="radio"/> Restoration

STRUCTURE	BMP NO.	ESDv WSE	IMPERVIOUS AREA TO STRUCT. (AC.)	STRUCTURE AREA (S.F.)	ESDv/WQv (C.F.) PROVIDED	Rev (C.F.)	DA	RCN	Qp10 (CFS)	Qf100 (CFS)
Non Rooftop			0.20		701		0.34	83	1.56	2.43
Bio Swale	BSWL-1	517.50	1.57	2,400	4,320		2.02	90	9.35	13.72
Infiltration Basin	IF-1	507.29	9.69	34,350	73,014		13.07	88	55.97	83.47

STORM EVENT	Pre Development East (cfs)	Pre Development (cfs)	Total Pre Development (cfs)	Post Development to Pond (cfs)	Pond Outflow (cfs)	Pond Storage (Ac.-ft.)	W.S.E.
Cpv	2.25	3.17	5.42	22.86	0.00	0.73	507.51
10	9.11	25.81	34.92	55.97	0.00	2.30	509.32
100	15.69	50.96	66.65	83.47	0.00	3.65	510.55

GRADING CHK BY:	DATE: 2018	PROJECT NUMBER: 64102  <b>COVER SHEET</b>  G-001 SHEET 01 OF 14 SP-19-016
SEC CHK BY:	DATE: 2018	
SWM CHK BY:	DATE: 2018	
PLAN CHK BY: ALT	DATE: 3/2019	
DESCRIPTION:	DATE:	





SITE BENCHMARK  
SURVEY CRTL STA.  
ELEVATION = 514.99

- UTILITY NOTES:**
- All water facilities in public right of ways shall be constructed in conformance with City of Hagerstown Utilities Department, and State of Maryland, Maryland Department of Environment standards and specifications. All water facilities on private property shall be constructed in conformance with 2009 International Plumbing Code and State of Maryland, Maryland Department of Environment, Environmental Health Administration standards and specifications.
    - All fittings, bends, and appurtenances shall be installed with proper and required concrete buttresses. All dead end services shall be properly capped and buttressed.
    - All pipe joints shall be left open until water line has been hydrostatically tested unless directed otherwise by the City of Hagerstown Utilities Department in public rights of ways and/or Washington County Permits Department.
    - All underground water lines are to be installed with a cover of 3.5' below finished grade.
  - All sanitary sewer facilities shall be constructed in conformance with the Washington County Department of Water Quality, International Plumbing Code and State of Maryland, Maryland Department of Environment, Environmental Health Administration standards and specifications.
    - All sewer lines to be PVC-SDR-26 (public), or Sch. 40 (private).
    - All bedding and embedment material and compaction shall meet Washington County Department of Water Quality specifications.
  - The contractor shall verify the location and elevation of existing utilities before starting construction.
  - The Contractor shall supply all bends, fittings and buttresses as required to achieve the horizontal and vertical alignments as shown on the plans. Bends and fittings may not be shown on the plan and profile but are to be included in the Contractor's cost and their exact location is at the option of the Contractor to achieve the horizontal layout shown hereon.
  - Contractor to verify with utility companies that proposed sediment erosion control measures are located so as to avoid conflicts with their proposed utility installation before placement of sediment erosion control measures.
  - Contractor shall contact Ken Showe @ (240) 313-2625, 72 hours prior to connecting to manhole to arrange inspection. Prior to Construction, the Agreement Letter must be signed and inspection fees must be paid.
  - The sewer lateral shown on this plan is to be a private lateral with all maintenance being the responsibility of the property owner.

**NOTE:**  
SEE SHEET C-202 ROADWAY CONSTRUCTION  
PLAN DETAILS DRAWING FOR WATER AND  
SEWER LATERAL PROFILES.

**WATER & SEWER USAGE**  
(WATER PROVIDED BY CITY OF HAGERSTOWN)  
(SEWER PROVIDED BY WASHINGTON COUNTY)  
PROPOSED SEWER ALLOCATION - 600 GPD  
PROPOSED WATER ALLOCATION - 10,000 GPD

**WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY**  
This approval is for general conformance with the County's requirements for design and layout of proposed sewer and/or water system improvements or extensions. All sewer and/or water system improvements or extensions shall be constructed in strict accordance with the County's latest addition of the Standard Specifications for Construction of Sanitary Sewers and/or Water Lines. This approval does not guarantee availability of sewer and/or water service. Sewer and/or water service availability is subject to conformance with all rules, policies and regulations established by the County and in effect at the time application for service is made, and/or the availability of allocation remaining in other jurisdictions' facilities that may be granted to the County. This approval shall be valid for a period of TWO years.

**CITY OF HAGERSTOWN UTILITIES DEPARTMENT WATER DIVISION**  
This approval is for the design and layout of the proposed water system improvements. All water system improvements shall be constructed to the standards in effect at the time of construction. This approval does not guarantee availability of water service. Water service is available subject to conformance with all policies and standards in effect at the time of application for service, payment of fees and approval of the water service application. The Water Division does not guarantee a specific water pressure or flow at any meter or fire hydrant. This approval is valid for a period of one year.



**THOMAS, BENNETT & HUNTER, Inc.**  
Professional Engineer  
I hereby certify that three (3) months were prepared or approved by me and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 4404. Expiration Date: 09-18-2019.

DATE	DESCRIPTION
09/18/2019	Revised per agency comments

**UNDER REVIEW - NOT APPROVED FOR CONSTRUCTION**  
THOMAS, BENNETT & HUNTER, Inc.  
410 N. Burnham Blvd., Hagerstown, MD, 21740  
Phone: 301.732.5844

PROJECT NO:	6410.2
CAD DWG FILE:	6410.2 C-101 Site&DimensioningPlan.dwg
DWN BY:	DATE
MTJ	09/17/18
CHK BY:	DATE
ALT	2019
TAX MAP:	ELECTION DIST.
48-11-572	24
SCALE:	1" = 50'
SHEET TITLE:	SITE & DIMENSION PLAN
C-101	
SHEET 4 OF 14	
SP-19-016	



Professional Engineer  
Frederick Seibert  
I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 4484  
09/15/2019

**FREDERICK S. SEIBERT & ASSOCIATES, INC.**  
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS - LAND PLANNERS  
124 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740  
22 WEST BALTIMORE STREET, GREENSBLE, MARYLAND 21725  
(410) 391-5400  
www.fredseibert.com

DATE: 10/10/2019  
7/18/2019  
8/2/2018

MARK	DESCRIPTION
△	Revised per agency comments
△	Revised grading and site layout per owner comments
△	Revised per agency comments
△	Revised per agency comments

**THOMAS, BENNETT & HUNTER, Inc.**  
Shale grading, stormwater management, erosion control, and site layout per owner comments.  
Approximately 1/2 mile north of Highway 287 near  
WASHINGTON COUNTY MARYLAND  
CLIENT:  
T. B. H. Inc.  
410 N. Barbara Blvd. Hagerstown, MD 21740  
Phone: 301-736-5644

**UNDER REVIEW - NOT APPROVED**

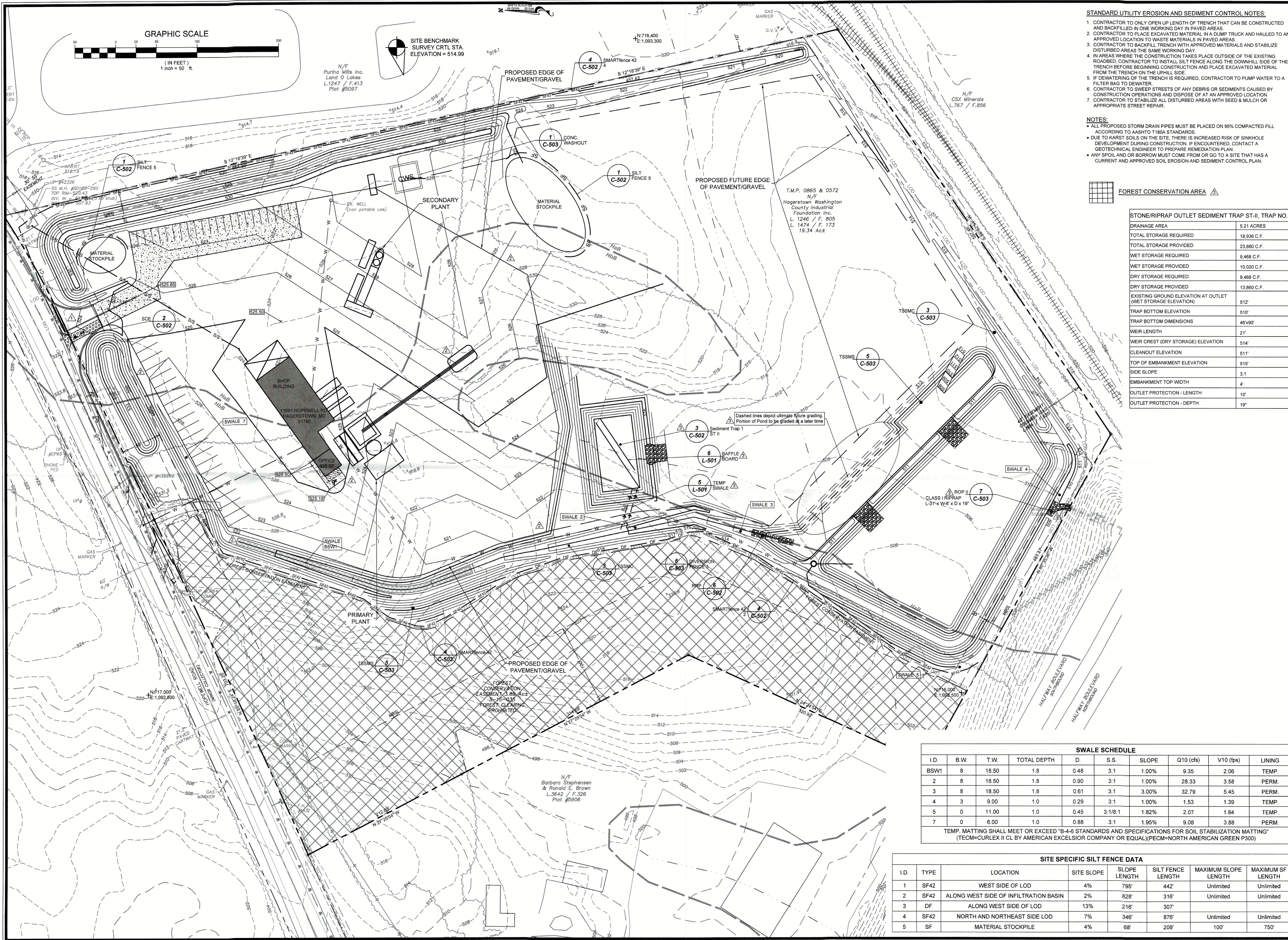
PROJECT NO: 6410.2  
CAD DWG FILE: 8410.2-05 C-102 Grading & SEC Plan.dwg  
DWN BY: MTJ DATE: 09/17/18  
CHK BY: ALT DATE: 2019  
TAX MAP: 48-11-572 ELECTION DIST: 24  
SCALE: 1" = 50'  
SHEET TITLE: GRADING & ESC PLAN  
C-102 OF 14  
SP-19-016

- STANDARD UTILITY EROSION AND SEDIMENT CONTROL NOTES:**
- CONTRACTOR TO ONLY OPEN UP LENGTH OF TRENCH THAT CAN BE CONSTRUCTED AND BACKFILLED IN ONE WORKING DAY IN PAVED AREAS.
  - CONTRACTOR TO PLACE EXCAVATED MATERIAL IN A DUMP TRUCK AND HAULED TO AN APPROVED LOCATION TO WASTE MATERIALS IN PAVED AREAS.
  - CONTRACTOR TO BACKFILL TRENCH WITH APPROVED MATERIALS AND STABILIZE DISTURBED AREAS THE SAME WORKING DAY.
  - IN AREAS WHERE THE CONSTRUCTION TAKES PLACE OUTSIDE OF THE EXISTING ROADBED, CONTRACTOR TO INSTALL SILT FENCE ALONG THE DOWNHILL SIDE OF THE TRENCH BEFORE BEGINNING CONSTRUCTION AND PLACE EXCAVATED MATERIAL FROM THE TRENCH ON THE UPHILL SIDE.
  - IF DEWATERING OF THE TRENCH IS REQUIRED, CONTRACTOR TO PUMP WATER TO A FILTER BAG TO DEWATER.
  - CONTRACTOR TO SWEEP STREETS OF ANY DEBRIS OR SEDIMENTS CAUSED BY CONSTRUCTION OPERATIONS AND DISPOSE OF AT AN APPROVED LOCATION.
  - CONTRACTOR TO STABILIZE ALL DISTURBED AREAS WITH SEED & MULCH OR APPROPRIATE STREET REPAIR.

- NOTES:**
- ALL PROPOSED STORM DRAIN PIPES MUST BE PLACED ON 95% COMPACTED FILL ACCORDING TO AASHTO T180A STANDARDS.
  - DUE TO KARST SOILS ON THE SITE, THERE IS INCREASED RISK OF SINKHOLE DEVELOPMENT DURING CONSTRUCTION. IF ENCOUNTERED, CONTACT A GEOTECHNICAL ENGINEER TO PREPARE REMEDIATION PLAN.
  - ANY SPOIL AND OR BORROW MUST COME FROM OR GO TO A SITE THAT HAS A CURRENT AND APPROVED SOIL EROSION AND SEDIMENT CONTROL PLAN.

**STONE/RIPRAP OUTLET SEDIMENT TRAP ST-II, TRAP NO. 1**

DRAINAGE AREA	5.21 ACRES
TOTAL STORAGE REQUIRED	18,936 C.F.
TOTAL STORAGE PROVIDED	23,880 C.F.
WET STORAGE REQUIRED	9,468 C.F.
WET STORAGE PROVIDED	10,020 C.F.
DRY STORAGE REQUIRED	9,468 C.F.
DRY STORAGE PROVIDED	13,860 C.F.
EXISTING GROUND ELEVATION AT OUTLET (WET STORAGE ELEVATION)	512'
TRAP BOTTOM ELEVATION	510'
TRAP BOTTOM DIMENSIONS	46'x90'
WEIR LENGTH	21'
WEIR CREST (DRY STORAGE) ELEVATION	514'
CLEANOUT ELEVATION	511'
TOP OF EMBANKMENT ELEVATION	515'
SIDE SLOPE	3:1
EMBANKMENT TOP WIDTH	4'
OUTLET PROTECTION - LENGTH	10'
OUTLET PROTECTION - DEPTH	19"



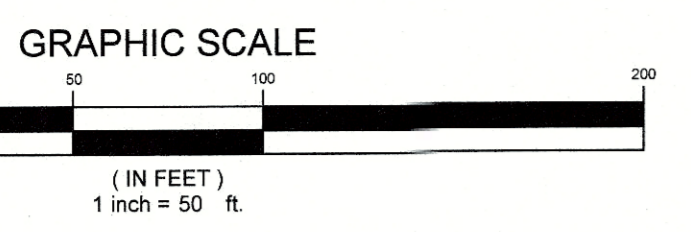
**SWALE SCHEDULE**

I.D.	B.W.	T.W.	TOTAL DEPTH	D.	S.S.	SLOPE	Q10 (cfs)	V10 (fps)	LINING
BSW1	8	18.50	1.8	0.48	3:1	1.00%	9.35	2.06	TEMP.
2	8	18.50	1.8	0.90	3:1	1.00%	28.33	3.58	PERM.
3	8	18.50	1.8	0.61	3:1	3.00%	32.79	5.45	PERM.
4	3	9.00	1.0	0.29	3:1	1.00%	1.53	1.39	TEMP.
5	0	11.00	1.0	0.45	3:1/8:1	1.82%	2.07	1.84	TEMP.
7	0	6.00	1.0	0.88	3:1	1.95%	9.08	3.88	PERM.

TEMP. MATTING SHALL MEET OR EXCEED "B-4-6 STANDARDS AND SPECIFICATIONS FOR SOIL STABILIZATION MATTING" (TECM=CURLEX II CL BY AMERICAN EXCELSIOR COMPANY OR EQUAL)(PECM=NORTH AMERICAN GREEN P300)

**SITE SPECIFIC SILT FENCE DATA**

I.D.	TYPE	LOCATION	SITE SLOPE	SLOPE LENGTH	SILT FENCE LENGTH	MAXIMUM SLOPE LENGTH	MAXIMUM SF LENGTH
1	SF42	WEST SIDE OF LOD	4%	795'	442'	Unlimited	Unlimited
2	SF42	ALONG WEST SIDE OF INFILTRATION BASIN	2%	828'	316'	Unlimited	Unlimited
3	DF	ALONG WEST SIDE OF LOD	13%	216'	307'		
4	SF42	NORTH AND NORTHEAST SIDE LOD	7%	346'	876'	Unlimited	Unlimited
5	SF	MATERIAL STOCKPILE	4%	68'	208'	100'	750'



SITE BENCHMARK  
SURVEY CRTL STA  
ELEVATION = 514.99

N/F  
Purina Mills Inc.  
Land O Lakes  
L. 1247 / F. 413  
Plot #5097

CONC. WASHOUT  
C-503

SILT FENCE 5  
C-502

SILT FENCE 5  
C-502

SILT FENCE 5  
C-502

Sediment Trap 1  
ST II  
C-502

BAFFLE BOARD  
L-501

TEMP SWALE  
L-501

CLASS I RIPRAP  
L-31'x W-6' x D x 19"  
C-503

DIVERSION FENCE  
C-503

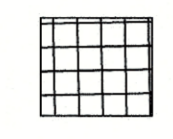
SMARTFENCE 42  
C-502

SMARTFENCE 42  
C-502

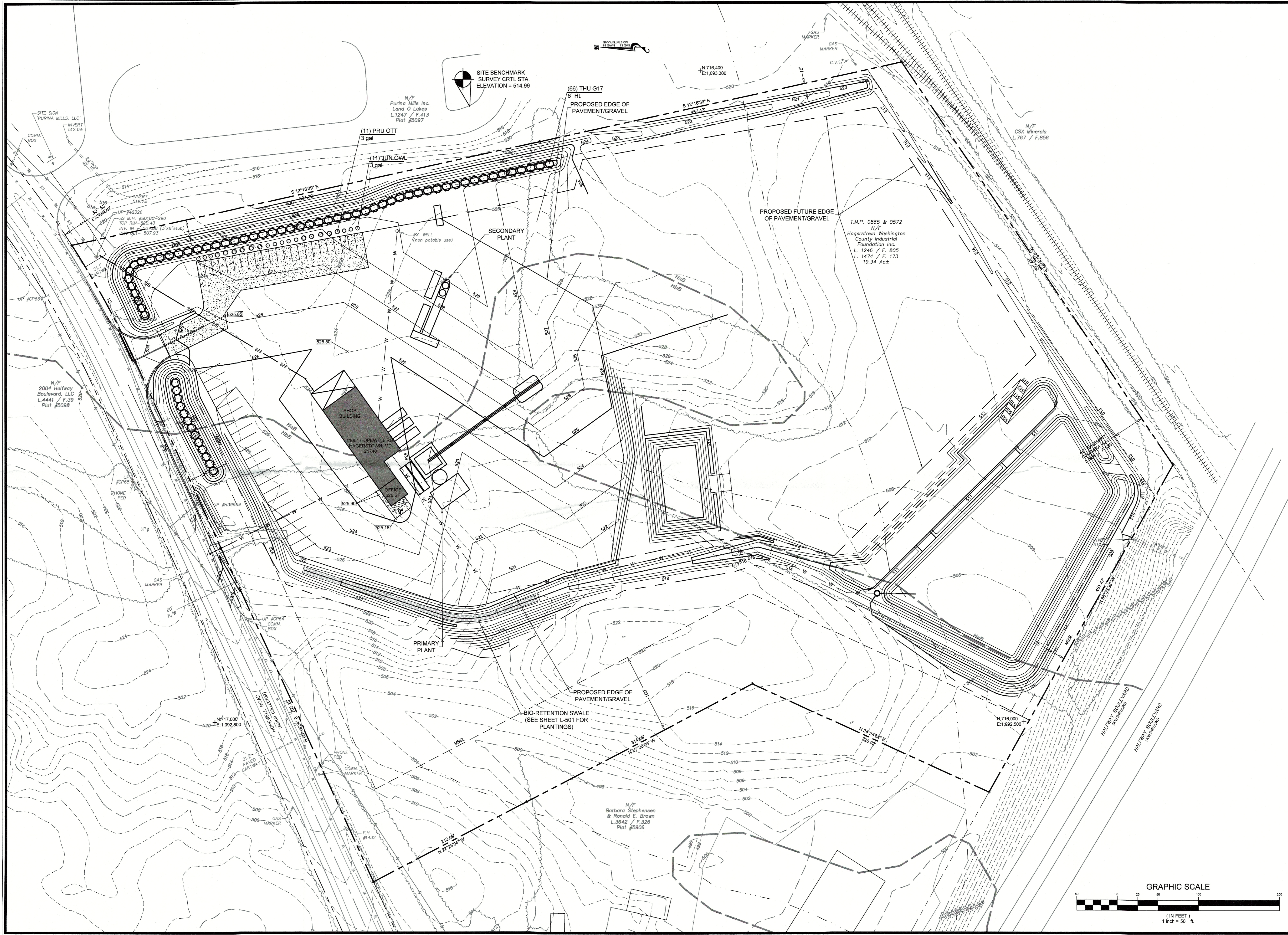
SMARTFENCE 42  
C-502

SMARTFENCE 42  
C-502

N/F  
Barbara Stephensen  
& Ronald E. Brown  
L. 3642 / F. 326  
Plot #5906



FOREST CONSERVATION AREA

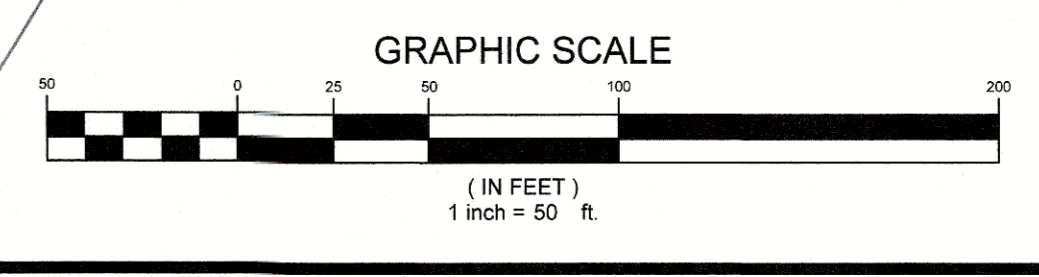


**FREDERICK S. SEIBERT & ASSOCIATES, INC.**  
 PROFESSIONAL ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS & LAND PLANNERS  
 101 NORTH HANOVER STREET, CARLEISLE, PENNSYLVANIA 17015  
 717.331.0000  
 www.fssai.com

DATE	DESCRIPTION

**THOMAS, BENNETT & HUNTER, Inc.**  
 UNDER REVIEW - NOT APPROVED  
 STATE OF MARYLAND  
 WASHINGTON COUNTY MARYLAND  
 CLIENT: T.B.H. Inc.  
 410 N. Burbank Blvd., Hagerstown, MD, 21740  
 Phone: 301-352-5844

PROJECT NO:	6410.2
CAD DWG FILE:	6410.2-07 L-101 LANDSCAPE PLAN.dwg
DRAWN BY:	BAW
DATE:	09/17/18
CHECK BY:	ALT
DATE:	2019
TAX MAP:	48-11-572
ELECTION DIST.:	24
SCALE:	1" = 50'
SHEET TITLE:	LANDSCAPE PLAN
L-101	
SHEET 7 OF 14	
SP-19-016	





**Site Plan for Dollar General Hagerstown  
Planning Commission Hearing  
10/7/2019**

- Site is located at 17213 Virginia Avenue, at the corner of Virginia Avenue and Bower Avenue.
- Proposal is to construct 10,640 sq.ft. commercial retail building on a vacant-former fuel station site.
- There will be two entrances, one off Virginia Avenue and one off Bower Avenue.
- Hours of operation 8am to 10pm 7 days a week with a maximum of four employees on site at once. 10 total employees on payroll for site.
- There are 38 total parking spaces. A variance was granted for parking reduction from 54 spaces to 38 in case no. AP2019-012 (see attached).
- Public water by City of Hagerstown and public sewer by the county will service the site.
- Deliveries will be by truck on the east side of the building.
- Lighting will be building mounted and pole mounted in parking lot.
- Signage will be a monument sign and building mounted.
- Landscaping will be installed around the building.
- Forestation requirement is being addressed by paying the fee in lieu.

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

**PENNTEx VENTURES, LLC**

**Appeal No. AP2019-012**

**Appellant**

**OPINION**

This appeal is a request for a variance to reduce the required parking from 54 spaces to 38 spaces, to reduce the required parking separation from the street right away from 10 feet to 1.5 feet, to reduce the setback from 25 feet to 15 feet for placement of a freestanding sign and a variance to allow the freestanding sign to face a residential district at the subject property. The subject property is located at 17213 Virginia Avenue, Hagerstown, Maryland; is owned by Williamsport Adventures, LLC (hereinafter "Appellant"); and is zoned Business Local (BL). The Board held a public hearing on the matter on May 29, 2019.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Appellant is the contract-purchaser of the subject property, located at 7213 Virginia Avenue, Hagerstown, Maryland. The subject property is owned by Williamsport Adventures, LLC.
2. Appellant is a real estate development company operating in multiple

states along the east coast and West Virginia and Ohio. Appellant serves as the real estate developer for Dollar General for their new construction, renovation and relocation projects.

3. The subject property is irregularly shaped and bordered to the west by Bower Avenue. The property used to be the site of an old gas station, with open parking lot access all along Bower Avenue. The rear of the site is elevated and is heavily wooded, making it less than ideal for development.

4. The proposed use is a Dollar General store, relocated from its current location on Virginia Avenue.

5. Appellant proposes to construct a mid-size store with 38 parking spaces, a freestanding sign and channelized parking lot that will allow a tractor-trailer to pull in and dock in the loading zone without impeding traffic on Virginia Avenue.

6. Appellant proposes to install the freestanding sign along the roadway, at the corner of the intersection of Bower Avenue and Virginia Avenue.

7. The County is requiring Appellant to dedicate 15 feet of land along Bower Avenue to allow for an access point to the property.

8. There are a number of other businesses which have freestanding signs along Virginia in the surrounding neighborhood, including multiple billboards.

9. There was no opposition presented at the hearing.

### **Rationale**

#### ***Variance for Freestanding Sign Facing a Residential District***

Appellant has sought a variance to allow the proposed freestanding sign at the corner of Bower Avenue and Virginia Avenue to face the adjacent residential property to

the east and on the opposite side of the subject property. Section 22.23(e) of the Zoning Ordinance authorizes the use of a freestanding sign by businesses, but also provides:

Businesses or industries having a frontage on more than one street may have an additional freestanding sign for each street frontage, provided that the total area for all freestanding signs does not exceed 600 square feet. Where the lot adjoins any lot or lots in a RT, RS, RU, RM or RV District, and a freestanding sign is on the side of the business lot adjoining the residential lot, the sign shall not face the adjoining RT, RS, RU, RM or RV lot.

In this case, the adjoining residential property to the east of the subject property is in the RU district. Appellant was directed to seek this variance as a result of planning staff's interpretation that Section 22.23(e) imposed a restriction on their proposed freestanding sign location. We disagree. As set forth above, the restriction only applies if the sign is on the side of the business lot *adjoining the residential lot*. Appellant has proposed that the sign be at the furthest point from said lot, on the corner of Bower Avenue, and adjoining a lot located in the BL District. Accordingly, the Board finds that Appellant's variance request for a freestanding sign to face a residential district is unnecessary and that the location as proposed, complies with the requirements of the Zoning Ordinance.

### *Appellant's Other Variance Requests*

This Board has authority to grant a variance upon a showing of practical difficulty or undue hardship. §§ 25.2(c) and 25.56. \* "Practical Difficulty" may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property

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\* "When the terms unnecessary hardship (or one of its synonyms) and practical difficulties are framed in the disjunctive ("or"), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulties standard to area variances because use variances are viewed as more drastic departures from zoning requirements." *Belvoir Farms Homeowners Ass'n, Inc. v. North*, 355 Md. 259, 276 n.10 (1999) (citations omitted).

for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice to the applicant and a lesser relaxation than that applied for would not give substantial relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. § 25.56(A).

“‘Uniqueness’ of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.” *North v. St. Mary’s Cnty.*, 99 Md. App. 502, 514 (1994).) In this case, the subject property is irregularly shaped and consists of elevation changes that materially impact its development. The irregular shape imposes a limitation on the location of structures while the topography changes in such a small space dictate access and parking.

The Appellant has demonstrated a practical difficulty if variance relief is not granted. Appellant would have to eliminate a significant number of mature trees and a natural buffer to the residential neighborhood to the rear, in order to comply with the parking requirements. The testimony and evidence established that the end user was comfortable with 35 parking spaces for this size store, so requested 38 spaces are more than sufficient for the proposed use. Even with the necessary setbacks proposed due to the Bower Avenue dedication, the site will be developed to channelize traffic and access instead of being open as it has for years. The relocation of this store and proposed site design also allow for trucks to deliver without impeding or negatively affecting traffic on Virginia Avenue. If Appellant were forced to comply with the strict requirements of the

Ordinance, the security, safety and orderly development of this site would be materially affected. The relaxation of the setback requirements affords Appellant the necessary relief and avoids the unreasonable and unfair result of limiting what is otherwise enjoyed by surrounding property owners. For all these reasons, we conclude that the grant of variance relief secures public safety and welfare and upholds the spirit of the Ordinance.

Accordingly, the requests for a variances to reduce the required parking from 54 spaces to 38 spaces, to reduce the required parking separation from the street right away from 10 feet to 1.5 feet, and to reduce the setback from 25 feet to 15 feet for placement of a freestanding sign are hereby GRANTED by a vote of 5-0. By a vote of 4-1, the Board has determined that the requested variance related to the freestanding sign facing residential property is unnecessary.

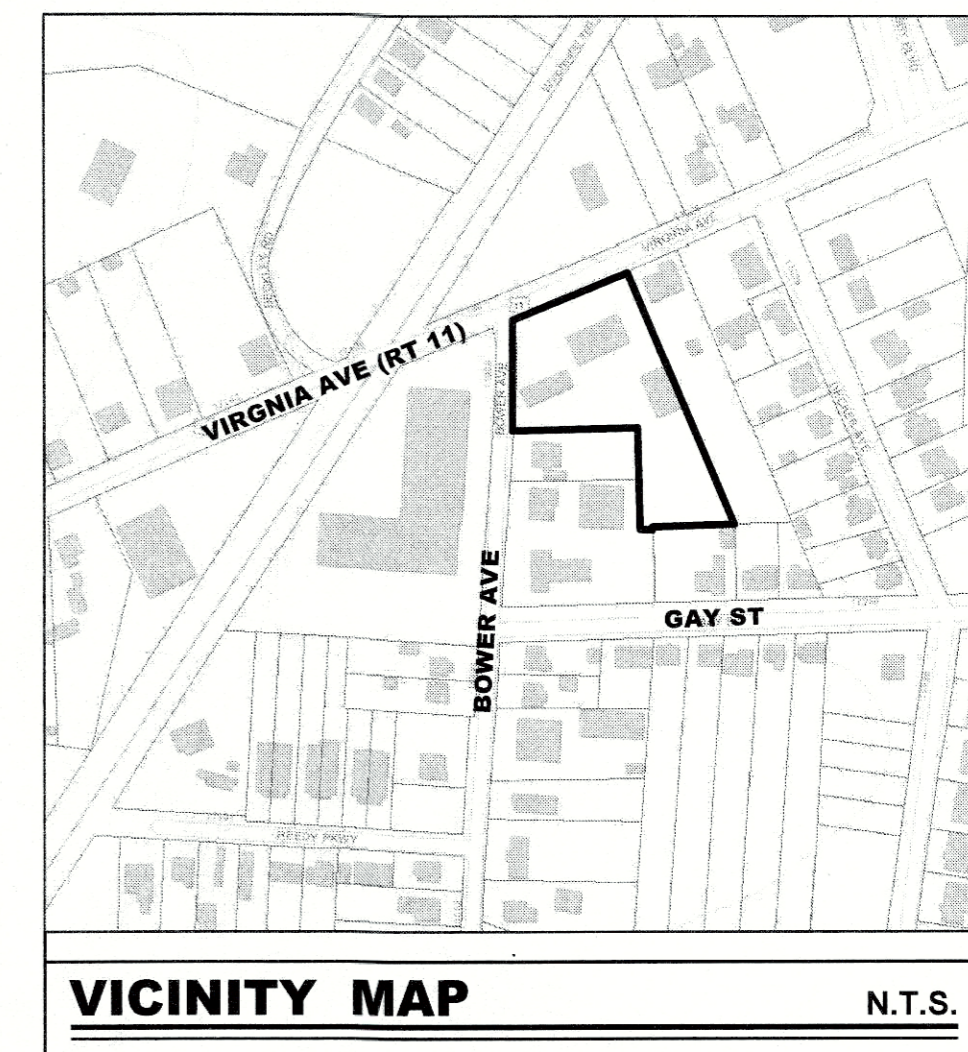
BOARD OF APPEALS

By: Paul Fulk, Chair

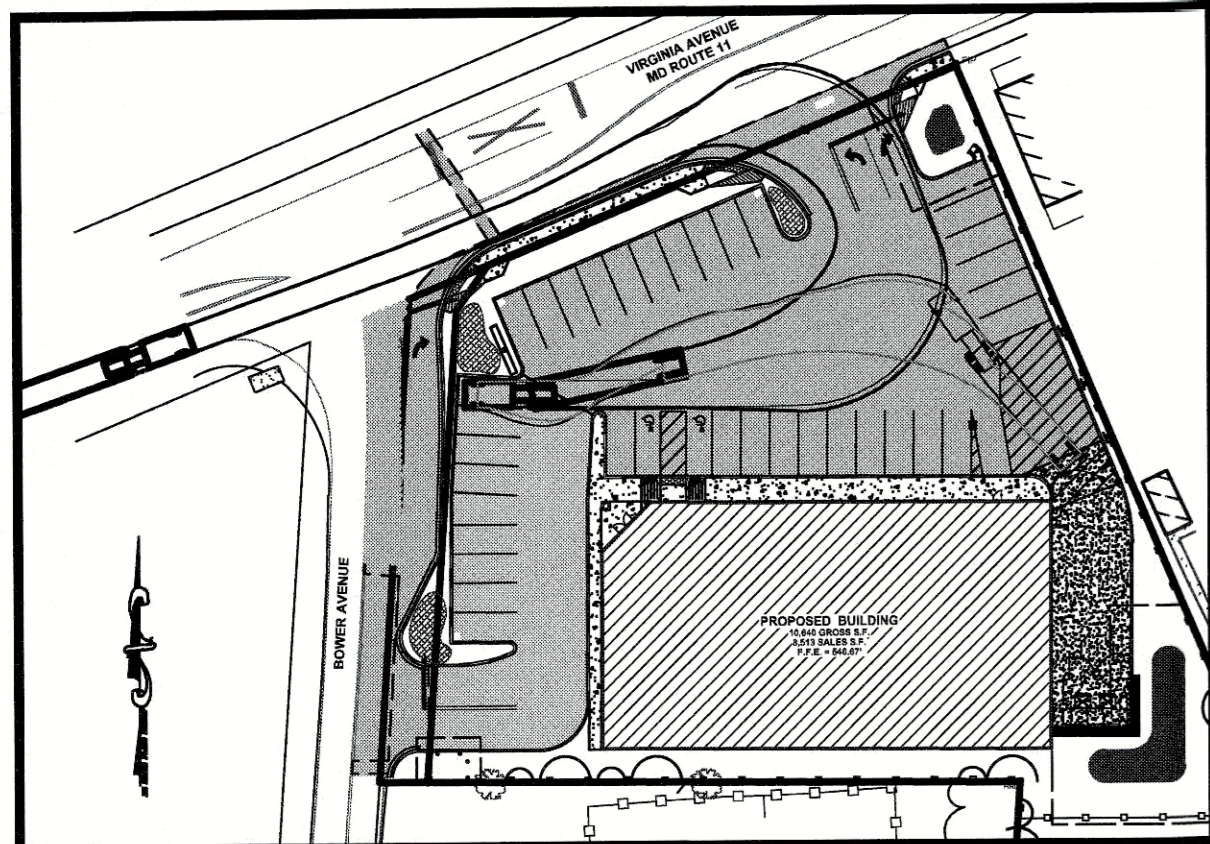
Date Issued: June 27, 2019

# DOLLAR GENERAL

HAGERSTOWN  
WASHINGTON COUNTY, MD  
2018126.00



ARCHITECTURE  
ENGINEERING  
Dover, DE  
309 S. Governors Ave.  
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Wilmington, North Carolina 28403  
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TURNING TEMPLATE - WB-62

SCALE 1" = 60'

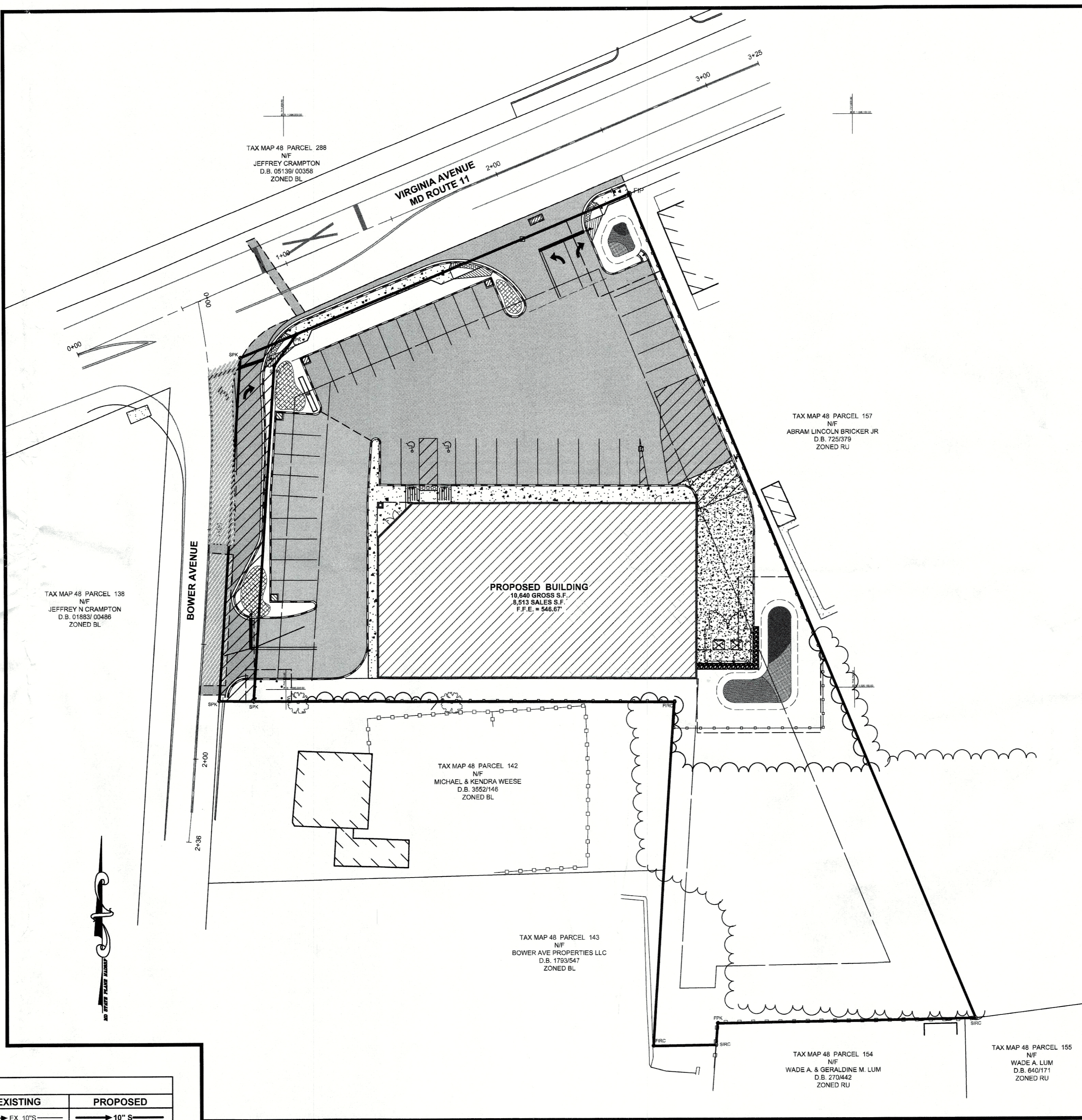
SITE DATA	
1. OWNER OF RECORD:	WILLIAMSPORT ADVENTURES, LLC c/o PAUL N. CRAMPTON, JR. 222 E. OAK RIDGE DRIVE, SUITE 100 HAGERSTOWN, MD 21740
2. PREMISES ADDRESS:	17213 VIRGINIA AVENUE HAGERSTOWN, MD 21740
3. EQUITABLE OWNER/DEVELOPER:	PTY 1001, LLC c/o WILLIAM OWEN 1563 WOODWARD DRIVE GREENSBURG, PA 15601 PHONE: 724-658-0581
4. ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 312 W. MAIN STREET SUITE 300 SALISBURY, MD 21801 PHONE: 410-546-9100
5. TAX MAP NUMBER:	TAX MAP 48 PARCEL 528
6. ZONING CLASSIFICATION:	EXISTING: BL - BUSINESS LOCAL PROPOSED: BL - BUSINESS LOCAL
7. DEED SUMMARY:	4810154
8. PLAT REFERENCE:	4810157
9. PRESENT USE:	VACANT - FORMER FUEL STATION
10. PROPOSED USE:	COMMERCIAL
11. TOTAL SITE AREA:	58,039.64 S.F. (1.33 ACRES)
12. PROPOSED BUILDING:	10,640 S.F.
13. IMPERVIOUS COVERAGE:	EXISTING: 35,727.29 S.F. (0.82 ACRES) PROPOSED: 32,793.98 S.F. (0.75 ACRES)
14. PARKING CALCULATIONS:	COMMERCIAL RETAIL SALES REQUIRED: 54 (61000 SF - 10,640SF) PROVIDED: 37 HANDICAP PARKING SPACES: 2 LOADING BERTHS: 1 PARKING REDUCTION APPROVED BY BOARD OF ZONING APPEALS - DOCKET - AP2019-012
15. SETBACKS:	COMMERCIAL FRONT: 25 FT. SIDE: 25 FT. (ADJ. TO RES.); 10 FT. (ADJ. TO COMM.) REAR: 25 FT.
16. LANDSCAPE REQUIREMENT:	FENCE OR LANDSCAPE ADJ. TO RESIDENTIAL FUTURE PERMIT SUBMISSION
17. SIGNAGE:	TO BE DETERMINED
18. OUTDOOR LIGHTING:	TO BE DETERMINED
19. LOT COVERAGE:	PERMITTED: 70% PROPOSED: 56%
20. BUILDING HEIGHT:	PERMITTED: 25' 0" PROPOSED: 18' 0"
21. SOURCE OF WATER:	CITY OF HAGERSTOWN
22. SOURCE OF SEWER:	WASHINGTON COUNTY
23. SOURCE OF GAS:	COLUMBIA GAS
24. SOURCE OF ELECTRIC:	POTOMAC EDISON
25. SURVEY BENCHMARK:	WASHINGTON COUNTY BRASS DISK - 20-002 96 VERTICAL: NAD 83 HORIZONTAL: NAVD 83
26. MONUMENTATION:	EXISTING: 4 FOUND PROPOSED: 4 TO BE SET
27. TOTAL DISTURBED AREA:	46,636.70 S.F. (1.07 ACRES)
28. BUILDING CONST. TYPE:	TYPE IIb
29. SANITARY SEWER FLOW:	AVERAGE DAILY FLOW: 400 G.P.D. BASED ON FEMA FIRM PANEL 24043C0282D, DATED AUGUST 15, 2017. THIS SITE AREA IS LOCATED IN FLOOD ZONE X UNSHADED - AREA OF MINIMAL FLOOD HAZARD
30. FEMA FLOOD ZONE:	
31. NUMBER OF EMPLOYEES:	MAX. 4 PER SHIFT, 10 TOTAL ON PAYROLL
32. HOURS OF OPERATION:	MON. - SUN. 8:00 A.M. - 10:00 P.M.
33. WATER/SEWER USAGE:	EXISTING ALLOCATION: 1000 gpd PROPOSED USAGE: 200 gpd
34. FOREST CONSERVATION:	PAYMENT IN LIEU (PIL) REFERENCE: FS-19-022
35. SITE SIGNAGE:	SINGLE PYLON SIGN (SEE DETAILS SHEET C-201)

DISTURBED AREA QUANTITIES	
THE TOTAL AREA TO BE DISTURBED SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 42,814.02 S.F. (0.98 ACRES) AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAS BEEN COMPUTED TO BE APPROXIMATELY 323 CUBIC YARDS OF EXCAVATION AND 1624 CUBIC YARDS OF FILL.	

SOIL TYPE LISTING	
SuA - SWAMPOND-FUNKSTOWN-URBAN LAND COMPLEX, 0 TO 3% SLOPES - CLASS D	
HdD - HAGERSTOWN-DUFFIELD-URBAN LAND COMPLEX, 8 TO 25% SLOPES - CLASS B	

WASHINGTON COUNTY ZONING VARIANCES - DOCKET AP2019-012	
22.12(b)(1)	REQUEST REDUCTION OF THE MINIMUM PARKING REQUIRED
22.12(b)(3)	REQUEST REDUCTION SETBACK FROM RIGHT-OF-WAY LINE ALONG BOWER AVENUE
22.23(a)	REQUEST A FREESTANDING SIGN BE INSTALLED WITHIN SETBACK
NOTE: VARIANCES APPROVED 7/28/2019	

LEGEND					
ITEM	EXISTING	PROPOSED	ITEM	EXISTING	PROPOSED
CONCRETE CURB & GUTTER	[Symbol]	[Symbol]	SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX. 10" S	10" S
CONCRETE SIDEWALK, SLAB / PAVING	[Symbol]	[Symbol]	SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT	[Symbol]	[Symbol]	SANITARY SEWER MANHOLE (S.M.H.)	[Symbol]	[Symbol]
INDIVIDUAL TREE OR BUSH	[Symbol]	N/A	SANITARY SEWER CLEANOUT	[Symbol]	[Symbol]
WIRE FENCE	[Symbol]	[Symbol]	WATER MAIN & SIZE	EX. 10" W	[Symbol]
CHAINLINK FENCE	[Symbol]	[Symbol]	FIRE HYDRANT	[Symbol]	[Symbol]
STOCKADE FENCE	[Symbol]	[Symbol]	WATER VALVE (W.V.) OR METER (W.M.)	[Symbol]	[Symbol]
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	[Symbol]	[Symbol]	STORM DRAIN MANHOLE (S.D.M.H.)	[Symbol]	[Symbol]
DRAINAGE DITCH OR SWALE	[Symbol]	[Symbol]	STORM DRAIN LINE (CMP OR RCP)	[Symbol]	[Symbol]
EMBANKMENT SIDESLOPES (DOWN)	[Symbol]	[Symbol]	CATCH BASIN	[Symbol]	[Symbol]
CONTOUR	[Symbol]	[Symbol]	UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	[Symbol]	[Symbol]
ELEVATION SPOT SHOT	[Symbol]	[Symbol]	UNDERGROUND ELECTRIC	[Symbol]	[Symbol]
BENCH MARK	[Symbol]	[Symbol]	UNDERGROUND TELEPHONE	[Symbol]	[Symbol]
PROPERTY OR RIGHT-OF-WAY LINE	[Symbol]	[Symbol]	UNDERGROUND GAS MAIN	[Symbol]	[Symbol]
CENTERLINE	[Symbol]	[Symbol]	PAVEMENT TO BE REMOVED	[Symbol]	[Symbol]
LIGHT POLE	[Symbol]	[Symbol]			
CONSTRUCTION NOTE	[Symbol]	[Symbol]			



SHEET INDEX	
C-001	COVER SHEET
C-101	EXISTING CONDITIONS & DEMOLITION PLAN
C-102	SOIL BORING LOCATIONS & BORING LOGS
C-201	PROPOSED SITE PLAN
C-202	ENTRANCE SITE DISTANCE TRIANGLES
C-301	PROPOSED UTILITIES PLAN
C-302	STORM DRAIN PROFILES
C-303 - C-305	SUBMERGED GRAVEL WETLAND CONSTRUCTION PLAN & DETAILS
C-306	UTILITY CONSTRUCTION DETAILS
PH-1	SITE LIGHTING - PHOTOMETRIC PLAN
C-401	PROPOSED GRADING PLAN
C-501 - C-502	EROSION & SEDIMENT CONTROL PLAN, NOTES & DETAILS
C-701 - C-704	MD-SHA ENTRANCE PLANS
PM-US 11	PAVEMENT MARKING & SIGNING PLAN
MOT-US 11	MAINTENANCE OF TRAFFIC PLAN
C-901	SITE CONSTRUCTION DETAILS
L-101	LANDSCAPE PLAN
FS0	FOREST STAND DELINEATION PLAN
SFCP-1	SIMPLIFIED FOREST CONSERVATION PLAN

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY  
THIS APPROVAL IS FOR GENERAL CONFORMANCE WITH THE COUNTY'S REQUIREMENTS FOR DESIGN AND LAYOUT OF PROPOSED SEWER AND/OR WATER SYSTEM IMPROVEMENTS OR EXTENSIONS. ALL SEWER AND/OR WATER SYSTEM IMPROVEMENTS OR EXTENSIONS SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE COUNTY'S LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF SANITARY SEWERS AND/OR WATER LINES. THIS APPROVAL DOES NOT GUARANTEE AVAILABILITY IS SUBJECT TO CONFORMANCE WITH ALL RULES, POLICIES, AND REGULATIONS ESTABLISHED BY THE COUNTY AND IN EFFECT AT THE TIME APPLICATION FOR SERVICE IS MADE, AND/OR THE AVAILABILITY OF ALLOCATION REMAINING IN OTHER JURISDICTIONS' FACILITIES THAT MAY BE GRANTED TO THE COUNTY. THIS APPROVAL SHALL BE VALID FOR A PERIOD OF TWO YEARS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
(PLAN IS VALID FOR TWO YEARS FROM DATE OF APPROVAL)

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY  
THIS PLAN/PLAT HAS BEEN REVIEWED BY THE WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY FOR INCLUSION INTO THE COUNTY CAPACITY MANAGEMENT PLAN FOR THE SYSTEM THAT SERVES THIS PROJECT. ALLOCATION GRANTED FOR CONSTRUCTION SHOWN ON THIS PLAN/PLAT SHALL BE IN ACCORDANCE WITH THE CAPACITY MANAGEMENT PLAN DEVELOPED FOR THIS SYSTEM BASED ON AVAILABILITY OF ALLOCATION REMAINING IN THE FACILITY.

WASHINGTON COUNTY DEPARTMENT OF WATER QUALITY  
DATE: \_\_\_\_\_

**OWNER / DEVELOPER CERTIFICATION:**  
I/WE HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND IN ACCORDANCE WITH THE STORMWATER MANAGEMENT ORDINANCE OF WASHINGTON COUNTY AND THE POLICY ON CONSTRUCTION OF SUBDIVISION INFRASTRUCTURE FOR ACCEPTANCE AND OWNERSHIP BY WASHINGTON COUNTY (S-2017-01).

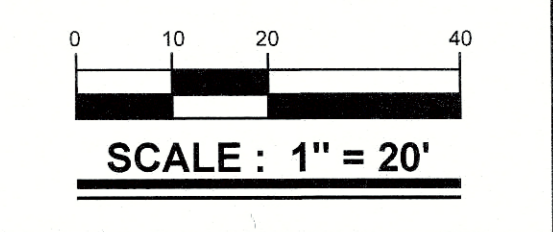
OWNER: [Signature] DATE: 09/11/2019  
PROJECT DESIGN MANAGER: [Signature]

**ENGINEER/ARCHITECT DESIGN CERTIFICATION**  
I HEREBY CERTIFY THIS PLAN FOR SOIL EROSION AND SEDIMENT CONTROL HAS BEEN DESIGNED IN ACCORDANCE WITH LOCAL ORDINANCES, 22 MAR 2017 01.07, AND MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

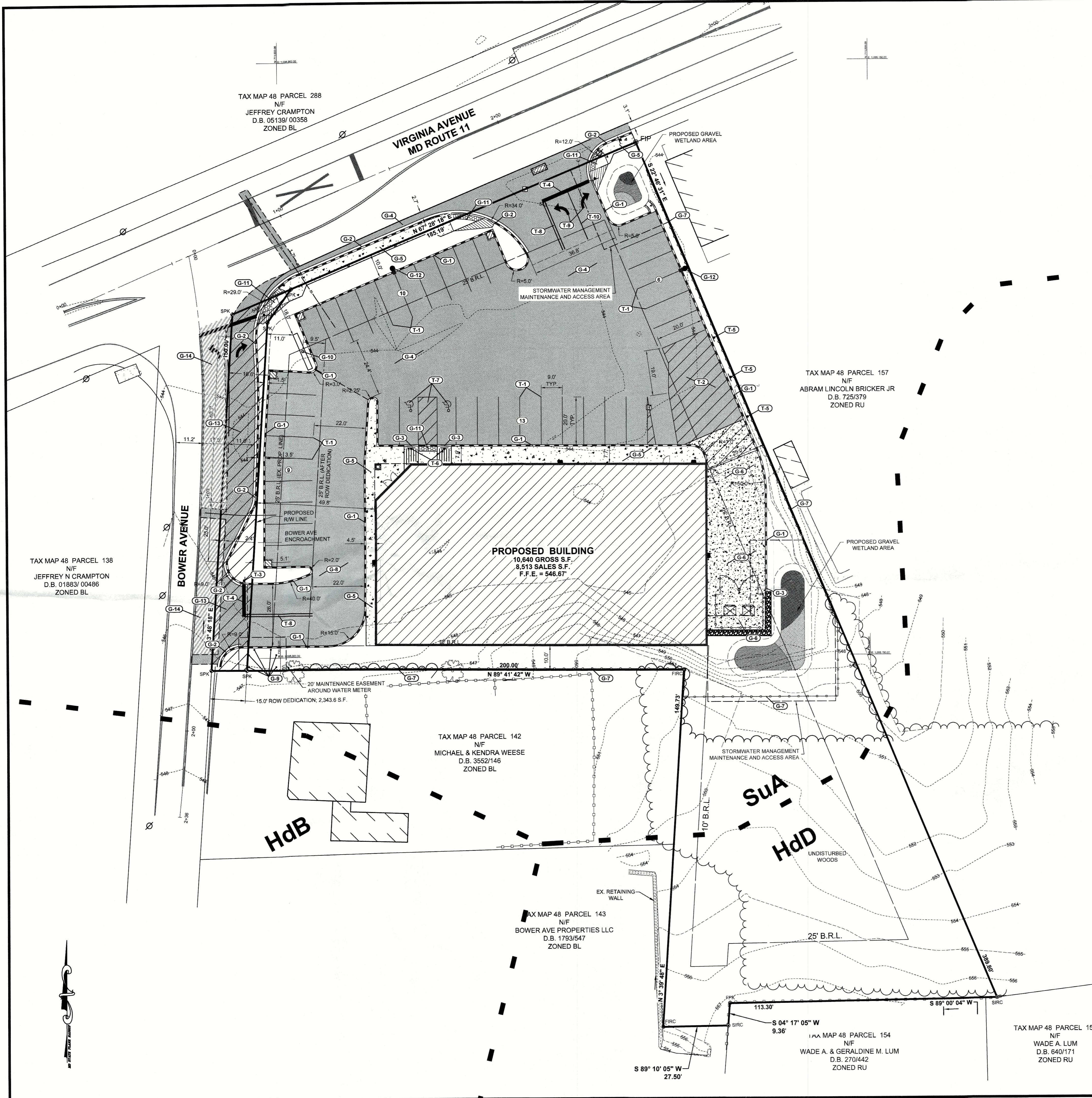
WASHINGTON COUNTY PLAN REVIEW & PERMITTING DEPARTMENT  
DATE: \_\_\_\_\_

**GENERAL NOTES**  
A. ALL GRADING FOR THIS PROJECT SHALL BE THE FULL RESPONSIBILITY OF THE PROPERTY OWNER.  
B. A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR, OR OTHER REPRESENTATIVE OF WASHINGTON COUNTY DIVISION OF PUBLIC WORKS.  
C. A PUBLIC WORKS AGREEMENT AND PERFORMANCE SECURITY WILL BE REQUIRED FOR ALL IMPROVEMENTS WITHIN THE COUNTY RIGHT-OF-WAY THAT ARE NOT OTHERWISE REGULATED UNDER A UTILITY PERMIT OR ENTRANCE PERMIT.  
D. A UTILITY PERMIT WILL BE REQUIRED FOR ANY PROPOSED UTILITY WORK LOCATED WITHIN THE COUNTY RIGHT-OF-WAY.  
E. NO PERMANENT STRUCTURES (E.G. FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE EASEMENT ON THIS PROPERTY.  
F. IN CONFORMANCE WITH THE STORMWATER MANAGEMENT ORDINANCE OF WASHINGTON COUNTY, A PERFORMANCE SECURITY AND EXECUTED MAINTENANCE AGREEMENT SHALL BE REQUIRED FROM THE DEVELOPER PRIOR TO ISSUANCE OF ANY BUILDING OR GRADING PERMIT FOR CONSTRUCTION PER THESE PLANS.

## COVER SHEET

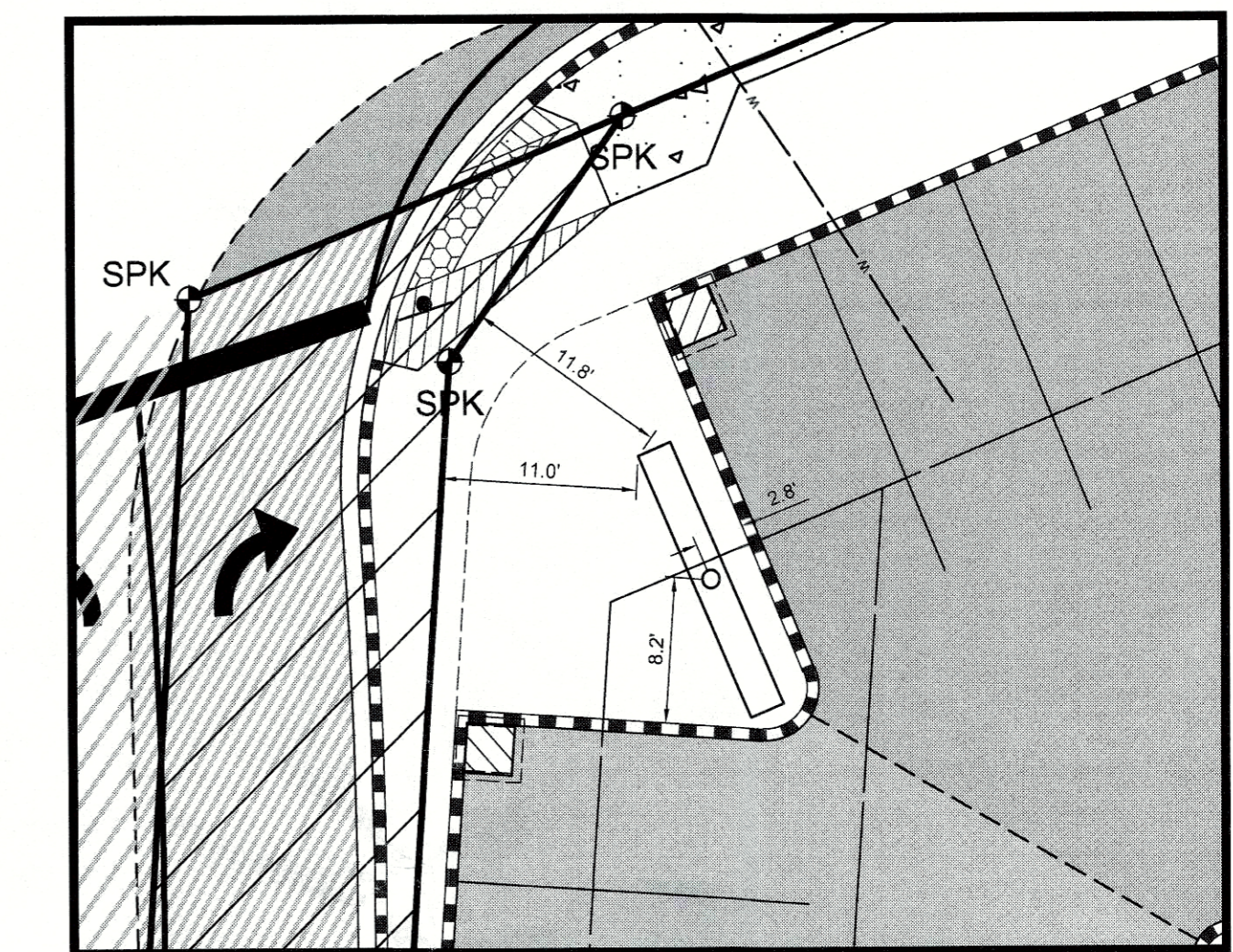


ISSUE BLOCK		
MARK	DATE	DESCRIPTION
1	9/12/19	PLAN REVISIONS PER DAC REVIEW
LATEST DATE 1/20		
PROJECT NO.:		2018126.00
DATE:		8/2/2019
SCALE:		1" = 20'
DRAWN BY:		SDB PROJ. MGR.: JAH
SHEET		
<b>C-001</b> copyright 2019		

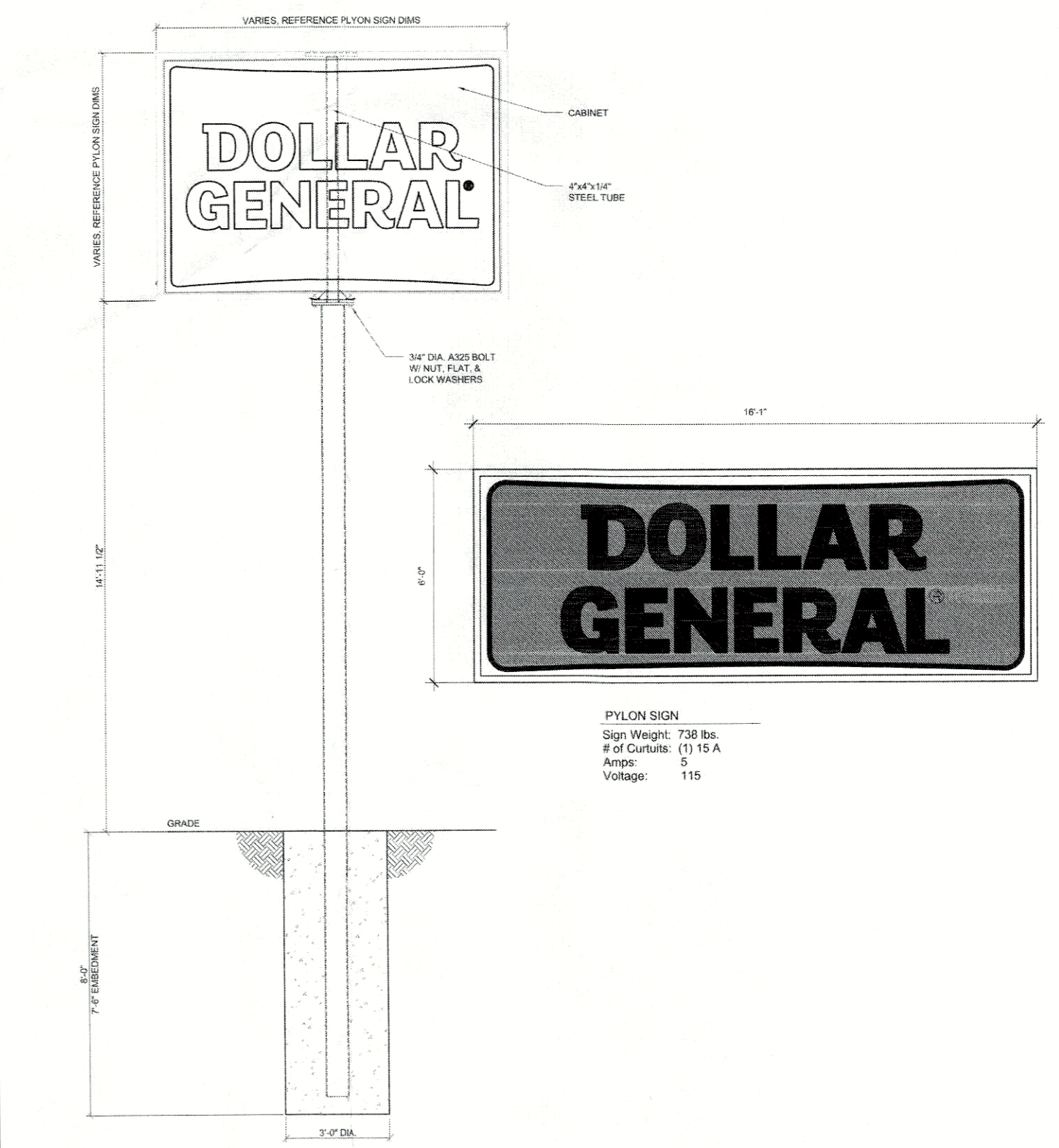


- ### GENERAL CONSTRUCTION NOTES
- G-1 PROPOSED 6" WIDE CONCRETE STAND-UP CURB. SEE DETAIL SHEET C-901.
  - G-2 PROPOSED MD-SHA STANDARD CURB & GUTTER TYPE "D" PER DETAIL 620.02-01.
  - G-3 VERTICAL CURB TAPER. SEE GRADING PLAN SHEET C-401.
  - G-4 HEAVY DUTY ASPHALT PAVING. SEE DETAIL SHEET C-901.
  - G-5 CLASS I CONCRETE PAVING. SEE DETAIL SHEET C-901.
  - G-6 CLASS III CONCRETE PAVING. SEE DETAIL SHEET C-901.
  - G-7 6' HIGH SOLID VINYL FENCE.
  - G-8 LIGHT DUTY ASPHALT PAVING. SEE DETAIL SHEET C-901.
  - G-9 PROPOSED PIPE BOLLARDS AROUND WATER METER VAULT. SEE DETAIL SHEET C-306.
  - G-10 SITE SIGN (96.5' OF EACH SIDE). SEE DETAILS - THIS SHEET.
  - G-11 HANDICAP ACCESSIBLE RAMP. SEE GRADING PLAN FOR DETAILS.
  - G-12 CONCRETE LIGHT POLE BASE. SEE MEP PLANS FOR DETAILS.
  - G-13 FULL DEPTH PAVEMENT PER WASHINGTON COUNTY STANDARD PAVEMENT DETAIL 'B'. SEE DETAIL SHEET C-901.
  - G-14 MILL & OVERLAY PAVEMENT PER WASHINGTON COUNTY STANDARD ROADWAY TIE-IN DETAIL. SEE DETAIL SHEET C-901.

- ### STRIPING & SIGNAGE CONSTRUCTION NOTES
- T-1 PARKING STRIPING - 4" SOLID WHITE LINE.
  - T-2 LOADING ZONE STRIPING - 4" SOLID WHITE BORDER, 4" SOLID WHITE DIAGONAL LINES @ 3° ON CENTER.
  - T-3 INSTALL "STOP" SIGN. SEE DETAIL SHEET C-901.
  - T-4 ROADWAY STRIPING - 18" PAINTED STOP BAR.
  - T-5 INSTALL "NO PARKING - LOADING ZONE" SIGN. SEE DETAIL SHEET C-901.
  - T-6 INSTALL "HANDICAP PARKING - VAN ACCESSIBLE" SIGN. SEE DETAIL SHEET C-901.
  - T-7 HANDICAP PARKING STRIPING. SEE DETAIL SHEET C-901.
  - T-8 ROADWAY STRIPING - "DOUBLE YELLOW" 4" SOLID YELLOW LINES, 6" O.C.
  - T-9 ROADWAY STRIPING - DIRECTIONAL ARROW IN ACCORDANCE WITH MUTCD LATEST EDITION.
  - T-10 ROADWAY STRIPING - 4" SOLID WHITE LINE.
- NOTE: FOR STRIPING IMPROVEMENTS IN BOWER AVENUE AND VIRGINIA AVENUE, REFER TO PAVEMENT MARKING & SIGNING PLAN BY THE TRAFFIC GROUP.



**PYLON SIGN - SITE LOCATION DETAIL**  
SCALE: 1" = 10'



**PYLON SIGN DETAIL**  
NO SCALE

**BECKER MORGAN GROUP**

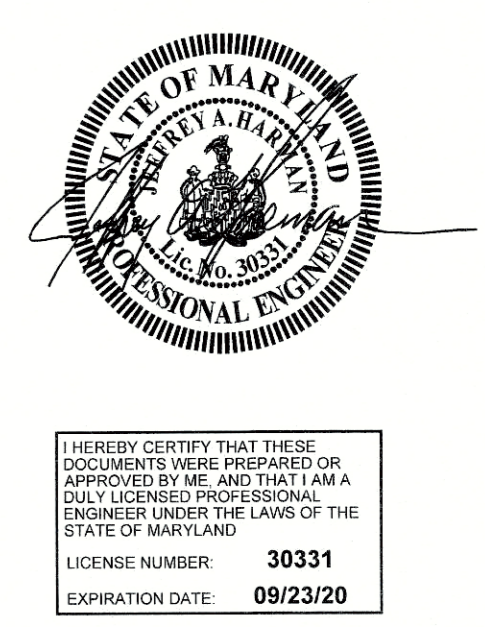
ARCHITECTURE  
ENGINEERING

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3205 Randall Parkway, Suite 211  
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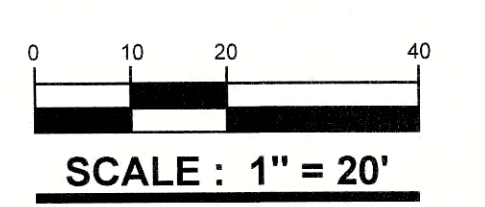
www.beckermorgan.com



PROJECT TITLE  
**DOLLAR GENERAL**  
HAGERSTOWN  
WASHINGTON COUNTY, MD

17213 VIRGINIA AVENUE  
TAX MAP: 48 GRID: 24 PARCEL: 528  
ZONING: BL - BUSINESS LOCAL  
ELECTION DISTRICT: 2A

SHEET TITLE  
**SITE PLAN**



ISSUE BLOCK	
NO.	DESCRIPTION
1	PLAN REVISIONS PER DAC REVIEW
2	DATE: 8/2/2019
PROJECT NO.: 2018126.00	
DATE: 8/2/2019	
SCALE: 1" = 20'	
DRAWN BY: SDB PROJ. MGR.: JAH	
SHEET	
<b>C-201</b>	
COPYRIGHT 2019	
SP-19-024/SWCP19-024	