

**WASHINGTON COUNTY PLANNING COMMISSION  
REGULAR MEETING AND  
PUBLIC INFORMATION MEETING  
October 7, 2019**

The Washington County Planning Commission held a public information meeting and its regular monthly meeting on Monday, October 7, 2019 at 7:00 p.m. at the Washington County Administration Building, 100 W. Washington Street, Room 2000, Hagerstown, MD.

Commission members present at the meeting were: Clint Wiley, Denny Reeder, David Kline, BJ Goetz, Jeremiah Weddle and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Stephen Goodrich, Director; Jill Baker, Deputy Director; Travis Allen, Comprehensive Planner; and Debra Eckard, Administrative Assistant; Washington County Department of Plan Review & Permitting: Rebecca Calimer, Chief of Plan Review; and Lisa Kelly, Senior Planner.

**CALL TO ORDER**

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

**PUBLIC INFORMATION MEETING**

**WS-19-003 – City of Hagerstown**

**Staff Presentation**

Mr. Goodrich presented a proposed amendment to the Washington County Water and Sewerage Plan submitted by the City of Hagerstown. The requested amendment seeks to include additional language in the County's Water and Sewerage Plan to describe the City of Hagerstown's long-term growth management plans and service policies as established by its most recent update of the City's Comprehensive Plan ["Vision of Hagerstown 2035"]. Mr. Goodrich explained that in Chapter 2.C entitled "Land Use and Growth Management Strategy", there is a proposal to add a detailed description of the City of Hagerstown's Land Use and Growth Management Strategy. That strategy is a long-term plan to provide public water and sewer service inside the Medium Growth Range Area (MGRA) and not in the area between the MRGA and the long-range growth area which is equivalent to the County's Urban Growth Area. The City's MRGA is based on an analysis of existing land use, vacant land, population projections, and capacities of its water and sewer systems. In Chapters 3 and 4, the City has requested additions of the restated policy as explained in detail in Chapter 2. There is also language to strengthen the City's ultimate authority to allow or not allow connections to its system by adding the following language, "provided the service request is consistent with the policies and plans of the service provider". That applies not only to the City of Hagerstown but also to any other service providers.

Mr. Goodrich stated that the proposed amendment was sent to various agencies for review and comment including the Washington County Health Department. Their comments were received and were provided to the Planning Commission. A specific response was not given to the questions or suggestions of the Health Department; those comments will be addressed in the County's updated Comprehensive Plan and the updated Water and Sewerage Plan.

**Applicant's Presentation**

Ms. Kathy Maher, Director of Planning and Code Administration, and Ms. Nancy Hallsrath, Director of Utilities, were present to represent the City of Hagerstown. Ms. Maher stated that this is the first step in a multi-step process to communicate and work with the County to discuss growth and the ability to serve the public with water and waste water services. She explained how the City determined its MRGA boundary and what kind of growth might be expected in the next 20 years based on current zoning. The City believes this boundary could be served by public water, which is provided by the City, and public sewer which is provided by both the County and the City. Ms. Maher noted that although there are water lines located outside the MRGA, it is not the City's intent to serve those areas unless an exception is granted by the City from the Water and Wastewater Policy.

The public information meeting concluded at 7:20 p.m.

## **MINUTES**

**Motion and Vote:** Mr. Reeder made a motion to approve the minutes of the September 9, 2019 meeting as presented. The motion was seconded by Mr. Kline and unanimously approved with Mr. Goetz abstaining from the vote.

### **- OLD BUSINESS**

#### **RZ-19-003 – Downsville Pike Land LLC**

Mr. Allen reminded Commission members that a map amendment request was presented at the September 9, 2019 public information meeting for property located at 10656 and 10662 Downsville Pike. The property consists of two parcels totaling 1.6 acres of land currently zoned RS (Residential Suburban). The applicant is requesting a change in zoning to HI (Highway Interchange). During the public information meeting, both the applicant and staff presented their interpretation of data analyzing population change, traffic counts, site access, compatibility with other development in the neighborhood, relationship to the Comprehensive Plan, and evidence of a change in the character of the neighborhood since the comprehensive rezoning of 2012 or a mistake in the zoning designation assigned at that time. Public comment was taken during the public meeting from neighboring property owners, all of whom were opposed to the rezoning request. To date, six written comments and a petition with more than 230 signatures have been received in opposition to the request.

**Discussion and Comments:** Mr. Kline asked what Staff recommends. Mr. Allen stated that staff is opposed to the request based on the limited time frame to prove change or mistake since 2012. Mr. Kline noted that Potomac Edison [his employer] once owned a large portion of property from Rench Road to the I-70 interchange at Downsville Pike and Halfway Boulevard. Potomac Edison was instrumental in getting the interchange in this location. He gave a brief overview of the vision that Potomac Edison had for this area, including the Friendship Technology Park, more than 25 years ago. Ms. Baker stated that during the comprehensive review of the interchanges in the 1990's, this particular interchange was discussed and at that time, the subject parcels were zoned for agriculture due to their proximity to the Marty Snook Park and the existing residential area. In 2012, the agricultural zone was eliminated in the UGA; therefore, these parcels were given a residential designation because there were houses on the site. Ms. Baker noted that during the comprehensive rezoning, no comments were received from property owners requesting a different designation. She also noted that during the 2012 rezoning, staff considered the areas across the Downsville Pike at the interchange and further down the Downsville Pike. Those areas were specifically designated for commercial uses because it was consistent with the County's adopted Comprehensive Plan.

Mr. Kline expressed his opinion that the neighborhood has not significantly changed since the 2012 comprehensive rezoning. He noted that during the public meeting there were two recurring points of discussion. One was for pedestrians crossing at this intersection, which he believes is an invalid point because this is a major intersection and it is not a pedestrian-friendly area. The second point of discussion was traffic-related issues. This he believes is a valid objection due to the volume of traffic in the area and safety concerns during ingress and egress from this particular site.

Mr. Reeder and Mr. Weddle concurred with Mr. Kline's comments.

Mr. Goetz stated that this site would be challenging for residential use.

**Motion and Vote:** Mr. Kline made a motion to recommend [to the Board of County Commissioners] denial of this request because there has not been a substantial change in the character of the neighborhood nor was a mistake made during the 2012 comprehensive rezoning. The motion was seconded by Mr. Reeder and unanimously approved with Commissioner Wagner abstaining from the vote.

#### **RZ-19-004 – JPK Properties LLC**

Ms. Baker reminded Commission members that a map amendment request was presented at the September 9, 2019 public information meeting to apply the Rural Business floating zone on property located at 18423 Breathedsville Road. The property is currently zoned A(R) – Agricultural Rural. The proposed use for the site would be for a contractor's storage yard. To date, one public comment has been received opposing the request.

**Discussion and Comment:** Mr. Kline stated he has no opposition to this request. Mr. Reeder concurred.

**Motion and Vote:** Mr. Reeder made a motion to recommend [to the Board of County Commissioners] approval of this request. The motion was seconded by Mr. Goetz and unanimously approved with Commissioner Wagner abstaining from the vote.

#### **-NEW BUSINESS**

#### **SITE PLANS**

##### **Mountain View Animal Emergency [SP-19-021]**

Ms. Kelly presented for review and approval a site plan for Mountain View Animal Emergency located along the west side of Crayton Boulevard, north of Maugans Avenue. The property is currently zoned HI – Highway Interchange. The owners are proposing to construct a 16,330 square foot animal hospital on 3.35 acres. Three future additions are also proposed that would total 7,600 square feet of building space; the building height will be 30 feet. There will be a small fenced yard to the rear of the building and 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 per day, 7 days per week. A total of 80 parking spaces are required; 98 parking spaces will be provided. Public water and public sewer will serve the site. Deliveries will be made by box truck daily. Solid waste/recycling will be collected inside. Lighting will be pole mounted and building mounted. Signage will be building mounted. Landscaping will be installed around the building and in the parking islands. Forestation requirements will be met by paying the payment in lieu in the amount of \$6,664.68. All agency approvals have been received.

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

##### **Thomas Bennett Hunter Inc. [SP-19-016]**

Ms. Kelly presented for review and approval a site plan for Thomas Bennett Hunter, Inc. for property located along the south side of Hopewell Road. The property is currently zoned IG (Industrial General). The developers are proposing to construct a ready mix cement plant on a 19.37 acre parcel. Plans also include the construction of a 1,200 square foot office and a 6,000 square foot shop, a back-up portable plant and outdoor stockpiles. The Board of Zoning Appeals granted a special exception in August 2018 to allow for the establishment of the cement plant. The hours of operation will be Monday thru Friday, 6 am to 6 pm and Saturday from 6 am to noon. There will be 12 to 18 employees per day. Delivery/freight will be 4 tractor trailers per day. Parking spaces required is 22 spaces and 23 spaces will be provided. Public water and public sewer will serve the site. Lighting will be pole mounted throughout the parking area. Landscaping will be provided around the building. Forest Conservation requirements have been met with a previously approved plat in 2016 showing 3.85 acres of forest in a permanent easement. All agency approvals have been received.

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

##### **Dollar General – Hagerstown[SP-19-024]**

Ms. Kelly (on behalf of Ashley Holloway) presented for review and approval a site plan for Dollar General Hagerstown located at 17213 Virginia Avenue. The developer is proposing to construct a 10,640 square foot commercial retail building on the vacant site of a former fuel station. Two entrances are proposed, one off of Virginia Avenue and one off of Bower Avenue. Hours of operation will be 8 am to 10 pm, 7 days per week. There will be a maximum of 4 employees on the site at one time; 10 employees will be on the payroll for this site. The Board of Zoning Appeals granted a variance for the reduction of parking from 54 spaces to 38 spaces. Public water from the City of Hagerstown and public sewer from Washington County will serve the site. Truck deliveries will be made on the east side of the building. Lighting will be building and pole mounted. Signage will be building mounted and a monument sign. Landscaping will be installed around the building. Forestation requirements will be met via the payment in lieu.

**Discussion:** There was a brief discussion regarding proposed roadway improvements at the site. An additional lane will be added to provide a right-turn lane and a separate left-turn lane off Bower Avenue. Sidewalks will be added to Bower Avenue for pedestrian traffic.

**Motion and Vote:** Mr. Goetz made a motion to grant staff the authority to approve the site plan pending all agency approvals and to approve the payment in lieu to meet Forest Conservation requirements. The motion was seconded by Mr. Kline and unanimously approved.

**FOREST CONSERVATION****Accounting for Local Forest Conservation Funds**

Ms. Baker announced that during the last legislative session Senate Bill 234 was passed which states that any County or entity that administers a Forest Conservation Ordinance must submit, to the Department of Natural Resources (DNR), a detailed accounting procedure of its payment-in-lieu of funds. If a plan is not submitted to DNR, the County would no longer be allowed to accept payment in lieu of funds. Ms. Baker noted that since 1994 the County has collected approximately \$2.4 million and expended \$1.9 million resulting in 888.55 acres of new forest planted or existing forest protected.

**OTHER BUSINESS****Update of Staff Approvals**

Mr. Holloway was not present at the meeting; however, he provided a written update as follows: Land Development Approvals – 5 site plans; 3 preliminary plats; 2 storm water management concept plans, 2 subdivision replats, 2 storm water standard plan; 3 standard grading plans; and 2 site specific grading plan; Permit Approvals – 14 grading permits, 28 entrance permits, 2 non-residential construction permit, 3 non-residential addition-alteration permits; 1 floodplain permit; and 1 utility permits.

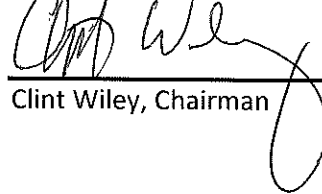
**-ADJOURNMENT**

Mr. Goetz made a motion to adjourn the meeting at 8:10 p.m. The motion was seconded by Mr. Kline and so ordered by the Chairman.

**-UPCOMING MEETINGS**

1. Monday, November 4, 2019, 7:00 p.m., Washington County Planning Commission regular meeting, Washington County Administration Building, 100 W. Washington Street, Room 2000, Hagerstown, MD 21740

Respectfully submitted,



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Clint Wiley, Chairman