

**WASHINGTON COUNTY PLANNING COMMISSION
REGULAR MEETING
December 2, 2024**

The Washington County Planning Commission held its regular monthly meeting on Monday, December 2, 2024 at 6:00 p.m. at the Washington County Administrative Complex, 100 W. Washington Street, Room 2000, Hagerstown, MD.

CALL TO ORDER AND ROLL CALL

The Chairman called the meeting to order at 6:00 p.m.

Planning Commission members present were: David Kline, Jeff Semler, Denny Reeder, Terrie Shank, Jay Miller, and Ex-officio County Commissioner Randy Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill, Baker, Director; Jennifer Kinzer, Deputy Director; Misty Wagner-Grillo, Planner; and Debra Eckard, Office Manager.

NEW BUSINESS

MINUTES

Motion and Vote: Mr. Semler made a motion to approve the minutes of the November 4, 2024 Planning Commission regular meeting as presented. The motion was seconded by Ms. Shank and unanimously approved.

ORDINANCE MODIFICATIONS

Jacob Burtner, Trustee [OM-24-008]

Ms. Wagner-Grillo presented a modification request from Section 318 of the Subdivision Ordinance. The request is to create a 6-acre parcel with 103 acres of remaining lands located at 114 Soaring Eagle Lane in Keedysville. The property is currently zoned Preservation and is within a Rural Legacy easement. The 6-acre parcel would be created by a simplified plat which would create a stand-alone simplified parcel NOT for development. This modification would also create a lot without public road frontage as required in Section 405.11.B of the Subdivision Ordinance. Justification for this request is due to financial hardship. There are currently two dwellings on the property and several ag buildings that are located within the floodplain. The applicant wants to exclude the ag buildings from the farm's mortgage due to the rising costs of flood insurance required by the lender. The Washington County Division of Engineering recommends denial of this modification request by the Planning Commission so a formal hearing before the Board of Zoning Appeals could be heard.

Mr. Fred Frederick of Frederick, Seibert & Associates, stated that the two dwellings are located outside of the floodplain. The simplified plat and deed will both contain a note stating that the simplified parcel cannot be sold separately and is not for development.

Motion and Vote: Mr. Semler made a motion to approve the modification request for the simplified parcel and a lot without public road frontage. The motion was seconded by Mr. Reeder and passed by a 4-1 vote with Mr. Miller in opposition of the motion.

Matt Breeding [OM-24-009]

Ms. Wagner-Grillo presented a modification request from Section 318 of the Subdivision Ordinance. The request is to create a 6-acre parcel with 4.5-acres of remaining lands located at 14013 Maple Ridge in Hancock. The property is currently zoned Environmental Conservation. The 6-acre parcel would be created by a simplified plat which would create a stand-alone simplified parcel NOT for development at the rear of the property. This modification would also create a lot without public road frontage as required in Section 405.11.B of the Subdivision Ordinance. Justification for this request is due to financial hardship.

Mr. Breeding stated that he is a disabled veteran applying for a low-interest mortgage to build a new home; however, veterans are limited to ownership of property of 5-acres or less by the State Department of Tax Assessments. He wishes to subdivide the 10.5 acre property and build his new home on 4.5 acres of land. He intends to put the remaining 6-acres of property into a conservation program with DNR.

Motion and Vote: Mr. Reeder made a motion to approve the modification request for the simplified parcel and a lot without public road frontage. The motion was seconded by Ms. Shank and unanimously approved.

SUBDIVISIONS

Interstate 70 Partners LLC [S-22-052]

Ms. Kinzer presented a request for one 12-month extension for a proposed warehouse located east of Sharpsburg Pike. This request is being made due to marketing issues of the site. This extension will expire on December 22, 2025.

Motion and Vote: Mr. Reeder made a motion to approve a 12-month extension as requested. The motion was seconded by Mr. Semler and unanimously approved.

Cascade Town Centre Development LLC #3 [S-22-051]

Ms. Kinzer presented a request for one 12-month extension for the proposed Cascade Towne Centre Lot 3 located at the southwest corner of Pen Mar High Rock Road and Lake Wastler Drive. The request is being made due to road adequacy issues for the existing private streets. This extension will expire on December 22, 2025.

Motion and Vote: Mr. Reeder made a motion to approve a 12-month extension as requested. The motion was seconded by Ms. Shank and unanimously approved.

SITE PLANS

James and Corina Mills [SP-23-046]

Ms. Wagner-Grillo presented a site plan for the proposed construction of a 40' x 100' building with stone driveway and parking area for a landscaping business located at 12545 Licking Creek Road in Big Pool. The property is currently vacant and is zoned EC – Environmental Conservation. No customers will visit the site; no signage, lighting or deliveries are proposed. Hours of operation will be Monday thru Friday, 7:30 am to 6:30 pm and 24 hours per day on the weekends. Forest Conservation requirements will be met with on-site retention. Storm water management will be met on-site with a bio-retention facility. All agency approvals have been received.

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

Boonsboro Reservoir and Water Main Replacement [SP-24-011]

Ms. Wagner-Grillo presented a site plan for the replacement of the existing Boonsboro reservoir and associated water main to the Town's water distribution system. The property is located at 20854 Boonsboro Mountain Road and is currently zoned RT – Residential Transition. Storm water mitigation is existing on-site. This project is exempt from Forest Conservation requirements because it is a public utility service. All agency approvals have been received except for the Soil Conservation District.

Motion and Vote: Commissioner Wagner made a motion to approve the site plan as presented contingent upon approval from the Soil Conservation District. The motion was seconded by Mr. Semler and unanimously approved.

Rosewood PUD Lot 17B [SP-24-031]

Ms. Wagner-Grillo presented a site plan for Lot 17B of the Rosewood PUD located at 20115 Professional Boulevard, along the northeast side of Robinwood Drive. The property is currently zoned RS/PUD (Residential Suburban with a Planned Unit Development overlay). The applicant is proposing to change the use of a commercial building from a proposed office to a restaurant. The restaurant will require additional parking spaces. The Zoning Ordinance requires a PUD to provide RV parking for its residents, which is currently located on Lot 18. The applicant is requesting the removal of the RV parking spaces in order to meet overall parking requirements for the proposed restaurant use.

Mr. Sassan Shaool, developer of the Rosewood PUD, stated that the RV parking spaces are not currently used because the development does not allow RV parking.

Motion and Vote: Mr. Reeder made a motion to approve the site plan as presented and to change the office use to a restaurant use and remove the RV parking. The motion was seconded by Mr. Semler and unanimously approved.

OTHER BUSINESS

Update of Projects Initialized

Ms. Kinzer provided a written report for land development plan review projects initialized during the month of October which included one preliminary consultation for a 13 lot subdivision on Federal Lookout Road and two site plans.

Discussion of proposed text amendments

Ms. Baker announced that the Department of Planning & Zoning is currently pursuing several text amendments to the Zoning Ordinance. These amendments are a result of legislation passed by the State of Maryland. The amendments will be brought forth in the next several months and include the following:

- Definition of mobile homes – Ms. Baker explained that a housing bill was signed by the Governor's office to allow mobile homes in any zoning district. Currently, mobile homes are permitted only in the Agriculture, Environmental Conservation, and Preservation in the rural areas of the County. The County also needs to bring its definition up to HUD standards.
- Accessory Dwelling Units – Ms. Baker noted that the State put together a task force to propose legislation for property owners to construct accessory dwelling units on their property. The task force concluded its report in July. The County needs to address accessory dwelling units in its Zoning Ordinance to comply with potential future legislation.
- Transitional and Sheltered Care Facilities – Currently our Zoning Ordinance only permits these types of facilities as a special exception use in the rural zoning districts of AR, EC and P. According to State law, any zoning district that permits single-family dwellings shall principally permit these uses. Districts that allow single-family residential uses may provide a facility that will accommodate 4 to 8 people and districts that permit multi-family dwellings may accommodate 8 to 16 people. State law is superseding our regulations by allowing these types of facilities in any zoning district.
- Methadone Clinics – Currently our Zoning Ordinance permits these types of facilities wherever medical clinics are permitted. The Board of Zoning Appeals would like a clearer definition of a methadone clinic and where they would be permitted.

WORKSHOP

Due to the recent appointment of a new member, a brief workshop was conducted outlining the responsibilities of the Planning Commission and its members. It was noted that one of the most significant projects of the Planning Commission is the Comprehensive Plan. Ms. Baker discussed elements that are required by the State to be included in the Plan, the latest proposed updates, the goals, visions and recommendations that are intended to guide growth and development within the County. She also discussed other plans, such as the Subdivision Ordinance, Water & Sewerage Plan, etc., that are used to implement the recommendations within the Comprehensive Plan. Finally, Ms. Baker discussed the month-to-month functions of the Commission which include, but are not limited to, the approval of site plans, ordinance modifications, and piecemeal rezonings.

UPCOMING MEETINGS

1. January 6, 2025, 6:00 p.m. – Washington County Planning Commission regular meeting

ADJOURNMENT

Mr. Reeder made a motion to adjourn the meeting at 7:20 p.m. The motion was seconded by Mr. Semler and so ordered by the Chairman.

Respectfully submitted,



David Kline, Chairman