

**Planning Commission
MINUTES – Regular Meeting**

**June 24, 2020
City of Hagerstown, Maryland**

Due to the national, state, and local declarations of emergency as a result of the COVID-19 virus pandemic, this meeting was conducted through electronic teleconferencing technology. All members of the commission and all participating applicants participated from remote locations. Only Planning and Code Administration staff was present in Room 407.

Douglas S. Wright, Jr., chair, opened the meeting at 6:57 p.m., on Wednesday, June 24, 2020. Also participating remotely were commission members C. Davis, C. Ploscaru, J. Stone, R. Thomas, and J. Wheeler. The following staff members were present: K. Maher, Director of Planning and Code Administration; S. Bockmiller, Development Planner/Zoning Administrator; M. Flick, Planner; and D. Calhoun, Commission Secretary. (NOTE: Planning Commission revisions are indicated in red text.)

REGULAR MEETING

Roll Call.

Commission member S. McIntire was absent; all other commission members participated in the meeting remotely. Mr. Wright introduced the commission and staff to viewers.

Approval of Minutes:

June 10, 2020.

Mr. Wright noted that S. McIntire participated in the meeting although she is not listed in the minutes as such.

MOTION: (Stone/Davis) Motion to approve as amended.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

Development Review:

None.

Planning Commission Business:

41-41½ South Potomac Street – Sheryl Bowers – Dumpster Placement Waiver.

Staff Report. (A copy of staff report is in the meeting file.) Article 4, Zoning, of the Land Management Code requires an enclosure around all new dumpster locations. Per Section K.16, “The Planning Commission may waive this requirement if convinced that the dumpster location is the most logical placement due to unique site constraints and that installation of the enclosure is not practical due to those constraints.” There have been issues dealing with trash collection and walking the trash cans to the front of the building at this address.

The property manager for this property is seeking a waiver from this requirement. Staff forwarded it for the commission’s consideration and made no recommendation. The existing unscreened dumpsters referenced in Ms. Bowers’ request will be investigated to determine whether they may be in violation of the City’s requirements. Both of the referenced dumpsters appear to have been added within the last four years. Staff recommended that their presence not be taken into account when weighing this request. Consideration should only be given to the above-quoted requirement cited from Section K.16 of the Zoning Ordinance.

Planning Commission/Staff Discussion: Sheryl Bowers of Synergy Management stated there have been issues with tenants walking the cans to the front. Synergy would like to clean up the area and believes placing a dumpster in the back of the building would be the best way to accomplish that goal. Adding an enclosure around the dumpster would create traffic congestion and impede vehicles attempting to turn around. The parking lot is shared by three buildings. Adding a dumpster would reduce the number of parking spaces available for use by the tenants.

Mr. Wright agreed that there could be a conflict with the “foundation folks” backing out. If enclosures are required for all dumpsters that would create a bottleneck. Mr. Wright pointed out two dumpsters (one existing, one new) on the eastern corner of the District Court lot behind the Maryland Theatre. The new one has not been there long. It is located in a formerly nicely landscaped brick sidewalk area. The new dumpster (and a smaller one beside it) is unsightly. If the commission asks Ms. Bowers to install an enclosure, the commission would also have to require the others to enclose their dumpsters.

Commission members were in favor of granting a waiver to the dumpster requirement. Mr. Thomas asked about the ability of trucks to service the dumpster. Ms. Bowers stated she had Apple Valley assessed the location to make sure it would be serviceable; she added that it is a two-yard dumpster.

MOTION: (Thomas/Ploscaru) I’ll make a motion that we grant the waiver of not requiring an enclosure at this location.

ACTION: APPROVED (Unanimous)

Mr. Bockmiller stated that he will investigate the dumpsters described by Mr. Wright on the District Court site.

Saylor House at Kiwanis Park Landmark Overlay District.

Staff Report. (A copy of staff report is in the meeting file.) The City is in the process of applying for a Landmark Overlay District at the Saylor House at Kiwanis Park. The Saylor House is the small stone house in Kiwanis Park that was built between 1790 and 1810. It was documented in the Maryland Inventory of Historic Places in 1975. In 2015, the Washington County Historical Trust began to work with the City to partially renovate and stabilize the building.

The intent is to preserve the Saylor House as an important historic landmark in Hagerstown. This designation is necessary to qualify the building for certain grant funding sources and relaxation of some regulations. A detailed history of the Saylor House is included in the meeting file. Mr. Bockmiller provided a memo from the HDC which is in favor of the request (copy in meeting file). The plan is to hold a public review meeting on July 29.

Mr. Bockmiller explained that the floodplain ordinance limits how much you can invest in buildings that are in the floodplain. There is an exception that allows you to do more if it is a historic building. With the local landmark in place, the funding caps can be relaxed. The floodplain extends up to the front door sill. The first floor and everything above that is above the floodplain. There is no evidence that the building was ever inundated by a flood. It does sit high enough on a bluff on the outside of an oxbow of Antietam Creek that flooding appears to not be an issue. Kiwanis Park is owned by the City.

Planning Commission/Staff Discussion: Mr. Wright said he is generally not in favor of granting landmark overlays on privately owned properties; however, this property is owned by the public. Commission members supported the overlay district. Mr. Bockmiller stated that part of what is driving this is **that** the Washington County Historical Trust is leading the rehab work with the goal of using the building for a hands-on classroom for preservation skills.

In the third paragraph of the staff memo, Mr. Wright asked that it be clarified that the Historic District Commission was the “Commission” in favor of protecting the building. He believed it was not clear whether it was the Planning Commission or the Historic District Commission. Any subsequent staff memos should make this distinction clear.

The public review meeting will be held during the July 29 meeting.

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Announcements.

The next meeting will be in-person at City Hall and will be held in the Council Chamber to achieve proper social distancing.

Adjourn.

It was moved and seconded that the meeting adjourn (7:18 p.m.)

Approved

Debra C. Calhoun - Secretary