



City of Hagerstown, Maryland
 Committed to Safety
 Dedicated to Partnership and Progress

MINUTES - HAGERSTOWN PLANNING COMMISSION

Date: April 27, 2022
Time: 7:00 p.m.
Location: City Council Chambers, Second Floor, City Hall, 1 East Franklin Street
Attendance:

Name	In-Person	Remote	Absent
Douglas S. Wright, Chairperson	X		
James W. Stone, Vice Chairperson	X		
Judy Wheeler			X
Ronald Thomas	X		
Christina Davis		X	
Tamara Martinez	X		
Shelley McIntire, Ex-Officio		X	
Staff:			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
M. Flick, Planner	X		
A. Haught, Recording Secretary	X		
R. Tissue, City Engineer	X		
J. Bender, Assistant City Engineer	X		
D. Reaser, Business Development Specialist, DCED	X		

Preliminary Matters:

- Call to Order and Instructions from the Chair** - The Chairperson called the meeting to order at 7:20 p.m. (Delay caused by broadcast technical difficulties). Attendance of members and staff are reflected in the chart above. The Chair explained to those in attendance that this is a public meeting and not a public hearing and that the process does not require permitting public comment. However, past practice of the Commission is to allow comments if they are kept germane to the topic at hand and within the Commission's power to address.
- Approval of Minutes** – None.

Development Review:

- Lois Harrison Boulevard and R. Paul Smith Boulevard extended road improvements – Site plan (ZS-2022-03), subdivision plat (S-2022-02) and forest conservation plan (FC-2022-01), south of Edgewood Drive and west of Dual Highway (T. Frederick, FSA).** The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. The Applicant was represented by Trevor Frederick of FSA. Mr. Tissue explained the traffic movement plan and Mr. Bender explained the stormwater management approach, including the lot along Dual Highway that will be dedicated for the purpose of meeting the State Highway Administration's requirements for addressing stormwater management associated with the Dual Highway improvements.

Upon completion of the Applicant's presentation, the following persons were permitted to speak on this matter: Bette Jo Shifler, via "Zoom," a resident of the Beaver Creek area, who was concerned with the impacts of additional truck traffic on the area in which she lives, and the potential for gridlock in the area if Interstate 70 were closed due to an accident. Also, Paul Flynn, Esq., representing the owners of the Tri-State/Carter Lumber/Chipotle/Med Express property on the west side of Dual Highway, commented, via "Zoom" concerning the

impact of the proposed Dual Highway improvements to their site, and also expressed a desire for their property to be able to connect to the new road. Kevin Spielman, who appeared at the meeting, spoke about his concerns that the development would preclude completing the connection to Southern Boulevard. When it was explained to him that right of way will be reserved on the warehouse site (next agenda item) to build the extension of Southern Boulevard at a later date, he withdrew his concern.

Action: After discussion, Mr. Stone made a motion to **approve** the site plan, subdivision plat, and forest conservation plan, **subject to the following conditions:**

1. Satisfaction of the outstanding 11 site plan conditions and 6 plat conditions cited by the City Engineer and the minor site plan comments cited by the Fire Marshal and the Department of Utilities;
2. Compliance with the developer's agreement as may be approved by the Mayor and City Council; and
3. The plan shall not be signed until full approval has been obtained from the State Highway Administration.

Mr. Thomas seconded the motion. Mr. Wright noted that the stormwater management and associated lot required by the State Highway Administration are beyond the authority of this Commission. The motion **passed** by a vote of 6 to 0.

2. **Currwood Hagerstown, LLC warehouse development – Site plan with three waivers (ZS-2022-02), subdivision plat (S-2022-03) and forest conservation plan (FC-2021-06), west side of Howell Road and north of Edgewood Drive (T. Frederick, FSA).** The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. He explained that the three requested waivers included 1) increasing the height of parking lot light poles, 2) not installing sidewalks along Howell Road, which are objected to by the County which owns that street, and 3) removal of the requirement for dumpster enclosures since the dumpsters will be located in loading bays, would create a truck navigation issue and, being internal to the site, will not be visible from adjacent properties or streets. The Applicant was represented by Trevor Frederick of FSA.

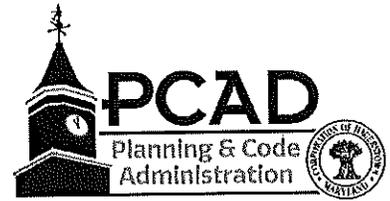
Mr. Stone recused regarding this case and did not participate in the deliberations. The Chair directed that since the relevant issues concerning other parties were were permitted to be addressed in the previous agenda item, any additional comment would be duplicative, so no additional public comment would be accepted in this case.

Action: After discussion, Mr. Thomas made a motion to **approve** the three requested waivers, citing that the requests were justified under criteria A, B and D on the Waiver Application form (Schedule W). Ms. Martinez seconded the motion which **passed** by a vote of 5 to 0 with one abstention. The waivers approved, Mr. Wright then made a motion to **approve** the site plan, subdivision plat and forest conservation plan, **subject to the following conditions:**

1. Satisfaction of the outstanding 10 site plan conditions and 5 plat conditions cited by the City Engineer and the ten minor site plan comments cited by Planning;
2. Compliance with the developer's agreement as may be approved by the Mayor and City Council; and
3. Per State Highway Administration, no use and occupancy permit is granted for the buildings unless and until Lois Harrison Boulevard is open for traffic.

Mr. Thomas seconded the motion. The motion **passed** by a vote of 5 to 0 with one abstention.

3. **Virginia Commons, Phase I, single family home residential development, 36-lots - Development plan (P-2021-02) and forest conservation plan (FC-2021-04), East of Moller Avenue and south of Marion Street (F. Frederick, FSA).** The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. Fred Frederick represented the developer and made a brief presentation.



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PLANNING COMMISSION MEETING MINUTES OF APRIL 27, 2022

Page 3

Mr. Wright observed that there was a minor error or discrepancy in the property line that is associated with the current municipal boundary. Staff stated that the City's surveyor will be consulted on the correct information and the plan will be adjusted according to his direction.

Action: Mr. Stone moved to **approve** the site plan and forest conservation plan, **subject to the condition** of addressing the five site plan conditions cited by the City Engineer. Mr. Thomas seconded the motion. The motion **passed** by a vote of 6 to 0.

Consultations and Workshops:

None.

Planning Commission Business:

None.

Adjournment:

There being no further business, the meeting was adjourned at 9:05 p.m.

A. R. Beckwith
for Amy Haught, Recording Secretary
App. by P.C. 5/11/22