



City of Hagerstown, Maryland
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MINUTES - HAGERSTOWN PLANNING COMMISSION

Date: June 8, 2022
Time: 4:00 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 | | |
| Vacant, Planner | | | |
| Vacant, Recording Secretary | | | |

Preliminary Matters:

- Call to Order and Instructions from the Chair** - The Chairperson called the meeting to order at 4:03 p.m. Attendance of members and staff are reflected in the chart above.
- Approval of Minutes** – May 25, 2022. Ms. Wheeler moved to **approve** the minutes, with an adjustment to review number 2 (HCC CDL School) to adjust the motion to read "...in order for the primary engineer on the project to be present for discussion." Ms. Davis seconded the motion which **passed** by a vote of 5-0.

Development Review:

- Hagerstown Community College CDL School** (*Continued from May 25, 2022 meeting*) – North side of Northern Avenue – Minor Site Plan (SA-2022-02) – Engineer: A. Hager, Frederick, Seibert and Associates. The summary memorandum, which is in the meeting file, was not re-presented by staff as this is a continuation from the last meeting. The Applicant was represented by Adam Hager of Frederick, Seibert and Associates and Pat McCord, Deputy Director of Facilities for Hagerstown Community College.

The applicant is screening to the east adjacent to Free Range Café, and added fencing along the railroad to a point equal with the front corner of the building. They have provided notice to the adjacent property owner that they have 30 days to cease use of their property and remove vehicles from the subject property. Also, there will be four lanes laid out in the truck training area. Mr. McCord explained that there would be seven trucks of varying sizes associated with this school. They would be parked behind the building and will not all be used at one time. He also agreed to extend the fence along the railroad tracks to the point where it adjoins the car service business property.

Action: After discussion, Mr. Thomas made a motion to **approve** the site plan, subject to a condition that the remaining comments from the Fire Marshal be satisfied. Mr. Stone seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

2. **Hagerstown Core Development Warehouse – 520 and 540 Western Maryland Parkway – ESD Sketch Plan** (no file number assigned) - Engineer: T Frederick, Frederick, Seibert & Associates. The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller and the City Engineer's comments were entered into the record. The Applicant was represented by Trevor Frederick of Frederick, Seibert and Associates.

Mr. Wright was concerned that there was not enough designated truck parking for the size of the building, but it was observed that there is no stated minimum parking requirement for trucks serving warehouse facilities. The Commission also discussed the issue of sidewalks. Given that Western Maryland Parkway is a County street and beyond the City's purview to require improvements within it, and the fact that this is near the end of a long dead end road which has no sidewalks in front of any other property, the Commission concluded that it will not be able to require public sidewalks for this development.

Action: After discussion, Mr. Stone made a motion to **approve** the ESD Sketch Plan. Ms. Davis seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

3. **Western Heights Middle School Driveway – 1350 Marshall Street, Site Plan (ZS-2022-04) and Forest Conservation Plan (FC-2022-02)** - Engineer: T. Frederick, Frederick, Seibert & Associates. The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. The Applicant was represented by Trevor Frederick of Frederick, Seibert and Associates.

Mr. Frederick explained that the project is intended to improve traffic circulation safety on-site, separating buses from the cars of parents dropping off their children. Mr. Wright stated that there should be a pedestrian sidewalk along the east side of the new driveway, connecting to the existing staff parking lot. Mr. Frederick agreed to make that change.

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

- Condition 1; The approval includes approval of the proposed alternate landscaping plan; and
- Condition 2; The approval of the forest conservation plan includes use of contribution to the fee-in-lieu program for the area stated in the application and staff report; and
- Condition 3; A sidewalk along the east side of the new driveway shall be added to the plan and constructed in accordance with the discussion in this meeting; and
- Condition 4: Satisfaction of the remaining comments from Planning staff.

Mr. Thomas seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

4. **Fountainhead West Subdivision – West end of Haven Road, Subdivision Sketch Plan (C-2022-01) – Engineer: G. Poffenberger, Fox & Associates.** The summary memorandum, which is in the meeting file, was presented by Mr. Bockmiller. The Applicant was represented by Gordon Poffenberger of Fox and Associates.

Mr. Bockmiller explained the latest decisions regarding the design of alleys to meet the requirement of the Fire Marshal. When lots front open space and the alley is the primary point of vehicular access to lots, the alley must be a minimum of 20 feet in width in order to meet the Fire Code and provide sufficient access for emergency vehicles. The Commission discussed with Mr. Poffenberger and Mr. Bender the issues associated with the wetlands on the property and how they impact other design elements which resulted in some single-family dwelling lots having driveway entrances onto the proposed collector street.

Action: After discussion, Mr. Thomas made a motion to **approve** the subdivision sketch plan, permitting it to move forward to the Development Plan stage. Ms. Davis seconded the motion. There being no further discussion, the motion **passed** by a vote of 5-0.

Consultations and Workshops:

None.

Planning Commission Business:

1. **Board of Zoning Appeals agenda for June 16, 2022** – Mr. Stone made a motion to **support** a proposed condition desired by staff in case Z-2022-04 (Seen – 526 East Franklin Street) to require the entirely paved front yard to have all excess paving taken up and put in grass or other landscaping that is not needed for three parking spaces that will back directly into the street, and necessary walkways from the three entrances to the parking pad, per an exhibit provided by staff by sending a memorandum to the Board of Zoning Appeals. Ms. Davis seconded the motion which **passed** by a vote of 5-0.
2. **Schedule Meeting Dates** – Staff and the Commission discussed whether it should adjust its meeting times to make it easier to secure qualified candidates for the vacant Administrative Coordinator position who will be required to staff the after-hours meetings of three different boards each month, for as many as five meetings per month. Staff have found this a deterrent to attracting a sufficient pool of interested and qualified candidates when hiring for the position in the past. Discussion revealed that there are competing concerns with attracting sufficient qualified and interested candidates for the position which would benefit from moving meetings earlier in the day, but at the same time, would be a deterrent to attracting new, younger members of the community to serve on these boards due to work commitments so early in their careers. In this meeting and prior correspondence, Ms. McIntire and Mr. Thomas were okay with or supported having the workshop meetings earlier. Mr. Wright and Ms. Martinez were concerned with doing so. At this time, the Commission decided to make no changes in its meeting schedule.
3. **Adequate Public Facilities Ordinance** – Mr. Wright noticed the increase in demand for school services being created with the current housing boom and asked for clarification why the City no longer has an Adequate Public Facilities Ordinance for school capacity. Ms. Maher and Mr. Bockmiller explained: 1) the prior Ordinance was promoted to the City by the County by offering a percentage of the then-substantial excise tax to offset running City residential projects through the County's school remediation review process, only to have that tax rate cut repeatedly to the point where it was of little benefit to the city, 2) the City was not experiencing growth to justify continuance of a growth control ordinance, 3) the purpose of the Ordinance, as required by law is to specifically use funds generated to create seating capacity in the schools, however the County appears not to be doing so, as over-capacity conditions in 2005 remain over capacity today, 4) given #3, it would serve as a de facto building moratorium which would severely hamper the growth of the City's primary source of funding – the property tax base, and 5) the County Commissioners prioritize reducing tax rates and other cost cutting measures over increasing school capacity at over-crowded schools. While staff understands the Board of Education's concerns, the City cannot support returning to such a situation without major changes to how the County administers the program.

Adjournment:

There being no further business, Ms. Davis moved to adjourn the meeting and Mr. Thomas seconded the motion which passed by a vote of 5-0 and the meeting was adjourned at 6:42 p.m.



Stephen R. Bockmiller, AICP
Acting Recording Secretary

6/29/22