



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: planning@hagerstownmd.org

Telephone: 301-739-8577, ext. 138 • Website: www.hagerstownmd.org

Date: November 09, 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		
Vacant, Planner	-----		
M. Revilla, Recording Secretary	X		

Instructions from the Chair-

The Chair called the meeting to order at **7:08 p. m.**

Public Review Meeting-

1. 2022 Land Management Code Amendments.

Mr. Bockmiller explained there are four ordinances that support the Land Management Code as well as reviewed the 12 amendments. There are twelve proposals as follows:

Page:	Proposal:	Loosening regulations:
1.	2022-01	Permitting solar farms in the POM District on EPA/MDE remediation sites.
2.	2022-02	Adding thirteen new permitted uses to INST district and one new use each to the CG and CR districts.
3.	2022-03	Minor adjustments to three standards for wall-mounted signs.
4.	2022-04	Permit gambling establishments per Maryland law in the CC-MU and CR Districts.

MINUTES HAGERSTOWN PLANNING COMMISSION

- 5. 2022-05 Amend the public notice requirements for text and map amendments to be consistent with Maryland law.
- 6. 2022-06 Adjustment to flex building performance standards of the POM district.

Page: Proposal: Corrections and clarifications:

- 7. 2022-07 Clarifying that the definition of livestock includes beekeeping.
- 8. 2022-08 Clarifying the accessory structure setback requirement from a principal structure.
- 9. 2022-09 Minor correction to the Conversion Overlay District section to correct an internal conflict of language.

Page: Proposal: Tightening Regulations:

- 10. 2022-10 Relocate and adjust industrial performance standards to apply to all industrial uses, not just districts.
- 13. 2022-11 Regulation of camper, recreational vehicle, and boat parking in residential zoning districts.
- 16. 2022-12 Performance standards for raw land in N-MU District to encourage mixing of housing types.
- 18. 2022-13 Regulation of new driveway entrances to public streets from improved residential properties.

The owner of "Longshots" near the Valley Mall, Alyse Cohen, spoke in favor of proposal 2022-04 to loosen regulations to permit gambling establishments per Maryland law in the CC-MU and CR Districts.

Action- Mr. Stone **moved** to leave the record open for 10 days. Ms. Wheeler **seconded** the motion. The motion **passed** by a vote of **6-0-0**.

2. 2022 Comprehensive Rezoning of ten areas to INST.

Mr. Bockmiller explained that a number of institutional properties were missed in the Comprehensive Rezoning and this proposal cleans up those oversights, as well as applies appropriate zoning to two sites proposed for museums. The sites are as follows:

- 1. Jonathan Hager Elementary School
- 2. Potomac Heights Elementary School
- 3. Kiwanis Park
- 4. Oswald Park

MINUTES HAGERSTOWN PLANNING COMMISSION

5. Rotary Club of Longmeadow Park
6. Terrapin Park
7. Wheaton Park
8. Woodland Way Park
9. 465 Pennsylvania Avenue (future home of the Doleman Black Heritage Museum)
10. 321 Highland Avenue/111 Key Street (future home of the Washington County Museum of Fine Arts expansion).

No one testified regarding this proposal.

Action- Mr. Stone **moved** to leave the record open for 10 days. Ms. Wheeler **seconded** the motion. The motion **passed** by a vote of **6-0-0**.

Approval of Minutes –

Action- Ms. Wheeler moved to **approve** the October 26, 2022 meeting minutes with no changes and Mr. Stone seconded the motion. The motion **passed** by a vote of **4-0-2**, Ms. Martinez and Ms. McIntire **abstained**.

Development Review –

1. **Columbia Gas** – Site Plan - Columbia Gas- Site Plan (ZS 2020-11) 55 Sycamore St. ERM.

Mr. Bockmiller advised of the proposed changes to the Columbia Gas Site Plan. Project Manager Kerry Poffenberger, provided more clarity on a large sketch plan of the grass areas to be paved and vice versa.

Staff recommends approval of the revised landscaping plan and site plan with the addition of a few trees.

Action- Ms. McIntire made a motion to approve, Ms. Wheeler seconded the motion. The motion **passed** with a vote of **6-0-0**.

2. **Unger Properties** – Plat for resolving fence encroachments (S 2022-15) West of Marion Street, Frederick, Seibert, and Associates.

Mr. Bockmiller recalled the previous discussion Jim Bender had with the Planning Commission regarding the Subdivision Plat for resolving the fence encroachments

MINUTES HAGERSTOWN PLANNING COMMISSION

West of Marion Street. The revised plat to resolve fence encroachments for Unger Property subdivision was recommended by staff for approval.

Action-Mr. Stone moved to approve and Mr. Thomas seconded. The motion **passed** by a vote of **6-0-0**.

3. **Berry's Ice Cream Parlor** – Site Plan – (SA 2022-08) – 66 East Franklin Street- Frederick, Seibert, and Associates. LLC.

Mr. Bockmiller went over the details of the Berry's Ice cream parlor Site Plan. Fred Frederick of Frederick, Seibert, and Associates advised the hours of operation for the Parlor as well as information regarding the owner of the property.

Action- Mr. Stone made a motion to approve, Ms. Wheeler. Seconded the motion. The motion **passed** with a vote of **6-0-0**.

4. **Martin Heights** – Site Plan, Forest Conservation Plan, and Plat – (ZS 2022-05) Noland Village- Frederick, Seibert, and Associates.

Mr. Bockmiller informed that Martin Heights has a conditional approval from the light department. In addition, he explained the Forest Conservation Plan is for Apartment Building Property, Site three buildings total, two apartments and a community center as well as a parking access to the center. Also, the Subdivision Plan is to divide the track into four lots. Staff recommends approval of the Forest Conservation Plan first so the Site Plan meets the ordinance and can be approved as well. Staff recommends to approve the site plan with the condition that the pending approval by Light department be approved.

Action- Mr. Stone made a motion to **approve** the forest conservation plan. Ms. McIntire **seconded** the motion. The motion passed with a vote of **6-0-0**.

Action- Mr. Stone made a motion to **approve** the site plan with the condition that the Light Department provides final approvals. Ms. McIntire **seconded** the motion. The motion passed with a vote of **6-0-0**.

Action- Mr. Stone made a motion to **approve** the subdivision plat with the condition the Light Department provides final approvals. Ms. Wheeler seconded the motion. The motion passed with a vote of **6-0-0**.

5. **Vision Development** – ESD Sketch Plan – (ZS 2022-10) – 410 Dual Highway, Civiller, LLC.

MINUTES HAGERSTOWN PLANNING COMMISSION

Mr. Bockmiller presented the Vision Development revised Sketch Plan requesting a change to the access from Dual Highway to enter off of Antietam through the hotel parking lot. Mike Hicks from Civiller LLC and Brian Hosch spoke about the many challenges they had been confronted with regarding the access to include the cost.

Staff recommends approval of the sketch plan with the condition that they address the Engineer's concerns with the amendment to the access as well as provide the entrance off of Dual Highway as an alternate access. Another condition is that there needs to be a defined right of way to the access to the site across the adjoining property that aligns with the site plan.

Action- Ms. McIntire moved to approve and Ms. Martinez seconded the motion. The motion passed by a vote of **6-0-0**.

Consultation and Workshops-

None.

Planning Commission Business-

2023 Planning Commission Meeting Schedule

Action- After Commission reviewed the dates and had minor discussion, Mr. Thomas made a motion to **approve** the schedule, and Mr. Stone **seconded** the motion. The motion was **approved** by a vote of **6-0-0**.

Adjournment:-

With no further discussion Mr. Stone moved to **adjourn**. Ms. Wheeler **seconded** the motion which passed by a vote of **6-0-0**. The meeting **adjourned** at **9:27 p.m.**



Mary Revilla, Recording Secretary