



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

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PLANNING COMMISSION MEETING MINUTES

Date: Wednesday October 9, 2024
 Time: 7:00 p.m.
 Location: Council Chambers, City Hall, 1 East Franklin Street
 Attendance:

Name	In-Person	Remote	Absent
Christina Davis, Chairperson	X		
James W. Stone, Vice Chairperson			X
Judy Wheeler			X
Ronald Thomas	X		
Tamara Martínez	X		
Sean Flaherty			X
Matthew Schindler, Ex-Officio	X		
Staff			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
J. Wu, Planner	X		
M. Revilla, Recording Secretary	X		

Call to Order and Instruction from the Chair –

The Chair called the meeting to order at 4:02 p.m.

Approval of Minutes –

Approval of Minutes of September 25, 2024.

Motion - Mr. Schindler moved to approve the minutes of September 25, 2024, with no changes. Mr. Thomas seconded. The motion passed by a vote of 4-0-0.

Consent Agenda –

None.

Development Review –

A-2024-02 – Confirm Appropriateness of Zoning – I-70 right-of-way, 18320 & 18306 Col. Henry K. Douglas Drive, Col. Henry K. Douglas Drive right-of-way.

The Planning Commission initially reviewed the annexation plan on January 10, 2024. This body approved the annexation plan and recommended the proposed zoning of CR for the annexation of I-70 right-of-way, 18320 & 18306 Col Henry K Douglas Drive, and Col Henry K Douglas Drive right-of-way. This annexation was introduced with the annexation of 55 W Oak Ridge Drive, Building One. The Mayor and City Council approved the annexation resolution on May 28, 2024, and had an effective date of July 12, 2024. Washington County filed a lawsuit claiming that our process was in error because at the time of the introduction of the annexation, the parcels were not contiguous or adjoining to the City's existing boundaries.

The City of Hagerstown is initiating the process to ratify the annexation for Annexation Case No. A-2024-02. The city is ratifying this annexation because the County has challenged the annexation in Court. The City believes the County's interpretation of the annexation statutes is flawed. The ratification of the annexation bolsters the legal sufficiency of the previously enacted annexation resolution and should render the County's objection moot.

Ms. Davis asked if this is being reapproved or amended. Joanna Wu advised that this is to ratify the annexation plan and the zoning, no changes are proposed.

Ms. Martinez moved to approve the zoning and recommend the annexation plan. Mr. Thomas seconded. The motion passed with a vote of 3-0-1. Mr. Schindler abstained.

Workshops –

Quit Claim of Alley – Nottingham Road – Washington County Transit.

On September 4, 2024, our office received a request (attached) from Andrew Eshelman, Washington County's Director of Public Works, to quit claim a portion of Alley 1-35. That alley, which runs east-west between Devonshire Road and Nottingham Road, separates two main parcels which are occupied by the administrative offices and maintenance facilities for Washington County Transit (WCT). The request is to quit claim the portion of the alley that separates the two WCT parcels to allow for expansion and reconfiguration of their facilities. The purpose of this memo is to present the request, and to provide additional information on WCT's plans at this site.

Consider the request and make a recommendation to the City Council as to whether or not the quit claim should be granted. Staff, along with representatives from Washington County and WCT, will attend the October 9th Planning Commission meeting.

WCT has begun the process to plan for the future expansion of their facility at 1000 W. Washington Street; the goal of the expansion project is to provide sufficient space for WCT to operate at that site for the next forty (40) years. The expansion will include improvements to the current administrative offices, the bus maintenance facilities, and bus storage area. Having their facilities separated by the alley will limit WCT's ability to expand due to building setback restrictions and will cause operational challenges for the facility.

Alley 1-35 is a paved, concrete alley with a 12'-wide right -of-way. In addition to the two WCT parcels in question, the alley touches three other properties which are owned by Jehovah's Witnesses Congregation, McTaws Limited Partnership, and the Clear Spring Limited Partnership. As requested by the City, Washington County sent letters to those three property owners to make them aware of the quit claim request, and to solicit any feedback from them. The Jehovah's Witnesses Congregation responded with a letter (attached) opposing the quit claim due to concerns about the ability of their congregants to access their property. To date, no responses have been received from the other two property owners.

The quit claim request was routed to various City departments for their feedback. The Hagerstown Police Department, the Hagerstown Fire Department, the Department of Public Works, and the City's Water and Wastewater Divisions had no objection to the request. The Hagerstown Light Department (HLD) did not object to the idea of the quit claim but indicated that existing HLD overhead facilities would need to be relocated. The utility poles along the alley are owned by Verizon, and they were contacted regarding the request. Verizon responded that other easements may need to be provided for their facilities if the quit claim were approved and their facilities needed to be relocated, and that Point Broadband and HLD also had facilities on their poles that would need to be relocated as well.

Troy Truax, Chris Zdanis, and Andrew Eshleman, representatives of Washington County, were present to provide details and statistics with and without access to the eastern portion of the alley. Shawn Harbaugh of Washington County Transit and Matt Mullenix of Hagerstown/Eastern Panhandle MPO spoke of the effect on future growth.

Joseph and Lauren Beason of Orchard Hill Jehovah's Witnesses Congregation explained the concerns of having only one-way for the congregation members to exit the property.

The City Engineer provided guidance as to what proposed solutions may be permissible at that location. Design engineers for Washington County Transit and for the Orchard Hill Jehovah's Witnesses Congregation will be working together to agree on a viable solution and submit a site plan for approval.

New Business –

None.

Old Business –

None.

Announcements –

None.

Adjourn –

Ms. Martinez moved to adjourn, and Mr. Thomas seconded the vote. The meeting was adjourned at 5:17 p.m.



Mary Revilla, Recording Secretary

approved ~~MSM~~
10-30-24