

**Planning Commission
MINUTES – Regular Meeting**

**July 27, 2016
City of Hagerstown, Maryland**

Douglas S. Wright, Jr., chair, called the meeting to order at 7:00 p.m., on Wednesday, July 27, 2016, in the Conference Room, Fourth Floor, City Hall. Also present were commission members M. Brubaker (late), R. Campbell, J. Stone, R. Thomas, and J. Wheeler. The following staff members were present: K. Maher, Director of Planning and Code Administration; A. Rohrbaugh, Planner; and D. Calhoun, Secretary.

REGULAR MEETING

Roll Call.

The chair noted that M. Brubaker and D. Miller were absent.

Approval of Minutes:

June 29, 2016 – Regular Meeting.

MOTION: (Stone/Thomas) I'll make a motion to approve.
DISCUSSION: None.
ACTION: APPROVED (Unanimous)

July 13, 2016 – Workshop Meeting.

MOTION: (Campbell/Thomas) I'll make a motion to approve.
DISCUSSION: None.
ACTION: APPROVED (ABSTAIN – Stone, Wheeler, Wright)

Planning Commission Business:

Comprehensive Plan Update: Water Resources Element (Tabled July 13, 2016).

(Packet memo is in the meeting file.) This element establishes policies to guide the provision of future wastewater and water service for the city and Medium-Range Growth Area (MRGA), and the management of nonpoint source runoff from the city, both now and in the future. It complies with the Water Resources Element requirements of the Land Use Article of the Annotated Code of Maryland. Map 4-1 delineates water and wastewater service areas as of 2015 (the baseline year for new data).

The Water Resources Element (WRE) is divided into three sections: wastewater, water, and nonpoint source runoff. (M. Brubaker arrived.) Both water and wastewater sections project the effects sustained new development in the city and MRGA would have on both utilities. The development projections are based on buildout scenarios from the future land use plan in Chapter 2, Growth Management and Land Use. The WRE also analyzes the impact that full MRGA buildout would have on the City's wastewater and water systems.

Some key findings from this element include:

- Wastewater capacity will be adequate through 2035 to treat development under both the City's Rapid Growth Scenario and full build-out of the MRGA. Each scenario is shown in Tables 4-1 and 4-3 respectively. These assumptions include an increase in capacity at the County's Conococheague Treatment Plant, which serves western portions of the city and western and southern portions of the MRGA (the purple and yellow areas on Map 4-1).
- While adequate wastewater capacity is more certain through 2035, water capacity is not. Table 4-7 indicates that by 2035 spare water capacity will be the equivalent of 3,100 dwelling units. Ultimate buildout of the city and MRGA projects a deficit of 3.2 million gallons per day. Mr. Wright noted that the water capacity is a regulatory restriction; wastewater is an engineering issue. Water Division management will begin the application process to increase the amount of water taken from the Potomac River. Mr. Wright said this element needs to make a strong statement that the application for extra water capacity must be a priority.
- Currently, the City-owned R. C. Willson Treatment Plant is the sole provider of public water for Hagerstown and the Long-Range Growth Area (LRGA). While it is designed to pump more than its current permit of 15 million gallons per day, there are currently no assurances that the state will allow an increase of what the City is permitted to draw from the Potomac River to meet future demand. The City also maintains a plant that can draw from the Edgemont Reservoir on South Mountain near Smithsburg; however, it is not a long-term reliable source of water.
- As of 2015, approximately one-third of the city's land area is impervious, which means that (storm)water cannot penetrate into the ground and instead flows to storm drains. Common examples of impervious surfaces in the city include buildings, roads, sidewalks, driveways, and parking lots. With regard to nutrient loading, staff met with Maryland Department of the Environment (MDE) last fall and they advised that the City would not have to have nutrient loading as a part of this plan. The City was advised to use its growth scenarios to calculate the increase in impervious area.

- If the Rapid Growth Scenario were to occur, the impervious surface of the city would increase to 42%.
- A new component to the WRE is the implementation of growth tiers, which was a result of the passing of the Sustainable Growth and Agriculture Act (a.k.a. the Septic Bill) in 2012. All municipal and county comprehensive plans are required to designate areas where public wastewater service currently exists, where it could be expanded in the future, and where none exists or is planned. There are a total of four tier designations, but only two of them (Tier 1 and Tier 2) apply to the city and MRGA. The City of Hagerstown adopted the tiers in 2012, and they are being added to the Comprehensive Plan with this update. Since the city requires developers to hook up to public water and sewer, the Maryland Department of Planning allowed Hagerstown proper to only claim Tier 1; Tier 2 applies to areas to be planned for future sewer service.

To date the following agencies have provided feedback on this element:

- City Utilities Staff provided information for the water and wastewater portions.
- County Division of Environmental Management provided data on Washington County’s wastewater resources.
- City Planning, Engineering, and Utilities Staff met with representatives from the Maryland Department of Planning (MDP) and Maryland Department of Environment (MDE) in August 2015 for guidance on how the City should update this element. MDP and MDE provided staff with valuable feedback on how to update the Nonpoint Source section of the element.
- Many of the Goals, Issues, and Policies have been retained from the last plan. The most noteworthy change is that the City is no longer under the Consent Judgment (page 3, #2).

Commission members and staff discussed the following:

Page 1 of 3:

Mr. Wright asked if the Inflow and Infiltration (I & I) is still at 10% (No. 4 under Wastewater Issues). Mr. Rohrbaugh indicated that the City Utilities staff stated that I/I is an ongoing issue and it remains at 10%. Commission members would like to know what is normal and what is the “best case scenario.” Mr. Rohrbaugh will follow up with the Utilities staff.

Under Water Goals, Mr. Wright asked if this would be the section to add a discussion about the need to re-establish the Edgemont Reservoir and the Breichner Treatment Plant facilities as

viable water sources. Mr. Wright was resolute that the City needs to have an alternate water source in case there is a catastrophic event upstream on the Potomac River. Mr. Stone noted that the Breichner Treatment Plant has a maximum treatment capacity of 4.5 million gallons per day (MGD) but is only appropriated 750,000 gallons per day. He asked why the City is not allowed to use the full amount of processed water from the Edgemont Reservoir/Breichner Treatment Plant. Ms. Maher stated that there are water quality issues associated with the Edgemont Reservoir/Breichner Treatment Plant. Mr. Stone agreed with Mr. Wright that if the City lets the Edgemont/Breichner supply source go, there could be problems in the future. Mr. Wright added that the state is reluctant to grant drilling to tap into groundwater sources. Mr. Brubaker said an engineering study is underway to answer questions about the feasibility of the Edgemont/Breichner facility. Mr. Wright stated that to clarify, he would like to see language under “Water Goals” to pursue all options to re-establish the Edgemont Reservoir. Mr. Thomas asked that something be added to address water pressure issues on the east side of Hagerstown. Mr. Brubaker added that this is a planning issue since this area of Hagerstown is an area of potential annexations.

Page 2 of 3:

- No. 4-6 (under “Policies”) – The wastewater allocation for commercial development in the SCAP was increased to 25%. Mr. Stone suggested that the SCAP allocation maximum could be increased as well.

Page 4-5:

- Mr. Wright suggested that a reference be made to the Rapid Growth Scenario in line 1 of Table 4-1.

Page 4-6:

- Table 4-2 shows the ultimate wastewater demand. Mr. Rohrbaugh will add a reference to the Rapid Growth Scenario in line 1.
- Mr. Wright noted that the label on the right (“Demand” EDU) includes EDUs when in actuality all the figures in that column are not in EDUs. Mr. Rohrbaugh was instructed to make the distinction between acres and EDUs. Staff will look at this more closely (lines 4, 5, 7, 8) and will check other tables in this section for the same error.

Page 4-7:

- Table 4-3, line 5 could be better worded as “Capacity Deficit” because it measures projected demand that existing capacity will not meet. Staff will work on this for clarity.
- Line 1 should be subtracted from lines 2, 3 and 4 so there is a negative number to correspond to the capacity deficit. A subtotal (the sum of lines 1, 2, and 3) could be incorporated into Table 4-3, and labeled “Net Available Capacity.”

- Ms. Wheeler asked if removal of the sunset clause (last paragraph) would be problematic. Mr. Brubaker indicated that it has the potential to be problematic. Mr. Stone observed that it depends on the amount of excess capacity Washington County has. If they have extra capacity it will not be as difficult.
- Mr. Thomas noted that the state is always putting more restrictions on water treatment. At some point the plant will become obsolete because the increasing number of restrictions will make it more difficult to upgrade the existing plant. This cuts down on capacity and this should be taken into account for the future.
- Mr. Rohrbaugh pointed out an arithmetic error in line 5 (should be 1,097—not 10,385).
- The old Comprehensive Plan took into account the entire Urban Growth Area (UGA); the proposed plan only looks at the Medium-Range Growth Area (MRGA).
- Mr. Thomas asked whether all the undeveloped land is suitable for development. Mr. Rohrbaugh said staff factored in environmental constraints (such as floodplains). The numbers don't make the distinction between raw land and land prime for development.

Page 4-8:

- This page is mostly carried over from the 2010 Water Resources Element. Staff will need to review the Long-Range Growth Area (LRGA) and whether there are any leftover references from that.

Page 4-9:

- In the second paragraph (under “Total Maximum Daily Load”) Ms. Wheeler questioned the use of the word “However” in the second paragraph, sixth line down. This needs to be reworded for clarity. Ms. Maher noted that there is no mention of E. coli and Suspended Solids at the Conococheague and Marsh Run since the only reference is to those facilities not being impaired by nutrients. (Mr. Stone left the meeting.)

Page 4-10:

- Table 4-5 has been updated. This table provides a snapshot of nutrient discharges from the plants. As the capacity grows, this table illustrates what the phosphorus and nitrogen content would be and gives the caps. According to the figures, Hagerstown would be under the caps.

Page 4-12:

- Under “Spray Irrigation” the double negative should be corrected by either removing the word “not” at the end of the last full sentence or changing the word “infeasible” to “feasible.”

Page 4-14:

- Mr. Rohrbaugh will add the goal of making the Edgemont Reservoir/Breichner Treatment Plant a feasible long-term water source. Ms. Maher said the language in the first goal addresses that, however, the wording could be clarified by adding ensuring that the Edgemont Reservoir continues as a reliable back up.

Page 4-15:

- Mr. Rohrbaugh noted that the peak demands are based on the summertime figures (projected Water Demand Capacity).

Page 4-16:

- Mr. Brubaker asked staff to double check the numbers in Table 4-6 with Washington County Planning.

Page 4-17:

- Table 4-7 should include a reference to the MRGA for clarity.
- In the first bullet point, besides discussing the eutrophic qualities of the Edgemont Reservoir, there should also be a discussion about the improvements that are needed at the treatment plant. A bullet point should be added concerning the status and that there is a feasibility study underway.

Page 4-18:

- Table 4-8 does not take into account the Breichner Treatment Plant, just the Willson Plant.
- In line 1, add a note that this refers to the Willson Water Treatment Plant.
- Line 6 should be “(Line 5 minus Line 1).”
- In the last paragraph, add a list of specific projects.

Page 4-29:

- Ms. Wheeler noted that the wording in Action 4-10 does not match (refers back to page 3 of 3 and page 4-29). Mr. Rohrbaugh stated that staff generalized it for any area that has cooperative agreements for Washington County. It is conceivable that there could be a Tech Park outside the MRGA.

Planning Commission members had no input on Maps 4-1 through 4-3. Staff will bring a revised copy of the Water Resources Element to the commission for review on August 10.

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Adjourn. It was moved and seconded that the meeting adjourn (8:47 p.m.)

8/10/2016

Approved



Debra C. Calhoun - Secretary