

FREDERICK COUNTY PLANNING COMMISSION  
Minutes of Meeting for  
February 27, 2019

*See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>*

Members Present: Carole Sepe, Vice-Chair; Sam Tressler; Craig Hicks; Joel Rensberger

Members Absent: Bob White, Chair; Sharon Suarez, Secretary; Terry Bowie

Staff Present: Jim Gugel, Planning Director; Mike Wilkins, Development Review Director; Kathy Mitchell, Assistant County Attorney; Tim Goodfellow, Principal Planner; John Dimitriou, Principal Planner; Denis Superczynski, Principal Planner

The meeting was called to order at 9:36 am

**1. PLEDGE OF ALLEGIANCE**

**2. PLANNING COMMISSION COMMENTS**

Mr. Hicks announced that the Planning Commission has been invited to attend the Affordable Housing Council meeting on March 12, 2019. He also expressed condolences to Council Member Jessica Fitzwater on the loss of her husband. He extended wishes for a speedy recovery to Planning Commission Chairman, Bob White.

**3. AGENCY COMMENTS / AGENDA BRIEFING**

Mr. Wilkins briefed the Commission on upcoming meetings; a Livable Frederick public hearing will be held on March 6th at 7:00 pm; and the regular meeting on March 13<sup>th</sup>. He noted that the Urbana ORC MXD Retail item will be on the March 13<sup>th</sup> agenda. That item was postponed from the February 13, 2019 meeting.

Ms. Sepe inquired about the Development Rights and Responsibilities (DRRA) bill that was introduced at last night's County Council workshop; if it would be coming before the Planning Commission to review. Ms. Mitchell responded that although the County Code does not require it to be sent to the Planning Commission for a recommendation, the Commission can send comments to the Council, either as a body or as individual citizens. Ms. Sepe added that the determination to comment as a body could be added to a future Planning Commission agenda.

*The following item was carried over from the February 13, 2019 meeting*

**4. SITE PLAN**

a) YMCA of Frederick County – The Applicant requested Site Plan approval for development of an 85,078 s.f. YMCA recreation facility and a 40,000 s.f. professional office and medical clinic building on a 20.22-acre site. Located on the east side of MD 80, Fingerboard Road, southwest of Pontius Court. Tax Map: 96, Parcel(s): 192 and 4; Zoned: Institutional/General Commercial; Planning Region: Urbana  
SP 18-14 (A/P#18745 APFO#18746 FRO#18747)

**Staff Presentation:**

Tim Goodfellow, Principal Planner

**Applicant Presentation:**

Chris Smariga, Harris, Smariga & Associates, Chris Coleville, YMCA of Frederick County, Inc.; Will Zeid, Wells and Associates.

**Public Comment:**

None

**Decision:** Mr. Tressler made a motion to approve the Site Plan, including APFO approval, with conditions and modifications as listed in the staff report. Mr. Rensberger amended the motion to recommend that staff work with the Applicant to determine whether or not the specimen tree known as #4 can be saved. Mr. Tressler agreed. Mr. Rensberger 2<sup>nd</sup>.

Ms. Sepe clarified this approval is strictly for Phases 1, 2, and 4; and that the site plan notes future Phase 3 will require site development approval.

<u>VOTE</u>	4-0-0-3
FOR:	4 – Tressler, Rensberger, Sepe, Hicks
AGAINST:	0
ABSTAIN:	0
ABSENT:	3 – White, Suarez, Bowie

**5. FALL 2018 CYCLE – WATER & SEWERAGE PLAN AMENDMENTS**

The Planning Commission heard the following cases to determine consistency with the County Comprehensive Plan:

**Staff Presentation:**

Tim Goodfellow, Principal Planner

**WS-18-05: Bueso Forman & Myers, LLC**

Northwest corner of Mussetter Road and Old National Pike  
Requesting reclassification of 1.54 acres from W-5, S-5 to W-3, S-3

**Applicant Presentation:**

Bill Brennan, B&R Design

**Public Comment:**

None

**Decision:** Mr. Hicks made a motion to find Case WS-18-05 to be consistent with the County Comprehensive Plan. Mr. Tressler 2<sup>nd</sup>.

<u>VOTE</u>	4-0-0-3
FOR:	4 – Hicks, Tressler, Sepe, Rensberger
AGAINST:	0
ABSTAIN:	0
ABSENT:	3 – White, Suarez, Bowie

**WS-18-06: Town of Myersville**

North side of Monument Road within the Town of Myersville  
Requesting reclassification of 21.7 acres from W-4, W-5 and S-4, S-5 to W-3, S-3; and 2.8 acres from S-5 to S-3

**Applicant:**

Brandon Boldyga, Town of Myersville Planning & Zoning Administrator

**Public Comment:**

William Jeff Holtzinger

**Decision:** Mr. Tressler made a motion to find Case WS-18-06 to be consistent with the Town of Myersville Comprehensive Plan. Mr. Hicks 2<sup>nd</sup>.

<u>VOTE</u>	4-0-0-3
FOR:	4 – Tressler, Hicks, Sepe, Rensberger
AGAINST:	0
ABSTAIN:	0
ABSENT:	3 – White, Suarez, Bowie

**WS-18-07: Division of Planning and Permitting**

Text amendment to Section II(E)(7)(Goals & Policies for Water and Sewer Planning-Denied Access Lines) and Section III(B)(3)(c)(Review and Amendment Procedures) of Chapter 1 regarding denied-access line policies and procedures

*Since this amendment will benefit St. John's Prep, Ms. Sepe disclosed that she had represented St. John's in the past, however, she is no longer involved in this specific case or the text amendment, therefore she can objectively hear this case.*

**Public Comment:**

Brandon Boldyga, Town of Myersville Planning & Zoning Administrator  
Tom Powell, St. Johns Prep

**Decision:** Mr. Hicks made a motion to find case WS-18-07 to be consistent with the County Comprehensive Plan. Mr. Rensberger 2<sup>nd</sup>.

<u>VOTE</u>	4-0-0-3
FOR:	4 – Hicks, Rensberger, Sepe, Tressler
AGAINST:	0
ABSTAIN:	0
ABSENT:	3 – White, Suarez, Bowie

**6. DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT (DRRA)**

a) Ballenger Run PUD DRRA 12-07(B) – Applicant proposed to amend the DRRA to address the ability to have any dwelling types in Land Bay D for age-restricted development. Language regarding the application of the Excise Tax would also be amended.

**Staff Presentation:**

Jim Gugel, Planning Director

**Applicant Presentation:**

Bruce Dean, Esq., Linowes and Blocher; Steve Oder, Cavalier Development

**Public Comment:**

None

**Decision:** Mr. Rensberger made a motion to find the DRRA to be consistent with the County Comprehensive Plan. Mr. Hicks 2<sup>nd</sup>.

VOTE 4-0-0-3  
FOR: 4 – Rensberger, Hicks, Sepe, Tressler  
AGAINST: 0  
ABSTAIN: 0  
ABSENT: 3 – White, Suarez, Bowie

**7. LIVABLE FREDERICK MASTER PLAN**

Staff will present a draft of the Livable Frederick Implementation Program for Frederick County Planning Commission review.

**Staff Presentation:**

John Dimitriou, Principal Planner  
Denis Superczynski, Principal Planner

Mr. Dimitriou opened the work session stating that the Livable Frederick draft Implementation Program would be covered today, reviewing the top three priorities over the next six years on the schedule, and providing feedback. The priorities covered:

- South Frederick Triangle/Ballenger Creek East (85/355)
- Sugarloaf Mountain Treasured Landscapes Management Plan
- Agricultural Infrastructure Plan

Meeting adjourned at 1:02 pm  
Respectfully Submitted,

  
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Carole Sepe, Vice-Chair

  
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Date