

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
February 15, 2023 (night mtg)
In Person/Virtual Meeting

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

Members Present: Craig Hicks, Chair; Tim Davis, Secretary; Sam Tressler III, Carole Sepe; and Robert White, Jr.

Members Absent: Joel Rensberger, Vice Chair and Masai Troutman.

Staff Present: Mike Wilkins, Development Review and Planning Director; Kathy Mitchell, Senior Assistant County Attorney; Ashley Moore, Senior Planner; Cody Shaw, Principal Planner II; Rod Winebrenner, Deputy Director, Division of Water and Sewer Utilities; Mark Mishler, Traffic Engineer; and Karen James, Administrative Specialist.

The meeting was called to order at 6:30p.m.

1. **PLEDGE OF ALLEGIANCE** – Mr. Hicks

2. **ROLL CALL** – Mr. Hicks

3. **PLANNING COMMISSION COMMENTS** - None

4. **AGENCY COMMENTS / AGENDA BRIEFING** - None

INFORMATIONAL

5. **PRELIMINARY PLAN**

Continued from February 8, 2023

DECISION

- a) Gordon Mill – The Applicant is requesting Preliminary Subdivision Plan approval for 435 single family lots and 175 townhouse lots on a +/- 279.2-acre Site. Located on the east side of Boyers Mill Road. Tax Map: 79, Parcels: 2, 3; Zoned: Planned Unit Development (PUD), Planning Region: New Market. S1170 (AP# PP257753 APFO# A274928 FRO# F257754).
Cody Shaw, Principal Planner II

Continued from February 8, 2023, beginning with Public Comment.

Public Comment:

In-Person: 6

Live call-ins: 1

Recorded messages: 9

Public comment by Steve McKay, County Council member was followed by cross examination by Soo Lee-Cho, applicant's attorney.

Public comment by Michele Rosenfeld, attorney representing Cleanwater Linganore, Inc., was followed by rebuttal by Ms. Lee-Cho. There was much discussion about the timing of turning in documents to the Planning Commission. Ms. Mitchell weighed in on this topic providing guidance and reciting the Planning Commission Rules of Procedure.

Ms. Lee-Cho's written rebuttal was described as extensive and there was discussion to continue to allow Planning Commission members and the public an opportunity to review the information which includes proffering what is referenced as "Pinehurst Drive Connectivity,"

as well as, a six-foot board fence along the common property line of the pre-school to provide protection and screening.

Ms. Cho continued presenting applicant rebuttal with Donavon Corum, CBM Consulting, applicant's engineer participating and presenting the forecasted projected estimated schedule. Applicant representatives then responded to questions presented by the Planning Commission members.

Discussion took place regarding continuing the case and available dates. Mr. Wilkins reviewed the upcoming scheduled meetings and offered suggestions how to arrange the meetings to accommodate a Gordon Mill continuance. Conflicting schedules of participants was discussed, and it was determined that 6:30 p.m. Wednesday, March 15, 2023 would be possible for the participants, Planning Commission members, and staff.

Decision: Ms. Sepe moved that the Planning Commission continue the Gordon Mill case to Wednesday, March 15, 2023 at 6:30 p.m. She further moved that any public written testimony from the applicant or from any other lawyers be submitted at least 48 hours in advance of the hearing. Following discussion, Ms. Sepe amended the motion to remove reference to public written testimony. Amended motion by Ms. Sepe to continue the Gordon Mill case to Wednesday, March 15, 2023 at 6:30 p.m. Eastern Time. Mr. White seconded the motion that passed 5-0-0-2.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair				X
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman				X

Additional discussion.

Decision: Mr. Tressler moved that the Planning Commission adopt Mr. Wilkins' recommendation to require written contributions to the record by 4 p.m. Friday, March 10, 2023, and that it doesn't preclude oral testimony during the meeting of March 15, 2023. Mr. Davis seconded the motion that passed 5-0-0-2.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair				X
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman				X

Additional discussion regarding the order of business at the March 15 meeting and time allotments.

Decision: Ms. Sepe moved that the Planning Commission give 20 minutes for the presentation by the applicant, 15 minutes for Ms. Rosenfeld and an additional 15 minutes for rebuttal. Mr. Tressler seconded the motion that passed 5-0-0-2.

Planning Commission members	Aye	Nay	Abstain	Absent
Hicks-Chair	X			
Rensberger Vice-Chair				X
Davis-Secretary	X			
Tressler	X			
Sepe	X			
White	X			
Troutman				X

Mr. Hicks declared the meeting adjourned at 9:56 p.m.



Craig Hicks, Chair

4/12/23
Date