

FREDERICK COUNTY PLANNING COMMISSION
Minutes of Meeting for
January 10, 2024
In Person/Virtual Meeting

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

Minutes are written per Robert's Rules of Order and the requirements of the Maryland Open Meetings Act.

Members Present: Joel Rensberger, Chair; Tim Davis, Vice Chair; Sam Tressler III; Mark Long, Craig Hicks.

Members Absent: Robert White, Jr. Secretary; Carole Sepe.

Staff Present: Kathy Mitchell, Senior Assistant County Attorney; Ashley Moore, Senior Planner; Graham Hubbard, Principal Planner II; John Dimitriou, Livable Frederick Design Planner; Mark Mishler, Traffic Engineer Supervisor; Mahmoud Helal, Traffic Engineer; and Karen James, Administrative Specialist II.

The meeting was called to order at 9:30 a.m.

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

2. **ROLL CALL** – Mr. Rensberger

3. **EXECUTIVE COMMITTEE REPORT**

No report.

4. **SPECIAL COMMITTEE REPORTS**

No report.

5. **PLANNING COMMISSION COMMENTS**

Mr. Davis announced applications to the Transportation Planning Board's program called "Transportation Land Use Connections" are due March 8, 2024. Mr. Rensberger expressed feeling disheartened that the county legislators failed to advance the Sugarloaf Plan, but also said several of the legislators left openings, so perhaps sometime if the plan is reintroduced, those two additional votes needed will be picked up.

6. **AGENCY COMMENTS/AGENDA BRIEFING**

Ms. Moore said regarding upcoming Development Review items for the February 14th meeting, it is a bit ahead of the signage posting date. Items are not confirmed yet, but it appears it will not be a heavy agenda. Mr. Dimitriou followed up with Livable Frederick items appearing on the January 17th agenda. Items include the Fall 2023 Cycle of Water and Sewage Amendments and an informational update regarding the process for developing the new Historic Preservation Ordinance which will go before the County Council on January 23rd for the first of two workshops.

7. **LEGISLATION**

RECOMMENDATION

- a) Council Bill #23-26: Amendment to § 1-19-2.150 of the Frederick County Code (Zoning Ordinance) to establish residency requirements for the Board of Appeals. (Council Vice President Kavonté Duckett)

Presentation by Council Vice President Duckett. A minor typo was pointed out on the second page of the report, and it was confirmed that this bill concerns the Board of Appeals only and not the Planning Commission.

Residency requirements were discussed by Planning Commission members both pro and con as well as special exceptions.

Decision: Mr. Hicks moved that the Planning Commission recommend the Frederick County Council adopt Bill #23-26 to amend Frederick County Code § 1-19-2.150 Board of Appeals to establish residency requirements.

Mr. Tressler seconded the motion which passed 5-0-0-2.

Members	Aye	Nay	Abstain	Absent
Rensberger	X			
Davis	X			
White				X
Tressler	X			
Sepe				X
Hicks	X			
Long	X			

8. PRELIMINARY PLAN REVISION

DECISION

- a) Quantum Frederick Section 2 Preliminary Plan Revision – The Applicant is requesting a revision to the previously approved Preliminary Subdivision Plan; including consolidation of lots 400 and 401, which is located on 258.67 acres. Located North and east of the intersection of Ballenger Creek Pike and Mountville Road. Tax Map: 94, Parcel: 9; Zoned: General Industrial (GI), Limited Industrial (LI), and Agricultural (A); Planning Region: Adamstown S1179 (AP# PP275802 APFO# A275804 FRO# F275683)

Ashley Moore, Senior Planner

Staff Presentation: Ms. Moore

Mr. Hicks asked to confirm that there still will be split zoning on the larger parcel. Ms. Moore replied yes. This is taking two industrial lots and consolidating them.

Applicant Presentation:

Craig Walsleben, Rodgers Consulting
Scott Noteboom, Quantum Maryland, LLC

Public Comment: None

Mr. Hicks stated that this is a routine administrative request that is not uncommon.

Decision: Mr. Long moved that the Planning Commission approve Preliminary Subdivision Plan S-1179, PP275802 (F275683; A275804), based on the findings and conclusions of the staff report and the testimony, exhibits and documentary evidence

produced at the public meeting. Mr. Tressler seconded the motion which passed 5-0-0-2.

Members	Aye	Nay	Abstain	Absent
Rensberger	X			
Davis	X			
White				X
Tressler	X			
Sepe				X
Hicks	X			
Long	X			

9. SITE PLAN

DECISION

- a) Bauxite Data Center | Quantum Frederick Section 2, Lot 400 – The Applicant is requesting Site Development Plan approval for a 777,151 sq. ft. Critical Digital Infrastructure Facility located on a 151.17-acre Site. Located North and east of the intersection of Ballenger Creek Pike and Mountville Road. Tax Map: 94, Parcel: 9; Zoned: General Industrial (GI) and Limited Industrial (LI); Planning Region: Adamstown SP22-04 (AP# SP275808)
Graham Hubbard, Principal Planner II

Staff Presentation: Mr. Hubbard

During the presentation, Mr. Hubbard stated that Staff added a condition that a vibrational analysis be modeled along the boundaries of the property that are adjacent to non-CDI uses. Mr. Hubbard and Mr. Mishler responded to Planning Commission member questions including topics of parking, screening and berms, lighting, vibration, and traffic.

Mr. Davis acknowledged public comment received and reviewed by members.

Applicant Presentation:

Xiomara Gerlach, Rowan Frederick, LLC
Kraig Walsleben, Rodgers Consulting
Bruce Dean, McCurdy, Dean & Graditor, LLC
Gary Cudmore, Rowan Digital Infrastructure

Following applicant presentation, the applicant responded to questions from the Planning Commission members and provided additional information for topics discussed during the staff presentation.

Break taken at 11:05 a.m. Meeting resumed at 11:13 a.m.

Renewable energy (including solar), stormwater management and public outreach were discussed. Mr. Hicks rejoined the meeting following a brief remote outage. Discussion continued.

Public Comment:

In Person: 9
Live Call-Ins: 1
Recorded messages: 1

Applicant rebuttal: Ms. Gerlach, Mr. Dean and Mr. Cudmore responded to public comment.

Planning Commission members then continued with their questions and discussion.

Decision: Mr. Davis moved that the Planning Commission approve Site Development Plan SP22-04, AP SP275808 with conditions and modifications as listed in the staff report, including an additional vibrational analysis for the properties to the south based on the findings and conclusions of the staff report and the testimony exhibits documentary evidence produced at the public meeting.
Mr. Long seconded the motion which passed 5-0-0-2.

Members	Aye	Nay	Abstain	Absent
Rensberger	X			
Davis	X			
White				X
Tressler	X			
Sepe				X
Hicks	X			
Long	X			

Having no additional business before the Planning Commission, the meeting was declared adjourned at 12:39 p.m.


Joel Rensberger, Chair

4/10/24
Date