

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR MONDAY, FEBRUARY 22, 2010**

Commissioner Jan Gardner, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, (“Board”) for Monday, February 22, 2010, at 9:00 a.m. Present were Commissioners David Gray, *Vice President*; Kai Hagen and John L. Thompson, Jr. Also present were Barry Stanton, Assistant County Manager and Mary Baker, Recording Secretary.

*(Official minutes of the Board of County Commissioners’ meetings are kept on file in the County Manager’s Office; the meetings are also video recorded. Approved minutes are available on the county’s website. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the county’s website at [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov))*

**NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.**

**PLEDGE OF ALLEGIANCE**

The meeting began with the Pledge of Allegiance.

**ADMINISTRATIVE BUSINESS**

**Countywide Comprehensive Plan (Plan) Update – Eric Soter and Jim Gugel, Planning Division**

For purposes of the following motions, these abbreviations will be used.

- |   |                                       |
|---|---------------------------------------|
| <b>NPS – No Planned Service</b>           | <b>PS – Planned Service</b>           |
| <b>PUD – Planned Unit Development</b>     | <b>MXD – Mixed Use Development</b>    |
| <b>VC – Village Center</b>                | <b>LI – Limited Industrial</b>        |
| <b>GI – General Industrial</b>            | <b>GC – General Commercial</b>        |
| <b>ORI – Office, Research, Industrial</b> | <b>NR – Natural Resources</b>         |
| <b>Ag/Rural – Agricultural/Rural</b>      | <b>A – Agricultural</b>               |
| <b>EI – Euclidian Institutional</b>       | <b>OS/Rec – Open Space/Recreation</b> |
| <b>R-1 – Residential</b>                  | <b>R-3 – Residential</b>              |
| <b>I – Institutional</b>                  |                                       |

Mr. Gugel reviewed the agenda with the Board. He noted the objective of the meeting would be to review the comments received on the Board’s draft countywide comprehensive plan and to make final revisions to the land use plan map, zoning map and water and sewer plan maps or the text document.

**Thurmont Planning Region**

Commissioner Thompson moved to change the zoning classification on Tax Map 32, Parcel 138, to A. Commissioner Hagen seconded the motion that passed 3-1 with Commissioner Gardner opposed.

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Urbana Planning Region

There was consensus to rezone Tax Map 97, Parcel 221, to A.

Commissioner Hagen moved not to change Tax Map 106, Parcels 18 and 31. Commissioner Gardner seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Thompson moved to change the zoning classification on Tax Map 97, Parcels 12 and 20, to A. The motion failed due to lack of a second.

Commissioner Hagen moved to change zoning classification on Tax Map 98, Parcels 61 and 62, to VC. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Hagen moved to keep R-1 zoning classification on Tax Map 106, Parcel 2. Commissioner Gardner seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Hagen moved to direct staff to bring back recommendations to the forest resource ordinance (FRO) to solve the issues on Tax Map 105. Commissioner Gray seconded the motion.

Commissioner Thompson offered an amendment for the Board to reconsider all other FRO proposals. The motion failed due to lack of a second.

The main motion passed 4-0.

Walkersville Planning Region

Commissioner Hagen moved to accept the Frederick County Planning Commission's (FCPC) recommendations on Tax Map 51, Parcel 28. Commissioner Gardner seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Hagen moved to designate A zoning, LDR land use designation with PS to Tax Map 51, Parcel 28. Commissioner Gardner seconded the motion that failed 2-2 with Commissioners Gray and Thompson opposed.

Commissioner Hagen moved to accept the FCPC recommendations on Tax Map 59, Parcel 63, and zone it VC. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

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Adamstown Planning Region

Commissioner Hagen moved to change the water and sewer designation to a "5" on the Homewood property. Commissioner Gardner seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Commissioner Gray moved to add to the previously directed water and sewer plan change so that properties would qualify for category 5 if the property annexed in and the county granted expressed approval for the zoning as part of the process. Commissioner Hagen seconded the motion that passed 3-1 with Commissioner Thompson opposed.

New Market Planning Region

Commissioner Hagen moved to leave the zoning classification on property west of MD 75 as A with NPS. Commissioner Thompson seconded the motion that passed 3-1 with Commissioner Gardner opposed.

Middletown Planning Region

There was consensus to designate Tax Map 56, Parcel 476 (44 acres) as RC.

Commissioner Hagen moved to place a zoning classification of R1 with NPS on Tax Map 66, Parcel 253. Commissioner Gray seconded the motion that passed 3-1 with Commissioner Thompson opposed.

Public comment was taken from:

- Robert Williams
- David Severn, Esquire, Severn, O'Connor & Kresslein
- Janice Wiles, Friends of Frederick County
- Steve Yinger
- Ashley Mancinelli, Esquire, Severn, O'Connor and Kresslein
- Andrew DiPasquale, Esquire, Miles and Stockbridge
- Jennette Cermak
- Christina Bostek
- Jeremy Holder
- Scott Miller, Esquire, Wineberg and Miller
- Noel Manalo, Esquire, Miles and Stockbridge

Thurmont

Commissioner Gray moved to place OS/E zoning classification A, land use designation Ag/Rural on the Catoctin Zoo property, Tax Map 25, Parcels 403, 173, 174, 176 and 177, with the understanding that additional requests may be received. Commissioner Hagen seconded the motion that passed 4-0.

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**COMMISSIONERS COMMENTS**

None.

**PUBLIC COMMENTS**

None.

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 1:15 p.m.

Mary E. Baker  
Recording Secretary