

## **PUBLIC MEETING MINUTES FOR TUESDAY, JUNE 18, 2013**

A public meeting of the Board of County Commissioners (“Board”) of Frederick County, Maryland, for Tuesday June 18, 2013, was called to order at 7:00 p.m. by Commissioner Blaine Young, *President*. Present were Commissioners C. Paul Smith, *Vice President*; David Gray, Billy Shreve and Kirby Delauter. Also in attendance were Ms. Lori Depies, County Manager and Ms. Patti Morrow, Recording Secretary.

The meeting began with a moment of silence followed by the recitation of the Pledge of Allegiance.

### **Proclamation - Buddy Poppy Program**

The Board recognized the Buddy Poppy Program.

### **PUBLIC HEARINGS**

#### **Rezoning Case #R-12-01 – Linganore/Oakdale Planned Unit Development (PUD) Phase I - Tim Goodfellow, Community Development Division**

Commissioner Young swore in all who would give testimony.

A public hearing was held, as duly advertised, on Rezoning Case #R-12-01.

Mr. Goodfellow presented the request to rezone 950.4 acres from Agricultural (A) and Resource Conservation (RC) to PUD and noted the Frederick County Planning Commission (FcPc) recommended approval based on meeting the approval criteria in the Zoning Ordinance, with amendments as presented by the applicant.

Representing the applicant were: Ms. Krista McGowan, Esquire; Mr. Jason Wiley, Oakdale Investors; Mr. Chris Smariga, Harris Smariga and Associates, Inc.; and Mr. Joe Caloggero, The Traffic Group, Inc.

Public comment was heard from:

- John Allemang
- Bob Kimble
- Timothy Beck
- Ed Najjar
- Joe Mehra
- Dana Schlichting
- Michele Rosenfeld
- Katherine Randazzo
- Mark Land
- Robin Najjar
- Christine Dagestino

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Ms. McGowan gave a rebuttal on the public comments heard this evening.

*Motion to approve Rezoning Case #R-12-01 - Linganore/Oakdale PUD Phase I as presented by staff including the proposed revisions and direct staff to prepare the ordinance for signature purposes for the Board’s meeting on July 11 – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray				X		
Delauter			X			

**To Consider the Linganore/Oakdale PUD Development Rights and Responsibilities Agreement (DRRA) in Accordance with Chapter 1-25 of the Frederick County Code and to Consider a Combined Adequate Public Facilities Ordinance Letter of Understanding as Part of the DRRA Approval Process – Eric Soter, Community Development Division and Kathy Mitchell, Office of the County Attorney**

Commissioner Young swore in all who would give testimony.

A public hearing was held, as duly advertised, on a draft DRRA and a draft Adequate Public Facilities (APFO) Letter of Understanding (LOU) for the Linganore/Oakdale PUD.

Mr. Soter and Mr. John Mathias, County Attorney, presented the proposed draft DRRA and the draft LOU.

Representing the applicant were: Ms. Krista McGowan, Esquire; Mr. Jason Wiley, Oakdale Investors; Mr. Chris Smariga, Harris Smariga and Associates, Inc.; and Mr. Joe Caloggero, The Traffic Group, Inc.

Public comment was heard from:

- John Allemang
- Bob Kimble
- Timothy Beck
- Ed Najjar
- Michael Proffitt
- Robert Charles
- Mel Fair, Frederick Area Committee for Transportation
- Robert Charles
- Bonnie Bailey-Baker
- Frank Ellis
- Charlotte Dusold
- Stephen Hembree
- Amy Reyes
- Joe Mehra

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- Steve McKay
- Michele Rosenfeld
- Katherine Randazzo

*Motion to approve the DRRRA for the Lake Linganore/Oakdale Development as presented including the two (2) amendments and direct staff to prepare the final agreement for signature purposes for the Board’s meeting on July 11. Also included in the motion was the recommendation for the elementary school to be named for the late Bill Brosius – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve						X
Gray				X		
Delauter		X	X			

*Based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence, a motion was made to make a determination of adequacy and approve the combined APFO LOU for the Lake Linganore/Oakdale Development including the two (2) amendments as presented – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray				X		
Delauter		X	X			

**PUBLIC COMMENTS AND/OR REQUESTS**

- Frank Ellis

**COMMISSIONER COMMENTS**

None.

**ADJOURN**

The meeting adjourned at 10:35 p.m.

Patti Morrow  
Recording Secretary