



***Sugarloaf Treasured Landscape Management Plan***  
***Public Comments & Correspondence***  
***February 1 - 14, 2022***



February 5, 2022

Frederick County Planning Commission  
Winchester Hall  
12 E Church Street  
Frederick, Maryland 21701

Attention: Sam Tressler, III, Chair

Re: Opposition to The Sugarloaf Treasured Landscape Management Plan

Dear Chairman Tressler,

The Mackintosh family has owned land within the proposed Sugarloaf Area Plan since 1959. Since that time, we have lived, worked, played, hunted, and raised our families here. We are now in the fourth generation of actively providing good land stewardship. We value and respect the tradition of land husbandry that our parents instilled in us when we were children working on the farm and wish this for our generations to come.

The family has actively raised crops and thousands of head of cattle over the last 63 years. In addition, over the last two decades, Loy Moy Farm with over 260 acres has grown to become one of the largest and most popular equestrian eventing facilities in the Mid-Atlantic region. It has attracted thousands of visitors from all over the world who have spent their tourist dollars here in Frederick County. Outside of our many business interests throughout the county, individual family members have been active in a number of community organizations, including but not limited to Frederick Health, The Community Foundation, Women's Giving Circle, The Mental Health Association of Frederick County, as well as a volunteering on multiple county and city government committees over the years. At least one family member has served on the board of directors of Stronghold, Incorporated for the last 50 years, and the entire family has actively enjoyed the recreational benefits of the mountain since then.

As you are aware, Stronghold is the owner of the 3,000-acre Sugarloaf Mountain for which your area plan is named, and the organization has stated that it believes that the Plan as proposed would place a burden on the mission of Stronghold, Incorporated (copy attached).

Collectively, the Mackintosh family members own approximately 1,200 acres, and combined with the Stronghold properties, the 4,200 acres comprise nearly 25% of the 17,140 acres included in the proposed Sugarloaf area plan.

In reviewing the details of the proposed plan, for a number of reasons it is very hard to understand why the county's planning staff, and its elected officials feel the need to blanket a significant part of the properties in this region with new and overarching regulations and restrictions. This includes a proposed overlay and zoning changes from Agricultural to Resource Conservation, when the existing zoning has served to protect the area properly for many decades. As you are well aware, Frederick County's Agricultural zone offers limited ability to carry out not much more than traditional agricultural uses, including very limited ability to subdivide such zoned properties into any more than 3 lots and a



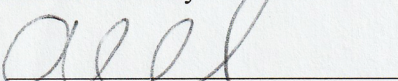
Frederick County Planning Commission  
Re: Opposition to The Sugarloaf Treasured Landscape Management Plan  
February 5, 2022  
Page 2

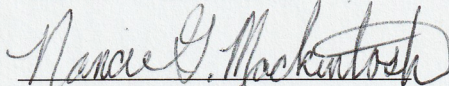
remainder. Specifically, as this plan relates to the Mackintosh properties, we see no need whatsoever to have to burden property owners with additional land use restrictions. However, we would be happy to consider our properties be granted Rural Legacy eligibility.

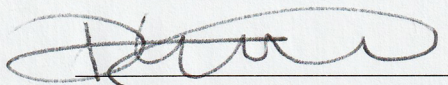
To that end, we, the undersigned members of the Mackintosh family join with other property owners who have expressed concerns; therefore, vehemently oppose the proposed overlay, its regulations and restrictions outlined in the "The Sugarloaf Treasured Landscape Management Plan."

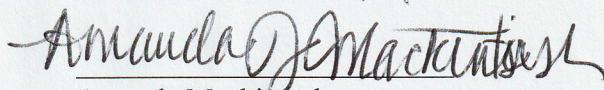
Please, seriously consider this letter as you deliberate your decision.

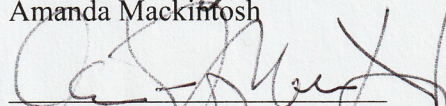
Sincerely  
Mackintosh family members:

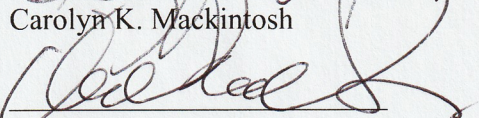
  
Andrew V. Mackintosh

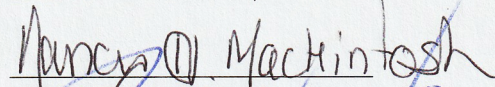
  
Nancie G. Mackintosh

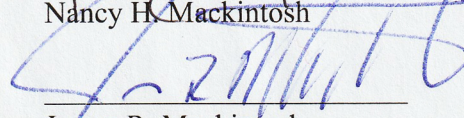
  
Andrew V. Mackintosh, Jr.

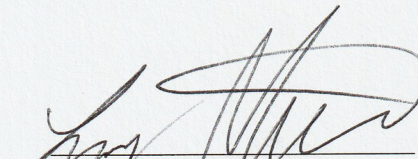
  
Amanda Mackintosh

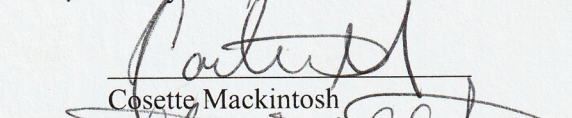
  
Carolyn K. Mackintosh

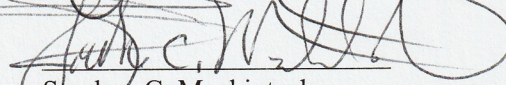
  
Earl M. Mackintosh, III

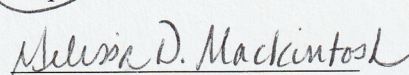
  
Nancy H. Mackintosh

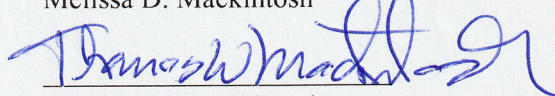
  
James R. Mackintosh

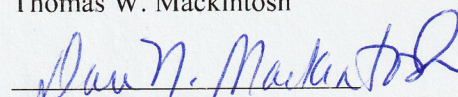
  
Lacey E. Mackintosh

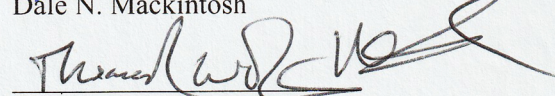
  
Cosette Mackintosh

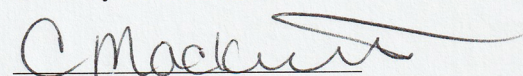
  
Stephen C. Mackintosh

  
Melissa D. Mackintosh

  
Thomas W. Mackintosh

  
Dale N. Mackintosh

  
T. Wiley Mackintosh, Jr.

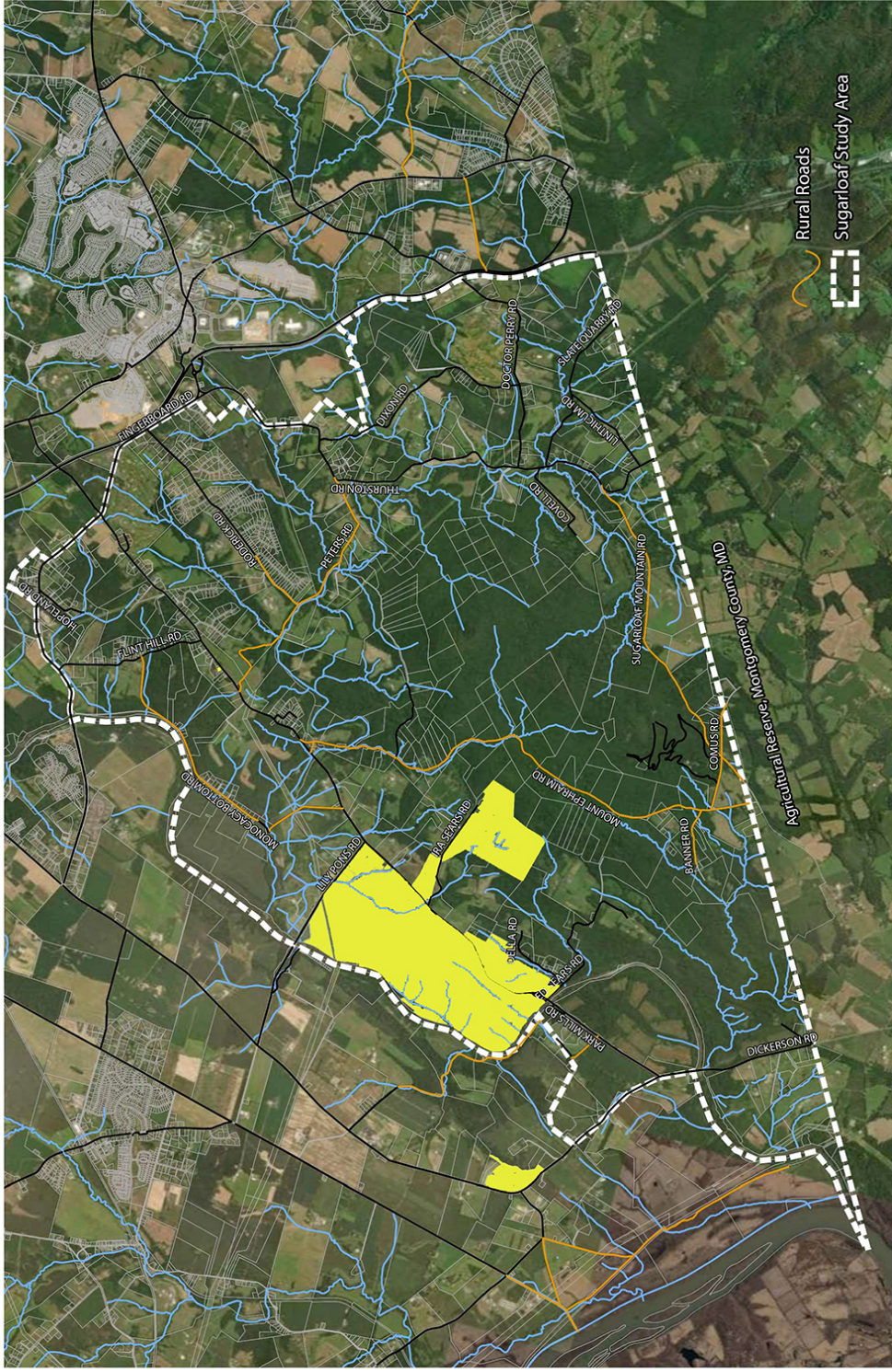
  
Crystal Mackintosh

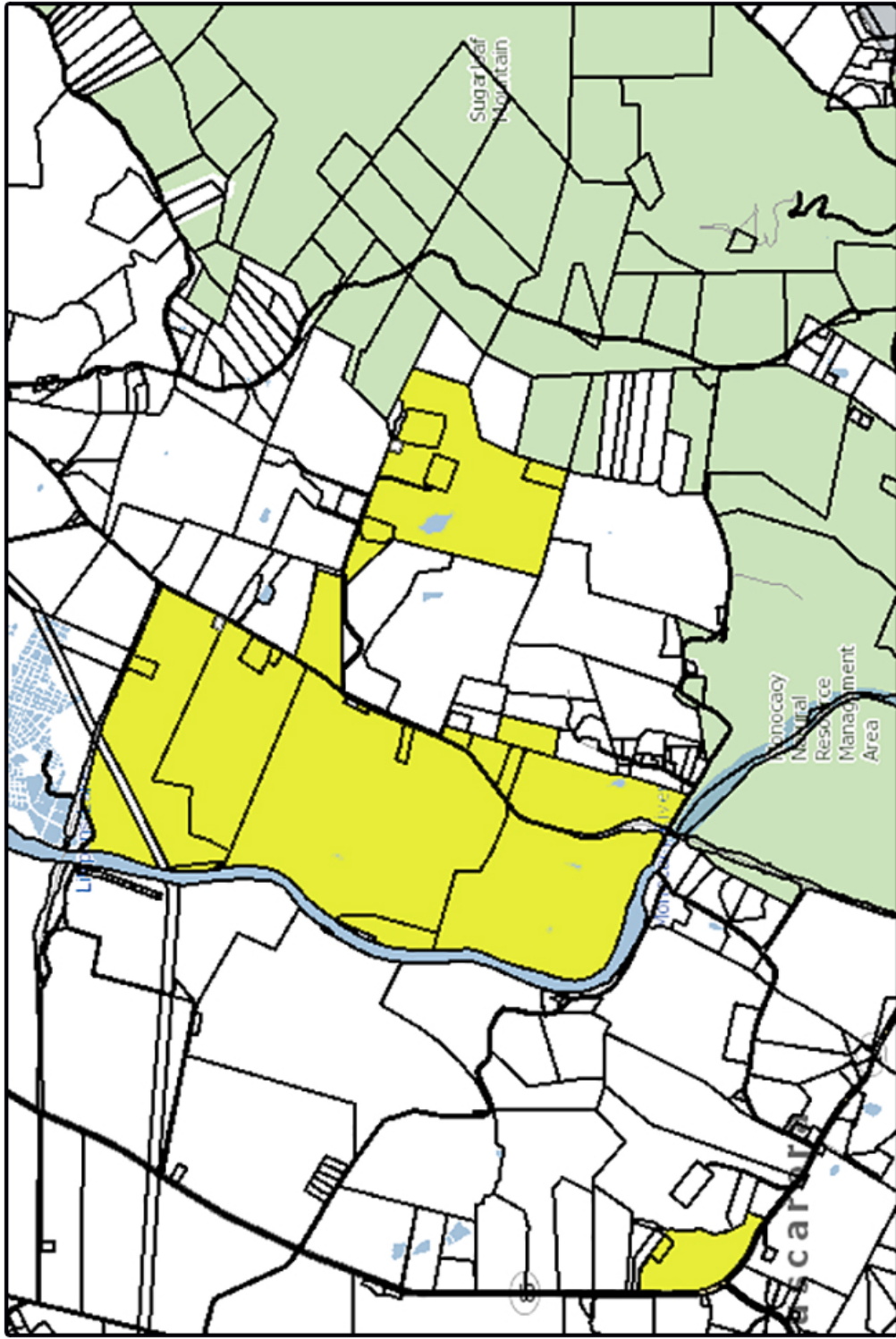
cc: Jan Gardner, County Executive of Frederick County  
Members of the Frederick County County Council  
Planning Commission of Frederick County  
Attachments











**Mackintosh Family Properties Near Sugarloaf Mountain**  
**Total 1,221.71 acres**  
**Highlighted in Yellow**



**From:** Manalo, Noel  
**Sent:** Tuesday, January 18, 2022 12:33 PM  
**To:** Brandt, Kimberly G. <[KGBrandt@FrederickCountyMD.gov](mailto:KGBrandt@FrederickCountyMD.gov)>  
**Cc:** [PlanningCommission@FrederickCountyMD.gov](mailto:PlanningCommission@FrederickCountyMD.gov)  
**Subject:** Stronghold Incorporated - comments to Planning Commission

Hi, Kim - on behalf of Stronghold Incorporated, could you kindly transmit the following comments to the Planning Commission. Please confirm the transmission.

Honorable Planning Commissioners - while Stronghold Incorporated appreciates yours and Staff's additional edits to the language of this Plan, Stronghold still has significant reservations about the implications of the proposed planning and zoning regulations in the Plan. The additional regulations and oversight likely will make operating Sugarloaf Mountain difficult, if not impossible. We would ask that you consider taking Stronghold Incorporated's holdings out of the Rural Heritage Overlay District and continue to explore a Euclidean zone particular to Stronghold.

In addition, we would request Maryland Department of Natural Resources review any applicable zoning provisions and provide you with feedback -- perhaps if you hear directly from them about the burden the Plan would place on Stronghold's mission, you might consider recommending further study and not advance a recommendation of this Plan.

**Noel Manalo**



**McNees Wallace & Nurick LLC**

5283 Corporate Drive | Frederick, MD 21703

Tel: 301.241.2014

[Email](#) | [Website](#)



# *Lilypons Water Gardens*

*The Source for Water Gardening*

6800 Lily Pons Rd  
Adamstown, MD 21710  
301.874.5133  
[www.lilypons.com](http://www.lilypons.com)

February 8, 2022

Frederick County Planning Commission  
Winchester Hall  
12 E Church Street  
Frederick, MD 21701

Attention: Sam Tressler, III, Chair

Re: Opposition to The Sugarloaf Treasured Landscape Management Plan

Dear Chairman Tressler,

The Thomas family has owned and operated Lilypons Water Gardens on 250 acres within the proposed Sugarloaf Area Plan since 1917. Since that time, we've actively provided good land stewardship. The abundance of birds, wildlife and wetlands that thrive on our property is evidence of this fact. We value and respect the tradition of land husbandry that previous generations have instilled in us growing up in the family business and wish to preserve this tradition for generations to come.

Lilypons Water Gardens is world known for our leadership in the water gardening industry and we attract hundreds of tourists to the Frederick area. Most have travelled at least an hour and after visiting Lilypons, spend the afternoon and/or weekend in Frederick. Many visitors come to Lilypons simply to enjoy nature, bird watch, photograph and/or paint. We are members of the Frederick County Tourism and Frederick Chamber of Commerce.

As you are aware, Stonghold is the owner of 3,000 acres, the Mackintosh family members own approximately 1,200 acres and we own 250 acres for a total of 4,450 acres or 26% of the 17,140 acres included in the proposed Sugarloaf area plan.



We are all opposed to the unnecessary restrictions proposed by the plan that would prevent us from continuing to operate our farm and provide the stewardship of the land that we have for generations.

Along with the Mackintosh family, Stonghold Incorporated and other landowners within the proposed plan, we vehemently oppose the proposed overlay, its regulations and restrictions outlined in the “Sugarloaf Treasured Landscape Management Plan.”

Please seriously consider this letter as you deliberate your decision.

Sincerely,

Margaret Thomas Koogle  
Koogle Properties  
President of Lilypons Water Gardens

cc: Jan Gardner, County Executive of Frederick County  
Members of the Frederick County Council  
Planning Commission of Frederick County

February 9, 2022

Frederick County Planning Commission  
Winchester Hall  
12 E Church Street  
Frederick, Maryland 21701

Attention: Sam Tressler III Chair

Dear Planning Commission,

Please accept my most sincere appreciation for allowing me this opportunity to provide comment on the Sugarloaf Area Plan. My name is Russell Thompson and I have been employed by Stronghold Incorporated for over 25 years. I have had the great honor to serve as Park Manager for the majority of that time and currently oversee the day-to-day operations, maintenance, and care of the Stronghold property. I have also resided on the Stronghold property for the entirety of my employment, and I am directly responsible for closing and securing the property after hours.

I was born in Frederick County MD and grew up in the small town of New Market. I graduated from Linganore High School in 1993 and studied Park Management at Frederick Community College under Professor Marshall Botkin. I graduated from FCC in 1995, having earned an Associate of Applied Science degree in Park Management. My family, both Thompsons and McClains were dairy farmers in Frederick County for hundreds of years. I spent much of my childhood helping out on my grandparents' farms as well as operating my own lawn service in New Market. I have witnessed the many changes in Frederick County over the course of my lifetime and I appreciate the need to preserve and protect what little remains of its rural character. I have a strong connection to, and a great love for Frederick County but my heart will forever belong to the corner of the county affectionately referred to as "Stronghold". I feel I may have some unique insights and perspectives on the Sugarloaf Area Plan that may be of benefit to you as you move forward with this process. I have separated my comments by their appropriate subtitles and order for ease of reference and I hope that you will find them beneficial to your discussions.



## **Sugarloaf Rural Heritage Overlay Zoning District Regulations**

Several components of the proposed overlay cause me to be concerned. Beginning with the section on **design standards** for new, non-residential development, I would interpret the third paragraph to essentially ban any form of individual pole lights unless they were less than 4 foot tall. Lighting is also restricted to emit only amber or yellow tints of light. With the Stronghold property consisting of over 3400 acres, choosing the style, height, and type of lighting that best suits our needs would hardly impose upon the wildlife or our limited number of neighbors.

**The list of prohibited uses** as proposed also creates some foreseeable problems from my perspective. In the past we have had a portable bandsaw mill set up for “Forestry Field Day” events at Stronghold. That use would no longer be allowed. Stronghold could not even bring in a portable bandsaw mill temporarily to process timber for use on the property, meanwhile a neighbor in Montgomery County has one set up and in operation not a mile from the Stronghold office. The ban on springwater harvesting and storage could be interpreted to effectively ban even the installation of a spring fed watering trough for livestock. The boy scouts who routinely camp at Stronghold would not be allowed to hold any type of shooting event, even with archery equipment. I feel this list of prohibited uses needs further review and more clarifying language. A commercial use is very different from a temporary, limited, or occasional use. There needs to be more flexibility and acknowledgement of long-standing **existing** uses.

**The requirements for timber harvests** have been made more complicated. A paired watershed study was conducted by the Maryland Department of Natural Resources Forest Service on the Stronghold property from 1995 – 1999 to measure the effectiveness of best management practices in reducing and eliminating erosion. The study concluded: “The results of this study indicate that the suite of Best Management Practices implemented in this study area was effective in preventing significant impacts on stream water quality, biology, and habitat. There was no significant difference in total suspended solid

concentrations or yields due to the harvesting activities.” There was a very extensive report written and published by the MD DNR Forest Service on this study, which is dated April of 2000, publication FWHS-FS-00-01.

Stronghold has managed its forested lands under a Forest Management Plan written by the Maryland DNR Forest service, in continuity, since 1948. Stronghold worked closely with MD DNR Forest Service to create a 100-acre Forestry Demonstration Area. In 1993 Stronghold was recognized as Outstanding Tree Farm for Frederick County. In 2004 Stronghold was awarded Institutional Tree Farmer of The Year for the State of Maryland. In 2006 Stronghold was recognized as Frederick Soil Conservation District Cooperator of The Year. I personally feel that Stronghold should be allowed to continue its management of the property uninhibited by any additional interference or requirements whatsoever.

The slope restrictions upon **solar facilities** or panels would eliminate Stronghold’s ability to meaningfully utilize solar energy on most of the property.

### **Definition of Private Park**

The definition of a Private Park as written is somewhat contradictory. The requirement to maintain the Stronghold property in a primarily natural condition contradicts the allowance of Forestry Activities. The specific language used here is too subjective and needs a lot of clarification. Strongholds Forest Management Plan already sets aside over 1,000 acres that will never be “actively managed for timber”. Please remember that mother nature sometimes has other plans, hurricanes happen, gypsy moths do kill trees, oak decline is upon us, and spotted lanternfly are on the way. We have had to adjust our forest management plan in the past to address unforeseen losses in unplanned areas, and we will need the flexibility to do so in the future.

On lands owned by The State of Maryland there is no active forest management. The state does not harvest trees dead or alive. Strongholds active management has provided for more diverse habitat types in the area, specifically providing early successional habitat which results following any timber harvest. Early successional habitat only remains for approximately 10 years following a harvest as the new growth eventually begins to mature. Please support Strongholds continued abilities to actively manage its forested lands. A property should not have to be maintained in a “natural state” to be considered a proper Park. Baker



Park is not maintained in a natural state. I do not believe there were naturally occurring sandy beaches at Greenbrier or Cunningham Falls. Please give this further thought and consideration.

### **“Permitted Uses” Private Park**

This portion of the Sugarloaf Plan is of great concern. Portions of the Stronghold property have been open to the public since 1946. The Strong Mansion has never been used for anything other than a venue for special events and gatherings since Gordon Strong died in 1954. Zoning classifications did not exist prior to 1959 in Frederick County. The Planning Commission itself was not in existence until 1955. Why would Stronghold first be required to apply to be considered a “Private Park” before receiving the appropriate permits to construct a picnic pavilion as an example. If Stronghold did apply to be considered a “Private Park” there are no accessory uses listed that would allow for the continued operation of the Strong Mansion as an events facility. Essentially Stronghold would be prevented from improving the property in any meaningful way without jeopardizing the long-standing use of the Strong Mansion to generate sustaining income for operations. Even a tent campground is listed as requiring special exception in RC zoning, yet the boy scouts have camped at Stronghold regularly for as long as anyone can remember. I believe this is the most appropriate time for the county to acknowledge and document all “non-conforming preexisting uses” of the buildings, property, and infrastructure at Stronghold. This is also why it makes sense to give the Stronghold property its own zoning classification which would acknowledge all existing uses without any unnecessary complications.

In closing, Stronghold has always been a place that exuded an atmosphere of wildness, independence, and freedom. Gordon Strong constructed many of the publicly used roads in the area and I’m quite confident he did not first seek the government’s approval to do so. I acknowledge that times have changed, however I do not view the independent private management of Stronghold as something negative which the local government needs to “reign in”, but rather as something which is unique to Frederick County, to be celebrated, admired, and promoted as example. I would ask that you please consider the diversity of management styles that Stronghold brings to large scale preservation and management of natural resources and allow for the continuance of Strongholds efforts without adding unnecessary government regulations and oversight.

Sincerely,

Russell Thompson  
Lifelong Frederick County Resident  
Park Manager Stronghold Inc.

cc. Jan Gardner, County Executive  
Members of the Frederick County Council  
Planning Commission of Frederick County

## **Dolan, Mary**

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**From:** Planning Commission  
**Sent:** Friday, February 11, 2022 1:35 PM  
**To:** Nick Carrera  
**Cc:** Brandt, Kimberly G.; Goodfellow, Tim  
**Subject:** RE: Sugarloaf Plan Overlay

Good afternoon:

Thank you for taking the time to express your thoughts on the Sugarloaf Treasured Landscape Management Plan.

Your comments will be shared with the Planning Commission for their consideration.

Karen L. James  
Administrative Specialist  
Division of Planning & Permitting  
Frederick County Government  
30 North Market Street  
Frederick, Maryland 21701  
301-600-1138

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**From:** Nick Carrera <mjcarrera@comcast.net>  
**Sent:** Friday, February 11, 2022 10:37 AM  
**To:** Planning Commission <PlanningCommission@FrederickCountyMD.gov>  
**Cc:** Carrera, Johnny <johnnyquercus@me.com>; Carrera, Nicholas <mjcarrera@comcast.net>  
**Subject:** Sugarloaf Plan Overlay

### **[EXTERNAL EMAIL]**

Letter to the Planning Commissioners regarding Sugarloaf Plan Overlay, February 11, 2022

Dear Commissioners,

From brief discussion at your February 9 meeting, it seems the Overlay concept may become complicated, and may differ for different parts of the Sugarloaf Plan. My comments deal only with Overlay as it may apply along the eastern boundary, near I-270.

As conceived in the March 2021 draft of the Sugarloaf Plan, the commercial properties near the intersection of Md 80 and I-270 would be within the Plan, but not within the Overlay. These properties are Potomac Gardens, Kannavis Dispensary, and Greenbriar Vet Hospital. These made up only a small area, but additional area was also left outside the Overlay -- a portion of Natelli property and some small properties west of Thurston Road. I've not been able to learn why these extra areas were omitted from the Overlay. As you know, the March draft was not released; the Plan was delayed, modified, and only emerged in July 2021.

The July Plan did not need a separate Overlay. The area that in the March draft was not in the Overlay was enlarged, adding all the Natelli property enclosed by Thurston Rd, Dixon Rd, and I-270, and this entire portion, the "Cutout," was simply omitted from the Plan. This made the Plan area and the Overlay area the same, so the entire Sugarloaf Plan area was protected by both Plan and Overlay provisions.

The *Frederick News-Post* on February 9 reported failed county negotiations to establish Amazon data centers in Frederick County. From the news article and from other indications, it is apparent that two data centers would have been established along I-270 -- on the Natelli property in the Cutout, and on the Natelli property further north, alongside Park Mills Rd.

Since county officials are no longer seeking to have Amazon data centers along I-270 at Maryland Rte 80 and at Park Mills Rd., their reason for the Cutout in the July Plan has vanished. I urge that the entire eastern part of the Plan be covered by the Overlay. The only exception could be the limited area occupied by Potomac Gardens, the Kannavis Dispensary, and the Greenbriar Vet Hospital – nothing larger. And those three properties should not be allowed, in future, to be converted to uses that would not be in harmony with the goals of the Plan. For example, a motel or shopping mall would violate the area's character and go against the Plan's objective to preserve the Sugarloaf Treasured Landscape area.

Thank you for your consideration of my views.

Nick Carrera

2602 Thurston Road, Urbana District



1875 Mt. Ephraim Rd.  
Adamstown, MD 21710  
February 12, 2022

Kimberly Brandt, Director  
Livable Frederick Planning and Design  
30 North Market St.  
Frederick, MD 21701

Dear Ms. Brandt:

The Sugarloaf Mountain Management Plan does not to my knowledge make any proposals regarding the transportation network. But there might not be a better time to take a look at some of these issues. They are important to the integrity of this whole area.

I have concerns about the road that I live on, Mount Ephraim Road, the road that cuts through the Stronghold property. Two years ago Stronghold decided to prohibit parking anywhere along the unpaved section of this road, the section that borders on their property, a distance that I would estimate at about three miles. The important idea is to limit access to the park. This prohibition might not affect the people that come here from Washington or Baltimore. But anybody from Frederick County that is looking to walk the trails has to drive around or through the mountain property to the front gate and up the mountain access road to a designated parking area. For people such as myself, people that might want to take an hour out of the day to hike a trail here or there, they simply do not have the time to make this circuitous trip. We were at one time able to park along the road and pick up on a number of trails from there. But those days are gone.

Like a lot of other people, I do not hike this mountain any more. I go down to Little Bennet Regional Park, an area that is about the same size as Stronghold, but demonstrates a great variety of different parking areas all around the perimeter to this park. The best term for it might be "user-friendly," something that encourages public use. What I see from Stronghold is the exact opposite. They are looking to discourage any broader access to this property.

Also, there is more to this issue than a personal convenience. What Stronghold did to block parking at key areas was to install large boulders and logs right up to the edge of the road. The result is close quarters—vehicles that struggle to pass one another on what is practically-speaking a one-lane road. What is worse, larger vehicles such as fire and rescue trucks call for additional space to get by. Human lives might be at stake here. Why should a private party introduce issues of this kind to a public right-of-way?

This restrictive initiative is consistent with a pattern that I have witnessed since I moved here more than 20 years ago. There is a tightening of the restrictions on public access. Some of these rules make more sense than others, but the overall pattern is troubling. What is the important issue here? I have heard Mr. Webster, the owner of this property, complain about trash that was left where people were parking along the road, but I have never seen what he is talking about. Sugarloaf Mountain, including these parking areas, is generally quite clean. I have no idea what Mr. Webster is talking about.

This restriction on parking is profoundly at odds with the basic idea behind the private trust that governs this property—public access. The individual that created this trust, Gordon Strong, was looking to maximize this access. By contrast, David Webster, the current owner of this property, is looking to minimize it. Also, this restrictive and controlling attitude is not lost on the people that come here to walk the trails. They can see what is going on. They might be a bit perplexed. Are they welcome here, or not?

There is no telling where this restrictive initiative might be headed. What if we are told someday that the park is open to the public only on weekends? Or only on Sundays? Don't say that can't happen. There is nothing to prevent that scenario. And what then? Where is all this headed? What is a logical conclusion?

The larger issue here is a private party, Stronghold, that is not on board with the basic idea behind a private trust—maximizing public access. What I suggest is an executive decision to pursue another way forward. There is no good argument for this private ownership. Mr. Webster does not live there, nor does he conduct any important business on this property. Also, he has done practically nothing—no upgrades—that demonstrate a serious commitment to this property going forward. And finally, he did not to my knowledge purchase this property. There is no question that Frederick County could afford to purchase it from him or that you could commit the resources to make the upgrades that would make this concept from Mr. Strong work going forward.

I would say that the time has come to take a bull by the horns. There is no guarantee that the county could complete this restructuring, but given what we now know about this status quo, there is nothing worse than a decision to sit on it. That is not a service to the people of this county or to Mr. Strong—his commitment to a public cause.

cc: TGoodfellow  
JGardner  
County Council  
Planning Commission

Best regards,  
  
John Gehman  
(301) 874-0151  
jgehman@hughes.net

# Natelli Communities

February 14, 2022

Members of the Frederick County Planning Commission  
Winchester Hall  
12 E Church Street  
Frederick, MD 21701

Re: Sugarloaf Treasured Landscape Management Plan

Dear Planning Commission Members:

It seems the Planning Commission will soon take up the questions of whether and to what extent to apply the proposed **Rural Heritage Overlay District** and the expansion of the **Carrollton Manor Rural Legacy Area** across properties in the Sugarloaf study area. I'm writing to share my views with respect to these two items discussed during your February 9<sup>th</sup> work session on the Sugarloaf Plan.

- The extent of the Rural/Agricultural Corridor in southern Frederick as contemplated in the Livable Frederick Master Plan is generally depicted on page 40 of the LFMP. I'd note that, in keeping with the overall intent of LFMP to treat the properties in the I-270 Interstate Corridor differently than other properties in the Sugarloaf area to the west, the Rural/Agricultural Corridor does not extend beyond Route 80 and Thurston Road. If expanded, I don't believe it would make sense to have the Carrollton Manor Rural Legacy Area boundaries be generally inconsistent with the Rural/Agricultural Corridor depicted in LFMP.

While being in the Carrollton Manor Rural Legacy Area does offer benefits for owners of properties that will remain in an agricultural state in perpetuity, I believe it will become a hindrance to future land use discussions if also applied to properties in the I-270 Interstate Corridor. To "undo" this at a later date for properties in the Interstate Corridor will be politically more difficult to accomplish because the imposition of the Rural Legacy designation may imply that the County has a general disposition towards preservation easements for these properties, **whether intended to or not**.

- Applying the Rural Heritage Overlay to properties along I-270 that are within the Interstate Corridor is very problematic for the same reasons. I am on record in prior communications setting forth the reasons the properties in the I-270 Interstate Corridor should not be encumbered by the Rural Heritage Overlay District. I do take exception to the idea that applying the Overlay to these properties will not prevent future land use considerations for these properties as part of an I-270 Interstate Corridor study. While this is true from a legal standpoint, to "undo" this in a later planning effort will likely be met with significant resistance for the same reasons set forth above. Of particular

concern on this point are the standards proposed in the Overlay for minimum building size (15,000 SF), which would have to be removed as part of a future I-270 Interstate Corridor Study.

I am hopeful we can avoid making future planning efforts more difficult than necessary and ask that the broad goals of the LFMP with respect to the I-270 Interstate Corridor be fully taken into consideration as you finalize your decisions on the items set forth above.

Sincerely,



Tom Natelli, CEO  
Natelli Communities