



***Sugarloaf Treasured Landscape Management Plan***  
***Public Comments & Correspondence***  
***April 2 - May 16, 2022***





**From:** LB  
**To:** [Goodfellow, Tim](#)  
**Subject:** Sugarloaf  
**Date:** Thursday, April 14, 2022 8:29:16 PM

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**[EXTERNAL EMAIL]**

I've emailed you multiple times.

Our 3 generation family farm does not deserve the crash in value that shoving it into conservation will cause.

Thank you for your time,

Lynda Bryant

**From:** [Goodfellow, Tim](#)  
**To:** [Carol Irvine](#)  
**Cc:** [Goodfellow, Tim](#); [Brandt, Kimberly G.](#)  
**Subject:** RE: PS? Just reading the report  
**Date:** Monday, April 18, 2022 9:14:21 AM  
**Attachments:** [Irvine, Park Mills Road.pdf](#)  
[image001.jpg](#)

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Hello Carole Irvine.

The attached map will hopefully explain the rezoning proposed on your properties. The County Planning Staff did not enter your property during the creation of the Sugarloaf Plan; the areas identified for rezoning and Comprehensive Plan change were done via desktop GIS computer analysis.

These proposed zoning changes and Plan changes (and all other elements of the Sugarloaf Treasured Landscape Management Plan) will be the subject of the Planning Commission's public hearing on May 18, 2022. Several weeks after the public hearing, the Planning Commission will forward their Recommended Sugarloaf Plan to the County Council to begin another public review and hearing process.

Feel free to call or email with any questions.

Tim

**Tim Goodfellow, AICP**

Livable Frederick Environmental Planner  
[tgoodfellow@frederickcountymd.gov](mailto:tgoodfellow@frederickcountymd.gov)  
(301) 600-2508

**Livable Frederick Planning and Design Office**

30 North Market Street  
Frederick, MD 21701  
(301) 600-1138



Web links:

**From:** Carol Irvine <relax@idyll-by-the-sea.com>  
**Sent:** Saturday, April 16, 2022 5:39 PM  
**To:** Goodfellow, Tim <TGoodfellow@FrederickCountyMD.gov>  
**Subject:** PS? Just reading the report  
**Importance:** High

**[EXTERNAL EMAIL]**

I am actually VERY easy to get along with BUT I now that I have kids, I need to be a little more security conscious than I used to be, to protect them ...I am just reading the report - Lest you think I am some sort of crazy recluse, the house is way way back off the road...please know over the years I have had large drunk men drive back here and drive onto and park on my lawn and threaten me with guns (this has happened MORE THAN ONCE ). I have had to approach MULTIPLE DRUNK poaching hunters in my fields/woods, trespassing on my land, shooting **AT HOUSE** , so drunk, that they didn't even realize it was a house they were shooting at – I could go on and on and on... So DID someone come onto my property to be able to be able to describe my home for the report at some point? Who was that ? There is a description of my house in the list in the report , and I did not give anyone permission to come onto property for that? Security **is an issue**... I am sure you can understand to protect my kids from the drunk-while-gun-toting-idiots of this world, I do not let ANYONE on property without permission , and these are the signs on the drive ...So whomever came onto the property, came through iron gates and passed by these signs multiple times PLUS no trespassing signs as well?

I REALLY am easy to get along with but a little concerned right now who was here?

---

**From:** Carol Irvine <[relax@idyll-by-the-sea.com](mailto:relax@idyll-by-the-sea.com)>  
**Sent:** Saturday, April 16, 2022 5:00 PM  
**To:** 'TGoodfellow@FrederickCountyMD.gov' <[TGoodfellow@FrederickCountyMD.gov](mailto:TGoodfellow@FrederickCountyMD.gov)>  
**Subject:** RE: hi  
**Importance:** High

PS BTW...I object strenuously to being taken OUT of agricultural zoning as I have grown up IN agricultural raising sheep since I was three years old (I am now 57) , studied agriculture, I was even National Vice President of the Future Farmers of America at age 19--and still actively have sheep and hay crops- I am a GOOD responsible steward of the land- but I am GREATLY concerned about how the imposed dictated land use change will impact my ability to farm and or use my land? What if I need to build a tenant house to help me? Or a sheep or hay barn ?

---

**From:** Carol Irvine <[relax@idyll-by-the-sea.com](mailto:relax@idyll-by-the-sea.com)>

**Sent:** Saturday, April 16, 2022 4:52 PM

**To:** 'TGoodfellow@FrederickCountyMD.gov' <[TGoodfellow@FrederickCountyMD.gov](mailto:TGoodfellow@FrederickCountyMD.gov)>

**Subject:** hi

Wow- got the post card today and I was completely blindsided that multiple of my properties are in the proposed change for Squalor , and that is the first I had heard of it... Is this normal? I mean if it is, I am sorry... I guess I just thought maybe a letter to an impacted property owner would have gone out since this was not a requested change on my part?

Also, not ALL of my abutting properties are impacted? ... just trying to get a handle on it all  
I am very pro conservation, rah rah rah historic preservation ( and put my money and blood sweat and tears in that) BUT I am a little shocked things could be done to my land without any specific notification?

Many thanks for any insight... seriously... thanks

Carol Irvine 301-874-2700



**From:** [Carol Irvine](#)  
**To:** [Brandt, Kimberly G.](#)  
**Cc:** [Goodfellow, Tim](#)  
**Subject:** RE: PS? Just reading the report  
**Date:** Tuesday, April 19, 2022 10:46:01 AM  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[image003.ipq](#)

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**[EXTERNAL EMAIL]**

Thanks for the clarification

It is reassuring to know we would have received a letter I think (ok I know) I would have freaked out a little less if I had gotten the letter at same time or even before the generic post card though. You also have to understand the background on what I went through to save the one piece of land particularly – But a VERY long story short, I found out through the grapevine the property was about to be subdivided, and I had to buy the one plot of land from developers in the 1980s at a premium, as they had preliminary approval back then for lots of 3ish acres, spread all over that 80 acres, right up to the streams... If I hadn't gone through what I did to buy it (which was at a significant process/cost/stress), that property would now be a massive housing development, all that stuff running into and polluting the beautiful streams and impacting the view corridors. THEN around 2010ish, I had to fight tooth and nail against Potomac Edison, who wanted to come smack dab in the middle of the whole parcel and put GIANT transmission lines, routing electricity, NOT for Maryland use, BUT from coal burning plants in the Midwest to final destination in New Jersey. And that doesn't count my decades-long never-ending policing of the trespassers who illegally go onto the property and cut logs/drunk hunt/ride their atvs and erode soil / fish/ trespass/dump truckloads of trash/ leave gates open for the sheep to escape/ and cause all sorts of other mayhem. Sooo... if I seem sensitive to interference and invested to this stretch of land, there are very good reasons

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**Here are my outstanding questions please? I apologize if I missed the answers**

-Will the new changes allow for tenant houses? Barns? Grazing /Hay for sheep? The breed of sheep I raise are like goats- they came from a part of Scotland that was very hilly- Cheviots eat anything and are good at cleaning up *invasive* vine growth and they have TINY little hooves, so they do not do soil erosion like horses, cows ,and other big footed breeds of sheep (yup there is a difference) And I have even seen the deer give birth in the field with the sheep and often raise their fawns almost as part fo the flock.

\*\*\*\*? Important... what about our OTHER family farm directly in Flint Hill please? It is surrounded by housing subdivisions (Hope Valley, amongst others)- how will all these changes to maps AND zoning regs this impact that property please?

THANK you for your time!

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**From:** Brandt, Kimberly G. <KGBrandt@FrederickCountyMD.gov>  
**Sent:** Monday, April 18, 2022 4:00 PM

**To:** Carol Irvine <relax@idyll-by-the-sea.com>  
**Cc:** Goodfellow, Tim <TGoodfellow@FrederickCountyMD.gov>  
**Subject:** RE: PS? Just reading the report

Dear Ms. Irvine,

Thank you for your messages. I just wanted to add one item to Tim's response. All property owner impacted by a proposed change in land use designation or zoning will be receiving notice from the County via letter. The postcard was sent to make property owners and other interested parties aware of the upcoming hearing. It was sent to augment the letters, which will be mailed in the coming days, not supplant them.

Best,  
Kim

**Kimberly Golden Brandt**

Livable Frederick Director  
[kgbrandt@frederickcountymd.gov](mailto:kgbrandt@frederickcountymd.gov)  
o: (301) 600-1144  
c: (410) 598-9026

**Livable Frederick Planning and Design Office**

<http://www.frederickcountymd.gov/livablefrederick>  
30 North Market Street  
Frederick, MD 21701  
(301) 600-1138



Division of Planning and Permitting  
<https://www.frederickcountymd.gov/planning>  
Frederick County Government  
<https://www.frederickcountymd.gov/>

---

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**Sent:** Monday, April 18, 2022 9:14 AM  
**To:** Carol Irvine <[relax@idyll-by-the-sea.com](mailto:relax@idyll-by-the-sea.com)>  
**Cc:** Goodfellow, Tim <[TGoodfellow@FrederickCountyMD.gov](mailto:TGoodfellow@FrederickCountyMD.gov)>; Brandt, Kimberly G. <[KGBrandt@FrederickCountyMD.gov](mailto:KGBrandt@FrederickCountyMD.gov)>  
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Many thanks for any insight... seriously... thanks

Carol Irvine 301-874-2700

**From:** [Severn, David](#)  
**To:** [Sugarloaf Area Plan](#)  
**Cc:** [Akram, Megan](#)  
**Subject:** KRS Enterprises, LLC; 2932 Thurston Road; Account # 1107206275  
**Date:** Wednesday, April 20, 2022 3:52:17 PM  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)

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**[EXTERNAL EMAIL]**

Good Afternoon. On behalf of my client KRS Enterprises, LLC, I am registering their strong objection to the proposed downzoning of 46.7 acres of their farm from Agricultural to Resource Conservation and the corresponding land use change from Agricultural to Natural Resource.

My clients are also concerned that in addition to the proposed downzoning, their property is proposed to be included in the Sugarloaf Rural Heritage Overlay District which will impose additional restrictions on its use.

These significant proposed restrictions negatively the value of the property and my client's property's rights. It is also proposed without the benefit of closely surveyed and identified soil types, and other physical conditions that should be considered before painting this property with such a broad brush of restrictive conservation zoning and land use.

My clients would like to obtain an explanation of the Staff's and Planning Commission's recommendations to the County Council for this rezoning and additional restrictions prior to additional public hearings before the County Council.

Thank you.

David A. Severn



**David A. Severn**

Principal  
D [240.772.5114](#)  
[dsevern@offitkurman.com](mailto:dsevern@offitkurman.com)



50 Carroll Creek Way  
Suite 340  
Frederick, MD 21701  
T 240.772.5200  
F [240.772.5135](#)  
[offitkurman.com](http://offitkurman.com)



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April 27, 2022

Planning Commission  
Frederick County, MD  
30. N Market St.  
Frederick, MD 21701

Dear Planning Commission Members,

We are writing regarding the Sugarloaf Area Plan dated March 2022, more specifically the proposed zoning map changes. We the landowners, Justin and Alexandria Tomasini, at 8330 Layton Court, Frederick, MD 21704, are concerned for the proposed changes. The current zoning is Agricultural land with a proposed R1- residential zoning change. We purchased land in Frederick County in 2021 and started building our dream home this year with the intent on using the agricultural land to the fullest.

The plan FAQ states that our lot is part of “the initial lots in the Ramsburg Subdivision.” While we understand that the development, Ramsburg Estates, is neighboring our lot and at the end of Layton County, we are not a part of this neighborhood, and do not benefit from the neighborhood. Therefore, we would not like to be forced by the county into rules and regulations that we did not have when planning our home and future.

We see no need to change the zoning of these properties, as there are no more vacant properties on Layton Court and no further houses are to be built. The seven properties the county is trying to change from agricultural to residential consist of six houses built over 25 years ago and one that has already started construction. There is no benefit to the current homeowners and only to the county. We do not see why this change is a necessity to the plan. If anything, it is in the opposite conservation nature that the plan addresses for this area. Agricultural land would lead to further conservation and beauty that the plan so well focuses on.

Additionally, all other lots along the west side of Roderick Road, in which are also currently agricultural are not being recommended to change – therefore, we request the same respect.

Please reach out if you have any questions.

Thank you,

*Justin Tomasini*

Justin Tomasini

*Alexandria Tomasini*

Alexandria Tomasini

CC: Tim Goodfellow

Sugarloaf Area Plan Email

Kimberly Brandt

**From:** [Andy Mackintosh](#)  
**To:** [Goodfellow, Tim](#)  
**Subject:** Sugarloaf Treasured Landscape Management PPlan  
**Date:** Thursday, May 5, 2022 1:45:34 PM

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**[EXTERNAL EMAIL]**

Tim,

Andy Mackintosh here I have about 250 acres on Ira Sears Road, I farm, and I am opposed to any overlay plan on my property. I have about 70 head of beef cattle. I make hay and I don't need any more of the Frederick County Government with any overlays that would restrict what I have been living on my property since 1977. I will be away during the hearing and if you could read this on the record that night I would appreciate it.

Thank You,

Andy Mackintosh

**From:** [Janet Spinks](#)  
**To:** [Planning Commission](#); [Goodfellow, Tim](#); [Brandt, Kimberly G.](#)  
**Subject:** Layton Court Rezoning Spinks Letter 5-12-22  
**Date:** Friday, May 13, 2022 12:41:46 AM  
**Attachments:** [Rezoning Layton Court - Spinks 5-12-22 001.jpg](#)

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**[EXTERNAL EMAIL]**

May 12, 2022

Planning Commission  
Frederick County, MD  
30 N. Market St.  
Frederick, MD 21701

Dear Planning Commission Members:

We are writing regarding the Sugarloaf Area Plan dated March 2022, more specifically the proposed zoning map changes. We are the landowners, Gary C. and Janet D. Spinks, at 8335 Layton Court, Frederick, MD 21704, and object to the proposed zoning change. The current zoning is Agricultural land with a proposed R1-residential zoning change. We have lived at this address since November, 1991, and intermittently have taken advantage of the agricultural status. We love living in the county knowing we have the agricultural zoning and the rest of the properties behind us going west on Roderick Road will all remain agricultural, so it makes no sense for the seven original houses on Layton Court to be rezoned as R-1.

The plan FAQ states that our lot is part of “the initial lots in the Ramsburg Subdivision.” While we understand that the new development, Ramsburg Estates, is neighboring our lot at the new end of Layton Court, we are not part of that neighborhood, and do not benefit from that neighborhood. Therefore, we would not like to be forced by the county into rules and regulations that we did not have in 1991 when planning our home and for the future time we are living here.

We see no need to change the zoning of these seven properties, much less ours that backs on Bar-T Ranch Summer Camp and agricultural area. There are no more vacant properties on Layton Court and no further houses are to be built. These seven properties the county is trying to change from agricultural to residential consist of the six houses built over the last approximately 35 years and one currently under construction. There is no benefit to the current homeowners and only to the county. We do not see why this change is a necessity to the plan. If anything, it is in the opposite conservation nature that the plan addresses for this area. Additionally, all the other lots along the west side of Roderick Road, and which are currently zoned agricultural are not being recommended to change – therefore, we request the same respect to be able to remain zoned agricultural.

Please contact us if you have any questions.

Sincerely,

Signed copy attached

---

Gary C. Spinks

Janet D. Spinks

Cc: Tim Goodfellow, Sugarloaf Area Plan Email

May 12, 2022

Planning Commission  
Frederick County, MD  
30 N. Market St.  
Frederick, MD 21701

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We see no need to change the zoning of these seven properties, much less ours that backs on Bar-T Ranch Summer Camp and agricultural area. There are no more vacant properties on Layton Court and no further houses are to be built. These seven properties the county is trying to change from agricultural to residential consist of the six houses built over the last approximately 35 years and one currently under construction. There is no benefit to the current homeowners and only to the county. We do not see why this change is a necessity to the plan. If anything, it is in the opposite conservation nature that the plan addresses for this area. Additionally, all the other lots along the west side of Roderick Road, and which are currently zoned agricultural are not being recommended to change – therefore, we request the same respect to be able to remain zoned agricultural.

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**Subject:** Layton Court Rezoning Spinks Letter 5-12-22  
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Sincerely,

Gary C. Spinks

Janet D. Spinks

Cc: Tim Goodfellow, Sugarloaf Area Plan Email

**From:** [jgehman@hughes.net](mailto:jgehman@hughes.net)  
**To:** [Planning Commission](#)  
**Cc:** [John Gehman](#)  
**Subject:** Comment letter re Sugarloaf Plan  
**Date:** Thursday, May 12, 2022 10:04:05 PM  
**Attachments:** [Letter to Steve Horn.pdf](#)  
[Japanese Stiltgrass.jpeg](#)  
[Giant slash-pile.jpg](#)

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**[EXTERNAL EMAIL]**

Please find attached a comment letter and two photos regarding the Sugarloaf Management Plan.

John Gehman  
(301)874-0151  
[jgehman@hughes.net](mailto:jgehman@hughes.net)



McNees Wallace & Nurick LLC  
5283 Corporate Drive, Suite 104  
Frederick, MD 21703

Noel Manalo  
Telephone: 301.241.2014  
Fax: 717.237.5300  
nmanalo@mcneeslaw.com

May 13, 2022

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

RE: March 2022 Sugarloaf Treasured Landscape Management Plan ("Comment Draft")

Honorable Commissioners:

On behalf of Stronghold, Incorporated ("Stronghold"), owner and steward of +/- 3,000 acres inclusive of Sugarloaf Mountain (collectively "Sugarloaf Mountain"), Stronghold does not support the Comment Draft circulated to government agencies for comment. We restate for the record the testimony provided to date.

One of the "Essential Implementation Principles" of the Livable Frederick Master Plan (Adopted Sept. 3, 2019) ("Livable Frederick") is that:

*Area-specific planning studies -- including Community and Corridor Plans -- shall be responsive to the needs of the neighborhood and community while continuing to support and reflect Our Vision.*  
(Livable Frederick at 20. Emphasis added).

To date, the Planning Commission has not been responsive to the needs of Stronghold.

Please recommend the County Council exclude Sugarloaf Mountain from the heritage overlay. Urge the Council consider a new Euclidean zone that will allow Stronghold to continue its conservation and forestry work with Maryland Department of Natural Resources ("DNR"), its venue operations in support of the overall conservation mission, and the logistics and maintenance activities in service of the many youth and school groups and visitors who enjoy the Mountain as Gordon Strong envisioned.

Finally, please also recommend deletion of Initiative 3E regarding "a conservation easement device". We strongly object to this language for the reasons previously stated to the record, reiterated by the Maryland Department of Planning ("MDP") in their May 5, 2022 letter (copy attached, see, page 4: ***This is a legal matter that should be addressed prior to plan adoption . . . The government cannot just place an easement over the property.*** Emphasis added).

Sincerely,

A handwritten signature in blue ink that reads "Noel Manalo".

Noel Manalo  
MCNEES WALLACE & NURICK LLC

cc: Robert McFarland, Esquire, DNR  
Susan Llareus, MDP

Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor

Robert S. McCord, Secretary  
Sandy Schrader, Deputy Secretary



May 5, 2022

Ms. Kimberly Golden Brandt  
Livable Frederick Director  
Frederick County Planning Department  
30 North Market Street  
Frederick, MD 21701

Re: 60-day review of the Draft of The Sugarloaf Treasured Landscape Management Plan

Dear Ms. Brandt:

Thank you for reaching out to the Maryland Department of Planning (Planning) to provide comments on the Draft Sugarloaf Treasured Landscape Management Plan (Plan) and your participation in the Maryland State agency plan review process. Planning previously reviewed a preliminary draft of the plan in August of 2021.

The Maryland Department of Planning (Planning) believes that good planning is important for efficient and responsible development that successfully addresses resource protection, adequate public facilities, community character, and economic development. Planning's attached review comments reflect the agency's thoughts on the strengths of the county's Plan, as well as potential ways to improve it and best satisfy the requirements of the Land Use Article.

The Department forwarded a copy of the Plan to state agencies for review including, the Maryland Historic Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Housing & Community Development, and Agriculture. To date, we have only received comments from the Maryland Historic Trust, and these comments are included with this letter. Any plan review comments received after the date of this letter will be forwarded to you upon receipt.

Planning respectfully requests that this letter and accompanying review comments be made part of the county's public hearing record. Furthermore, Planning also asks that the county consider our comments as revisions are made to the draft Plan, and to any future plans, ordinances, and policy documents that are developed in support of the Plan.

Planning is eager to provide support or clarification in the continued development of the Draft of The Sugarloaf Treasured Landscape Management Plan. Please feel free to contact Susan Llareus at [susan.llareus@maryland.gov](mailto:susan.llareus@maryland.gov) with any questions you may have.

Sincerely,

Charles W. Boyd, AICP  
Director, Planning Coordination

cc: Joseph Griffiths, Local Assistance and Training Manager Susan Llareus, Planning Supervisor for the Maryland Capital, Central, and Southern Regions  
Kimberly Golden Brandt, Director, Livable Frederick Planning and Design Office  
Tim Goodfellow, Livable Frederick Planning and Design Office



**Maryland Department of Planning Review Comments  
May 5, 2022  
Draft of The Sugarloaf Treasured Landscape Management Plan**

The Maryland Department of Planning (MDP) has reviewed The Sugarloaf Treasured Landscape Management Plan Draft (Plan) and offers the following comments for your consideration. These comments are offered to guide the county in ways to improve the Plan and better address the statutory requirements of the Land Use Article.

The *Livable Frederick Master Plan* (LFMP) was adopted September 3, 2019. As noted in the Introduction of the LFMP, “As Community and Corridor plans, large area plans, and functional plans are adopted, they will constitute amendments to the Livable Frederick Comprehensive Plan.” (page 14). The LFMP also set forth the vision of creating large area plans to “provide focus on contiguous regions of the county, such as the Middletown Valley or the landscape and historic resources surrounding Sugarloaf Mountain” (page 17).

The LFMP notes that the area demarcated as the “Sugarloaf Mountain Historic Survey District” (Survey District) covers approximately 10,500 acres and indicates there are several long-term protective easements established in the area of Sugarloaf Mountain. But even with the protections that exist today, the LFMP indicates that the area remains “vulnerable”, and that additional land protection is needed for environmental areas to avoid degradation and to protect the viewshed. The Frederick County Planning Commission and staff from the Livable Frederick Planning and Design Office, in response to these identified concerns, prepared the Sugarloaf Treasured Landscape Management Plan as a large area plan that proposes to refine the vision for this area of the county and identify tools to achieve the policies and goals of the LFMP.

The Planning Area, which includes the Survey District, is approximately 19,719 acres, located in the southern region of the county, west of I-270, north of the Montgomery County line and east of the Monocacy River, Greenfield Road, and a portion of MD 28 (page 8). The Planning Area Boundary as shown on Map 1-1 is larger than the Survey District, as it represents a nearly two-fold increase in size and extends beyond the areas, such as the Sugarloaf Mountain Rural Heritage Landscape and the Natural Resource Lands, specially delineated in the LFMP Thematic Plan Diagram (p. 40) and any of the comprehensive and regional plans from 1972, 1978, 1984, 1993, 2004 and 2012 (depicted in the Appendix at A-15 – A-20). The vision of the Plan describes the unique geologic landform, the scenic and rural landscape, and promotes stewardship and sustainability (page 5). The Plan includes the following vision statement for the area:

“A unique geologic landform in Maryland, Sugarloaf Mountain is a defining element of Frederick County’s treasured scenic and rural landscape. The mountain and the area surrounding it possess a sublime beauty and significant biodiversity, where a high-quality environment is maintained. Forestlands, aquatic resources, wildlife habitat, inspiring vistas, and historic resources are valued and protected. Land uses are sensitive to both the natural environment and rural character of the area. Stewardship of the area’s natural assets and cultural resources ensures healthy, resilient, and economically productive lands

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for current and future generations. As we face climate change challenges, Sugarloaf Mountain and the surrounding landscape provide ecosystem benefits to the residents of both Frederick County and the wider region, enhancing the sustainability of our shared environment.” (page 7).

The Plan also includes three major goals:

- Protect and enhance the Sugarloaf Area’s natural resources and environmental assets, including its forests, waters, biodiversity, and wildlife habitats.
- Strengthen the distinct place-based identity of the Sugarloaf Area through the stewardship of its scenic and rural character, and its agricultural and cultural resources.
- Foster resilient relationships between the natural and built environment through the mitigation of, and adaptation to, climate change.

### **General Comments**

- The Plan is missing a demographic analysis of the Planning Area. It would be helpful for context to include demographic information in the Plan to address equity issues that might arise from the policies or initiatives.
- The expansion of the historical and cultural resource protections associated with the Survey District to include all portions of the plan area has implications that may diminish the state’s investment in I-270 highway infrastructure, including existing and planned corridor and interchange improvements. This appears to be an expansion of the natural resource and cultural protections included in the LFMP, but may conflict with the identification of the I-270 corridor as a Primary Growth Sector, as stated in the LFMP Thematic Plan Diagram. Page 45 of the LFMP goes on to state that “[a]dditionally, the Interstate Corridor will continue to capitalize on significant access to regional employment centers by supporting policies that facilitate the development of the area as a prime employment corridor enhanced by livable, mixed-use neighborhoods between the City of Frederick and northern Montgomery County.”
- The use of the satellite imaging of the base map makes the mapping information shown on most of the maps difficult to read. For example, the Stronghold Incorporated holdings and Monocacy Natural Resource Management area/Urbana Lake area on Map 1-2 (page 13) looks different from the color used in the legend. It might be beneficial to turn the imagery off in some cases to better distinguish the map elements.
- For informational and educational purposes, it might be helpful to indicate that the public can reference the current land use maps electronically at: <https://gis-fcgmd.opendata.arcgis.com/pages/map-atlases> and that the same land use information is contained on the [Frederick County Maryland Property Explorer GIS](#) mapping tool, under the land use layer.

### **Section Specific Comments:**

**Chapter I-Introduction and Background** -This chapter explains the purpose of the Plan and how it complements Frederick County’s other planning efforts. It shows that the Plan is up to date in its consideration of climate change and mention of the Covid-19 pandemic. The vision statement, goals, and geographical context are presented well. Planning suggests that a statement be added to the Introduction and Background Section of the Plan indicating that this plan constitutes an amendment and/or refinement to the LFMP.

As described above, the Planning Area Boundary appears to be an enlargement of the area identified in the LFMP’s Thematic Plan Diagram. An area to the northwest of Hopeland is

included in the Planning Area, but excluded from the Sugarloaf Mountain Rural Heritage Landscape as shown on the LFMP Thematic Plan Diagram, Planning suggests some language be added to the Plan to explain the various expansions of the Planning Area from the area outlined in the LFMP.

**Chapter II-History and Culture** -This chapter is interesting and provides a description of the European Settlement, African Americans in Frederick County, Early Industry, Transportation, the Monocacy National Battlefield Park, and Historic Designations. The additional information about pre-historic activities and the African American experience add depth to one's appreciation of the Sugarloaf area. The same can be said of the new information devoted to the Monocacy National Battlefield Park. Please see the attached letter from the Maryland Historic Trust for more information.

**Chapter III-Stronghold Incorporated and Sugarloaf Mountain**-This chapter explains the many important natural resources found in the area of Sugarloaf Mountain: Wetlands of Special State Concern, National Natural Landmark, State Forests of Recognized Importance, Green Infrastructure, Ecologically Significant Areas, Forest Legacy Area, rare species, etc.

The role of Sugarloaf Mountain in Frank Lloyd Wright's career is fascinating and will come as a surprise to many readers. The story of the post office mural of Sugarloaf Mountain is also interesting and well-illustrated (pp. 40-41).

Planning supports the initiatives on pages 38 and 42. Initiative 3E on page 42 states:  
"Support the preservation of Stronghold, Incorporated's 3,000 acres through a conservation easement device to ensure permanence and protection of all of its resources — cultural, environmental, historic — with no reduction in size, integrity, or ecological function."

This statement needs elaboration to address the end of the Stronghold Trust in 2046 and who will hold the easement after it expires. The question raised in the reader's mind is, who will hold the easement? Is the Stronghold Trust able to engage in an easement at this time or must the Trust reach the expiration before another easement could be placed on the property? This is a legal matter that should be addressed prior to plan adoption, as the Plan should recognize that the cooperation of the landowner (Stronghold Trust) is needed to ensure a perpetual easement. The government cannot just place an easement over the property, yet citizens reading the document might not understand this legal aspect. However, to address the statement above, it might be useful to reference the various options and strategies in Chapter IV included in the "Land Conservation" section to incentivize the conversion of the land area held in the easement and to promote the development of a perpetual easement(s).

Planning understands the dilemma of future operational status and management beyond 2046 and recognizes there may be a desire to continue to realize Gordon Strong's vision in perpetuity for all people in future generations. Ideally, the mission of Stronghold, Incorporated, of environmental protection, education, and appreciation of natural beauty, will live beyond 2046.

**Chapter IV-Land Use** -It would be helpful for the community to understand how the Plan will integrate into the existing plans such as the LFMP and the Comprehensive Plan Map. If it is the intent that the Plan's Comprehensive Plan Land Use Designations Maps (4-2a and 4-3) are to replace a portion of the 2010 (amended 2012) Land Use Plan Map adopted by reference in the LFMP, Planning recommends that the county-wide Comprehensive Land Use Plan Map be appropriately amended to reference the newly refined area depicted on Maps 4-2a and 4-3 (pages 61-62). Further, Maps 4-2 through 4-3 provide a comparison of the current land uses to the proposed land uses of the Plan. If adopted, it is appropriate that the resolution include language specifically stating that the Plan amends the LFMP and the Comprehensive Plan Map land use

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Draft Frederick County: The Sugarloaf Treasured Landscape Management Plan

designations. Planning cautions that without an updated county-wide land use plan as suggested in the LFMP, the incremental replacement by land use designations established in this and other future area plans, corridor plans, functional plans, etc.... will lead to an increasingly disconnected 2010 Comprehensive Land Use Plan Map.

Land Use in the Sugarloaf Planning Area - Page 46 says that a “very low-density development pattern in the Sugarloaf Planning Area, consisting primarily of large-lot, single-family residential dwellings, is suitable for a rural area with significant and sensitive environmental resources.” Its suitability depends on how low the density is and how many houses have been built. Details are provided later, but Planning suggests that the county consider whether it might be better to insert here how many acres are involved and to show it on a map. Planning supports policies 4-1 through 4-4 (pages 46, 48, and 58), though perhaps the Plan should mention that further details about “land use designations, zoning classifications, and development densities” will appear later in the Plan.

Planning agrees with Initiative 4B (p. 50) which mentions Best Available Technology (BAT) upgrades for new or replaced non-residential on-site sewage disposal systems, but also suggests that the Plan include how best to address failing residential septic systems. Initiative 4C mentions coordination with local fire departments about spills of hazardous materials, also supported by Planning. This initiative deals with cleaning up hazardous materials; the Plan might also benefit from a discussion of whether the “forever chemical” family of PFAS, contained in fire-fighting foam, pose a threat to the planning area.

Livable Frederick Master Plan and Comprehensive Plan Map - The heading for Table 1A and 1B should add “Land Use” after “Comprehensive Plan.”

Planning also notes that the acreages shown in the same tables do not sum to reflect the entirety of the Planning area. It seems that the differential between the existing and proposed changes should be equivalent when comparing the additions and subtractions of the proposed land uses. Planning recommends additional analysis to determine if corrections are needed.

The use of the term “Treasured Landscape-Sugarloaf” (page 51) may include land areas beyond the current land holding of the Stronghold, Inc., which also adds to confusion about changes in land use. The term appears to be defined in such a way to indicate significant features within the area, but is it intended to represent a land use designation? If this is intended to be a land use designation, is it meant to be prohibitive beyond the provisions of the underlying Natural Resource land use shown on Map 4-2a?

Planning notes the lack of the General Commercial zone in Tables 1C and 1D, but which are within the Planning Area as shown on the mapping of the Planning Area. It appears to be expanding near the I-270 and MD-80 intersection. An explanation is warranted.

Table 1B page 51 and Table 1D page 52 – Label the fields or somehow indicate the data is in acres.

Page 52, Table 1D: It is not clear why 1,257 acres of the Planning Area are proposed to be added to the Resource Conservation (RC) Zone, which would allow 10-acres lots, and 1,053 acres removed from Agricultural Zoning. It appears that Agricultural Zoning category allows 3 lots plus the remainder from original tracts of as of August 18, 1976; additional cluster subdivision rights of one additional lot per 50 acres on tracts 25 acres or more are permitted. If the RC Zone is denser than the Agricultural Zone, an explanation of how the change from Agricultural zoning

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to Resource Conservation zoning is more protective of farmland and/or environmentally sensitive features would be helpful.

**Growth Tier IV Exemption** - In addition to the above concern, the proposed rezoning of 1,257 acres may contribute a substantial number of units to the Growth Tier IV area, that may warrant an update to the growth tier map to reflect those modifications, in accordance with the statutory mapping criteria of the Septic's Law. Planning recognizes that the area of the Plan is only a portion of the overall Growth Tier IV area, and that the one dwelling unit per 20-acre threshold of the exemption that allows subdivision is not based on a region of the county or the limits of this Plan, but nonetheless, rezoning of land from Agricultural zoning to Resource Conservation zoning could impact the Growth Tier IV exemption. As stated in the October 10, 2019, letter from Valdis Lazdins, Assistant Secretary, Planning to Steven C Horn, Director, Frederick County Planning and Permitting Division states: "...the County retains its Tier IV exemption based on Planning's May 13, 2013, initial review that the actual overall yield of Frederick County's cumulative Tier IV area is less than one dwelling unit per twenty acres. In the event that the County modifies its established zoning or subdivision requirements or its Tier IV boundaries in the future, Planning will review these modifications, first for consistency with statutory rules for growth tier delineation, and second to re-evaluate the County's Tier IV exemption." (emphasis added). Planning staff is available to answer any questions regarding updating of the Growth Tiers.

Page 52, Table 1C and Table 1D may have some calculation errors. Table 1D compares existing and proposed zoning districts. The existing total acreage is 19,370.29 and the proposed total acreage is 19,578.29. Should the areas be the same? Also, shouldn't the differential between the existing and proposed changes be equivalent when comparing the additions and subtractions of the zoning classifications? Also, the above figures do not match the total Planning Area acreage noted on pages 8, 45, and 105.

Subdivision – Page 52 includes information relating to the existing development of the Planning Area, including the estimate that 93% of the parcels and lots within the planning area have been developed. Of the 7% of the remaining parcels and lots undeveloped, is there an estimate of the ultimate development potential of the area? Has the county compared the RC and Agricultural Zones to estimate overall potential density of the Planning Area?

Sugarloaf Rural Heritage Overlay Zoning District-The Sugarloaf Rural Heritage Overlay Zoning District (Overlay) and its regulations are proposed to cover the entirety of the Planning Area and provide a way to use the Planning Area's resources in a limited, sustainable way. The objectives and goals of the overlay include the following:

- To address the scale and visual impact of land uses and development that can degrade rural qualities, excessively burden the transportation network, and overwhelm the scenic and rural nature of the Sugarloaf Planning Area.
- To minimize adverse impacts of land development activities on forestlands and natural habitats.
- To regulate the amount of impervious surfaces to control the volume of stormwater runoff and stream bank erosion, maintain levels of groundwater infiltration, and retain as many of the functions provided by natural land as possible.

A review of the information contained in the Appendix shows that the development of the proposed regulatory framework (page A-21) needs some clarity. Planning has the following comments relating to the framework:

- Page A-21 states that the maximum building footprint of a new or existing structure for non-residential and non-agricultural buildings use will be 15,000 square feet. Is there justification

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for this maximum size? Has a maximum of lot coverage been considered as another regulatory tool to address impervious surfaces for heat island reduction? Perhaps the reference to existing structures should be removed because they should be grandfathered if they were legally constructed.

- An exception is allowed to the maximum 15,000 square foot non-residential building size on page A-21, stating:

“A request to exceed the 15,000 square foot building footprint for new non-residential buildings or expansions/enlargements may be granted by the body or entity with specific approval authority upon review of a justification statement from the applicant/owner that addresses and describes, in detail, the following:

“. The unique needs of the proposed activity or use that warrant a non-residential building larger than 15,000 square feet; and

“. The site design elements and building design features, such as enhanced energy efficiency, water conservation (e.g., re-use, consumption reductions), and stormwater runoff controls, or other measures that will be utilized to minimize negative impacts to natural resources and surrounding properties that may result from the overall development proposal and increased building square footage.”

Planning suggests that the county consider some questions in preparation for implementing these exceptions. What finding must be made by the approving authority regarding the exception above to allow for a decision that is not arbitrary? What process will be used if other design standards are not being met? Planning suggests that a process other than a variance should be established to allow for alternative design standards for development to move forward if the proposed alternative is found to be equally effective to address the intent of the design standard.

Existing buildings, improvement or uses that do not conform to the site design standards of the overlay zone will become non-conforming, unless a clause is included in a grandfathering section of the master plan relating to its applicability. This is an important aspect of overlay zones that can wreak havoc after the adoption if ignored or not included in the document. The following are a few examples of language that the county could consider adding to the plan to clarify the applicability and exemptions from the overlay zoning site design standards summarized from Prince George's County *“Approved Largo Town Center Sector Plan and SMA, Chapter Eight: Development District Standards (2013)”*:

- Note that all legally existing development, including all buildings, structures, and uses that were lawful or could be certified as a legal nonconforming use on the date of adoption of the rezoning, are exempt from the development district standards and from site plan review and are not nonconforming. This avoids any legally existing development from becoming non-conforming.
- Provide a list of minor improvements that would be exempt from the design standards and site plan review if the existing or proposed use is permitted, such as
  - Permits for alteration or rehabilitation with no increase in the existing gross floor area.
  - Canopies.
  - Fences of six feet in height or less for rear and side yards.
  - Decks.
  - Ordinary maintenance.
  - Changes in use or occupancy.
  - Changes in ownership.

Planning suggests that the consideration of site design standards could be expanded to include limiting impervious areas on a site through a maximum lot coverage that would include the building as well as the parking and vehicle storage areas, incentivizing green roof and green screen systems, maximizing tree canopy and the use of native planting, restricting invasive

species, and requiring a system to quantify how the project features energy usage will be more efficient than the existing code requires, if the new structure is over 15,000 square feet in size.

- The Design Standards on page A-22 could benefit from illustrations.
- The overlay appears to require a natural resources inventory for zoning cases, but it does not seem to require the same for a subdivision plan (page A-23). Since the layout of lots are established in the entitlement process through the approval of a subdivision, Planning suggests that a natural resources inventory also be required at the time of the subdivision process. The following website may be useful in addressing all aspect of a natural resources inventory:
- Will private schools, philanthropic, religious, or other institutional uses be permitted in the overlay zone? Consider “The [Religious Land Use and Institutionalized Persons Act](#)”, which is a federal law that, among other things, protects religious institutions from unduly burdensome or discriminatory land use regulations
- The Plan should clearly state that only those requirements of the underlying zones specifically noted in the overlay zone are modified and all other requirements of the underlying zones are unaffected by the overlay zone.

Land Conservation -The list of easement and land purchase programs on pages 54-58 is mostly up to date, including MARBIDCO’s two new programs and MALPF/local easement acreage through October 2021. Planning recommends that the acreage total for all the programs within the Planning Area be included and listed in a table such as that on page 66 of the Frederick County’s draft Land Preservation, Parks, and Recreation Plan. Perhaps a simple preserved lands map would be useful here, showing land under easement in one color, publicly owned lands in another, and the Stronghold, Inc. lands in a third.

Since Montgomery County’s Agricultural Reserve abuts the southern end of the Sugarloaf Planning Area, perhaps the map could include a neighboring slice of the Agricultural Reserve to show how land preservation at Sugarloaf is complemented by preservation efforts in Montgomery County. It would also be illuminating to show parcels on both sides of the county boundary line that are eligible for preservation, which would further support preservation efforts in the Planning Area.

Policies 4.4-4.7 on page 58 will be impactful, especially the excellent initiative of expanding the Carrollton Manor Rural Legacy Area within the Sugarloaf Planning Area.

The last page of the Land Use section in the preliminary draft of the Plan contained a map of the proposed expansion of the Carrollton Manor Rural Legacy Area, but the map does not appear in the current draft of the plan. Planning recommends that it be included unless the proposed boundaries have not yet been decided.

**Chapter 5-Transportation Network** –Planning recommends that the county evaluate the need to improve bicycling friendliness and safety in the Planning Area. The Plan states:

“...many of the roadways (in the planning area) are frequently used by bicyclists and walkers. ....for recreational activities – walking, bicycling, running, and horse-crossing” (page 70).

Improving the biking and walking environment in the Planning Area will promote multimodal access to various scenic areas and historical and cultural sites, which helps achieve the Plan’s vision and goals (page 7). Therefore, Planning suggests the Plan include bicycle and pedestrian

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policies/strategies or initiatives, including creating trails/biking maps, to address bicycle and pedestrian routes, public access, trailheads and parking areas, etc....The Federal Highway Administration (FHWA)'s report on "[Small Town and Rural Multimodal Networks](#)," provides best practice examples to enhance pedestrian and bicycle networks in rural communities.

Initiative 5A addresses Thurston Road and Park Mills Road safety issues (page 71). Planning suggests the following resource; "[Proven Safety Countermeasures](#)," an initiative by the FHWA to provide a collection of roadway safety improvement tools to assist local, state, and federal agencies to address roadway safety issues. The information may provide the county with some useful ideas on how to improve roadway safety in the Planning Area.

The Op Lanes Maryland Project (page 71) could bring significant highway capacity and congestion improvements on I-270 as a Primary Growth Sector, as detailed in the LFMP, which could have land use and growth impacts that may conflict with revised local land use goals and policies. The Sugarloaf Treasured Landscape Management Plan plays an important role in helping to address any potential negative impacts from growth along the I-270 corridor. The land use initiatives and policies defined in Chapter 5 augment the rural, agricultural, and natural resource land protection. In addition, Planning staff suggests the Plan add language in Initiative 5C (page 73) to address the potential for any adverse land use and growth impacts that may result from the Op Lanes Maryland Project. Planning suggests Initiative 5C could be modified as, ".....to support localized mitigation of forest and wetland impacts **and address indirect land use effects** from the Op Lanes Maryland Project as it moves through the sugarloaf Planning Area." Please note that the words in **Bold** here are the addition.

Please clarify that Op Lanes Maryland (page 71) stands for [Op \(options and Opportunities\) Lanes Maryland](#).

The addition of the recommendation on page 76 to reduce the use of road salt in the Sugarloaf Planning Area is environmentally sound.

Planning applauds policy 5.3 and Initiative 5E (p.78) to establish scenic road designations and encourages developing design standards for the protection of these scenic roadways and the viewsheds beyond the corridors. Montgomery County is currently working on a scenic road functional master plan for the entire county and there are plenty of resources on their website that may be helpful: <https://montgomeryplanning.org/planning/transportation/highway-planning/rustic-roads/>

Watershed Water Quality-To avoid confusion, the second paragraph under "Maryland's Designated Use Classes on page 82 should indicate that the "numeric criteria for water quality" are the use Classes I to IV described afterwards and that the "P" can sometimes follow those numerals.

Figure 3 on page 89, is somewhat confusing and should be enlarged and explained in layman's terms. It is difficult to understand.

Policy 6.9 on page 96 states:

"Examine quantities of groundwater requested by large-scale commercial and institutional uses through the MDE groundwater appropriation and use permitting process in order to maintain springs and seeps, and to ensure stream base flows needed for sensitive cold-water aquatic biota and protection of nearby private residential wells."

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The Plan could explain what the county will do if future requested withdrawals are too large. Since the county does not have control over groundwater appropriations, it is anticipated that the county will work with the Maryland Department of Environment to determine possible methods to protect these sensitive water resources.

Forestlands, Green Infrastructure, and Biodiversity -The text in this chapter does a good job of identifying the resources, explaining why they are important, and proposing strong policies and initiatives to protect and enhance them. The section on Programmatic Opportunities for Reforestation (page 110) were important to include.

Climate Change -The policies and initiatives in this chapter are sound; those under the Agriculture and Carbon Sequestration Section in particular are innovative, and Planning is interested in learning of their progress. Policy 8.3, which states “[s]upport landowners who employ and adopt sustainable, regenerative agricultural practices that enhance soil productivity and carbon sequestration, and protect water quality, thus providing overall greater resilience to climate change” is consistent with “A Better Maryland State Development Plan” that includes a strategy to adapting and become resilient to climate change by promoting “healthy soils, which are vital to ecological and agricultural resilience.” (CC#4, page 13).

Planning notes that the Fourth National Climate Assessment from 2018, referenced on page 125, is still the most recent. The next Assessment is scheduled for release in 2023. Also, the Plan refers to some horrendous events exacerbated by climate change in 2020; perhaps some reference to droughts, forest fires, etc. from 2021 and 2022 could be included.

Climate Response and Resilience Executive Summary (A-31)

This summary provides important information and demonstrates that planning for the Sugarloaf area will address current issues.

**Conclusion**

Planning commends the county on a thoughtfully constructed master plan and the conservation of the lands surrounding the Sugarloaf Mountain Historic Survey District. If Planning can be of any further assistance or facilitate assistance or information from other State agencies as Frederick County continues the processing of this master plan, please contact Susan Llareus, Planning Supervisor for the Maryland Capital, Central, and Southern Regions, at [susan.llareus@maryland.gov](mailto:susan.llareus@maryland.gov)

**From:** [goldberggrn@gmail.com](mailto:goldberggrn@gmail.com)  
**To:** [Planning Commission](#)  
**Subject:** Please adopt the Sugarloaf Treasured Landscape Management Plan  
**Date:** Friday, May 13, 2022 5:15:48 AM

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**[EXTERNAL EMAIL]**

Dear \Sir/Madam:

I am writing in support of the proposed Sugarloaf Treasured Landscape Management Plan. Basically, Sugarloaf Mountain is a national treasure and is of immense value to the entire region. The proposed plan is needed to protect this land. Without it, development pressures are likely to cause significant changes in this area's character, i.e., destruction of woodlands, waterways and habitats, loss of valuable farmland, and increased traffic.

Please adopt the Sugarloaf Treasured Landscape Management Plan.

Sincerely,

Robert Goldberg

**From:** [Antonietta Pesce](#)  
**To:** [Planning Commission](#); [Goodfellow, Tim](#); [Brandt, Kimberly G.](#)  
**Subject:** Rezoning Sugarloaf Treasured Landscape Management Plan  
**Date:** Friday, May 13, 2022 2:25:14 PM

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**[EXTERNAL EMAIL]**

Planning Commission  
Frederick County, MD  
30 N. Market St.  
Frederick, MD 21701

Dear Planning Commission Members.

I am writing regarding the Sugarloaf Area Plan dated March 2022, more specifically the proposed zoning map changes. I am a landowner, Antonietta Pesce at 8355 Layton Court, Frederick, MD 21704 and object to the proposed zoning changes. The current zoning is Agricultural land with a proposed R1- residential zoning change. I have lived here with my father since August of 2001 and we have taken advantage of the agricultural status throughout the years. We have been more than happy living in the county knowing we have agricultural zoning and the rest of the properties behind us going west on Roderick Road will all remain agricultural, so I do not see any reason for the seven original houses on Layton Court to be rezoned as R-1.

The plan FAQ states that our lot is part of "the initial lots in the Ramsburg Subdivision." While we understand that the new development, Ramsburg Estates, is neighboring our lot and at the new end of Layton County, we are not a part of this neighborhood, and do not benefit from the neighborhood. Therefore, we would not like to be forced by the county into rules and regulations that we did not have in 2001 when we moved here and for future time I am living here.

We see no need to change the zoning of these properties, as there are no more vacant properties on Layton Court and no further houses are to be built. The seven properties the county is trying to change from agricultural to residential consist of six houses built over 35 years ago and one currently under construction. There is no benefit to the current homeowners and only to the county. We do not see why this change is a necessity to the plan. If anything, it is in the opposite conservation nature that the plan addresses for this area. Additionally, all other lots along the west side of Roderick Road, which are currently zoned agricultural are not being recommended to change – therefore, we request the same respect to be able to remain zoned agricultural.

Please contact me if you have any questions.

Sincerely,

Anotnietta Pesce

**From:** [Planning Commission](#)  
**To:** [jgehman@hughes.net](mailto:jgehman@hughes.net)  
**Cc:** [Brandt, Kimberly G.](#); [Goodfellow, Tim](#)  
**Subject:** FW: Comment letter re Sugarloaf Plan  
**Date:** Friday, May 13, 2022 7:55:56 AM  
**Attachments:** [Letter to Steve Horn.pdf](#)  
[Japanese Stiltgrass.jpeg](#)  
[Giant slash-pile.jpg](#)

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Good morning:

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:** [jgehman@hughes.net](mailto:jgehman@hughes.net) <[jgehman@hughes.net](mailto:jgehman@hughes.net)>  
**Sent:** Thursday, May 12, 2022 10:03 PM  
**To:** Planning Commission <[PlanningCommission@FrederickCountyMD.gov](mailto:PlanningCommission@FrederickCountyMD.gov)>  
**Cc:** John Gehman <[jgehman@hughes.net](mailto:jgehman@hughes.net)>  
**Subject:** Comment letter re Sugarloaf Plan

**[EXTERNAL EMAIL]**

Please find attached a comment letter and two photos regarding the Sugarloaf Management Plan.

John Gehman  
(301)874-0151  
[jgehman@hughes.net](mailto:jgehman@hughes.net)

1875 Mt. Ephraim Rd.  
Adamstown, MD 21710  
December 21, 2021

Frederick County Planning and Permitting  
Steve Horn, Director  
30 North Market St.  
Frederick, MD 21710

Dear Mr. Horn:

I have a number of comments to make about the Sugarloaf Management Plan. The subject is timber harvesting and wildfire management, issues that this plan does and does not address. Two issues that it does address are requirements regarding rare and endangered species and the management of exotic weeds. I can imagine that these requirements would lessen the financial gains that property owners expect to generate from logging projects. It would discourage timber harvesting on Sugarloaf Mountain. But they do not represent a major departure from county code, the requirements that define a resource conservation zoning district, and they are important to maintaining the integrity of this natural environment.

Regarding rare and endangered species, county code speaks to the importance of an assessment by the Department of Natural Resources, their Wildlife and Heritage Service, something that a property owner might or might not think to do. By contrast, the Management Plan calls for this assessment. Both of these documents call for a mitigation plan to address any adverse impact from a timber harvest.

*County code:* "Habitats of threatened and endangered species, as identified by the Maryland Department of Natural Resources, shall be protected from development or disturbance. ... On sites where a habitat is identified, a mitigation plan will be required to show that adverse impacts on habitat sites are minimized." (1-19-7.200)

*Sugarloaf Management Plan:* "A review by the Maryland Department of Natural Resources' Wildlife and Heritage Service (DNR) that documents the presence/absence of any rare, threatened, or endangered species and/or habitats on site. On sites where a rare, threatened or endangered species or habitat is identified ... a mitigation plan is required to minimize the identified adverse impact." (p.A-23)

By contrast, the requirement regarding exotic weeds is something that county code, a product of the 1970's, does not say anything about. One reason is plain to see. These weeds were not the issue then that they are now, given the dramatic appearance of certain species in

the period since the 1970s. The biggest issue today, Japanese stiltgrass, came to this country about 100 years ago as packing material for porcelain from China. It spread from the point of origin, Tennessee, across the whole eastern United States, from Maine to Florida. It became a major issue in Frederick County about 25 years ago. The reality today is stiltgrass lining practically every road in the Sugarloaf area.

The issue regarding timber harvesting on the mountain is loggers that track this seed wherever they go, from one logging project to another. This is a sun-loving plant, meaning that wherever loggers open up the canopy, this plant will flourish. There are no natural controls. It will grow to about three feet and thicken up to the point that other plants cannot germinate or grow to term. Also, it does not naturally break down or thin out over time. It establishes a seed base that will produce this plant for the foreseeable future. A single plant can produce as many as a thousand seeds. Also, it can grow in practically any kind of soil. And finally, it is sun-loving, but shade-tolerant. The only native plant that is tough enough to compete with this exotic weed in these open areas is brambles.

The worst infestation on the mountain is the result of a logging project at 7621 Stewart Hill Road, a property that is directly adjacent to my property at 1875 Mount Ephraim Road. I saw first hand the desecration of a perfectly viable forest—10 acres—at the hands of a property owner and a logger that did not demonstrate any regard for the integrity of this forest or this neighborhood—a residential subdivision, Sugarloaf West. The reality is a giant gouge in the forest, a meadow that is chock-a-block with Japanese stiltgrass from one end to the other. I suggest that you come and take a look at this weed-infested wasteland.

What can loggers do to mitigate this infestation? For one thing, they can wash down their equipment before entering a new job site. But that will not totally eliminate this seed. This plant will inevitably appear the next year, after they have left this site. Property owners will have to take charge of this issue. What they can do is to pull or spray this plant before it goes to seed in September. If they fail to do this, the infestation will become far worse the next year. A more extensive infestation might take years—five or 10 or more years—to eradicate.

My only concern about these requirements regarding endangered species and exotic weeds is the regulators that would have to administer these controls. The call for an external assessment or a mitigation plan might be a permit requirement, but what about the issue regarding weeds, something that might not even show up until after the logger has left the site? The time-frame regarding a requirement for timber harvesting and the time-frame regarding a weed cleanup demonstrate two different time-frames.

A close at this logging project at 7621 Stewart Hill demonstrates the larger issue here, something that the Sugarloaf Management Plan does not address—a county government that is

far more adept at facilitating than regulating a timber harvest. There are two issues that merit a close look. One is a virtual clearing of the forest, the perfect invitation to a giant stiltgrass meadow. What the Frederick County Forestry Board formally approved was not a clearing. It was 142 marked trees, the biggest and the best for commercial purposes. A responsible logger would have worked carefully through the forest to minimize the damage to other trees, something that would secure the future of this forest. What this logger did is something else altogether. He took practically every tree of any value, something that totally opened the forest canopy to direct sunlight and a major stiltgrass infestation. He ran a military-scale front-loader through practically every square foot of this 10-acre site. What he left was mostly dead trees and trees that demonstrate little or no commercial value.

The important issue here is a logger that knew what he could do. The marks on the trees might look like a regulatory exercise, but there is nothing regulatory about it. I would call it a formality—a song and a dance. The Forestry Board did not challenge any of these markings when they approved this logging project, nor did your agency challenge this logger on his disregard for this nominally-regulatory exercise.

This monstrous opening of the mountain canopy was for all practical purposes illegal, demonstrably out of bounds regarding a zoning concept, resource conservation. Take a look at what county code has to say about this. Residential property owners shall not clear more than 40,000 square feet for a home site. (1-19-2.110) For one thing, this lot had already been cleared 50 years ago to build a residence. Also, 40,000 square feet is less than one acre. This giant gouge is multi-acre, practically-speaking the entire 10-acre lot. The fact that the logger left some dead or commercially-useless trees here or there does not rationalize this aggressive violation of county code or this mountain landscape.

After this project was closed out, I asked a number of local tree experts to take a look at this logging site and tell me what they think. One is Mr. Ryan Carroll, a certified arborist with Bartlett Tree Experts, a company that does work on my property. What he said is important. This area of the forest will not recover, and the reason is plain to see. There was not enough of a forest left to establish a viable base for growth going forward. I also asked another certified arborist, Mr. Eric Baker, owner of Baker Tree Service, another company that does work on my property, to take a look. He called it what it is—a weed-invaded wasteland. Also, I asked Mr. Jimmy Polino, a manager for Arbometrics, a company that does tree pruning and removals for Potomac Edison, to take a look at this site when he was assessing the power line right-of-way between my property and this logging site. His exact words were “a scalping of the forest.”

How does all this happen? The best answer is the absence of adequate controls, exactly the issue that the Sugarloaf Management Plan is addressing. I asked Mr. Eric Dodson, the Frederick County Environmental Inspector, the person that approved this project from

beginning to end, to explain this issue. What he said is telling. Once a logger has a permit from the county, he is free to do more or less what he wants, no questions asked, for 12 months. The results are plain to see. Absent stricter controls, this permit is a commercial free-for-all, a ticket to exploit this environment for all that it's worth—dollars and cents. The natural environment and the neighbors that build homes here to enjoy and support this environment simply take what they get—a drubbing.

Your agency could have prevented or mitigated this desecration. For one thing, the property owner and the logger decided to start taking down trees before they were given any permit to proceed. You issued a stop-work order, something that they deliberately defined. In other words, they broke the law. This was a red flag of major proportions, the perfect occasion to either cancel this project or take special precautions regarding this timber harvest. You did neither of these two things. You levied a fine on this property owner, something that he did not pay. You did nothing to stop or diminish the desecration of this forest.

Why did you give this property owner a permit? For one thing, people that flip a finger at your legal infrastructure should not be guaranteed the right to a permit. You could have said no and stood your ground. Also, this misconduct was egregious. There is an important difference between permit violations that pertain to a structure, a house or a garage, something that can be done and undone and redone, and permit violations that pertain to a natural resource, notably something that is subject to county code—resource conservation.

Also, why did you not give the residents of this neighborhood any advance notice, let alone any opportunity to express their concerns about a project that was directly adjacent to their properties? We knew where this project was headed—a desecration of this forest. When we saw the logging truck come up the road, we wrote letters expressing our concerns about this project to Mr. Gary Hessong, Director, Permits and Inspections, letters that went to his office before the permit was issued. Mr. Hessong could have delayed the issuance of this permit long enough to hear us out, something that might have diminished this desecration. But we never heard back from anybody. Our concerns were not important to your agency.

How does all this happen? For one thing, you do not demonstrate any regard for the spirit or the letter of the law, a zoning concept, resource conservation. Also, you do not demonstrate any regard for the parties that you are supposed to serve, the residents of this county, notably parties that have to suffer the consequences of a careless and irresponsible logging project on Sugarloaf Mountain. Not good enough. Your decision regarding a permit speaks to your time-honored allegiance to this outside party, the state-based Forestry Board, a group that demonstrates a strong bias toward commercial logging, which is to say the property owners that apply for a permit and their loggers—contrast anybody else, notably the residents of this neighborhood. What you call “public administration” is a sham.

The other major issue is two giant slash-piles, the preponderance of the debris left from this timber harvest. Loggers are supposed to leave this debris where they cut it or remove it altogether from the property to minimize the potential for wildfire. The largest pile is about 150 feet long, about 30 feet wide and up to 10 feet tall on the downhill side. I estimate the total volume at approximately 25,000 cubic feet. The smaller slash-pile is about half that size. The logger was careful to place these piles as far away from the road as he could, at the very back and side of this property. Naturally. They are a major eyesore. He located these piles down the hill from the house on this property, largely out of sight. Also, he was hiding these piles from public view. He knew full well that giant slash-piles closer to the road would have called attention to a problematic logging practice.

The biggest issue with these major piles is not an eyesore. The issue is a fire hazard, something that might not look important given the rainfall that we have enjoyed for a number of years, but all that can change at any time. We are long overdue for a major drought. The state of Maryland could begin to look like the state of California at any time. Also, these giant piles will be here for the foreseeable future. We have no idea what climate change might mean to this area five or 10 or 15 years from now. We could be facing some dangerous circumstances. These piles are absolutely indefensible.

The Sugarloaf Management Plan recognizes the potential for a major fire on the mountain. For one thing, it cites exactly the issue that I am raising, "improper debris or outdoor burning," as "Maryland's leading cause of wildfires." Also, "Frederick County has a disproportionately high number of wildfire ignitions due to the abundance of people in close proximity to wildland fuels." Regarding Sugarloaf, it proposes "a network of water tanks to be owned and maintained by the County for rural fire suppression." (pp.110-12)

What these slash-piles represent is a serious threat to this neighborhood and this whole side of the mountain. Absent any firebreaks on this mountain, a fire that began here could easily spread up and across the northwest side. Also, these slash piles are nowhere near the road. They are at the very back of the property. There is no access for fire fighting equipment, notably large trucks. Also, they are directly adjacent to the local power line, something that is not accessible for major maintenance, notably tree pruning. There are at this time large trees overhanging this line. Mr. Chis Hixon, the county engineer for Potomac Edison, has surveyed this sight and told me that the company might have to wait for these trees to come down on their own. This is a dangerous scenario—a downed power line, giant slash-piles and the absence of any access regarding fire-fighting equipment. These piles should not be there to begin with, let alone adjacent to a power line that is not properly maintained in a heavily-wooded residential area.

I contacted Ms. Ann Hairston-Strang, the Associate Director of the Maryland Forest

Service, and asked her to address this issue. She asked Mr. Chris Robertson, the State Fire Supervisor, to take a look. He sent someone on his team, Mr. Shannon Wolfe, a Wildfire Program Coordinator, to assess this situation. Mr. Wolfe came out to take a look. For one thing, he recognized that these piles should not be there. What he saw is a fire control issue, meaning that an ignition of any kind—a spark from a chain saw, a cigarette butt, a lightning strike, arson, etc.—could mean big trouble—piles that burn out of control for hours, an issue that the fire department would not be able to access because of this remote location. Given a windy day, this blaze could throw burning embers across the entire neighborhood and up and across the mountain.

I asked Ms. Hairston-Strang to resolve this issue. Mr. Robertson contacted me. What he said is the following:

“Thank you for your response and providing the videos of the large slash piles located on property adjacent to yours in Frederick County. I have spoken to Shannon Wolfe in regards to his site visit and meeting with you on the property. I certainly understand your concern for having these large piles in close proximity to your property and the neighborhood. Unfortunately the MD Forest Service has no legal authority to order the dispersal of the piles as they are on private property and are not in violation of any DNR regulations as it pertains to wildfire hazard.”

In other words, Mr. Robertson can see the issue, but he does not have the authority to address it. Who, then, does have this authority? What about Frederick County, the responsible party regarding this permitted project? This whole episode happened on your watch. Your agency approved this project. Your responsibility regarding these slash-piles is crystal clear. There is no question that somebody working with the proper equipment could resolve these piles. What, then, is Frederick County willing to do about this issue?

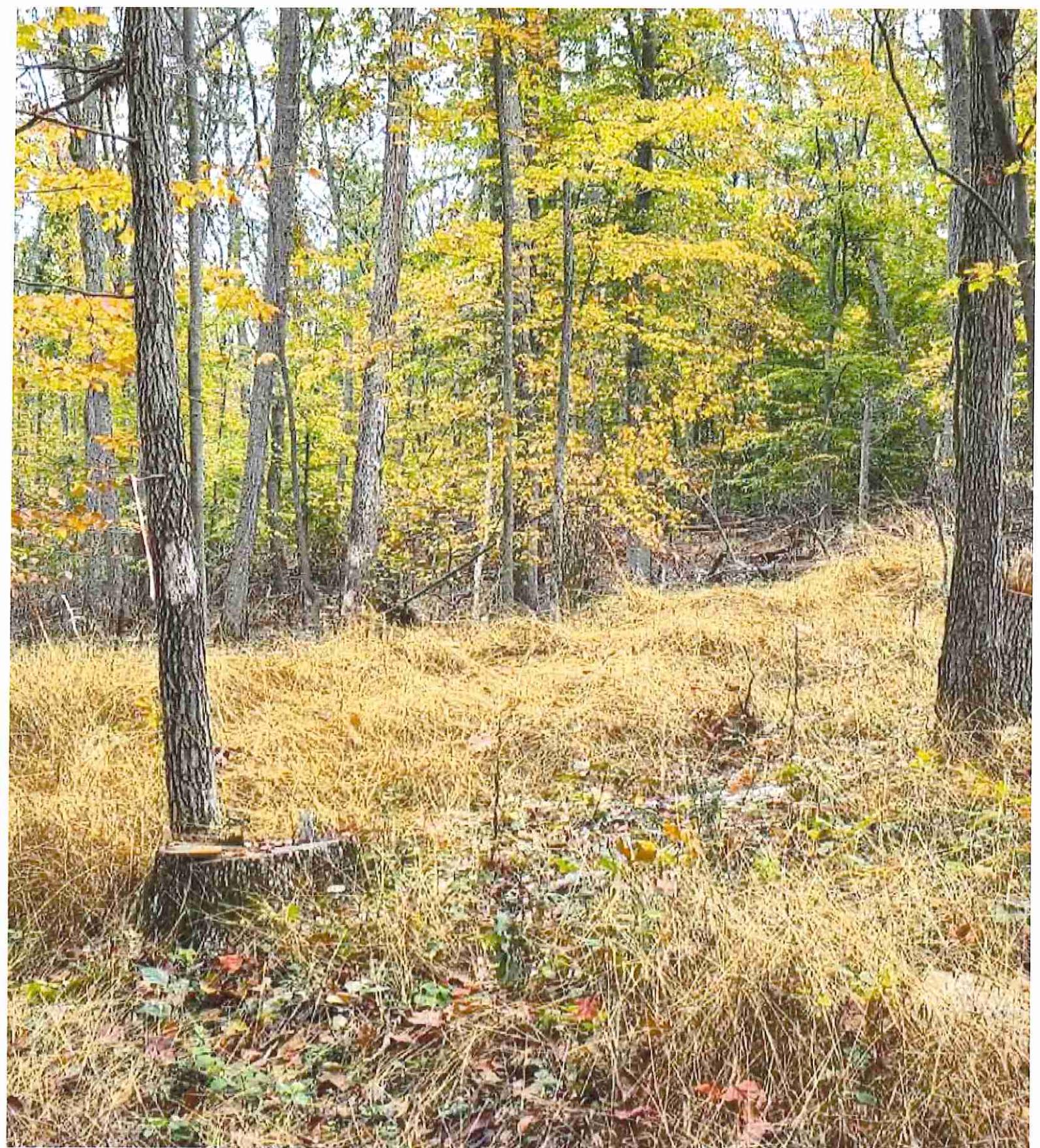
This timber harvest gone awry demonstrates the importance of a more regulatory approach to managing the natural environment on Sugarloaf Mountain and anywhere else in Frederick County. What I recommend is a Management Plan that includes more—not fewer—controls regarding timber harvesting and wildfire management and a serious look at the governmental issue—how you people operate. The attached pictures do not demonstrate the severity of this giant gouge in the forest, this weed-infested wasteland. I would like to show you face-to-face what exactly I am talking about. Call me, and I will give you a tour.

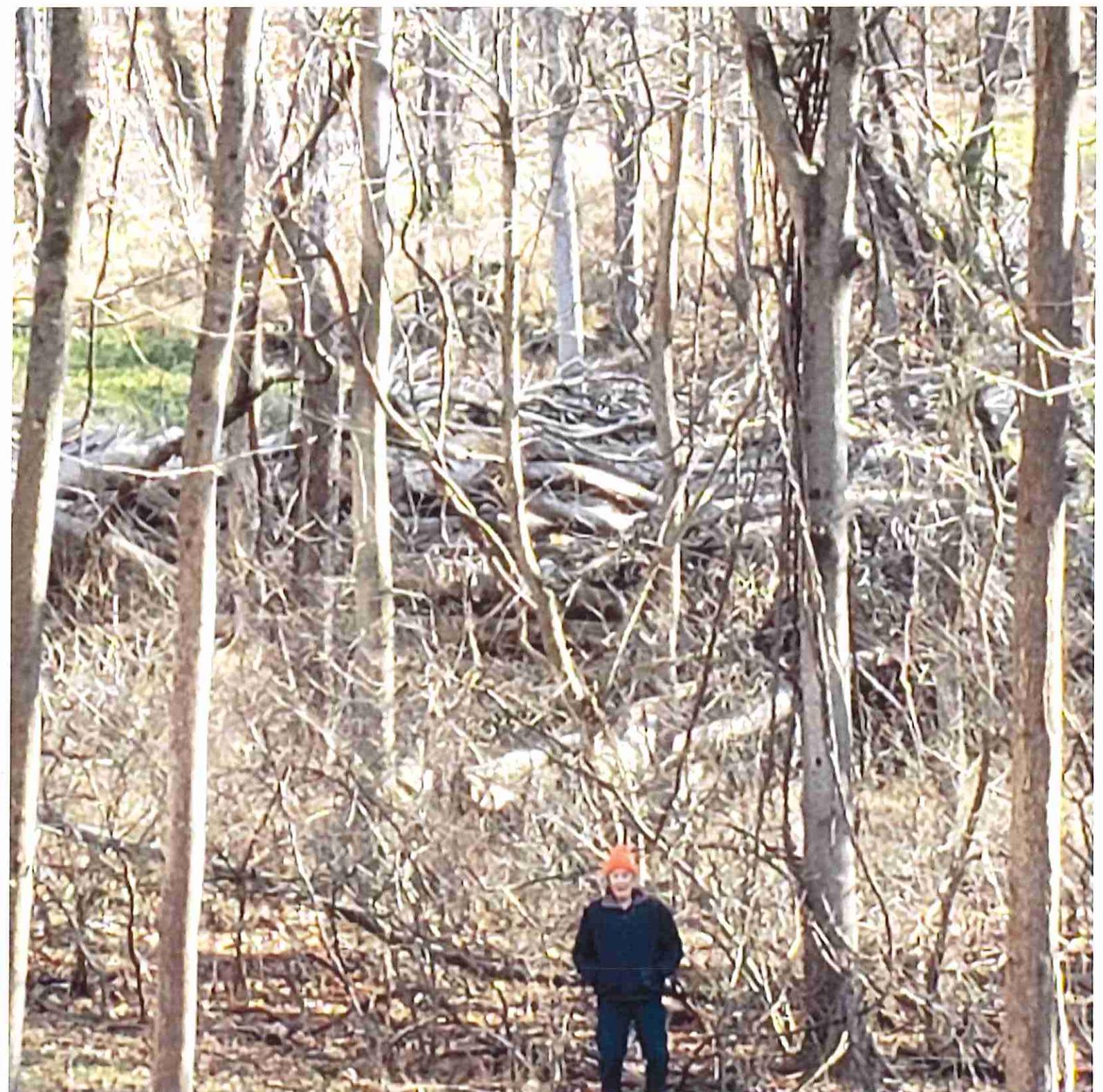
cc: KGBrandt

Planning Commission  
Council members  
JGardner  
TGoodfellow

Best regards,

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





**From:** [Planning Commission](#)  
**To:** [msimpson2005\\_bennettscreekfarm.com](mailto:msimpson2005_bennettscreekfarm.com)  
**Cc:** [Brandt, Kimberly G.](#); [Goodfellow, Tim](#)  
**Subject:** RE: Agreement to the Sugarloaf Overlay Plan  
**Date:** Monday, May 16, 2022 8:58:46 AM

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Good morning:

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

---

**From:** [msimpson2005\\_bennettscreekfarm.com](mailto:msimpson2005_bennettscreekfarm.com) <[msimpson2005@bennettscreekfarm.com](mailto:msimpson2005@bennettscreekfarm.com)>

**Sent:** Saturday, May 14, 2022 8:45 AM

**To:** Planning Commission <[PlanningCommission@FrederickCountyMD.gov](mailto:PlanningCommission@FrederickCountyMD.gov)>

**Subject:** Agreement to the Sugarloaf Overlay Plan

**[EXTERNAL EMAIL]**

I agree with the Overlay Plan and thank you for the time you have put into devising it.

Living on Thurston road for several years, I have 3 points not listed in your letter to me that I would like to share about this area:

1. Noise: Sugarloaf Mountain acts to enhance and bounce back noises along the road. It is not like other places that may be flatter or more open. Noise carries far due to this particular geography. This means if businesses are allowed that increase traffic, especially truck traffic, or if there is outside music, it will be heard throughout the neighborhood, and even into Urbana. I can hear the marching band practicing from the high school in Urbana and have no doubt noise can travel into Urbana from here as well.
2. Treacherous road: Thurston road is hilly and curvy, sometimes both at once. It is a narrow, 2-lane road with only a double yellow line to divide the 2 directions. People cut over the yellow lines often coming around the bends and over the hills. I have nearly been side-swiped many times, including once by a police car coming down the

steep curvy hill next to the bridge towards me. This just shows that Thurston road is not easy to negotiate. If businesses selling alcoholic beverages, with increased traffic volume, or large truck deliveries are allowed to build here, this will make for a dangerous driving situation for us all.

3. Flooding: Periodically, Thurston road floods right at my property, next to the bridge that is about 2 miles from Urbana. We get “50 year” floods about every 2-3 years, and “100 year” floods about every 4 - 5. I have had flood trash in my mailbox twice – that is how high the water flows sometimes. There have been rescue events for cars stuck in flooding waters at my property since I moved here in 2010. This makes Thurston road an unreliable and dangerous throughway for traffic.

I ask that you please go forward with the Overlay Plan, not just for the important environmental aspects, but also for the impracticality of this area for high traffic/noisy businesses.

Thank you, Margy Simpson  
2149 Thurston Road  
301-520-7113

Frederick County Planning Commission  
Winchester Hall  
12 E. Church St.  
Frederick, Md. 21701  
ATTN: Chairman Sam Tressler

May 16,2022

RE: The Sugar Loaf Treasured Landscape Management Plan

Dear Chairman Tressler,

Our family has owned property within the proposed Sugar Loaf Plan area since the late 1950's. We live on the approximately 162 acre farm on Lily Pons Rd at the intersection of Park Mills Rd.

Having reviewed the plan we are opposed to the overreaching regulations and restrictions the proposed overlays will impose on our property. Over my career as a REALTOR® I have worked with numerous buyers seeking to move to rural areas such as ours to get away from home owner associations that impose burdensome regulations and restrictions on properties such as the proposed overlay would do.

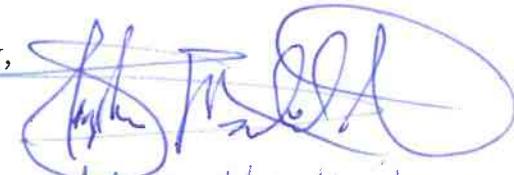
Furthermore the rezoning from Agriculture (AG) to Resource Conservation (RC) does not appear to provide any enhanced environmental protection. There are very few differences in the current AG zoning and the proposed RC zoning as it relates to natural resource protection. So why is it necessary to adversely impact Sugar Loaf area property owners, harm their uses and land values? The current AG zoning has worked for many decades, please leave it in place.

We would also request the County staff to remove the Ecologically Significant Area (ESA) map 7-2 on page 120 from the plan. The map is not current. (See attached email and current ESA map from DNR) Having done extensive research during the Monocacy River Plan into the ESA's. (See attached letter) The DNR staff and website define the ESA using terms such as "Not exact science", hypothetical and imprecise. DNR also states the maps are not to be used as a regulatory tool or published by a third party and only available upon request. Why if this is a regulatory plan are ESA maps published in the plan? Please remove the ESA map 7-2 on page 120 which misrepresents our property from the plan.

Finally we question the counties use of the term "Treasured Landscape"; when Frederick County has allowed a rubble fill to continue for many years after the ponds in the 7000 block of Lily Pons Road have been filled in. We have continually brought this issue to the attention of Frederick County officials including our Councilman Jerry Donald and Kai Hagen only to fall on deaf ears. We invite you to take a drive and see for yourselves. (See attached pictures)

We would appreciate your serious consideration on these matters and issues as you debate your decision on the Sugar Loaf Plan.

Sincerely,

  
Melissa D. Mackintosh

Stephen "Buzz" Mackintosh  
Melissa D. Mackintosh  
7001 Lily Pons Rd.  
Adamstown, Md. 21701

Attachments:

1. DNR email
2. Lily Pons current ESA map
3. MRP 2018 comment letter
4. ESA defined ~ DNR glossary (2 pages)
5. Lily Pons Rd photos of rubble fill (7 pages)

----- Forwarded Message -----

**From:** Lynn M. Davidson -DNR- <[lynn.davidson@maryland.gov](mailto:lynn.davidson@maryland.gov)>  
**To:** Buzz Mackintosh <[buzzmac@prodigy.net](mailto:buzzmac@prodigy.net)>  
**Sent:** Friday, May 6, 2022, 05:30:12 PM EDT  
**Subject:** Re: ESA Maps

Hello Buzz,

I looked into the boundary for the area of interest (Lily Pons ESA). The map you attached is still our current boundary. I had sent it to Frederick County in 2020, and it appears they are using the older boundary. I will contact them again, resend the data, and ask that they replace their older data with the updated version.

Thank you for contacting me about this, and have a good weekend,  
lynn



[Click here](#) to complete a three question customer experience survey.

On Mon, May 2, 2022 at 1:49 PM Buzz Mackintosh <[buzzmac@prodigy.net](mailto:buzzmac@prodigy.net)> wrote:

Hi Lynn,

Could you please tell me if the current ESA map for Lily Pons is still current? Frederick County has an ESA map published in the Livable Frederick (Sugar Loaf Plan) [March 2022 Draft Sugarloaf Treasured Landscape Management Plan](#) that does not align with the one you sent me (attached to email). I also thought the ESA maps, per DNR, were not supposed to be made public, as they are considered hypothetical, imprecise, and not to be used as a regulatory tool?

Thank you for your attention on this matter,

Buzz Mackintosh CRS, GRI, RCC  
Mackintosh Inc, REALTORS  
(240)529-0176 Office  
(301)748-3696 Cell  
[www.MacHomes.com](http://www.MacHomes.com)  
<http://www.linkedin.com/in/buzzmackintosh>

----- Forwarded Message -----

**From:** Lynn M. Davidson -DNR- <[lynn.davidson@maryland.gov](mailto:lynn.davidson@maryland.gov)>  
**To:** Buzz Mackintosh <[buzzmac@prodigy.net](mailto:buzzmac@prodigy.net)>  
**Sent:** Thursday, March 12, 2020, 04:05:33 PM EDT  
**Subject:** Re: ESA Maps

Buzz,

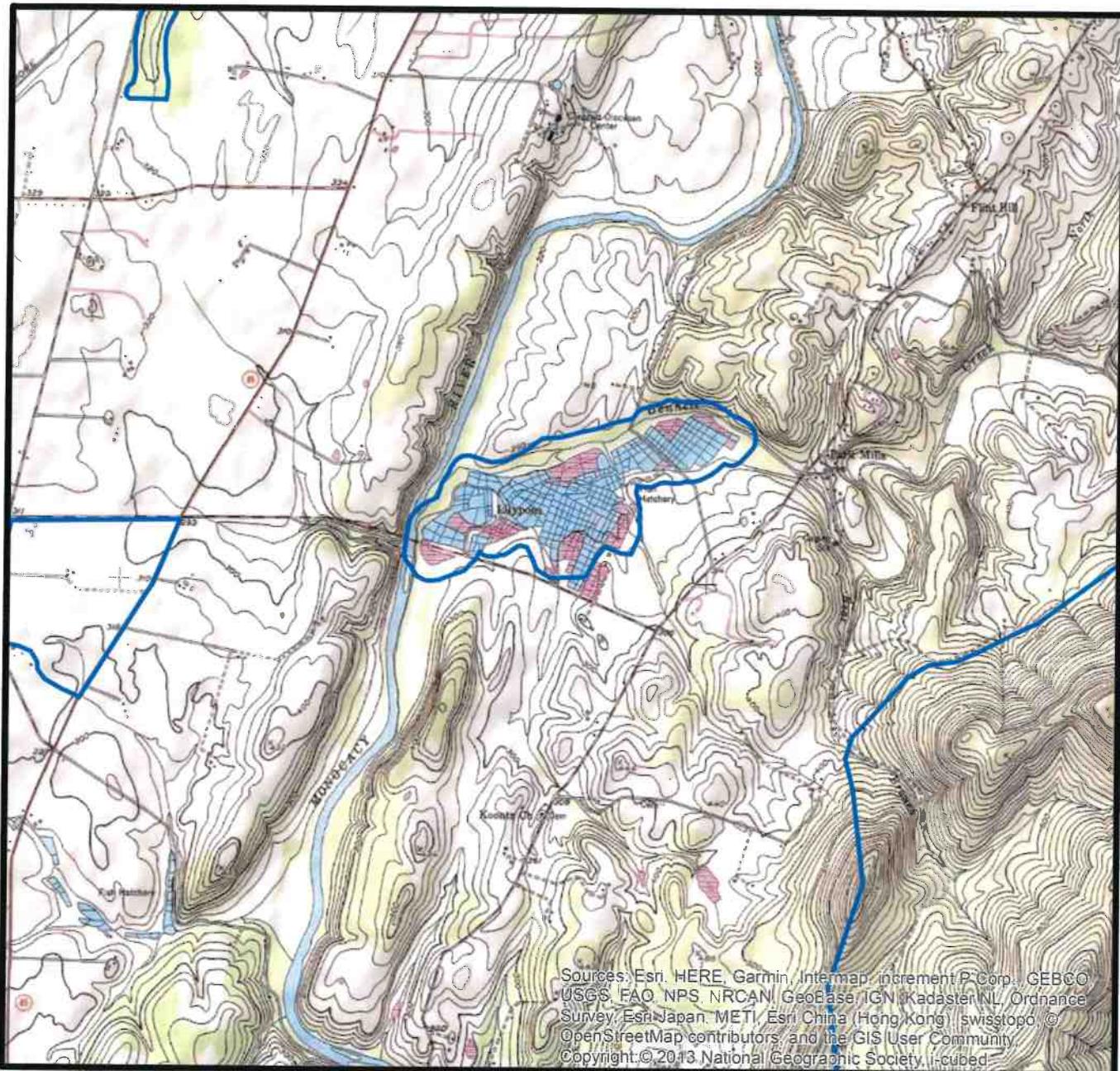
I have reviewed our information and found that some changes were appropriate. I have reduced part of the boundary for the Lily Pons ESA. Habitats within this ESA formerly supported an endangered bird, Loggerhead Shrike, but that species is no longer known to breed in this area. However, additional rare birds are known to breed in the wetlands and ponds here. Therefore, the updated ESA map reflects the new focus on the wetlands and ponds and eliminates most of the upland field areas. The attached map shows this update. As I stated before, these ESA maps are intended for use as guidance boundaries, and they are updated often, based on new information we receive.

Thank you for bringing this area to my attention,  
Lynn



[Website](#) | [Facebook](#) | [Twitter](#)

# Lily Pons Ecologically Significant Area (ESA)



Updated March 10, 2020

## Legend

ESA boundary

0 0.25 0.5 1 Miles

**Larry Hogan**  
*Governor*

**Boyd Rutherford**  
*Lt. Governor*

**Jeannie Haddaway-Riccio**  
*Secretary*



Wildlife & Heritage Service  
3/11/2020

February 22, 2018

To Whom It May Concern,

We currently own property and live along the Monocacy River and will be unable to attend the public hearing on the Monocacy River Plan (**MRP**) 2-28-2018. Therefore we are sending our official comments to you in writing.

Participating in the public process has enlightened us to some very troubling items referenced within the **MRP**. First of all I would like to say by participating the process has worked to this point with the removal of the MRRPA buffers and maps. However we are disturbed that Frederick County staff would allow the River Board to insert references to Ecologically Significant Area (**ESA**) to be published in the **MRP** in the first place. After extensive research on the Department of Natural Resources (**DNR**) website and speaking with their staff we found **ESA**'s defined as "hypothetical" & "imprecise". **DNR** regulations also state that **ESA** data shall not be published publicly by a third party organization. The **ESA**'s also are not to function as a regulatory tool. By allowing references to the **ESA**'s to remain in the **MRP** this leaves an opportunity for these ideas to metastasize in the future which will create devastating unintended consequences on private property rights.

County Executive Jan Gardner recently emailed us that she " fully supports adding protective property rights language to the **MRP** that clearly states that the plan does not advocate the public use of private property, otherwise compromise private property rights or recommend zoning changes"

We fully support CE Gardner's statement to us along with the recommendations submitted by The Frederick County Association of REALTORS®, Frederick County Farm Bureau, and the Monocacy River Land Owners collation. Proposing a resolution will not fix the flawed **MRP**. PLEASE recommend returning the **MRP** back to the River Board for proper revisions.

Sincerely,

***Stephen Mackintosh***

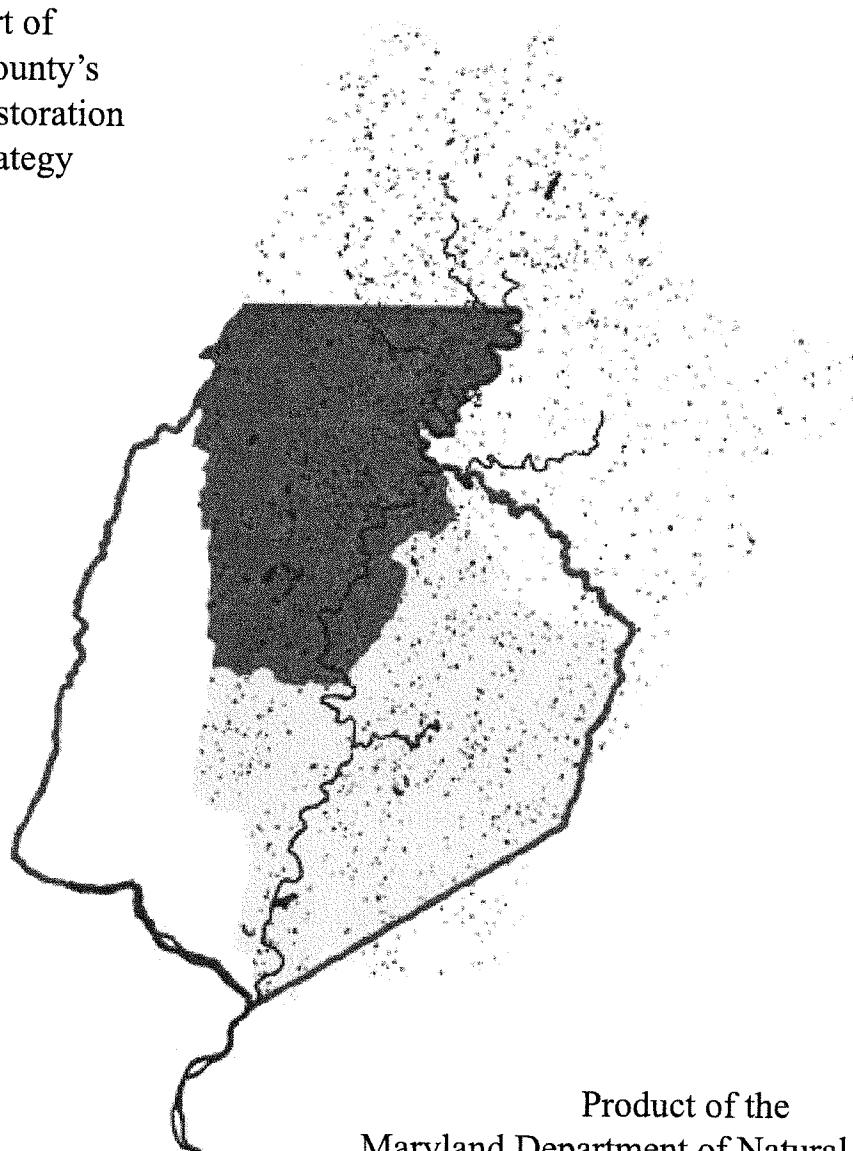
***Melissa Mackintosh***

7001 Lily Pons Rd.  
Adamstown, Md 21710

Characterization  
Of The  
Upper Monocacy River Watershed  
In Frederick County, Maryland

January 2005

In support of  
Frederick County's  
Watershed Restoration  
Action Strategy



Product of the  
Maryland Department of Natural Resources  
Watershed Services  
In partnership with Frederick County

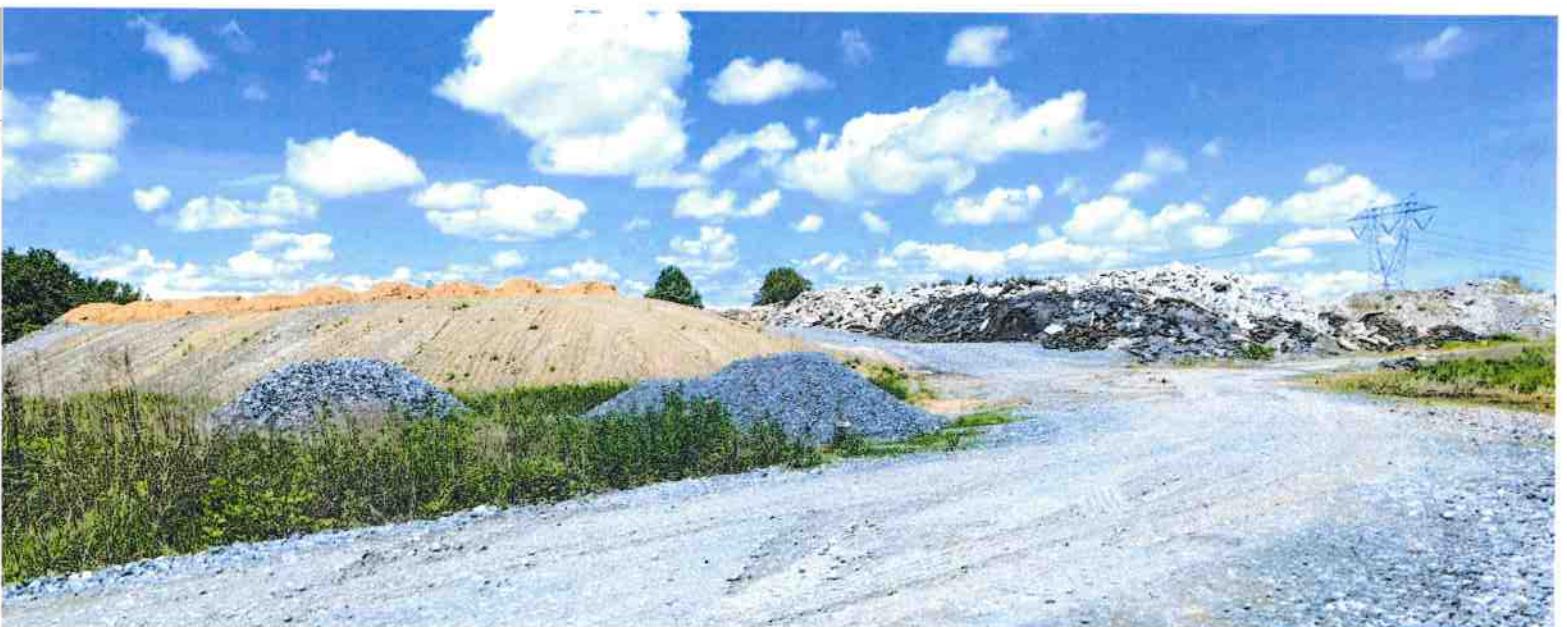
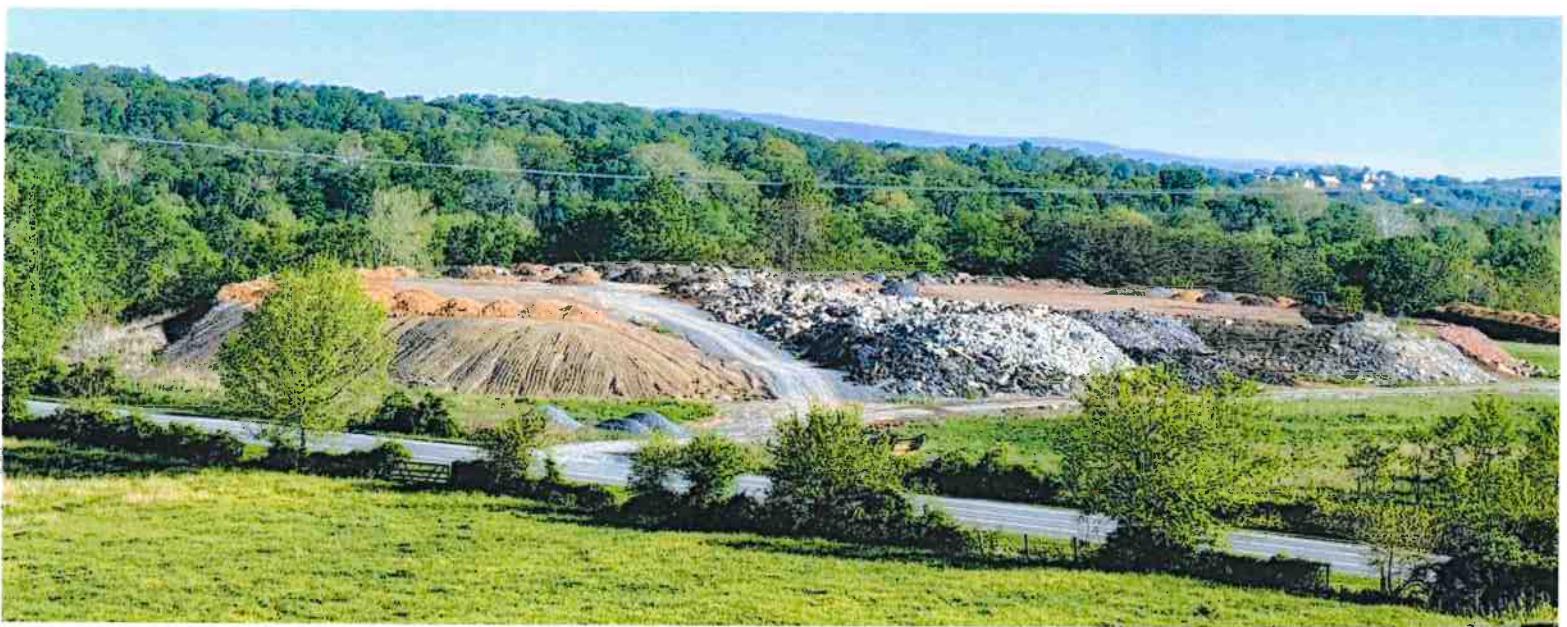
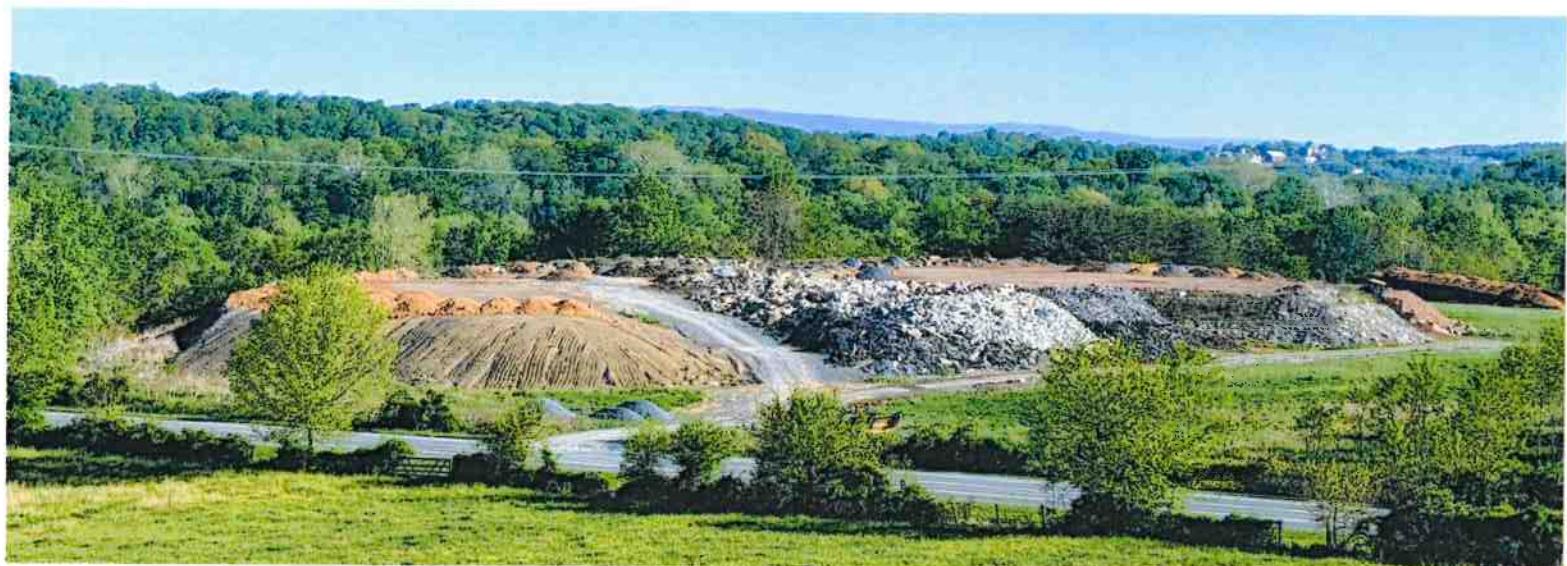
## Appendix A - Glossary

CWiC	Chesapeake 2000 Agreement watershed commitments. CWiC is a shorthand phrase used in the Chesapeake Bay Program.
CZARA	The Coastal Zone Reauthorization Amendments of 1990, intended to address coastal non-point source pollution. Section 6217 of CZARA established that each state with an approved Coastal Zone Management program must develop and submit a Coastal Non-Point Source program for joint EPA/NOAA approval in order to “develop and implement management measures for NPS pollution to restore and protect coastal waters”.
CZMA	Coastal Zone Management Act of 1972, establishing a program for states and territories to voluntarily develop comprehensive programs to protect and manage coastal resources (including the Great Lakes). Federal funding is available to states with approved programs.
Conservation Easement	A legal document recorded in the local land records office that specifies conditions and/or restrictions on the use of and title to a parcel of land. Conservation easements run with the title of the land and typically restrict development and protect natural attributes of the parcel. Easements may stay in effect for a specified period of time, or they may run into perpetuity.
DNR	Department of Natural Resources (Maryland State)
EPA	Environmental Protection Agency (United States)
ESA	Ecologically Significant Area, an imprecisely defined area in which DNR has identified the occurrence of rare, threatened and/or endangered species of plants or animals, or of other important natural resources such as rookeries and waterfowl staging areas.
GIS	Geographic Information System, a computerized method of capturing, storing, analyzing, manipulating and presenting geographical data.
MBSS	Maryland Biological Stream Survey, a program in DNR that samples small streams throughout the state to assess the condition of their living resources.
MDA	Maryland Department of Agriculture
MDE	Maryland Department of the Environment
MDP	Maryland Department of Planning
MET	Maryland Environmental Trust, an organization that holds conservation easements on private lands and assists local land trusts to do similar land protection work.
MGS	Maryland Geological Survey, a program in DNR
NHA	Natural Heritage Area, a particular type of DNR land holding, designated in COMAR
NOAA	National Oceanic and Atmospheric Administration, an agency of the US Department of Commerce that, among other things, supports the Coastal Zone Management program, a source of funding for some local environmental activities, including restoration work.

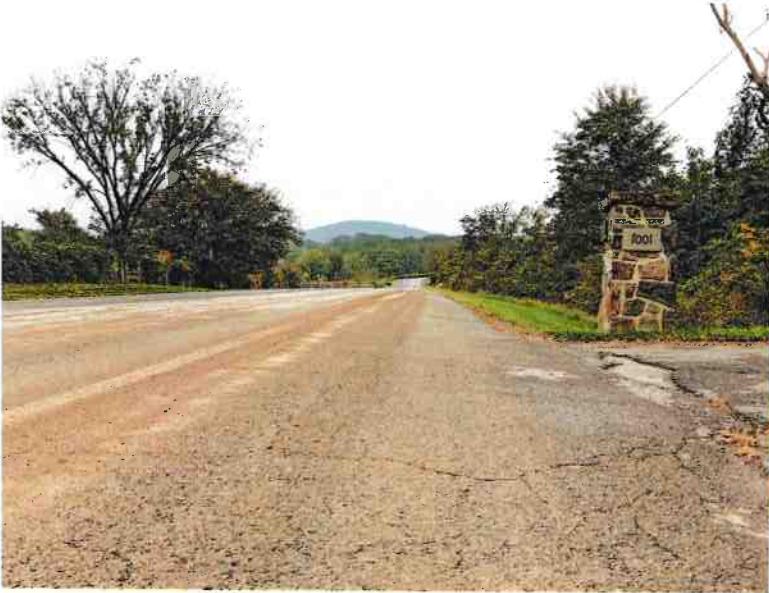
# LILY PONS ROAD - MAY 2022



# LILY PONS ROAD - MAY 2022



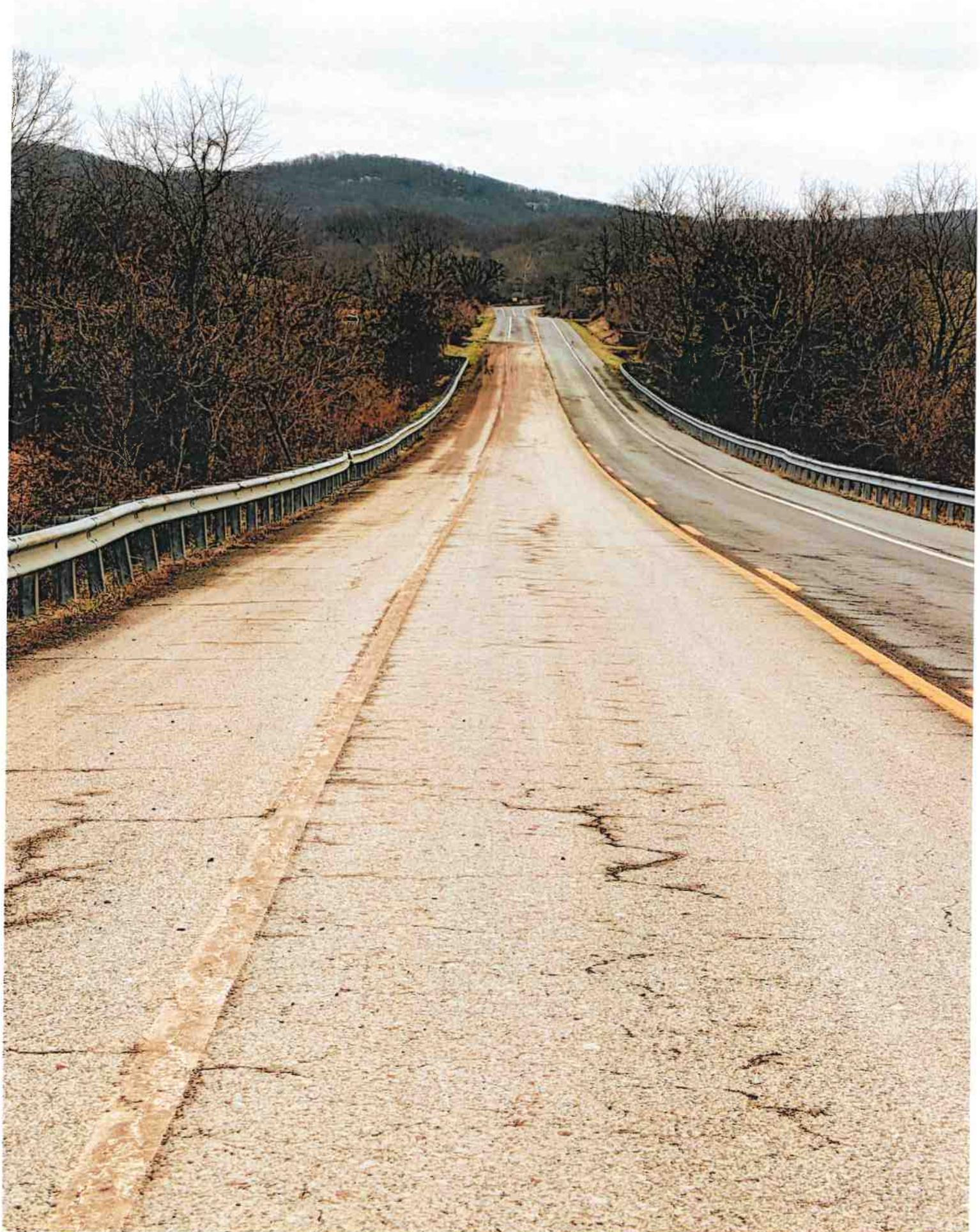
# LILY PONS ROAD - OCTOBER 2021



# LILY PONS ROAD - SEPTEMBER 2021



# LILY PONS ROAD - JANUARY 2021



# LILY PONS ROAD - JANUARY 2021



# LILY PONS ROAD - JANUARY 2021



**From:** [Planning Commission](#)  
**To:** [Larry Fortin](#)  
**Cc:** [Brandt, Kimberly G.](#); [Goodfellow, Tim](#)  
**Subject:** RE: Sugarloaf treasured landscape plan  
**Date:** Tuesday, May 17, 2022 7:20:54 AM

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Good morning:

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

-----Original Message-----

From: Larry Fortin <lpfortin2@gmail.com>  
Sent: Monday, May 16, 2022 4:55 PM  
To: Planning Commission <PlanningCommission@FrederickCountyMD.gov>  
Subject: Sugarloaf treasured landscape plan

[EXTERNAL EMAIL]

I'm writing in support of the sugarloaf treasured landscape plan currently being presented to our county leaders. The sugarloaf area is truly a treasured landscape. It has been for years. Southern Frederick county has had a building explosion in the last 20 years. This has affected Bennett creek, and much of the area that is in that drainage basin. Increased amounts of silt and higher flood waters are, as I see it, a direct result of the expansion of Urbana and Monrovia. The line needs to be drawn, as the sugarloaf plan reflects. The Monocacy River suffers as well. Expansion of high density housing and possible commercial industrial sites to the west side of 270 should not be considered. The area needs to be protected. The infrastructure in Urbana can barely handle what's been built in Monrovia and Urbana. Then there is Adamstown. Expansion is happening there as well. If Frederick county leaders want to leave a legacy , and an opportunity for coming generations to enjoy the outdoors in there own backyard, then passing the sugarloaf plan is essential.

I support the March 22 version of the sugarloaf plan from the montgomery county line to the Monocacy River as well as the rural heritage zoning district for the area.

Thanks  
Larry Fortin  
Park Mills  
Sent from my iPad

**From:** [Planning Commission](#)  
**To:** [Dolan, Mary](#)  
**Subject:** FW: Sugarloaf Treasured Landscape Plan Public Hearing:Town of Barnesville, Testimony May 18  
**Date:** Tuesday, May 17, 2022 9:20:49 AM  
**Attachments:** [PlanningCommission.SugarloafTreasuredLandscape.TownOfBarnesville.5.18.22.pages](#)

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**From:** Tina Thieme Brown <tinaartbrown@gmail.com>  
**Sent:** Monday, May 16, 2022 4:49 PM  
**To:** Goodfellow, Tim <TGoodfellow@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>  
**Cc:** Michael Zuckerman <mike@mocobuilder.com>; mildred Callear <mildredcallear@gmail.com>; Maria Castner Miller <maria.castner.miller@gmail.com>  
**Subject:** Sugarloaf Treasured Landscape Plan Public Hearing:Town of Barnesville, Testimony May 18

[EXTERNAL EMAIL]

Attention:  
Tim Goodfellow  
Frederick County Planning Commission

Good afternoon,  
Attached is the testimony to be presented on behalf of the Town of Barnesville, for the Sugarloaf Treasured Landscape Management Plan, at the Planning commission Public Hearing, on May 18.

We look forward to presenting our testimony in support of the ‘Sugarloaf Treasured Landscape Management Plan, Rural Heritage Overlay Zone.’

Thank you for your attention,

Town of Barnesville Commissioners  
Commissioner, Mayor Mildred Callear  
Commissioner Mike Zuckerman  
Commissioner Maria Castner-Miller

Town of Barnesville Planning Committee

**From:** [Todd Ward](#)  
**To:** [Sugarloaf Area Plan](#); [Goodfellow, Tim](#)  
**Cc:** [sajamama1978](#)  
**Subject:** Re-Zoning of 8300 Layton Ct, Frederick, MD 21704  
**Date:** Monday, May 16, 2022 1:31:18 PM  
**Attachments:** [Property Plat 8300 Layton Ct.pdf](#)  
[Ltr 5-16-22 8300 Layton Ct Re-zoning Opposition.pdf](#)

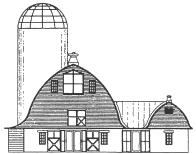
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**[EXTERNAL EMAIL]**

See attached letter opposing to the re-zoning of 8300 Layton Ct, Frederick, MD 21704

Respectfully,  
Todd Ward  
Property Owner





Sugarloaf Citizens Association

Frederick County Planning Commission  
The Sugarloaf Treasured Landscape Plan

Sugarloaf Citizens Association

May 16, 2022

Dear Planning Commission Members,

Thank you for the opportunity to testify in support of, "The Sugarloaf Treasured Landscape Plan," on behalf of Sugarloaf Citizens Association.

Our civic organization has worked with the Frederick County Planning Department over the last 2 years as a member of the Sugarloaf Stakeholders Advisory Group. We advocated for measures that will protect this treasured landscape from inappropriate development proposals, preserve the interconnected natural resources that inspire and sustain us, and increase measures that will mitigate the effects of climate change.

A monadnock that stands apart from the surrounding countryside, Sugarloaf Mountain and the pastoral landscape that surrounds it, have drawn people to this treasured landscape in Frederick County for generations. This mountain located near the confluence of the Potomac and Monocacy Rivers, is valued by residents across the region, who marvel at the foresight of Gordon Strong with his desire to preserve, protect and share his experience on the mountain with the public. We commend the nonprofit Stronghold Inc. who have overseen the management of his preservation plan and the leadership in local governments who have made a compact with that vision, in master plan regulations that protect and preserve the interconnected forest, farmland and rural communities surrounding Sugarloaf Mountain.

Over the years local residents have battled a variety of incompatible development proposals that would dramatically alter the Sugarloaf Mountain landscape. Our organization testified in Winchester Hall when these proposals threatened the Sugarloaf Mountain area's natural resources and environmental assets, including its forests, waters, biodiversity and wildlife habitats.

We were here, testifying against the proposed Gun Range on Thurston Road with residents from Frederick and Montgomery Counties. We were here, when a Mega Church proposal was before the planning commission that would have developed a building on the scale of the Nashville Convention center. The accompanying septic system proposal at that time, would have been the second largest in the state. With little to no data, revealing how a system that large might affect the Little Bennett Creek

watershed and the Sole Source Aquifer, which area residents rely on for their well water.

Each time the community rallies to fight one of these large scale, incompatible development proposals we look at the existing zoning and land use regulations. We hire a lawyer and specialists to guide us through the application process. We learn more about land use, impervious surface, water recharge rates and the nitrogen pollution limits a septic system can bear, before it pollutes the surrounding area.

These battles to protect and preserve this landscape, informed our comments when Sugarloaf Citizens Association was invited by the County Executive to participate in the 'Sugarloaf Stakeholder Advisory Committee.' We asked the Planning team what could be done to protect our air and water quality, the surrounding intact forest ecosystems, farmland and rural communities that are frequently under attack?

'The Rural Heritage Overlay Zone' contained our answer. With specific policy initiatives that address many of the threats we have fought. There are proposed limits on lot size and impervious surface. As well as policy initiatives to place limits on the nitrogen load that accompanies development, and pollutes our watershed. There are prohibitions on incompatible uses, and a view to future generations, with proposals to mitigate climate change, in the proposed Overlay Zone.

This 'Treasured Landscape' will continue to inspire and draw future generations to the mountain, the surrounding farms and forests. Please protect it from inappropriate uses, overdevelopment and fragmentation of the interconnected biodiverse ecosystem. Vote to adopt the Sugarloaf Treasured Landscape Management Plan, with the Rural Heritage Overlay Zone extending to the entire 19,719 acres.

Sugarloaf Mountain is often referred to as the crown jewel of Montgomery County's Agricultural Reserve. Just as Gordon Strong was drawn to the mountain on a bike ride in the early 20th century, most people who experience the rural farmland, forest and rustic communities with the mountain on the horizon, are not thinking about county boundary lines. They are grateful for the visionary leaders who protected it.

You have this opportunity to preserve and protect this treasured landscape, that shares a border with Montgomery County's 93,000 acre Agricultural Reserve. Extend the nationally recognized model for supporting agriculture and conserving natural resources by voting to approve this proposal.

Thank you for the opportunity to advocate for the 'Sugarloaf Mountain Treasured Landscape, Rural Heritage Overlay Zone, for the membership of Sugarloaf Citizens Association.

Tina Brown, Board Member and Sugarloaf Advisory Task Force Member  
Sugarloaf Citizens Association, Linden Farm, 20900 Martinsburg Road

Dickerson, MD 20842

**From:** [Planning Commission](#)  
**To:** [jgehman@hughes.net](mailto:jgehman@hughes.net)  
**Cc:** [Brandt, Kimberly G.](#); [Goodfellow, Tim](#)  
**Subject:** FW: Comment letter re Sugarloaf Plan  
**Date:** Friday, May 13, 2022 7:55:56 AM  
**Attachments:** [Letter to Steve Horn.pdf](#)  
[Japanese Stiltgrass.jpeg](#)  
[Giant slash-pile.jpg](#)

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Good morning:

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:** [jgehman@hughes.net](mailto:jgehman@hughes.net) <[jgehman@hughes.net](mailto:jgehman@hughes.net)>  
**Sent:** Thursday, May 12, 2022 10:03 PM  
**To:** Planning Commission <[PlanningCommission@FrederickCountyMD.gov](mailto:PlanningCommission@FrederickCountyMD.gov)>  
**Cc:** John Gehman <[jgehman@hughes.net](mailto:jgehman@hughes.net)>  
**Subject:** Comment letter re Sugarloaf Plan

**[EXTERNAL EMAIL]**

Please find attached a comment letter and two photos regarding the Sugarloaf Management Plan.

John Gehman  
(301)874-0151  
[jgehman@hughes.net](mailto:jgehman@hughes.net)

# Natelli Communities

May 13, 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:

We remain opposed to the transmission of the Sugarloaf Treasured Landscape Management Plan to the County Council as currently drafted.

When the draft of the Sugarloaf plan was released in July of 2021, none of the property under our ownership was included in the Sugarloaf planning area. Our southern highway interchange properties had been included in the initial briefing book released in the spring of 2020, but were not included in the draft released in July of 2021.

In the fall of 2020 I had several meetings - with staff and with the stakeholder's advisory group - and discussed that the properties along I-270 were contemplated for development in the future in accordance with the goals set forth in Livable Frederick for the I-270 Interstate Corridor. I do not know whether or not these points resonated with the professional planners and staff. I do know the property in the vicinity of the interchange was removed from the study area before a draft plan was released. However, through a series of actions taken by the Planning Commission between September 2021 and March 2022, eventually all of our properties, the southern interchange properties and the northern interchange properties - comprising approximately 600 acres, have been added, and are now proposed to be encumbered by the Overlay district. In retrospect, if the County had designs on encumbering all of our property in this critically important stretch of I-270, I feel it would have been prudent to have included me in the stakeholder's advisory group and given me a voice in the matter. After all, we are one of the largest private landowners in the entire region.

"For nearly 50 years, Frederick County's Comprehensive Plans have identified the development potential along the I-270 Corridor as a major component of the County's Future Growth. The Urbana community itself has, since the late 1960's, presented a focal point around which could be built a larger community of homes, employment opportunities, and local retail shops and services. The Livable Frederick Master Plan and its Thematic Plan continue to support these related visions for southern Frederick County, providing policy guidance for the maturation of this planning approach.

The Urbana Community Growth Area (CGA) embodies the characteristics of a typical CGA in Frederick County by establishing a finite geographical area within which the County promotes and encourages continued population and employment growth through the provision of critical public infrastructure such as public water and sewer service, public schools, parks, a safe and functional transportation network, and other systems and services necessary to support strong and resilient neighborhoods. In the context of Livable Frederick, a CGA identifies a preferential location for land use conversion and intensification to accommodate future growth that is consistent with County policies and initiatives, as well as with specific community goals.

The I-270 Corridor, long established as a convenient location for existing and planned employment, mixed-use, and industrial uses, incorporates the lands along I-270 and MD 355 from the border with Montgomery County northward to Park Mills Road, just north of the existing Urbana community. The lands in this corridor have served as a thematic extension of Montgomery County's "Technology Corridor" identified in that jurisdiction's planning documents as spanning I-270 from Bethesda to Clarksburg. While much of Frederick County's portion of the interstate corridor remains sparsely developed, areas on the east side of I-270 in the southern fringe of Urbana have developed successfully in the last 15 years bringing over 1,000 jobs (and counting) to our community.

Neither the Urbana Community Growth Area nor the I-270 Corridor has been comprehensively studied or evaluated since the late 1990's. Recognizing this, the Livable Frederick Master Plan Implementation Program (October 2019) in its Planning Area Catalogue described an Elective Plan for a larger, thematically-conceived *Urbana Corridor* that would include one or more plans for the South Frederick Triangle, I-270 Corridor TODs, and the Urbana Community Growth Area. The South Frederick Triangle has now been incorporated into the South Frederick Corridors Plan.

The Sugarloaf Treasured Landscape Management Plan acknowledges the County's need to examine the Urbana Corridor through a new and coordinated planning effort that will address the current growth and development issues in southern Frederick County. Future evaluation of the area outside of, but adjacent to, the Sugarloaf Planning Area is warranted in anticipation of transportation enhancements along I-270 and the subsequent possibilities for mobility and land use options, including the growing sectors of biological sciences and technology services in the I-270 corridor.

The transportation potential of I-270, despite its current limitations for quick and convenient travel by area drivers, is a critical infrastructure investment that has allowed the County to grow and prosper in the years following World War II. As improvements to the transportation function of I-270 are completed in future years, the **County cannot afford to summarily dispense with limited growth opportunities on the western side of the highway right-of-way in the vicinity of the MD 80 interchange** (*emphasis added*). These future public and private investments in our mobility may encourage the placement of multi-modal transit centers, compact transit-oriented villages, or growth of Urbana's existing biological and information technology hub along the I-270 corridor."

**Those words are not mine. Those are the recommendations set forth in the July 2021 draft of the plan, presented to you by your planning staff. They are consistent with Livable Frederick and should be reconsidered for inclusion in the final draft of the plan.**

For reasons not completely clear to me, a majority of the Planning Commission has dismissed the fundamental tenet established in Livable Frederick that establishes the I-270 Interstate Corridor as a primary growth sector that needs to be protected for the future economic benefit of the County.

I encourage you to reconsider the decision to apply the Overlay to our southern and northern interchange properties along I-270.

Sincerely,



Tom Natelli, CEO  
Natelli Communities

May 16, 2022

Planning Commission  
Frederick County, MD  
30 N Market St.  
Frederick, MD 21701

RE: Re-Zoning – Sugarloaf Area Plan

Dear Planning Commission Members:

We are the property owners of 8300 Layton Court, Frederick MD 21704. We purchased the property in 2014 due in large part to our interest in moving to a lesser developed area of Frederick County with agricultural zoning, and the privacy of this property which backed to agricultural farmland at the time of purchase. We believed we performed our due diligence prior to purchase by searching available property reports on the county website, through which we obtained the property plat (attached). The plat indicated that our property (Lot 4) was one of 8 Lots within an agricultural subdivision that would not be further subdivided. Soon after we purchased our property, we learned that there was a re-zoning and subdivision pending for lot 2, which is the lot adjacent to three sides of our property (i.e. the farmland). Much to our dismay and despite our appeal, the Lot 2 was re-zoned R1 and our once secluded lot became surrounded by new roads and 56 new homes, ruining the privacy that attracted us to the property.

Frederick County is now proposing to strip us of our agricultural zoning and forcing us to become R1 zoning. We strongly oppose to this change. Our property not part of the Ramsburg Estates community that was previously Lot 2. We receive no benefit from this zoning change but will be forced into new property regulations and higher taxes. We see no reason why we cannot remain Agricultural zoning. Please re-consider this proposed plan and keep our property as it is currently zoned.

Respectfully,

Todd and Sheri Ward  
Property Owners  
8300 Layton Court  
Frederick MD, 21704  
240-372-7765 – Todd Ward cell #

**From:** [Planning Commission](#)  
**To:** [Dolan, Mary](#)  
**Subject:** FW: Sugarloaf Treasured Landscape Plan Public Hearing:Town of Barnesville, Testimony May 18  
**Date:** Tuesday, May 17, 2022 9:20:49 AM  
**Attachments:** [PlanningCommission.SugarloafTreasuredLandscape.TownOfBarnesville.5.18.22.pages](#)

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**From:** Tina Thieme Brown <tinaartbrown@gmail.com>  
**Sent:** Monday, May 16, 2022 4:49 PM  
**To:** Goodfellow, Tim <TGoodfellow@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>  
**Cc:** Michael Zuckerman <mike@mocobuilder.com>; mildred Callear <mildredcallear@gmail.com>; Maria Castner Miller <maria.castner.miller@gmail.com>  
**Subject:** Sugarloaf Treasured Landscape Plan Public Hearing:Town of Barnesville, Testimony May 18

[EXTERNAL EMAIL]

Attention:  
Tim Goodfellow  
Frederick County Planning Commission

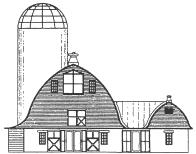
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Thank you for your attention,

Town of Barnesville Commissioners  
Commissioner, Mayor Mildred Callear  
Commissioner Mike Zuckerman  
Commissioner Maria Castner-Miller

Town of Barnesville Planning Committee



Sugarloaf Citizens Association

Frederick County Planning Commission  
The Sugarloaf Treasured Landscape Plan

Sugarloaf Citizens Association

May 16, 2022

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Tina Brown, Board Member and Sugarloaf Advisory Task Force Member  
Sugarloaf Citizens Association, Linden Farm, 20900 Martinsburg Road

Dickerson, MD 20842