

From: [Nick Carrera](#)
To: [Planning Commission](#)
Cc: [Council Members](#); [County Executive](#)
Subject: Commission meetings on Cutout, 9/15/2021; Recusal, 2/09/2022
Date: Sunday, February 12, 2023 10:18:44 PM

[EXTERNAL EMAIL]

Planning Commission members,

I'm Nicholas Carrera, living at 2602 scenic Thurston Rd, within the Sugarloaf Plan area.

It occurred to me that, as you re-consider the Sugarloaf Plan Overlay question, it might be useful to review previous discussion that bears on the issue. For members not present then, it will be especially useful to see these discussions.

It has been established, including from reporting articles in the Frederick News-Post, that there were secret discussions before the Sugarloaf Plan was to be released on March 8, 2021, causing release to be delayed. When it was released on July 30, 2021, a significant change from the March draft was in the eastern boundary, which I and others term the "Carve-out" or "Cutout." You know the stir this caused, and I want you to see again some of the discussion in deciding to eliminate that Cutout, for purposes of your subsequent discussion. As it turned out, the Plan you finally approved last year remained without Cutout. In the listing below, I've noted key moments when that Cutout was discussed.

When I was reviewing the 9/15/2021 hearing for the Cutout comments, I was struck by the insistence by one of your number to maintain the Cutout. This member relied, for justification, on a notional drawing in the Livable Frederick Management Plan. This drawing, reminding me more of an ink blot than of a map, has repeatedly been characterized by planning staffers as "notional," and not intended to define the boundary of the Sugarloaf Plan. I think it might be useful for you to see some of that discussion, since the claim for authority for that drawing continues to be arise, including at this year's February 8 Commission meeting.

Finally, I note from the record that one of your members spoke strongly in questioning the reason for the Cutout, and after not receiving a convincing answer, offered a motion to delete it. It struck me as curious that later, in the February 9, 2022, meeting of the Commission, this member offered his recusal from further discussion of the plan. The reason given was that he had heard from an outside source that he might be suspected of having a conflict of interest because of his mother's 16-acre farm, originally included in the Plan but cut from it by the July Cutout. Since the member has this year rejoined, to participate in your discussion of the Plan's Overlay, I think it's useful to review the way in which the recusal was offered the previous September.

Here, then, is my listing of moments of particular interest, for the reasons I have given, in the 9/15/2021 and 2/09/2022 meetings. For your convenience, I have marked the approximate times when discussions occurred, making it easier to find them.

Cutout Removal, Rensberger Recusal -- Planning Commission meetings 9/15/21 and 2/09/22

9/15/2021 – Planning Commission removes Cutout in the July 2021 draft Sugarloaf Plan

1:05:55 from start of meeting – Rensberger asks what is the reason for the Cutout

1:16:10 – After expressing his concern regarding the secrecy surrounding the Cutout, Hicks wants others to agree to use the earlier boundary as starting point for their discussion of the Plan.

1:18:10 – Tim Goodfellow: the Cutout was made when staff realized that “a new focus had to be made on the interchange area,” for future “transit-oriented” development.

1:21:22 – Rensberger: “Why is that carve-out there, and under whose authority is it carved out?” There was no answer. Rensberger: “Is it staff recommended?” Kimberly Brandt: “It is.”

1:25:35 – Rensberger notes that the Cutout extends far south from Exit 26, and has no relation to transit issues at the I-270 interchange: “The vast majority of this carve-out is miles south of the interchange.”. Denis Superczynski attempts to justify, with a lengthy, rambling, often irrelevant argument.

1:28:10 – Rensberger interrupts: “So what's the reason for the majority of the carve-out?” Superczynski: “I don't know. Honestly, I don't know why the line is drawn that way...” (emphasis added)

1:33:50 – Rensberger says I-270 dividing line has been there for decades – since the '50's

1:47:25 – Rensberger moves to remove the Cutout. Because of secrecy in making the Cutout, Hicks too wants to restore previous boundary, but to leave its final location open for further discussion.

1:51:45 – Rensberger: “The reason for my motion is that it makes sense – 270 as eastern dividing line makes common sense. The carve-out looks contrived and we've heard no explanation for it.”

1:55:50 – Hicks seconds motion to remove the Cutout.

1:56:00 – Tressler asks to amend motion, so that “we'll be able to explore the entire boundary, not just the east side.” There was no objection to this change. (Note: considering all sides of boundary was suggested by Sepe.)

2:00:05 – Vote to delete Cutout, 4-1; ayes: Rensberger, Hicks, Tressler, White? Nay – Sepe

9/15/2021 – Sepe favors Cutout boundary throughout the discussion, opposes dropping it

1:09:40 – Early in staff presentation, Sepe wants notional drawing, “Green Infrastructure Sector,” on page 48 of LFMP, to appear at beginning of Sugarloaf Plan draft. She claims that is the real map for the Sugarloaf Plan area, approved in the LFMP, and the Sugarloaf Plan should be consistent with it.

Sepe repeats her claim, e.g., at 1:21:55 she begins long defense of the carve-out, claims p.48

of LFMP had carve-out and that should be the starting point; again, at 1:33:15, claims the starting point should be the “map” on p. 48 of LFMP; at 1:50:25 says she is “totally opposed” to motion to delete the Cutout.

Comment: During this long discussion of the boundary and the Cutout, members of the planning staff said the drawing on p. 48 of the LFMP was notional, imprecise, and was not intended to set the boundary for the Sugarloaf Plan. Sepe, nevertheless, claims it is the approved boundary for the Sugarloaf Plan. This is the same argument that Tom Natelli has subsequently made repeatedly, in the face of repeated attempts by planning staffers to correct him.

2/09/2022 – Rensberger recusal from Sugarloaf Plan discussion

2:50:20 – Rensberger begins explanation for recusal: “It’s *been brought to my attention* that because my mom owns land inside the Sugarloaf planning area ... I need to recuse myself..” (emphasis added)

2:54:39 – Rensberger: the idea of recusal was “ ... *brought to me from outside* ...” (emphasis added)

3:01:40 – Discussion of Rensberger's recusal ends. Rensberger's participation ends for remainder of Commission's consideration of the Plan before sending it to the County Council.

Comment: Rensberger makes clear the impetus for his recusal came “from outside.” Most other Commissioners expressed regret he was recusing, expressed doubt that it was necessary, but left the decision up to him. Sepe expressed understanding for his recusal, saying she had been in the position of having to recuse herself in another Commission discussion.

Comment: In January 2023, when the Planning Commission began to reconsider the overlay it had approved in 2022, Rensberger rejoined the discussion, and expressed disapproval of some provisions of the overlay the Commission had earlier approved.

By coincidence, beginning about 2:43:45 into this meeting, and before the Commission turned to the topic of the Sugarloaf Plan, Kathy Mitchell, county lawyer, had gone into the issue of private discussions by Commissioners – “off the record or ex parte” – and whether these need to be reported. They must be reported for elected officials she said, but Planning Commissioners do not need to report such discussions because they are not elected. Nevertheless, “to keep the record clear” and in case a subsequent lawsuit should be brought, it is preferable that they be reported, even for non-elected county personnel. Sepe said she thought they should be reported by all, that the disclosure requirement should include the Planning Commissioners.

From: [Lydia Hadfield](#)
To: [Planning Commission](#)
Subject: Ecological health is the most important factor to consider
Date: Sunday, February 12, 2023 7:22:23 PM

[EXTERNAL EMAIL]

Dear Planning Commission,

I support the Sugarloaf Overlay and the 1-270 boundary.

I was raised in Frederick County and am a current Frederick resident. I ask you to please consider the health and future of our county. Now, more than ever, it is crucial to keep a careful eye on ecosystems. Our future, and all development planning, is intrinsically linked to the health of local ecosystems. Clean air, clean water, and the security of the land health and land management are crucial to our life now, and to the lives of future generations. Please make the most informed choice that is best for the most citizens of Frederick County. Ecological health is the most important factor to consider when planning the best future for the most citizens. Please support the Sugarloaf Treasured Landscape Management Plan.

Thank you for taking my email into consideration.

Best wishes,
Lydia Hadfield
25 W. 3rd St. Apt. 4 Frederick, MD 21701

From: [Graham Connah](#)
To: [Planning Commission](#)
Subject: Please don't destroy the mountain.
Date: Sunday, February 12, 2023 10:30:37 AM

[EXTERNAL EMAIL]

To whom it may concern:

I support the Sugarloaf Overlay and the I-270 boundary.

Thank you.

GC

From: [Steve Black](#)
To: [Planning Commission](#)
Subject: Sugarloaf Alliance information re Sugarloaf Plan Overlay
Date: Sunday, February 12, 2023 7:28:23 PM
Attachments: [SugarloafAllianceFCPCcomments021223.pdf](#)

[EXTERNAL EMAIL]

Commissioners,

Please see the attached PDF.

Please include the attached file in the public record for the Sugarloaf Plan Overlay.

Thank you,

Steve Black
Sugarloaf Alliance



February 12, 2023

Frederick County Planning Commission Members:

Please find attached two letters submitted to the Frederick County Council last fall as part of the Sugarloaf Treasured Landscape Management Plan legislative process. These letters detail disturbing behind-closed-doors efforts to manipulate the Sugarloaf Plan during the required 60-day State Agency review process.

The Sugarloaf Alliance believes that the entirety of the County's land planning process should be conducted in an open and transparent manor. To ensure that Planning Commission members, and public in general, have full understanding of the actions of self-interested parties we are again submitting the results of our investigations.

Sincerely,

The Sugarloaf Alliance

attachments



August 10, 2022

Frederick County Council Members

URGENT

The Sugarloaf Alliance has uncovered evidence that a developer has attempted to manipulate the State of Maryland's review of the Sugarloaf Treasured Landscape Management Plan. By meeting secretly with at least three of the most senior people at Maryland Department of Commerce, Mr. Natelli may have succeeded in corrupting the Commerce assessment of the Sugarloaf plan and injected his own self-interests into the Commerce letter.

Mr. Natelli currently owns nearly 700 acres of agricultural ground, within the Sugarloaf plan boundary, along the west side of I-270. The southern portion of these holdings was the subject of a non-public, backroom effort to modify the plan boundaries in March 2021. The Planning Commission reversed this attempted development carve out at its first hearing on the plan. Mr. Natelli and his lobbyists have continued to press for commercial and industrial development to the west of I-270 throughout the Planning Commission hearing process.

In March of this year the Planning Commission sent a draft of the Sugarloaf Plan to the State of Maryland for a legally required 60-day review. Comments were received from the Maryland Department of Commerce in May. ***Planning Commission members, county staff, and the public at large have viewed the Department of Commerce comments as an impartial legal and policy assessment of the draft Sugarloaf plan. We now know this is not true.***

In an effort to track and monitor the development of the Sugarloaf Plan, the Sugarloaf Alliance has submitted a variety of Public Information Act requests to a wide range of State and County officials. We have recently received information from the Maryland Department of Commerce that seriously calls into question the validity and impartiality of the Commerce comment letter.

Because the Commerce letter is frequently cited as a justification for allowing industrialization and commercial development to the west of I-270, ***we think it is critical that the Council be aware of the facts behind Commerce's comments on the plan.***

On March 25, Jonas Jacobson, an Annapolis lobbyist registered to represent Natelli Communities, sent an email to Kyle McColgan, the Department of Commerce Chief of Staff:

"Hey, now I need another meeting about something different. Tom Natelli (Natelli Communities) asked me to arrange a meeting with [Secretary of Commerce] Gill. Frederick County Planning Commission is considering a preservation overlay (Sugarloaf



Treasured Landscape Management Plan) that is an overreach that would prevent economic development occurring along the west side of 270 in Urbana. ... [Secretary of Commerce] Gill knows Tom Natelli.”

On April 19, Mr. Natelli and his lobbyist Mr Jacobson met with the senior leadership of the Department of Commerce, including:

Mike Gill, Secretary, Maryland Department of Commerce
Kyle McClogan, Chief of Staff, Maryland Department of Commerce and
Heather Graham, Asst Secretary, Business and Industry Sector Development

At this meeting Mr. Natelli briefed the highest ranking people in the department on his views of the need for “economic development occurring along the west side of 270.”

At the conclusion of the briefing, Mr. Natelli collected and retained all documents circulated at the meeting. No evidence of the meeting was left behind. No briefing slides. No talking points. In a failed attempt to conceal his efforts, ***nothing was left in the custody of Commerce personnel that might be evidence of Natelli’s tampering.***

On May 6, just seventeen days after Natelli’s briefing to Commerce leadership, the department transmitted its comment letter on the Sugarloaf Plan to Frederick County. Contained in the letter are statements parroting Natelli’s often repeated sentiments on the need to develop the west side of I-270.

As the Sugarloaf Alliance receives more information on efforts to manipulate the plan development process, we will share them with the Council as quickly as possible. ***In the meantime, we urge the Council to view the Commerce comment letter for what it is, a document with highly suspect foundation and a deeply concerning history.***

Sincerely,

The Sugarloaf Alliance

Attachments

Maryland Department of Commerce MPIA reply of July 21, 2022, with documents
Maryland Department of Commerce MPIA reply of August 10, 2022



Larry Hogan | Governor
Boyd Rutherford | Lt. Governor
Kelly M. Schulz | Secretary of Commerce

July 21, 2022

Stephen Black
President, The Sugarloaf Alliance
Steveblack2313@gmail.com

Dear Mr. Black,

The Department hereby responds to your request which we received on June 21, 2022 in which you make a request under the Public Information Act (the "Act"), codified at §§ 4-101-4-601 of the General Provisions Article of the Annotated Code of Maryland, for records that contain specified names and phrases related to the Sugarloaf Treasured Landscape Management Plan.

The responsive records are attached herein. The Department has determined that the following record is exempt from disclosure under the Act:

- An internal email considered "pre-decisional and deliberative," and pursuant to §4-344 of the Act, the Department may deny inspection of these records.

You may contact the Public Access Ombudsman within the Maryland Office of the Attorney General regarding the Department's response to your PIA request. The Ombudsman may attempt to resolve disputes related to a PIA request, but is not authorized to issue binding decisions. The Ombudsman's office is located at the Office of the Attorney General, 200 Saint Paul Place, Baltimore, MD 21202. The telephone number is (410) 576-7037.

Thank you for your interest in the Department. If my office can be of any further assistance, please contact me at (443) 463-8129.

Very truly yours;
Karen Glenn Hood, Director
Office of Communications



Mike Gill -COMMERCE- <mike.gill@maryland.gov>

Invitation: Mtg w/ Natelli Communities / Commerce @ Tue Apr 19, 2022 9:30am - 10:15am (EDT) (mike.gill@maryland.gov)

1 message

Diane Gossman -COMMERCE- <diane.gossman@maryland.gov>

Tue, Apr 5, 2022 at 10:07 AM

Reply-To: Diane Gossman -COMMERCE- <diane.gossman@maryland.gov>

To: mike.gill@maryland.gov, kyle.mccolgan@maryland.gov, heather.gramm1@maryland.gov, jonas@pwrjmaryland.com

You have been invited to the following event.

Mtg w/ Natelli Communities / Commerce

When Tue Apr 19, 2022 9:30am – 10:15am Eastern Time - New York

Where 9th Floor - World Trade Center Baltimore, [401 E Pratt St, Baltimore, MD 21202, USA](#), COMMERCE-WTC-CR-9th-Floor-945 ([map](#))

Calendar [mike.gill@maryland.gov](#)

Who

- [diane.gossman@maryland.gov](#) - organizer
- [mike.gill@maryland.gov](#)
- [kyle.mccolgan@maryland.gov](#)
- [heather.gramm1@maryland.gov](#)
- [jonas@pwrjmaryland.com](#)

Posted: 4/5/22 (dfg)

[more details »](#)

Attendees:

- Mike Gill, Secretary, Maryland Department of Commerce
- Kyle McColgan, Chief of Staff, Maryland Department of Commerce
- Heather Gramm, Assistant Secretary, Business & Industry Sector Development, Maryland Department of Commerce
- Tom Natelli, Natelli Communities
- Jonas Jacobson, Perry White Ross Jacobson

Topic: Frederick County Planning Commission is considering a preservation overlay (Sugarloaf Treasured Landscape Management Plan) that is an overreach that would prevent economic development occurring along the west side of 270 in Urbana. Mr. Natelli will provide a briefing.

Going ([mike.gill@maryland.gov](#))? **Yes** - **Maybe** - **No** [more options »](#)

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James Palma -COMMERCE- <james.palma@maryland.gov>

Sugarloaf 60-Day Review

James Palma -COMMERCE- <james.palma@maryland.gov>

Fri, May 6, 2022 at 3:00 PM

To: Susan Llareus -MDP- <susan.llareus@maryland.gov>

Cc: Joe Griffiths <joseph.griffiths@maryland.gov>

Susan,

Attached are Commerce's comments on the Sugarloaf Treasured Landscape Management Plan Draft of March 2022.

Thanks,

Jim



James R. Palma

Research Director

Department of Commerce

401 E. Pratt Street

Baltimore, MD 21202

james.palma@maryland.gov

(410) 767-6680 (O)

(410) 949-7040 (M)

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Commerce Sugarloaf Comments May 2022.pdf

947K



Larry Hogan | Governor
Boyd Rutherford | Lt. Governor
R. Michael Gill | Secretary of Commerce
Signe Pringle | Deputy Secretary of Commerce

May 6, 2022

Susan Holm Llareus, PLA, ASLA
Regional Planner for Maryland Capital Region
Planner Supervisor
Maryland Department of Planning
301 W. Preston St., Suite 1101
Baltimore, MD 21201

RE: Local Plan Review: Sugarloaf Treasured Landscape Management Plan Draft, March 2022

The Maryland Department of Commerce has reviewed the March 2022 draft of Frederick County's **Sugarloaf Treasured Landscape Management Plan** to review it for consistency with the Maryland Economic Development Commission's 2016 five-year Strategic Plan, **Best is the Standard**. The Department of Commerce's 2016 strategic plan has the following goals:

- Goal 1: Achieve Operational Excellence
- Goal 2: Foster a Competitive Business Environment
- Goal 3: Advance Innovation and Entrepreneurship
- Goal 4: Expand Targeted Industry Clusters
- Goal 5: Create One Maryland and Enhance Community Development
- Goal 6: Improve Brand and Talent Attraction

Of these goals, Goals 2 and 4 are relevant to the Sugarloaf Plan. Commerce would like to provide the following information to the County regarding these Goals.

Goal 2: Foster a Competitive Business Environment. A major feature of the Sugarloaf plan draft is the creation of a "Sugarloaf Viewshed Overlay" which is intended to limit development in the Sugarloaf area to protect areas that the County defines as "treasured landscapes." According to Commerce's interpretation, the Overlay district does not specifically bar all development, but it does place significant controls on it. In general, all new construction within the Overlay area is limited to a "15,000 square foot building footprint." The County can override this requirement if the landowner can show that "the specialized functional and operational needs of the proposed activity or use that warrant a

non-residential building with a building footprint 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 footprint." Certain agricultural uses within the Overlay area are exempted from these requirements, including:

- Agricultural value-added processing
- Agritourism enterprises
- Farm distillery, winery, or brewery
- Feed and grain mill
- Agricultural products processing

This overlay area abuts I-270, one of the State's important business corridors, significantly controlling development on land along its west side between the border of Montgomery County and the City of Frederick (see Figure 1). Commerce notes that this area differs from the area depicted in earlier plans, which excludes the area around Exit 26 off I-270 from the Sugarloaf Mountain Rural Heritage Landscape (see Figure 2).

Commerce recognizes that the area around Exit 226 to the west of I-270 lies outside of the currently-designated Priority Funding Area, and that it is classified in the County's 2013 Growth Tier map as either Tier III (no water & sewer services planned) or Tier IV (areas that are planned for preservation and conservation uses only).¹ Commerce also recognizes that the current Frederick County Comprehensive Plan shows that much of the undeveloped area to the east of I-270 is zoned for "Office / Research Industrial" use², and that the Growth Tier map shows that these areas are listed as either Tier I (areas with water & sewer service) or Tier II (areas with planned future water & sewer service). These classifications would generally direct development in the area to the east side of I-270.

However, Commerce would like to point out that the current Livable Frederick plan designates the area around Urbana and the area around Exit 26 as "primary growth areas" and also notes that two future I-270 interchanges are planned for the area, one to the north and one to the south of Exit 26 (see Figure 3). Highway investments of this type have historically attracted commercial development and increased land values in the immediate area of the investment. The Overlay would place significant controls on any new commercial development that would like to take advantage of new highway infrastructure investments in the Overlay area.

Goal 4: Expand Targeted Industry Clusters. The I-270 Life Sciences Corridor is one of the Nation's major locations for the Life Sciences industry, which is one of Maryland's key industry clusters supported by Commerce. Frederick County itself has become a prime location for large scale biomanufacturing operations, offering immediate proximity to Montgomery County's research and regulatory workforce, without the related high cost of land, and it contains large, undeveloped sites that are needed by the industry to expand in the region.

¹ https://www.frederickcountymd.gov/DocumentCenter/View/278039/Adopted-SB236_TierMap_26Feb2013?bidId=

² https://maps.frederickcountymd.gov/GISPublicDownload/MapAtlas/CompPlan/CompPanelBook_105.pdf

A 2022 study by Cushman & Wakefield shows that the commercial vacancy rate within the I-270 corridor plunged from about 8 percent in 2015 to below 2 percent in 2021, while asking rents have nearly doubled in that time period.³ As this area is recognized as having “robust demand,” these low vacancy rates mean that developers and companies are looking for new areas for expansion.

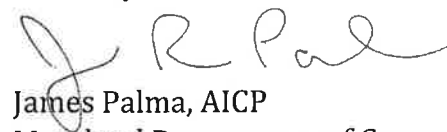
The Maryland State Data Center forecasts that jobs in Frederick County will increase by 23,600 jobs, from 147,000 jobs in 2020 to 170,600 in 2040. Recent private-sector job data collected by Commerce for the Life Sciences cluster in Maryland shows that job growth over the last five years (2015 to 2020) in Frederick County in this cluster is double the overall State growth rate (37.8% vs 18.0%). If this rate of growth continues, Commerce expects that Life Sciences employment in the County could increase from 4,248 in 2020 to a potential 15,318 in 2040, an increase of 11 thousand jobs. This increase could represent almost half of all of the new jobs created in the County between 2020 and 2040.

The State has seen recent successes in attracting significant numbers of Life Sciences jobs that will be located at large-scale employers such as AstraZeneca, Lonza, Thermo Fisher, Kite Pharmaceuticals and Ellume. In addition, the Maryland Department of Commerce is currently working on multistate competitive Life Sciences opportunities that could attract even more large-scale employers, any of which could choose to locate within Frederick County. Unfortunately, the County has a shrinking supply of the large sites that were once available in places like Riverside, Westview and Jefferson Technology Park, which are on the way to 100 percent occupancy. The Urbana area has undeveloped areas that would be attractive to the Life Sciences industry, and is an area that has already drawn major Life Sciences investment in the form of Kite Pharmaceuticals.

Another important economic cluster tracked by Commerce is Tourism. Commerce recognizes that the Sugarloaf area is an important part of the State’s tourism and outdoor recreation sectors, and understands that there must be balance between ensuring that the region has sufficient land for future development while simultaneously protecting its natural assets. The recent creation of the State’s Office of Outdoor Recreation in the Department of Natural Resources reflects the importance of this sector to the State’s economy.

The Department of Commerce hopes that the County will find the above information useful in its evaluation of the March 2022 draft of the Sugarloaf Treasured Landscape Management Plan.

Sincerely,

A handwritten signature in dark ink, appearing to read "J R Palma", is written over the typed name.

James Palma, AICP
Maryland Department of Commerce



Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>

WR Grace

Jonas Jacobson <jonas@pwrjmaryland.com>
To: Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>

Fri, Mar 25, 2022 at 9:48 AM

Next couple weeks would be ideal. Planning (Sandy Schrader) needs Commerce comments for response to Frederick County

Jonas Jacobson

Perry, White, Ross & Jacobson

Jonas@pwrjmaryland.com

410.977.3419



P E R R Y | W H I T E
R O S S | J A C O B S O N

From: Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>
Date: Friday, March 25, 2022 at 9:47 AM
To: Jonas Jacobson <jonas@pwrjmaryland.com>
Subject: Re: WR Grace

When would this need to take place by?

On Fri, Mar 25, 2022 at 9:37 AM Jonas Jacobson <jonas@pwrjmaryland.com> wrote:

No. Hey, now I need another meeting about something different. Tom Natelli (Natelli Communities) asked me to arrange a meeting with Gill. Frederick County Planning Commission is considering a preservation overlay (Sugarloaf Treasured Landscape Management Plan) that is an overreach that would prevent economic development occurring along the west side of 270 in Urbana. We are working with MDP (Sandy Schrader and they discussed that they want Tom to brief you guys on it.). Gill knows Tom Natelli.



Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>

Sugarloaf Comments

2 messages

James Palma -COMMERCE- <james.palma@maryland.gov>

Fri, May 6, 2022 at 3:01 PM

To: Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>, Jennifer LaHatte Commerce <jennifer.lahatte@maryland.gov>, Heather Gramm -COMMERCE- <heather.gramm1@maryland.gov>

Our letter has been submitted to MDP as part of the 60-day review process. A copy is attached for your files.

Jim

**James R. Palma**

Research Director

[Department of Commerce](#)

401 E. Pratt Street

Baltimore, MD 21202

james.palma@maryland.gov

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**Commerce Sugarloaf Comments May 2022.pdf**

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Heather Gramm -COMMERCE- <heather.gramm1@maryland.gov>

Fri, May 6, 2022 at 3:02 PM

To: James Palma -COMMERCE- <james.palma@maryland.gov>

Cc: Kyle McColgan -COMMERCE- <kyle.mccolgan@maryland.gov>, Jennifer LaHatte Commerce <jennifer.lahatte@maryland.gov>

Great, thanks Jim.

**Heather Gramm, CEcD**Assistant Secretary, Business &
Industry Sector Development[Department of Commerce](#)

401 E. Pratt Street

Baltimore, MD 21202

heather.gramm1@maryland.gov

(410) 598-0842 (M)

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Larry Hogan | Governor
Boyd Rutherford | Lt. Governor
Kelly M. Schulz | Secretary of Commerce

August 10, 2022

Stephen Black
President, The Sugarloaf Alliance
Steveblack2313@gmail.com

Dear Mr. Black,

The Department hereby responds to your request which we received on July 25, 2022 in which you make a request under the Public Information Act (the "Act"), codified at §§ 4-101-4-601 of the General Provisions Article of the Annotated Code of Maryland, for any documents pertaining to an April 19 meeting between Maryland Commerce officials and Tom Natelli and his associates.

In response to this request, I wanted to advise that there were documents circulated at the meeting by Mr. Natelli and his associates. However, those documents were collected and retained at the conclusion of the meeting by Mr. Natelli and there were no documents related to this meeting retained by Commerce staff. The only document within Commerce's custody related to this meeting is the calendar notice, which was already sent to you as part of the previous PIA request.

You may contact the Public Access Ombudsman within the Maryland Office of the Attorney General regarding the Department's response to your PIA request. The Ombudsman may attempt to resolve disputes related to a PIA request, but is not authorized to issue binding decisions. The Ombudsman's office is located at the Office of the Attorney General, 200 Saint Paul Place, Baltimore, MD 21202. The telephone number is (410) 576-7037.

Thank you for your interest in the Department. If my office can be of any further assistance, please contact me at (443) 463-8129.

Very truly yours;
Karen Glenn Hood, Director
Office of Communications



August 26, 2022

Frederick County Council Members

URGENT

The Sugarloaf Alliance has uncovered further evidence that a developer has attempted to manipulate the State of Maryland's review of the Sugarloaf Treasured Landscape Management Plan. By meeting with the two most senior people at Maryland Department of Planning, Mr. Natelli may have succeeded in corrupting the Department of Planning assessment of the Sugarloaf Plan. He may also have injected his own self-interests into the Planning letter. This meeting with Department of Planning officials is in addition to his secret meeting with at least three of the most senior people at Maryland Department of Commerce. (See our earlier letter of 8/10/22)

Mr. Natelli currently owns about 600 acres of agricultural ground, within the Sugarloaf Plan boundary, along the west side of I-270. ***The southern portion of these holdings was the subject of a non-public, backroom effort to modify the plan boundaries in March 2021.*** The Planning Commission reversed this attempted development carve-out at its first hearing on the plan. Mr. Natelli and his lobbyists have continued to press for commercial and industrial development to the west of I-270 throughout the Planning Commission hearing process.

In March of this year the Planning Commission sent a draft of the Sugarloaf Plan to the State of Maryland for a legally required 60-day review. Comments were received from the Maryland Department of Planning in May. Planning Commission members, county staff, and the public at large have viewed the Department of Planning comments as an impartial legal and policy assessment of the draft Sugarloaf Plan. In its cover letter the Department of Planning states, "Planning's attached review comments ***reflect the agency's thoughts***" and "Planning also asks that the county consider ***our comments*** as revisions are made to the draft Plan." ***We now know that both the Department of Planning and Department of Commerce comments were influenced, outside the public process, by a self-interested developer.***

In an effort to track and monitor the development of the Sugarloaf Plan, the Sugarloaf Alliance has submitted a variety of Public Information Act requests to a wide range of State and County officials. ***We have recently received information from the Maryland Department of Planning that seriously calls into question the validity and impartiality of the Planning comment letter.***

Because the Planning letter is cited as a justification for allowing industrialization and commercial development to the west of I-270, ***we think it is critical that the Council be aware of the facts behind the Maryland Department of Planning's comments on the plan.***

On March 16, Timothy Perry, a registered lobbyist for Natelli Communities, contacted Deputy Secretary Sandra Schrader to set up a meeting between Department of Planning leadership and Natelli Communities. Later that day Mr. Perry emailed Maria Sofia (Executive Associate to the Deputy Secretary) to schedule the meeting. Two days later a meeting date was fixed for March 24. The meeting was to take place at the offices of Perry, White, Ross, and Jacobson, the lobbying firm registered to represent Natelli Communities. Invitees for the meeting included:

Robert McCord, Secretary of Planning

Sandra Schrader, Deputy Secretary of Planning

Maria Sofia, Executive Associate, Department of Planning

Tom Natelli, Natelli Communities

Eric Soter, Rodgers Consulting (Planning consultant and lobbyist for Natelli Communities)

Dusty Rood, President and CEO of Rodgers Consulting

Timothy Perry, Perry, White, Ross, and Jacobson (Natelli Communities lobbyists)

Jonas Jacobson, Perry, White, Ross, and Jacobson

Jenna McGreevy, Perry, White, Ross, and Jacobson

The day of the meeting, March 24, for reasons unknown, Deputy Secretary Schrader asked that the session be moved to the “old post office”, likely the government offices at 1 Church Circle in Annapolis, rather than the lobbyist’s offices.

A week after the meeting Mr Perry sent Deputy Secretary Schrader a copy of Natelli’s summary and talking points. Minutes later, Schrader forwarded the Natelli notes to Secretary McCord and Adam Gruz, Department of Planning Legislative Officer. The Deputy Secretary later replied to Mr. Perry and Mr Jacobson, “Thanks so much ... We’ll keep you posted.”

Near the end of the 60-day review process, on April 29, Mr Perry again sent Deputy Schrader the Natelli notes, but this time they were sent to her non-government email address. Schrader promptly forwarded the email to her official email account.

On May 5, just six days after receiving the Natelli talking points the department transmitted its comment letter on the Sugarloaf Plan to Frederick County. ***Contained in the letter are statements parroting some of the talking points. Natelli’s often repeated sentiments on the need to develop the west side of I-270 are present in the Department of Planning letter.***

As the Sugarloaf Alliance receives more information on efforts to manipulate the plan development process, we will share them with the Council as quickly as possible. ***In the meantime, we urge the Council to view both the Planning and Commerce comment letters for what they are, documents with highly suspect foundations and a deeply concerning history.***

Sincerely,

The Sugarloaf Alliance

Attachments: Maryland Department of Planning MPIA reply of 8/23/22, with documents

Subject: Frederick County Question RE Sugarloaf plan

From: Tim Perry <tim@pwrjmaryland.com>

Date: 3/31/2022, 12:44 PM

To: "sandra.schrader@maryland.gov" <sandra.schrader@maryland.gov>

CC: Jonas Jacobson <jonas@pwrjmaryland.com>

Sandy –

Please see the attached.

Timothy A. Perry
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-739-9346
tim@pwrjmaryland.com



P E R R Y | W H I T E
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—Attachments:—

Sugarloaf Summary.docx	17.3 KB
Sugarloaf Plan Issues F.docx	19.1 KB

Sugarloaf Summary

The Frederick County Planning Commission recently released its final draft of the Sugarloaf Treasured Landscape Management Plan (STLMP). On Thursday, March 10, 2022, the plan was submitted to Maryland State Department of Planning for review and comment prior to the initiation of public hearings by the Planning Commission in late April or early May, 2022.

The STLMP is being developed pursuant to the framework, process and goals embodied in the Livable Frederick Master Plan (LFMP) - a general plan of development adopted by the Frederick County Council in 2019 to guide future growth in Frederick County.

The STLMP is a preservation focused Area Plan intended to protect the character and environment in the region surrounding Sugarloaf Mountain, an important regional landmark that is privately owned by the Stronghold Foundation.

As the STLMP process unfolded it became highly politicized, with proponents of preservation pressuring the Planning Commission into expanding the area of the plan so that it now encompasses all the property west of I-270, from the Montgomery County line to the Monocacy River, and including approximately 19,700 acres. Importantly, it now includes all property surrounding the existing interchange at I-270 and Rt. 80, and the planned future interchange at I-270 and Park Mills Road.

The current draft of the STLMP includes a proposed new overlay zone, named the Rural Heritage Overlay Zone, which will limit the future development of all property encumbered by the new zone. The zone is focused on preservation. Among its restrictions, for instance, is a provision that no new buildings can exceed a maximum footprint of 15,000 square feet. The Planning Commission has proposed that this new zone encompass the entire 19,700 acres in the study area. This will likely prevent future commercial and employment development along the entire west side of I-270, from the Montgomery County line to the southern boundary of the City of Frederick (10 miles), including at the existing and proposed future interchanges of I-270.

There is a basic disconnect between the preservation efforts identified for the region around Sugarloaf Mountain and the goal of preserving opportunities in the I-270 corridor for future economic development. **The Livable Frederick Master Plan identifies the I-270 Highway Corridor as a Primary Growth Sector for future growth and development. However, the actions proposed by the Planning Commission could have the effect of preventing development along the entire west side of I-270 in the future, to the detriment of the economic interests of the County and State.**

This is the first Area Plan submitted by the Frederick County Planning Commission to the State Department of Planning for comment subsequent to Frederick County's adoption of the Livable Frederick Master Plan in 2019. The adopted LFMP describes an area around Sugarloaf Mountain to remain largely undeveloped to provide for the preservation of the natural landscape around the Mountain, but also provides for a future focus of the I-270 corridor with the intent that it be preserved as a vital corridor for growth and development. The preservation focused elements of this Sugarloaf Area Plan as recommended by the Planning Commission appear to be in conflict with the growth and economic development elements provided for the I-270 corridor by the LFMP. The Sugarloaf Area Plan as currently recommended by the Planning Commission raises significant concerns about Frederick County's commitment to the future of the I-270 employment corridor and the application of smart growth principals.

- The proposed Area Plan encompasses almost 20,000 acres, including all the property in the I270 corridor on the west side of the highway from the Montgomery County line to the Monocacy River. This Area Plan fails to take into consideration numerous other important goals discussed in the Livable Frederick Master Plan that are focused on the need to maintain the I-270 corridor as a primary growth sector to support future growth and economic development for the County and the State of Maryland.
- The State of Maryland is pursuing a plan to make significant transportation improvements to the I-270 corridor in the coming years (OP Lanes). Phase 1 North of the plan proposes improvements to I-270 from I-70 south to I-370 in Montgomery County. In addition to improvements planned for the existing interchange at Rt. 80, two new interchanges are proposed for southern Frederick County. Concentrating new development in areas where existing and planning infrastructure can support it is a fundamental principal of Smart Growth. This draft Area Plan prevents locating future development on fully half of the property that would be served by these improvements.
- The draft Area Plan also proposes to create an overlay zoning classification that is intended to be applied to the entire Sugarloaf Planning Area. This overlay zone, as proposed, will significantly and possibly permanently limit the economic potential of properties in the I-270 corridor that should be (and are currently planned to be) contributing in the future to the economic base of the State and County.
- The principals of Smart Growth encourage the concentration of development in areas where significant infrastructure is available, including transportation elements, and public water and sewer services. The areas west of I-270 around the existing interchange at Rt 80 and the future interchange at Park Mills Road fit these criteria. The draft Sugarloaf Area Plan does not follow Smart Growth principals that promote leveraging significant public and private investments in transportation corridors, water and sewer services, schools, libraries, parks and other community related elements as the most efficient, environmentally sensitive and cost-effective way to accommodate growth.

- Major public investment in infrastructure projects by the State of Maryland is targeted to the highest priorities and most pressing needs of the citizens of the State. Priority Funding Area status and eligibility is a key consideration of such funding decisions. With respect to this plan, has the County assessed the Priority Funding Area eligibility issues associated with limiting development in a corridor identified for significant State investment?
- What will be the impact on the County and State of the County's proposed decision to prevent any future development along the west side of I-270, in the 10 mile stretch from Frederick City south to the Montgomery County line? Will this result in pushing future development to other, less suitable locations and encourage sprawl?
- The draft plan, released in July, 2021 included the following language on page 43:

*"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.** 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."*

This and other supporting points that follow Smart Growth principals to concentrate future development in areas where infrastructure improvements are planned have been removed from the current draft of the Area Plan. This appears to be completely inconsistent with the State of Maryland's focus on applying Smart Growth principals to all new planning efforts.

Subject: RE: Frederick County Question RE Sugarloaf plan
From: Sandra Schrader -MDP- <sandra.schrader@maryland.gov>
Date: 3/31/2022, 12:47 PM
To: Tim Perry <tim@pwrjmaryland.com>
CC: Jonas Jacobson <jonas@pwrjmaryland.com>

Thanks so much...We'll keep you posted.

Sandy



Sandy Schrader
Deputy Secretary
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, MD 21201
Office: (410) 767-3025
Cell: (410) 935-1637
Sandra.Schrader@maryland.gov

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From: Tim Perry <tim@pwrjmaryland.com>
Sent: Thursday, March 31, 2022 12:45 PM
To: sandra.schrader@maryland.gov
Cc: Jonas Jacobson <jonas@pwrjmaryland.com>
Subject: Frederick County Question RE Sugarloaf plan

Sandy –

Please see the attached.

Timothy A. Perry
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-739-9346
tim@pwrjmaryland.com



P E R R Y | W H I T E
R O S S | J A C O B S O N

Subject: Meeting request - Natelli Communities

From: Tim Perry <tim@pwrjmaryland.com>

Date: 3/16/2022, 1:12 PM

To: Maria Sofia -MDP- <maria.sofia1@maryland.gov>

CC: Jonas Jacobson <jonas@pwrjmaryland.com>, Jenna McGreevy <Jenna@pwrjmaryland.com>

Maria –

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We would meet at our office, address below.

Please let us know what works for them.

We appreciate your consideration.

Thank you.

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tim@pwrjmaryland.com



P E R R Y | W H I T E
R O S S | J A C O B S O N

Subject: Department of Planning/Natelli Companies

From: Jenna McGreevy <Jenna@pwrjmaryland.com>

Date: 3/18/2022, 9:49 AM

To: Tim Perry <tim@pwrjmaryland.com>, Jonas Jacobson <jonas@pwrjmaryland.com>, "esoter@rodgers.com" <esoter@rodgers.com>, "tomnatelli@natelli.com" <tomnatelli@natelli.com>, Maria Sofia -MDP- <maria.sofia1@maryland.gov>

CC: "drood@rodgers.com" <drood@rodgers.com>

▼ Jenna McGreevy has invited you to Department of Planning/Natelli Companies

Title: Department of Planning/Natelli Companies

Location: 54 State Circle Annapolis, MD 21401

When: Thursday, March 24, 2022 1:00 PM – 1:30 PM

Organizer: Jenna McGreevy <Jenna@pwrjmaryland.com>

Description:

Attendees: Tim Perry <tim@pwrjmaryland.com>
Jonas Jacobson <jonas@pwrjmaryland.com>
esoter@rodgers.com <esoter@rodgers.com>
tomnatelli@natelli.com <tomnatelli@natelli.com>
Maria Sofia -MDP- <maria.sofia1@maryland.gov>
drood@rodgers.com <drood@rodgers.com>

Subject: Department of Planning/Natelli Communities

From: Jenna McGreevy <Jenna@pwrjmaryland.com>

Date: 3/18/2022, 9:50 AM

To: Tim Perry <tim@pwrjmaryland.com>, Jonas Jacobson <jonas@pwrjmaryland.com>, "esoter@rodgers.com" <esoter@rodgers.com>, "tomnatelli@natelli.com" <tomnatelli@natelli.com>, Maria Sofia -MDP- <maria.sofia1@maryland.gov>

CC: "drood@rodgers.com" <drood@rodgers.com>

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Maria Sofia -MDP- <maria.sofia1@maryland.gov>
drood@rodgers.com <drood@rodgers.com>

Subject: Re: Meeting request - Natelli Communities

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>

Date: 3/18/2022, 9:37 AM

To: Tim Perry <tim@pwrjmaryland.com>

CC: Alexandra Wohl -MDP- <alexandra.wohl@maryland.gov>, Jenna McGreevy <Jenna@pwrjmaryland.com>, Jonas Jacobson <jonas@pwrjmaryland.com>

Good Morning Tim,

I spoke to Secretary McCord's assistant and Thursday works best for both the Secretary and Deputy Schrader. Could we do Thursday at 1pm or 2pm?

Thanks,
Maria Sofia

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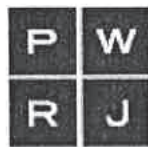
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Maria Sofia

Executive Associate

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Baltimore, Maryland 21201

O: 410-767-4485

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Subject: Re: Meeting request - Natelli Communities
From: Jenna McGreevy <Jenna@pwrjmaryland.com>
Date: 3/18/2022, 9:41 AM
To: Maria Sofia -MDP- <maria.sofia1@maryland.gov>, Tim Perry <tim@pwrjmaryland.com>
CC: Alexandra Wohl -MDP- <alexandra.wohl@maryland.gov>, Jonas Jacobson <jonas@pwrjmaryland.com>

Hi Maria,

1:00 on Thursday in our office is perfect. I can send out a calendar invite with the address.

Jenna McGreevy
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-624-6716
signature_2753852720

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: Friday, March 18, 2022 at 9:37 AM
To: Tim Perry <tim@pwrjmaryland.com>
Cc: Alexandra Wohl -MDP- <alexandra.wohl@maryland.gov>, Jenna McGreevy <Jenna@pwrjmaryland.com>, Jonas Jacobson <jonas@pwrjmaryland.com>
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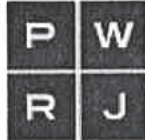
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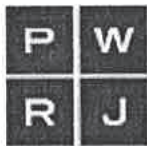
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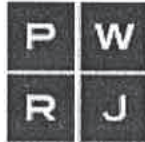
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CC: Alexandra Wohl -MDP- <alexandra.wohl@maryland.gov>, Jonas Jacobson <jonas@pwrjmaryland.com>, Tim Perry <tim@pwrjmaryland.com>

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[Census.Maryland.gov](https://census.maryland.gov)



Subject: FW: Frederick County Question RE Sugarloaf plan
From: Sandra Schrader -MDP- <sandra.schrader@maryland.gov>
Date: 3/31/2022, 12:52 PM
To: Adam Gruzs -MDP- <adam.gruzs@maryland.gov>



Sandy Schrader
Deputy Secretary
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, MD 21201
Office: (410) 767-3025
Cell: (410) 935-1637
Sandra.Schrader@maryland.gov

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Planning.Maryland.gov



From: Tim Perry <tim@pwrjmaryland.com>
Sent: Thursday, March 31, 2022 12:45 PM
To: sandra.schrader@maryland.gov
Cc: Jonas Jacobson <jonas@pwrjmaryland.com>
Subject: Frederick County Question RE Sugarloaf plan

Sandy –

Please see the attached.

Timothy A. Perry
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-739-9346
tim@pwrjmaryland.com



P E R R Y | W H I T E
R O S S | J A C O B S O N

— Attachments:

Sugarloaf Summary.docx	17.3 KB
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Sugarloaf Plan Issues F.docx	19.1 KB
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Subject: Re: Department of Planning/Natelli Communities
From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: 3/18/2022, 9:54 AM
To: Jenna McGreevy <Jenna@pwrjmaryland.com>

Thank you, you too!

On Fri, Mar 18, 2022 at 9:54 AM Jenna McGreevy <Jenna@pwrjmaryland.com> wrote:

Adding them now, thank you. Have a great weekend!

Jenna McGreevy

Perry White Ross & Jacobson

[54 State Circle](#)

[Annapolis, MD 21401](#)

443-624-6716

signature_1242815931

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: Friday, March 18, 2022 at 9:52 AM
To: Jenna McGreevy <Jenna@pwrjmaryland.com>
Subject: Re: Department of Planning/Natelli Communities

Hi Jenna,

Can you please add Secretary McCord and Deputy Schrader to the calendar invite. Their emails are as follows

Robert.mccord@maryland.gov

Sandra.schrader@maryland.gov

Thanks,

On Fri, Mar 18, 2022 at 9:50 AM Jenna McGreevy <Jenna@pwrjmaryland.com> wrote:

--



Maria Sofia

Executive Associate

Office of the Deputy Secretary

Maryland Department of Planning

[301 W. Preston St., Suite 1101](#)

[Baltimore, Maryland 21201](#)

O: 410-767-4485

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--



Maria Sofia

Executive Associate

Office of the Deputy Secretary

Maryland Department of Planning

301 W. Preston St., Suite 1101

Baltimore, Maryland 21201

O: 410-767-4485

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Subject: Re: Department of Planning/Natelli Communities
From: Jenna McGreevy <Jenna@pwrjmaryland.com>
Date: 3/24/2022, 11:41 AM
To: Maria Sofia -MDP- <maria.sofia1@maryland.gov>

Perfect- I will let them know. Thanks Maria!

Jenna McGreevy
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-624-6716
signature_388779539

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: Thursday, March 24, 2022 at 11:41 AM
To: Jenna McGreevy <Jenna@pwrjmaryland.com>
Subject: Re: Department of Planning/Natelli Communities

Great! Someone will meet you upstairs in the hallway of entrance.

Maria

On Thu, Mar 24, 2022 at 11:39 AM Jenna McGreevy <Jenna@pwrjmaryland.com> wrote:

That works! What is the office number they should go to?

Jenna McGreevy
Perry White Ross & Jacobson
[54 State Circle](#)
[Annapolis, MD 21401](#)
443-624-6716
signature_1979024129

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: Thursday, March 24, 2022 at 11:36 AM
To: Jenna McGreevy <Jenna@pwrjmaryland.com>
Subject: Re: Department of Planning/Natelli Communities

Hi Jenna,

Deputy Secretary Schrader asked if it would be possible if Tim and his clients could meet at the old post office versus your office for today's meeting?

Thank you,
Maria

On Fri, Mar 18, 2022 at 9:54 AM Jenna McGreevy <Jenna@pwrjmaryland.com> wrote:

Adding them now, thank you. Have a great weekend!

Jenna McGreevy
Perry White Ross & Jacobson
[54 State Circle](#)
[Annapolis, MD 21401](#)
443-624-6716
signature_1242815931

From: Maria Sofia -MDP- <maria.sofia1@maryland.gov>
Date: Friday, March 18, 2022 at 9:52 AM
To: Jenna McGreevy <Jenna@pwrjmaryland.com>
Subject: Re: Department of Planning/Natelli Communities

Hi Jenna,

Can you please add Secretary McCord and Deputy Schrader to the calendar invite. Their emails are as follows

Robert.mccord@maryland.gov
Sandra.schrader@maryland.gov

Thanks,

On Fri, Mar 18, 2022 at 9:50 AM Jenna McGreevy <Jenna@pwrjmaryland.com> wrote:



Maria Sofia
Executive Associate
Office of the Deputy Secretary
Maryland Department of Planning
[301 W. Preston St., Suite 1101](#)
[Baltimore, Maryland 21201](#)
O: 410-767-4485

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[Baltimore, Maryland 21201](#)
O: 410-767-4485

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301 W. Preston St., Suite 1101
Baltimore, Maryland 21201
O: 410-767-4485

[Please take our customer service survey.](#)

Planning.Maryland.gov

Census.Maryland.gov



Subject: Department of Planning/Natelli Communities

From: Jenna McGreevy <Jenna@pwrjmaryland.com>

Date: 3/18/2022, 9:54 AM

To: "Robert.mccord@maryland.gov" <Robert.mccord@maryland.gov>,
"Sandra.schrader@maryland.gov" <Sandra.schrader@maryland.gov>

▼ Jenna McGreevy has invited you to Department of Planning/Natelli Communities

Title:	Department of Planning/Natelli Communities
Location:	54 State Circle Annapolis, MD 21401
When:	Thursday, March 24, 2022 1:00 PM – 1:30 PM
Organizer:	Jenna McGreevy <Jenna@pwrjmaryland.com>
Description:	
Attendees:	Robert.mccord@maryland.gov <Robert.mccord@maryland.gov> Sandra.schrader@maryland.gov <Sandra.schrader@maryland.gov> Tim Perry <tim@pwrjmaryland.com> Jonas Jacobson <jonas@pwrjmaryland.com> esoter@rodgers.com <esoter@rodgers.com> tomnatelli@natelli.com <tomnatelli@natelli.com> Maria Sofia -MDP- <maria.sofia1@maryland.gov> drood@rodgers.com <drood@rodgers.com>

Subject: Accepted: Department of Planning/Natelli Communities @ Thu Mar 24, 2022 1pm - 1:30pm (EDT) (Jenna McGreevy)
From: robert.mccord@maryland.gov
Date: 3/18/2022, 10:08 AM
To: Jenna McGreevy <jenna@pwrjmaryland.com>

robert.mccord@maryland.gov has accepted this invitation.

Department of Planning/Natelli Communities

When Thu Mar 24, 2022 1pm – 1:30pm Eastern Time - New York

Where 54 State Circle Annapolis, MD 21401 ([map](#))

Calendar Jenna McGreevy

Who

- Jenna McGreevy - organizer
- robert.mccord@maryland.gov - creator
- Jonas Jacobson
- Maria Sofia -MDP-
- sandra.schrader@maryland.gov
- Tim Perry
- Tom Natelli
- esoter@rodgers.com
- drood@rodgers.com - optional

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account jenna@pwrjmaryland.com because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at <https://calendar.google.com/calendar/> and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. [Learn More](#).

► Event Invitation

— Attachments: —

invite.ics

1.5 KB

Subject: FW: Frederick County Question RE Sugarloaf plan
From: Sandra Schrader -MDP- <sandra.schrader@maryland.gov>
Date: 3/31/2022, 12:47 PM
To: Robert McCord -MDP- <robert.mccord@maryland.gov>

FYI



Sandy Schrader
Deputy Secretary
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, MD 21201
Office: (410) 767-3025
Cell: (410) 935-1637
Sandra.Schrader@maryland.gov

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Planning.Maryland.gov



From: Tim Perry <tim@pwrjmaryland.com>
Sent: Thursday, March 31, 2022 12:45 PM
To: sandra.schrader@maryland.gov
Cc: Jonas Jacobson <jonas@pwrjmaryland.com>
Subject: Frederick County Question RE Sugarloaf plan

Sandy –

Please see the attached.

Timothy A. Perry
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-739-9346
tim@pwrjmaryland.com



P E R R Y | W H I T E
R O S S | J A C O B S O N

— Attachments:

Sugarloaf Summary.docx	17.3 KB
Sugarloaf Plan Issues F.docx	19.1 KB

Subject: RE: Frederick County Question RE Sugarloaf plan
From: Sandra Schrader -MDP- <sandra.schrader@maryland.gov>
Date: 3/31/2022, 12:47 PM
To: Tim Perry <tim@pwrjmaryland.com>
CC: Jonas Jacobson <jonas@pwrjmaryland.com>

Thanks so much...We'll keep you posted.

Sandy



Sandy Schrader
Deputy Secretary
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, MD 21201
Office: (410) 767-3025
Cell: (410) 935-1637
Sandra.Schrader@maryland.gov

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From: Tim Perry <tim@pwrjmaryland.com>
Sent: Thursday, March 31, 2022 12:45 PM
To: sandra.schrader@maryland.gov
Cc: Jonas Jacobson <jonas@pwrjmaryland.com>
Subject: Frederick County Question RE Sugarloaf plan

Sandy –

Please see the attached.

Timothy A. Perry
Perry White Ross & Jacobson
54 State Circle
Annapolis, MD 21401
443-739-9346
tim@pwrjmaryland.com



P E R R Y | W H I T E
R O S S | J A C O B S O N

Subject: Fwd: FYI
From: Sandy Schrader <sandyschrader13@gmail.com>
Date: 4/29/2022, 10:51 AM
To: Sandra Schrader -MDP- <sandra.schrader@maryland.gov>

----- Forwarded message -----

From: Tim Perry <tim@pwrjmaryland.com>
Date: Fri, Apr 29, 2022, 9:55 AM
Subject: FYI
To: sandyschrader13@gmail.com <sandyschrader13@gmail.com>

Timothy A. Perry

Perry White Ross & Jacobson

54 State Circle

Annapolis, MD 21401

443-739-9346

tim@pwrjmaryland.com

signature_1040401161

— Attachments: —

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Sugarloaf Plan Issues F.docx	19.1 KB
Sugarloaf Summary.docx	17.3 KB

This is the first Area Plan submitted by the Frederick County Planning Commission to the State Department of Planning for comment subsequent to Frederick County's adoption of the Livable Frederick Master Plan in 2019. The adopted LFMP describes an area around Sugarloaf Mountain to remain largely undeveloped to provide for the preservation of the natural landscape around the Mountain, but also provides for a future focus of the I-270 corridor with the intent that it be preserved as a vital corridor for growth and development. The preservation focused elements of this Sugarloaf Area Plan as recommended by the Planning Commission appear to be in conflict with the growth and economic development elements provided for the I-270 corridor by the LFMP. The Sugarloaf Area Plan as currently recommended by the Planning Commission raises significant concerns about Frederick County's commitment to the future of the I-270 employment corridor and the application of smart growth principals.

- The proposed Area Plan encompasses almost 20,000 acres, including all the property in the I270 corridor on the west side of the highway from the Montgomery County line to the Monocacy River. This Area Plan fails to take into consideration numerous other important goals discussed in the Livable Frederick Master Plan that are focused on the need to maintain the I-270 corridor as a primary growth sector to support future growth and economic development for the County and the State of Maryland.
- The State of Maryland is pursuing a plan to make significant transportation improvements to the I-270 corridor in the coming years (OP Lanes). Phase 1 North of the plan proposes improvements to I-270 from I-70 south to I-370 in Montgomery County. In addition to improvements planned for the existing interchange at Rt. 80, two new interchanges are proposed for southern Frederick County. Concentrating new development in areas where existing and planning infrastructure can support it is a fundamental principal of Smart Growth. This draft Area Plan prevents locating future development on fully half of the property that would be served by these improvements.
- The draft Area Plan also proposes to create an overlay zoning classification that is intended to be applied to the entire Sugarloaf Planning Area. This overlay zone, as proposed, will significantly and possibly permanently limit the economic potential of properties in the I-270 corridor that should be (and are currently planned to be) contributing in the future to the economic base of the State and County.
- The principals of Smart Growth encourage the concentration of development in areas where significant infrastructure is available, including transportation elements, and public water and sewer services. The areas west of I-270 around the existing interchange at Rt 80 and the future interchange at Park Mills Road fit these criteria. The draft Sugarloaf Area Plan does not follow Smart Growth principals that promote leveraging significant public and private investments in transportation corridors, water and sewer services, schools, libraries, parks and other community related elements as the most efficient, environmentally sensitive and cost-effective way to accommodate growth.

- Major public investment in infrastructure projects by the State of Maryland is targeted to the highest priorities and most pressing needs of the citizens of the State. Priority Funding Area status and eligibility is a key consideration of such funding decisions. With respect to this plan, has the County assessed the Priority Funding Area eligibility issues associated with limiting development in a corridor identified for significant State investment?
- What will be the impact on the County and State of the County's proposed decision to prevent any future development along the west side of I-270, in the 10 mile stretch from Frederick City south to the Montgomery County line? Will this result in pushing future development to other, less suitable locations and encourage sprawl?
- The draft plan, released in July, 2021 included the following language on page 43:

*"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.** 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."*

This and other supporting points that follow Smart Growth principals to concentrate future development in areas where infrastructure improvements are planned have been removed from the current draft of the Area Plan. This appears to be completely inconsistent with the State of Maryland's focus on applying Smart Growth principals to all new planning efforts.

Sugarloaf Summary

The Frederick County Planning Commission recently released its final draft of the Sugarloaf Treasured Landscape Management Plan (STLMP). On Thursday, March 10, 2022, the plan was submitted to Maryland State Department of Planning for review and comment prior to the initiation of public hearings by the Planning Commission in late April or early May, 2022.

The STLMP is being developed pursuant to the framework, process and goals embodied in the Livable Frederick Master Plan (LFMP) - a general plan of development adopted by the Frederick County Council in 2019 to guide future growth in Frederick County.

The STLMP is a preservation focused Area Plan intended to protect the character and environment in the region surrounding Sugarloaf Mountain, an important regional landmark that is privately owned by the Stronghold Foundation.

As the STLMP process unfolded it became highly politicized, with proponents of preservation pressuring the Planning Commission into expanding the area of the plan so that it now encompasses all the property west of I-270, from the Montgomery County line to the Monocacy River, and including approximately 19,700 acres. Importantly, it now includes all property surrounding the existing interchange at I-270 and Rt. 80, and the planned future interchange at I-270 and Park Mills Road.

The current draft of the STLMP includes a proposed new overlay zone, named the Rural Heritage Overlay Zone, which will limit the future development of all property encumbered by the new zone. The zone is focused on preservation. Among its restrictions, for instance, is a provision that no new buildings can exceed a maximum footprint of 15,000 square feet. The Planning Commission has proposed that this new zone encompass the entire 19,700 acres in the study area. This will likely prevent future commercial and employment development along the entire west side of I-270, from the Montgomery County line to the southern boundary of the City of Frederick (10 miles), including at the existing and proposed future interchanges of I-270.

There is a basic disconnect between the preservation efforts identified for the region around Sugarloaf Mountain and the goal of preserving opportunities in the I-270 corridor for future economic development. **The Livable Frederick Master Plan identifies the I-270 Highway Corridor as a Primary Growth Sector for future growth and development. However, the actions proposed by the Planning Commission could have the effect of preventing development along the entire west side of I-270 in the future, to the detriment of the economic interests of the County and State.**

From: [Elizabeth Law](#)
To: [Planning Commission](#)
Subject: Support for the Sugarloaf Overlay and I-270 Boundary
Date: Sunday, February 12, 2023 3:58:00 PM

[EXTERNAL EMAIL]

Frederick County Planning Commissioners,

We are pleading with you to pass the Sugarloaf Overlay extending to I-270.

The issue is even more imperative than ever before. You should by now be aware that there is an onslaught of Datacenter development emerging out of Loudoun County into Southern Frederick County. The developers of these facilities are ruthless. They have just completed a large datacenter park on the Southeast side of the Manassas Battlefield and are now planning construction of an even larger datacenter on the northwest side.

Large ugly transmission towers and cables run through the center of Manassas Battlefield to service the first of these two datacenters: proving that there is nothing sacred to these developers.

Imagine if such a tragedy should befall us here in Frederick County. Both the Sugarloaf area and the Monocacy Battlefield would be desecrated and despoiled. Such places are nothing but available land in the developers' minds.

PLEASE protect this historic and irreplaceable land for coming generations. Don't let this treasure be turned into a datacenter tragedy.

Thank you,

Elizabeth and Robert Law

1758 Wheyfield Dr.

Frederick, MD 21701

From: [David Reeves](#)
To: [Planning Commission](#)
Subject: Overlay Zoning District for the Sugarloaf Treasured Landscape Management Plan
Date: Monday, February 13, 2023 10:07:41 AM

[EXTERNAL EMAIL]

For over twenty-five years I have lived in Southern Frederick County. Twenty-four of those years have been on Sugarloaf Mountain Road, just off Thurston Road, where my children were born and raised. My family has deep ties to Sugarloaf Mountain, a local and regional treasure. People come from throughout DC, Maryland, and Virginia to enjoy the unique and beautiful agricultural and forested landscape for relaxation, outdoor recreation, and spiritual renewal of their souls.

Frederick County has a long-standing tradition of allowing development to the east side of I-270. The west side of I-270 has been wisely and purposefully preserved for many years for its unique agricultural and forested lands, much like the Agricultural Reserve in Montgomery County, which has received national recognition and wide acclaim for saving farms and preventing suburban, commercial, and industrial sprawl and unfettered, out of control development.

Frederick County has the opportunity to maintain this tradition and hold the line on out of control development, by approving the Overlay Zoning District to the Sugarloaf Mountain Treasured Landscape Management Plan with its original boundaries including all land west of I-270 as previously proposed by the Planning Commission.

Now a few greedy and out-of-county developers such as Tom Natelli, who have already made huge fortunes off of immense sprawling development in Urbana, want to develop unique and treasured farmlands west of I-270. In back room secret meetings Amazon Web Services representatives and a few developers such as Tom Natelli have attempted to persuade Frederick County officials to revise the original Sugarloaf Plan to carve out over 3,000 acres for special zoning to allow a massive Amazon Web Services Data Center industrial development within the boundaries of the original Sugarloaf Treasured Landscape Management Plan. The lack of transparency in these secret and likely illegal negotiations invites legal action against Frederick County. Without approval of the Overlay Zoning District to the Sugarloaf Plan, totally unacceptable zoning changes to this precious area to accommodate massive industrial and commercial development such as the Amazon Web Services Data Center facility could occur. It would destroy the treasured Sugarloaf landscape, with its unique and precious agricultural, environmental, wildlife,

and outdoor recreation values, and its family farms, forever. Once we stop holding the line on out of control sprawl and development, there is no going back. Those family farms which are such an important part of the history and character of Frederick County will be gone and the quality of life in Southern Frederick County will have been forever destroyed. We citizens of Frederick County cannot allow that to happen. As your constituents, we ask that you members of the Frederick County Planning Commission do not allow that to happen.

We are not opposed to development or to job growth. But development should occur in the right places. West of I-270 within the boundaries of the Sugarloaf Landscape Plan, a special, treasured place of exceptional natural, environmental, agricultural, and recreational values, is **not** the right place. Can you even imagine it with wall-to-wall strip malls, office parks, and industrial facilities? It would be a heart-breaking travesty.

On 1/18/23, the Planning Commission held a "Listening Session" - five mixed focus groups - to air the various, conflicting points of view regarding the Overlay. In that Session:

- Developer Tom Natelli wondered if consideration of the Overlay should be delayed until after the development-oriented I-270 Corridor Plan is settled. *We support completing the preservation Overlay District approval process prior to beginning consideration of the I-270 Corridor Plan.*
- Mr. Natelli and other industry participants suggested that the Overlay might be graduated, with different rules for the I-270 area than for the Sugarloaf Mountain area. *We oppose this suggestion and support applying the full preservation Overlay to the entire area, including the commercial areas on the west side of I-270, in order for the planning area to be truly protected now and in the future.*
- Mr. Natelli opposed the Overlay's 15,000 square foot limit on building size. *We support this Overlay provision as reasonable to maintain the agricultural and rural character of the Sugarloaf Area Plan.*

Please hold the line on the Sugarloaf Treasured Landscape Management Plan, reject any carve out acreage from the originally proposed plan boundary to serve greedy special development interests, and approve an Overlay Zoning District with zoning protection for the entire Sugarloaf treasured landscape west of I-270. Please preserve family farms and keep Frederick County a beautiful and livable place for all of us who live here and for the enjoyment and the quality of life of our children and grandchildren in the future.

Thank you,

Dave and Jill Reeves
9265 Starlight Mews N
Frederick, MD 21704

Sent from [Outlook](#)

From: [Buzz Mackintosh](#)
To: [Planning Commission](#)
Cc: [Gaines, Kimberly](#)
Subject: STLMP ~ Overlay Zone
Date: Monday, February 13, 2023 11:47:10 AM

[EXTERNAL EMAIL]

February 13, 2023

Mr. & Mrs. Stephen C. Mackintosh
7001 Lily Pons Rd
Adamstown, Md. 21701

Frederick County Planning Commission
Frederick County Government
12 E Church St.
Frederick, Md. 21701

Re: Sugarloaf Treasured Landscape Management Plan
Overlay Zone.

To whom it may concern,

We are opposed to an Overlay Zone being added to the adopted Sugarloaf Treasured Landscape Management Plan.

If the planning staff were to give a full analogy of the existing zoning and how it currently protects the area it is clearly evident this area can not be developed and will not be developed, now or in the future. It is obvious the current zoning and regulations are working along with the current property owners being good stewards of their land.

It is difficult to find any advantages to adding an Overlay Zone which would impose stringent regulations resembling a homeowners association on rural property owners. Farming and forestry activities, which are already highly regulated, would be burdened with additional permitting, studies, reports, and expenses to the land owners. A disagreeable or overly sensitive neighbor could use the Overlay Zoning designation to raise objections, cause delays and additional expenses to land management activity that is perfectly and scientifically justified. The potential unintended consequences could be horrific looking at the over-regulations on the books in California which cause devastating annual forest fires.

Previous comments to the Planning Commission indicated the State priority funding for I-270 improvements would be removed if an Overlay Zone is imposed. This would leave Frederick County residents with a generation of gridlock driving to and from Frederick.

Placing an over-regulated Overlay Zone will siphon uses and values from property owners and is absolutely unnecessary with the existing zoning and regulations in place. For these reasons we request the Planning Commission please recommend that the Overlay Zone **NOT** be included in The Sugarloaf Treasured Landscape Management Plan.

Sincerely,

Stephen & Melissa Mackintosh.

From: [andrew donaldson](#)
To: [Planning Commission](#)
Cc: [Tina Brown](#); [Steven Findlay](#)
Date: Tuesday, February 14, 2023 8:11:32 AM

[EXTERNAL EMAIL]

February 14, 2023

Frederick County Planning Commission

Dear Commission Members,

I am a Sugarloaf Mountain neighbor. I respect the planning that earlier elected officials put in place to protect this area from dense commercial and housing development.

My neighbors and I are concerned that the pressure from the Urbana developer, to allow large buildings over 15,000 sq. feet will change our day to day lives.

This region has relied on previous planning commitments, over the years to restrict development in the area, west of I-270.

We support the Sugarloaf Area Plan boundary that was voted on in late October by the County Council.
Please adopt the Overlay in its current draft, for the entire almost 20,000 acres.

Thank you for your attention,

Andrew Donaldson
20425 Wasche Rd
Dickerson MD 20842.

Sent from my iPhone

From: [David Reeves](#)
To: [Planning Commission](#)
Subject: Overlay Zoning District for the Sugarloaf Treasured Landscape Management Plan
Date: Monday, February 13, 2023 10:07:41 AM

[EXTERNAL EMAIL]

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We are not opposed to development or to job growth. But development should occur in the right places. West of I-270 within the boundaries of the Sugarloaf Landscape Plan, a special, treasured place of exceptional natural, environmental, agricultural, and recreational values, is **not** the right place. Can you even imagine it with wall-to-wall strip malls, office parks, and industrial facilities? It would be a heart-breaking travesty.

On 1/18/23, the Planning Commission held a "Listening Session" - five mixed focus groups - to air the various, conflicting points of view regarding the Overlay. In that Session:

- Developer Tom Natelli wondered if consideration of the Overlay should be delayed until after the development-oriented I-270 Corridor Plan is settled. *We support completing the preservation Overlay District approval process prior to beginning consideration of the I-270 Corridor Plan.*
- Mr. Natelli and other industry participants suggested that the Overlay might be graduated, with different rules for the I-270 area than for the Sugarloaf Mountain area. *We oppose this suggestion and support applying the full preservation Overlay to the entire area, including the commercial areas on the west side of I-270, in order for the planning area to be truly protected now and in the future.*
- Mr. Natelli opposed the Overlay's 15,000 square foot limit on building size. *We support this Overlay provision as reasonable to maintain the agricultural and rural character of the Sugarloaf Area Plan.*

Please hold the line on the Sugarloaf Treasured Landscape Management Plan, reject any carve out acreage from the originally proposed plan boundary to serve greedy special development interests, and approve an Overlay Zoning District with zoning protection for the entire Sugarloaf treasured landscape west of I-270. Please preserve family farms and keep Frederick County a beautiful and livable place for all of us who live here and for the enjoyment and the quality of life of our children and grandchildren in the future.

Thank you,

Dave and Jill Reeves
9265 Starlight Mews N
Frederick, MD 21704

From: [Nick Carrera](#)
To: [Planning Commission](#)
Cc: [Council Members](#); [County Executive](#)
Subject: Comments for Feb 15, 2023 Planning Commission meeting on Sugarloaf Plan
Date: Tuesday, February 14, 2023 5:09:59 PM
Attachments: [Planning Commission Comments for Feb 15.odt](#)

[EXTERNAL EMAIL]

I'm attaching comments for your Feb 15 meeting, consisting primarily of additional comments on the Feb 8, 2023, meeting that was devoted to small-group discussions. Please include them in the official record.

Thanks,

Nick Carrera

Planning Commission: Comments for 2/15/2023 meeting, regarding 2/08/2023 meeting

I am Nicholas Carrera, 2602 scenic Thurston Rd, Frederick 21704

At your meeting on 2/15/2023, you may review reports of the group discussions of 2/08/2023. I was in the “black-dot” group. I offer these comments, which I ask be made part of the official record.

Commissioner Sepe was in our group. I thought commissioners were there only to listen, so I was surprised that she entered into the discussion, even raising issues on her own. She asked about the reason for the 15,000-square-foot limit on non-agricultural buildings. This question can carry special importance.

The dispute over part of the eastern boundary of the Sugarloaf Plan – whether it would be along Thurston Road or along I-270 – stems from events that began before March 2021, when the Sugarloaf Plan was due for release. There was apparent communication among County Executive Jan Gardner, Montgomery County developer Tom Natelli, and Amazon Web Services, which delayed that release and caused significant changes in the version later released. At issue, as we now know, was whether to leave Natelli properties on the west side of I-270 out of the Sugarloaf Plan area so they could become data center sites. Although Amazon has reportedly decided on Northern Virginia for these data centers, other companies may have the same idea for those properties. If so, a 15,000-sq-ft limit would be a severe impediment. A “typical” data center has been 400,000 sq-ft, but it's on the increase; Amazon is starting one in Virginia that will be 900,000 sq-ft.

The Sugarloaf Plan boundary is not a subject for further discussion. Nevertheless, Sepe reminded us that she has never supported this boundary. Tom Natelli, also a member of our “black-dot” group, took up the argument that Sepe had used at the 9/15/2021 Commission meeting, namely that the Plan boundary should conform to the outline of the drawing on page 48 of the Livable Frederick Master Plan (LFMP). Presumably, Natelli was here referring to the Overlay boundary. Denis Superczynski, our moderator, countered that the drawing was notional and was never intended to depict the boundary of Sugarloaf Plan or its Overlay. As I have noted to you recently, this Sepe/Natelli claim for the primacy of the LFMP drawing keeps returning, despite corrections offered by the planning staff.

A final comment is on whose voices should matter. Regarding the “Sugarloaf Mountain Rural Heritage Landscape” overlay district, the LFMP says on page 59, “Such a district – established in the Zoning Ordinance – would be drawn and constructed *based on environmental stewardship and the Sugarloaf area residents' vision for this area.*” (emphasis added) It seems to me that in all discussions of this Plan most of the opposition is from those who are not residents of the Plan area. The biggest supporter of opposition efforts, and the one whose voice speaks loudest to some officials is Tom Natelli, who is not even a Frederick County resident.

From: [Susan Trainor](#)
To: [Planning Commission](#)
Cc: [County Executive](#); [Council Members](#)
Subject: Comments on the Sugarloaf Overlay District, re 2/15 Discussion
Date: Tuesday, February 14, 2023 5:49:58 PM
Attachments: [SA Overlay recommendations.docx](#)

[EXTERNAL EMAIL]

Dear Planning Commissioners:

Thank you for your continued, careful attention to the Sugarloaf Treasured Landscape Management Plan, the county's first small area plan under LFMP. As a member of the Sugarloaf Alliance, I am happy to be in the position of actively supporting this important county preservation effort.

Of course, the reason we're all still here working on it (again) is because there is significant opposition to the county plan from development interests. I'm sure you've noticed that despite the long, drawn out process, area residents continue to volunteer their time for this preservation mission (while everyone else gets paid), because it's not about the money. It's about the environment. It's about the history. It's about the profound personal experience of living in (or visiting) the Sugarloaf area. The Plan is well named "Treasured Landscape."

The *Washington Post* recently published an article that I think underlines our sense that this area is a healthful place to live in Frederick County.

Published 2/223, in the "Well-Being" section under "Brain Matters," the article is called, **"Spending time in nature may protect against the risk of dementia."** The following quote reflects my experiential sense of living here: "Why that is remains unclear, but leading theories propose that nature reduces our body's [stress levels](#) while heightening our ability to focus. Proximity to forests, parks and other green outdoor common spaces can also encourage [physical activity](#) and provide opportunities to [connect](#) with other people.... We also know that, in general, air pollution and noise levels are lower in greener environments," said study author [Jochem Klompmaker](#), a postdoctoral research fellow at the Harvard T.H. Chan School of Public Health. "Some of these mechanisms may be related to Alzheimer's disease and Parkinson's disease."

<https://www.washingtonpost.com/wellness/2023/02/02/dementia-nature-green-space/>

Clearly, balancing intense growth with preserved areas (whether or not developers have speculated on acreage) is critical for residents, for visitors, for wildlife, and for future generations.

By way of contrast, another *Washington Post* article published 2/10/23, describes the threat of the data centers (which no one will admit are planned for this area). The article is titled, "Northern Va. is the heart of the internet. Not everyone is happy about that."**"Like a gold rush"** 'The construction noise and, after they go online, the noise from that will destroy us,' said Steve Pleickhardt, president of the local homeowners association, noting plans under county review for another 270-acre data center complex about a quarter-mile away. 'It will absolutely destroy us....

"....[T]he industry has also begun pushing harder for more space,' said Supervisor Jeanine Lawson (R-Brentsville), who represents the area. Some applications submitted for some data centers in her district include building heights of 100 feet, she said. 'They've become very aggressive, egregious, in their applications,' Lawson said, calling the fervor over the industry's large amounts of money 'like a gold rush.'"

Indeed.

Several comments made by Mr. Natelli and others in the 1/18 focus groups foreshadow a similar fate for the Sugarloaf Plan area if the Overlay District is weakened or simply not enacted.

- Developer Tom Natelli wondered if consideration of the Overlay should be delayed until after the development-oriented I-270 Corridor Plan is settled. I see that as an attempt to shift the focus from preservation to development. I support completing the preservation Overlay District approval process prior to beginning consideration of the I-270 Corridor Plan.
- Mr. Natelli and other industry participants suggested that the Overlay might be graduated, with different rules for the I-270 area than for the Sugarloaf Mountain area. That would be a not-so-tacit admission that the Sugarloaf Plan isn't a preservation plan at all. No boundary would hold. I-270 is the historical boundary for dense development for a reason, and it should remain so in support of the environmental integrity of the area. I support applying the full preservation Overlay to the entire area, including the commercial areas on the west side of I-270, in order for the planning area to be truly protected now and in the future.
-
- Mr. Natelli opposed the Overlay's 15,000 square foot limit on building size. Why? I would notice that we still don't know first-hand what Mr. Natelli intends for his land in the Plan area and I oppose this change.

n not opposed to data centers in appropriate places, such as the EastAlco industrial site. I am opposed to data centers (or any dense development) in the environmentally sensitive, rural Sugarloaf area, on the west side of I-270. For the sake of preservation, I support the Sugarloaf Alliance's comments and recommendations for the Overlay (attached).

gain, thank you for recommending the Sugarloaf Plan and the Overlay to the County Council last year. I trust you will continue to support preservation of the Treasured Landscape in this second round of consideration.

ncerely,
ie Trainor
189 Fingerboard Road
ederick



Sugarloaf Alliance Comments on Sugarloaf Plan Overlay Planning Commission Charette 1/18/23

The Sugarloaf Treasured Landscape Management Plan, approved on October 25, 2022, is a preservation plan, not a development plan. Its goals include:

- Protecting and enhancing the area's natural resources and environmental assets.
- Strengthening the distinct area identity through stewardship of its scenic and rural character and its agricultural and cultural resources.
- Fostering resilient relationships between the natural and built environment through mitigation of and adaptation to climate change.

To meet the preservation goals of the Plan, the Sugarloaf Rural Heritage Overlay Zoning District boundary must include the entire Sugarloaf Treasured Landscape Management Plan boundary that was approved initially by the Planning Commission and then by the County Council.

The Overlay Zoning District is essential for providing regulatory authority to ensure that the preservation goals of the Sugarloaf Treasured Landscape Management Plan are met – “to minimize or eliminate adverse impacts to water quality, forest resources, wildlife habitats, and scenic and rural landscape elements.” (Page 53)

Prior to the Sugarloaf Plan, the **Livable Frederick Master Plan (LFMP)**, approved on September 3, 2019, called for a detailed plan to preserve the Sugarloaf area (the plan now titled "The Sugarloaf Treasured Landscape Management Plan"). It **described an overlay district for the area that would be "... based on environmental stewardship and the Sugarloaf area residents' vision for this area."** (Page 59, emphasis added)

P. 2 Sugarloaf Alliance Comments on Sugarloaf Plan Overlay

County staff prepared and the Planning Commission approved the Plan and Overlay. The County Council approved the Plan, didn't reach an Overlay decision and remanded it to the Planning Commission which is now seeking public comments.

Boundary

- The approved Sugarloaf Plan boundary includes I270, the Monocacy River and the Montgomery County border, less than five percent of the county area.
- The Sugarloaf region is included in the Green Infrastructure Sector of Livable Frederick (pages 48-59), not the Secondary Growth Sector (pages 46-47).
- The Plan is consistent with the goals for the Sugarloaf Mountain Rural Heritage Landscape region included in the Livable Frederick Master Plan (pages 58-59).
- There should be absolutely no carve-outs in the overlay that could affect the character of the neighborhood, as this will set up the eventual fall of the preservation plan. Once the neighborhood changes via data centers or dense development, neighboring landowners will file suit to allow adjoining properties to have the same zoning and land use as the developed parcels, starting the inexorable march of development into the preserved area.

Floating Zones

- The Overlay coverage must not allow encroachment of industrial and other floating zones, as these are in direct conflict with the goals of the Preservation Plan.
- Floating zones have potential to undermine or override zoning protections for neighboring properties and communities.
- The county should prohibit use of floating zones as a strategy to minimize public involvement opportunities, avoid standard, more restrictive zoning, and rezoning process requirements.

Forestry

- Added application information and approvals are needed for tree cutting and woodland management activities to protect forests in the Sugarloaf Plan region and to improve the county's carbon sequestration, prevent erosion, and preserve streams, steep slopes and wildlife habitat.
- The Sugarloaf Plan should support and protect the area's nearly 11,000 acres of forest cover, 5,600 acres in the state's Green Infrastructure Network, and the Five Million Trees initiative.

P. 3 Sugarloaf Alliance Comments on Sugarloaf Plan Overlay

Possible Overlay Exemptions

- We suggest consideration of a clause that would allow exemptions from the overlay only for properties that have permanent open space easements and are consistent with the Overlay zone requirements.

The county may consider allowing Stronghold the preservation option of a perpetual easement, consistent with the Overlay terms and conditions, administered through a state or private easement program such as the state's Carrollton Manor Rural Legacy easement area.

- In its August 25, 2021 letter regarding its Sugarloaf Plan review, the Maryland State Department of Planning supported "the initiatives on pages 26 and 27. Initiative 3E on page 30 states: "Support the preservation of Stronghold, Incorporated's 3,400 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."
- Further, State Planning expressed concern about Sugarloaf's "operational status and management beyond 2046" when the Stronghold Trust expires.

Design Standards

- We generally support the Overlay Design Standards as presented in the July 2022 Preservation Plan which apply to new construction and expansions/additions for non-residential and non-agricultural development.
- Standards regarding building and site features, lighting, screening, and noise should limit the impact of these construction activities on neighboring properties and farming activities, environmental features, wildlife, and rural scenery.

Prohibited Uses

- Existing commercial facilities that would be prohibited under the Plan's approved requirements should be allowed to continue operating as they are currently.
- Certain outdoor recreational activities, including archery and tent camping, could be allowed if conducted only on a periodic basis and in a safe manner that does not impact adjacent or nearby property owners or residents.

Agriculture and Sustainability

- Frederick County asserts its status as the largest agricultural area and the largest number of farms in the state and a growing regenerative agriculture community.

P. 4 Sugarloaf Alliance Comments on Sugarloaf Plan Overlay

- Protection and enlargement of the county's farmlands and water sources for local food production and soil protection are essential for sustainability with climate change and population growth.

Transparency

- The county should hold efforts by private entities to manipulate and undermine local land use, planning and zoning to a high and mandatory level of public transparency and legal scrutiny.
- Public involvement is essential in land use and zoning decisions, such as the Sugarloaf Plan and Overlay Zoning District, which have long lasting public impacts. These land use decisions are important not only for responsibly guiding development and growth for the common good but also for protecting and preserving irreplaceable natural resources and environmental features such as the Sugarloaf Mountain region, the Treasured Landscape.

The Sugarloaf Alliance represents over 400 stakeholders in the Sugarloaf region. The Alliance's mission is to protect the unique natural and historical aspects of the Sugarloaf Mountain area and its environment through education and initiatives in support of watersheds, streams, meadows, forests, and historic sites. Working with volunteers, civic groups, and local, state, and federal agencies, the organization's primary goal is to preserve the unique character and serenity of the area for future generations. Sugarloaf Alliance is a 501(c)(3) organization.

Steve Black, President

Sue Trainor, Vice President

Nick Carerra, Treasurer

Johanna Springston, Secretary

From: [Margaret7071](#)
To: [Planning Commission](#)
Subject: Overlay
Date: Tuesday, February 14, 2023 1:05:32 PM

[EXTERNAL EMAIL]

Dear Members,

The future of rural preservation is in your hands. Please vote to save natural beauty over the ambitions of those who want to develop every available acre of land for immediate profit. In the future, rural preservation will sustain our mental health and the health of the environment for generations to come.

The overlay seeks to preserve rather than destroy.

Do the right thing.

Thank you.

Margaret Kelley

Sent from my iPhone

From: [Ellen Gordon](#)
To: [Planning Commission](#)
Subject: Please protect Sugarloaf Country
Date: Tuesday, February 14, 2023 7:18:52 PM

[EXTERNAL EMAIL]

February 14, 2023

Frederick County Planning Commission

Dear Commission Members,

I am a long-time resident of the Sugarloaf Mountain area. I write today to ask you to protect our rural community from dense development and the increased traffic that follows. My family supports the Overlay draft--that doesn't allow buildings over 15,000 sq ft.

We have seen erosion when logging happens too close to the streams in our area. Please do not allow timber harvests within 100 feet of a stream or on a steep slope.

Per news reports, we know that Amazon wants to locate large data centers on both sides of the Potomac River, even as neighbors complain of the noise and electricity demand to run them. Even communities in VA that previously welcomed data centers are being overwhelmed by their impacts. Please do not allow data centers in our area.

The boundary has already been voted on. Please don't make a mockery of the political process and the public involvement and effort that went into the adoption of that boundary by allowing developers to pressure you into changing it. Please vote for the draft overlay that the County Council sent you. Hold the line on development.

Thank you for your time and attention

Ellen Gordon

ellen@gordonballard.com

From: [Gil R](#)
To: [Planning Commission](#)
Subject: Please protect the natural beauty of the Sugarloaf area!
Date: Tuesday, February 14, 2023 11:01:19 AM

[EXTERNAL EMAIL]

Frederick County Planning Commission

Dear Commission Members,

I am a life long resident of Maryland, and my wife and I have lived in Dickerson for the last 20 years. I am also a member of the Sugarloaf Citizens Association. I respect the planning that earlier elected officials put in place to protect this area from dense commercial and housing development. My neighbors and I are concerned that the pressure from the Urbana developer, to allow large buildings over 15,000 sq. feet will change our day to day lives. This region has relied on previous planning commitments, over the years to restrict development in the area, west of I-270.

We support the Sugarloaf Area Plan boundary that was voted on in late October by the County Council. Please adopt the Overlay in its current draft, for the entire almost 20,000 acres.

Thank you for your attention,

Gil Rocha
18815 Wasche Rd
Dickerson, MD 20842

From: [mary.mann](#)
To: [Planning Commission](#)
Subject: Sugar loaf
Date: Tuesday, February 14, 2023 2:00:13 PM

[EXTERNAL EMAIL]

Please preserve the Sugarloaf area permanently.

Pretty soon there will be nothing left except concrete anywhere. Is that the world you want to leave for your children ?

From: [Ronnie Susan Hay](#)
To: [Planning Commission](#)
Date: Tuesday, February 14, 2023 2:37:56 PM

[EXTERNAL EMAIL]

TO PLANNING COMMISSION

February 14, 2023

Frederick County Planning Commission

Dear Commission Members,

I am a Sugarloaf Mountain neighbor. I respect the planning that earlier elected officials put in place to protect this area from dense commercial and housing development.

My neighbors and I are concerned that the pressure from the Urbana developer, to allow large buildings over 15,000 sq. feet will change our day to day lives.

This region has relied on previous planning commitments, over the years to restrict development in the area, west of I-270.

We support the Sugarloaf Area Plan boundary that was voted on in late October by the County Council.
Please adopt the Overlay in its current draft, for the entire almost 20,000 acres.

Thank you for your attention,

Richard Hill
23315 Whites Ferry Road
Dickerson, MD

From: [Madill, Scot](#)
To: [Planning Commission](#)
Subject: Sugarloaf
Date: Tuesday, February 14, 2023 6:59:28 PM

[EXTERNAL EMAIL]

Please support the Sugarloaf overlay and the 270 boundary.

Thanks,

Scot Madill
2407 Thurston Road
Frederick, MD 21704

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For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>

From: [Mary Perry](#)
To: [Planning Commission](#)
Subject: Sugarloaf Overlay
Date: Tuesday, February 14, 2023 12:54:51 PM

[EXTERNAL EMAIL]

Dear Planning Commission Members,

I am writing to reaffirm my commitment to the preservation of the Sugarloaf Area, an effort that will require our maintaining the overlay's southeastern boundary of 270. As a resident of Peters Road, I live close enough to the highway to hear it, and to the Mountain to see it. There isn't any way to preserve the rural nature of this area if we allow inappropriate or massive development on the west side of 270.

I appreciate your efforts in trying to develop an overlay that appeals to the majority of residents.

Sincerely,
Mary Ellen Perry
8410 Peters Road
Frederick, MD 21704

From: [JOANNE EBY](#)
To: [Planning Commission](#)
Subject: Sugarloaf overlay. Stop the development!!!
Date: Tuesday, February 14, 2023 1:24:20 PM

[EXTERNAL EMAIL]

Please no more secretive meetings and plannings. Keep the boundary East of 270. We don't want this to become Montgomery County.

Furthermore the historic Civil War sites will be threatened. Our water will most likely be affected, our beautiful natural resources wildlife and Sugarloaf was NOT in an agreement to be developed it was to be protected. I've lived here 37 years on Fingerboard Road and feel that my home is the one of Fredericks most peaceful and beautiful areas, despite the already horribly increased traffic problems on this side.

Do your job. It's not always about the money and greed of the land buyers We love our home and don't want anything to do with Amazon data centers here. It will only create more traffic, more pollution, people coming from out of county, and it will ruin our country side. This is so wrong to try to create Montgomery county hereIt will only create more traffic, more pollution, people coming from out of county, and it will ruin our country side of it.

Sent from my iPhone. Joanne

From: [Ronnie Susan Hay](#)
To: [Planning Commission](#)
Subject: Sugarloaf Planning Area
Date: Tuesday, February 14, 2023 2:43:21 PM

[EXTERNAL EMAIL]

Dear Commission Members,

I am a long time resident in the Sugarloaf Mountain area., having chosen this area when moving from DC. I write today to ask you to protect our rural community from dense development and the increased traffic that follows.

My family supports the Overlay draft, which doesn't allow buildings over 15,000. We have seen erosion when logging happens too close to the streams in our area. Please do not allow timber harvests within 100 feet of a stream or on a steep slope.

I have heard that Amazon wants to locate large data centers on both sides of the Potomac River, even as neighbors complain of the noise and electricity demand to run them. We ask you to hold off on locating any data centers in our area.

Especially if you are being pressured, Please support my family and our neighbors, we can see how development changed Urbana. Do not let the builders and developers make this decision.

Stand strong to developers, and tell them the boundary has already been voted on, and the Overlay has been debated. We ask you to vote for the draft overlay that the County Council sent you, and don't change the boundaries. Hold the line on development.

Thank you for your time and attention,
Richard Hill
23315 Whites Ferry Road
Dickerson, MD

From: [Lauren Greenberger](#)
To: [Planning Commission](#)
Subject: Sugarloaf treasured landscape
Date: Tuesday, February 14, 2023 8:52:16 AM

[EXTERNAL EMAIL]

Dear Planning Commissioners,

I have a cattle farm at the foot of Sugarloaf Mountain. My cows graze my neighbors land as well. We also both grow hay and have planted large stream buffers of trees and shrubs to protect the creek that runs through our properties . My neighbor to the north has a thriving CSA with fruit vegetables, eggs, and meat goats. To the east and west, my neighbors have corn, soy beans, and winter wheat.

And when friends and family visit from around the county and the state, we often go for a picnic on Sugarloaf Mountain, and admire the spectacular view shed from the mountaintop.

This truly is a Treasured Landscape for both Frederick and Montgomery counties as well as all Marylanders.

For those of us who farm, this would just plain not be possible without the protective zoning that is in place now. But beyond the value for the agricultural industry, there is a unique value to this area to all of the residents, near and far that should be preserved. Just as there are no elephants, giraffes, and zebras anywhere but on the African savanna, there is only one Sugarloaf Mountain in Maryland. African countries, like Zambia have recognized the uniqueness of having these large animals, are protecting them now, and have developed a thriving national tourist industry around them, allowing the land and natural resources to be protected and the citizens to all have good livelihoods. The Sugarloaf Mountain area is also a precious place that deserves special protection for all of us to enjoy into the future. I fully recognize that development is necessary in certain areas, but you, as planning commissioners, very wisely, studied this area over the past three years, and determined how unique this particular area is and chose to protect it for all of us.

I know it is hard to stand up to pressure from a few businesses that want to exploit this land and carve out commercial and or dense residential development in this rural landscape.

I am writing to beg you to protect this particular area, not only for the farming that we are doing, but for all residents, near and far to have this place to come to, enjoy and marvel at. There is nothing else like it around. So please, honor the County Council's vote to maintain the zoning within the entire Sugarloaf area boundary and pass the conditions of the Overlay zone to protect this area from encroachment by large businesses or other enterprises, and protect our forests, slopes and streams.

Thank you for all the hard work you have put into this. Our future is in your hands. Please, please protect it,

Lauren Greenberger
Daybreak Farm
Dickerson

From: [Madill, Scot](#)
To: [Planning Commission](#)
Subject: Sugarloaf
Date: Tuesday, February 14, 2023 6:59:28 PM

[EXTERNAL EMAIL]

Please support the Sugarloaf overlay and the 270 boundary.

Thanks,

Scot Madill
2407 Thurston Road
Frederick, MD 21704

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<https://www.montgomerycountymd.gov/cybersecurity>

From: [Tina Thieme Brown](#)
To: [Planning Commission](#)
Subject: Support for the Sugarloaf Area Plan Overlay and Boundary
Date: Tuesday, February 14, 2023 12:46:49 PM

[EXTERNAL EMAIL]

February 14, 2023

Frederick County Planning Commission
Winchester Hall,
Frederick, MD

Dear Planning Commission Members,

I have participated over the last 3 years in public hearings and followed the development of the Sugarloaf Area Plan, as it was drafted and voted on by the previous Planning Commission and County Council.

I submitted testimony, read amendments and worked with volunteers across the region to interpret the implications of each amendment. This 1st Area Plan in LFMP was drafted as a preservation plan, acknowledging the unique geology and exceptional natural resources found on and around Sugarloaf Mountain, in Southern Frederick County.

The residents in our area and a coalition of civic organizations have written testimony, made calls in advance of Public Hearings and submitted hundreds of letters over the last several years as this plan was voted on by the Planning Commission and County Council. We believe in a democratic public process that local government promises citizens, when zoning is debated and area plans are discussed, voted on and enacted.

The Sugarloaf Area Plan boundary was discussed throughout the public process and was voted on in late October 2022. This boundary was looked at from every possible angle, over 1000 residents signed a petition supporting the 19,710 acres defined in the Sugarloaf Area Plan boundary. Please do not bend to development pressures to open up the officially sanctioned plan boundary.

The Overlay was remanded back to your Commission, that is hard for those of us who worked so hard over the last 3 years, putting in volunteer hours to participate in the public process. I remember every amendment that was crafted to meet the demands of Stronghold Inc.. each demand they made was met.

New Planning Commission members who have not followed the previous Commission's work, may not understand how each aspect of the draft overlay was deliberated. There are hours of public record that could be reviewed. If schedules do not allow that, please understand that each of the elements of this draft overlay plan, was debated, researched and written to provide a baseline of protection for this exceptional natural resource in Southern Frederick County.

Residents who battled a shooting range proposal that would have endangered the safety and backyard activities for local residents, do not want to debate this again. When we fought the Global Mission Church proposal along I270, we faced a building permit application with a proposed building the size of the Nashville Convention Center. There were not zoning

regulations that protect nearby farms and rural communities from the threat of a development of that size, nor the threat to well water from associated septic systems. So the community came together and asked planning staff what would protect us in the future from this incompatible, large scale development? The Overlay zoning regulations proposed answered that question.

Our community has worked hard on this area plan, we put in the hours and showed up before each elected body. Please respect that civic engagement, honor the trust we put in each vote on record, and approve the draft overlay before you. Do not betray the public trust by opening up discussions on the area plan boundary.

Thank you for your attention,

Tina Brown
18201 Barnesville Road
Sugarloaf Citizens Association Board Member

Tina Thieme Brown
Morningstar Studio
18201 Barnesville Road
Barnesville, MD 20838
301-651-1188
www.tinathiemebrown.com

From: [Nick Carrera](#)
To: [Council Members](#); [County Executive](#); [Planning Commission](#)
Subject: Building+more+Virginia+data+centers+requires+increased+pollution+controls
Date: Wednesday, February 15, 2023 7:38:41 AM

[EXTERNAL EMAIL]

[https://urldefense.com/v3/__https://www.viriniamercury.com/2023/02/15/building-more-virginia-data-centers-requires-increased-pollution-](https://urldefense.com/v3/__https://www.viriniamercury.com/2023/02/15/building-more-virginia-data-centers-requires-increased-pollution-controls/_;!!I2-)

[controls/_;!!I2-](https://urldefense.com/v3/__https://www.viriniamercury.com/2023/02/15/building-more-virginia-data-centers-requires-increased-pollution-controls/_;!!I2-)
OFBIJoQBJqqeup9g!BrYn3yxoxK0X7akbC_p6qxj6iwhcRouk46ZHUYh2yar5hxfpwdpfVStX5s2yUI7qbyfe2LwzmrzoS58jnMorU1FMWibDJf6mrxx_zHI\$

COMMENTARY

Building more Virginia data centers requires increased pollution controls

FEBRUARY 15, 2023 12:08 AM



A data center in Haymarket, Virginia. (Hugh Kenny)

In 2019, with Northern Virginia's data center boom well underway, I worked with the Sierra Club to provide comments to the Department of Environmental Quality (DEQ) on a proposed major source air permit for a data center.

We urged that the data center, owned by Digital Realty, be required to minimize its reliance on highly-polluting, back-up diesel generators by installing on-site solar and battery storage. While rooftop solar alone wouldn't produce more than a fraction of the energy a data center uses, solar panels and batteries could provide a strong first line of defense against grid outages, without the air pollution.

It wasn't a new idea; other data centers elsewhere were [using clean energy](#) and storage or [installing microgrids](#) capable of providing all of the power the facility needed. Yet DEQ rejected the suggestion and gave the go-ahead for the data center to install 139 diesel generators with no pollution controls.

Three years later, data centers have proliferated to such a degree that the power grid can't keep up. DEQ is now [proposing](#) that more than 100 data centers in Loudoun, Prince William and Fairfax counties [be given a variance](#) from air pollution controls so they can run their diesel

generators any time the transmission system is strained. DEQ is [taking comments](#) on the proposal through March 14 and will hold a hearing at its office in Woodbridge on February 27.

As a resident of Fairfax County, I'll be one of the people forced to breathe diesel pollution to keep data centers running. Make no mistake: There would be no grid emergency without these data centers' thousands of megawatts worth of electricity demand. And there wouldn't be a threat to Northern Virginia's air quality without their diesel generators.

It's fair to ask: Should these data centers have been built if the infrastructure to deliver power to them wasn't ready? I'd also like to know why DEQ thinks it's okay to impose on residents the combined pollution from many thousands of diesel generators firing at once, when it has known since at least 2019 that viable, clean alternatives exist.

It's fair to ask: Should these data centers have been built if the infrastructure to deliver power to them wasn't ready?

– Ivy Main

Batteries alone are an obvious solution for short-term emergency use, and can provide exactly the kind of help to the grid that will be needed this year. Instead of calling on data centers to run diesel generators, a grid operator can avoid the strain by tapping into a data center's battery, a solution [Google](#) is implementing.

But data centers can economically lower their energy and water costs as well as reduce strain on the electric grid by reducing their energy use and using on-site renewable energy. Global energy management companies like Schneider Electric, Virginia AECOM and Arlington's [The Stella Group](#) design [microgrid solutions for data centers](#) and other facilities that need 24/7 power.

I contacted Stella Group president Scott Sklar to ask how feasible it is for Northern Virginia's data centers to meet their needs without diesel generators, given land constraints that limit their ability to meet demand with on-site solar. He told me data centers can start by reducing their cooling load by two-thirds by using efficiency and waste heat; cooling, he says, accounts for 38% to 47% of electricity demand. Cost-effective energy efficiency can reduce energy demand by one-third, and waste-heat-to-electricity can meet another 25% to 38% of the remaining electric load. "If you cut the cooling load and use waste heat to electricity, then you only need renewable energy and batteries for a maximum of half," he concluded. "That's doable."

If Virginia data centers don't start taking these kinds of measures, the situation will get worse. This year's grid strain may be relieved through construction of new generation and transmission infrastructure, but the industry's staggering growth rate threatens to create future problems. In 2019, when the Sierra Club was urging DEQ to think about the environmental impact of data centers, the industry consumed 12% of Dominion Virginia Energy's total electric supply. Today, [that number has risen to 21%](#), a figure that does not include the many data centers served by electric cooperatives rather than Dominion.

Just last month, Gov. Youngkin [announced](#) that Amazon Web Services will invest \$35 billion in new data centers in Virginia, at least [doubling](#) Amazon's existing investments here. By way of thanks, Youngkin wants taxpayers to provide up to \$140 million in grant funding to Amazon and extend Virginia's [already-generous](#) tax subsidy program. [Ratepayers](#) would also subsidize the build-out by contributing to the cost of new generation and transmission.

Amazon [claims to lead](#) the list of tech companies buying renewable energy, though its investments are mostly in other states and abroad. A scathing [report](#) in 2019 showed Amazon owned the majority of the data centers in Virginia at that time, but had made few investments in renewable energy here. Since then, Amazon has developed new solar facilities statewide, including enough to power its new Arlington headquarters. But as I discussed in [a previous column](#), all the solar in Virginia would not be enough to make a dent in the energy appetite of Northern Virginia's data centers, of which Amazon owns [more than 100](#).

I have no special beef with Amazon, but I do think that a rich tech company with pretensions to sustainability leadership should do more to walk the walk in the state that hosts so much of its operations. Surely that includes not relying solely on diesel generators for back-up power at its data centers.

I also have no beef with data centers in general. They provide necessary services in today's world, and they have to go somewhere. Data centers could be a valuable source of revenue and economic development for Southwest Virginia and other parts of the state that are not grid-constrained. They could do this only if there are guardrails in place to protect [nearby communities](#) and the environment, and if they help rather than hurt our clean energy transition. Right now, none of this is the case.

Unfortunately, Gov. Youngkin not only doesn't want guardrails, he doesn't even want to know where and why they are needed. On February 3, a representative of his administration spoke in committee in opposition to [legislation](#) filed by Sen. Chap Petersen, D-Fairfax that would have the Department of Energy and DEQ study the impact of data centers on Virginia's environment, energy supply and climate goals. The Senate agreed to the study, but a [similar bill](#) died in the House, and a House subcommittee killed Petersen's Senate version Monday on a 2-1 vote. (The vote was later changed to 3-2 when two delegates who missed the meeting, and the discussion, added their votes. Killing a bill in a tiny subcommittee is one way House procedures allow delegates to avoid accountability on controversial issues, but that's a topic for another day.)

I spoke with Sen. Petersen by phone after the subcommittee hearing. He pointed out that the administration would have been able to shape the study any way the governor wanted, and would have had control over the recommendations as well. Petersen's conclusion: "He just doesn't want anyone looking at it."

Refusing to look at a problem, however, never makes it go away. And in this case, the problem is just getting bigger.

From: [Ingrid Rosencrantz](#)
To: [Planning Commission](#)
Cc: [Fitzwater, Jessica](#); [Council Members](#)
Subject: Comments to the Planning Commission on the Sugarloaf Treasured Landscape Overlay
Date: Wednesday, February 15, 2023 11:15:54 AM

[EXTERNAL EMAIL]

Dear Planning Commissioners

Thank you for all that you do in serving our county's residents as you continue to consider the Sugarloaf Treasured Landscape Management Plan's overlay. The Plan (and overlay) that you recommended to the County Council last year was an excellent Plan and I hope you continue to support it.

As you know, the plan is a preservation plan, not a development plan. I'll note that when this plan was last in front of the Planning Commission, you wisely voted to call it the Monocacy – Sugarloaf Treasured Landscape Management Plan, recognizing that this beautiful and bucolic area extends from the Montgomery County Line, along I-270, to the Monocacy River at the Monocacy National Battlefield, then roughly down the Monocacy River to Dickerson and the Montgomery County's Ag Reserve. As you all know, this boundary was finalized in last year's vote by the County Council.

During this year's January listening sessions on the overlay, hosted by the Planning Commission, developers continue to raise the issue of the planning area's boundary, despite the County Council's clear vote to hold the line at I-270. Please continue to hold that line with the overlay. The elephant in the room that Sugarloaf Alliance continues to try to expose is the developer's desire to build data centers in the Treasured Landscape (<https://www.sugarloaf-alliance.com/amazon-data-centers>). We understand there are some benefits to the County in allowing data centers to be constructed in the industrial areas where there is sufficient power and water (with appropriate ordinances to limit impact). However, we also see the data center gold rush happening now, as evidenced by the action the Planning Commission voted on last week concerning the Windridge Farm re-zoning. Without commenting on the Windridge decision directly, I believe you'll see a lot more of such rezoning requests if the Sugarloaf Overlay doesn't cover the area first recommended by the Planning Commission back in July of 2022. If a single data center is constructed west of 270 in the Sugarloaf Plan area, it will be the first step in the inexorable flow of zoning changes that will steam roll through the plan area. Despite what developers may want, to be a preservation plan, the overlay must cover the most vulnerable areas of the Plan: those areas owned by the developer in the northern part of the plan area near the Monocacy Battlefield. Please apply the overlay as you first recommended last year, covering the entire area (with the exception of a few currently commercially-zoned area at the Urbana interchange).

Thank you!

Ingrid Rosencrantz
Fingerboard Road
Frederick, MD 21704

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Sugarloaf Alliance

The Secret Amazon Data Center Project at Sugarloaf

Let's Chat!

The Sugarloaf Alliance has obtained information indicating that Amazon Web Services intends to build one or more data center complex(s) on the West side of I-270, within the current boundaries of the draft Sugarloaf Treasured Landscape Management Plan. We believe that current efforts to move the plan boundary away from I-270 (the Dacey Amendment) are related to this secret Amazon project.

In its efforts to understand the process used to draft the Sugarloaf Plan and to uncover the facts behind non-public, backroom changes to the draft plan in spring 2021, the Sugarloaf Alliance filed Public Information Act requests with various state and local government offices. In reaction to a lawsuit by Sugarloaf Alliance, Frederick County has belatedly started the process of releasing relevant documents and summaries of documents. By using the information released by Frederick County, local and national press reports, and other sources, the Sugarloaf Alliance is now able to describe the Amazon Web Service plan to build data center complexes in the Sugarloaf region.

In the summer of 2021 news began to break of a secret Amazon Web Services (AWS) project to build Data Centers in southern Frederick County.¹ At the time the potential locations of these sites were only vaguely described.

“Frederick County officials said realtors, on behalf of Amazon, spoke with landowners in Urbana, Brunswick and Adamstown about selling their property.”⁽²⁾

Critical Digital Infrastructure Floating Zone

We now know that the AWS plan for Frederick County, known as Project Holiday, dates to at least early 2021 and likely began in 2020.^(3,4) The development of a “Critical Digital Infrastructure Floating Zone (CDI-FZ)” was central to the Amazon plan. Development of the proposed CDI-FZ zoning text and related map involved most if not all of the senior staff of the Department of Planning. Senior members of the Office of Economic development were also involved in the development of the CDI-FZ.⁽⁵⁾

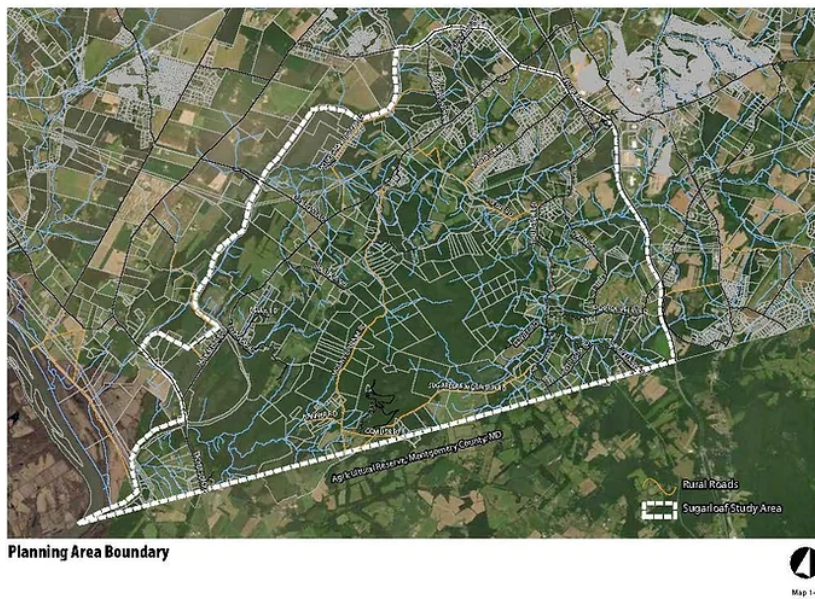
The Amazon Project was treated as a confidential project within Frederick County Government.⁽⁶⁾ Even now, Frederick County Government is withholding documents related to Project Holiday and the Critical Digital Infrastructure Floating Zone.^(7, 2)

Despite its secrecy, select people outside Frederick County Government were aware of and involved with the Amazon Data Centers project.⁸ Bruce Dean, a Frederick attorney and registered lobbyist for Natelli Communities, not only submitted draft language for the CDI zoning text amendment but also received copies of draft CDI-FZ language and maps.^(9, 10, 11) In one March 2021 email to county officials concerning the CDI issue Mr. Dean copied Mr. Natelli, his client.⁽¹²⁾ At that time Mr. Natelli owned or otherwise controlled about 500 acres of agricultural and resource conservation land along the West side of I-270 in the Sugarloaf region.

The March 2021 Cutout

By late February 2021 the planning staff’s work on the draft Sugarloaf plan had reached a point where it could be released to the public.^(13, 14) Planning staff scheduled a briefing for the County Council and planned a series of Planning Commission workshops to start on April 14, 2021.⁽¹⁵⁾

Figure 1: March 2, 2021, staff draft Sugarloaf Plan

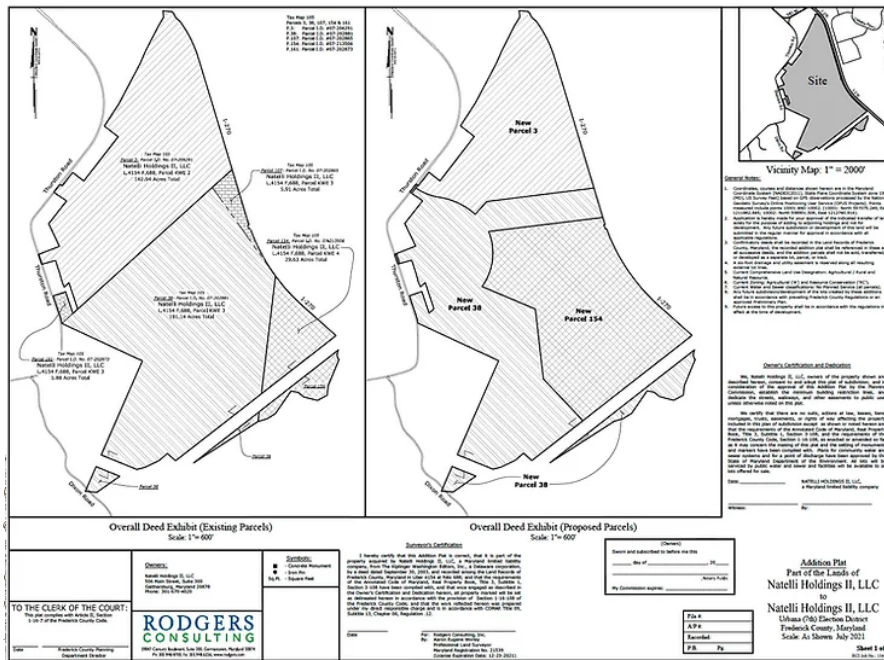


er, County Executive. He wrote in an email to Horn, "It will be clear."⁽¹⁷⁾ It is

ceased. The updated Sugarloaf Plan was withheld. At the March 3 staff meeting the

By the end of April staff had settled on a new boundary for the Sugarloaf Plan area. Comparison of the March 2, 2021 internal staff draft and the July 2021 publicly released draft shows that the primary change in the Plan is the removal of a large swath of land along the West side of I-270 from the plan area.^(20, 21) Other changes to the document all seem to be a result of this boundary change (for example changes in total acreage of the Plan area). ⁽²²⁾ Also, text is added to explain and justify the boundary change. The source of this new language remains unknown.

While the Sugarloaf plan was being changed, before the public was aware of the new plan boundary, Mr. Natelli began preparing his property for a non-agricultural use. The July 2021 draft Sugarloaf Plan was released to the public on July 30, 2021.⁽²³⁾ Well in advance of the public release of the draft plan Natelli Holdings II, LLC began preparations to file a "Plat Addition" (a change in the property lines of multiple contiguous parcels with the same owner).



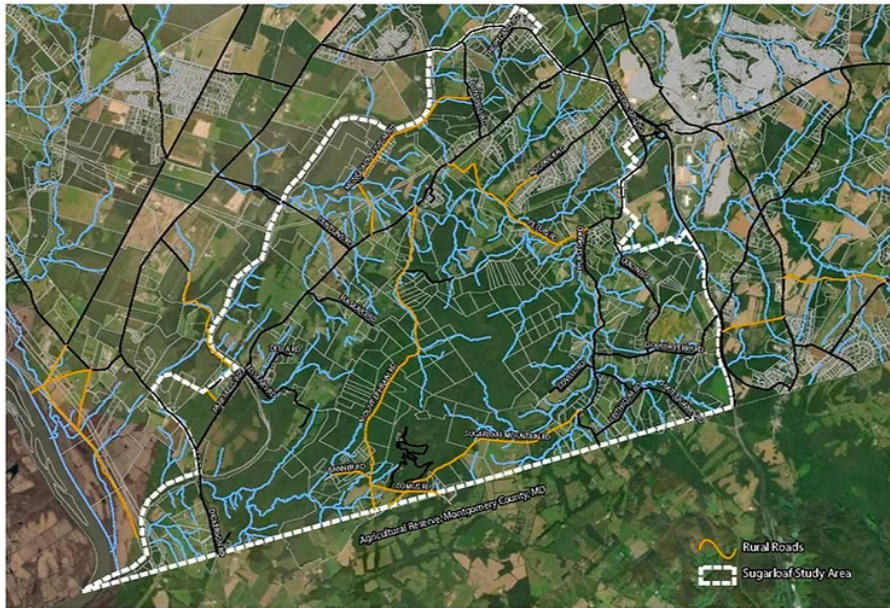
corridor, suggesting a commercial / industrial use having two installations. Two of the three new parcels do not have road access.

Personnel from Rodgers Consulting, including its President and CEO Mr. Dusty Rood, were also directly involved in the creation of the Critical Digital Infrastructure Floating Zone.⁽²⁵⁾ On July 30, 2021, the first “public” draft of the Sugarloaf Treasured Landscape Management Plan was released. When compared with the February 2021 internal staff draft of the plan some 490 acres are “cut out” of the plan boundary, including the 381 acres of “Natelli South.”⁽²⁶⁾ Figures 1 through 3 show the evolution of the Sugarloaf Plan boundary and the area proposed for replating by Natelli Holdings.

CDI and the Sugarloaf Cutout

The link between the county’s secret work on the Amazon-driven Critical Digital Infrastructure Floating Zone and the Sugarloaf plan modification is made clear in a pair of emails from a

Figure 3: July 30, 2021, first publicly released draft Sugarloaf Plan



Planning Area Boundary



Michael Punke, Vice President of Public Policy for Amazon Web Services (AWS)

Shannon Kellogg, Vice President of Public Policy at Amazon

Tony Burkart, Principal, Economic Development · AWS

Sarah Sheehan, Public Policy, AWS

Becky Ford, Manager, AWS Economic Development - Global Infrastructure

Keith Klein, Managing Principal-Americas-AWS Real Estate Acquisition and Development(4)

Amy Vetal, Senior Real Estate Transaction Manager at AWS.

Garrett Jansma, Environmental Policy Manager · AWS

Matt Mincieli, Manager, AWS Public Policy - Northeast

One of the Amazon participants, Tony Burkart, describes his job this way: “As Principal of Economic Development, within the Global Public Policy organization, I oversee and manage, site selection, infrastructure development and credits & incentives projects, state and local government affairs with global scope. I lead discussions with state and local government agencies, regulatory, planning, permitting, and taxing authorities in support of our infrastructure development teams.”(33)

Also, in attendance at the closed meeting on August 16 were:

Bruce Dean, a land-use and real estate development lawyer, Frederick

Eric Soter, Principal and Director of Research & Analytics at Rodgers Consulting, Maryland. Soter is also the former Director of Planning for Frederick County

Both Mr. Dean and Mr. Soter are employed by Natelli Communities and perform professional service for a range of Natelli projects. Dean and Soter are both, as of July 2022, registered as Lobbyists for various Natelli entities.(34) Mr. Dean and Mr. and Soter were directly involved in the development of the proposed Critical Digital Infrastructure Floating Zone.(35)

According to statements from participants in the closed meetings, the discussions were “informational.”(36) The County Council discussed “all the possible requirements” of the Amazon proposal.(37) Participants described the meetings as extensive discussion of “changes to various

- areas of the County Code” and revisions to “prior Resolutions.”(38)

the end of April 2021, had retracted the March plan to address its new question:

content has not been as questions related to

essions to discuss “...a on to locate, expand, or d nine other county officials, closed meetings.

Amazon Sugarloaf Project

This wealth of new information allows us to draw several important conclusions.

- Properties owned by a developer along the west side of I-270 were part of the AmazonWeb Service plan to establish a series of Data Center complexes in southern Frederick County.
- The draft Sugarloaf Plan was modified in March and April of 2021 for the purpose of excluding these properties from the preservation goals of the Sugarloaf Plan so that they would be available for Amazon use. The draft plan boundary shown in the July 2021 version of the Sugarloaf Plan depicts this exclusion.
- All aspects of the Amazon Web Service plan for Frederick County Data Center sites were discussed in a pair of closed County Council meetings in August 2021. These discussions would have necessarily included full details of the proposed Data Center sites, including those planned for the Sugarloaf region.⁽⁵⁾

As the Sugarloaf Alliance receives more information on connections between Amazon and the Sugarloaf Plan development process, we will share them with the Council and public as quickly as possible.

Sincerely,
The Sugarloaf Alliance

Attachments:

Figure 1: March 2, 2021, staff draft Sugarloaf Plan.

Figure 2: Natelli properties July 28, 2021, replating.

Figure 3: July 30, 2021, first publicly released draft Sugarloaf Plan.

6

¹ Hogan, J., “Amazon sought to invest billions, bring data centers to Frederick County.” Frederick News Post, 2/8/22.

² Hogan, J., “Amazon sought to invest billions, bring data centers to Frederick County.” Frederick News Post, 2/8/22.

³ Kim, Eugene, et al. “Secret Amazon Projects Try to Mitigate Outage-Prone AWS Cloud Region.” Business Insider, 12/10/21.

⁴ Email 2/3/21, Subject: final draft- critical digital infrastructure, From: Wilkins, Michael. To: Brandt, Kimberly G., Superczynski, Denis, Moore, Ashley, DeSa, Tolson. This record discusses an internal draft copy of proposed language relating to CDI Text Amendments by County Employees, including Planning Staff.

⁵ Email 4/11/21, Subject: Re: Project Holiday, From: Brandt, Kimberly G., To: Gardner, Jan, Wilkins, Michael, CC: Horn, Steve. This record discusses an upcoming meeting with the County Executive relating to an [sic] potential Office of Economic Development (OED) Project, and related topics, and includes note related to that meeting. This email includes the phrase “Critical Digital Infrastructure.”

⁶ Email 3/18/21, Subject: Re: the plan..., From: Horn, Steve, To: Brandt, Kimberly G. This email discusses updates to the Sugarloaf Area Plan as it moved through the drafting process. This is part of a confidential internal discussion within a County Department.

- 7 See Frederick County MPIO response file “Bryon Black - All Results__Vaughn Sheet.pdf” dated August 31 2022. This file, or Vaughn index, lists all of the files related to the Sugarloaf Alliance PIA requests that are being withheld.
- 8 Email 3/12/21, Subject: Draft CDI Zoning Language, From: Propheter, Helen, To: [REDACTED], Bruce Dean, CC: Gardner, Jan, Wilkins, Michael, Brandt, Kimberly G. This record contains draft language of the proposed CDI Zoning Bill.
- 9 Email: 3/23/21, Subject: [REDACTED] From: Bruce Dean, To: Brandt, Kimberly G., Wilkins, Michael, Hessong, Gary, CC: Tom Natelli, [REDACTED], Eric Soter, Dusty Rood, Lisa Graditor. This record contains information received from a person outside of Frederick County Government, and the information contained within is commercial in nature, and was provided to the County under an assurance of privacy. This email contains the phrase “Critical Digital Infrastructure.”
- 10 Email 4/6/21, Subject: CDI – Bruce Dean Comments, From: Brandt, Kimberly G. To: Gardner, Jan. This email contains a draft copy of proposed language relating to CDI Text Amendments provided by an outside person.
- 11 Email 4/11/21, Subject: Fw: CDI – Bruce Dean Comments, From: Brandt, Kimberly G. To: Gardner, Jan. CC: Horn, Steve, Wilkins, Michael. This email contains a draft copy of proposed language relating to CDI Text Amendments provided by an outside person.
- 12 Email: 3/23/21, Subject: [REDACTED] From: Bruce Dean, To: Brandt, Kimberly G., Wilkins, Michael, Hessong, Gary, CC: Tom Natelli, [REDACTED], Eric Soter, Dusty Rood, Lisa Graditor. This record contains information received from a person outside of Frederick County Government, and the information contained within is commercial in nature, and was provided to the County under an assurance of privacy. This email contains the phrase “Critical Digital Infrastructure.”
- 13 Email 2/20/22. Subject: Draft Sugarloaf Plan. From: Brandt, Kimberly G, To: Brandt, Kimberly G., Bradle Anne, DeSa, Tolson, Wilkins, Michael, Sinton, Thomas, Mitchell, Kathy (Legal), CC: Hessong, Gary, Horn, Steve. This email distributes a draft copy of the Sugarloaf Plan for review by other County Employees, including Planning Staff and Legal Staff. The record includes the copy of the Sugarloaf Plan draft as an attachment, reflecting changes requested by other staff members. Horn Vaughn – 1.
- 14 “March 2021 DRAFT Sugarloaf Plan” PDF file created 3/2/21. Sugarloaf Alliance obtained this file via an October 5, 2021 Public Information Act request. Frederick County PIA #72896.
- 15 Email 3/2/21. Subject: Extra PC Meetings for Sugarloaf Workshops, From: Brandt, Kimberly G, To: Horn Steve, Wilkins, Michael, CC: Wolfgang, Patricia. Horn – 11.
- 16 Email 2/25/21. Subject: Meeting with CE Gardner.3.2.21, From: Horn, Steve, To: Gardner, Jan, CC: Harcu Rick, Spiegel, Janice, Edsall, Athena, Barlet, Lori. This record contains thoughts and topics of discussion for upcoming meeting with the County Executive. This is an internal communication, sent by Mr. Horn to the Executive and related parties, concerning items to be discussed during an upcoming meeting. This email contains the phrase “Sugarloaf”.
- 17 Email 3/2/21. Subject: Extra PC Meetings for Sugarloaf Workshops, From: Brandt, Kimberly G, To: Horn Steve, Wilkins, Michael, CC: Wolfgang, Patricia. Horn – 11.
- 18 Email 4/6/21, Subject: Fwd: Reschedule. From: Horn, Steve, To: Brandt, Kimberly G. Horn-45.
- 19 Email 3/18/21, Subject: Re: the plan.... From: Horn, Steve, To: Brandt, Kimberly G. This email discusses updates to the Sugarloaf Area Plan as it moved through the drafting process. Horn Vaughn – 39.
- 20 Email 4/27/21. Subject: Revised Sugarloaf Planning Area, From: Brandt, Kimberly G. To: Horn, Steve. This email discussed, and contains an attachment of, the Sugarloaf Planning Area. Horn Vaughn – 35.
- 21 Email 4/30/21. Subject: Re: Revised Sugarloaf Planning Area, From: Brandt, Kimberly G. To: Gardner, Jan, Horn, Steve. This email discussed, and contains an attachment of, the Sugarloaf Planning Area. Horn Vaughn – 37.
- 22 “March 2021 DRAFT Sugarloaf Plan” PDF file created 3/2/21. Sugarloaf Alliance obtained this file via an October 5, 2021, Public Information Act request. Frederick County PIA #72896.
- 23 Frederick County News Release, “Livable Frederick Releases Draft Sugarloaf Treasured Landscape

Managment Plan.” July 30, 2021. Available at

<https://frederickcountymd.gov/DocumentCenter/View/333102/Press-Release-Sugarloaf--Planning>

24 Rodgers Consulting Inc. “Addition Plat. Part of the Lands of Natelli Holdings II, LLC to Natelli Holdings II, LLC. July 28, 2021. RCI Job No. 1341A. Available at

<https://planningandpermitting.frederickcountymd.gov/delegate/civicsapi/>

[api/core/attachements/c9b8f7c04e9a4bdc1528b8ec8f544bd/stream?fname=Natelli%20Holdings%20Addition%20Plat%201%20\(2021-07-28\).pdf](https://planningandpermitting.frederickcountymd.gov/attachements/c9b8f7c04e9a4bdc1528b8ec8f544bd/stream?fname=Natelli%20Holdings%20Addition%20Plat%201%20(2021-07-28).pdf)

25 Email: 3/23/21, Subject: [REDACTED] From: Bruce Dean, To: Brandt, Kimberly G., Wilkins, Michael, Hessong, Gary, CC: Tom Natelli, [REDACTED], Eric Soter, Dusty Rood, Lisa Graditor. This record contains information received from a person outside of Frederick County Government, and the information contained within is commercial in nature, and was provided to the County under an assurance of privacy. This email contains the phrase “Critical Digital Infrastructure.”

26 “March 2021 DRAFT Sugarloaf Plan” PDF file created 3/2/21. Sugarloaf Alliance obtained this file via an October 5, 2021, Public Information Act request. Frederick County PIA #72896.

27 Email 4/22/21. Subject: Re: cdi? What is it stand for re Sugarloaf?, From: Keju, Dail, To: Goodfellow, Tim. This email discusses questions related to the description of CDI and its implementation within the County. Phrases Vaughn – 88.8.

28 Email 4/22/21. Subject: Re: cdi? What is it stand for re Sugarloaf?, From: Keju, Dail, To: Goodfellow, Tim. This email discusses questions related to the description of CDI and its implementation within the County. Phrases, Vaughn – 89.

29 Email 4/27/21. Subject: Revised Sugarloaf Planning Area, From: Brandt, Kimberly G., To: Horn, Steve. This email discussed, and contains an attachment of, the Sugarloaf Planning Area. Horn Vaughn – 35.

30 Email 4/30/21. Subject: Re: Revised Sugarloaf Planning Area, From: Brandt, Kimberly G., To: Gardner, Jan, Horn, Steve. This email discussed, and contains an attachment of, the Sugarloaf Planning Area. Horn Vaughn – 37.

31 Email 4/27/21. Subject: Revised Sugarloaf Planning Area, From: Brandt, Kimberly G., To: Horn, Steve. This email discussed, and contains an attachment of, the Sugarloaf Planning Area. Horn Vaughn – 35.

32 COUNTY COUNCIL OF FREDERICK COUNTY MEETING MINUTES Monday, August 16 & 17, 2021.

33 LinkedIn page for “Tony Burkart”.

34 <https://frederickcountymd.gov/DocumentCenter/View/4247/Lobbyists-Currently-Registered?bidId=>

35 Email: 3/23/21, Subject: [REDACTED] From: Bruce Dean, To: Brandt, Kimberly G., Wilkins, Michael, Hessong, Gary, CC: Tom Natelli, [REDACTED], Eric Soter, Dusty Rood, Lisa Graditor. This record contains information received from a person outside of Frederick County Government, and the information contained within is commercial in nature, and was provided to the County under an assurance of privacy. This email contains the phrase “Critical Digital Infrastructure.”

36 Hogan, J. “Maryland board finds Frederick County Council violated Open Meetings Act” Frederick New

Contact address: P.O. Box 60663, Potomac, MD 20859

37 Frederick County Council Statement on the OMCB Opinion 11/29/21 Issued 12/21/21.

38 Frederick County Council Statement on the OMCB Opinion 11/29/21 Issued 12/21/21

[Terms and Conditions](#)

[Privacy Policy](#)

From: [Jennifer Freeman](#)
To: [Planning Commission](#)
Subject: Frederick County Planning Commission
Date: Wednesday, February 15, 2023 8:26:28 AM

[EXTERNAL EMAIL]

Dear Commission Members,

I am a Sugarloaf Mountain neighbor. I respect the planning that earlier elected officials put in place to protect this area from dense commercial and housing development.

My neighbors and I are concerned that the pressure from the Urbana developer, to allow large buildings over 15,000 sq. feet will change our day to day lives.

This region has relied on previous planning commitments, over the years to restrict development in the area, west of I-270.

We support the Sugarloaf Area Plan boundary that was voted on in late October by the County Council. Please adopt the Overlay in its current draft, for the entire almost 20,000 acres.

Thank you for your attention,

Jennifer Freeman
14975 Sugarland Rd. Poolesville, MD 20837

From: [Gary Smith](#)
To: [Planning Commission](#)
Subject: Sugarloaf
Date: Wednesday, February 15, 2023 7:38:24 AM

[EXTERNAL EMAIL]

Hi, My name is Gary Smith and my family owns two farms on Baker Valley Rd. One is in farm preservation and the other is in conservation which neither can be developed. I DO NOT want to be included in the Sugarloaf preservation plan!

If you have to do anything, follow Rt. 80 as originally planned.

Stop the B.S. of Harry homeowner moving in and saying "Not in my backyard".

Thank you, Gary Smith, Snow Hill Farm, Valley View Farm

3932 & 3726 Baker Valley rd

Frederick Md

Sent from my iPad

From: [Nancy Beck](#)
To: [Planning Commission](#)
Subject: Sugarloaf Overlay
Date: Wednesday, February 15, 2023 2:41:36 PM

[EXTERNAL EMAIL]

Dear Planning Commission:

As you discuss the Sugarloaf Overlay at your meeting this evening, I want to register my support for protecting Sugarloaf.

I am a resident of Frederick County, specifically the Sugarloaf area, and I fully support the I-270 boundary. I also firmly believe we need to implement a Sugarloaf Plan with Overlay restrictions that support, rather than undercut, the overarching Preservation Plan.

Thank you,
Dr. Nancy Beck

1451 Sugarloaf Mountain Road
Dickerson, MD 20842

Sent from my iPhone

From: [Di Krop](#)
To: [Planning Commission](#)
Subject: Sugarloaf Overlay and I-270 boundary
Date: Wednesday, February 15, 2023 9:28:59 AM

[EXTERNAL EMAIL]

Why must we keep fighting this issue? Why can't you understand the residents impacted by and in support of the Sugarloaf Overlay and the I-270 boundary are trying to protect the very reasons we moved here. Aren't you supposed to represent us and our views/concerns? WHAT IF YOU LIVED IN THE AREA BEING IMPACTED BY THIS PLAN?

Almost 40 years ago, we left Montgomery County because they didn't listen. Farmers were forced out and land not protected because builders offered new homes, shopping centers, and additional revenue. Now Frederick County is acting just like Montgomery County. When do you listen to the residents of the County – the very people who elected you? We want to preserve the land, so our children, grandchildren, and future generations know about the history (Civil War Battlefield, etc.), the wildlife, and the open spaces to walk and breathe fresh air. Some of our children and grandchildren have moved to the outskirts of Frederick County to find that space; some have moved to Washington County.

Do you see the pattern?

Why are there "secret" meetings to discuss the developer's plans? Isn't government supposed to be transparent? Aren't we supposed to share ideas and discuss them openly? Not every square inch has to be developed. It seems Frederick County is determined to develop as much acreage as possible.

With mental illness increasing around the world, we need to have a place to walk and de-stress. Sugarloaf Mountain is and has been a favorite place for us to visit. Every time we are there, we see people of all ages walking, hiking, and just enjoying the beauty of nature around them. It offers a place for children to run free and learn about nature. Our 8-year-old twin grandchildren love to explore on Sugarloaf Mountain. It offers fun and excitement - a chance for them to use their imagination. **Please honor its place in our county's history and its value to our community!**

As you make your decisions and cast your vote, remember the residents that will be impacted – the very people who elected you. Think about how you would feel if it was happening in your neighborhood...

John and Diana Krop

**God's Blessings,
Di**

Diana Krop
Admin Asst to the Pastor
First Baptist Church of Green Valley
Isaiah 40:31

From: [Anne Garrett](#)
To: [Planning Commission](#)
Subject: Sugarloaf Overlay
Date: Wednesday, February 15, 2023 9:08:21 AM

[EXTERNAL EMAIL]

Dear Planning Commission:

We are writing to show support for the Sugarloaf Overlay and the I-270 boundary. We support the Sugarloaf Treasured Landscape Management Plan and the preservation of the country landscape West of I-270.

All over Frederick County, there is development. Seriously, why must every square mile be developed? We believe that I-270 is an excellent boundary – let Tom Natelli develop to his heart's content to the East of I-270. He's already ruined that area, in our opinion. No high-density development should occur West of I-270.

It is heartbreaking to think of all the past hard work of the Planning Commission, only to have our hopes shattered by Jessica Fitzwater and M.C. Keegan-Ayer at the final County Council meeting last year. There are so many who are eager to sacrifice the beauty of Frederick County in pursuit of money. I hope the Planning Commission will have the courage to stand up for the preservation of our rural landscape in the Sugarloaf area.

Sincerely,

Anne Garrett

Katherine Jones

610 Biggs Avenue

Frederick, MD 21702

From: [Catherine Marcoux](#)
To: [Planning Commission](#)
Subject: Re: Sugarloaf overlay
Date: Wednesday, February 15, 2023 8:26:44 AM

[EXTERNAL EMAIL]

I grew up near Sugarloaf Mountain. It is a beautiful area, of which I am sure you know that.

I will be brief and to the point, please keep the conservation overlay. Please do not cave into corporations or individuals who have deep pockets and large coffers. Please do the right thing and approve the conservation overlay.

Thank you for listening to my concerns,
Catherine Marcoux
2808 Chevy Chase Cir, Jefferson, MD 21755
240-656-9248

From: [David Luu](#)
To: [Planning Commission](#)
Cc: [Nancy Beck](#)
Subject: Support for preservation in the Sugarloaf area
Date: Wednesday, February 15, 2023 2:24:03 PM

[EXTERNAL EMAIL]

Planning Commission:

I understand you are discussing the Sugarloaf Overlay at your workshop today. I am a resident of Frederick and would like to voice my support for protecting the Sugarloaf area from development.

I support the I-270 boundary. It's clear that we need an effective Overlay for the Sugarloaf Plan. Overlay restrictions that fall short endanger the preservation Plan itself.

You must oppose development plans anywhere close to the Sugarloaf area because it is a unique environment that is treasured throughout the Capital region by thousands of visitors each year.

Regards,
David Luu, Esq.
1451 Sugarloaf Mountain Rd.
Dickerson, MD 20842