

From: Sue Trainor <suetrainor@aol.com>
Sent: Tuesday, November 14, 2023 11:41 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Planning Commission <PlanningCommission@FrederickCountyMD.gov>
Subject: 23.11.14 Comments re Sugarloaf Overlay District

Sue Trainor
Fingerboard Road
Frederick, MD 21704
11/14/23

Dear Frederick County Council Members:

First, **I want to thank the Planning Staff** for their years of hard work and dedication to the preservation goals of the Sugarloaf Plan and Overlay we create this first of the LFMP small area plans. I'd like to thank the **Planning Commission** for twice reviewing the Overlay in detail, listening to and weighing all points of view, and for twice recommending the Overlay legislation. I hope you'll watch the video* of their recent vote to fully appreciate the strength of their recommendation to you.

As you know, an important goal of the Sugarloaf Plan is to strengthen the distinct place-based identity of the area. The Plan envisions stewardship of the area's natural resources, its scenic and rural character, its agricultural and its cultural resources. **I believe the Overlay District is essential** to achieve the preservation goals of the Sugarloaf Plan – which the Council unanimously approved last year. Thank you!

Several years of public comment are on the record, the vast majority favor the Plan and Overlay. Several thousands are on the record specifically in support of the I-270 boundary, a 50+ year old, ongoing promise to the community that county land use policy will direct dense development to the east side of the highway. I-270 is the Sugarloaf Plan boundary and I-270 continues to be the Planning Commission's recommended boundary.

As your consideration begins again, I look forward to being one among many, participating with more detail in response to your questions and concerns. For now, I wish you a Happy Thanksgiving – I'm grateful for your attention.

Sincerely,
Sue Trainor

*Planning Commission video of their Sugarloaf Overlay District vote. Begin at approximately 5 hours, 8 minutes:

https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=9554

From: Tina Thieme Brown <tinaartbrown@gmail.com>

Sent: Tuesday, November 14, 2023 3:50 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>

Subject: Support the Sugarloaf Area Plan: Rural Heritage Overlay Zoning District

November 14, 2023

Frederick County Council
Winchester Hall
Frederick County, Maryland

Sugarloaf Rural Heritage Overlay Zoning District

County Council Members,

Thank you for your commitment to the work that will define the future of Sugarloaf Mountain, Monocacy Battlefield and the surrounding rural, agricultural communities. The Sugarloaf Area Plan, Rural Heritage Overlay District has undergone extensive review, debate and revision twice at the Planning Commission and at the previous County Council.

For those of you new to this issue we look forward to working with you and your seasoned Sugarloaf Area Plan colleagues. This area plan encompasses some of the most environmentally sensitive natural areas in the state, from Sugarloaf Mountain and the Monocacy Natural Resource Area to the Monocacy National Battlefield.

As you review previous testimony and staff recommendations, please note the State Planning Supervisor's recommendations. Susan Llareus, on behalf of the state of Maryland Capital, Central and Southern Regions. She advised strengthening 'requirements to minimize adverse impacts of land development on natural habitats...more attention given to the goals, by specifically limiting impervious surfaces, preventing soil erosion, and maintaining groundwater infiltration.'

Specific State Recommendations:

- limiting impervious areas as a percentage of overall lot area,
- limit the maximum lot coverage including structures, parking areas, vehicle storage areas,
- incentivize green roof and green screen systems,
- maximizing tree canopy, the use of native planting, and restricting invasive species.

Maryland has Identified Ecologically Significant Areas – ESA's -- throughout the state. Over 60% of the Sugarloaf Plan Area has biodiversity significance and conservation value. These are nationally recognized, significant wildlife corridors.

They are identified in the Sugarloaf Area Plan: Chapter 7, pages 109 -110.

Many members of the community have called, written and testified over the last several years. Thousands of people have signed petitions to preserve and protect Sugarloaf Mountain and the surrounding agricultural, rural communities. With overwhelming support for the Council approved boundary and Rural Heritage Overlay zoning district.

Thank you for your attention,
Tina Brown
Barnesville, MD 20838

From: John Thompson <johnthompsonco14@icloud.com>
Sent: Thursday, November 16, 2023 4:34 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay Plan Amendment

Frederick County Members:

I urge each of you to REJECT the Sugarloaf Overlay Plan Amendment as recently presented to the Council for a second time.

I believe the current proposed residential and commercial development plans for Quantum Loophole complex and the Brickworks project in the City of Frederick will place undue hardships on the infrastructure of County roads, schools, Police, Fire Service, etc the County currently has. And I am not aware of plans to increase these services.

Thank you for the opportunity to comment.

John W Thompson
5910 Lawrence Ct
Adamstown

From: Brenda Crist <kissdressage@gmail.com>
Sent: Tuesday, November 21, 2023 12:49 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Please approve the Sugarloaf Overlay

Hello Councilmembers,

After much consideration, please finally pass the Sugarloaf Overlay plan. This area should be protected for future generations.

Warm regards
Brenda Crist
7910 Hope Valley Ct, Adamstown, MD 21710

From: Hannah Vo-Dinh <hannah.vodinh@gmail.com>

Sent: Friday, December 1, 2023 5:09 PM

To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>

Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Sugarloaf Overlay District

Please pass the Sugarloaf Rural Heritage Zoning Overlay District as resubmitted and strongly recommended by the Planning Commission. The Planning Commission has carefully reconsidered all arguments for and against, and yet it has still come to the conclusion that this area must be preserved from industrial and commercial development.

The boundary at I-270, from Montgomery County to the Monocacy River, should be kept in the plan. Furthermore, I ask that you amend the Sugarloaf Plan and Overlay to explicitly prohibit data centers (Critical Digital Infrastructure) from this area.

Thank you,

Hannah Vo-Dinh
5520B Burkittsville Rd.
Jefferson, MD 21755

From: Nick Carrera <mjcarrera@comcast.net>
Sent: Wednesday, November 8, 2023 9:45 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Carrera, Nicholas <mjcarrera@comcast.net>
Subject: Public Commissioner comments on Sugarloaf Plan Overlay

To County Council Members,

At their Oct 11 meeting the Public Commissioners approved the Overlay District document they had prepared for the Council's consideration. I attended that meeting and was so impressed with comments offered before the voting that I prepared a transcription, which is attached. I think it worthwhile, not just to read the transcription, but to view the archived meeting, to get a feel for the conviction behind the comments.

For that reason, I've included the timing of the comments, so others might hear them as well.

A few points especially stand out for me, from the comments:

- the Commission has done a thorough job -- twice -- in arriving at this Overlay;
- the Commission tried to engage Stronghold, a strong opposer to the previous draft, during preparation of this draft, without success;
- there was what one Commissioner termed "pedaling misinformation," in trying to generate opposition to the Overlay.

Commissioners even emphasized their support for the Overlay, with comments, "do pass," and "we mean it."

Nick Carrera

ed the archived video and transcribed those comments, along with the time they were offered meeting again on the

Planning Commission, October 11, 2023. Comments preceding approval of the Sugarloaf Rural Heritage Zoning Overlay District amendment to the Sugarloaf Treasured Landscape Management Plan

Commissioner White (beginning about 5:08:30):

There are not many changes from what we produced before, and I want to make certain that the Council realizes this is not an off-hand decision that was made, that there was an awful lot that went in to consideration and we listened to an awful lot of people and a lot of thoughts on all sides, and still came to the same kind of conclusions; and that this is not an ill considered, essentially hand-off and something that we said, “Well, we did it once; that's the way it ought to be.” I think that they have to understand this was considered almost from scratch and still we came to pretty much the same kind of conclusions. I think that's going to be a very important statement that needs to be made.

Commissioner Hicks (beginning about 5:09:52):

I think that it's additionally important to remind everyone that not only did we talk to a lot of people about this and not only did we review most of the issues, but we also made a concerted effort to engage one of the chief property owners in this area in the process. I'm talking about Stronghold.

(Hicks says he wrote a letter, played phone tag until Stronghold's lawyer did not return Hicks's calls.)

I want to make it clear that from my perspective, and I believe the Planning Commission's perspective, it was indeed Stronghold who opted out of this process and decided to discontinue the dialogue that we wished to have with them.

Commissioner Sepe agrees on the thoroughness of their consideration of the Overlay.

Commissioner Rensberger (beginning about 5:12:48):

For my part, I think what we also uncovered in this revisitation of these three elements was that there was bad information, disinformation out there about the Plan.

Rensberger notes Mr. Stewart's concern about being able to operate a portable sawmill, and adds:

“Someone scared him; I don't know who.”

Rensberger notes Mr. Parker's concern about rebuilding his auto repair facility, should he have a damaging fire, and adds:

“Somebody, peddling misinformation, put fear in him.”

Hicks moves to refer the Overlay to the County Council for decision and to recommend its

approval.

White seconds, adding that a “do pass” recommendation be added.

Rensberger characterizes this as saying to the Council, “We mean it!”

The Motion to approve the Overlay passes, 4-1 (Sepe)

From: Manalo, Noel <Noel.Manalo@offitkurman.com>

Sent: Friday, December 1, 2023 10:31 AM

To: Young, Brad <BYoung@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>

Cc: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Grabowski, Sarah <SGrabowski@FrederickCountyMD.gov>; Luna, Nancy <NLuna@FrederickCountyMD.gov>; Redmond, Lee <LRedmond@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Keller, Catherine <CKeller@FrederickCountyMD.gov>

Subject: RE: Sugarloaf Overlay Zone - Letter from Stronghold, Inc. - revised

Hello, Council Members – our apologies, Kim Gaines noted a typo in the previous letter from Mr. Martz.

The “June 2023” letter referred to was actually the May 2022 letter.

Attached is a revised letter. Thank you for your consideration – Noel Manalo



Noel Manalo

Principal Attorney
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STRONGHOLD OPPOSES SUGARLOAF OVERLAY

Recently, public officials have suggested that Stronghold, Incorporated ("Stronghold") has failed to engage in discussions regarding the Sugarloaf Overlay. Representatives of Stronghold and Frederick County as well as the Frederick County staff began discussions regarding the Sugarloaf Treasured Landscape Management Plan in December of 2019. After months of review with Stronghold's consultants and attorneys, as well as in-person meetings with County Executives Jan Gardner and Jessica Fitzwater at their request, Stronghold has remained consistent with its opposition to the inclusion of Stronghold's property in the Sugarloaf Overlay. Stronghold has also provided written opposition for the record to the Planning Commission or County Council on September 1, 2021, January 18, 2022, February 25, 2022, May 13, 2022, August 9, 2022, September 8, 2022, and January 17, 2023. Additional discussions with the Frederick County Planning Commission or the Frederick County Council will not change Stronghold's opposition.

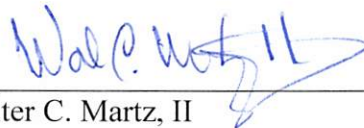
As we have repeatedly stated to all parties, Sugarloaf Mountain is not a public park but rather private property owned and operated by Stronghold, a not-for-profit entity dedicated to the conservation and forestry mission of its founder, Gordon Strong. Gordon Strong made Sugarloaf Mountain his home and warned against unnecessary governmental restrictions and intrusions. Sugarloaf Mountain is currently zoned rural conservation, the most restrictive of all zoning categories. Any additional restrictions will impact Stronghold's operation and maintenance of Sugarloaf Mountain.

Stronghold is very appreciative of the calls, emails and greetings it has received supporting its position, although some have sought governmental control of Sugarloaf Mountain. Stronghold has neither requested nor received any financial assistance from Frederick County to maintain Sugarloaf Mountain for the benefit of its citizens. Stronghold has preserved Sugarloaf Mountain for decades with the utmost integrity, care and concern for the land and its natural resources. Frederick County should remove Stronghold's property from the Sugarloaf Overlay so that Stronghold can continue to care for Sugarloaf Mountain and make this treasured property accessible to the public for decades to come.

General Counsel of Stronghold, Incorporated

By: _____

Walter C. Martz, II



From: Manalo, Noel <Noel.Manalo@offitkurman.com>

Sent: Monday, December 4, 2023 4:14 PM

To: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>

Cc: Grabowski, Sarah <SGrabowski@FrederickCountyMD.gov>; Luna, Nancy <NLuna@FrederickCountyMD.gov>; Redmond, Lee <LRedmond@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Keller, Catherine <CKeller@FrederickCountyMD.gov>

Subject: Sugarloaf Overlay Zone - Letter from Clearwater Landscape

Honorable Council Members – on behalf of Clearwater Landscape & Nursery, attached please find their letter regarding the Draft Sugarloaf Overlay Zone.

Thank you for your time and attention to this matter. Regards, Noel Manalo



Noel Manalo

Principal Attorney

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Noel S. Manalo, *Principal*
240.772.5200 Phone
240.772.5135 Facsimile
Noel.Manalo@offitkurman.com

December 4, 2023

County Council
Frederick County, Maryland
c/o Brad Young, President
12 East Church Street
Frederick, Maryland 21701

RE: Sugarloaf Overlay – Comments of Clearwater Landscape & Nursery

Dear President Young and Council Members:

I am writing on behalf of Mr. Michael S. Rempe and Clearwater Landscape & Nursery (collectively “Clearwater”). Clearwater owns and operates its luxury landscaping and outdoor-living space construction business at its headquarters on 9585 Doctor Perry Road, Ijamsville, Maryland 21754 (Tax ID # 07-590943) (the “Property”, shown on the enclosed exhibit).

Clearwater has been in business for over 30 years, and located at the Property for 25 years. Clearwater has a long record of outstanding, award-winning work for homeowners, developers, residential builders, property managers and others with specific luxury outdoor living and amenity needs. Clearwater prides itself on its customer service and workmanship.

Clearwater has been a good corporate citizen and caretaker of the Property for decades, operating with special exception approval and site plan approval at the Property since 1999. The Property is located between I-270 (on the east) and Doctor Perry Road (on the west); it is currently zoned Agricultural (A) with a Land Use Designation of Agricultural (A).

Similar to the consideration you gave to 8710 Fingerboard Road, Clearwater asks you consider zoning the Property to General Commercial (GC).

As with the 8170 Fingerboard Road case, the GC zoning would allow for the unhindered operation of the business as a permitted use, which would provide more flexibility than the current special exception approval. Clearwater’s business operations and services are virtually identical to those at 8710 Fingerboard. In addition, Clearwater’s location is similar to 8710 Fingerboard Road – both are directly adjoining I-270 on the west side. Clearwater’s Property serves as a buffer to the industrial-type uses further east.

The County’s Zoning Ordinance has evolved since the original grant of the special exception for the Property, and there is now more of an understanding of what is involved in a landscaping business use.

For the record, Clearwater has no intention of using the Property now or in the future for anything other than its operations. Clearwater has no intention of selling the Property. The

Property is Clearwater's base of operations, which has worked well for decades, and we anticipate the same for the future. Given that the County is looking at zoning for the area in a comprehensive fashion by virtue of this small area plan under review, we thought it opportune to ask you consider clarifying our zoning, as you did for 8710 Fingerboard Road.

Finally, we would also ask you exclude the Property from the Sugarloaf Overlay, for similar reasons.

Thank you for your assistance.

Sincerely,

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

NOEL S. MANALO

Enclosure (as stated)

cc: Mr. Michael S. Rempe

4890-8188-3796, v. 1

District: **07** Account Number: **590943**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

From: Edwin Grayzeck <e_grayzeck@yahoo.com>
Sent: Tuesday, December 5, 2023 3:38 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Executive <CountyExecutive@FrederickCountyMD.gov>
Subject: RE: support letter for Sugarloaf Overlay

statement from Climate Change Working Group



TO: Frederick County Council county executive;
FROM: Climate Change Working Group of Frederick County; Ed Grayzeck, Chair
RE: Support for Sugarloaf Overlay as presented by the Planning Commission
Date: 12/050/23

Dear County Council Members:

The Climate Change Working Group of Frederick County supports the Sugarloaf Overlay as presented (for the second time) by the Frederick County Planning Commission. Specifically, we support:

- The Overlay's I-270 boundary from Montgomery County to the Monocacy.
- The Overlay and the Plan's preservation goals for the Sugarloaf area, which include:
 - Addressing the scale and visual impact of land uses and developments that can degrade rural qualities, excessively burden the transportation network, and overwhelm the scenic and rural nature of the Sugarloaf Planning area,
 - Minimizing adverse impacts of land development activities on forestlands and natural habitats, and
 - Regulating the amount of impervious surfaces to control the volume of stormwater runoff and stream bank erosion, maintain levels of groundwater infiltration, and retain as many of the functions provided by natural land as possible.

Climate change is creating unprecedented environmental conditions, including the increased occurrence of droughts that threaten our ground and surface water supply. At the same time, the County is experiencing unprecedented development pressure. It is critical at this juncture to preserve ecosystem function, which enables life to exist, instead of growth at the cost of, for example, our water supply. We continue to advocate for the Sugarloaf Treasured Landscape Management Plan's environmental vision: "The natural environment and its habitat provision and ecosystem services are critical to our quality of life, and so they should be the primary consideration in all land planning and governmental decision-making processes."

From: Cherney, Ragen <RCherney@FrederickCountyMD.gov>
Sent: Tuesday, December 5, 2023 11:27 AM
To: Gaines, Kimberly <KGaines@FrederickCountyMD.gov>
Cc: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Black, Bryon
<BBlack@FrederickCountyMD.gov>; Keller, Catherine <CKeller@FrederickCountyMD.gov>
Subject: Nick Carrera Information Packet

Good morning,

Please see the attached informational packet that was dropped off this morning for the council members in regard for the record on the Sugarloaf Plan.

R

Ragen Cherney
Chief of Staff/Legislative Director
Frederick County Council
Winchester Hall
12 East Church Street
Frederick, Maryland 21701
301.600.1049



INFORMATION PACKAGE FOR FREDERICK COUNTY COUNCIL

This is factual information related to the evolution of the county's Sugarloaf Plan and its data center plans. They ran in parallel for a time, and were seemingly independent; their entanglement became public in March 2021. This package will help in understanding how and why this occurred.

CONTENTS OF THIS PACKAGE

Timeline: Sugarloaf Plan, Data Center Dates

Documents linked to items in the Timeline, usually with the same date

3/12/2021 “CDI Floating Zone” map held secret, but made public 6/15/2023, following a lawsuit

3/22/2021 “Conceptual Site Plan” of data centers on Natelli property in Zone 4 of CDI Floating Zone map. This was held secret, but was made public 6/15/2023, following a lawsuit

7/28/2021 Replatting of Natelli properties in Zone 4, prepared by Rodgers Consulting

Excerpts from emails, 2/09 to 4/11/2021. These excerpts reveal that Amazon Web Services and Tom Natelli and his associates played an important role in crafting the “CDI Floating Zone” approach and its map that was approved by the County Executive on 3/12/2021. The emails were held secret, but were made public 6/15/2023, following a lawsuit

7/30/2021 Map 1-1 from Sugarloaf Plan released this date, with Cutout identical to Zone 4

8/16/2021 Minutes of County Council meeting, a closed meeting involving Amazon Web Services

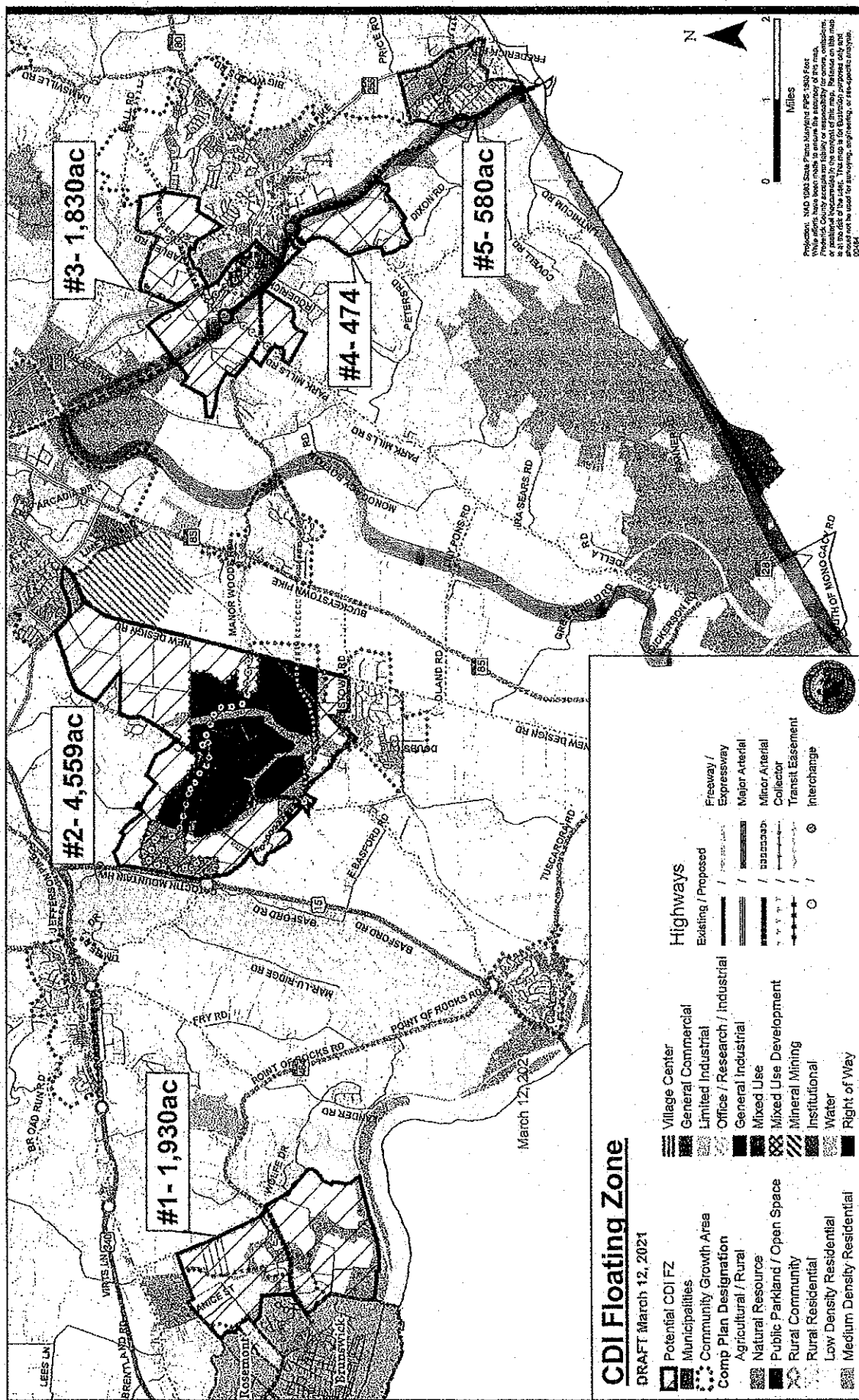
8/16/2021 Persons attending the 8/16/2021 closed meeting, with affiliations

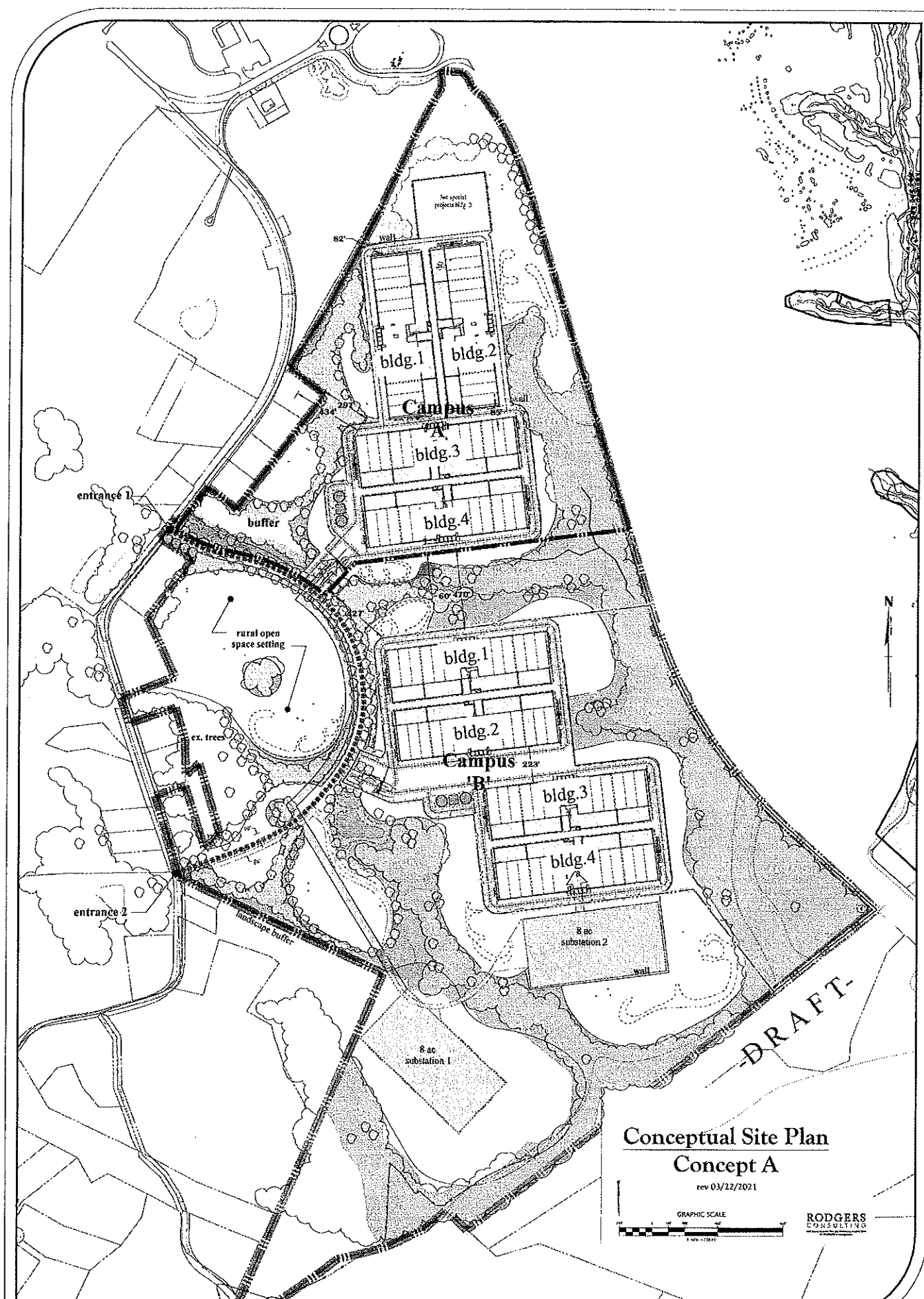
Package prepared 12/04/2023, by Nicholas Carrera, 2602A Thurston Rd, Frederick 21704

Timeline: Sugarloaf Plan, Data Center Dates

- 1/29/2016 Work on the *Livable Frederick Master Plan* (LFMP) starts with a convening retreat by the Steering Committee appointed by County Executive Jan Gardner.
- 6/14/2019 Nondisclosure agreement (NDA) signed “for the benefit of Amazon.com, Inc...”
- 9/03/2019 The LFMP is adopted. It calls for preparation of detailed area sub-plans. The first one chosen for preparation (thought to be “the easy one”) has resulted in the present *Sugarloaf Treasured Landscape Management Plan*, or just “Sugarloaf Plan.”
- Feb 2020 *The Sugarloaf Area Plan Briefing Book* is prepared by the Livable Frederick Planning and Design Office, as a start for the Sugarloaf Plan. The Plan area has I-270 as its eastern boundary.
- 3/08/2021 Scheduled release of the draft Sugarloaf Plan. It has I-270 as its eastern boundary. Release is canceled at the last minute.
- 3/12/2021 “CDI Floating Zone” map of possible data center areas; Zone 4 and part of Zone 3 are within what is now the Sugarloaf Plan area. In email this date, Jan Gardner says, “I like this version a lot better.” Zone 4 will become the “Cutout” in the July 30 Sugarloaf Plan. This map was held secret, but was made public 6/15/2023, following a lawsuit.
- 3/22/2021 “Conceptual Site Plan,” prepared by Rodgers Consulting, depicts 8 data centers on Tom Natelli's property in Zone 4. This plan was held secret, but was made public 6/15/2023, following a lawsuit.
- 3/24/2021 Natelli files for permit to demolish farm structures on his property in Zone 4.
- 7/12/2021 Quantum Loophole announces that Natelli joins its Board of Directors.
- 7/28/2021 Rodgers Consulting files revised platting of Natelli's Zone 4 parcels; new platting corresponds to features in the 3/22/2021 “Conceptual Site Plan” for data centers.
- 7/30/2021 Sugarloaf Plan is released, with Zone 4 cut from its area. That “Cutout” area is mostly Natelli-owned property.
- 8/16/2021 Closed County Council meeting includes County Executive and 10 Amazon reps.
- 9/10/2021 Stephen Black files complaint with the Open Meetings Compliance Board regarding legality of the 8/16/2021 closed meeting. See result at 11/29/2021, below..
- 9/15/2021 Planning Commission votes 4-1 (Sepe) to restore Zone 4 land to the Sugarloaf Plan.
- 9/29/2021 Citizens meet at Urbana Fire Hall to discuss Cutout in Sugarloaf Plan. Jan Gardner attends, denies collusion in creating the Cutout, claims “planning staff decided to cut,” and that it would be a “study area for the I-270 corridor.”

- 10/19/2021 Sugarloaf Alliance requests, under the Public Information Act (PIA), secret emails and documents relating to changes in the Sugarloaf Plan, from 2/01/2021 to 4/30/2021.
- 11/10/2021 Natelli buys 53.95 acres on Fingerboard Road, west of I-270, for \$1.78 M. Parcels lie in Zone 3 of the CDI Floating Zone map, in the Sugarloaf Plan area.
- 11/29/2021 Open Meetings Compliance Board finds 8/16/2021 meeting with Amazon was illegal.
- 12/22/2021 Natelli buys 152.83 acres east of I-270 in Zone 3 of the CDI Floating Zone map.
- 7/01/2022 Sugarloaf Alliance files lawsuit against Frederick County, seeking records it had requested on 10/19/2021, which County had refused to release.
- 10/25/2022 On Member Jessica Fitzwater's motion, County Council votes 4-3 to remand Overlay provisions, then part of the Sugarloaf Plan, to the Planning Commission for further consideration. On Fitzwater's further motion, Council votes 7-0 to adopt Sugarloaf Plan without the Overlay.
- 6/08/2023 Lawsuit filed 7/01/2022, seeking records held secret by the county, is decided in favor of Sugarloaf Alliance. Judge orders records to be released.
- 6/15/2023 Frederick County releases records mandated by 6/08/2023 decision. They include those described above, at 3/12/2021 and 3/22/2021, and emails whose excerpts are attached.
- 6/22/2023 County Executive Jessica Fitzwater creates Data Center Workgroup.
- 10/11/2023 Planning Commission approves Overlay, 4-1 (Sepe), to send to County Council. Overlay is little changed from the version that was remanded on 10/25/2022. Planning Commissioners add their strong endorsements, "Do pass," and "We mean it."
- 11/14/2023 County Council has first discussion of the Overlay.

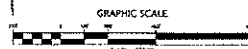




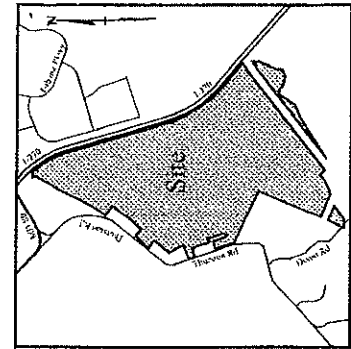
Conceptual Site Plan

Concept A

rev 03/22/2021



RODGERS
CONSULTING



Vicinity Map: 1" = 2000'

- General Notes:**
1. Coordinates, corner and section data are shown as they appear on the Maryland State Plane projection. The coordinates are based on the Maryland State Plane projection, NAD 83, Zone 18N. The coordinates are based on the Maryland State Plane projection, NAD 83, Zone 18N. The coordinates are based on the Maryland State Plane projection, NAD 83, Zone 18N.
 2. The subject property is located in the unincorporated area of Frederick County, Maryland. The subject property is located in the unincorporated area of Frederick County, Maryland. The subject property is located in the unincorporated area of Frederick County, Maryland.
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Owner's Declaration and Indemnification

I, the undersigned, being the owner of the property shown and described herein, do hereby declare that the plat is a true and correct copy of the original of this plat as filed with the County Clerk of Frederick County, Maryland, and that I am not aware of any other persons claiming an interest in the property shown and described herein.

I, the undersigned, being the owner of the property shown and described herein, do hereby declare that the plat is a true and correct copy of the original of this plat as filed with the County Clerk of Frederick County, Maryland, and that I am not aware of any other persons claiming an interest in the property shown and described herein.

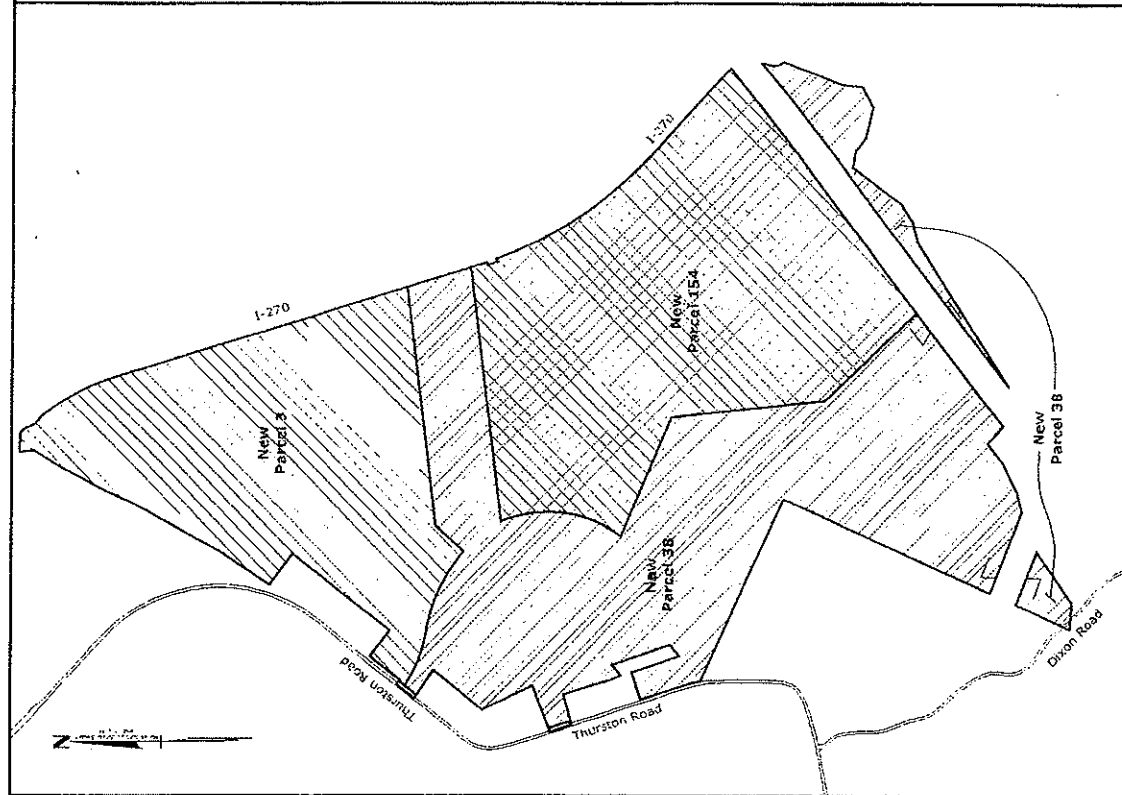
Dated: _____
NATELLI HOLDINGS II, LLC,
a Maryland limited liability company

Witness:

Addition Plat
Part of the Lands of
Natelli Holdings II, LLC
to
Natelli Holdings II, LLC
Urban (7th) Election District
Frederick County, Maryland
Scale: As Shown, July 2021

Sheet 1 of 4
PLAT No. 11414

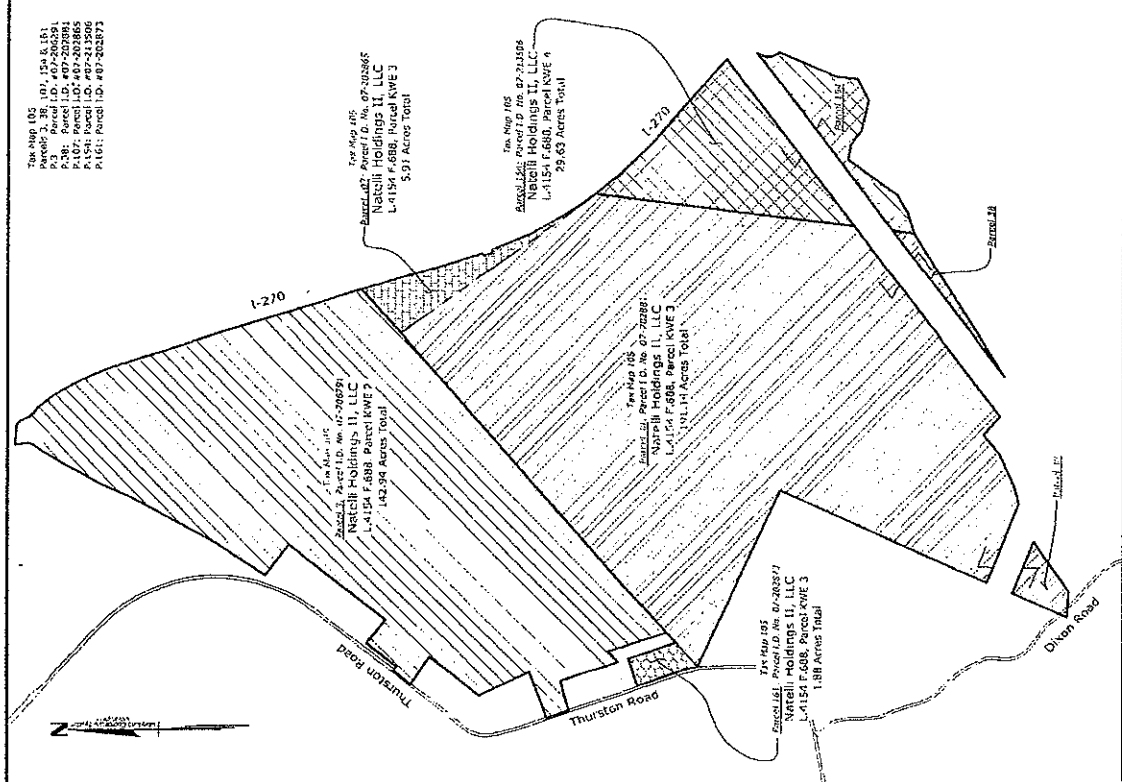
date of filing 7/28/21



Overall Deed Exhibit (Proposed Parcels)
Scale: 1" = 600'

Survey was completed on or before the day of _____, 2021.
Surveyed by _____
1/2 Commission Expires: _____

File # _____
AP # _____
Received _____
P.U. _____



Overall Deed Exhibit (Existing Parcels)
Scale: 1" = 600'

TO THE CLERK OF THE COURT:
This plat complies with Article 11, Section 1-107 of the Frederick County Code.

RODGERS CONSULTING
1047 Court Parkway, Suite 100, Germantown, Maryland 20874
P.O. Box 100, Germantown, Maryland 20874

DATE: _____
DATE: _____
DATE: _____

EXCERPTS FROM COUNTY STAFF EMAILS REGARDING DATA CENTERS

Emails were obtained 6/15/2023, from a Public Information Act lawsuit against the county
Prepared for County Council meeting 12/12/2023

2/09/21: "... not to be shared with staff. I'm assuming this afternoon meeting concerns the Natelli properties. Let me know if you've heard anything to the contrary. Otherwise, the CE seems very pleased with the Plan document..." – H-51*

2/19/21 "... I've wondered how long we're going to be able to get away with 'critical digital infrastructure' before we're pressed on what exactly this is all about." – A-22*

3/11/21 "Please find attached the draft language for Critical Digital Infrastructure that may be shared with AWS. ... is going to pass this along to them." (to Gardner and 5 others) --A-51

3/12/21 "I like this version a lot better. We can discuss at our next meeting." (Jan Gardner, to 7 staff members) – A-1 *Comment refers to a map with five "critical digital infrastructure" (CDI) floating zone areas, one of which is the "Cutout" that later appears in the July 30, 2021, Sugarloaf Plan draft.*

3/18/21 "The contemplated actions we've been discussing are questionable and suspect to me personally. We must be transparent and clear in our planning! Don't the Sugarloaf residents have a right to know the future path of their community? Isn't that what land use planning is about? Don't we owe this to the public, whom we serve?" H-39

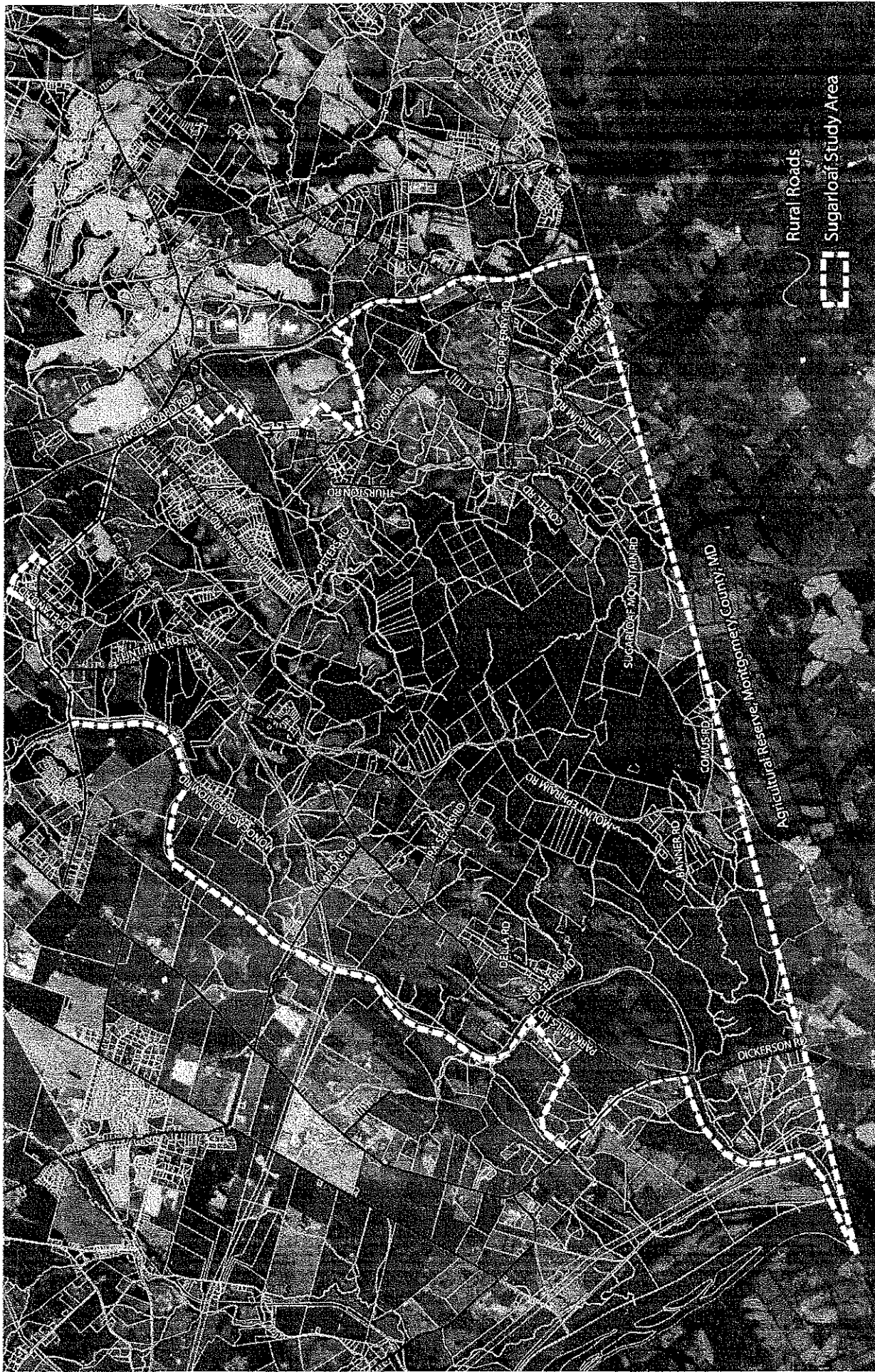
3/21/21 (Sunday) "I am emailing to summarize the meeting concerning the draft CDI ZTA. My previous email identified stakeholders present: Bruce Dean, Tom Natelli, Lisa Gradita, Eric Soter, and Amy Vetal. ... The purpose of the meeting was to answer their questions and hear their comments on the draft language. Eric and Dean agreed to compile their comments and submit them to us in writing in the coming days." (to Gardner and 3 staff members) A-35

3/23/2021 "The attached document concerning the CDI ZTA was sent by Bruce Dean this morning. The members of the DPP staff who drafted the CDI ZTA will meet in the coming days to review these comments." (to Gardner and 3 others) A-35

3/29/21 "I have concerns about the process and timing of this initiative. The question for the planners is how to achieve the administration's desire for establishing these digital infrastructure areas in a manner that is open and transparent, and does not subject me, you, and the Planning Department to charges of secrecy, insincerity, obfuscation, dishonesty, or even deception." – A-65

4/11/21 (Sunday) "I would appreciate it if you would send me a copy of the input that Bruce Dean provided to you so I can read it before Tuesday's meeting. ... I would like a list of the issues that we need to address ... building height, lot line setbacks, lighting, and other issues so they can be clarified and addressed." (Gardner to 3 staff members) – A-36

*These refer to the downloads obtained from the county. Labels are A (All) and H (Horn); numbers are document numbers within the download.



Planning Area Boundary

As released, July 30, 2021



**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Monday, August 16, 2021**

**FORM OF STATEMENT FOR MINUTES OF NEXT OPEN MEETING
ON TUESDAY, AUGUST 17, 2021
FOLLOWING THE CLOSED MEETING OF MONDAY, AUGUST 16, 2021**

STATUTORY AUTHORITY TO CLOSE SESSION

Maryland Annotated Code General Provisions Article §3-305(b)(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State and General Provisions Article §3-305(b)(7) To consult with counsel to obtain legal advice.

Motion:

A motion was made at 6:02 p.m., by Council Vice President, Michael Blue, to go into closed session in accordance with Maryland Annotated Code General Provisions Article §3-305(b)(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State and General Provisions Article §3-305(b)(7) To consult with counsel to obtain legal advice. The motion was seconded by Council Member Steve McKay, which passed 7-0.

Time and Location:

6:04 p.m. – Winchester Hall – First Floor Meeting Room

Others in Attendance:

Ragen Cherney, Bryon Black, Catherine Keller, Nancy Luna, Jan Gardner, Rick Harcum, Lori Depies, Helen Propheter, Margaret Nausbaum, Michael Punke, Shannon Kellogg, Tony Burkart, Sarah Sheehan, Becky Ford, Keith Klein, Amy Vetal, Garrett Jansma, Matt Mincieli, Eric Soter, Bruce Dean, Dr. Anirban Basu, and Zack Fritz.

Topic Discussed:

To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State and To consult with counsel to obtain legal advice.

Action Taken:

None

M.C. Keegan-Ayer, President
County Council

August 16, 2021, Closed-door meeting of County Council: Attendees

County Executive Jan Gardner

County Council Members:

M.C. Keegan-Ayer, President
Michael Blue, Vice-President
Jerry Donald
Kai Hagen
Jessica Fitzwater
Phil Dacey
Steve McKay

County staff members:

Ragen Cherney, Chief of Staff, County Council
Catherine Keller, Assistant County Attorney
Nancy Luna, Recording Secretary, County Council
Bryon Black
Rick Harcum
Lori Depies
Helen Propheter
Margaret Nausbaum

Amazon representatives:

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, Amazon, AWS
Becky Ford, Washington, DC, Manager, AWS Economic Development; Global Infrastructure Expansion, AWS
Keith Klein, Managing Principal – Americas, AWS Real Estate Acquisition and Development
Amy Vetat, Prop. Senior Real Estate Transaction Manager, AWS
Garrett Jansma, Environmental Policy Manager, AWS
Matt Mincieli, Manager AWS Public Policy, Northeast
Zack Fritz, Senior Client Lead – Worldwide Public Sector, AWS

Also in attendance:

Eric Soter, Rodgers Consulting; lobbyist for Natelli Holdings II, LLC
Bruce Dean, lawyer for land-use and development; lawyer for Tom Natelli; lobbyist for QL
Anirban Basu, Chairman and CEO, Sage Policy Group

From: smordensky@aol.com <smordensky@aol.com>
Sent: Tuesday, December 5, 2023 9:53 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Fw: SUGARLOAF: URGENT! This time, we ALL need to show up on Tues, 12/12, 5:30, Winchester Hall

This important email is below my closing.

There will be 3 minutes of public comment per person whether it be called in following the prompts or live at the dais at Winchester Hall on East Church Street. Letters are also welcome.

Subject: SUGARLOAF: URGENT! This time, we ALL need to show up on Tues, 12/12, 5:30, Winchester Hall

Sincerely,

Stan

Stan Mordensky

Cell Phone: 301-639-8584 (Best choice)

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

From: Karen Russell <ccwgfredco@gmail.com>
Sent: Monday, December 4, 2023 at 12:47:14 PM EST
Subject: Fwd: SUGARLOAF: URGENT! This time, we ALL need to show up on Tues, 12/12, 5:30, Winchester Hall

Hello Folks,

The CCWG has sent a letter to the County Council advocating for the passage of the Sugarloaf Zoning Overlay as recommended by the Planning Commission. Please see the communication below from the Sugarloaf Alliance about how you can support this effort. We need a government of the people, by the people and for the people.

Background:

In March 2021, the initial staff draft of a zoning overlay for the Sugarloaf Small Area Plan was sent out for printing, based on the Sugarloaf Citizen Advisory Group's recommended Sugarloaf area boundaries: Here's the area that appeared in the printed copy of the plan, in August. Note the cut-out on the eastern boundary:

During that time, County Executive Gardner met with developer Tom Natelli and his representatives, owner of the majority of the planning area that appears in the cut-out. The [Sugarloaf Alliance](#) placed a public information request to discover what took place in the meeting, ultimately suing the County for the information it sought. Amazon data centers were planned for the cut-out area.

The Zoning Overlay was ultimately remanded back to the Planning Commission for a second review. The Commission has kept the overlay's original boundaries (as I understand it) and it's now before the County Council again. A public hearing is scheduled for Tuesday 12/12 at 5:30 and a large public turn-out in support of the recommended overlay would validate the Commission's work.

Please see below for more information and ways to support this effort. Hope to see you there!

Karen Russell, Founder
ccwgfredco@gmail.com
[Climate Change Working Group of Frederick County](#)

Begin forwarded message:

From: Ingrid Rosencrantz <catoctinck@gmail.com>
Subject: Fwd: SUGARLOAF: URGENT! This time, we ALL need to show up
Date: December 3, 2023 at 6:50:56 PM EST
To: Karen Russell <CCWGFredco@gmail.com>

We are hearing that we need to get out as many folks as possible to have a chance of prevailing with the County Council.

As you probably heard, the Planning Commission not only supported the overlay, (which would push back against data centers in this part of the county) but they strongly did so, telling the Council, "Do pass." Time is tight and taking action as soon as possible on the petition would be great. Also, as you can see below, the County Council has schedule a public hearing for December 12, not so far away from now.

Any assistance you could provide in getting the word out on these two actions would be most appreciated.

Thanks so much!

Ingrid

Begin forwarded message:

From: Sue Trainor <sue.trainor.music@gmail.com>
Subject: SUGARLOAF: URGENT! This time, we ALL need to show up
Date: December 2, 2023 at 2:05:23 PM EST
To: Sue Trainor <suetrainor@aol.com>

www.sugarloaf-alliance.org

Check out our posts and videos on Facebook and Instagram, too!

<https://www.facebook.com/SugarloafAlliance>
https://www.instagram.com/sugarloaf_alliance/
<https://www.youtube.com/@SugarloafAlliance>

In this Newsletter:

1. NEW SA PETITION: Prohibit Data Centers in the Sugarloaf Plan Area

2. PLAN TO ATTEND! Overlay District Hearing on Tues., 12/12, 5:30pm

3. Advocate for Transparency: Invest in Open Government

1. NEW SA PETITION: Prohibit Data Centers in the Sugarloaf Plan Area

Here's the text of the petition:

The Sugarloaf Rural Heritage Overlay Zoning District ("the Overlay District") again is before the Frederick County Council. County records released recently (by court order) and Council Member comments make it clear that data center development in the foothills of Sugarloaf Mountain continues to be a threat.

We, the undersigned, call on the Frederick County Council to amend and pass the Sugarloaf Rural Heritage Overlay Zoning District amendment to the Sugarloaf Plan in order to prevent data center development in the Sugarloaf region. Specifically, we ask the County Council to:

- amend the Plan and Overlay text to add Critical Digital Infrastructure (data centers) to the list of prohibited uses within the Overlay boundary;
- retain the Overlay boundary as recommended twice by the Planning Commission, thereby limiting development on the west side of I-270; and
- pass this amended Overlay District without further delay.

The county map [below](#), *released to Sugarloaf Alliance by court order*, illustrates the problem. In this draft plan, outlined parcels #3 and #4 overlap the Sugarloaf Plan boundary (outlined in green). As we have said many times, [data centers](#) are massive industrial buildings totally inconsistent with the historical and rural character of the area and destructive to the sensitive natural environment here. [\(For example, see the conceptual plan for the 474 acre Thurston Road cut-out, area #4.\)](#)

The County Council will hold a hearing on Tuesday, 12/12 and could opt to amend Sugarloaf Plan language. Please join us in asking for an amendment to add Critical Digital Infrastructure (data centers) to the list of prohibited uses within the Overlay boundary. [Click here to sign the petition and leave comments.](#)

Please note that [change.org](#) may ask you for donations. [Those donations go to change.org, not to Sugarloaf Alliance.](#)

2. PLAN TO ATTEND! Overlay District Hearing on Tues., 12/12, 5:30pm

Winchester Hall, 12 E. Church Street, Frederick

The County Council will hold a hearing on Tuesday, December 12, beginning at 5:30pm, to hear public comment on the Sugarloaf Rural Heritage Overlay Zoning District amendment to the Sugarloaf Plan. **Sugarloaf Alliance believes this may be the “do or die” moment** in the community’s effort to support preservation. **Please plan to be there.** [Please continue to share your comments with County Council by email; click here for the addresses.](#) Please share this information and encourage your friends and neighbors to comment and show up.

In addition to the petition language above, the talking points are the same as always [\(click here for more talking points\)](#). The Sugarloaf Alliance supports:

- The Overlay’s I-270 boundary from Montgomery County to the Monocacy.
- The Overlay and the Plan’s preservation goals for the Sugarloaf area, which include the following:
 - “To address the scale and visual impact of land uses and developments that can degrade rural qualities, excessively burden the transportation network, and overwhelm the scenic and rural nature of the Sugarloaf Planning area
 - “To minimize adverse impacts of land development activities on forestlands and natural habitats
 - “To regulate the amount of impervious surfaces to control the volume of stormwater runoff and stream bank erosion, maintain levels of groundwater infiltration, and retain as many of the functions provided by natural land as possible”.

On 12/19, the County Council is scheduled to vote, including consideration of proposed amendments. If the Sugarloaf Rural Heritage Overlay Zoning District amendment to the Sugarloaf Plan is amended, the process will continue into January. **If four members of the County Council vote against the Overlay on the 19th, it’s our understanding that consideration of the Overlay is finished.** Right now, we can’t count four votes in favor of the Overlay. If the Overlay fails, the Sugarloaf Plan (which is the visionary statement regarding land use) remains in place but it’s not a zoning law - it has no teeth to help us fight development going forward. **The County Council needs to hear NOW where voters stand** on the issue of dense and industrial development in the Sugarloaf Plan area.

3. Advocate for Transparency: Please Invest in Open Government

Sugarloaf Alliance has been making use of the Maryland Public Information Access Law (MPIA) to learn how Frederick County is managing land use and planning - behind the closed doors, and especially as regards data centers - in the greater Sugarloaf Mountain area. This summer, the Circuit Court awarded Sugarloaf Alliance nearly [800 pages of documents](#) requested from the county, which revealed backroom discussions and [a draft map showing 9,400 acres of data center development in the Sugarloaf area and southwestern Frederick County \(the map shown above\)](#). The next step in the legal process was to resolve who pays court costs. The decision says that Sugarloaf Alliance prevailed, yet the Circuit Court awarded Sugarloaf Alliance only \$25,000, less than half of current court costs ([read the decision here](#)). Our mission in this case continues to be government transparency; **placing a heavy financial burden on citizens seeking public information discourages legitimate inquiries.**

Sugarloaf Alliance has filed to appeal. We are proud to say that the [Public Justice Center](#) shares our view of the meaning of the Maryland Public Information Access (MPIA) law and has agreed to represent us in our appeal. ([Click on the link](#) and check them out! They do important social justice work in the state.) However, the County hasn't changed its view about what information is ok to withhold from the public; [they are counter-appealing](#).

[We ask you to invest in open government by donating to the Sugarloaf Alliance](#). The CDI (data center) Floating Zone map above (and other documents) obtained through our lawsuit have contributed significantly to county residents' ability to address data center sprawl before it's too late to stop it.

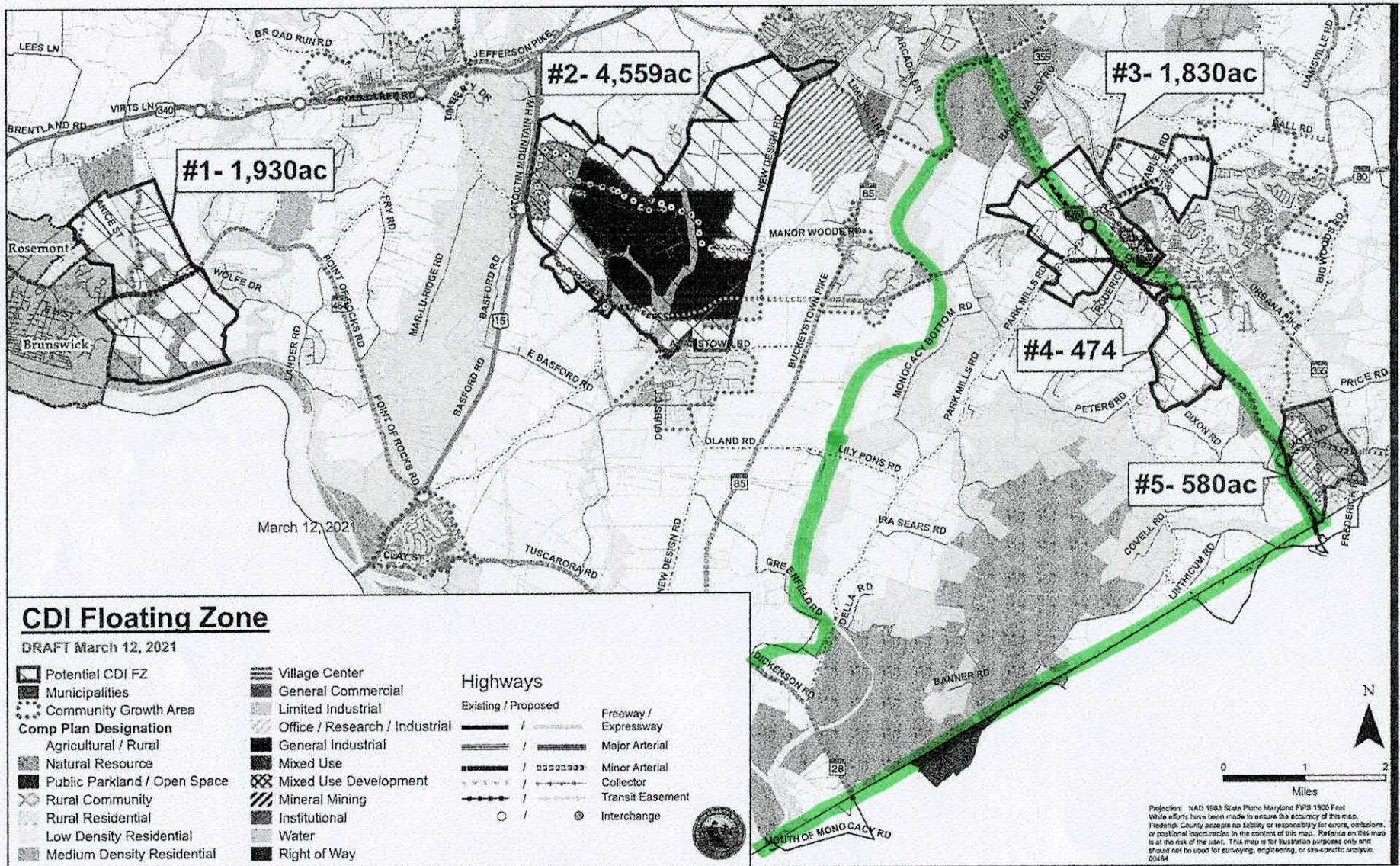
Most of Sugarloaf Alliance's activities don't cost the organization very much, but our legal pursuits in the interest of government transparency do. If you also believe that the government's work is the people's business, and if you have the means to help us in that mission - a little or a lot - [please visit the donate page at our website](#).

Thank you!

- *The Sugarloaf Alliance represents over 650 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. [Sugarloaf-Alliance.org](#)*

Some of you may be receiving this newsletter because you have attended a community meeting or submitted written comments to the Planning Commission or the County Council. Because you have shown concern, we hope Sugarloaf Alliance's coverage of these issues is useful to you. IF YOU WOULD LIKE TO BE REMOVED FROM THIS MAILING LIST, please respond to this email with a request for your email address to be deleted from the mailing list.





From: James Ryder <jryder@claggettcenter.org>

Sent: Thursday, December 7, 2023 9:34 AM

To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>

Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Claggett Center and Sugarloaf Overlay

To County Council Members,

The Claggett Center, in its role as a land owner along the border of the overlay district and an active non-profit in Frederick County, call on the Frederick County Council to amend and pass the Sugarloaf Rural Heritage Overlay Zoning District amendment to the Sugarloaf Plan in order to prevent data center development in the Sugarloaf region. Specifically, we ask the County Council to:

- amend the Plan and Overlay text to add Critical Digital Infrastructure (data centers) to the list of prohibited uses within the Overlay boundary;
- retain the Overlay boundary as recommended twice by the Planning Commission, thereby limiting development on the west side of I-270; and
- pass this amended Overlay District without further delay.

Passing this overlay is long overdue and frankly, it has been tiring to see one landowner trying to hold an entire process hostage because they are not happy with new zoning changes. Sugarloaf Mtn is already covered by strict conservation zoning. I suspect their opposition has more to do with the new "private park" designations and possible costs associated with insurance requirements etc. **Regardless of Stronghold's objections, the Planning Commission and county staff have done the hard work to make these recommendations and the Claggett Center fully supports those choices.**

Claggett Center is a regular user of the overlay area for recreation and trips for our guests and youth. The viewshed of the overlay area is a major resource and asset for our mission and center. It would be our hope that long term planning is taken to convert the Sugarloaf Mtn. property to a county or state park. This way fights like these will be over for future generations and we can all enjoy the resources as the true public treasures that they are.

Best,

James

--

James Ryder (he/his/him)

Co-Executive Director | Tel. 301-874-5147 ext. 1436

The Claggett Center | [3035 Buckeystown Pike, Adamstown, MD 21710](https://www.claggettcenter.org/3035-Buckeystown-Pike-Adamstown-MD-21710)




From: Akram, Megan <makram@offitkurman.com>
Sent: Wednesday, December 6, 2023 4:24 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Severn, David <dsevern@offitkurman.com>; Manalo, Noel <Noel.Manalo@offitkurman.com>
Subject: Sugarloaf Rural Heritage Overlay District - Opposition of KRS Enterprises, LLC

Good afternoon,

Please see attached correspondence from David A. Severn, Esquire.

Thank you,



Megan E. Akram
Paralegal
D 240.772.5117
makram@offitkurman.com

5301 Buckeystown Pike
Suite 304
Frederick, MD 21704
T 240.772.5200
F 240.772.5135
offitkurman.com

[in](#) [f](#) [t](#) [i](#)

PRIVILEGED COMMUNICATION/PRIVACY NOTICE

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David A. Severn, *Principal*
240.772.5200 **Phone**
240.772.5135 **Facsimile**
DSevern@offitkurman.com

December 6, 2023

VIA EMAIL

Frederick County Council
Frederick County, Maryland
c/o Brad Young, President
12 East Church Street
Frederick, Maryland 21701

RE: Sugarloaf Rural Heritage Overlay District – Opposition of KRS Enterprises, LLC
 2932 Thurston Road, Frederick, MD 21704; 209.05 acres
 (Tax Map 105, Parcel 2; Tax ID # 07-206275)

Dear President Young and Council Members:

On behalf of KRS Enterprises, LLC and its managing member, Dr. Ravi Yalamanchili, MD, FAANS (“**KRS**”), I am writing to again express my client’s strong objection to the imposition of the proposed Sugarloaf Rural Heritage Overlay Zoning District (“**Proposed Overlay**”) on the above-captioned 209.05-acre property (the “**Property**”, shown on the attached exhibit) under the proposed amendment to the Sugarloaf Treasured Landscape Management Plan (“**Sugarloaf Plan**”). The Property is zoned Agricultural with a land use designation of Agricultural/Rural. The imposition of the Overlay directly contradicts the planning vision for the Property established in the Thematic Plan section and elsewhere in the Livable Frederick Master Plan (the “**LFMP**”).

The Property is not located within the Sugarloaf Mountain Rural Heritage Landscape (page 58 LFMP), the Green Infrastructure Sector (page 48 LFMP) or the Green Infrastructure Network & Sensitive Species Areas (page 50 LFMP). It is however, designated as “Agricultural Lands” within the Agricultural Infrastructure Section (page 60 LFMP). The Agricultural Infrastructure Sector “is identified to support continued and innovative agricultural development...” The current Agricultural zoning and land use designation of the Property is consistent with the LFMP.

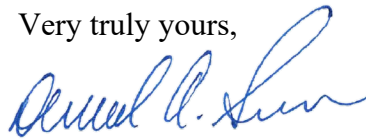
By correspondence submitted to the County on April 20, 2022, my client registered its objections to the proposed downzoning of a 46.7-acre portion of the Property from Agricultural to Resource Conservation and the corresponding land use change to Natural Resource based on a broad-brush overview of the physical and environmental features of the Property. KRS also objected to the imposition of the Overlay on the Property citing the real potential for a diminution in property value. KRS is grateful for the County Council’s decision not to downzone the Property at that time.

That legislative decision by the County Council firmly established that the Property was not appropriate for the special protection measures and heightened restrictions on land use and property rights resulting from downzoning to Resource Conservation and the imposition of the Overlay because it does not contain sensitive environmental features or resources. That same planning logic and legislative reasoning still applies and the Property should not be included within the Overlay.

In its consideration of the proposed text for the Overlay, KRS urges the County Council to remember that despite good intentions, there are several new requirements and standards that have subjective elements which the Planning Commission will determine during site plan review within the Overlay. For example, under proposed Section 1-19-7.720 (A) (1) and (3), what is the objective standard for the Planning Commission to judge whether a structure visible from a public right of way has sufficient “architectural elements”, “large expanses of undifferentiated facades” or “materials compatible with the rural and natural setting”? Subjective standards lead to uncertainty and unpredictability in the land use process, negatively impact property values and result in more expense to the property owner.

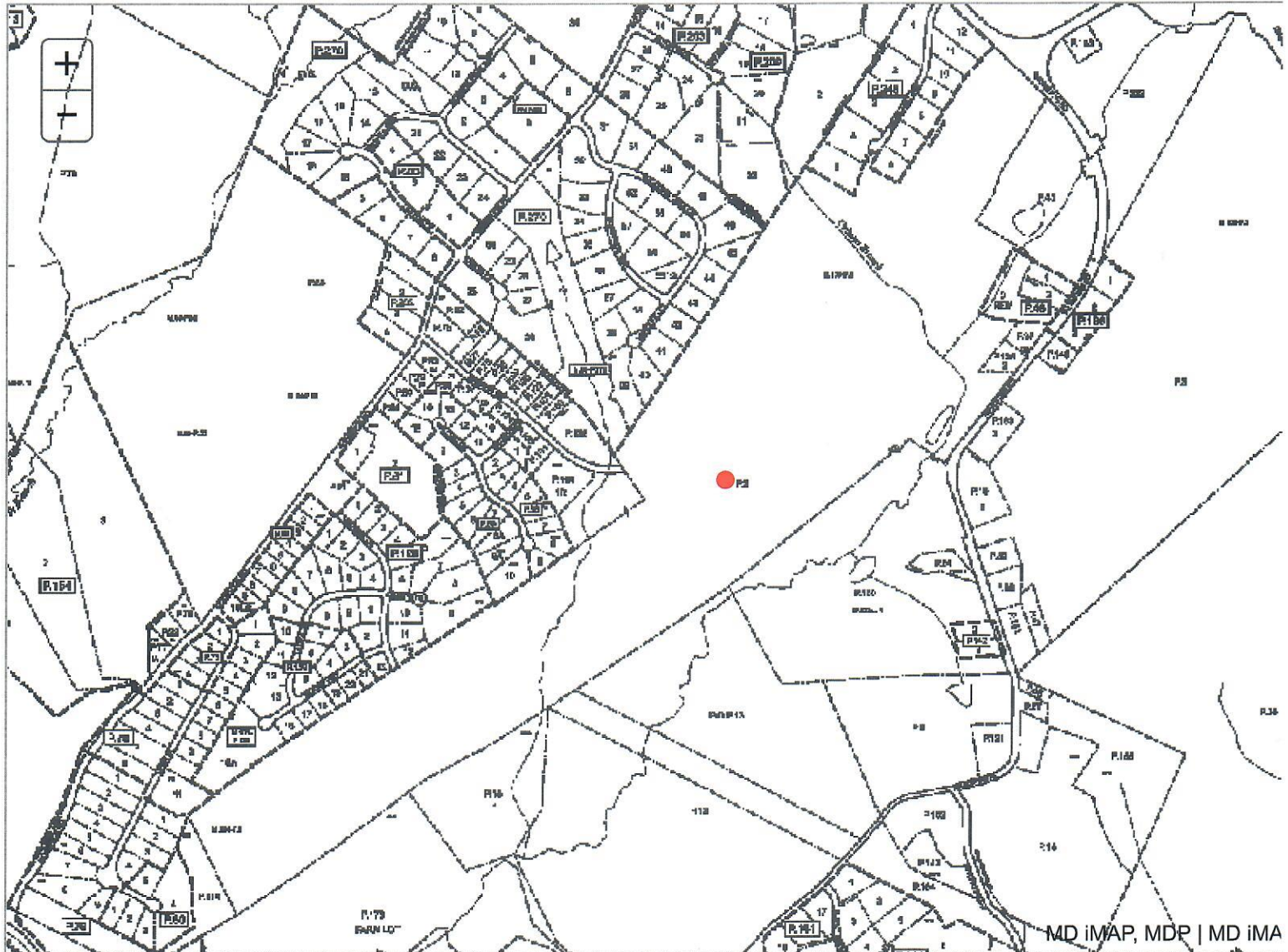
The imposition of the Overlay on the Property is inappropriate, unduly restrictive, unnecessary and contrary to the LFMP and KRS respectfully requests that the Property be excluded from its boundaries. Thank you.

Very truly yours,



David A. Severn

Cc: Dr. and Mrs. Ravi Yalamanchili

District: **07** Account Number: **206275****TAX MAP 105 P. 2**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

From: Mark Sankey <markrsankey@gmail.com>
Sent: Wednesday, December 6, 2023 6:04 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Comments RE; Sugarloaf Plan and Rural Heritage Overlay

Council Members:

Please see the attachments. Thank you for your efforts.

Mark Sankey
Frederick, MD

SUGARLOAF RURAL HERITAGE OVERLAY

Comments regarding the Overlay and data centers.

Mark Sankey

100 Burgess Hill Way, Apt 309

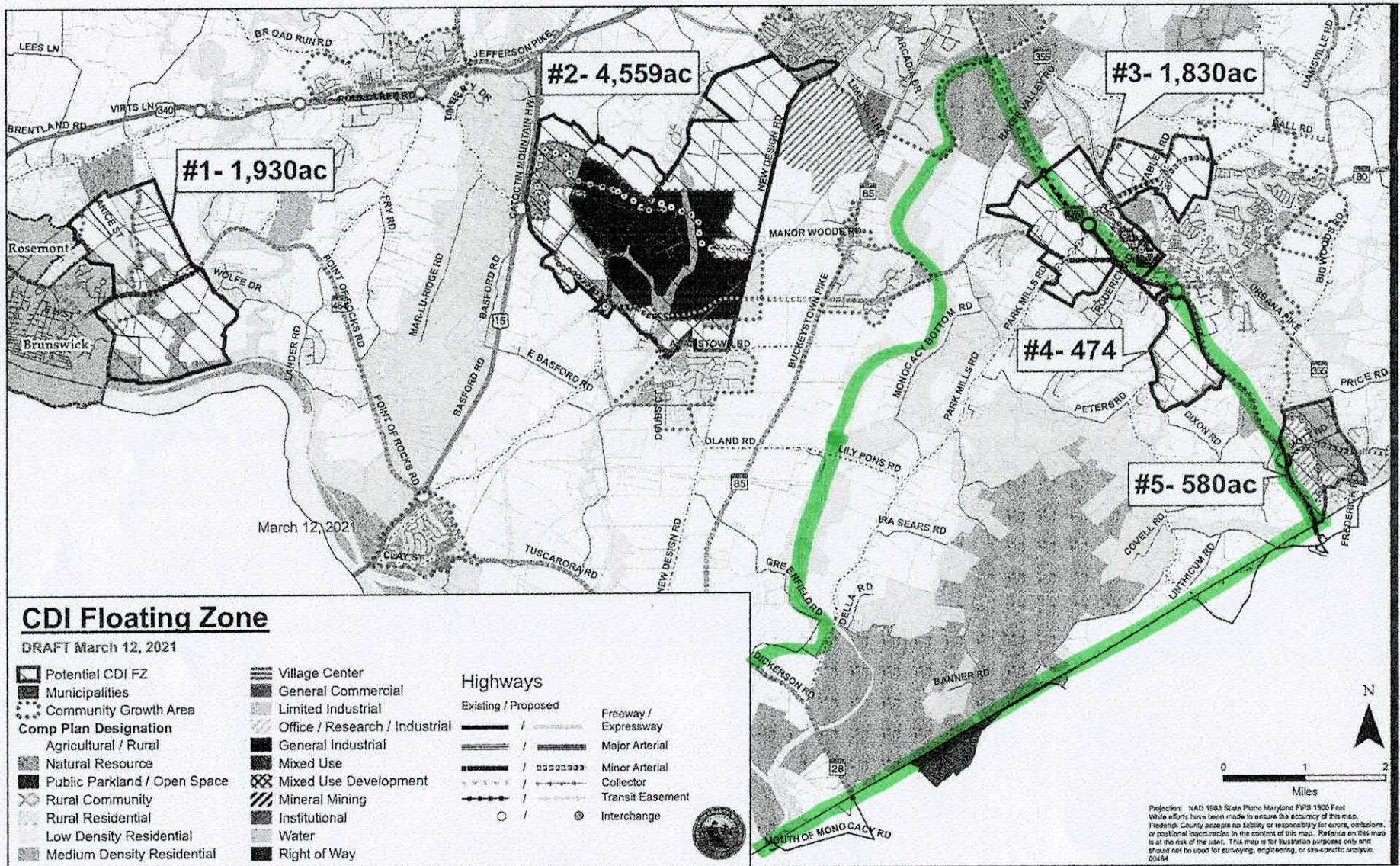
Frederick, MD 21702

I share these thoughts for the County Council's consideration. I serve on the Frederick County Sustainability Commission but these comments are my own, offered as a private citizen and do not represent the Commission.

As a member of that Commission, I reviewed the Sugarloaf Plan in detail and had the opportunity to meet personally with Tim Goodfellow to gain a thorough understanding of the Plan. Tim was a spearhead for the Plan as he served in the Planning Department. The plan and the overlay designation do not prescribe any onerous requirements for the area. The Plan allows for management of development in the area to preserve its beauty and maintain a natural setting for the enjoyment of residents of the region. The Overlay strengthens these goals. While we have preserved natural lands in other parts of the County, this area provides better accessibility to the south and eastern part of the County. The Plan and Overlay should be accepted essentially as recommended by the Planning Commission. It is understood that County Council may make changes as it deems appropriate.

Regarding data centers, many have expressed concerns based on a draft map, dated March 12, 2021, labeled CDI Floating Zone. This map shows a portion of Zone #3 and of Zone #4 in the area bounded by the Sugarloaf Plan and Overlay. As far as I know, this map has never been approved or such zones codified. Any further consideration of such a map should exclude any such zones within the Sugarloaf Plan boundary. As part of the Council's work on the Sugarloaf Plan, it should be expressly stated that no data centers be permitted within the Plan area. A copy of this map with the Plan area highlighted is included with these comments for your convenience.

Thank you for considering these comments.



From: Steve Black <steveblack2313@gmail.com>
Sent: Thursday, December 7, 2023 8:03 PM
To: Cherney, Ragen <RCherney@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Keller, Catherine <CKeller@FrederickCountyMD.gov>
Subject: Fwd: Sugarloaf Alliance as a Recognized Organization

See attached.

I'm just forwarding an
Old email.

Please confirm it came through

Steve

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

From: **Steve Black** <steveblack2313@gmail.com>
Date: Sunday, August 28, 2022
Subject: Sugarloaf Alliance as a Recognized Organization
To: "Cherney, Ragen" <rcherney@frederickcountymd.gov>

Ragen,

Attached please find the required documents to have Sugarloaf Alliance Inc recognized as an organization for the purposes of public testimony.

I have attached our Bylaws and a recent board decision to give speaking authority to a number of our members. Of course only one person would be selected by the Alliance to speak at any given event.

Please let me know if you need anything more or if I can answer any questions.

Sincerely,

Steve Black
President
Sugarloaf Alliance



During the August 28, 2022 Executive Committee meeting of the Sugarloaf Alliance, Inc., a 501 (c) (3) organization, Ingrid Rosencrantz made a motion that all Executive Committee members be able to speak on behalf of the Sugarloaf Alliance at any and all Frederick County Council meetings. Sue Trainor seconded the motion. All Executive Committee members voted to approve this decision.

The following Sugarloaf Alliance Executive Committee members are authorized to speak on behalf of the Sugarloaf Alliance, on all matters:

Steve Black

Sue Trainor

Nicholas Carrera

Johanna Springston

Steve Poteat

Blanca Poteat

Ingrid Rosencrantz

Karla Stoner

Signed,

Johanna Springston, 8/28/2022

Johanna Springston, Secretary
Sugarloaf Alliance, Inc.

BYLAWS
OF
SUGARLOAF ALLIANCE, INC.

ARTICLE I. NAME AND PURPOSES

Section 1. Name. The name of the organization shall be "Sugarloaf Alliance, Inc." as stated in the Articles of Incorporation.

Section 2. Purpose. The objectives and purposes of the organization shall be to organize and operate a group exclusively in the public interest, no part of the profits of which shall inure to the benefit of any member, shareholder or individual and for the other general purposes as set forth in the Articles of Incorporation.

ARTICLE II. MEMBERSHIP

Section 1. Membership.

a. Regular Membership. To be eligible for membership in this organization, a person shall pay the annual dues in such amount as shall be fixed from time to time by the Board of Directors. Only those persons shall be continued as members on the records of the Secretary who have paid such annual dues if required. Other than payment of annual dues, no person shall be denied membership.

b. Non-Voting Membership. Non-voting, or Associate Membership, is available for interested parties who do not wish to pay annual dues, but wish to be kept informed of major organization activities.

ARTICLE III. BOARD OF DIRECTORS

Section 1. The Board. The Board of Directors shall consist of the elected Officers and Chairpersons. The Directors manage the affairs, set policy, and control the funds and property of the organization. The elected Officers act as the administrative arm of the organization and have the power and authority to conduct the business of the organization between meetings of the Board of Directors; provided all such actions are reported promptly to the Board as a whole. Each member of the Board has an equal vote when motions are proposed and voted upon. Before public announcement, release or publication, all organization positions on issues or public statements must be approved by majority vote of the Board.

Section 2. Composition. The Board shall be composed of not less than two (2) or more than eleven (11) Directors and a President, Vice-President, Secretary, and Treasurer. All of these shall be elected by a majority of the members present and voting at an announced meeting of the organization.

Section 3. Meetings / Attendance / Notice. The Board shall meet at least quarterly. The Board may meet as often as it determines necessary. Meeting dates, time and location are at the discretion of the board. Notification must be provided at least ten (10) days prior to a board meeting. Emergency meetings may be called by the President, or the majority of the Board without regard to the above time requirement. Each Board member is required to attend 50 percent of all board meetings on an annual basis to maintain their position, unless the Board votes to grant an exception if deemed appropriate.

Section 4. Quorum. A majority of the number of currently sitting Board of Directors members shall constitute a quorum.

ARTICLE IV. DIRECTORS

Section 1. Duties and Responsibilities. The Board of Directors shall manage the affairs, set policy, and control the funds and property of the organization. Each Chairperson shall serve as requested on committees of the organization and report the activities of the committee at meetings of the Board of Directors.

Section 2. Qualifications. All Chairpersons shall be members in good standing and willing to give the needed time and efforts to the position.

Section 3. Terms of Office. Chairpersons shall take office and serve for a term of one (1) year or until their successors are elected. If any Chairperson dies, resigns, or is removed for cause, a majority of the remaining Chairpersons and Officers may elect a qualified (see Section 2) successor to hold office for the unexpired portion of the term.

Section 4. Removal from Office. Beyond failure to attend as noted in Article III, Section 3, any Chairperson may be removed from office for cause, i.e., nonperformance of duties, malfeasance, or misfeasance, by two-thirds vote of the Board. The Board may substitute a qualified (see Section 2) successor to serve as a Chairperson for the unexpired portion of the term.

ARTICLE V. OFFICERS

Section 1. Presidential / Vice Presidential Duties. Generally, the duties of President shall include, but are not limited to, conducting the day-to-day business of the organization, organizing and participating in the activities of the organization in accordance with the Articles of Incorporation and Bylaws, making public presentations addressing issues of concern on behalf of the organization, and taking the necessary actions to maintain these Bylaws and Articles of Incorporation current to the needs of the community. Additional duties are:

a. The President shall preside at meetings of the organization, oversee the affairs of the organization and coordinate the activities of the elected officers; serve as an ex officio member of all committees, and perform annual duties of the office.

b. The Vice-President shall assist the President in the performance of presidential duties and, in the absence of the President, shall preside at all meetings of the organization; assist in coordinating the activities of the elected Officers and committees; serve as alternate ex-officio member of all committees; and perform annual duties of the office.

Section 2. Secretarial Duties. The Secretary shall maintain all official files of the Association, keep an up-to-date list of the membership of the organization, record and prepare written minutes of all meetings, and present or arrange for presentation of previous meeting minutes. The Secretary shall collect mail and respond as needed to association correspondence as directed by the Board.

Section 3. Treasurer Duties. The Treasurer shall collect, and by order of the Board of Directors, disperse all funds of the organization; keep regular accounts which at all times shall be open to the inspection of any Officer; submit a status of accounts to the Board and Officers of the Association; maintain property records in accordance with Article IX, Section 2.; and shall make reports of account status at meetings of members. The Treasurer shall make certain that all federal and state tax forms for the organization are filed in a timely manner if applicable.

Section 4. Terms of Office. When elected, officers shall take their respective office at the close of the meeting and serve for a term of one year or until their successors are elected. If any officer dies, resigns, or is removed for cause, a majority of the remaining officers and Chairpersons may elect a successor to hold the vacated office for the remainder of the unexpired portion of the term.

Section 5. Removal of Officers from Office. Any Officer may be removed from office for cause, i.e., nonperformance of duties, malfeasance, or misfeasance, by two-thirds vote of the Board. The Board may substitute a qualified (see Section 2) successor to serve in the vacated Office for the unexpired portion of the term.

ARTICLE VI. MEETINGS

Section 1. Meetings. Meetings of the organization's membership shall be held as appropriate. The location, time, and date will be established by the Board. The meetings shall be advertised to the membership on the website no less than ten (10) days prior to the actual meetings. E-mail notice will be provided to all members in good standing. A report of the organization's activities shall be presented at the meetings. The annual election of Officers and Chairpersons shall be conducted with additional nominations accepted from any attending member in good standing. Nominees receiving the majority of votes will be elected. Additional meeting agenda items are added as approved by the Board. The preferred location for the meetings is in the Urbana, Maryland area.

ARTICLE VII. COMMITTEES

Section 1. Committees

Standing and ad hoc committees will be voluntary and accepted at the discretion of the Board of Directors.

ARTICLE VIII. - NOMINATIONS and ELECTIONS

Section 1. Nominations. The officers shall solicit nominations from the organization's membership at the announcement of the election. A ballot shall be prepared by the secretary containing a slate of the official candidates. The ballot shall be e-mailed to the membership and then the election shall be conducted at the meeting.

Section 2. Elections.

- a. Election procedures shall be established by the Board.
- b. Elections shall be by a majority vote of the members in good standing present and voting at the meeting announced for that purpose. Results will be announced at that meeting.

ARTICLE IX. - FINANCES

Section 1. Funds Expenditure. All expenditures of the organization in excess of \$50.00 shall be approved in advance by a majority of the Board. However, between meetings of the Board, approval of expenditures of \$50.00 or less by any two (2) Officers is permissible but must be reported at the next meeting of the Board. Verification of fund availability must be

determined through the Treasurer prior to expenditure of any organization funds.

Section 2. Property. Records of property of the Association shall be maintained by the Treasurer such that type, model, serial number, initial value, date purchased, and current location can be readily determined at any time if appropriate.

Section 3. Dues.

a. The amount of Annual dues shall be established by a majority vote of the Board of Directors.

b. Dues and membership application form must be collected at the time the application is made.

c. Dues are valid for the period of one year.

ARTICLE X.- AMENDMENTS

Section 1. These By-laws may be altered or amended at any time by a majority vote of the Board of Directors. All amendments shall be presented to the general membership for review and ratification before implementation. This ratification vote may occur at any meeting.

Section 2. A proposed amendment change must receive a majority vote of all the members in good standing present and voting at the meeting.

ARTICLE X. - RULES OF ORDER

Meetings of the Board of Directors and meetings of the organization shall be governed by Robert's Rules of Order, Current Version.

Adopted on 8-18-14 by unanimous vote. Mary L. See'y

From: Steve Black <steveblack2313@gmail.com>
Sent: Thursday, December 7, 2023 5:41 PM
To: Cherney, Ragen <RCherney@FrederickCountyMD.gov>
Cc: Keller, Catherine <CKeller@FrederickCountyMD.gov>; Gaines, Kimberly <KGaines@FrederickCountyMD.gov>
Subject: Re: Speaking at Council meeting on Dec 12th

Ragen et al,

Attached is a copy of our resolution for people authorized to speak on behalf of Sugarloaf Alliance. Next Tuesday I will be the designated speaker.

Would you also like another copy of our by-laws?

Thank you
Steve Black

On Thu, Dec 7, 2023 at 5:33 PM Cherney, Ragen <RCherney@frederickcountymd.gov> wrote:

Thank you, Steve. In accordance with Council Rule 1-1(i) we will need a copy of the authorization from the Sugarloaf Alliance for the record.

- (i) "Recognized Organization" means any group that has provided to the Council all of the following: (a) a copy of its bylaws, which must be adopted at least 90 days prior to the Council meeting, and (b) a formally executed resolution from their board of directors (or similar governing body) authorizing the person(s) speaking on behalf of the organization for that matter.

Thanks.

R

Ragen Cherney
Chief of Staff/Legislative Director
Frederick County Council
Winchester Hall
12 East Church Street
Frederick, Maryland 21701
301.600.1049



From: Steve Black <steveblack2313@gmail.com>
Sent: Thursday, December 7, 2023 5:28 PM
To: Cherney, Ragen <RCherney@FrederickCountyMD.gov>
Subject: Speaking at Council meeting on Dec 12th

Ragen,

I will be speaking on behalf of Sugarloaf Alliance at the County Council meeting on Dec 12th.

I'll be speaking during the public comments on the Sugarloaf Overlay ... go figure.

Thank you,

Steve Black

President (Still)

Sugarloaf Alliance



During the August 28, 2022 Executive Committee meeting of the Sugarloaf Alliance, Inc., a 501 (c) (3) organization, Ingrid Rosencrantz made a motion that all Executive Committee members be able to speak on behalf of the Sugarloaf Alliance at any and all Frederick County Council meetings. Sue Trainor seconded the motion. All Executive Committee members voted to approve this decision.

The following Sugarloaf Alliance Executive Committee members are authorized to speak on behalf of the Sugarloaf Alliance, on all matters:

Steve Black

Sue Trainor

Nicholas Carrera

Johanna Springston

Steve Poteat

Blanca Poteat

Ingrid Rosencrantz

Karla Stoner

Signed,

Johanna Springston, 8/28/2022

Johanna Springston, Secretary
Sugarloaf Alliance, Inc.

From: Steve Poteat <cspoteat@gmail.com>

Sent: Friday, December 8, 2023 3:18 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Comments on Sugarloaf Treasured Landscape Management Plan, December 12, 2023

Sugarloaf Treasured Landscape Management Plan, Comments for Public Hearing on December 12, 2023 by Steve Poteat, Sugarloaf Mountain Road

The Livable Frederick Master Plan calls for the **adoption of a Sugarloaf Rural Heritage Overlay Zone as part of the Sugarloaf Treasured Landscape Management Plan.**

The Sugarloaf Treasured Landscape Management Plan and the Sugarloaf Rural Heritage Overlay Zone are implementation tools of the Green Infrastructure Sector of the Livable Frederick Master Plan. The Green Infrastructure Sector is described as follows in the Livable Frederick Master Plan:

“The Green Infrastructure Sector is ... identified to support the conservation of natural resources and environmentally sensitive areas in the County, to direct urban/suburban growth away from green infrastructure and sensitive areas, and to ensure the protection and integration of green infrastructure where it exists within areas targeted for growth.” Page 48.

Due to the nature of the land uses and environmental protections of the Green Infrastructure, any industrial uses are inconsistent with the Green Infrastructure Sector of the Livable Frederick Master Plan.

Further, the Livable Frederick Plan calls for the establishment of an **overlay zone or district** for the Sugarloaf Area Plan and describes it as:

“Such a district-established in the zoning ordinance-would be drawn and constructed based on environmental stewardship and the Sugarloaf’s and the residents’ vision for this area. This might include: Restrictions on building size or height; Standards or guidelines for building location so as to minimize visibility from prominent locations on or around the mountain; Standards for environmental quality related to livability such as noise, vibration, traffic impacts, or forest removal; Standards for new development to allow for a more traditional pattern based on small crossroads villages and hamlets; Prohibition of certain land uses otherwise available in the Agricultural, Residential, Village Center, and Resource Conservation zoning districts; and Maintaining and protecting the ecological integrity and functionality of the area.” Page 59.

The currently proposed Sugarloaf Rural Heritage Overlay Zoning District is consistent with the district as proposed in the Livable Frederick Plan and the boundaries recommended twice by the Planning Commission and approved by the County Council in October of 2022 of the Sugarloaf Treasured Landscape Management Plan. These boundaries are I-270, the Monocacy River and the Montgomery County Line. The environmental stewardship objective as called for in the Livable Frederick Master Plan and proposed as part of the Overlay Zone is **inconsistent**

with any industrial uses and therefore a prohibition of industrial uses such as data centers is appropriate.

December 8, 2023

Sent from [Mail](#) for Windows

From: Ilene Freedman <ilenewhitefreedman@gmail.com>

Sent: Saturday, December 9, 2023 10:07 PM

To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve

<SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>;

Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Carter, Mason

<MCarter@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee

<RKnapp@FrederickCountyMD.gov>; Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Please Support the Sugarloaf Overlay District

[EXTERNAL EMAIL]

I am writing today to urge all of you as County Council members to support and accept the Sugarloaf Overlay District. It is very important to protect the guidelines that will continue to preserve this rural and historic region. With Sugarloaf Mountain gazing down at the Monocacy Battlefields and the Wild and Scenic Monocacy River, this rural region has been designated as a historic rural region worth preserving.

Data Center development has no place in this special rural region. Ban these possibilities. The property targeted was never zoned for this use and should not be permitted.

The Montgomery County Ag Reserve continues to be a model program. Let's link arms and continue the preservation into Frederick County to include our prized regions in the preservation zone. Please continue to protect the Sugarloaf and Monocacy District as Frederick's rural future by supporting and accepting the Sugarloaf Overlay District.

Thank you for the work you do to shape Frederick's future. This is a big moment in the shaping.

Sincerely,

Ilene and Phil Freedman

House in the Woods Farm

From: Sasha Carrera <sasha.carrera@gmail.com>

Sent: Sunday, December 10, 2023 12:08 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>

Subject: Support Sugarloaf Overlay

Dear County Council Members:

I live in the house my mother grew up in. It's on a farm in an area that has been agricultural since before the American Revolutionary war. Traditional use and agricultural zoning has protected this land along with a tacit agreement, that this corridor, west of 270, encompassing battlefields, Sugarloaf Mountain and abutting the Montgomery County Agricultural Reserve, would always and forever be safe from development. This traditional use was going to be further protected in the Treasured Sugarloaf Plan until secret backdoor dealings between the County Executive, Jan Gardner and a Montgomery County developer who'd purchased hundreds of acres of Frederick County land (already zoned agricultural) on speculation, derailed the plan the council was on the brink of approving.

The County's duty is to its constituents, the taxpayers who live here, whom you were selected to serve, not to private interests from outside counties, whose greed threatens our properties, our health, indeed the health of the entire county. We are relying on you to support the Sugarloaf Overlay District to prevent the seemingly unbridled development (by the same developer) east of 270, the proposed data centers on Thurston Road, and any other kind of development that will degrade the scenic and rural quality of this Treasured Landscape and adversely affect our forests and streams. Your failure to support the Sugarloaf Overlay District would not only undermine our faith in our own local government, it would undermine our health and the health of our planet.

It's an understatement to say that development plays a significant role in global warming. According to Reuters: ***While some permeable and moist surfaces, like grass or soil, absorb less heat, other construction materials like asphalt or concrete are capable of absorbing as much as 95% of the sun's energy, which is then radiated back into the surrounding atmosphere. The process of urban development profoundly changes the landscape. Natural and permeable surfaces are replaced by impermeable structures like buildings and roads. This creates what climatologists call "urban heat islands", areas within cities that experience significantly higher temperatures compared to nearby rural regions.***

Moreover, the proposed data centers (which typically employ five to thirty people, according to areadevelopment.com) **"consume about three per cent of the world's electricity – more than most countries – and produce two per cent of global carbon emissions"** (datacentrenews.uk).

Growing towns and cities need to preserve greenspaces, That is what the Treasured Sugarloaf Plan with this vital Overlay was very pro-actively intended to do. Just as development contributes to global warming, land preservation mitigates it.

Smart land conservation can increase carbon sequestration, reduce greenhouse gas emission, build resilience to changing environmental conditions, and help communities, landscapes and wildlife adapt to ever changing climate.

Conservation Fund

The Land Trust Alliance states that land conservation not only helps absorb greenhouse gases; it also prevents significant greenhouse gas emissions that would result from development — including deforestation, construction and the additional driving required by poorly planned growth.

Conservation Foundation

You were entrusted with the wellbeing of Frederick County residents. In case this appeal to your good conscience is insufficient, take a look at recent events in Prince William County where political newcomer Deshundra Jefferson beat the incumbent Ann Wheeler. Wheeler's approval of the conversion of traditional farmland into data centers, **"despite vocal opposition from residents concerned that the data centers are noisy, ugly, and consume massive amounts of electricity that require the addition of high-voltage transmission lines,"** was seen as **"emblematic of a government more responsive to corporate interests than citizen concerns."**

AP NEWS

Please stand up for your constituents and the health of Frederick County. Development and expansion has long been factored into the comprehensive Frederick Plan where it belongs: in the thousands of acres designated for growth east of I-270. Don't compromise this unique and treasured area and the wellbeing of our entire County just to placate the greed of a few speculators and an outside developer. Support the Sugarloaf Overlay. Support the citizens who live here. Support the health of Frederick County.

Sincerely,
Alexandra Carrera
Scenic Thurston Road

From: msimpson2005 bennettscreekfarm.com <msimpson2005@bennettscreekfarm.com>
Sent: Sunday, December 10, 2023 3:20 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: I support the Sugarloaf Overlay Plan

Hello,

I live across from Sugarloaf Mountain on Thurston Road. We run a horse boarding and training facility there, called Bennetts Creek Farm. Having lived here for over 13 years, I would like to point out a feature of this area that you may not be aware of.

Sugarloaf Mountain acts as a barrier to sound. This means that sound bounces around in this area and does not disperse as it would in more open areas.

This is important to keep in mind when you consider land use proposals for this area, such as allowing Data Centers near the mountain.

My understanding is that data centers operate 24/7 and produce a humming, mechanical noise constantly. This noise would be excessively disruptive in this area, as it would not spread out and disperse in a normal fashion. The Mountain would bounce the noise back towards Thurston road and towards the town of Urbana. People in Urbana would be hearing this noise constantly, as would those of us living off Thurston road.

My point is that the environment surrounding Sugarloaf Mountain is different from other natural areas in Frederick County. It is more susceptible to noise disruptions. Allowing Data Centers in this area will in effect destroy the area for all who live near it.

I ask that you please take this aspect into consideration as you deliberate development plans in this area. The Sugarloaf Overlay Plan would help to stop unacceptable development here, and help to keep this beautiful area intact for all to enjoy in the future. This is why I support the Sugarloaf Overlay Plan.

Thank you, Margy Simpson
2149 Thurston Road
Frederick MD 21704
301-520-7113

From: Lisa Orr <edeckerorr@comcast.net>
Sent: Sunday, December 10, 2023 4:06 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Approve the proposed Sugarloaf Overlay District

Hello Council Members,

I encourage you to vote to approve the proposed Sugarloaf Overlay District at the Tuesday, Dec. 12, County Council meeting. The planning commission has recommended approval of the overlay district twice. The Overlay will help preserve forests, agricultural land, and streams to protect biodiversity and help to mitigate the effects of climate change.

Thank you,
Lisa Orr

Lisa Orr

Burkittsville, MD 21718
240.529.3177
edeckerorr@comcast.net

From: Mark Long <mark.long999@gmail.com>
Sent: Sunday, December 10, 2023 4:26 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Executive <CountyExecutive@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay Amendment

Greetings County Council members,

I am writing today to express my support for the Sugarloaf Treasured Landscape Plan Amendment that is before the council and ask that you approve the Amendment that is recommended to you by the Planning Commission.

I was not a member of the Planning Commission when they worked on the Overlay Zone, but I have been following their deliberations and I agree with the conclusions of the commission. The overlay zone will add an extra, and essential, level of protection to this special area of our county that is described as a treasured landscape.

I have heard that some people in the community are concerned that data centers may be built within the Sugarloaf Plan area and are advocating for Data Centers to be added to the list of Prohibited Uses. I think any reasonable interpretation of the overall Sugarloaf Plan and Overlay Zone would preclude any data centers. That said, I have no objection to the addition of Data Centers as prohibited use so that their exclusion is more explicit.

More important is maintaining the boundaries of the Overlay Zone as recommended by the Planning Commission and making no additional cut outs from the Overlay Zone. I know from first-hand accounts that Tom Natelli has approached landowners in the Sugarloaf area and has pleaded the case for excluding the Natelli property from the overlay zone. He has highlighted the six million plus dollars that was spent to acquire the land along I270 just south of Route 80 and how not being able to develop this property will impact the Natelli organization. I can only surmise that Mr. Natelli has also pleaded his case with council members.

While I may have some sympathy for the Natelli family, I am not too concerned about them not being able to maximize the profit potential of this property. Mr. Natelli bought land that is zoned for agriculture. There was never any guarantee that he or anyone else would be able to develop this land for another purpose. Mr. Natelli gambled, but not all bets pay off.

Mr. Natelli may try to make the case that the land along I270, and especially at an intersection such as the one at Rt. 80, is a prime location for development. There is some rationale for this, but I think a stronger case can be made for protecting and maintaining the overall integrity of special areas, like the Sugarloaf area, from substantial development. Keeping the overlay boundary at I270, without further cutouts, helps maintain the ecological integrity of the Sugarloaf area, as well as the view shed.

When making decisions about matters before them, members of the County Council must weigh many points of view and often competing interests. I view it as the charge of the council to do their best to make decisions that serve the greater good of the county, and not just individual interests. I implore you to not succumb to any pressures you may be receiving from the Natellis. The Natelli family will be just fine without developing the land in the Sugarloaf area. And, we have established the former Eastalco plant area for building data centers.

Also, given Stronghold's continued opposition to their property being included in the Overlay, some may have concerns that Stronghold may follow through on their earlier threats to close the mountain to the public if their land is included. Frankly, unless Stronghold is planning some major change to their operation and property that we don't know about, I don't understand why Stronghold is so adamantly opposed to the Overlay. It will have very little impact on their property and the ability for them to continue caring for it and operating in the manner that they have operated for decades.

Further, in their most recent communication with the Planning Commission, and in their opinion piece published in the Frederick News Post, Stronghold did not repeat their threat to close the mountain to the public. I can't read their mind or surmise their unstated intentions, of course, but I don't believe that they would do it.

Finally, I want to highlight the members and work of the Planning Commission. I knew some of the members personally before I was appointed to the commission, and I've gotten to know the others since then. My appreciation of them and the work they do has only grown since I've now worked with them for a time. They are a very knowledgeable group of people, spend considerable time reviewing and considering the cases before them, and are very conscientious when making the important decisions that they make.

After the Sugarloaf Overlay was remanded back to them in late 2022, the members of the commission, as well as the professional planning staff, have spent considerable time and effort reviewing the entire overlay line by line. After that review and after listening to comments from the public, as well as comments from the Maryland Department of Planning, they arrived at the Overlay amendment that you now have before you.

I trust that you will show at least some deference to the expertise and work of the citizen planners, as well as staff planners, and the conclusions at which they have arrived. For the protection of our environment and a special area of our county, for the enhancement of our quality of life, and for the common good of Frederick County, I implore you to approve the Sugarloaf Treasured Landscape Plan Amendment as recommended to you by the Planning Commission.

Sincerely,

Mark

--

Mark Long
800 Frailey Road
Emmitsburg, MD 21727
301-514-8243

From: Johanna Springston <johannaspringston@gmail.com>
Sent: Sunday, December 10, 2023 4:24 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Rural Heritage Preservation Overlay

[EXTERNAL EMAIL]

Please see my attached letter.

Thank you,

Johanna Springston

December 10, 2023

Dear County Council members,

I am writing to encourage you to adopt the Sugarloaf Rural Heritage Preservation Overlay. My husband and I own a small farm at the corner Fingerboard and Parks Mill Roads, located right across from developer-owned land. My sister owns the farm next to me and there are several other family members who own farms going down Parks Mill and Fingerboard Roads.

The last time I spoke to you, I handed out copies of the CDI floating zone map which showed my farm included in the CDI floating zone. No doubt, you have heard about how the County, Amazon, and the developer secretly created the CDI floating zone map siting data centers in the Sugarloaf area.

All along, I have advocated for keeping all the land in the Sugarloaf area west of I-270 rural. That is what we residents expected when the Sugarloaf Plan was released. The County led us to believe that the Sugarloaf Plan would be a preservation plan. So, what happened?

Placing data centers on farmland is not keeping it rural. It is not preservation. Data Centers will completely change the area and I and many other residents don't want to live next to data centers. We are concerned about the noise, the pollution, and our property values. We especially don't want to live next to data centers if you are going to include our properties in a preservation overlay.

Coming up this week, the Prince William County Board of Supervisors is holding public hearings for three rezoning cases for the Digital Gateway Data Center project. If they approve, 900 acres of land right next to the Manassas National Battlefield will be opened up for data center development leading to Prince William County having more data centers than anywhere else in the world, including Loudon County. You may have heard in the news that Northern Virginia residents are getting fed up with data centers.

Let's not go there. Let's not build data centers right next to the Monocacy National Battlefield. I am not anti-data center. It is appropriate to build data centers on industrial land. Currently, there is no industrial land in the Sugarloaf area. If you allow it, any hope of preservation will be lost. Land owners, like myself, will seek equity. We will seek to rezone. That is not a threat—it is just a fact.

The Preservation Overlay is not compatible with data centers. You will have to decide if this a preservation plan or a development plan. There is no hybrid model. There is no compromise. If you allow data centers into the Sugarloaf area, you will be choosing to develop this beautiful natural resource. I hope you will learn from what is happening in Northern Virginia and not make the same mistakes.

Thank you for considering my point of view.

Sincerely,

Johanna M. Springston
8101 Fingerboard Rd.

From: David Reeves <dave2442ree@hotmail.com>

Sent: Sunday, December 10, 2023 8:53 PM

To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>

Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Support Sugarloaf Overlay Zoning District

Dear Frederick County Councilmember,

For over twenty-six 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. I ask that you do that by **approving the Sugarloaf Overlay Zoning District as recommended by the Planning Commission.**

A year ago, the County Council passed the Sugarloaf Treasured Landscape Management Plan, the visionary preservation plan for the south county area west of I-270. The Sugarloaf Overlay District would be the “teeth” of the Sugarloaf Plan (regulations insuring that the preservation priority for the area is maintained). Current zoning is insufficient, because the Sugarloaf area is under intense development pressure: areas between Sugarloaf Mountain and the Monocacy National Battlefield are targeted for hyper scale data centers.

Locating data centers on sites already zoned industrial may be acceptable, but industrial development is totally incompatible with the preservation goals of the Sugarloaf Plan and the proposed Overlay Zoning District. The Frederick County Planning Commission has already passed the Overlay twice.

I also request that you **support an amendment to the Overlay that would prohibit data centers in this area.** (This prohibition is needed because there is potential for use of a zoning mechanism called a “floating zone” that could shortcut more complex and time consuming public zoning processes.)

Zoning changes to the precious Sugarloaf Mountain area to accommodate massive industrial and commercial development such as the Amazon Web Services Data Center facility are totally unacceptable. Allowing this 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 Council do not allow that to happen.

Please "hold the line" on the Sugarloaf Treasured Landscape Management Plan, approve the Overlay Zoning District as recommended by the Planning Commission, and include an amendment for specific language prohibiting data centers in the Overlay Zoning District. 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: Patrice Gallagher <pgallj@aol.com>
Sent: Sunday, December 10, 2023 9:29 PM
To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>
Cc: Fitzwater, Jessica <JFitzwater@FrederickCountyMD.gov>; Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: The Sugarloaf Overlay

Dear Frederick County Council members,

I would like to add my voice in support of the Sugarloaf Overlay, as approved by the County Planning Commission in October of this year.

The preservation benefits of the Overlay fit within the goals of the Sugarloaf Plan:

— To address the scale and visual impact of land uses and developments that can degrade rural qualities, excessively burden the transportation network, and overwhelm the scenic and rural nature of the Sugarloaf Planning area

— To minimize adverse impacts of land development activities on forestlands and natural habitats

— To regulate the amount of impervious surfaces to control the volume of stormwater runoff and stream bank erosion, maintain levels of groundwater infiltration, and retain as many of the functions provided by natural land as possible.

Please vote in favor of the Sugarloaf Overlay. The preservation of this almost 20,000 acres, connected to Montgomery County's Ag Reserve, would be your legacy, and what a wonderful legacy it would be!

Thank you for your service to our County.

Patrice Gallagher
City of Frederick

Patrice Gallagher
Gallagher Design
www.patricegallagher.com
102 W Church Street
Frederick MD 21701
301.471.3720

From: James Coulombe <duetto14@gmail.com>
Sent: Sunday, December 10, 2023 9:36 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay District

[EXTERNAL EMAIL]

Members, Frederick County Planning Commission,

I urge you to vote to pass the Sugarloaf Overlay District plan with boundaries that extend along the West side of I270 and North to the Monocacy River. This simply makes sense geographically and would be hoped to provide an additional layer of consideration for any future development in this area so that any new building is in keeping with the surrounding geographic and historic area.

This is an area which has not been planned for further growth while to the east of I270 considerable land is still within the boundaries of a planned growth area. Despite not being planned for growth and entirely reliant on well water and septic systems the current Frederick County zoning and planning processes have not proven adequate, and a further layer of consideration is warranted for any development within this region.

An example of the failure of Frederick County planning processes can be found in the large swath of new construction for 57 large homes on the former Ramsburg farm. This development in an area not previously planned for development, entirely dependent on well water, septic sewage systems, and with emergency access via a single road contravened all prior plans for the area. If a portion of undeveloped land is cut out from the Sugarloaf plan that will certainly be the fate of those areas as well.

The County zoning and planning processes are not sufficiently robust and fail to adequately consider potential impacts of development for the surrounding areas. There is no consideration for runoff from paved areas, light pollution from unattended night lighting, traffic on state or federal roads, or additional nitrate and other pollution burdens for surrounding streams. Nowhere in the approvals

process is consideration of electrical power consumption and the additional transmission infrastructure that might be required. This aspect would be especially problematic should the area proposed to be cut out for one developer's special interests be utilized for a data center as has been discussed in secretive council meetings. The increased power requirements for such an energy intensive development would likely resurrect the need for additional powerlines into the area and if routed as had previously been proposed by the utility companies, would displace several homeowners and destroy their houses.

Consideration of water usage and potential impacts on neighboring wells by the state of Maryland is also nominal at best. For example, the application for water usage on the minimum one-acre residential lots the County allowed built in the Ramsburg development would only provide adequate irrigation of a tenth of an acre of lawn. Undoubtably these water allocations are frequently exceeded and there is no monitoring by any entity.

The boundaries of the Sugarloaf area should be part of a logical geographic area. Carving out parcels of land for some still to be imagined "study" area is nonsensical. If needs of the community warrant, these areas can always be considered in light of future needs. Clearly planning efforts are not permanent and if the need to allow further growth this could certainly be accommodated in future planning efforts, were this adequately justified. However, any future development should be considered along with the impacts to the surrounding Sugarloaf region. These areas certainly should not be set aside to favor or avert a litigious threat from a small group of land speculators while considerable new development can still be accommodated to the East of the logical I270 boundary in an area long planned for municipal water and sewer services or in already developed areas that now are unused. Development is a one-way ratcheting process and should be done in logical geographic portions and not fragment-by-fragment without regard to all impacts on the surrounding region.

Thank you,

James N. Coulombe, Ph.D.

2770 Lynn Street

Frederick, MD 21704

From: Kerri H <kerrihesley@gmail.com>

Sent: Sunday, December 10, 2023 10:48 PM

To: McKay, Steve <SMcKay@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>

Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Sugarloaf Treasured Landscape Management Plan

Dear County Council member,

The Sierra Club Catoclin Group respectfully asks that the County Council amend the Sugarloaf Treasured Landscape Management Plan to adopt and approve the Overlay Zoning District as recommended by the Planning Commission. This will protect the essential green infrastructure area from land uses that will adversely impact the area's natural resources.

Last year's County Council unanimously voted to adopt the Plan as a **preservation plan** and the Sugarloaf Treasured Landscape Management Plan is part of the Green Infrastructure Area of the Livable Frederick Master Plan.

"The Green Infrastructure Sector is ... identified to support the conservation of natural resources and environmentally sensitive areas in the County, **to direct urban/suburban growth away from green infrastructure and sensitive areas**, and to ensure the protection and integration of green infrastructure where it exists within areas targeted for growth." Page 48.

The Sugarloaf Treasured Landscape Management Plan has many areas our club members enjoy including the Monocacy National Battlefield and Sugarloaf Mountain. We believe the area most vulnerable to development is that area between the two parks and this is the area that most needs the protections of the overlay. The green infrastructure of this area could be ruined by installation of industrial facilities in the upper reaches of the watershed, with sediment and other contaminants flowing downstream through the plan area and discharging into the Monocacy River.

In addition, any data centers or other large buildings with large areas of impervious surfaces will add significantly to stream burden, potentially causing flooding and other impacts. Industrial development will bring other environmental insults to the area as well. Protecting green infrastructure to support urgent county and state sustainability and climate change goals is more important than ever. The currently proposed Overlay Zone is completely consistent with the Livable Frederick Plan and a prohibition of industrial uses such as data centers is appropriate.

The Frederick County Planning Commission has approved this protective overlay twice. Please support their findings and support Frederick County citizens who want to preserve the County's dwindling green infrastructure while it's still here to be preserved. Please amend the Plan to include the Overlay District without further delay and add Critical Digital Infrastructure (data centers) to the list of prohibited uses within the Overlay boundary.

Respectfully submitted,

Executive Committee
Sierra Club Catoclin Group

From: Jean Rosolino <jeanrosolino@gmail.com>

Sent: Sunday, December 10, 2023 8:09 PM

To: Planning Commission <PlanningCommission@FrederickCountyMD.gov>

Subject: Re: Sugarloaf Overlay

I am still confused as to the Sugarloaf Overlay and what this new round of talks entails.

- I want Frederick County to maintain the I-270 boundary from Montgomery County to the Monocacy.
- I want development to be kept under tight wraps. Frederick County must maintain open space and farmland in this sensitive area and not build, pave, and create impervious surfaces and create water runoff problems like those experienced in Ellicott City in 2018.
- Due to recent drought this summer, I am extremely leery of needless development- especially data centers- which require copious amounts of water.
(The fact that the Quantum Loophole site is looking to link into the New Design water plant which takes water from the Monocacy...*which is currently at an EXTREMELY low point...*is frightening to me.)
- I want clean water for residents to drink, not have precious water used for cooling equipment.
- I want Frederick County to focus on cleaning up current pollution, not allow builders to create more pollution.
The recent findings that fish in the Monocacy contain high levels of PFASs, is a sign that additional building, especially industrial or data centers will only exacerbate the existing pollution problems.

Jean Rosolino
Flint Hill Rd
Adamstown

From: Elizabeth Hill <beth@mdforests.org>
Sent: Friday, December 8, 2023 5:02:10 PM
To: Elizabeth Hill <beth@mdforests.org>
Subject: Frederick County Sugarloaf Overlay Comments

Hello!

You are receiving this email because you attended the Frederick County Forestry Forum hosted by MFA back in February. We thought that you might be interested in seeing the comments we will be providing to the County Council regarding the proposed Sugarloaf Overlay, which we find to be overly restrictive to sustainable forestry management and the markets needed to support healthy forests and rural communities.

We urge you to provide additional comments or to attend the upcoming workshop on December 12th. [Click here for a link to the agenda.](#) There are several options for submitting testimony. It can be emailed to the council using this address: CouncilMembers@FrederickCountyMD.gov. You can show up in person and provide verbal testimony (up to 3 minutes). There is also an option to call 855- 925- 2801, enter meeting code 8365, and leave a voicemail message or enter into a queue for live public comment during the meeting. Our Board President, Joe Hinson will be calling in to give verbal testimony during the hearing. Please let us know if you have any questions or concerns,
Best,
Beth

--

Beth Hill

Executive Director



Maryland Forests Association

P.O. Box 332

Linkwood, MD 21825

Phone: 410-463-1755

Email: beth@mdforests.org

www.mdforests.org

Maryland's voice for forest, wildlife, and natural resource management.



Maryland Forests Association, Inc.

P.O. Box 332

Linkwood, MD 21835

410-463-1755

Maryland's voice for forest, wildlife, and natural resource management

December 8, 2023

To The Frederick County Council Members

RE: Sugarloaf Treasured Landscape Management Plan

The Maryland Forests Association represents forest landowners and forest enterprises throughout the state. MFA is a strong advocate of sustainable forest management. Over the past decade, we have supported and have been proponents of several significant state laws that have, among other things, created new initiatives for tree planting and sustainable forestry. Our organization is fully dedicated to increasing, retaining, and maintaining forest cover across the state.

In this particular case, we must oppose the proposed forestry provisions as unnecessary and counterproductive for the Sugarloaf Treasured Landscape Overlay. They are largely unnecessary given existing requirements that are already restrictive, and they will not bring about any meaningful change except to increase costs to landowners.

Currently, each logging project requires a sediment and erosion control permit and a logging plan that are subject to review by the County and the Soil Conservation District. Forest management plans, such as those required in the proposed regulation, are best prepared well in advance of any harvesting plan and not merely to meet the requirements of obtaining a permit, as the current Sugarloaf proposal would mandate. Moreover, much of the additional information required under the proposal adds nothing that would further protect environmental values on the ground. Most logging projects in Frederick County are small, probably rarely exceeding 10 acres. The cost of requiring a complex logging plan will render many projects impractical from an economic standpoint. In fact, to compensate for the added costs, it's conceivable that a landowner might opt for a larger harvest area or cut more trees in a selective harvest than he/she might have otherwise.

It is worth noting that the Sugarloaf Overlay would require detailed information not just for the area being harvested but also for the entire parcel. It would necessitate details on landowner objectives, timber stands and types, streams and waterbodies, wetlands, property boundaries, roads, soil types, consultations with DNR on areas with sensitive species and management guidelines, identification of invasive species, and a description of each stand, proposed management, future conditions. MFA encourages all landowners to develop such a plan prepared by a licensed forester. But that should not be required as part of a harvesting permit application. Moreover, the proposed regulations are silent on the matter of what the regulating officials will do with all of the additional information.

To put the Sugarloaf district into perspective, on average, only 2-4 logging permit applications are filed annually in the District. Most of those are Stronghold projects. Stronghold even has areas that have been specifically managed using different reforestation techniques to monitor and measure over time.

It is also our view that the Overlay's prohibition against sawmills that would apply to small farm sawmills is also overly restrictive because farm sawmills, most often operated intermittently, are not out of character with the rural

and economic landscape of the area. Restrictive time limits on how long a portable sawmill can operate in the Overlay area are also nonsensical in today's market. These "temporary" machines are often in a fixed location-producing products for small niche markets, such as live edge slabs for tables and other specialty products that aren't mass-made in larger sawmills but are in high demand. These products and operations help support the buy-local initiatives that are valued in rural economic development.

Long-term planning in Frederick is all about growing Frederick County in a smart, sustainable way. That is the underlying principle of the Livable Frederick Plan. Frederick County residents have expressed a strong desire to ensure the viability of agriculture (trees are crops that help make farms viable), the protection of our environment (forests are the highest and best land use for protecting the bay), and historical and cultural assets (the timber industry is a traditional industry throughout Maryland). The Stronghold Story and its history of sustainable forest management add to the county's draw. It's where people choose to recreate. It's a place of great richness and beauty. It's also undeniable that sustainable forestry is a part of the story.

MFA would be delighted to coordinate a forestry tour in Frederick County. Such a tour would provide a better platform for communicating the many benefits that the forestry sector provides. Rather than promulgating this regulation, MFA suggests that the Frederick County Executive form a task group comprised of knowledgeable county, state, and federal employees to review, assess, and make recommendations about forests in Frederick County. That task group should be charged with: (1) assessing forest conditions in Frederick County, (2) analyzing market and employment opportunities in the forest sector, (3) establishing goals and priorities for forest sustainability, and (4) recommending county policies to meet those goals.

MFA stands ready to offer its assistance, and I'm certain the Maryland Forest Service can assist as well. A more considered, analytical, and practical review of forest policy in the County would serve its citizens better than what is being proposed in the forestry provisions of the Sugarloaf Overlay.

In summary, there is no measurable benefit to prescribing the proposed forestry regulations or prohibition against sawmills as part of the Overlay. Another suggestion would be that Frederick County looks to Charles County, MD, as an example of forestry zoning that encourages growth within the sector, leading to improved maintenance and retention of forests.

A handwritten signature in black ink, appearing to read "E. Hill". The signature is fluid and cursive, with a small dot above the "i" in "Hill".

Elizabeth Hill, Executive Director
Maryland Forests Association

December 11, 2023

The Frederick County Council
Winchester Hall
12 East Church Street
Frederick, Maryland 21701
(Transmitted electronically)

Dear Honorable Councilmembers,

I'm writing on behalf of the Frederick County Chamber of Commerce Board of Directors and representing the interests of our entire membership.

My purpose in writing to is to express our collective concern that the proposed overlay for the Sugarloaf Treasured Area Plan is both an unnecessary step AND an untimely action on the Council's part.

The action is unnecessary because the text changes, particularly those that address the uses that were of primary concern to both the Planning Commission and Planning staff (gun ranges, mega churches, and large public gatherings such as carnivals and circuses) can be added to the plan without the new overlay being applied to the map. Further, the already restricted zoning categories of both AG and RC zoning can be strengthened through textual changes to achieve protections perceived as necessary.

The action is untimely because there are multiple large scale studies and group discussions currently underway which could have a direct impact on the Sugarloaf region and properties. Some examples are the County Date Center workgroup, the I270 Corridor Study, and the Agricultural Economic Development workgroup.

As we expressed to the last County Council prior to their decision to defer on the plan adoption, our consistent and aggressive advocacy to add two lanes of capacity to I270 between Clarksburg and I70 in Frederick is critical to our continued economic/employment growth and to the quality of life for thousands of daily commuters. Bringing that overlay to the western edge of the I270 right-of-way could well jeopardize I270 capacity improvements.

On behalf of our 900+ member organizations (public, private and nonprofit sectors), we urge you to reject the overlay's application to the map. We believe it is possible to achieve the desired control of unacceptable and burdensome growth in the Sugarloaf region without the overly restrictive and potentially damaging impacts of the overlay.

Respectfully submitted,



Richard B. Weldon, Jr.
President/CEO

From: Mary Lou Reidy <mlreidy@ml-boe.net>
Sent: Monday, December 11, 2023 1:21 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay District

Please preserve the land of the Sugarloaf Overlay District as rural and NOT able to be developed.

Please make preservation a priority for the area and is maintained as such.

Please do NOT allow data centers to be built in the vicinity. They are energy and water HOGS and cannot be un-built.

One generator is a noisy neighbor, dozens is noise pollution.

Thank you for your time and consideration.

Respectfully your tax-payer,
MARY LOU REIDY
mlreidy@ml-boe.net

From: Sue Fortin <ccsfortin@gmail.com>
Sent: Monday, December 11, 2023 12:08 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Plan

I support the Sugarloaf Treasured Management Plan overlay. Further I support **additional language** that would **PROHIBIT** data centers in the area. To allow data centers or any development in the area west of I-270 would be in direct conflict with the planning goals that aim to preserve and protect the quality and scenic and rural nature of the Sugarloaf planning area. The entire purpose of the plan for this **Treasured** area is to **minimize** the adverse impact of land development activities on forestlands and natural habitats and to regulate the amount of impervious surfaces in order to control the volume of stormwater runoff and stream bank erosion, maintain levels of groundwater infiltration, and retain as many of the functions provided by this natural land as possible. Please DO NOT bow to the special interests of land developers and others who seek to decide what they think is best for the citizens of Frederick County. You represent the people not the developers.

From: Luna, Nancy <NLuna@FrederickCountyMD.gov>
Sent: Monday, December 11, 2023 11:56 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Council Staff <CountyCouncilStaff@FrederickCountyMD.gov>
Subject: An email reply to County Council from Public Input

From: constituent@civiclick.com
Subject: Protect the I-270 Corridor for Future Transit and Housing Needs

Dear Frederick County Council,

Please protect the I-270 corridor for future transit and housing needs and vote against the Sugarloaf Treasured Landscape Management Plan.

This management plan is in direct conflict with the Livable Frederick Master Plan which saw record levels of public participation and struck a balance between ensuring growth while preserving important rural characteristics.

Maryland has already invested significantly in the I-270 corridor and plans to continue that investment with Bus Rapid Transit and multimodal infrastructure. That is why the Livable Frederick Master Plan has designated this area a "primary growth corridor."

We must continue to maximize the housing and economic development opportunities around existing transportation infrastructure and investment plans. We must also ensure that our plans are equitable for our diverse communities as well.

Sixty-one percent of households making under \$60,000 annually in the DC region rely primarily on automobiles to get to work. The existing Livable Frederick Master Plan will improve the quality of life and access to opportunity for Frederick County's low-income residents by providing more housing, job, and transportation options, but only if we reject this new proposal.

We can balance the need for growth and preserve large swaths of the County for the enjoyment of residents. The best way to do this is to concentrate development along the corridors where substantial infrastructure already exists, which is what the Livable Frederick Master Plan envisions.

Please vote against the against the Sugarloaf Treasured Landscape Management Plan.

Sincerely,
Jonathon Rowland (President, Suburban Maryland Transportation Allinace)
524 S Bond St
Baltimore , MD 21231
jrowland2108@gmail.com

From: menkemeg@icloud.com <menkemeg@icloud.com>
Sent: Monday, December 11, 2023 11:09 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay- - support your voting YES

The Overlay proposal for FREDERICK COUNTY's Sugarloaf area has wide and broad community support — you know that.

It is recommended by the Frederick County Planning Commission — you know that too.

It is a reasonable strategy for the continuing care and protection of our environment, air quality, water quality - and for passing on a source of food, recreation and open space to future generations — your children and so many the generations after that.

Streams, a mountain and productive farmland are visible to us all today because they have been cared for and valued for centuries. Now is your opportunity - as well as a moral obligation — to continue this care.

Thank you for voting to approve the Overlay as a strategy for implementing the Sugarloaf area plan. Your affirmation will bring honor and recognition to your time in office.

M E Menke
130 E 3rd St
Frederick MD 21701

From: Carol R Thomas <pncthomas@verizon.net>
Sent: Monday, December 11, 2023 8:24 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Rural Heritage Overlay zone

Respected Council Members:

As a residents of the Montgomery County Ag Reserve, we cannot find strong enough words to urge you to support the Rural Heritage Overlay zone as approved by the Planning Commission in October, including the I-270 boundary. This is critical for the protection of the natural and agricultural environments in both our counties.

Respectfully,
Carol & Phil Thomas

From: Luna, Nancy <NLuna@FrederickCountyMD.gov>
Sent: Monday, December 11, 2023 10:16 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Council Staff <CountyCouncilStaff@FrederickCountyMD.gov>
Subject: An email to County Council via Public Input

Subject: Protect the I-270 Corridor for Future Transit and Housing Needs

Dear Frederick County Council,

Please protect the I-270 corridor for future transit and housing needs and vote against the Sugarloaf Treasured Landscape Management Plan.

This management plan is in direct conflict with the Livable Frederick Master Plan which saw record levels of public participation and struck a balance between ensuring growth while preserving important rural characteristics.

Maryland has already invested significantly in the I-270 corridor and plans to continue that investment with Bus Rapid Transit and multimodal infrastructure. That is why the Livable Frederick Master Plan has designated this area a "primary growth corridor."

We must continue to maximize the housing and economic development opportunities around existing transportation infrastructure and investment plans. We must also ensure that our plans are equitable for our diverse communities as well.

Sixty-one percent of households making under \$60,000 annually in the DC region rely primarily on automobiles to get to work. The existing Livable Frederick Master Plan will improve the quality of life and access to opportunity for Frederick County's low-income residents by providing more housing, job, and transportation options, but only if we reject this new proposal.

We can balance the need for growth and preserve large swaths of the County for the enjoyment of residents. The best way to do this is to concentrate development along the corridors where substantial infrastructure already exists, which is what the Livable Frederick Master Plan envisions.

Please vote against the against the Sugarloaf Treasured Landscape Management Plan.

Sincerely,
Steve Anderson
8 Beals farm court
Frederick, MD 21704
Steveanderson61480@gmail.com

From: Luna, Nancy <NLuna@FrederickCountyMD.gov>
Sent: Monday, December 11, 2023 10:15 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Council Staff <CountyCouncilStaff@FrederickCountyMD.gov>
Subject: An email to County Council via Public Input

Subject: Protect the I-270 Corridor for Future Transit and Housing Needs

Dear Frederick County Council,

Please protect the I-270 corridor for future transit and housing needs and vote against the Sugarloaf Treasured Landscape Management Plan.

This management plan is in direct conflict with the Livable Frederick Master Plan which saw record levels of public participation and struck a balance between ensuring growth while preserving important rural characteristics.

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We can balance the need for growth and preserve large swaths of the County for the enjoyment of residents. The best way to do this is to concentrate development along the corridors where substantial infrastructure already exists, which is what the Livable Frederick Master Plan envisions.

Please vote against the against the Sugarloaf Treasured Landscape Management Plan.

Sincerely,
Richard Parsons
15812 amelung ln
Derwood , MD 20855
Rnparsons@comcast.net

From: Nancy Izant <nizant@toast.net>
Sent: Monday, December 11, 2023 8:32 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

Dear Council Members,

I am writing, as a resident in the Sugarloaf Plan area, to implore you to accept the overlay as proposed by the Frederick County Planning Commission.

The Livable Frederick County plan includes Maryland's 12 Planning Visions. The very first is:

"1) Quality of Life and Sustainability: A high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment."

The Sugarloaf Area Plan was born out of this first vision, was it not? Then, why take a very good plan and cut out 'stewardship of land, water and air' from hundreds of acres of it?

We all know why there was consideration of this to begin with. The reason for the crazy shape of the cut-out area was due to a handful of real estate speculators, who have money to gamble with. Though this is not illegal, in this case I would say that it is immoral. They have purchased property with the assumption that they can glad-hand, lobby, and cajole their way to changing the zoning so that they can develop. They have millions to hire lawyers, lobbyists, consultants and marketing gurus to promote their interests (\$) whereas, people like myself and my husband only have letters like this and occasional calls into planning hearings if we are lucky enough to take the time away from work. We actually reside here and are trying to protect a way of life, for us, our neighbors and for nature, and also to protect the only home and property that we will ever own. I believe this to be the case for the majority of residents here. We bought our property and small home here, 23 years ago, (when the entire Urbana area was farmland) based on a deep history of promises and recommendations made by Frederick County planning staff, that the South side of I270 would not be developed.

In his phone calls to the Planning Commission meetings, a major developer wants you to 'protect the rights of the property owners!' He would have you believe that all of the property owners in this area are primarily interested in the investment value of their land for development, rather than for the quality of their lives. Please, don't equate the term 'property owners' with 'residents'. They are not one and the same. Will the developers' (who might not even be residents of the area) worlds be irrevocably changed by the decision that you make about the boundary of the conservation area? No, it will not. This is just one more pawn on their chess board. They will unload the property that they purchased and just find another area to gamble with. But, that is not the case for the majority of residents in the Sugarloaf area. Our worlds will be irrevocably changed by the destruction of our natural surroundings.

Additionally, I truly admire farmers and all that they have provided to our communities. But, those who say they can only retire if they develop their property are being disingenuous. For example, 240 acres x \$4,000 (vs \$8000) per acre still equals a lot of money. They can still sell as much of their property as they want. We have already driven most of the farms out of this area by over-developing and need to give farms an incentive to co-exist, otherwise, we will be trucking in more and more of our food from greater distances.

During one of the hearings, a member of the planning staff recommended that you take the 'conservative' approach and hold the 'cut-out' portion of land open to development; ie: future unknown needs, just in case. In this circumstance, though, he had the wrong idea of what 'conservative' means. The dictionary describes the adjective 'conservative' as: 'disposed to preserve existing conditions, institutions, etc., or to restore traditional ones, and to limit change.' You may note that the words 'conservative' and 'conservation' are derived from the same root. Allowing any deviation from the Planning Commissions' proposal is the opposite of a conservative approach.

15 or 20 years down the road, the county can always go through the process of rezoning, if some unknown need deems it absolutely necessary. But, once it has been decided to exclude hundreds of acres from the protected area, there will be no going back. Then, every other development request will just be considered 'fill-in'. (Would you want the 'hallowed ground' of a civil war battlefield overlooking a development? Or the 'gateway' to Sugarloaf Mountain to be an unsightly, noisy, garishly lighted data center?) You can't undo development once it gets started. First, do no harm.

Please, listen to what the overwhelming majority of residents of the Sugarloaf area are telling you. We have invested our entire lives and way of life here. Include all of the land West of I270 and South of the Monocacy River in The Sugarloaf Treasured Landscape Management Plan overlay and adopt it.

Thank you for your consideration,

Nancy Izant
2770 Lynn St
Frederick, MD 21704

From: Neil Gormley <neil_e_gormley@yahoo.com>
Sent: Monday, December 11, 2023 3:47 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: katherinekcollins@gmail.com
Subject: protect our environment: adopt the Overlay District as recommended by the Planning Commission

Dear County Council,

I am writing you as a Brunswick resident and voter to urge you to protect Frederick County's invaluable natural resources and rural character from harmful industrial, commercial, and suburban residential development.

Future development into non-ag, industrial, commercial, or more dense residential land use would be inconsistent with the goals of the Sugarloaf Treasured Landscape Management Plan approved last year. I strongly support protecting the Sugarloaf area (and the rest of the County west of I-270) from these inappropriate uses.

Please adopt the Overlay District as recommended by the Planning Commission without delay.

Sincerely,
Neil Gormley

From: Elizabeth Hill <beth@mdforests.org>

Sent: Monday, December 11, 2023 4:01 PM

To: Donald, Jerry <JDonald@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; Carter, Mason <MCarter@FrederickCountyMD.gov>; Council Members <CouncilMembers@FrederickCountyMD.gov>

Cc: Joe Hinson <joe@nnrg.com>

Subject: Forestry Comments on the Sugarloaf Overlay Plan

Frederick County Council Members,

Please see the attached comments from MFA on the proposed Sugarloaf Overlay. Our statewide non-profit organization and its members are concerned about how the proposed plan will impact the future health of the forest and stifle the forestry sector in the area which is a traditional industry comprised of small family operations and landowners that contribute significantly to the local economy. Feel free to reach out with any questions or concerns. We will gladly arrange a forestry tour if the council would like to gain a better understanding of how and why working forests work!

Best regards,

Beth Hill

--

Beth Hill

Executive Director



Maryland Forests Association

P.O. Box 332

Linkwood, MD 21825

Phone: 410-463-1755

Email: beth@mdforests.org

www.mdforests.org

Maryland's voice for forest, wildlife, and natural resource management.



Maryland Forests Association, Inc.

P.O. Box 332

Linkwood, MD 21835

410-463-1755

Maryland's voice for forest, wildlife, and natural resource management

December 8, 2023

To The Frederick County Council Members

RE: Sugarloaf Treasured Landscape Management Plan

The Maryland Forests Association represents forest landowners and forest enterprises throughout the state. MFA is a strong advocate of sustainable forest management. Over the past decade, we have supported and have been proponents of several significant state laws that have, among other things, created new initiatives for tree planting and sustainable forestry. Our organization is fully dedicated to increasing, retaining, and maintaining forest cover across the state.

In this particular case, we must oppose the proposed forestry provisions as unnecessary and counterproductive for the Sugarloaf Treasured Landscape Overlay. They are largely unnecessary given existing requirements that are already restrictive, and they will not bring about any meaningful change except to increase costs to landowners.

Currently, each logging project requires a sediment and erosion control permit and a logging plan that are subject to review by the County and the Soil Conservation District. Forest management plans, such as those required in the proposed regulation, are best prepared well in advance of any harvesting plan and not merely to meet the requirements of obtaining a permit, as the current Sugarloaf proposal would mandate. Moreover, much of the additional information required under the proposal adds nothing that would further protect environmental values on the ground. Most logging projects in Frederick County are small, probably rarely exceeding 10 acres. The cost of requiring a complex logging plan will render many projects impractical from an economic standpoint. In fact, to compensate for the added costs, it's conceivable that a landowner might opt for a larger harvest area or cut more trees in a selective harvest than he/she might have otherwise.

It is worth noting that the Sugarloaf Overlay would require detailed information not just for the area being harvested but also for the entire parcel. It would necessitate details on landowner objectives, timber stands and types, streams and waterbodies, wetlands, property boundaries, roads, soil types, consultations with DNR on areas with sensitive species and management guidelines, identification of invasive species, and a description of each stand, proposed management, future conditions. MFA encourages all landowners to develop such a plan prepared by a licensed forester. But that should not be required as part of a harvesting permit application. Moreover, the proposed regulations are silent on the matter of what the regulating officials will do with all of the additional information.

To put the Sugarloaf district into perspective, on average, only 2-4 logging permit applications are filed annually in the District. Most of those are Stronghold projects. Stronghold even has areas that have been specifically managed using different reforestation techniques to monitor and measure over time.

It is also our view that the Overlay's prohibition against sawmills that would apply to small farm sawmills is also overly restrictive because farm sawmills, most often operated intermittently, are not out of character with the rural

and economic landscape of the area. Restrictive time limits on how long a portable sawmill can operate in the Overlay area are also nonsensical in today's market. These "temporary" machines are often in a fixed location-producing products for small niche markets, such as live edge slabs for tables and other specialty products that aren't mass-made in larger sawmills but are in high demand. These products and operations help support the buy-local initiatives that are valued in rural economic development.

Long-term planning in Frederick is all about growing Frederick County in a smart, sustainable way. That is the underlying principle of the Livable Frederick Plan. Frederick County residents have expressed a strong desire to ensure the viability of agriculture (trees are crops that help make farms viable), the protection of our environment (forests are the highest and best land use for protecting the bay), and historical and cultural assets (the timber industry is a traditional industry throughout Maryland). The Stronghold Story and its history of sustainable forest management add to the county's draw. It's where people choose to recreate. It's a place of great richness and beauty. It's also undeniable that sustainable forestry is a part of the story.

MFA would be delighted to coordinate a forestry tour in Frederick County. Such a tour would provide a better platform for communicating the many benefits that the forestry sector provides. Rather than promulgating this regulation, MFA suggests that the Frederick County Executive form a task group comprised of knowledgeable county, state, and federal employees to review, assess, and make recommendations about forests in Frederick County. That task group should be charged with: (1) assessing forest conditions in Frederick County, (2) analyzing market and employment opportunities in the forest sector, (3) establishing goals and priorities for forest sustainability, and (4) recommending county policies to meet those goals.

MFA stands ready to offer its assistance, and I'm certain the Maryland Forest Service can assist as well. A more considered, analytical, and practical review of forest policy in the County would serve its citizens better than what is being proposed in the forestry provisions of the Sugarloaf Overlay.

In summary, there is no measurable benefit to prescribing the proposed forestry regulations or prohibition against sawmills as part of the Overlay. Another suggestion would be that Frederick County looks to Charles County, MD, as an example of forestry zoning that encourages growth within the sector, leading to improved maintenance and retention of forests. The [Forestry Guidance to Local Governments](#), recently published by the Maryland Department of Planning, would be another great resource to consider.

A handwritten signature in black ink, appearing to read "E. Hill".

Elizabeth Hill, Executive Director
Maryland Forests Association

From: Katherine Collins <katherinekcollins@gmail.com>

Sent: Monday, December 11, 2023 8:11 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: Adopt the Overlay District as recommended by the Planning Commission

Dear County Council,

I am writing you as a Brunswick resident and voter to urge you to protect Frederick County's invaluable natural resources and rural character from harmful industrial, commercial, and suburban residential development.

Future development into non-ag, industrial, commercial, or more dense residential land use would be inconsistent with the goals of the Sugarloaf Treasured Landscape Management Plan approved last year. I strongly support protecting the Sugarloaf area (and the rest of the County west of I-270) from these inappropriate uses.

Please adopt the Overlay District as recommended by the Planning Commission without delay.

Sincerely,

From: Anne Sturm <annets1@aol.com>

Sent: Monday, December 11, 2023 7:44 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: The Sugarloaf Mountain Plan is great

Dear Council Members:

I am writing to express my support for the Sugarloaf Mountain Plan. It is truly a Treasured Landscape and deserves the protections that the Planning Staff has worked so hard on for several years.

I attended the first meeting held at Clarksburg High School right before Covid hit. At that time I took a book published by the Sugarloaf Regional Trails and Montgomery County Parks called Circling Historic Landscapes and gave it to the historian. All of the trails in this book plus two new ones are on the Sugarloaf Regional Trails website. Sugarloaf Mountain is at the heart of most of these trails.

Thank you for all your hard work and congratulations on a wonderful start to the new Frederick County Master Plan.

Sincerely,

Anne Sturm

From: Ellen Kreis <ellen.kreis@gmail.com>
Sent: Monday, December 11, 2023 7:01 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Pass the Rural Heritage Overlay

Dear Council Members,

We urge you to pass the Rural Heritage Overlay zone as approved by the Planning Commission in October, including the I-270 boundary.

It is imperative that you protect the Sugarloaf region and do what is in the best interest of the residents who actually live in it, not to mention the residents of the entire county and wider DC region who cherish this area that is in grave danger of being destroyed. Do not fall for the sob stories of large landowners or the well-funded developers whose only interest is in getting richer off ruining what makes the Sugarloaf area so beautiful and special.

If you truly care about this county and its residents you will vote to pass the overlay zone as approved in October. Please don't disappoint us.

Best regards,

Ellen Kreis & Douglas Pierce
1189A Della Rd
Dickerson (Frederick County)

From: Russell Thompson <sugarloafrt@gmail.com>
Sent: Monday, December 11, 2023 4:32 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay Comments

Letter attached as PDF

Russell Thompson

December 11, 2023

Frederick County Council
Winchester Hall
12 E Church Street
Frederick, Maryland 21701

Attention: Brad Young President

Dear Council Members,

Thank you for the opportunity to comment on the Sugarloaf Rural Heritage Overlay. I would again reiterate all of my previous comments submitted and would add the following:

There is absolutely no reason to include the Stronghold property in the overlay. Stronghold, Inc. has maintained a nearly 80-year track record of honor and stewardship of the property known as Sugarloaf Mountain. This fact cannot be disputed and is evidenced by the numerous awards and recognition Stronghold, Inc. has received for its efforts.

Beyond the point that the Stronghold property should be excluded, I take personal issue with several restrictions included in the overlay. The restrictions on commercial logging are unnecessary and burdensome. The MD DNR Forest Service as well as The Maryland Forests Association have submitted comments at various times throughout this process opposing these restrictions. I would ask you to please go back and read all of those comments. Also, to my knowledge the Frederick County Forestry Board does not support these proposed restrictions. It would seem misguided to enact restrictions that are not supported by the most respected authorities in the field of forestry.

The proposed ban on sawmills, which now applies to both private and commercial use is in direct conflict with several stated goals contained in the approved "Sugarloaf Plan". On page 103, the very first statement: "Support the multiple benefits of forested conditions that can be sustained over time in a cost-effective manner through **viable forest products markets** and good forest management". On page 107, Maryland's 2020 Forest Action Plan, "**Goal #1: Grow Forests,**

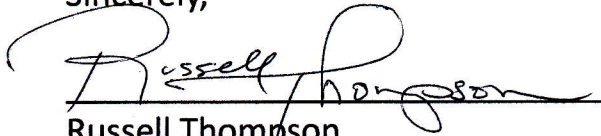
Habitats, Markets, and Jobs". Page 126, Forests and Carbon Sequestration, last sentence, "The carbon emissions offset from using wood rather than alternate materials for a range of applications can be two or more times the carbon content of the product".

Do these proposed restrictions on commercial logging and the limitations on sawmills support a viable forest products market? Do these proposals grow markets? Will these measures promote the use of local wood products rather than alternate materials?

Additionally, there needs to be more clarification on the list of prohibited uses regarding private vs commercial use. Planning staff have repeatedly stated these prohibitions are aimed at commercial uses only. Please put the word "commercial" in writing.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Thompson", written over a horizontal line.

Russell Thompson
Stronghold, Inc. Property Manager
7902 Comus Road
Dickerson, MD 20842