

From: Nick Carrera <mjcarrera@comcast.net>
Sent: Monday, December 18, 2023 8:10 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: County Executive <CountyExecutive@FrederickCountyMD.gov>; Carrera, Nicholas <mjcarrera@comcast.net>
Subject: Why to pass the Overlay

County Council Members,

Attached is a document with some reasons for approving the Sugarloaf Plan Overlay; I've also copied the document below, in case it's easier to access that way. I look forward to your consideration of this matter tomorrow night.

Best wishes, now and for the Holidays,

Nick Carrera

Begin text:

County Council 12.19.2023.3.Overlay

I'm Nick Carrera, living on scenic Thurston Road, across the road from the Natelli Cutout in the July 2021 Sugarloaf Plan. My affection for my house and its locale goes back 61 years, to when I met and later married a Frederick girl who lived here. I'm now a steward of that property, and I want it and the other area west of I-270 to be protected under the Sugarloaf Plan and its Overlay.

Here are some county promises over the years for protection of this area:

In the 1977 Urbana Regional Plan:

"Due to the overwhelming influence of Sugarloaf Mountain, the natural pattern of watersheds, and the nature of the roadway system, only low intensity land uses are best suited west of I-270," (page 12, 1977 Urbana Regional Plan.)

The 1978 Urbana Region Plan said it again, with stronger emphasis:

"... only *very* low intensity uses are best suited west of I-270." (page 14, emphasis added)

And in the 2002 Urbana Region Plan:

"Maintain the area west of I-270 for conservation rural/agricultural uses to protect Sugarloaf Mountain and other natural resources in the area," (page 28, November 2002 draft Urbana Region Plan).

So there's a long history of promises to protect the land west of I-270. What about today?

The Sugarloaf Treasured Landscape Management Plan is a detailed plan to protect the Sugarloaf area, but by itself it might remain just another in a long string of promises. You can promise, but you should

make good on your promise. Robert Service wrote, "A promise made is a debt unpaid." And my grandmother Schnautz liked to say, "A man of word and not of deed/ Is like a garden full of weed."

The Council can fulfill the county's long-standing promise to protect land west of I-270. The Planning Commission sent you the Overlay District, and they weren't shy in urging you to approve it. They said, "Do pass," and the Commission Chair even added, "We mean it."

Besides fulfilling the county's half-century-old promise, what other reasons might you consider?

Continuity and consistency in our county government. The Livable Frederick Master Plan (LFMP) called for a detailed plan to protect the Sugarloaf area; the County Council last year answered that call, in its approval of the Sugarloaf Plan. The Overlay the Planning Commission has twice prepared is a logical extension of the Sugarloaf Plan, giving legal status to directives the Plan called for. To reject the Overlay now is to renege on the Plan itself, to say, in effect, "We didn't really mean it."

Another thing is the county's good name. A lawsuit forced the release of documents exposing secret dealings with Amazon and developer Tom Natelli, to exempt his land and give him an inside track for data centers on land that should instead be protected under the Sugarloaf Plan. These documents paint a sorry picture of our county's previous administration. This was the first administration under the new County Executive format, and was expected to avoid questionable practices that had occurred previously. To approve the Overlay District is to signal that, while this new form of government had one or two teething problems, it is basically a good format for governing. It rejects secret dealings, and deserves continued support. It produced the LFMP, and carried through on its ambitious aim to set aside a treasured area for protection. On the other hand, not to approve the Overlay would bring increased focus on those backroom deals, question whether anything has really changed for the better, and bring the county into taint and disrepute.

For these reasons, Council should approve the Overlay – to make good on a long-standing county promise, to extend and remain consistent with the Sugarloaf Plan itself, and to maintain the county's good name. I would add to these cogent reasons, that it's just the right thing to do.

In approving the Overlay, you will ratify the last Council's approval of the Sugarloaf Plan. It will be your own way of saying, "We mean it."

From: Ilene Freedman <ilenewhitefreedman@gmail.com>
Sent: Monday, December 18, 2023 10:29 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>; Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Re: Please Support the Sugarloaf Overlay District

The hearing last week was interesting and I wanted to add a reaction. Several opponents to the overlay pointed out that some of the people supporting it don't even live here. My farm is on Park Mills Road. I'd like to see the region preserved from data centers and development. That makes sense, because I live here. The very fact that people who do not live here care so much about the Sugarloaf and Monocacy region speaks to its importance to them. It's not their backyard or even in their backyard. It's beyond a neighborhood issue. This place means something to a lot of people from a far reach, who care enough about it that they want its rural nature preserved. I think that is extra special. Thinking of you all with the upcoming vote and hoping you will vote to support the overlay plan and rule out data centers in this preservation region.

Best,
Ilene Freedman

On Sat, Dec 9, 2023 at 10:07 PM Ilene Freedman <ilenewhitefreedman@gmail.com> wrote:
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



Virus-free. www.avast.com

From: Steven Findlay <stevenfindlay2@gmail.com>
Sent: Monday, December 18, 2023 3:30 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: McKay, Steve <SMcKay@FrederickCountyMD.gov>
Subject: Sugarloaf overlay - CDI

Dear Council Members – We strongly support Councilmember McKay's amendment to prohibit Critical Digital Infrastructure in the Overlay Zone.

Steven Findlay, President
Sugarloaf Citizens Association
301-908-8659 (tel & text)

19201 Barnesville Rd.
Dickerson, MD 20842

From: Cathy Brown <brownathythatsme@gmail.com>
Sent: Monday, December 18, 2023 3:26 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Plan Overlay District

I urge you to do your duty as representatives for the people of this county and vote for the Sugarloaf Plan Overlay District.

Our needs today and in the future are for an environmentally focused response to growth and development. Development in this preserved space will loose this resource forever. The damage cannot be undone.

Catherine Brown
Adamstown, MD

From: Barbara Luchsinger <blagluch@gmail.com>
Sent: Monday, December 18, 2023 3:23 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: barbara luchsinger <blagluch@gmail.com>
Subject: Support Sugarloaf Overlay

Dear Council Members,

Frederick County can be outstanding in its approach to nature and scenic merit or it can be paved over.

Frederick County has this chance to the county that similar interests cite as being the example worthy of following and such a position is well deserved by virtue of Mother Nature having favored us with the only significant mountain nearby that Gordon Strong had the foresight to preserve. That worthy effort should be continued.

Please support the Planning Commission's position and approve the overlay.

Barbara Luchsinger

From: Ingrid Rosencrantz <catoctinck@gmail.com>
Sent: Monday, December 18, 2023 2:29 PM
To: Carter, Mason <MCarter@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Comment on Sugarloaf Overlay - Historically Black Communities

Dear Council Members,

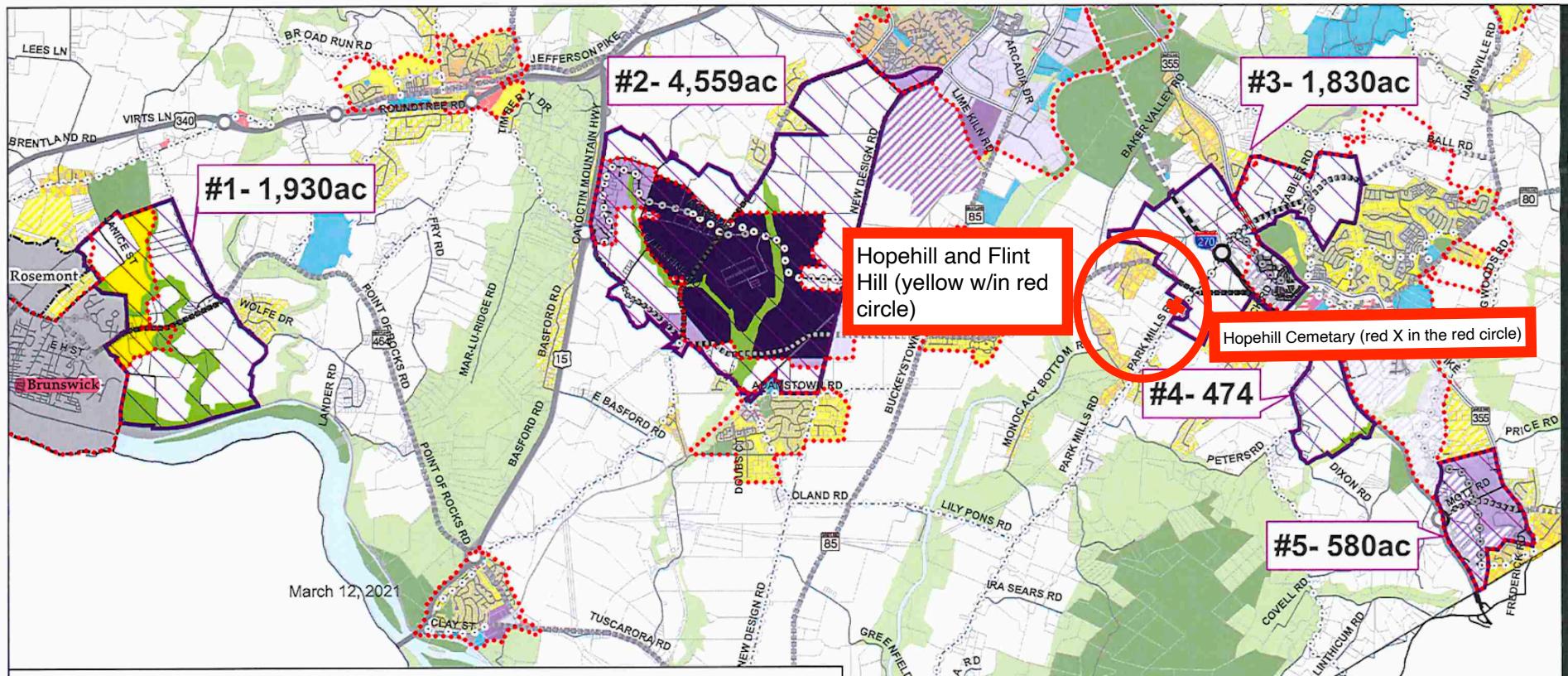
After last week's public hearing, I'd like to call your attention to an issue that has yet to be directly discussed during this County Council review of the Sugarloaf Overlay. There are 3 historically Black communities within the Plan area: Hopehill, Flint Hill and Della. There may be more that I am not aware of. During last week's public hearing, we heard comments to the effect that some people don't deserve to be heard, or have an equal voice. I disagree and sincerely hope you do, too.

In the fall of 2020, I provided comments on the initial Sugarloaf staff draft stating that the County's initial boundaries were disrespectful because they cut Hopehill in half. At that time, I asked about the possible effects of dividing this historic Black community? The response to my comment was that it would be too much work for the County to "change the maps" so the division would remain. That was long before we learned about the Amazon plan.

Then we see the CDI Floating Zone Map (see map below) where Amazon and a current developer proposed to put data centers directly abutting the backyards of Hopehill residents. When I have spoken with my Hopehill neighbors, they remind me that industry often targets communities of color for development because they have less power or pull.

You all have the responsibility of deciding what to do here. I hope you make the right choice.
Thank you for your consideration.

Ingrid Rosencrantz

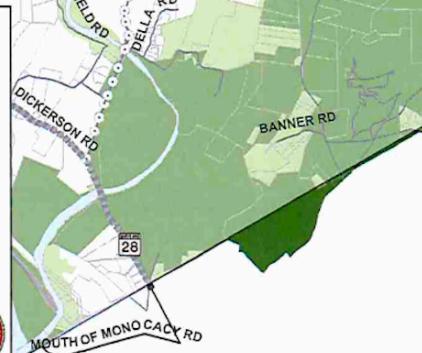


CDI Floating Zone

DRAFT March 12, 2021

Potential CDI FZ	Village Center
Municipalities	General Commercial
Community Growth Area	Limited Industrial
Comp Plan Designation	Office / Research / Industrial
Agricultural / Rural	General Industrial
Natural Resource	Mixed Use
Public Parkland / Open Space	Mixed Use Development
Rural Community	Mineral Mining
Rural Residential	Institutional
Low Density Residential	Water
Medium Density Residential	Right of Way

Highways	
Existing / Proposed	Freeway / Expressway
— / —	Major Arterial
— / —	Minor Arterial
— / —	Collector
— / —	Transit Easement
○ / ○	Interchange



Projection: NAD 1983 StatePlane Maryland FIPS 1000 Feet
 While efforts have been made to ensure the accuracy of this map,
 Frederick County accepts no liability or responsibility for errors, omissions,
 or positional inaccuracies in the content of this map. Reliance on this map
 is at the risk of the user. This map is for illustration purposes only and
 should not be used for surveying, engineering, or site-specific analysis.
 00484

From: prosequitur@mac.com <prosequitur@mac.com>
Sent: Tuesday, December 19, 2023 7:00 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: 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>
Subject: Support for the approval of the Sugarloaf Plan Overlay District

Brian Dijker
Lisa Lovaas
Property owners
9009 Slate Quarry Rd
Dickerson, Md 20842
December 18, 2023

Jerry Donald
Steve McKay
M.C. Keegan-Ayer
Kavonte Duckett
Mason Carter
Brad Young
Renee Knapp
Frederick County Council
Winchester Hall
12 East Church Street Frederick, MD 21701

Subject: Support for approval of the Sugarloaf Plan Overlay District

Dear Frederick County Council Members,

We appreciate the opportunity to again express our support for the Frederick County Planning Commission's recommendations, and respectfully urge you to approve the Sugarloaf Plan's Rural Heritage Overlay Zoning District. Thank you for working to help conserve, protect, and preserve the quality and character of this unique part of Frederick County.

Sincerely,

Brian Dijker & Lisa Lovaas

From: Comcast Email <andrexes@comcast.net>
Sent: Tuesday, December 19, 2023 6:25 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

By now you have heard all the “sides.” The answer is to adopt the Overlay this evening. I hope you do this. I will be watching.

From Ann Andrex

From: Margaret7071 <margaretkel7071@gmail.com>
Sent: Tuesday, December 19, 2023 6:30 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Support Overlay

Dear Council Members,
Please consider preserving the environment for future generations by supporting the overlay and opposing the data centers.
Sincerely,
Margaret Kelley
Sent from my iPhone

From: John Lowe <lowe@xecu.net>
Sent: Tuesday, December 19, 2023 1:00 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Plan

We support the Overlay and a prohibition of data centers within the Sugarloaf Plan boundary.

John and Diane Lowe
6813 Potomac Ave.
Braddock Heights, MD 21714

From: Hb. Hoffman <hbhoffman2@gmail.com>
Sent: Monday, December 18, 2023 11:17 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay plan

Dear County Council,
Thank you for your consideration of many comments on this topic. I wish to simply express that I support the overlay and a prohibition of data centers writing the Sugarloaf Plan Boundary and to see any data center be in complete compliance with any laws and the council to be open when planning the Boundaries and data centers.

We have a beautiful area that can accommodate all if well planned.

Thank you,
Holly Hoffman

From: Nancy Izant <nizant@toast.net>
Sent: Tuesday, December 19, 2023 2:26 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay - Please, Vote in Favor

Dear Council Members,

One last note and a few observations before you meet tomorrow to vote on this important issue.

My husband and I reside in the Sugarloaf Overlay area. Our support for the overlay is motivated by protection of natural habitat, rural landscape, rural roads and a bit of peace, but not monetary profit. This is the only home and property that we will ever own. We welcome that overlay means that the back of our property, which is a steep slope and near a creek, could not be built upon. It is the right thing to do.

I was present at the hearing last week. (I did not sign up to speak, publicly, as I am extremely uncomfortable doing so - as are many residents.) The overwhelming majority of 'property owners', who spoke in opposition to the the overlay at the hearing, were people who stand to profit by developing their property. Each one who spoke said that they or their neighbors had "no intention of ever developing, nor do their neighbors!" If that is true, it makes me wonder why they would be opposed to the these important protections in the first place. Not one of them seemed to be able to articulate any other specific way that they would potentially be harmed by the overlay.

There are some other 'residents' of the Sugarloaf area who have no voice. They can't speak English, be present at hearings or write letters. They are trees, birds and all matter of flora and fauna. I am sure you have heard the term 'canary in a coal mine', meaning that when the bird dies, the miners are in deep trouble. Well, we have that situation, literally, on our planet, in our country, in our state and in the Sugarloaf area, right now. Nearly 3 billion birds have disappeared from North America and Canada since 1970, **primarily due to habitat loss**. This study was published in the journal Science in Sept 2019. (We have observed this bird population loss at our home, first hand.) As a reminder, many bird species are pollinators and, additionally, they help to spread seeds of beneficial native plant species which help with stream bank erosion control and support other pollinators, such as bees, which in turn, help - farmers. Frederick County has designated flooding as one of the major imminent threats to our area. Preserving as much natural habitat as possible is one way to help mitigate this. Shouldn't the County Council take imminent threats seriously?

Even though you may feel you have a lot of pressure coming from the development community, the facts supporting the protection of the Sugarloaf area are very clear. Please, hold the line at I270 (no exceptions) and the Monocacy River and vote in favor of the overlay.

Thank you,

Nancy Izant
2770 Lynn St
Frederick, MD 21704

From: James Coulombe <duetto14@gmail.com>
Sent: Tuesday, December 19, 2023 12:35 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay District plan protection
Members, Frederick County Planning Commission,

I once again want to 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 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. As you well know, this is an area which has not been planned for further major 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.

Frederick County zoning and planning processes are not sufficiently robust and fail to adequately consider potential impacts of development for the surrounding areas. Particularly if development were to include data centers this would overburden the area with large demands of water drawn from the local aquifer upon which this area depends. There would also be additional power consumption needs requiring additional power infrastructure including transmission lines which, if as previously proposed, would result in the taking by imminent domain and destruction of residential homes. There would additionally be runoff from paved areas and considerable light pollution from unattended night lighting. These are all negative aspects of development for which the County planning processes have no say when considering development projects.

The boundaries of the Sugarloaf area should be part of a logical geographic area and in keeping with the prior well-understood development plans for the region. Carving out parcels of land to favor a small group of land speculators whose only consideration is profit makes little logical sense. Considerable new development, including data centers, can still be accommodated to the East of the logical I270 boundary in areas long planned for municipal water and sewer services or in already developed areas of the County that now are underutilized. 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. The property rights of a few individuals wishing to profit from their land purchases should not take precedence over the property rights of residents whose enjoyment of their property would be affected by poorly controlled and ill considered development.

Thank you,
James N. Coulombe, Ph.D.
2770 Lynn Street
Frederick, MD 21704

From: Sasha Carrera <sasha.carrera@gmail.com>
Sent: Monday, December 18, 2023 10:51 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: SUPPORT THE SUGARLOAF OVERLAY

The County Commissioners urged passage of the OVERLAY. The original plan that the County Council was poised to APPROVE in 2022, before private interests with deep pockets turned their heads included protection for this overlay. PROTECT THIS TREASURED AREA, STAND UP FOR YOUR THE PEOPLE WHO LIVE HERE and VALUE THE PRECIOUSNESS OF THIS AREA.

APPROVE THE OVERLAY and keep datacenters 1. where they belong -- IN AREAS ALREADY ZONED FOR THEM and 2. COMPLIANT WITH ENVIRONMENTAL REGULATIONS.

If you care about the health of our county, if you respect your constituents WHO LIVE HERE, if you care about the planet **you must support the overlay.**

Thank you,
Sasha Carrera

Sasha Carrera
<https://www.sashacarrera.com/>
213.926.3577
Catch me as season regular Petra Antonelli on THESPIAN!
<https://www.youtube.com/c/ThespianSeries>

From: Sonja Sienkowski <sonja.sienkowski@gmail.com>
Sent: Monday, December 18, 2023 8:13 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

Dear Council Members,

This email is in support of the Overlay and prohibition of data centers within the Sugarloaf Plan Boundary. I am a resident of the Villas of Boxwood and a proposed Data Center directly across from Bealls Farm Rd/Tabler Rd would negatively impact the quality of life for myself and my neighbors.

Appreciate your time and consideration to approve to keep the agricultural and forest preservation.

Sonja Sienkowski

Sonja Sent from my iPhone

From: Abby Adelberg <abbyadelberg@gmail.com>
Sent: Monday, December 18, 2023 7:50 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Data centers

Please do not allow the data center in the former ag reserve near Sugarloaf mountain in Adamstown.

Sent from my iPhone

From: Pam Burke <pjburke737@gmail.com>
Sent: Monday, December 18, 2023 7:32 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Constituent Services <constituentservices@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>; sue.trainor.music@gmail.com
Subject: Sugarloaf Plan

Dear Councilmember,

We strongly support the Sugarloaf Plan and the Overlay. We are strongly opposed to allowing data centers to be built within the Sugarloaf Plan area and support the amendment to prohibit them.

We live in the Liberytown area, but recognize that if this part of Frederick County can not receive the protection it richly deserves then no part of the County will ever be safe from environmental destruction and inappropriate development. Please honor the intent of Livable Frederick by preserving this vital natural resource as recommended by the Planning Commission.

Sincerely,
Paul Burke
Pam Burke
Union Bridge MD

From: spharaoh@yahoo.com <spharaoh@yahoo.com>
Sent: Monday, December 18, 2023 6:58 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Vote to Hold the line!

I just wanted to email you as a group to remind you of who you work for! The majority of people that actually live around Sugarloaf agree to hold the line at 270! (Petition well into the 1000s). We thought this was a done deal last time especially when all the secret emails were exposed between Natelli and council members. You do not work for Natelli! He is an outsider that only wants to line his own pockets. Maintain the beauty around the mountain! Keep this treasured landmark in frederick county for future generations to enjoy. Don't let your names be attached to destroying it! Otherwise I'm sure your political careers will be short lived.

Msgt Sandy Pharaoh

[Sent from my iPhone](#)

From: Leslie Novotny <leslienovotny09@gmail.com>
Sent: Monday, December 18, 2023 7:07 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

Good evening,

My name is Leslie Novotny. I live at 2323 Thurston Rd, Frederick, MD 21704. I wanted to express my thoughts about the planned vote to protect the Sugarloaf area. We have been living here for over 30 years. My children have attended the schools in the Urbana area since we moved here. My youngest was affected the most with the overcrowding of schools in the area. From elementary to high school, most of his classes were over 45 kids in the classroom.

Thurston Road is always a roadway in the morning and evening when 270 is backed up either going north or south. The mph is 30, most people travel this curvy road at 50 to 60 mph passing on the straight away in front of our house. It is marked as a double yellow.

The thought of building a data center on Thurston Road is very upsetting with all that is going on presently. Thurston Road cannot support more cars. This area cannot support more dense housing. I am amazed that the developers can continue to build but they are not responsible for any of the infrastructure that is necessary when you are adding either more houses or a data center. The developers do not live here. They do not care. The bottom line is money to them.

I attended the meeting a week and a half ago. People who spoke at the meeting...a few in particular from the Ashburn area in Virginia. All said, don't make the mistake we made. Not sure if you have traveled over there recently but it is a travesty to the landscape. Please don't let that happen here, right near Sugarloaf Mountain.

I am asking you to support and vote to retain the Overlay boundary by limiting development on the West side of 270 and amend the Plan and Overlay text to add Critical Digital Infrastructure (Data Centers) to the list of prohibited uses within the Overlay Boundary.

Let your vote to support the Overlay Boundary be your legacy to protect this area.

I appreciate your time.

Sincerely,

Leslie Novotny
301-351-7281

From: David Reeves <dave2442ree@hotmail.com>
Sent: Monday, December 18, 2023 6:27 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: Re: Support Sugarloaf Overlay Zoning District

Dear Frederick County Council,

I ask that you please vote to **approve the Sugarloaf Overlay Zoning District as recommended by the Planning Commission.**

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.)

Thank you for your consideration.

Sincerely,

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

Sent from [Outlook](#)

From: David Reeves <dave2442ree@hotmail.com>
Sent: Sunday, December 10, 2023 7:52 PM
To: JDonald@FrederickCountyMD.gov <JDonald@FrederickCountyMD.gov>; SMcKay@frederickcountymd.gov <SMcKay@frederickcountymd.gov>; MCKeegan-Ayer@FrederickCountyMD.gov <MCKeegan-Ayer@FrederickCountyMD.gov>; kduckett@frederickcountymd.gov <kduckett@frederickcountymd.gov>; mcarter@frederickcountymd.gov <mcarter@frederickcountymd.gov>; byoung@frederickcountymd.gov <byoung@frederickcountymd.gov>; rknapp@frederickcountymd.gov <rknapp@frederickcountymd.gov>
Cc: councilmembers@frederickcountymd.gov <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: msimpson2005 bennettscreekfarm.com <msimpson2005@bennettscreekfarm.com>

Sent: Monday, December 18, 2023 4:52 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Subject: I support the Sugarloaf Overlay/not Data Centers

Hello,

I have written in the past to you all. I live across from Sugarloaf Mountain on Thurston road. My husband and I have a horse business there as well.

Having lived in this location for over 13 years, I know that sound has a big impact here due to the presence of the mountain. It acts as a wall to bounce noise back towards Urbana.

This means, that if data centers are allowed to be developed near I270 and 80, the noise from the air handling units will travel to the mountain and bounce back into the Village of Urbana. Everyone will be impacted by it.

Please protect the Sugarloaf Mountain area by voting for the Overlay. Please do not let date centers and other forms of inappropriate development in this area.

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

From: Steve Black <steveblack2313@gmail.com>
Sent: Monday, December 18, 2023 5:32 PM
To: Carter, Mason <MCarter@FrederickCountyMD.gov>
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: My thoughts on the Sugarloaf Overlay

12/18/23

I'm usually speaking or writing on behalf of a group. Not this time. This is just me, just how I feel personally.

Let's be clear. Opposition to the Sugarloaf Overlay is driven by a single developer, and people in the real estate and development world, who stand to make significant money by creating industrial development next to Sugarloaf. That's all there is to it. However they might try to dress it up, this is just about a developer wanting to make money off his land purchase gamble.

The secret Amazon plan for Frederick County included a developer and people working for that developer. These people are not government employees, nor were they ever elected to serve Frederick County. This developer and his employees had a seat at the table for the construction of the Amazon plan. The developer knew which areas were under consideration and could even inject his own properties into the process.

Unlike every other person in Frederick County, this developer had the inside track. He was privy to information unavailable to all other landowners and residents in the Sugarloaf area. In one particularly egregious act of insider trading the developer purchased a parcel on Fingerboard Rd knowing that the county intended to place it under a floating zone. The owner of the property certainly didn't know this.

Don't reward bad behavior. Trading on inside information is usually a crime; at very least it should never be rewarded.

If you condone, and even facilitate the effort to allow for industrial development on the west side of I-270, you are absolutely rewarding bad behavior. You are giving a nod to insider trading, unregistered lobbying, and a 'Wealthy Developers First, Regular Citizens Second' attitude.

It is not the government's place to pick private sector winners and losers.

One developer, and the real estate agents, lawyers, and consultants that work for him were given a seat at the table for the County's dealings with Amazon. This one developer was picked by the previous Administration to benefit, significantly, if the Amazon deal succeeded.

With the government's thumb on the scale other developers and property owners could not compete equally---they didn't even know there was a game taking place. To say nothing of the regular citizens who might object to the entire concept. The unfairness here is monumental. The folly of the government being expected to pick winners and losers in the private sector is clear. That is not how our system should work.

There are many, many reasons why the Sugarloaf Overlay should be adopted. For me one of the most important considerations is the corrosive, undemocratic impact of the secret back-room deals. Allowing

these sorts of hidden activities is just wrong. It's counter to everything I have fought for my entire life.

With respect,

Steve Black
Adamstown

From: betty winholtz <winholtz@sbcglobal.net>
Sent: Monday, December 18, 2023 4:36 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: sugarloaf plan on tuesday

Dear Council Members:

In case you are counting "heads," I support the Overlay and a prohibition of data centers within the Sugarloaf Plan boundary.

Sincerely,
Betty WInholtz

From: Abigail Brown <abigail.mommybrown@gmail.com>
Sent: Monday, December 18, 2023 4:08 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf loaf public comment

Dear County Council Members,

Please see the comments I shared at the last meeting below.

Key takeaway:

We are asking you to hold the line and make a **hard** Sugarloaf boundary line at 270 and include a boundary amendment to the plan adding the 3 properties that house the businesses at the 80/270 interchange. All these properties have the same physical landscape and geographic features as the rest of the properties being considered under the overlay. Comments that say otherwise are frustratingly untrue. Please visit this area and see for yourself. Our family (adjacent to the Potomac Garden Center), and our direct neighbors, will be impacted if the boundary remains here. We are strongly asking for an amendment to be considered.

December, 12, 2023 Public Hearing

"Abigail Brown, 8564 Fingerboard rd. Tonight, I want to address the Sugarloaf Overlay boundary at 270 and additional exemptions and "floating zones" being considered. There is currently a cutout at the 270/80 interchange excluding 3 properties from the Overlay that house- the Potomac Garden Center, Kannavis and the Greenbriar Animal Hospital. With this cutout, there

is NO HARD boundary in this area. It is frustrating that I keep hearing that 270 is the boundary, when it is truly not. If we are looking at the area through the lens of preservation and protection, as was the heartbeat for the overlay in the first place, by leaving these properties out, it leaves these, and the surrounding properties, extremely vulnerable for the future. Quoting from the county's own website, "the proposed overlay is to preserve the exceptional features of the Sugarloaf area for future generations" and, "allows the County to create special zoning rules for a geographic area." Without a hard boundary at 270, in addition to including other potential exceptions into the plan, such as potential "floating zones" the entire proposal is inconsistent at best with its overall purpose.

How does excluding these properties from the umbrella of the overlay, and including other "floating zones" in line with the plan? The public is still waiting on legit answers. For those new with us on this board, we have heard very little on this, with the only answers given being things like, "it was requested by the property owner," "it was requested by a developer" or "it has 270 front property, so therefore, it needs to remain a "flexible" piece of land for future growth. I think I can speak for many when I say, these answers are not good enough. These aren't legit reasons.

Additionally, If you notice, much of the currently proposed cutouts or "floating zones" are heavily in the interests of developers and businesses. These interests have clearly had more weight over that of the many voices that have shown up over the past couple of years representing the other property owners and generational family farms, who make up the heartbeat of this community. The bottom line, stand by the heart of the Overlay, include all the properties, protect it all, provide consistency and uniformity to the area, or protect none of it.

My family is personally invested in where this boundary line sits because we are the residential property adjacent to that of the Potomac Garden Center, and sandwiched between Fingerboard rd and I-270. This proposed boundary is at my fence. So, yes, we are very concerned. Leaving this boundary here will have a direct impact on our property. There is no natural or hard man made barrier between us. We would literally be stuck at the edge of a protected overlay, if this plan is passed as is, while sitting on top of a piece of land that would have far fewer restrictions, oversights, and protection, while putting those nearby in a vulnerable place.

I am asking for you to strongly consider making an amendment to the current plan to include these 3 properties at the 270/80 junction in the overlay AND remove any language to include floating zones elsewhere. This will **truly** maintain the Sugarloaf boundary line at 270 and strengthen the entire plan for the future."

Please reach out with any questions.
Abigail Brown

From: Zana Moran <moranclan@live.com>
Sent: Monday, December 18, 2023 3:57 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Please support the Sugarloaf Overlay

Hood afternoon,

As a long-time Frederick County resident, I want to express my strong support for the Sugarloaf Overlay. While I understand that development in Frederick County is inevitable, and in some ways, desirable, it is imperative that we set aside tracks of contiguous land for ecological and cultural reasons. The Sugarloaf Overlay will help to ensure that development in the treasured Sugarloaf area occurs in a more sustainable and beneficial way; putting the needs of locals ahead of corporate interests. Huge resource consuming data centers, or other large-scale developments, are not appropriate land uses in the ecologically sensitive and beloved Sugarloaf area. Please hold the line at Interstate 270.

Thank you for your time and consideration.

Sincerely,

Prof. Suzannah Moran
2931 Monocacy Bottom Rd
Adamstown, MD 21710

From: Katy Cusick <d7ktbird@yahoo.com>
Sent: Monday, December 18, 2023 3:53 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Overlay

To Whom It May Concern;
Please support the Overlay and prohibit data centers within the Sugarloaf Plan boundary.
The community does not want to be sold out. The concerns have been discussed and other options are indicated.
Katy Cusick

Sent from my iPhone

From: Joe Richardson <joesr@bar-t.com>
Sent: Monday, December 18, 2023 5:00 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf overlay

As the council considers amending the overlay please consider this

What makes Frederick county so special is the community and the amazing rural landscape.

Those that are fortunate enough to live in the shadow of Sugarloaf Mountain are both owners and stewards. I had mentioned at the hearing last week: I own Bar-T Mountainside and have become a steward of 115 amazing acres on Roderick Road. A worthy steward leaves the land with which they are entrusted better than they found it.

Many owners bristled at the notion that government should not infringe on their ownership rights. They questioned the right of non owners having a say on what can or cannot be built in the overlay.

Anyone who has ever driven or hiked that land and treasure its natural beauty, has every right to speak up to protect what we have.

You on the council are also stewards of land in Frederick.

My response to the Mackintosh realtors is this: "sell all the 10 acre farmettes you can in that area. But if you want to put a strip mall, a townhouse development or (heaven Forbid) a data center put that on Frederick land that has already been desecrated. NOT THERE in the overlay.

For once can we put protection of natural resources over potential tax revenue...Over self interest and greed.

As a child living in Gaithersburg I hiked Sugarloaf many times admiring the rural vistas. The thought of seeing hideous data centers creating a blight on these vistas is unconscionable.

Please Please do the right thing!

Sent from my iPhone

From: lveamazon@aol.com <lveamazon@aol.com>
Sent: Monday, December 18, 2023 3:52 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

Dear Councilmembers:

I write in support of the Sugarloaf Plan's Overlay Zoning District. I live just south and east of the County line in Montgomery County, where I work with several groups to protect watersheds, forests, and farmland by restricting development and limiting expansion of impervious surfaces, particularly in our County's Ag Reserve.

I express my wholehearted support for this Overlay which will do so much to protect those resources. Data centers should not be permitted in these rural areas and open spaces. I bring guests to Sugarloaf Mountain to allow them appreciate what this kind of thoughtful zoning has meant and can mean for all of us. I hope you will vote to support it at your upcoming meeting.

Sincerely,

Laura Van Etten
19735 Mouth of Monocacy Road
Dickerson, MD 20842

From: Stan Mordensky <smordensky@aol.com>
Sent: Tuesday, December 19, 2023 9:55 AM
To: Cherney, Ragen <RCherney@FrederickCountyMD.gov>
Subject: Please amend the Sugarloaf Plan & Overlay to restrict Data Centers from this area & pass the Overlay

Good morning County Council,

I urge you show your support of fighting climate change by voting to support the Sugarloaf Plan Overlay.

We need more forests & we need open farm fields & natural areas to replenish our mind, body and soul!

Please amend the language in the Sugarloaf Plan to restrict data centers from this landscape plan.

You have an opportunity to go on record of where you stand to combat climate change.

This is one major pillar of the Livable Frederick Plan.

Sincerely,

Stan Mordensky C 301-639-8584
11401 Meadowlark Dr
Ijamsville, MD 21754

Sent from my iPhone

From: Kristin Ricketts <kadricketts@gmail.com>
Sent: Tuesday, December 19, 2023 9:56 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Overlay

Good day,

I'm live at 1242 New Design Road in Adamstown.

I just want to let you all know that I support the Overlay and a prohibition of data centers within the Sugarloaf Plan boundary.

Please vote for this Overlay and with that I hope you all really think what you want Frederick County to be. It would be nice if this whole region west of 270 and up the Potomac could be put into an Ag Reserve like Montgomery County. One of the draws of Frederick County is its richness in Ag.

Thank you for your consideration.

Happy Holidays!

Kristin Ricketts

"So let's not get tired of doing what is good. At just the right time we will reap a harvest of blessing if we don't give up." Galatians 6:9

From: Johanna Springston <johannaspringston@gmail.com>
Sent: Tuesday, December 19, 2023 9:57 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Plan
Dear Council members,

I urge you to approve the Sugarloaf Preservation Overlay. While I know that the pressures to develop are great and the need for more tax revenue is ever present, there are other more appropriate places to build data centers in the County.

The Sugarloaf area is a small part of this County. It deserves our protection. The people that live in the Sugarloaf area overwhelmingly support preservation. Even those landowners who have spoken out against the Overlay, say they do not want the area to be developed.

I hope that you will pass the Overlay. Happy Holidays to you all.

Sincerely,

Johanna M. Springston
8101 Fingerboard Rd.

From: Jamie Moses <mosesbird17@gmail.com>
Sent: Tuesday, December 19, 2023 10:35 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf plans and data centers.

Greetings,

I support the Overlay and a prohibition of data centers within the Sugarloaf Plan boundary.

I have seen rural communities in the south along the Appalachian wish they had fought harder against this type of plan. The noise even for a town with only a Walmart is a disturbance. Documentaries have shown that it creates issues for the wild life and their abilities to maintain their way of life. Birds that sing to each other to communicate down to ants. We as humans need to find a better solution than data centers. To do that we must not allow them to be built.

Thank you,
Jamie Bird

From: rg steinman <lifeonurth@gmail.com>
Sent: Monday, December 18, 2023 4:07 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Planning Commission <PlanningCommission@FrederickCountyMD.gov>
Subject: Approve Sugarloaf Overlay & Prohibit data centers

Councilmembers and Planning Commission,
I support the Overlay and a prohibition of data centers within the Sugarloaf Plan boundary.

I urge the County Council to approve the Sugarloaf Plan's Rural Heritage Overlay Zoning District.

It is important to protect the areas from development on the west side of I270 between the parks, Sugarloaf Mountain and Monocacy National Battlefield.

Please approve the Sugarloaf Plan's Rural Heritage Overlay Zoning District to protect this essential green infrastructure area from land uses that will impoverish the area's natural resources and the County's sustainability.

Ms Roberta G Steinman, PhD
Silver Spring, MD

From: Blanca Poteat <bcpoteat@gmail.com>
Sent: Monday, December 18, 2023 1:31 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Support Sugarloaf Overlay

Greetings, County Council Members,

Approve the Sugarloaf Rural Heritage Overlay Zoning District

Support the Economic Value of Open Space Protection and Return on Environment

From the beginning of the public discussion of the Sugarloaf Treasured Landscape Management Plan, we have been personally involved. But due to our recent covid illnesses, we've only been able to watch televised Council meetings and submit written comments on the Sugarloaf Rural Heritage Overlay Zoning District. Here are a few more. I hope you will take time to consider them.

Your votes to approve the Sugarloaf Rural Heritage Overlay Zoning District, consistent with the Livable Frederick Master Plan's Green Infrastructure sectors and with the Planning Commission's emphatic recommendations, will confirm Frederick County's commitment to the values, economic and otherwise, of open space protection.

During the Sugarloaf Plan process, the County Council's and Planning Commission's land use planning prerogatives have been challenged by immense and off-the-record pressures from resident and non-resident landowners and business interests who own properties, have acquired speculative investment real estate, or operate businesses in the Plan region, for exemptions from the Plan boundary and from the Plan's, as well as other County and State, regulations and prohibitions.

Any such exemptions from Sugarloaf Plan regulations and prohibitions are inconsistent with:

- The County's longstanding protection of the southern County area west of I270
- Sugarloaf's inclusion in the Livable Frederick Master Plan's Green Infrastructure sectors
- The County's climate change and sustainability needs and goals, and
- The State of Maryland's 2022 Climate Solutions Now Act.

“Return on investment” (ROI) is the standard expectation for real estate profit, payback for risk taken. While real estate firms and individuals continue to invest in properties in Frederick County – due to its perceived advantages and attractions as a place to live and work - and to expect a big ROI for their investment and other risks, County government does not owe them a guarantee of that profit through government land use decisions, zoning exemptions and other preferential treatment.

Consider, instead, **“Return on Environment (ROE)”**, the big paybacks to communities and their governments from concerted actions to protect and preserve open spaces.

In your continuing efforts to represent your communities' interests and concerns and to balance those with intense pressures on Frederick County from development and business interests,

consider these studies of **Return on Environment, the economic value of open space protection**, in two nearby Pennsylvania counties. Better yet, consider pursuing a similar study for Frederick County.

Thank you.
Blanca Poteat
Sugarloaf Mountain Road

Return on Environment Chester County, Pennsylvania

“Balancing preservation and progress has helped to make Chester County one of the most economically robust counties in the state and among the best places to live in the country. Protected open spaces—public parks, preserved farmland, and private conserved lands—provide proven and substantial economic, environmental, and public health benefits to surrounding communities. This report indicates that protected open space adds significant value to the county’s economy, with benefits for businesses, governments, and households. This value occurs in different ways—some are direct revenue streams to individuals or governments, some represent appreciation in asset values, others are the result of avoided costs.”

[Executive-Summary \(chesco.org\)](http://chesco.org)

[The Economic Value of Protected Open Space in Chester County, Pennsylvania, May 2019](http://chesco.org)
[Investing in the environment has paid off” for Chester County | Chester County Press](http://chesco.org)

Return on Environment Montgomery County, Pennsylvania

“The Key Benefits of Protected Open Space

HOME AND PROPERTY VALUES

\$2.8B added to the value of housing stock located within a ½ mile of protected open space
\$11,300 average increase in the value of homes located within a ½ mile of protected open space
\$48M in annual additional property tax revenues generated from homes within a ½ mile of protected open space

ENVIRONMENTAL SERVICES

\$31.6M in annual savings through the provision of six environmental services

\$97.4M in the lifetime cost savings of carbon storage in trees

\$10M in avoided annual stormwater system maintenance

\$180M in avoided annual stormwater pollutant removal costs

ECONOMIC ACTIVITY

\$160M annual economic impact associated with protected open space

1,555 jobs supported from open space-related upkeep, protected farmland, and open-space tourism

\$49M in annual salaries

DIRECT USE BENEFITS

\$219M in annual recreation benefits to residents
\$225M in medical costs avoided annually
\$243M in lost productivity costs avoided annually”

ESI-ROE MontgomeryCo April2022-02WEB (montgomerycountypa.gov)

The Economic Impact of Protected Open Space in Montgomery County, Pennsylvania
Montgomery County Planning Commission, March 2022

From: Buzz Mackintosh <buzzmac@prodigy.net>
Sent: Tuesday, December 19, 2023 10:14 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Cc: Rocky Mackintosh <rocky@macroltd.com>
Subject: Overlay opposition Letter

Please add 2000 Dixon Rd, 51.2 acres to the group of letters submitted by Rocky Mackintosh on 12/12/23

Thank you,

Please find my attached opposition to Sugarloaf Overlay.

Have a happy holiday,

Rob Roberton
200 Dixon Rd
Frederick, Md. 21704
Cellular: 301-233-8377
e-mail: rob@apartmentturnovers.com

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We have reviewed the County's proposed Sugarloaf Rural Heritage Overlay Zoning District, and the new regulations and restrictions proposed by the County for our property. We are opposed to having these regulations and restrictions apply to our property. Please exclude us from the rezoning.

Name: Robert Robertson Date: 12/17/2023
Address: 2000 DIXON ROAD
FREDERICK MD 21704

From: Sue Trainor <sue.trainor.music@gmail.com>
Sent: Monday, December 18, 2023 4:21 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: Comments re the Sugarloaf Overlay

Please find attached my comments prepared for the 12/19 County Council Meeting.

Thank you,
Sue Trainor



Photo by Orlando Morales



Photo by Sue Trainor

Dear Frederick County Council Members:

The photos above are taken from Park Mills Road where it intersects with Rt. 80. This property is owned by Mr. Natelli. For generations, everyone who has lived here and who travels through has enjoyed views that we'll lose without preservation.

Mr. Natelli has attended just about every Planning Commission meeting and Council meeting (and more) where the Plan and Overlay have been discussed. We know, because we've had to be there, too. I get that this is his business and he's doing what he thinks he needs to do. It's pretty clear that the reason he shows up every time is not because he wants to keep growing corn. His land is included in the CDI Floating Zone map.

I understand, too, that the county and state are eager for property taxes that data center development represents, but here's the thing: It's not an either/or situation. It's not preservation or taxes. We can do both. There are other places in the county already zoned or designated industrial. The Sugarloaf area is not the right place.

The planning staff said so in researching and crafting the preservation plan called for in Livable Frederick. The Planning Commission said so for the Plan and the Overlay twice and emphatically, and the Council passed the preservation plan last year, because:

- The area is environmentally sensitive;
- It has historical significance;
- There are strong community histories; and
- It's a beautiful, scenic place.

At the hearing last week, I was outraged when several commenters suggested that the weight of decisions should be measured by acreage owned. Mr. Black called that idea "feudal." I can think of a few other adjectives. If you are as concerned about that point as I am, I trust your actions will show it. These decisions should not turn on who owns the land or how much land they

own. However, it seems to me that voting against a preservation Overlay with a data center prohibition would be both a nod to the powerful large property owners and a pretty explicit go-ahead for Mr. Natelli to pursue his development plans.

As of this writing, the Sugarloaf Alliance petition in support of prohibiting data centers now has more than 1200 signatures. The heavy majority are folks who live here, work here, play here, who have family and community and history here. Please don't discount them or all the living things that thrive downhill from Mr. Natelli's farm. It's not the right place for development.

Thank you for your attention and your consideration,

Sue Trainor

Fingerboard Road

Frederick

12/18/23

From: Ilene Freedman <ilenewhitefreedman@gmail.com>
Sent: Monday, December 18, 2023 10:29 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>; Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Re: Please Support the Sugarloaf Overlay District

The hearing last week was interesting and I wanted to add a reaction. Several opponents to the overlay pointed out that some of the people supporting it don't even live here. My farm is on Park Mills Road. I'd like to see the region preserved from data centers and development. That makes sense, because I live here. The very fact that people who do not live here care so much about the Sugarloaf and Monocacy region speaks to its importance to them. It's not their backyard or even in their backyard. It's beyond a neighborhood issue. This place means something to a lot of people from a far reach, who care enough about it that they want its rural nature preserved. I think that is extra special. Thinking of you all with the upcoming vote and hoping you will vote to support the overlay plan and rule out data centers in this preservation region.

Best,
Ilene Freedman

On Sat, Dec 9, 2023 at 10:07 PM Ilene Freedman <ilenewhitefreedman@gmail.com> wrote:
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



Virus-free. www.avast.com

From: kathleen mooney <kcmooney@mac.com>
Sent: Tuesday, December 19, 2023 10:40 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Zoning Overlay District

I am writing to express my advocacy for the prohibition of Data Centers in the Sugarloaf Plan Area.

Frederick Count, through our Livable Frederick plan, has drawn a clear line between the growth area around Urbana, east of I-270, and farms and forests on the Sugarloaf Mountain side of the highway, from the Montgomery County line to Monocacy National Battlefield.

Throughout the Sugarloaf area plan process, this line has been reinforced. The Planning Commission recommended it, twice. Every environmental and smart growth organization that weighed in supported it, **as did an overwhelming majority of the thousands of citizens (in the area and across the county) who expressed themselves.**

The previous County Council established that line as the eastern boundary of the approved plan.

It isn't anti-growth or anti-data centers to continue holding that line on development in this part of the county. Frederick County will grow and have more data centers. But as the county grows, where and how it happens matters a lot.

Please protect that line.

It has been well considered and your constituents have spent years advocating for it.

Thank you,

Casey Mooney
Frederick, MD

From: Mike Flynn <mikeflynn209@gmail.com>
Sent: Tuesday, December 19, 2023 12:28 PM
To: Carter, Mason <MCarter@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Comment on Sugarloaf Overlay

Dear Council members,

As a Frederick resident, I am writing to strongly urge you to pass the Sugarloaf Plan's Rural Heritage Overlay Zoning District and to prohibit data centers in the Sugarloaf Plan boundary.

The "Overlay" is critical to providing the regulatory authority needed for the Sugarloaf Treasured Landscape Plan to protect the beautiful natural resources in the Sugarloaf Plan area. Without the Overlay, the Sugarloaf Plan is simply an aspirational plan with no teeth.

The Overlay was carefully and thoroughly reconsidered by the Planning Commission and the Commission once again recommended that the County Council approve it. Please recognize the hard, comprehensive work by the Planning Commission and approve the Overlay.

And most importantly, please approve the Overlay for our children. The Sugarloaf region is truly a treasure, one that will not be there for future generations without our careful stewardship today. It would be a real tragedy if down the road our children see a once-treasured Sugarloaf region transformed by development into a region littered with huge data centers.

Approving the Overlay is an historic opportunity for this Council to make a tremendous contribution to the preservation of one of Frederick County's most precious natural resources, the Sugarloaf region.

Thank you for your careful consideration.

Sincerely,
Mike Flynn

9258 Beals Farm Rd
Frederick

From: Ryan Couillard <rcouillard12@gmail.com>
Sent: Tuesday, December 19, 2023 12:09 PM
To: Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Donald, Jerry <JDonald@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: Landowner: Approve the Sugarloaf Plan Overlay, Please!

Good morning all,

Thanks for your fielding of my public comment. I am a landowner and resident within the proposed overlay district, on Stewart Hill Road, with my property surrounded by land owned by Stronghold, LLC.

I, of course, stand in support of this sensible preservation plan, and especially the overlay district, which provides the teeth to enforce compliance to the preservation mindset. Our region is one of the last few remaining truly rural areas in the area, and is enjoyed by many who live in Maryland, DC, and NVA as a nature retreat. Failure to pass a sensible preservation plan will, undeniably, result in greed-driven development to pave over and forever alter this beautiful landscape, something we must steward and protect for the generations to come.

My frustrations with the lack of legislative teeth for Resource Conservation (RC) zoning (most of Sugarloaf Mt. is RC-zoned) is a bit more personal. In the past three decades, between 400 and 500 acres of forest have been timber harvested **ON STEWART HILL ROAD ALONE!** It's preposterous that our "resource conservation" zone actually has extremely little regulatory ability to block logging permits for our zoning! Just a few years back, my neighbor began a logging project without a permit: https://www.fredericknewspost.com/news/environment/county-working-to-halt-logging-on-sugarloaf-mountain-until-permit-approved/article_88e14ade-6669-5b51-9745-b38ce5b5081b.html

I am passionate about forest preservation, but it would be a disservice to the hard work of the Planning Commission to limit the scope of my comments to just timber harvest. The gist of what I'm trying to say is: **the sacred landscape and natural beauty of the Sugarloaf region, a nature destination for so many, is currently inadequately protected from corporate greed, and desperately deserves a preservation plan WITH the overlay district regulatory teeth to protect it.**

I stand with the Sugarloaf Alliance and the Planning Commission in **heartily** recommending swift approval of the Sugarloaf Plan Overlay District to steward and protect our precious area for generations to come.

Thank you so much for taking the time to read my comments, and thank you for your public service to our fine county.

Regards,
Ryan Couillard

"Most of the trees threaten my home and vehicles," he wrote. "I have selected the trees to be removed from my home and the power lines that service my home and others. Also to expand upon my yard and make it easier to mow and maintain. We applied for the permit multiple times with the County which they have still not approved or disapproved in over 3 months."

An environmental threatIn a June 5 letter to the Department of Permits and Inspections, Michael Kashiwagi, Western II Regional Manager with the Maryland Department of Natural Resources, wrote that the logging falls within the Bear Branch watershed. The watershed "supports the last remaining naturally reproducing brook trout population in the southern part of Frederick County."

"Freshwater Fisheries is concerned about the potential negative impacts that logging could have to Bear Branch's brook trout population," he wrote. "If a large number of mature trees are removed from the property it could have severe negative consequences on downstream stream conditions."

He also wrote that erosion from "exposed ground can increase silt and sediment runoff into the stream."

"This damages brook trout habitat and can smother eggs/fry as they are developing. The steep terrain and slopes along Stewart Hill Road also increase the potential for adverse runoff following rain events," according to the letter.

Kashiwagi asked if a permit could contain additional requirements "that protect the streamside management zone and reduce/prevent erosion and runoff."

In a June 17 letter, Joseph Hinson, president of the Maryland Forests Association, Inc., wrote, "Mr. Blickenstaff is awaiting county approval of a harvesting permit. Although he apparently has followed all the established procedures for the permit application, he has encountered some confusion regarding the County's permit requirements."

Hinson's letter includes observations from a number of people that Hinson said visited the property. These observations include that the area will not be clearcut and, "we do not foresee any problems with adequate, desirable natural regeneration." It also states that, "it would appear a buffer management plan would not be required."

Buffers help decrease pollution and control erosion.

The letter also states that, "The existing vegetative buffers and distance (over 1,000 feet) from the harvesting site should pose no significant risk to Bear Branch stream or its fish habitat."

A Forest Management and Harvest Plan was submitted online on June 18. The document states that the property was examined by Shenandoah Forestry Services. It includes information about soils, streams and wildlife.

Recommendations state that no stream is located on the property, and that the harvest is removing over-mature, mature, and dead and dying trees to "maintain the health of the forest."

And while Sugarloaf Mountain is included in a list of forestlands in the Resource Conservation Zoning District in the Livable Frederick Master Plan, "Timber harvesting is permitted in all zoning districts with an approved logging permit."

Additionally, in a letter attached to the Forest Management and Harvest Plan, Anne Hairston-Strang, associate director of the Maryland Forest Service, states that the "proposed harvest" is less than 10 acres, "a small fraction of the watershed, and is a partial harvest where surrounding root systems and remaining trees will rapidly tap into water no longer taken up by removed trees."

She also writes that the area drains into an in-line pond that would catch sediment.

On June 23, the planning and zoning review was still listed as "resubmittal required," with the comment that a custom forest plan needs to be submitted.

Thacker's statement notes that no trees have been removed from the property, but that it would be a waste to cut them and let them lay.

"I'm not building, developing, or grading the property at all. This is a selective harvest of timber which has been done by every one of my neighbors," Thacker wrote.

According to county records dating back to 2012, of the five grading permits on Stewart Hill Road in Adamstown, three were for logging, including Thacker's.

From: point_of_rocks@yahoo.com <point_of_rocks@yahoo.com>
Sent: Tuesday, December 19, 2023 11:36 AM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Comment on Sugarloaf Plan Overlay and Data Center Issue

Dear County Councilmembers,

I live in Point of Rocks, MD, here in Frederick County, and I am very concerned about the development of data centers in our county.

I support the Sugarloaf Plan Overlay, and a prohibition of data centers within the Sugarloaf Plan boundary.

Building data centers on brownfield sites seems like a wise decision, but does involve environmental consequences, which need to be avoided and mitigated.

No data center should ever be built on existing farm land!

Thank you for serving and protecting our County.

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1639 Gibbons Rd
Point of Rocks, MD 21777

From: Suzanne Sella <thesellas@yahoo.com>
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To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Overlay Plan Support

Dear Council Members: We strongly urge you to vote to approve the overlay plan to protect and preserve this beautiful area.

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David and Suzanne Sella 1622 Enon Rd. Oxford, NC 27565
Land line number: 919.229.9928

From: Mike Flynn <mikeflynn209@gmail.com>
Sent: Tuesday, December 19, 2023 12:28 PM
To: Carter, Mason <MCarter@FrederickCountyMD.gov>; Donald, Jerry <JDonald@FrederickCountyMD.gov>; Duckett, Kavonte <KDuckett@FrederickCountyMD.gov>; Knapp, Renee <RKnapp@FrederickCountyMD.gov>; McKay, Steve <SMcKay@FrederickCountyMD.gov>; Keegan-Ayer, MC <MCKeegan-Ayer@FrederickCountyMD.gov>; Young, Brad <BYoung@FrederickCountyMD.gov>
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Comment on Sugarloaf Overlay

Dear Council members,

As a Frederick resident, I am writing to strongly urge you to pass the Sugarloaf Plan's Rural Heritage Overlay Zoning District and to prohibit data centers in the Sugarloaf Plan boundary.

The "Overlay" is critical to providing the regulatory authority needed for the Sugarloaf Treasured Landscape Plan to protect the beautiful natural resources in the Sugarloaf Plan area. Without the Overlay, the Sugarloaf Plan is simply an aspirational plan with no teeth.

The Overlay was carefully and thoroughly reconsidered by the Planning Commission and the Commission once again recommended that the County Council approve it. Please recognize the hard, comprehensive work by the Planning Commission and approve the Overlay.

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County working to halt logging on Sugarloaf Mountain until permit approved

By Hannah Himes hhimes@newspost.com, Jun 23, 2020



An aerial photograph of Thacker Properties, where Robert Thacker contacted a logger to remove 142 trees., Courtesy Shenandoah Forestry Services

The Frederick County Division of Planning and Permitting is working to stop unpermitted logging taking place on about 10 acres on Sugarloaf Mountain.

The property, located on Stewart Hill Road in Adamstown, is owned by Robert Thacker. Local contractor Brian Blickenstaff of Blickenstaff Logging, Inc. is doing the work.

On June 17, Gary Hessong, deputy director of the county division, said a stop work order had been ignored and that citations were being issued in an effort to get the logging to stop.

"We do have a permit application but a permit has not been issued," Hessong said, adding that a permit can be issued, but the requirements have to be met. "They haven't submitted all the necessary information in order for us to review the permit and make a decision whether it's compliant with the requirements."

On May 14 and again on May 19, the applicants were made aware that an application they first submitted was incorrect and that they needed to submit a different application and a custom plan, Hessong said.

On June 8, they were alerted by some neighbors that logging had started, despite no permit being issued, and a stop work order was issued. Citations followed.

"We're in the process of working with them to come into compliance as we have been since May 14," Hessong said.

In a statement emailed on June 21, Thacker wrote, in part, that he contacted a logger to remove 142 trees from his property.

"Most of the trees threaten my home and vehicles," he wrote. "I have selected the trees to be removed from my home and the power lines that service my home and others. Also to expand upon my yard and make it easier to mow and maintain. We applied for the permit multiple times with the County which they have still not approved or disapproved in over 3 months."

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To: Council Members <CouncilMembers@FrederickCountyMD.gov>
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Point of Rocks, MD 21777

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Emotional? You bet!

David and Suzanne Sella 1622 Enon Rd. Oxford, NC 27565
Land line number: 919.229.9928

From: Karen Lazo <LazoFamily@comcast.net>
Sent: Tuesday, December 19, 2023 1:36 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: No Data Center Construction!

Respected Council Members,

We are so saddened to see the green space of Frederick County disappearing with more and more construction. Please vote to NOT allow data centers within the Sugarloaf Plan boundary. We support the overlay.

Do you remember the story “If you give a mouse a cookie, then he will want to glass of milk...” If we allow this additional area for data center construction, the developers will want more and more. Let’s not bow to financial pressure.... once this land is gone, then it is gone.

Thanks for hearing our opinion. Karen Lazo and family

From: Carol Pettrash <cpettrash@earthlink.net>
Sent: Tuesday, December 19, 2023 1:18 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Please protect rural Sugarloaf

- Dear Frederick County Council Members,
- I ask that you:
- 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.

Thank you!
Carol Pettrash
Sent from my iPad

From: Thom Stevenson <twsteve@gmail.com>
Sent: Tuesday, December 19, 2023 12:48 PM
To: McKay, Steve <SMcKay@FrederickCountyMD.gov>
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>
Subject: I support the Sugarloaf Alliance petition ...

Dear Councilman McKay,

As a resident of District 2, I am requesting that you, as well as all Council members, support prohibition of data centers within the Sugarloaf Plan Overlay District.

I do support construction plans for data centers on sites such as the Eastalco brownfield site and industrial campuses such as this, but the developer/owner/contractor must come into compliance with environmental regulations before site plans are approved.

Thank you for your consideration in this important matter.

Sincerely,

Thomas W. Stevenson
Boxwood Villas
Urbana, MD 21704

From: Karen Stevenson <k.steve55@gmail.com>
Sent: Tuesday, December 19, 2023 12:51 PM
To: smkay@frederickcountymd.gov
Cc: Council Members <CouncilMembers@FrederickCountyMD.gov>; Planning Commission <PlanningCommission@FrederickCountyMD.gov>
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Sincerely,

Karen L. Stevenson
Boxwood Villas
Urbana, MD 21704

From: Heather Goddard <nyatenari@hotmail.com>
Sent: Tuesday, December 19, 2023 2:05 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf vote tonight

Dear County council members,

I'm writing to urge you to vote in accordance with the recommendation of the planning commission and the will of the people of Frederick County tonight in voting to include land to the west of rt. 270 in the Sugarloaf Overlay Zoning District and to include data centers in the list of uses prohibited in that overlay zone.

Small area plans must mean something for the citizens of Frederick County to continue to engage in the planning process. If their input is ignored and the small area plans do not result in changes to zoning to give these aspirational documents regulatory power, we will continue to see the will of the people ignored.

Data centers are not bad for the county but they shouldn't be allowed west of 270. Please protect that land.

Sincerely,
Heather Goddard
Resident
Frederick, MD

From: Charles Seymour <cseymour@tpreinc.com>
Sent: Tuesday, December 19, 2023 2:23 PM
To: Council Members <CouncilMembers@FrederickCountyMD.gov>
Subject: Sugarloaf Hearing Tonight

December 19, 2023

County Council Members,

My name is Charlie Seymour and I live at 8923A Fingerboard Road Frederick, MD 21704. I love preservation, but please send the Sugarloaf overlay back to a well-balanced panel of landowners for further recommendations...or eliminate the plan altogether.

I attended the first meeting at the Firehall with local owners, where I tried to speak about balanced growth along the Interchange and about other lands where certain existing businesses already existed. My voice was silenced immediately as was anyone's voice who wished to talk about balanced growth in local areas vs. complete and total preservation.

This "cancel culture" voice became angry with neighbors and intimidating as further misinformation was spread.

Certain people in positions of authority also suggested expanding the preservation areas, which seemed to be a bit of a conflict of interest.

The Urbana Interchange needs to be developed with water and sewer, so people will stop driving all the way into the Urbana neighborhoods for fuel and fast food service. There needs to be a more transit-oriented plan along 270 for that corridor and interchange. Urbana and Frederick will not stay the size they are now, which will continue to push growth outwards, away from the road systems, unless you fix it. The current overlay doesn't make sense!

It's already hard enough in Frederick to find a place to locate your business, to find a single-family lot, farm lot, or even a resale home, and now we are adding to these difficulties. My kids are now, and maybe forever, prohibited from buying in Frederick. My immediate family owns and operates 7 businesses in Urbana, and it just keeps getting harder as more and more regulations are created...to the degree that I wonder why we do what we do here. We are and have always been avid volunteers and contributors to the community.

Please recognize the owners who spoke out against the Sugarloaf Plan and vote "no" on the Overlay. You created this problem when you made it all about preservation and not about balance.

Many thanks and well wishes for the New Year,

Charlie Seymour 301-606-6217

Charles Seymour, President
240-436-6040 Direct | 301-831-8232 Office | 240-436-6041 Fax

Turning Point Real Estate | 8923 Fingerboard Road, Frederick, MD 21704
Find us on the web: www.TurningPointCommercial.com