




Outlook

CDI Overlay Zone Map

From Patrice Gallagher <pgallj@aol.com>**Date** Mon 10/13/2025 12:30 AM**To** Planning Commission <PlanningCommission@FrederickCountyMD.gov>**Cc** Fitzwater, Jessica <JFitzwater@FrederickCountyMD.gov>; Council Members
<CouncilMembers@FrederickCountyMD.gov> 1 attachment (31 KB)

Gallagher.PlangCom.10_12_25.pdf;

[EXTERNAL EMAIL]

Hello,

Please find attached, my comments regarding the CDI Overlay Zone Map that the Planning Commission will consider on October 15.

Thank you!

Patrice Gallagher
Frederick

Patrice Gallagher

Gallagher Design

www.patricegallagher.com

102 W Church Street

Frederick MD 21701

301.471.3720

To: Planning Commission of Frederick County
Fr: Patrice Gallagher, Frederick
Dt: October 12, 2025
Re: CDI Overlay Zone Map

Dear Planning Commission members:

I've written to you previously requesting that you limit the number of acres upon which data centers may be built in the County and particularly in the Adamstown area. My preference is to hold off on further data center development beyond Eastalco, so we can evaluate the actual effects of data centers at that location before building more.

I've already expressed concern that no neutral study has been done to determine the real benefits and challenges of data center development to our County, financially and environmentally, making it difficult to fully understand the implications of hosting data centers here.

But I have an additional concern about data centers that adds to my belief that the County should not expand data center acreage beyond what is currently expected at Eastalco.

I haven't heard this addressed in the various hearings I've attended or listened to, and that is the waste — especially e-waste — produced in data centers.

I've been interested in waste policies for a number of years, and like most people am aware that e-waste is a monumental problem in the US and world-wide. **I did a bit of research on the e-waste generated by the data center industry, and it's sobering.**

Excerpts from a Clean Energy Leadership Institute (CELI) article in December 2024:

While discussions about data centers' energy consumption and environmental impact are widespread, far less attention has been given to the mounting problem of electronic waste (e-waste) generated by these facilities. Servers and GPUs, essential to data center operations, are typically replaced every 2-5 years, producing millions of tons of outdated equipment — more than 80% of which is discarded. A recently published Nature study warned that generative AI alone could contribute an additional 1.2-5 million tons of annual e-waste, posing serious environmental and health risks globally.

E-waste recycling and handling are poorly regulated, with limited infrastructure to support circular practices. Privacy and security concerns often prompt companies to destroy outdated hardware rather than reuse or recycle it. Addressing this growing issue requires a better understanding of its scale, societal impacts, and systemic gaps.

.....

In the U.S. ... no federal regulations govern e-waste management. Although 25 states have

some form of e-waste legislation, these laws vary widely, with only 16 states banning e-waste from landfills.

.....

E-waste is hazardous, capable of releasing up to 1,000 different chemical substances during improper disposal or recycling. In developing countries, where much e-waste is dumped or handled, workers are routinely exposed to contaminants such as lead, mercury, cadmium, and arsenic. These chemicals can cause cancers, miscarriages, and irreversible neurological damage.

<https://medium.com/@celions/the-hidden-environmental-cost-of-data-center-growth-millions-of-tons-of-e-waste-0bb4a18dbaa1>

Excerpts from an online article on the NCS Global website, May 2025:

Data centers are the backbone of modern digital infrastructure, but their rapid hardware refresh cycles contribute significantly to global e-waste. Racks, computing equipment, monitors, circuits, and other electronic components within data centers are often refreshed on cycles as short as three to five years.

A recent study published in Nature Computational Science estimated that, with the advent of generative AI and its associated computational resource consumption, the amount of e-waste generated could potentially reach a total accumulation of 1.2-5.0 million tons during the decade of 2020 through 2030.

.....

Improper disposal of IT hardware leads to hazardous waste in landfills, contaminating soil and water with toxic chemicals. According to the United Nations, e-waste is the fastest-growing waste stream globally. Data centers must implement sustainable IT asset recovery services to reduce their environmental footprint.

<https://ncsglobalinc.com/insights/e-waste-in-data-centers/>

Excerpts from Human-i-t's website, September 2025:

Are Data Centers Bad for the Environment?

Data centers produce all kinds of e-waste. Whatever the type, it impacts the environment negatively in at least two ways: equipment disposal, and data center energy consumption. And the equipment disposed of often isn't according to best practice.

What kinds of e-waste components that need recycling are used in Data Centers?

Data center networking equipment

These devices facilitate communication and data transfer within networks. Their primary function is to manage and direct data traffic between different devices and systems. Examples include routers, switches, firewalls, load balancers, and network cables.

Server equipment

These are powerful computers designed to process endless requests, store data, and run applications 24/7. They are the workhorses of a data center, handling computational tasks, as well as storing and handling large amounts of data. Examples include web servers, database servers, application servers, and file servers.

Other data center equipment

This includes everything else that is contained in data center architecture. There are monitors, computing equipment, circuits, and any other electrical components within the infrastructure. Examples include storage systems (like SANs and NAS), power distribution units (PDUs), uninterruptible power supplies (UPS), cooling systems, and racks to house all of the equipment.

<https://www.human-i-t.org/data-center-recycling/#:-:text=Refurbishing%20and%20reusing%20equipment%20where,the%20circular%20economy%20at%20work.>

One only needs to skim through the information above to realize that the e-waste generated by data centers has to be an important and serious consideration for the County, but as far as I know, there has been little public discussion of how the operators are planning to handle it. In the articles above, some solutions are offered, but as discussed in the articles, these solutions require vigilance by the developers and operators of data centers, oversight from governments, and the best solutions are expensive.

What is the plan for the data centers in Frederick County to deal with their e-waste? Until we know the specifics of such plans, and can experience how they work (or don't) for a period of time, why would we continue to allow for more and more data centers to be built?

Let's work with what is already in the pipeline, and evaluate the successes and problems we find in those, before building more data centers.

I've reached out to the director of the County Solid Waste & Recycling Division to see if he and his staff have connected with Catellus or anyone else about the coming e-waste issue. I will also contact Mr. Kuykendall at Catellus to learn what his group is planning to do regarding IT asset disposition (ITAD) at the Catellus development.

Thank you for your work, and for considering my thoughts.

Patrice Gallagher
Frederick

October 13, 2025

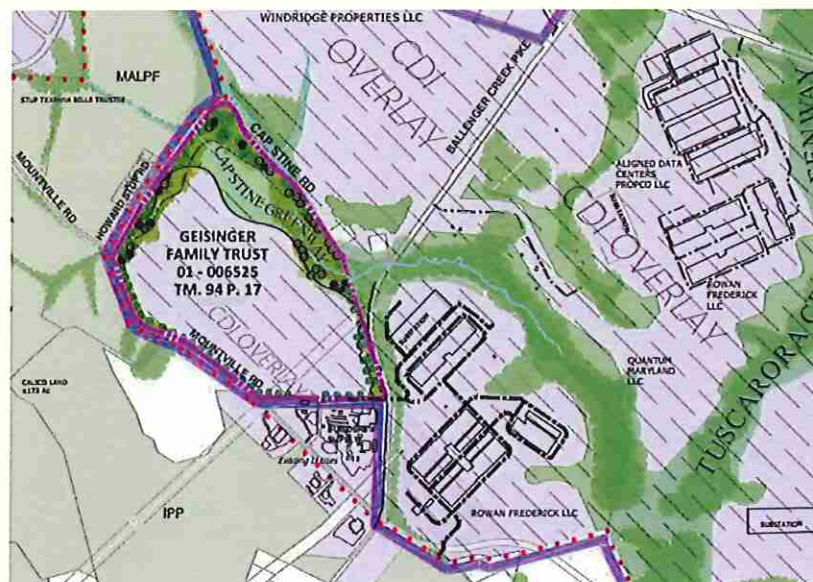
Tim Davis, Chair
Frederick County Planning Commission
30 N. Market Street
Frederick, MD 21701

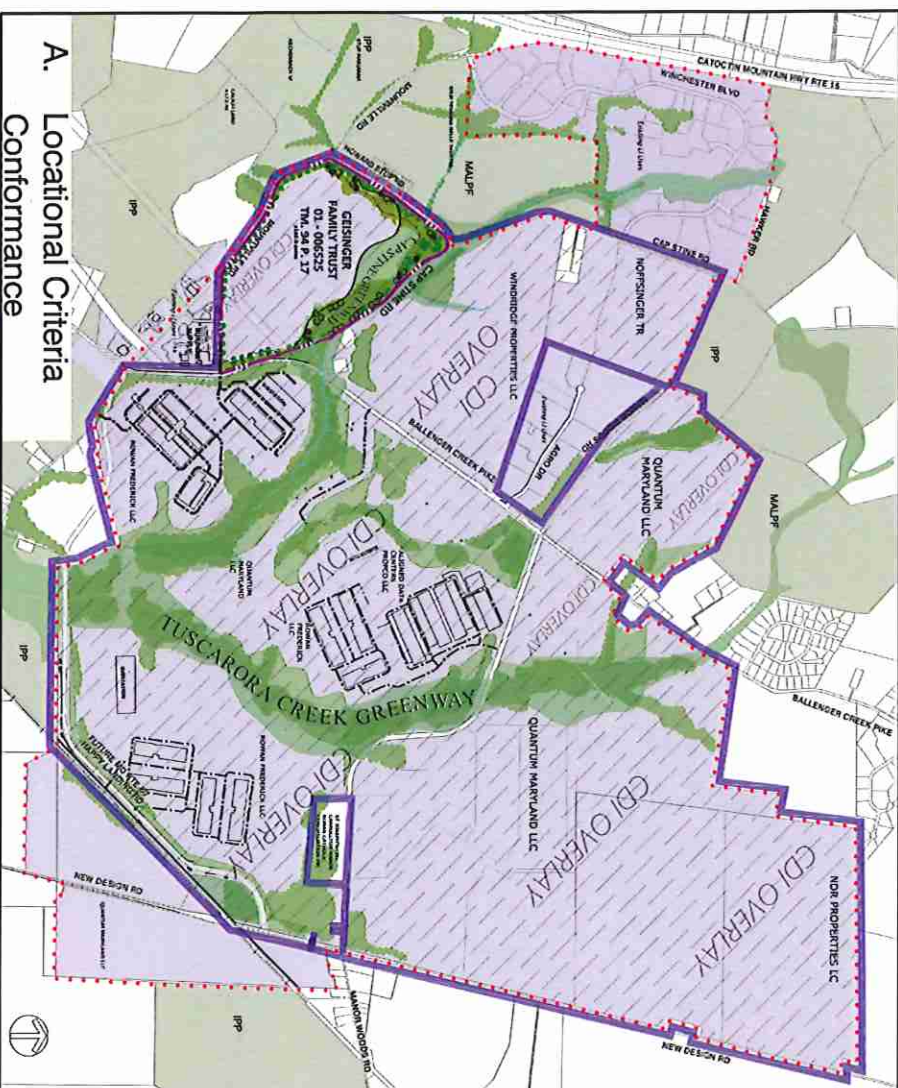
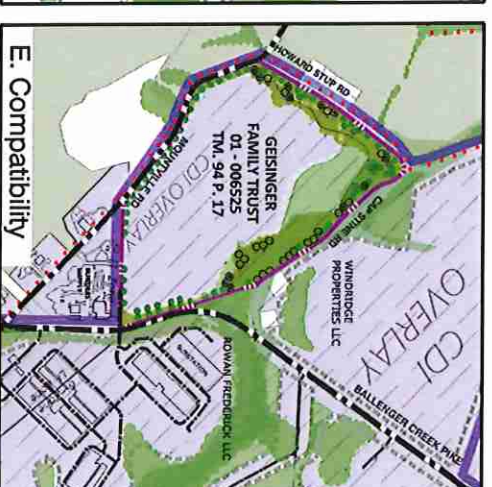
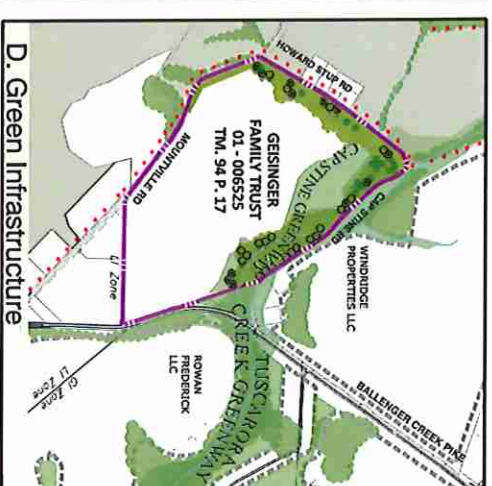
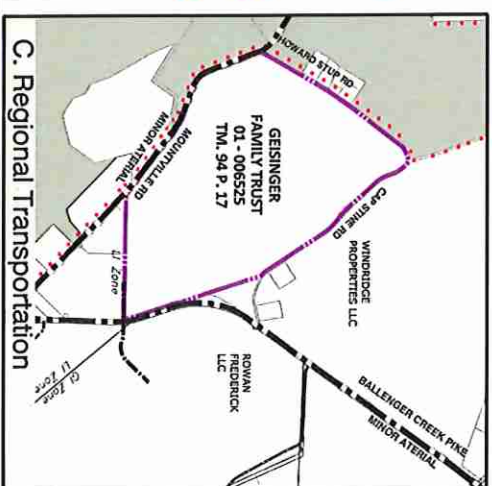
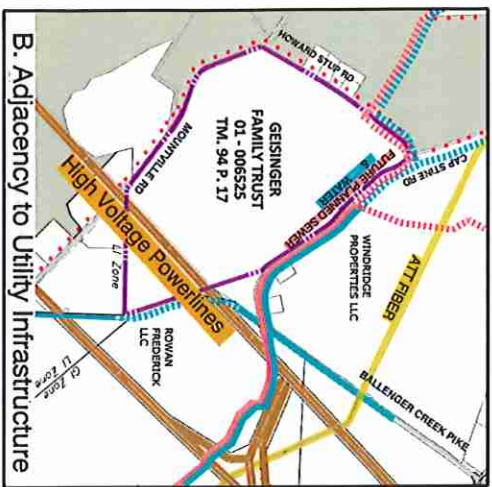
Re: Critical Digital Infrastructure Overlay Zone (“CDI-OZ”) Draft Comprehensive Plan Amendment (“Draft Plan”) – Geisinger Property

Dear Chair Davis and Members of the Commission:

This office represents the Geisinger Family Trust and the Geisinger Credit Trust (together the “Geisinger Trusts” or “Trusts”), co-owners of two parcels of land totaling 211.886 acres located at 3710 Cap Stine Road that are separated by Mountville Road. Parcel 1 is located north of Mountville Road and consists of 188.617 acres of land, while Parcel 2 is south of Mountville Road and consists of 23.269 acres of land. (Confirmatory Deed, Book 17050, Page 117) The following comments regarding the CDI-OZ Draft Plan are hereby submitted on behalf of the Trusts as well as individual family members, Jeanne Geisinger, Kathleen Wolfe, Daniel Geisinger, Jeff Geisinger and Gary Geisinger (together the “Geisinger Family”).

The Trusts and the Geisinger Family jointly request that the Planning Commission recommend inclusion of the 188.617-acre parcel located north of Mountville Road (“Geisinger Property”) into the CDI-OZ, as shown on Exhibit A attached hereto and excerpted below.





FREDERICK COUNTY **CRITICAL DIGITAL INFRASTRUCTURE - OVERLAY ZONE** **Geisinger Property Conformance to County Guardrails:**

- A. Locational Criteria**
 - Direct Adjacency to Existing Data Centers
 - County remains under 1 % cap
 - Currently 0.60%, Geisinger Property will add 0.04% for a total of 0.64%
- B. Adjacency to Utility Infrastructure**
 - High Voltage Power: On Property
 - Sewer/Water: Planned Adjacent & Recorded Easements
 - Telecom: AT&T Fiber within 1,000'
- C. Regional Transportation**
 - Frontage on two County Arterial Master Plan Roadways
- D. Green Infrastructure**
 - ± 40 acres of Tuscarora Creek tributary to be enhanced and protected
- E. Compatibility**
 - Siting criteria
 - a. Separation
 - b. Buffers, Berming; Landscaping

Geisinger Property

Exhibit A



FREDERICK COUNTY GOVERNMENT
PLANNING COMMISSION

Jessica Fitzwater
County Executive

Tim Davis, Chair

Exhibit B

September 19, 2025

VIA ELECTRONIC MAIL

Susan Llareus
Planner Supervisor/Regional Planner for Maryland Capital Region
Maryland Department of Planning
120 E. Baltimore Street
Baltimore, MD 21202

Re: Livable Frederick Master Plan Amendment & Associated Zoning Map Amendment -
CORRECTION

Dear Ms. Llareus,

On July 28, 2025, the Frederick County Planning Commission submitted a draft amendment to the *Livable Frederick Master Plan*, and an associated zoning map amendment, for 60-day review. The transmittal letter states:

Additionally, the owners of the Stup (3750 Howard Stup Road) and Geisinger (3710 Cap Stine) properties have requested inclusion in the CDI-OZ. These properties are 138 acres and 211 acres in size. The Geisinger property is encumbered with a MALPF easement. The property owner has been advised that only the MALPF Board has the authority to terminate the easement.

Please note that it is the Stup property that is encumbered with a MALPF easement, not the Geisinger property.

Sincerely,

Tim Davis
Chair, Frederick County Planning Commission

cc: Chuck Boyd, Assistant Secretary, Maryland Department of Planning
Kimberly Gaines, Director, Livable Frederick Planning & Design Office

EXHIBIT C



Windridge

Cap Stine Rd

High Voltage Tower on Property

Geisinger Property

Bellenger Creek Pike

Rowan Substation

Rowan Data Centers

Rowan Data Centers

Geisinger Property

Builders FirstSource

Windridge

Rowan
Datacenter

Cap Stine Rd

Butler
Enterprise

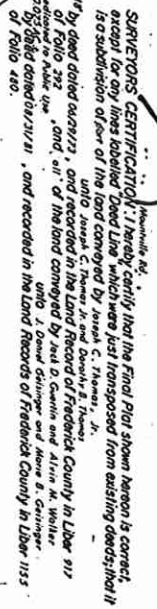
Geisinger
Property

Ballenger Creek Pike

Rowan Substation

Rowan
Datacenter





owners of the property shown and described herein consent to and adopt this plan of subdivision, and in consideration of the approval of this plan by the Planning Commission, establish the minimum building restriction lines and dedicate the streets, walkways and other easements, to public use, unless otherwise noted on this plat.

Marie B. Geisinger 5-14-89
Date

**MOUNTVILLE
ROAD**
60' R/W

PHONAS	Original Area	157	GEISINGER
8444730.0z	321.413 AC	8216157	0.186 01 AC
42140 0z	0.982 AC	-42140 0z	0.984 AC
-1.013,607 0z	37289 AC	-1.013,607 0z	37289 AC
898 0z	0.005 AC	1.334 0z	0.015 AC
0.027,383 0z	199091 AC	0.027,383 0z	199091 AC
	New Area		
		918,770	0.210 844 AC

THOMAS ADDITION TO
GEISINGER & GEISINGER
ADDITION TO THOMAS

AL PREVIOUSLY Recorded in Plat Book 40, Plat Number 155
For the Purpose of Correcting Bearings
SITuated ON MOUNTAIN I E B04

BUCKEYSTOWN ELECTION DISTRICT-1

FREDERICK COUNTY, MARYLAND
SCALE 1"=100' 05/12/89

m 1032	94 ³⁰ /03	5-16-89	40/1933
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5-16-89

40/193

Inexplicably, the Geisinger Property is not currently included in the Draft Plan presented by planning staff for the Commission's consideration, even though the Geisinger Property clearly meets all of the criteria established by the County for determining which properties are appropriate for inclusion in the CDI-OZ. The Geisinger Family has been present at several Commission meetings regarding the Draft Plan, and have voiced their desire to be included in the CDI-OZ. At the Commission's July 23, 2025 meeting, planning staff was instructed to include the Geisinger Property in the 60-day review letter to the Maryland Department of Planning ("MDP") to allow the Commission an opportunity to further consider the family's request. We appreciate the Commission's forethought in doing so. We also appreciate planning staff's correction of an error contained in the initial 60-day review letter by submittal of a follow up letter to MDP clarifying that in fact "it is the Stup property that is encumbered with a MALPF easement, *not the Geisinger property.*" (Emphasis added, see Exhibit B).

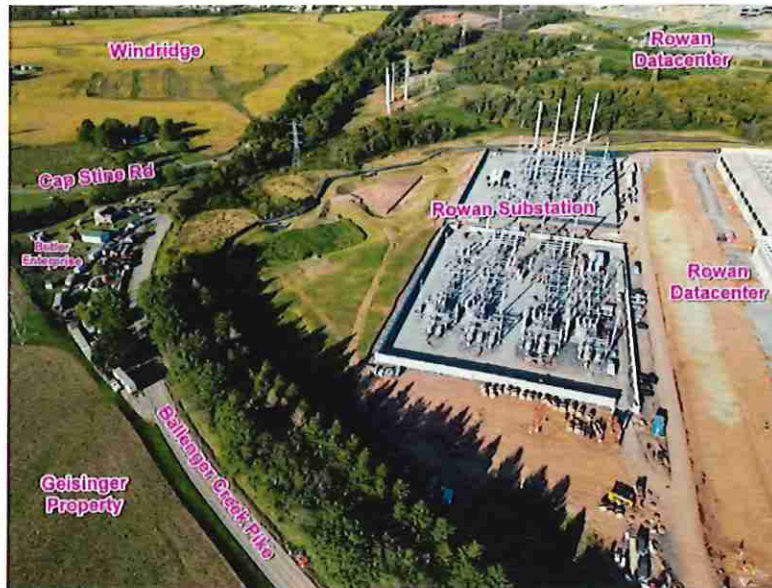
Compliance with County Criteria for Data Center Development

Based on a comprehensive review of information published by the County regarding siting of data centers, there are five key criteria that are used to justify development of a data center on a given property. The Geisinger Property meets all five criteria, and accordingly, is a logical addition to the CDI-OZ. The Geisinger Family engaged the assistance of land planning professionals to compile Exhibit A which exemplifies how their property is ideally situated for inclusion in the CDI-OZ.

A. Locational Criteria

The property sits directly adjacent to an existing data center complex under construction on the Rowan Frederick LLC property located off Ballenger Creek Pike. Aerial drone views were taken from a vantage point above the Geisinger Property looking to the east, as indicated below. (Attached as Exhibit C). Not only does the Rowan data center across Ballenger Creek Pike exist today, there are other long-standing light industrial uses (i.e., Builders FirstSource) that exist immediately adjacent to the Geisinger Property's southern boundary.





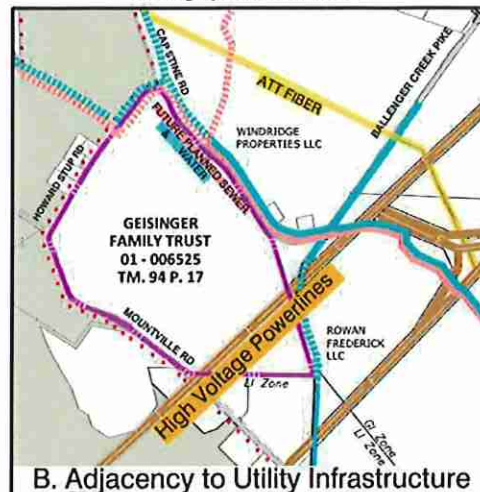
Moreover, while Bill No. 25-09 limits the total land area of the County to be included in the CDI-OZ to 1%, the Draft Plan has included only 0.6% of the County's total land area. Adding the Geisinger Property to the CDI-OZ would only result in an increase of .04%, resulting in an overall CDI-OZ of 0.64%. This is a minor increase to the total land area being proposed for inclusion in the CDI-OZ and leaves the CDI-OZ far below the 1% limit.

B. Adjacency to Utility Infrastructure

As members of the Geisinger Family have testified in the past, the Geisinger Property has better access to utility infrastructure than many of the properties currently being recommended by planning staff for inclusion in the CDI-OZ.

- **Power:** High voltage power is obviously necessary for data center operations. The Geisinger Property benefits from already having two high voltage towers located on site.
- **Water/Sewer:** Data center sites also need access to public water and sewer service. Easements have already been recorded for both planned water and sewer lines to Ballenger Creek Pike from which existing Ballenger Creek Pike and Cap Stine Road right of ways can be utilized to easily extend service to the Geisinger Property.
- **Telecom:** The Geisinger Property sits less than 1,000 feet from the existing AT&T fiber optic line to the north which crosses over existing right of ways from which connectivity can be achieved.

Excerpt from Exhibit A

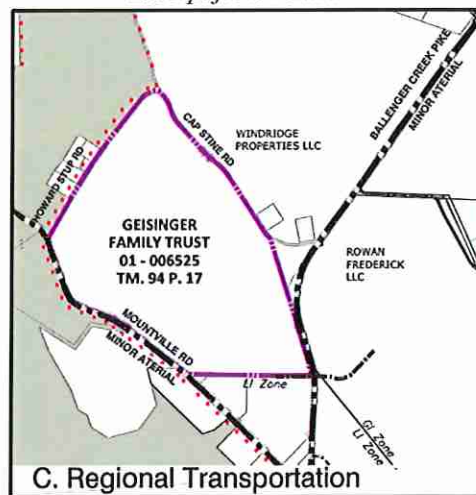


In sum, the Geisinger Property is ideally situated to take advantage of the various existing and planned infrastructure in this area in a way few other properties can match.

C. Regional Transportation

The Geisinger Property has the advantage of fronting on three roadways: Mountville Road to the south, Ballenger Creek Pike to the east and Cap Stine Road to the northeast. Both Mountville Road and Ballenger Creek Pike are master planned as minor arterials off of which workable access points to the site can be achieved without creating a strain on the local transportation network. Preliminarily, it appears that a logical access point for the property could be off Ballenger Creek Pike at the southeast corner of the property, one that can easily be aligned with the access drive planned for the Rowan data center.

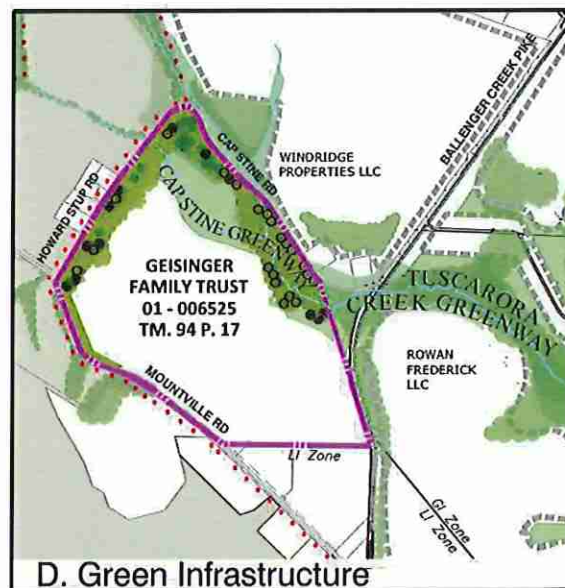
Excerpt from Exhibit A



D. Green Infrastructure

The Geisinger Property provides substantial opportunity for development of green infrastructure that can coexist with data center uses and serve the dual purpose of providing important buffering of a data center facility to surrounding properties. A tributary of Tuscarora Creek is a prominent environmental feature in the northeastern area of the Geisinger Property near Cap Stine Road – an area of the property that currently houses various farm structures/facilities. This portion of the property (approximately 40 acres) could be protected and enhanced as a greenway buffer that extends along the property's Howard Stup Road frontage in conjunction with any data center development on the site – providing an opportunity to create a unique greenway amenity for this area of the County.

Excerpt from Exhibit A



E. Compatibility

As has already been noted, several properties adjacent to the Geisinger Property are already included in the CDI-OZ, and a nearly complete substation and data center complex already exist on the Rowan property directly across Ballenger Creek Pike. Additionally, the Builder's FirstSource property located immediately adjacent to the south of the Geisinger Property along Mountville Road already engages in significant commercial operations.

The Geisinger Property offers an opportunity to provide significant landscape buffers, berms and greenway amenities that can serve to substantially lessen the impact of data center operations on surrounding properties that are already being impacted. As described above, the creation of the Cap Stine Greenway area along the northern and western property lines can provide both green infrastructure and significant buffering from visual and noise impacts. Moreover, preliminary assessments show that data center buildings and related facilities may be sited on the property to be well below the elevation of the

Based on all the above, the Trusts and the Geisinger Family request that the Planning Commission recommend *inclusion of the Geisinger Property into the CDI-OZ, as proposed/defined herein to be limited to the 188.617-acre parcel located north of Mountville Road*. The Geisinger Property meets or exceeds all of the criteria that has been set forth by the County as factors to be considered for inclusion. Under these circumstances, any recommendation other than to include the Geisinger Property in the CDI-OZ would be arbitrary and clearly contrary to the County's own guidelines. To the extent that there is any concern as to whether the CDI-OZ can be applied to only the northern portion of the Geisinger Family's property as requested herein, the below Plat makes clear that while the property has been in common ownership, it has clearly been separated by the 60' right of way of Mountville Road since at least the date of the Plat, i.e., 1989. (Attached as **Exhibit D**).

[illegible]

Accordingly, we respectfully request that the Geisinger Property (i.e., Parcel 1 consisting of 188.617-acres of land located north of Mountville Road) be designated as property **"10"** and incorporated into the Summary of Recommendations and Maps of the CDI-OZ Draft Plan as follows:

1. Amend the comprehensive plan map **to add the Geisinger Property as property "10"** to the Eastalco Community Growth Area.
2. Amend the comprehensive plan map to change the Agricultural land use designation of properties **inclusive of the Geisinger Property as property "10"** to Limited Industrial.
3. Change the water and sewer classification of properties **inclusive of the Geisinger Property as property "10"** from No Planned Service to Planned Service.
4. **Remove the Geisinger Property** from the Rural Legacy Area and the Priority Preservation Area as recommended for all properties or parts thereof that are currently in the Eastalco Community Growth Area or that will be added to the Eastalco Community Growth Area with the CDI-OZ amendment.

Thank you for your consideration of this request. We look forward to testifying before the Commission at the public hearing scheduled for October 15th on this matter.

Sincerely yours,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By:


Soo Lee-Choo

cc: Geisinger Family Trust
Geisinger Credit Trust
Jeanne Geisinger
Kathleen Wolfe
Gary Geisinger
Jeff Geisinger
Daniel Geisinger



RE: Public Hearing on 15 October

From Cherney, Ragen <RCherney@FrederickCountyMD.gov>

Date Mon 10/13/2025 7:33 AM

To Krista Ochlech <kochlech@comcast.net>

Cc Planning Commission <PlanningCommission@FrederickCountyMD.gov>; Grabowski, Sarah <SGrabowski@FrederickCountyMD.gov>; Luna, Nancy <NLuna@FrederickCountyMD.gov>; Redmond, Lee <LRedmond@FrederickCountyMD.gov>

On behalf of the County Council, thank you for your remarks on this overlay. The council members have all received your email. Your remarks will be made a part of the file.

I have also copied in the Planning Commission members as the county council plays no part in Planning Commission scheduling.

The County Council appreciates all comments from our residents.

Have a good day.

Ragen

Ragen Cherney

Chief of Staff/Legislative Director

Frederick County Council

Winchester Hall

12 East Church Street

Frederick, Maryland 21701

301.600.1049



From: Krista Ochlech <kochlech@comcast.net>

Sent: Saturday, October 11, 2025 12:11 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>; County Executive <CountyExecutive@FrederickCountyMD.gov>

Subject: Public Hearing on 15 October

[EXTERNAL EMAIL]

Good afternoon,

I've noticed that the Planning committee have a public hearing regarding the Adamstown data centers project scheduled for 15 October at 0930.

Why would you schedule such a contentious meeting during the day when the majority of your constituents are working? We do have taxes to pay and ultimately your salaries.

Since I will be unable to attend, please be sure to address all of the power and water use concerns that your constituents have brought forth and clearly lay out your plans to allay those concerns. Hopefully you have solicited input and guidance from actual experts...

Kindly respond with your intentions.

Thank you,
Krista Ochlech
5809 Underwood Ct.
Adamstown, MD 21710



Outlook

Data Center Expansion in Adamstown

From Jennifer Cebrat <jacebrat@comcast.net>

Date Mon 10/13/2025 7:58 AM

To Planning Commission <PlanningCommission@FrederickCountyMD.gov>; Council Members
<CouncilMembers@FrederickCountyMD.gov>; County Executive <CountyExecutive@FrederickCountyMD.gov>

[EXTERNAL EMAIL]

Good morning,

I have lived in Adamstown for 24 years. I have lived in Frederick County my entire life - 51 years. What is great about Frederick County is the rural farmland. I moved to Adamstown because it still felt like living in the country but not too far from conveniences. The only noise we hear out here is the occasional tractor, the train and maybe a rooster or two. I can go out back on my patio and see the stars at night because it is dark here. Changing this landscape to add data centers to the proposed overlay map would be devastating to our community.

I have raised 2 children here and have invested in my home and property over the last 24 years. My home value is part of my retirement. Adding data centers to our community will greatly affect my home's value and my future retirement.

I am AGAINST adding more data centers to the Adamstown area. We need to preserve what is left of our farmland in this county. Data Centers belong in industrial parks - not rural areas where communities live. As a long time Adamstown resident, I do not want the noise, lights or environmental pollution these data centers will bring...not to mention the monstrosity of big white buildings where there was once farmland and views of mountains.

Please consider the impact this will have on our community and how you would feel if this was happening in your backyard. Please do not approve the proposed overlay map. There has been no cost analysis on data centers in Frederick County and it will increase our entire county's electric bill for its residents.

Sincerely,
Jennifer Cebrat
Adamstown, MD



Outlook

Sugarloaf Alliance Comments on State 60-day review of CDI Plan

From Steve Black <steveblack2313@gmail.com>

Date Mon 10/13/2025 9:01 AM

To Planning Commission <PlanningCommission@FrederickCountyMD.gov>; County Executive
<CountyExecutive@FrederickCountyMD.gov>; Council Members
<CouncilMembers@FrederickCountyMD.gov>

 1 attachment (3 MB)

SAletterStateReviewCommentary101225.pdf;

[EXTERNAL EMAIL]

Commissioners,

Please see the attached paper from Sugarloaf Alliance regarding the state's 60-day review of the CDI Plan.

We will present on this issue at the public hearing on October 15, and be available for any questions you may have.

Thank you,

Steve Black
President
Sugarloaf Alliance

cc County Executive, County Council Members



October 12, 2025

**STATE REVIEW OF CDI OVERLAY COMPREHENSIVE PLAN AMENDMENT
AND ZONING MAP AMENDMENT**

The required 60-day review by the State of Maryland has been completed. The Maryland Department of Planning (MDP) did not provide comment on any of the specific requests contained in the Planning Commission Transmittal Letter, nor did MDP seek comment from the Maryland Energy Administration or the Office of People's Counsel. Furthermore, comments that were received from other State Agencies contain significant errors and omissions.

FCPC Request for a 60-day State Review

On July 16, 2025, the Frederick County Planning Commission held a workshop on the topic of the CDI Overlay Comprehensive Plan Amendment & Zoning Map Amendment, and they revisited this subject again at their meeting the following week.

At their July 23, 2025, meeting, after extensive discussion, the Planning Commission voted 5-1-0-0 to send the Amendment to the State to begin the 60-day review process. As a direct outgrowth of the Commission's conversations around uncertainty of the Draft Plan's readiness to be sent for 60-day review, particularly on questions of water use, energy consumption, and community concerns, the language of the motion expressly stated that in addition to the Maryland Department of Planning (MDP), the Amendment was to be reviewed by the Maryland Department of the Environment (MDE), the Maryland Energy Administration (MEA), and the Office of the People's Council (OPC).

Furthermore, the motion included a detailed request for MDP to provide comment on four other possible overlay areas of varying acreages, with the specific intent that consideration of all four alternative options would be integral to any meaningful analysis for the Planning Commission's decision making on a final recommendation to the County Council.

On July 28, 2025, Planning Commission Chair Davis forwarded the review request to the Maryland Department of Planning. Mr. Davis' letter requested that the CDI Plan be reviewed by MDE, MEA, OPC, and any other agencies MDP thought appropriate. This letter also requested state agency comment on four alternatives to the plan map.

Clarification Regarding Scope of Review

On September 22, 2025, during the 60-day review window, MDP sent an inquiry to Frederick County Planning, asking if and where three of the plan alternatives:

- 1) only the current 2,219-acre Eastalco Community Growth Area;
- 2) the 2,122-acre Quantum Maryland, LLC property; and
- 3) the 1,311-acre area that has received preliminary plan approval,

could be found in the Draft Plan. (The fourth alternative regarding the possible inclusion of the Stup and Geisinger properties into the 2,566 acre CDI overlay was not mentioned in this communication, to the best of our knowledge.)

In response to this inquiry, there followed a clarifying email exchange wherein MDP was informed by Frederick County that, in fact, the none of the specified alternatives in the transmittal letter were part of the Amendment document. It was further stated that these alternatives “were discussed by the Planning Commission at their workshops” and had been included in the transmittal letter to the State merely as a way for the Planning Commission to “convey the fact that they have not yet made a decision.”

Results of the State Review

After this email exchange, on September 26, 2025, MDP returned its official comments in a letter, with attachments, to the Frederick County Planning Commission Chair. Careful examination of these documents shows that the State provided no comment whatsoever on the four alternative maps/alternative acreages requested by the Planning Commission. The State’s comments are directed ONLY to the initial CDI Overlay Map created by the Frederick County Staff and Administration.

The same September 26, 2025, letter further stated that MDP had forwarded a copy of the Amendment to state agencies for review including the Maryland Historic Trust, the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. Counter to the Planning Commission’s explicit request by their motion and transmittal letter, the State’s response made no mention of any type of review by MEA or OPC.

Substantive Omissions from State’s Response

Because the State did not forward the CDI Overlay plan to the Maryland Energy Administration, nor to the Office of People’s Counsel, the State’s reply does not address, and cannot in any way be interpreted as addressing, any of the Commissioners’ questions about the impact of an enlarged CDI Overlay on new power lines, retail electric rates, or any other energy usage concerns.

Since no review of the four alternatives was even attempted by the State, the objectives of the Planning Commission’s request for thorough assessment and comments have clearly not yet been met. Further action, perhaps through direct communication between Frederick County and the relevant state agencies, is needed to complete meaningful reviews on the most impactful areas of community concern.

Errors and Omissions in the State Agency Comments

The official response sent from MDP showed only that agency comments were received from Transportation, Housing and Community Development, and Natural Resources. It further added that any plan review comments received after the date of the letter would be forwarded to the County upon receipt.

MDE

Comments from MDE were indeed forwarded on or around October 7, 2025, but these remarks cover only a portion of the broad environmental concerns of the massive potential data center expansion centered around the Eastalco Industrial Brownfield.

In fact, MDE's assessment curiously omitted two important issues that must be highlighted:

1) The CDI Overlay map centers on the significant Eastalco Industrial Brownfield site that is currently under active monitoring by MDE. Since data center construction began, it is undisputed that this site has been the subject of ongoing environmental violations over the last two years, by both Quantum Loophole and the subsequent project developer, Catellus. The most recent violation report (available to the public on the MDE website) is dated September 12, 2025.

2) These environmental violations at and around the site became so numerous and so egregious that MDE referred the matter to the Office of the Attorney General for investigation and civil enforcement. These two OAG cases are still active.

However, in returning their comments for 60-day review, MDE opted to make no mention of the Industrial Brownfield, nor of failed regulatory compliance at the complex, nor of the ongoing enforcement actions by the Maryland Attorney General. The fact that the core of the proposed CDI overlay area is an Industrial Brownfield that, despite remediation, still harbors levels of residual contamination so grave that under Maryland's Uniform Environmental Covenants Act (UECA) the property is required to be under an Environmental Covenant **in perpetuity**, would seem to be an important thing for the Maryland Department of the Environment to acknowledge and comment on.

DNR

The Maryland Department of Natural Resources made only a brief comment on the potential loss of Rural Legacy area land. DNR noted that while they have concerns about reduction of the Rural Legacy area, the focus of the overlay is to protect Rural Legacy ground elsewhere in the county. They made this unsubstantiated comment despite the fact there are no other Rural Legacy areas in the county that are already zoned for industrial use. It is nonsensical to believe that giving up Rural Legacy ground in southern Frederick County "protects" Rural Legacy parcels elsewhere in the county.

Housing

Notably the MDP's response included the August 26, 2025, letter from the Maryland Department of Housing and Community Development (DHCD) which contains significant errors, as evidenced by the obvious misperception that the vast expansion area referenced in that Plan amendment is for a SINGLE data center (when in fact, multiple data center complexes will be accommodated) and that it would not be located near any existing communities. These assumptions are patently incorrect, and there are clearly several established neighborhoods and communities immediately adjacent to the proposed expansion areas.

These Omissions and Errors Warrant Pause or Extension of the Process

We urge you to consider that the only responsible course of action is to pause or extend the review process in order to allow for the Frederick County Planning Commission to directly reach out to MEA and OPC for comment, and also to MDE for further input. These indispensable components of review were not facilitated by MDP, yet they remain imperative to be able to proceed with a good faith analysis of the CDI expansion.

Flying blind is never prudent. Until the necessary input from all relevant state agencies is requested, received, and thoroughly examined, the Planning Commission cannot possibly make an **informed** decision on such a significant amendment. The stakes are too high for the Planning Commission to risk acting now in needless ignorance and haste, on this deficient plan that threatens to fully and irreparably alter the character of Southern Frederick County.

attachments:

Transcript of FCPC Decision for 60-day Review
Transmittal Letter Requesting 60-day Review
Exchange of Emails Clarifying FCPC Alternatives for Review
State Agency Replies

Transcript of Planning Commission Decision to Send CDI Overlay Plan to State

Link to archived video from July 23, 2025 (CDI discussion begins at 6:30 mark)

https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=10383

Excerpt from transcript, on the actual motion:

"Barbara Nicklas

I believe I'm ready for a motion, please....

Okay, I recommend that the plan as presented be advanced to the State to begin a 60 day review *and to include reviews of four other possible overlay areas: One, the 2219 acre East Alco growth area. Two, the 2122 acre holdings of Quantum Loop campus. Three, the 1300 plus acres already permitted for data center development within the Quantum Loop campus. And four, the inclusion of the Stup and Geisinger properties into the 2566 acre CDI overlay that is in the plan as presented.*

Additionally, we request that a review of these potential CDI Overlay Zones be by the Maryland Department of the Environment, the Maryland Energy Administration and the Office of the People's Council.

Joel Rensberger

Second.

Tim Davis

A motion by Miss Nicholas, seconded by Mr. Rensburger, and I'll clarify that motion by Miss Nicklas with additional information, since this is a new motion for us, so I'm going to call the roll, Miss Nicklas.

Barbara Nicklas

Aye.

...

Joel Rensberger

Aye

...

Sam Tressler

Aye

...

Mark Long

Even though I understand the rationale for expanding, for sending this expanded map to the state I'm voting No.

...

Craig Hicks

Yeah, with the understanding that we're going to be doing more work on this after we get feedback from the state; and that that work will include additional input and interactions with residents.

...

Tim Davis

I vote aye. Chair votes aye. Motion passes 5-1-0-0 ..."

###



FREDERICK COUNTY GOVERNMENT
PLANNING COMMISSION

Jessica Fitzwater
County Executive

Tim Davis, Chair

July 28, 2025

VIA ELECTRONIC MAIL

Susan Llareus
Planner Supervisor/Regional Planner for Maryland Capital Region
Maryland Department of Planning
120 E. Baltimore Street
Baltimore, MD 21202

Re: Livable Frederick Master Plan Amendment & Associated Zoning Map Amendment

Dear Ms. Llareus,

The Frederick County Planning Commission is hereby submitting a draft amendment to the *Livable Frederick Master Plan*, and an associated zoning map amendment, for 60-day review. We request review by Maryland Department of Planning (MDP), Maryland Department of the Environment, Maryland Energy Administration, and the Maryland Office of People's Council, as well as any other departments or agencies that MDP is inclined to include in the review.

The *Livable Frederick Master Plan* (the Plan) was adopted in September 2019. On Page 43, the Plan describes the area of the decommissioned "Eastalco" site. Alcoa manufactured aluminum on the site from 1969 until 2005. Closure of the facility in 2010 was followed by demolition of the structures on the property. The Plan states, "This area is currently the largest concentration of undeveloped land in the county zoned for general and/or light industrial development and presents a unique opportunity for future development."

This is no longer accurate. In 2021, the 2,122-acre Eastalco property was purchased by Quantum Maryland, LLC. Since then, a 1,311-acre area of the property has received preliminary subdivision plan approval and numerous site plans have been approved for the development of a data center campus. Development of data centers in accordance with these site plans is underway.

Seeking to prevent data center sprawl, best utilize existing and planned infrastructure, and ensure that industrial land elsewhere in the County is available for target industries such as life sciences, County Executive Fitzwater and the County Council announced in May of 2025 that data centers will be limited to the Eastalco area. This will be accomplished via the creation of a Critical Digital Infrastructure Overlay Zone (CDI-OZ).

The Frederick County Planning Commission held a public hearing on July 9, 2025, on Council Bill 25-09, a zoning text amendment to enable the creation of the CDI-OZ. The Planning Commission held workshops on July 16 and 23 to consider the subject amendment to the *Livable Frederick Master Plan*, which expands the Eastalco Community Growth Area, changes land use



FREDERICK COUNTY GOVERNMENT
PLANNING COMMISSION

Jessica Fitzwater
County Executive

Tim Davis, Chair

Susan Llareus
Planner Supervisor/Regional Planner for Maryland Capital Region
July 28, 2025
Page 2

designations, changes water/sewer classifications, and changes the Priority Preservation Area and Rural Legacy Area maps. Please note that we are aware that changes to the Rural Legacy Area map require State approval. An amendment to the zoning map to delineate the CDI-OZ was also considered.

Please note that the Planning Commission has discussed and may ultimately recommend to the County Council a more limited area for the CDI-OZ. Alternatives discussed include:

1. Only the current 2,219-acre Eastalco Community Growth Area
2. Only the 2,122-acre Quantum Maryland, LLC property
3. Only the 1,311-acre area that has received preliminary plan approval

Scenario 1 would not require changes to the Eastalco Community Growth Area boundary, land use designations, water/sewer classifications, or the Priority Preservation Area map.

Additionally, the owners of the Stup (3750 Howard Stup Road) and Geisinger (3710 Cap Stine) properties have requested inclusion in the CDI-OZ. These properties are 138 acres and 211 acres in size. The Geisinger property is encumbered with a MALPF easement. The property owner has been advised that only the MALPF Board has the authority to terminate the easement.

Comments from the State agencies and departments are welcome on the aforementioned scenarios and properties, in addition to comments on the amendment to the *Livable Frederick Master Plan* and the zoning map amendment submitted herewith. The Frederick County Planning Commission looks forward to receiving comments from the State and hearing from the public before deciding upon a recommendation to the Frederick County Council.

Sincerely,

Tim Davis
Chair, Frederick County Planning Commission

cc: Chuck Boyd, Assistant Secretary, Maryland Department of Planning
Kimberly Gaines, Director, Livable Frederick Planning & Design Office



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

RE: LFMP Amendment for 60-Day Review

1 message

Mon, Sep 22, 2025 at 10:26 AM

Gaines, Kimberly <KGaines@frederickcountymd.gov>
To: Susan Llareus -MDP- <susan.llareus@maryland.gov>
Cc: Chuck Boyd -MDP- <chuck.boyd@maryland.gov>, "mdp.planreview@maryland.gov" <mdp.planreview@maryland.gov>, "Mitchell, Kathy (Legal)" <KMitchell2@frederickcountymd.gov>, "trekker01@verizon.net" <trekker01@verizon.net>

Hi Susan,

Those alternatives are not included in the amendment document. They were discussed by the Planning Commission at their workshops. Each of the three alternatives is more limited geographically than what is proposed. Thus, if the Planning Commission elects to recommend one of these alternatives to the County Council, the maps and the narrative will have to be revised accordingly. In including those alternatives in the letter, the Planning Commission sought to convey the fact that they have not yet made a decision. They will do so after the public hearing has been held.

Best,

Kim

Kimberly Gaines

Livable Frederick Director

kgaines@frederickcountymd.gov

(301) 600-1144

Livable Frederick Planning and Design Office

<http://www.frederickcountymd.gov/livablefrederick>

30 North Market Street

Frederick, MD 21701



From: Susan Llareus -MDP- <susan.llareus@maryland.gov>
Sent: Monday, September 22, 2025 10:14 AM
To: Gaines, Kimberly <KGaines@FrederickCountyMD.gov>
Cc: Chuck Boyd -MDP- <chuck.boyd@maryland.gov>; mdp.planreview@maryland.gov; Mitchell, Kathy (Legal) <KMitchell2@FrederickCountyMD.gov>; trekker01@verizon.net
Subject: Re: LFMP Amendment for 60-Day Review

[EXTERNAL EMAIL]

Kim,

I have a question also relating to the original transmittal letter. The following alternative recommendations are included in the letter:

- Please note that the Planning Commission has discussed and may ultimately recommend to the County Council a more limited area for the CDL-OZ. Alternatives discussed include:
1. Only the current 2,219-acre Eastalco Community Growth Area
 2. Only the 2,122-acre Quantum Maryland, LLC property
 3. Only the 1,311-acre area that has received preliminary plan approval

Please let me know if and where these alternatives can be found in the draft plan.

10/1/25, 3:51 PM

State of Maryland Mail - RE: LFMF Amendment for 60-Day Review

Thank you,

Susan

On Fri, Sep 19, 2025 at 10:07 AM Gaines, Kimberly <KGaines@frederickcountymd.gov> wrote:

Dear Susan,

The attached letter corrects an error in the July transmittal letter regarding the Stup and Geisinger properties. I would appreciate you sharing this with any agency whose comments may be impacted, particularly Maryland Department of Agriculture. Thank you.

Best,

Kim

Kimberly Gaines

Livable Frederick Director

kgaines@frederickcountymd.gov

(301) 600-1144

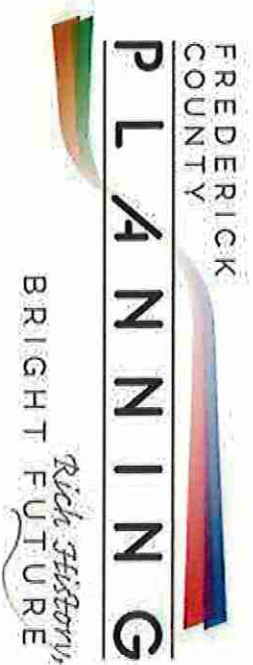
Livable Frederick Planning and Design Office

<http://www.frederickcountymd.gov/livablefrederick>

30 North Market Street

Frederick, MD 21701

(301) 600-1138



From: Gaines, Kimberly
Sent: Thursday, September 18, 2025 3:33 PM
To: susan.llareus@maryland.gov
Cc: Chuck Boyd -MDP- <chuck.boyd@maryland.gov>; mdp.planreview@maryland.gov; Mitchell, Kathy (Legal) <KMitchell2@FrederickCountyMD.gov>
Subject: RE: LFMP Amendment for 60-Day Review

Dear Susan,

An error in our transmittal letter has been brought to my attention. I will be sending a follow-up letter noting that the Stup property is encumbered with a MALPF easement; the Geisinger property is not. As we near the conclusion of 60-day review, I just wanted to give you a heads up about this issue and the corrective letter to come.

Best,

Kim

Kimberly Gaines

Livable Frederick Director

kgaines@frederickcountymd.gov

(301) 600-1144

Livable Frederick Planning and Design Office

<http://www.frederickcountymd.gov/livablefrederick>

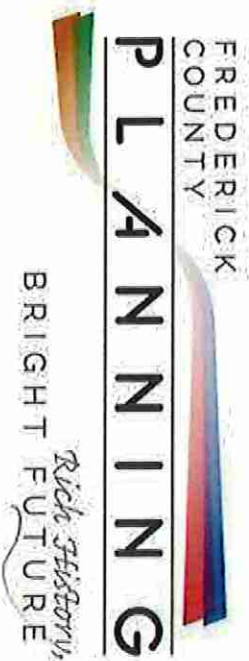
10/1/25, 3:51 PM

State of Maryland Mail - RE: LFMP Amendment for 60-Day Review

30 North Market Street

Frederick, MD 21701

(301) 600-1138



From: Gaines, Kimberly
Sent: Monday, July 28, 2025 3:19 PM
To: susan.llareus@maryland.gov
Cc: Chuck Boyd -MDP- <chuck.boyd@maryland.gov>; Trekker The Boingo <trekker01@verizon.net>; mdp.planreview@maryland.gov
Subject: LFMP Amendment for 60-Day Review

Dear Susan,

Please see the attached amendment to the Livable Frederick Master Plan and the associated transmittal letter from the chair of the Frederick County Planning Commission, Tim Davis. We look forward to receiving the State's 60-Day Review comments on the amendment. Please feel free to contact me with any questions.

Best,

Kim

Kimberly Gaines

Livable Frederick Director

kgaines@frederickcountymd.gov

10/1/25, 3:51 PM

State of Maryland Mail - RE: LFMP Amendment for 60-Day Review

(301) 600-1144

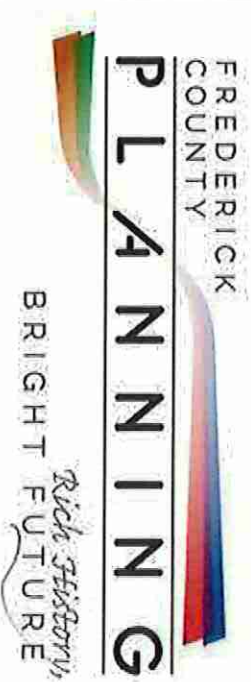
Livable Frederick Planning and Design Office

<http://www.frederickcountymd.gov/livablefrederick>

30 North Market Street

Frederick, MD 21701

(301) 600-1138



Wes Moore
Governor
Aruna Miller
Lt. Governor



Rebecca L. Flora
AICP, LEED ND / BD+C
Secretary
Kristin R. Fleckenstein
Deputy Secretary

September 26, 2025

Chairman Joel Rensberger
Frederick County Planning Commission
30 North Market Street
Frederick, MD 21701

Re: 2025 Frederick County Public Hearing Draft, Critical Digital Infrastructure Overlay Zone
Livable Frederick Master Plan Amendment

Dear Chair Joel Rensberger,

Thank you for requesting Maryland Department of Planning (MDP) comments on the above referenced amendment to the Livable Frederick Master Plan (LFMP), amending the East Alcoa Community Growth area and the associated land uses. MDP appreciates the opportunity to comment on the draft amendment (Amendment) in preparation for the Planning Board hearing(s). These comments are offered to guide the county in ways to improve the Amendment and better address the statutory requirements of the Land Use Article.

The Department forwarded a copy of the Amendment to state agencies for review including the Maryland Historic Trust, the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. To date, we have received comments from Transportation, Housing and Community Development, and Natural Resources, and they are attached to this review. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Sincerely,

Joe Griffiths, AICP
Director, Planning Best Practices

cc: Deborah Carpenter, Director Frederick County Planning and Permitting
Kimberly Gaines, Livable Frederick Director, Division of Planning and Permitting
Susan Llareus, Planning Supervisor, Maryland Department of Planning

Enclosures: Review Comments Critical Digital Infrastructure Overlay Zone LFMP Amendment
Planning Principles Comprehensive Plan Model Insert



Maryland Department of Planning
Public Hearing Draft Livable Frederick Master Plan (LFMP) Amendment
Critical Digital Infrastructure Overlay Zone
July 2025

The Maryland Department of Planning (MDP) offers the following as suggestions to improve the Draft Plan and better address the statutory requirements of the Land Use Article. The Maryland Department of Transportation, Natural Resources, and Housing and Community Development as noted and included below, have contributed comments.

Summary of the Amendment

The draft amendment (Amendment) to the Livable Frederick Master Plan (LFMP) is for the purpose of expanding the Eastalco Community Growth Area and changing land uses. The Amendment sets forth future water and sewer service changes but does not change the categories. That process is separate and is governed under the Environmental Article. See further discussion under the Water Resource Element below. This Amendment does not re-zone properties, which is also a separate action that is anticipated after the adoption of the amendment to LFMP.

2025 Legislation Impacting Local Planning

MDP identified the following bills, adopted by the General Assembly during the 2025 session, that may impact local planning, implementation, and reporting. This list is not comprehensive but is provided as a courtesy for present and future planning purposes. In partnership with other state agencies, MDP is analyzing the bills and will be developing guidance. Other bills have been noted below in reference to the required elements of the plan.

Local Land Use Reporting

- [HB 1193](#) - Maryland Housing Data Transparency Act

Energy

- [SB 931/HB 1036](#) - Renewable Energy Certainty Act - Natural Resources and Comp Plans, effective July 1, 2025
 - The county is encouraged to develop or incentivize alternative energy sources which developers may utilize within the overlay zone. The Maryland Energy Administration is offering the [Local Government Energy Modernization program](#) which may support the county with funding to identify energy resilience strategies. While the state's energy landscape continues to face mounting challenges, supporting the proposed industrial zone with resilient energy systems may greatly improve project feasibility, minimize adverse impacts to the local energy grid, and mitigate power generation/delivery related emissions.
 - In addition to the Renewable Energy Certainty Act, the county is encouraged to reference the [Solar Facility Siting Guidance](#) produced by MDP. While assessing the feasibility of renewable energy development, this guidance may support the county to optimize energy capacity with existing or future proposed land use changes.

Housing

- [HB 1466/SB 891](#) Accessory Dwelling Units - Requirements and Prohibitions, effective October 1, 2025. This analysis does not include a discussion relating to the housing element, as it is not expected that the area of this amendment will result in any residential community development.

Natural Resources and Comp Plans

- [HB 731](#) - Wildlife - Protections and Highway Crossings, effective July 1, 2025. Requires sensitive areas elements to consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing a comprehensive plan.

Planning Principles

- [SB 266](#) - Local Comprehensive Planning and State Economic Growth, Resource Protection, and Planning Policy - Planning Principles, effective October 1, 2025. This bill overhauls the State's Economic Growth, Resource Protection, and Planning Policy (Policy) by consolidating the Policy's 12 Visions into 8 Planning Principles that will guide and inform state and local planning practices. The new Principles are Land, Transportation, Housing, Economy, Equity, Resilience, Place, and Ecology, and collectively they are intended to foster a high quality of life for all residents by creating sustainable communities and protecting the environment. MDP recommends that jurisdictions consider the principles in any comprehensive plan or comprehensive plan amendment adopted after October 1, 2025, and discuss with their attorney how they might acknowledge, describe, and implement the principles in the final adopted version. Attached to this review is a model one-page principles comprehensive plan insert that Frederick County may use for the purpose of acknowledgement.

Draft Plan Analysis

Maryland's Land Use Article Sections 1-406(a) and (b) require the inclusion of certain elements within the general plan. The following checklist provides for each required plan elements for a Charter County and the Maryland Code reference. This check list is intended to help the county determine consistency with the Land Use Article.

Checklist of Maryland Code (Land Use Article)-Charter County Division I, Title 1, Subtitle 4 Required Elements Division II, Section 21-104(a) Required elements.	
State Comprehensive Plan Requirements	MD Code Reference and Additional MD Code Reference
(1) The planning commission for a charter county shall include in the comprehensive or general plan the visions under § 1-201 of this title* and the following elements:	L.U. § 1-406 (a)
(i) a development regulations element	L.U. § 1-406 (a) (1) (i) L.U. § 1-407 -- Development Regulations Element

(ii) a housing element	L.U. § 1-406 (a) (1) (ii) L.U. § 1-407.1 -- Housing Element
(iii) a sensitive areas element	L.U. § 1-406 (a) (1) (iii) L.U. § 1-408 -- Sensitive Areas Element
(iv) a transportation element	L.U. § 1-406 (a) (1) (iv) L.U. § 1-409 -- Transportation Element
(v) a water resources element	L.U. § 1-406 (a) (1) (v) L.U. § 1-410 -- Water Resources Element
(2) a mineral resources element, IF current geological information is available	L.U. § 1-406 (a) (2) L.U. § 1-411 -- Mineral Resources Element
(b) A comprehensive plan for a charter county MAY include a priority preservation area (PPA) element	L.U. § 1-406 (b) For PPA Requirements, see § 2-518 of the Agriculture Article
(4) Visions -- A county SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201*	L.U. § 1-414 L.U. § 1-201 -- Visions
(5) Growth Tiers -- If a county has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the county's comprehensive plan	L.U. § 1-509

*SB266, Local Comprehensive Planning and State Economic Growth, Resource Protection, and Planning Policy - Planning Principles passed and supersedes the visions, with an effective date of October 1st, 2025.

Conformance with Section 1-406. Element - Charter Counties of the Land Use Article

The following analyzes how the Draft Plan meets the requirements of a charter county comprehensive plan elements, in accordance with the Land Use Article.

1. Development Regulations Element – Synopsis

The element is required to include the planning commission's recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment and identify areas of growth. The areas identified for growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

Plan Analysis

In regard to zoning, this area is intended to be the location for future data center development in the county and will be regulated through the Critical Digital Infrastructure (CDI) Overlay Zone, as described

in [Section 1-19-8.402. CRITICAL DIGITAL INFRASTRUCTURE FACILITIES](#) and [Section 1-19-8.403 CRITICAL DIGITAL INFRASTRUCTURE ELECTRICAL SUBSTATION](#) of the Frederick County Zoning Ordinance. This Amendment to the comprehensive plan does not impact the previous actions taken by the legislative branch that adopted the new CDI overlay. MDP's review does not address the previously adopted legislation.

2. Sensitive Areas Element – Synopsis

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The Land Use Article also assigns sensitive areas element data provision and review responsibilities to the Maryland Departments of the Environment (MDE) and Natural Resources (DNR).

Plan Analysis

Please note that the Maryland Department of Natural Resources provided comments on this amendment in their undated letter (attached).

MDP notes that there may be an opportunity to address new legislation: [HB 731](#) - Wildlife - Protections and Highway Crossings, which became effective on July 1, 2025 along MD 15. However, MDP notes that the Community Growth area abutting the highway appears to have an established lotting pattern in the area directly adjacent to the right-of-way, as well as buildings and other improvements, and it may not be feasible to create a connection to the properties west of the highway. MDP suggests that the county defer to their legal staff as to the applicability of HB 731 to the Amendment.

3. Transportation Element - Synopsis

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

Plan Analysis

Please note that the Maryland Department of Transportation provided comments on this amendment in their letter dated September 4, 2025 (attached). In addition, MDP's transportation planning staff notes that Frederick County has an adequate public facilities test to address traffic issues in the development review process.

4. Water Resources Element – Synopsis

The water resource element is required to consider available data provided by the Maryland Department of the Environment (MDE) to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals. MDE and MDP jointly developed WRE guidance to

demonstrate how local governments can ensure compliance with the WRE requirements. Local jurisdictions are expected to implement the most important aspects of the [MDE/MDP WRE guidance](#).

Plan Analysis

All properties within the existing Eastalco Community Growth Area are either planned for water and sewer service within 20 years (the county's planned service) or within three to five years, and some properties are already served. Several properties that would be added to the community growth area and/or CDI overlay zone are proposed to change from no planned water/sewer service to planned service. The water/sewer plan is separate and must be approved by MDE. A service category within the water/sewer plan cannot be changed through a comprehensive plan amendment. The comprehensive plan sets up the anticipated land use and expectation of future service.

The Amendment does not provide demand and capacity tables for water or wastewater supply to demonstrate whether the county has adequate capacity to meet future water and wastewater demand. Has the county considered providing tables in the amendment to demonstrate current and future water and sewer demand compared to water and wastewater capacity? MDP suggests asking the Maryland Department of the Environment for information on projected water demand, specifically water-resource demands of data centers, or guidance to assist the county with estimating projected water demand. See this website: [water capacity management guidance here \(Appendix B\)](#).

Growth Tier Map

The Frederick County Tier Map was adopted by the Frederick County Board of County Commissioners on February 26, 2013. The LFMP states "The Growth Tiers Map constitutes another component of the Livable Frederick Comprehensive Plan...The Frederick County Comprehensive Plan Map, the Growth Tier Map, the Priority Preservation Areas Map, and the Zoning Map remain unaltered by the adoption of the Livable Frederick Master Plan. They will remain so until such time as Frederick County seeks to specifically amend and update these documents based on the Development Framework, the Action Framework described in this document, and future community and corridor, large area, and functional plans developed and adopted by the county" (LFMP, page 15). Therefore, the county's Growth Tier Map is considered adopted into the existing master plan.

Should the proposed Amendment be adopted, an amendment to the Growth Tier Map should follow. Part of the expanded community growth area appears to be located in Tiers I, IA, and other portions of the area appear to be in Tiers III and IV. Since the Amendment proposes area within the community growth as changing from no planned service to planned for sewer service, the county Growth Tier Map should be updated accordingly.

**Maryland Department of Planning Review Comments
Draft Plan**

STATE AGENCY COMMENTS

The following are state agency comments in support of MDP's review of the draft plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them as soon as possible.

Attachments

Maryland Department of Transportation

Maryland Department of Natural Resources

Maryland Department of Housing and Community Development

September 4, 2025

Ms. Susan Llareus
c/o Ms. Rita Pritchett
Maryland Department of Planning
120 E. Baltimore Street
Suite 2000
Baltimore MD 21202

Dear Ms. Llareus:

Thank you for coordinating the State of Maryland's comments on the Frederick County Livable Frederick Master Plan Amendment and Associated Zoning Map Amendment (the Amendment). The Maryland Department of Transportation (MDOT) offers the following comments on the Amendment for consistency with the State of Maryland and MDOT's goals and objectives.

General Comments

- In general, the Amendment is consistent with MDOT plans and programs.
- The MDOT encourages Frederick County to consider incorporating the needs and safety of people walking, biking, and rolling in the proposed Critical Digital Infrastructure (CDI) Overlay Zone. This Amendment provides an opportunity for the County to detail a transportation vision within the CDI and accommodate active transportation needs that support industrial, low-density residential, and other rural land uses. The MDOT notes bicycle and pedestrian-focused safety countermeasures from the State Highway Administration (SHA) Context Driven Toolkit, offer resources to address the area's high equity need, low bicycle accessibility, and short-trip opportunity areas, as well as a rural-focused approach to safe routes to school.

Detailed Comments

- Pg. 3 Current Conditions – Eastalco Community Growth Area (CGA): Consider outlining the County's current approach to active transportation in the CGA.
- Pg. 9 Summary of Recommendations: Consider adding a recommendation about how the County plans to support safe, context-sensitive active transportation access within, to, and from the CDI.
- Pg. 10-11 Current and Proposed Comprehensive Plan Map: Consider showing existing and proposed walking and biking infrastructure, particularly sidewalks.

Ms. Susan Llareus
Page Two

Thank you again for the opportunity to review the Amendment. If you have any additional questions or concerns, please do not hesitate to contact Ms. Nicole Condol, Transportation Planner, MDOT Office of Planning, Programming, and Project Delivery (OPPPD) at 410-230-6614, or via email at ncondol@mdot.maryland.gov. Ms. Condol will be happy to assist you.

Sincerely,

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

Geoff Anderson
Chief, OPPPD, MDOT

cc: Ms. Nicole Condol, Transportation Planner, OPPPD, MDOT
Ms. Michelle D. Martin, Director of Planning, OPPD, MDOT
Ms. Kari Snyder, Regional Planner, OPPPD, MDOT



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore, MD 21201

Memo: MD DNR comments on Liveable Frederick Master Plan Amendment

To: Susan Llareus
cc: Rita Pritchett

On behalf of the Department of Natural Resources, thank you for the opportunity to comment on the Liveable Frederick Master Plan Amendments. The draft document was distributed to appropriate contacts at the Maryland Department of Natural Resources and reviewed. DNR offers the following comments:

The Maryland Forest Service reviewed this plan with respect to the Forest Conservation Act. The expanded overlay includes areas of existing forest, including Riparian Forest Buffers (RFB). The existing overlay also includes RFB. The FCA conservation thresholds are known and available. Frederick County should follow the FCA laws on reforestation requirements as this area is developed (retain 20% of the forest acreage about the conservation threshold, area cleared above the threshold must be replaced by planting 1/4 acre per acre cleared on site, forest area cleared below the conservation threshold must be replaced by planting 2 acres for each acre cleared). Frederick County uses honor banking. The reviewers have some reservations about removing land from rural legacy, but it seems the intent is to create only one area in the county for data center development. Losing these eligible parcels may result in saving others.

The Natural Areas (Areas) include Riparian Forest Buffers (RFBs). It is important to note one of these RFBs bisects the proposed General Industrial Area. Frederick County should monitor the potential development proposed near these Areas and ensure best management practices are followed. This includes but is not limited to the retention of RFB areas with a minimum width of 35 feet and avoiding stream crossings when able. The reviewers would also suggest investigating opportunities to mitigate the potential increased overland flow and consequential erosion adjacent to these Areas during construction.

Once again, thank you for the opportunity to provide comments. If you have any questions about these comments or would like further information, please do not hesitate to contact me at 443-534-4151 or christine.burns1@maryland.gov.

Best,
Christine Burns



WES MOORE
Governor
ARUNA MILLER
Lt. Governor
JACOB R. DAY
Secretary
JULIA GLANZ
Deputy Secretary

August 26, 2025

Ms. Susan Llareus, Regional Planner
Maryland Department of Planning
120 E. Baltimore Street
Suite 2000
Baltimore, MD 21202

Dear Ms. Llareus:

Thank you for the opportunity to review and comment on the Livable Frederick Master Plan Amendment & Associated Zoning Map Amendment (the "Plan"). When reviewing plans, the Maryland Department of Housing and Community Development ("DHCD") comments on items for which political subdivisions can strategically leverage DHCD's resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statutes and, if appropriate, Sustainable Communities Plans.

The Plan relates to a master plan amendment to accommodate a data center in Frederick County. The proposed data center is located well outside the boundaries of existing designated Sustainable Communities and does not appear to be located near any existing communities. Therefore, DHCD programs, and program investments are unlikely to be directly impacted by the Plan. As a result, DHCD does not have any comments regarding the Plan.

Again, thank you for the opportunity to review and comment on the Plan. If you have any questions, please contact me at john.papagni@maryland.gov or 301-429-7670.

Sincerely,

A handwritten signature in black ink, appearing to read "John Papagni".

John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Joseph Griffiths, Maryland Department of Planning
Rita Pritchett, Maryland Department of Planning
Garland Thomas, DHCD Division of Neighborhood Revitalization
Sara Jackson, DHCD Division of Neighborhood Revitalization
Olivia Ceccarelli, DHCD Division of Neighborhood Revitalization





Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary
Adam Ortiz, Deputy Secretary

Livable Frederick Master Plan Amendment & Associated Zoning Map Amendment

Maryland Department of the Environment – WSA/WPRPP

REVIEW FINDING: R1 Consistent with Qualifying Comments
(MD20250730-0523)

Water & Sewer:

It is important to note that data centers can use large amounts of water and wastewater capacity. Prior to a change to the water and sewer classification, the jurisdiction should review current and future use to determine if there is adequate capacity. Water Appropriation and Use Permits may need to be updated to include the use. Also, depending on the location of the proposed data center, COMAR 26.17.07, Consumptive Use of Surface Water in the Potomac River Basin, may impact the conditions in the Appropriation and Use permit for an intake on the Potomac.

Flooding:

Please be advised, the property or properties in MD20250730-0523 is/are in close proximity to Flood Zone AE (100-year Floodplain) and X (500-year Floodplain). The project coordinator(s) should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards.

It is advised that the coordinator(s) consider climate resiliency, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):

- Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
- Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
- Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
- Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
- Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

The coordinator(s) is advised to contact Dave Guignet, State National Flood Insurance Program Coordinator, of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The coordinator(s) is advised to contact Matthew C. Rowe, CC-P, Deputy Director of MDE's Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency.

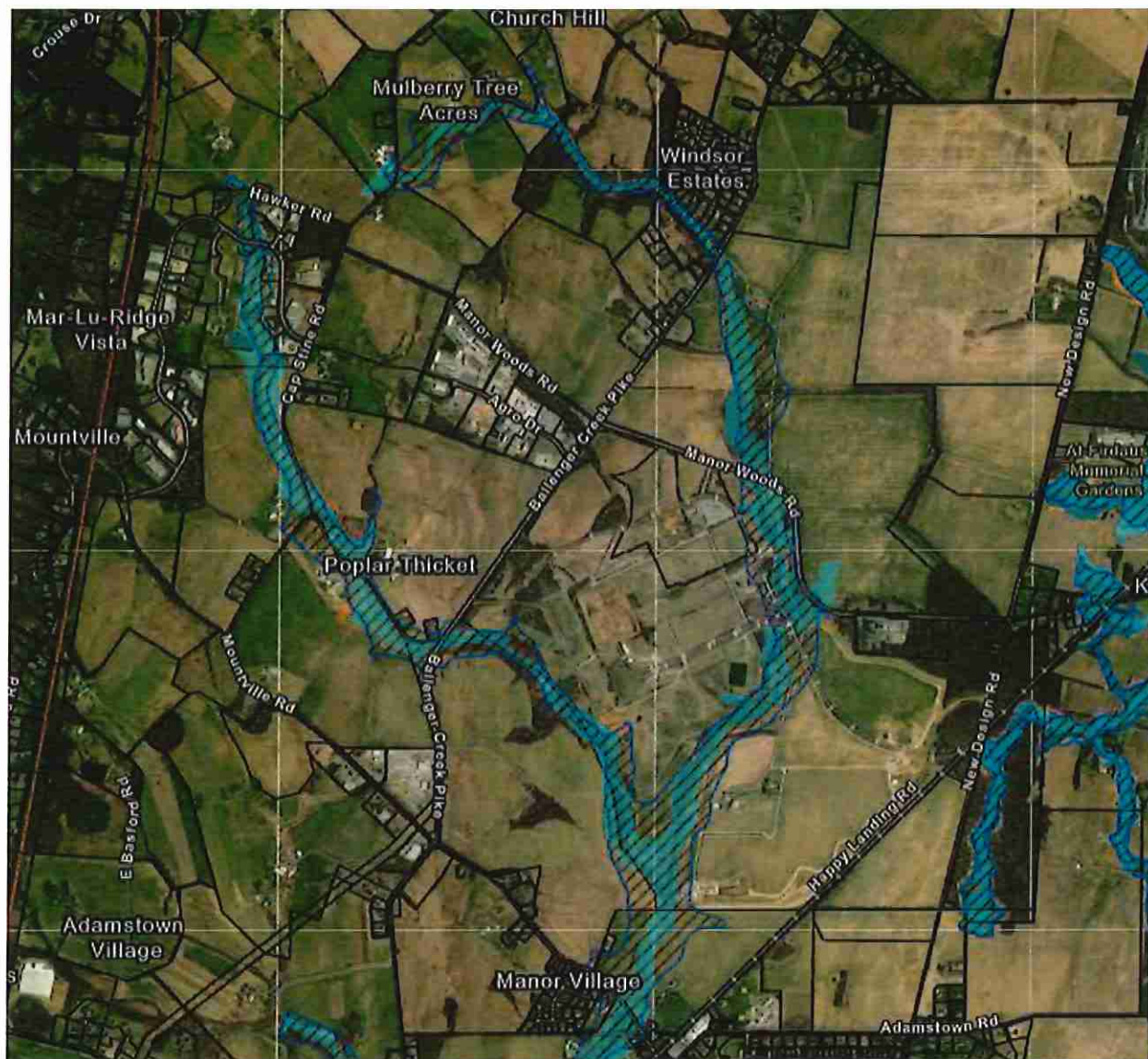
MDE Comments for Environmental Clearinghouse Project MD20250730-0523

Response Code: R-1

1. Construction, renovation and/or demolition of buildings and roadways must be performed in conformance with State regulations pertaining to "Particulate Matter from Materials Handling and Construction" (COMAR 26.11.06.03D), requiring that during any construction and/or demolition work, reasonable precaution must be taken to prevent particulate matter, such as fugitive dust, from becoming airborne.
2. During the duration of the project, soil excavation/grading/site work will be performed; there is a potential for encountering soil contamination. If soil contamination is present, a permit for soil remediation is required from MDE's Air and Radiation Management Administration. Please contact the New Source Permits Division, Air and Radiation Management Administration at (410) 537-3230 to learn about the State's requirements for these permits.
3. If any project can be considered regionally significant, such as a shopping mall, a sports arena, industrial complex, or an office complex, the project may need to be identified to the regional Metropolitan Planning Organization (MPO). Project managers who need a permit to connect their projects to a State or federal highway should contact the Planning Division of the Planning and Monitoring Program, Air and Radiation Administration, at (410) 537-3240 for further guidance.
4. If a project receives federal funding, approvals and/or permits, and will be located in a nonattainment area or maintenance area for ozone or carbon monoxide, the applicant needs to determine whether emissions from the project will exceed the thresholds identified in the federal rule on general conformity. If the project emissions will be greater than 25 tons per year, contact the Air Quality Planning Program of the Air and Radiation Administration, at (410) 537-4125 for further information regarding threshold limits.
5. Lighting for security, athletic fields, and parking needs to be shielded from nearby residences.
6. Electrical generators powered by internal combustion engines, having a rated capacity of 375 kW or greater, are required to obtain permits from the Air and Radiation Management Administration. Please contact the New Source Permits Division, Air and Radiation Management Administration at (410) 537-3230 to learn about the State's requirements and the permitting processes for such equipment.
7. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
8. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.
9. The Resource Management Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.
10. The proposed project may involve rehabilitation, redevelopment, revitalization, or property

acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please Land Restoration Program at (410) 537-3437.

11. Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.





Outlook

Points to consider from your July meeting, in advance of October 15th CDI Overlay Public Hearing

From AC Malinak <acmalinak@gmail.com>

Date Mon 10/13/2025 10:06 AM

To Planning Commission <PlanningCommission@FrederickCountyMD.gov>

 1 attachment (205 KB)

FCPC July 23, 2025 and letter_final2.pdf;

[EXTERNAL EMAIL]

Dear Planning Commissioners:

Thank you for your dedicated work on behalf of our County. Please see the attached letter regarding the CDI Overlay Plan Amendment.

Best regards,

AC Malinak
Adamstown, Maryland

October 12, 2025

Dear Planning Commissioners:

In advance of your Public Hearing on the CDI Overlay Zone this Wednesday, October 15, 2025, it may be useful to refresh your thoughts on the content of your discussions on this topic last July, when you met and voted to send the Plan Amendment, along with its accompanying transmittal letter, to the State for 60 day review. [Please see the transcript included below.]

As you now contemplate the CDI comments returned from the State– along with the obvious omissions that have not yet been addressed by the State – and hold your Public Hearing on the CDI Overlay, please weigh whether your words and intentions from July have been fulfilled to an extent that will permit you to make an informed and accurate decision on which version of the CDI Overlay Plan boundary you will opt to send on to the County Council.

Best regards,
AC Malinak
Adamstown, Maryland

Excerpts from the July 23, 2025 meeting transcript, created using the archived meeting video on Granicus. The CDI discussion begins at approximately the 6:30 mark.

Link to video:

https://frederick.granicus.com/MediaPlayer.php?view_id=10&clip_id=10383

**Frederick County Planning Commission,
July 23, 2025
Partial Transcript
CDI Discussion begins at 6:30 mark**

(Highlights added for emphasis. Green = Commissioners; Yellow = Planning Staff)

MR. DAVIS: ... CDI Overlay Comprehensive Plan Amendment and Zoning Map Amendment. Today we will be, the Planning Commission will be recommending only to move this plan forward. It's not, it's not anything that we're voting on today...

MR. HICKS: Yes. I think that it's important to clarify for today's meeting that when by saying to move this forward, we're actually going to take a decision on whether or not to recommend the plan go to the State for comment, and I think that it would be important for people who are here with us in the meeting and watching the meeting to get a sort of a recap of the process and what the next steps are for the Planning Commission and for the Council.

...

MS. GAINES: So your recommendation today is a "small r" recommendation. This is sending the package to the state to get their comments. The "big R" recommendation is what you make to the Council, and you can't make your recommendation to the Council until you've had a public hearing. And you can't have a public hearing until we've sent the package down to the State and given them an opportunity to comment. So there are a number of pieces that have to fall into place here, and it is a linear process....So we're looking for the Planning Commission to agree to send the package to the state for a 60 day review. It's, it's however, I mean, there will be a cover letter that Mr. Davis will sign. And we can, we can be very specific in that cover letter that nothing has been decided. The Planning Commission is considering other other options, alternative maps, but we want the state's feedback on the package that we're sending down there, and we can make that very clear.

MR. HICKS: We've gotten quite a few comments about the boundary of the overlay as depicted on the map right and ... I just want you to confirm, basically, that were the Planning Commission to recommend to go to the state for comment, that doesn't mean that there is no opportunity during the next public hearing for us to consider potentially changing the boundary.

MS. GAINES: That's correct...

MR. HICKS: So kind of hypothetically, and not to be articulating a position on this, does what you just said, suggest that if we are going to consider during our hearing, the properties that property owners to the south of the of the mapped overlay, who wish to be included that that would be, that would be a mapping change that would happen before it goes to the state.

MS. GAINES: We could do that with a mapping change. We could also note it in the cover letter. And if we noted it in the cover letter, we would want to give them all the details, like the acreages and all of that information so they understand what's being contemplated.

MR. HICKS: And I just have, I have, I have questions that I want to address at the next stage related to what's included and what's not included. Okay, so I, I don't want to leave people with the impression that our decision today to send to the state is going to box us in.

MS. GAINES: Not at all, and we can be very specific in the request. I mean, we don't normally do this, but if there are you know that our package goes down to Maryland Department of Planning and they send it out to the different State Agencies that they think may have comments on this, but if there are particular State Agencies that you know you want to see this and that you want to hear from, we can put that in the letter and say, "We want to hear from Maryland Energy Administration and Maryland Department of the Environment and Maryland Department of Natural Resources, in addition to Maryland Department of Planning, all of that can be in the letter."

...

MR. LONG: So a follow up. So you probably don't have the answer to this, maybe you do, and we might have better answers 60 days from now or more, but we've had a lot of comments tonight. They seem to be made by somewhat knowledgeable people that these lands around the Eastalco growth area are very productive farmlands. So what, are we going to find lands that are as productive in other parts of the county that aren't already in preservation?

MS. GAINES: Yes, I mean, they're, that's what they're looking at. Though you're, you are correct that when the Priority Preservation Area was mapped, the idea was, let's put the best, most productive soils that we have in the county in the Priority Preservation Area. But they are looking at other areas of the county that have quality soils.

...

MR. RENSBERGER: So of the roughly 80 public inputs that we got, yeah, the top two far and away were Mr. Long's Agricultural Preservation line. And then, of course, don't expand beyond the current Eastalco campus, which is probably related to the first but you can tell from the comments that there's a belief that preserved farmland would be lost in this expanded plan. So I just want to say again, this is, we're not contemplating any preserved agricultural land,

right? It's something that will be step two, which we're not even, not even there yet. So, and isn't it? Is it also true that my understanding from my agricultural friends like Mr. Tressler, is that the actual barrier to preserving agricultural farmland is not willing participants who will enroll their farms? It's the money to pay for it, right? Okay, right, the text that we advanced unanimously back with a recommendation to adopt to the county council has an a never-before created funding mechanism for preserving this land,

MS. GAINES: That's correct.

MR. RENSBERGER: So it's an Agricultural Preservation Bill masked as a Data Center bill. That's ironic. That's ironic.

AUDIENCE: [loudly grumbles]

MR. HICKS: That's a bit of stretch...

MR. RENSBERGER: I know, I'm having fun, I'm having fun, but that, but it's a, it's a funding stream, which we haven't had, right, right

...

MS. NICKLAS: So in the, I thought it was almost close to 100 comments. There were quite a few about the water and power. And I know we've, we have talked about that and that included a number of articles. And I know I appreciated it. One is that the Planning Commission is not supposed to go off and do its own research. So I did appreciate reading those articles. And to me, there were a lot of cautionary tales in that. So to that end, as we send this off to the state, assuming that we do, and you suggested that we can list other departments within the state, what would the specific departments in the state of Maryland be that would best understand the water and power issues?

MS. GAINES: I would say Maryland Energy Administration and Maryland Department of the Environment,

...

MR. DAVIS: Yeah, the MEA is kind of a new one for us on the Planning Commission, but that does sort of help us get some expertise back to the Planning Commission via the

Maryland Department of Planning's comments on energy that we have been asked not to inquire about or make any changes to any of the site plans, and things that we've seen that we can't touch the energy, but we're now going to be able to seek comment from the State Agency on Energy.

MR. SUPERCZYNSKI: Let me add to that... It's probably worth noting in the letter if we have very specific requests for comments, but those comments are always integrated into the comments that we get back with Maryland Department of Planning being kind of the emcee I guess, for those comments. And I think that when we have substantial comment from one of the other divisions of state government, we typically see those in a separate letter packet that are attached to those comments that come back from the Department of Planning. So unless something's changed radically in the last like year or two, that's kind of the way we would do it. I'm not saying, don't mention don't do those call outs, but I'm just saying that is the norm for the state of Maryland.

MR. DAVIS: Thank you... I think that is important for us to know about just a high level on what the Clearinghouse does; however, our site plans and things like that don't go through the Clearinghouse process.

MR. HICKS: Yeah, I appreciated the comments from Commissioners Tressler and Rensburger about rezoning and how it relates to the overlay. But I will say that I recognize that if a property is in the overlay, that predisposes the Planning Commission to approve rezoning. So I don't really think that that's like a real selling point to people who are concerned about expansion. You know, if it's in the if it's in the overlay, that suggests that the county is already planning to make the parcels available for that use...

Okay, I think that I appreciate that context, but I still feel like if it's in the overlay, it's more likely to get, I mean, it's easier to get rezoning approval for a data center.

...

MR. DAVIS: I had just, I had a brief comment about the about the water, the site plans and things that we've seen, the water resources have have been able to meet the APFO but this is a use that we don't know really how much water it's going to use, and we're relying upon our experts, and I think that's what we should be doing. However, I'm going to recall back to, I'll just call 1998 in the city, when people relied on the experts with a bunch of uses that we all knew. How they happened, you know, commercial, residential, etc, and then six years later, after a very

extensive drought, all the water shut off for the whole city, so no new development could take place, whether or not even if it was a storage facility, it was a stretch. So just, I'm just, maybe I'm editorializing Mr. Hicks, but I'm just want us to all keep this in the back of our heads as we see the next iteration of this plan, because if I'm some of the people sitting out there that live in this neighborhood, I don't want to be sitting in a neighborhood where all of a sudden we really have significant water, water problems, and and again, I'm going to, I'm going to, I'm going to listen to what MEA has to say when, when the documents come back about the power that we that we don't have any idea about. So, does anybody else have anything or we want Ms. Gaines to continue on? ...

MS. GAINES: ... So if you want to move into public comment and just as a note for folks that are here and folks that are watching, I mean, as I mentioned earlier, you know, we're asking you to make a "small r" recommendation today so we can get the 60-day review process started. But the record is not closing, so we encourage people to continue to send comments, continue to send articles, and we'll continue to batch those and send them on to you throughout the summer.

...
MR. RENSBERGER: Thank you. Mr. Chairman, I said it last week. This is the dirty work of planning, that last caller called it a charade. No, it just sucks. But it has to be done. It's my form of community service. I'm one of those three that Mr. Black mentioned that sat here and worked on Livable Frederick, I want to read from the pages that he quoted. This area is currently the largest concentration of undeveloped land in the county zone for general and or light industrial development, and presents a unique opportunity for development further down, while each small area plan will involve a study. Will involve a study of the attributes and limitations unique to that gross area. Then there's a bullet point list. A community outreach component will happen. That happened. An infrastructure component that identifies timing and funding will be done. That happened. Comprehensive study to address a green infrastructure component. The waterways have already been mapped. An Agricultural Preservation component will be involved. That's the text legislation that we advanced. A thorough, transparent and open study of industrial site contamination, subsequent post industrial remediation. That was being overseen by MDE. And finally, a thorough examination of how this existing growth area fits into the larger planning context for Frederick County, addressing county wide growth projections, current and future transportation. It goes on a little bit so pages 43 and 44 I think we're hitting those marks. Want to

echo what someone else, two people said, it's details matter. We have to have a common set of facts. This work is consistent with the livable Frederick master plan, as I've just read from it...

This piece of legislation, you know who I'm talking to, this protects the road that we grew up on. Yeah, this is good for the Sugarloaf people. It stinks for the people nearby in Adamstown. I can't sugarcoat that, but nobody's given us a better place to do this than where it's already happening. So I don't know...like we haven't heard of another place to do this that's better than where it's already happening. That's the shitty part.

MR. LONG: Yes, I have certainly struggled with this. This is a very important decision that affects us for many, many years.... We've received a considerable amount of public input expressing opposition to the expansion of the area where data centers are to be allowed, and some of the comments have noted that this proposal does not align with the recommendations of the Data Center Work Group, and there's been other comments and much opposition, and I don't think the Planning Commission can simply ignore all that opposition. We've also heard from representatives of data centers and the developers, and we don't ignore that input either. But when I take all this into consideration for all these reasons, it seems imprudent to me to significantly, significantly expand the area available for data centers beyond the current Quantum campus, until we have more data and a track record of the impact these centers will have on our community. And I say this, I have just tremendous respect for our staff. You guys have such incredible expertise, and in most cases, I usually defer to your expertise. But in this case, I'm not there, and my position is that we keep the Eastalco Community Growth Area and the overlay zone as proposed by staff, except remove lots three through eight from the proposed growth area, and that these lots would not receive the limited industrial land use designation. So that's where my head's at...

...

MS. NICKLAS: So I have a quick question, and then I want to make a statement... the first part of my statement, I would like to say ditto to what we just heard from Commissioner Long but having said that, I do want to say I hear and understand that this 2569 acre overlay is a compromise. I hear and understand that the underlying zoning will still need to be approved parcel by parcel by the county council. I hear that this provides more certainty to moving

forward with planning for the rest of the county. And I hear and understand time kills deals. I've been in leasing personally for 10 years.

So I get that, but I also hear the subject matter expert testimony and the articles that we have read over this past week relative to our valuable water and power resources. And I believe we have an opportunity to hit a pause button for a limited time on the expansion of the data center industry within Frederick County, while we learn important data and lessons from our data center development within the current Quantum Loophole campus. So if, if the Planning Commission today was going to recommend what the CDI overlay was going to be, and actually I, I did come into the meeting thinking that's where we were. So I certainly appreciate the initial conversation that we're here for a "small r" I would be in the camp, such as Commissioner Long to remove three through eight and to keep it roughly to the current Eastalco growth area.

However, that's not what we're here for today to do, so I will recommend that we send this to the State for their assessment, and that we include other areas or other Departments to make sure that they assess this 2566 acre area, as currently recommended in our packets that they also assess the ... the 2219 acre East Alco growth area, the 2122 acre holdings of the Quantum Loop campus and the roughly 1300 acre area already permitted for data center development within the quantum loop campus. I believe, if we get information on those areas from the relative State Departments, then we will better be able to move forward with our recommendation on the actual CDI overlay when this comes back to us in the fall. Thank you.

...

MR. HICKS: I just wanted to thank Commissioner Nicklas for her comments. And although the decision about the map is going to return to us after the state weighs in, the decision is going to the recommendation is going to be made by us to the Council, and the council will make the decision locally, but I want to hear what the state has to say in particular, because we're talking about expanding the group of agencies that we typically would request comment from. So for today, I'm inclined to vote to forward this to the state for review, with the understanding that we've got a lot of work to do when it comes back.

...

MS. NICKLAS: And it was the, hold on, I wrote it down here. I believe it was the OPC, the Office of People's Counsel.

MR. DAVIS: ... I'm in agreement. ... Well, then that makes because they're on the same level as an MEA and the Environment and all that... I wanted that clarification. I had written that down to confirm that with Mr. Brewster, and I did so thank you.

...

MR. DAVIS: Well, yeah, let's make sure we've got these I think Miss Gaines is, is getting these agencies and these changes, that is going to come to come to me in a draft letter with with Mr. Tressler with, Mr. Long looking over my shoulders, but I want to capture all these little bits too. Mr. Hicks?

MR. HICKS: Yeah, Miss Nicklas, brought up the issue of the transmittal letter again, and I think that it's important. I know y'all will be looking at it, but I think it's important for us to have some clarity on what we want that letter to include. And I believe, based on the testimony that we've heard and the discussion that we've had, that we really need to in that letter sort of tee up the context that we're considering these properties to the south, and we're also considering two through eight in terms of include, including or excluding. I'm sorry, three through eight.

I do apologize, but I mean the way the discussion has gone, I don't feel like today we have agreement or resolution on the size of the overlay, the boundaries of the overlay, and I think that that is something that that's part of the hard work that I was alluding to earlier, but that's something that I think the State should be aware of, and maybe they have feedback on related to those issues as well. So that's my thought.

MR. DAVIS: I agree with you, Mr. Hicks, and I think somebody mentioned it, and I'll reinforce it, yes, the state's input is of great value.... But the important thing is that the local decisions are made here, so let's keep that in mind now. Do you, do you need a vote from us, Ms Gaines?

MS. GAINES: Yes, please.

...

MS. NICKLAS: I believe I'm ready for a motion, please.... Okay, I recommend that the plan as presented be advanced to the State to begin a 60 day review and to include reviews of four other possible overlay areas: 1) the 2,219 acre East Alco growth area, 2) the 2,122 acre holdings of Quantum Loop campus, 3) the 1,300 plus acres already permitted for data center development within the Quantum Loop campus, and 4) the inclusion of the Stup and Geisinger properties into the 2,566 acre CDI overlay that is in the plan as presented. Additionally, we request that a review of these potential CDI Overlay Zones be by the Maryland Department of the Environment, the Maryland Energy Administration and the Office of the People's Council.

MR. RENSBERGER: Second.

MR. DAVIS: A motion by Ms. Nicklas, seconded by Mr. Rensburger, and I'll clarify that motion by Ms. Nicklas with additional information, since this is a new motion for us, so I'm going to call the roll. Miss Nicklas?

MS. NICKLAS: Aye.

...

MR. RENSBERGER: Aye

...

MR. TRESSLER: Aye

...

MR. LONG: Even though I understand the rationale for expanding, for sending this expanded map to the state I'm voting No.

...

MR. HICKS: Yeah, with the understanding that we're going to be doing more work on this after we get feedback from the state, and that that work will include additional input and interactions with residents.

...

MR DAVIS: I vote aye. Chair votes aye. Motion passes 5-1-0-0 ..."



Sugarloaf Alliance comment on speaking time policy at CDI public hearing

From Steve Black <steveblack2313@gmail.com>

Date Sat 10/11/2025 12:13 PM

To Planning Commission <PlanningCommission@FrederickCountyMD.gov>

Cc Gaines, Kimberly <KGaines@FrederickCountyMD.gov>; Mitchell, Kathy (Legal)
<KMitchell2@FrederickCountyMD.gov>

1 attachment (213 KB)

SA to FCPC on comment time101025.pdf;

[EXTERNAL EMAIL]

Commissioners,

Please see the attached comment from Sugarloaf Alliance on time allotments for speakers at the CDI map public hearing on October 15, 2025.

Thank you

Steve Black
President
Sugarloaf Alliance



October 10, 2025

Planning Commissioners:

We listened with some concern to your discussion, on Wednesday, about allotting speaking time at the CDI Overlay map public hearing on October 15, 2025.

While there are clearly enormous differences between a non-profit community group and a for-profit, privately employed lawyer, the compromise you arrived at seems appropriate. Essentially you will be treating a lawyer and their clients as a "community" group and giving the representative up to 10 minutes to speak.

There was a brief comment after your vote to the effect that new comments on this issue might come in and that you might revisit this question at the start of the meeting next Wednesday.

Revisiting the rules for public comment, at the start of a Public Hearing, for only that public hearing, appears unfair. First, all public hearings should be run the same way. If the Commission wishes to change its rules of procedure so be it. However, the change should be uniformly applied. Second, there should be sufficient time between a change of procedure and the actual hearing to allow organizations and individuals to adjust their plans. Eleventh-hour procedural changes, potentially known to only some of the participants, is deeply unfair to the public.

It sounds as if some parties have argued that lawyers should get 3 minutes for each one of their clients, even 3 minutes for every owner of a company. This time would be in addition to the 3 minutes granted to each individual the lawyer is representing. The slippery slope of buying time at a public hearing should be obvious here.

To illustrate the absurdity of this concept, imagine that Sugarloaf Alliance will hire a lawyer for public hearings to represent the views of our 650 members...at 3 minutes each.

You have set the rules for the CDI hearing on October 15, 2025. We urge you to stick with this decision.

Thank you,

Sugarloaf Alliance



Mozart consolation in time of Covid

From Nick Carrera <mjcarrera@comcast.net>

Date Sun 10/12/2025 4:25 PM

To Carrera, Nicholas <mjcarrera@comcast.net>

[EXTERNAL EMAIL]

I'm sending this to dear family members because it's so beautiful, and for them to try to imagine, as I have done, what were the feelings of these choristers and musicians in performing such an uplifting work during the trying time of Covid. I can recall my own experience in singing then, masked, as a member of the Choral Arts Society of Frederick. It felt to me weird, disjoint, and yet somehow hopeful. Here's Mozart's Ave Verum Corpus to help with the "hopeful" part we can still use.

<https://www.youtube.com/live/Nckjda8S1vY?si=m2lh0kr342GZMxLs>

I'm also sending to many with whom I've shared the vexing issue of data centers in Frederick County. My Sunday has been completely diverted from the relaxing day I'd planned, by wrestling with comments I wish to share with them in the coming week. I'm tired now from it, and thought Mozart would provide some calm, perhaps some consolation that things in County, Country, and even World can come out all right after all. At least it's been a few minutes of beauty and tranquility, and I wanted to share that.

With my best wishes to all.