

MINUTES OF A MEETING OF THE PLANNING COMMISSION
TUESDAY, DECEMBER 18TH, 2018

PRESENT: Chairman Rob Maricle, Vice Chairman David Parmelee, Rico Aiello, Doug Moore, David Ambrose, Steve Jamison, Carvel Wright, Mayor and Council Liaison Rick Byrd

Staff Member(s): Town Planner / Zoning Administrator Ethan Strickler, Town Manager Paul Mantello

PRESIDING: Chairman Maricle called the meeting to order at 7:35 p.m.

APPROVAL OF MINUTES

Rob Maricle asked the commission if they had any questions or comments on the November 27th minutes, and hearing none declared the minutes from the November 27th, 2018 Planning Commission meeting approved as presented.

UNFINISHED BUSINESS

EASTERDAY RE-ZONING BNRZ18-01(Rev) – Discussion following the Public Hearing

David Parmelee encouraged everyone who attended the Public Hearing to return to future meetings and Public Hearings regarding the Easterday Map Amendment Request. Robert Maricle reiterated that there are a lot of agencies involved with several reviews of development related plans and proposals, and encouraged the residents at the meeting to continue to attend Public Meetings. Parmelee stated that the Commission always have meetings on the 4th Tuesday of every month. Town Planner Strickler stated that he was going to begin posting staff reports online, as he did for this meeting, alongside agendas and minutes for the meetings. Rico Aiello thanked audience members for coming and that their comments help the Planning Commission.

Town Planner Strickler went over logistics for the future meetings and hearings regarding the request. He stated that the Planning Commission has 30 days to send a recommendation to the Mayor & Council before they have a Public Hearing regarding the topic. Strickler stated that a final vote on the request would hopefully be held in February. The Mayor & Council needs a recommendation from the Commission before putting this topic as an agenda item on the Mayor & Council's workshop. Strickler recommended moving the January Planning Commission meeting from the 22nd to the 15th.

Carvel Wright made a motion to move the January Planning Commission meeting from January 22nd to January 15th, Rico Aiello seconded, and the motion carried unanimously.

Strickler noted that this schedule change prevented the scheduling of a special meeting for an earlier date. Chairman Maricle stated that the commission would take further public comments on this agenda item at the end of the meeting.

Chairman Maricle stated that the Town has specific procedures it needs to follow with respect to the process of the map amendment request.

NEW BUSINESS

FLETCHER'S GROVE – Amended Concept Plan BNCP18-02(Rev) – BNCP18-02 was previously on the June 2018 agenda (see June 2018 minutes)

Jim Draper and Bill Brennan spoke on behalf of this amended Concept Plan. Town Planner Strickler displayed his staff report and maps using the computer, projector, and monitor. Bill Brennan presented the revised concept plan and spoke about the history of Dean South, including past approvals, because of its inclusion into the revised concept plan presented at the meeting. Bill Brennan addressed some of the notes from the staff report, including construction timing for Chase Six, Stormwater Management, Sidewalks, and other future site development issues (including phasing).

The group also spoke about the Courtney Property and the number of overall taps the developer has to develop the property (91 taps). The developer and the commission also spoke about road standards for the property, including local roads, minor arterials, etc. Mr. Brennan stated that \$500 to \$600 per foot (for finishing Chase Six Boulevard) was

probably close to accurate. Bill noted that they still needed to go to the Board of Appeals in Boonsboro for a Special Exception for single family homes. Staff and the developer then spoke about how no standards exist for lot sizes and setbacks for multi-family, semi-detached dwellings in the MR zone.

Chairman Maricle stated that the revised concept plan meets the developers annexation agreement, and that the developer has all of the approvals to move forward to the Board of Zoning Appeals. The group then had a brief discussion about some of the details involved with future development, including sidewalks along Maple Avenue. Bill Brennan asked the Planning Commission to think about where they wanted the major pedestrian crossing from the development to the school (and mentioned that crossing would be at either Chase Six Boulevard or further south from Dean South).

PLANNING AND ZONING UPDATES

OTHER DEVELOPMENT UPDATES – *Idea of Stormwater Benefit Charge for New Development, Stormwater Conference (Dec 10th) recap, High Convenience Store*

Ethan gave the Planning Commission an update on High's Convenience Store. He stated that they would be submitting a Site Plan Application in the coming weeks, and the commission would be reviewing this in the near future. He reiterated that no commercial development can take place on the Easterday property until the state highway improvements are completed and that no residential development can take place on the property until approved by the Mayor & Council. Strickler then noted that the Town is able to impose additional restrictions or conditions on any approvals related to this property and any map amendment approvals. He stated that the Commission should think about this as it pertains to buffers, land donations for a park, and other topics discussed during the public hearing and the meeting.

Strickler then gave a recap of the stormwater conference that people from the Town attended on December 10th. He spoke specifically about staff's early ideas concerning funding stormwater programs. He brought up the idea of a Stormwater Benefit Charge, and asked the commission to consider this idea as something pertinent to the Town and for the Mayor & Council and BMUC to consider. Parmelee stated that this was a good idea because we should acquire funding for stormwater programs from impact fees from new development.

FUTURE ORDINANCE UPDATE

Strickler stated that the Town was going to need to develop standards for the placement and aesthetics of 5G Towers within the municipal boundaries of Boonsboro. The Town was informed of this by Mr. Wantz, the Town's attorney. Council member Weaver stated that it was his understanding that they would be placed on existing poles in Town. Other Council Members and the Mayor provided their opinions of what they knew was happening on this topic in other jurisdictions.

Strickler stated that the Town does not have a policy regarding notices for adjacent property owners for development applications. Robert Maricle stated that he thought the Planning Commission should schedule a workshop to draft a policy in early 2019. February, or whenever the commission has a full 7 members again, would be an appropriate time to schedule this workshop.

JANUARY 2019 PLANNING COMMISSION MEETING

The January Planning Commission meeting was moved to January 15th @ 7pm. Chairman Maricle encouraged the commission to think about their ideas regarding the Easterday property and the Preserve at Fox Gap, LLC map amendment application.

David Ambrose

Robert Maricle let the commission know that David Ambrose, who has served the Town as a member of the Planning Commission for over 25 years, was retiring from the Planning Commission. His last meeting would be this meeting, December 2018.

CITIZEN COMMENTS

Eric Kitchen noted that he was interested about the potential for a new stormwater benefit charge for new development.

Tony Nally asked the commission question about standards for lot sizes. Strickler read the requirements out of the zoning ordinance. He also asked about how the setbacks were adjusted for smaller lot sizes. He then brought up the validity of the developer agreements, specifically with respect to the Easterday property. Chairman Maricle stated that the Easterday property's agreements are in default, and that the default would be taken into account. Tony noted that if the agreements were in default, then the Town could alter the price of the benefit charges the developer would owe the town for any future development.

Chairman Maricle stated that they were speaking with Bill Wantz to make sure they can add conditions to any approvals for approving a map amendment request. Strickler stated that they cannot change the benefit charge rates for King Road Associates or Fletcher's Grove, as these two developers never defaulted on their development agreements. Strickler noted that, ultimately, the Mayor & Council has the power to decide on whether an agreement in default was null and void, and that the Planning Commission could provide a recommendation.

Mary Ernst asked how many taps Easterday has paid for to date. Town Planner Strickler stated that Easterday has purchased 8 residential sewer taps to date.

Another resident asked whether or not the Fletcher's Grove developer was going to have to do Dean South or Dean North first. Chairman Maricle stated that the Commission would have to see what makes the most sense once they see future site plans and final plans.

Another resident spoke about the issue of lot sizes, driveways, and large vehicles in the Sycamore Run neighborhood, and that this should be addressed for any future development.

Mary Ernst asked the commission about whether Boonsboro had a certain amount of growth it wants to attract, and asked about schools. Rob Maricle then began a conversation about APFO and school mitigation, including about how the county takes these ordinances into account.

COMMISSION MEMBER COMMENTS

None.

ADJOURN

Chairman Maricle declared the meeting adjourned at 8:53 pm.

Respectfully submitted,

Ethan Strickler,
Town Planner / Zoning Administrator

BOONSBORO PLANNING COMMISSION

DECEMBER 18th, 2018

PUBLIC HEARING

6:45 PM

BNRZ18-01 – Preserve at Fox Gap, LLC, Zoning Map Amendment Request

The Boonsboro Planning Commission held a Public Hearing as duly advertised on Monday, December 18th, 2018 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building.

The Chairman of the Planning Commission Robert Maricle opened the Public Hearing at 6:45 PM for the purpose of receiving public input, either in support of or in opposition to the Zoning Map Amendment Request.

Town Planner Strickler presented a staff report to begin the Public Hearing, using the projector screen to display both the staff report and maps of the property. Strickler stated that the applicant is asking to amend the zoning map to include an additional 6.57 acres of commercial land and 23.56 acres of higher density residential land on the property they own just to the north of the intersection of Old National Pike (Alt-40) and MD Route 67. Strickler stated that the present zoning of the property in question, and in particular the area subject to the zoning map amendment request, contains approximately 44 acres of Town Residential zoning and 26 acres of Multi-Family Residential zoning. The Planning Commission and Public were shown a map of the current zoning of the property before being shown the proposed zoning of the property based upon the map amendment request. After displaying the maps, Strickler briefly answered questions concerning allowable residential and commercial uses in the present and proposed zoning districts.

After the Town Planner's brief staff report and presentation, Chairman Maricle called forward the applicant to present their case for the zoning map amendment request. Ed Kuscynski and Trevor Frederick spoke on behalf of the applicant. They noted that the concept the applicant is pursuing through this map amendment request is for single family detached dwellings on minimum lot sizes of 5,000 square feet (the concept submitted with the application was displayed on the projector screen for the Public and the Planning Commission). The concept, as stated by the applicant, is for a well-planned community that keeps with the character of the rest of the community and promotes home ownership. Chairman Maricle asked the applicant to state their reasoning for the request, based upon whether there was either (a) a significant change in the character of the neighborhood or (b) a mistake in the original zoning classification. The applicant stated that the smart development of the property was driving their request. At Chairman Maricle's request, the applicant stated that they had already spoken to High's Dairy Store and the US Postal Service concerning future commercial development within the commercially zoned areas of the property. At the Town Planner's request, the applicant stated that their argument centers upon a mistake in the original zoning classification based upon the fact that a smart neighborhood overlay was never created for the area despite being referenced in the Town's Comprehensive Plan. The applicant stated that the 2009 Comprehensive Plan notes a smart neighborhood overlay as a way to guide development on newly annexed properties, which includes this property. Chairman Maricle noted that the Comprehensive Plan states that this property should have 2 to 8 units per acre, and that the applicant is asking for 5 per acre as a part of their concept and map amendment application. Town Planner Strickler reiterated that a map amendment can only be approved by either the change or mistake arguments, and that the concept plan submitted as a part of the zoning map amendment request has not been reviewed yet by the Planning Commission.

Chairman Maricle opened the floor for public comment:

- **Mary K Ernst, 21009 Mousetown Road**, Mimi stated she owns the land immediately adjacent to the rear of the property. She stated that when she purchased her property, the property next to her was in the County and zoned for 25 acres lots. She stated that she was worried about light pollution, residential development, water, a potential water tower, traffic, and more children in the local school district. She stated that property owners should not get higher density for development on specific areas of the property just because they cannot develop other areas of the property due to floodplain and environmentally sensitive areas.
- **Gail Fineburg, 6638 Gilardi Road**, Gail stated she lives in the County directly above the property, with two lots between her property and the property in question. She stated that traffic issues, light pollution, and noise pollution were all concerns for her. She stated that she was not opposed to affordable housing, but did not support higher density development on the property. Stormwater Management was a large concern for Gail, particularly in the context of a very wet year (in 2018). She also has concerns about safety for a development with one road in and one road out.

- **Charlene Jones, 6529 Old National Pike.** Charlene stated that her and her husband are just east of Town, in the County, and that their property borders the subject property directly to the east. The Jones' stated their major concerns were neighborhood children, dogs, etc., and that they would want to have some type of privacy fence installed. They also stated that the potential water tower, traffic, and light pollution were also prominent concerns for them and the neighboring residents. She stated that several horse owners border the property.
- **Sandra and Rich Garcia, 20807 Mousetown Road,** The Garcia's spoke about the issues of high water and floodplain in the subject property, which borders their property to the south. Town Planner Strickler brought up the floodplain map for the property while the Garcia's were speaking. The Garcia's stated that their property is zoned environmental conservation. They stated their concerns about higher density development. They also stated their concerns about the potential for condos, apartment buildings, or other multi-family unit buildings. Sandra stated that horse farms like there are an attractive nuisance, and that they would want some type of buffer. They let the Town know that the FEMA floodplain on their property, which extends on to the adjacent subject property, was recently expanded. They also stated that they had concerns over noise and light pollution, and traffic problems.

The applicant, represented by Trevor and Ed, were requested to speak again. Ed stated that all of the concerns would be dealt with at the Site Plan stage of development of the property. He specifically listed buffering, traffic, light, noise, pollution, and stormwater management, and that they will be addressed in the development review process in the future. Trevor stated that the applicant is only proposing single family residents. No multi-family or townhome units are being proposed. Ed stated that single family housing is what is being proposed as a future use of the property after the map amendment on the property. Ed Rude stated that all of the floodplain and the forest on the concept plan was going to remain untouched, and the developer may work with the Town to donate some land for a park if the Town was interested in doing so.

Chairman Maricle stated that the Public Hearing period was going to remain open for a period of (10) ten days to take further public comments. Town Planner Strickler stated that the Planning Commission was going to de-brief the Public Hearing during their regular meeting. Hearing no further comments, Chairman Maricle declared that the Public Hearing meeting was closed at 7:23pm.

The following written comments were received after the Public Hearing opposing the Amendment Request:

- **Dr. Richard and Sandra Garcia, 6734 Old National Pike**
- **Gail Fineburg, 6638 Gilardi Road**
- **Todd Fineburg, 6638 Gilardi Road**
- **Mary Ernst, 21009 Mousetown Road**
- **Michele A. McKenna, 21117 Mousetown Road**
- **Michael Brown, 7005 Gilardi Road**
- **Deb & Allen Youngbar, 6826 Gilardi Road**

Respectfully submitted,

Ethan Strickler
Town Planner / Zoning Administrator

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**BOONSBORO ECONOMIC DEVELOPMENT COMMISSION
MEETING MINUTES
DECEMBER 19, 2018**

The Boonsboro Economic Development Commission met on December 19, 2018 at the Kauffman Annex. In attendance: Chair George Messner, Vice chair Terri Packard, Secretary Vickie Messner, Commission members Carol Blessing, Kristin Bowl, Bruce Wilder, and Council liaison Marilee Kerns. Mayor Howard Long and Town Manager Paul Mantello were also in attendance.

The meeting was called to order at 9:00 AM.

Mayor Long introduced new Town Manager Paul Mantello to the Commission.

Chairman Messner shared a letter from Shannon Murphy of BodySensePT which just celebrated 10 years of service to the community. The letter highlighted areas of growth and expansion, as well as a continued partnership with local organizations to assist reoccurring programs and special events.

The minutes from the October 24, 2018 meeting were approved as written. Motion to approve: K. Bowl, Second: C. Blessing. Motion carried. *It was noted under Old Business/Ideas- create Facebook/Instagram sites, should have read pages.*

The next **Networking Breakfast** is scheduled for Thursday, January 17, 2019 @7:30 AM at Vesta. Notification will be sent by January 9th, reservations requested by January 14th. Speaker is Becky Musser from Fahrney-Keedy. *All future breakfast meetings will be held on the third Thursday of alternating months.* In the event of inclement weather, it was proposed to follow the WCPS cancellation policy. Breakfast will occur the following Thursday, if scheduled speaker is available. Motion to accept this proposal: B. Wilder, Second: C. Blessing. Motion carried.

Old Business

Ideas to encourage residents to shop local

Carol Blessing and Kristin Bowl presented ideas to create a website, calendar and social media presence separate from the Town's to promote events, attractions, services, and places to stay, eat, and shop. Kristin currently owns website domains **visitboonsboro** and **boonsboromd.com**, and has a long-term goal of creating a tourism-based website specifically for Boonsboro. Further discussion is needed with local business owners to gather any ideas or feedback they may have for a tourism-based website. Once feedback has been gathered, a concrete estimate will be submitted outlining the initial cost. Additional funding would be required for maintenance and ongoing promotion of town events, businesses and attractions. She was advised by the CVB grant funding may be available, but the applicant has to be an organization. The grant outlines several funding goals. *See attached page.* Businesses featured on the website or with posted advertising would pay for space. A suggestion was made to have someone devoted to work several hours per week on tourism-related matters and to establish a permanent place for a visitor's center. More research is required and a marketing strategy needs to be developed. Paul Mantello suggested contacting Kara Norman, director of the Frederick Development Partnership for direction.

Advertising

Information for the Spring/Summer rack cards will be collected starting in January. Cards must be ready for distribution by the first quarter utilities mailing at the end of March.

The EDC received a request from the CVB to place an ad in the 2019 Visitor's Guide. The half page ad will use last year's design and the EDC is being charged the 2018 rate (50% to be paid after contract

submission-\$783.75, the remainder to be paid in March). Motion to approve expenditure: V. Messner, Second: T. Packard. Motion carried.

It was decided to change the name to **Second Saturday** since many events in neighboring municipalities occur the first of each month. Starting in January and February, the downtown businesses and the Events committee will be working together to establish committees to plan for the spring event. It was recommended scheduling this in the late afternoon/early evening.

Events

R. Spires was not present to give a report on the Flat Frosties.

The 2019 USA Cycling Amateur Road National Championship is scheduled for June 20-23, 2019. The time trials will once again be held on Route 67 near Boonsboro. Our town's role will be determined after discussion with Audrey Vargason of the CVB.

A motion was made to accept the final draft of the **Resident Information Guide** and to approve expenditure for 500 copies (\$477.75). Motion: K. Bowl, Second: C. Blessing. Motion carried. It was recommended all digital advertising copies (editable versions) be kept on file at Town Hall.

C. Blessing reported \$200 was collected for **Pop Up Shop** vendor fees. In 2017, the EDC pledged \$1,000 to Hospice for a Veterans Patient Room naming opportunity at Doey's House. To date, \$875 has been donated. Carol has indicated she will not coordinate the Pop Ups next year. A motion was made to pay the remaining \$125 and close the account. (Shop Local) Motion: B. Wilder, Second: C. Blessing. Motion carried.

New Business

Budget- Reviewed debits and credits through December. Several entries have not been recorded because invoices have not yet been received.

New Businesses- no report

Planters- The planters on the square have not been decorated since late summer. It was recommended to contract the planting out to local nurseries or landscape companies. C. Blessing will contact these businesses to determine interest.

Next meeting: February 27, 2019

Motion to adjourn: T. Packard, Second: C. Blessing. Motion carried. Adjournment: 10:30 AM

Submitted:

Vickie Messner,
Secretary

Draft
Town of Boonsboro
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MINUTES OF A MEETING OF THE ENVIRONMENTAL COMMISSION
TUESDAY, November 13, 2018

PRESENT: *Commission Members:* Chairperson Kathy Vesely, Vice Chairperson Laura Schnackenberg, Jessica Renner, Leah Grasso

ABSENT: Amy Jones, Scott McIllwee, Anthony Dowell, Town Council Liaison Ray Hanson

PRESIDING: Chairperson Vesely called the regular meeting to order at 7:10 PM.

Guest: Ethan Strickler, Boonsboro Town Planner: spoke about possible grant opportunities for which the BEC might qualify.

Guest: Danny Rohrer: spoke about Farmer's Market issues and suggestions to improve the Boonsboro market.

APPROVAL OF MINUTES: After review and unanimous vote, Chairperson Vesely declared the October 2018 minutes approved as read.

OLD BUSINESS:

Rockwool Letter – Town Council voted to not approve the Rockwool opposition letter written by the BEC. Chairperson Vesely reworked the letter to be citizen-signed and will circulate around town for signatures.

Chairperson Vesely said Jeff Davidson from the Park Board (Tree Subcommittee) will be speaker at the Sustainable Maryland "Community Tree" Workshop in Hagerstown. *Update: This Workshop was cancelled due to inclement weather.*

Community Solar – Community Solar received a substantial grant enabling them to move forward. The solar farm will be in the original location outside of Williamsport.

January Town Newsletter – Chairperson Vesely and Vice Chairperson Schnackenberg will draft a short article for the January newsletter educating the town about plastic straws.

Vice Chairperson Schnackenberg shared an announcement from the Catoctin Area Sierra Club: There is an anti-pipeline event in Hagerstown at the C&O Canal HQ – Monday, November 19th at 10:00 am to request that the National Park Service NOT issue a permit to allow pipelines under the Potomac River and the C&O Canal.

NEW BUSINESS:

Commission Re-Appointments: Chairperson Kathy Vesely's and Jessica Renner's BEC terms expire this month (November 2018). Due to lack of a quorum, the BEC will vote on their terms via email.

SUBCOMMITTEE REPORTS

Farmer's Market – The Farmer's Market Executive Committee met to discuss plans for the 2019 season.

Waste Reduction – No report

Trees – No report

Public Education/Outreach – Chairperson Vesely mentioned three possibilities for speakers. She will email the ideas to Education and Outreach Subcommittee Chairperson Schnackenberg.

Green Team – No report

Monarch Butterfly – No report

TOWN UPDATE - No update as Liaison Hansen was absent.

COMMISSION MEMBER COMMENTS - No comments

ADJOURN: The meeting was adjourned at 8:28 PM.

Respectfully submitted by
Amy Jones, BEC Secretary

*Next meeting: **TUESDAY, December 11, 2018** – Boonsboro Town Hall. Regular meeting (7:00 p.m.)*

Any person desiring a transcript of tonight's meeting shall be responsible for a competent stenographer. Items on this agenda are subject to change at the discretion of the Chairman.

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