

MEETING SUMMARY
Carroll County Planning and Zoning Commission

September 20, 2016

Location: Carroll County Office Building

Members Present: Richard J. Soisson, Vice Chair
Eugene A. Canale
Cynthia L. Cheatwood
Alec Yeo
Daniel E. Hoff
C. Richard Weaver

Members Absent: Matthew S. Helminiak, Chair
Jeffrey A. Wothers

Present with the Commission were the following persons: Philip R. Hager, Mary Lane, Clare Williams, Darby Metcalf, and Lynda Eisenberg, Department of Planning; Clay Black, Laura Matyas, John Breeding, and Martin Percy were in attendance representing Development Review and Gail Kessler, County Attorney's Office.

CALL TO ORDER/WELCOME

Vice Chair Soisson called the meeting to order at 9:00AM

ESTABLISHMENT OF QUORUM

Secretary Hager took attendance of the Commission noting that seven members were present and a quorum was in attendance.

PLEDGE OF ALLEGIANCE

OPENING REMARKS

Secretary Hager greeted everyone and noted that Chair Helminiak will be arriving shortly. Secretary Hager stated that Mr. Black had a scheduling conflict and in his absence some Agenda items may be moved around. Secretary Hager indicated that there were no changes proposed for to the Agenda and staff is recommending approval of the Agenda as printed and distributed.

REVIEW AND APPROVAL OF AGENDA

The Agenda was approved via a motion by Mr. Yeo, seconded by Mr. Canale, and carried.

PUBLIC COMMENTS

There were no public comments.

COMMISSION MEMBER REPORTS

- A. Commission Vice Chair, Richard Soisson, had nothing to report.
- B. Ex-Officio Member, Commissioner Weaver had nothing to report.
- C. There were no other reports.

ADMINISTRATIVE REPORT (PHILIP R. HAGER)

A. Administrative Matters

Secretary Hager stated they have begun the process to fill the Administrative Assistant position in the Department. Secretary Hager asked the Commission if they would be interested in attending the Citizen Planner's Association Conference in Frederick to please let him know as soon as possible.

B. BZA

Secretary Hager stated that four cases were approved, Case No. 5964, Case No. 5966, Case No. 5967 and Case No. 5961. Secretary Hager reported that Case No. 5965 was withdrawn and Case No. 5971 will be heard by the BZA next month.

C. Planning Commission Retreat

Secretary Hager asked the Commission if they support the concept of and would attend a retreat. Commissioner Weaver suggested it be done as a two hour work session. After much discussion the Commission agreed upon holding a joint work session or training session.

FINAL SITE PLAN REPORT

SUBJECT: S-15-0019, MagStone LLC

LOCATION: South side of Bark Hill Road, West of Francis Scott Key High School 2nd ED

OWNERS: Jerry E. & Elizabeth T. Stambaugh, 2145 Jasontown Road, Westminster MD, 21158 and Michael Todd Crawmer & Toni E. Crawmer, 4121 Bark Hill Road, Union Bridge MD, 21791

DEVELOPER: Mag Stone, LLC, Jerry Stambaugh, Resident Agent, 2145 Jasontown Road Westminster MD, 21158

ENGINEER: RTF Associates, Inc., 142 East Main Street Westminster, MD 21157

ZONING: Agricultural

ACREAGE: 5.163 acres

WATERSHED: Double Pipe Creek

MASTER PLAN: Bark Hill -Village-Residential

PRIORITY FUNDING AREA: Outside

DESIGNATED GROWTH AREA: None

FIRE DISTRICT: Union Bridge

❖ Action Required:

One action is required:

1. Approval of the site plan pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **Existing Conditions:**

The property is located on the South side of Bark Hill Road, and West of Francis Scott Key High School and contains an existing contractor's storage yard, Board of Zoning Appeals case # 2666, dated February 10, 1987. There is an existing 30 foot Right-of -Way for Ingress, Egress and Utilities, recorded in Deed Book 8387, Page 388, over the Crawmer property adjacent to the existing storage shop. In addition to the storage building, the property also contains: four above ground fuel tanks, an above ground propane tank, movable dumpster, two storage containers, and existing gravel and paved parking. The adjoining properties as well as the properties across Bark Hill Road are zoned Agricultural. All properties in this area are served by private well and septic systems. There is no existing well or septic on the property.

❖ **Background:**

The owner was granted a modification and enlargement (BZA case # 5755, June 16, 2014, attached) of the previously approved Conditional Use, including variances as to size of the storage yard and various setback reductions.

A concept plan for the expansion of the existing contractor's storage area and building was submitted to the Bureau of Development Review on October 26, 2015. County agencies presented plan review comments to the surveyor at the November 23, 2015 Technical Review Committee meeting. The concept plan was presented to the Planning Commission at their April 19, 2016 regular monthly meeting for informational purposes only (minutes are attached). The final site plan is largely unchanged from the concept plan which was reviewed.

❖ **Site Plan Review:**

The current storage building is comprised of 4,025 square feet. The equipment and material storage building proposed will be 7,200 square feet, located behind the existing structure, perpendicular to the western property line. The structure will be a pole barn, open in the front, with gray metal siding and a white standing seam metal roof. Access to the site is via an existing 14 foot drive adjacent to the existing building, seven feet of which are part of a 30 foot Right of Way over the Crawmer property, recorded in Deed Book 8387, Page 388. No new lighting or signage is proposed for the site. Engineering Review has approved the access with no additional improvements required.

There will not be any office space, employees or bathroom facilities in the proposed storage building therefore the Health Department has approved the site plan.

The cumulative area of disturbance is 32,803 square feet therefore the project is exempt from the forest conservation ordinance. A class (A) screen is provided between the adjoining Capece property and the site. The Crawmer's have provided a letter confirming they support waiving the screening required between their residence at 4121 Bark Hill Road and the proposed expansion of the Magstone site. Therefore, this screening will not be required. The plan shows existing mature screening along the rear property line that adjoins the Crawmer property.

An intermittent stream parallels the site to the west. A spot elevation is shown on the site plan at the top of the stream bank at a point closest to the proposed construction.

Construction is excluded from the area within 10 vertical feet of the top of the stream bank. With a 100-year floodplain analysis provided, the flood plain delineation is approved.

A variable width stream buffer is shown on the site plan. Silt fencing will be provided for watershed protection measures for construction and sediment control. The four above ground

fuel tanks have 150% double containment, which meets the requirements of the water resource manual. The site plan has final approval from water resource management.

Storm water management will be provided by two on-site drywells, to be maintained by the owners.

All adjoining property owners have been contacted as of the date of this report. Two walk-ins inquired about the scope of the project however they had no objection to the expansion. There have been no telephone inquiries pertaining to the scope of the project. No written comments have been received.

❖ **Action Requested:**

Approval of the site plan pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County with the following conditions:

1. That the Developer enters into a Public Works Agreement with Carroll County that guarantees completion of the improvements.
2. That a Stormwater Management Agreement be recorded simultaneously with the Public Works Agreement.
3. That any changes to this plan will require an amended site development plan to be approved by the Carroll County Planning and Zoning Commission.
4. All earth disturbances in excess of 5,000 square feet require a grading permit before work begins.

Price Wagoner presented the staff report.

Mr. Jerry Stambaugh, owner of MagStone and Mr. Lemmermen, RTF and Associates, were in attendance.

Discussion:

Mr. Lemmermen stated the owner is anxious to get started on this much needed space.

Decision:

The Commission, on motion by Mr. Yeo, seconded by Mr. Canale and carried, voted to approve the Final Site Plan pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County subject to the four conditions outlined in the staff report.

RECESS

PRELIMINARY SUBDIVISION REVIEW

SUBJECT: P-12-006, Hudson Forest Estates 4

LOCATION: South side of MD Route 850H (West Old Liberty Road); 1,000 feet east of Freter Road, E.D. 14

OWNER: James R. Mudgett, Jr. & Mary K. Mudgett; Thomas R. Mudgett & Regina M. Mudgett; and James Mudgett, 5007 Bushey Road, Sykesville, MD 21784

DEVELOPER: James R. Mudgett, Jr. & Mary K. Mudgett; Thomas R. Mudgett & Regina M. Mudgett, 5007 Bushey Road, Sykesville, MD 21784

SURVEYOR: D.R.S. & Associates, 52 Winters Street, Westminster, MD 21157

ZONING: Agricultural

ACREAGE: 24.8 acres

WATERSHED: South Branch Patapsco

NO. OF LOTS: 13 lots

FIRE DISTRICT: Winfield

MASTERPLAN: Agriculture

PRIORITY FUNDING AREA: N/A

DESIGNATED GROWTH AREA: N/A

❖ **Action Requested:**

Two actions are requested:

1. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 155, Development and Subdivision of Land, of the Code of Public Local Laws and Ordinances of Carroll County.
2. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 156, Adequate Public Facilities and Concurrency Management, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **Existing Conditions:**

The subject property is zoned Agricultural and contains an existing house. The property is a mix of cropland and woods and bisected by a 20 foot wide AT&T right-of-way. Adjacent to the eastern edge of the property, a private driveway serves several adjoining neighbors. An area on the southern portion of the property contains a springhead. All adjoining properties are served by private well and septic systems

❖ **Plan Review:**

The concept plan was previously presented to the Commission at the September 18, 2012, June 17, 2014, and the July 15, 2014 regularly scheduled meetings. At the July 15, 2014 meeting, the Commission, on motion of Mr. Wothers, seconded by Ms. Cheatwood, and carried (Commissioner Rothschild abstained), determined that the proposed development met the transfer requirements of Section 155.091.

Subsequently, Mr. Wothers made a motion that the Commission agree that the agricultural land devoted to residential use is minimized and the amount of land retained for agricultural use is maximized with this transfer. The motion was seconded by Mr. Canale, but did not pass (Mr. Canale, Mr. Wothers, and Ms. Cheatwood voted "Aye"; Mr. Helminiak, Mr. Soisson, and Chairman Yeo voted "No"; Commissioner Rothschild abstained).

The owner/developer appealed the Planning Commission denial to the Board of Zoning Appeals (case #5771). On September 24, 2014, the Board of Zoning Appeals (Board) found that the Planning Commission erred by denying the request of the applicant. The Board found that the proposed lots are located and sized so that the agricultural land

devoted to residential use is minimized, and the amount of land retained for agricultural use is maximized. The Board found that tracts located on either side of a public road are to be considered adjoining. For all of the foregoing reasons, the Board granted the applicant's request.

The concept plan reviewed by both the Commission and Board of Zoning Appeals proposed the transfer of 17 lots onto the 24 acre parcel. Access to the lots was through construction of a new County Road (Mudgett Court) that would have two use-in-common driveways accessing Mudgett Court. The concept plan proposed the transfer of all residential lot yield from the north side of Bushey Road onto the 24 acre tract.

The submitted preliminary plan proposed the transfer of 13 lots onto the 24 acre tract with the remaining lot yield to stay on the north side of Bushey Road. The developer's surveyor stated that percolation test results limited the 24 acres to accepting only 13 lots. The property had not completed percolation tests when the concept plan was reviewed by the Commission or the Board. The preliminary plan shows a length reduction of Mudgett Court by now proposing the construction of two side-by-side use-in-common driveways. In addition, access to some of the lots is shown utilizing a branching use-in-common driveway. Although Chapter 155 of the Carroll County Code of Public Local Laws and Ordinances does not prohibit branching use-in-common driveways, the Code does state they are to be avoided whenever possible (the concept plan did not have branching use-in-common driveways). The revised preliminary plan also shows the Stormwater Management facility not in the location as previously shown on the concept plan. Based on those changes from the concept plan to the preliminary plan, the Bureau of Development Review did not accept the plan for review and distribution as it did not conform to the concept plan that was reviewed by the Commission or the Board of Zoning Appeals.

Upon receipt of the staff denial to accept the preliminary plan for review, the developer subsequently submitted a letter indicating an agreement to extinguish any remaining residential lot yield on the north side of Bushey Road, exclusive of a desire to keep two large (100+ acres) farms on the north side. Based on the developer's proposal to extinguish remaining residential lot yield, the Bureau decided to process the plan for technical review. On August 3, 2016 the preliminary plan was presented to the Commission as a special report for the Commission to decide on whether these changes were acceptable, prior to the plan being presented for preliminary plan approval. Several citizens were in attendance at that meeting expressing concerns of the development and its impact on their property. In responding to the Commission, the developer indicated to the Commission that they would meet with the citizens in an attempt to address their concerns. The Commission had no other comments in regards to the submitted changes on the plan.

Stormwater Management will be met with drywells, wide shoulders at the use-in-common drives, and a stormwater management facility on Parcel B. Forest Conservation will be achieved through on-site retention and planting. Landscaping at the side yard of Lot 7 adjoining Old Liberty Road meets the requirements of the landscape manual. A Forested Water Resource Protection Easement will be granted to Carroll County. There is no FEMA floodplain on site.

All lots will be served by private well and septic systems. To meet the grandfathering requirements of Senate Bill 236, the developer is looking to have the preliminary plan approved prior to October 1, 2016.

❖ **Action Requested:**

Pursuant to Chapter 155, staff recommends approval of the preliminary plan subject to the following conditions:

1. That any changes to the Preliminary Plan as submitted and approved by the Commission herein shall be resubmitted to the Commission for further review and approval.
2. That a stormwater management easement and maintenance agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneous with recordation of the plat.
3. That a note be shown on the final plat extinguishing all remaining Agricultural zoned residential lot yield.
4. That declaration of maintenance obligations for the use-in-common driveways be recorded simultaneously with the recordation of the plat.
5. That the owner/developer enter into a Public Works Agreement that guarantees completion of any required improvements.
6. That a Forest Conservation easement for those identified areas be granted to the County Commissioners of Carroll County by a deed to be recorded simultaneous with recordation of the plat.
7. That a Forested Water Resource Protection for those identified areas be granted to the County Commissioners of Carroll County by a deed to be recorded simultaneous with recordation of the plat.
8. That a landscape maintenance agreement for the landscaping shown on the approved preliminary plan be recorded simultaneous with the recordation of the plat.
9. That any changes to the preliminary plan as submitted and approved by the Commission herein shall be resubmitted to the Commission for further review and approval.
10. That the area shown as Parcel B be conveyed to the County Commissioners of Carroll County upon acceptance of the stormwater management facility by the County.
11. That Mudgett Court be conveyed to the Carroll County Commissioners upon acceptance by the County.
12. That Parcel A be conveyed to the State Highway Administration per their process and requirements and demonstrated to the County prior to recordation of the subdivision plat.

CONCURRENCY MANAGEMENT REPORT

❖ Background:

Pursuant to Chapter 156 of the Code of Public Local Laws and Ordinances, once the Department has determined that the residential development plan may be presented to the Commission, the plan is reviewed for Available Threshold Capacity.

❖ Agency Responses:

Police Services:

The estimated Carroll County population as of February 29, 2016 was 172,371. As of that date, among the police forces in the County with staffing levels established by an annual budget including the Carroll County Sheriff's Office and the municipal police departments, there were 201 funded officer positions and 43 Maryland State Police officers. Based on a total of 244 positions, the ratio of sworn law enforcement positions to Carroll County population as of the end of February 2016 was 1.42. Including the development projects in the pipeline, the ratio remains over 1.3. Services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1,000. The ratio shall be calculated by counting all sworn officers with law enforcement responsibility in an incorporated municipality or within the county and by counting the total population within the incorporated municipalities and within the unincorporated county.

Schools:

The proposed subdivision is located in the Winfield Elementary, Sykesville Middle, and Century High attendance areas. In accordance with the criteria established in Chapter 156, all schools are rated adequate for Fiscal Years 2016-2021.

The December 2015 enrollment projections, prepared by Carroll County Public Schools, indicate that Winfield Elementary had an actual enrollment of 68% of state-rated capacity. The projections indicate that enrollment will decline to 62% of state-rated capacity by the end of the 6-year CIP cycle. An elementary school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

The December 2015 enrollment projections indicate that Sykesville Middle had an actual enrollment of 106% of functional capacity. The projections indicate that enrollment decreases to 100% of functional capacity by the end of the 6-year CIP cycle. A middle school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the functional capacity.

The December 2015 enrollment projections indicate that Century High had an actual enrollment of 84% of state-rated capacity. The projections indicate that enrollment will decrease to 82% of state-rated capacity by the end of the 6-year CIP cycle. A high school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

Fire and Emergency Medical Services:

The proposed subdivision is located in the Winfield fire and emergency medical services district. The Available Threshold Capacity form and preliminary plan were delivered to

the appropriate agency for review and comment. Comments were not received within the allotted timeframe, therefore, per Chapter 156-6 D(2)(c) pertaining to a preliminary plan, “if no response is received from any applicable agency within 30 days of the date the Department distributes the ATC form, the ATC shall be presumed adequate for the particular facility or service for which no response was received”.

Roads:

Old Liberty Road (Maryland State Highway) is rated adequate.

❖ **Chapter 156 Recommendations:**

With regard to a preliminary plan, Chapter 156-6D(4)(c) states “If all public facilities and services are adequate during the current CIP, the Planning Commission may approve the plan to proceed to the final plan stage and issue a recordation schedule and building permit reservations, subject to a building permit cap adopted by the County Commissioners in effect at the time of application for building permits.”

Pursuant to Chapter 156, staff recommends that the Planning Commission approve the preliminary plan with conditions as follows:

1. Police, schools, roads, and fire and emergency medical services are considered adequate;
2. the building permit reservation is for 13 lots in FY17, subject to modification at the final plat stage;
3. the recordation schedule requires the plat to be recorded within 24 months of preliminary approval;
4. the building permit reservation is allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.

Discussion:

Chair Helminiak asked if they had met with citizens.

Dan Staley said he met with neighbors and they expressed they wanted fencing and trees along the exterior property lines and a guardrail at the end of Mudgett Court. Mr. Staley forwarded a cost analysis to the homeowners for these changes.

Mr. Hoff asked for clarification on where the trees, fencing and guardrail would go.

Mr. Soisson asked what kind of fencing would be used and if the objective would be to block the view.

Mr. Staley said a stockade fence was being discussed to block headlights.

Mr. Hoff asked how much these changes would cost.

Mr. Staley said approximately \$15,000.

Mr. Canale asked about the specifications of the common driveway.

Mr. Clark Shaffer stated that there will be a signed Public Works statement and construction drawings that will be submitted for review. Once construction starts there will be inspections.

Mr. Canale asked about the declaration of maintenance obligations and how they pertain to each property owner. He asked if it requires homeowners to agree to it before work is done.

Mr. Shaffer stated that when you purchase these properties you are bound by this agreement.

Mr. Canale opposes shared common driveways because he doesn't think homeowners realize what they are getting into when they sign this agreement.

The Commission expressed concern about the proportionality of Mudgett Drive. They will look to see how this is addressed at the Final.

Public Comments:

Lisa Lamb, Old Liberty Rd, her farm is next to this property. She stated she is hoping for trees, guardrail and fencing issues to be worked out.

Oxana Climava, neighbor, stated she had a good meeting with the developer. She would like to know how their concerns can be tracked for the Final.

Mr. Hoff clarified that this is for Preliminary Approval.

Mr. Soisson clarified that their plans are following the Code and hopefully the citizen concerns will be worked out.

Decision:

Mr. Hoff made a motion Pursuant to Chapter 155 to approve the Preliminary Plan subject to the nine conditions that are in the Staff Report plus the three additional conditions that were outlined in the presentation also with the understanding that the parties are able to come to a mutual agreement that will be presented in front of the Commission for Final Approval, seconded by Ms. Cheatwood and carried.

Mr. Hoff made a motion Pursuant to Chapter 156 to approve the Preliminary Plan subject to the four conditions that are in the Staff Report, seconded by Mr. Yeo and carried.

ZONING CODE REVISIONS – INDUSTRIAL DISTRICTS

Mary Lane presented information about the formation of the Concept Team and its purpose.

Secretary Hager emphasized the importance of using a different name for Zoning and Land Use designations.

Jay Voight, Zoning Administrator, advised the Commission that these designations cause a lot of confusion for people.

Mr. Yeo asked staff if adding quotes around I1 Light Industrial District would be sufficient.

Staff agreed that could be done.

Ms. Lane reviewed Proposed Clarifying Language with the Commission.

Ms. Lane asked the Commission for their thoughts on the need to develop strategies for community input and feedback on the process.

Mr. Hoff stated he would like outreach opportunities with land use attorneys and local engineers.

Mr. Yeo asked that the steps be outlined for the Code Revision process.

LUNCH RECESS

CONCEPT SITE PLAN REVIEW

SUBJECT: S-15-0014, Carroll Station Professional Office Park

LOCATION: North side of Dickenson Road, east of West Hemlock Drive, E.D.5

OWNER: Tract Z-1 Property, LLC, 9405 Parsley Drive, Ellicott City, MD 21042
(LLC Members: Scott O. Miller, William J. Iampieri)

DEVELOPER: Same as Owner

ENGINEER: Leon A. Podolak and Associates, LLC, 147 East Main Street,
Westminster, MD 21157

ZONING: B-NR - Neighborhood Retail Business

REZONING: Case #222 – April 17, 2014

ACREAGE: 2.2025 acres

WATERSHED: Liberty Reservoir

FIRE DISTRICT: Sykesville/Freedom

MASTER PLAN: Medium Density Residential –2001 Freedom Community
Comprehensive Plan

PRIORITY

FUNDING AREA: Freedom

DESIGNATED

GROWTH AREA: Freedom

❖ Action Required:

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a concept site plan.
No action is requested.

❖ Existing Conditions:

The subject property is vacant and forested with no streams or floodplains on site. It fronts Dickenson Road, a service road paralleling Liberty Road, MD Route 26, with existing sidewalk along the entire frontage. To the west and north, the property adjoins The Hemlocks, an R-20,000-zoned subdivision built with single family residences (see plat attached). To the east lies the Oklahoma Road Middle School property, owned by the Board of Education. On April 10, 2014, a petition for a Zoning Map Amendment was considered and approved by the Board of County Commissioners, rezoning the property from R-20,000 to B-NR. The subject property and all surrounding properties lie in the Freedom existing public water and sewer service areas.

Dickenson Road was extended westward in 2000 with the Miller-Iampieri development of the Dickenson Road Business Complex. It was then further extended westward in 2008 with Miller-Iampieri's Carroll Station Planned Business Center. In 2003, the subject property was platted as Tract Z of the subdivision of the Miller-Iampieri Property with a note prohibiting a building permit or zoning certificate from being issued prior to a plan being approved by the Planning and Zoning Commission (see attached). The note was carried forward to the 2009

amended plat of the Miller-Iampieri property with an addition of a “Non-Buildable” notation on Tract Z-1 (see attached). The final segment to connect Dickenson Road through to West Hemlock Drive was completed by the County in 2011. An amended plat is being processed concurrently with the site plan which will remove the non-buildable annotation.

❖ **Plan Review:**

The concept site plan was subject to citizen involvement at the September 28, 2015 meeting of the Technical Review Committee. One citizen attended voicing a desire for buffering the neighborhood from the new office park. Light trespass, property line delineation to discourage pedestrian trespass, and the preservation of trees were mentioned.

The developer proposes to construct two buildings, each with 10,000 square feet contained in a single story. Carroll Station Professional Office Park is proposed to accommodate both medical and business offices. Offices and clinics are both principal permitted uses in the B-NR Zoning District.

Parking requirements for a medical center are 5 spaces for every 1000 square foot of floor area. Requirements for a professional office equal 3.3 spaces for every 1000 square feet of floor area. Parking has been calculated at the more intensive requirement, medical center, totaling 100 required spaces. There are 100 spaces proposed.

The land use designation in the 2001 Freedom Community Comprehensive Plan is Medium Density Residential. This property is included as part of the proposed Boulevard District overlay. The Freedom Plan dictates that properties designated as Medium Density Residential be reserved for single-family development at a density no greater than two units per acre. The proposed uses adhere to the intent of the Boulevard District as it would “allow for a mixture of commercial, retail, professional office, and residential uses” as outlined in the Freedom Plan. As such, the land use designation should be found to be consistent with the comprehensive plan.

A traffic impact study (TIS) was conducted for this development and concluded that no road improvements are necessitated. Access is proposed from two points on Dickenson Road which correspond to the access points for Carroll Station Planned Business Center on the south side of Dickenson Road. In 2008 when the Business Center was approved, Dickenson Road did not connect through to West Hemlock Drive. The County completed the service road extension in 2011. Engineering Review commented that sight distance at both access points does not meet Carroll County standards and such variance requests are processed by the Bureau of Engineering. The owner / developer proposes to submit a sight distance variance request to enable development of Tract Z-1.

Two proposed building elevations are shown on sheet 12 of the drawings set and annotated as 29 feet at the gable peak. Gabled roofs and individual office entries with awnings and occupant-specific signage delineate the façade. With a steep grade at the north and west property lines, both buildings will sit approximately 10 feet higher than surrounding residences. These property lines are landscaped with a Class A screen that meets the requirements of the Manual. Required planting units total 69 and 70 units are provided. No plantings may occur within the grass channel that serves stormwater management purposes.

Exterior materials proposed include asphalt shingles, vinyl siding, and brick veneer. The final plan set must include all building elevations, annotations of materials and colors, and locations of building-mounted lighting. A lighting plan is provided on sheet 4 depicting

pole-mounted parking lot lights mounted at 15 feet above grade. The final site plan shall include a photometric plan.

Sheet 2 depicts the single monument sign to be located at Dickenson Road between the two entry drives. Standing 12 feet high and 7 foot 9 inches wide, it is proposed as a double sided, interiorly lit board. Materials and colors are noted as brick or stone to match the buildings. A sign tabulation for the site is provided on sheet 1. Total area permitted by code is calculated to be 800 square feet. Total signage proposed equals 210 square feet.

The concept plan was presented to the Design and Architectural Review Committee on September 9, 2015. The Committee made the following recommendations:

1. Reducing the diversity of plant species slightly and grouping plants of the same species to create a more “natural” appearance to the buffer planting will accentuate these focal points. Such changes can add cohesion to the overall landscape design.
2. Some of the shrubs indicated as parking lot plantings grow to heights which may encumber drivers’ sight lines.
3. Hardier species of shrubs are recommended to increase survivability in the landscape. *Daphne burkwoodii*, the “Yaku” *rhododendrons*, and *camelia sp.* are rather sensitive to soil conditions, and drought in particular. A hardier species of shrub is recommended to enhance survivability. *Cotonoeaster*, *spirea* or *juniper* may be hardier alternatives.
4. While some of the plants listed in the plant list may be difficult to source locally, there are other selections (i.e. variegated holly) that will serve as excellent specimens in an established landscape buffer.
5. Parking lot pole lighting design should be considerate of the adjoining residential properties.
6. Where will the HVAC units be located?
7. Will there be a fence adjoining the residential properties? If so, provide location, height, and materials and color details.
8. Perhaps a centralized location for the dumpster would beneficially reduce the path of travel. Consider a double dumpster to accommodate recyclables.

Landscaping is shown along the property frontage of Dickenson Road, at the residential property lines and the common property line with the school, and within the parking lot. Landscape Review has commented that dumpster screening as well as an enclosure detail shall be provided. Forest Conservation will be addressed by off-site banking. The Forest Conservation plan must be incorporated into the site development plan set. Both buildings will be equipped with automatic sprinkler systems for fire protection purposes.

The Bureau of Resource Management has granted concept Stormwater Management approval. Stormwater management (SWM) will be addressed with bio-retention facilities, an underground detention facility, non-rooftop disconnects to a grass channel located at the northernmost property line, and a detention pipe. Stormwater overflow will convey through approximately 765 feet of new stormdrain pipe on the Oklahoma Road Middle School grounds to an outfall. The owner / developer has been working with Carroll County Public

Schools Facilities Management to acquire an easement over the school grounds. The proposal will be presented by the Director of Facilities Management to the Board of Education on September 14, 2016 with a recommendation of approval. Stormwater Review has noted that, "The stormdrain system across the school property makes the stormwater management for this project possible." This easement being recorded by deed will be a condition of final approval.

The site plan will be tested and reviewed for adequacy of public facilities in accordance with Chapter 155 of the Code of Public Laws and Ordinances of Carroll County Maryland.

Laura Matyas presented the staff report to the Commission.

Pete Podolak, Engineer and Bill Iampieri, Owner, were present.

Discussion:

Ms. Matyas pointed out that the Engineering review stated that site distance was an issue at both access points; it does not meet Carroll County standards. A Variance is being requested by the Developer from the Bureau of Engineering.

Mr. Podolak stated that two entrances exist to improve the traffic flow circulation for larger vehicles such as fire trucks and garbage trucks.

Mr. Podolak stated that they meet the site distance requirement for the posted speed limit and for speeds up to 31mph. Carroll County Design Manual adds 10 mph to the posted speed limit to determine site distance.

Mr. Podolak stated they will revisit the landscape plan to ensure adequate site distance.

Mr. Podolak stated they are tight on parking so they placed dumpsters in parking dead spots.

Chair Helminiak asked if there will be a fence.

Mr. Podolak stated there is no fence proposed.

Mr. Podolak stated that the developers want to attract medical type tenants and that is why they decided to sprinkler the building and offer medical parking.

Mr. Iampieri stated they will be offering the office space to lease or to buy.

Mr. Podolak stated they will address the landscape issues.

Mr. Podolak stated there would be a wooden enclosure around the dumpsters.

Mark Dusterhoff, citizen, asked about landscaping along his property.

Mr. Podolak verified there will be evergreens planted on either side of a grass swail.

Decision:

No action is requested.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further business, the Commission, on motion of Mr. Soisson, seconded by Mr. Yeo, and carried, adjourned.

Secretary

Approved