

MEETING SUMMARY
Carroll County Planning and Zoning Commission

June 20, 2017

Location: Carroll County Office Building

Members Present: Matthew S. Helminiak
Alec Yeo
Eugene A. Canale
Richard J. Soisson
Jeffrey A. Wothers
Daniel E. Hoff
Dennis E. Frazier, Ex-officio

Members Absent: Cynthia L. Cheatwood

Present with the Commission were the following persons: Philip R. Hager, Andrea Gerhard, Mary Lane and Laura Bavetta, Department of Planning; Clay Black, Laura Matyas, Price Wagoner, John Breeding, Bureau of Development Review.

CALL TO ORDER/WELCOME

Chair Helminiak called the meeting to order at approximately 10:02 a.m. Chair Helminiak addressed the fact that Clark Shaffer signed in as a speaker for the Public Hearing twice. The Commission agreed that he was speaking on behalf on two different clients that he represented and that it was acceptable for him to do so because he was not speaking as a citizen but as a legal representative to two separate parties.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that seven members of the Board were present and a quorum was in attendance.

PLEDGE OF ALLEGIANCE

OPENING REMARKS

Secretary Hager greeted the Commission and stated that staff recommends approval of the Agenda as printed and distributed.

REVIEW AND APPROVAL OF AGENDA

The Commission approved the agenda via a motion by Mr. Wothers, seconded by Mr. Yeo and carried.

REVIEW AND APPROVAL OF MINUTES

The minutes from 9/20/2016, 5/16/17 and 6/7/2017 were approved on motion by Mr. Yeo seconded by Mr. Wothers, and carried.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chair Helminiak indicated he had nothing to report.

B. EX-OFFICIO MEMBER

Commissioner Frazier indicated that he had nothing to report.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Hager reviewed the Freedom Community Comprehensive Plan Common Misconceptions handout.

B. EXTENSIONS

Clay Black, Bureau Chief Development Review, reported that there has been one extension, Crossroads Garage. It is being extended 6 months at a time because they are working on a new plan.

C. BZA CASES

Secretary Hager reported that staff provided comments to the BZA for three Cases including Case No. 6018, Case No. 6019, and Case No. 6020.

Secretary Hager reported that there is one Case to be heard in June: Case No. 6025.

D. OTHER

There were no other Administrative Matters.

HAMPSTEAD ANNEXATION NO. 40 – MELANIE ACRES

Andrea Gerhard presented a staff report to the Commission. Mr. Yeo asked if there was any consideration for completing the block and annexing the rest of the homes surrounding Melanie Acres. Ms. Ledley, Hampstead Town Manager, stated the residents have to hook up to public water within 18 months if they are annexed and that is a big expense for citizens.

The Commission, on motion by Mr. Yeo, seconded by Mr. Soisson and carried, voted to forward Hampstead Annexation No. 40 – Melanie Acres to the Board of County Commissioners with a positive recommendation.

GRO-16-0008 – WESTMINSTER TRAILS PHASE II

Mr. Jeff Degitz, Director of Recreation and Parks stated the parking lot on the previous plan has been removed. Mr. Wothers asked who will maintain the trail. Mr. Degitz stated it is currently being maintained by Public Works. Mr. Yeo stated he spent a lot of time out at the site and asked Mr. Degitz what other options have been discussed. Mr. Degitz stated the other options are cost prohibitive because they would go through wetlands. Mr. Hoff clarified that they are only supposed to determine the trail's consistency with the Westminster Environs Plan. Mr. Yeo stated he wants to make sure other options have been explored first and that the trail is not putting undo hardship on the property owners affected by the construction of the trail. Mr. Yeo asked if screening and signage would be provided. Mr. Degitz replied that they will make sure to provide appropriate screening and signage along the trail. Mr. Yeo asked about the policing of the trail and whose jurisdiction this would fall under. Mr. Degitz stated they will be in touch with the Sheriff's Office and let them know this is part of the County Park System.

The Commission, on motion of Mr. Soisson, seconded by Mr. Hoff and carried, voted that Westminster Trails Phase II is consistent with the 2007 Westminster Environs Plan.

WATER AND SEWER MASTER PLAN BRIEFING

Ms. Gerhard reviewed the Triennial Water and Sewer Master Plan review process with the Commission. She stated which towns she has already met with, which towns she is currently working with and when the process is expected to conclude.

RECESS

FREEDOM COMMUNITY COMPREHENSIVE PLAN COMMON MISCONCEPTIONS

Secretary Hager stated the purpose of the Common Misconceptions Fact Sheet and reviewed the 13 Myths and Facts with the Commission. The Fact Sheet will be posted and distributed. The Commission suggested a new title.

LUNCH

The Commission adjourned for lunch and reconvened at 1:13 p.m.

FINAL 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 site 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 and approval.

❖ **Site Plan History:**

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.

A concept site plan for the subject property was reviewed by the Planning and Zoning Commission on September 20, 2016 (see minutes attached). Comments and questions revolved around the unique sight distance issue and associated variance request. Comments and suggestions from the Design and Architectural Review Committee were discussed by the Planning Commission at the meeting. Topics included consideration of: a fence, centrally locating one dumpster, landscaping, lighting at the rear of the buildings, and buffering residential adjoiners.

❖ **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. 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 which rezoned 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. 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. The final segment to connect Dickenson Road through to West Hemlock Drive was completed by the County in 2011. An amended plat which removes the non-buildable annotation has been approved by all review agencies and will be recorded simultaneously with the Public Works Agreement for the site development plan.

❖ **Plan Review:**

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. The Bureau of Comprehensive Planning has reviewed the plan and found it to be consistent with all applicable plan policies and recommendations.

The Accepted 2017 Freedom Community Comprehensive Plan includes changing the land use designation of this property from Medium Density Residential to Commercial Medium.

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 West Hemlock Drive in 2011. While Dickenson Road is depicted in the Master Plan to extend westward from West Hemlock Drive, it currently terminates there.

A sight distance variance to enable development of Tract Z-1 was requested for both entrances and granted by the Department of Public Works Bureau of Engineering on September 30, 2016.

Two proposed building elevations are shown on sheet 15 of the drawings set and annotated as approximately 29 feet at the gable peak. Gabled roofs and individual office entries with covered alcoves and occupant-specific signage delineate the façade. Exterior materials proposed include heather blend-colored asphalt shingles, beige fiber-cement siding, and red brick veneer.

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 Landscape Manual. Required planting units total 69 and 72 units are provided. No plantings are located within the grass channel that serves stormwater management purposes.

With the final plan set, a Photometric Plan is included on sheet 17. Lighting levels at the property lines are acceptable. A lighting plan is provided on sheet 4 depicting pole-mounted parking lot lights mounted at 18 feet above grade while the concept plan indicated a mounting height of 15 feet above grade. Fixture details are included on sheet 17. Building-mounted fixtures, added since the concept review, include lanterns at the front façade and swivel floodlights at the rear. At the time of the concept review by the Planning and Zoning Commission, no building-mounted lights were proposed at the rear building elevations. The Planning Commission supported this with regards to proximity of the adjoining residences. While lighting levels are acceptable at the property lines, Development Review has advocated for fixed downlights with no potential to be redirected.

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 690 square feet.

Carroll Station Professional Office Park will be served by public water and sewer service and equipped with automatic sprinkler systems.

Landscaping is shown along the property frontage of Dickenson Road, at the residential property lines and the common property line with the school, within the parking lot, and at the dumpsters to comply with the Landscape Manual. Forest Conservation will be addressed with 1.75 acres of off-site banking.

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 955 feet of new stormdrain pipe on the Oklahoma Road Middle School grounds to an outfall. The owner / developer worked with Carroll County Public Schools Facilities Management and the Board of Education to acquire and record an easement over the school grounds. Stormwater Review has noted that, "The stormdrain system across the school property makes the stormwater management for this project possible."

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the site development plan subject to 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 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 simultaneously with the Public Works Agreement.
3. That a Landscape Maintenance Agreement be recorded simultaneously with the Public Works Agreement.
4. That a proof of purchase of the forest bank be included in the legal document submittal.
5. That any changes to this plan will require an amended site development plan to be approved by the Carroll County Planning and Zoning Commission.

Laura Matyas presented the report to the Commission.

Scott Miller, Owner/Developer and Pete Podolak, Engineer were in attendance.

Discussion:

Ms. Matyas stated there is one additional condition under Recommendations. Condition number 6 will be that the Amended Plat be recorded prior to the execution of the legal documents that are associated with the site plan.

Mr. Podolak added that the goal is to obtain medical tenants.

Mr. Yeo asked if anything would have been done differently if the 10,000 square foot limitation wasn't in place.

Mr. Podolak stated the original plan was an "L" shaped building but because of the 10,000 square foot limitation it had to be two separate buildings.

Mr. Yeo pointed out that mechanics had to be duplicated and there was a larger expense to the Developer because of the 10,000 square foot limitation but there is not necessarily a benefit to the community. The two separate building have the same parking and transportation affect as the one larger "L" shaped building would have.

Walter Wise, Jr., citizen, wasn't aware it was two buildings. He asked what kind of buffer is being used and what kind of landscaping will be used.

Mr. Podolak stated they will be providing a landscape buffer, Class A Screen, exclusively evergreens. This will create a year-long screen.

Mr. Wise asked about the security lights.

Mr. Podolak stated they will provide adjustable flood lights that will point downward at the building. There will not be any lighting along the property line.

Mr. Yeo asked if they would be motion sensor lights.

Mr. Miller stated he would like motion sensor lights.

Mr. Wise asked what the tentative starting date would be.

Mr. Miller stated there are a few more steps to take but it will more than likely be Spring of 2018.

Charlotte Spar, citizen, has concerns about the buffer. She stated she has requested a fence in addition to the evergreen buffer.

Mr. Miller stated he hired an electrical engineer that has assured them there would not be a light shining into the yards of the citizens bordering the property line.

Mr. Miller stated the evergreens would start out at 6' tall and would grow at 2' per year.

Mr. Miller stated fencing will fail and cause maintenance issues.

Mr. Yeo emphasized what a Class A Screen entails, describing how dense and hearty the trees and shrubs are that will be used.

Decision:

The Commission, on motion by Mr. Wothers, seconded by Mr. Yeo and unanimously carried, approved the plan pursuant to Chapter 155 and the six conditions outlined in the staff report.

CONCEPT SITE PLAN REVIEW

SUBJECT: S-17-0010, Eldersburg Marketplace 6th Amended IHOP Restaurant

LOCATION: East side of Sykesville Road (MD Rt. 32) at Londontown Boulevard, E.D.
5

OWNER: Talles-Robbins Eldersburg Development Company, LLC, c/o Black Oak Associates, 1 West Pennsylvania Avenue, Suite 975, Towson, MD 21204

DEVELOPER: Milton Koerner, Eldersburg Pancakes, Inc., P.O. Box 360, Purcellville, VA 20134

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

ZONING: B-G, General Business

ACREAGE: 35.66 acres (Planned Business Center)

WATERSHED: Liberty Reservoir

FIRE DISTRICT: Sykesville

MASTER PLAN: Restricted Industrial – Boulevard District – 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 required.**

Per Section 155.059 (D) of the Code of Public Local Laws and Ordinances of Carroll County, in regards to final approval of this amended site development plan, the Planning Commission may authorize the Chair to act on its behalf. Staff supports this action and requests direction regarding the final approval authority.

📖 **§ 155.059 SITE PLAN REQUIREMENTS.**

(D) **Delegation.** The Planning Commission may authorize the Chair or Secretary to act on its behalf for purposes of this section. When so authorized, the person so acting has all of the powers and duties of the Planning Commission which may be imposed or granted by this section. The Chair or Secretary of the Planning Commission or the applicant may request that the site plan be reviewed by the Planning Commission.

❖ **Existing Conditions:**

The subject property is Lot 9A of Eldersburg Marketplace, also known as Bevard Square Business Park, (plat attached). It is extensively developed, accommodating a Planned Business Center (PBC). There are multiple site development plans for individual portions of the property that have been developed and re-developed over time. The 4th Amended Site Plan for the property, for a Susquehanna Bank, was approved in 2003 (see attached). The bank is no longer in operation. This particular location and building are the focus of the current amended site plan.

In 2010, Rezoning Case 214 saw the zoning for the property changed from I-R, Restricted Industrial, to B-G, General Business. Prior to the zoning change, the property received a conditional use in Case 4292 in 1998 to allow a Planned Business Center in the I-R Zone. Planned Business Centers are a principal permitted use in the B-G Zoning District.

Access to the Planned Business Center exists from Londontown Boulevard, a County road, as well as from Sykesville Road, a State Route. The Susquehanna Bank building sits along Sykesville Road just north of the right-in access from MD Route 32. At this intersection sits a sign for the entire business center. The entrance to the bank site hosts a monument sign previously designed and approved for the Susquehanna Bank.

Businesses within the Planned Business Center include a Martin's food market and fuel station, Kohl's department store, The Home Depot, Chili's restaurant, and KFC fast-food restaurant. Properties across Sykesville Road are zoned B-NR, Neighborhood Retail Business, and developed with a funeral home, Chick-fil-A, and CVS Pharmacy.

The subject property is in the Freedom Designated Growth Area and Priority Funding Area and is served by public water and sewer systems.

❖ **Plan Review:**

The concept site plan was subject to citizen involvement at the April 24, 2017 meeting of the Technical Review Committee. No citizens were in attendance regarding the project.

The developer proposes a conversion of the bank building into an IHOP restaurant with a 1,550 square foot addition at the previous drive-thru location. Additionally, the plan proposes one new dumpster with associated pad and screening. Reconfiguration of the parking area to the north of the building is integral to the plan. With the reconfiguration, a landscaped island serves as an environmental site design (ESD) element for stormwater management purposes.

Parking spaces being reconfigured total 23 stalls. There is no loss in total number of spaces. Overall parking requirements for the Planned Business Center equals 1,630 spaces and 1,690 spaces are provided.

Engineering Review requested trip generation rates be provided for a bank and a sit-down, high-turnover restaurant. The information provided was reviewed resulting in a determination that the minimal increase in morning traffic only does not warrant a traffic impact study per the Carroll County Design Manual for Roads and Storm Drains.

Existing public water and sewer facilities are proposed to be extended and upgraded to serve a restaurant. The building will be equipped with automatic sprinklers to comply with Fire Protection. A new fire hydrant is proposed at the parking island.

The building elevations are included on sheet 9 of the concept site plan set. Materials are indicated as matching existing brick and a standing seam metal roof with the brick being salvaged from the demolition for reuse. The engineer indicated at the TRC meeting that the existing monument sign would be reused. No new lighting is proposed.

On April 21, 2017, the Design and Architectural Review Committee (DARC), an advisory group, met to review the project. Comments and suggestions include:

1. Add wheel stops at the new parking spaces at the grass channel.

An exemption has been granted from Floodplain review. Forest Conservation was addressed under the previously approved plan for Eldersburg Marketplace.

The Bureau of Resource Management has granted concept Stormwater Management (SWM) approval. There is an existing infiltration trench on site. Stormwater Management will be addressed with the addition of a grass channel at the parking lot island.

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.

Staff supports the Commission granting final approval authority to the Chair.

Laura Matyas presented the report to the Commission.

Pete Podolak, Engineer and Ray Keil, Black Oak Associates were in attendance.

Discussion:

Mr. Podolak explained the site was a little difficult to work with because it is a retro fit of a bank. He explained the layout of the parking lot and the addition of the sidewalk from the back of the building to the front door.

Decision:

The Commission, on motion by Mr. Yeo, seconded by Mr. Canale and carried, voted to authorize the Chair to grant approval of the Final Site Plan.

CONCEPT SITE PLAN REVIEW

Mr. Hoff recused himself from this presentation and discussion and left the meeting at this time and did not return.

SUBJECT: S-17-0015 Third Amended Lehigh New Windsor Quarry
LOCATION: East side of Old New Windsor Road, 1000 feet north of Greenwood Church Road, 11th ED
OWNER: Lehigh Cement, LLC, 675 Quaker Hill Road, Union Bridge, MD 21791
DEVELOPER: Same as Owner
ENGINEER: C.L.S.I., 439 East Main Street, Westminster, MD 21157
ZONING: Agricultural/Mineral Resource Overlay
ACREAGE: 77 acres
WATERSHED: Double Pipe Creek
FIRE DISTRICT: New Windsor
MASTER PLAN: Extractive
PRIORITY
FUNDING AREA: Outside
DESIGNATED
GROWTH AREA: Outside

❖ **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 required.

Per Section 155.059 (D) of the Code of Public Local Laws and Ordinances of Carroll County, in regards to final approval of this amended site development plan, the Planning Commission may authorize the Chair to act on its behalf. Staff supports this action and requests direction regarding the final approval authority.

§ 155.059 SITE PLAN REQUIREMENTS.

(D) **Delegation.** The Planning Commission may authorize the Chair or Secretary to act on its behalf for purposes of this section. When so authorized, the person so acting has all of the powers and duties of the Planning Commission which may be imposed or granted by this section. The Chair or Secretary of the Planning Commission or the applicant may request that the site plan be reviewed by the Planning Commission.

❖ **Existing Conditions:**

The existing Lehigh quarry is located between Maryland Route 31 and Old New Windsor Road. The property is zoned Agricultural and is designated a Mineral Resource Overlay (MRO). The properties located on the west side of New Windsor Road are zoned Agricultural and are served by private well and septic.

❖ **Project History:**

A site plan for the expansion of the existing Lehigh quarry was approved on May 20, 2014 (minutes attached) by the Carroll County Planning and Zoning Commission with all required legal documents recorded in the Land Records of Carroll County. The Second Amended site plan S-15-0004, to add an office/maintenance building, parking areas, site lighting, transfer station, and a crusher, was approved on January 22, 2016 by the Planning Commission Chair with all required legal documents recorded in the Land Records of Carroll County.

❖ **Site Plan Review:**

The purpose of this third amended site plan is to add a 1,426 square foot fuel island, located 350 feet northeast of the office/maintenance building. The fuel island will include a 12,000 gallon above ground double wall fuel tank, with a containment area sized to hold 3,400 gallons, dual low/high capacity fuel dispensers, a 2,000 gallon above ground gasoline tank and a 1,000 gallon above ground diesel exhaust fuel tank. Also, as a part of the amended site plan, 8,100 linear feet of private two inch sewer forcemain, with connection to the existing Town of New Windsor pump station, will be installed. The Owner and Engineer received Review Agency comments at the May 22 Technical Review Committee meeting.

Plans were sent to the Town of New Windsor; however, as of this report staff has not received comments. On January 18, 2017, the Maryland Department of the Environment (MDE) approved the Spring Cycle Amendment to the Water and Sewer Master Plan. This amendment included a 0.41 acre area added to the sewer service area (to serve the Lehigh maintenance building) and a future private sewer line to serve the maintenance building.

The Bureau of Development Review commented that more details of the fuel island will need to be shown on the final plan. Engineering Review commented that the plan proposes no construction to any County Roads, and with the trip generation table provided on the plan, the proposed development does not increase the amount of traffic; therefore, a traffic study is

not needed. Approval of the site plan is recommended as it relates to the Roads and Storm Drain Manual, provided no changes to the plan to necessitate further review.

Lighting for the area to encompass the fuel island was previously approved with the Second Amended Site Plan, S-15-0004, lighting that was shown for the area will consist of two pole mounted lights at a height of 30 feet.

The project is exempt from Forest Conservation. Landscaping was previously approved with the expansion of the quarry and is not required with this project. Grading and Sediment Control need a letter from the MDE mining program that they will oversee this project for Sediment Control.

The site is located within both the carbonate rock and wellhead protection areas; therefore, the plan needs to adhere to the requirements of Chapter 154, Water Resource Management. Storage tanks require secondary containment and/or 150% containment, secondly, should the tanks be located underground, in accordance with the Water Resources Management Manual §IV.A.9, underground tanks must have leak protection, secondary containment, and must be at least four feet above the seasonal high groundwater level. Although development is proposed within the FEMA floodplain, there is no impact; therefore, Floodplain Management granted approval.

Stormwater management for the disturbance outside the area controlled by the Bureau of Mines permit will be provided by backfilling and stabilization with vegetation (non-rooftop disconnection). The fueling station within the area controlled by the mining permit is exempt from stormwater management in accordance with the Carroll County Code of Public Laws Chapter 151 section 151.016 (D). Stormwater Management has granted final approval of the plan.

The Bureau of Comprehensive Planning reviewed the proposal for consistency with the policies and recommendations contained in the Carroll County Master Plan, the Carroll County Master Plan for Water and Sewer, and other functional plans, as applicable. The proposed plan is consistent with all applicable plan policies and recommendations and requires no further modifications at this time for approval from Comprehensive Planning.

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. The property is not subject to the provisions of Concurrency Management, Chapter 156 of the Code of Public Local Laws and Ordinances of Carroll County.

Several citizens attended the Technical Review Committee (TRC) meeting to receive additional information in regards to the project, with one citizen speaking. Staff has received other inquiries via phone and e-mail since the TRC meeting; the inquiries pertained to the hours of operation of the quarry.

❖ **Action Requested:**
No action is required.

Price Wagoner presented the report to the Commission.

Linda Alexander, CLSI and Greg Johnston, Lehigh New Windsor Quarry

Discussion:

There were no comments or questions from the Commission.

There were no public comments.

Decision:

The Commission, on motion by Mr. Yeo, seconded by Mr. Wothers and carried voted to authorize the Chair to grant final approval.

PROPOSED ZONING TEXT AMENDMENT, AGRICULTURAL DISTRICT – SAWMILLS

Secretary Hager reviewed the proposed zoning text amendment. This document added a definition of a “Commercial Sawmill” and proposes to add noncommercial small scale sawmills as an accessory use.

The Commission asked for clarification of the wording in the Commercial Sawmill definition pertaining to where the timber can come from.

Mr. Yeo asked if this would allow the original applicant to proceed with what they wanted to do.

Secretary Hager said it addresses the original applicant’s request.

Mr. Yeo asked why it has to be on at least 5 acres.

Mr. Voight, Zoning Administrator, stated the 5 acre minimum is generally used when a property is considered a farm.

The Commission, on motion by Mr. Wothers, seconded by Mr. Yeo and carried voted to forward the proposed text amendment to the Board of County Commissioners with a positive recommendation.

PUBLIC COMMENT

ADJOURNMENT

The Commission, on motion of Mr. Canale, seconded by Mr. Yeo and carried, the Commission adjourned at 2:32 p.m.

Secretary

Approved