

Minutes

Walkersville Planning Commission Meeting

June 22, 2021

Commission Vice Chairman Mike Kuster called the meeting to order at 7:30 p.m. with members Dick Brady, Ray Santullo, Tom Gilbert, and Russ Winch present. Also present was Town Planner Susan Hauver. Chairman David Ennis and Member Michelle Doster were absent. The meeting was also live-streamed on the Town's Facebook page.

1. Minutes

Member Brady made a motion, seconded by Member Gilbert, to approve the minutes of the May 25, 2021 meeting. The motion passed on a vote of 4-0-1 (Winch abstained).

Member Gilbert made a motion, seconded by Member Winch, to approve the minutes of the June 8, 2021 workshop. The motion passed on a vote of 5-0.

2. Agricultural Preservation application – referral from Frederick County – Toms Retreat Farm

Planner Hauver presented two Agricultural Preservation applications referred to the Town for review and comment from Frederick County.

Member Winch made a motion that the Planning Commission recommend that both applications be approved. The motion died for lack of a second.

Commission members discussed the Toms Retreat application, for a farm located on the southwest side of Fountain Rock Road, adjoining the town limits on the north and west sides. The adjoining property to the southeast is under an Agricultural Preservation easement. It is designated Priority Preservation on the Frederick County Comprehensive Plan.

Member Brady pointed out that the Toms Retreat farm adjoins the Monocacy River and the Frederick City boundary. The City could extend their boundary across the river and annex this property. He also noted that the adjoining Century Center property has seen little activity since it was annexed into the Town in 2010. Approving an agricultural preservation easement on this property will not have an adverse effect on the Century Center property, and will benefit the Town by providing separation between the Town and Frederick City.

Member Winch, made a motion, seconded by Member Gilbert, to recommend that the Burgess and Commissioners forward a recommendation of approval of the Toms Retreat agricultural preservation easement application to Frederick County. The motion passed on a motion of 5-0.

3. Agricultural Preservation application – referral from Frederick County – Auburn Farms

Commission members discussed the Auburn Farms application, for a farm located on the north and south sides of Stauffer Road. The northern part of the property is within Town limits and is designated Agricultural / Rural on the Town Comprehensive Plan. The southern part of the property, currently outside Town limits, is designated Agricultural Buffer. Planner Hauver noted that a preservation easement could impede the expansion of the Town as well as any new road connections that might go through the property.

Member Kuster said he was concerned about creating an island of agriculture, if the Town grows around this property. At the same time, he fully supports the application.

Member Brady said that he does not want to see Discovery expanded. He feels that the Walker Farm should be planned for a use that would further benefit the Town.

Mr. Andrew Toms, 211 Stauffer Court, said that he sits on the Frederick County Land Preservation Board and that they would likely approve the extension of a road through a preservation easement if needed.

Member Winch, made a motion, seconded by Member Santullo, to recommend that the Burgess and Commissioners forward a recommendation of approval of the Auburn Farms agricultural preservation easement application to Frederick County. The motion passed on a motion of 5-0.

4. Rock Creek School Screening

Mr. Don Smith, 20 Georgetown Road, said that he has an issue with the landscape screen between the Rock Creek School and Glade Village. From #16 Georgetown Road and north, the trees are planted 25 feet apart, so there are wide gaps between the trees. He would like to see the screen thickened up. Commission members agreed that the trees are sparse and that it will take years for the trees to become more of a screen.

Planner Hauver said that she would address the issue with FCPS staff, and see if they would be willing to install additional screening in that area.

5. Proposed Ordinance—Vacant buildings (introduction)

Planner Hauver presented a proposed vacant properties ordinance proposed by Commissioner Michael Bailey. The ordinance would require owners of vacant buildings to register their property with the Town, and those properties would be subject to maintenance standards and inspections by the Town.

Member Winch noted that he had worked on this issue with the Maryland Municipal League, and at the time, legislation was needed to empower local governments. The Town would have to hire inspectors to conduct the inspections.

Mr. Brady suggested a system using carrots instead of sticks. He has never seen a system that charges fines to owners of vacant properties work. Owners need an incentive to get a building occupied. He gave the example of the historic tax credit program, which allows taxes to be abated to offset renovation costs. The Town would lose a negligible amount of money for abating taxes. He is not in favor of the proposed ordinance.

Member Gilbert said that he thought the ordinance was intended to focus on blighted properties, not just vacant properties.

Member Winch also mentioned the City of Hagerstown's program involving the City purchasing blighted buildings.

6. Comprehensive Plan discussion: Old Town area zoning

Planner Hauver presented information about home occupations, as the Code needs to be updated and it influences the use of properties in the Old Town area especially. She presented the Home Occupation zoning requirements from Frederick City's Land Development code.

With regard to the Old Town area, Member Brady suggested an overlay district that would apply to the entire Old Town area. Single family homes would be allowed by right, and then other change of uses would require some kind of approval, whether it be staff-level, Planning Commission level or from the Board of Appeals. He suggested that applying an overlay zone would be more manageable than assigning OTR or OTC to properties, as proposed as previous meetings. Commission members concurred with his thinking. Planner Hauver said she would develop the idea and present it to the Commission at a later date.

7. Announcements

There being no other business, the meeting was adjourned.

Respectfully submitted,

Susan J. Hauver