

Minutes
Walkersville Planning Commission Meeting

September 26, 2023

Commission Chairman David Ennis called the meeting to order at 7:00 p.m. with members Mike Kuster, Gary Baker, Dick Brady, Jeremy Peterson, and Russ Winch present. Also present were Town Planner Susan Hauver, Town Manager Sean Williams, Town Attorney Leslie Powell, and Communications Specialist Ashley Bailey. Member Nathan Shatto was absent. The meeting was also live-streamed on the Town's website.

1. Minutes

Member Brady made a motion, seconded by Member Kuster, to approve the minutes of the August 8, 2023 meeting. The minutes were approved on a vote of 5-0-1 (Winch abstained).

Member Winch made a motion, seconded by Member Brady, to approve the minutes of the August 8, 2023 meeting. The minutes were approved on a vote of 6-0.

2. Draft Comprehensive Plan Public hearing

Planner Hauver presented the attached staff report and reviewed written comments received to date from the following public agencies, property owners and their representatives, and citizens.

- Frederick County Livable Frederick office
- Maryland Department of Planning
- Maryland Department of Natural Resources
- Maryland Department of Housing and Community Development
- Maryland Department of the Environment
- Maryland Department of Transportation
- Karen Leonard
- Tracie Clabaugh, Clabaugh Law Firm, representing Glade Valley/Delaplaine LLC
- Noel Manalo, Offit Kurman, representing Food Pro
- Bruce Dean, McCurdy, Dean & Graditor, LLC, representing Square Acres LLC (Stone property)
- Mark Pecor
- Don Schildt
- Andrew Conlin
- Ken Waters

(All written and spoken public comments are summarized in the attached document, *Public Comments, Draft Comprehensive Plan, September 2023*)

Mr. Jeremy Holder, Ausherman Properties, and Mr. Bruce Dean spoke on behalf of Square Acres LLC (Stone) and the request for the property to be designated Low Density Residential on the Plan map.

Ms. Tiffany Staley, 9522 Eyler Ct, spoke in opposition to residential designation on the Staley property.

Ms. Linda Grossnickle, 8926 Devilbiss Bridge Rd, spoke in opposition to residential designation on the Staley property.

Town Commissioner Mike McNiesh, 253 Deer Run Dr, spoke in opposition to the residential development potential of the Plan map.

Ms. Emily Hampton Haines, 48 Hampton Pl, spoke in favor of the development of parks and open space and tree planting.

Dr. Richard Gough, 19 W. Frederick St, requested that the Town adopt a new zoning map in a timely manner, and consider his request for his property to be rezoned to a category that would allow mixed use.

Town Commissioner Mary Ann Brodie-Ennis, 118 Challedon Dr, spoke in favor of parks and open space, and in favor of the residential development potential of the Plan map.

Member Winch made a motion, seconded by Member Brady, to close the public hearing. The motion passed on a vote of 6-0.

Commission members discussed the residential designation on the lots on Eyler Court. Planner Hauver explained that they met the criteria for a residential designation, but that it would do no harm to keep them designated Agricultural. The zoning of the lots would not change either way. Commission members said they would be following up on those properties.

Member Brady thanked members of the public for attending and participating in the hearing. He noted that they were the first step in the process and that they were not the final authority on the adoption of the Plan. He encouraged continued participation in the process.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Susan J. Hauver

Public Comments, Draft Comprehensive Plan, September 2023

Number	Source of Comment	Form	Comment
1	MDP--Maryland Dept of Planning	written	Incorporate the State visions into the plan by referencing them in the corresponding discussions related to the elements. Visions are described in Ch. 1 but not incorporated in Town visions, goals and objectives.
2	MDP--Maryland Dept of Planning	written	Adjust the WRE to include strategies focused on improving local understanding of current or expected water-related climate change impacts at the local level; add strategies to address climate change impacts to each chapter
3	DNR-- Department of Natural Resources	written	DNR strongly supports efforts to target riparian tree plantings along the Monocacy River, Glade Creek and Israel Creek
4	DNR-- Department of Natural Resources	written	DNR supports efforts to incorporate green building techniques that minimize impervious surface runoff
5	MDP--Maryland Dept of Planning	written	Draft Plan should include a discussion of affordable housing--use free and reduced-price meals data to measure housing burdened households
6	MDP--Maryland Dept of Planning	written	There is not a true needs analysis for housing in the Draft Plan--including Statewide priorities of providing homes for low-income households; and constructing affordable and market-rate housing to increase the supply of housing; housing for seniors, persons with disabilities, and persons experiencing homelessness
7	MDP--Maryland Dept of Planning	written	The Town should consider how land areas within the town, as infill development, or within the Municipal Growth Element (or area of influence) as potential annexation areas, might support either market rate or affordable housing development
8	MDP--Maryland Dept of Planning	written	The Plan does not address the issue of HB-90 (2021) Affirmatively Furthering Fair Housing (AFFH).
9	MDP--Maryland Dept of Planning	written	Compare census tract data to identify properties for new development or urban renewal that may include public funding to be used toward endorsing the concepts of AFFH
10	MDP--Maryland Dept of Planning	written	Identify impediments to fair housing such as density restrictions that do not make it feasible to build multi-family housing with the current cost of construction.
11	DHCD--Dept of Housing & Comm Dev	written	DHCD can assist with home repairs through Special Loan Programs
12	DHCD--Dept of Housing & Comm Dev	written	Plan does not assess homeless population or identify goals or actions re. services for people experiencing homelessness
13	DHCD--Dept of Housing & Comm Dev	written	Plan does not identify community's needs with respect to income and poverty--town might be eligible for grant funds to provide services for low income individuals and families
14	DHCD--Dept of Housing & Comm Dev	written	State programs address affordable housing (like Victoria Park)--Town would qualify for low income tax credits
15	DHCD--Dept of Housing & Comm Dev	written	DHCD has programs that support energy efficiency
16	DHCD--Dept of Housing & Comm Dev	written	Need to include an assessment of Fair Housing
17	MDP--Maryland Dept of Planning	written	MDP recommends clarifying the existing municipal boundary and include the "Area of Planning Influence" in the map legend as the municipal growth element
18	MDP--Maryland Dept of Planning	written	Land use plan designations listed on p. 44 do not match up with the categories on the map.
19	MDP--Maryland Dept of Planning	written	The population projections at plan buildout appear unrealistically low--consider using growth rate from 2010-2020
20	MDP--Maryland Dept of Planning	written	The assumed vacancy rate may not be appropriate giving proportion of owner occupied housing and American Community Survey report of 0% vacancy rate for 2017-2021
21	MDP--Maryland Dept of Planning	written	Municipal growth element should identify properties appropriate for future annexation, for growth, protective greenbelt, buffer.
22	MDP--Maryland Dept of Planning	written	MDP recommends that the town strategize what types of housing will likely serve the needs of the community (market rate, workforce housing, or low income housing) and identify lands appropriate for future annexation as residential development
23	MDP--Maryland Dept of Planning	written	Clarify that the municipal element land area correlates with the "area of influence" or redraw the mapping to clarify the actual area of the municipal growth area
24	MDP--Maryland Dept of Planning	written	Recalculate the population projections to reflect the 2010-2020 growth rate and the zero-vacancy rate

25	MDP--Maryland Dept of Planning	written	Identify properties appropriate for future annexation into the municipality
26	Frederick County	written	Living Frederick office could grant the town more options within its code to facilitate the proactive preservation of existing structures in Old Town that reflect the town's rich rural and agricultural history. Noted the desire of the town to update the 1990 Joint Annexation Limits study and recognize the need for the Town and County to work together to preserve Walkersville's identity and vision. Willing to work together to establish a workable framework for growth within, and adjacent to, the town's designated Community Growth Area.
27	MDP--Maryland Dept of Planning	written	Include tables in the Water Resources Element that show the current and projected demand compared to the system capacity for both public water and public sewer, and include an explanation of projected capacity shortfalls, and how the Town plans to address them
28	MDP--Maryland Dept of Planning	written	Include the Frederick County WWTP allocation for Walkersville, and explain how the town is planning to ensure sufficient capacity allocation to accommodate projected future growth
29	MDP--Maryland Dept of Planning	written	Consider implementing a Pollution Risk Assessment; load reduction tracking; strategies for ensuring a higher-than-minimum-requirements-level of water quality restoration and protection; and identification of recurrent flooding areas and evaluation of whether climate change and planned development will worsen those conditions, along with changes to the land use plan where warranted.
30	MDP--Maryland Dept of Planning	written	Adjust the WRE to include strategies focused on improving local understanding of current or expected water-related climate change impacts at the local level; add strategies to address climate change impacts to each chapter
31	MDP--Maryland Dept of Planning	written	The WRE should indicate the extent of current local knowledge concerning flood-prone areas and should discuss whether implementation of the land use plan will increase, decrease, or have no effect on those flood-prone areas.
32	DNR-- Department of Natural Resources	written	MS4 projects--SWM ponds that incorporate infiltration over direct storage are strongly preferred
33	MDE-Maryland Department of the Environment	written	1. Any above or underground petroleum storage tanks would be subject to State registration and regulations. 2. If demolition, tanks need to be emptied and removed. 3. Solid waste from construction or demolition must be properly disposed. 4. Facilities with hazardous wastes subject to the requirements of the Solid Waste Program. 5. Lead paint abatement must comply with State requirements. 6. MDE's Brownfields Site Assessment and Voluntary Cleanup Programs could assist with redevelopment projects. 7. Borrow areas used to provide clean earth back fill material may require a surface mine permit.
34	MDE-Maryland Department of the Environment	written	Need to confirm the treatment capacity of the Water Treatment Plant. The info in the Plan is not consistent with the info in the County Water and Sewer Plan.
35	MDE-Maryland Department of the Environment	written	there is updated guidance for the Water Resources Element, particularly with regard to protecting receiving waters, integrating climate change and equity considerations, and ensuring community resilience and sustainability
36	MDP--Maryland Dept of Planning	written	The Frederick County Bikeways & Trails Plan proposes on-street bikeways on MD 194. The town should coordinate with the County and the State Highway Administration to prioritize future non-motorized improvements to this facility
37	MDP--Maryland Dept of Planning	written	The Draft Plan identifies new roadway connections, however, there is limited discussion on why these facilities are needed, when they will be implemented and how they will be financed. The Draft Plan should expand the discussion to include why the roadways are needed and expected funding sources
38	MDP--Maryland Dept of Planning	written	The Draft Plan includes and assessment of pedestrian facilities. The State provides various funding and technical support programs to support local efforts to improve pedestrian and bicycle facilities.
39	MDP--Maryland Dept of Planning	written	The Federal Highway Administration's report on "Small Town and Rural Multimodal Networks" provides best practice examples to enhance pedestrian and bicycle networks in rural communities and small towns
40	MDP--Maryland Dept of Planning	written	There are multiple incentive programs to support alternative transportation, e.g. transit, ridesharing, and telework/flexible work for commuters in Md. The Draft Plan should include the information on commuter choice programs.

41	MDP--Maryland Dept of Planning	written	Plug-in electric vehicles (EV) are gaining popularity--the town make want to consider supportive policies and regulations to help build out EV infrastructure.
42	MDP--Maryland Dept of Planning	written	Consider the environmental impacts of the proposed stream crossings if the Staley property were to be developed. Is there an alternative to avoid the impacts to the sensitive area?
43	DHCD--Dept of Housing & Comm Dev	written	DHCD Community Safety Works program is potential resource to support pedestrian safety programs
44	MDOT--Dept of Transportation	written	MDOT supports trail connectivity and encourages partnering to achieve its vision for a regional network
45	MDOT--Dept of Transportation	written	Consider focusing more on the connecting roads in Town rather than State roads (p. 71)
46	MDOT--Dept of Transportation	written	Consider listing the functional classification of the roadways to better reflect funding possibilities and roadway character (p.71)
47	MDOT--Dept of Transportation	written	Consider adding the following sentence: "A grid pattern provides easy flow and accessibility as a balance for vehicles, pedestrians, and bicyclists." (3rd para, p. 71)
48	MDOT--Dept of Transportation	written	Traffic Volumes and Congestion--comparable roads mentioned do not have similar volumes--remove para. or list comparable traffic volumes for all roads to better illustrate need for 194 widening (p.71)
49	MDOT--Dept of Transportation	written	Consider adding a timetable for the completion of the design or construction (p.74)
50	MDOT--Dept of Transportation	written	Consider adding the following sentence: While a 4 lane divided highway may encourage speeding, plans will include a narrowing of lanes, accommodations for public transportation, pedestrian sidewalks and crosswalks, signalization, and protected bike lanes along this stretch of roadway." (p.74)
51	MDOT--Dept of Transportation	written	Note SHA's Highway Needs Inventory(HNI) includes a project for a divided highway reconstruction along MD 194 from north of MD 26 to Devilbiss Bridge Rd. The HNI is a long-term, financially unconstrained technical reference and planning document that identifies highway improvements to serve existing and project population and economic activity in the State (p.74)
52	MDOT--Dept of Transportation	written	If new road projects are recommended, include them on the Highway Plan recommendations map and increase the road labels font size to be legible (p. 76)
53	MDOT--Dept of Transportation	written	Major Arterials--consider adding a phrase explaining how accommodations will be made for pedestrians and bicyclists on roads identified as Major Arterials. Consider relocating the functional classification earlier in the change to better describe the state and Town roadways (p.77)
54	MDOT--Dept of Transportation	written	Consider titling maps on p. 78 as "Roadway Recommendations" and add additional roadway and trail labels to better orient the new road's location
55	MDOT--Dept of Transportation	written	As an entity overseeing public rights-of-way, the Town is required to conduct a Transition Plan to be in compliance with the American with Disabilities Act. Use study by Wilson T. Ballard to formalize ADA Transition Plan
56	MDOT--Dept of Transportation	written	Pedestrian and cycling routes map mentioned in text is not included
57	MDOT--Dept of Transportation	written	Consider renaming "Rail to Trail" to "Rail with Trail" (more accurate)
58	MDP--Maryland Dept of Planning	written	Work with the County to resolve school overcrowding
59	MDP--Maryland Dept of Planning	written	Park and recreation proposed acquisitions are not consistent with those for Walkersville in the County Land Preservation, Parks and Recreation Plan.
60	MDP--Maryland Dept of Planning	written	Revise the parkland needs standard from acres per people to proximity analysis in County LPPRP. Refer to proximity analysis when discussing park land acquisition
61	MDP--Maryland Dept of Planning	written	Development regulations element: Does the Draft Plan provide for flexible form-based development regulations and promote innovative and cost saving site design that protects the environment?
62	MDP--Maryland Dept of Planning	written	Development regulations element: Are innovative economic development techniques referenced in the Draft?
63	MDP--Maryland Dept of Planning	written	Development regulations element: Are streamlined development application processes included in the strategies to incentivize reinvestment in the planning area?
64	DHCD--Dept of Housing & Comm Dev	written	DHCD offers support for small businesses
65	DHCD--Dept of Housing & Comm Dev	written	DHCD Project Restore can be leveraged to attract and and retain businesses that occupy vacant properties

66	MDE-Maryland Department of the Environment	written	Emissions from mobile sources are one of the primary contributors to both climate change and local air pollution--electric vehicles can reduce the impacts of emissions. There are funding initiatives becoming available, especially for electric vehicle charging or refueling infrastructure.
67	MDP--Maryland Dept of Planning	written	The Draft Plan should include an analysis of the areas of critical concern, and MDP encourages Walkersville to review the list of designated areas, plans, studies and programs in the State Development Plan. A Better Maryland.
68	MDP--Maryland Dept of Planning	written	Include growth tiers map--adopt own map or ask County to update theirs if needed.
69	MDP--Maryland Dept of Planning	written	Include a Mineral Resources element if data is available--identify land that remains undeveloped to provide a continuous supply of mineral, including clay, diatomaceous earth, gravel, marl, metallic ores, sand, shell, soil and stone. Identify post excavation land uses and incorporate strategies and balance resource extraction with other land uses and prevent, as much as possible, preempting mineral extraction in the jurisdiction
70	Karen Leonard	written	In full support of the Plan, opposes annexation of Food Pro property
71	Tracie Clabaugh, Clabaugh Law Firm (Glade Valley/Delaplane LLC)	written	Requests their property remain in the Town's growth area.
72	Tracie Clabaugh, Clabaugh Law Firm (Glade Valley/Delaplane LLC)	written	Request the plan include a proposed zoning text amendment for a AG-MXD Use zoning district, which would include Agricultural Preserve, Residential and Mixed Use components and flexibility for the development of this property as approved by the town. Intent to preserve ag land, while incorporating non-residential and residential uses, which may be appropriate in strategic locations on the property. Noted that goals set forth in the plan about providing opportunities for future development that fits within the vision of the Plan
73	Noel Manalo, Offit Kurman (Food Pro)	written	Reiterate request to include Food Pro in ultimate annexation limits and designate the property Limited Industrial. Will facilitate highest and best use of the property. Will bring economic development. Consistent with plan for industrial corridor along Retreat Rd
74	Bruce Dean, McCurdy, Dean & Graditor, LLC; Jeremy Holder, Ausherman Properties (Square Acres, LLC--Stone)	written/ spoken	Reiterating request to designate property Low Density Residential. Not asking to change the Plan's slow growth scenario. Timing and pace of growth would be determined by the Town at a later date. 1. Property has long been planned for development--when annexed designated residential; 2. Kellerton neighborhood is an example of mix of housing types but with rural-municipal design elements; 3. they would work with the Town to update the town's zoning ordinance to contain a new, Gateway Residential development technique; 4. Town could control when the property is rezoned; 5. Passing APFO schools test is years away from occurring; 6. it would be a lengthy regulatory process following the Comp Plan designation, taking 4-6 years. Request is supported by a number of policy statements in the draft Plan. FCPS will continue to utilize school capacity to accommodate growth in Fred. City. They estimate 47% of Walk. Elem. students reside in Frederick City, 22% Walk MS, and Walk HS. No additional development contemplated--boxing self into a corner, sky-rocketing affordability. Not providing for older and younger citizens who want to stay in town. Staley only option for additional growth. If doesn't develop, not providing anything. The have assembled a great team. They will be there, keep coming back to work with the Planning Commission. Ausherman was here for a lot of the developments in the town. Building a community--their projects bring benefit to town.
75	Mark Pecor	written	Plan is a fair balance between no growth and the historic growth of the Town. He agrees with it.
76	Don Schildt	written	Opposed to residential designation of Staley property. 1. Increase cost to town for wastewater, has been doubled for water per household; 2. increase in town maintenance costs; 3. Traffic & schools; 4. major blasting for infrastructure; 5. Environmental impact on Glade branch, snapping turtles and brown trout; 6. major loss of prime farmland. Walkersville has reached its maximum growth

77	Andrew Conlin	written	1. Concerned about Eyer Ct properties now designated Residential from Ag. Have ag zoning and uses on those properties. Could lose ability to have livestock and farm equipment. 2. Concerned about HDR designation around Longley Green. Additional townhouses would add traffic and people. Glade Rd busy with speeding and congestion. Adding children to overcrowded schools. More street light glow. Walk is a nice town, but not convinced town is going in the right direction.
78	Ken Waters	written	Strongly endorses efforts to increase opportunities for both biking and walking. Looking forward to rail trail. Endorses study to increase opportunities to safely walk and bike around town. Endorses slow growth approach, need to make sure resources match needs of residents and businesses. Endorses Ag Buffer designation of Food Pro property. Need better tools to address properties that fall into disrepair and are eyesores.
79	Tiffany Staley	spoken	Opposed to development of Staley farm. In the 1960s and 70s – it was just old town and a few small subdivisions> Their grandparents owned Staley farms. All the property was in a family partnership, which dissolved in 2019. It is the best farmland; Keep it agricultural! Has a gentle slope, where will runoff go? Make adjacent farm more wet? Water already runs into Lanza. Land is prone to sinkholes, there is a rock break in back of property. Blasting will cause problems. Traffic on Devilbiss Bridge Rd—horrendous—dump trucks, cars and bicycles share one lane. Why put development in front of her farm, when want an agricultural buffer? Golf course on Glade Creek—Glade Creek ran dry after they dug wells. Catfish swim up to lay eggs in the creek. If developed, beautiful farm land never coming back.
80	Linda Grossnickle, 8926 Devilbiss Bridge Rd	spoken	Her roots deep in Walkersville. She is opposed to the development of the Staley property. Staley's change to residential won't enhance the town's quality of life or serve the needs of the households. Ag buffer that now exists would be compromised, property is sandwiched between farms in Ag Pres. Storm runoff, gravity flow of water would be greatly impacted. There are limestone formations, underground springs and sinkholes. Basements will flood as water in Glade Creek overflows its banks. It will contribute to flooding in Old Town—George St, William St, Biggs Ford Rd. Horrible traffic on Devilbiss Bridge Rd, hard to get out of driveway, traffic speeds, it is not safe for school buses. Development would affect traffic negatively and have a significant impact on schools.
81	Mike McNish, Town Commissioner	spoken	Voicing opposition to Plan. Walkersville is a farming community – the Land Use section dramatically alters this, that is unacceptable. 340 additional units bad idea. 11% increase in number of houses, 14% population. It will bring more students, and the schools need to be renovated or reconstructed. Families want to come to Walkersville. He estimates that each house would generate traffic from more than 2 cars per unit. He counted 48 vehicles in driveways or on the street in Longley Green. Would lose 100 acres of ag land in our farming community. 10% increase in water customers, cause need to raise rates, and increase demand for staff. New homes won't be adult active, retirement, or affordable, which were preferred by residents in the survey –There is active adult and retirement housing within 5 miles. New homes in the area are not affordable. Direct conflict with Town vision statement. 10% growth is not limiting growth. Building on farmland is not maintaining to ag buffer, not maintaining small town character. From State Planning Commissioners training course: "Planning cannot be successful unless plans represent the values and desires of the public in general." Plan doesn't do this. Planning course discusses -- protecting farmland, reducing dependency on automobiles. APFO is not a substitute for a coherent growth management plan (also from State training course) He grew up in Rockville and the farms between Rockville and Gaithersburg are gone. Citizen participation vital part of the planning process.
82	Emily Hampton Haines, Hampton Pl	spoken	Grew up on Highlander Circle. Likes limiting growth, maintaining farm town, green and natural space important to her. Pedestrian, bike, stroller, wheelchair friendly. Hopes the town plants more trees. Along streams and sidewalks. 194 widening—need sound barriers and trees.
83	Dr. Richard Gough, 19 W. Frederick St.	spoken	Doesn't want to be forgotten. Still wants mixed use or residential. Go back to the way, when residential uses were permitted in the B-O district. Adopt a new zoning map relatively soon.

84	Mary Ann Brodrie-Ennis, Town Commissioner	spoken	<p>Concurs with Emily Hampton about the need for parks and green space. Development shown in the plan is very minimal development. Need some development over 20 years. She served on the County's Executive's Transition team for housing and learned that seniors want to age in place. They will adapt their homes for their needs. This limits opportunities for new families, and raises prices. People want amenities and services, and you need people for that. A town that doesn't grow is a town that dies.</p>
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