

Minutes

Walkersville Planning Commission

August 22, 2017

Commissioner Chairman Dick Brady called the meeting to order at 7:30 p.m. with members Tim Pollak, Mike Kuster, Gary Baker, and Ray Santullo in attendance. Also present were Town Planner Susan Hauver. Members David Ennis and John Zimmerman were absent.

1. Minutes

Member Kuster made a motion, seconded by Member Santullo, to approve the minutes of July 25, 2017 meeting. The motion passed on a vote of 5-0.

2. Site Plan: The Glades townhouse development

Planner Hauver presented the site plan for 20 proposed townhouses on the west side of Glade Road opposite Winter Brook. She noted that the plan meets the schools and water requirements of the Adequate Public Facilities Ordinance.

Mr. Ron Thompson of VanMar Associates, Inc., spoke on behalf of the applicant.

Mr. Brady asked about the driveway locations and noted that it would be more attractive for the driveways on the end units to be shifted to maximize green spaces. Mr. Thompson said that the driveway locations would not be finalized until the water and sewer house connections are located on the improvement plans. The required parking is provided on each lot in the garage and driveway. In response to a question, Mr. Thompson said that each unit would be about 2,200 square feet in size with two levels above the garage.

A member asked if the development would be called Longley Green, like the street name. Mr. Thompson said that would be up to the developer who was not able to attend due to an emergency.

Mr. Santullo asked if the stub street proposed to provide a connection to the parcel zoned LI would be barricaded. Mr. Thompson said that the improvement plans would show a barrier with reflective tape. It was suggested that the stub be long enough to allow the troopers to have visual access behind the townhouses.

Mr. Kuster suggested that there be plantings along Glade Road between the sidewalk and the proposed fence so that the fence doesn't look like a wall.

Member Kuster made a motion, seconded by Member Baker, to approve the site plan subject to the minor comments made by the Commission. The motion passed on a vote of 5-0.

3. Addition Plat: Walkersville Light Industrial Park Remainder Addition to Walkersville Self-Storage LLC and Toms

Planner Hauver presented the addition plat which would add land to the Walkersville Self-Storage property from the remainder of the Walkersville Light Industrial Park plat. A 60 foot wide strip would provide Mr. Toms' farm access to Stauffer Court. Ms. Hauver noted that the Town attorney had advised the staff that the easements shown on the Walkersville Light Industrial Park plat (one providing for the extension of Stauffer Court and the other providing access to Calvary Assembly) needed to be shown on the plat, in accordance with Section 71-35.1 A. (10) of the Town Subdivision Regulations.

Mr. Tony Checchia, representing Mr. Toms, explained that Mr. Toms was awarded funds through the State agricultural preservation program to purchase the development rights of his farm. The development rights easement cannot have other overlapping easements on it. They need the panhandle connection for fee simple road access.

Mr. Checchia presented arguments against the access easements, including: 1) they serve no purpose, 2) Stauffer Court is no longer planned to be extended; 3) the 30' "temporary easement" to serve the church is not an easement; 4) Calvary Assembly never agreed to purchase the remainder; 5) the church and the Grossnickles never developed agreed-upon terms; 6) the Town is interjecting itself in something that's not their business; 7) the easements are interfering with the development of the lot; 8) the easements create a cloud that does not need to exist; and 9)

the easements don't belong on the plat because they never happened. Mr. Checchia emphasized that Mr. Toms is under a time constraint in the MALFP easement process. He noted that when 194 is widened the church will have to work with the State on their access. Mr. Checchia said that they would work with staff to address comments except those regarding the easements.

Mr. Kuster said that he would like to see the church traffic use Stauffer Court but agrees with the applicant.

Chairman Brady said that he supports the concept of the addition plat to allow for the expansion of the self-storage facility and feels that is the best use of that parcel. He noted that the site plan for the expansion of the self-storage will need to address the terminus arrangements for Stauffer Court. He said that Counsel has advised the Planning Commission that it is not up to them to settle the issue of the easements. He asked whether they could come up with an agreement that would hold the Town harmless in the proceedings between the applicant and the church.

Mr. Lennie Thompson, representing Mr. Toms, said that he would advise Mr. Toms against entering an obligation and to relieve the Town of any liability. He said that Mr. Toms' predecessor acquiesced in allowing the easements to be shown on the plat and there is no reason it can't be "un-acquiesced". He said that the Town Code does not require the easements and the current owner is free to ask the Commission to remove them. He said that someone owes the property owners fair compensation for them, that the property owner should not have to allow others to cross his property without compensation. He also said that there was no public interest in the easements. The church will have access to a public road no matter what happens. The State Highway Administration will act in the best interest of public safety.

Member Kuster made a motion, seconded by Member Santullo, to approve the addition plat subject to the easements being shown on the Walkersville Light Industrial Park plat in accordance with Counsel's advisement. The motion passed on a vote of 5-0.

4. Lonza Temporary Trailers

Mr. Patrick Logston presented two permits for temporary structures on the Lonza campus. He noted that one is a 53 foot long clean pod which has a critical purpose in bringing the facility into compliance with Food and Drug Administration requirements. It will provide sterile production space. The second structure would be used for storage. Both will have 12 month leases and the current construction is to be completed in 16 months.

Member Kuster made a motion, seconded by Member Baker, to approve the site plan with the two temporary trailers, for up to 24 months. The motion passed on a vote of 5-0.

5. Announcements

Chairman Brady reviewed the upcoming meeting dates.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Susan J. Hauver