

Minutes
Walkersville Planning Commission
October 24, 2017

Commissioner Chairman Dick Brady called the meeting to order at 7:30 p.m. with members David Ennis, Tim Pollak, Mike Kuster, Gary Baker, John Zimmerman and Ray Santullo in attendance. Also present were Town Planner Susan Hauver, Rutter's representatives, Nancy Lavin of the Frederick News-Post, and about 30 citizens.

1. Minutes

Member Kuster made a motion, seconded by Member Pollak, to approve the revised minutes of August 22, 2017 meeting. The motion passed on a vote of 5-0-2 (Ennis, Zimmerman).

Member Santullo made a motion, seconded by Member Ennis, to approve the minutes of September 26, 2017 meeting. The motion passed on a vote of 7-0.

2. Site Plan/Site Improvement Plans: Rutter's store and gas station

Commission members reviewed their motion from the September meeting listing the additional information they requested from the applicant. Planner Hauver summarized the information that the applicant submitted, including revised plans and traffic study.

Mr. David Martineau Mr. David Koratich of LSC Design and Mr. Gary Thorton of Transportation Research Group spoke on behalf of the applicant. They noted the following:

- They removed the pylon sign on Sandstone Drive.
- The pylon sign on Woodsboro Pike will be 22 feet above grade and 25 feet above the road grade, as permitted by the Zoning Ordinance.
- They removed the construction entrance on Sandstone Drive.
- They are rescinding the waiver regarding the slope of the storm drain. They were able to design the stormwater system to meet the slope and velocity standards of the Design Manual.
- With regard to landscaping, they removed the Eastern pines, and replaced them with 32 giant arborvitae and 6 pin oaks, to provide variety and a mix of evergreens and deciduous trees.
- They are proposing to replace the 6 foot privacy fence with a vinyl fence with a lattice top.
- They presented a graphic showing the results of their geotech study in the area of the underground tanks. They will not need to blast, as they have the depth to install the pumps, tanks and building above rock. They did not encounter rock at any of the depths needed for construction.
- They responded to the comments by the County traffic engineer. They have requested crash data from the State and will include it in the traffic study when they receive it.

Member Ennis asked about the design for the curb and gutter at the entrance. He said there were no details for the driveway entrance on Sandstone Drive. He also asked whether the County Fire Marshal's office had determined whether the building needs have sprinklers. If so, the water line to service the building is not large enough.

Mr. Koratich reviewed the status of the plans with review agencies, including State Highway Administration, Soil Conservation Service, and Frederick County.

Member Santullo asked about the two methodologies used to evaluate the level of service at the intersection of Sandstone Drive and MD 194. Under one method, the

intersection would function at level of service “A” during the evening peak hour, and using the other method, it would function at “F”. Mr. Dan Thorton of TRG noted that the difference is that one methodology accounts for the delay for vehicles turning left out of Sandstone Drive in that period. He said Rutter’s would not be adding left turn traffic, plus will be providing access through the site to a traffic signal. Mr. Kuster questioned the assumption that the Rutter’s would not generate any left turn traffic onto MD 194.

Member Kuster asked about cars turning out of the store parking lot and whether they would be directed to loop around the building if they want to turn left toward the traffic signal on MD 194. Mr. Koratich confirmed that left turns would not be allowed at the entrance at the front of the store.

Member Santullo asked about the traffic light at MD 194 and the store entrance and wondered if the light would cause delays for vehicles in the private road crossing the site. Mr. Thorton said that the traffic study indicated that the intersection would function at level of service “B”, which is acceptable.

Mr. Kuster noted that one of the resident State Troopers had indicated that the troopers could write tickets to drivers who use the private road as a cut-through to avoid the traffic control device at MD 194 and Sandstone Drive. The Maryland traffic laws prohibit driving in such a way as to avoid a traffic control device. Mr. Brady noted that the decision to use the private road would be up to the driver and that the distance between the Sandstone Drive entrance and MD 194 is 400 feet. The decision to enter the Rutter’s property would be made before being impacted by approaching the stop sign. Mr. Kuster felt that drivers were impacted by the very existence of the stop sign.

Mr. Brady asked for clarification of the landscaping plan, confirming with Mr. Koratich that the existing board-on-board fence behind the proposed store will remain. He noted the lack of landscaping on the north end of the property. Mr. Brady also asked for clarification of the existing and proposed utility easements.

Mr. Brady noted that the 2016 State Highway traffic counts on MD 194 indicated 23,820 vehicles travel on the road per day, which averages out to 992 vehicles per hour. The Rutter’s traffic study indicated about 800 vehicles in the peak hour. Mr. Thorton said that the traffic counts used in the report were based on actual counts taken from 6 to 9 a.m. and from 3 to 6 p.m. They added in “background” traffic (projected increases in traffic due to new development). In response to a question from Mr. Ennis, Mr. Thorton said that they did not make any adjustments based on the time of year, i.e. when the asphalt plants are open or closed.

Chairman Brady noted the following with regard to the information the Commission requested in their September 26 motion:

- The storm drain waiver request was rescinded.
- The response to traffic engineer Ron Burns’ comments, level of service varies depending the methodology used. The methodology suggested by Mr. Burns takes into account delays at traffic signals, causing the level of service at the intersection of Sandstone Drive and MD 194 to fall to an “F” during the evening peak hour.
- The test boring results indicated no rock encountered at the depths necessary for construction and installation of underground tanks.
- The construction entrance on Sandstone Drive was removed from the plans.
- The pylon sign proposed along Sandstone Drive was removed from the plans.
- Staff and agency comments were addressed, with only a few routine comments left to address.

Mr. Brady reminding the Commission members that they needed to take action on the plans.

Member Pollak made a motion, seconded by Member Zimmerman, to approve the site plan/site improvement plans for Rutter's, subject to the final set of staff and agency comments being addressed. The motion passed on a vote of 4-3 (Ennis, Kuster, Santullo).

3. Addition Plat: Remainder of Lot 132, Fountain Rock Manor addition to Lot 3A Nikirks Subdivision (Rutter's lot consolidation)

Planner Hauver presented the addition plat which would consolidate the two lots on which the Rutter's is proposed to be located. She noted that the second note #2 should be removed.

In response to Mr. Brady's question, the Rutter's representatives said that Rutter's has a contract to purchase the consolidated lot.

Member Baker made a motion, seconded by Member Zimmerman, to approve the addition plat, subject to the second note #2 being removed from the plat. The motion passed on a vote of 7-0.

4. Announcements

Member Pollak noted that it appears that Calvary Assembly is hosting a school program, such as a preschool or after school program.

Member Ennis noted that the Town Commissioners voted to have an outside engineer review the plans for the Heritage Farm Park building.

Several audience members commented on the Rutter's decision and the approval process.

Chairman Brady reviewed the upcoming meeting dates.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Susan J. Hauver