

The regular meeting of the Thurmont Planning and Zoning Commission was held on Thursday, October 26, 2006 at 7:00 p.m. Present were: John Ford; John Kinnaird; Randy Cubbedge; Ray Williams; Sabrina Massett; Rick May; Jim Brown; Denis Superczynski; Carl Thomas; Mike Hardman; Harold Staley; C. Richard Miller, Jr.; Rick Curry; Craig McCleaf; Jim Rada; Kevin Haney; Susan Hilberg; Tom Hudson and Robert Black.

Mr. Ford welcomed everyone to the October Meeting of the Thurmont Planning and Zoning Commission. The first item on the agenda was the approval of the August and September meeting minutes. Mrs. Hunter made a motion for the August meeting minutes to be approved with the correction of the spelling of Alixandra. Mr. Cubbedge seconded the motion. Vote – all for. Motion carried. Mr. Kinnaird made a motion to approve the September meeting minutes as presented. Mrs. Hunter seconded the motion. Vote – all for. Motion carried. Mr. Ford then turned the meeting over to Mr. Jim Brown for the Zoning Inspectors Report.

Mr. Brown stated, “There were fourteen (14) Zoning Certificates issued from September 29th 2006 to October 25th 2006 for three (3) residential addition, eight (8) residential accessory uses, two (2) commercial accessory uses and one (1) Zoning Certificates with no inspection required. The total number of zoning certificates issued to October 25th 2006 is two hundred and twenty three (223) with nine (9) of those being for single family dwelling units.”

Mr. Ford stated next they would discuss the recommendation on whether or not to hire a Town Planner. Mr. Ford drafted a response based on the discussion from the last meeting. The board reviewed and discussed the attached draft response. Mr. Kinnaird recommended adding the last paragraph under need for Thurmont to hire its own planner to the need for geotechnical/ storm water management services. Mr. Cubbedge made a motion to submit to the Board of Commissions the final Request for recommendation on a Town Planner for Thurmont with changes discussed. Mr. Kinnaird seconded the motion. Vote – all for. Motion carried.

The next item on the agenda is the Site Plan for Structural System. Mr. Ford turned the meeting over to Mr. Superczynski to present the staff report. He stated the applicants are looking to make two (2) temporary trailer structures permanent as well as moving a third trailer to become the security building or guard house. They are asking to amend the site plan as well to remove two (2) existing structures that are located on site. The only issue he had was with the lighting at the security building if the applicant could address that. Mr. Ford asked for town comments. Mr. May stated local staff had no comments, the Health Department stated they had no objection the only comment they had was adequate water and sewer taps must be available. Mr. May stated the applicant has discussed with staff that there would be no sewer taps available for this or needed for this. Mr. Carl Thomas with Charles P. Johnson was present representing Structural Systems. He stated the trailers in the back were put in as temporary and they want to make them permanent and straighten things up with Frederick County Building Permits Office. Those trailers currently do have water, there is not sewer to them there is bathrooms within a certain distance of those trailers and that’s what staff uses. He stated at some point the people in

those trailers will be relocated to the office on Frederick Road. People will be moved around as the plant is renovated and they are going to use those rear trailers as temporary areas for some the clerical and some of the administrative people. The security trailer is again temporary they are moving it over to the gate because of some security problems they have been having. For lighting there is an existing street light in that area and they weren't anticipating putting any more lighting in if need be they could put some in that would be the shoebox type straight down. A discussion was held. Mr. Kinnaird made a motion to approve the Site Plan for Structural Systems Inc. converting three (3) temporary trailers into three (3) permanent accessory structures with the addition of a note addressing the lighting that any changes or future lighting will conform to our existing lighting requirements. Mr. Williams seconded the motion. Vote – all for. Motion carried.

Mr. Ford stated the next item on the agenda was the McCleaf addition to McCleaf. Mr. Ford turned the meeting over to Mr. Superczynski for the staff report. Mr. Superczynski stated because of the amount of parcels he had no comments and felt it best to have the applicant explain the additions. Mr. Ford asked Mr. May for local staff comments. Mr. May stated that the easements for existing utilities are currently being researched new easements may have to be delineated if research fails to find all easements for existing utilities. Carl Thomas with Charles P. Johnson was present representing the applicant. He stated that McCleaf's tentatively have a contract on the building for the truck stop and the agreement is the truck stop plus three (3) acres so they located everything on the property and area behind the two houses that are not being used right now whatever was above and beyond the three acres they are adding it to those two houses. The McCleaf's have approximately ten pieces in there and they were trying to get everything straightened out and in orderly fashion so there aren't land locked pieces, they're weren't pieces kind of hanging out there and pieces that were just chopped off without realizing what was happening. Mr. Thomas explained the additions, a discussion was held. Mr. Kinnaird made a motion to approve the Addition Plat McCleaf Addition to McCleaf with the note that any further easements required will be addressed on the final plat and will be reviewed by staff only. Mr. Cubbedge seconded the motion. Vote – all for. Motion carried.

Mr. Ford stated the next item on the agenda was a Site Plan for Woodsboro Bank. Mr. Ford turned the meeting over to Mr. Superczynski for the staff report (see attached).

Mr. Ford stated, “Any questions for Mr. Superczynski?”

Mr. Cubbedge stated, “Denis we're talking about the...vegetation landscaping we're looking at trees that loose there leaves we're looking at a major entrance into Thurmont we want to beautify exedra should we split this in half we want continual 12 month screening I mean we want a green of tree out there as well as...”

Mr. Superczynski stated, “For street trees for a number of reason folks have gone with deciduous trees in the past I think there is a tradition of doing that number one, number two there is probably sunlight issues to get something that has the impact of a street tree

creates a canopy and does those things effectively. In the winter months you end up blocking a significant amount of sunlight which you know in most cases for a commercial site might not be important. There would probably be some security issues for a bank with an evergreen tree that would have that kind of a shape to it. There maybe species that are appropriate I'm not an expert by any means in this but there may be species that hold on to their leaves a little bit longer or create some winter interest but most of the street tree scale trees are not ones that necessarily do that but in terms of the screening in front of the cars the evergreen species are what you want to see there and those do not have to be very high to effectively screen the fronts of those vehicles."

Mr. Ford stated, "You're comment on the street trees they have shade master honey locust I don't know how frequent they are along there but all...and personally if you've been by my house I like locust because the leaves are not a problem and the shade is not a huge...it's a delicate shade so I'm very comfortable in fact when I reviewed this I thought gee that's great now do you have a problem you suggested other and locust is a native species so do you have a problem with...you've mentioned other ones so I..."

Mr. Superczynski stated, "Yeah that's our standard list, I don't have a personal problem with honey locust I'm looking for a tree that will have the shape of a conventional street tree something that will fill out that separation of 35, 40' and that will allow the bottom of the lowest branches to be positioned such that you can still see a visual of the commercial structure inside otherwise I think what happens in commercial buildings is you'll have smaller ornamental trees that are spaced pretty far apart so that you can still have access to the signs, still see what the use is ultimately it's a business it needs to be able to be noticed by folks along the roadway and some of the more mature, some of the more conventional traditional street trees that grow higher and allow for those bottom branches to be higher accommodate that very well but the honey locus might be fine I honestly don't know enough about the growth habits of that tree to know if its an appropriate one I'll take your word for it. I like the trees to."

Mr. Ford stated, "When you go down main street take a look I got two in front and one in...the one on the side is quite large."

Mr. Cubbedge stated, "Do we know why we don't have any vegetation at all on the 15 side?"

Mr. Superczynski stated, "That's a good question for the applicant, there maybe a reason I'm sure part of it is probably stormwater also there is probably the slope issue as you approach that ramp there maybe State Highway issues but I think generally speaking I'd like to see as much vegetation as possible but in terms of maximizing their investment in that on the site I think we get the...along these two frontages and possibly along this area as well that will be brand new to this site at least in recent history. I would say to in terms of the shade trees our comment that I made I think in the other site plans that I've helped you review has been that I'd really like to see trees that actually cast some shade into the paved area. You talk about this in global terms, you talk about this in kind of the local...the heat foot print of new construction I didn't necessarily make that comment

here because I really want to hope that we can establish that street tree line in the front and I think that ultimately those can perhaps serve do that along that frontage at least and perhaps a little bit down here but the fact that they're taking away impervious surface is a good thing and..."

Mr. Cubbedge stated, "Will those trees effect I noticed close to the sidewalk, say five, ten years down the road those trees begin to grown up are we going to start seeing root damage to the sidewalk because of those trees?"

Mr. Superczynski stated, "Again it depends on the growing habit of the tree but I think that's...I know people debate this but I think that's part in parcel what you get with a street tree. You try to pick a species that won't do that, you try to use kind of engineering techniques that you can minimize the route damage and you certainly don't want things messing with your water and sewer lines and power lines to the extent possible it's just something that's I think it's very critical to places where people live and work and spend time and I don't think that the...I don't think that kind of the bad points of trees in terms of them taking out sidewalks or heaving the sidewalks really rate as high on the list of concerns along this roadway. I think it's more important to get those trees in and make sure that we're not putting in species or putting them in an environment where the root structure is going to be forced to the top of the soil. I mean part of that is going to be about maintenance and up keep in the first few years in terms of watering so that they don't develop a nasty, naughty root structure, shallow root structure that's going to do that."

Mrs. Hunter stated, "I read an article about a year ago they were talking about Emmitsburg the arguments brewing and some fellow wrote in and said it's basically the way that the tree wells we're not prepared correctly and that Emmitsburg wouldn't have had the problem if the tree wells..."

Mr. Superczynski stated, "Right I mean there are examples all...I mean we have plenty of cities and towns now and even in the County that you go and look and you can see really large trees growing with no apparent impact to the sidewalk and Frederick is probably a really great example of a city that has a very mature street tree program. They are out there taking care of those trees quite often and they do it the right way. They shape them and maintain them in a way that minimizes that kind of damage as well."

Mr. Ford stated, "At least the trees are a fair distance from the sidewalk."

Mrs. Massett stated, "I would recommend that they pick trees that starlings don't like since...problem..."

Mr. Williams stated, "Along the front entrance he calls for curb and gutter looking around the rest of the property line I'm not seeing curb there is around the building but not around the property line between the vegetation and the existing asphalt and the same thing on the other side of the entry they're not calling on for a curb. That would be

something that I think that they would need but that would also cause problems with drainage.”

Mr. Superczynski stated, “Well I see that in terms of the issue on the other side of the driveway I see that as kind of an issue of safety and traffic movement more than the drainage and I don’t know enough about what’s being proposed in terms of the stormwater to know that the curb and gutter does not serve those purposes at the back of the site.”

Mr. Williams stated, “...on the front side sloping that away from the building. It’s going to slope right down and if running asphalt right into the soil...”

Mr. Superczynski stated, “Yeah that’s true.”

Mr. Williams stated, “You’re not having it drain into a sewer or drain or anything that I can see. It stops up where the handicap access, the curb and then there is no more curb along the parking lot around the perimeter and over here. I’m thinking this should have because going to have people bouncing over the curb and we’re talking about a barrier and that I think should be a solid...”

Mr. Superczynski stated, “Well we can ask the applicant how they would respond to that and we can determine whether we feel that that flow off of the open section is a problem for the paved area for the parked cars or for the vegetation out there as well.”

Mr. Ford stated, “Other questions for Mr. Superczynski?”

No response.

Mr. Ford stated, “If not, Mr. May.”

Mr. May presented the staff report from local staff and county (see attached).

Mr. Ford stated, “Following up on the stormwater management I don’t know if you know this or not but it appears to me they show going to an existing stormwater facility on Frederick Road it then goes underneath the road and then outfalls on the other side is that where it goes now do you know?”

Mr. May stated, “I believe it does I think that was the comment from Soil Conservation as to where that outfall would go. The applicant maybe better able to answer that.”

Mr. Ford stated, “Any other questions?”

No response.

Mr. Ford stated, “Okay who is representing the applicant?”

Mr. Rick Curry stated, “Good evening my name is Rick Curry with B & R Design Group the civil engineer for the site. We also have with us Mr. Rick Miller and Mr. Harold Staley with the Woodsboro Bank representing the bank and Mr. McCleaf is also here as the property owner to answer any questions. The driveway and how the common access will work with agreements for common access to that site.”

Mr. Ford stated, “We apologize that these comments had gotten to you late.”

Mr. Curry stated, “Yeah we’re trying to digest them as you are at this time. There seems to be quite a few. I would like to clear up some of them if I can go down the list for you if you have any questions just so that we can get some of them out of the way. Regarding building signage there will be no building signage on the site for the building so the only signage that you will see will be the pylon or the outside sign.”

Mr. Ford stated, “Okay I think Mr. Superczynski’s comment also dealt with directional signs.”

Mr. Curry stated, “That’s correct there will not be any directional signs on the site either of them the open or closed that you see over the drive thru as to whether or not that’s open or closed and that would be...”

Mr. Cubbedge stated, “The Do Not Enter sign will not be in effect...you show a Do Not Enter sign on the...”

Mr. Curry stated, “Oh I’m sorry that one will be I was thinking of the ones at the entrance that you’re talking about but yes we can provide a detail for the Do Not Enter sign. It’s just to keep the traffic circulation going...and that would be the only directional sign. Regarding landscaping the applicant has no problem with either supplementing or revising the current plan to add the staff recommending street trees, whatever species is agreeable to the Commission and to staff the applicant would be happy to revise the landscape plans to add those. In addition to I guess shade trees that staff is recommending to get more of a canopy over the parking area staff has the recommendation for species and we’d be happy to incorporate those into the plan.”

Mr. Cubbedge stated, “Shrubbery you don’t show on your plan on the 15 side is there a reason why you did not show any at all?”

Mr. Curry stated, “As your going up out of there we’re kind of sitting well below because of the slope coming up out of there so whatever we would plant down in that area on the slope would be almost looking over it anyway as your heading north 15 to go on the ramp so we felt that the slope itself was a barrier for not only for lights from cars because they’re not going to be shinning up onto 15 or out into 15 so that’s the reason we didn’t put any landscaping along there. Regarding site lighting this area it is a commercial area, as far residential possibilities being near by that would require a lighting grid we can provide the type of lighting that’s going to be used on the site, we can provide a lighting grid that’s not a problem at all that can be prepared I can prepare

that if the commission deems it necessary. I don't think it would be necessary in this instance looking at the lighting that's surrounding the site all the other commercial area I think we're going to be consistent. As a bank there is security issue obviously with lighting we'd like to have lighting around the site perimeters we've shown. We can agree to a minimal or maximum height on the lighting if the commission so desires but I'm not sure a grid plan would be absolutely necessarily and we would ask that that not be a requirement. Regarding documentation from Frederick County Division of Permitting and Development Review they have conditionally approved the plan we've addressed stormwater management the only comments we got from the county we basically from Life Safety regarding moving the site sign closer to the entrance designated there and putting the address, incorporating the address into the sign and I think if you look at the sign we have the word address on there so that when we define what that is we will add that to the site sign and also they ask for a note to be placed on the plan as well which we will incorporate."

Mr. Ford stated, "Do you agree with moving the sign?"

Mr. Curry stated, "I think yes the applicant would like to move the sign a little closer to the entrance because it does help define the entrance a little better. I would like to address Mr. Williams comment concerning the curb and gutter on the site. Curb and gutter was intentionally omitted from the perimeter site area because in addition to reduction of impervious area on site to qualify for the stormwater management credits we also have provided what's considered a grass channel design along the perimeter of the site. The channels that are flowing from Rt. 15 side all the way around the building and along the front on Frederick Road to the existing inlet that is there. That grass channel is there to provide additional water quality through filtering that the State stormwater guidelines encourage and we did that to add additional measures to the site for stormwater management, water quality control for the site...(tape change)...and then you would be piping it straight to the stormwater system and you wouldn't get any water quality benefit at all. So we would request that the site stay as it is for curb and gutter. There will be wheel stops at all parking spaces to prohibit a car from...area and it is intentional that it's sloping away from the building area and to these grass channels for water quality."

Mr. Williams stated, "Do you plan on your vegetation area that you're showing trees for planting areas be raised or at level or below level of the asphalt there? If they're raised above it you're not going to be able to go over..."

Mr. Curry stated, "No, no they would be at the level, there is no berm or anything there..."

Mr. Williams stated, "That's all going to be grass under those trees?"

Mr. Curry stated, "Yes."

Mr. Williams stated, "You're planning grass under the trees and around all your bushes and plants that will be all grassy area?"

Mr. Curry stated, "Well it's not going to be a continuous mulch berm if they do anything it would just be I guess maybe mulching around some of the trees but you would still have the flow going between the trees."

Mr. Williams stated, "I'd just be concerned if your...since it's the same level the wash off if its going to wash the soils down into those channels of yours anyway and sending that silt and whatever down the road to along with it if you have soil in there and you have large trees over it grass doesn't grow very well a lot of times I don't see a sprinkler system so how would you keep the grass from dieing under those trees here that's my concern about where's that soil or the erosion going to go to right down into those channels, right down to the drains again."

Mr. Curry stated, "Well with proper stabilization that S.E.S. that Mr. Huffer mentioned and as Rick mentioned in Mr. Huffer's sequencing he said...Mr. Huffer said they have a good sequence with matting in the channels and good stabilization for the whole site. I would anticipate that the site developer, contractor would meet those requirements from the S.E.S. for providing stabilization on there plus I think the run off from the site going into the channel would not be as much of a concern as if we put curb and gutter on the site then any oils or any greases any grits that would be going to the curb and gutter and flowing on the curb gutter and then into a storm drain inlet that's directly into your system that's not getting a chance to be filtered through the grass which is what the state really wants to happen they want that filtering occur to the oils and things like that before it gets a chance to go right into a storm drain system and out into your stream. So by including curb and gutter around the site you actually are promoting the oils and greases from the cars and things that are parked there from getting into your storm drain system and into your streams quicker and if they were allowed to run over land through the grass, through the channels, filter through there so that your oils and grits and that gets filtered before it gets to your screening."

Mr. Cubbedge stated, "Well the problem I had was on the east you have no way of filtering the water whatsoever because you're going onto an existing paving so in my opinion the waters just going to flow right on out onto the roadway no matter what."

Mr. Curry stated, "On the east side the waters not flowing in that direction. It's flowing to the south. The waters coming from the east toward us so it's flowing across the site into the channels."

Mr. Williams stated, "I understand the channels, the grass channels understand how that works I also know we have few here that have been built around developments and they're a little river sometimes when we get heavy rains and once we get some areas we need to wash out sediments I'm looking down there along your parking area that triangles probably going to have a good flow through it you get a little bit of settlement in there it puddle and pond instead of actually flow. We have a few of them that gets 6 -8" deep

around here. It's not a residential area so it's not that big of a deal but I'm just concerned about some of the was off you landscaping materials going over into or whatever but it's approved by the county and the way it works."

Mr. Ford stated, "Also if you use honey locust you can grow grass under honey locust where some of the other species are more difficult."

Mr. Cubbedge stated, "If you look at this with the way your channels are designed...you have one grating basically running to a bunch a piping going to another gating. You...to keep those grates clean, not over grown so that they will be effective and this will be a continual...while your building is in existence."

Mr. Curry stated, "Yes the existing inlet that is there now is surrounded by grass and the flow is going to it now around the site and going to that point. We're proposing the storm drain on the east side to pick up all the drainage from the parking lot above us and pipe it through the site so that we're not letting that wash across our site. It's going through the bypass storm drain system if you will and then we're just picking up our site in the ditches, in the channels so that we're treating our site and passing the above parking areas through the site."

Mr. Ford stated, "So you get some filtering between the 15 ramp and the building and then it goes into a bypass and yes the inlets would have to be maintained. There would have to be an effort on the owner to maintain the inlets just as he does now to make sure they don't get clogged and overflow and build up with silt and or flood the roadway as a result. Remember we're reducing impervious area so the flow that's going through there should be less after the development then it is now. Concerning architectural renderings we would have provided those had we know in advance that we...having those. I don't know if any of you have been to the branch bank on the Golden Mile it's going to be a similar building, red brick, very nicely done but we will provide those architectural renderings to staff for their review."

Mr. Cubbedge stated, "And in regard to your entrance what are your plans to make it work?"

Mr. Curry stated, "I guess I was having a little trouble understanding why the current configuration was such a problem and then as Denis was speaking to you I realized his points. At this point it appears that he's recommending some kind of a hard barrier or some kind of a painted stripped area to help give direction...as their either entering the site or as they're coming down the parking lot from the restaurant. I would recommend the stop bars. If your coming down from the restaurant and you want to make a left out of that entrance those people need to stop because any traffic coming in needs to have the right away whether they come in and go right up to the restaurant or come in and turn left into the bank. So a stop bar preventing them from coming right on through and just clogging the drive there so that someone coming in can't make the left into the bank would prohibit them from doing that. An island or something like that is really not going

to serve that purpose more than getting those motorist to stop as their coming down that drive aisle from the restaurant.”

Mr. Williams stated, “Would it be a problem to put in...to me it looks like you have half an entrance, to give a more for the banks to give it a defined entrance put a curb on the other side planting system on the other side that goes 10 – 15’ past your entrance so that way you can’t come directly out of the back straight into the other parking lot...that way they can’t come directly from the restaurant in there either they have to go up come down into the line of traffic the way they flow into there to the stop sign to get out onto Frederick Road. That would seem to be more inviting. Trees will block you from the Cozy versus saying there is two separate entities and there is specific entrance for the bank and no matter what happens to the rest of the property or what happens over there you would still have a designated entrance right there and there is a flow coming from the parking lot would be people cutting up because traffics backed up at the red light and they decided to cut through the parking lot. They wouldn’t be able to go directly straight across that’s something that I think would look nicer for you and would be more beneficial.”

Mr. Curry stated, “You’re referring to an island here?”

Mr. Williams stated, “...it goes all the way up 15’ past your entrance so it blocks the entrance from direct access to the other parking lot. Yeah just let it turn as an island right there so that way you can’t come out of your parking lot straight across.”

Mr. Curry stated, “Okay so the only entrance for this parking lot...but this still is an entrance for this parking lot.”

Mr. Williams stated, “Well there is an entrance probably 50’ long up along that road. The whole thing is actually accessible from the street there’s really no curb...”

Mr. Kinnaird stated, “But they can still drive in the entrance that you’re proposing go past the barrier and then turn in to the restaurant.”

Mr. Williams stated, “Or go up 10’ further and turn into that lot but the idea is you can’t let them drive straight from that lot without being on the main road right into your building...right where your pen is you can’t go straight into there and they can’t go straight from your bank right across. You’re now making a four way intersection if you do that. If the cars coming from any direction. This way here you’re at least eliminating the flow coming out of your bank...”

Mr. Curry stated, “Okay I understand what you’re saying if this person was stopped though why wouldn’t they have the option of going through?”

Mr. Williams stated, “I don’t think that’s...I think you’re asking for more trouble than just letting them go up to the top and make them come around its safer situation.”

Mr. Kinnaird stated, "You could address that not only curbs but you could also put large planters or something like that in there."

Mr. Superczynski stated, "There are temporary ways of doing this. I think the stop bar idea I think is effective at some level to but just watching how people...that particular parking lot and other parking lots I've seen the situation a lot before another thing that comes up regarding the parking and may effect that configuration is the site plan for Mountain Gate for the restaurant it looks just from doing kind of a back of the napkin assessment of the parking it looks like they're fine in terms of minimum number of spaces but I guess there would have to be some definition of the end of the their parking area so that people wouldn't encroach into the travel lane and that's another reason we kind of knew something three dimensional coming out to keep people...that restaurant does get packed and it supports large vehicles, RV's, trucks and such and you can have a situation where there's a lot of people wanting to park...also I guess we've all seen that that back end of the parking lot is kind of used I don't know if it's official or not but a lot of people use that as kind of a place to park and meet for trips going elsewhere and so it is a very free flow of vehicles in that end of the parking lot that at least from a behavioral standpoint would need to change."

Mr. Curry stated, "Okay we would be happy to reference that and come up with something that would solve that concern so that the entrance would be more defined."

Mr. Williams stated, "Yeah I think that would be a visual...showing this is the entrance for the bank..."

Mr. Ford stated, "Were you going to address the comment on the entrance as part of the fact that it's not included on the site plan scope?"

Mr. Curry stated, "Yes that would be...basically we would show that as a common access area. So it would be an agreement between the owner and the bank that it would be defined basically just by an easement description, an agreement that would be recorded giving both the right to use that entrance."

Mrs. Hunter stated, "How does that effect what we're asking about delineating something more specific if that's also on property that the bank isn't technically controlling?"

Mr. Curry stated, "Well as long as there is a common access agreement the bank has every right to use that as the property owner so..."

Mrs. Hunter stated, "Well to use it but I mean we're wanting something to be put more permanent on the other side but yet that's not..."

Mr. Curry stated, "It would be nothing different than you're asking for on the rest of the site you can ask for that because it's just a lease area."

Mr. Kinnaird stated, "You can ask to maintain whatever...if it was just even a curb and gutter or some kind of planting structure you could ask that be maintained in the agreement."

Mr. Curry stated, "Yeah that could be part of the access agreement."

Mr. Kinnaird stated, "Yeah because at some point down the road somebody could say I don't want that anymore take it out. If it's part of the agreement then they would have to maintain that structure."

Mrs. Hunter stated, "That was my concern that it's..."

Mr. Superczynski stated, "There is not a problem with...I mean we understand that document would be fine there is just nothing in the plan right now that shows that...as long as we something it doesn't necessarily have to be shown on the plan literally but if you add a note to that effect you obviously have to delineate an easement area and then obviously what we're talking about today in terms of physical delineation those two will probably be concurrent anyway."

Mr. Curry stated, "And in the queuing area we will add automobiles to the area and one of the reasons that we have four drive thru's is to increase the queuing area so that we get more stacking in there so we're anticipating that queuing will not be a problem as far as it queuing all the way back around the building and out the entrance and effecting the main entrance but we will add those vehicles to the plan to show the number of vehicles that can be queued prior to that happening."

Mr. Kinnaird stated, "So are all four drive thru's going to be open all the time, are they going to be fully staffed all the time? Would you have a trigger to staff an extra window if there was back up around the building extended past the entrance area?"

Mr. Staley stated, "We have it set up so that staff can float as their needed between inside the lobby and...they just basically would turn around 180 degrees."

Mr. Williams stated, "Are you planning on one of the drive in areas being an ATM? The ATM's going to be on the building as well, okay."

Mr. Kinnaird stated, "So that outline there that's where the car would park to pull up to the ATM?"

Mrs. Hunter stated, "They park and they walk over."

Mr. Staley stated, "No, it's a drive up. You don't have to get out of your car."

Mr. Williams stated, "Okay so the drive up ATM is right there on the side of the building, okay I wanted to know if you were taking one of the bays."

Mr. Superczynski stated, "And you're doing all this without any kind of directional signage on the site?"

Mr. Curry stated, "Other than maybe stripping on the...there will be a lane stripping for the drive thru or for the ATM."

Mr. Cubbedge stated, "I kind of wonder when you come in your driveway your taking a lot in common that people are going to make a right hand turn there that there is no directional sign at that point and as soon as you pull into your driveway into the bank area directing traffic to make that immediate right hand turn."

Mr. Curry stated, "Well that again will be..."

Mr. Cubbedge stated, "The do not enter sign is against the building as compared to being against the actual drive thru location."

Mr. Curry stated, "That will be handled with a directional arrow on the pavement..."

Mr. Cubbedge stated, "Yeah and what I'm referring to is where your directional arrow is I..."

Mr. Williams stated, "Your recommending to put the do not enter sign on the other corner."

Mr. Cubbedge stated, "Yeah, well not so much the do not enter sign really doesn't do you a whole lot of good because if I'm following your directional arrows I'm not even going to see your do not enter sign."

Mr. Kinnaird stated, "Yeah but I think that's probably there to prohibit people from backing into spaces and going the opposite direction."

Mr. Curry stated, "That's correct, yes."

Mr. Cubbedge stated, "Okay then I think what you should do is put your do not enter sign then where your drive thru is and somewhere on the entrance to the corner of the building right there you need a sign or an arrow at that point as you come in making...delineating to an immediate right hand turn or your going to have people come driving straight into your..."

Mr. Curry stated, "Yes, your appssolutely correct that is what I was referring to with a right, immediate right."

Mr. Cubbedge stated, "Okay so you don't show it on your plan that's what I'm referring to as soon as you come in your driveway here you need to make an immediate right...at that point in time and you don't show that that's just my concern your kind of like

leaving it up in the air there for the follow the leader and if someone goes the wrong way...”

Mr. Curry stated, “Your correct these directional...these arrows are not depicting the actual pavement markings that will be in place it was just kind of to give the staff and the commission an idea of what the traffic circulation would be around the building since it is one way. But yes we can definitely do a pavement marking plan which would show and delineate so that motorist as soon as they’re making a left they know they have to make a right by a right turn arrow there on the pavement. And I see your point about moving the do not enter sign over there as well. I will gladly move that over to the other side so that they don’t get idea they can come straight through.”

Mr. Cubbedge stated, “I think your sign would be more beneficial to the public down either at the end or the last pylon down there so it doesn’t go in the reverse location coming down...backing up.”

Mr. Superczynski stated, “There’s another stacking issue, I didn’t realize that was an auto accessible ATM so when you address the stacking and queuing issue also please take a look at the potential for that queue to interfere with cars coming into the lot. I’m just kind of winging it here from...I don’t have a scale with me but it looks to me and if you’ve got a queue of one car at the ATM and perhaps two cars behind it, it looks to me like you’re already getting a really hairy situation making that turn from the bank entrance. That because of the very sharp right turn to make your way around the cars and if I had a scale with me it may work out that your not doing that but it looks to me that that could be a problem in terms of that line and I’m sure folks at the bank understand that division of people using an ATM versus the drive thru’s but...”

Mr. Cubbedge stated, “In regard to that Denis what about potentially removing that spot. You have five parking spaces at that location right across from there removing that potential to park there you park your car and you walk up it to it...Your looking at cars being parked, cars trying to get in, cars trying to back up. Major congestion there.”

Mr. Superczynski stated, “I agree there are a lot of different ways to deal with this and I’m just going to leave it to the applicants to propose to us a way...”

Mr. Curry stated, “One concern the applicant has is at night...the ATM is used at night a lot of times and people just don’t want to park and walk over they feel...”

Mr. Cubbedge stated, “I understand that and I also know what you have at the bank out here where people pull up along the curb line, I’m one of them, we pull up along the curb line and we get out of our cars and go to the ATM where that’s nice is and actually has caused congestion when the curbing was placed in there when the reconfiguration of that shopping center was done. There have been moments when people have stacked up and cars can’t get through there alright. This one is more confining than even out there. I think considering you have a hard right hand turn to make already coming into your lot

and if you have one car sitting, one car waiting and one car trying to get through you're blocking up and..."

Mr. Williams stated, "You're asking, Denis you're asking part of this queuing is to see to calculate how many can be waiting at that machine at the same time during the traffic flow."

Mr. Superczynski stated, "If that become really an uncomfortable place to wait a fourth car is not going to do it but my concern is that like an SUV or a pickup truck you can't...the way the curb is...your car can't conform to that curb it's going to have to stick out into the travel lane and I think that third vehicle actually does that."

Mr. Williams stated, "But when they figure out the queuing they'll be able to tell if they need to move their curbing back and one plant to give another 5 – 6' or 10' to keep a car straight there might be something they can do but that would show in your queuing."

Mr. Superczynski stated, "Right and it also has an effect on the queuing for spaces on around on the other side of the building at least potential of trying to maintain a clear travel lane. I mean this is hard to do I mean on one end we're trying to minimize a...we're trying to get people to kind of bring that footprint down and then on the other hand auto oriented culture that we are we have all the demands that we place on people in terms of the designing these things and they've done a good job in terms of the circulation on here but I think that the ATM it maybe just a slight shift in that ATM location relative to the architecture of the building does it maybe it means bringing it on the other side of the building I don't know."

Mr. Cubbedge stated, "Denis you said they more than ample parking spaces?"

Mr. Superczynski stated, "Yeah they're over by 6 or 7 but..."

Mr. Cubbedge stated, "Could you remove...as you come in the entrance where that first parking space is right there could that parking space be removed and the sharpness of entering in there be reduced? That corner bullet you could probably cut off a little bit so in other words you could have a car at the ATM one behind and you could put another one behind and if you reduce the bullet that corner lot by reducing that first parking spot may be carving that back a little bit so you came in you would then have the ability to get a vehicle on the right hand side of those cars parked along that line if that's the scenario it comes up to."

Mr. Ford stated, "Combined with stripping that designates lanes for ATM versus..."

Mr. Cubbedge stated, "Yeah cut this back a bit right here..."

Discussion.

Mrs. Hunter stated, "Is there some reason why the ATM is building mounted rather than being thru one of the drive thru's is that just a personal..."

Mr. Staley stated, "We found that it causes confusion and congestion of the drive up lane. You get somebody who wants to use just an ATM make a quick cash withdrawal and they've got two cars in front of them that are making lengthier transactions it just complicates."

Mrs. Hunter stated, "Does it have to be against the building or...they can't put them on one of the further out drive thru..."

Mr. Staley stated, "You could have them in the outer most."

Mrs. Hunter stated, "Right would that still have a problem because...typically people are going to go to the first one they come to they're not going to go on out if they know the ATM is...I'm just curious because I've been to banks where they have it..."

Mr. Staley stated, "We've found from the security standpoint the ATM has to be loaded with cash as you well can imagine and from a security standpoint we've found anytime you've got it in the building it's a whole lot safer and lately people have even been hooking chains up to them and dragging them off they don't do that when they're in the building quite as readily."

Mr. Cubbedge stated, "Remove those first two parking spots."

Mr. Curry stated, "I think that's a good idea, a good solution. Increase the width of that so that stacking distance can increase as well."

Mr. Cubbedge stated, "Use those first two lots...your curb area there you already have you can cut it back and see if you can open it up that way."

Mr. Curry stated, "And I guess the only issue I haven't touched upon is regarding staff recommendations is a traffic study. I do believe we would be somewhere between 25 and 50 trips if I'm not mistaken. I've taken a quick look at the ITE guidelines so yes we would be over the 25 trips and at this point I guess a traffic study would be necessary to determine any impacts for those trips. I'm not...50 trips is the threshold but 25 it's very easy to trip that with a bank with drive thru's."

Mr. May stated, "I would point out to Mr. Curry that that will be sent to the State Highway Administration. That intersection certainly is going to part of the study."

Mr. Curry stated, "My question is will staff determine the intersections and the limit of the traffic study?"

Mr. Superczynski stated, "We could do that, do you guys have preference for how...do you want us to work it at staff level and run it by the chairman or..."

Mr. Ford stated, "That might be...I don't know how..."

Mr. Williams stated, "That's fine."

Mr. Superczynski stated, "I think we've kind of done that in the past and..."

Mrs. Hunter stated, "I think you know which intersections..."

Mr. Williams stated, "I think the main intersections are going to be Moser Road and 15."

Mr. May stated, "And certainly that can be communicated to everyone."

Mr. Cubbedge stated, "Mr. Curry on the property lights I know the one by the ATM is going to be building mounted do you have a height for the 2 lights that are inside the parking lot?"

Mr. Curry stated, "No I don't, if staff has a recommendation on maximum height... if we are required to do an illumance plan then we may be adding lights and reducing heights to get the luminance that's required. Is there a minimum, maximum..."

Mr. Superczynski stated, "We have a minimum spilling off site into residential areas and we've used half a foot candle that's probably pretty harsh in terms of commercial environment but what Mr. May had pointed out our town lighting standards are 14' high and that's a number that I come to from other resources and if the town's using that I think that's a good one to work with and I think the Planning and Zoning Commission understands that we'll probably necessitate additional fixtures throughout the parking lot but I think it's a good trade off to keep that light low to the ground and provide you security and..."

Mr. May stated, "And I think you could see all the new subdivisions are 14' poles..."

Mr. Curry stated, "And I don't think that would be problem if 14' is recommended..."

Mr. May stated, "And we have gone and again this is...but we've gone with 100 watt high pressure sodium's which are energy saving and it gives you...it actually illuminates more than 175 watt merc."

Mr. Ford stated, "Lets talk about lighting while you brought it up. Our lighting policy applies to commercial areas with adjacent residential areas or residential uses I find it difficult to imagine that there would be residential in this area. I think the point about the elevations I think 14' probably is what we would want to recommend to the applicant. I don't know that an illumance plan is really necessary and I'd like to have other people..."

Mr. Kinnaird stated, “No I don’t think, in this location I don’t think that’s a requirement that we should...”

Mr. Williams stated, “If he’s going to use the 14’...I don’t think we need to worry about that.”

Mr. Ford stated, “Okay so he may need to increase the number at that height and we understand that.”

Mr. May stated, “And given the fact that they’re going to be shoebox downward my comment about the wattage might be...it may not be a good comment. I think that’s something you would have to look at Mr. Curry to see what illumination area you would need.”

Mr. Cubbedge stated, “Well I think where they placed the lighting also is very nice it’s within the trees its...the shade is going to help also when the trees come into bloom. So if they have to increase the site...amount of lighting then that can just be sent to staff for their review.”

Mr. Ford stated, “Any other...”

Mr. Curry stated, “I’m not sure if I covered all the staff comments if there is any that I missed that you have questions about.”

Mr. Kinnaird stated, “I may have missed it did you address the issue with the screening for the car lights around the perimeter of the parking lot?”

Mr. Curry stated, “Oh adding some...Denis were you referring to maybe some evergreen type of shrubbery that’s 3 – 4’ in height?”

Mr. Superczynski stated, “Yeah.”

Mr. Curry stated, “We gladly would add that to the plan, that’s not a problem.”

Mr. Ford stated, “I would like to say I think this is going to be a big improvement to that area. So I’m very enthusiastic about it and we would like to...these comment are intended to try to improve the situation both for you and for us. The comment about the ATM is a significant concern and I think you folks need to work to see how you can minimize the congestion in that area and still allow flow through to your drive thru windows. Okay any other questions for Mr. Curry?”

No response.

Mr. Ford stated, “Any public comment?”

No response.

Mr. Kinnaird made a motion to continue the Site Plan for the Woodsboro Bank until such time that the applicant has the following information:

- 1.) A traffic study with details worked out with staff.
- 2.) The applicant shall submit architectural renderings sufficient for Planning Commission review with the architectural characteristics.
- 3.) The applicant shall submit a revised landscape plan and planting schedule for the planting material provided identified on the site plan.
- 4.) The plan should address the screening of the parking area and shall include proposed street trees for Frederick Road which will be the Locust trees.
- 5.) The applicant shall submit with the concurrence of Planning and Zoning Commission additional information regarding the site lighting which shall be a maximum height of 14' poles with down lit shoeboxes with no illumination grid required with the understanding there maybe additional lighting fixtures on the property.
- 6.) Amend the signage plan to detail the directional signage into the parking lot as well as showing the movement of the primary sign from the current location to the plat to its final place and the Do Not Enter sign also.
- 7.) Submit the details for the driveway showing a note addressing the easement agreement with the other property owner and provide details of the facing island on the other property to enhance the entrance into the parking lot and also include in that agreement a maintenance provision for the long term maintenance of that island or whatever that structure should be.
- 8.) The applicant shall also submit documentation demonstrating the adequacy of the vehicle queuing area for the drive in windows as well as queuing for the ATM and make changes to the plan that would allow for a larger entrance into the ATM area and ease the traffic passage through there.
- 9.) All town staff and county comments be addressed.
- 10.) Change notation on plat from Exxon to read Mountaingate.

Mrs. Hunter seconded the motion. Vote – all for. Motion carried.

The next item on the agenda was a discussion on a proposed change to the Frederick County APFO. It is a change to accommodate the transfer of school adequacy credit from one developer to another. A discussion was held. Mr. Ford will be drafting a recommendation to the Board of Commissioners that states that the Planning Commission feels this change would not be appropriate to incorporate into the Thurmont APFO and to also send a comment to the County recommending denial of the proposed change to the County APFO as it would set a precedent of changes to the APFO to resolve one time problems.

Next the Planning Commission went into a workshop session to work on the Master Plan. The workshop is open to the public but there will be no public comments taken.

- The board reviewed the mapping from last time.
- Mr. Ford updated the board with Gary Dingle's comments on the areas that were discussed at the last meeting and water and sewer availability to those areas.
- They discussed the areas north of town.
- They talked about land use designation for the areas discussed at the last meeting for the growth boundary.

The board decided to have another Master Plan Workshop on November 2, 2006. They discussed having the regular planning meeting on November 13, 2006 and the tentative date for the Lawyer Annexation is November 30, 2006 they will confirm these dates at the November 2nd workshop.

With no further discussion, the meeting adjourned at 11:10 p.m.

Respectfully submitted,

Rebecca Sharer-Long
Recording Secretary