



TOWN OF THURMONT PLANNING & ZONING COMMISSION

CERTIFICATE OF ADOPTION

IN ACCORDANCE WITH DIVISION 1, TITLE §1-207(b) AND §1-208(c)(1)(i) AND (c)(3)(ii) OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THE PLANNING AND ZONING ENABLING ACT, THE TOWN OF THURMONT PLANNING & ZONING COMMISSION OFFICIALLY ADOPTS THE FOLLOWING 2022 ANNUAL REPORT, FILING THE SAME WITH THE THURMONT MAYOR & BOARD OF COMMISSIONERS AND THE SECRETARY OF STATE PLANNING.

TOWN OF THURMONT PLANNING & ZONING COMMISSION

BY: 

Randy Cubbedge, Chairman

DATE: 4/27/23

THURMONT PLANNING & ZONING COMMISSION 2022

ANNUAL REPORT

Approved April 27, 2023
by Thurmont Planning & Zoning Commission

MAYOR & COMMISSIONERS

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Wayne Hooper, Commissioner
Bill Buehrer, Commissioner
Bill Blakeslee, Commissioner
Wes Hamrick, Commissioner

James Humerick, Chief Administrative Officer

Thurmont Planning & Zoning Commission

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Thurmont Board of Appeals

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Ed Schildt
Jason West
Terry Pryor, Alternate

Planning Department Staff
Kelly Duty

INTRODUCTION

The 2022 Planning Report for the Town of Thurmont, Maryland was prepared pursuant to the requirements of the Land Use Article of the Annotated Code of Maryland. This report provides a summary of the year's planning activities undertaken by the Planning & Zoning Commission, Board of Appeals and staff, and also documents development activity.

Section 1-207 of the Land Use Article of the Annotated Code of Maryland requires that the Planning & Zoning Commissions of non-charter counties and municipalities prepare, adopt and file an annual report with the local legislative body and a copy of the report be mailed to the Director of the Maryland Department of Planning. The report is a retrospective look at development activity within the jurisdiction with a focus on whether that activity is or is not consistent with a variety of adopted plans. The report thus informs both the Planning & Zoning Commission and local legislative body about the strengths and weaknesses of the local planning program.

The number of zoning certificates issued within Thurmont and within the Priority Funding Area (PFA) totaled two (2) in 2022. The Planning & Zoning Commission initiated the update to the Thurmont Master Plan in 2020 and completed it in 2022. The last annual report was completed in 2015 as a 5-year Report. The next 5-year Report is due in 2025.

There were three (3) Annexations that were acted on in 2022. Only one came to fruition and totaled 4.8811 acres being added to the Corporate Limits of Thurmont. In conjunction with the approval of the 2020 Thurmont Master Plan the Planning & Zoning Commission enacted Zoning Ordinance text amendment and updated the Official Zoning Map. These changes were consistent with the newly adopted Master Plan as well as County and State jurisdictions.

Additionally, all Planning & Zoning Commissioners and Board of Appeal members have completed the educational training course.

POPULATION IN THURMONT

YEAR	POPULATION	PERCENT CHANGE
1980	2,934	-
1990	3,398	15.8%
2000	5,588	64.4%
2010	6,170	10.4%
2020	6,213	0.7%

Data from the US Census Bureau

THURMONT PLANNING & ZONING COMMISSION

The Thurmont Planning & Zoning Commission is a five-member commission with one alternate, which has review and approval authority of site plans and subdivisions. In addition, the Planning & Zoning Commission makes recommendations to the Mayor & Board of Commissioners on rezoning and annexations, and reviews and comments on text amendments

and any other issue, which is planning related. The Thurmont Planning & Zoning Commission also makes recommendations to the Thurmont Board of Appeals on cases involving special exceptions.

PLAN REVIEWS - 2022

All plans reviewed and approved were consistent with the Thurmont Master Plan adopted in 2010 and 2022, as applicable, as well as the Thurmont Adequate Public Facilities Ordinance, the Thurmont Zoning Ordinance, and the Thurmont Subdivision Ordinance. (See attached map.)

CONCEPT PLANS

Name	Units	Zoning	Request
Thurmont Business Park, LLC	-	GB	Goodwill retail and donation center
Weis Gas-N-Go	-	GB	3 pump fueling facility
Mountain Gate Business Park	36	R-5	Townhouse Community

PRELIMINARY PLANS

Name	Units	Zoning	Request
Hammaker Hills, Phase 2	22	R-2	Single Family Subdivision
Mechanictown, LLC	31	R-2/ARP	Single Family Subdivision
Old Emmitsburg, LLC	11	R-2/ ARP	Single Family Subdivision
Weis Gas-N-Go	-	GB	3 pump fueling facility
Thurmont Business Park, LLC	-	GB	Goodwill retail and donation center
Robert & Patricia Meunier	1	R-2	Single Family - 1 new lot, 2 lot adjustments
Patricia Simmers	1	R-5	Single Family – 1 new lot

IMPROVEMENT PLANS

Name	Units	Zoning	Request
None			

FINAL PLANS

Name	Units	Zoning	Request
Weis Gas-N-Go	-	GB	3 pump fueling facility

ADMINISTRATIVE REVIEW PLANS

Name	Units	Zoning	Request
Revised 121 East Main Street Parking Lot	-	TB	Per SHA a second entrance denied, park lot expansion only
Frederick County Public Schools	-	INST	Install fire service water line
John & Maggie Doll	2	R-2	Property Line Adjustment
Thurmont AmVets Post #7	-	R-5	Parking Lot Expansion

ANNEXATIONS

The Mayor & Board of Commissioners processed three (3) petitions for annexation:

1. Simmer's Property for 16.6868 acres, zoned R-5 high density residential, proposed for 172 to 194 dwelling units, day care facility, and assisted living facility. The Planning & Zoning Commission recommended the annexation. The Mayor & Board of Commissioners voted to approve the Annexation Resolution #2022-03 in September 2022. However, the annexation was suspended by a petition with an adequate number of verified registered voters. The Simmer's Property Annexation was denied by a majority vote at the special referendum election.
2. Apples United Church of Christ for 4.8811 acres, zoned Institutional for connection to municipal water and sewer service. This annexation also included a small portion of Town owned property that was not previously annexed. The Planning & Zoning Commission recommended the annexation. The Mayor & Board of Commissioners voted to approve the Annexation Resolution #2002-08 in January 2023.
3. Thurmont United Methodist Church for 4.3135 acres, zoned Institutional for connection to municipal water and sewer service. The Planning & Zoning Commission recommended the annexation. However, the applicant withdrew their petition for annexation in December 2022.

In 2022, the Thurmont corporate boundaries were enlarged by 4.8811 acres pursuant to the authority of Article XI-E of the Constitution of Maryland and MD Code, Local Government §4-401. (See attached map.)

TEXT AMENDMENTS

Text Amendments are commented on by the Planning & Zoning Commission for action by the Mayor & Board of Commissioners.

1. Ordinance # 2022-04 Zoning text amendment to allow the Microbrewery use in the General Business District: Planning & Zoning Commission reviewed and commented on adoption. (Chapter 133- Zoning) [P&ZC commented 03/24/2022; M&C adopted 04/26/2022]

BOARD OF APPEALS (See attached map.)

Applicant	Request	Location	Motion	Date
Edward & Bonnie Golian	Variance to place roof over deck	23 Tocati Street	Approved	03/17/2022
David Stellitano	Variance to place roof over deck	27 Tocati Street	Approved	04/14/2022

INFRASTRUCTURE

TRANSPORTATION: Action taken by the Town in the year 2022 has been consistent with the Town's Master Plan and best management practices. Roadway projects have included resurfacing and patching of existing public roads: Eyler Road, Allen Drive, Stull Drive, Hunting Creek Drive, Gateway Drive East and West, Amanda Court, Tippin Drive,

and North Carroll Street. No new roads have been dedicated to the Town of Thurmont in 2022.

MUNICIPAL WATER: The Town depends on five (5) wells, three (3) elevated water storage tanks, and one in-ground water storage tank totaling 580,000 gallons of storage to supply water to the Town. The current total withdrawal permitted by MDE is 806,000 gallons per day (gpd). The drinking water in Thurmont is continually tested and the results published per federal Environmental Protection Agency and State of Maryland standard and requirements. The Town has 1,091.5 EDU's available based on the capacity analysis and in accordance with MDE guidance.

2022 update of the Town of Thurmont Water System Capacity Calculations based on the 2018 Water Supply Capacity Management Plan:

Excess Average Day Capacity = 216,660.75 gpd (1091.5 EDU)

Approved/Under Construction

Hammaker Hills Development Phase 1 36 EDU

Preliminarily Approved/EDUs Reserved

Hammaker Hills Development Phase 2 22 EDU

Mechanicstown LLC Development 31 EDU

Mountain Brook Development 11 EDU

Proposed EDUs (taken into consideration for planning purposes)

Simmers Concept Plan 40 EDU

52 E Moser Rd. Concept Plan 36 EDU

With the above consideration the remaining excess average day capacity is 173,661 gpd (691 EDU). Note: Existing capacity calculated at the average daily consumption of 198.46 gpd/EDU. All new construction calculated at 250 gpd/EDU.

MUNICIPAL WASTEWATER: The Thurmont Wastewater Treatment Plant (WWTP) on the south end of Town on East Moser Road has a discharge permit for 1 million gallons per day (gpd). The Town of Thurmont Wastewater Treatment Plant 3-year average daily flow is 0.659million gallons per day (MGD). Additions to the system are calculated at 250 gallons per day per dwelling unit.

Approved/Under Construction

Hammaker Hills Development Phase 1 36 EDU .668 MGD

Preliminarily Approved/ Reserved

Hammaker Hills Development Phase 2 22 EDU .674 MGD

Mechanicstown LLC Development 31 EDU .681 MGD

Mountain Brook Development 11 EDU .684 MGD

Proposed EDU's (taken into consideration for planning purposes)

Simmers Concept Plan	40 EDU	.694 MGD
52 E Moser Rd. Concept Plan	36 EDU	.703 MGD

The Thurmont Wastewater Treatment Plant is currently operating at 66% of its capacity. With the addition of approved, reserved, and proposed use the plant would be operating at 70% of its capacity. The Town completed several Inflow and Infiltration projects with a 40% improvement. The Town has another I&I project planned which is expected to increase sewer capacity after completion. When the WWTP get to 80% capacity the Town will work with MDE in the development of a WWT Capacity management plan.

PARKS

The park projects that were completed in 2022 included the following:

1. Woodland Park playground equipment replacement.
2. Thurmont's Skate Park, with trail and lighting.
3. Gateway Trail Extension via property acquisition.

The Town continues maintenance of the entire park system and annual tree plantings throughout the Town.

MASTER PLAN UPDATE

The update to the Town's Master Plan was completed and entitled Town of Thurmont Master Plan: 2020-21 Update: 2040 Envisioned. The Thurmont Planning & Zoning Commission recommended the Thurmont Master Plan for approval to the Mayor & Board of Commissioners on January 27, 2022 via Resolution 2022-01. The Thurmont Mayor & Board of Commissioners carefully reviewed and made certain limited changes to the Master Plan, with the adoption of the Plan on April 26, 2022 via Resolution 2022-02. In addition to the adoption of the Master Plan the Planning & Zoning Commission simultaneously implemented the strategic planning initiatives indicated in the plan consisting of text amendments to the Zoning Ordinance for the removal of the R-4 Residential Zoning district, conversion of the Agricultural district to Agricultural and Residential Preserve district, development of Institutional and Office Industrial districts, as well as the adoption of the optional development method: Planned Unit Development (PUD) with the repeal of the Traditional Neighborhood Development provision in its entirety. The Maryland Department of Planning requires a ten-year review of the Master Plan, which shall occur in 2030.

MASTER PLAN - STRATEGIC PLANNING INITIATIVES - ORDINANCE UPDATE

Amendments are part of the policy guidelines housed in the Thurmont Master Plan and commented on by the Planning & Zoning Commission for action by the Mayor & Board of Commissioners.

1. Ordinance # 2022-03, Zoning text amendments and amended Official Zoning Map: Planning & Zoning Commission reviewed and commented on adoption of revisions recommended in the updated Master Plan. (Chapter 133- Zoning) [P&ZC commented 01/27/2022; M&C adopted 05/03/2022]
2. Ordinance # 2022-07, Zoning text amendment to enact an optional development method, Planned Unit Development or PUD: Planning & Zoning Commission reviewed and commented on adoption of this updated Master Plan recommendation. (Chapter 133- Zoning) [P&ZC commented 03/24/2022; M&C adopted 12/20/2022]
3. Ordinance # 2022-08, Zoning text amendment to repeal in whole the Traditional Neighborhood Development Floating Zone or TND: Planning & Zoning Commission reviewed and commented on adoption. (Chapter 133- Zoning) [P&ZC commented 10/27/2022; M&C adopted 12/20/2022]

PLANNING & ZONING COMMISSION MASTER PLAN IMPLEMENTATION

1. Continue review of zoning and subdivision ordinances as needed to ensure compatibility with the master plan.
2. Consider reducing regulatory barriers (such as lot area and one size fits all off-site parking requirements) to the provision of compatible and affordable housing options such as duplexes, accessory apartments, and small senior care homes.
3. Adopt architectural, building, and site design guidelines and standards including for landscaping and signage for new development (except for single-family houses), especially in Downtown for revitalization.
4. Development of the following studies and specific plans: Downtown Development District, Inter-generational housing study, Emmitsburg Road traffic calming study.
5. Continue to work with Frederick County in cooperation to not allow development activities within the Town's designated growth area, without municipal annexation. This is a shared interest for thoughtful and planned development of Thurmont over the long term.
6. As a designated Sustainable Community, Thurmont will continue to work closely with the State of Maryland to achieve a thriving economy and be an environmental steward by continuing to focus on the "areas of critical state concern" in the A Better Maryland.

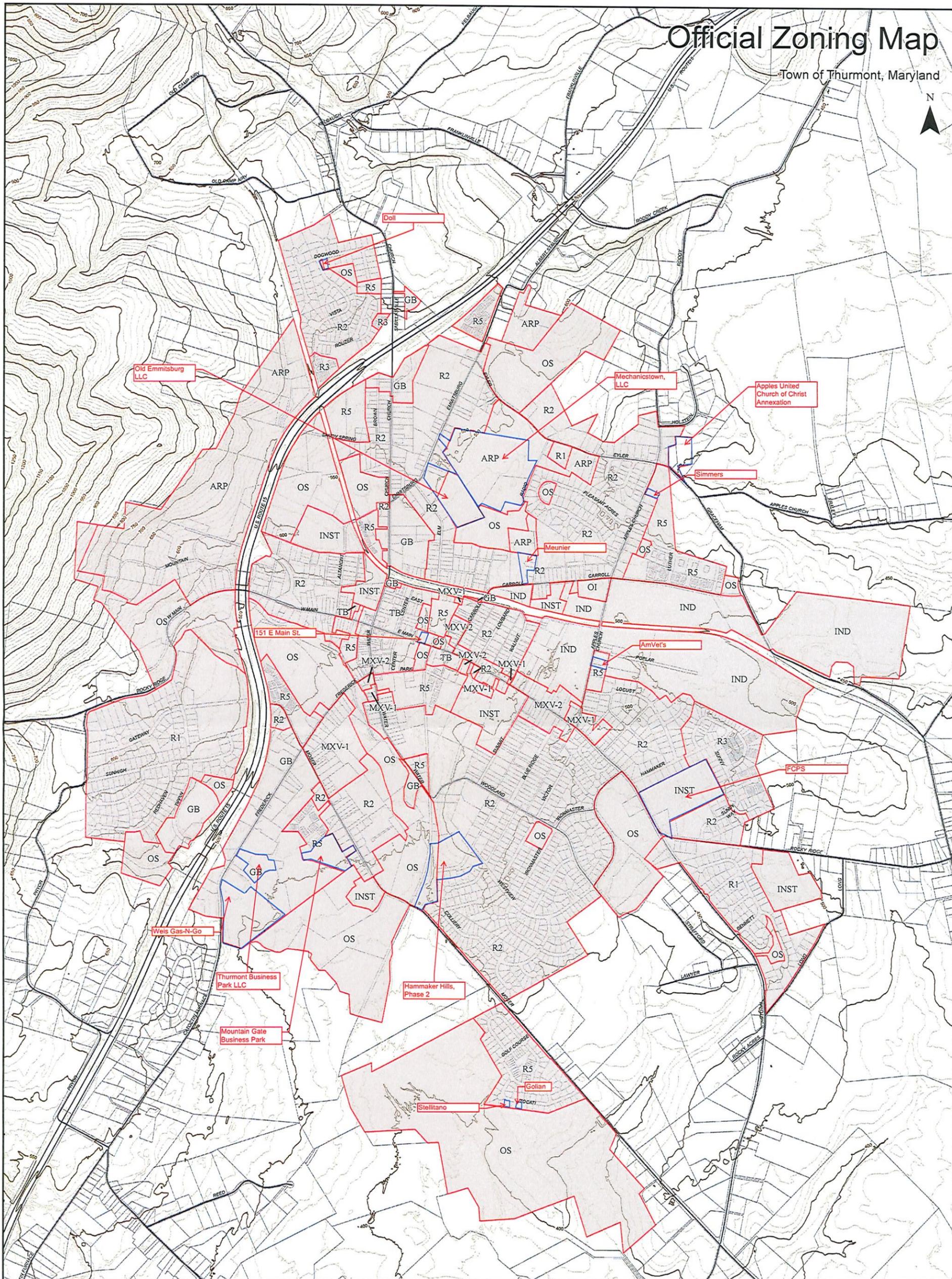
ZONING CERTIFICATES ISSUED

Zoning Certificates issued for new residential in 2022 totals two (2). Annually this number remains well below the threshold of 50 new residential permits.

Type	2018	2019	2020	2021	2022	5-year Total
New Residential						
Single-Family	0	1	3	2	2	8
Duplex	0	0	0	0	0	0
Townhouse	10	0	0	0	0	10
Multi-Family	0	0	0	0	0	0
Residential Accessory						
Residential Additions	11	11	7	12	8	49
Residential Demolition	1	0	4	2	1	8
Home Occupation	2	1	2	2	1	8
Pools & Hot Tubs	4	2	8	5	5	24
Accessory Structure	20	11	34	27	17	109
Fences	40	44	60	45	33	222
Decks/ Porches	23	14	21	11	5	74
Temporary Sign	4	2	0	1	3	10
Solar Panel	0	4	3	2	4	13
Commercial						
New Commercial	1	2	0	3	3	9
Commercial Occupancy	12	7	12	7	14	52
Commercial Accessory Structure	6	12	11	8	5	42
Commercial Addition	1	1	0	0	1	3
Commercial Sign - Permanent	6	7	7	11	9	40
Commercial Sign - Temporary	17	25	5	8	3	58
Commercial Demolition	0	1	0	2	0	3
Other	24	14	15	9	15	77
Total	182	159	192	157	129	819

Official Zoning Map

Town of Thurmont, Maryland



Zoning Districts

OS	Open Space	MXV-1	Mixed Use Village
ARP	Agricultural and Residential Preserve	MXV-2	Mixed Use Village
R1	Residential	TB	Town Business
R2	Residential	GB	General Business
R3	Residential	OI	Office Industrial
R5	Residential	IND	Industrial
INST	Institutional	TND	Traditional Neighborhood Development

— 50 Foot Contour Interval
 — 10 Foot Contour Interval

0 300 600 1,200 1,800 2,400 Ft
 Scale: 1 inch = 600 ft

Map Created: July 26, 2022
 Mapping Data Sourced from: Frederick County GIS,
<https://gis-fcgm.opendata.arcgis.com/pages/download-data>