

Smithsburg Planning Commission Meeting

Date: December 12, 2023

Time: 7 PM

The meeting was called to order by Chairman Greg White on December 12, 2023 at 7:01 PM. Those in attendance were Ed Hargreaves, Jim Fritsch, Randy Dick, Greg White, Bonnie Renard and Jeffrey Voigt

Additional Guests Present:

*All guests were visiting and / or speaking on the topic of Milestone Cell Towers, and a proposed telecommunications tower for the town of Smithsburg.

- Jeff Proulx, Chief Operating Officer, Washington County Public Schools
- Ilissa Ramm, Chief Legal Council, Washington County Public Schools
- Sean Hughes, Telecommunications and Land Development Attorney
- Fourth Guest who did not speak, and who did not sign the speaker list.

Pledge of Allegiance

Tonight's Agenda

There was a motion to approve the agenda by Jeffrey Voigt

The motion was seconded by Jim Fritsch

The motion carried 6-0

Minutes from November 14, 2023

Motion to approve the November 14 minutes, as submitted, by Jim Fritsch

The motion was seconded by Bonnie Renard

The motion carried 6-0

Public Comment (3 mins per speaker):

- Jim Fritsch acknowledged the success and contributions that made Smithsburg's 'Shop With A Cop' such a nice occasion for everyone involved. He shared that there was approximately \$300 raised for each child to shop, and 42 children benefitted in all from this year's event. These kids were able to do their shopping at the Wal-Mart in Waynesboro, along with the police officers that volunteered to participate. He specifically thanked the Dixie Eatery for their contributions.

Staff Comment

None

Old Business

Zoning Ordinance / Subdivision Review

Town Planner, Tim Lung, was not in attendance at this evening's meeting.

Update on utilization of UMD grad student to update the town's Comprehensive Plan

Jeffrey Voigt shared that the job to assist in updating the town's Comprehensive Plan was advertised in such a way to attract a University of Maryland graduate student. However, only one student applied prior to the deadline, and she is not a University of Maryland student. She is, however, a student at the University of Toledo and a Professor's Assistant at the University of Maryland. Chairman Greg White and Jeffrey Voigt took part in an interview with the applicant, Nusrat Tabassum, and came away very impressed. She has a background in civil engineering, she was well-spoken, and came across as someone who could confidently assist in updating the plan. They shared that Ms. Tabassum would even be willing to attend monthly Planning Commission meetings, as scheduled. Jeffrey Voigt made a motion to move forward in hiring Ms. Tabassum to work on the Comprehensive Plan at a rate of \$20.00 per hour + the current federal rate for mileage. Ms. Tabassum would work on a 1099 contract. The Smithsburg Town Manager will need a purchase order for Ms. Tabassum to commence work, and once she is hired a work plan for completing the Comprehensive Plan Updates would be outlined. The motion was seconded by Bonnie Renard. The motion carried 6-0.

Cloverly Phase Two Preliminary Plan - Staff and Agency Reviews

Randy Dick shared that at this time not all staff and agency reviews have been completed. The plan is that the reviews be completed by the end of the year in order to discuss at the January Planning Commission Meeting.

Cross & Company - Homeplate Concept Plan - Joint Public Hearing with Mayor & Council

The joint public hearing will be held on Tuesday, January 2, 2024 at 7:00 PM

Discussion of Town regulations for parking in an MXD

Discussion on town regulations for parking in an MXD has been tabled until the next meeting. Chairman Greg White shared information regarding a new Maryland state law regarding updates to residential construction for electrical vehicle charging. The new policy requires that all new single-family detached houses, semi-detached houses, duplexes, and townhouses subject to the provisions of the International Residential Code (not more than three stories above grade plane in height with a separate means of egress) must incorporate one Electric Vehicle Supply Equipment (EVSE)-Installed Parking Space or one Electric Vehicle-Ready Parking Space. This initiative aligns with Maryland Public Safety Code Annotated Section 12-205 (House Bill 830), which outlines the requirements for integrating EV infrastructure in new residential Developments. Again, any discussion about whether this new law will have any impact on the town's current parking regulations has been tabled.

New Business

Milestone Towers - Request for Zoning Code amendment for cell towers.

Sean Hughes, attorney for Milestone Towers, spoke to those in attendance about a proposed ZTA (Zoning Text Amendment). He shared that Milestone Towers has plans

to add a cell tower to the town of Smithsburg in order to improve cell coverage, increase bandwidth and reduce dead zones for everyone; schools, the town government, emergency services, and residents within the tower's 'reach'. He shared that Milestone has partnered with other schools in Maryland, including North Hagerstown High School, currently the only Washington County school thus far. Many questions were asked and answered in regards to the proposed telecommunications tower. He shared that at this time they are targeting a location on Smithsburg High School property down near the main athletic field. Initially, the tower would be a carrier for Verizon customers, but he added that in time there would potentially be room on the tower to host as many as four carriers like the North Hagerstown High tower. The proposed tower would be a single structural pole surrounded by fencing, approximately 150-175 feet tall and located at least 500 feet from any residences. Milestone feels like the area they're targeting would help blend the tower in with the natural landscape surroundings and would not require any unsightly guide supports. He also shared that in other areas where they've installed telecommunications towers on school property, those schools have benefitted from money generated through leasing the land. Representatives from Washington County Public Schools spoke in support of how well the telecommunications tower at North Hagerstown High School has worked out, as well as with the positive relationship they've built with Milestone Towers.

Mr. Hughes proposed a ZTA (Zoning Text Amendment) in order to move forward with the process. Specifically, he has proposed a new Table of Use Regulations Language as it pertains to communications facilities. The proposed 305.36a Table of Use Regulations Language is as follows;

Communications facilities on governmental property greater than 10 acres in size not limited to radio or television broadcasting or relay towers and accessory equipment including those utilities allowed under 89 A & B, including community and cable television systems, provided that no tower shall be greater than 190 feet in height and located closer to any lot line than a distance equal to its height plus 100 feet, and shall not be used to support lights or signs other than those required for aircraft warning or other safety purposes.

***Both the existing language and the proposed new language is included as an attachment with these minutes.**

***Additionally, a letter regarding the proposed changes from Mr. Hughes to Smithsburg Town Manager, Brian Brandt is included as an attachment to these minutes.**

Jeffrey Voigt made a motion to move forward in having Town Planner, Tim Lung draft a new ordinance using the proposed new language from Mr. Hughes as a guide. The motion was seconded by Bonnie Renard. The motion carried 6-0.

NEXT MEETING

January 9, 2024 at 7:00 PM

MOTION TO ADJOURN

Motion to adjourn by Bonnie Renard

The motion was seconded by Jim Fritsch

The motion carried 6-0.

The meeting adjourned at 8:07 PM.