



## NAC 3 Meeting Minutes

### Monday, September 23, 2019

**Recorder:** Jenifer Rodriguez, NAC Coordinator

**Location:** Monocacy Elementary School

**Start Time:** 7:00 pm **End Time:** 8:30 pm

**Attendance:** 51 Citizens (Residents of NAC 3 and Cloverhill), 4 NAC Board Members, Alderman Ben Mcshane, Cpl. Stream, Lt. Paul Beliveau, Pam Reppert, and representatives from Homewood, Bloomfield, and Northgate - Sheetz projects

**POLICE REPORT:** Cpl. Stream

**CRIME STATS:**

Date Range	6/5/2019-09/19/2019
Calls for service (total)	1251
Proactive Enforcement	192 Patrol Checks & 95 Traffic Stops
Arrests	10
Significant Issues	
Other:	
Robbery:	0
Burglary:	
Theft of Auto	1
Theft from Auto	10 TFMV / 6 Tamperings

**CRIME PATTERNS/TRENDS/MISC**

Community Crime Notifications	Please lock your vehicle doors Close and secure garages, screened porches, etc. Don't leave a key to any vehicle in a car
Additional Needs	
Resident Concerns	One citizen voiced a concern that the crosswalk needs repainting. Lt. Beliveau will make sure that the City's traffic & engineering departments are contacted to resolve the issue. One citizen commented that they have previously been contacted.
Additional Info:	<p>Academy starts next month approximately 10 FPD members</p> <p>Lt. Beliveau provided information regarding the issue of crossing guards in Frederick. He works in collaboration with schools to determine crossing guard needs.</p> <p>Per Beliveau FCPS uses policy 441 to determine needs for a crossing guard and the policy is available online. The Frederick Police Department use policy 222, available online to evaluate needs. The criteria used to determine crossing guard placement is as follows: <a href="http://www.cityoffrederick.com/DocumentCenter/View/6482/222---School-Crossing-Guards?bidId=">http://www.cityoffrederick.com/DocumentCenter/View/6482/222---School-Crossing-Guards?bidId=</a></p> <ol style="list-style-type: none"> <li>1) The school serviced (elementary and middle schools benefit the most from having a crossing guard)</li> <li>2) In an area not eligible to be transported by bus</li> <li>3) Pedestrian volume must exceed 30 in a given time frame</li> <li>4) Other relevant factors (speed limit, traffic volume, other speed control devices, speed humps, etc)</li> <li>5) Proximity to school</li> </ol> <p>There are currently eight slots for in the city and eight formal requests. Beliveau explained NAC 3's desire to have a crossing guard at Christopher's</p>

	Crossing/Opossumtown Pike does not meet criteria because it is not in proximity to a school, is at a 4-way stop, and has clear line of sight.
FPD Events	<ul style="list-style-type: none"> <li>September 26 - Career Night 5:30 – 8:30 pm</li> <li>September 28 – 5K on the Runway <a href="http://www.5kontherunway.com">www.5kontherunway.com</a></li> <li>October 2 – Coffee with a Cop 9-11 am, Starbucks N. Market Street</li> <li>October 18 &amp; 19 – Cops on Rooftops 7 am – 2 pm, Dunkin Donuts, Rt. 40</li> <li>October 26 – Drug Disposal 10 am – 2 pm, 6040 New Design Road</li> </ul>

## ***PLANNING:***

### 1) Speaker: Pam Reppert, Planner from the City

The City is currently working on the 2020 Comprehensive Plan for Frederick. Brandon Mark, Manager for Community Planning & Urban Design, encourages citizens to contribute to planning by submitting suggestions and comments online on the City of Frederick homepage regarding environment, transportation, design, etc. or to contact him directly.

### 2) Project Name: Homewood

Case Number(s): PC19-744FSI Final Site Plan

Address: North of Willow Road & West of US-15

Planning Staff: Pam Reppert

Applicant: Mike Peterson, Rodgers Consulting

Owner/Developer: Karen Main, Homewood at Frederick, MD Inc

PC (ten.): Staff-level approval

Description: The Homewood property is approximately 100 acres on the north side of Willow Road. This has been developed with duplex cottages and assisted living apartment complex. The subject plan is requesting to remove 8 cottages and place the density in the apartment building. The apartment building will have an added floor area.

Homewood was approved for 310 units. 108 of those are apartments. The second wing will be added to the new Lodge building. The Lodge was originally approved as a three-story building. The request is to make **add** 8 more apartment units instead of 8 more cottages. This addition will require a fourth floor, originally approved for three. The area where cottages were going to built would remain vacant. Construction is estimated to begin Spring 2020.

Comments/Questions from Citizens:

- A citizen asked what will be done with the area not used for cottages. The response was that it remains to be determined.

### 3) Project Name: Bloomfield

Case Number(s): PC19-889PSU/FSI Combined Preliminary Plat and Final Site Plan

PC19-909PFCP Preliminary Forest Conservation Plan

Address: North of Homewood/Willow Rd, west of US 15 and south of Sunday's Lane

Planning Staff: Pam Reppert

Applicant/

Owner/Developer: Natelli Communities LLC

PC (ten.): February 10, 2020 (first PC hearing)

Description: The total Bloomfield property is 539.8 acres; however, the proposed combined plan is for development of only 108.88 acres. The development is for an Age Restricted Active Adult Community of no more than 1,500 units and 19 acres of nonresidential and open space amenities. The proposed initial plan is for only 303 residential lots and associated amenities. Proposed units will consist of 224 single family detached and 79 townhomes. The nonresidential development will include a mix of programmed amenities, public parkland and parkland programmed to provide public benefit or use. In accordance with the Master Plan, the Applicant is developing the Landbays A and B on the east and west side of Willowbrook Road, adjacent and north of the Homewood development.

The associated Preliminary Forest Conservation Plan included forest retention and reforestation and all planting requirement to be met on site.

1,500 Units were originally approved, and they are in the preliminary phase of planning. The first phase will be 303 units made up of cottages 40'x varying depths with two-car garages and villas (townhouses) 24'x varying depths and one-car garages with driveways in front of the homes. There will be a clubhouse on the next preliminary plans which will be in the Spring. It is anticipated that 2<sup>nd</sup> Quarter 2021 the infrastructure will begin construction.

Comments/Questions from Citizens:

- A resident asked regarding the age restriction. The answer was that it at least one member of household is 55+ with no children.
- A resident asked what roads will be used by residents of new community. The answer was three roads: Willowbrook, Willow, and Bloomfield Roads.
- A resident asked in relation to the creek or farmhouse, where will the entrance be to the new neighborhood. The response was that it will be to the East. Also, an interchange from Biggs Ford Rd has been reserved from US-15.
- There was a concern about traffic load on Bloomfield. The response is that initially there will be a dead end in rebuild in approximately 5 years.
- A resident asked if they are not able to fill the homes with the age restriction would the age restriction be removed? The answer was that the market for seniors is in their favor, and the age restriction would remain.
- A resident asked what parking will there be besides the driveways. The answer is there will be parallel and angled parking.
- Many residents were concerned regarding the traffic load on the surrounding streets, especially during peak hours. The response was that because of the age-restriction, the neighborhood would not contribute to peak traffic. There were residents who did not believe this to be accurate.
- Some residents were concerned about construction vehicles using and tearing up their roads as well as cause vibration to their houses. The response was that all efforts will be made to avoid this.
- A resident asked if Willowbrook Road will be extended. The response was that the road will be widened to the width of four lanes, but painting only two lanes with pedestrian crossing. There will be a wide median that will later be narrowed to allow for four lanes of traffic in the future. There will also be an 11-foot hiker/biker path installed, not connected to the road.
- A resident asked what the water source will be. The answer was City water.
- A resident asked how many units can be built before the Biggs Ford interchange will be built. There answer is that it is impossible to say.
- A resident asked how many units will be sold and built each year. The response was approximately 100.

#### 4) Project Name: Northgate—Sheetz Convenience store with Gas Sales

Case Number(s): PC19-881PSU/FSI Combined Preliminary Plat and Final Site Plan

Address: North of Hayward Road and Byte Drive and west of US-15.

Planning Staff: Pam Reppert

Applicant: Fox & Associates

Owner/Developer: Thomas Johnson Christopher Cross LLC

PC (ten.): December 9, 2019

Description: The subject property Lot 10R-A contains 1.35 acres to be subdivided into Lot 10RAA and Lot 10R-C. Both lots are zoned M1 Light Industrial. Lot 10R-AA is proposed for a Sheetz convenience store with gas sales. The Sheetz will contain 6070 s.f. of building with 6 gas pump stations (12 nozzles).

Lot 10R-AA is a corner lot with frontage on Byte Drive and some frontage on the realigned Thomas Johnson Drive. Realignment of Thomas Johnson Drive was previously completed by State Highway Administration (SHA) in addition to their forest conservation and archeological assessment requirements.

The new Lot 10R-C is proposed currently for containing the stormwater management facility for Lots 10R-AA and 10R-B with an access drive from Thomas Johnson Drive for both lots to use under an access easement agreement. However, this lot has no road frontage and the Applicant is requesting a modification to eliminate the requirement for public road frontage

For this project, there were seven individuals who presented and/or responded to residents' questions and concerns. Among these were a geo-tech specialist, traffic engineer, civil engineer, and public relations for Sheetz.

Background on Sheetz: Per Sheetz representatives, Sheetz is a family-owned company. For each location, there is a creation of 30 to 35 jobs. Sheetz has approximately 20,000 employees companywide, and 30 stores in Maryland.

The project: The final site plan has subdivided the lot into two different lots. Between these two lots and the lot where the hotel across the street will be built there is a shared storm area. In comparison to the Sheetz on Rosemont, this one will have one more pump (two more nozzles), bigger bathrooms and store area.

#### Comments/Questions from Citizens:

- Several residents are concerned about number of pumps because of the close proximity to the property line and the current adjacent neighborhood, especially after being denied by the ZBA initially for this reason. Residents are concerned that their ground water (well water used by local residents in all Cloverhill neighborhoods could become contaminated. Some residents were upset that by merely subdividing the property and moving it only a few feet, they are able to meet requirements to install six pumps. The response was that they have met requirements. Additionally, according to the Sheetz presenters, their underground storage system has not had a leak in several years (though they could not state a date or number of occurrences) and have state-of-the-art monitors that monitor and track the system and can detect a leak before spillage occurs.
- Some residents are concerned that Sheetz will be a magnet for traffic, especially during peak times. The response was that they have received APF certification and approval from city and SHA. APF certification takes into consideration a normal day during peak hours to calculate how much traffic will be added. Additionally, it is required that traffic is addressed and that a turn signal be installed by developers if it is warranted. The Sheetz representatives did not state how many cars and vehicles would be entering and exiting at various times of day.
- A resident was concerned regarding cigarette advertising outside their store in an area where children walk to school. The response was that anyone looking to be under the age of 30 is asked for ID.
- A resident was concerned that traffic is in close proximity to residential areas and that Sheetz may become a drop off/waiting area. Another resident expressed a better location may be the other side of Byte. The response was that Sheetz is dedicated to making sure patrons get on and off the lot conveniently.
- A couple residents asked about the timeframe for construction. The response was that there are more plans to be created and permits to acquire so it would be approximately one year from now to break ground.
- One resident requested that the site be cleaned up as it has become a dump site. The response was that the State Highway Administration has been using that area for storage, and as construction begins on the hotel, it will become a storage area, but that they will do their best to clean it up. Additionally, during construction the area will be under surveillance 24 hours a day.
- One resident asked how Sheetz surveillance is shared in cases of emergency with local schools and the police force? The response was that they have an advanced security system where all but the restrooms are under surveillance and that records 24/7/365. In the past police have relied on their footage in different cases and that Sheetz is happy to work with the police as necessary. Additionally, Sheetz often partners with schools for donations, etc.
- One resident remarked that Sheetz might consider paying for a crossing guard at \$12,000 per year because of increased vehicle traffic.
- One resident mentioned that it has been suggested by a professional watershed expert that \$1 million dollars be set aside by the developer to re-dig wells if there is contamination to the water. (I used the wrong word!)

#### **OLD BUSINESS:**

- Minutes from June 11<sup>th</sup> meeting were approved.

#### **NEW BUSINESS:**

- The NAC 3 board is looking for residents who may be interested in joining the board as a coordinator. For background, see <https://www.cityoffrederick.com/322/NAC-3>  
Email the board with questions: [cityoffredericknac3@gmail.com](mailto:cityoffredericknac3@gmail.com)  
To apply, send a brief letter stating your interest in joining the team to <http://cityoffrederick.com/FormCenter/Mayors-Office-30/Commission-Vacancy-Application-88>

#### **SUGGESTIONS/COMMENTS/MISC:**

- Thank you to Connie Pryor for all her service to the NAC

#### **ADDITIONAL INFORMATION:**

*(This information was provided by City of Frederick planner, Pam Reppert. The information was requested via email by a NAC board member after the Sept. 23<sup>rd</sup> NAC 3 meeting.)*

**Northgate – Sheetz (resident questions, answers from City Planning via email):**

- Q) I would like to trace exactly when Byte Drive and TJ Drive were coded by the 2010 LMC. (I think I remembered them being different – the east side of T.J. Drive being commercial and the west side being business??)
- A) The 2005 zoning map showed Lot 10R on the west side of TJ Drive as M1, Light Industrial, and the east side of TJ Drive was zoned GC, General Commercial.
- Q) Then I am also trying to trace when the request came in to add the hotel, which NAC 3 approved. At that time there was no mention of a gas station.
- A) The plans for a gas station were actually brought forward prior to the discussion about a hotel. The preliminary plat which subdivided Lot 10R into lots 10-RA (the proposed gas station) and 10R-B (the approved hotel) was submitted on February, 28 2017 concurrent with a final site plan for a proposed Royal Farms on Lot 10R-A. This item was brought forward to the NAC on April 10, 2017 see minutes.  
<https://www.cityoffrederick.com/DocumentCenter/View/8257/April?bidId=>  
The final site plan for the hotel was not submitted until 12/27/17 and was brought forward to the NAC on February 12, 2018.
- Q) Then I would like to know exactly when the gas station was added to approved uses at Byte Drive and similarly zoned properties (which I believe was not originally allowed.)
- A) Ordinance G-16-27 was approved by the Mayor and Board on November 17, 2016 and took effect on November 27, 2016 to add the land use classification of “Convenience stores with gas sales” as a permitted use in the M1 zoning district. Prior to the adoption of the Land Management Code (LMC) in 2005, the land use classification terminology was different and the most relevant uses under the previous zoning ordinance would have been “Automobile Filing Stations” and “Truck Stops” under the category of “Fuel Sales,” which were also both permitted uses in the M1 and GC zones.
- Q) When did Royal Farms enter the picture but decide to drop out because only 1 pump was allowed due to the proximity to North Crossing?
- A) As noted above, the Royal Farms site plan (case 17-134FSI) was submitted on February 28, 2017 and was reviewed administratively but never progressed to a planning commission meeting for approval.
- Q) When did the request change to a Sheetz station?
- A) Sheetz made formal submittal of the site plan 19-881 on 8/27/19
- Q) NAC 3 entered the picture two summers ago when we saw the ZBA meeting notice in the newspaper for July 2018. From there we called Gabrielle because proper notice hadn’t been given to stakeholders by Miles and Stockbridge and she had M and S notify everyone and put off the meeting for a month until August.

We then came into the August 2018 ZBA meeting and there was not a quorum to take a vote and so the decision was postponed to the next meeting.

At the next ZBA meeting (maybe Nov 2018?) the request to have six pumps instead of one was turned down 3-2 and the applicants took the issue to Circuit Court.

- A) The ZBA denied the request for a variance on October 23, 2018

### ***CONTACT INFORMATION:***

**NAC 3 Email Address:** [CityofFrederickNAC3@gmail.com](mailto:CityofFrederickNAC3@gmail.com)

**Facebook:** Search for **City of Frederick NAC3** and click “Like” to receive updates/feeds.

### **Board Members:**

President: Dave Giles

Members: Connie Pryor, Barbara Linthicum, Scott Florance, Jenifer Rodriguez

### **City of Frederick NAC Contact:**

Michele Bowman, Public Information/Outreach, FPD; 301-600-2091 or [mbowman@frederickmdpolic.org](mailto:mbowman@frederickmdpolic.org)

### **Frederick Police Department:**

Sgt. Justin Thomas 301-578-5073 [jthomas@frederickmdpolic.org](mailto:jthomas@frederickmdpolic.org)

Cpl. Shannon Stream 301-367-5808 [sstream@frederickmdpolic.org](mailto:sstream@frederickmdpolic.org)

Cpl. Ben Wilson

240-529-5806

[bwilson@frederickmdpolice.org](mailto:bwilson@frederickmdpolice.org)

<p><b>NAC 3 MEETINGS – 7:00 PM</b> Monocacy Elementary</p> <p><b><u>2019 Schedule</u></b></p> <p>November 25</p>	<p><b>FREDERICK POLICE DEPARTMENT</b></p> <p><b>Emergency:</b> 911 <b>Non-Emergency:</b> 301-600-2100</p> <p><b>Anonymous Crime Tips</b></p> <p>301-600 TIPS (8477) – phone 240-674-TIPS (8477) - text <a href="mailto:fpdcrimetip@frederickmdpolice.org">fpdcrimetip@frederickmdpolice.org</a></p>
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