



AGENDA

Frostburg Planning Commission Meeting

7:00 PM - Wednesday, June 8, 2022

Frostburg Municipal Center Meeting Room - 37 Broadway

Page

1. CALL TO ORDER

2. ROLL CALL

Chair Conrad Best, Kristan Carter, Jayci Duncan, Karen Krogh, Ray Rase, Adam Ritchey, and Jeff Snyder

3. CHAIR'S PROCEDURAL STATEMENT; COMMENTS; ANNOUNCEMENTS

The Chair asks that anyone presenting business before the Commission, or any individuals who would like to comment on business before the Commission or other concerns, please come forward at the appropriate time and state your name and address for the record. Each meeting is recorded, so please speak clearly.

4. REVIEW AND APPROVAL OF THE MINUTES

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4.1. [April 2022 Planning Commission Meeting Minutes](#)

5. CITIZEN COMMENTS

From Floor; intended for topics unrelated to the current agenda items

6. PROJECT PRESENTATIONS

7 6.1. Lot Split, 58 Frost Avenue - Bennett, Brewer, and Associates

Public Comment

Motion

[PLAT - 58 Frost - Lot Split](#)

7. DISCUSSION ITEMS

By Chair and Members of the Commission

8. ADMINISTRATIVE BUSINESS AND COMMUNICATIONS RECEIVED

Maryland Department of Planning Annual Report - accepted by the Mayor and Council, and submission to the MDP approved by Resolution 2022-14. Submission confirmed received via email.

8 - 11

8.1. [MDP Annual Rpt Frostburg 2021](#)

9. STAFF REPORTS

Annual Commercial Development Report requested by Commissioner Race.

10. ADJOURNMENT



MINUTES

Frostburg Planning Commission Meeting

Wednesday, April 13, 2022 - 7:00 PM

Frostburg Municipal Center Meeting Room - 37 Broadway

The Frostburg Planning Commission Meeting of the City of Frostburg was called to order on Wednesday, April 13, 2022, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT: Adam Ritchey, Commissioner of Public Works
Conrad Best, Mr.
Jeff Snyder, Mr.
Karen Krogh, Mrs.
Ray Rase, Mr.

EXCUSED: Jayci Shaw Duncan, Mrs.
Kristan Carter, Mrs.

1. CALL TO ORDER

1.1. Chair Best called the meeting to order at 7:00 PM.

2. ROLL CALL

Commissioners Krogh, Rase, Ritchey, and Chair Best were present. Commissioner Snyder joined the meeting approximately five minutes late. With five members present, a quorum was achieved, and the meeting continued as scheduled.

3. Chair's Procedural Statement; Comments; Announcements

The Chair asks that anyone presenting business before the Commission, or any individuals who would like to comment on business before the Commission or other concerns, please come forward at the appropriate time and state your name and address for the record. Each meeting is recorded, so please speak clearly.

4. REVIEW AND APPROVAL OF THE MINUTES

4.1. ***Please note that the minutes from the last regular meeting (January 12, 2022) and the special meeting to discuss principal permitted uses in the T-LI zoning district (February 16, 2022) were reviewed at the April meeting.***

Commissioner Rase made a motion to approve the January 2022 minutes as presented. Commissioner Ritchey seconded the motion, and the minutes were approved.

Commissioner Krogh made a motion to approve the minutes from the special Planning Commission meeting held on February 16, 2022. Commissioner Ritchey seconded the motion, and the minutes were approved.

5. Citizen Comments

From Floor; intended for topics unrelated to the current agenda items

6. PROJECT PRESENTATIONS

****Please note that the order of the project presentations was reversed from the originally-published order to accommodate the delayed arrival of one Commissioner, whose vote was necessary in the discussion of 101 Pearson Street.****

6.1. Request for Approval of the 2021 Annual Report to be submitted to the Maryland Department of Planning

Commissioners reviewed the annual report for single-family homes constructed in the calendar year 2021. Last year 9 permits were issued for the construction of single-family homes in City limits, compared to 6 issued in 2020. Commissioner Rase requested that staff create a similar report reflecting commercial development in 2021. With no further discussion, Commissioner Rase made a motion to approve the report. The motion was seconded by Commissioner Ritchey, a vote was taken, and the motion passed unanimously.

6.2. **101 Pearson Street - Request for a recommendation to the BOZA for a Special Exception - Multifamily Unit Expansion**

Please note that Commissioner Rase recused himself from the project discussion and the vote.

Justin Tippen, contractor and owner's agent for the owner of the above-referenced property, described his request to add one rental unit to the existing multifamily structure. 101 Pearson Street is located in the R2-A zoning district, where multifamily units are permitted by Special Exception only, and, as the property is considered an existing non-conformity, further contributions to its nonconforming status requires a Special Exception from the Board of Zoning Appeals. Mr. Tippen requested a favorable recommendation from the Planning Commission to support his case to the Board of Zoning Appeals.

The property currently is equipped with four apartment units, with three one-bedroom units on the main level of the structure, and a large four-bedroom unit on the basement level. Mr. Tippen proposes to divide the lower unit into two two-bedroom units. The building is already equipped with a sprinkler system, a requirement for facilities containing four or more dwelling units. Commissioner Snyder inquired if up-to-code egress windows currently exist, and Mr. Tippen responded that four egress windows will be added to satisfy the requirements of both the International Residential Code and the Frostburg Rental Housing Code.

Chair Best inquired how expanding the number of units would affect the density, and Commissioner Krogh added that adding a rental unit may have an impact on the surrounding neighborhood. It was explained that, while the number of units would increase by one, the density would remain the same. Community Development Director L.J. Bennett showed an aerial view of the surrounding neighborhood, which demonstrates a large amount of natural, undeveloped land.

With no further discussion, Commissioner Krogh made a motion to grant Mr. Tippen a favorable recommendation to the Board of Zoning Appeals for the expansion of this multifamily unit. Commissioner Snyder seconded the motion, a vote was taken, and the motion carried with a vote of 4 votes in favor, 0 against, and 1 abstention.

7. **Discussion Items**

By Chair and Members of the Commission

8. **Administrative Business and Communications Received**

9. **Staff Reports**

10. **ADJOURNMENT**

The meeting was adjourned at 7:23 PM.

Frostburg Planning Commission
April 13, 2022

L.J. Bennett, Community
Development Director

CAD FILE: P:\2022\22039 - John Nelms - 58 Frost Ave\PLAT.dwg PLOT DATE/TIME: 5/25/2022 - 8:15am LAST SAVE BY: work106

OWNER'S CERTIFICATION:
THE SUBDIVISION AS SHOWN HEREON IS MADE WITH MY CONSENT AND AT MY DIRECTION. THE MONUMENTS SHOWN ARE IN PLACE. THE STREETS AS SHOWN, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY TENDERED FOR DEDICATION TO PUBLIC USE. THE REQUIREMENTS GOVERNING THIS SUBDIVISION, AS SET FORTH IN THE CITY OF FROSTBURG SUBDIVISION REGULATIONS, HAVE BEEN COMPLIED WITH.

JOHN NELMS
(PERSONAL REPRESENTATIVE
FOR LORENE HAFER)
58 FROST AVENUE
FROSTBURG MD 21532

DATE _____

APPROVED BY THE CITY OF FROSTBURG
DEPARTMENT OF PUBLIC WORKS

BY _____ DATE _____
CITY ENGINEER

APPROVED BY THE CITY OF FROSTBURG
PLANNING AND ZONING COMMISSION

BY _____ DATE _____
CHAIRMAN

APPROVED BY THE CITY OF FROSTBURG FIRE CHIEF

BY _____ DATE _____
FIRE CHIEF

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THIS PLAT TO BE CORRECT AND ACCURATE. THE MONUMENTS SHOWN HEREON ARE IN PLACE AND THE REQUIREMENTS OF THE CITY OF FROSTBURG SUBDIVISION REGULATIONS AND OTHER APPLICABLE LAWS RELATING TO THIS PLAT AND SETTING OF THE MONUMENTS HAVE BEEN COMPLIED WITH.

MATTHEW S. BREWER
MARYLAND REGISTRATION NO. 21388
(EXPIRATION 2-04-24)
23 EAST MAIN STREET, SUITE 200
FROSTBURG, MARYLAND 21532

DATE _____

NOTARY:
SWORN TO BEFORE ME THIS _____ DAY OF _____

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY SEAL

LEGEND

—

SUBJECT PROPERTY LINES

NEW LOT LINES

ADJACENT PROPERTY BOUNDARY

REFERENCE LINE

BRL - BUILDING RESTRICTION LINE

ACCESS EASEMENT

●

CORNER FOUND OR (AS NOTED)

○

CALCULATED CORNER

⊙

5/8" IRON PIN W/ CAP SET (UNLESS OTHERWISE NOTED)

2155 - INDEX CONTOUR (5' INTERVAL)

INTERMEDIATE CONTOUR (1' INTERVAL)

AREA OF SLOPE > 25% (NON-BUILDABLE)

EX. BUILDING

EX. FENCE

EX. TREELINE

EX. PAVED ROAD / DRIVEWAY

EX. TREES (TYPE AS NOTED)

EX. SANITARY SEWER

EX. WATER MAIN

PROPOSED SANITARY MAIN / SERVICE

PROPOSED WATER MAIN / SERVICE

PROPOSED CLEANOUT

PROPOSED WATER METER

EX. UNIMPROVED ROAD / DRIVEWAY

VICINITY MAP: 1"

VICINITY MAP: 2"

VICINITY MAP: 3"

PROJECT NO.: 2022039	<div><div>bba</div><div>Surveyors Engineers Planners</div><div>Bennett Brewer & Associates, LLC 23 East Main Street, Suite 200 Frostburg, MD 21532 Phone 301-687-0494</div></div>	AREA SUMMARY	<div> MARYLAND NAD83</div>	MINOR SUBDIVISION	SHEET NO.
DRAWN: BBA		REMAINDER - P/O 1732/048 = 2.10 AC.± LOT 1 - P/O 1732/048 = 0.21 AC.± LOT 2 - P/O 1732/048 = 0.24 AC.± LOT SPLIT ADDED TO 2494/171 - P/O 1732/048 = 0.05 AC.± TOTAL AREA BY SURVEY = 2.60 AC.±		PREPARED FOR JOHN J. HAFER ET UX	1
DATE: 5-06-2022				SITUATED AT 58 FROST AVENUE ELECTION DISTRICT NO. 26-000, ZONING "R2" - NEIGHBORHOOD RESIDENTIAL FROSTBURG, ALLEGANY COUNTY, MARYLAND	OF
CRD FILE: -					1
DWG FILE: PLAT					



W. Robert Flanigan
Mayor

Commissioners

Donald L. Carter, Jr.
*Commissioner of
Finance*

Kevin G. Grove
*Commissioner of
Public Safety*

Nina Forsythe
*Commissioner of
Water, Parks and
Recreation*

Adam Ritchey
*Commissioner of
Public Works*

Elizabeth Stahlman
City Administrator

City of Frostburg

May 20, 2022

Office of the Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Attn: David Dahlstrom, AICP

RE: Annual Report Calendar Year 2021, City of Frostburg

Dear Mr. Dahlstrom,

The City of Frostburg has completed the annual report for the Maryland Department of Planning. The Frostburg Planning Commission reviewed and approved the report to be submitted to the local legislative body and to the State on April 13, 2022.

The report was introduced at the Mayor and Council Work Session on Thursday, May 12, 2022. The Mayor and Council reviewed and approved the report, by Resolution, at their regular meeting on May 19, 2022.

All of the Frostburg Planning Commission members have completed the required educational training.

I will gladly serve as your main point of contact and provide any and all additional information you may require. You may contact me by email at lbennett@frostburgcity.org, or by phone at 301-689-6000, Extension 105.

Thank you kindly,

Laura (L.J.) Bennett
Community Development Director



W. Robert Flanigan
Mayor

Commissioners

Donald L. Carter, Jr.
Commissioner of
Finance

Kevin G. Grove
Commissioner of
Public Safety

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Commissioner of
Water, Parks and
Recreation

Adam Ritchey
Commissioner of
Public Works

Elizabeth Stahlman
City Administrator

City of Frostburg

Office of the Secretary
Maryland Department of Planning
Attn: David Dahlstrom, AICP
301 W. Preston St.
Baltimore, Maryland 21201-2305

Re: Annual Report Calendar Year 2021

Dear Mr. Dahlstrom:

The City of Frostburg Planning Commission approved the following Annual Report for the Reporting Year 2021 as required under §1-207(b) of the Land Use Article on April 13, 2022. In addition, this report has been filed with the local legislative body.

1. Number of new Residential Permits Issued inside and outside of the Priority Funding Area (PFA), §1-208(c)(1)(i) and (c)(3)(ii):

**Table 1: New Residential Permits Issued
Inside and Outside the Priority Funding Area (PFA)**

Residential – Calendar Year 2020	PFA	Non - PFA	Total
# New Residential Permits Issued	9	0	9

2. Is your jurisdiction scheduled to complete and submit to Planning a 5-Year Mid-Cycle comprehensive plan implementation review report this year, as required under §1-207(c)(6) of the Land Use Article? If yes, please submit the 5-Year Report as an attachment. Y ☐ N ☒

Note: To find out if your jurisdiction is scheduled to submit this report, please consult the Transition Schedule section located at:
<https://planning.maryland.gov/pages/OurWork/compPlans/ten-year.aspx>

3. Were there any growth related changes, including Land Use Changes, Annexations, Zoning Ordinance Changes, Rezoning, New Schools, Changes in Water or Sewer Service Area, etc., pursuant to §1-207(c)(1) of the Land Use Article? If yes, please list or map. Y ☐ N ☒
4. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, please list.
Y ☐ N ☒
5. Are there any issues that Planning can assist you with in 2021? If yes, please list.
Y ☐ N ☒

6. Have all members of the Planning Commission/Board and Board of Appeals completed an educational training course as required under §1-206(a)(2) of the Land Use Article?

Y ☒ N ☐

Sincerely,



L.J. Bennett
Community Development Director

COPY

RESOLUTION 2022-14

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, APPROVING AN ANNUAL PLANNING REPORT BE SUBMITTED TO THE MARYLAND DEPARTMENT OF PLANNING.

WHEREAS, the State of Maryland requires an annual report be submitted to the Maryland Department of Planning summarizing land development activity in the prior calendar year; and,

WHEREAS, the Frostburg Planning Commission approved the Annual Report and forwarded to the Mayor and Council.

NOW, THEREFORE, be it resolved that the Mayor and City Council of Frostburg hereby approves the Annual Planning Report to be forwarded to the Maryland Department of Planning.

ADOPTED this 19th day of May 2022.

Frostburg Mayor and Council

BY



W. Robert Flanigan, Mayor

Attest:


Elizabeth Stahlman, City Administrator