



Maryland

DEPARTMENT OF PLANNING

August 16, 2021

Peter Nagrod, Chair
Town of Washington Grove Planning Commission
300 Grove Avenue
P.O. Box 216
Washington Grove, MD 20880

Dear Chair Nagrod:

Thank you for forwarding the draft of the 2021 Update to the Town of Washington Grove Comprehensive Plan. We appreciate your participation in the state plan review process.

The Maryland Department of Planning (Planning) feels that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, community character, and economic development. Keep in mind that Planning's attached review comments reflect the agency's thoughts on ways to strengthen the town's comprehensive plan amendment as well as satisfy the requirements of the State Land Use Article.

The Department forwarded a copy of the draft amendment to State agencies for review including, the Maryland Historic Trust and the Departments of Transportation, Environment, Natural Resources, Business and Economic Development, and Housing and Community Development. To date, we have received comments from the Maryland Historic Trust, the Maryland Departments of Housing and Community Development and the Environment, which have been included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Planning respectfully requests that this letter and accompanying review comments be made part of the Town's public hearing record. Furthermore, Planning also asks that the Town consider our comments as revisions are made to the Draft Amendment, and to any future plans, ordinances, and policy documents that are developed.

Please feel free to contact me at (410) 767-1401 or Susan Llareus, Local Assistance & Training Planning Supervisor, at susan.llareus@maryland.gov

Sincerely,

Charles Boyd, AICP
Director, Planning Coordination

Cc: Georgette Cole, Planning Commissioner
Kathryn Lehman, Town Clerk
Joseph Griffiths, Local Assistance and Training Manager, and Susan Llareus, Planning Supervisor



Maryland DEPARTMENT OF PLANNING

Maryland Department of Planning Review Comments

August 16, 2021

Washington Grove

Comprehensive Plan Amendment

The Maryland Department of Planning (Planning) has reviewed the Comprehensive Plan Draft Amendment (*Draft Amendment*) for the Town of Washington Grove and offers the following comments for your consideration. These comments are offered as suggestions to improve the *Draft Amendment* and better address the statutory requirements of the Land Use Article.

Summary of Proposed Draft Amendment

The *Draft Amendment* proposes a complete comprehensive update to the previously approved 2009 Master Plan. The 2009 Master Plan became effective on February 25, 2009.

Minimum State Law Requirements for Municipalities

Maryland’s Land Use Article sets forth the required components of a local comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. The following checklist summarizes an assessment as to whether each required local plan element is addressed in the town’s draft amendment.

Checklist of Maryland Code (Land Use Article) requirements for local comprehensive plans in Maryland			
State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Draft Amendment page references
(1) A comprehensive plan for a non-charter county or municipality MUST include:	L.U. § 3-102(a)		
(a) a community facilities element	L.U. § 3-102(a)(1)(i)	L.U. § 3-108 -- Community facilities element.	Exhibit B and Chapter 4
(b) an area of critical state concern element	L.U. § 3-102(a)(1)(ii)	L.U. § 3-109 -- Areas of critical State concern element	Not included
(c) a goals and objectives element	L.U. § 3-102(a)(1)(iii)	L.U. § 3-110 -- Goals and objectives element	Page 7
(d) a housing element	L.U. § 3-102(a)(1)(iv)	L.U. § 3-114 -- Housing element SB-687(2021)	Chapter 12

Checklist of Maryland Code (Land Use Article) requirements for local comprehensive plans in Maryland			
State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Draft Amendment page references
(d) a land use element	L.U. § 3-102(a)(1)(v)	L.U. § 3-111 -- Land use element	Chapter 1
(e) a development regulations element	L.U. § 3-102(a)(1)(vi)	L.U. § 3-103 -- Development regulations element	Throughout the plan
(f) a sensitive areas element	L.U. § 3-102(a)(1)(vii)	L.U. § 3-104 -- Sensitive areas element	Chapter 6
(g) a transportation element	L.U. § 3-102(a)(1)(viii)	L.U. § 3-105 -- Transportation element	Chapter 3
(h) a water resources element	L.U. § 3-102(a)(1)(ix)	L.U. § 3-106 -- Water resources element	Chapter 7
(i) a mineral resources element, IF current geological information is available	L.U. § 3-102(a)(2)	L.U. § 3-107 -- Mineral resources element	Not included
(j) for municipalities only, a municipal growth element	L.U. § 3-102(a)(3)	L.U. § 3-112 -- Municipal growth element	Chapter 2
(k) for counties only if located on tidal waters, a fisheries element	L.U. § 3-102(a)(4)	L.U. § 3-113 -- Fisheries element	N/A
Optional: (2) A comprehensive plan for a non-charter county or municipality MAY include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a priority preservation area (PPA) element	L.U. § 3-102(b)	L.U. § 3-102(b)(2)(i)	
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	L.U. § 3-201(c)	L.U. § 1-201 -- The 12 Planning Visions	See discussion below
Optional: (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	L.U. § 1-509		

As shown in the above checklist, not all required elements are included in the *Draft Amendment*. See the discussion below relating to the required elements of a comprehensive plan under the subheading Conformance to Section 3-201(a) of the Land Use Article.

In addition to the requirements of § 3–201(a) and (b) of this article, a planning commission must also implement the Maryland State Visions through the comprehensive plan, as discussed in the subheading Maryland State Visions Section 3-201(c) of the LUA immediately below.

Maryland State Visions

The Maryland State Visions can be found in Section 1-201 of the Land Use Article which state:

§1-201. In addition to the requirements of § 3-201(a) and (b) of this article, a planning commission shall implement the following visions through the comprehensive plan described in Title 3 of this article:

1. quality of life and sustainability: a high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;
2. public participation: citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;
3. growth areas: growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;
4. community design: compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archaeological resources;
5. infrastructure: growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;
6. transportation: a well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;
7. housing: a range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;
8. economic development: economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;
9. environmental protection: land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;
10. resource conservation: waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;
11. stewardship: government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and
12. implementation: strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these visions.

Section 3-201 of the Land use Article states:

- (c) Implementation of visions. -- In addition to the requirements for the plan under Subtitle 1 of this title, a planning commission shall implement through the plan the visions set forth in § 1-201 of this article.

The visions are also found in the Maryland Economic Growth, Resource Protection, and Planning Policy, part of the State Finance and Procurement Article, Subtitle 5-7A. Maryland law requires all local comprehensive plans be consistent with the 12 Visions.

Planning believes these visions can be integrated into the *Draft Amendment* while respecting the visions set forth for the jurisdiction. On pages 8-9 of the *Draft Amendment*, the visions are referred to, but an analysis of each vision indicating how the *Draft Amendment* is consistent with the vision would be helpful. Alternatively, statements integrating the 12 Visions could be highlighted in the *Draft Amendment* in the areas that discuss the corresponding subject matter.

There are three specific visions that warrant discussion for the Washington Grove community. The first is the vision relating to Community Design. Again, the vision states “Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.” Planning suggests the concept of compact design could be expressed through higher density to be utilized for residential infill in the community because of its proximity to a rail transit stop. The commercially zoned property located at the intersection of Washington Grove Lane and Railroad Street could support a residential component with higher density to promote greater ridership on the publicly funded transit facility. It is important that the community recognize the rail transit as a unique and valuable part of the public infrastructure of the larger community. Planning suggests the *Draft Amendment* seek a balance between the preservation of the most historically significant elements of the community while also recognizing the value of an inclusive, compact, and walkable community, to promote the efficient use of land adjacent to the existing Washington Grove MARC Station and strive to increase ridership.

The second vision warranting discussion is related to housing. Again, the housing vision states, “A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes.” According to the 2015-2019 American Community Survey 5-year estimate, the community’s range of the housing types indicates that all the homes within Washington Grove are single-family detached, except for four attached units. This ratio of housing types is not reflective of the state vision of providing a range of housing types. More variety in housing stock would ensure greater consistency with the state’s vision for housing in the community (see the housing element discussion below for more information and resources about consistency with the state’s visions and HB-1045 [2019]) and help address the challenge of affordable housing, which is a statewide concern.

The third state vision that warrants discussion is the vision relating to implementation of the plan, which states: “Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, state, and interstate levels to achieve these visions.” Comprehensive plans should include a clear and concise implementation section. Including a comprehensive implementation section may help the town focus and prioritize recommendations into short-, medium-, and long-term planning policies, strategies, goals and objectives, as well as provide a greater understanding of the costs and funding sources for implementation.

General Comments:

Planning notes the transmittal of the *Draft Amendment* to Montgomery County, the adjacent municipal jurisdiction of Gaithersburg, and the nearby municipality of Rockville and encourages communication and coordination with each jurisdiction. Chapter 10 of the Draft Amendment describes the surrounding jurisdictions' impacts on planning in the town. Planning offers to facilitate coordination with the jurisdictions.

The town may want to consider the status, goals, and strategies of *Montgomery County Thrive 2050*. It could be informative and helpful to consider the concepts being promoted at the county level in which the municipality resides, particularly those relating to housing. The general plan for the county has been reviewed by the Montgomery County Planning Board and is currently being reviewed by the County Council, including the Planning, Housing, and Economic Development Committee. The meetings are open to the public virtually (as of the writing of this letter). Here is a link to the website: <https://montgomeryplanning.org/planning/master-plan-list/general-plans/thrive-montgomery-2050/>

Comprehensive Plan Amendment Comments

Conformance to Section 3-201(a) of the Land Use Article

The following is an analysis of the submitted *Draft Amendment* regarding the required elements, as stated in the Land Use Article for a local jurisdiction in accordance with Section 3-201(a):

The planning commission for a local jurisdiction shall include in the comprehensive plan the following elements:

(i) a community facilities element;

Because the town has a low population, Montgomery County provides most public facilities utilized by the residents, including transit, public schools, and emergency and police services. All public water and sewer services are provided through the Washington Suburban Sanitary Commission and some individual well and septic are maintained by the property owners. The *Draft Amendment* includes Exhibit B as a graphic image of the community facilities and a discussion of several public facilities in Chapter 4 of the document. The town recognizes the building, systems, and commonly held lands as part of the community facilities. The *Draft Amendment* identifies four "overarching considerations" to guide the town regarding their community facilities (page 41). Below is each stated goal followed by Planning's comments:

- “1. The use and maintenance of Town facilities should include an annual review by a standing committee to ensure the safety, viability, and usability of these spaces.
2. Energy consumption and conservation is of growing concern. Use of Town facilities should be governed by an informed evaluation of current or planned energy consumption and effective conservation methods appropriate for the circumstances.
3. Reflect the Grove's historic character in any changes to Town facilities. Implementation of the recommendations of this document should always take into consideration the historic integrity of each facility as an important part of such actions.
4. New facilities or modifications thereto should reflect the scale and materials of, or be compatible with, the neighborhood and surrounding structures.”

The above stated goals are the same as those listed in the approved 2009 Comprehensive plan, except for the addition of the fourth goal. Planning finds the above reiterated goals to continue to be applicable, particularly the proposal to have an annual review of the town facilities to ensure the safety and inclusion of the parks. Recreational facilities and equipment should be inspected on an annual basis and Planning agrees that the town should continue its annual inspection of the recreational facilities (page 50) by a certified playground safety inspector (CPSI). The following link is to the CPSI national registry: https://apps.nrpa.org/CPSI_Registry/

Planning applauds the community awareness of the current and planned energy consumption, as well as recognizing the importance of public structures integrating into the historic context of the community. By managing the general scale and proportion of structures, as well as the exterior materials and lighting to be reflective of a historic community, particularly in the historic core of the community, the town will preserve and protect the existing historic properties.

(ii) an area of critical State concern element;

Comment: Planning encourages the city to consider referencing the current “Areas of Critical State Concern” list as discussed within *A Better Maryland*, the State Development Plan. Here is a link to the website:

<https://abetter.maryland.gov/plan/pages/areas-of-critical-state-concern.aspx>.

Through *A Better Maryland*, state agencies deemed these as important areas for collaboration between Maryland and its jurisdictions. The Town of Washington Grove is exceptionally unique in terms of its historic preservation and architectural character in the State of Maryland, and Planning encourages the town to work closely with the Maryland Historic Trust to conserve and protect the historic buildings and the environmental setting of the community.

(iii) a goals and objectives element;

Section 3-110 of the Land Use Article states that the goals and objectives shall serve as a guide for the development and economic and social well-being of the community. The major theme throughout the *Draft Amendment* is to preserve the historic integrity and characteristics of the town. The following goals and objectives are found on page 7 of the Introduction of the *Draft Amendment*:

“Recognizing that most of the Town’s privately-owned parcels are already developed, the goals and objectives of this plan are:

- Preserve the integrity of the Town by providing guidance for protection of the land use pattern as reflected by the historic character of the community (as defined in the National Register Designation) and as influenced by the evolving culture of the community.
- Preserve historic resources through thoughtful adaptation of housing stock and conservation of the natural landscape.
- Protect and improve the economic and intrinsic value of both the privately-owned property and the property and resources held in common.
- Expand awareness of Washington Grove in adjacent jurisdictions and provide opportunities for discourse and exchange.
- Support planning requirements throughout the State.”

These goals reflect those of the approved 2009 Comprehensive Plan except for adding references to the National Register Designation. Planning suggests that the town consider adding more goals that are

relevant to today's issues facing the town and reflective of the state visions of the community. Planning recognizes other goals and objectives are found throughout the document. It would be helpful if each chapter provided a short list of the goals and objectives to help focus the reader at the onset of the topic discussion.

(iv) a housing element;

The passage of HB-1045 in 2019 has resulted in the requirement of a housing element in all comprehensive plans adopted after June 1, 2020. The new law requires a comprehensive plan to define and address the need for low-income and workforce housing, using the definitions contained in [§3-114](#) of the Land Use Article and §4-1801 of the Housing and Community Development Article. See Planning's Housing Element Models & Guidelines to address the recent legislation which is contained within the [Maryland Department of Planning website](#) as a helpful tool for local jurisdictions.

Chapter 12 of the *Draft Amendment* includes a thorough discussion of the housing element. The housing goals are listed on page 111:

- “Expand the diversity of the Town’s residents;
- “Sustain the Town’s historic elements and retention of the historic structures that assure its position on the National Register of Historic Places;
- “Acknowledge the past institutional racism embodied in the use of restrictive covenants;
- “Reduce the number of long-term vacant homes;
- “Support licensure of room and home rentals;
- “Encourage infill subdivisions with conditions to assure compatibility;
- “Reform parking requirements with linkages to rentals and subdivisions; and
- “Introduce a residential component in the commercial zone.”

Planning commends the town for the following discussion found on page 113:

“With acknowledgement of past institutional racism, including use of restrictive covenants, the Town of Washington Grove is poised to take a new look at planning outlooks and actions to achieve a wider diversity of residents while also supporting expansion of housing opportunities. The Town has a commitment to promoting fair housing policies, recognizing and supporting the objectives of federal and state law prohibiting housing discrimination. This historic community is experiencing another transition, moving away from a somewhat isolated and insulated single-family community, to a community with a commitment to encourage and welcome new residents and neighbors, broadening the opportunities for sharing the historic and cultural resources, and the natural environment of Washington Grove, as well as inviting and supporting individuals to share their ethnic, cultural, religious, and family traditions and practices.”

Section 12.3- “Expanding the Diversity of Residents” identifies the demographic composition of the community as 82.9 % white, 10.6% Black, 5.5% Hispanic or Latino residents and 3.9 % Asian. The comparison to the county is also provided. The methods of working toward a more inclusive community include improving communications and inviting engagement. Additional consideration could be given to providing more housing opportunities through affordability to encourage a more diverse population.

Section 12.4 “Historic Homes and Support for Rentals” speaks to the concept of reducing long-term vacant properties, although, with the recent up-tick in the real estate market, it is likely that the market may be having a positive effect on the purchasing and rehabilitation of previously vacant properties.

The *Draft Amendment* also includes a discussion of the support for expansion of room and home rentals to enable property owners to stay longer in their own homes. Another concept discussed is to explore the use of accessory dwellings units (ADU) within the town.

Planning encourages the most broadly defined definition of ADU, including those that are integrated into the main structure, to reduce impervious surfaces and to avoid new foundations. This approach is suggested to preserve the existing urban forest within the town, allowing for the least amount of physical impacts to the existing root zones of mature trees. Total lot coverage limitations (including building coverage) are the mechanism used in a zoning ordinance to prevent extensive impervious surfaces on a lot-by-lot basis. Separate ADU structures may have an unintended impact of creating more impervious areas and should be accounted for in stormwater management facilities if needed. For more examples of common practices specifically relating to ADUs (and other affordable housing) see Planning's [Housing Element Models & Guidelines Common Practice and Examples](#). Further, Planning suggests that the jurisdiction look to Montgomery County regarding licensing and legislation relating to ADUs. The most recent legislation can be found in the [staff report for Expediated Bill 28-21](#) that contains information relating to ADUs, including adding ADUs to the definition of a multifamily dwelling unit.

Section 12.5- "Infill Development" indicates that the town has considered the growth of the community through infill development. The current residential zoning of the town (RR-1, RR-2, RR-3, and RR-4) allows for the development of only single-family detached dwellings on a variety of lots sizes ranging from 7,500 square feet to 18,000 square feet. Planning suggests that the town consider the allowance of duplexes and other missing middle housing types for development on the existing remaining lots. Planning encourages emphasis on fee-simple homeownership, and less on rental or condominium ownership, by including the duplex or missing middle housing form as a permitted unit type. This suggestion is given to address issues of equity, specifically related to wealth building for work-force families. A greater diversity of housing types in the community would be consistent with the state housing vision and with the town's stated objective to "achieve a wider diversity of residents while also supporting expansion of housing opportunities". If this were to be considered, the local zoning ordinance could be revised to require the approval of a detailed site plan by the Planning Commission prior to the issuance of grading and building permits for multiplex units. The detailed site plan could include the site, landscape, and architectural elevations, for a comprehensive review of the proposal prior to construction, and findings associated with the approval process could also address the compatibility of new structures with the existing context of the community for a harmonious and compatible architectural design.

Section 12.6- "Reformed Parking Requirements" Indicates that the town is concerned about the parking situation in the town, in that the abundance of vehicles in the community may be problematic in certain areas. Planning encourages the town to reduce the number of parking spaces for new dwelling units because of the proximity of the community to transit by limiting on-site and off-site parking space requirements.

Section 12.7- "Residential Use in Commercial Zone" explores the concept of allowing residential uses above commercial retail uses on the first floor for a mixed-use development. Planning applauds the community for considering the expansion of residential uses, either as a mixed-use zone or a single residential use with shared activity areas located on the first floor of a multifamily structure. The town may also want to consider promoting senior housing, or a mix of market rate housing and workforce or low-income housing to address the state vision of providing housing for a variety of income levels. Alternatively, townhouse development could also be explored for a development on the one-acre site, promoting fee-simple ownership.

The town should be aware of the recent passage of [Senate Bill 687](#) (2021) relating to State and Local Housing programs – Affirmatively Furthering Fair Housing. The intent of the bill is as stated in the preamble of the bill. Section 3-114 of the Land Use Article is amended in the bill to include the following:

- (d) (1) Local jurisdictions have a duty to affirmatively 24 further fair housing through their housing and urban development programs.
- (2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2023, shall include an assessment of fair housing, to ensure that the local jurisdiction is affirmatively furthering fair housing.
- (3) On request of a local jurisdiction, the Department of Planning shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.
- (4) This subsection does not require a local jurisdiction to take, or prohibit a local jurisdiction from taking, a specific action to affirmatively further fair housing.

Planning will be collaborating with state agency partners to develop guidance and resources for jurisdictions to address these new housing element requirements.

(v) a land use element;

Section §3-111 of the Land Use Article states “On a schedule that extends as far into the future as is reasonable, the land use element shall propose the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.”

The Land Use Element has not changed from the approved 2009 Comprehensive Plan in regard to the residential land uses. For reasons stated above in the housing element analysis, Planning recommends that the land use chapter consider a more comprehensive approach to the residential land uses that could promote a larger “range of housing densities, types, and sizes” to provide “residential options for citizens of all ages and incomes” as stated in the housing vision for the state. This may require units and lot sizes that will cater to the needs of the community, such as housing for seniors, and affordable housing for workforce families.

Planning applauds the concept of incorporating a residential component into the local commercial land use (page 14). This may act as a catalyst to future redevelopment of the existing property that could lead to transformation of the Washington Grove Lane and Railroad Street intersection that acts as a gateway into the community. Because the current housing market is extremely strong, it is likely that redevelopment of the commercial property could be a result of the allowance of residential development. Under that assumption, design standards relating to housing compatibility with protected historic properties is an important factor. The goal should be to encourage an architectural design through the requirement of a detailed site plan approval process to review the site and architectural design that will visually blend harmoniously (but should not have to replicate existing historic elements) to create a vibrant and functional relationship among residential properties.

(vi) a development regulations element;

The *Draft Amendment* does not provide a chapter on development regulations but does provide some discussion of development regulations deemed appropriate for consideration in the future. It might be helpful to the community to provide a synopsis of the various development regulations being proposed by the *Draft Amendment* as an appendix or consolidated within the document. This process may also

provide a tool in preparation of the five-year report, required under Section 1-207 (c)(6) of the Land use Article:

- (6) at least once within the 5-year period after the adoption or review by the local jurisdiction of a comprehensive plan under Part II of Subtitle 4 of this title or under Title 3 of this article, contain a narrative on the implementation status of the comprehensive plan, including:
 - (i) a summary of the development trends contained in the previous annual reports filed during the period covered by the narrative;
 - (ii) the status of comprehensive plan implementation tools such as comprehensive rezoning to carry out the provisions of the comprehensive plan;
 - (iii) identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;
 - (iv) identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;
 - (v) future land use challenges and issues; and
 - (vi) a summary of any potential updates to the comprehensive plan.

Planning has developed guidance on local government annual reporting and the five-year report, which is available at <https://planning.maryland.gov/pages/yourpart/SGGAnnualReport.aspx>

(vii) a sensitive areas element;

Planning shares the town’s concerns about the preservation and retention of the old growth oak trees that dominate the forests of the East and West Woods (page 59), and recommends that the *Draft Amendment* discuss the vulnerability of oak trees in Washington Grove and details what the town will do if they do not survive. (Different sources suspect different causes of the oak blight: [UMD extension](#), [MDA](#), and [National Park Service](#).) Page 60 mentions the “ongoing failure of mature trees [that] has led to an increasing loss of canopy” but attributes this to “blow downs or age-related death of small groups of mature trees.” The contribution of dying oaks could be mentioned and the possibility of an Urban Forest Management Plan for the community might be a way of organizing and considering the preservation and protection of the “Town within a Forest”. See the following link for a toolkit for creating an urban forest management plan <https://ufmptoolkit.net/>

The *Draft Amendment* describes how the over-browsing of deer has eliminated native plants, shrubs, and successor trees, and opened the door to invasive species. The recommendations on page 62 indicate an aggressive approach to address the problems. The impact of deer on town trees is discussed on pages 63-64; the recommendations on pages 64-65 to protect town trees are relevant.

The *Draft Amendment* states that trees big enough to withstand deer rubbing “must be brought in by tree spade” (page 64). The tree spade method of transplanting is an expensive proposal. Planning suggests the town consult with a licensed forester, landscape architect or qualified professional <https://onestop.md.gov/licenses/forest-conservation-act-qualified-pro-5d1540b854f24d03e9998520> proficient in urban forestry to find ways to address planting of trees at a size less than those that require a tree spade to transplant. The younger the tree the more success in the viability of the tree.

The recommendations for controlling non-native invasive species are excellent (page 65).

The recommendations for other sensitive areas are also well considered by the town, though the general recommendation for Historical Concerns on page 70— “Historical concerns as well as environmental

concerns should be given consideration in planning and treatment for these locales”—could benefit from some elaboration.

Sustainability

This section (page 120) provides a survey of the town’s greenhouse gas emitters and recommends ways to reduce the use of fossil fuels and capture carbon. The town’s level of discussion and recommendations for reducing greenhouse gases are commendable.

(viii) a transportation element;

Chapter 3 of the *Draft Amendment* addresses a unique set of transportation issues and includes specific recommendations such as maintaining historic walkways, encouraging pedestrian and bicycle connections, supporting the MARC service, protecting historic characteristics of roadways, and discouraging cut-through traffic in the town, which will help achieve the major goal of the plan to preserve the historic character of the community.

Section 3.2 Parking Policy - The parking recommendations on page 31 only addressed the potential parking issues that may be resulted from future infill or redevelopment and does not address the current parking overflow issue. Therefore, Planning suggests revising the recommendation language, “review implementation of the Parking Policy,” to clarify whether the town will establish a public parking area to address the current issue of overflow parking in public areas.

Planning is pleased to note that the town supports the development of bicycle and pedestrian connections to the Shady Grove Metro Station and the surrounding trails/bikeways and major destinations in Montgomery County and the City of Gaithersburg (page 33). The Federal Highway Administration’s “Small Town and Rural Multimodal Networks” https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/ is a good reference for strategically and incrementally building a pedestrian and bicycle network in a small town like Washington Grove.

Section 3.3 Walkway/Bikeway Connection - The *Draft Amendment* contains ambitious bicycle and pedestrian trail recommendations, which include coordination with Gaithersburg and Montgomery County, including an off-road trail from Crabbs Branch Way to Amity Drive and Brown Street” that is part of the Comprehensive Montgomery County Bicycle Comprehensive Plan and due to be built in a few years. The *Draft Amendment* says, “Approval of the Bicycle Comprehensive Plan does not automatically result in project funding, which is set by the Department of Transportation (DOT) based on the availability of funds and the importance of the project” (page 32). The *Draft Amendment* should note that state funding through the Maryland Department of Natural Resources’ (DNR) Program Open Space (POS) as well as the Maryland Department of Transportation’s (MDOT) Bikeways Program is also available. Planning also suggests the *Draft Amendment* include a specific recommendation to support the above-mentioned off-road trail.

In addition, the town may want to consider a recommendation calling for maintaining and improving multi-modal access including pedestrian, bicycle, and transit connections to the Washington Grove MARC station. Signage, pavement, and streetscape design compatible to the Town’s historic status could be part of the multi-modal access actions. MDOT provides various funding programs to support local pedestrian and bicycle facility improvements. Here is the link for pedestrian and bicycle project funding sources provided by MDOT:

<https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=24>

Section 3.4 Railroad Corridor - There could be a potential safety concern if the land south of Railroad Street and the proposed Growth Area 3, 4, and 5 would be redeveloped in the future (page 33-34). Therefore, Planning suggests the *Draft Amendment* include a recommendation to address railroad safety, such as implementing compatible land use and providing safety elements, signage, and fencing (if needed) along the railroad corridor. As a reference, [Transportation Research Board's National Cooperative Research Program Report 16](#), provides tools and guidance on how to avoid conflicting land use and mitigate existing uses to achieve rail-compatible development, e.g., compatible zoning, minimum setback standards, and designs on lots and building layouts.

Transit Services - The *Draft Amendment* addresses the MARC service including the town's support for the transit service (page 33-34). In addition, the *Draft Amendment* should include the bus service information and related recommendations, if any. Are the buses serving the town adequate in terms of service frequency and coverage? Are there any needed improvements including bus signage and safety features at bus stops?

Page 33: The *Draft Amendment* contains ambitious bicycle and pedestrian trail recommendations, which include coordination with Gaithersburg and Montgomery County. These recommendations are well considered.

Page 32 describes "an off-road trail from Crabbs Branch Way to Amity Drive and Brown Street" that is part of the Comprehensive Montgomery County Bicycle Comprehensive Plan and due to be built in a few years. The *Draft Amendment* says, "Approval of the Bicycle Comprehensive Plan does not automatically result in project funding, which is set by the Department of Transportation (DOT) based on the availability of funds and the importance of the project." (page 33) The *Draft Amendment* should note that state funding through DNR's POS as well as MDOT's Bikeways Program is also available.

Section 13.1 Global Climate Challenge: Planning is glad to see the *Draft Amendment* includes the recommendation of expanding "electric vehicles/equipment, install charging stations....." (page 120). Considering the potential infill and redevelopment opportunities in the town, Planning suggests the town consider a recommendation requiring electric vehicle (EV) charge-capable or EV-ready for the community and certainly any redevelopment of the commercial property. For reference on the levels of EV infrastructure-readiness for buildings, please check this link: <https://www.swenergy.org/transportation/electric-vehicles/building-codes>

(ix) a water resources element.

Chapter 7 is the Water Resources Element (WRE) (pages 71–78) analysis and discussion. The following is a summary of WRE recommendations:

1. The Introduction (page 7) states that the WRE was reviewed by MDE. Planning recommends that this statement be clarified to explain the details regarding MDE's review.
2. Note that the "existing zones and total acreage of each zone within the Town limits" on page 12 within Chapter 1 contains several errors, including the total acres comes out to 217.4 rather than the 215.6 that is listed; and the percentages when totaled come out to 100.8%.
3. Planning recommends that the WRE water supply and wastewater system sections include statements regarding the specific amount (in gallons per day) of increases in water supply and wastewater flow that would result from the projected maximum growth potential, and specific information about how these increases will be accommodated. Planning also recommends that the WRE indicate the additional gallons per day of increases in water supply and wastewater flow that would result from homes currently served by wells and/or septic systems connecting to the

public system and how these increases would be accommodated. If the town will need an increase in water or wastewater allocation from WSSC or other public systems to accommodate increased demand, then the WRE should indicate this and whether there might or might not be any obstacles to obtaining that additional allocation.

4. Clarify that “all major trunk sewers in Montgomery County” on page 72 includes Washington Grove, and whether all wastewater from Washington Grove discharges to the Blue Plains Water Pollution Control Plant.
5. Planning recommends that the town include in the WRE a forecast of the changes in impervious cover and forest cover based on the future land use plan with the projected maximum growth potential.
6. Planning recommends that the WRE indicate if any the five identified Growth Areas will require any additional public water or wastewater or not, and if so, how those increases would be accommodated.
7. Planning also recommends that the WRE include a statement regarding likely changes to stormwater runoff resulting from annexation of the five identified Growth Areas, if developed under the town’s anticipated zoning category.

(2) If current geological information is available, the plan shall include a mineral resources element.

The *Draft Amendment* does not address the above issue if current geological information is available.

(3) The plan for a municipal corporation that exercises zoning authority shall include a municipal growth element.

According to Chapter 2 of the Draft Amendment, “Municipal Growth and Boundary” (pages 16–27), the original design of the town and its growth patterns—including The Circle with seven radiating avenues and the Cottage District with a grid of alternating roads and walkways—were based on Camp Meeting, which was first developed in the area beginning in 1837; the town was later established in 1937. This early town design set the stage for the existing layout of the community, and it has been generally adhered to throughout the years. The remaining infill lots have accounted for in the capacity analysis, based on the current zoning minimum lots sizes for residential development.

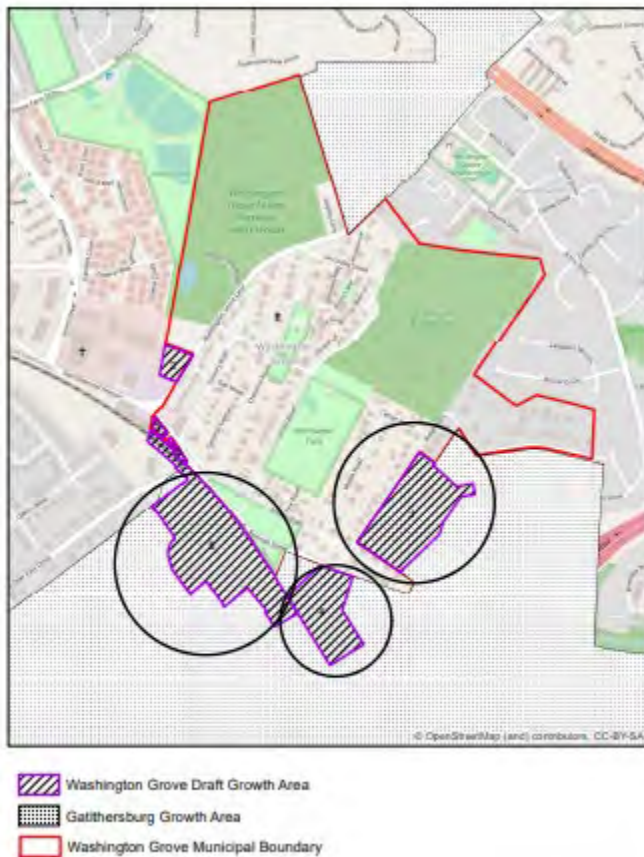
Chapter 2 provides a discussion of the municipal growth element. Exhibit A – Current Zoning and Growth Areas (page 10) shows the growth areas as described in Section 2.2 Municipal Growth Areas. This map is updated since the 2009 comp plan. It would be helpful if the text of Section 2.2 included a reference to the map, as it provides a visual image that is crucial to understanding the lay of the land, adjacent zoning of properties within the town, and the street network.

Section 2.2.1 “Five Municipal Growth Areas” describes all five of the identified growth areas of the plan. The description of Areas 3 and 4 on page 24 states that a zoning category of Services (S-1) would be the likely acceptable zoning if the properties were to be annexed into the town. The text describes the Services zoning as “specific uses permitted in this proposed new zone would be negotiated with property owners as part of the annexation process.” It may be helpful to list examples of those services the town is anticipating being acceptable.

The description of Area 5 on page 25 does not state the proposed zoning. However, Exhibit A shows it as MU (Mixed-Use). It would be helpful to the reader to add the proposed zoning for Area 5 in the text description and a description of mixed-uses. With the decline in the retail market and the impact the pandemic has had on brick-and-mortar retail, it should be anticipated that uses other than retail will begin

to emerge in the mixed-use scenario. Again, it may be helpful to list examples of those services the town is anticipating being acceptable.

Planning observes that portions of the proposed municipal growth areas overlap with Gaithersburg's municipal growth area (Map shown below). Planning acknowledges Washington Grove's recommendation to "Meet and confer with appropriate County agencies and the City of Gaithersburg regarding this municipal growth element" (page 26) and encourages continued coordination with adjacent jurisdictions regarding the vision for the growth areas.



In addition to the mandatory elements of the comprehensive plan as required in §3-102 (a) of the LUA, §3-102 (b) allows for several elements that may be added to a comprehensive plan, including a conservation element. Chapter 5 of the *Draft Amendment* includes discussions relating to the existing parks within the town and the East and West Woods, which are forest preserve areas. Pages 49-58 offer an interesting history and description of the town's parks and forests, which contribute to its National Register historic designation. Although little harm is likely to befall the parks and forests from future development, the one sentence recommendation at the end of Chapter 5—"The historic character of these features should be given consideration in planning and treatment"—could use some elaboration.

Emergency Management Planning

The emergency management planning approaches and objectives described in the *Draft Amendment* are well documented. Planning reviewed the *Draft Amendment* relative to emergency management planning and state hazard mitigation strategies and goals. The *Draft Amendment* identifies the specified working group used to integrate emergency management and hazard mitigation planning in the comprehensive

plan and includes a detailed section (Chapter 12) devoted to emergency preparedness, risk management, and hazard mitigation.

By integrating emergency management planning in their comprehensive plan, Washington Grove planners have augmented both the comprehensive planning process and the natural hazard mitigation strategy. This will reduce the community's vulnerability to disasters, support pre and post disaster decision – making, and help speed the community to normalcy following a hazard event.

Chapter 12 - the Emergency Preparedness with Risk Management and Hazard Mitigation section identifies the primary hazards facing the town and offers a practical strategy to identify policies, capabilities, and activities improving the town's ability to recover from emergency situations. Most notably the development of a Continuity of Operations Plan (COOP), and the formation of the Washington Grove Emergency Preparedness and Safety Committee.

The development of the COOP will include creating a chain of command with a clear succession of authority and emergency decision – making and spending authority; identifying alternate locations for continuing governmental operations; and enhancing and exercising the town's communication system.

The goal of the Washington Grove Emergency Preparedness and Safety Committee is to advise the Mayor and Town Council and work with Montgomery County government to coordinate and facilitate emergency management planning.

In addition, the Washington Grove Comprehensive Plan observes many of the goals supported by the 2021 Maryland Hazard Mitigation Plan, including:

- Providing recommendations to protect life, assets, and critical facilities, as well as the economy and the environment from risk (Page 107), and
- Offering recommendations to improve coordination across the whole community, including county and State government, and nongovernmental organizations. (Page 108)

In summation, recommendations within this section of the *Draft Amendment* should help to strengthen existing linkages and create new connections between Montgomery County and Washington Grove mitigation and resiliency efforts.

Planning's Suggested Technical Edits

- Page 8 indicates that the WRE has been reviewed by MDE and that the sensitive area element has been reviewed by DNR. Was this review completed in the last adopted plan and this language simply a carry-over to this plan? MDE's review comments for the *Draft Amendment* are attached to this review. No comments from DNR have been received to date on this *Draft Amendment*.
- Pages 10-14: The map and text references to Forest Reserve, Forest/Recreation, and Forest preserve are confusing. The map on page 10 and accompanying list of zoning categories indicated that 107 acres—49.6% of the town's acreage—lies within the Forest Preserve. (Page 55 also says that the East Woods and West Woods comprise nearly half of the town's land.) Page 14, however, says that the 107 acres includes forest AND parks, with just 89 acres in the Forest Reserve. This inconsistency needs to be resolved, as does the different name for the FR zone: It's called Forest Preserve on page 12 and Forest/Recreation on page 14. FP (Forest Preserve) zoning is mentioned in the recommendations on page 14, though it had not been mentioned previously.
- Page 13; FR zone is labeled as Forest/Recreational, while page 12 labels FR as Forest Preserve. This should be reconciled.

- Section 1.4 (p 15) discusses the creation of new “employment/office” zone, “service zone”, and mixed-use zone” for areas 3, 4, 5. Subsequent descriptions of areas 3, 4, and 5 only discuss S-1, which is referred to as “Services” on page 24. The employment/office zone is not referenced in the rest of the plan. S-1 should either be referred to as service zone or services to avoid confusion and to be consistent.
- Page 18: In the third paragraph, it appears that the *Draft Amendment* missed the estimated 82 additional residents from the infill development as part of the maximum population growth potential.
- Page 28: For the last bullet point on page 28, delete “Comprehensive” (a typo) at the beginning of the sentence.
- Page 34: (the 4th recommendation on the top of the page): Change “..... work with MARC to improve.....” to “.....work with MDOT MTA to improve.....”

If Planning can be of any further assistance or facilitate assistance/information from other State agencies as the Town of Washington Grove continues the processing of this comprehensive plan, please contact Susan Llareus, Planning Supervisor for the Maryland Capital Region, at susan.llareus@maryland.gov

Maryland Department of Planning Review Comments

August 20, 2021

2021 Draft Amendment Washington Grove

STATE AGENCY COMMENTS

The following pages contain comments from other State agencies in support of the Maryland Department of Planning (Planning) review of the Comprehensive Plan as part of the standard 60-day review period for municipalities. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by Planning, they will be forwarded to the municipality in a timely manner.

Attachments

Page 18: Maryland Department of the Environment

Page 20: Maryland Department of Housing and Community Development

Page 21: Maryland Historical Trust

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
LAND AND MATERIALS ADMINISTRATION
RESPONSE TO CLEARINGHOUSE PROJECTS**

Project Assigned To	Jennifer Hopper	
Project Review SAI#	MD20210623-0552	
County/Location	Montgomery County	Town of Washington Grove
Received in LMA	6/24/2021	2021 Comp Plan
Due Date to OC	7/16/2021	
PLEASE NOTE:	<input type="checkbox"/> COPY <input type="checkbox"/> CIRCULATED THRU ADMINI.'S <input type="checkbox"/> DUE ASAP	

(Check if Applies): C1 _____ R1 X R2 _____ R3 _____ R4 _____

 X ¹Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.

 X ²If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.

 X ³Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.

_____ ⁴The proposed project is located near land on which sewage sludge was stored, land applied, or disposed under a sewage sludge utilization permit issued by the Land and Materials Administration. Specific questions regarding this site should be directed to the Sewage Sludge Division at (410) 537-3314.

 X ⁵The Resource Management Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.

_____ ⁶CERCLA listed site MD-# _____, (name) _____, (Address) _____, is located within approximately _____ miles of (Site/Project being reviewed) _____. Contact the Land Restoration Program at (410) 537-3437 for more information.

X ⁷Any contract specifying “lead paint abatement” must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1978 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.

— ⁸MDE requests that efforts be made to prevent contamination of the surface and ground water of the State of Maryland during any proposed construction and renovation activities. In the event that spills or other releases of petroleum or hazardous materials occurs from the proposed operations which may potentially impact State waters, MDE requests prompt notification at 1-866-633-4686 (toll free).

X ⁹The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please Land Restoration Program at (410) 537-3437.

— ¹⁰The project may cause contaminated runoff from an animal feeding operation (AFO). Please contact the AFO Division at (410) 537-4423 to determine if this AFO will require registration under the General Discharge Permit for Animal Feeding Operations.

— ¹¹The project will result in increased numbers of confined animals at this animal feeding operation (AFO) and therefore necessitate registration under the General Discharge Permit for Animal Feeding Operations. Please contact the AFO Division at (410) 537-4423 to determine if this AFO will require registration under this permit.

X ¹²Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.

— ¹³Any project that will remove coal from the site as part of the exaction will require review by the Department. Contact the Mining Program at (410) 537-3557 for further detail.

Additional Specific Comments:

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LARRY HOGAN
Governor
BOYD K. RUTHERFORD
Lt. Governor
KENNETH C. HOLT
Secretary
OWEN McEVOY
Deputy Secretary



August 6, 2021

Mr. Joseph Griffiths
Manager of Local Assistance and Training
Maryland Department of Planning
301 West Preston Street, 11th floor
Baltimore, MD 21201

Dear Mr. Griffiths:

Thank you for the opportunity to review the 2021 Town of Washington Grove Comprehensive Plan (the Plan). Overall, staff felt that the Plan does a good job of assessing existing housing needs and assessing the potential and capacity for infill development. The Plan includes a housing element that outlines housing goals, objectives and standards. The comments and questions below are based on a review of the Plan by staff in the Maryland Department of Housing and Community Development (DHCD) Division of Neighborhood Revitalization.

- The Town is strongly encouraged to consider adding accessory dwelling units or options such as aesthetically-consistent duplexes where possible, as the area does not appear to be affordable for renters or homeowners based on the data provided.
- The housing stock is generally older and the entire area is a National Register Historic District. The Town and residents may be able to access resources from the Maryland Historical Trust to support home improvements.
- The Town could explore working with housing providers such as the Housing Initiative Partnership or Habitat for Humanity Metro Maryland to develop affordable infill housing and accessory dwelling units.
- Homelessness is not mentioned in the Plan. It is not clear if that is a concern.

Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding our comments, please email me at john.papagni@maryland.gov or call 410-209-5807.

Sincerely,

A handwritten signature in black ink that reads "John Papagni".

John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Ashlee Green
Susan Llareus



MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
2 N. Charles St. Suite 450 • Baltimore, MD 21201 • dhcd.maryland.gov
410-209-5800 • TTY/RELAY 711 or 1-800-735-2258





Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

July 16, 2021

Ms. Susan Holm Llareus, PLA, ASLA
Regional Planner for Maryland Capital Region
Maryland Department of Planning
301 West Preston Street, Room 1101
Baltimore, MD 21201

Dear Ms. Llareus:

Thank you for the opportunity to review the Town of Washington Grove 2021 Comprehensive Plan and submit comments on behalf of the Maryland Historical Trust.

The Town of Washington Grove has produced an extraordinarily thoughtful and sensitively written comprehensive plan that not only references, but embraces its historic past in the context of the present with a careful eye to the future that was a pleasure to read. It appears that every aspect of planning is reflected through the lens of historic preservation in each chapter element, including detailed discussion of the adverse impacts associated with high intensity LED lighting for the Town's street lamps. We applaud such efforts and concerns to preserve not only the usual physical and tangible aspects of historic character, but the uniquely qualitative assets as well. The result is a plan steeped in historical background for a special "place apart" in the 21st Century that "Grover's," as the Town's residents are warmly referred to in the plan, can be proud of, as important as the wooden street signs, a small but tangible aspect of community character that the Town clearly cherishes.

We note that prominent attention to historic preservation is deliberative throughout the plan. Each component of the plan is prefaced by historic context, including the stands of old growth forest within the Town that are afforded contextual historical background in the Sensitive Areas and Environmental Concerns chapter. A summary of historical concerns appear at the end of each chapter element for further consideration, information rarely seen in most comprehensive plans. The Preservation and Development Strategies element would, in an ordinary plan, merit special mention, but in this plan it only adds substance to the plan as a whole by underlying and augmenting the focus on historic preservation.

While preservation is undoubtedly front and center throughout the plan, it seems apparent that the tools needed to uphold the goals and objectives of preserving and enhancing the Town's character could be strengthened through the Town's local historic district and Historic

Preservation Commission. We encourage the Town to clarify in Section 9.5 on page 93 the description of the existing local preservation regulation, including the local preservation ordinance and the role of the commission, as well as recommendations for the future. The plan notes the absence of strong controls over demolition, which could be addressed through the development of standards, guidelines and procedures for review, stronger permitting thresholds and a general awareness of the importance of preserving existing contributing structures where feasible. The Maryland Historical Trust would be happy to provide assistance as needed; the Maryland Association of Historic District Commissions is another resource for local commissions.

Infill is another topic of frequent mention in the plan. Although the Town is substantially built out, opportunities for infill development may contribute to, rather than detract from the existing community character and historic fabric, especially in light of the development pressure that emanates from the presence of the MARC station and other locational advantages that the Town possesses. A context sensitive infill ordinance could be developed to fulfill the recommendation on page 93 that recognizes the unique architectural character of surrounding buildings, mandates consistent setbacks, height, mass and bulk, use of compatible materials and other sensitive design features for new construction to ward against the threat of “mansions.” Again, we would be happy to assist.

Listed below are specific comments noted in the plan:

Page 57 mentions the opportunity for archaeological survey of Maple Spring and Whetstone Spring. Contact Dr. Matthew McKnight, Chief Archaeologist at the Maryland Historical Trust for guidance at 410-697-9572 or matthew.mcknight@maryland.gov

Page 86 references a state Register of Historic Places. Please change this reference to the Maryland Inventory of Historic Properties (MIHP).

Page 88 Recommendations include providing copies of the NR District Nomination to residents, Town officials and employees. Consider including business owners in the distribution, as well as information on the local historic district ordinance.

Page 89 Recommendations states that people who maintain and treat the Town’s historic landscape should consider its historic character. “Shall” is a stronger term, especially when supported by ordinances, policies, permit approval procedures and programs.

Pages 98, 99 Amending the zoning code and creating ordinances to address concerns about demolition and infill should be a priority for the Town.

Pages 111-113 It is commendable that the Town acknowledges the past history of race and wealth based exclusion in deed covenants and is taking active steps to remove racist covenants as recommended on page 119, while striving to achieve greater diversity among its residents.

Thank you again for the opportunity to comment on the plan. If you have any questions, please contact me at (410) 697-9561 or steven.allan@maryland.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Steven H. Allan". The signature is fluid and cursive, with a large initial "S" and "A".

Steven H. Allan, AICP
Local Assistance and Training Planner
Office of Planning, Education and Outreach

Cc Nell Ziehl, Chief, Office of Planning, Education and Outreach
Joseph Griffiths, MDP
Rita Pritchett, MDP
Matt McKnight, MHT