

Town of Smithsburg, Maryland  
Comprehensive Plan 2011

Adopted  
February 7, 2012



## Acknowledgements

This Plan was prepared by the Staff and Planning Commissioners of the Town of Smithsburg, Maryland and serves as an update to the 2008 Smithsburg Comprehensive Plan. Information was also provided by Jakubiak and Associates, Inc. as part of the 2008 Comprehensive Plan update and incorporated into this document as needed. The input and comments of citizens, municipal officials, and other groups and organizations are gratefully acknowledged.

### **Smithsburg Planning Commission**

Gregory White, Chairperson

Bob Davis, Member

Paul Gyurisin, Member

Dee Hockensmith, Member

Jon Snyder, Member

Jerome Martin, Ex-officio

### **Mayor and Council**

Mildred Myers, Mayor

Donnie Sounders, Council Vice-  
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Tyler Lushbaugh, Councilman

Jerome Martin, Councilman

### **Town Staff**

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Betsy Martin, Town Clerk/Treasurer

Nancy Walzl, Assistant Town Clerk/Treasurer

### **Dedication**

This document is dedicated to Mr. Harold Boyer. His tireless efforts in this community as an educator, councilman, planning commissioner, volunteer, and friend will be sorely missed but never forgotten.

# Resolution of Adoption

## RESOLUTION

### Town of Smithsburg, Maryland 2011 Comprehensive Plan

WHEREAS, the Mayor and Council of the Town of Smithsburg have reviewed the proposed 2011 Comprehensive Plan for the Town; and

WHEREAS, the Town Planning Commission has developed, reviewed, and recommended adoption of the 2011 Comprehensive Plan in accordance with Article 66B of the Maryland Annotated Code; and

WHEREAS, the 2011 Comprehensive Plan was submitted to, and reviewed by, the Maryland Department of Planning for the required 60-day comment period required by §3.07 of Article 66B of the Maryland Annotated Code; and

WHEREAS, a public hearing was held on January 3, 2012 for the purpose of eliciting comment from the general public and stakeholders; and

WHEREAS, the Mayor and Council of the Town of Smithsburg considers the 2011 Comprehensive Plan to be for the best interest and welfare for its citizenry;

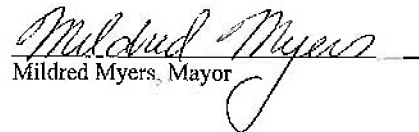
NOW, THEREFORE IT BE RESOLVED, by the Mayor and Council of the Town of Smithsburg, Maryland, do hereby adopt the 2011 Comprehensive Plan for the Town of Smithsburg, Maryland.

Adopted this 7<sup>th</sup> day of February, 2012.  
Effective the 7<sup>th</sup> day of February, 2012.

ATTEST:

MAYOR AND COUNCIL OF THE TOWN  
OF SMITHSBURG, MARYLAND

  
Betsy Martin, Town Clerk/Treasurer

  
Mildred Myers, Mayor

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# Article 1 – Plan Introduction and Existing Conditions

## Chapter 1 – Plan Introduction

### Section 1.1 – Purpose of the 2011 Comprehensive Plan

This 2011 Comprehensive Plan sets forth policies governing growth, development, and conservation in Smithsburg. This Plan is long-range, general, and comprehensive.

- Long-range:** This plan is forward-looking. It addresses Smithsburg’s future needs through the year 2030.
- General:** This plan does not focus on matters of detail, which can distract from important policies and proposals. To the extent possible, it focuses on the broad arrangements of land use, transportation, sensitive environmental areas, community facilities, and municipal growth.
- Comprehensive:** This plan uncovers relationships between local and regional factors that impact development and conservation. It addresses major elements of the natural and built environments.

This Comprehensive Plan expresses basic goals and acts as a guide for the future of Smithsburg. As a guide, this Comprehensive Plan allows Smithsburg to make day-to-day development decisions on the basis of reasoned and adopted policies rather than on the merits of individual proposals. This document—its text, maps, and illustrations—provide the basis for making changes to zoning, subdivision, and other regulations that govern land use and infrastructure development in Smithsburg.

### Section 1.2 – Legal Basis for the Comprehensive Plan

This Plan was developed in accordance with Article 66B – “Planning and Zoning” of the Annotated Code of Maryland. According to Article 66B Section 3.05, “A Planning Commission shall make and approve a plan which the commission shall recommend to the local legislative body for adoption. The Plan shall: (i) Serve as a guide to public and private actions and decisions to insure the development of public and private property in appropriate relationships; and (ii) Include any areas outside of the boundaries of the Plan which, in the planning commission’s judgment, bear relation to the planning responsibilities of the commission.”

In addition to the tenets of Article 66B, the Maryland General Assembly passed legislation in 1992 known as the Maryland Economic Growth, Resource Protection, and Planning Act (aka “the Planning Act”) that established “visions” for land use development across the State. These “visions” have recently been amended by the “Smart, Green and

Growing” legislation passed by the MD General Assembly in 2009 (House Bill 294/Senate Bill 273). Under the Planning Act and its successive Smart, Green and Growing amendments, the State visions must be implemented when the Comprehensive Plan is developed. The most current State “visions” are as follows:

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 archeological 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 states 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. Resources 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.

This Plan was also developed in accordance with amendments made to Article 66B by the MD General Assembly in 2006 commonly known as House Bill 1141. These amendments included new requirements to prepare two additional elements to the Comprehensive Plan known as the Municipal Growth Element and the Water Resources Element. This Plan meets all of these requirements, and was developed with the express intent to be consistent and considerate of the State's efforts to promote and implement Smart Growth policies. Furthermore, the development of this document included discussions with the City of Hagerstown, Washington County, and the State of Maryland in an attempt to coordinate planning efforts.

### **Section 1.3 – Evolution of Smithsburg Town Planning**

This Comprehensive Plan builds on the 1974, 1996, and 2008 plans. The main goals laid out in the 1974 Comprehensive Plan included;

- Involving the community,
- Maintaining the small-town feel of Smithsburg,
- Maintaining a relationship of stewardship with the natural environment,
- Ensuring a range of housing opportunities and community facilities are available,
- Ensuring efficiency and safety in transportation; and
- Preserving historic resources.

The 1996 plan built on these goals and further emphasized the need for public facilities to keep up with the pace of residential growth. The 1996 Plan was also completed to update the Town's Planning policies to be consistent with the then newly adopted 1992 Planning Act. It was in this document that the Town began to implement the Statewide "visions" and policies of Smart Growth.

In 2008, the Town updated its Plan to further implement the goals of smart growth and began to focus on issues relating to sustainable growth.

### **Section 1.4 – Plan Organization**

This 2011 Comprehensive Plan is organized into three main Articles. Each Article contains elements that are a vital part of the overall Comprehensive Plan. Article 1

contains basic Plan information including the purpose, legal basis and organization of the document as well as important background information on historic development trends the Town's population, and the various interrelated physical elements of Smithsburg. It provides the baseline for a shared understanding of the opportunities and constraints facing the Town as it looks to the future. Article 2 provides a description and analysis of future development trends and its impact on the Town's natural, historic, cultural, and infrastructure resources. Article 3 provides a summation of the long-range visions and goals of the Town and recommended policies of this Comprehensive Plan.

### **Section 1.5 – Location and Physical Characteristics**

The Town of Smithsburg is located within Washington County, Maryland approximately 7 miles east of the County seat of Hagerstown, Maryland. On a more regional scale, Smithsburg is approximately 55 miles southwest of Harrisburg, PA, 57 Miles west of Baltimore, MD, and 60 miles northwest of Washington DC. See the Regional Location Map located in Appendix A.

Physiographically speaking, the Town of Smithsburg is located within the Hagerstown Valley province, however, the boundary between the Blue Ridge and Hagerstown Valley provinces is located along the eastern boarder of the Town. Nestled against the western most boundary of South Mountain, elevations in the Town range from 640 to 900 feet above sea level.

With regards to hydrology, the Town of Smithsburg is located within the Antietam Creek Watershed, which is part of the Potomac River Watershed, and ultimately the Chesapeake Bay Watershed. Beaver and Grove Creeks, tributaries of the Antietam Creek pass through the Town.

### **Section 1.6 – Town History**

The earliest known settlements in the area now known as Smithsburg, occurred around 1787. Farmers were attracted to the area by rich, well drained soils that provided abundant crop harvests, lush pastures for grazing animals, and profitable orchards. Smithsburg was founded by Christopher Smith in 1813 when he purchased a plot known as 'part of Shadrack's Lot'. The Town was officially incorporated in 1841 and continued to grow through the advancement of the railroad system and agricultural technology. The Town also played a crucial role during the Civil War by serving as a hospital town in 1862, treating wounded soldiers of local battles such as the Battle of South Mountain and the Battle of Antietam.

## Chapter 2 – Existing Conditions and Background Data

In order to adequately plan for future land use and development, it is important to review historic trends in development and its impacts on the Town resources. By understanding and evaluating how resources are impacted by development, it will help local elected officials presently and in the future predict and better plan for more orderly growth. The Planning Commission reviewed and concurred on the existing conditions in this section to create a baseline to predict future growth and its impacts.

### **Section 2.1 – Recent and Ongoing Plans and Projects**

#### **Public Infrastructure Investments**

The bulk of capital projects being completed and/or planned within Smithsburg are related to continued maintenance of existing public infrastructure. Recent budgetary cuts from State and Local funding agencies have nearly halted any significant improvements in the public infrastructure. Examples of on-going maintenance related projects include road and alleyway overlaying, patching and sealing damaged roadways, sewer line inflow and infiltration identification and repair, replacing older water meters to reduce water loss in the system, and maintenance and upkeep of Veterans and Lions Community public parks. One significant public works project is currently being pursued dependant upon availability of grant funding. The project is replacement/upgrade of an existing 8” transite water line to a 12” ductile iron water transmission line.

#### **Private Development Activity**

Private investment in the Town is also dramatically decreased over the last several years due to the decline in the economy and the housing market crash. There are three private developments within the Town that have planning approvals and are in various stages of completion. If and when the housing market rebounds, these developments have the most potential for quickly building out due to their approval status. They include

- 1) Mountain Shadows – This development will have a total of 53 dwelling units upon completion. Currently, phase 1 of this project containing 32 townhouses on the south side of E. Water Street has been completed.
- 2) Maplegrove Estates – This development will contain a total of 69 age-restricted dwelling units for residents 55 and over. Currently, 20 of these units and a community center for the development has been completed.
- 3) Gardenhour Estates – Located on the north side of Town, east of Pennsylvania Avenue, this development has been approved for 29 single family homes. Currently, none of the units has been completed.

#### **Recently Approved Annexations**

Over the last several years annexation within the Town has slowed significantly in correlation to the current housing market bust. Most of the annexations have been small and related to families wanting to subdivide land for other family members. A list of recent annexations is listed in Table 2.1.

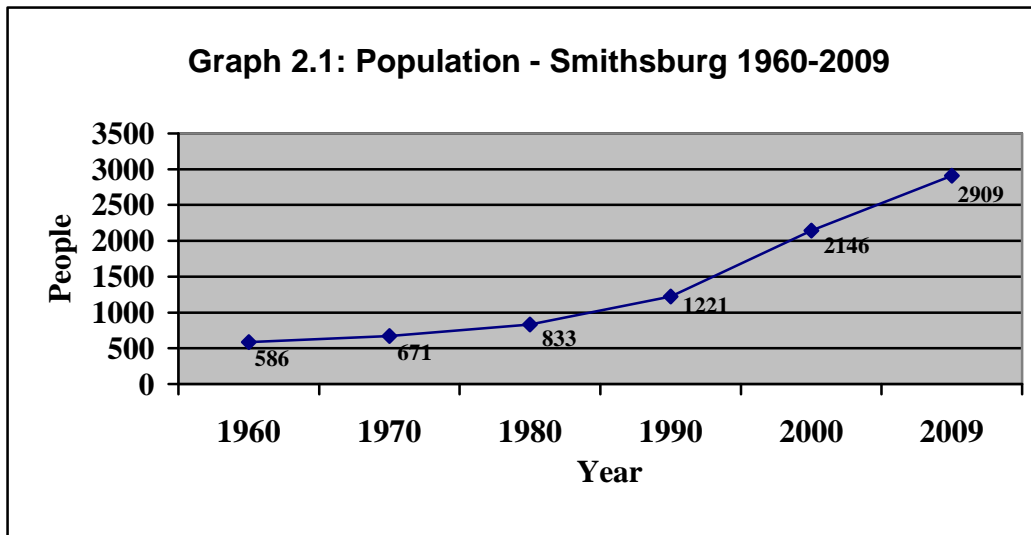
**Table 2.1 Recent Annexations (2006-2010)**

<b>Date Approved</b>	<b>Annexation Name</b>	<b>Description</b>
01/18/2006	Frey	3.04 acres proposed for 2 family member lots
09/13/2006	Fleming/Woodland Station	4.5 acres proposed for 10-12 single family lots
09/13/2006	Gardenhour Estates	24.35 acres proposed for 29 single family lots
10/10/2007	Smith	2.38 acres proposed for 1 family member lot
10/10/2007	City of Hagerstown	28.48 acres annexing water treatment plant
10/10/2007	Town of Smithsburg	2.23 acres annexing Town owned land
04/14/2009	Verdier	0.45 acres annexed to be part of Woodland Station subdivision
04/14/2009	Jacques	0.72 acres annexed to eliminate property being split between Town & County

**Section 2.2 – Demographics and Economics**

**Population**

Between 1960 and 2000, Smithsburg grew by 1,560 residents (see Graph 2.1) at an average annual growth rate of 3.30%, according to the U.S. Census Bureau. The most considerable growth occurred between 1990 and 2000, during which period the Town’s population increased nearly 76% from 1,221 to 2,146 (see Table 2.2). In comparison, Washington County grew by 40,704 residents at an average annual growth rate of 0.93%.



Source: US Census Bureau

In 2009, the U.S. Census Bureau estimated a Town population of 2,909 residents, indicating Smithsburg grew by an estimated 763 residents between 2000 and 2009 at a growth rate of 3.95% per year. In comparison, Washington County grew at a rate of 1.18% during this same time frame.

**Table 2.2 Population Growth by Decade - Smithsburg and Washington County**

	1960-1970	1970-1980	1980-1990	1990-2000	2000-2009	1960-2009
<b>Smithsburg</b>						
Percent Change per Decade	14.51	24.14	46.58	75.76	35.55	-
Percent Rate of Growth per Year	1.45	2.41	4.66	7.58	3.56	3.93
<b>Washington County</b>						
Percent Change per Decade	13.82	8.92	7.35	8.67	10.6	-
Percent Rate of Growth per Year	1.38	0.89	0.74	0.87	1.06	0.99

Source: US Census Bureau

Washington County has experienced a steady increase in population between 1960 and 2000. While the most significant increase occurred between 1960 and 1970 (12,610 people), the County has experienced a relatively steady growth rate over time. The annual growth rate for the County has been approximately 1% each year between 1960 and 2009. The U.S. Census Bureau reported the total population in 2009 at an estimated 145,910; this is a 13,987 increase in population, or approximately 10%, from 2000 to 2009.

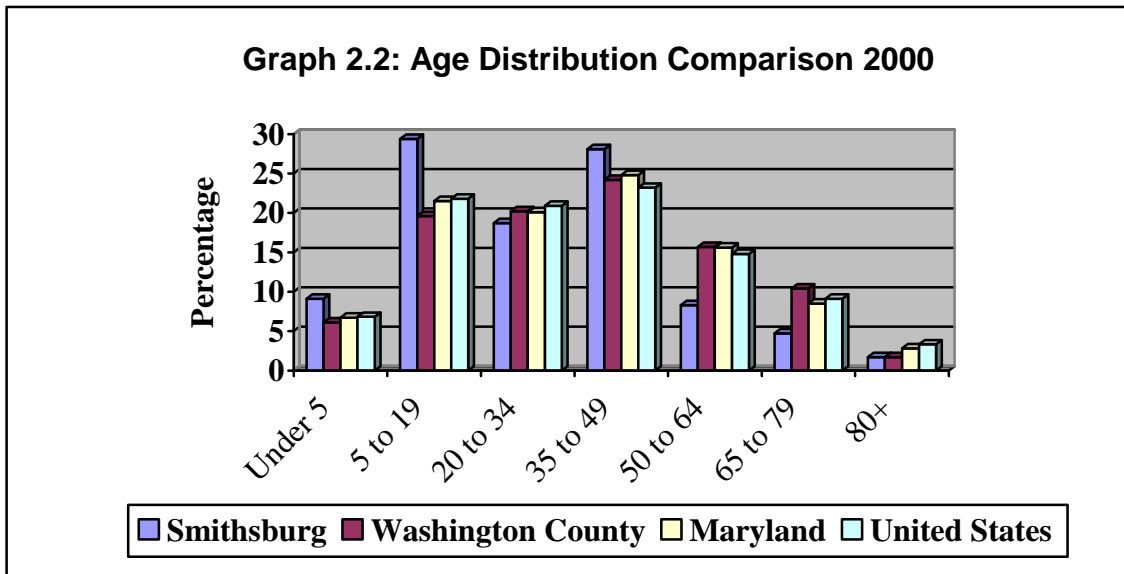
As shown by these tables and graphs, the Town of Smithsburg has been growing at a rate almost four times that of the County. Growth has especially increased in the Town since 1980. This increase can mainly be attributed to the Town's desire to expand its boundaries with the annexation of Whispering Hills which nearly doubled the size of the Town. This desire to grow coupled with the housing market boom of the late 1990's and early 2000's has put the Town on a much faster growth pace than Washington County. Other factors that may have had some impact on the Town's growth include: nearby employment centers such as Hagerstown and the I-270 Biotechnology Corridor, attract home buyers to the area, shortened commuting times to large population and employment centers due to transportation improvements along Interstate 270, the implementation of Smart Growth policies which have focused growth in priority funding areas such as Smithsburg, and the outward migration of city residents to the towns of Frederick and Washington Counties.

### **Socio-Economic Demographics**

#### Age

Age is another element that factors into a community's character, providing supplemental information and further understanding of the Town's demographics. In 2000, Smithsburg's median age was 30.7 years. In comparison, Washington County had a median age of 37.4 years, the State of Maryland had a median age of 36 years and the

United States as a whole had a median age of 35.5 years. The significant difference in median age within the Town of Smithsburg can be attributed mostly to the Whispering Hills annexation in 1987. This annexation provided new housing that attracted younger families to the Town. Whispering Hills only recently has reached build-out therefore the population of the development is still rather young. Graph 2.2 shows the percentage distribution comparison of Smithsburg’s population by age in 2000 as compared to County, State and National Statistics. Again, the prevalence of young residents in Smithsburg can be seen in the data in Graph 2.2.



Source: US Census Bureau

*Educational Attainment*

Educational attainment offers further guidance in understanding a town’s overall makeup. As can be seen in Table 2.3, Smithsburg’s educational attainment for those 25 years and older was higher than that of the County’s in 2000. Nearly 31% of Smithsburg’s population over 25 has a college degree or beyond, compared with slightly more than 20% in the County.

**Table 2.3 Educational Attainment**

	Smithsburg		Washington County	
	Number	Percent	Number	Percent
Population over 25 years	1,196		90,371	
No Diploma	184	15.4%	20,070	22.2%
High School graduate or equivalent	404	33.8%	35,122	38.9%
Some College	240	20.1%	16,889	18.7%
Associates Degree	111	9.3%	5,066	5.6%
Bachelors Degree or Higher	172	14.4%	7,992	8.8%
Masters Degree	64	5.4%	4,103	4.5%
Professional Degree	11	0.9%	802	0.9%
Doctorate Degree	10	0.8%	327	0.4%

Source: US Census Bureau

### **Households**

Along with population, age, and education statistics, household statistics can offer additional insight and understanding into community character. Household data between 1960 and 2000 is presented in this section.

The number of households in Washington County has increased at a steadier pace than in Smithsburg. A slightly higher amount of growth occurred between 1970 and 1980, in which the number of households increased by 7,494. Over the course of later decades, households increased steadily by almost 5,000 homes over each decade. Between 1990 and 2000, the Town added 271 households—increasing the number of households by nearly 60% from 457 in 1990 to 728 in 2000.

According to the U.S. Census Bureau, 561 households in Smithsburg were family households in 2000. A family household is composed of persons related to the householder by birth, marriage, or adoption. The most common type of family household was married–couple families, which accounted for approximately 60% of all households. Almost 23% of households were considered non–family households. Children were part of 55% of households in Smithsburg.

**Table 2.4 Households in Smithsburg - 2000**

Household Type	Children in Household?		Total	% of Total Households
	Yes	No		
Family Households				
Married Couple Families	299	140	439	60.3%
Male Householder, No Wife	19	7	26	3.6%
Female Householder, No Husband	82	14	96	13.2%
Subtotal	400	161	561	77.1%
Non-Family Households				
	1	166	167	22.9%
Total Households	401	327	728	100.0%

Source: US Census Bureau

Other relevant findings from the 2000 Census regarding households includes:

- The average household size for Washington County is 2.46. Smithsburg's household size is 18% higher than that of the County's at 2.95.
- Of family households in Smithsburg, 71.3% include children under the age of 18.
- In Washington County, almost 24% of householders are over the age of 65, with 46.6% living alone. In Smithsburg, 13% of householders are over the age of 65, with 53% living alone.

### **Economic Structure**

A general understanding of the economic structure in a town can help to illuminate the economic forces that affect land development pattern. The underlying economic support must be present before retail and other associated industries establish in an area. Employment options in an area can illuminate the demands for housing and put incomes of residents into context.

The main industries in Smithsburg and in Washington County in 2009, as reported by the U.S. Census, are construction and retail trade. There is also a concentration in Healthcare and social assistance employers in the County and some of these businesses are in the Town. Hagerstown, the closest major population center, also has a large healthcare and social assistance industry.<sup>1</sup> Orchards once employed large numbers of local and migrant workers during the picking seasons. While seasonal job creation still occurs in this industry, it is significantly reduced.

Just south of Smithsburg's Town boundary is Cavetown, a rural village, with an industrial-based economy. To the south of the CSX Rail Line are industrial buildings, an industrial park, and a hardware store. Along with other industrial and retail

<sup>1</sup> Source: U.S. Census: County Business Patterns 2003 and 2004.

establishments, the Cavetown Planing Mill Company, a construction company, provides employment opportunities.

Downtown Smithsburg is not the lively center of community life and retail activity that it once was. Major retailers are located outside of the Town, along the Route 64 corridor, where more space and highway accessibility is available to them. Downtown is now home to a few small retail shops and restaurants, a gym, a realtor office, as well as local churches and other institutions. There are two other areas in Town that are undeveloped but set aside for general commercial development; one just outside the Whispering Hills subdivision and another along Route 64 at its northern intersection with East Water Street.

Retail establishments downtown and along Route 64 provide opportunities for shopping and for employment. As consumer demands in the Smithsburg area broadens to include downtown shopping, Smithsburg's downtown has the potential to draw shoppers looking for an authentic, small-town shopping experience. As the populations of Smithsburg and Washington County increase, new residents will bring with them the market share to support downtown revitalization.

Employment opportunities for Smithsburg residents and increased traffic through Town from development north of Smithsburg may be expected to expand local economic activity and wealth. Fort Ritchie, a former military base in the northeast corner of the County, is being redeveloped into a corporate center that is expected to generate 4,500 jobs. This development will certainly draw residents to other areas of Washington County as well. Smithsburg is located less than 10 miles from the new development. The development at Fort Ritchie can be expected to increase employment opportunities for Town residents and customers for Town businesses.

### **Workforce, Employment, and Income**

#### *Workforce*

The US Census Bureau assumes that any person over the age of 16 years is eligible to be part of the community workforce. These numbers are then refined by eliminating variables such as disabled persons who can't work, those who have retired or otherwise left the workforce, and those who were unemployed. According to the 2000 census there were 1,442 individuals eligible to be in the Smithsburg labor force. Of the 1,442 people eligible, approximately 1,004 individuals were working at the time of the 2000 census.

#### *Employment*

Table 2.5 shows where the workforce in Smithsburg was employed in 2000. Almost 14% of Smithsburg's residents commute to out-of-state employment centers, which may include Washington, D.C. along with Waynesboro and Harrisburg, PA. Also noteworthy is that over 541 Town residents, or slightly more than half of the workforce, are employed within Washington County.

**Table 2.5 Places of Work**

	Number	% of Total
Total	1004	
Worked in Maryland	868	86.5%
Worked in Washington Coun	541	53.9%
Worked in Smithsburg	90	9.0%

Source: US Census Bureau

Employment in the region has grown during the seven-year period between 1998 and 2005. The most significant growth in employees (32%) has occurred in the Smithsburg zip code area (21783). Table 2.6 shows the number of employees in the region in 1998, 2000, and 2005. In 2000, 900 individuals were employed in Smithsburg. This accounts for nearly 90% of the labor force within the Town. Despite the number of jobs available, a large number of residents commute outside the Town, and slightly less than half leave the County.

**Table 2.6 Number of Employees (1998, 2000, & 2005)**

	1998	2000	2005	1998-2005
Smithsburg	828	900	1,089	32%
Washington County	51,788	58,604	61,278	18%
Hagerstown	27,997	33,264	35,780	28%

Source: County Business Patterns: US Census Bureau

### Income

As shown in Table 2.7, Smithsburg's median income is higher than that of the County and surrounding municipalities. While households in Smithsburg have relatively high incomes and jobs are available near the Town, there is a mismatch between the availability of jobs and the incomes of residents—this indicates a mismatch of skills and the type of jobs available in the area. Most residents commute from Smithsburg to work in surrounding population centers.

**Table 2.7 Median Household Income by Area**

Area	1999 Median Income	Est. 2005-2009 Median Income	Percent Change
Maryland	\$52,868	\$69,475	31%
Washington County	\$40,617	\$51,962	28%
Smithsburg	\$50,795	\$64,740	27%
Hagerstown	\$30,796	\$36,745	19%
Boonsboro	\$40,476	\$61,440	52%
Thurmont	\$49,530	\$63,958	29%
Emmitsburg	\$38,710	\$44,222	14%

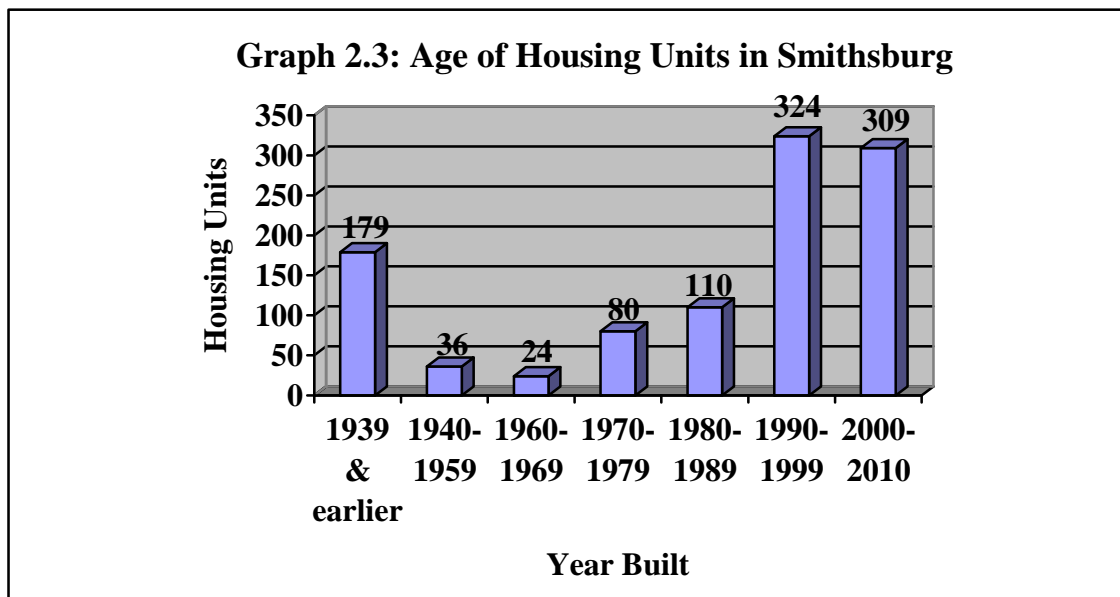
Source: US Census Bureau

## Section 2.3 – Housing Units

Housing units differ from households in that housing units represent the number of housing structures that exist, while the number of households represents those housing units that are occupied. An analysis of housing units provides information about the availability, affordability, and quality of housing.

### Housing Stock

In 2000, there were 763 housing units in Smithsburg. Graph 2.3 below shows when these units were built. After 1939, there was a drop in construction that lasted through the 1960s. Since 1990, construction has increased at a higher than historical rate. Nearly 60% of the existing housing stock in Smithsburg was constructed between 1990 and 2010.



Source: US Census Bureau & Town of Smithsburg

The housing stock in Smithsburg is largely comprised of single-family housing, which makes up nearly 70% of all housing units. Newer single-family homes on large lots are common in the outer edges of Smithsburg. The homes that are close to the core of Smithsburg are older construction—many of them listed as historic properties on the Maryland Inventory. Boarding style houses are found in the center of downtown. Generally, senior housing is located in close proximity to downtown.

### Tenure and Homeownership

In 2000, the percentage of owner-occupied housing units was almost 70%, compared to 60% in 1990—516 housing units out of 763. Such an increase can be an indicator of increased investment in the community. Table 2.8 provides housing occupancy statistics for Smithsburg, nearby Hagerstown, and Washington County.

**Table 2.8 Housing Occupancy**

	Smithsburg		Hagerstown		Washington County	
	Number	Percent	Number	Percent	Number	Percent
Total Housing Units	763		17068		52972	
Occupied Housing Units	728	95.4%	15849	92.9%	49726	93.9%
Owner-occupied housing units	516	70.9%	6635	41.9%	32637	65.6%
Renter-occupied housing units	212	29.1%	9214	58.1%	17089	34.4%
Vacant Housing Units	35	4.6%	1240	7.3%	3246	6.1%
Seasonal, Recreational, or Occasional	1	0.1%	41	0.2%	486	0.9%

Source: US Census Bureau

## **Section 2.4 – Natural Environment**

The Town of Smithsburg is situated to the west of South Mountain in the Catoctin Mountain Range. Smithsburg is within the Antietam Creek Watershed. This watershed covers 181 square miles in Maryland and 103 square miles in Pennsylvania. Antietam Creek is a tributary of the Potomac River, which drains into the Chesapeake Bay. The natural features within and around Smithsburg can be seen on the Smithsburg Sensitive Areas Map.

Geographically, Smithsburg is situated in an area of hills and valleys to the west of South Mountain in the Catoctin Mountain Range. As shown on the Elevation Map in Appendix A, Smithsburg ranges between 600 and 800 feet above sea level. Little Antietam Creek borders the Town to the north, while Beaver Creek and its tributaries border the southern and eastern parts of Town.

### **Water Resources**

#### *Surface Water, Streams, and Stream Buffers*

There are two surface water reservoirs outside of Smithsburg—one is located near Town on the west side of Crystal Falls Drive. The second is located on South Mountain on Warner Hollow Road. There is also a small pond in Smithsburg Lion’s Community Park on Bikle Road.

Smithsburg is bordered by Little Antietam Creek to the north. Grove Creek runs along the northern boundary of the Town. Two tributaries of Grove Creek run through Town. Kimler’s Creek, known as “Town Run”, runs through the east of Town. A second tributary of Grove Creek remains unnamed and runs along Geiser Way in Whispering Hills. Beaver Creek runs through the southern part of Smithsburg.

Natural vegetation (particularly forests) along streams, lakes, and ponds provide environmental benefits by: reducing surface run-off; preventing erosion and sediment movement; moderating temperature; providing organic material in streams, stream cover; and promoting diversity of aquatic life. For a stream buffer to be effective it must be a certain width on either side of the stream. Below, in Table 2.10, the buffer size necessary

to provide various benefits is indicated. The most beneficial buffer is at least 300 feet wide.

**Table 2.9 Stream Buffer Size Requirement by Function**

Function	Buffer
Habitat for Wildlife	300-1,600 feet
Flood Mitigation	70 -200 feet
Sediment Control and Stream Stability	50-100 feet
Nitrogen/Phosphorous Removal	50-100 feet
Pesticide Reduction	45 feet
Bank Stabilization/Food Production	25 feet

Source: USDA Forest Service - Northeastern Area State and Private Forestry

### Groundwater

The Smithsburg area contains two springs—Hauver Spring north of Town and the Spout Spring south of Town. The Town also has a well located along Wolfsville Road, near the Smithsburg Reservoir, and wells in other areas throughout town. The water from the springs and wells are not of drinkable quality. Aquifers in the area around Smithsburg include those of Catoctin metabasalt.

### 100-Year Floodplain

The 100-year floodplain limits are delineated by the Federal Emergency Management Agency (FEMA) as areas that have a 1% annual chance of being flooded. The limit of floodplain inundation is generally determined by the size of the watershed, local geology, and pattern of surrounding land uses.

Floodplains in Smithsburg can be seen on the Smithsburg Sensitive Areas Map located in Appendix A. Outside of the Town; Beaver, Grove, and Little Antietam Creeks (along with many of their tributaries) have floodplains associated with them. Floodplains are present in the Town along Town Run and the Geiser Way tributary of Grove Creek. With a few exceptions, the floodplains of Smithsburg are undeveloped.

### Wetlands

Wetlands play a pivotal role in regulating the interchange of water within watersheds. By definition, they are characterized by water saturation at or above the soil surface for a certain amount of time during the year. Precipitation and surface water are stored and released slowly into water resources and the atmosphere. Acting as a sink for nutrients, wetlands provide organic compounds, nutrients, and other components necessary for plant and aquatic life.

There are no wetlands within the current municipal limits of Smithsburg. However, small wetlands are located on the eastern edges of Town along Beaver and Grove Creeks. There is a wetland of special state concern south of Town between Wolfsville Road and

MD Route 77 along Beaver Creek. Wetlands can be seen on the Smithsburg Sensitive Areas Map located in Appendix A.

### **Geology**

Smithsburg lies in the Hagerstown Valley between the eastern edge of the Ridge and Valley Province in the Appalachian Highlands and to the west of the Blue Ridge Province. These provinces are separated by the line that separates the Tomstown and Harpers Formations, which is parallel and to the west of Maryland Route 64.

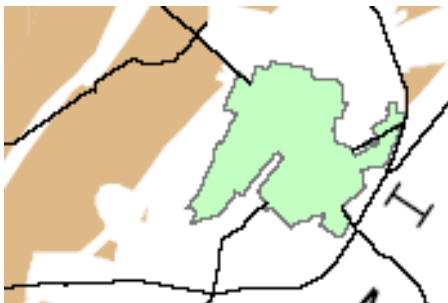
The underlying geology of Smithsburg is composed mainly of Tomstown dolomite—this rock is very hard, and excavation is difficult and costly. Caverns have been known to form in Tomstown dolomite; and a cave was found north of Cavetown along the railroad tracks. Other formations around Smithsburg include Harper’s and Waynesboro formations, and alluvial deposits of “mountain wash” along East Water Street. This was created by the erosion of South Mountain over time.

### **Mineral Resources**

The Tomstown dolomite formation is a geologic formation that Washington County has identified as having potential mineral resource value. The Tomstown formation is a massive dolomite with a thin, shaley interbed. Limonite, an iron bearing mineral, is also found in the upper part of Tomstown dolomite formation. This dolomite can be found in building stone, concrete, cement, and lime. Naturally, use of the Tomstown dolomite has increased in these industries.

While the Tomstown dolomite formations offer support for heavy structures (dams, highways, and bridges), they can also cause problems with development. Problematic areas, such as those prone to sinkholes, should be investigated and evaluated prior to ensure safety and effectiveness.<sup>2</sup>

This Mineral Resource potential exists to the west and northeast of Smithsburg. Below is an excerpt taken from the Washington County Mineral Resources Map. It shows the Town of Smithsburg in Green, and the Mineral Resource Potential in brown.



Source: Washington County Comprehensive Plan 2002

<sup>2</sup> 2003. “Cumberland County Comprehensive Plan.” Natural Environment, Ch. 15(8-10).

## **Soils**

Soils are made up of air, water, and organic and mineral matter. Soils can vary in type, level of moisture, and density. Generally healthy and productive soils and landscapes play a pivotal role in the production of food, maintenance of water quality, sustenance of primary industries, and support of rural and urban development.

Smithsburg's soils are generally well drained with a deep water table. Silts and loams are common in the area. There is one area in the eastern part of Town which has poorly drained soil with a high water table and low hydrologic grade. Outside of Town to the west, where Grove Creek turns to head north, there is another area of soil with similar qualities. The Smithsburg Soils Map is located in Appendix A.

## **Woodlands**

Woodlands in and around Smithsburg enhance water quality and provide habitat for plants and animals, contributing to the conservation of the region's biodiversity. Other benefits of preserving and expanding woodlands include stabilization of steep slopes, slowing of storm water run-off, and cleaning of the air during photosynthesis. Major stands of forests, on a macro level, act as natural buffers to harsh weather conditions and help to moderate temperatures.

Vegetation in forested areas absorbs and stores carbon dioxide, removing this greenhouse gas from the atmosphere. Carbon dioxide is a contributor to global warming. Afforestation—converting lands to forest—increases the rate at which carbon is removed from the atmosphere. Converting cultivated farmlands to forest actually removes between two and ten tons of carbon per year for every 2.5 acres that are converted, making afforestation an important ecological tool to mitigate local carbon emissions.<sup>3</sup>

Forest covers South Mountain and the Catoctin Mountains to the east of Smithsburg. Forested areas are also found to the south and east of Whispering Hills, along Beaver Creek, and to the west near Little Antietam Creek. Tree cover does exist in areas that are not forested, as orchards are a predominant agricultural use around the Town. The forested areas can be seen on the Smithsburg Sensitive Areas Map located in Appendix A.

Development in forested areas is subject to the State Forest Conservation Act and the Washington County Forest Conservation Ordinance. The Washington County Forest Conservation Ordinance seeks to preserve existing stands of forest by giving priority to retention of existing forest. There is a special emphasis on stream buffers, steep slopes, sensitive species habitat, old-growth trees, and historic sites. The ordinance has minimum standards for afforestation and reforestation (replanting forested areas that were removed in the process of development).

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<sup>3</sup> Richards, K.R. and C. Stokes. 2004. "A Review of Forest Carbon Sequestration Cost Studies: A Dozen Years of Research." *Climatic Change* 63(1-2): 1-48.

## **Section 2.5 – Land Use**

### **Surrounding Area Land Use**

The Smithsburg area land use pattern is illustrated on the Smithsburg Existing Land Use Map. Four observations are most relevant:

- South Mountain and its forested slopes form the eastern edge of Smithsburg.
- Orchards and farm fields surround Smithsburg. Small, large-lot subdivisions have been developed along the main roads amidst these agricultural areas.
- Pockets of residential uses have developed along Route 64. These areas to the west of Smithsburg and to the east of Hagerstown have been developing in a linear progression towards one another along the highway.
- Industrial uses are clustered at the southern border of Smithsburg (at the north end of Cavetown) and residential uses are interspersed between these industrial uses.

### **Municipal Growth Area**

The Smithsburg Town Growth Area was established in 1986 as a cooperative effort with Washington County to establish designated growth areas. There were two main goals established by the Committee who determined the extents of the growth boundary:

- 1) To assure that growth and development benefit the general economy, the taxpayer and the County; and
- 2) To improve and expand the facilities needed for growth and development where planned and promote development patterns which can be served efficiently without excessive costs for roads, water and sewerage systems, stormwater management, solid waste disposal , police and fire protection, schools, and other facilities and systems.

While these goals remain an important and valid starting point, subsequent Comprehensive Plan updates have built upon these ideals in an effort to also focus on more environmentally friendly and sustainable growth options. Later chapters of this plan will evaluate the current boundary and make necessary adjustments in an attempt to expand upon these fundamental principles to meet the new challenges of developmental impacts on the economy, the environment, and the citizens.

### **Current Zoning**

The current zoning of Smithsburg can be seen on the Smithsburg Zoning Map located in Appendix A. There are six different zoning designations. One zoning designation, Suburban Residential, is not currently being used. These zoning designations, as currently established in the zoning ordinance, are described below.

#### **Residential Zoning**

Residential zoning in Smithsburg consist of two categories. The size, purpose, and uses permitted in each zone are described below. Most of the Town is zoned Town Residential, while the newly annexed Gardenour Tract is zoned Suburban Residential.

Suburban Residential (SR): 31.68 acres. The SR zone allows for subdivision development where the natural features of the land and infrastructure capacities are best suited to this moderate-density development. Single-family, cluster development, recreational, and home office uses are permitted in this zone. The minimum lot size in this district is 15,000 square feet.

Town Residential (TR): 560 acres. The TR zone allows for higher densities than SR zone in order to create a natural extension of the existing Town, where the landscape permits. Limited “convenience” commercial uses are permitted where compatible. This zone allows for single family homes, duplexes, townhomes, home offices, and recreational uses. The minimum lot size in this district is 10,000 square feet for single-family detached homes, 18,000 square feet for duplexes, 12,000 square feet for single-family attached homes, and 22,000 square feet for multi-family housing.

The Town Residential zoning designation allows for a wide range of housing types and lot sizes. This designation is applied to both small lots within the historic center of Smithsburg and larger lots and small cul-de-sac subdivisions outside of the Town boundaries. The range of development types permitted under this one zoning category restricts the control that Smithsburg has over how development occurs within its borders.

#### Mixed-Use Zoning

Smithsburg has one category that allows mixed-use zoning, this is described below.

Town Center District (TC): 19 acres. The TC zone contains the town core and extensions of this core with a mix of residential, commercial, and institutional uses. This zone allows all uses permitted in the TR zone with the addition of apartments, institutional uses, childcare, office, and retail uses. The minimum lot size in this district is 10,000 square feet for duplexes, 12,000 square feet for single-family attached homes, and 10,000 square feet for multi-family housing.

The Town Center District allows for the preservation of the traditional mix of uses in Smithsburg’s historic downtown. New developments that might seek to provide a mix of uses could also benefit from the application of this zoning designation.

#### Commercial Zoning

There are three commercial zoning designations that allow for a range of non-residential uses to be developed. These three designations are described below.

Neighborhood Commercial (NC): 1 acre. The NC zone allows for town-scale, commercial uses that are meant to serve the local population. This zone allows agricultural, recreational, institutional, child care, retail, restaurant, and office uses.

General Commercial (GC): 9 acres. The GC zone allows for commercial uses (such as retail and other services) that may serve a larger regional population and require proximity to the highway. This zone allows for all uses permitted in the NC zone with the addition of regional shopping, lodging, automotive service and repair, and storage uses.

Employment Center District (EC): 3 acres. The EC zone allows for light industrial and office uses to serve as local employment centers. This zone allows for institutional uses, offices, agriculture, and parks.

The mix of zoning categories for commercial uses provides a range of intensity of commercial development in Smithsburg. The Employment Center designation, which is applied near the center of downtown, does allow some industrial uses which may conflict with neighboring residential and institutional uses in this area.

### Subdivisions

Smithsburg's Land Subdivision Ordinance outlines the requirements for a subdivision. These requirements include integration with nearby developments, suitability, floodplain avoidance, street design standards, access, traffic improvements, stormwater management, sanitary sewer, water supply, utilities, pedestrian and bicycle access, lighting, and street trees.

## **Section 2.6 – Historic and Cultural Resources**

Smithsburg was established in 1813 and quickly became a bustling center of rural activity. During the late 1800s, railroad lines connected Smithsburg with outside markets. In the 1930s, the Town became a banking and trade center for fruit growers. It was in this context that the historic downtown area of Smithsburg and nearby Cavetown developed.



Smithsburg also has a rich Civil War History and is a part of the Maryland Civil War Heritage Trail. During the Civil War, there were two hospitals in Smithsburg that served Union and Confederate soldiers after the battles of South Mountain and Antietam. The Town was occupied by the Union Cavalry in 1863 and shelled by the Confederate army from South Mountain. South Mountain and Smithsburg are important historical destinations for Civil War heritage. Smithsburg's Veterans Park contains informational signs and provides a place for remembrance of the area's Civil War history. Smithsburg is a recognized Heritage Area and part of the Maryland System of Heritage Areas. A Heritage Area Management Plan was endorsed by the Town in late 2005. As part of the Management Plan the Town of Smithsburg has endorsed the proposed Heart of the Civil War Heritage Area, supports its development as a State Certified Heritage Area, and incorporates the Heart of the Civil War Heritage Area Plan by reference to those segments applicable to the Town.

The Town of Smithsburg is listed on the Maryland Historical Trust Inventory, including designations of about 250 individual properties in the current Town boundaries. Table 2.10 shows a small sampling of the properties that are included on this list. A complete list of all the MD inventory sites with the current boundaries of the Town have been included in Appendix B. The Smithsburg Historical Society maintains a listing of historic structures in the Town along with historical information on each of these properties. Information may also be obtained from the Maryland Historical Trust.



Information may also be obtained

**Table 2.10 Selection of Historic Properties in Smithsburg**

Inventory ID	Name	Address
WA-IV-044	Shifflet Farm	Leitersburg-Smithsburg Road
WA-IV-118	Smithsburg Cemetery	W. Water Street
WA-IV-125	Smithsburg Town Hall	21 W. Water Street
WA-IV-139	Dixie Eatery	4 N. Main Street
WA-IV-142	Trinity Evangelical Lutheran Church	16 N. Main Street
WA-IV-143	Smithsburg Volunteer Fire Company	22 N. Main Street
WA-IV-166	People's Banking Company Building & Post Office	3 S. Main Street
WA-IV-182	St. Paul's Methodist Church	S. Main Street
WA-IV-197	Smithsburg Warehouse & General Store	46 S. Main Street
WA-IV-204	Emily Clayton Bishop House	66 S. Main Street
WA-IV-210	Brenner House & General Store	1 E. Water Street
WA-IV-216	Bell-Mar House	13-15 E. Water Street
WA-IV-222	Lutheran Parsonage	31 E. Water Street
WA-IV-227	Old Smithsburg Public Library	20 E. Water Street
WA-IV-229	Kimler Pottery	26 E. Water Street
WA-IV-233	Lewis Automotive	36 E. Water Street
WA-IV-239	St. Ann's Episcopal Church	7 Maple Street
WA-IV-258	Smithsburg Western Maryland Railroad Station	63 Railroad Lane

Source: MD Historical Trust

Downtown Smithsburg contains many historic structures. Views of this historic downtown and its churches can be seen when entering the Town. This center of Smithsburg contains a mix of residential and commercial uses that include small apartments, restaurants, second-floor apartments, single-family homes, and retail establishments.



The design of downtown Smithsburg is characterized by a grid-like system of streets and alleyways, with building facades directly adjacent to the sidewalk. Side setbacks are absent or very small. The structures at the main intersection in Town (Water and Main Streets)

are tall, three-story buildings, and the buildings get shorter in height as you move outward from this center point. This stepped down affect places prominence on the central part of Town and provides a point of focus for the community. Church steeples interrupt the lower form of the buildings further from the Water and Main Street intersection. These steeples provide a focal point when viewing the surrounding agricultural and natural landscapes. There are scattered street trees and parking is allowed along Main and Water Streets.

The residential areas that surround Smithsburg are characterized by a grid street system, which includes both main roads and rear alleyways for access to the long, thin residential lots. Sidewalks are found along the main roads, Water and Main Streets. These homes are generally close to one another and are set close to the street. In some areas, the houses have their front porch adjacent to the sidewalk. Street trees are found along these sidewalks, producing a complete tree canopy along some portions of the sidewalk. In some areas the sidewalks are of brick. As the progression continues outward from downtown, houses are further from the streets, while densities remain comparable to those just beyond downtown.



## **Section 2.7 – Transportation and Circulation**

Streets and roads do not exist independently. They form part of a network of routes that facilitate movement of goods and services. Road networks have two major functions—providing access for vehicular movement 1) from origin to destination and 2) between adjoining properties. Smithsburg’s Functional Road Classification is shown on the Smithsburg Transportation Classification Map located in Appendix A. This functional classification was designated by the Maryland State Highway Administration (SHA) in 2004—based on daily traffic volume, characteristics, purpose, and location of the road.

### **Functional Classifications**

#### *Principal Arterials*

Principal arterials link large population and employment centers. Access to principle arterials should be limited to intersections with public streets. There are currently no principal arterials in Smithsburg. Mapleville Road, a major collector, connects Interstate 70, a Principal Arterial south of Smithsburg.

#### *Minor Arterials*

Minor Arterials provide a somewhat lower level of mobility while placing a greater emphasis on access points. They provide links to the collector roadway system and connect small population centers to the overall arterial system. Jefferson Boulevard/Smithsburg Pike/Route 64 serves as a minor arterial, moving regional traffic though Washington County and into Pennsylvania.

#### *Collectors*

Collectors provide for land access and vehicular movement within residential, commercial, industrial, or agricultural areas. Collectors, like arterials, are still intended to efficiently carry traffic throughout the network, but collectors allow greater access to adjoining properties and local streets. Through Smithsburg, Leitersburg Smithsburg Road serves as a major collector, and Edgemont Road serves as a minor collector. Outside the Town boundaries, Raven Rock, Foxville, Wolfsville, and Mapleville Roads all serve as major collectors.

### **Regional Circulation**

Regional traffic moves through Smithsburg on three main routes—Route 64/Jefferson Boulevard/Smithsburg Pike, Route 77/Main Street/Leitersburg Smithsburg Road, and Route 66/Mapleville Road/Water Street.

Traffic volumes along Route 64 just east of its southern intersection with Route 66 are 10,642 average vehicles per day. Just south of its northern intersection with Route 66, the average vehicles per day are 6,682. This indicates a commuting pattern from Town and points west of Town towards Hagerstown. There are also 8,891 trips along Route 66 as it heads south from Route 64; this is likely made up of commuters leaving the region on I-70 as they access the I-270 corridor.

Route 64 is the bypass route around the Town and should have limited access points and intersections. However, Route 64 does not currently function as an expressway. There are 18 road intersections and multiple access points along the four-miles of this route around Town. These access points and intersections function to provide access for the residential and commercial development along Route 64, but at the expense of regional mobility.

### **Evaluation of Highway Links and Intersections**

There are 18 intersections with Route 64 in the area surrounding Smithsburg, including areas of Cavetown and residential development in the southwestern part of Town along Route 64. There are also over 50 driveway intersections along this four-mile stretch of Route 64. These intersections are listed in Table 2.11.

**Table 2.11 Highway Links and Intersections**

<b>Intersection</b>	<b>Turning Movements</b>	<b>Control</b>
Bradbury Ave. (MD 66)	All	-
Bikle Road	All/Cross	-
Eagle Nest Road	All	-
Water Street/Fruit Tree Drive	All/Cross	-
Raven Rock Road	All	-
Foxville Road (MD 77)	All/Cross	Traffic Light
Cavetown Church Road	All/Cross	-
Crystal Falls Drive	All/Cross	-
Mapleville Road (MD 66)	All/Cross	Traffic Light
Paden Avenue	All	-
Old Georgetown Road	All	-
Paradise Avenue	All	-
Itnyre Road	All/Cross	-
Iroquois Avenue	All	-
Keller Avenue	All	-
Seminole Devie	All	-
Christy Avenue	All	-
Cheyenne Way	All	-

Source: Town of Smithsburg & Washington County Public Works

As shown in Table 2.11, only two of the 18 intersections with Route 64 have traffic signals. The remaining 16 intersections are uncontrolled and allow traffic to make all turning movements. Seven of these intersections allow traffic to cross Route 64 into residential areas. This large number of intersections and driveway access points will contribute to congestion and present safety hazards as traffic volumes increase. In addition, as traffic increases on Route 64, it will become more difficult to use these uncontrolled access points.

### **Local Circulation**

Local circulation in downtown Smithsburg occurs along a grid system of streets and alleyways that extends out from the main intersection of Water and Main Streets. In the residential areas outside downtown, the road networks are more curvilinear as they respond to the varying topography of the landscape. Cul-de-sacs are predominant in all developments outside of the historic Town center.

### **Regional and County Transit Access**

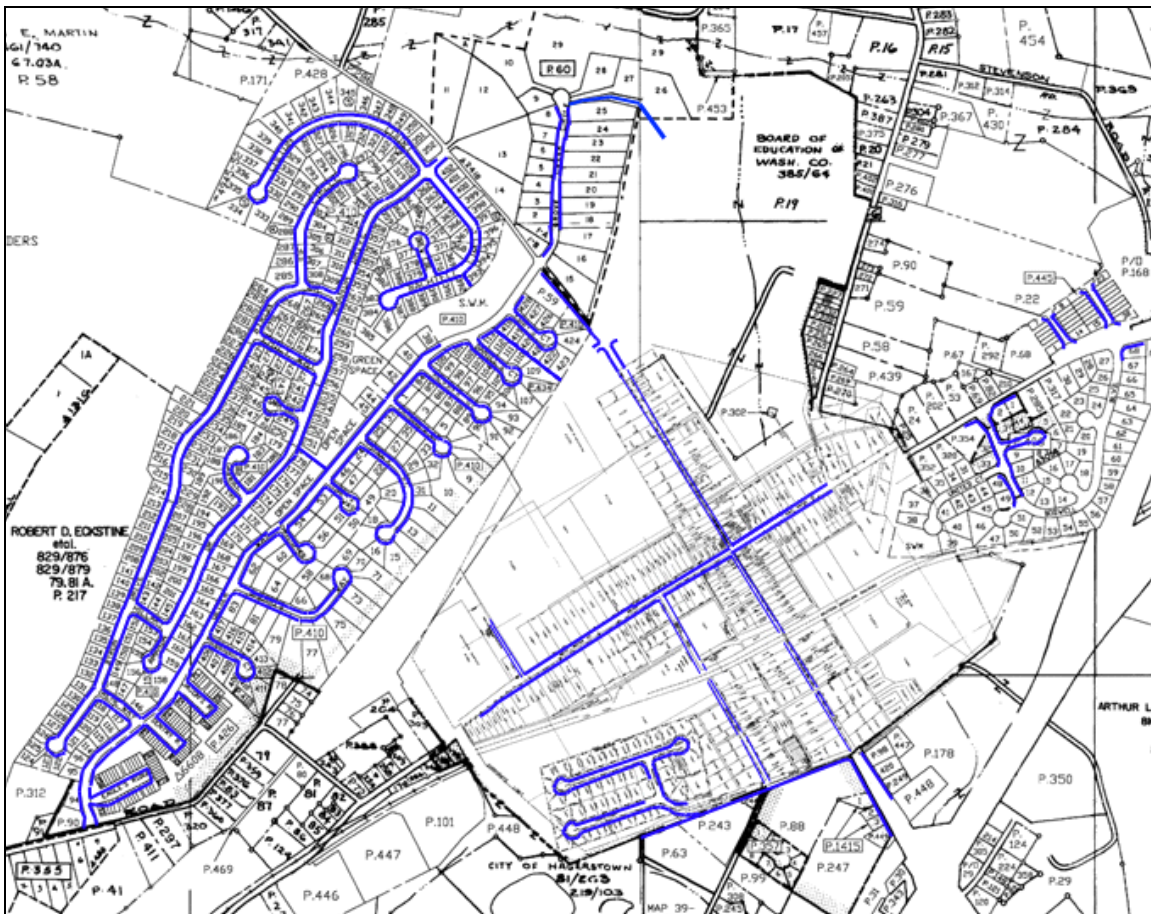
Washington County Provides Transit Services on the “County Commuter” in and around Hagerstown. The system has eight lines which includes; Smithsburg, Valley Mall, Long Meadow, Williamsport, Maugansville, Robinwood, Prime Outlets, Funkstown, and Salem Avenue/West End. The system connects Smithsburg to Hagerstown and neighboring areas including employment, education, medical services, recreation, and

shopping centers. Buses run between Smithsburg and Hagerstown at two morning commute hours, one lunchtime hour, and two evening commute hours.

### Sidewalks and Trails

The sidewalk network in downtown Smithsburg is a well connected network that provides sidewalks along the main transportation routes downtown. Sidewalks are not present in the less-traveled, narrow alleys. Connectivity between the central part of Town and the residential areas along the main roads is lacking. The topography in Smithsburg poses challenges for sidewalk safety for all users as well as maintenance concerns for the Town.

The map below shows the sidewalks in blue. The area where connectivity is lacking is circled in red; this is the Mountain Shadows subdivision, which will connect to Water Street via a pathway and contain sidewalks throughout once the project is complete. Even after this is complete, connectivity will still be lacking between the town homes that are part of the Mountain Shadows subdivision (on the north side of Water Street) and downtown.



Source: Jakubiak and Associates Inc., 2008

Connectivity along Main Street in Smithsburg is a concern—as this local road heads west it widens and becomes Leitersburg Smithsburg Road. To avoid pedestrian/vehicle conflicts along this busier section of road, paths have been constructed from both Whispering Hills and Meadows of Grove Creek to the school campuses. These school paths provide safe access to the sidewalks along Main Street and throughout Town.

## **Section 2.8 – Community Facilities**

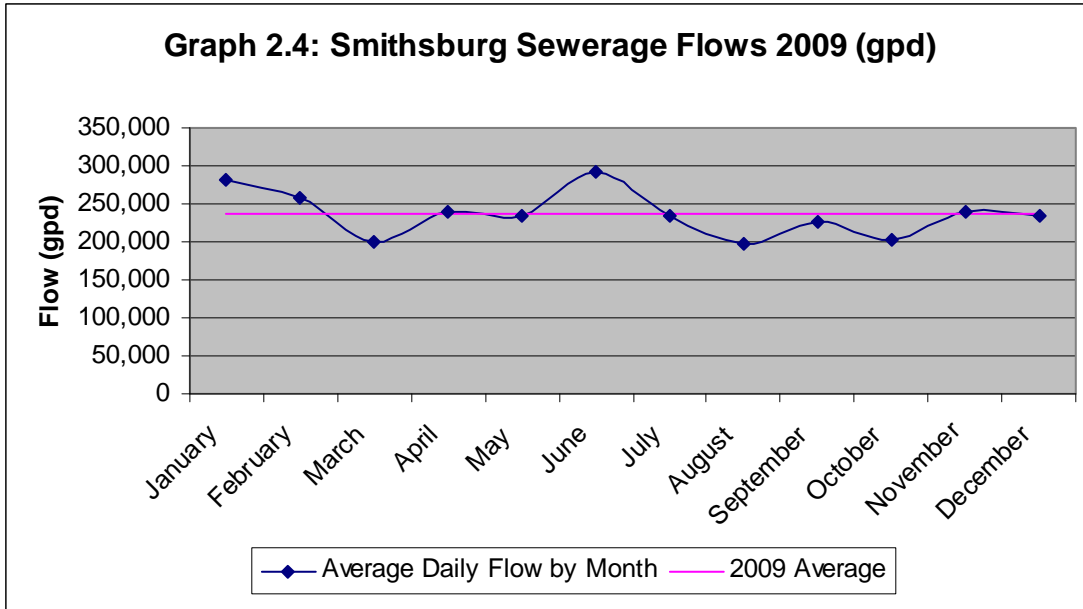
This section addresses community facilities in the Town of Smithsburg, including parks, schools, and police, fire, and emergency services. The Community Facilities Map located in Appendix A shows the Town’s major public facilities.

### **Water Resource**

#### **Smithsburg Wastewater Treatment Plant**

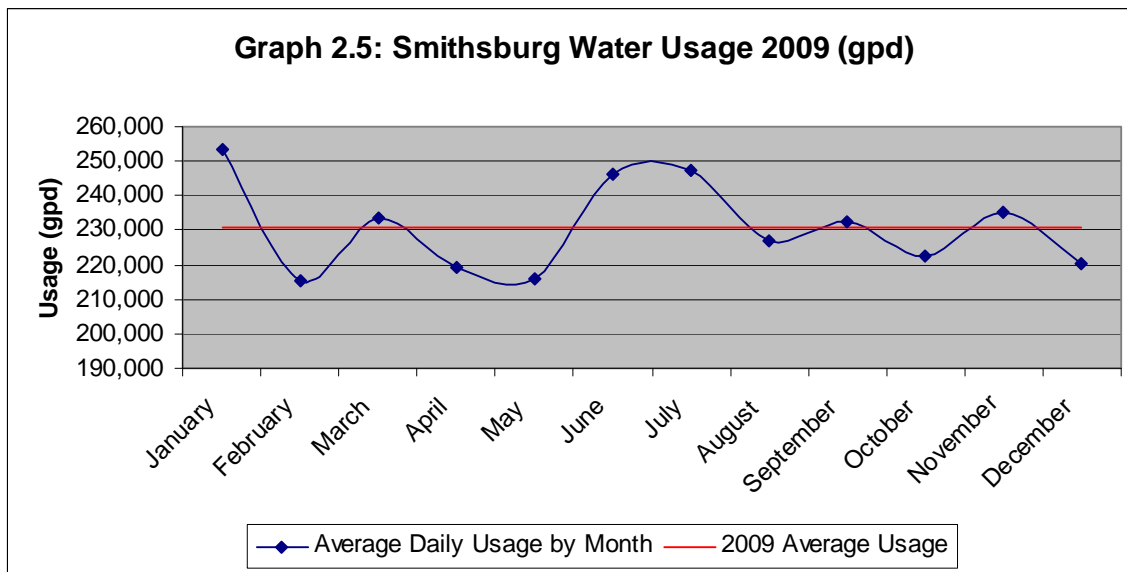
The Smithsburg Wastewater Treatment Plant is owned and operated by Washington County. The extended aeration treatment system has a capacity of 333,000 gallons per day (gpd). An upgrade to this plant is in the planning stages. According to the 2009 Washington County Water and Sewer Plan, the total flow through the Smithsburg Treatment Plant in 2009 was approximately 291,000 gpd. The treatment plant service area includes all of the Town of Smithsburg, parts of Cavetown, and some unincorporated areas of the County. Discharge from the treatment plant occurs along Grove Creek to the northwest of Town.

As shown in Graph 2.4, the average daily flow produced by the Town in 2009 was about 236,000 gpd. The collection lines are of terra cotta and have an inflow and infiltration problem that has improved over the past few years. The depth of these lines causes preventative replacement to be cost prohibitive for the Town. However, the lines have all been cleaned and repairs have been made as necessary and feasible to get ahead of this problem.



Public Water

Smithsburg purchases their water from the City of Hagerstown. As of 2009, the City allocates 260,790 gallons per day (gpd) for the Town in an agreement that will last until 2016. As shown in Graph 2.5, the average gpd for the Town in 2009 was 230,891.



The Town of Smithsburg does own the lines and pumping stations that distribute the water to households in the Town. The lines are made of cast iron ductile wire and C-900s. These lines range from 70 years old to current. The older lines are in good repair. The Town's smaller lines have been upgraded in the past ten years. Water runs through these lines two ways every day; both to the storage tank and back out for distribution.

The Town currently has two water storage tanks with total storage capacity of 360,000 gallons. Recently the Town has built a third tank that holds 350,000 gallons for a total storage capacity of 710,000 gallons.

**Solid Waste**

Smithsburg provides waste collection services once per week all year long and collects yard waste once a month between April and December. Trash is picked up by an outside contractor and transported to the Washington County Landfill. A new recycling program was instituted by the Town as part of the trash collection contract renewal. It is a single stream recycling program that is picked up once a week.

**Schools**

*Public Schools*

The Washington County Board of Education operates the school system attended by Smithsburg residents. All of the schools residents attend are located in Smithsburg’s educational complex. Table 2.12 shows the enrollment and capacity of these three schools. Both Smithsburg Middle and Smithsburg High School are below state rated capacity.<sup>4</sup> Smithsburg Elementary School enrollment is one percent above the school’s state rated capacity.

**Table 2.12 School Enrollment Capacity: Fall 2010**

School	State Rated Capacity	Enrollment Fall 2010	% of Capacity
Smithsburg Elementary	419	423	101.0%
Smithsburg Middle	829	691	83.4%
Smithsburg High	829	790	95.3%

Source: Washington County Board of Education

*Trinity Nursery School*

Trinity Nursery School is run by Trinity Evangelical Lutheran Church. This school is located on Main Street in downtown, in close proximity to the Town’s public schools. Trinity Nursery School runs pre-school programs for three and four year olds.

**Library**

Washington County owns and operates the Smithsburg Library located in Veteran’s Park. The Washington County Free Library System’s main library is located in Hagerstown and includes seven branches around the County and a bookmobile. Branches are located in Boonsboro, Clear Spring, Hancock, Keedysville, Sharpsburg, Smithsburg, and Williamsport.

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<sup>4</sup>Capacity is calculated using a ratio of the number of students per classroom. This ratio of students to classrooms is often higher than that of the student to teacher ratio. Because of this the number of classrooms needed often exceeds the number of available classrooms, but not the calculated capacity of the school. Additionally, the presence of half day pre-K programs can cause a reduced capacity calculation.

### **Parks and Recreation**

Recreational facilities in Smithsburg are mainly active use parks, such as sports fields. Active parks in Smithsburg include fields associated with the schools located in the education complex, Smithsburg Lion's Community Park, Veteran's Park, and the little league fields. Smithsburg also has access to the Appalachian Trail in South Mountain.

### **Police**

The Town employs three police officers in addition to the Police Chief. During the day there is a staff member available to handle phone calls for the department. After normal business hours, police are dispatched through the Washington County Sheriff headquarters in Hagerstown. The primary responsibility of the officers is to serve Smithsburg; however, these officers can be called to serve areas around the Town because they are the nearest responders. Through a mutual agreement with Washington County, county sheriffs and deputies may also respond to calls or provide back-up support in Smithsburg.

### **Fire and Emergency Services**

Fire services are provided by the Smithsburg Community Volunteer Fire Company. The fire company has five line officers, 35 active volunteers, nearly 200 members, four engines, and one tanker truck. The service area extends along MD Routes 66, 64, 77, 491; generally, from the County line to Robinwood Drive (to the south) and Windy Haven Road (to the north), and from Ponds ville Road to the state line.

Emergency Services in Smithsburg are provided by Smithsburg Emergency Medical Services (SEMS). SEMS has 13 paid staff and 45 active volunteers. Emergency services are provided by paid staff during the week, while volunteers and a paid paramedic staff the facility on the weekends. The service area is approximately 70 square miles; in addition to Smithsburg, this includes Cavetown, Leitersburg, Cascade, Pen Mar, Mount Etna, and Wolfsville.

### **Town Hall**

The Smithsburg Town Hall is located on Water Street in a historic property that it shares with the Police Department and the Department of Public Works. The Town Hall holds the offices of the Mayor and two full-time staff members, a large community room, and the Council Meeting Room.

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## Article 2 – Future Conditions

### Chapter 3 – Municipal Growth Element

House Bill 1141, a 2006 amendment to Article 66B, requires a municipal growth element that addresses a town's future growth, the expansion of its boundaries, and conservation of natural resources in its new growth areas. After establishing a baseline of conditions in Chapter 2, this section of the Plan will proceed to project and evaluate the Town's Plan for municipal expansion and the impacts of future development on the Town's infrastructure and resources within the horizon period 2030.

#### **Section 3.1 – Future Household and Population Growth**

As illustrated in Table 2.2, growth in Smithsburg has been occurring at a higher rate than in Washington County for the last several decades. Future population and household growth in Smithsburg will be subject to the pressures of development from Hagerstown and the I-270 biotechnology corridor along with increasing pressure to provide housing for commuters to the Fort Ritchie employment area.

#### **Factors Impacting Growth**

##### *Historical Trends*

As noted in Section 2, Smithsburg has seen a variant of moderate to high growth trends over the last 50 years. Over the 50 year period spanning 1960 through 2010, residential housing units have increased an average of 3.8% (16.9 housing units) per year. During the same timeframe, population has increase an average of 3.9% (46.5 persons) per year. This calculates to an average household size of 2.75 persons per household in new dwelling units built since 1960.

While these numbers seem to indicate a slightly modest growth trend, it should be noted that the majority of new housing units occurred over the last 20 years. When evaluating the same information over the last 20 years (1990 through 2010), the Town has seen a 5.72% or 31.6 housing unit increase per year. The population of the Town likewise increased over the last 20 years by 5.57% or 84.4 persons per year. This calculates to an average household size of 2.67 persons per household in new dwelling units built since 1990.

Trying to discern exactly what causes these trends to vary over time, tends to depend on many different factors. For the Town of Smithsburg, a sizable factor in recent development trends over the last 20 years centers on the Town's desire to grow. In the late 1980's an annexation known as "Whispering Hills" nearly doubled the area of the Town. This new availability of vacant land, proximity to major transportation networks and short travel times to major employment centers created a ripe market for residential growth. It is anticipated that this trend will continue given the Town's proximity to eastern growth areas in the State and its willingness to accept new growth.

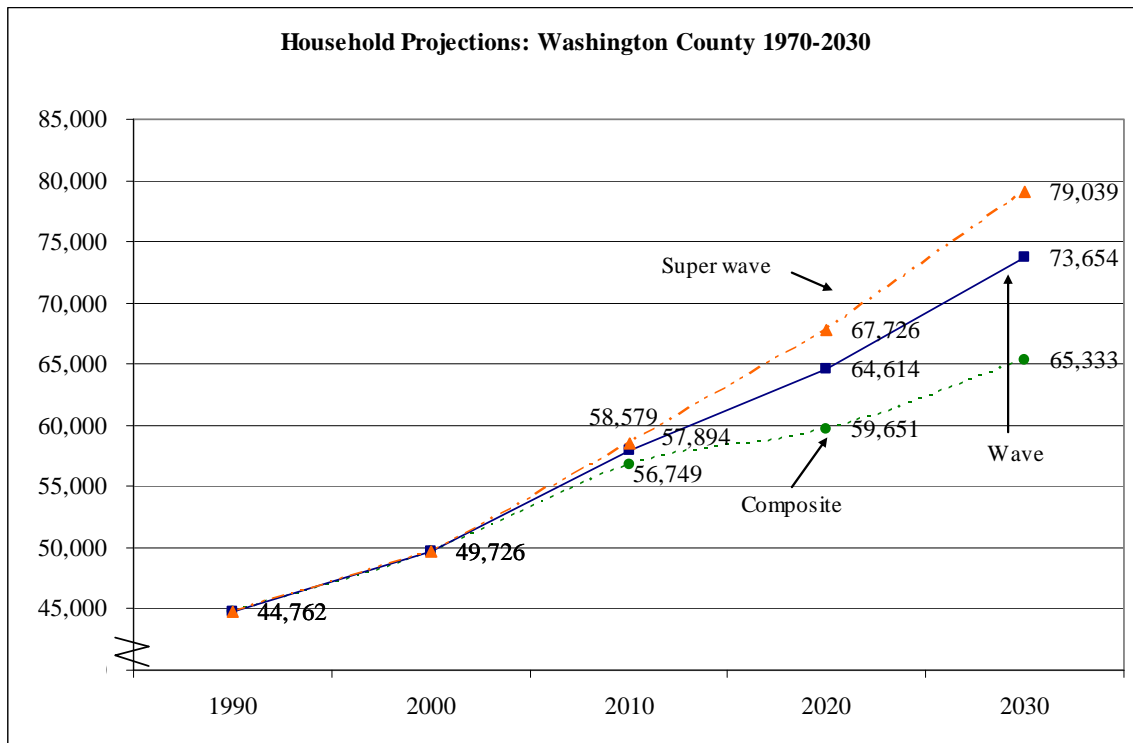
### County Growth

Another way to evaluate growth trends is to analyze and compare what is occurring within the County. Projections prepared by Washington County, and included in its adopted Comprehensive Plan, indicate that the annual rate of growth in the County through 2020 may be expected to occur at one of three different levels:

1. Composite—represents a balance between low state projections and higher County growth trends.
2. Wave—represents a level of growth higher than if current trends continued.
3. Superwave—represents the level of growth that would result from high levels of in-migration.

Graph 3.1 shows the expected growth in the County if each of these growth rates was continued beyond 2020 and to 2030.

**Graph 3.1**



Source: Washington County Comprehensive Plan 2002

Table 3.1 shows the growth rates and expected number of new units under each County growth scenario. If County growth projections are carried through to 2030, there could be between 15,607 and 29,313 new households in Washington County in 2030.

**Table 3.1 2030 Projected Households: Washington County**

	<b>Washington County</b>	<b>Growth Rate</b>	<b>New Units</b>
Composite	65,333	0.91%	15,607
Wave	73,654	1.32%	23,928
Super Wave	79,039	1.56%	29,313

Source: Washington County Comprehensive Plan 2002

*State Smart Growth Policy*

Under State Smart Growth policy, the County’s growth would be directed into municipalities and other priority funding areas that could be served with public water and sewer services. A large portion of the County’s growth is likely to be absorbed by Hagerstown, which expects to add about 6,816 new units by 2026—this is a 1.71% annual growth rate.<sup>5</sup> This means that Hagerstown would absorb between 23% and 44% of County’s residential growth over the next 20 years. If Hagerstown continues to grow at its anticipated rate, by 2030, the City could be expected to contain 25,329 units, or between 37% and 39% of the County’s total households.

According to 2009 US Census estimates, Washington County is estimated to contain 61,024 housing units. Based on the residential capacity analysis found later in this Section, it is estimated that Smithsburg contained approximately 1,069 housing units in 2009. This means that Smithsburg currently holds about 1.75% of Washington County’s households. It is reasonable to expect the Town’s share of County households will hold and could possibly increase over the timeframe of this Plan as it has in the past.

*Development at Fort Ritchie*

Pressure for residential growth will also come as development occurs at Fort Ritchie. The Fort Ritchie redevelopment project is expected to generate 4,500 jobs and provide 673 residential units. While this project will not be completed by 2030, it will be well underway. It is reasonable to expect some of the workers employed at Fort Ritchie will look for housing in nearby Smithsburg.

**Projection of Growth**

*Housing Units*

Knowing that the foremost limiting factor of development within the Town of Smithsburg is the availability of wastewater capacity at the County owned and maintained treatment plant, the first step was to identify how much capacity is still available. The analysis completed in the Water Resources Element estimates that there are approximately 41 EDU’s worth of capacity left at the wastewater treatment plant. Currently, the plant is proposed to be upgraded between FY 2013 and FY 2014 at a cost of \$15.8 million. The upgrade would increase capacity from 333,000 gpd to 600,000 gpd providing an additional 1,136 EDU. While there will still be some opportunity left for infill and smaller subdivision development both in the Town and in the County UGA, it

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<sup>5</sup> 2007 Comprehensive Plan: City of Hagerstown, MD (Draft)

appears that extensive new development will not be possible until the treatment plant is upgraded.

Compounding the difficulty in projecting future growth is the heavy fluctuations in the housing market and overall economy in the last decade. A major housing expansion in the early and middle 2000's has now evolved into an equally notable housing recession which has no predictable end. With such an unpredictable short term trend, and the limitation on capacity at the wastewater treatment plan, it was decided to use two longer term historical trends, 20 years and 50 years, to estimate future growth within the Town. The 50-year trend tends to be a more moderate and conservative estimate while the 20-year trend portrays a more aggressive pace of development. These trends were then compared to the estimates of capacity at the wastewater treatment plant and adjusted accordingly so that a responsible amount of growth within the Town could be accommodated.

The first scenario, a long term trend spanning a 50-year period, was evaluated to determine an average rate of long term growth experienced by the Town. According to Census data, in 1960 the Town contained 225 housing units and had a reported population of 586 people. Now, in 2010, these numbers have expanded to 1,072 housing units and a population of just over 2,900 people. When averaged out, this computes to an increase of nearly 17 housing units (3.8%) per year.

The second scenario, a more aggressive trend spanning a 20-year period, was evaluated to determine an average rate of short term growth experienced by the Town. According to Census data, between 1990 and 2010, housing units increased by 31.6 units (5.7%) per year. Table 3.2 below demonstrates the changes in housing unit construction since 1960.

**Table 3.2 Smithsburg Housing Unit Construction 1960-2010**

	<b>Housing Units</b>	<b>Change per Decade</b>	<b>Percent Change by Decade</b>	<b>Change per Year</b>	<b>Percent Change by Year</b>
1960	225				
		24	10.67%	2.4	1.07%
1970	249				
		80	32.13%	8	3.21%
1980	329				
		110	33.43%	11	3.34%
1990	439				
		324	73.80%	32.4	7.38%
2000	763				
		309	40.50%	30.9	4.05%
2010	1,072				
50-year Average		169.4	38.11%	16.94	3.81%
20-year Average		316.5	57.15%	31.65	5.72%

Source: Town of Smithsburg

Projecting new housing units using these two scenarios (Table 3.3), we find that under a moderate growth projection of 17 units per year would provide approximately 340 new housing units through 2030. In comparison, the high growth scenario projection of 31.6 units per year would create approximately 678 new units through 2030.

**Table 3.3 Household Projection 2030**

<b>Scenario 1 - Moderate Projection (17 units per year)</b>				
	Census 2000	Est. 2010	Proj 2020	Proj 2030
Housing Units	763	1072	1242	1412
Occupancy Rate	95.7%	95.7%	95.7%	95.7%
Vacant Units	33	46	53	61
Occupied Units/Household	730	1026	1189	1351
<b>Scenario 2 - High Projection (31.6 units per year)</b>				
Housing Units	763	1072	1388	1704
Occupancy Rate	95.7%	95.7%	95.7%	95.7%
Vacant Units	32.809	46.096	59.684	73.272
Occupied Units/Household	730	1026	1328	1631

With the extreme fluctuations in the housing market in recent years it is very difficult to postulate where and when growth will occur. And even though the country is in the middle of major housing recession, it is still the opinion of the Town that the housing market will recover and more housing will be needed to fulfill the influx of new development in and around Hagerstown, Fort Ritchie, and points East during the term of this Plan. With these assumptions in place, we will use both the 50-year and 20-year growth scenarios to show a potential range of development in coming years.

Population

Extrapolating housing data to complete a population projection requires further analysis of housing projections, household sizes, and vacancy rates. A population percent can be estimated using this household percent by multiplying the number of households by an estimated household size. In 2000, Smithsburg had a household size of 2.95 people per household—this is 120% of the County’s 2000 household size of 2.42 persons per household. In 2030, household size in Washington County is expected to be 2.34 people per household. If the current proportion of 120% is maintained, Smithsburg’s household size in 2030 could be expected to decrease to 2.81 persons per household. Table 3.4 summarizes these household size and population projections.

**Table 3.4 Population Projections 2030**

<b>Scenario 1 - Moderate Growth (17 units per year)</b>				
	Census 2000	Est. 2010	Proj 2020	Proj 2030
Occupied Housing Units/Household	730	1026	1196	1366
Persons per Household	2.95	2.9	2.86	2.81
Population	2154	2975	3421	3838
<b>Scenario 2 - High Growth (31.6 units per year)</b>				
	Census 2000	Est. 2010	Proj 2020	Proj 2030
Occupied Housing Units/Household	730	1026	1365	1704
Persons per Household	2.95	2.90	2.86	2.81
Population	2154	2975	3904	4788

**Section 3.2 – Residential Development Capacity Analysis**

The next step in preparing a plan for new growth is to determine whether or not the Town has the ability to absorb the projected amount of development. This is accomplished by completing a residential development capacity analysis that evaluates how much land is needed to accommodate growth projections. This is also a required element of the State land use regulations passed in House Bill 1141.

**Establishing a Baseline**

Using the 2000 U.S. Census as a baseline information source, there were reportedly 763 households existing within the Town in 2000. Between 2000 and 2010, the Town issued 309 residential use and occupancy permits, bringing the total households in Smithsburg (or baseline) to 1,072. Table 3.5 shows the number of permits issued each year since 2000.

**Table 3.5 Use and Occupancy Permits issued 2000-2010**

<b>Year Issued</b>	<b>Total</b>
2000	25
2001	44
2002	104
2003	47
2004	52
2005	25
2006	3
2007	3
2008	0
2009	3
2010	3
<b>Total</b>	<b>309</b>

Source: Town of Smithsburg

## Growth through 2030

### Approved 'Pipeline' Development

Without any further action on the part of the Town, recent development approvals will add 138 households to the baseline once complete. These units that have been approved but not built are known as “pipeline” units. Table 3.6 provides information on the number of units in residential development projects that are currently approved. These households would increase the number of households from 1,072 to 1,210 when complete. Due to the recent slowdown in the housing market, many of these projects are not moving forward at this time.

**Table 3.6 Major Residential "Pipeline" Developments**

Name	Units	Permits	Available
	Approved	Issued	Lots
Mountain Shadows	100	48	52
Maplegrove Estates	69	20	49
Gardenhour	28		28
Ridenour	2		2
Shannon Estates	7		7
Frey	4	4	0
<b>Total</b>	<b>210</b>	<b>72</b>	<b>138</b>

Source: Town of Smithsburg

### Vacant Land Capacity Analysis

After extracting the vacant land associated with the approved “pipeline” developments outlined in Table 3.6, the Town actually has very little vacant land available for development. There is approximately 19 acres of vacant land available and is mostly located in the southeast portion of the Town in the vicinity of Henrietta Street. There is a small area also available along the northern limits of the Town; however, development in this area would be severely restricted due to extensive floodplain area related to Grove Creek. To account for the amount of potential development left on the vacant lands within the Town, a capacity analysis of the current residential zoning districts was first completed to determine approximate density yields.

**Table 3.7 Residential Development Capacity by Zone**

Zoning District	Description	Minimum Lot Size (per DU)	Maximum Density (DU/acre)	Actual Density Yield (DU/acre)
SR	Single Family Res.	15,000 sq ft	2.9	2.2
TR	Single Family Res.	10,000 sq ft	10.9	8.2
	Two Family Res.	9,000 sq ft		
	Single Family Res.	5,000 sq ft		
	Two Family Res.	5,000 sq ft		
TC	Townhouse Res	3,000 sq ft		
	Apartment/Condo	3,000 sq ft		

All of the vacant land within the Town is zoned TR (Town Residential). Therefore, using the estimated density yields depicted in Table 3.7, it is presumed that there is potential for approximately 65 new dwelling units (19 acres x 3.4 du/ac) on vacant land within Town limits.

*Other Infill Development*

Underutilized land that could allow for in-fill development is harder to identify. Using a very basic approach, an assumption was made that since the majority of the residential development in the Town is zoned Town Residential (TR), parcels that were 20,000 square feet or greater would be isolated and analyzed for further development potential. (TR zoning has a minimum lot size of 10,000 square feet, therefore a parcel would need to be 20,000 square feet before subdivision could occur.) Almost two hundred parcels were identified as meeting this criterion, however, a large majority of the parcels are located in areas where environmental and topographical issues restricted the amount of additional development that could occur.

After narrowing the focus of the analysis to parcels without obvious environmental and topographical constraints, about 43 parcels seemed viable as potential infill development parcels and only a few had potential to be subdivided more than once. Other developmental constraints such as limited road frontage and location of existing structures further depress the possibility of in-fill development within the Town. To account for these other limitations, the traditional 75% density yield used in the State Development Capacity Analysis model was used to determine the potential development on the 43 parcels deemed viable for potential infill. Table 3.8 depicts the outcome of this analysis.

**Table 3.8 Infill Potential**

Lot Area (in Square Feet)	Number of Parcels	Dwelling Units Allowed by Zoning Density	Number of Existing Dwelling Units	Potential Infill Units	Actual Density Yield (75%)
20,000 - 39,999	40	80	41	39	29.25
40,000 - 59,999	2	6	2	4	3.00
60,000+	1	4	1	3	2.25
<b>Total</b>	<b>43</b>	<b>90</b>	<b>44</b>	<b>46</b>	<b>34.5</b>

Source: Town of Smithsburg

### Conclusions

As stated previously, the Town has forecasted an increase of approximately 678 new housing units over the horizon period; however, it appears that there is only potential for approximately 100 new units (65 on vacant lands, 35 infill) within the existing Town boundary. Based on the Town's growth forecast and the obvious lack of existing vacant land within the current incorporated limits of the Town, it is evident that the majority of new growth accepted by the Town will need to be on lands currently outside the incorporated Town boundary.

### Future Annexation

Since there is currently not enough land within existing Town boundaries to handle the projected amount of development, annexation will be necessary. As shown on the Proposed Annexation Areas Map located in Appendix A, there are five 'primary' and two 'secondary' areas delineated as potential annexation areas. It is important to clarify that the Town does not anticipate all of these areas to be annexed within the 20 year analysis period of this document. The areas being designated as "potential annexation areas" depict the Town's best guess at where annexation may occur during the lifespan of this document.

The 'primary' areas delineated on the map are considered areas of highest priority for future annexations. It is anticipated that the areas to the north of existing Town limits will provide the most logical and advantageous expansion of new development due to the availability of large areas of undeveloped and underdeveloped land. 'Secondary' areas were also delineated as "reserve areas" in case the need for additional annexation areas to north may arise. All of these areas appear to provide the best opportunity for logical expansion of residential services for several reasons. First, annexation potential to south and southwest of Town are limited by existing development related to the rural village of Cavetown. Areas east of Town are limited due to the Town's proximity to the leading edge of South Mountain. These areas east of Town are also planned to develop into commercial uses because of the access to Smithsburg Pike (MD 64) thereby limiting residential expansion. Expansion to the north would also be logical in terms of wastewater service due to the fact areas north of Town are at a higher elevation than the existing treatment plant and would therefore provide for more gravity flow lines and lessen the need for more pump stations and force mains.

While these areas far exceed the necessary land area needed for projected future growth, the Town feels that designating these areas provides the necessary flexibility needed to attract developers to the Town. Development is very unpredictable and can be influenced based on a multitude of variable such as an owner’s willingness to sell, the feasibility of infrastructure upgrades, market demand, etc. Because of the unpredictability of where development may occur, the Town has designated several areas adjacent to Town boundaries that may provide the needed and/or desired area for development. It is not the belief of the Town that all of the areas designated as potential annexation areas will develop within the 20 year horizon period.

Methodology

To begin the analysis of residential development potential in the proposed annexation areas, lands that would not be suitable or available for development (such as sensitive areas, road right-of-ways, public lands, etc.) were excluded from the annexation area totals. Also excluded from this analysis were lands that are projected to be zoned anything other than residential as delineated by the land use map. Table 3.9 depicts these assumptions.

**Table 3.9 Net Acreage of Proposed Annexation Areas**

<b>Primary Annexation Areas</b>						
Annexation Area	Total Acreage <sup>1</sup>	Sensitive Areas	Road R/W	Institutional	Non-residential zoning	Net Acreage
1	31.16	3.94	0.29	0	0	26.93
2	130.96	3.75	16.96	0	5.19	105.06
3	168.99	8.03	44.57	21.36	61.11	33.92
4	71.77	2.23	0	0	0	69.54
5	297.01	22.54	4.31	5.4	0	264.76
<b>Total</b>	<b>699.89</b>	<b>40.49</b>	<b>66.13</b>	<b>26.76</b>	<b>66.3</b>	<b>500.21</b>
<b>Secondary Annexation Areas</b>						
Annexation Area	Total Acreage <sup>1</sup>	Sensitive Areas	Road R/W	Institutional	Non-residential zoning	Net Acreage
A	38.68	0	0	0	0	38.68
B	40.43	4.11	0	0	0	36.32
<b>Total</b>	<b>79.11</b>	<b>4.11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>75</b>

<sup>1</sup> Per tax assesment records

Source: Maryland Department of Assessments and Taxation

Next, to determine how much residential development this acreage will produce, this analysis assumes that 75% of new residential development will occur as SR zoning while the remaining 25% will occur as TR zoning. TC zoning is reserved for properties in the core of the ‘downtown’ area and therefore is not projected to be assigned to newly annexed properties. The following Table 3.10 calculates the new development potential:

**Table 3.10 Residential Capacity of Potential Annexation Areas**

Primary Annexation Areas		SR Zoning		TR Zoning			
Annexation Area	Net Acreage	Acreage	Dwelling Units	Acreage	Dwelling Units	Existing Dwelling Units	Potential New Units
1	26.93	20.20	44.43	6.73	22.89	1	66.33
2	105.06	78.80	173.35	26.27	89.30	6	256.65
3	33.92	25.44	55.97	8.48	28.83	34	50.80
4	69.54	52.16	114.74	17.39	59.11	60	113.85
5	264.76	198.57	436.85	66.19	225.05	19	642.90
<b>Total</b>	<b>500.21</b>	<b>375.16</b>	<b>825.35</b>	<b>125.05</b>	<b>425.18</b>	<b>120</b>	<b>1130.53</b>
Secondary Annexation Areas		SR Zoning		TR Zoning			
Annexation Area	Net Acreage	Acreage	Dwelling Units	Acreage	Dwelling Units	Existing Dwelling Units	Potential New Units
A	38.68	29.01	63.822	9.67	32.878	1	95.7
B	36.32	27.24	59.928	9.08	30.872	2	88.8
<b>Total</b>	<b>75</b>	<b>56.25</b>	<b>123.75</b>	<b>18.75</b>	<b>63.75</b>	<b>3</b>	<b>184.5</b>
<b>Grand Total</b>	<b>575.21</b>	<b>431.4075</b>	<b>949.0965</b>	<b>143.8025</b>	<b>488.9285</b>	<b>123</b>	<b>1315.025</b>

As shown by these calculations, it appears that there is enough land delineated in the proposed annexation areas to handle the projected range of between 340 and 678 new housing units anticipated in the 20 year horizon period.

### **Section 3.3 – Non-Residential Development**

There are 3 zoning districts within the Town that provide area for commercial and industrial type uses; Neighborhood Commercial (NC), 1.12 acres; General Commercial (GC), 8.4 acres; and Employment Center (EC) 4.81 acres. A fourth district, Town Center (TC), 19 acres, is a mixed use zoning district that allows both residential and commercial uses. Currently all of the lands zoned NC and GC are vacant while all the lands zoned EC are improved and in use by Hadley Farms Inc. There are several small business located sporadically within the TC zoned areas.

In addition to these non-residential areas within the Town, there are several areas located just outside Town limits along the MD 64 corridor that provide service to the citizens of Smithsburg. Most of the existing areas are located to the southwest of Town at the intersection of MD 64 (Smithsburg-Leitersburg Pike) and MD 66 (Mapleville Road) in the Rural Village of Cavetown. There is one large shopping center located along MD 64 close to the intersection of MD 66 that houses a grocery store and several other service retail businesses. Also along MD 64 are a couple of smaller shopping plazas that also offer retail services.

Another area of new commercial development is at the intersection of MD 64 and MD 77. Over the last 20 years a shopping plaza and bank have emerged at the intersection. It is anticipated that this area will expand to accept more non-residential development to service the needs of the citizens of Smithsburg. As part of the proposed annexation plan for the Town, this area is being earmarked for commercial and employment center development.

To estimate how much new square footage would be available on potential annexation sites, Staff evaluated how much land would be consumed by land development regulations such as building setbacks, parking requirements, and stormwater management needs. It was determined that on average, about 9,800 square feet of land would be available for useful development area in GC zones while the average is about 9,700 square feet in the EC zones.

According to the Land Use Plan Map, the Town is proposing approximately 24.8 acres of land for retail type uses and approximately 41.5 acres of land for employment type uses in addition to existing commercial land in and around the Town. This means that the Town could anticipate approximately 243,000 square feet of new retail area and approximately 402,162 square feet of employment area. This amount of development, combined with existing commercial and retail development in and around Smithsburg should be adequate to serve the projected population increase through 2030.

### **Section 3.4 – Managing New Growth**

Annexation will be the driving force in controlling the timing and amount of growth the Town will encounter. It is anticipated that the Town will focus on properties immediately adjacent to the existing municipal boundary to the north and west, and over time will work out toward the fringes of the growth area to accommodate new development.

#### **Financial Responsibilities**

The Town has adopted an annexation policy by which developers who wish to annex into the Town are responsible for infrastructure upgrades needed to service the new development. This policy specifies requirements for financial and/or other types of contributions (such as land donation) developers need to produce to support new and/or existing infrastructure (i.e. roads, schools, water and sewerage collection and treatment, stormwater management areas, etc) to service new development. In exchange for these contributions, annexed areas of the Town will enjoy the benefits of lower water and sewer bills, residential trash pick-up, local law enforcement, and other such benefits.

It appears that the main infrastructure that will be impacted by new development will be schools, roads and water and wastewater services. As discussed later in this Chapter, the Town's Adequate Public Facilities Ordinance and Washington County Excise Tax should be sufficient to cover impacts of new development on the schools system and roads by requiring monetary contributions by developers. Annexation agreements are currently used now to require developer contributions toward water and wastewater services. It is recommended that future annexation agreement include some financial contribution for

not only tap on fees but also to purchase allocation at the treatment plant. These funds could then be collected and used to help the County subsidize the improvement needed to upgrade the wastewater treatment plant.

Another option for the Town would be to investigate State and Federal financial assistance in the upgrade and maintenance of aging infrastructure.

### **Section 3.5 – Impact on Community Infrastructure and Resources**

Despite the growth projections presented in this Section, existing public facilities limit the growth that can occur in Smithsburg. Many of these facilities are operated by Washington County and the City of Hagerstown, which do not have plans for expansion of these facilities and services to Smithsburg. If changes are not made to the existing plans for the County and Hagerstown, Smithsburg’s growth will be significantly less than that projected in this Plan. For those services provided by the County or Hagerstown, an alternate growth rate under a scenario where no improvements are made is provided.

#### **Water and Sewer Services**

Smithsburg does not provide its own water and sewer services; although, it does own and maintain the distribution and collection lines for these services. Relying on outside sources for water and sewer allocations means that the Town will need to ensure adequate allocations are approved before the growth that this Plan projects can occur.

##### **Water**

Water service for Smithsburg is provided by the City of Hagerstown. As of 2009, the City allocates and the Town purchases 260,790 gpd for use by Town residents. Comparatively, the average daily usage by the Town in 2009 was 230,891 gpd. After adding in the approved “pipeline” development into the water demand analysis contained the Water Resources Element of this Plan, it appears that the Town will slightly exceed its current allocation from the City. Therefore, per the water service agreement between the Town and the City would need to be modified at such time new construction would cause the Town to demand more water than allocated by the City. Given the small amount of overage that would be caused by approved pipeline development, the Town does not foresee a problem with obtaining additional allocation from the City of Hagerstown.

Future projected development will however have a more profound impact on the current allocation agreement with the City of Hagerstown. It is anticipated that the projected new households of between 340 and 678 units combined with the small deficit incurred by the pipeline development would generate a cumulative demand/deficit of between 80,041 and 157,781 gpd. A more detailed analysis of these impacts is outlined in the Water Resources Element of the Plan.

##### **Sewer**

Sewage treatment services for Smithsburg are provided by Washington County at the Smithsburg Wastewater Treatment Plant. Currently the process being used for treatment

is via Sequence Batch Reactors (activated sludge process), tertiary filters and UV disinfection. Sludge generated at the treatment plant is transported and processed at the Conococheague Wastewater Treatment Plant. Wastewater into this facility is primarily from conventional gravity sewage collection systems and effluent is discharged into the Little Grove Creek.

The system has a current treatment capacity of 333,000 gpd. According to the 2009 Washington County Water and Sewer Plan, the average daily flow at the Smithsburg Treatment Plant in 2009 was approximately 291,000 gpd. Of this total, the Town of Smithsburg average daily usage during 2009 was 235,898 leaving about 55,000 gpd coming from the remainder of the service area in and around the rural village of Cavetown, south of Smithsburg. After including the approved pipeline development within the Town the average daily flow is expected to increase to 323,420 gpd leaving only about 9,570 gpd left in the plants allocation.

With the obvious limitations at the treatment plant, projected development proposed for Smithsburg will well exceed the current allocation of the treatment plant. However, Washington County has proposed to upgrade the treatment plant to meet Enhanced Nutrient Removal (ENR) requirements which will increase the allocation at the treatment plant to accommodate 600,000 gpd of discharge. The upgrade is currently planned for construction in the Washington County Capital Improvement Program for FY 2013 and 2014. Any new development that occurs prior to the upgrade will need to be scrutinized by both the Town and the County to ensure that the treatment plant does not exceed its legal allocation.

The projected new development of between 340 and 678 new households predicted in this element are anticipated to generate between 79,900 and 159,330 gpd of effluent. While the current state of the treatment plant cannot handle this amount of development, the upgrade will provide more than enough allocation for future development projected by the Town. A more detailed analysis of projected development impacts is outlined in the Water Resources Element of this Plan.

### **Schools**

The 2010 Washington County Public Schools Educational Facilities Master Plan uses the pupil generation rates shown in Table 3.11 to estimate the number of new students that will be generated by new development. To evaluate potential impacts on the school system from new development, an analysis of housing unit types was completed using Maryland Tax Assessment records. Currently, the breakdown of residential development in Smithsburg is approximately 75 percent single-family, 10 percent apartment, and 15 percent townhouse. Table 3.12 depicts the impacts to school enrollment assuming that projected development follows this trend.

**Table 3.11 Pupil Generation Rates, Washington County**

	Elementary	Middle	High
Single Family	0.38	0.18	0.19
Townhouse	0.24	0.08	0.09
Multi-family	0.18	0.08	0.11

Source: WCPS 2010 Education Facilities Master Plan

**Table 3.12 Impact on School Capacity**

School	State Rated Capacity	Fall 2010 Enrollment	% of capacity	Scenario 1 - Moderate		Scenario 2 - High	
				Projected 2030	% of capacity	Projected 2030	% of capacity
Smithsburg Elementary	419	423	101%	614	147%	652	156%
Smithsburg Middle	829	691	83%	705	85%	795	96%
Smithsburg High	829	790	95%	809	98%	901	109%

As noted in earlier parts of this section, the Town projects between 340 and 678 new households in Smithsburg by 2030. These households would be expected to generate between 224 and 444 more school children.<sup>6</sup> As shown by the analysis, Smithsburg Middle school is currently well under its State Rated Capacity (SRC), and is projected to stay under capacity under either scenario. Smithsburg High school is also currently under its SRC, but does not have much room for growth. As shown by the projections, it is anticipated that new development under Scenario 1 will come close to but not exceed capacity while Scenario 2 will exceed the SRC by 9%. Smithsburg Elementary School is currently 1% over its SRC and new development appears to exacerbate the problem by pushing capacity to between 147% and 156%. In addition to the impact on schools from growth in Smithsburg, County growth within the school district can be expected to put additional stress on local schools.

In 2003, Washington County implemented a Building Excise Tax that applies to all new development (residential and non-residential) occurring in the County, including development within municipalities. The excise tax funds collected are used to fund public infrastructure needs that new development can impact (i.e. schools, roads, water and sewer infrastructure, libraries, parks, and agricultural preservation). A large portion of the tax is earmarked specifically for capital expenditures that are used in the construction of new educational facilities needed in the County as a result of new development.

As an added measure, the County required that municipalities adopt “an adequate public facilities ordinance with school adequacy tests substantially similar to or more stringent than the adequate public facilities ordinance adopted by the Board of County Commissioners”<sup>7</sup>, in order to retain a portion of the excise tax. Those jurisdictions not

<sup>6</sup> Projections are based on 2010 Washington County Pupil Generation Rates.

<sup>7</sup> Washington County Adequate Public Facilities Ordinance, Revision 5, Section 9.03

wishing to adopt an APFO as required by the County would forfeit their share of the proposed tax. As a result, the Town adopted an APFO that mirrors the one adopted by the County.

According to the adopted APFO, if the pupil yield of a development exceeds the capacity of the associated school district, the development may not proceed without an approved mitigation plan by the Board of County Commissioners of Washington County. So while the excise tax provides a potential long-term funding mechanism for increasing capacity within the school system, the APFO requires an added layer of review and mitigation to handle the short term needs of the school district. The Town will continue to work with the County via these regulatory mechanisms to ensure adequate school facilities in the future.

### **Parks**

Smithsburg has a number of parks and open space areas that are centrally located, including passive recreation and active sports fields. The primary recreation facility within Town limits is Veteran's Park which provides nearly 32 acres of pavilion and picnic areas, a basketball court, two soccer fields and walking paths. Lion's Community Park is another recreation facility used by Town residents and contains approximately 13 acres of baseball and soccer fields, a basketball court and pavilions. While this park isn't located within Town limits it is owned and maintained by the Town and used generally by Town residents. Other recreation and open space facilities scattered though the Town include open space areas within the Whispering Hills subdivision and the Board of Education properties that contain the Elementary, Middle, and High Schools. There are additional Federal, State, and County parks within close proximity of Town boundaries including Greenbrier State Park, South Mountain Recreation Area (which contains the Appalachian Trail), and Pen Mar and High Rock County parks. All totaled the Town residents currently enjoys around 135 acres of parks and open space. Also, between the two Town maintained parks and the recreation areas of the school complexes<sup>8</sup>, Smithsburg has approximately 90 acres of land available for active recreation uses.

Currently, the State of Maryland recommends that jurisdiction provide 30 acres of park and open space land per 1,000 residents, of which 15 acres per 1,000 residents should be active recreation uses (parks, recreation facilities, etc). Using population estimates made previously in this section the estimated 2010 population of Smithsburg is 2,975 people. This is equates to approximately 46.5 acres of parks and open space per and 31 acres of active recreation areas for every 1,000 residents. Adding the projected additional residents without providing additional parkland would create a ratio of between 28 and 35 acres of parks and open space and between 18 and 23 acres of active recreation area per every 1,000 residents. By State standards existing facilities within the Town should be adequate. However, development without the preservation of open space and the dedication of parks would dramatically alter the rural character of Smithsburg and result in growth that is inconsistent with the Town's goals and vision for the future as described in Section 4 of this Comprehensive Plan.

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<sup>8</sup> State guidelines allow jurisdictions to include up to 60% of Board of Education property in calculating recreational acreage

It is important to note that as important as the amount of parkland is, the quality of recreational facilities/resources and how they measure up to community needs are also significant—including the unique needs faced by the Town’s children (who the parks are most apt to serve), the elderly, or the disabled. For example, a neighborhood park serves a certain population within a certain radius. A community park (such as Veteran’s Park) on the other hand, serves a larger population within a broader accessible radius. Both levels of park space are needed.

### **Police**

The Smithsburg police department currently has four officers. These officers provide service to the Town’s residents and businesses. They are also the first responders to many areas around the Town. With increased growth in Smithsburg or the surrounding area, the Town would need to add additional officers to maintain the current level of service and response times. This would also require additional vehicles and an expansion in the current space that the police department occupies.

### **Fire and Emergency Services**

The Smithsburg Community Volunteer Fire Company currently serves an area of approximately 36 square miles. This area includes Smithsburg, Cavetown, Chewsville, and Fort Ritchie. Smithsburg Emergency Medical Services serves an area of approximately 70 square miles and includes Smithsburg, Cavetown, Leitersburg, Cascade, Pen Mar, Mount Etna, and Wolfsville.

As new households, commercial, and office centers are constructed in Smithsburg, Fort Ritchie, and throughout the fire and emergency service area, the demands on the Fire Company and Emergency Medical Services will increase due to the larger number of residents and businesses in their service area.

Additional staff, volunteers, and equipment will be needed for both the Fire Company and Emergency Medical Services to continue to provide service to this area. In addition to equipment and staff, Smithsburg Emergency Medical Services will likely need assistance from possible future sub-stations located in the service area to maintain quick response times as household and job growth occur in the service area.

### **Roads and Highways**

Population and household growth will impact the road and highway system:

- Traffic on Route 64 south, if Smithsburg grew at an annual rate of just under 2.3% between 1980 and 2003. In 2006, Route 64 carried about 10,642 vehicles per day. If traffic volumes continue to grow at this rate, Route 64 could be expected to carry over 18,000 vehicles per day by the year 2030. Given the projected increase in households in Smithsburg and the planned development at Fort Ritchie, it is reasonable to expect that the road will carry greater than 25,000 vehicles per day by 2030.

- New development along Route 64, both in Smithsburg and beyond, will contribute to traffic congestion, to varying degrees. The multiple access points along Route 64 that exist today will also contribute to traffic congestion. Traffic congestion in the area would generally be limited to morning and evening rush hours along with weekend and seasonal traffic.
- Land uses, such as residences and office employment, add large amounts of traffic to area roads during peak travel periods and contribute to overall congestion. Those that contribute only small amounts of traffic during peak periods will contribute less to traffic congestion. The land development projects currently in plan approval stages are generally high peak-period traffic generators.

In summary, access to Route 64 is the most vulnerable part of the road system. The capacity of Route 64 will be insufficient for the projected growth. Also, safety along Route 64 will be challenged at the multiple, uncontrolled access points along the stretch of the highway around Smithsburg. Control and reduction of intersections is necessary to address this concern.

### **Section 3.6 – Impacts on Priority Funding Areas**

In 1997 the State of Maryland passed the Priority Funding Act whereby State funding for growth related infrastructure was required to be directed to establish Priority Funding Areas (PFAs). As part of the legislation, all incorporated municipalities in the State (as they existed on January 1, 1997) were designated as PFAs. The Counties were also given the opportunity to designate additional PFAs in accordance with State mandated criteria. Washington County submitted and was certified for an expanded PFA south of the Town of Smithsburg that included existing service areas such as Cavetown and the subdivisions of Holiday Acres and Beaverbrook. A map of the current Smithsburg PFA boundary is shown in Appendix A.

Another point of information with regard to Priority Funding Areas within the Town Growth Area boundary relates to the replacement and upgrade of a transite water line from the water storage facilities on Federal Lookout Road to near the intersection of Schaller Lane and S. Main Street. In May 2009, the Smart Growth Coordinating Committee granted a PFA exemption to this transite line project based on the fact that this is a health and safety issue. The purpose of this exemption was to clarify that while the property containing the water storage facility was not in the PFA, the water did service the entire Town water system which is located within the PFA. Furthermore, this exemption helps remove funding barriers created by the property not being within the PFA.

Revisions to existing PFAs may be made; however, changes must be approved and certified by Maryland Department of Planning. As development and annexation occur in the Town, the existing PFA will need to be amended in order to qualify for State funding for infrastructure enhancements, should such funding be needed.

## Chapter 4 – The Land Use Plan

The Land Use Plan serves as the unifying element in the Comprehensive Plan. This chapter is a culmination of all the other elements of the Comprehensive Plan. The purpose of the land use plan is to consider all of the impacts future development may have on community infrastructure and resources.

### **Section 4.1 - Current Town Land Use**

With regard to the Town's current land use pattern as shown in the Smithsburg Land Use Map located in Appendix A, four observations are most relevant:

1. Smithsburg's town center is characterized by a mix of commercial, institutional, and medium to high-density residential uses. The Town Center has been the primary focus of commercial and employment generating development. Generally, the town center area attracts smaller service type uses such as restaurants and hobby shops. As evident in many small towns across the country, Smithsburg has experienced a decline in commercial uses in its town core. Instead, more regional type service uses have migrated outward toward major transportation routes such as MD Routes 64, 66, and 77. This area also produces most of the rental housing within the Town. They are found in the neo-traditional style of store-front first floor buildings with rental apartments above the street.
2. Residential development to the west and north of Town has occurred at lower densities in areas of sloping hills. Since the adoption of the last Town Comprehensive Plan in 1996, Smithsburg has seen steady increases in residential development related to the build out of the many annexations that occurred during the late 1980's. The two largest annexations that have provided the majority of new residential development in the Town are Whispering Hills to the northwest and Mountain Shadows to the east. The type of housing developed has been mostly small lot single family homes and a few townhouse developments. There has also been some scattered in-fill development within the Town that consists of single-family and multi-family units.
3. School facilities and associated fields are centrally located along the ridge between the historic downtown of Smithsburg and residential areas to the west. These areas also connect with the Town park to create a linear greenway between main street downtown and new residential development occurring to the northwest. Since the adoption of the last comprehensive plan, the Town has purchased additional land to augment the park.
4. Residential growth has followed the pattern of the street network, and in-Town lots along main roads have been subdivided.

The Smithsburg Land Use Map shows various land uses. Those land uses are described below.

High-Density Residential: 41 acres. (Smithsburg: 39 acres) High-density residential uses include apartments, town homes, and condos. Areas of High-density residential can be found near downtown and in residential areas to the east. The average density is approximately is 7.5 units per acre.

Medium-Density Residential: 54 acres. (Smithsburg: 33 acres) Medium-density residential includes single-family homes that are found close to downtown. The average density is approximately is 4 units per acre.

Low-Density Residential: 1,359 acres. (Smithsburg: 243 acres) Low-density residential includes most of the detached single-family homes in Smithsburg. The average density is approximately is 3 units per acre.

Rural Residential: 808 acres. (Smithsburg: 39 acres) Rural residential is made up of single-family homes on large lots, interspersed in agricultural areas. The average density is approximately is 1 unit per acre.

Open Space/Parks: 1,963 acres. (Smithsburg: 74 acres) Open spaces and parks are found throughout the Town and around it. These can be regional parks, neighborhood parks, woodlands that surround the Town, or open spaces areas that have been preserved because they are in the floodplain or provide other stormwater management.

Institutional: 143 acres. (Smithsburg: 105 acres) Institutional uses include areas where public facilities are located. This land use includes the school campuses, the library, fire, rescue, police, Town Hall, and area churches.

Commercial: 37 acres. (Smithsburg: 35 acres) Commercial areas are areas where businesses are located. Some typical commercial uses include service stations, supermarkets, hardware stores, and pharmacies.

Mixed-Use: 21 acres. (Smithsburg: 21 acres) The Town's mixed-use area is found downtown. Downtown includes a mix of various residential densities, institutional, commercial, and industrial uses.

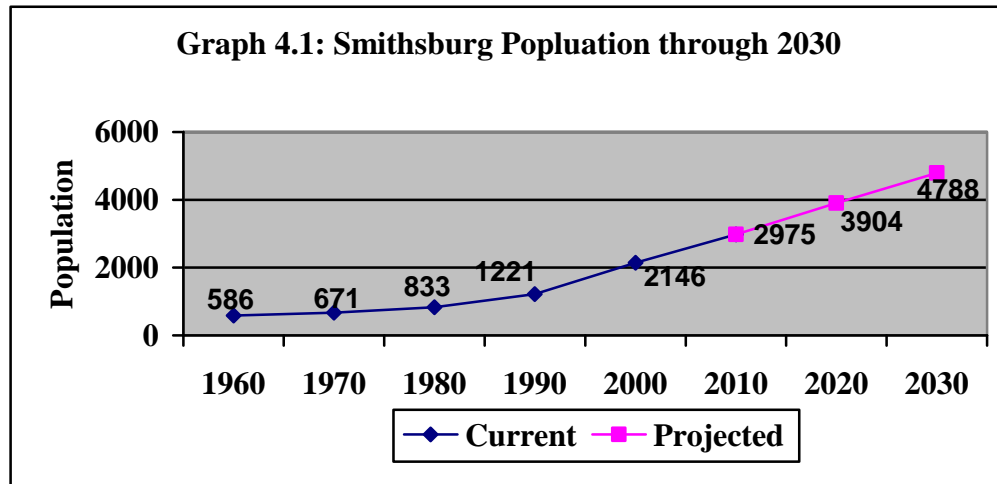
Industrial: 31 acres. Industrial uses can be found just outside the Town in the unincorporated Village of Cavetown. This includes the Industrial Park along with Cavetown's Planing Mill Company.

Agricultural: 9,223 acres. Agricultural uses surround the Town and provide many of its scenic views. These areas are in crop, orchard, or pasture use.

## **Section 4.2 – Growth Trends**

As discussed in Chapter 3, the Municipal Growth Element, there has been a sharp increase in population numbers in the last couple of decades that can mainly be attributed to Smithsburg's desire to attract new growth. Given the Town's continued interest in accepting new growth, coupled with little area to grow within the existing Town

boundary and the large amounts of vacant land adjacent to the existing Town boundary, it is anticipated that Smithsburg will continue to see moderate advances in population and housing units on newly annexed land. Graph 4.1 depicts the historic and projected population projections outlined in Chapter 3.



Commercial development is also anticipated to grow in order to service new growth but employment type development is expected to be limited. Mostly due to the somewhat rural nature of the Town and its limited access to major transportation corridors such as I-70 and I-81. The competition with other surrounding jurisdictions such as Hagerstown and Frederick is currently too great for the Town to overcome. There may be some limited potential for employment expansion with the continuing growth at Fort Ritchie. It is hopeful that the former military instillation will continue to transform into a high-tech employment center.

### **Section 4.3 – Development Opportunities and Constraints**

The purpose of this Comprehensive Plan is to guide the Town of Smithsburg to make informed decisions regarding future development and character. In order for this to occur, knowledge of the opportunities and constraints that affect future development must be understood. This Section will draw on the previous characterization of the Town in order to form conclusions that will inform future recommendations.

#### **Opportunities**

##### *Environmental Stewardship*

Smithsburg’s natural location in a valley to the west of South Mountain imparts a scenic beauty to the Town. Other natural resources in Smithsburg include Grove and Beaver Creeks, which border the Town on the north and south. Having such rich environmental resources provides opportunities for recreation, learning, and stewardship over the natural environment. The Town has an opportunity to pursue policies that protect natural resources within and around the borders of Smithsburg as growth occurs in the Town.

##### *Historical Resources*

There is a rich history of agriculture and transportation in Smithsburg that has left its mark on the Town. Historic homes, storefronts, and institutions are present throughout downtown. Preserving and marketing this resource opens the Town up to benefit from the heritage tourism industry. Maintaining historic resources creates a sense of place in history and longevity for Smithsburg as well as a source of community pride. The opportunity exists to preserve the history of Smithsburg while remaining compatible with new growth, and to create a place that will add to the Town's place in time.

#### *Centrally Located Community Facilities*

Smithsburg's schools, parks, and library are all centrally located and walkable from most areas of Town. This provides opportunities for the young population of Smithsburg to access these facilities despite their limited mobility options. The central location of these facilities and their proximity to downtown allows residents to reduce the number of trips they make when running errands and encourages community interaction. The opportunity exists to maintain this relationship between school facilities and residential areas. Growth can be located around these facilities and in locations that allow residents to access community facilities by walking, biking, or by car.

#### *Street and Pedestrian Network Connectivity*

The extensive sidewalk network in Smithsburg connects residential areas to community facilities (such as parks and schools) and downtown. There are some locations where connections to existing sidewalks or signage to pathways can improve connectivity in the pedestrian network. Better street connectivity will help reduce response times for Emergency Services in the Town. The opportunity exists for the Town to maintain and improve this connectivity by adding connections in existing areas and extending the pedestrian network into new areas of Town as those areas are developed or conserved.

#### *Infill and Redevelopment*

According to the vacant land analysis in Chapter 3, Smithsburg has very little land left within its incorporated limits for new development. Most of the land lies within close proximity to older portions of the Town and as such, should maximize compatibility with surrounding development. Redevelopment is also a possibility but most existing parcels within the Town do not easily lend themselves to redevelopment due to existing conditions such as road access, topography, sensitive area limitations, and so forth.

#### *Compatibility with Existing Neighborhoods*

It is important to the residents of Smithsburg to maintain a "small town charm" that has pervaded this area for decades. It has been noted in older Comprehensive Plans for the Town how new development has a distinct disconnect from the rest of the Town. With this in mind, it will be important for the Town to evaluate and work with new developers to create as much compatibility as possible. New development should, where possible, mimic the density and design of existing neighborhoods.

## Constraints

### Infrastructure and Resource Limitations

In order to efficiently plan for growth, it is important to understand the limitations of the community's infrastructure and resources. As discussed in Chapter 5, the Water Resources Element, new growth within the Town will be primarily limited by the availability of drinking water and wastewater treatment infrastructure. Given the current housing slump, large amounts of new development is not anticipated in the near future, however, the treatment plant is nearing capacity with the limited amount of development that has been occurring and drinking water availability is also limited. It will be imperative that the Town continue to work with the City of Hagerstown and Washington County to meet the demands of new development.

Another important resource being stressed by development is the public school system. Smithsburg schools currently exceed or very close to reaching capacity. The Town will need to continue working with the County and the Board of Education in administering the Adequate Public Facilities Ordinance as well as securing financial assistance from developers impacting the school system.

### Sensitive Natural Areas

While the mountains, rivers, and other natural resources in Smithsburg provide opportunities for the Town, they also pose physical constraints on future development. The creeks, floodplains, steep slopes, and forested areas around Smithsburg limit where future development can occur. By promoting development that is rooted in ecological principles, development can avoid problems, such as flooding, and support the recreational amenities provided by these natural areas.

### Transportation

U.S. Route 64 provides an edge to growth in Smithsburg. Small pockets of residential growth that have developed on the east side of this physical barrier are fragmented and separated from one another and the main part of Town. Residences exist in the areas between ramps and on islands between main roads. Future residential development should consider the impacts of the physical separation that would result from continued development on this side of the highway. This limits the locations for potential growth to the west side of U.S. Route 64.

### Distance between residential development and Downtown Smithsburg

Recent residential development in Smithsburg is spread out from the center of Town. Some residential areas are separated from the Town by Route 64. The availability of land for development means that future development will occur further from the center of Town and its community facilities. Future residential development will need to find innovative ways to integrate into the central part of Town.

## **Section 4.4 – Future Land Use**

As shown by the Future Land Use Map located in Appendix A, the Town is anticipating mostly residential development in the future. It is predicted that the majority of residential development will be in the form of single family homes but that some townhouse and multifamily units could also be expected. Limited commercial development is also predicted to occur mostly along the MD 64 corridor. This provides the most logical location for commercial development given the accessibility and visibility advantages MD 64 presents. Some agriculture will be expected to continue as the economy and housing market continues to bounce back.

Because the Town does not currently have enough land available to accept the projected amount of development expected in the 20 years, it is obvious that the Town will need to annex adjacent lands to provide the needed area. It will be important for the Town to continue working with Washington County to ensure that newly annexed areas will remain consistent, to the extent possible, with the goals and objectives of both the Town and County Comprehensive Plans. This cooperative effort will be mostly completed through growth area boundary evaluations, comprehensive rezonings, and Comprehensive plan amendments.

## Chapter 5 – Water Resources Element

Smithsburg lies entirely within the Antietam Creek watershed, which ultimately outlets to the Chesapeake Bay. The Bay had been in declining health for several decades prompting the State of Maryland and other jurisdictions to implement the Chesapeake Bay Agreement whereby the participating jurisdictions have pledged to, among other things, reduce the primary nutrient pollutants of nitrogen and phosphorous that are contaminating the Bay. As stated in MDP's *Models and Guidelines Series #26: The Water Resources Element*, the purpose of this element "is to ensure that future county and municipal comprehensive plans reflect the opportunities and limitations presented by local and regional water resources."

### **Section 5.1 – Drinking Water**

#### **Current Demand and Capacity**

As stated in previous sections of this Plan, Smithsburg does not provide its own drinking water source; although, it does own and maintain the distribution and collection lines for this service. Currently, the Town purchases its water from the City of Hagerstown in the amount of 260,790 gallons per day (gpd). The City describes their water resources as follows in their 2008 Comprehensive Plan:

*"The City owns and operates two potable water treatment plants: the R.C. Willson Plant and the W.M. Breichner Plant. The Willson Plant draws its water from the Potomac River in Williamsport, and is the City's main source of water. It has a maximum treatment capacity of 20 MGD, with a permitted appropriation for surface water from the Potomac River of 15 MGD. However, the Willson plant's transmission lines can only accommodate 13.5 MGD. The Breichner plant draws its water from Edgemont Reservoir near Smithsburg, and is primarily used to supplement production during high demand periods and when system maintenance reduces available supplies from the Willson Plant. The Breichner Plant has a maximum treatment capacity of 4.5 MGD and a permitted appropriation for surface water from the Edgemont Reservoir of 700,000 gpd." (Page 4-11)*

As shown in Table 5.1, the current daily usage combined with approved 'pipeline' development depletes, and slightly exceeds the available drinking water capacity for the Town. This is actually a situation created by design. Because the Town must purchase water from the City of Hagerstown, only the drinking water capacity needed for present day is included in the purchasing contract. The Town does not have the financial resources to expand the capacity contract to projected growth levels at the present time. Therefore, the projected growth in the Town will almost always exceed the capacity allocated to the Town by the City of Hagerstown. However, recognizing the unique situation, the City of Hagerstown updated its Comprehensive Plan in 2008 to include an evaluation of water demand and capacity for the City water system. One of the conclusions of the evaluation was that the 15.1 Mgpdcapacity at the City water treatment

plant would be able to “serve the projected water demands of all City water users [including the Town of Smithsburg] based on assumptions provided by said users through 2030”.<sup>9</sup> While this does not guarantee the Town of Smithsburg future allocation, it does provide some degree of confidence that future allocation will be available for future development in the Town. As an added measure of scrutiny, the Town has historically monitored water usage and required developers to contribute funds to expand water capacity as a condition of annexation. The Town will need to continue to monitor this capacity when reviewing plans for all new annexations and development.

**Table 5.1: Drinking Water Demands (2009)**

	gpd	EDUs <sup>1</sup>
Current Allocation Agreement (2009)	260,790	1,134
2009 Usage	230,891	1,004
Approved "pipeline" development	31,740	138
Remaining Capacity	(1841)	(8)

<sup>1</sup> Assuming 230 gpd usage

**Future Demand and Capacity**

As noted in the Municipal Growth Element (MGE) of this Plan, the projected development for the Town of Smithsburg through 2030 will range between 340 and 678 new dwelling units. In addition, the Town anticipates the addition of a small amount of commercial and employment type uses over the 20 year horizon period.

For the purpose of this analysis, the water demand for future development was calculated by using the ‘water usage per capita’ method outlined in the *Guidance Document for Water Supply Capacity Management Plans* produced by Maryland Department of the Environment in 2006. By dividing the 2009 water usage (230,891) by the estimated 2009 population (2,893) it appears that each household in Smithsburg uses approximately 79 gpd of water. As stated in the MGE the estimated persons per household in the Town in 2010 was 2.9. Therefore, multiplying the persons per household (2.9) by the estimated gallon per day usage (79) it is estimated that one Equivalent Dwelling Unit (EDU) is equal to an approximate usage of 230 gpd. Table 5.2 depicts Smithsburg projected water demand over the 20 year horizon period using household projections from the MGE. Based on this analysis and the City of Hagerstown’s analysis, it is anticipated that there will be sufficient drinking water capacity available for projected future development within the Town.

<sup>9</sup> Based on 2008 City of Hagerstown Comprehensive Plan.

**Table 5.2: Projected Drinking Water Demands (2030)**

	gpd	EDUs <sup>1</sup>
<b>Scenario 1 - Moderate Growth</b>		
Projected Usage	78,200	340
Remaining Capacity in System (Table 5.1)	(1,841)	(8)
Projected Need	(80,041)	(348)
<b>Scenario 2 - High Growth</b>		
Projected Usage	155,940	678
Remaining Capacity in System (Table 5.1)	(1,841)	(8)
Projected Need	(157,781)	(686)

<sup>1</sup> Assuming 230 gpd usage

It is anticipated that all new development that occurs within the Town limits of Smithsburg will be required to hook up to public drinking water services. On rare occasions where extenuating circumstances do not allow for the efficient and orderly extension of public water service, property owners may be relegated to drilling a well or installing an alternative drinking water source system. Any new private drinking water systems installed within Town limits will be required to meet the most current State standard on the most technology forward system available for drinking water treatment at the time of development.

#### Build-out Analysis

As noted in the Municipal Growth Element (Chapter 3), five primary and two secondary annexation areas have been delineated by the Town as possible areas for future growth. It is anticipated that at full build-out these proposed annexation areas could produce up to 1,315 new residential dwelling units, 243,000 square feet of commercial retail use, and 402,162 square feet of employment area. Using the methodology described in Appendix E, it is estimated that build-out development will require approximately 351,046 gpd (or 1,526 EDU) of water usage (see Table E.1). Even at a high growth projection of 31.6 dwelling units per year, it would take over 40 years to reach full build-out of the proposed annexation areas. Depending on the type and timing of commercial and employment uses, this timeline could be accelerated but most likely build-out will not be achieved until 35 to 40 years from now.

It should be noted that the estimated build-out would exceed the current availability of drinking water under the allocation agreement between the City of Hagerstown and the Town. However, the build-out projects do fall within the estimated usage accounted for in the City of Hagerstown's Water supply analysis<sup>10</sup>. Again, while this does not guarantee allocation, it does provide a reasonable assumption that availability may be possible. This also further demonstrates the need to be careful in planning for the most efficient use of the limited capacity that will be available in the long term.

<sup>10</sup> City of Hagerstown 2008 Comprehensive Plan, Page 4-15, Table 4-6 Existing and Projected Water Demands from Towns, Smithsburg Anticipated Water Increase Request = 1700 EDU

## **Service Areas**

Because Smithsburg purchases its water from the City of Hagerstown, it is not located in a specified service area. Instead, the Town acts as the primary service provider and accordingly regulates water service. In planning for future sewerage service within the Town, service designations used in the 2009 Washington County Water and Sewer plan were used as the basis for establishing water service areas for the Town. This imitation provides some consistency between the two service providers. The service area designations are as follows: W-1 (Existing Service), W-3 (Programmed Service), W-5 (Planned Service), and NPS (No Planned Service). The Water Service Map located in Appendix A shows the location of the service areas.

As part of the overall planning process, after adoption of this Plan the Town will coordinate with the County on modifying appropriate planning documents such as the County Comprehensive Plan and the County Water and Sewerage Plan to ensure consistency between the two planning agencies.

## **Alternative Drinking Water Sources**

### **Surface Water**

Surface water is not currently used as a source of drinking water for the Town of Smithsburg. However, the Town's current service provider, the City of Hagerstown, does supplement its water capacity via the Edgemont Reservoir located east of Town. The City also owns several hundred acres in this area that serves as a protected watershed for these reservoirs. Given the large land holdings of the City and State of Maryland east of Town, as well as encroaching development around the rest of the Town, it is doubtful that surface water can be used as a reliable drinking water source due to limited availability of land to protect a new surface water source.

### **Groundwater**

In 1989, the US Environmental Protection Agency (EPA) passed a rule regarding safe drinking water procedures known as the Surface Water Treatment Rule (SWTR) which was in turn adopted by the State of Maryland. In accordance with the SWTR, all public water systems that use surface water or a source of groundwater that is influenced by surface water, are required to disinfect and filter all water used for public consumption.

Up until the mid-1990s, the Town of Smithsburg received its water supply from three ground water sources: Hauver Spring, Spout (aka Diffendahl) Spring, and a well located along Wolfesville Road near the reservoir. Treatment of the water was a chlorination system that disinfects the water but did not filter the water. In early 1992, it was determined by Maryland Department of the Environment (MDE) that Hauver Spring (and most likely Spout Spring) were under the influence of surface water meaning that the Town would be required to either install a filtration system or abandon the water source by 1995. This prompted the Town to hire a consultant, Acer Engineers and Consultants, to complete a *Water System Improvement Study* in 1994. The purpose of this study was to determine the most effective and efficient method of providing a drinking water supply

to the citizens of Smithsburg in the future. To accomplish this task, three scenarios were evaluated as part of the study:

1. Install a filtration system to Hauver Spring, and install two (2) wells to supply the maximum daily demand.
2. Abandon existing springs and install three (3) new wells at 200 gallons per minute (GPM) each to provide maximum daily demand for planning year 2015.
3. Abandon all current sources of water supply and purchase treated water from the City of Hagerstown.

After performing the analysis, it was the recommendation of the consultant that the Town select the third scenario and purchase water from the City of Hagerstown. That recommendation was adopted by the Town, and in 1997 the Town began to purchase water from the City on a permanent basis. The springs and wells were then ultimately abandoned as a drinking water source for the Town.

It might still be possible to use springs and wells as public drinking water sources once again. Factors such as purchase price and availability of water supply from the City of Hagerstown, cost of drilling new wells to handle current and new development, and the potential for pollution and need for source water protection in new ground water sources could require the Town to re-evaluate its current policy on drinking water supply. However, the economic climate does not appear to favor changing current water supply policies.

There are currently about 4 private wells within the Town limits that service existing residential households. These wells are generally associated with newer annexations of land that included an existing homestead. These few wells will be required to tap on to the public system at such time the services becomes available and/or the unimproved areas of the annexed parcels produce new development.

#### *Other Factors Impacting Drinking Water Services*

##### *System Water Loss*

As reported earlier in this section, the average daily water usage for the Town in 2009 was 230,891 gpd. When compared to billing information compiled for 2009, approximately 198,613 gpd or 86% of the estimated usage was actually billed and accounted for. This means that there is about a 14% 'system water loss' in the Town drinking water service. MDE considers loss of 10% or more to be a significant problem requiring additional planning and monitoring to correct the issue.

It is inevitable that water systems will experience some level of water loss. It is believed that the majority of the 'water loss' occurring with Smithsburg's system can be attributed to unmetered water usage such as hydrant flushing and water usage for firefighting efforts. Another factor believed to be contributing to the system loss is aging meters that are creating incorrect water readings. This means that the system isn't actually losing

water so much as the usage is not being appropriately accounted for due to incorrect water meter readings. A program has been implemented in the Town to prioritize and replace older meters that are believed to be malfunctioning.

Other factors that can contribute to water loss could be leaking underground lines, broken taps, and possibly illegal water usage. The Town is currently in the process of trying to obtain a grant to replace/repair the trans-site line that connects the reservoir to the Town distribution system. Continued monitoring of water distribution system will be a high priority for the Town in an attempt to reduce the water loss to more acceptable levels.

#### *Water Conservation*

Water conservation is a low-cost option for extending the life of existing water supplies. The Maryland Water Conservation Plumbing Fixtures Act (MWCPFA) requires that new plumbing fixtures sold or installed as part of new construction are designed to conserve water. Future efforts to upgrade the water distribution system will contribute to water conservation by reducing system water loss due to leaks. Beyond these regulatory requirements and major capital projects, the Town could also proactively promote water conservation through a concerted public education program, and by coordinating with the State to seek funding for upgrades to appliances and water fixtures. Careful planning of stormwater management techniques, as well as the location and species of landscaping on Town streets can help to reduce or eliminate outdoor watering needs, thus reducing water demand.

#### *Water Storage*

Another aspect of water availability is the Town's capacity for storage of water. Storage capacity is an important component of emergency planning. This capacity is used in the event of a water outage or other emergencies, such as fires, that require the unexpected usage of water in large quantities that would be unavailable through the normal distribution system. The Town has recently completed a project to add storage capacity sufficient to hold 710,000 gallons of water. This equates to a storage capacity for approximately 3 days.

### **Section 5.2 – Wastewater Treatment**

Just as the Town does not provide its own water service, the Town does not provide its own wastewater treatment service either. The Town owns and maintains the distribution system for the wastewater service, however, Washington County owns and maintains the wastewater treatment plant that services the Town. The collection lines are mostly composed of terra cotta and have an inflow and infiltration problem that has improved over the past few years. The depth of these lines causes preventative replacement to be cost prohibitive for the Town, however, the lines have all been cleaned and repairs have been made as necessary and feasible to get ahead of this problem. Currently the process being used for treatment is via Sequence Batch Reactors (activated sludge process), tertiary filters and UV disinfection. Sludge generated at the treatment plant is transported and processed at the Conococheague Wastewater Treatment Plant. Wastewater into this facility is primarily from conventional gravity sewage collection systems and effluent is discharged into the Little Grove Creek.

**Current Demand and Capacity**

The Smithsburg Wastewater Treatment Plant has a current capacity of 333,000 gpd. There is an executed agreement in place between the Board of County Commissioners of Washington County and the Mayor and Council of the Town of Smithsburg. Generally speaking, the agreement does not specify how much allocation each jurisdiction receives but rather issues allocation on a first come – first served basis. Due to the limited amount of development that occurs within County jurisdiction outside of Town limits, this agreement has adequately accommodated the needs of both the County and the Town. It is anticipated this agreement will continue to suffice since both the County and Town agree that most of the development that will occur within the Smithsburg Treatment Plant service area will be within the Town or on property that will most likely be annexed by the Town. A copy of the current agreement is contained in the Appendix of this document.

According to the 2009 Washington County Water and Sewer Plan, the average daily flow at the treatment plant is approximately 291,000 gpd. After subtracting out the Town’s portion of the flow (235,989 gpd) it appears that there is approximately 42,000 gpd (or 182 EDUs) left for new development. However, the Town has 138 approved lots still in the ‘pipeline’ thereby reducing the available capacity even further. Table 5.3 depicts the current demands of the Smithsburg Wastewater Treatment Plant.

**Table 5.3: Wastewater Treatment Usage (2009)**

	gpd	EDUs <sup>1</sup>
Current Allocation Agreement (2009)	333,000	1,417
2009 Usage - Inside Town	235,989	1,004
2009 Usage - Outside Town <sup>2</sup>	55,011	234
Approved "pipeline" development in Town	32,430	138
2009 Usage + "pipeline" Subtotal	323,430	1,376
<b>Remaining Capacity</b>	<b>9,570</b>	<b>41</b>

<sup>1</sup> Assuming 235 gpd usage

<sup>2</sup> Per 2009 Washington County Water and Sewer Plan

With only an estimated 42 EDUs remaining in the Treatment Plant, it is easy to concede that new, large scale development cannot occur either in the Town or within the County Growth Area. Based on these estimated calculations, it will be imperative for the Town, in cooperation with the County, to monitor the allocation usage in the short term as well as over the next 20 years to ensure that development does not exceed capacity. It will also be important for the Town to re-evaluate this wastewater assessment and the land use plan as part of the next comprehensive plan review.

### **Future Demand and Capacity**

Based on the current allocation issues at the Smithsburg Wastewater Treatment Plant, the Town acknowledges that new development may not occur at the levels predicted in the MGE. However, Washington County currently has plans in their FY 2011-2016 Capital Improvement Program (FY 2013 & 2014) to upgrade the Smithsburg Wastewater Treatment Plant to Enhanced Nutrient Removal (ENR) technology, thereby increase the overall capacity of the plant to from the current 333,000 gpd to 600,000 gpd. Should this upgrade be completed on schedule, it is reasonable to assume that development predicted in the MGE, either at the Moderate or High Level, should be able to be accommodated.

For the purpose of this analysis, the wastewater demand for future development was calculated by using the same method as used to predict water demand in the previous section. The 'water usage per capita' method outlined in the *Guidance Document for Water Supply Capacity Management Plans* produced by Maryland Department of the Environment in 2006 was used to project future wastewater demands in order to be consistent in our evaluation of all water resources. By dividing the 2009 wastewater usage (235,989) by the estimated 2009 population (2,893) it appears that each household in Smithsburg uses approximately 81.5 gpd of water. As stated in the MGE the estimated persons per household in the Town in 2010 was 2.9. Therefore, multiplying the persons per household (2.9) by the estimated gallon per day usage (81.5) it is estimated that one Equivalent Dwelling Unit (EDU) is equal to an approximate usage of 235 gpd (rounded down). Table 5.4 depicts Smithsburg projected wastewater demand over the 20 year horizon period using household projections from the MGE. According to the analysis, it appears that the Smithsburg Treatment Plant will have enough capacity (assuming an upgrade to ENR standards) for projected future development within the Town.

**Table 5.4: Projected Wastewater Treatment Demands (2030)**

	gpd	EDUs <sup>1</sup>
<b>Scenario 1 - Moderate Growth</b>		
Projected Usage	79,900	340
Remaining Capacity in System (Table 5.3)	9,570	41
Projected Need	(70,330)	(299)
Additional Allocation from Plant Upgrade	267,000	1,136
Remaining Capacity	196,670	837
<b>Scenario 2 - High Growth</b>		
Projected Usage	159,330	678
Remaining Capacity in System (Table 5.3)	9,570	41
Projected Need	(149,760)	(637)
Additional Allocation from Plant Upgrade	267,000	1,136
Remaining Capacity	117,240	499

<sup>1</sup> Assuming 235 gpd usage

It is anticipated that all new development that occurs within the Town limits of Smithsburg will be required to hook up to public services. On rare occasions where extenuating circumstances do not allow for the efficient and orderly extension of public service, property owners may be relegated to installing a private septic system. Any new private septic systems installed within Town limits will be required to meet the most current State standard on the most technology forward system available for sewage treatment at the time of development.

#### Build-out Analysis

As noted in the Municipal Growth Element (Chapter 3), five primary and two secondary annexation areas have been delineated by the Town as possible areas for future growth. It is anticipated that at full build-out these proposed annexation areas could produce up to 1,315 new residential dwelling units, 243,000 square feet of commercial retail use, and 402,162 square feet of employment area. Using the methodology described in Appendix E, it is estimated that build-out development will require approximately 357,626 gpd (or 1,522 EDU) of water usage (see Table E.2). Even at a high growth projection of 31.6 dwelling units per year, it would take over 40 years to reach full build-out of the proposed annexation areas. Depending on the type and timing of commercial and employment uses, this timeline could be accelerated but most likely build-out will not be achieved until 35 to 40 years from now.

It should be noted that the estimated build-out would exceed treatment capacities projected to be available at the Smithsburg Treatment Plant. This further demonstrates the need to be careful in planning for the most efficient use of the limited capacity that will be available in the long term because build-out cannot be achieved given the current day technologies.

### **Service Areas**

According to the Washington County Water and Sewerage Plan (2009 update), the Town of Smithsburg is within the County Service Area No. 12 – Rolling Hills/Smithsburg. The service area includes all of the Town as well as portions of land in and around the Rural Village of Cavetown. The Sewer Service Map shows the location of existing service areas. In planning for future sewerage service within the Rolling Hills/Smithsburg service area, four (4) service designations are delineated within the County Plan; S-1 (Existing Service), S-3 (Programmed Service), S-5 (Planned Service), and NPS (No Planned Service).

Following the Counties labeling system, the Town also has existing, programmed, and planned service areas. The Sewer Service Map located in Appendix A shows the location of the service areas. Programmed service areas are those lands located within existing municipal boundaries but that do not currently have sewer service. Planned areas are those lands located outside of the County delineated growth area boundary but located within the Town delineated growth area boundary.

As part of the overall planning process, after adoption of this Plan the Town will coordinate with the County on modifying appropriate planning documents such as the County Comprehensive Plan and the County Water and Sewerage Plan to ensure consistency between the two planning agencies.

### **Point Source Nutrient Caps**

The Smithsburg Wastewater Treatment Plant, by definition of the State of Maryland, is a non-significant wastewater treatment plant because it has a design capacity of less than 500,000 gpd. Based on this definition, “annual nutrient loads are based on design capacity or projected 2020 flow, whichever is less, and concentration of 18 mg/l total nitrogen and 3 mg/l total phosphorus.”<sup>11</sup>

Given the limited capacity of the treatment plant, the projected 2020 flow will well exceed the current permitted allocation. Therefore to estimate the treatment plants current annual nutrient load, the design capacity is used to calculate the nitrogen and phosphorous nutrient load as follows:

$$\begin{aligned} \text{TN} &= \text{Flow} \times 18 \text{ mg/L} \times 8.34 \times 365 \\ \text{TN} &= 0.333 \times 18 \times 8.34 \times 365 \\ \text{TN} &= 18,246.3 \text{ lbs/yr} \end{aligned}$$

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<sup>11</sup> Maryland’s Chesapeake Bay Tributary Strategy Statewide Implementation Plan, January 24, 2008.

$$\begin{aligned} \text{TP} &= \text{Flow} \times 3 \text{ mg/L} \times 8.34 \times 365 \\ \text{TP} &= 0.333 \times 3 \times 8.34 \times 365 \\ \text{TP} &= 3,041.1 \text{ lbs/yr} \end{aligned}$$

To estimate potential discharge levels from new development through 2030 it is anticipated that the treatment plan will need to be expanded. According to Maryland's Tributary Point Source strategy for the Chesapeake Bay, expansion of non-significant facilities cannot exceed 6,100 lbs/yr of Total Nitrogen (TN) and 457 lbs/yr of Total Phosphorus (TP).

As part of the expansion of the Smithsburg Treatment plant, the system will be upgraded to meet ENR standards which should dramatically decrease nutrient loads. Table 5.5 illustrates the estimated nutrient discharges at the treatment plant through 2030. These projections assume a regular treatment discharge concentration levels of 3 mg/L of nitrogen and 0.3 mg/L of phosphorous.

**Table 5.5 Point Source Nutrient Loads (2030)**

	<b>Discharge Type</b>	<b>2030</b>	<b>Cap</b>	<b>Surplus</b>
Scenario 1	Total Nitrogen (TN)	3,683	6,100	2,417
	Total Phosphous (TP)	368	457	89
Scenario 2	Total Nitrogen (TN)	4,409	6,100	1,691
	Total Phosphous (TP)	441	457	16

### **Other Factors Impacting Wastewater Treatment Services**

#### *Inflow and Infiltration (I & I)*

Inflow and infiltration can be one of the largest problems impacting a wastewater treatment system. Inflow (water from storm events that enter the system through direct connections such as roof and storm drains) and infiltration (ground water that enters the system through broken parts of the collection system) takes up valuable capacity space that should be reserved for wastewater. During major storm events, Smithsburg has seen a significant increase in wastewater flows due to problems with I & I.

Starting in the early 2000s, the Town hired a consultant to video the system to document the condition of the existing collection system. This project is still ongoing and has helped the Town identify and plan for repairs and cleaning of the system. These types of inspections and repairs will be vital in the future to optimize the full permitted capacity of the treatment plant. The Town has also started an annual inspection program of all manholes and has installed no flow dishes in all manholes to help reduce the amount of inflow.

#### *Nutrient Trading*

Another possible solution to increase capacity at the wastewater treatment plant would be to participate in a nutrient trading program. MDE has established official guidance for participation in such a program that would allow one treatment plant to purchase additional capacity from another treatment plant within the Potomac River watershed. MDE is also in the process of establishing guidance for non-point to point trading programs. The basis of non-point to point trading program would be to purchase credits for removing or reducing nutrient loads from non-point sources such as farms and private septic systems and using those credits to increase capacity at the treatment plant.

### **Section 5.3 – Non-Point Source Analysis**

#### **Stormwater Management**

Another component in evaluating water quality is non-point source pollution. The primary culprit of this type of pollution is stormwater runoff. The term ‘non-point’ refers to the circumstances of the pollutions origin. Typically, non-point sources do not have a specific point of origin (i.e. wastewater treatment plants or storm drains), rather they culminate from diffuse areas such as open farm land or large impervious surfaces. Stormwater has become an increasing problem with development because it collects pollutants and sediment on its path to nearby streams and rivers.

Washington County currently reviews and enforces all stormwater management design and implementation within the Town boundaries in accordance with the *2000 Maryland Stormwater Design Manual, Volumes I & II* and the subsequent revisions made via the Stormwater Management Act of 2007. The Town will continue to partner with Washington County to ensure that new development conforms to all State and County regulations and that non-point source pollution is reduced.

#### **Impervious Cover**

Impervious surfaces by definition are surfaces whereby liquids cannot permeate. When related to development, these surfaces are usually associated with rooftops, paved driveways, sidewalks, and roads. Studies have shown that the amount of impervious area in a watershed can have significant impacts on water quality and that as impervious surfaces increase in a watershed, water quality decreases. The threshold for decline seems to begin between 7 and 10% impervious area. Once impervious percentages reach 25 to 30 percent in a watershed, water quality is severely impaired by impervious impacts such as erosion, sedimentation, and habitat degradation.

It is estimated that Smithsburg is approximately 669 acres in size which accounts for about 0.56% of the total land area in the Antietam Creek watershed. Using MDP’s most recent land use/land cover mapping in 2007 and proposed impervious rates delineated in the *Models and Guidelines Series #26: The Water Resources Element*, an analysis was completed to estimate impervious area in the Town of Smithsburg. It is estimated that approximately 23.5% (157 acres) of the total land area of the Town has impervious surfaces. Therefore approximately 0.13% of the total impervious area of the Antietam Creek watershed can be attributed to the Town.

Comparatively, the Town analyzed information provided by Washington County and has determined that the total impervious area within the Antietam Creek watershed (8,082 acres) is approximately 6.81% (inclusive of the Town of Smithsburg) of the total watershed area (118,708 acres). This puts the current conditions of impervious impacts just below the ideal 7% threshold. It will be important for the Town and the County to continue to collaborate on new development techniques and strategies to minimize new impervious area impacts.

Based on MDE's Non-point source model, projected development in the Town through 2030 would add approximately 100 acres of new impervious surface to the Antietam Creek watershed. When added to the estimated 157 acres of existing impervious area within the Town, Smithsburg could potential account for 0.21% of the total impervious surface in the Antietam Creek watershed. Given such a small increase in total impervious surface from development within the Town, it is anticipated that new impervious surfaces create by new development within the Town proper should not have a dramatic impact on water quality within the Antietam Creek watershed.

However, to help protect the Little Antietam Creek watershed, the Town should encourage minimization of impervious surface in new development, through careful guidance of development projects.

### **Septic Systems**

Another major contributor to non-point source pollution is septic systems. By their very nature, septic systems create a toxic environment whereby decomposition is concentrated in an anaerobic environment producing high levels of nitrogen. The nitrogen in gas form has no outlet and is therefore absorbed in the water discharged out of the system through leaching fields and into the groundwater system.

There are currently about 6 private conventional septic systems within the Town limits. These systems are generally associated with newer annexations of land that included an existing homestead. These few systems will be required to tap on to the public system at such time the service is made available and/or unimproved areas of the annexed parcels produce new development.

## **Section 5.4 – Total Nutrient Loads and Assimilative Capacity**

### **Combined Nutrient Loads**

Using a non-point source model developed by Maryland Department of the Environment, the Town used future housing projections outlined in the Municipal Growth Element to project impacts of future land uses within the Town on nutrient pollution. Copies of the model summary sheets can be found in the Appendix C.

As discussed in Section 5.2 and repeated in Table 5.6, point source nutrient loads are anticipated to drop significantly due to the proposed upgrade of the Smithsburg Wastewater Treatment Plant to meet ENR standards. After running current and future land use scenarios through the MDE NPS model, it also appears that the non-point source

nutrient loading is also anticipated to decrease in the future. NPS decrease is mostly related to the conversion of agricultural lands to developed land. It should be noted that while an increase in developed area tends to decrease nitrogen and phosphorus pollution, NPS pollution can have impacts in other areas such as higher air pollution or thermal pollution from impervious surfaces. Another small reason for the NPS decrease can be attributed to the anticipated trade-off of adding existing septic systems onto the public treatment system. By removing septic systems from the watershed and treating the waste at a higher level (such as processing at a treatment plant), pollution loads can be significantly reduced. Smithsburg only has about 6 existing septic systems within the Town, however, areas targeted for annexation have even more septic systems that could potentially be hooked up to the public treatment system upon annexation. These numbers are reflected in the NPS model.

**Table 5.6 Combined Nutrient Loads (lbs/year)**

		2030 Land Use		
		2007 Base	Plan	Change
Point Source	Total Nitrogen (TN)	18,246	4,409	(13,837)
	Total Phosphorous (TP)	3,041	441	(2,600)
Non-Point Source	Total Nitrogen (TN)	16,286	11,118	(5,168)
	Total Phosphorous (TP)	1,452	997	(455)
Total	Total Nitrogen (TN)	34,532	15,527	(19,005)
	Total Phosphorous (TP)	4,493	1,438	(3,055)

### **Assimilative Capacity and Suitability of Receiving Waters**

Assimilative Capacity is defined as the amount of pollutants a water body can handle and still maintain an acceptable level of water quality. One way to measure a water body's assimilative capacity is through Total Maximum Daily Loads (TMDLs). A TMDL is the maximum threshold of a particular pollutant that a water body can absorb without causing impairment. TMDLs generally take into account all point and non-point sources of pollution and established caps on the discharge of the impairing pollutant.

According to MDE's list of impaired waters, or the 303(d) list, Antietam Creek is impaired by several pollutants including bacteria, biological, sediment, and nutrient pollutants. Of particular importance to this plan is the nutrient impairments (nitrogen and phosphorous). At this time no TMDL has been established for nutrient pollution in the Antietam Creek, however, MDE has proposed a TMDL that is currently under EPA review. Future updates of this Plan should include information regarding any new regulations or recommendations of MDE's TMDLs.

The presence of a TMDL is a sign that pollution control efforts must outweigh additional pollution impacts from future land use changes and wastewater treatment plant flows to prevent further degradation of the waterbody. For the receiving waters in the Town of Smithsburg without a nutrient TMDL, a determination of the suitability of receiving waters cannot be made. However, for waterbodies with nutrient TMDLs, a preliminary

assessment can be made. Pollution forecasts, although capable of comparing the relative benefits of different land use plans, are not precise enough to allow for a direct comparison to nutrient TMDLs. The Town of Smithsburg recognizes though that waterbodies with nutrient TMDLs can only be considered suitable receiving waters if future nutrient impacts are offset. The Smithsburg WRE includes recommendations for pollution control efforts to help achieve that goal. In addition, the Town of Smithsburg recommends refining the pollution forecast in the future to allow for direct comparison to nutrient TMDLs as information becomes available.

## Article 3 – Plan Recommendations and Implementation

This Comprehensive Plan focuses development and conservation policy on the issues facing Smithsburg through the foreseeable future. The principles, objectives, and polices, to the extent possible, relate directly to the built and natural environments. This is very important. Future generations will judge the lasting worth of our vision by observing the Town and the physical changes that will have occurred under guidance of this Plan.

The Plan is long-range and comprehensive. It provides the organizing framework for more detailed planning and design work. The Plan is a guide for the Town and its residents. It is a guide for land developers. It is a guide for outside agencies and units of government. The Plan is a compilation of what is most important to Smithsburg as it contemplates growth and change. It is a compelling image of the future.

The Plan envisions capable Town planning and engineering, a citizen population engaged in formulating and implementing growth and development polices, and consistent outreach to outside agencies of government with the resources and expertise to advance the interests the Town shares with others.

### Chapter 6 – Policies, Objectives and Actions

The objectives and policies set forth below are drawn from the research and analyses presented in Article 1 and 2 of this report and public input provided through a town-wide survey in August of 2007. Smithsburg recognizes that these elements are not independent of one another. Therefore, this Comprehensive Plan integrates the elements required by State planning law under five main themes Table 4.2, at the end of Section 4.5, indicates how each of the objectives, policies, and actions relate to the State’s required elements.

By 2030 Smithsburg is...

- ...a town that values environmental preservation.
- ...a town formed by the natural landscape.
- ...a town that has preserved and built on its essential character.
- ...a town that has grown in balance with its community facilities and services.
- ...a town that plans in concert with regional priorities.

Each theme is organized in the following way:

**Statement of theme-** including a brief description of the benefit that theme provides to Smithsburg.

**Background** – a summary of the main findings from the baseline studies provided in Sections 2 and 3.

**Guiding Principles** – fundamental tenets from which flow the Plan’s policies. These principles, while universal, address the basic physical planning issues present in Smithsburg.

**Objectives** – goal statements pertaining to the theme phrased in an affirmative way.

**Policies** – the recommended courses of action to be pursued by Smithsburg in achievement of the goals.

**Actions** – specific tasks to be undertaken to implement the policies. There are to be multiple actions that can achieve these policies. This Plan recommends a set of actions may be adopted over the next five to six years to implement the policies.

### **Section 6.1 – A Town That Values Environmental Preservation**

Smithsburg acknowledges the presence of its abundant natural resources and the benefits of systematically promoting their re-emergence. The Town seeks to create balanced relationships with the land, air, and water resources.

#### **Background**

The natural environment is ever-present in the Smithsburg landscape. Creeks and their tributaries cut across the land and surround the Town, and large forested areas are prominent on South Mountain and Catoctin Mountains to the east of Town. Two creeks frame the edges of the Town. There is one steep slope within the boundary of the Town. No threatened or endangered species have yet been documented in Smithsburg.

#### **Guiding Principles**

- Sensitive natural areas play significant roles in the quality and health of human settlements and in the happiness and well being of persons. Floodplains and wetlands in their natural state help control flooding, improve water quality, and provide protective habitat for native plants and wildlife. Vegetation on steep slopes helps prevent erosion. Well-connected and forested corridors provide habitat and the necessary means of migration for wildlife.
- The conversion of agricultural areas can result in environmentally balanced land use arrangements. This conversion provides opportunity to repair and restore essential woodlands and open spaces.

#### **Objectives**

- Preservation of natural areas occurs along with establishing environmental buffers that coincide with streams and wetlands while expanding and connecting intact woodland areas. The preservation and expansion of these forested areas connect fragmented or isolated woodlands into coherent

networks while providing water quality benefits for the Town's water resources.

- Over time, the total amount of impervious surface area within the existing borders of Smithsburg is reduced.
- Energy consumption and carbon emissions per capita are reduced as Smithsburg grows. By 2030 Smithsburg has reduced its overall carbon emissions by 30%.
- Water consumption, wastewater production, and stormwater runoff are reduced. Water reuse and low-flow technologies are the standard.

### **Policies**

It is the policy of Smithsburg that ...

1. Wetlands, streams, floodplains, forested areas, and steep slopes are not disturbed by development.
2. Streams and floodplains have vegetated buffers that help to restore the natural function of these areas. These buffers are planted in species native to Smithsburg and the surrounding area.
3. Development that occurs in the valleys and away from floodplain and stream buffers must contribute financially to these concepts.
4. The Town actively seeks ways to lessen its impact on the environment by minimizing energy use, carbon emissions, water consumption, stormwater runoff, and implementing green design standards.
5. To the fullest extent practical, new development uses non-structural techniques to manage storm water and otherwise comply with the highest standards of the Maryland Department of the Environment.
6. Developers seeking annexation will plan their projects to the highest standards for community and environmental design.

### **Actions**

1. The zoning and floodplain ordinances should be amended to include vegetated buffers of 300-feet of forested area on each side of a creek or stream bank and 100-feet of forested area beyond the floodplain.
2. The zoning ordinance is amended to include a resource conservation zoning designation. This designation is applied to all environmentally sensitive areas and to those areas shown as forested areas on the Smithsburg Land Use Map. The resource conservation areas should have a zoning of no more than 1 unit per 20 acres.

3. A program that enables the development rights to be transferred off parcels that are entirely in resource conservation areas is created.
4. A fund is set up to receive required contributions from developers of low-lying lands. This fund is used to purchase deed restrictions and development rights on mountain lands and to contribute to foresting of stream and floodplain buffers.
5. Educational programs and/or literature promoting reduction, reuse, and recycling techniques are be sponsored by the Town
6. The current levels of energy consumption, carbon emissions, water consumptions, and solid waste production are studied and documented. Targets are set to reduce each of these by at least 10% by 2030.
7. Methods that substantially reduce per capita energy consumption, water consumption, and solid waste production are studied and implemented.
8. All development plans include an energy conservation plan, detailing techniques that will be used to reduce energy consumption. (Examples of techniques for reducing energy consumption and carbon emissions include: building orientation with respect to the sun, solar panels, tree planting to shade buildings and sequester carbon, sidewalks and trails to promote walking, use of windmill technologies adoption of green building technologies, and direct street connections to minimize miles traveled.)
9. New development includes stormwater management techniques such as bioretention, green roofs, rain gardens, porous pavements, street-side swales, and other rainwater retention/absorption methods to reduce stormwater runoff.
10. The Town will cooperate with the County Engineering Department to ensure that on-site rainwater water collection and reuse is required in all new development. This might include the use of rain barrels or cisterns with water reuse for irrigation or heating needs or large cisterns and grey water reuse systems in the buildings. Existing residents and businesses should be encouraged through incentives to adopt this practice.
11. Devote time and resources to prevent surface runoff from streets and roads from directly entering streams.

### **Section 6.2 - A Town that is Formed by the Natural Landscape**

As Smithsburg grows, new development forms around the natural landscape. Redevelopment of existing areas brings current arrangements of the built environment into balance with the natural environment. Development is transferred from hill and mountain sides to valley floors so that views are preserved.

## **Background**

Smithsburg is a small town in a valley below South Mountain and the Catoclin Mountains. The Town originated as an agricultural village and has continued to be characterized by the agricultural lands and mountains that surround it. Views of the surrounding mountains, farmlands, and the historic town center define the identity of Smithsburg. Preservation of these views, along with their natural and historic sources of beauty, is essential to maintaining the character of Smithsburg.

## **Guiding Principles**

- Natural areas provide form to urban development. They define the edges of intensely developed areas and they provide wide, open spaces. Together these resources add to scenic beauty. Natural areas can connect various parts of a Town and, in so doing, can become useful elements in Town planning; they become environmental corridors--natural areas for stormwater management, flood control, and recreation.
- The underlying qualities of the land help determine which uses are viable. To the extent possible, the natural capability and characteristics of the land should guide land use development. Certain uses are incompatible with underlying natural conditions. Development in sensitive areas can cause irreparable harm for future generations.
- Combining redevelopment and environmental protection means rebuilding upon the Town's historic settlement pattern, while repairing past resource damage and improving the functions of the underlying natural systems.
- A town's traditional structures and design serve as a connection to the past. Farmland surrounding agricultural towns provides a connection to the history and traditions of the area. Areas that remain in their natural state can connect various parts of a town as it grows as well as connect a town and its residents to the open spaces which surround it. These natural areas are useful elements in town planning; they can form environmental corridors (areas where the benefits of these resources are protected) flood control, water quality, wildlife conservation, scenic beauty, and recreation.
- The greenbelt provides an edge to the Town and protects the viewsheds and natural environments that surround the Town. Smithsburg retains its unique identity from nearby developed areas.

## **Objectives**

- A greenbelt of open spaces and farmland is established around the Town. This greenbelt physically separates Smithsburg from sprawl development along Route 64 and in other areas of the County.

- As growth occurs in the Town, it reduces the environmental impacts on the land through the responsible conversion of farmland that prioritizes environmental quality.
- The remaining natural environmental features and sensitive areas, and the key roles each play in sustaining life and property in and around Smithsburg, are protected from development and its impacts.
- Development is clustered on the valley floor while hills and mountainsides are preserved in their natural state. Open spaces and environmental stewardship areas ensure that the natural environment and the views it provides citizens are preserved into the future.
- Ensure that substantial areas of suitable land are maintained for scenic open space or recreational uses and are an integral part of the Town's development pattern. There are small neighborhood parks as well as larger regional parks, which take advantage of the natural environment through hiking trails and paths along with other passive and active recreational opportunities.

### **Policies**

It is the policy of Smithsburg that...

1. Streams, floodplains, and wetlands have vegetated buffers. Redevelopment inside these stream buffers reduces impacts of development on the environment.
2. To the extent possible, no new structures are built within the floodplain. Any paved surfaces in the floodplain are constructed from impervious materials.
3. A greenbelt of one mile in width is maintained around the Town. Natural areas and farming remain the dominant use in the greenbelt.
4. An interconnected system of parks, trails, and open spaces is created in and around Smithsburg. Every resident is within a five-minute walk from a community park and trail system.
5. The ideal locations for open space conservation are within the greenbelt to the west of Town and in the mountainsides to the east of Town. Creating a permanent greenbelt in these locations ensures Smithsburg's distinct identity into the future.
6. Development does not disturb our views of surrounding mountains or historic structures. Heights of redevelopment downtown will not exceed that of existing buildings adjacent to the new construction.

7. Viable pedestrian ways and bicycle routes are an integral component of the road and street network and are interconnected with a system of paths and walkways.
8. Areas unsuitable for development because of environmental factors (such as floodplains, steep slopes, and geology) will not be annexed into the Town except for the purpose of conservation and preservation.
9. Annexation requests in areas that will impact views will not be granted unless a stringent plan for viewshed protection, which includes a significant amount of permanent open space, is established.

### **Actions**

1. The zoning and floodplain ordinances are updated to reflect stream and floodplain buffers. Uses are limited to stormwater management, natural resource protection, open space, and recreation.
2. The subdivision regulations are amended to require that residential areas be within a five-minute walking distance of a park. This means that parks are located every quarter-mile in developed areas of town.
3. Zoning regulations are updated to require that redevelopment in sensitive areas reduces the amount of impervious surfaces and intensity of use as well as increasing tree canopy.
4. The subdivision ordinance is updated to establish the system of greenways and trails throughout Town as development occurs. This system also connects the Town to nature trails in the nearby South and Catocin Mountains.
5. The subdivision ordinance is updated to require sidewalks and bike lanes be designated along both sides of all new and upgraded roads.
6. The Town works with developers and landowners to ensure that the hillside at the north of the Town's growth area becomes a community park with wooded areas for passive recreation and hiking trails as well as active recreational opportunities.
7. Areas of permanent open space should be created through the conveyance of conservation easements to the Town and/or designated land trusts.
8. The existing parks in Smithsburg are maintained, and new parks are developed in conjunction with open space and viewshed preservation.

## **Section 6.3 – A Town that has Preserved its Essential Character**

As Smithsburg grows, the Town will benefit from pursuing thoughtful infill and revitalization strategies that respect community character: the traditional layout of neighborhoods and streets, scenic vistas, local building styles, and regional vernacular architecture.

### **Background**

Smithsburg is a Town with a rich history including civil war heritage and an orchard and railroad based agricultural economy. The Town includes a wealth of historic structures that create a sense of place as well as a place in time. As development occurs it should preserve and build on this sense of history while establishing itself as a part of Smithsburg's history.

The network of streets, architectural elements, and scale of development in downtown Smithsburg reflects the Town's history as an agricultural village and center of commerce. Smithsburg's traditional design includes a grid system of streets and centrally located community gathering places. This has made it possible for the Town to ensure pedestrian connections exist between neighborhoods and schools, parks, and downtown. Beyond the town limits, the land is mainly woodlands or used for farming. Some areas, particularly along Itnyre Road, are converting from farmland to large-lot sprawling developments.

### **Guiding Principles**

- Infill development and/or redevelopment can occur in a manner that respects the size, scale, and use of existing and historic development patterns. Successful infill maintains and/or restores spatial continuity to streetscapes; strengthens neighborhoods; respects historic preservation, existing vistas, and natural resources; and introduces compatible uses that complement existing community attributes and needs.
- Providing accessibility requires a well-connected, local street network with efficient and safe access to collector and arterial roads. Small towns can capitalize on their compact nature by building pathways along and between existing roads and through natural resource areas, as Smithsburg has done. Sidewalks and bike paths provide an alternative to vehicles for many of the trips made within a town that is interconnected.
- Places for Town residents to gather are important. These are civic places, places for the discussion of matters of public purpose, and places for community-wide celebrations.
- Future development can enhance the character through replication of basic elements of traditional development in the Town.

## **Objectives**

- In the future, the architecture of all areas of Town will reflect the character found in downtown Smithsburg, creating a unified sense of place throughout the Town. Development of new streets and roads supports the Town's traditional character and pattern of roads. Smithsburg's small-town atmosphere is retained while assuring maximum compatibility between all present and future land uses.
- School facilities, parks, and downtown are centrally located in the community. Parks and open spaces are abundant and all residential areas have a local or regional park within walking distance. The central location of community facilities creates gathering places where the residents can interact and develop community.
- Viable pedestrian and bicycle routes are an integral component of the road and street network interconnected with a separate system of paths and walkways.
- The Town's optimum economic potential is realized through employment centers, a vibrant downtown, and commercial centers that support downtown.
- The Town's historic and cultural resources are protected for future generations. Historic structures are restored and form the cornerstone of new development.

## **Policies**

It is the policy of Smithsburg that...

1. High standards of design guide property development and redevelopment within Smithsburg. The traditional architecture and design of Smithsburg is used as a model for new areas of development. Creative adaptation of traditional Smithsburg building forms is encouraged, with special attention paid to nearby historic structures.
2. New development is sympathetic to the traditional character of Smithsburg as described in Section 2.6 of this report.
3. Historic sites and structures in Town are preserved and their identities are retained. Historic structures within the Town are preserved and restored. These structures become central focal points and sources of pride for Smithsburg.
4. Streets and roads should contribute to a sense of place. Residential streets should be narrow and include sidewalks and street trees. Mountain roads should conform to the topography of the landscape. To the extent possible new roads should limit crossing of the creeks and their tributaries.

5. Public facilities are centrally located and accessible to all residents by alternate modes of transportation.
6. Developers seeking annexation will contribute to housing affordability in Smithsburg through means which should primarily include the provision of housing units that meet criteria as workforce housing within their projects.
7. The collective efforts of concerned citizens, organizations, businesses, and governmental agencies are harnessed to promote sustained economic growth.
8. The Town of Smithsburg has endorsed the Heart of the Civil War Heritage Area, supports its development as a State Certified Heritage Area, and incorporates the Heart of the Civil War Heritage Area Management Plan by reference to those segments applicable to the Town.
9. The following Land Use Categories guide land development and conservation in the Town.

**Table 6.1 Major Land Use Recommendations**

Land Use	Purpose	Uses	Essential Elements
Resource Conservation	Protect natural resources and views, provide recreational opportunities	Recreational, stormwater management, low-impact institutional uses	Natural, forested settings
Residential	To preserve the essential character of Smithsburg, and provide a rural residential setting consist with that character	Single-family and multi-family residential, recreation, low-impact institutional	Shifting of densities from hillsides and environmentally sensitive areas increases perceived densities of the site, while preserving small town
Commercial	To prevent strip development along MD 64 by concentrating commercial development downtown and at major intersections along MD 64	Retail, services, offices	Serves local shopping needs. Fits into community. Does not interrupt views of surrounding mountains
Employment	To provide employment and economic development opportunities	Office, research and development, low-impact industrial	Conforms to natural setting, does not interrupt views of surrounding mountains.
Institutional	To provide services to local and regional residents	Churches, libraries, schools	Pedestrian oriented, large amounts of open space
Open Space/Parks	To provide active and passive recreational opportunities and preserve views	Parks, ball fields, trails	Both natural and landscaped settings
Agricultural	Farming	Farming and related uses	Rural, agricultural

10. Future annexations into the Town shall be consistent with the Smithsburg Proposed Annexation Map.

**Actions**

1. The zoning ordinance is updated to incorporate the land uses described above. New zoning categories are established for institutional and employment uses as well as resource conservation.

2. Itnyre and Rowe Road form a north-south connection for future development. This is a rural collector road. Its essential, rural character remains constant
  - a. A minimum distance of one-quarter mile between intersections will be established. This means no additional road intersections or private driveways would be permitted.
  - b. There are no traffic lights along this rural expressway. If traffic controls are needed, they will occur through other methods determined upon completion of a traffic study.
  - c. The posted speed should be 35 miles per hour.
3. Architectural design guidelines are developed and adopted for development in and around Smithsburg. These guidelines address commercial development as well as residential development. Strip commercial development is not permitted.
4. Street design guidelines are developed and adopted for development in Smithsburg. These guidelines minimize grading and filling by requiring conformance to the landscape to the extent possible, while maintaining safety.
5. Applying to the Maryland Department of Housing and Community Development for designation as a “Main Street Maryland” community and making use of the technical assistance the State can provide.
6. The “Main Street” approach is used in revitalizing downtown. This approach includes implementing strategies for marketing downtown, economic restructuring, community design improvements, and strengthening the organizations and institutions that support a vibrant downtown.
7. A façade improvement program for downtown is developed, providing incentives for upkeep of historic facades that contribute to the essential character of downtown.
8. A signage plan that promotes the history of its historic structures and locations is developed.
9. The Town supports the historical society in developing marketing materials to encourage heritage tourism.
10. The Civil War Heritage Management Plan serves as the guidance document for activities supported by the Heritage Program incentives.

#### **Section 6.4 – A Town that has Grown in Balance with its Community Facilities and Services**

As new development or redevelopment occurs, Smithsburg programs the expansion of community facilities and services to correspond to demand and will locate those facilities

centrally. Smithsburg does not grow before essential services are available to serve the growth area.

### **Background**

Residents of Smithsburg enjoy a high quality school system. Smithsburg also has ample park space and playing fields to serve the population. These high quality facilities and services are part of the attraction of living in Smithsburg and part of the Town's essential character. Other services such as emergency and fire bear the burden of serving both growth in the Town and in areas outside the Town, extending to large service areas. Ensuring that these public services can provide adequate and high quality services to the Town will require coordination with the County and neighboring jurisdictions.

Some of the Town's services (such as water, wastewater treatment, and schools) are provided by the County and the City of Hagerstown. Other services (such as town government and police services) are provided by the Town. This will require inter-jurisdictional cooperation to realize the recommendations put forward here

### **Guiding Principles**

- A Town provides its residents with essential public services and community facilities. Proper stewardship over these resources and the Town's investments require that a Town grows within the confines of its infrastructure and services while expanding these services as necessary. Existing Town residents should not bear the quality of service or financial burden for new development.
- Community facilities and services sustain and strengthen cities as population grows; provided their capacity, quality, and accessibility are looked after.
- Community and civic facilities are best when they are highly accessible to the resident populations they are intended to serve and expanded as warranted by demand.
- The programming of capital facilities through a Capital Improvement Program provides both public and private development sectors the intelligence needed to make sound real estate investments.
- Parks, open space, biking, and walking trails are vital elements of a healthy town.
- The energy and resources of development and redevelopment are harnessed to provide meaningful improvements in Smithsburg.
- Growing in balance with community facilities and services for Smithsburg means recognizing capacity constraints, and ensuring that adequate and accessible services are provided in a cost effective manner.

## **Objectives**

- Existing facilities and services are maintained, improved, and optimized as the Town grows. The Town and outside agencies work together to ensure facilities are upgraded at the appropriate times, and that the quality of service provided at those facilities is maintained.
- A Town-wide park and open space network is established that serves the recreational needs of residents and tourists.
- The burden of providing services is not borne disproportionately by Smithsburg's current residents. Future growth contributes to necessary upgrades.
- Adequate facilities to serve current and new residents are in place before development can occur. Smithsburg's residents should not suffer reductions in service as a result of development outside of the Town.

## **Policies**

It is the policy of Smithsburg that...

- No new growth is approved until Washington County budgets for expansions to Smithsburg's schools or construction of additional schools to accommodate the projected student population.
- Development that results in a negative impact to emergency response times must resolve this impact before it will be permitted.
- There are ample recreation opportunities in the Town with an above average supply of parks and open spaces.
- The Town will take a proactive approach to coordinating with regional agencies to ensure that planned improvements to community facilities and services adequately accommodate Smithsburg's forecast growth.
- All water and sewer allocation charges imposed on the Town, per its agreements with Hagerstown and Washington County shall be paid by the property owner before a permit for a water tap will be issued.
- The Town works in cooperation with SHA to control access along Route 64. No new intersections with Route 64 are permitted, and the number of intersections that currently exist is reduced.
- Transportation infrastructure serves Smithsburg's mobility and accessibility needs while providing choice of travel modes.

## **Actions**

1. A study of residential streets that have multiple access points on Route 64 is undertaken to consider consolidating these access points or moving access to a collector roads.
2. A Water Resources Element is completed through coordination between Smithsburg, Hagerstown, and Washington County.
3. The current and future needs for adequate public facilities provided by other agencies are monitored—including schools, the library, utilities, and transportation facilities and services.
  - a. The Town works with these agencies to ensure that Smithsburg’s needs for the current and future population are considered, planned, and budgeted by establishing yearly interagency meetings that will address the Town’s needs.
4. Conduct a study of commuting patterns for the purpose of considering a commuter parking lot closer to Town than the one on Route 66 near I-70.
5. Establish a paper or electronic community ridesharing board that can connect residents traveling to the same destinations.
6. Work with the County and the fire and rescue service providers to evaluate the need and plan for additional station locations in the Fort Ritchie area.
7. Monitor response times for the provision of emergency services. Ensure that the rate of growth does not slow down emergency response.
8. Monitor the level of service provided by public facilities and services. Evaluate the impacts that future development will have on facilities and services. If there is a reduction in the level of service, development should be put on hold while the public facility is enhanced.
9. Traffic impact studies are submitted along with development plans. Negative traffic impacts are mitigated by the development.
10. A parks and open space plan continues to be updated and maintained. It addresses locations as well as programming for parks and open spaces and maintains consistency with this Comprehensive Plan.

## **Section 6.5 – A Town that Plans in Concert with Regional Priorities**

Smithsburg will benefit from cooperation with State agencies of government, Washington County, the City of Hagerstown, and other concerned levels and units of government. This coordinated effort will help ensure Smithsburg’s goals are implemented inside the growth area and in the planning area beyond.

## **Background**

Chapter 3 of this report documents the forecast of future growth through 2030. In short, the Town had 1,069 households in 2009 and has about 150 units in the development pipeline. Development beyond these pipeline units will be impacted by the recommendations of this Comprehensive Plan.

This Comprehensive Plan recognizes that Smithsburg is projected to grow by between 340 and 678 new households between 2010 and 2030. The municipal growth plan identifies land that may be developed over the next 25 years to accommodate to this household growth. These areas and their recommended land use are shown on the Proposed Annexation Area Map.

## **Guiding Principles**

- Implementation of a municipality's priorities and plans can be advanced when a Town coordinates the planning of local projects with the broader policy goals of other jurisdictions and agencies of government.
- Cooperation among jurisdictions is important for long-term plan implementation because it:
  - Clarifies varying development goals and the roles of the actors in community development.
  - Recognizes the sources and directs the uses of political and technical input and support.
  - Helps define priorities and guide the allocation of resources by eliminating conflicts in expectations and planning and by linking previously un-coordinated efforts.
  - Helps to yield structures and response systems, which can link the Town with non-local public and private resources.
- Coordination with neighboring jurisdictions and other governmental units and agencies contributes to sound and responsible growth and development policies.

## **Objectives**

- To focus the growth and expansion of Smithsburg to areas adjacent to the Town.
- To preserve views of the surrounding mountains and farmlands by focusing growth near the Town and preserving open areas on hillsides as well as areas surrounding the Town's growth area.
- To ensure that future growth and development provide benefits to the Town.

## **Policies**

It is the policy of Smithsburg that...

1. The Town works cooperatively with Washington County to ensure that Smithsburg's development and preservation goals are met both in the Municipal Growth Boundary and in the planning area and greenbelt beyond.
2. The Town works cooperatively with other local, county, state, and federal agencies to advance the important interests the Town shares in responsible planning, economic development, and the improvement of essential services.
3. Annexation will provide benefits to Smithsburg that outweigh the costs to the Town.
4. Annexations will contribute to area wide improvements that may or may not be linked to a specific development project, including supporting the town's interest in environmental protection, viewshed preservation, downtown revitalization, historic preservation, parks, etc.

## **Actions**

1. Smithsburg coordinates with Washington County to amend their Comprehensive Plan to show the municipal growth boundary shown on the Smithsburg Proposed Annexation Area Map.
2. Smithsburg works with Washington County to apply conservation and preservation to areas in the greenbelt.
3. Smithsburg works with the Washington County School Board to amend the School Facilities Master Plan to accommodate forecasted growth for Smithsburg.
4. Coordinate with Washington County in the planning of sanitary sewer treatment to ensure that capacity is expanded to accommodate growth and development.
5. Continue to amend the water service agreement with the City of Hagerstown yearly to allow for forecast growth in Smithsburg.
6. Coordinate with Washington County and fire and rescue services to plan for future growth in Smithsburg and in their service areas.
7. The Town negotiates annexation agreements for all annexation petitions. For areas that are expected to develop, the annexation agreement contains a development concept plan consistent with Smithsburg's Comprehensive Plan.
8. A system is established that allows developers to contribute to area wide improvements, as set forth in the goals of this plan, regardless of whether those improvements are on their site.

9. A capital improvements program developed cooperatively by the Planning Commission and the Town Council develops an approach in the context of the capital improvements program that is fiscally sound and complementary to the efforts of surrounding jurisdictions which may have operational responsibilities.

**Table 6.2 Relationship of Polices and Actions to Article 66B Visions**

By 2020, Smithsburg is a Town that...					
	...values environmental preservation	...is formed by the natural landscape	...has preserved its essential character	...has grown in balance with its community facilities and services	...plans in concert with regional priorities
Sensitive Natural Areas	all policies and actions	P-1, P-2, P-3, P-5, P-6, P-8, A-1, A-3, A-6, A-7	P-8, P-9, A-1, A-10	P-3, A-10	P-1, P-4, A-2, A-8
Transportation		P-4, P-7, A-5	P-4, P-5, A-2, A-4	P-6, P-7, A-1, A-4, A-5, A-9	
Mineral Resources		P-3			
Water Resources	All policies, A-1, A-2, A-7, A-9, A-10	P-1, P-2, A-1, A-3		P-5, A-2	P-2, A-4, A-5
Municipal Growth	P-6	P-3, P-4, P-5, P-6, P-9, A-4, A-6, A-7, A-8	P-1, P-8, P-9, P-10, A-10	P-1	P-1, P-3, P-4, A-1, A-7, A-8
Community Facilities		P-4, A-2, A-4, A-6	P-5, P-8, A-10	P-1, P-2, P-3, P-4, P-5, A-2, A-3, A-4, A-5, A-6, A-7, A-10	P-2, P-4, A-3, A-4, A-5, A-6
Land Use	P-1, P-2, P-5, A-1, A-2	P-1, P-2, P-3, P-4, P-5, P-8, A-1, A-2, A-3, A-4, A-6, A-7, A-8	P-1, P-2, P-5, P-6, P-8, P-9, A-1, A-3, A-10	P-3, A-4, A-9, A-10	P-1, P-4, A-1, A-2, A-7

## Chapter 7 – Implementation of Recommendations

This section includes a five year schedule for the implementation of actions addressed in the forgoing sections. The schedule in Table 4.3 addresses who will take responsibility for each action, and what time-frame the action is completed in.

### Section 7.1 - Objectives

- Revise, supplement, and put into place the mechanisms to enforce the ordinances and regulations of the Town of Smithsburg to reflect the recommendations of the plan.
- Achieve greater awareness, understanding, and participation of Smithsburg residents in the continuing planning program.
- Obtain the assistance of the appropriate local, county, regional, and state agencies.

### Section 7.2 – Implementation Timetables

**Table 7.1 Implementation Timetable Section 6.1**

A Town that Values Environmental Protection						
	2012	2013	2014	2015	2016	2017
Action 1						
Action 2						
Action 3						
Action 4						
Action 5						
Action 6						
Action 7						
Action 8						
Action 9						
Action 10						

**Table 7.2 Implementation Timetable Section 6.2**

A Town Formed by the Natural Landscape

	2012	2013	2014	2015	2016	2017
Action 1						
Action 2						
Action 3						
Action 4						
Action 5						
Action 6						
Action 7						
Action 8						

**Table 7.3 Implementation Timetable Section 6.3**

A Town that has Preserved and Built on its Essential Character

	2012	2013	2014	2015	2016	2017
Action 1						
Action 2						
Action 3						
Action 4						
Action 5						
Action 6						
Action 7						
Action 8						
Action 9						
Action 10						

**Table 7.4 Implementation Timetable Section 6.4**

A Town that has Grown in Balance with Community Facilities and Services

	2012	2013	2014	2015	2016	2017
Action 1						
Action 2						
Action 3						
Action 4						
Action 5						
Action 6						
Action 7						
Action 8						
Action 9						
Action 10						

**Table 7.5 Implementation Timetable Section 6.5**

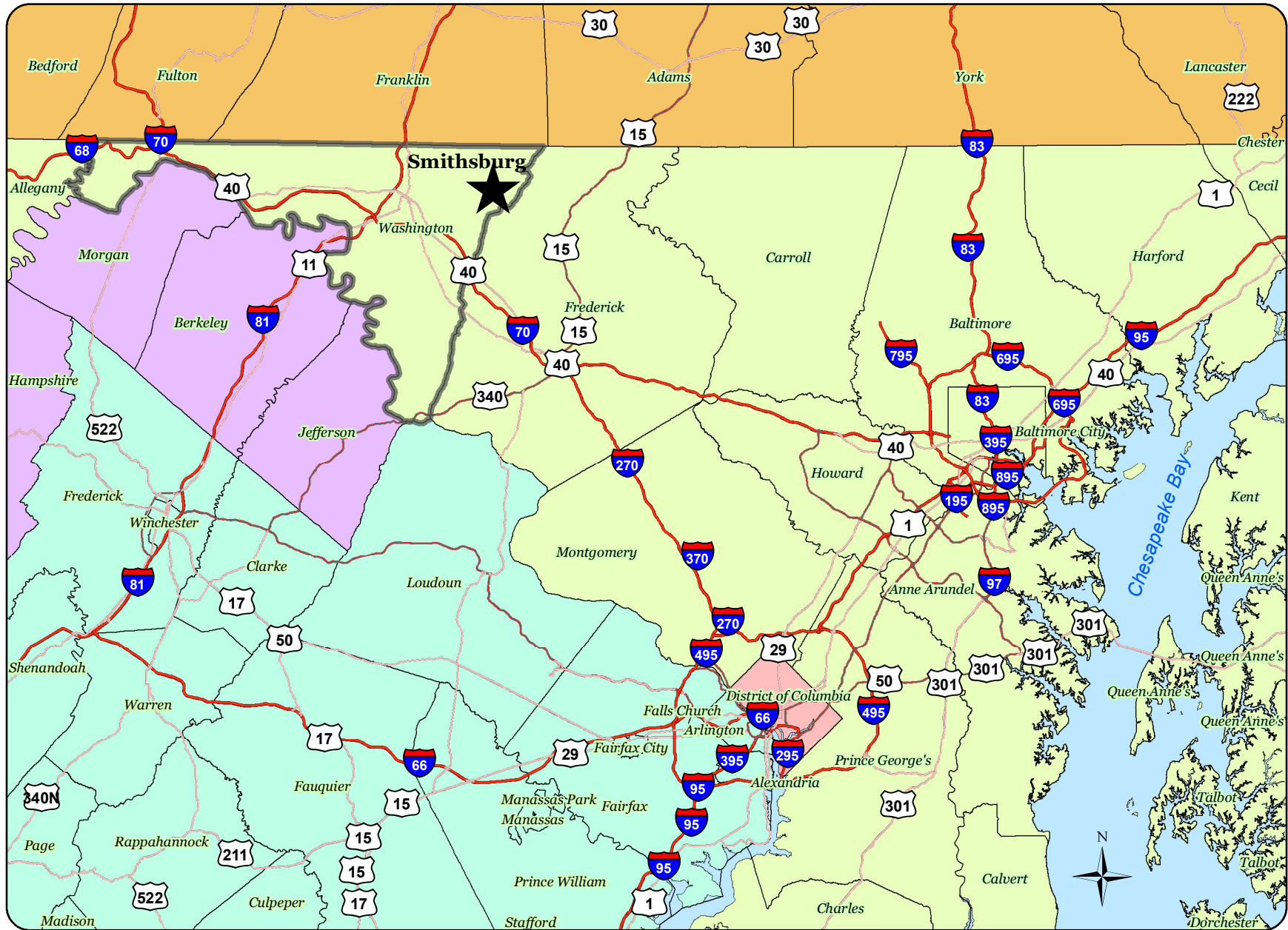
A Town that Plans in Concert with Regional Priorities

	2012	2013	2014	2015	2016	2017
Action 1						
Action 2						
Action 3						
Action 4						
Action 5						
Action 6						
Action 7						
Action 8						

## Appendix A:

### Maps

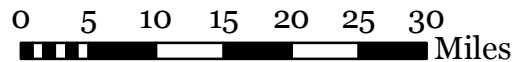
# Regional Location



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Date: February 2011

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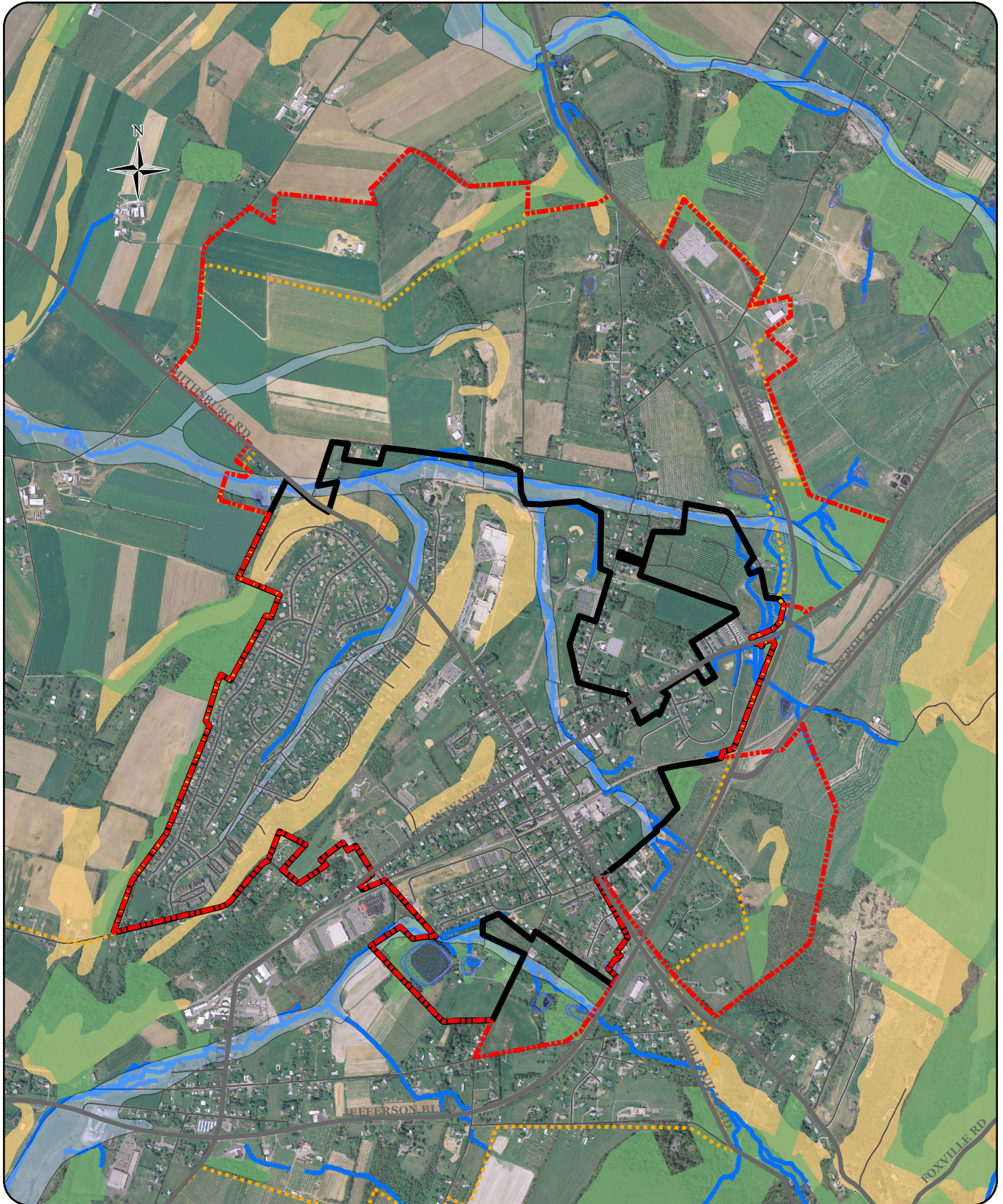
## Legend

- Road Classification
- Freeway
- State Route
- Major Roads
- Washington County, MD

## State

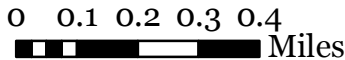
- Delaware
- District of Columbia
- Maryland
- Pennsylvania
- Virginia
- West Virginia

# Sensitive Areas



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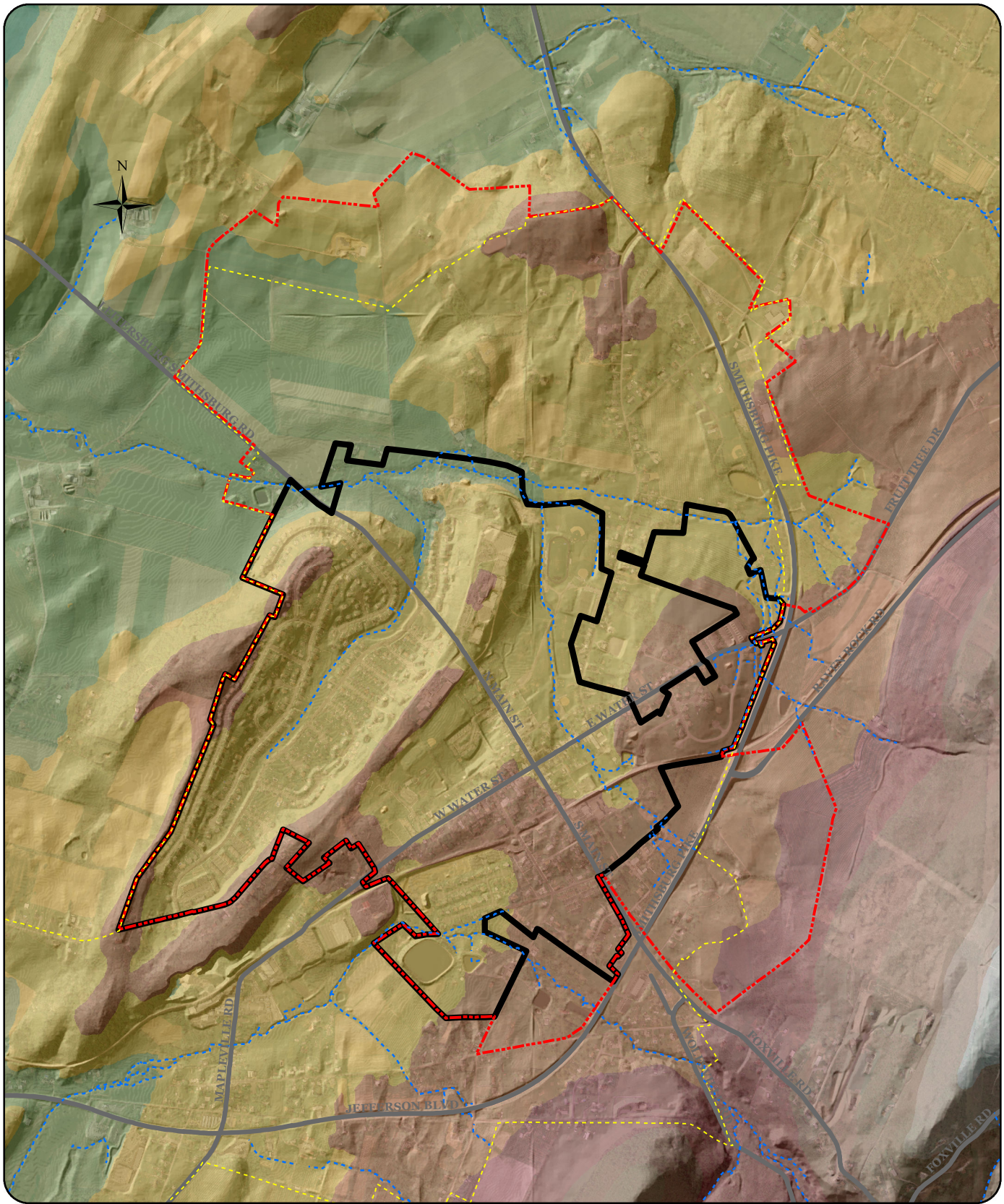
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## Legend

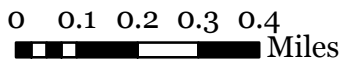
- Roads
- Streams
- Smithsburg Town Growth Area
- County Growth Area
- Town Boundary
- Floodplain
- Wetlands
- Woodlands
- Steep Slopes

# Elevation



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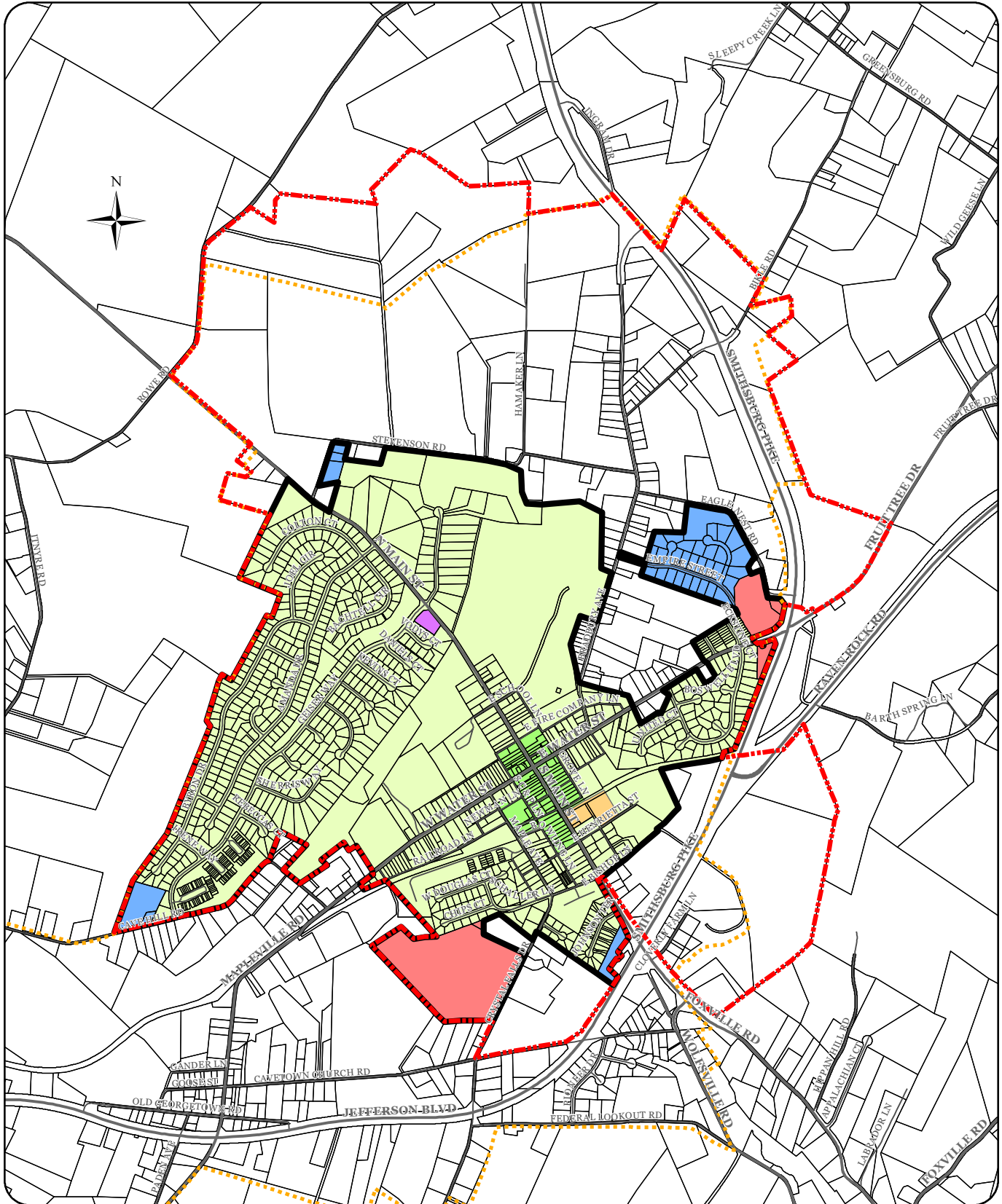
## Legend

- Town Boundary
- County Growth Area
- Smithsburg Town Growth Area
- Streams
- Roads

Elevation (feet)	
	0 - 370
	380 - 450
	460 - 510
	520 - 570
	580 - 630
	640 - 700
	710 - 790
	800 - 890
	900 - 1,000
	1,100 - 1,100
	1,200 - 1,300
	1,400 - 1,400
	1,500 - 1,600
	1,700 - 1,800
	1,900 - 2,100
	2,100 - 2,100



# Zoning

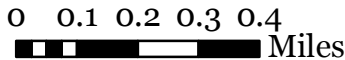


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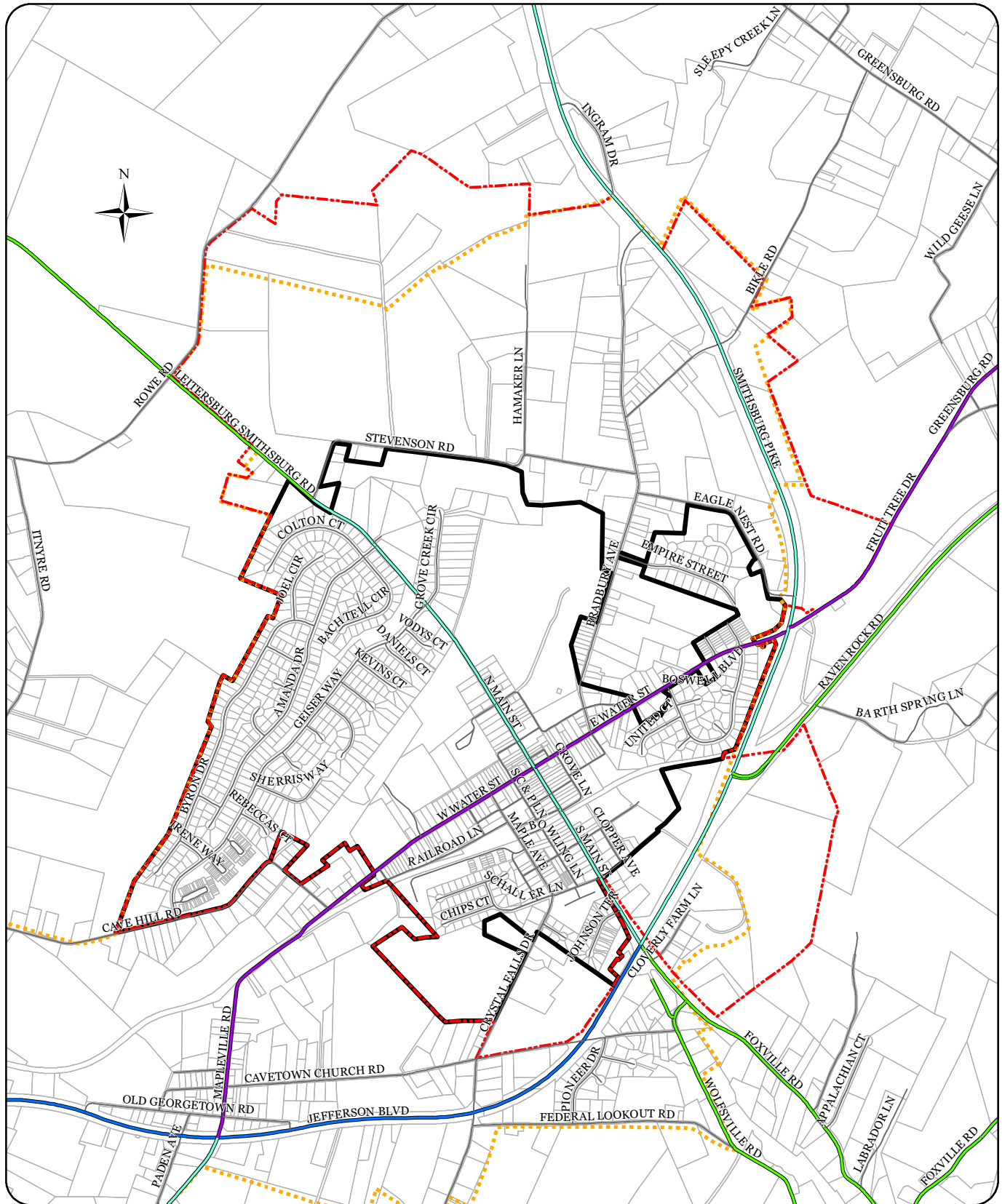


## Legend

- Roads
- Smithsburg Town Growth Area
- County Growth Area
- Town Boundary
- Smithsburg Zoning
- EMPLOYMENT CENTER
- GENERAL COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- SUBURBAN RESIDENTIAL
- TOWN CENTER
- TOWN RESIDENTIAL



# Transportation Classifications

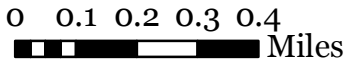


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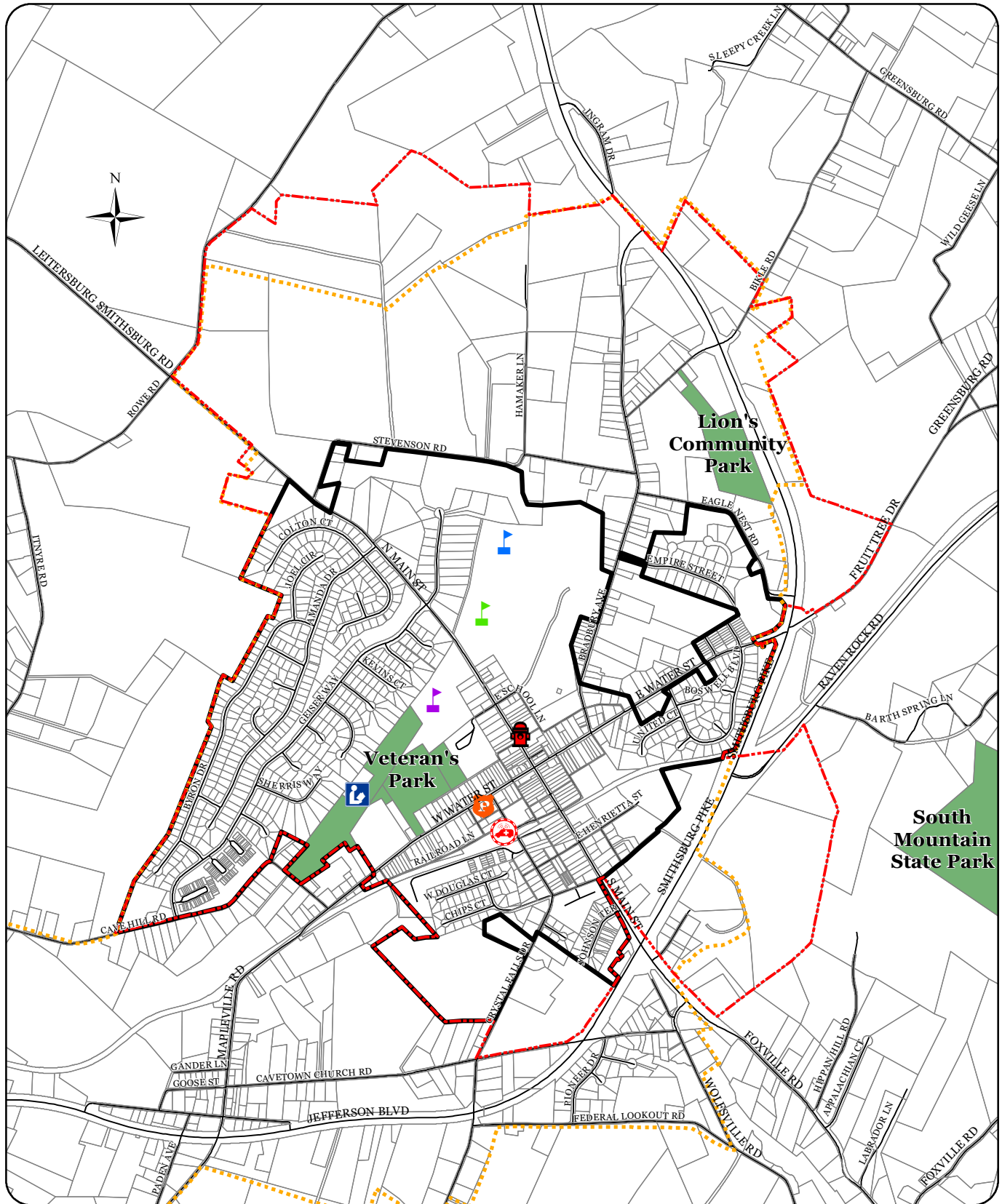


## Legend

- Smithsburg Town Growth Area
- County Growth Area
- Town Boundary
- Local Street
- Major Collector
- Minor Arterial
- Minor Collector
- Primary Arterial Interstate
- Primary Arterial Non-Interstate



# Community Facilities

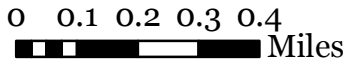


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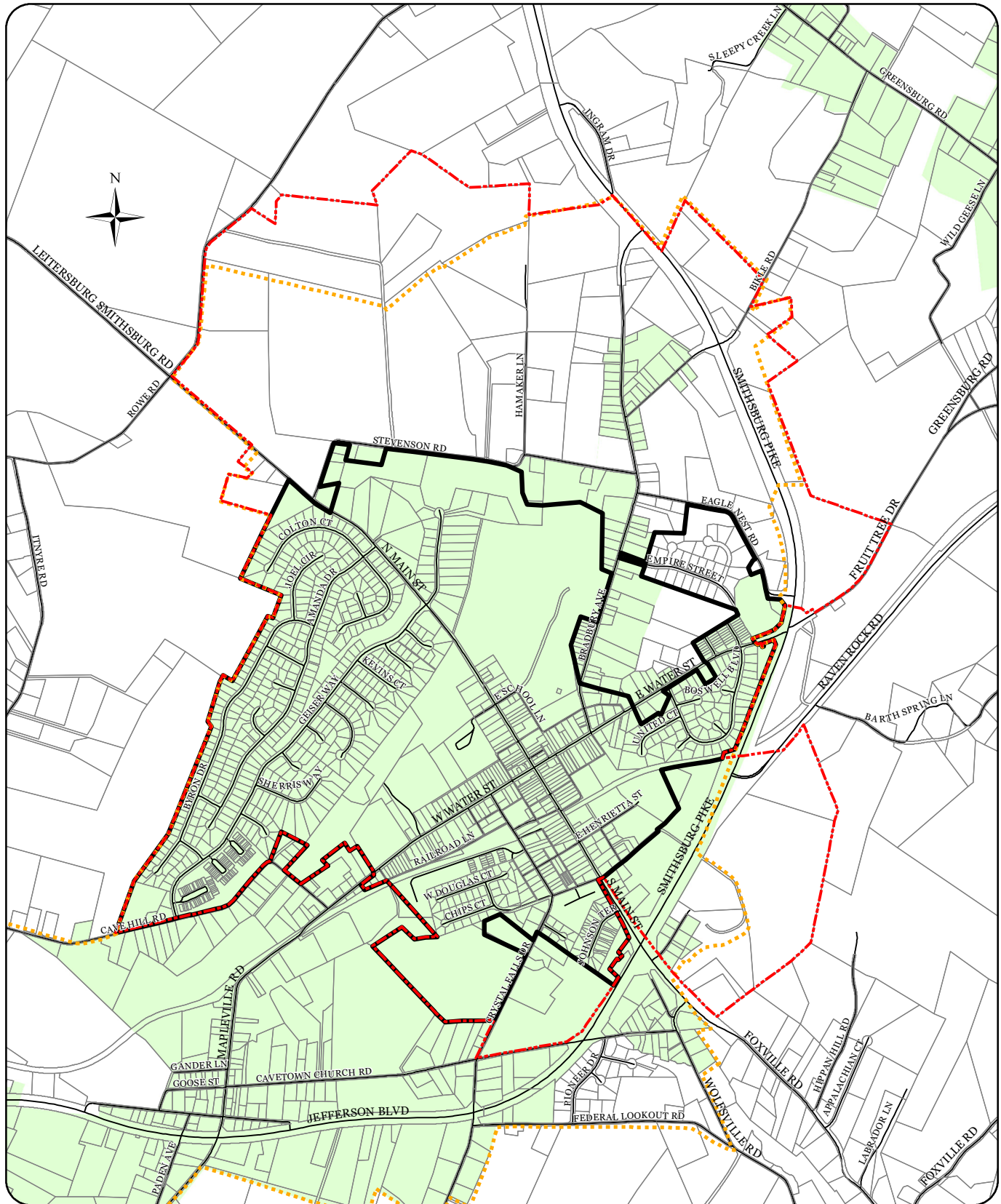


## Legend

- Roads
- ◌ Smithsburg Town Growth Area
- ◌ County Growth Area
- ◌ Town Boundary
- ◌ Parks
- ◌ Elementary School
- ◌ Middle School
- ◌ High School
- ◌ Town Hall and Police Station
- ◌ Town Library
- ◌ EMS Station
- ◌ Fire Station



# Priority Funding Areas

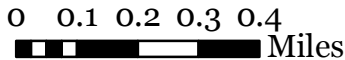


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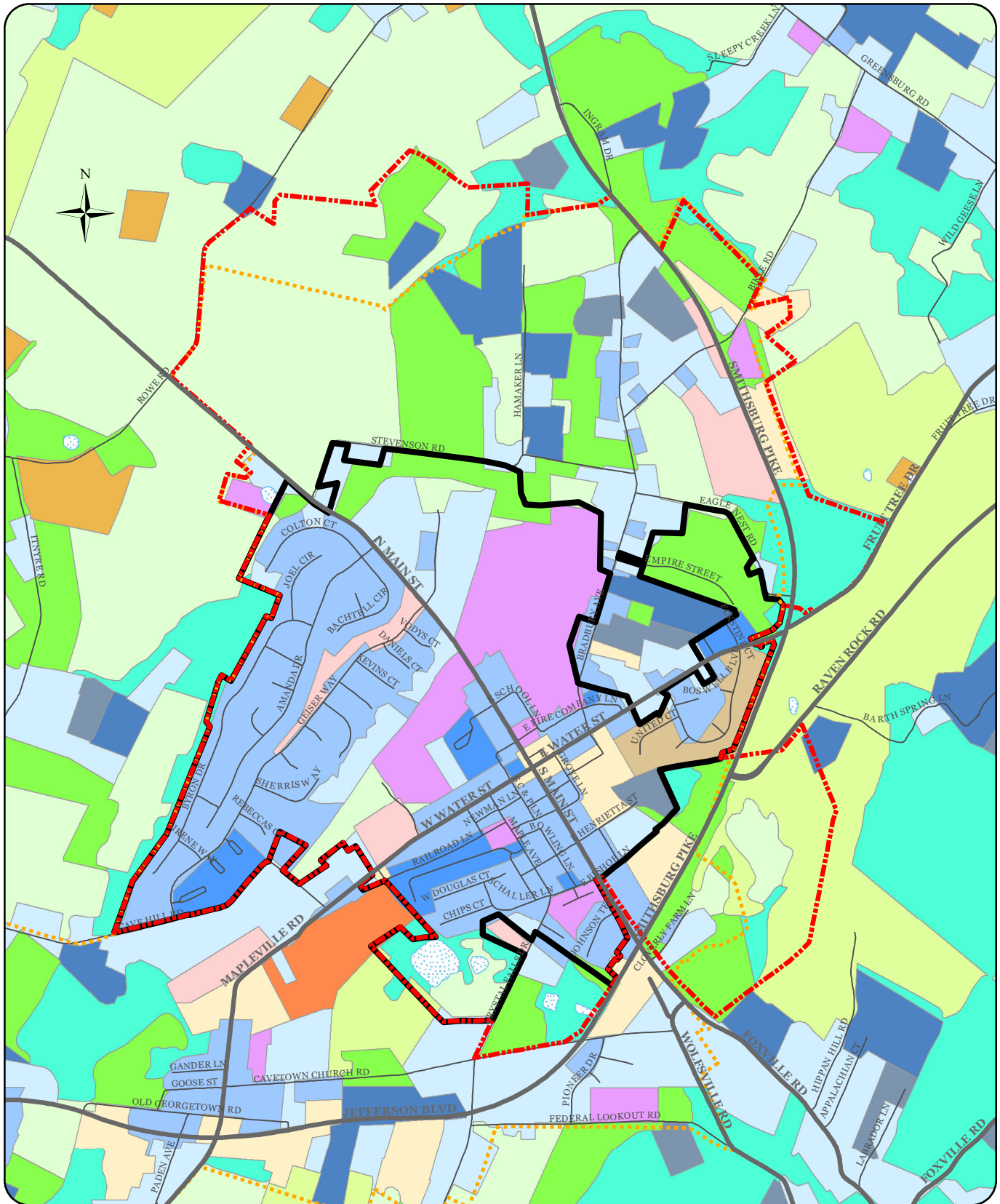
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## Legend

- Roads
- Smithsburg Town Growth Area
- County Growth Area
- Town Boundary
- Priority Funding Areas

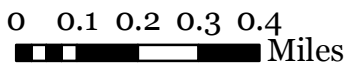
# Land Use



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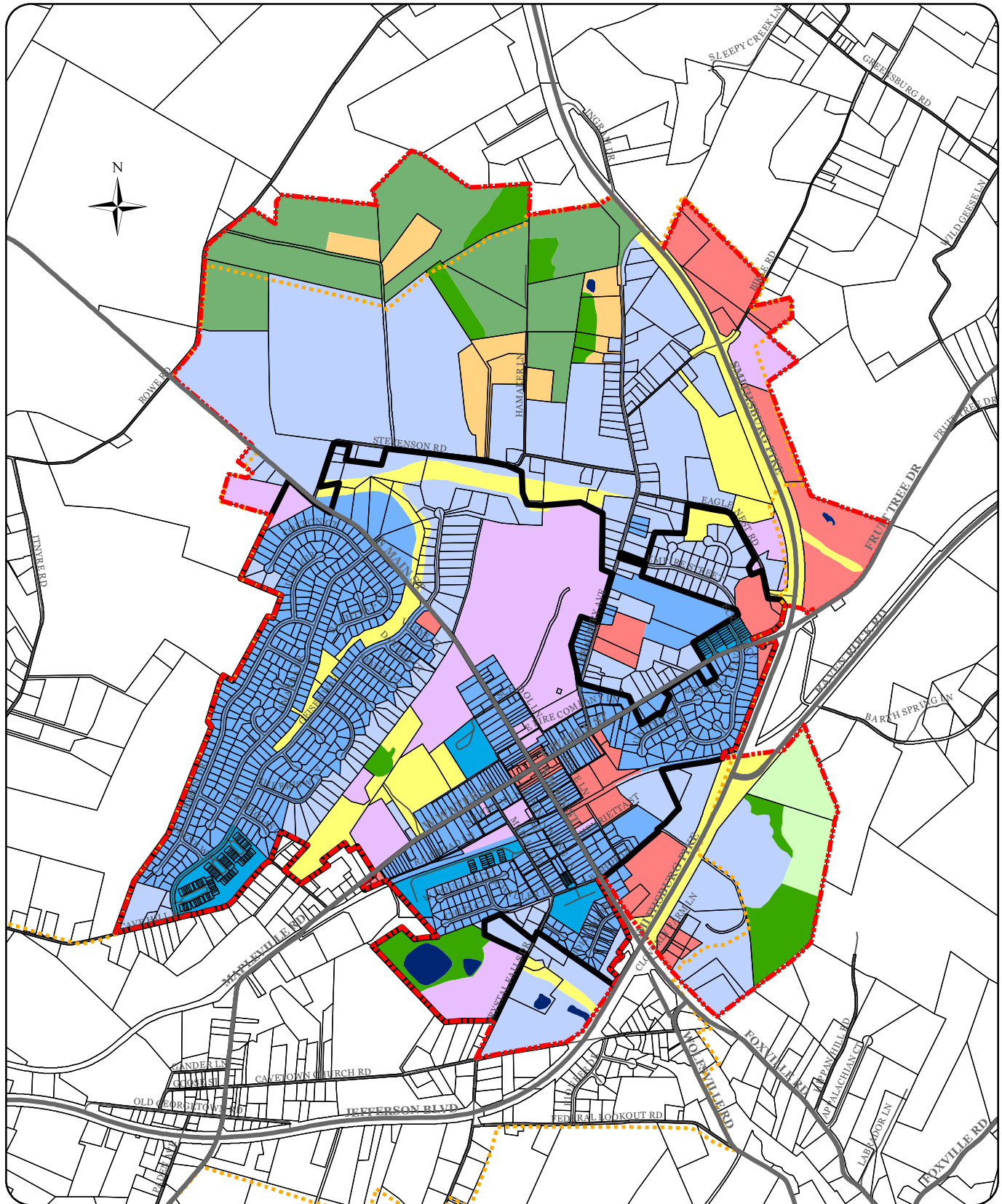
Data Source: Maryland Department of Planning



## Legend

- Roads
- ⬢ Smithsburg Town Growth Area
- ⬢ County Growth Area
- ⬢ Town Boundary
- ⬢ 2009 Draft Land Use
- Land Use
  - 11-Low Density Residential
  - 12-Medium Density Residential
  - 13-High Density Residential
  - 191-Rural Residential (Ag)
  - 192-Rural Residential (Forest)
  - 14-Commercial
  - 15-Industrial
  - 16-Institutional
  - 17-Extractive
  - 18-Open Urban Land
  - 21-Cropland
  - 22-Pasture
  - 23-Orchard
  - 241-Feeding Operations
  - 242-Agricultural Buildings
  - 41-Deciduous Forest
  - 42-Coniferous Forest
  - 43-Mixed Forest
  - 44-Brush
  - 50-Water
  - 60-Wetlands
  - 73-Bare Ground
  - 80-Transportation

# Future Land Use

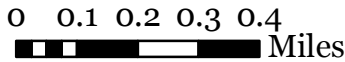


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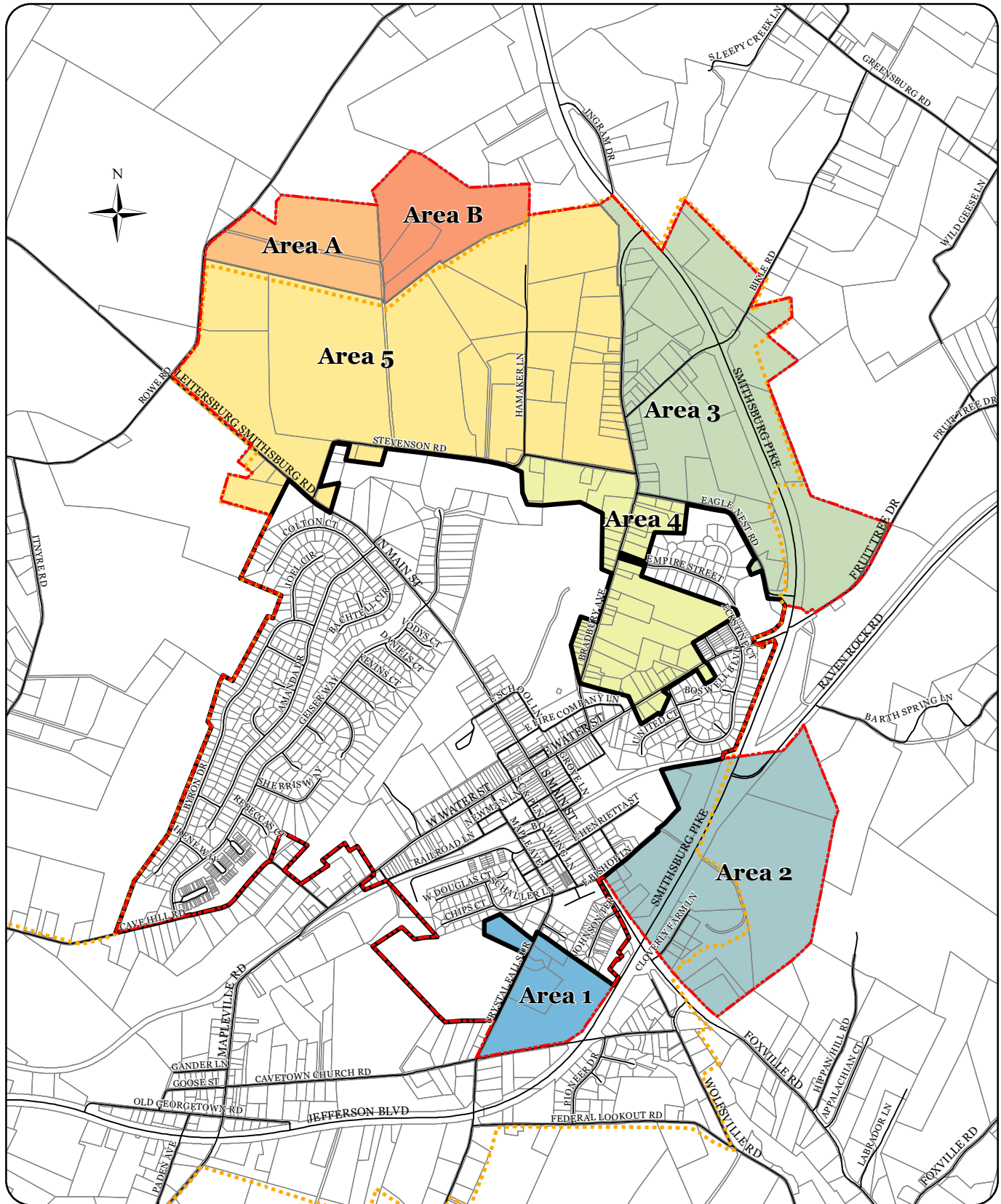


## Legend

- Roads
- Smithsburg Town Growth Area
- County Growth Area
- Town Boundary
- Land Use
  - Agriculture
  - Commercial
  - Institutional
  - High Density Residential
  - Medium Density Residential
  - Low Density Residential
  - Rural Residential
  - Mixed Forest
  - Open Spaces/Parks/FP
  - Orchard
  - Water



# Proposed Annexation Areas

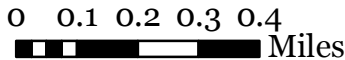


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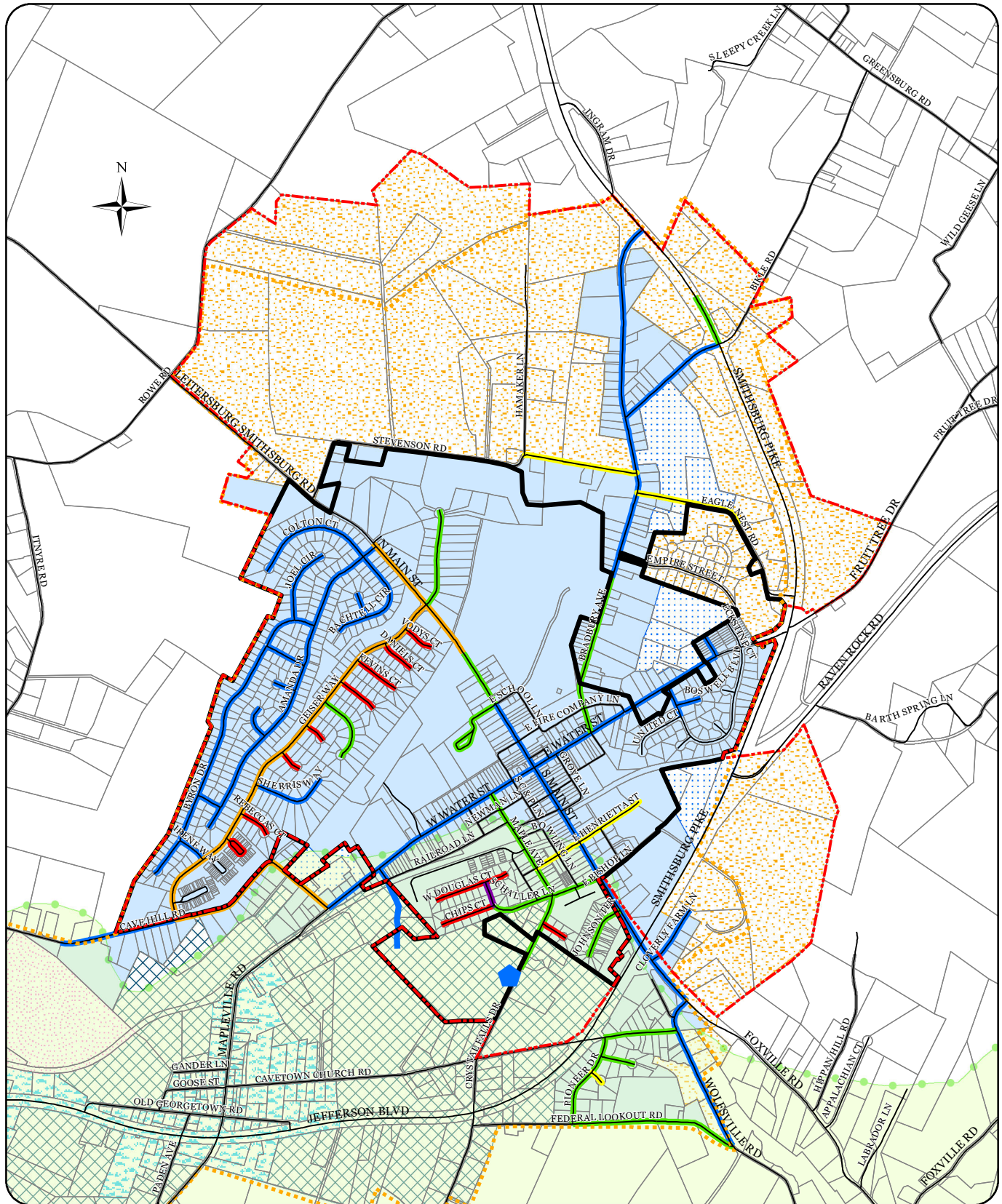


### Legend

- Roads
  - Smithsburg Town Growth Area
  - County Growth Area
  - Town Boundary
- | Annexation Areas                           |        |
|--|--------|
| <span style="color: blue;">■</span>        | Area 1 |
| <span style="color: lightblue;">■</span>   | Area 2 |
| <span style="color: lightgreen;">■</span>  | Area 3 |
| <span style="color: yellow;">■</span>      | Area 4 |
| <span style="color: orange;">■</span>      | Area 5 |
| <span style="color: lightorange;">■</span> | Area A |
| <span style="color: peachpuff;">■</span>   | Area B |



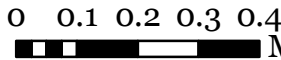
# Water Service



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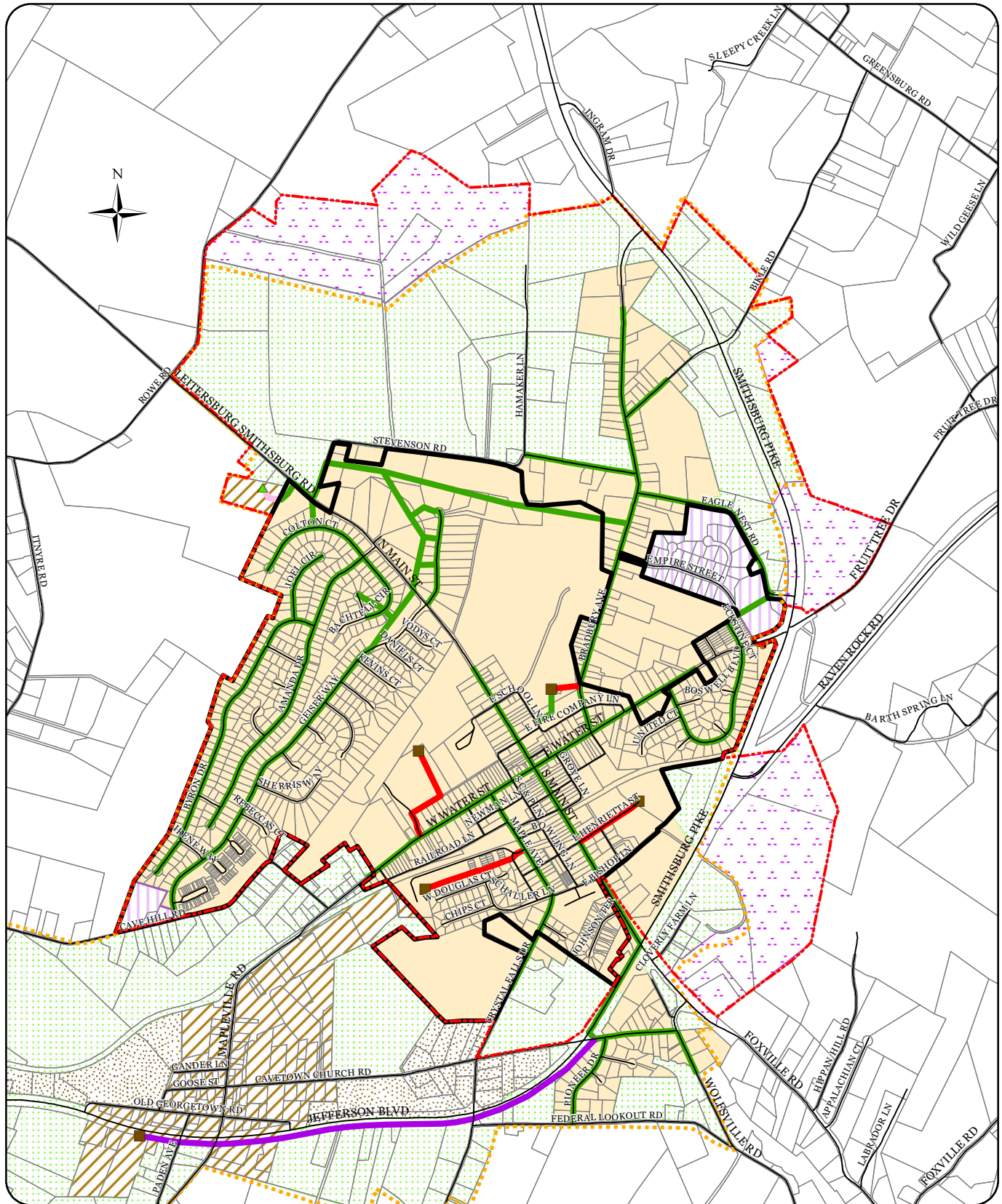
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## Legend

- Roads
  - Smithsburg Town Growth Area
  - County Growth Area
  - Town Boundary
  - Water Treatment Plant
  - Beaver Creek SPA
- | Water Line Size | Water Service Areas                |
|-----------------|------------------------------------|
| 1 1/2"          | Designation, Provider              |
| 2"              | W-1, Hagerstown Existing Service   |
| 4"              | W-1, Town Existing Service         |
| 6"              | W-3, Hagerstown Programmed Service |
| 8"              | W-3, Town Programmed Service       |
| 12"             | W-5, Hagerstown Planned Service    |
|                 | W-5, Town Planned Service          |

# Sewer Service

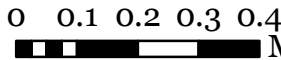


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Path: T:\Policy\Develop\Smithsburg\v10maps\smithsburg\_sewerserv.mxd



## Legend

- |                             |               |                                |
|-----------------------------|---------------|--------------------------------|
| Pump Station                | County Forced | S-1, County Existing Service   |
| Treatment Plant             | Forced        | S-1, Town Existing Service     |
| Roads                       | Gravity       | S-3, County Programmed Service |
| Smithsburg Town Growth Area | Outfall       | S-3, Town Programmed Service   |
| County Growth Area          |               | S-5, County Planned Service    |
| Town Boundary               |               | S-5, Town Planned Service      |

## Appendix B:

### Full List of Historic Properties in Smithsburg

**Appendix B - MD Inventory of Historic Structures in Smithsburg**

<b>Inventory ID</b>	<b>Name</b>	<b>Address</b>
WA-IV-044	Shifflet Farm	Leitersburg-Smithsburg Road
WA-IV-097	Private Residence	4 W. Water St
WA-IV-098	Private Residence	6-8 W. Water St
WA-IV-099	Private Residence	12 W. Water St
WA-IV-100	Private Residence	16 W. Water St
WA-IV-101	Private Residence	18 W. Water St
WA-IV-102	Private Residence	20 W. Water St
WA-IV-103	Private Residence	22 W. Water St
WA-IV-104	Private Residence	24 W. Water St
WA-IV-105	Private Residence	26 W. Water St
WA-IV-106	Private Residence	28 W. Water St
WA-IV-107	Private Residence	30 W. Water St
WA-IV-108	Private Residence	32 W. Water St
WA-IV-109	Private Residence	34 W. Water St
WA-IV-110	Private Residence	36 W. Water St
WA-IV-111	Private Residence	38 W. Water St
WA-IV-112	Private Residence	42 W. Water St
WA-IV-113	Private Residence	44 W. Water St
WA-IV-114	Private Residence	58 W. Water St
WA-IV-115	Private Residence	60 W. Water St
WA-IV-116	Private Residence	62 W. Water St
WA-IV-117	Private Residence	68 W. Water St
WA-IV-118	Smithsburg Cemetery	W. Water Street
WA-IV-119	Private Residence	3 W. Water St
WA-IV-120	Private Residence	7 W. Water St
WA-IV-121	Private Residence	11 W. Water St
WA-IV-122	Private Residence	13 W. Water St
WA-IV-123	Private Residence	15 W. Water St
WA-IV-124	Private Residence	2 Maple Street
WA-IV-125	Smithsburg Town Hall	21 W. Water Street
WA-IV-126	Private Residence	23 W. Water St
WA-IV-127	Private Residence	25 W. Water St
WA-IV-128	Private Residence	27 W. Water St
WA-IV-129	Private Residence	31 W. Water St
WA-IV-130	Private Residence	35 W. Water St

WA-IV-131	Private Residence	55 W. Water St
WA-IV-132	Private Residence	57 W. Water St
WA-IV-133	Private Residence	63 W. Water St
WA-IV-134	Private Residence	67 W. Water St
WA-IV-135	Private Residence	69 W. Water St
WA-IV-136	Private Residence	71 W. Water St
WA-IV-137	Private Residence	73 W. Water St
WA-IV-138	Private Residence	75 W. Water St
WA-IV-139	Dixie Eatery	4 N. Main Street
WA-IV-140	Private Residence	12 N. Main Street
WA-IV-141	Private Residence	14 N. Main Street
WA-IV-142	Trinity Evangelical Lutheran Church	16 N. Main Street
WA-IV-143	Smithsburg Volunteer Fire Company	22 N. Main Street
WA-IV-144	Private Residence	26 N. Main Street
WA-IV-145	Private Residence	28 N. Main Street
WA-IV-146	Private Residence	30 N. Main Street
WA-IV-147	Private Residence	32 N. Main Street
WA-IV-148	Private Residence	42 N. Main Street
WA-IV-149	Private Residence	48 N. Main Street
WA-IV-150	Private Residence	50 N. Main Street
WA-IV-151	Private Residence	1-7 N. Main Street
WA-IV-152	Private Residence	9 N. Main Street
WA-IV-153	Private Residence	11 N. Main Street
WA-IV-154	Private Residence	13 N. Main Street
WA-IV-155	Private Residence	15 N. Main Street
WA-IV-156	Private Residence	17 N. Main Street
WA-IV-157	Private Residence	19-21 N. Main Street
WA-IV-158	Private Residence	25 N. Main Street
WA-IV-159	Private Residence	27 N. Main Street
WA-IV-160	Private Residence	29 N. Main Street
WA-IV-161	Private Residence	33 N. Main Street
WA-IV-163	Private Residence	43 N. Main Street
WA-IV-164	Private Residence	47 N. Main Street
WA-IV-165	Private Residence	59 N. Main Street
WA-IV-166	People's Banking Company Building & Post Office	3 S. Main Street
WA-IV-167	Private Residence	5-9 S. Main Street
WA-IV-168	Private Residence	11 S. Main Street
WA-IV-169	Private Residence	13-15 S. Main Street
WA-IV-170	Private Residence	17 S. Main Street

WA-IV-171	Private Residence	19-20 S. Main Street
WA-IV-172	Private Residence	23 S. Main Street
WA-IV-173	Private Residence	25 S. Main Street
WA-IV-174	Private Residence	27 S. Main Street
WA-IV-175	Private Residence	29 S. Main Street
WA-IV-176	Private Residence	31-33 S. Main Street
WA-IV-177	Private Residence	37 S. Main Street
WA-IV-178	Private Residence	39 S. Main Street
WA-IV-179	Private Residence	41 S. Main Street
WA-IV-180	Private Residence	49 S. Main Street
WA-IV-181	Private Residence	51 S. Main Street
WA-IV-182	St. Paul's Methodist Church	S. Main Street
WA-IV-183	Private Residence	55 S. Main Street
WA-IV-184	Private Residence	57 S. Main Street
WA-IV-185	Private Residence	2-4 S. Main Street
WA-IV-186	Private Residence	6-8 S. Main Street
WA-IV-187	Private Residence	10-12 S. Main Street
WA-IV-188	Private Residence	14 S. Main Street
WA-IV-189	Private Residence	18 S. Main Street
WA-IV-190	Private Residence	20-22 S. Main Street
WA-IV-191	Private Residence	24-26 S. Main Street
WA-IV-192	Private Residence	28 S. Main Street
WA-IV-193	Private Residence	30-34 S. Main Street
WA-IV-194	Private Residence	40 S. Main Street
WA-IV-195	Private Residence	42 S. Main Street
WA-IV-196	Private Residence	44 S. Main Street
WA-IV-197	Smithsburg Warehouse & General Store	46 S. Main Street
WA-IV-198	Private Residence	50 S. Main Street
WA-IV-199	Private Residence	52-54 S. Main Street
WA-IV-200	Private Residence	56 S. Main Street
WA-IV-201	Private Residence	58 S. Main Street
WA-IV-202	Private Residence	62 S. Main Street
WA-IV-203	Private Residence	64 S. Main Street
WA-IV-204	Emily Clayton Bishop House	66 S. Main Street
WA-IV-205	Private Residence	68 S. Main Street
WA-IV-206	Private Residence	70 S. Main Street
WA-IV-207	Private Residence	72 S. Main Street
WA-IV-208	Private Residence	74 S. Main Street
WA-IV-209	Private Residence	76 S. Main Street

WA-IV-210	Brenner House & General Store	1 E. Water Street
WA-IV-211	Private Residence	3 E. Water Street
WA-IV-212	Private Residence	5 E. Water Street
WA-IV-213	Private Residence	7 E. Water Street
WA-IV-214	Private Residence	9 E. Water Street
WA-IV-215	Private Residence	11 E. Water Street
WA-IV-216	Bell-Mar House	13-15 E. Water Street
WA-IV-217	Private Residence	17 E. Water Street
WA-IV-218	Private Residence	19-21 E. Water Street
WA-IV-219	Private Residence	23 E. Water Street
WA-IV-220	Private Residence	25 E. Water Street
WA-IV-221	Private Residence	29 E. Water Street
WA-IV-222	Lutheran Parsonage	31 E. Water Street
WA-IV-223	Private Residence	33 E. Water Street
WA-IV-224	Private Residence	6 E. Water Street
WA-IV-225	Private Residence	10 E. Water Street
WA-IV-226	Private Residence	18 E. Water Street
WA-IV-227	Smithsburg Public Library	20 E. Water Street
WA-IV-228	Private Residence	24 E. Water Street
WA-IV-229	Kimler Pottery	26 E. Water Street
WA-IV-230	Private Residence	28 E. Water Street
WA-IV-231	Private Residence	32 E. Water Street
WA-IV-233	Lewis Automotive	36 E. Water Street
WA-IV-234	Private Residence	44 E. Water Street
WA-IV-235	Private Residence	46 A & B E. Water Street
WA-IV-236	Private Residence	50 E. Water Street
WA-IV-237	Private Residence	3 Maple Street
WA-IV-238	Private Residence	5 Maple Street
WA-IV-239	St. Ann's Episcopal Church	7 Maple Street
WA-IV-240	Private Residence	9 Maple Street
WA-IV-241	Private Residence	13 Maple Street
WA-IV-242	Private Residence	15 Maple Street
WA-IV-243	Private Residence	17 Maple Street
WA-IV-244	Private Residence	19 Maple Street
WA-IV-245	Private Residence	23 Maple Street
WA-IV-246	Private Residence	27 Maple Street
WA-IV-247	Private Residence	31 Maple Street
WA-IV-248	Private Residence	35 Maple Street
WA-IV-250	Private Residence	4 Maple Street

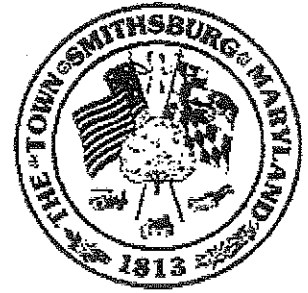
WA-IV-251	Private Residence	6 Maple Street
WA-IV-252	Private Residence	16 Maple Street
WA-IV-253	Private Residence	18 Maple Street
WA-IV-254	Private Residence	20 Maple Street
WA-IV-255	Private Residence	1-3 Pennsylvania Street
WA-IV-256	Private Residence	8 Pennsylvania Street
WA-IV-257	Private Residence	9 Pennsylvania Street
WA-IV-258	Smithsburg Western Maryland Railroad Station	63 Railroad Lane

## Appendix C

### Water Allocation Agreement between the City of Hagerstown and the Town of Smithsburg



**COPY**



**WATER SERVICE AGREEMENT**

**BY AND BETWEEN**

**THE CITY OF HAGERSTOWN, MARYLAND**

**AND**

**THE TOWN OF SMITHSBURG, MARYLAND**

**DATED: May 1, 2006**

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ARTICLE 3 TERM

ARTICLE 4 OBLIGATIONS OF THE CITY

ARTICLE 5 OBLIGATIONS OF THE TOWN

ARTICLE 6 RATES AND BILLING

ARTICLE 7 SYSTEM OWNERSHIP

ARTICLE 8 MISCELLANEOUS PROVISIONS

APPENDICES:

- A. Contract Delivery Quantity, Peak Day Capacity, Discount
- B. Current Rate Structure and Benefit Charge Information
- C. Usage History
- D. Map of Point(s) of Delivery

**CITY OF HAGERSTOWN - TOWN OF SMITHSBURG**  
**WATER SERVICE AGREEMENT**

THIS AGREEMENT, made this 1st day of May, 2006, by and between the CITY OF HAGERSTOWN, a municipal corporation, organized under the laws of the State of Maryland, party of the first part, hereinafter referred to as CITY, and the TOWN OF SMITHSBURG, a municipal corporation, organized under the laws of the State of Maryland, party of the second part, hereinafter referred to as the TOWN.

WITNESSETH:

## ARTICLE 1

### RECITALS

- 1.1 The City has established and owns a filtered water treatment system, consisting of water treatment, storage, and distribution facilities to supply the potable water needs of its residents, outlying County customers and certain Municipal Re-sale customers;
- 1.2 The CITY has quantities of water in excess of its current and anticipated needs;
- 1.3 The TOWN operates and maintains a system of water mains and auxiliaries to supply the needs of its residents; and
- 1.4 The TOWN desires to receive a supply of water from the CITY and the CITY desires to sell such water to the TOWN.

## ARTICLE 2

### DEFINITION OF TERMS

The following words as used in this Agreement shall have the following meanings:

- 2.1 MGD: Million Gallons per Day
- 2.2 ADF: Average Daily Flow, expressed as MGD
- 2.3 Annual ADF: The average daily usage for a calendar year, expressed as MGD.
- 2.4 Monthly ADF: The average daily usage for a month, expressed as MGD.
- 2.5 Point(s) of Delivery: The point(s) in the distribution system where the ownership and responsibility of the CITY ends and the ownership and responsibility of the TOWN begins, typically downstream and external to the vault(s) containing flow measuring meter(s) as indicated on Appendix "D".
- 2.6 Initial Delivery Date: The date of this agreement.
- 2.7 Contract Delivery Quantity: Equivalent to the annual water allocation granted to the wholesale customer. The amount of water usage allowable per year expressed as Average Daily Flow (ADF).
- 2.8 Peak Day Capacity (PDC): The maximum allowable usage per day, MGD.
- 2.9 Peak Day Usage (PDU): The maximum usage on any given day of the year, MGD. Until daily reading of the meter(s) occurs, the PDU will be the highest Monthly ADF of the year. If daily reading of the meter(s) is available to the CITY, Peak Day Usage = Maximum Total Daily Flow on any day of the year.
- 2.10 Water System: An entity recognized by the State of Maryland and assigned a Public Water System Identification Number that delivers potable drinking water to customers and bills those customers for such delivery.

## ARTICLE 3

### TERM

- 3.1 Initial Term. This Agreement shall be in full force and effect upon execution by both the CITY and TOWN for a period of ten (10) years from the date first set forth hereinabove.
- 3.2 Renewal. The term of this Agreement shall be automatically extended for additional successive terms of ten (10) years each, unless either the CITY or the TOWN delivers to the other written notice of termination not later than five (5) years prior to the expiration of the then existing term of this Agreement.
  - 3.2.1 In the event that the TOWN is in default of any of its obligations herein, CITY may terminate this agreement upon six (6) months written notice.

## ARTICLE 4

### OBLIGATIONS OF THE CITY

- 4.1 Subject to all the terms and conditions and limitations of this Agreement, commencing on the Initial Delivery Date, CITY agrees to sell and deliver to the TOWN water up to the Contract Delivery Quantity authorized in Appendix "A". Such water shall be of a character and quality that conforms to the regulatory requirements of the State of Maryland and the same quality of water it furnishes to the customers of the CITY, subject to the terms and conditions stated hereinafter.
- 4.2 CITY shall maintain and operate the system by employing qualified operators in accordance with applicable regulations.
- 4.3 CITY will make all repairs, renewals, and replacements that are necessary to the maintenance and operation of its Water System consistent with good business and usual operating practices for comparable facilities. The CITY shall notify the TOWN of any major malfunction of its Water System that might affect the quantity or quality of water delivered to the TOWN. CITY agrees to make repairs promptly and to so notify the TOWN upon the completion of such repairs.
- 4.4 The CITY has the right to reduce the Contract Delivery Quantity set forth in Appendix "A", upon reasonable notice to the TOWN for a reasonable duration to perform maintenance on the Water System.
- 4.5 The CITY, to the best of its ability, shall deliver water to the TOWN at the Point(s) of Delivery designated herein at such rates of flow as may be required to meet the TOWN's Contract Delivery Quantity as set forth in Appendix "A", attached hereto and made a part hereof. The CITY and the TOWN may agree in writing to a different or supplemental Point(s) of Delivery, provided it is operationally prudent for the CITY to deliver water to such location.
- 4.6 CITY may, within its sole discretion, deliver additional quantities that may be requested by the TOWN; however, the CITY shall be under no obligation to deliver any quantities of water other than herein stated.
- 4.7 It is the understanding of both parties that CITY will provide such storage and pumping facilities as may be necessary to perform its obligations under this Agreement, and with the further understanding that the CITY's responsibility in this respect does not run beyond said Point(s) of Delivery identified below.
- 4.8 Water shall be delivered by the CITY to the TOWN at the following locations:

#	Date	Point(s) of Delivery	Meter Size
1.	3/1/06	Smithsburg Pump Station Smithsburg, MD	4"

and at such other points as may, from time to time, be mutually agreed upon by the parties hereto in writing. A reasonable time shall be allowed to construct any facilities necessary for such delivery and reception of water. The TOWN shall pay all costs associated with providing any additional "Point of Delivery" and CITY shall have the right to refuse to provide the additional Point of Delivery if the CITY, in its sole discretion, determines that such Point of Delivery will negatively impact the operation or reliability of the CITY's Water System.

- 4.9 All water furnished shall be measured by meters installed by the CITY or its authorized agents at the Point(s) of Delivery. Meter shall be read at a mutually agreeable time and date with City and Town present at time of meter read. If appropriate, all such meters shall be housed in an approved structure that may also contain a recording pressure gauge, necessary valves and appurtenances. If additional point(s) of service is required or larger equipment is needed, the meters, recorders, valves, appurtenances and structures shall be installed at the expense of the TOWN according to plans first approved by CITY, and shall be installed, at the CITY's option, under the supervision and inspection of the CITY or its authorized agents. Said meters shall be of a size and make satisfactory to both CITY and the TOWN and shall be operated within the limits specified by the American Water Works Association for such equipment for continuous 24-hour operation. CITY shall have free access at all times to said installation and agrees to maintain said installation and to cause such repairs and/or adjustments as may from time to time be necessary to be promptly made. Such repairs shall be made at no expense to the TOWN unless it can be shown that the necessity for such repairs was brought about by an improper act or neglect on the part of the TOWN.
- 4.10 CITY expressly reserves the right to discontinue temporarily the supply of water to any of the pipes laid or to be laid by the TOWN whenever it is necessary to make repairs to the system or protect CITY's system from water hammer, surges or similar undesirable effects caused by the TOWN's use of the system. In all such cases it is CITY's intent to give the TOWN as much advance notice as possible before restricting flow or making a shutoff.
- 4.11 It is mutually understood and agreed that the TOWN's mains may be connected to the mains of other suburban areas for flow in either direction, to provide an adequate water supply from the Hagerstown system to the TOWN and to other areas and units of government, and to provide for efficient operation of the entire water supply system. Town agrees that no such connection will be made that is not in accordance with accepted water system distribution practice, and will submit a copy of any preliminary and final plans of such connections to the City prior to making the connections.
- 4.12 This Agreement is expressly subject to receipt by the CITY of all approvals and performance of duties required to effectuate the proposed service hereunder, including all necessary authorizations from federal, State of Maryland, local or municipal agencies, or other governmental authorities.

- 4.13 The CITY will make repairs, renewals, and replacements that are necessary to the maintenance and operation of its Water System consistent with good business and usual operating practices for comparable facilities. The CITY shall notify the TOWN of any major malfunction of its Water System that might affect the quantity or quality of water delivered to its customers. The CITY agrees to make repairs promptly and to so notify the TOWN upon the completion of such repairs.

## ARTICLE 5

### OBLIGATIONS OF THE TOWN

- 5.1 The TOWN agrees to purchase water from CITY subject to the terms and conditions hereof.
- 5.2 The TOWN agrees to provide and utilize sufficient controlled storage to meet the demands of its customers without drawing from the CITY'S Water System at any rate in excess of that which, if maintained constantly through each 24-hour day, would exceed the Peak Day Capacity authorized in Appendix "A". Refer to 5.3.4 for exclusions.
- 5.3 The TOWN agrees to an annual review by the CITY of their Annual Average Daily Flow usage based upon the calendar year.
  - 5.3.1 Benefit charges in effect at the time of the review, as indicated in Appendix "B", will be billed to the TOWN by the CITY for Annual Average Daily Flow quantity exceeding the Contract Delivery Quantity, referenced in Appendix "A", on a per gallon basis. If the Annual Average Daily Flow is less than 100 gallons per day above the Contract Delivery Quantity no bill will be issued, nor will the Contract Delivery Quantity be increased unless authorized by another provision of this agreement.
  - 5.3.2 The annual review will occur in late winter and, if applicable, billed to the TOWN in April.
  - 5.3.3 Certain usages may be excluded from the Annual Average Daily Flow calculation at the discretion of the CITY. Occurrences, such as, but not limited to, documented leaks, documented fires, or Force Majeure, as defined in Section 8.7, may be excluded from the Annual Average Daily Flow calculation. The City may consider, when the Annual Average Daily Flow is exceeded, excluding flows associated with fire hydrant flushing from the Annual Average Daily Flow calculation, at the Town's request. Town agrees to provide records documenting system flushing.
- 5.4 The TOWN agrees to implement all reasonable measures necessary to ensure that it does not take water on any day in excess of the TOWN's then available Peak Day Capacity amount authorized in Appendix "A". The CITY may implement measures, including but not limited to, flow restriction devices, to enforce this provision. The CITY may, in its sole discretion, restrict the flow of water to the TOWN on any day to the Peak Day Capacity then available to the TOWN under this Agreement, even if the CITY has previously sold water to the TOWN in volumes greater than the TOWN's then available Peak Day Capacity.
- 5.5 The TOWN agrees to notify CITY forty-eight (48) months before needing additional capacity beyond that allowed in Appendix "A". Upon receipt of such notice from the TOWN, CITY will notify its other wholesale customers within sixty (60) days of such request and will respond to the TOWN within one hundred eighty (180) days from receipt of the TOWN's request.

The CITY may, in its sole discretion, reject the request, agree to the request or agree with conditions. However, absent written approval by the CITY, in no event shall the TOWN take water volumes in excess of those authorized in Appendix "A" as it may be amended from time to time. City and Town further agree to meet annually to review water allocation need for subsequent year.

- 5.6 The TOWN agrees to prohibit any additional connections to its system in the event their Peak Day Usage exceeds the Peak Day Capacity or their Annual Average Daily Flow exceeds the Contract Delivery Quantity authorized in Appendix "A", unless it has provided the notice in Paragraph 5.5 above or satisfied authorized quantity-related conditions in applicable paragraphs of this Agreement, and the CITY, in its sole discretion, has agreed to modify this Agreement to authorize additional volumes of water in Appendix "A".
- 5.7 Notwithstanding any other provision of this Agreement, the CITY may, in its sole discretion, supply water above the Peak Day Capacity and/or Contract Delivery Quantity authorized in Appendix "A". However, any decision by the CITY to provide such additional water shall in no way bind the CITY to continue to do so.
- 5.8 The TOWN agrees to limit the distribution of Hagerstown system water to the area within the current geographic service area of the TOWN, provided that the TOWN may be permitted to supply water to such specific customers or areas beyond these limits as from time to time. Town shall notify the City when additional customers are connected to the water system. Town shall have written approval from the City when additional customers result in the need for an amendment to the current water allocation. Town shall provide a current service area map to the City.
- 5.9 The TOWN agrees to promptly pay for all water supplied by the CITY according to the rates set forth in Article 6 and Appendix "B" below as may be adjusted by the CITY from time to time, it being mutually understood that such rates shall always be reasonable in relation to the costs incurred by CITY for the supply of water.
- 5.10 The CITY shall deliver said water through the supply lines and metering system to the Point(s) of Delivery identified above. At each Point of Delivery, the water to be provided hereunder shall be deemed sold and delivered to the TOWN and the TOWN shall be responsible for payment for same from and after said point.

- 5.11 The TOWN shall be solely responsible for the handling, care, quality, sampling, testing and distribution of said water beyond the Point(s) of Delivery and all costs and expenses associated therewith, without any obligation whatsoever on the part of the CITY. The CITY, in its discretion, may, at the written request of the TOWN, provide certain sampling and testing services for regulatory compliance; any action required from the results of such testing shall be the sole responsibility of the TOWN.
- ~~5.12~~ The TOWN shall maintain suitable records of the number and size of service connections, the number of persons supplied, and the daily rates of consumption of water through the TOWN's facilities.
- 5.13 In no case shall the TOWN construct, maintain or repair or fail to maintain or repair its facilities in a manner that potentially or adversely affects the CITY's system, operation and maintenance thereof or the CITY's ability to provide water to CITY residents and other wholesale customers.
- 5.14 The TOWN agrees that no extensions or additions of water mains or pipes shall be made and no pumping, regulating, storage or other facilities shall be installed in its water system until clear and complete plans and specifications for such work shall have been submitted to CITY.
- 5.14.1 The TOWN agrees to give CITY notice of the following Capital improvements and/or expansions to its system and a sixty (60) day period to comment on such expansions. If the TOWN does not receive comments from the CITY sixty (60) days following its notice to the CITY, then the CITY is deemed to have waived its right of review.
- 5.15 For the protection of the health of all consumers supplied with water from the water system of the CITY, the TOWN agrees to guard carefully against all forms of contamination, and that if at any time contamination should occur, the TOWN shall immediately notify the CITY and the area or areas affected shall immediately be shut off and isolated and remain so until such conditions shall have been abated and the water declared again safe and fit for human consumption, by the properly constituted governmental health agencies having jurisdiction of the areas affected.
- 5.16 It is understood and agreed that the TOWN shall not physically connect to any other source or supply and will not under any circumstances permit water from any other source or supply to be introduced into its water system, nor any part thereof, or to be mixed or mingled with water from the water system of the CITY without prior written approval of the CITY.
- 5.17 The TOWN and City agree to comply with all applicable State and Federal regulatory requirements and to provide the CITY/Town notice of any claim received by the TOWN/City asserting a violation of any such requirements.

- 5.18 The TOWN will make all repairs, renewals, and replacements that are necessary to the maintenance and operation of its Water System consistent with good business and usual operating practices for comparable facilities. The TOWN shall notify the CITY of any major malfunction of its Water System that might affect the quantity or quality of water delivered to its customers. The TOWN agrees to make repairs promptly and to so notify the CITY upon the completion of such repairs.
- 5.19 The TOWN agrees to accept the CITY's estimates of quantities of water supplied during all periods in which the meters installed pursuant to Article 4, Paragraph 4.9, fail to measure correctly all water supplied to the TOWN, provided there is reasonable basis for such estimate in light of the quantity of water delivered during periods under similar conditions when the meter was registering accurately.
- 5.20 CITY shall be permitted, insofar as the TOWN may lawfully grant such permission, to use streets, highways, alleys and/or easements in the TOWN for the purpose of constructing, maintaining and operating such water system facilities as are necessary to adequately supply the TOWN and other areas. In the event of such construction, CITY shall request the TOWN to execute such separate instruments granting rights-of-way in its streets, highways and alleys as may be reasonably required by CITY. CITY shall restore all existing structures and/or improvements lying in the right-of-way of construction, to as good a condition as before the construction took place, and, to the extent permitted by law, shall save the TOWN harmless from any and all liability, claims, suites, actions, or causes of action for damages from injuries or otherwise by reason of the construction work hereinabove provided for. Any such facilities constructed, maintained and operated under this section shall remain in perpetuity the property of CITY and shall not be operated or maintained by any other than employees of CITY or its authorized representatives.
- 5.21 The TOWN agrees to enforce water usage restrictions upon TOWN customers substantially equal to the restrictions implemented by the CITY upon its customers. The CITY will notify the TOWN upon implementation and discontinuance of such restrictions.
- 5.22 The TOWN agrees, to the extent permitted by law, to indemnify and hold the CITY harmless from any and all loss or damage sustained by the TOWN and from any and all liability to any persons, or for any property damage, incurred by reason of any act of the TOWN, its agents or employees, in the receiving, use or application, and sale of said water on the TOWN's side of the Point(s) of Delivery unless the such damage or loss shall be due to the negligence of the CITY, its agents or employees.

## ARTICLE 6

### RATES

- 6.1 The TOWN agrees to pay according to the CITY's rate structure for Monthly Billed - Outside City Customers as it is amended from time to time, Appendix "B". CITY agrees to reduce the billable amount by the Discount in Appendix "A" to compensate for costs avoided by the CITY, as indicated in industry accepted methods of cost of service analyses, and for meeting the provisions of this agreement.
- 6.2 CITY shall give adequate notice of any change in the rates, and such notice shall be in writing and shall be delivered in person or by registered mail to the Clerk of the TOWN. Bills for water service shall be rendered monthly and delivered to the Clerk of the TOWN and shall be payable on or before the due date shown thereon which shall be not less than 30 days from such delivery. Delinquent balances will be subject to CITY late fee policies in effect at the time of the delinquency. Water services to the TOWN may be discontinued, at the CITY's sole discretion, if any bill is not paid according to the CITY's late fee policy in effect at the time of the delinquency. The TOWN hereby waives any and all claims for loss or damages resulting from such discontinuance of service. Further, in the event the CITY elects, in its sole discretion, to continue to provide water service despite a bill being outstanding, such election shall in no way commit the CITY to continue to provide such service.
- 6.3 It is understood by the CITY and the TOWN that the rates to be charged under this agreement do not violate any provision of federal or State law. It is also understood by the CITY and the TOWN that rates are established by industry recognized methods of determining cost of water service to the TOWN.

## ARTICLE 7

### SYSTEM OWNERSHIP

- 7.1 The TOWN shall have no authority or control, whatsoever, over the operation of any portion of the CITY's Water System, including but not limited to its treatment plant, pumping stations, distribution system, or the master metering system, all of which shall remain under the exclusive ownership and control of the CITY throughout the duration of this Agreement exclusive to information contained within Specified Articles of this Agreement.

## ARTICLE 8

### MISCELLANEOUS PROVISIONS

- 8.1 Confidentiality of Water System Security Information: The TOWN agrees that it shall not release any CITY system maps or other CITY related potentially sensitive security-related information.
- 8.2 System Security: The TOWN agrees to take all reasonable and prudent steps to prevent security risks to its system as well as to the Water System as a whole due to risks to its system. The TOWN further agrees to cooperate with the CITY in the development and implementation of reasonable security plans and procedures from time-to-time.
- 8.3 Water Quality Dispute Resolution: Any issues arising between the parties with regard to the quality of the water provided under this Agreement shall be reviewed by the CITY. The determination of the issue and the assessment of the quality of the water made by the CITY shall be the final resolution of the issue. Unless prohibited by State law said determination shall not be applicable to the Courts. In the event of any other dispute arising between the parties, either party may avail itself of any of its legal remedies at law or in equity including the right to seek injunctive relief.
- 8.4 Choice of Law: The rights, obligations and remedies of the Parties as specified under this Agreement shall be interpreted and governed in all respects by the laws of the State of Maryland.
- 8.5 Compliance with Law: This Agreement is subject to all present and future valid laws, orders, rules, and regulations of any regulatory body having jurisdiction over the treatment and sale of potable water by the CITY.
- 8.6 Venue: The parties agree that any dispute regarding this agreement shall be brought exclusively in the Circuit Court for Washington County in Hagerstown, Maryland.
- 8.7 Force Majeure: The term "Force Majeure" as used herein shall mean any cause beyond the control of the CITY or the TOWN, such as "Acts of God", acts of the public enemy, earthquakes, insurrections, riots, labor disputes, labor or material shortages, fires, explosions, violent storms, washouts, floods, droughts, presence of abnormal levels of radiation and biological, chemical, or viral contaminants, breakdowns of or damage to the Water System beyond the control of the CITY, and orders or acts of civil or military authority which prevent or restrict the operation of the Water System or the delivery of water.
- 8.8.1 The effect of a Force Majeure event will, upon prompt notice to the other party, suspend the obligation of the affected party to the extent made necessary by the Force Majeure event and during its continuance. The affected party will act promptly to minimize the duration of any suspended or reduced performance due to a Force Majeure event.



This Agreement shall take effect upon its adoption and execution by the respective parties hereto for water service.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

Signed, Sealed and Delivered

In Presence of Nancy Walsh

TOWN OF SMITHSBURG

BY: Mildred Myers  
Printed  
Mayor Mildred Myers

BY: Mildred Myers  
Signature  
Mayor Mildred Myers

Attest: Elizabeth Martin  
Town Clerk, Elizabeth Martin

Signed, Sealed and Delivered

In Presence of \_\_\_\_\_

CITY OF HAGERSTOWN

BY: Robert E. Bruchey, II  
Printed  
Mayor Robert E. Bruchey II

BY: RE Bruchey  
Signature  
Mayor Robert E. Bruchey II

Attest: Donna H. Spickler  
CITY CLERK Donna Spickler

## APPENDIX "A"

Contract Delivery Quantity: 0.257190 MGD

Peak Day Capacity: 0.385664 MGD

Discount: 16%

## APPENDIX "B"

Outside City - Monthly Rates - Effective 12/1/05		
Monthly Fixed Minimum Charge		
based on meter size	Meter Size	Monthly
	5/8"	\$ 2.21
	3/4"	\$ 2.21
	1"	\$ 5.52
	1 1/2"	\$ 11.04
	2"	\$ 17.67
	3"	\$ 35.34
	4"	\$ 55.22
	6"	\$ 110.45
	8"	\$ 176.72
	10"	\$ 304.84
Consumption Charge per 1000 gallons		
Level 1: 0 - <33,333 gallons per Month		\$ 2.76
Level 2: Over 33,333 gallons per Month		\$ 2.47

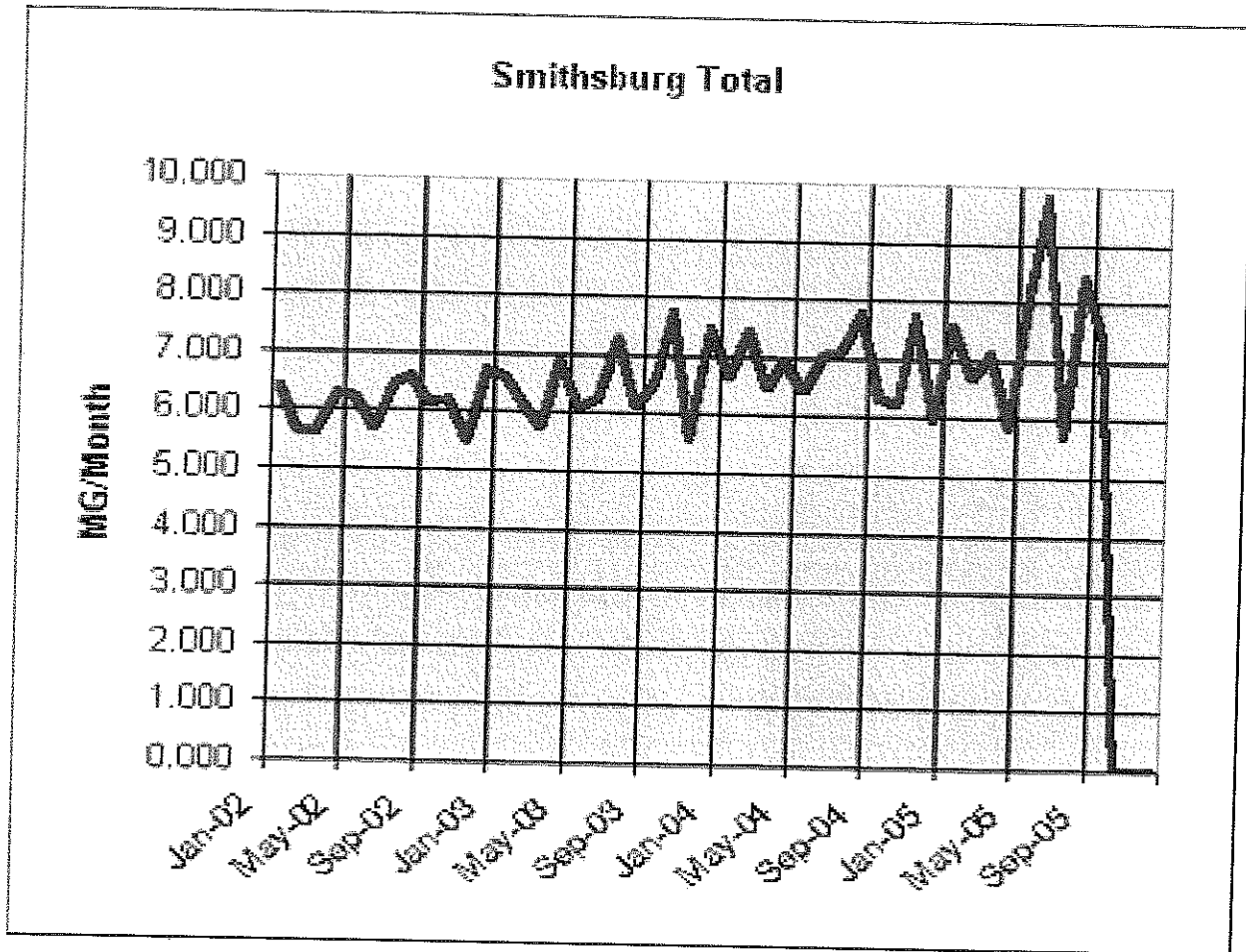
Water Benefit Charge = \$12.50/gallon as of 8/11/05

## APPENDIX "C"

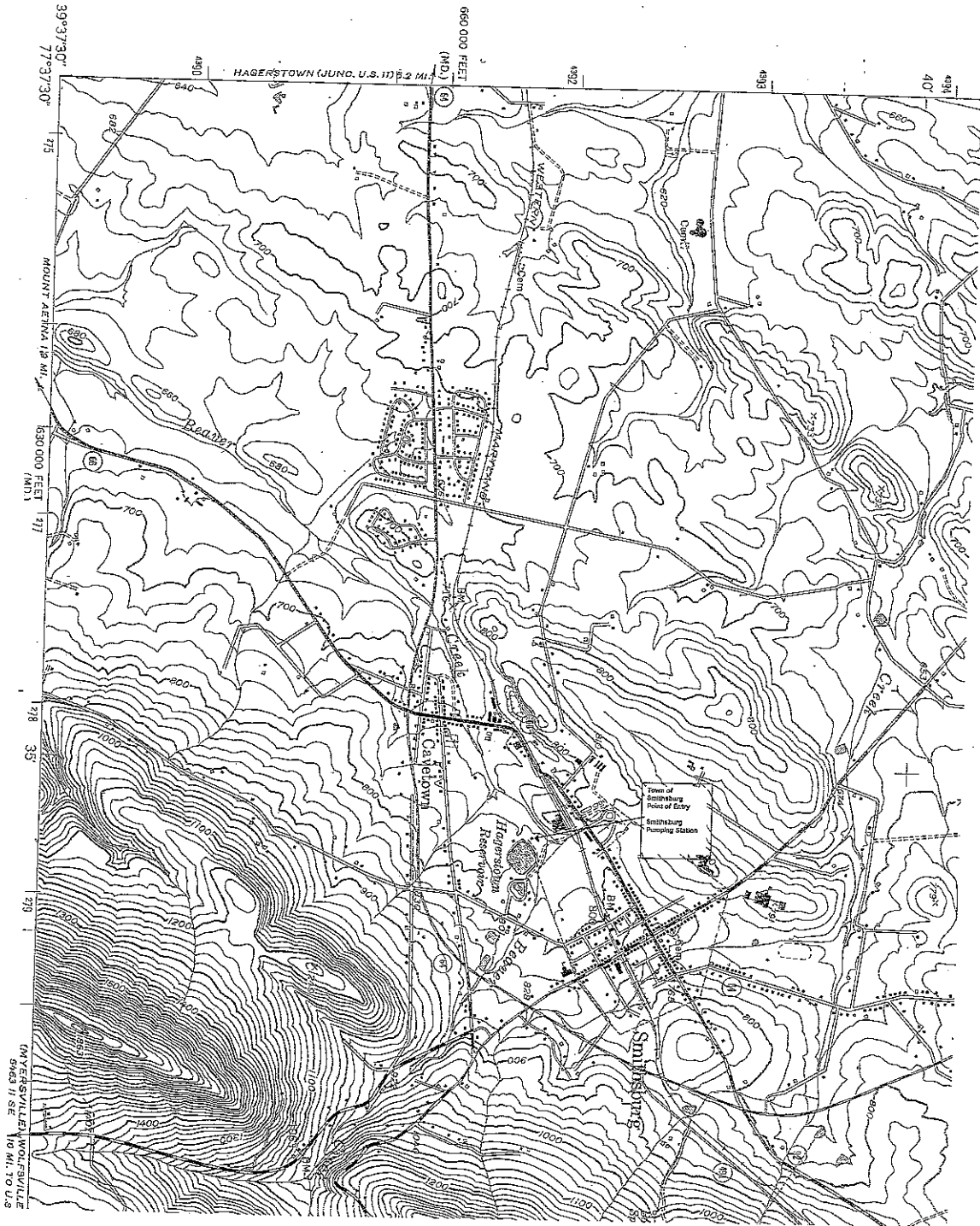
### City of Hagerstown-Water & Sewer Consecutive System Report

Smithsburg					
	Usage1	Usage2	Total	ADF	Statistics
Jan-02	6.390		6.390	0.206	
Feb-02	5.647		5.647	0.202	
Mar-02	5.688		5.688	0.183	
Apr-02	6.324		6.324	0.211	
May-02	6.244		6.244	0.201	
Jun-02	5.727		5.727	0.191	Max DF 0.217
Jul-02	6.478		6.478	0.209	Off-Peak 6.058
Aug-02	6.589		6.589	0.213	Jul-Sep 6.409
Sep-02	6.161		6.161	0.205	P.F. 1.058
Oct-02	6.249		6.249	0.202	ADF 0.202
Nov-02	5.513		5.513	0.184	AMF 6.146
Dec-02	6.738		6.738	0.217	Total 73.748
Jan-03	6.620		6.620	0.214	
Feb-03	6.165		6.165	0.220	
Mar-03	5.775		5.775	0.186	
Apr-03	6.893		6.893	0.230	
May-03	6.114		6.114	0.197	
Jun-03	6.288		6.288	0.210	Max DF 0.250
Jul-03	7.309		7.309	0.236	Off-Peak 6.525
Aug-03	6.148		6.148	0.198	Jul-Sep 6.677
Sep-03	6.573		6.573	0.219	P.F. 1.023
Oct-03	7.765		7.765	0.250	ADF 0.216
Nov-03	5.586		5.586	0.186	AMF 6.563
Dec-03	7.519		7.519	0.243	Total 78.755
Jan-04	6.655		6.655	0.215	
Feb-04	7.478		7.478	0.267	
Mar-04	6.464		6.464	0.209	
Apr-04	6.968		6.968	0.232	
May-04	6.449		6.449	0.208	
Jun-04	7.038		7.038	0.235	Max DF 0.267
Jul-04	7.128		7.128	0.230	Off-Peak 6.779
Aug-04	7.789		7.789	0.251	Jul-Sep 7.094
Sep-04	6.366		6.366	0.212	P.F. 1.046
Oct-04	6.214		6.214	0.200	ADF 0.225
Nov-04	7.761		7.761	0.259	AMF 6.858
Dec-04	5.988		5.988	0.193	Total 82.298

Smithsburg					
	Usage1	Usage2	Total	ADF	Statistics
Jan-05	7.581		7.581	0.245	
Feb-05	6.713		6.713	0.240	
Mar-05	7.120		7.120	0.230	
Apr-05	5.865		5.865	0.196	
May-05	8.117		8.117	0.262	
Jun-05	9.771		9.771	0.326	
Jul-05	5.729		5.729	0.185	Max DF 0.326
Aug-05	8.435		8.435	0.272	Off-Peak 5.019
Sep-05	7.429		7.429	0.248	Jul-Sep 7.198
Oct-05			0.000	0.000	P.F. 1.434
Nov-05			0.000	0.000	ADF 0.183
Dec-05			0.000	0.000	AMF 5.563
					Total 66.760



# APPENDIX "D"



## Appendix D

### Wastewater Policy Agreement between Washington County and the Town of Smithsburg

## AGREEMENT

THIS AGREEMENT is entered into as of this 19<sup>th</sup> day of May, 1998, by and between the **BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND**, a body corporate and politic and a subdivision of the State of Maryland (the "County"), and the **TOWN OF SMITHSBURG, MARYLAND**, a body corporate and politic and an incorporated municipality in the State of Maryland (the "Town").

### RECITALS

On January 12, 1993, the Town and the County and several other parties hereto entered into an agreement (the "Previous Agreement") concerning the provision of sewage treatment service to the Town, transfer of the former Smithsburg Wastewater Treatment Plant (the "Plant"), establishment of fees for these services, and other related matters.

Chapter 86 of the Laws of Maryland of 1995 amended Titles 1 and 6 of the Code of Public Local Laws of Maryland for Washington County (1991 edition and August 1994 supplement, as amended, hereinafter "Public Local Laws"), which authorized the County to abolish the Washington County Sanitary District and the Washington County Sanitary Commission. The Division of Public Works was created in the Washington County governmental structure. The County assumed all of the powers, authority, responsibilities and liabilities of the former District and Commission which were then abolished by Amended Resolution passed on June 20, 1995, effective July 1, 1995.

The County has completed the acquisition of the Plant as provided in the earlier agreement for the sum of \$175,000, the balance of \$100,000 represented by a promissory note with interest which varies with changes in the rate charged by the Maryland State Revolving Loan Fund.

The County abolished water and sewer subdistricts and combined all customers into one water district and one sewer district, effective July 1, 1996. Uniform rates were adopted system wide on a "cost of service" basis as recommended and approved by the American Water Works Association in connection with water and wastewater utility services, replacing the previous calculation per equivalent dwelling unit ("EDU"). The parties are desirous of conforming their agreement to the new billing method which is currently based on cost of service.

The Town owns and operates its own collection and billing functions, paying only for treatment, and is therefore a wholesale customer of the County, for which it is charged a rate less than that of a full service customer.

Allocation fees had previously been billed by the County to the Town at the rate of \$2,500 per EDU until the rate was raised to \$2,750, effective July 1, 1996. The Town continued to pay at the rate of \$2,500. In consideration of the agreement of the parties on other issues the County has agreed to write off the difference in the two figures for the period ending July 1, 1997.

When new rates were adopted effective July 1, 1996, and again on July 1, 1997, separate rates were adopted for wholesale customers, such as the Town of Smithsburg. A dispute arose as to the propriety of those charges, and the Town continued to pay under the old rate. Disputes have also arisen as to the payment by the Town to the County of allocation fees per EDU. The parties are desirous of resolving this dispute and adjusting the amounts owed to each by the other. The parties enter into this Agreement with the intention that it shall completely supersede the Previous Agreement.

NOW, THEREFORE, the parties hereby agree as follows:

SECTION 1 - Allocation Fees.

1.1. Fiscal Years 95-96 and 96-97. Allocation fees owed by the Town to the County for Fiscal Years 95-96 and 96-97 shall be deemed to have been paid in full. The County will write off the difference between the rate of \$2,500 paid by the Town for these periods and the Countywide allocation fee of \$2,750, believed to be in the total amount of \$18,750.

1.2. Fiscal Years 97-98 and later. For all new connections made within the Town's corporate limits after July 1, 1997, the Town shall pay the County an amount equal to the then-current County allocation fee established in accordance with the Public Local Laws. The allocation fee in effect at the time of the execution of this Agreement is \$2,750 per EDU. The number of EDUs per structure shall be determined in accordance with the County's Sewer Service Policy. Subject to the availability of allocation, the Town may add residential users without the County's approval. The Town shall pay the allocation fee to the County for any new connection within fifteen (15) days of the end of the quarter in which the permit is issued. The Town shall maintain records showing a running total of permitted EDUs, which records shall be furnished to the County on an annual basis, on or before February 1 of each year or upon request from the County.

1.3. Existing Commercial and Industrial Users. The Town acknowledges that the current Sewer Service Policy authorizes the County to collect additional allocation fees from existing commercial and industrial users when the annual average daily use exceeds the individual allocation for that user, as expressed in EDUs. In the event that such increases occur after the date of this Agreement, the Town agrees to pay to the County the appropriate number of additional allocation fees as is in existence pursuant to this section. The Town further acknowledges that increases in usage by existing commercial and industrial users may have an impact on the Town's total available allocation. The Town shall maintain records showing a running total of permitted EDUs based on flow records, which records shall be furnished to the County on an annual basis, on or before February 1 of each year or upon request from the County.

1.4 New Commercial and Industrial Users. Subject to the availability of allocation, the Town and the County must jointly approve applications for new commercial and industrial users. Before the issuance of building permits, the applications will be reviewed by the Town for conformance with its regulations and by the County for conformance with its Sewer Service Policy. The County assumes responsibility for monitoring available allocation. The Town shall maintain records showing a running total of permitted EDUs based on flow records, which records shall be furnished to the County on an annual basis, on or before February 1 of each year or upon request from the County.

1.5 County Connection to Town System. The Town shall permit the County to connect users outside of the Town to the Town's collection system, subject to available hydraulic capacity. The County shall pay the collection system fee adopted by the Town, which fee is currently \$575 per EDU as of the date of this Agreement. The Town shall provide the County with advance notice of at least sixty (60) days of any change in the fee. The County shall pay the collection system fee to the Town for any new connection within fifteen (15) days of the end of the quarter in which the permit is issued. The County may prepay the collection system fee. In the event that the Town's maintenance and operational expenses for the collection system increase, to the extent that it is necessary for the Town to increase its fees to its own users, this fee may be adjusted in proportion to the fee charged to its own users.

## SECTION 2 - Sewer Service Fees

2.1 Net Utility Receivable Balance. As of March 13, 1998, the Town owed the County a utility receivable balance of \$204,557.89. After deducting a payment of \$54,409.53 made on March 27 and a credit of \$112,352.48 representing principal and accrued interest remaining from the transfer of the Plant pursuant to the Previous Agreement, the Town owed the County a balance of \$37,795.88 as of March 31, 1998, which will be paid in accordance with the following paragraph.

2.2 Method of Payment. Fees for sewer services for the flow from the Village Square Pump Station and future collection service fees normally billed by the Town to the County shall henceforth not be billed, but rather credited to the above balance until such balance is paid in full, after which such billing shall resume. The Town shall provide the County with a copy of the calculation of the credits when the credits are applied. If the balance is not paid in full within five years of the date of this Agreement, any balance remaining shall be paid by the Town to the County in a lump sum within 30 days of the conclusion of that period.

2.3 Establishment of Rates. The County shall provide the Town with a good faith projection of the rates for the new fiscal year in writing on or before April 15 of each year. The County may not impose a rate higher than the projected rate unless the Town is notified in writing on or before June 1. Failure to give written notice shall not prejudice either party in the presence of an emergency or other unusual or unforeseen circumstances. Failure to give such notice shall not be a breach of this Agreement. The rate of \$3.40 per thousand gallons has been provided to the Town as a projected rate for fiscal year 98-99.

### SECTION 3 - Transfer of Wastewater Treatment Plant

3.1 Satisfaction of Debt. The original principal balance of \$100,000, with accrued interest of \$12,352.48, owed to the Town by the County for the transfer of the Plant mentioned in the Previous Agreement has been credited to reach the net utility receivable balance as set forth herein and shall be considered paid in full. Any promissory note or other documents evidencing that obligation shall be so marked.

3.2 Operation of the Plant. The County acknowledges that the design, construction and operation of the Plant shall be its sole responsibility. The County shall have the right to utilize its sole discretion in the discharge of these responsibilities.

### SECTION 4 - Sewer Operations

4.1 Compliance with policies. The Town shall comply with County policies with respect to sewer facilities.

4.2 Sewage Flow Meter. The County shall install, maintain and replace, if necessary, at its own expense, a sewage flow meter at all points of discharge from the County to the Town's collection system and from the Town to the Plant. The metered flow shall be the basis for charging the County and the Town for collection and treatment. The annual user rate charged for County users and billed to the County shall be the same as in-town residential rates.

4.3 Inflow and Infiltration. The Town shall undertake aggressive efforts to minimize inflow and infiltration into the system.

4.4 Quality of Sewage. The Town agrees that the sewage which it conveys to the County and the County to the Town for treatment shall meet at least minimum raw sewage discharge requirements for public sewers or such reasonable substitute standards as may be imposed by the Environmental Protection Agency, Maryland Department of the Environment, or their successors. If, in the judgment of the County, the sewage being conveyed by the Town to the County for treatment does not comply with the standards or if it contains contaminants, the Town, at its sole cost and expense, will be required to take all steps necessary to bring the sewage into compliance, including, but not limited to, pretreatment.

### SECTION 5 - Miscellaneous

5.1 Assignment; Binding Effect. Neither party may assign or transfer this Agreement or any rights or benefits under this Agreement to any person or entity without the prior written approval of the other party.

5.2 Remedies Not Exclusive. The rights and remedies provided in this Agreement are cumulative and not exclusive and are in addition to any other rights and remedies the parties may have at law or otherwise.

5.3 Waiver. Neither party's waiver of the other's breach of any term, covenant or condition contained in this Agreement shall be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition in this Agreement.

5.4 Headings. The headings appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of any section of this Agreement.

5.5 Survival. The covenants contained in or liabilities accrued under this Agreement which, by their terms, require their performance after the expiration or termination of this Agreement shall be enforceable notwithstanding the expiration or other termination of this Agreement.

5.6 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Maryland.

5.7 Severability. If any provision of this Agreement shall be determined to be invalid or unenforceable, the remaining provisions of this Agreement shall not be affected thereby, and every provision of this Agreement shall remain in full force and effect and enforceable to the fullest extent permitted by law.

5.8 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

5.9 Entire Agreement; Modification. This Agreement, and the materials incorporated herein by reference, constitute the entire agreement between the parties. There are no promises or other agreements, oral or written, express or implied, between the parties other than as set forth in this Agreement. No change or modification of, or waiver under, this Agreement shall be valid unless it is in writing and signed by duly authorized representatives of the parties.

5.10 Force Majeure. The failure of any party to perform its obligations hereunder shall be excused if the party's nonperformance is due to an act of God (but not including reasonably anticipated weather conditions for the geographic area of the Plant), flood, earthquake or similar natural occurrence, an act of the public enemy, war, insurrection, riot, strikes by persons not employed by or under control of the nonperforming party, fire, explosion or other casualty. Nonperformance shall not be excused for any reason if the event or condition causing the nonperformance is the result of one or more willful or negligent acts or omissions, or a lack of due diligence, on the part of the nonperforming party, or any of its employees, agents, or contractors.

5.11 Effectiveness. This Agreement shall become effective upon and only upon its execution and delivery by each party hereto, and upon receipt of approval by the duly-constituted legislative bodies of the Town and the County.

5.12 Notices. This Agreement shall be sufficient if sent to the following:

To the County:

Board of County Commissioners  
ATTN: County Administrator  
100 West Washington Street  
Room 226  
Hagerstown, Maryland 21740

To the Town:

Town Hall  
ATTN: Town Clerk  
21 West Water Street  
Smithsburg, Maryland 21783

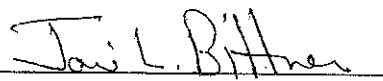
5.13 Termination of Previous Agreement. This Agreement shall terminate the Previous Agreement in all respects. The same shall cease to have any force or effect.

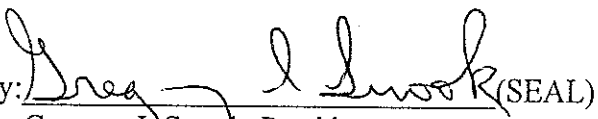
5.14 Mutual Release. In consideration of the terms of this Agreement, each of the parties, its legal representatives or assigns, does hereby remise, release and discharge forever the other party and every right, claim, debt and cause of action of whatsoever nature or kind, known and unknown, foreseen and unforeseen, against each other which each has or may have upon or by reason of any matter, cause or thing whatsoever arising from matters set forth in the Previous Agreement, from the beginning of the world until the date of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement under their respective seals under the day and year first written above.

ATTEST:


BOARD OF COUNTY COMMISSIONERS OF  
WASHINGTON COUNTY, MARYLAND

  
\_\_\_\_\_  
Joni L. Bittner, Clerk

By:  (SEAL)  
\_\_\_\_\_  
Gregory I. Snook, President

Approved as to form and legal sufficiency

this 19<sup>th</sup> day of May, 1998.



Richard W. Douglas  
County Attorney

ATTEST:

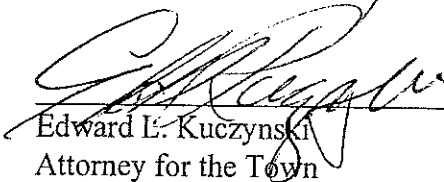
THE TOWN OF SMITHSBURG, MARYLAND



By: Mildred Myers (SEAL)  
Mildred Myers, Mayor

Approved as to form and legal sufficiency

this 19<sup>th</sup> day of May, 1998.



Edward L. Kuczynski  
Attorney for the Town

Appendix E  
Supplemental Water Resource Information

## Drinking Water Build-out Analysis

Using the calculations from the Municipal Growth Element (Chapter 3) it is anticipated that at full build-out the designated proposed annexation areas could produce up to 1,315 new residential dwelling units, 243,000 square feet of commercial retail use, and 402,162 square feet of employment area. To determine the approximate need for drinking water resources to service development at full build-out, an average daily usage of 230 gpd was used as determined by the historic usage calculation in the Water Resources Element (Chapter 5). Residential usage are rather straight forward in that the number of new dwelling units was multiplied by the average daily usage of 230 gpd. Commercial and employment usage was estimated using the recommended projections outlined in the MDE Wastewater Capacity Management Plan Guidance Document. It is assumed that wastewater usage output should mimic water input. These flow projections were multiplied by the estimated new square footage that could reasonably be expected from new commercial and employment zonings. Table E.1 depicts these calculations. As shown by the table, it is estimated that build-out of the proposed annexation areas will require approximately 351,046 gpd of drinking water for public consumption.

**Table E.1 Estimated Drinking Water Usage at Build-out of Proposed Annexation Areas**

Residential		Commercial					Employment					Grand Totals	
Estimated New Dwelling Units/EDU	Projected Usage (gpd)	Total Acreage	Estimated Square Footage	Flow Projection Factor (per sq ft)	Projected Usage (gpd)	Equivalent EDU's	Total Acreage	Estimated Square Footage	Flow Projection Factor (per sq ft)	Projected Usage (gpd)	Equivalent EDU's	Projected Usage (gpd)	Equivalent EDU's
<b>Primary Annexation Areas</b>													
Annex 1	66	15,180	n/a				n/a					15,180	66
Annex 2	257	59,110	5.19	50,862	0.05	2,543.1	11.06	n/a				61,653	268.06
Annex 3	51	11,730	19.65	192,570	0.05	9,628.5	41.86	41.46	402,162	0.09	36,194.58	157.37	57,553
Annex 4	114	26,220	n/a					n/a				26,220	114
Annex 5	643	147,890	n/a					n/a				147,890	643
<b>Subtotal</b>	<b>1131</b>	<b>260,130</b>	<b>24.84</b>	<b>243,432.00</b>		<b>12,171.60</b>	<b>52.92</b>	<b>41.46</b>	<b>402,162</b>		<b>36,194.58</b>	<b>157.37</b>	<b>308,496</b>
<b>Secondary Annexation Areas</b>													
Annex A	96	22,080	n/a					n/a				22,080	96
Annex B	89	20,470	n/a					n/a				20,470	89
<b>Subtotal</b>	<b>185</b>	<b>42,550</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>42,550</b>
<b>Grand Total</b>	<b>1,316</b>	<b>302,680</b>	<b>24.84</b>	<b>243,432</b>		<b>12,171.60</b>	<b>52.92</b>	<b>41.46</b>	<b>402,162</b>		<b>36,194.58</b>	<b>157.37</b>	<b>351,046.18</b>

**Assumptions:**

1. Average daily usage for 1 equivalent dwelling unit (EDU) = 230 gpd.
  2. All new development in GC will be retail stores.
  3. Commercial and Employment development water usage was estimated by using the recommended projections outlined in the MDE Wastewater Capacity Management Plan Guidance Document.
- It is assumed that the amount of water usage will mimic wastewater usage.

## Wastewater Build-out Analysis

Using the calculations from the Municipal Growth Element (Chapter 3) it is anticipated that at full build-out the designated proposed annexation areas could produce up to 1,315 new residential dwelling units, 243,000 square feet of commercial retail use, and 402,162 square feet of employment area. To determine the approximate need for capacity at the wastewater treatment plant to service development at full build-out, an average daily usage of 235 gpd was used as determined by the historic usage calculation in the Water Resources Element (Chapter 5). Residential usage are rather straight forward in that the number of new dwelling units was multiplied by the average daily usage of 235 gpd. Commercial and employment usage was estimated using the recommended projections outlined in the MDE Wastewater Capacity Management Plan Guidance Document. It is

assumed that wastewater usage output should mimic water input. These flow projections were multiplied by the estimated new square footage that could reasonably be expected from new commercial and employment zonings. Table E.2 depicts these calculations. As shown by the table, it is estimated that build-out of the proposed annexation areas will require approximately 357,626 gpd of capacity at the treatment plant.

**Table E.2 Estimated Wastewater Usage at Build-out of Proposed Annexation Areas**

	Residential		Commercial					Employment					Grand Totals	
	Estimated New Dwelling Units/EDU	Projected Usage (gpd)	Total Acreage	Estimated Square Footage	Flow Projection Factor (per sq ft)	Projected Usage (gpd)	Equivalent EDU's	Total Acreage	Estimated Square Footage	Flow Projection Factor (per sq ft)	Projected Usage (gpd)	Equivalent EDU's	Projected Usage (gpd)	Equivalent EDU's
<b>Primary Annexation Areas</b>														
Annex 1	66	15,510	n/a					n/a					15,510	66
Annex 2	257	60,395	5.19	50,862	0.05	2,543.1	10.82	n/a					62,938	267.82
Annex 3	51	11,985	19.65	192,570	0.05	9,628.5	40.97	41.46	402,162	0.09	36,194.58	154.02	57,808	245.99
Annex 4	114	26,790	n/a					n/a					26,790	114
Annex 5	643	151,105	n/a					n/a					151,105	643
<b>Subtotal</b>	<b>1131</b>	<b>265,785</b>	<b>24.84</b>	<b>243,432.00</b>		<b>12,171.60</b>	<b>51.79</b>	<b>41.46</b>	<b>402,162</b>		<b>36,194.58</b>	<b>154.02</b>	<b>314,151</b>	<b>1336.81</b>
<b>Secondary Annexation Areas</b>														
Annex A	96	22,560	n/a					n/a					22,560	96
Annex B	89	20,915	n/a					n/a					20,915	89
<b>Subtotal</b>	<b>185</b>	<b>43475</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>43,475</b>	<b>185</b>
<b>Grand Total</b>														
	<b>1,316</b>	<b>309,260</b>	<b>24.84</b>	<b>243,432</b>		<b>12,171.60</b>	<b>51.79</b>	<b>41.46</b>	<b>402,162</b>		<b>36,194.58</b>	<b>154.02</b>	<b>357,626.18</b>	<b>1,521.81</b>

**Assumptions:**

1. Average daily usage for 1 equivalent dwelling unit (EDU) = 235 gpd.
  2. All new development in GC will be retail stores.
  3. Commercial and Employment development water usage was estimated by using the recommended projections outlined in the MDE Wastewater Capacity Management Plan Guidance Document.
- It is assumed that the amount of water usage will mimic wastewater usage.

## Non-Point Source Analysis

### Nutrient Loading Analysis Spreadsheet - Summary Results

#### Land Use and Septic Systems

(See Scenario Descriptions Below)

	2007 LU, 2007 BMPs	2007 LU, Trib Strat BMPs	Future Land Use Map (2030) Trib	Buildout Trib Strat BMPs	Scenario 3 Trib Strat BMPs	Scenario 4 Trib Strat
	(Acres)	(Acres)	(Acres)	(Acres)	(Acres)	(Acres)
Development	650	651	972	1,144	0	0
Agriculture	540	540	159	0	0	0
Forest	81	81	50	81	0	0
Water	7	7	7	8	0	0
Other	174	174	266	221	0	0
<b>Total Area</b>	<b>1,453</b>	<b>1,454</b>	<b>1,454</b>	<b>1,454</b>	<b>0</b>	<b>0</b>
Residential Septic (EDUs)	39	39	14	0	0	0
Non-Residential Septic (EDUs)	13	13	13	0	0	0

#### Total Nitrogen Loading

	2007 LU, 2007 BMPs	2007 LU, Trib Strat BMPs	Future Land Use Map (2030) Trib	Buildout Trib Strat BMPs	Scenario 3 Trib Strat BMPs	Scenario 4 Trib Strat
	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)
Development NPS	6,156	4,694	7,022	8,175	0	0
Agriculture NPS	7,846	6,172	1,921	0	0	0
Forest NPS	172	163	101	163	0	0
Other Terrestrial NPS	1,637	1,294	1,910	1,580	0	0
<b>Total Terrestrial Load</b>	<b>15,812</b>	<b>12,324</b>	<b>10,953</b>	<b>9,918</b>	<b>0</b>	<b>0</b>
Residential Septic (EDUs)	360	360	125	0	0	0
Non-Residential Septic (EDUs)	41	41	40	0	0	0
<b>Total Septic Load</b>	<b>401</b>	<b>401</b>	<b>164</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total NPS Nitrogen Load</b>	<b>16,213</b>	<b>12,725</b>	<b>11,118</b>	<b>9,918</b>	<b>0</b>	<b>0</b>
<b>Total PS Load</b>	<b>18,246</b>	<b>18,246</b>	<b>4,409</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Nitrogen Load (NPS+PS)</b>	<b>34,459</b>	<b>30,971</b>	<b>15,527</b>	<b>9,918</b>	<b>0</b>	<b>0</b>

#### Total Phosphorus Loading

	2007 LU, 2007 BMPs	2007 LU, Trib Strat BMPs	Map (2030) Trib Strat BMPs	Buildout Trib Strat BMPs	Scenario 3 Trib Strat BMPs	Trib Strat BMPs
	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)	(Lbs/Yr)
Development NPS	568	418	626	725	0	0
Agriculture NPS	718	666	198	0	0	0
Forest NPS	2	2	1	2	0	0
Other Terrestrial NPS	160	120	171	141	0	0
<b>Total Terrestrial Load</b>	<b>1,448</b>	<b>1,205</b>	<b>997</b>	<b>868</b>	<b>0</b>	<b>0</b>
<b>Total PS Load</b>	<b>3,041</b>	<b>3,041</b>	<b>441</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Phosphorus Load (NPS+PS)</b>	<b>4,489</b>	<b>4,246</b>	<b>1,438</b>	<b>868</b>	<b>0</b>	<b>0</b>

#### Impervious Cover and Open Space

	2007 LU, 2007 BMPs	2007 LU, Trib Strat BMPs	Future Land Use Map (2030) Trib Strat BMPs	Buildout Trib Strat BMPs	Scenario 3 Trib Strat BMPs	Scenario 4 Trib Strat BMPs
Total Impervious Cover	208	208	307	353	0	0
Open Space Agriculture	540	540	159	0	0	0