

THE COMMISSIONERS OF THURMONT

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Memo

To: Planning & Zoning Commission
From: Kelly Duty, Planner
cc: Jim Humerick, CAO
Date: March 19, 2026, edit on March 26, 2026
Re: **The Meadows – Major Subdivision Concept Plat
304 Apples Church Road – Cross & Company, LLC**

Background:

The contract purchaser, Daniel Cross of Cross & Company, LLC, has submitted an application for a Major Subdivision of a 24+ acre parcel located at 304 Apples Church Road on the northeast edge of the Town of Thurmont. The property, owned by Patricia Simmers, now lies entirely within the municipal boundary following the recent annexation of the remaining acreage. The applicant has submitted a Concept Subdivision Plat proposing the creation of 61 single-family residential lots with associated streets, utilities, and open space. The property is split-zoned, with approximately 7 acres zoned R-5 Residential and 16.68 acres zoned R-2 Residential.

The Town of Thurmont received a petition for annexation of the portion of the property located outside the municipal boundary on December 10, 2024. The Board of Commissioners referred the request to the Planning and Zoning Commission for review and recommendation. The annexation area consisted of 16.68 acres of the larger 24.48-acre property (Tax Map 019F, Parcel 1850), while the remaining 7.79 acres were already within the Town and zoned R-5 Residential. The Board of Commissioners introduced the annexation resolution on September 23, 2025, held a public hearing on October 21, 2025, and approved the annexation on December 16, 2025, assigning the annexed property R-2 Residential zoning. The statutory referendum period concluded on February 2, 2026, with no petition filed, at which time the annexation became effective. On March 3, 2026, the Frederick County Council granted express approval, waiving the five-year waiting period before development may begin.

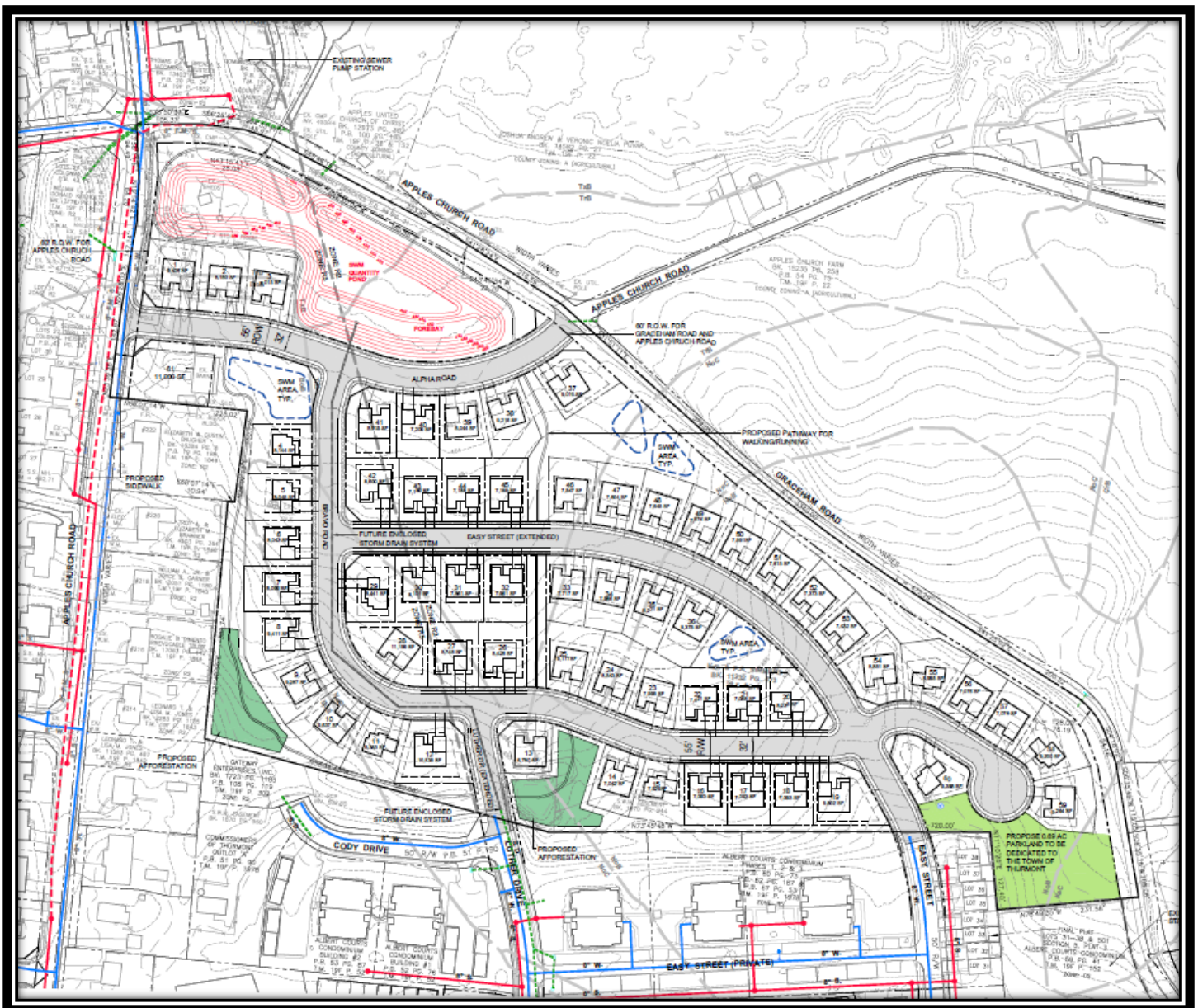
Following the effective date of annexation, the applicant proceeded with submission of this Concept Plat.

Staff Review:

Staff finds the Concept Plat to be generally consistent with the Annexation Agreement Development Plan and applicable Town regulations. The Concept Plat is intended to facilitate discussion and identify key issues prior to detailed engineering.

Discussion Points:

- Parkland and open space compliance approach
- Stormwater management strategy and regional facility design
- Neighborhood connectivity and street network design



Comments:

Zoning and Density:

1. The plat provides zoning designations on the adjoining parcels. The parcel adjoins both R-2 and R-5 zoning in Town limits.
2. The property is zoned R-2 and R-5 Residential.
3. The proposal includes 61 single-family dwellings, associated roadways, community amenities, and stormwater management facilities.
4. The proposed density is approximately 2.5 dwelling units per acre, which is below the maximum permitted density for both the R-2 and R-5 zoning districts.
5. Development of the property is governed by the Annexation Agreement, which establishes the overall development program, including limitation to 61 single-family dwellings, provision of a regional stormwater facility, parkland dedication, and required roadway connections.
6. Lot 61: provide building restriction lines, dwelling location, and driveway access from "Alpha Road".
7. Lot Standards:
 - R-5 District: Minimum 8,000 square feet; minimum lot width of 70 ft. The Concept Plat demonstrates compliance.
 - R-2 Cluster Development: Minimum 5,600 square feet; minimum lot width of 50 ft. The Concept Plat demonstrates compliance.

Open Space and Parkland:

8. Areas of common ownership shall be owned and maintained by a homeowners' association (HOA). All lot owners shall be members and share responsibility for maintenance.
9. Pursuant to Subdivision Ordinance Section 6.3(F), reductions in lot size within a cluster subdivision must be offset by common open space. Staff calculations indicate a minimum of 16,734 square feet of required open space. This shall be verified at the Preliminary Plat stage with a detailed lot chart.
10. The Subdivision Ordinance requires 1,600 square feet of parkland per dwelling unit, totaling 97,600 square feet.
11. The applicant proposes dedication of approximately 0.69 acres (30,056 square feet) to be incorporated into Carroll Street Extended Park. Up to 50% of the parkland requirement may be satisfied by afforestation areas where accessible by trails per ordinance provisions.

12. The applicant shall clearly demonstrate how the parkland requirement is satisfied, including any afforestation credit and any requested fee-in-lieu or waiver. A separate plan sheet shall delineate all parkland and open space areas.
13. The proposal supports the Thurmont Master Plan objective of interconnected open space through expansion of the existing park and provision of trail connections.

Transportation and Connectivity:

14. The Thurmont Master Plan emphasizes interconnected streets and pedestrian accessibility. The proposed sidewalk network provides internal circulation and connections to existing sidewalks along Luther Drive/ Cody Drive intersection, Easy Street, and Apples Church Road.
15. Carroll Street Park is adjacent to the site and will be directly accessible to residents.
16. Neighborhood connections to Luther Drive and Easy Street are consistent with prior Planning and Zoning Commission direction and were supported by emergency services during the annexation process. Traffic calming measures are to be determined during the subdivision review process where the connections occur at Luther Drive and Easy Street.
17. Parking requirements are satisfied with a minimum of two off-street parking spaces provided per dwelling unit (122 total spaces).
18. The proposed street section complies with Subdivision Ordinance Section 7.7(O), as amended. The proposed development will produce the following anticipated trips per day:

Use	ITE Code	Anticipated Daily Vehicle Trips ITE Trip Generation Rates
61 Single-Family Detached	210	545

19. Traffic Impact Study (TIS):

- The TIS considered existing new development, approved development and other proposals that are in the review process. Counts were taken during normal peak hours as well as shift-change of the adjacent employers.
- The TIS prepared for the original annexation proposal and updated for the 61-lot single-family dwelling subdivision indicates no adverse impact to the surrounding transportation network.
- According to Arro Engineering the 12th edition trip generating ITE (Institute of Transportation Engineers) manual has provided the following data:

Use	ITE Code	AM Peak Hour (7a to 9a)	PM Peak Hour (4p to 6p)
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61 Single-Family Detached	210	45	60
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Environmental and Stormwater:

20. Forest Retention Ordinance (FRO) requirements apply and will be reviewed and enforced by Frederick County. The applicant shall demonstrate compliance, prioritizing on-site forest where feasible.
21. Stormwater management is proposed on-site, including a regional facility serving this and adjacent developments. A detailed stormwater narrative, including drainage areas, flow paths, and facility design, shall be provided at the Preliminary Plat stage and further detailed at Improvement Plan stage. Stormwater management is regulated by the State and administered by Frederick County.

Utilities and APFO (Adequate Public Facilities Ordinance):

22. Water capacity is available. It is anticipated the current proposal would utilize 61 of the EDU's reserved. According to the Director of Public Works the recent update to the capacity study included this subdivision and it is the intent to serve this subdivision. The watermain connections shall be at Luther Drive, Easy Street and Apple Church Road. The watermain shall be stubbed at the County road. A water service shall be supplied to the park.
23. Sewer capacity is available. The current proposal would utilize 61 of the EDU's reserved. According to the WWTP Superintendent the plant is currently operating at 67% of its capacity. With the addition of approved, preliminary approved, and reserved use the plant would be operating at 70% of its capacity. The Improvement Plans must utilize the most up to date version of the Thurmont Construction and Specifications and Details.
24. The developer shall **PAY, PER THE ANNEXATION AGREEMENT, FOR IMPROVEMENTS NECESSARY TO ACCOMMODATE HIS DEVELOPMENT, WHICH INVOLVE THE REPLACEMENT OF** the existing sanitary sewer pump station to accommodate proposed flows. The new facility shall include a deeper wet well to allow gravity flow, pumps sized for peak flow with redundancy, modern controls with alarm capabilities, a separate valve vault, and all associated infrastructure. The developer shall replace the existing sanitary sewer pumping station with a new facility designed to accommodate gravity flow from the proposed development and existing system demands, including a deeper concrete wet well to prevent surcharge and pump short-cycling; pumps sized for maximum flow with redundancy (1+1), installed on slide rails; a control panel with automatic lead/lag alternating operation and alarm auto-dialer; a separate valve vault with check and isolation valves; an aluminum access hatch for maintenance; and a pole-mounted LED site light (switch-controlled). All manholes shall be located within roadways for access, all sewage from dwellings shall flow by gravity to the pump station, and all bypass pumping, demolition of the existing

station, and construction of the new facility shall be the responsibility of the developer. All construction, bypass pumping, and demolition of the existing facility shall be the responsibility of the developer and shall comply with all Town, County, and State requirements.

25. Electric services from the Town are available to serve the community. Electric would be provided via overhead lines from Eyler Road into the proposed community.
26. Trash collection shall be provided within the development.
27. According to Frederick County Public Schools Quarterly Report, local schools are operating below State Rated Capacity, with enrollment ranging from approximately 50% to 76%. A formal review by FCPS will occur at the Preliminary Plat stage.

Design and Implementation:

28. The applicant shall provide architectural renderings at the Preliminary Plat stage to demonstrate compatibility with the surrounding area and consistency with the Town's character.
29. The applicant shall provide at the Preliminary Plat the diagram on a plan sheet showing that garbage trucks, fire trucks and other emergency vehicles can make all turns within the proposed community, which was provided during the annexation review. It will be important for the Planning and Zoning Commission to see that again with the Preliminary Plat and Improvements Plan.
30. Landscaping shall include a multi-species vegetative buffer along adjoining properties and street trees to establish a cohesive streetscape. Thurmont maintains a recommended street tree list. The use of three to four different street tree species along a roadway is encouraged to create a sense of order and establish a strong sense of place.
31. Any proposed community signage shall comply with Town Code requirements. Sign regulations are: 12 square feet maximum size, 6 ft high, and 8 ft from lot lines (20 ft if lighted). It shall be located on property owned and maintained by the HOA.

Conclusion

The Concept Plat represents the initial step in the subdivision review process and is intended to guide discussion rather than constitute formal approval. The Planning and Zoning Commission is encouraged to provide direction on the key issues identified in this report.

A Preliminary Plat will follow, providing detailed engineering and incorporating Commission feedback, followed by Improvement Plans addressing infrastructure design and construction details.