



*Maryland Department of Planning*

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*Matthew J. Power*  
Deputy Secretary

August 11, 2010

Honorable Mildred L. Myers  
Mayor of Smithsburg  
P.O. Box 237  
Smithsburg, Maryland 21783-0237

Mayor Myers:

The Maryland Department of Planning (MDP) has completed our review of the Town of Smithsburg's 2009 Comprehensive Plan Update. Thank you for your participation in the plan review process. The State of Maryland is committed to fighting the high financial, social, and environmental costs of sprawl development through effective Smart Growth and Neighborhood Conservation strategies.

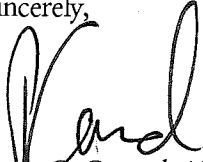
The draft plan is a good faith effort to address many of the required elements of HB 1141, however, we recommend that you consider our comments and further refine the components contained in the legislation. The attachment includes comments and recommendations from the MDP. Comments that appear in bold sentence or paragraph form require additional attention in order to strengthen the Plan. Please review our comments to ensure the Plans compliance with HB1141. Additional comments that may be forthcoming from other State agencies will be forwarded as we receive them.

The MDP would like to commend the Town for creating a Plan that understands and accommodates for the unique nature of the Town of Smithsburg. Comprehensive Plans are strengthened when the local implementing tools reflect the visions and strategies of the plan. We recommend that within six months after adoption of the comprehensive plan amendments, the Town review it's Zoning and Subdivision Ordinances for consistency with the plan. MDP would like to remain involved and updated on that process as it moves forward.

Honorable Mildred L. Myers  
August 11, 2010  
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Thank you again for the opportunity to review the Town of Smithsburg's 2010 Comprehensive Plan Amendments. If you have any questions and/or require assistance, please contact the review coordinator David V. Cotton at 301-777-2161.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Conrad". The signature is fluid and cursive, with the first name "P." and the last name "Conrad" clearly visible.

Peter G. Conrad, AICP  
Director  
Local Government Assistance

Enclosure: MDP Review Comments

cc: David V. Cotton, MDP Regional Planner  
Jason Dubow, Planner, WRE Coordinator  
Rich Josephson, Director, Planning Services  
Rita Elliott, MDP Clearinghouse



**Review Comments from the Maryland Department of Planning  
Town of Smithsburg  
2010 Comprehensive Plan Amendments  
Water Resources and Municipal Growth Elements  
August 11, 2010**

During the 2006 legislative session House Bill 1141 was passed requiring Counties and Municipalities address several new elements within their Comprehensive plans. Under the provisions of this law all new elements will need to be included into comprehensive plans by October 1, 2009. Guidance documents for the Municipal Growth Element and the Water Resources Element are available at the Maryland Department of Planning (MDP) website [www.mdp.state.md.us](http://www.mdp.state.md.us) . MDP has reviewed Smithsburg's Comprehensive Plan and offers the following comments.

**MUNICIPAL GROWTH ELEMENT**

Maryland Department of Planning appreciates the inclusion of a capacity analysis and a discussion on the Town's impacts on infrastructure. It appears that Smithsburg's 2030 population projections appear to be aggressive and may not accurately represent future growth trends for the municipality.

*Population Projections:*

According to the Plan, the average household size in Smithsburg in 2000 was 2.95 persons per household (p. 5). This is expected to decrease to 2.81 persons per household in 2030, or 120 percent of the County household size (p. 51). As the Plan notes, population growth in Smithsburg has exceeded County growth rates since 1990. The Plan forecasts this growth to continue into the future, partly due to past trends and partly due to growth supported by redevelopment at Fort Ritchie. Development at Fort Ritchie is expected to generate 4,500 jobs and provide 673 residential units (p. 49). Recent news articles describing the Fort Ritchie redevelopment show that it is progressing and is attracting tenants.<sup>1</sup>

According to the Plan, if growth were to continue at the historic rates, it would be "reasonable" to expect a population of 9,113 persons in the Town in 2030 (p. 50). However, the Plan posits that this growth rate would strain community resources and posits a lower growth rate of 4.15 percent per year that the Town "intends" to allow. The Plan refers to this as the Town's population forecast (p. 51):

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<sup>1</sup> COPT inks tenant deals at Fort Ritchie at Cascade development:  
<http://baltimore.bizjournals.com/baltimore/stories/2009/02/16/daily55.html>

<b>Town Population Forecast</b>	<b>Census 2000</b>	<b>Proj 2010</b>	<b>Proj 2020</b>	<b>Proj 2030</b>
<b>Average HH Size</b>	2.95	2.91	2.85	2.81
<b>Population</b>	2,146	3,239	4,834	7,666
<b>Households</b>	728	1,113	1,696	2,728
<b>Housing Units</b>	N/A	N/A	N/A	N/A

As the chart above shows, this would result in a population of 7,666 persons in 2030, or 256 percent larger than in 2000. The Town would also add an average of 67 new housing units per year from 2000 to 2030. As Smithsburg added only 292 new units from 2000 to 2010 (an average of 29 units per year), the Town is already behind its projected growth and would need to add 85.4 new units per year from 2010 to 2030 to achieve this growth forecast.

This projection is based on the “compounding” effect of applying a flat growth rate to a population, creating a situation where each subsequent period sees larger numeric population growth than the one before. After reviewing data on past growth trends and future County projections, MDP finds that this method results in projections that are too high.

Data since 2005 shows that growth has stalled in the Town due to the economic downturn. While Census Bureau estimates posit that population increased from 2,146 persons to 2,859 persons from 2000 to 2005 (a 33 percent increase), they also posit that the Town only grew to 2,909 persons from 2005 to 2009 (an increase of only 50 persons or 1.7%) and did not grow at all from 2008 to 2009. As Washington County is estimated to have grown during this time period, the share of total County population that resides in Smithsburg has declined from its 2005 peak of 2.02 percent to 1.99 percent, though this is still above the 2000 share of 1.65 percent. The population forecast included in the Plan would see Smithsburg’s share of Washington County’s population increase to approximately four percent of the County’s total. Judging from recent history, this seems high.

<b>Census Bureau Population Estimates</b>	4/1/2000	7/1/2005	7/1/2006	7/1/2007	7/1/2008	7/1/2009
Smithsburg town	2,178	2,859	2,900	2,908	2,909	2,909
Washington County	131,923	141,195	143,234	144,999	145,450	145,910
Smithsburg share of County Population	1.65%	2.02%	2.02%	2.01%	2.00%	1.99%

A review of housing unit data from Maryland PropertyView (2009) shows that, while housing unit growth peaked in 2003 at a historic high of 74 new units, construction has virtually ceased since 2005. While it is true that almost one-third of all currently-existing housing units in Smithsburg were built since 2000, this seems to be an anomaly based on the recent housing bubble, not a trend.

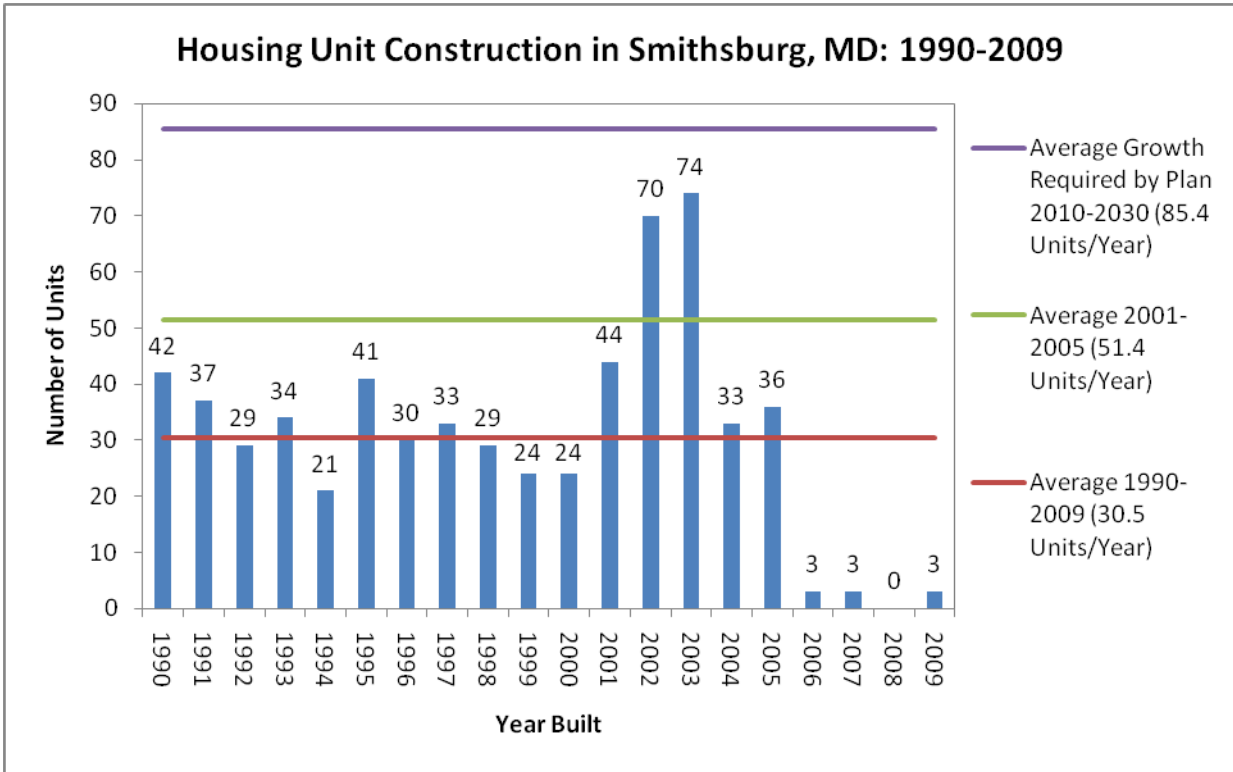
**Housing Units Built Since 2000 (MD PropertyView 2009)**

<b>Year</b>	<b>Rental Dwelling</b>	<b>Single-Family Home</b>	<b>Townhouse</b>	<b>All Housing Units<sup>2</sup></b>
2000	0	18	6	24
2001	0	40	4	44
2002	0	28	42	70
2003	1	40	33	74
2004	0	28	5	33
2005	0	19	17	36
2006	0	3	0	3
2007	0	3	0	3
2008	0	0	0	0
2009	0	1	2	3
2010 (Incomplete)	0	2	0	2
<b>Total 2000-2010</b>	1	182	109	292
<b>Smithsburg Total</b>	3	733	169	905
<b>Percentage Since 2000</b>	33.3%	24.8%	64.5%	32.3%

The chart below shows all currently-existing housing units in Smithsburg based on their year of construction. It shows that, on average, Smithsburg has added 30.5 new housing units per year since 1990. The volume of new construction seen in 2002 and 2003 is an anomaly as compared to previous years, as is the virtual standstill in new construction since 2005.

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<sup>2</sup> Excludes rental apartment structures classified as commercial property.



In addition, while the Plan recognizes that the housing vacancy rate in Smithsburg was 4.6 percent in 2000 (p. 19), projections do not seem to take vacancy rates into account. When basing population estimates or projections on housing unit numbers, we would expect that vacancy rates be factored into the equation, as it would be unlikely for any area not to have vacant housing units.

The table below contains an example of an intermediate population, household, and housing unit projection for Smithsburg based on an average growth rate of 30.5 housing units per year (the same average realized during the 1990-2009 period), a 95.7 percent housing occupancy rate (derived from Census 2000 data), and a population per household that decreases from 2.95 persons per household in 2000 to 2.81 in 2030:

Projection (based on 30.5 new housing units per year from 2010 to 2030)	Census 2000	Estimate 2005	Proj 2010	Proj 2020	Proj 2030
<b>Housing Units</b>	763	1,044*	1,056**	1,361	1,666
<b>Occupancy Rate</b>	95.7%	95.7%	95.7%	95.7%	95.7%
<b>Vacant Units</b>	35	45	46	59	72
<b>Occupied Housing Units/Households</b>	728	999	1,010	1,302	1,594
<b>Persons Per HH</b>	2.95	2.86	2.91	2.85	2.81
<b>Population</b>	2,154	2,859	2,939	3,711	4,479
<b>Town Share of County Population</b>	1.6%	2.0%	2.0%	2.2%	2.4%

\* Based on Census 2000 unit count plus all new housing units since 2000.

\*\*2010 Projection assumes 3 more units built during 2010.

The table below contains an example of a high population, household, and housing unit projection for Smithsburg based on an average growth rate of 51.4 housing units per year (the same average realized during the 2001-2005 period), a 95.7 percent housing occupancy rate, and a population per household that decreases from 2.95 persons per household in 2000 to 2.81 in 2030:

<b>Projection (based on 51.4 new housing units per year from 2010 to 2030)</b>	<b>Census 2000</b>	<b>Estimate 2005</b>	<b>Proj 2010</b>	<b>Proj 2020</b>	<b>Proj 2030</b>
<b>Housing Units</b>	763	1,044*	1,056**	1,570	2,084
<b>Occupancy Rate</b>	95.7%	95.7%	95.7%	95.7%	95.7%
<b>Vacant Units</b>	35	45	46	68	90
<b>Occupied Housing Units/Households</b>	728	999	1,010	1,502	1,994
<b>Persons Per HH</b>	2.95	2.86	2.91	2.85	2.81
<b>Population</b>	2,154	2,859	2,939	4,281	5,603
<b>Town Share of County Population</b>	1.6%	2.0%	2.0%	2.5%	3.0%

\* Based on Census 2000 unit count plus all new housing units since 2000.

\*\*2010 Projection assumes 3 more units built during 2010.

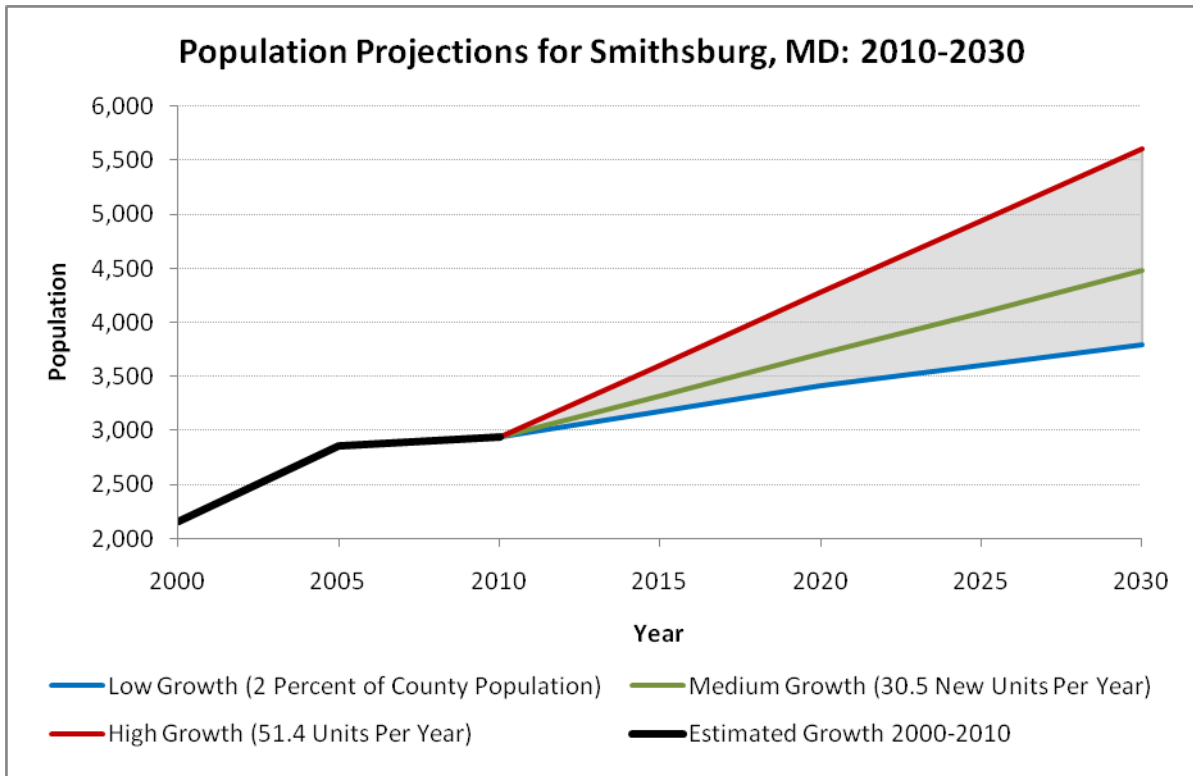
The table below contains an example of a low population, household, and housing unit projection for Smithsburg based on Smithsburg's population remaining a constant 2 percent of County population, a 95.7 percent housing occupancy rate, and a population per household that decreases from 2.95 persons per household in 2000 to 2.81 in 2030:

<b>Projection (based on 2 percent share of County population from 2010 to 2030)</b>	<b>Census 2000</b>	<b>Estimate 2005</b>	<b>Proj 2010</b>	<b>Proj 2020</b>	<b>Proj 2030</b>
<b>Washington County Projection</b>	131,923	141,195	149,250	170,950	189,750
<b>Town Share of County Population</b>	1.6%	2.0%	2.0%	2.0%	2.0%
<b>Smithsburg Population Projection</b>	2,154	2,859	2,939	3,419	3,795
<b>Persons Per HH</b>	2.95	2.86	2.91	2.85	2.81
<b>Number of Households</b>	728	999	1,010	1,200	1,351
<b>Occupancy Rate</b>	95.7%	95.7%	95.7%	95.7%	95.7%
<b>Housing Units</b>	763	1,044*	1,056**	1,254	1,412

\* Based on Census 2000 unit count plus all new housing units since 2000.

\*\*2010 Projection assumes 3 more units built during 2010.

All three projections are graphed on the next page. It is likely that the actual future population for Smithsburg will fall within the range illustrated on the figure.



*Development Capacity Analysis*

MDP appreciates the inclusion of a development capacity analysis in the MGE. According to the plan, the Town, through infill development, has capacity for 102 new dwelling units within the existing municipal boundaries, or 287 persons (using year 2030 persons per household figure of 2.81). When subtracting 287 from the total population figure of 5,520, this leaves an additional 5,233 persons. Due to this demand, 4 annexation areas have been identified in the MGE. The densities provided on page 53 for each of the annexation areas identify a total of 2,417 additional dwelling units (which translates into 6,791 people using the 2.81 persons per household figure), leaving the Town with additional capacity of 1,558 persons or roughly 554 dwelling units. Please keep in mind the relationship between land supply and future population demand in the Town. If you provide too little land for development (be it on greenfields, redevelopment or infill) the land cost will become too high or development may spill over to adjacent jurisdictions. If you provide too much land for development, it will tend to be used inefficiently. In addition, plans and growth controls will be marginalized because there are an abundance of locational options for each new development.

*General Comments:*

MDP appreciates the Town’s APFO and Building Excise Tax, which together will ensure that schools and other infrastructure will support existing and future demand.

The Smart, Green and Growing Planning legislation enacted by the 2009 Maryland General Assembly established 12 new planning visions that reflects more accurately the State’s goal to implement sound growth and development policy. Please update text on page 2 to reflect these new changes.

## WATER RESOURCES ELEMENT

The WRE would meet the requirements of HB1141 with recommended amendments. The most important amendments to include are in **bold**. The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows, and discussed in more detail below:

The WRE is incomplete. The WRE will meet the requirements of HB1141 with recommended comments added. The most important comments to include are in **bold**. The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows:

- The WRE should, for each watershed, calculate the total forecasted nutrient load, which includes nutrient loads from current and future WWTP discharges, septic tanks, and stormwater runoff (MDP M&G 26, p. 13).
- Does the WRE show or refer to the boundaries of relevant areas used for planning, including designated growth areas and current sewer and water service areas (MDP M&G 26, p. 27)?
- Does the WRE estimate the future demand for water by reviewing associated commercial, industrial, and agricultural water demand (MDP M&G 26, p. 27)?
- Does the WRE identify strategies to meet future water quantity needs, including alternative water sources, demand reductions, and land use/zoning modifications (MDP M&G 26, p. 27)?
- Does the WRE include nonpoint source loading analyses conducted in support of the WRE and provide a preliminary assessment of potential changes in nonpoint source loads due to land use planning decisions (MDP M&G 26, p. 39)?

### Overall comments:

- The Town of Smithsburg does not own or operate its water or wastewater treatment plants. Therefore, the Town is commended for specifying the need to work with Washington County and other municipalities to ensure that future allocations can accommodate the Town's growth plan.
  - Agreements for water and sewer allocations with the City of Hagerstown and the County should be substantiated by the inclusion of the agreements in an Appendix.
- The Water Resources section of the Community Facilities Element (p. 39) includes information that satisfies WRE requirements but is not included in the WRE. This information should be moved to or duplicated in the WRE. The Community Facilities Element could refer readers to the WRE for more information on Water Resource issues.

Information that should be moved to or duplicated in the WRE includes:

- "The service area of the WWTP includes Cavetown and some unincorporated areas of the County."
- "The discharge from the WWTP occurs along Grove Creek to the northwest of Town."

- The comments about inflow and infiltration (p. 39).
  - Charts showing Smithsburg's average water usage (p. 40).
  - Information about the age and condition of Town water lines (p. 41).
  - The Town's water storage capacity (p. 41).
- The second paragraph on page 41 is not clear. It should be revised to read: "The Town currently has three water storage tanks with a total storage capacity of 710,000 gallons."
  - **The WRE should include maps that show existing and proposed water and sewer service areas and a discussion of when and what amount of service will be provided in future annexed territories. Areas not planned for service should be noted. If service is not planned what facilities will be allowed?**
  - **The Town should provide an estimate of the future water and sewer demand (both residential and non-residential) from the proposed growth areas at build-out. If non-residential demand is not expected, the WRE should state this.**
    - The WRE projects 2030 water and sewer demand for 1,700 additional dwelling units (p. 61). However, the WRE should also provide an estimate for the build-out analysis in the MGE, which shows a capacity for 2,417 additional dwelling units in the municipal growth areas (p. 53).
  - **It is unclear whether future water and sewer demand projections include associated commercial, industrial, or agricultural demand within the Town. If there is no future projected demand from these uses the WRE should state this.**

Comments on the water demand analysis:

- **The WRE should identify strategies to meet future water quantity needs, including alternative water sources, demand reductions, and land use/zoning modifications.**
  - The Town purchases its water from the City of Hagerstown. The WRE states that, though Hagerstown has the capacity to serve projected growth in the Town of Smithsburg, the Town does not have a guarantee of future allocation (p. 61). The WRE should discuss other options for meeting the Town's projected water needs.
- The WRE does not state whether there are any private wells in the Town. Please add this information. If wells exist, please note whether there are plans to connect any failing wells to the public water system and the capacity needed to serve them. The plan could then discuss whether they are susceptible to pollution and whether these might be included in future source water protection plans.

Comments on the sewer demand analysis:

- **The WRE should make clear how much wastewater is being produced by the Town and the Town's current allocation.**
  - **The WRE states that the 2009 average daily flow at the County-owned WWTP was 235,989 GPD and that its current capacity is 333,000 GPD (p.**

62). The WRE does not state what amount of wastewater is produced specifically by the Town nor does it specify the Town's current WWTP allocation.

- **The Town's projections show that as of 2030 it will surpass the capacity of the WWTP by 5,500 GPD (assuming the WWTP is upgraded from 333,000 GPD to 600,000 GPD) (p. 62).**
  - **This estimate appears to assume that 100% of new capacity created by upgrading the Smithsburg WWTP will be allocated to the Town. However, the WWTP also serves "Cavetown and some unincorporated areas of the County" (p. 39). The WRE should clarify on what basis the Town can assume 100% of the WWTP's upgraded capacity.**
- The Town is commended for stating that it will need to work "in cooperation with the County to monitor the allocation usage over the next 20 years to ensure that development does not exceed capacity" (p. 62).
- The WRE states that in the early 2000's the Town hired a consultant to document the condition of the sewer collection system. The WRE should estimate the amount of sewer treatment capacity that is being used up by inflow and infiltration.

Comments on identifying suitable receiving waters:

- **The WRE needs to include a pollution forecast (point and nonpoint source pollution combined) for Smithsburg's proposed land use plan.** The WRE should include an assessment of current pollution impacts and future pollution impacts based on the proposed land use plan.
  - The WRE states that the Town is waiting for the County to complete its point and non-point source pollution forecast and will incorporate those findings into the Plan when they are complete.
- **The WRE should discuss the suitability of receiving waters.** One option would be to include the following sentences in the Town of Smithsburg WRE: "the presence of a TMDL is a sign that pollution control efforts must outweigh additional pollution impacts from future land use change and WWTP 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."

- The WRE should consider future land use patterns and calculate future and total impervious cover
  - The Town determined that the total impervious area within the Antietam Creek watershed is approximately 6.81%.
  - Given the Town's plans to add 1,700 new households by 2030, with an annual growth rate of 4.5%, it is important to specify how this will impact the Town's future impervious cover.