



**Maryland Department of Planning**  
**Comments on the Town of New Market Draft Municipal Growth Element**  
**August 11, 2010**

The Maryland Department of Planning (MDP) has reviewed the Town's Municipal Growth Element (MGE) in the context of the requirements of HB 1141 and offers the following comments for your consideration. These comments are offered to guide the Town in ways to improve the draft MGE and better address the statutory requirements of HB 1141 (2006).

**MGE Relationship to 2005 New Market Master Plan**

The MGE submitted is titled as "Addendum to the 2005 New Market Master Plan". Since an addendum is an addition to something the existing 2005 New Market Master Plan was also reviewed in the context of the MGE. The salient chapters of the 2005 New Market Master Plan should be updated and expanded where necessary to support the inclusion of the MGE and the future WRE.

MDP suggests that the current New Market Master Plan be reorganized under broad headings that correlate with plan elements required by 66(B) to include:

- Statement of Goals, Objectives, Principles, Policies and Standards
- Transportation Plan Element
- Mineral Resources Plan Element (if applicable)
- Water Resources Plan Element
- Municipal Growth Plan Element
- Sensitive Areas Plan Element
- Land Use Plan Element
- Community Facilities Plan Element
- Recommendation for Land Development Regulations to Implement the Plan

Additional Plan Elements:

- Community Renewal Elements
- Housing Elements
- Flood Control
- Pollution Control
- Conservation
- Natural Resources
- Priority Preservation Areas
- General Local and Extent of Public Utilities
- Workforce Housing Plan Element

The various required elements found in further detail in Article 66B should be supplemented with maps where necessary. It may also be helpful to place the Twelve Visions currently included in the MGE at the beginning of the Master Plan so that they may woven throughout the Plan rather than simply be inserted as a list without being considered in the Plan document. The existing Plan (2005)

includes the former Eight Visions (page 5) which may be confusing if the MGE addendum now references the Twelve Visions.

Some other examples of the existing Plan (2005) in need of updating is the 8,275 vehicle trips per day noted on page 8 which does not correspond to page 18 of the MGE.  
How do the water figures on page 10 of the 2005 Plan correspond to page 26 of the MGE?

Page 14 of the 2005 Plan should be updated now that the New Market Region Plan has been adopted.

Page 15 of the 2005 Plan needs to be update to correspond to the MGE addendum. If the 2005 Plan is not updated the reader will have conflicting information under one Plan document.

How do the Visions starting on page 17 of the 2005 Plan correspond to the Town Visions on pages 3-4 of the MGE?

Page 35 of the 2005 Plan says “The Town of New Market does not currently have an APFO nor has it selected a specific approach to infrastructure provision beyond its use of annexation and development rights and responsibilities agreements.” The intent of a MGE is that it is the opportunity for a municipality to consider its growth, if they can provide adequate facilities and how they are going to pay for it. Attached to these comments is the Municipal Growth Element Checklist which can be used as a guide in completing a MGE.

**Population Projections/Future Land Needs (contained in the MGE)**

<b>MDP Population Projections</b>	<b>Census 2000</b>	<b>Proj 2005</b>	<b>Proj 2010</b>	<b>Proj 2015</b>	<b>Proj 2020</b>	<b>Proj 2025</b>	<b>Proj 2030</b>
Population	427	480	594	763	990	1,276	1,680
Population Per Household	2.69	2.68	2.67	2.64	2.62	2.60	2.60
Households	159	179	222	289	378	490	647
Vacancy Rate	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
Housing Units	170	192	238	309	404	524	692

Above are MDP’s most recent population projections for the Town of New Market. These projections assume that average household population in New Market will decrease over time in proportion with Frederick County’s numbers. It is based on recent growth trends in and around the Town and, due to the recent economic downturn, may already overstate the Town’s 2010 population.

A review of the population projections in the draft MGE finds that future population and household trends are not clearly laid out. Table 1 on page 5 shows historic and projected population figures for the Town, though the 2030 projection does not match MDP’s projection (but is referenced as coming from MDP). On page 10 of the MGE, the Plan forecasts 647 new households in the Town, a figure that matches MDP’s forecast (and is associated with the 1,680 population forecast total in 2030) but has no source. The Plan needs to clearly state its population projection numbers over the 20-year planning horizon to properly account for the effects of population growth in that time period.

The data in Table 4 on page 14 is also presented as population projections to 2030, but the 2030 population of 1,432 (465 persons in 2008 plus 967 additional persons) does not match the data presented in Table 1 of 1,444 total residents in 2030. The balance of the projection data in the report

seems to be based on a build-out analysis that examined the total capacity of the land in and around the Town.

The population projections that appear on page 6 (part of Table 1), and another set on page 14 (Table 4) are confusing in relation to each other. Table 4 lists multiple projections (MDP, Frederick County and New Market), and also includes various geographic areas (Town, New Market growth area-by county, New Market planning area-by town). The range between the highest and lowest is considerable; 2,654. The Plan should explicitly state which of these projections the Plan is based upon. This will assist in determining the relationship between land supply and population demand.

The inclusion of various planning/growth area geographies creates confusion in assessing land needs and consistency with other local plans and policy. The manner in which the discussion jumps from County Growth Areas, Town Planning Area and Future Annexation Areas is very difficult to follow, providing a table showing each of the population, household and capacity figures together would be helpful as well as a map with all of the boundaries together.

The actual annexation limits are not clear. On page 12, statements regarding the “Development Staging Mechanisms” and “Annexation” state that “the New Market Community Growth Area does not necessarily represent an annexation limit for the Town of New Market. Although the Town’s 2005 Master Plan designates a growth area that represents their proposed annexation area, it is larger than the County’s New Market Community Growth Boundary.” Additionally, this section states that any property that is contiguous to the Town’s municipal boundary could potentially be annexed regardless of whether the property is within the County’s Community Growth Boundary. These statements infer that the actual annexation area is larger than what is presented on maps included in the MGE addendum.

It is unclear if the 2005 annexation area differs from the annexation area and planning area shown on the New Market Proposed Land Use Map in the MGE addendum. The areas shown for annexation in the MGE addendum do not seem to match the 2005 growth areas. Further, the actual capacity of the entire annexation area is unclear. The 2005 Plan includes some capacity figures for annexation areas presented in the 2005 Plan and the MGE addendum has additional capacity information for MGE addendum annexation properties (Smith/Cline). The MGE should clearly outline all areas considered for future annexation; their development capacity, future land use and acreages should appear in a chart (similar to Table 10-29) to make this information easier to find within the plan. (“Thus Smith/Cline with 925 units, if annexed would provide added capacity of 822 units” (p15).)

Annexation/Property Name	Acreage	Proposed/Future Land Use/Zoning	Capacity/Potential DU
Smith/Cline	?	?	822 units

Page 15 of the MGE addendum references a map called “New Market Planning Area” which was not included in the draft Plan review materials. This map if it does not already do so, should include all potential annexation areas and their intended use. This map could then be tied to the chart above to make a clear connection between land supply and projected population demand. In the context of planning it is important to strive for the proper balance between land supply and population demand. Related to the above statement, once the total capacity of all areas considered for annexation are calculated the Town may find that there is a mismatch between land supply and population demand. It appears from the 2005 annexation plans and the MGE annexation plans there may be an oversupply of land for the projected population. In this case the Town may need to consider implementing/revising a phased or alternative annexation plan.

Tables 10-29 & 10-30 (Table numbering is out of sequence) provide several capacity figures for the County and Town Portion of Growth Areas by land use type. A map showing which areas are included in each of the respective charts would be helpful given the confusing nature of the differing growth areas. Additionally, the footnote at the bottom of Table 10-30 references the densities used to compute the total potential dwelling units. It is unclear how these densities were derived. The Low Density Residential (LDR) is established at 3.5, this does not match any zoning density for Low Density Residential in the Town or County.

Correction: MDP would like to make a correction to a statement included in the draft Plan which was provided to the Town in the draft In Town Capacity analysis completed by MDP. On page 15 it states that about 50% of New Market's capacity is on small infill types of lots- this is not correct a majority of the In Town capacity is attributed to pipeline development, approximately 336 of the 365 units.

The Town should consider including the map of In Town Capacity provided by MDP with the capacity analysis (see attached).

### **Public Services & Infrastructure**

The Town needs to address the implications of all areas considered for annexation in the horizon year of this Plan when discussing their impact on public facilities.

Accounting for growth and services in annexation areas is required in the MGE. Page 12 of the Plan states "that any property that is contiguous to the Town's municipal boundary could potentially be annexed regardless of whether the property is within the County's Community Growth Boundary." The Town should verify that the necessary infrastructure will be available in these areas since they differ from County Growth areas or address how these areas will be serviced. Further, areas cannot be annexed if they are not fully discussed in the MGE and based on all of the facets noted in the Municipal Growth Element Checklist (attached).

### **Future Vision**

MDP commends and encourages the Town to move forward in the preparation of a Municipal-County planning agreement to address concurrence on appropriate annexation areas. This would also help remove some of the inconsistencies in planning geographies between the Town and the County. A part of HB1141 is the "Meet and Confer" provision which the Town and the County should participate. The statutory "Meet and Confer" provisions should be considered a minimum as municipal and county communication and collaboration can often require additional meetings.

The Town's visions and objectives (pages 3-5) and policies for relating future development to existing character (pages 33-35) are good. New Market began as a compact town with farmland around it, but subdivisions to the north, east, and west violated the traditional pattern, creating a landscape of suburban sprawl.

The Plan's visions and objectives seem designed to restore the efficient, mixed-use character of New Market, and opportunities exist for new development to ameliorate some of the damage done by recent subdivisions. However, many of the land use proposals for the planning area seem to work against this.

There are three parcels on MDP's AgPrint map (<http://www.agprint.maryland.gov/map.html>) as desirable for land preservation are marked for development in this Plan: the parcel east of Boyer's Mill Road, above the Conservation area, is designated Agriculture Reserve (lots of 3 to 5 acres), while two parcels in an annexation area southeast of the Conservation area are designated Mixed

Commercial/Industrial. If these parcels were preserved instead of developed, they would adjoin preserved land in the Conservation area to create a greenbelt to prevent further sprawl around New Market. In addition, undeveloped parcels east of Route 75 in the Low Density Residential area and in the annexation area designated Mixed Commercial/Industrial could be preserved to form a buffer to the adjoining Eastern County Priority Preservation Area (see attached map) designated by the County. This 46,000-acre PPA is the County's largest, so development pressure near it should be minimized.

Finally, increasing development pressure on agricultural land further would increase the potential for the proposed parkway to generate unintended sprawl.

### **Financing Mechanisms**

Please ensure that the MGE includes a discussion of financing *mechanisms* to pay for those items associated with public school capacity, library services, public safety, water facilities, sewer facilities and stormwater management systems. Merely listing a cost without an analysis of how it will be paid for does not fulfill the MGE requirements.

### **General Comments**

Where possible, tables should not be split between pages (Table 1 (p5-6), Table 3 (p 10-11)) etc. If these tables must be split between consecutive pages, the labels/headings should appear again to avoid confusing readers, and keep them from flipping back and forth.

Need to fill in the blanks when referencing maps and tables (Map\_) in the text.

Page 11- error, word repetition- first sentence under B. County Growth Assumptions.

### **Transportation**

MDP is pleased to note that the Town emphasizes the desire for an “orderly, compact, phased, and compatible growth” as “the alternative to the suburban sprawl and automobile-dependent development”. The Town of New Market’s historic and small town character will be enhanced through implementation of compact, mixed-use and well-designed infill and planned developments with adequate infrastructure, connected street networks safely accommodating vehicles, pedestrians and bicycles, and other community amenities. The Town should also include an objective that calls for enhancing the overall cohesiveness of the Town by connecting future infill and planned new growth with existing communities.

### **The Proposed Parkway between Boyers Mill Road and MD 75**

The Town has been concerned about the traffic situation on Main Street (MD 144). Although the current traffic counts on Main Street do not indicate a capacity deficiency (Note: The ADT on MD 144 is about 8830 which is well below the capacity of 20,000 ADT for this type of two-lane highway. See the link for the traffic volume map:

[http://www.sha.state.md.us/Traffic\\_Volume\\_Maps/frederick.pdf](http://www.sha.state.md.us/Traffic_Volume_Maps/frederick.pdf). If there are no other improvements to the local street infrastructure, traffic on Main Street would be expected to increase as the Town and the region continues to grow. The State’s Consolidated Transportation Program includes the I-70/Meadow Road Interchange Improvement Study. The improvements on the interchange would help to relieve some traffic pressure on Main Street in the future. Some County planned roadway improvements, e.g., the Town Center Connector, could also help to divert some Main Street traffic which has a destination to west of New Market.

It is unclear whether the proposed parkway would function as a bypass for Main Street or mainly as a local road that would accommodate or facilitate developments along the roadway corridor. According to the County, the results of the Traffic Studies for the New Market Region conducted by the County between 2006 and 2008 may not be used as the only justifications for future major roadway improvements due to the concerns on the study methodology and assumptions which did not reflect the latest land use policies in the adopted Countywide Comprehensive Plan. It is good that both the County and the Town call for a feasibility study on the proposed parkway to assess its potential to reduce traffic on Main Street. It is suggested that in addition to studying its bypass function, the Town and the County, in a coordinated effort, should address the following parkway related issues: the funding mechanisms, the issue of Plan inconsistencies on growth, and the feasibilities of providing water/sewer and school capacities that seem to be inadequate currently in support of additional growth along the proposed parkway.

In coordination with Frederick County and the Maryland State Highway Administration, the Town should seek opportunities to improve the existing roadway connectivity to enhance the east-west travel. Besides Main Street and MD 874, a partial east-west route, there isn't any other east-west road in New Market. While there are many uncertainties on the proposed parkway (discussed above), in the near future we encourage the Town, in coordination with the County, to complete the proposed the extension of Royal Oak Drive to MD 874 and MD 75. Though this extension may not function as a full bypass of Main Street for the Town, but it would be an alternative to Main Street for traffic on Royal Oak Drive traveling to MD 75 and I-70. Please note that the planned Royal Oak Drive extension depicted in the approved Frederick County Comprehensive Plan (<http://www.frederickcountymd.gov/documents/Planning/Comprehensive%20Plans/Community%20Growth%20Areas/NewMarketOpt.PDF>) is different from the one shown on the draft MGE's Exhibit B – Smith Cline New Market Parkway Map. The Town should coordinate with the County to address this difference.

### **New Market Growth Area MGE Water Analysis**

- The MGE does a good job of projecting future dwelling units and demand for both water and sewage at build out.
- The MGE indicates that at build-out demand will surpass water supply currently being permitted by a Water Service Area Agreement (WSAA) with Frederick County but plans to provide alternate sources of water are unclear.
- The MGE indicates that current WWTP capacity could accommodate future build-out but that current WWTPs will be replaced by a new plant. The capacity of the future plant is not specified.
- At build-out the Town expects to have 1,645 dwelling units. The MGE does not indicate what amount of water and sewer demand is expected from the mixed commercial and industrial growth areas (Delaplaine and Ganley) at build-out.

### **Water**

- Potable water is treated at the Potomac River (New Design Road) WTP. The capacity of this plant is unclear. The MGE states that the WTP has increased in capacity by 2.2 MGD but the initial capacity is not stated (p. 24). The MGE states that the ultimate capacity of the WTP is 26 MGD and 25 MGD (p. 24). The MGE also states that a new section of the WTP

is scheduled to provide capacity in excess of 16 MGD. Does this figure include current capacity or is it in addition to the 25/26 MGD capacity previously stated?

- The Town anticipates that 150 additional water connections will be granted by the County after actual EDU flow is calculated. The Town believes actual EDUs will be lower than the 250 GPD used by the County (p. 25). This will result in a total of 770 EDUs being allocated to the Town creating a total water capacity of 192,500 GPD.
- As of 2005 the Town had 179 households, which equals 44,750 GPD water demand (based on 250 GPD per EDU). At build-out the town will have 1,645 dwelling units, which will create demand for 411,000 GPD (p. 26). This is well above the water capacity being provided by the County. The MGE does not specify where additional water will come from. It is implied that the additional water will be produced by a future Town water system.

### **Sewer**

- It is unclear what the capacity of the Ballenger-McKinney WWTP will be. The Town's current WWTP capacity appears to be 440,000 GPD (240,000 at the New Market WWTP and 200,000 GPD at the Monrovia WWTP) (p. 26); However, these plants will be closed when Ballenger-McKinney comes online. What is the planned capacity of the Ballenger-McKinney WWTP?