

The Town of New Market



TO: The Town of New Market Planning Commission
FROM: Pat Faux, Zoning Administrator and Tim Rye, Town Engineer
DATE: September 29, 2026

**RE: Staff Report on Permit No. 2136B
England Woods – Clubhouse Combined Site Plan and Improvement Plan**

Staff have conducted a review of the materials submitted electronically to the Town for a combined Preliminary Plan and Improvement Plan. The plans are dated August 2026 and titled England Woods – Clubhouse Combined Site Plan / Improvement Plan. Town staff have performed a review of the material according to Article VI, Sections 5.0, 5.1, 5.2, 5.3, 8.0, and 8.1 of the Town's Land Development Ordinance (LDO).

These plans pertain to a portion of the open space Parcel 1B as identified on the Preliminary Plan of Subdivision approved by the Planning Commission and signed by the Chairman of 7/29/26. This plan is a required supplement to the overall Site Plan that was reviewed and approved by the Planning Commission and signed by the Chairman on 11/19/2024.

Per Land Development Ordinance Article VI section 8.1.3 - Upon receipt of the site plan, the Planning Commission shall conduct a review, soliciting comments from appropriate technical advisors, governmental agencies, and officials, as it deems appropriate. The Planning Commission shall provide the public with the opportunity to comment to the Commission on the site plan at a Planning Commission meeting.

Per Article VI section 8.1.4 Construction of required improvements, upon approval of a site plan, the applicant shall then secure the necessary construction permits from appropriate agencies before commencing work. The applicant may construct only such improvements as have been approved by the Planning Commission.

Staff offers the following report and observations:

1. The plans as submitted meet the LDO requirements for a Site Plan and contain no additional public improvements that require dedication to the Town. Staff notes the proposed private paths to the pool overlook may not be ADA compliant.
2. All proposed landscaping is provided at the applicant's sole discretion and is not required by Town regulations. No Landscaping Agreement or sureties are required. While the plantings shown are not required by the Final Phase 1 Forest Conservation Plans FCP (Permit 2077B) approved by the Planning Commission on 5/7/2026, applicant will provide narrative of how these site plan improvements are consistent with the approved FCP.

3. The clubhouse design plans have been reviewed and approved by the Town Architectural Review Committee. A building permit is required prior to construction.
4. Evidence of Frederick County review and approval needs to be provided from:
 - a. Department of Permits and Inspections – Environmental Compliance
 - b. Department of Engineering and Planning – Division of Water and Sewer UtilitiesAdditional County approvals will be required prior to issuance of the building permit.
5. The retaining walls shown on the plans require a town building permit and review and approval by the Frederick County Department of Permits and Inspections. Retaining wall elevations and details are to be included with a determination whether and where safety railing is required along the path at the top of the wall.

Staff recommends that the Planning Commission approve the plans as submitted after they have provided the public with an opportunity to comment.

DRAFT MOTION

I make a motion that the New Market Planning Commission find that the Plan set labeled Permit 2136B “England Woods – Clubhouse Combined Site Plan / Improvement Plan” meets the Town’s requirements for a Site Plan and contains no additional public improvements that require dedication to the Town. I move that the Planning Commission approve the plan set as submitted and authorize the chairman to sign the plans after confirmation from staff that the administrative matters identified in 9/29/26 staff report have been the satisfactorily addressed.