

The Town of New Market



1793

October 1, 2026

TO: The Mayor and Town Council
FROM: Town Staff: Pat Faux, Zoning Administrator/ Town Planner & Town Engineer Shawn Burnett
RE: **Briefing on developer transportation improvement funds coming to the Town.**
Request for permission to draft a Memorandum of Understanding (MOU) for Council consideration to help fund desired improvements on State and County Roads at the MD Rte. 75/144/Old National Pike intersection and along the MD 75 Corridor.

In the coming year the Town will begin to receive substantial funds from two approved development projects - England Woods (now called Sweet Bay) and East Main. These funds, totaling about 1.2 million dollars, are being contributed in accordance with Town accepted traffic studies and agreements. The amounts to be given were determined using a voluntary impact metric of \$2,942,15 for every 1000 sq. ft. of commercial space and each residential unit. The agreements state that:

The funds so contributed may be used and applied without limitation in the sole discretion of the Town in furtherance of municipal projects, which projects may (but are not required to) include, and are not limited to, improvements to MD Rte. 144 (Old National Pike)/Route 75 intersection by adding an additional westbound left turn lane on MD Rte. 144 (Old National Pike) at that intersection, adding a new right turn lane from southern bound MD Rte. 75 onto westbound Interstate 70, and improvements to the intersection of MD Rte. 75 and Old New Market Rd.

Both Sweet Bay and East Main are breaking ground this month. The buildout of both of these communities will likely be completed and occupied within eight years. Staff has contacted the State and County to define procedures needed to ensure timely improvements to the identified State and County roads.

The County's Development Review Traffic Engineering (DRTE) staff has advised they have no process to accept Town contributions to their escrow funded transportation improvement projects. DRTE staff encourages an Town MOU with Elm Street Development as that developer already working on design, and a State Highway Administration (SHA) permit for MD Rte. 75/144/Old National Pike intersection improvements required by the County for the Cherry Run development as outlined in green on the Key Map below.

The County has informed that while the developer of the Calumet and Gordon Mill Subdivisions will be making improvements in the MD Rte. 75 corridor, that team's design and permits for the New Market Parkway's intersections with MD Rte. 75 and Old New Market Rd. are almost complete and should not be delayed. The extent of these improvements along the MD Rte. 75 corridor is outlined in purple on the Key Map below.

The SHA district office is also amenable to a Town MOU. Their reviews of pending developer improvement plans along MD Rte. 75 indicate that they would like to see enhanced pedestrian and bicycle facilities on state roads, but they have no funds to assist with that effort. They also indicated appropriate speed limits would be established through this section of the MD Rte. 75 corridor as the character of the road evolves.

Key Map (north is to the left)



Elm Street Development is developing the Cherry Run community on the property formerly known as the Casey Foundation property. Their site is to the north of Town. They broke ground this summer and expect to be finished in about ten years. The first of up to 800 homes will likely be occupied in 2028.

Elm Street Development's agreement with the County requires them to contribute escrow funds towards improvements in the MD 75 Corridor that will be built by others. It also requires them to construct improvements in the two areas along MD Rte. 75 outlined in red and green on the key map above. Construction of required improvements at the MD Rte. 75/144/Old National Pike intersection is triggered in stages. Elm Street Development must guarantee certain improvements and complete certain work before the 100th building permit is issued. This includes an additional lane on southbound MD 75 to westbound I-70 slip ramp. Before the 600th building permit is issued, required improvements include constructing an additional westbound left turn lane (dual left) along Old National Pike approaching MD 75. Elm Street Development will receive funds from the County's escrow program to help pay for these improvements.

Elm Street Development has offered to work with the Town and to expand their required construction project to accommodate agreed upon Town-funded elements. However, they are seeking to complete their design and permitting process with SHA soon. If the Town wishes to participate in design decisions at the MD Rte. 75/MD 144/Old National Pike intersection, time is of the essence. Initial improvement elements include incorporating a shared use path into the intersection design, extending it to Morning Gate Lane, linking it to the parkway path and improvements at the Wainscott Dr MD Rte. 75 intersection.

Elm Street Development has identified another possible area of mutual interest. They have been working with representatives of the County designated Peace and Plenty Rural Historic District northeast of Town to plan for Peace and Plenty gateway branding and signage as well as "rural edge" treatments along Cherry Run Property frontage that will preserve the character of Green Valley Road and incorporate traffic calming and other landscape treatments. (See attached area map) There may be an opportunity to bring scenic treatments further south and create new Town entrance features in the MD Rte. 75 corridor.

If Council authorizes staff to work with Elm Street Development, we propose to:

- Prepare a preliminary MOU scope and budget proposal for further review that addresses:
 - Funds currently identified for traffic capacity improvements at the MD Rte. 75/MD 144/Old National Pike intersection and its approaches (item #1 on chart).
 - Funds for added pedestrian and bike connections in the intersection and on its approaches beyond that required by the State (item #3 on chart).
 - Funds for other elements of mutual interest (item #3 on chart).
- Work with Elm Street Development on a draft MOU for Council that defines the specifics of physical limits, design features, timing, funding regarding the overall project and Town requested elements.

Staff offers that the proposed MOU could facilitate a coordinated approach that combines Elm Street Development's required and proposed voluntary efforts and the funds they receive from the County's escrow program with funds contributed by the Town. This approach could accelerate construction to provide earlier traffic impact mitigation and could reduce traffic disruptions that multiple smaller construction projects would otherwise necessitate.

Funding line items per England Woods (Sweet Bay) and East Main Agreements and County updates on Escrow Projects		
1	ONP/MD Rte. 75 intersection & approach lane capacity increases - Escrow #4108	\$ 133,016
	EB Through lane on 144/ ONP WB Left Turn lane 144 on ONP to rte. 75 south bound WB Left Turn lane 144 on ONP to rte. 75 south bound	
2	Contributions to MD Rte. 75 improvements North of MD Rte.144 - Escrow 4094	\$ 120,726
3	Contributions to Town Projects	\$ 69,856
3	Funds to be reassigned from 8 completed & deferred county escrow projects*	\$ 883,387
TOTAL		\$ 1,206,985

- See attached letter from Frederick County Development Review Traffic Engineering