

Planning Commission & County Commissioner Work Session

**Review of Comments on Garrett County
Comprehensive Plan Update, Draft
April, 2008**

Summary of Comments Received on the Garrett County Comprehensive Plan, draft April 2008

The following table summarizes comments received on the Garrett County Comprehensive Plan, draft April 2008. Most of the comments were generated following distribution of the draft Plan to the state on April 23, and to the municipalities on June 10, 2008.

The comments are organized by topic following the order of the chapters in the Comprehensive Plan. The comments will be discussed at a joint Planning Commission/Board of County Commissioners public hearing on August 21, 2008. Oral comments from the public hearing will be summarized in the table only if they are significantly different from other comments received in writing. Each comment is followed by staff comments or recommendations to be developed after the August 21 hearing, and discussed at one or more Planning Commission work sessions. Recommendations that would result in changes in the next draft of the Plan, the Planning Commission's recommended draft, are indicated in yellow highlight.

The Planning Commission will act on the April 2008 draft by adopting a Planning Commission Recommended Draft that incorporates some or all staff recommended changes (in response to comments)

Abbreviations: MDP Maryland Department of Planning
MDE Maryland Department of the Environment
MDOT Maryland Department of Transportation

MTA Maryland Transit Administration
MAA Maryland Aviation Administration

Element	From	Comments	Staff Response/Recommendation	Planning Commission Recommendation	County Commissioner Action
1. Front matter		Revise vision statement to reflect recent revisions.			
2. Background		Revise page 1-3 to reflect plans that have been adopted as amendments to the Comprehensive Plan.			
3. Land Use	MDP	The County should consider zoning rural resource an conservation areas to no more than one house per 20 acres	***		
	MDP	SR land will be mapped as low density residential – the allowable density must be at least 3.5 units/acre to be classified as medium density, not 2			

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	MDE	MDP wetland layer underestimates wetlands – MDE estimates there are 5,088 acres of mapped, vegetated nontidal wetlands. Use a combo of DNR and National Wetlands Inventory layers	This has to do with the data sources and the intent of the various maps. Can be addressed with footnotes.		
	MDE	MDE layer of wetlands by watershed more accurate than what is shown (MDPs?) (3-20)	See above		
	MDE	Wetlands are regulated but not all are protected (3-3)			
	Town of Oakland	Projected growth in the Comp Plan is higher than the Town's projections	Response letter: Only 250 new units projected, the other 250 added due to presumed annexation. Growth projections in agreement.		
	Town of Mountain Lake Park	The growth area shown is inconsistent with the Town growth area, which is larger and incorporates lands to the east of the town, including Southern Garrett County Indust. Park	Response memo: County and Town should address the annexation of the business park through joint consultation. The County Comprehensive Plan's projections reflect <i>new</i> housing units only, it is unclear if this is true for the Towns		
	Town of Loch Lynn Heights	Growth projections are about 55 units – 25 that are in the GCCP, an additional 30 for the Little Youghiogeny Watershed	Similar response as above.		
	Town of Friendsville	Growth projections are about 30 units– 25 that are in the GCCP, an additional 5 for the Youghiogeny Watershed	Similar response as above.		
4. DCL Influence Area Master Plan		None as of 8/4/08			

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5. Water Resources Element	MDP	Provide more details on possible solutions to future deficits in the "Unmet Future Demand" section (where and how water can be obtained, p. 5-8). Note whether the policy on water conserving fixtures, etc (5-28) would be part of the possible solutions.	John—clarify re: fixtures in the county code?		
	MDP	Discuss whether there is (or will be) sufficient water supply to support planned expansions of Gorman and McHenry.	Will discuss with DPU. Answer may not yet be available		
	MDP	Grantsville: New annexations don't appear to be captured – water deficit could be larger. Table 5.2 does not tie to text on demand increase – where does .138MGD come from? (5-6)	Will check. Likely a misunderstanding of our tables.		
	MDP	Loch Lynn Heights: Indicate whether the supply from new wells at London's Dam are part of the permitted withdrawal– if not list potential additional supply provided	May need to check with the Town or DPU.		
	MDP	Gorman: Note whether the new water line added by a coal company provides additional supply to help address the existing deficit	John? Linda?		
	MDP	Areas shown on Figure 5.1 do not correlate with all information on Table 5.1. Extension on map but not chart– Friendsville, Deer Park, Mountain Lake Park. Expansion on chart, but not map for Grantsville and Gorman	Will check.		

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Water Resources Element (cont)	MDP	Piney Run Reservoir (5-11): Describe the treatment needs for the raw water and if this can be provided by the county. May be expensive to pump treated water from Frostburg to Finzel.	ERM opinion: not the Comp Plan's job to talk about specific water treatment needs.		
	MDP	Accident: add sentence to point out need for balancing WW system w/ water system capacity, and how additional supply/capacity obtained	Can add sentence and raise the issue.		
	MDP	Table 5.2: Footnote to indicate whether "Existing Water Production" represents the MDE groundwater appropriation limits or current design capacity of WTP.	MDE appropriations. Will add footnote.		
	MDP	Discuss whether the private systems are susceptible to pollution – include in future source water protection plans?	No idea—can DPU answer?		
	MDP	Include a discussion of septic tank pollution (5-26) and note whether it is included in nonpoint source pollution forecast	Can add a short paragraph. Septics are included in the nonpoint model.		
	MDP	Nonpoint Source Loading section could consider the impact of I/I on sewage overflows and resulting pollutant loading	We prefer not to add I/I, since the Plan assumes that these issues will be addressed in the short/med term.		
	MDP	Nonpoint Source Loading section could describe addition of sand and salt on roadways	Worth mentioning, but not possible to quickly quantify.		
	MDP, MDE	Include an additional section that considers combined pollution impact of WWTP discharge, septic tank pollution, and stormwater runoff	Not as difficult as it sounds. Just need to add two sets of numbers. Section will be added.		

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Water Resources Element (cont)	MDP	Follow-up statement (5-26, 27) that "Because Scenario 1 converts...." by noting "there are other environmental impacts from development such as air pollution, wastewater discharge, and impervious surface that could alter this equation; however, a comprehensive analysis of these impacts is difficult".	Can add this text.		
	MDP	Typo (5-13), 1 st para, last 2 sentences – "water systems" should be "sewer systems"	To be changed.		
	MDP	Table 5.4: Footnote to indicate whether "Existing Treatment Capacity" represents the MDE wastewater discharge permit limits or current design capacity of WWTP.	Discharge permit limits/nutrient cap limits.		
	MDP	Deep Creek Lake WWTP: provide clarity whether the system is expected to be expanded by 2030	Likely to need expansion by 2030 or shortly thereafter.		
	MDP	Provide details on possible solutions to future deficits at Gorman and Deep Creek Lake WWTPs (5-19)	Can add more language.		
	MDP	Indicate where a treatment upgrade would allow for capacity expansions for larger WWTPs	Can add more language to explain a table already in the plan.		
	MDP	Accident and Friendsville WWTPs: Reference data source confirming reduction in I/I reduces flows to levels below WWTP capacity. If no data, note that additional flow reduction measures should be considered	Our info from DPU. Can double-check.		

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Water Resources Element (cont)	MDP	Refer to other efforts throughout CP to reduce pollution and how they may improve water bodies, e.g. conservation subdivisions (3-15)	Can add some language.		
	MDP	Note that urban stormwater retrofits, septic denitrification units and sprawl prevention are ways the county can contribute towards implementation of the Chesapeake Bay Tributary Strategy	Can explicitly mention all of these in one place, although we do discuss denitrification..		
	MDP	Refer to nonpoint source pollution forecasts in discussion of land use plans by watershed (3-19) and indicate whether forecasts affected choices	Can add some text.		
	MDP	Discuss specific ways that previous development patters have impacted water resources (3-6), e.g. septic tanks, air pollution, impervious surfaces	Refers to other text. Probably overkill to add twice.		
	MDP	Mention whether the proposed growth areas are within PFAs, and benefits of being located there	OK on first part. Don't need to use CP to add to the state's promotion of PFAs.		
	MDE	Provide a summary of key findings and recommendations from the MDE Source Water Assessment Plans	Never obtained these from DPU. NEED them.		
	MDE	Provide maps indicating source waer and well-head protection areas	SWP Plan (and maps) are in the appendix.		
	MDE	Provide specific recommendations to ensure the protection of source waters and well-head areas	Such as? Can find some generic language.		

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Water Resources Element (cont)	MDE	Provide more detailed maps of the existing water service areas and distribution systems	Can add maps in appendix. Don't have mapping of distribution systems, and that's asking too much.		
	MDE	Provide more detailed maps of approximate bounds of future water and sewer service areas	See above.		
	MDE	Provide more detailed maps of existing sewer service areas and collection systems	See above.		
	MDE	Recommend a more thorough analysis of the impacts of development on the water quality of Deep Creek Lake	Will reference ERM's 200+ page scientific study, DNR's new effort.		
	MDE	A Wastewater Capacity Management Plan should be prepared for any wastewater system operating at 80% or more of its design capacity	Information only. No need to respond.		
	MDE	A Water Supply Capacity Management Plan should be prepared for any community water system (over .02 MGD) operating at 80% or more of its Water Appropriation Permit	See above.		
	MDE	More detailed information concerning the NPS Analysis should be provided	In the appendix. Not sure what else they want.		
	MDE	Consider including a commitment in the Plan to refine the NPS Analysis in the future	Reasonable request. Will add to policies (if not already there).		
	MDE, DNR	Consider including changes in permitted discharges and any other activity that adversely affects water quality to statement about anti-degradation policy (5-22). See DNR language.	Can improve language.		

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	MDE	Include more information about the proposed plans for a Keyzers Ridge WWTP	No other information to add, I believe.		
	MDE	Address the TMDL written for sediments	Can mention it, but any formal analysis would be excessive. State guidance does not discuss sediments.		
	DNR	Address expanded snowmaking at Wisp, specifically in the Youghiogheny River watershed.	Can do qualitatively, but need discussion with Karen Myers.		
	DNR	Address consumptive uses of Wisp and other planned golf courses.	Wisp golf course is included in nonpoint model. Beyond that, impossible to know how much water/what source, especially for other "potential" golf courses.		
	DNR	Include better language (provided by DNR) regarding link between groundwater and surface water.	Can improve the plan's existing language.		
	DNR	Define where new water treatment facilities would be required (DCL is especially impaired) Identify all entities that own potential surface water sources. "Useable capacity" needs to be defined, or leave in acre-feet.	We can add language to comply with the spirit of these comments, but DNR's specific requests go far beyond the boundaries of a normal comprehensive plan.		
	DNR	Treatment of surface water from mines should not be dismissed as an option.	Will attempt to incorporate this point of view.		
	DNR	Discuss any other plans for new impoundments (including out of state), as well as the potential use of SWM facilities and cisterns.	Can generally address these points.		

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	DNR	In DCL, what is "ADF"; why are septic systems failing?	Average Daily Flow. Can find out why septic systems failing (DPU).		
	DNR	What kind of increased "limits" for DCL WWTP?	Nutrient and flow.		
	DNR	No discussion of potential solutions to Trout Run problems.	Will discuss with DPU, but I don't believe that there are any actual plans. Can list some options in the plan, including upgrade.		
	DNR	Parts of Garrett County not in the Chesapeake Bay watershed are in the watershed which recently has defined an Garrett County should monitor developments by the federal Mississippi River/Gulf of Mexico federal task force to take advantage of financial opportunities for implementing point and nonpoint source nutrient control programs that the County is not eligible for through the Chesapeake Bay Program.	Noted. Can be added to policies.		
	DNR	Increased discharge volumes (from WWTP upgrades) could still be limited by stream flow.	Understood, and can be reflected in the plan.		
6. Transportation Element	MDP	Capacity increase on MD 495 would require assessment of direct and secondary land use impacts in rural areas	***		
	MDP	Bicycle and pedestrian facilities should be provided and connected throughout the community			

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	MDP	Amend the Subdivision Ordinance to allow the County to require access management on major roads, to preserve major road capacity			
	MDP	Require pedestrian facilities as a part of new development			
	MDP	Explore funding mechanisms (impact fees or excise taxes) to address transportation facility improvements			
	MDP	Provide explanation for policy opposing use of US 219 south of I-68 as the primary link to Corridor H (Item 6, pg 6-18)			
7. Sensitive Areas	MDE	Wetlands named on page 7-5 are also formally designated as Nontidal Wetlands of Special State Concern by MDE- more stringent regs. Suggest County develop own wetland conservation provisions			
	MDE	Add a provision for wetlands in the sensitive areas ordinance	***		
	MDE	Revise text to include wetlands (7-16): "Ensure that new clustering.... Conserve contiguous areas of wetlands, agricultural and forest land"			
	MDE	Encourage maintenance of contiguous wetland/stream corridors in growth areas			
	MDE	Identify potential wetland and stream mitigation sites during the master plan process			

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	MDE	County should take a pro-active approach to managing wetlands, floodplains and waterways, independent of State and federal authorities.			
	MDE	A Wetland of Special Concern, Hammel Glade, appears to be located in the new Lake Residential 2 area (7-6)	Probably, but its protections would overrule the provisions of LR2.		
8. Community Facilities		None as of 8/4/08			
9. Housing		None as of 8/4/08			
10. Mineral Resources	MDE	Encourages inclusion of a map of the known acid mine drainage sites as well as the sites that have been reclaimed (104)	ERM made repeated efforts to contact MDE about AMD. If they would like to provide such a map, we will include.		
11. Economic Development	Mr. & Mrs. Lattanzi	Request inclusion of Camp Deep Creek in the employment center category of Plan	Response sent and comments to be reviewed		