

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its monthly meeting on Monday, September 12, 2005, at 1:30 p.m. in the Economic Development Meeting Room. The meeting was rescheduled to this date because there was not a quorum for the regularly scheduled meeting, on September 7. Members and guests in attendance at the meeting included:

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| George Brady | Chad Fike-staff | Gary Yoder |
| Fred Holliday | William DeVore-staff | Charlie Thorne |
| Tim Schwinabart | Karen Myers | Rick Hall |
| Troy Ellington | Edith Brock | Steve Richards |
| John Nelson-staff | David Church | Ruth Church |

1. Call to Order – By Acting Chairman, George Brady, at 1:30 p.m.
2. The August minutes were unanimously approved, as submitted.
3. Reports of Officers – None
4. Unfinished Business –

A. **Commission Members** - John Nelson reminded the Commission that several members are ill at this time. He noted the importance of attendance for all Planning Commission meetings and the critical upcoming agenda, including review of the Garrett County Comprehensive Plan.

5. New Business-

A. **Review of the Tentative Plan Amendment for Planned Residential Development (PRD) for Karen Myers at the Deep Creek Mountain Resort.**

Mr. Nelson explained that this is the final amendment proposal for this PRD. The proposed amendment is for 11 lots located along Marsh Hill Road, as shown on the accompanying plat. The original concept plan shows 332 total dwelling units. The lots are over one acre in size and would have direct access to the county road. The county

attorney previously approved the homeowner's documents. Highland Engineering has provided the survey plan. Public water and sewer will serve the new lots.

John Nelson requests that the common areas be identified on the plat in order to clarify the location of these areas. Karen Myers explained that the PRD is near completion. The 11 lots would only have 7 driveways onto the county road in order to avoid traffic congestion. Ms. Myers and her consultant, propose that delineation of the common open space areas be delayed by approximately 6 months after the house locations are established in the PRD.

Gary Yoder, a nearby resident, voiced concerns about additional stormwater runoff that could be generated by the new development. Mr. Yoder explained that some of the area in question drains through a drainway located on his property. He noted that in the past there has been drainage problems at this location and he hoped that steps are being taken to avoid any reemergence of the stormwater runoff problem, after the completion of the new development.

After discussion, tentative plan approval was granted, unanimously.

B. Review of Preliminary Plan for Wisp Resort PRD.

Mr. Nelson introduced a concept plan for the Wisp Resort PRD for 2,301 acres on Marsh Mountain. Mr. Nelson suggests that the plan could be reviewed as a concept plan only, at this time. He explained that the high degree of detail necessary for Preliminary Plan approval for the Wisp would not be practical for a PRD application because of the expanse of property intended to be included in the PRD. Each phased section of the PRD will require a great degree of detail such as location of building types, road profiles and location, utility plans and other information, as each phase is submitted for review. Final approval would follow the preliminary review for each phase. Mr. Nelson noted that the PRD is located within several zoning districts and a large section is completely out of zoning, with different land classifications.

Mr. Nelson presented maps that illustrate the geology, slopes, topography, hydrology, soils, road network, water distribution plan, location of the sanitary sewer, and the open space plan for the PRD. Mr. Nelson explained that the chart provided by consultants for Wisp Resort is very useful in reviewing the application, concerning density requirements. Each submission will be keyed to the chart. Mr. Nelson explained that the Planning Office is requesting better topography maps for the site, so the contour elevations are legible.

The Commission decided to forgo a public meeting on the PRD in favor of making the plan available to the general public at the WISP along with providing press releases and brochures on the subject. Ms. Myers noted that she has met with the Deep Creek Property Owners Association Board to present the PRD to them.

Ms. Myers introduced Rick Hall who is the Senior Vice-President for the Wisp Resort development. She also explained that more than half of the 2,301 acres would be open space area. The total plan will include more than 2,500 units.

The Planning Commission agrees with the concept of reviewing the details of the PRD by phases. A motion was made by the Commission to accept this concept plan and allow preliminary approval with the required details, by phase, at a later time. The motion was approved unanimously by a 4-0 vote.

Charlie Thorne pointed out that the sewer system is not in place at this time for this development. He and other residents in the area would like the option to hook up to the sewer system, but not be *required* to do so, *if* the private system is compliant. He is concerned that residents in certain areas of the county may have to pay up to \$30,000 to connect to the sewer system, even when their private system is adequate.

1. Review of Phase I of Wisp Resort; North Camp.

John Nelson said that the Planning Office has received the required detail for the first phase of the PRD application. The first phase of the North Camp portion of the PRD has been submitted with this application and meets the preliminary plan requirements. The phase is located outside of the Deep Creek Watershed Zoning District and within the “rural” land classification, which allows one acre per dwelling. The layout for North Camp Phase-1A includes 102 lots along with 28 duplex units. Road profile approval has not been received from Garrett County Roads, as of this date.

The plans illustrate the locations of water, sewer, and road profiles. The developer has enough active ERU’s for the project, with several remaining. According to Mr. Nelson, this preliminary plan meets the requirements for preliminary plan submission under the ordinance. The staff recommends approval of the preliminary plan. By a unanimous vote of 4 to 0, the Planning Commission Granted preliminary plan approval for the first phase of North Camp.

C. Review and amend list of projects and concerns for the 2005 Annual Tour of the State Highway Administration.

The Secretary’s Annual Tour of the area will be held on Friday, October 7, at 10:00 am. The Planning Commission discussed and amended the 2004 project list to produce the following 2005 potential project list:

1. **US Rt. 219 Oakland By-Pass** – Mr. Nelson noted that the design phase of the project is approximately 40 percent complete. Construction is scheduled to begin in 2010. The commission noted the ongoing questions concerning the final location of the by-pass, especially the entrance into Oakland from each direction.
2. **US 219 North project for the North/South Appalachian Corridor.**
The present alignment for the corridor will run south on U.S. Route 219, then east along Interstate 68, then south via Route 220 and the Winchester Road.

3. **US Rt. 219 Corridor** -Continue to evaluate the existing U.S. Rt. 219 Corridor and continue to emphasize planning for improvements to the existing corridor throughout the entire county including the Accident by-pass. The Commission noted the new, significant safety improvements on Route 219 with the addition of the turning and passing lanes in McHenry.
4. **Bridge over Youghiogheny River** -Is the U.S. Route 219 Bridge over Youghiogheny River, south of Red House, still scheduled for replacement in fiscal year 2008? This plan would include realignment of the road in this area.
5. **MD Route 560 and Bethlehem Road** - A small amount of additional excavation would be helpful to better improve the site distance. The Commission noted that these improvements have been made and this project can be removed from this list.
6. **Sidewalk between Southern High School & Mt. Lake Park** - What is the status on this project? Is it scheduled for design?
7. **MD Route 495 and New Germany Road intersections** – This road should be improved for a perpendicular intersection.
8. **MD Route 495 and Spring Lick Road**; sight distance is a problem. A traffic-warning device would be helpful.
9. **U.S. Route 219 and Kings Run Road** – Southbound left turning lane suggested.
10. **U.S. Route 219 and Mayhew Road Intersection** – Southbound left turning lane suggested – high accident area.
11. **U.S. Route 219 and Old U.S. Route 40 at Keyser’s Ridge Road**- The new County Industrial Park will necessitate improvements for this intersection.
12. **Altamont Bridge**- Bridge surface is rough and needs re-surfacing.
13. **Southern Rescue Squad Entrance** – There is a problem with sight distance on the Oakland side of the facility. The Commission suggested that appropriate signage be installed.
14. **Pedestrian Right-of-Way Signs**- The Commission feels that there should be informational signs posted for drivers concerning stopping for pedestrians in crosswalks and stopped school buses.
15. **Traffic signal at Pysell Road** The Commission feels a traffic signal is warranted at this location.

D. Miscellaneous

1. **Zoning Appeals Cases** – The Deep Creek Watershed Board of Zoning Appeals will conduct a public hearing on Thursday, September 22, 2005, starting at 7:30 pm in the County Commissioners meeting room, Second Floor, Courthouse Annex, Oakland. The Board will review the following docketed cases:
 - a. **SE-364**-an application submitted by Jerry Zimmerman on behalf of Garrett College for a Special Exception to allow the expansion of the existing college library on the Garrett College property. The facility is located at 687 Mosser Road and is zoned Lake Residential (LR).
 - b. **VR-597**- an application submitted by Troy Schwinabart, for a Variance to construct a garage that will come to within 21.0 feet of the front property line, instead of the required 25.0 feet. The property is located at 784 Pine Tree Point Road and is zoned Lake Residential (LR).

After discussion, the Planning Commission made no formal recommendations regarding these cases.

2. **Minor Subdivisions** – Mr. Nelson has approved, or is about to approve a number of minor plats, since the last Planning Commission meeting. Copies of the plats were included in the packet mailed to the Commission members.
3. **Garrett County Parks and Recreation Plan** - John Nelson included a draft copy of the Garrett County Parks and Recreation Plan for Planning Commission members to review for discussion and comment at the next meeting. The plan must be submitted to the state as soon as possible.
4. **Waiver Requests** -
 - A. **Waiver request by Shirley Uphole** – Ms. Uphole requests that a proposed garage would extend to within 7’ of the front property line at Mitchell Manor, instead of the 20’ required by the Subdivision Ordinance. The road services 3 lots that lead to a cul-de-sac. Mr. Nelson explained that there are constraints on the lot because of the relatively steep slopes at the site. Mr. Nelson also said that the distance to the building on a county maintained road is measured from the edge of the right-of-way. Private roads are measured from the cart way. The Commission voted to table the issue and request more information about the site.

- B. **Citizens Planner Membership** - The Planning Commission has an open invitation to interested parties to attend a local seminar, as guests, on October 13th and 14th in Hagerstown.

6. **Action on Major Subdivision Plats**

- A) **Artice II** – Mountainview Engineering and Surveying requests preliminary approval for this subdivision located off of Malachi Way, south of Accident, on Route 42. This one-lot major subdivision involves the extension of an existing, private road for Tony M. Artice. Review and approval is needed for the homeowner’s documents and the road plan. After discussion, preliminary plat approval was granted unanimously.
- B) **Dennis Fowler - Major Subdivision** – David Fowler requests preliminary and final approval for this 1-lot, major subdivision located off of newly named, Friends Place Lane, near Friendsville. After discussion, preliminary and final plat approval was granted unanimously. Any future lots off of this road will be required to have “tar and chip” because of the slope of the road.
- C) **Mountain View Estates- Major Subdivision** – Century Engineering requests preliminary approval for this subdivision located off of Spring Glade and Sand Flat Roads. A total of 6 lots are planned. Lots 5B, 6 and 7 will utilize a new road, named Bennett Lane. The remaining lots will access via driveways on to county roads. After discussion, preliminary plat approval was granted unanimously. Review and approval is needed for the homeowner’s documents, the sediment and erosion control plan, and the road plan.
- D) **Bear Crossing Major Subdivision** – Robert Berry requests Preliminary Plat approval for this major, 5-lot subdivision located off of Gravelly Run Road, near McHenry. Public sewer will serve the development. The owner has 3 ERU’s and has purchased 2 reserve ERU’s. Preliminary plat approval was granted unanimously, pending approval of the homeowner’s documents and the road plan review.
- E) **Deer Crest Major Subdivision** - Application is for final plat approval for a 16-lot development off of North Glade Road, in the Lake Residential zone, for Railey Realty. The preliminary plan was approved at the August meeting. Century Engineering is the consultant for the project. The lots will have on-site septic and well. The development meets the requirements of the subdivision ordinance according to the Office of Planning and Land Development. After discussion, final plat approval was granted unanimously.
- F) **Mill Creek Major Subdivision** – Application is for final plat approval for a 16-lot development off of Pud Miller Road. The preliminary plan was approved at the August meeting. The lots will have on-site septic and well. The subdivision is located

in the Agricultural Resource land classification area, which requires a 3-acre minimum lot size. Stormwater plans, sediment and erosion plans, road plans, and homeowner documents have been submitted and approved. After discussion, final plat approval was granted unanimously by a vote of 4-0.

G) **Cherrywood Ridge - Major Subdivision** – Century Engineering requests final approval for this subdivision located off of Garrett Road, just east Oakland. A total of 7 lots are planned. The lots will have onsite septic and wells. After discussion, final plat approval was granted unanimously. The homeowner's documents, the sediment and erosion control plan, and the road plan has been reviewed and approved. The area is in the Agricultural Resource district, which requires a 3-ac. minimum lot size.

7. **Next Scheduled meeting** - The next regular meeting of the Commission is scheduled for Wednesday, **October 5, 2005**, in the Economic Development meeting room at 1:30 pm.

8. Adjournment- 4:30 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator