

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on August 3, 2005, at 1:30 p.m. in the Economic Development Meeting Room. Members and guests in attendance at the meeting included:

Charles Bender	Jeff Messenger	William DeVore-staff
Fred Holliday	Ruth Beitzel	Mason Hopkins
George Brady	Troy Ellington (alternate)	Julia Hoffman
Tim Schwinabart	John Nelson-staff	Edith Brock
Dennis Margroff		

1. Call to Order – By Chairman, Charles Bender, at 1:30 p.m.
2. The July minutes were unanimously approved, as corrected, reflecting the proper name of Karen Myers.
3. Reports of Officers – None
4. Unfinished Business - None
5. New Business-

A. Review of the request for revision of the Water and Sewer Master Plan and extension of the Deep Creek Sanitary District. Mr. Nelson explained that the county has now instituted a review procedure whereby the request for water and sewer plans are circulated to various county agencies for review by each department. The Department of Public Utilities has scheduled a public hearing for this request to expand the district beyond the watershed boundary on Tuesday, August 16, at 11:00 a.m. in the County Commissioners meeting room.

The request is being made to add two new developments, Aspen Woods East and Aspen Woods West, to the Sanitary District. One parcel is located along the north side of Sang Run Road on the former Leo Friend Farm. The other parcel is located on the east side of 219 on the Heise Farm. The new developments are largely outside of the Deep Creek Watershed.

Mr. Nelson explained that the request was not consistent with the County Comprehensive Development Plan. Policies within the plan support the extension of public utilities into designated growth areas, and also specify the endorsement for the expansion for the sewer system in the watershed to protect water quality. The subject properties are not in the watershed. Additionally, the plan does not support extension of sewer or water facilities into rural areas in an attempt to discourage sprawl and encourage growth in existing population centers. Expansion into rural areas also depletes the capacities of public utilities intended for designated growth areas and accelerates the expenditure of public funds to keep pace with development. Mr. Nelson said that the principles of the Maryland “Smart Growth” policy directs continued development into areas that are already urbanized, while discouraging urbanized growth in undeveloped or rural areas.

Discussion ensued concerning certain sites that were outside of the Deep Creek Watershed that have or will have public sewer. Concerns were also raised concerning reaching the capacity of the new plant in a very short time.

Mr. Nelson stated that the new sewage treatment plant would add approximately 2,400 new Equivalent Residential Units (ERU)’s to the system late next year. Mr. Nelson explained that the new ERU’s would be in addition to the approximately 2,500 outstanding ERU’s that were previously purchased, when the existing plant was “oversold”. A motion to recommend disapproval of the measure was defeated by a vote of 3 members for the motion, and 4 abstentions.

Mr. Nelson also reminded the Planning Commission that the Planning Office would be soliciting bids from consultants to revise the County Comprehensive Plan later this year.

B. Miscellaneous Requests-

1. **Proposed Waiver Request for Joseph Paugh-** Mr. Paugh requests a waiver from the provision of the Subdivision Ordinance that requires a 20’ setback from the county road at his front property line. Mr. Paugh requests to come within 18’ of the road with a deck, at his home in Swanton.

The Planning Commission was unable to reach a determination on the waiver at the July meeting. After discussion, the commission agreed by a unanimous vote to approve the waiver from the provisions of Subdivision Ordinance for an 18’ setback.

2. **Deep Creek Watershed Board of Zoning Appeals-** The Deep Creek Watershed Board of Zoning Appeals will conduct a public hearing on Thursday, August 18, 2005, starting at 7:30 pm in the County Commissioners meeting room, Second

Floor, Courthouse Annex, Oakland. The Board will review the following docketed case:

- a. **SE-363** an application submitted by Carroll Jack Beitzel for a special exception permit for the manufacture and sale of cut stone. The Board of Appeals may authorize as a special exception the primary processing or manufacturing of finished or intermediate products from natural raw materials including stone, pursuant to Section 1006. The property is located near 4314 Accident-Bittering Road and is zoned Rural Development.

After discussion, the Planning Commission made no formal recommendations regarding this case.

3. **Review of the Final Plan Amendment for Deep Creek Mountain Resort Planned Residential Development (PRD) and Overlook Cabins for Karen Myers of Deep Creek Mountain Resort.**

Mr. Nelson presented a request for Ms. Myers for a change to the PRD. The initial amendment request is for the Kendall Camp subdivision, formally the Villages of the Wisp, now known as Deep Creek Mountain Resort. This request is for one additional duplex unit bringing the total to 26 dwelling units at the site, instead of 24 units. The county attorney previously approved the homeowner's documents. Highland Engineering has provided the survey plan.

A second amendment request is for final approval of a single-family, 13-unit, cluster development, complex called Overlook Cabins. The complex will be located off of Overlook Pass. Plans are to have 3 models for buyers to choose. The Overlook Cabins will be part of the Highlands homeowner documents. The Planning Commission made preliminary approval at the previous meeting. Mr. Nelson noted that there are 11 units remaining for future development and the PRD cannot exceed 332 units.

Mr. Nelson said both requests met the requirements of the Ordinance and were approved unanimously, with one abstention. According to Mr. Nelson, parking is adequate to rent each, with one parking space required for each bedroom.

4. **Waiver request by Century Engineering for a scale change for the Ridge and Valley Planned Residential Development (PRD) mapping.**

Mr. Nelson explained that Century Engineering has requested a scale change to the PRD mapping requirements for the 50' to the inch geology, hydrology, topography, vegetation, and soil mapping for the site. A letter dated August 3, 2005, from Aaron Teets of Century Engineering outlined the request.

The Planning Commission voted unanimously to waive the requirement and allow the map scale requirement to be 1" to 200' for the geology, hydrology,

topography, vegetation, and soils mapping. The development plan maps would still be required to be a 1" to 50' scale.

5. Approved Minor Subdivision Plats-

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.

6. Action on Major Subdivisions Plats-

- a) **Cherry Wood Ridge - Major Subdivision** – Century Engineering requests preliminary 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. Mason Hopkins and Julia Hoffman appeared before the commission and explained some of the details of the subdivision. 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. The area is in the Agricultural Resource District that requires a 3-ac. minimum lot size.
- b) **D. C. Development Sandy Shore Heights –Preliminary and Final Plat for Major Cluster Subdivision** –Highland Engineering has submitted a preliminary, major subdivision plat for a 49-lot development off of Sandy Shores Road for D. C. Development. The cluster development provision requires that 35% of the total site be set-aside as common, open space area. Previously approved, banked common area is being used for the open space area for the subdivision. Part of the ski slope has been used as this banked, common area. After discussion, preliminary and final plat approval was granted unanimously, pending approval of the homeowner's documents.
- c) **Mill Creek Subdivision – Preliminary Plat for Major Subdivision Development.** Application is for a 20-lot development off of Pud Miller Road, east of Accident, for Yellowstone Log Homes, Inc. Highland Engineering has provided the plat and engineering for the site. The lots will have on-site septic and well. Stormwater plans, road plans, and homeowner documents have been submitted but not yet been approved. After discussion, preliminary and final plat approval was granted unanimously, pending approval of the homeowner's documents.
- d) **Glendale Woods Subdivision – Final Plat for Major Subdivision Development.** Application is for a 6-lot development off of Glendale Road, for John and Sharon Thralls in the Town Residential district. Mountainview Engineering and Surveying has provided the plat and engineering for the site. The lots will have on-site wells and public sewer. Sediment and erosion control

approval is pending. The road plans and homeowner documents have been reviewed. The plat will not be released until the bond has been received for the site. After discussion, final plat approval was granted by a 6 to 1 vote, pending stormwater and sediment control approval.

6. Adjournment- 3:30 p.m.

7. The next regular meeting of the commission is scheduled for September 7, 2005. Commission members will meet at 10:00 a.m. at the Wisp Ski Lodge to tour the Deep Creek Mountain Resort. The regular meeting will be held in the Economic Development meeting at 1:30 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator