

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, September 6, 2006, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

George Brady	William DeVore-staff	Bill Atkinson
Fred Holliday	Deborah Carpenter-staff	Charles Archer
Joseph McRobie	Michael Bell	Kevin Archer
Ruth Beitzel	Rich Hall	Anthony Archer
Tim Schwinabart	Stephanie Martins	Charles Ross
Troy Ellington	Dr. William Pope	Pete Versteegen
John Nelson-staff	Joe Spiker	Karen Myers

1. Call to Order – By Chairman, George Brady, at 1:30 pm.
2. The August minutes were unanimously approved as corrected. A spelling error was noted in the name of a guest at the August meeting.
3. Reports of Officers – None
4. Unfinished Business – None
5. New Business-

A. Update on the Build-out Analysis being performed by the Maryland Department of State Planning. John Nelson introduced Rich Hall and Stephanie Martins of the Maryland Department of State Planning (MDP) who are preparing the building capacity analysis for Garrett County. MDP is in the process of preparing building capacity analysis for various counties throughout the State. Rich Hall presented a PowerPoint presentation illustrating the draft, preliminary build out analysis of the county. Mr. Hall noted some of the uses for the development capacity study including, comprehensive planning, land preservation planning, annexation studies, watershed planning, public service impact analysis and other planning purposes. Mr. Hall also noted tools used in development of the plan including parcel data from Maryland Property View, aerial photography, State and local planning expertise, and

other available information. The preliminary supply figures are based on current zoning and land use classifications.

The Maryland Department of Planning's methodology does not account for infrastructure capacity or marketing constraints. Mr. Hall stated that these figures did not include consideration for sewer capacity, roads construction or upgrade, citizen objections or "not in my back-yard or NIMBY" protest and school capacity, which would be important factors for a total "build out" of the county. The study did include environmental constraints, such as steep slopes and known wetlands that are limiting factors to build out supply. The study did take into account necessary information such as the location of proposed and existing sewers and the location of the county's Priority Funding Areas.

The capacity study does include restrictions by agricultural easements, protected open space area, existing development and dedicated parks and recreation. State and Federal lands were not included as potential growth areas.

Mr. Hall's rough draft of his findings concludes that there is a large supply in rural and semi-rural areas of the county. He also finds that there is somewhat less available land in the planned growth areas, than the projected demand. According to his findings, even with the fast growth in the Deep Creek Watershed, the area has the supply inventory to increase the number of homes by more than four times, to reach maximum build-out capacity. Preliminary findings show a countywide development capacity of approximately 120,000 units. Projected growth is 5,800 housing units, including municipalities, by the year 2030. New household capacity in the Deep Creek Watershed is approximately 20,000 units while there are about 5,000 existing improved parcels, including year-round and seasonal. No distinction has been made between full-time and part-time residences or the size of the projected homes.

Mr. Nelson noted that this study could be valuable in the land use element of the plan to consider changes to the allowable density in agricultural and rural areas of the county. Proposed changes could include adding a mandatory clustering provision to the Garrett County Subdivision Ordinance or to fine-tune the density provisions of the Deep Creek Zoning Ordinance. The study may also be used to speak to transportation issues or adequate public facilities legislation. Mr. Nelson reminded the group that currently density is controlled in the county by the subdivision ordinance by way of the land use classification map.

Mr. Hall and Ms. Martins intend to review and revise the development capacity analysis, consider recommendations from other groups, work with county officials and return to the Commission in a few months with a comprehensive presentation. Mr. Hall reiterated the rough draft nature of these calculated numbers.

- B. **Update on the County Building and Subdivision permits.** John Nelson explained that according to statistics that are available from the Garrett County Planning Office, building permits are on a pace with previous years in both number and value. Permits for subdivisions are also comparable to previous years, though several large developments are pending and several Planned Residential Developments are not included in the statistics.
- C. **Review and amend list of projects and concerns for the 2006 Annual Tour of the State Highway Administration (SHA).** The Secretary's Annual Tour of the area will be held sometime this fall. The Planning Commission discussed and amended the 2005 project list to produce the following 2006 potential projects:
1. **US Rt. 219 Oakland By-Pass** – Mr. Nelson noted that this project has been funded in the Consolidated Transportation Plan for the design phase of the by-pass. Funding for construction has also been allocated and is scheduled to begin in 2010. The Commission went on record to support the Oakland by-pass project, by a vote of 7-0.
 2. **US Rt. 219 North project** – The US 219 North project is a section being planned for the North/South Appalachian Corridor. The planned 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 corridor. The 219 North segment is in the project planning stage and a public information meeting is scheduled for this November. Final alignments for the 219 North segment are being considered. The Commission considers this a high priority project.
 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 still endorses this recommendation.
 4. **Sidewalk between Southern High School & Mt. Lake Park** - The Commission stresses the need for this project as a recommendation to State Highway.
 5. **MD Route 495 and New Germany Road intersections** – The Commission believes that the road should be improved for a more perpendicular intersection. The SHA recommends meeting with the county to resolve this issue that may involve acquisition of private property by the county.
 6. **MD Route 495 and Spring Lick Road**- The Commission believes sight distance is a problem. The SHA recommends meeting with the county to resolve issues that may involve the need for the county to acquire private property.

7. **U.S. Route 219 and Kings Run Road** – The Commission suggests a southbound left turning lane.
8. **U.S. Route 219 and Mayhew Road Intersection** – Southbound left turning lane suggested by the Commission at this intersection.
9. **Pedestrian Right-of-Way Signs-** The Commission feels that there should be flashing lights, possibly activated by the pedestrians, located at the crosswalks near Uno’s and Trader’s Landing on U. S. Route 219. The Commission also noted the need for education of drivers concerning stopping for pedestrians in cross walks.
10. **Traffic signal at Pysell Road-** The Commission feels a traffic signal is not warranted at this location at this time, but monitoring should continue.
11. **Town of Friendsville-** The mayor and town council request for improvements to MD Route 42, including signage, adding a third lane, drainage improvements and a mandatory truck pull-off.
12. **Town of Grantsville-** The town requests improvements for drainage to MD Route 40 near The Casselman Restaurant.
13. **Right Lane Turn at Sang Run Road.** The Commission feels there is a need for county road improvements that would add a right turning lane at Sang Run Road and US Route 219.

D. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –September hearing.

The Deep Creek Watershed Board of Zoning Appeals will conduct a public hearing on Thursday, September 21, 2006, starting at 7:30 pm, in the County Commissioners Room, second floor, 203 South Fourth Street, Oakland. The Board will review the following docketed cases and hereby request advisory opinions from the Planning Commission for these cases:

- a. **SE-374-** an application submitted by Railey Realty for a Special Exception permit to establish a temporary, real estate office in an existing building. The property is located in the Ridgeview Valley Subdivision at 912 Gravelly Run Road (tax map 50, parcel 14) and is zoned Lake Residential (LR).

The Planning Commission has no comment on this application.

- b. **SE-375-** an application submitted by St. Moritz Properties, LLC for a Special Exception permit to construct an additional, indoor, boat storage building on

property currently being used for boat storage. The property is located at 683 Harvey Peninsula Road and is zoned LR.

The Planning Commission has no comment on this application.

- c. **VR-615-** an application submitted by Roger Cutright of Silver Tree Enterprises, LLC, for Variances to allow the construction of condominium units that would come within 5.0 feet of a rear property line, instead of the required 15.0 feet, and decks to come within 0.0 feet of the same rear property line instead of the required 5.0 feet. This application was continued from the August meeting of the Board. The property is located at 567 Glendale Road, tax map 58, parcel 740, and is zoned Town Center.

At the July meeting, the Planning Commission recommended by a unanimous vote of 6-0, that the Silver Tree application not be acted upon until the applicant has received the “buydown” from the State of Maryland, if the variance is to be heard under the relaxed standards provision of the ordinance. The Planning Commission reiterated this same position.

- d. **VR-618-** an application submitted by Bruce Swift of S and F Ventures, LLC, for Variances to allow the construction of a residence to come within 12.0 feet of both side property lines, instead of the required 15.0 feet. The applicant also proposes to allow the residence to come within 36.0 feet of the front property line, instead of the required 40.0 feet. The property is located adjacent to 52 Glendaloch Lane, tax map 50, parcel 396, Lot 7 and is zoned LR.

The Planning Commission has no comment on this application.

- 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. **Waiver Request** – None.
- 4. **Discharge Permits-**
 - a. **Wood Products, Inc.** – located on Lumber City Road requests renewal of a discharge permit to groundwater, at their sawmill, in Oakland. The permit is for “boiler blow-down” from the sawmill. The Maryland Department of the Environment has tentatively approved the application. The Planning Commission has no comment on this application.
- 5. **Citizen Planner Association-** Dinner at University of Maryland, College Park, October 12, 2006.

6. **Sewage Sludge Application- Koontz Coal, Co and Jenkins Coal and Land Co.-** the property is located in the eastern portion of the county near the county line. The sludge to be applied is a byproduct of wastewater treatment plants. A copy of the application is available at the Garrett County Health Department, in Oakland.

6. Action on Major Subdivision Plats-

- A) **Major Subdivision for Joe Spiker and the Weaver Group for a commercial lot.**
The application is for one commercial lot located along Route 219, tax map 41, parcel 51, in the Town Center zoning district, north of McHenry. The applicant is seeking preliminary and final approval. The proposed use is for a restaurant and will be served by public sewer. The Planning Commission granted preliminary and final approval of this subdivision plat, by a unanimous vote of 6 to 0, contingent on State Highway approval of the entrance permit.
- B) **Major Subdivision -*Deep Creek Estates*-** This application is for 20 one-acre lots located off of Sang Run Road, tax map 41, parcel 51, in the Town Residential zoning district. The developer is Joe Spiker of The Weaver Group. The applicant is seeking final approval. Access will be via a new road off of Sang Run Road near the Tips Up Ski Shop. Public sewer will serve the subdivision. The plat meets the requirements for final approval and was unanimously approved by a vote of 6-0, pending modification of the statement by Garrett County Public Utilities, regarding ERU's.
- C) **Daniel Bosley Commercial lot Major Subdivision- -** this application for subdivision is for one commercial lot for Daniel Bosley, located off Route 219, tax map 66, Parcels 275, 8 and 9. The applicant is seeking preliminary approval of the subdivision for a 1.91-acre lot. The commercial lot will be used as a laundry facility. The Commission granted approval of this preliminary subdivision plat by a unanimous vote of 6 to 0.
- D) ***Ridgeview Valley Planned Residential Development*-** this application is for 29 lots located at the end of Gravelly Run Rd, tax map 50, parcel 14, in the Lake Residential zoning district. The applicant, Ridgeview Valley LLC, is seeking final approval of revised plat. The original final plat was signed on July 5 of this year, contingent on Health Dept. approval. This revised plat shows wells on each lot, instead of public water, as a temporary water source. Public water will be incorporated into the subdivision at a later time. The Commission granted approval of this final subdivision plat by a unanimous vote of 6 to 0.
- E) **Major Subdivision- owner/developer is Kathy J. Stockett.** Application is for two lots, one for residential use and one for commercial use. The subdivision is located along Crabtree Bottom Road off of Sang Run Road, tax map 41, parcel 58. The subdivision is located in the Rural land classification. The applicant is seeking

preliminary and final approval. The Commission granted approval of this final subdivision plat by a unanimous vote of 6 to 0.

F) **Major Subdivision- *Ginseng Hill***- the developer is Garrett Investments, LLC. The applicant is seeking preliminary approval for this subdivision. The application is for 10 lots located along Sang Run Road, tax map 41, parcels 122 & 379. The subdivision is located in the Rural land classification. The Commission granted approval of this preliminary subdivision plat by a unanimous vote of 6 to 0, pending removal of the “reserved for future development” statement.

7. **Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for Wednesday, **October 4, 2006**, in the Economic Development Meeting Room, at 1:30 pm.

8. Adjournment- 4:15 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator