

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, May 2, 2007, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting include:

Troy Ellington	Fred Holliday	John Nelson-staff
Tim Schwinabart	Jim Hinebaugh	William DeVore-staff
Joseph McRobie	Carolyn Matthews	

1. Call to Order – By Acting Chairman, Troy Ellington at 1:30 pm.
2. The April minutes were unanimously approved as corrected. Three votes were revised to reflect the seven voting members, instead of eight.
3. Reports of Officers – None
4. Unfinished Business – None
5. New Business-

A. Meetings on the Comprehensive Plan- John Nelson, Director of the Office of Planning and Land Development, presented information concerning the McHenry planning meetings that would be held Friday May 4th and Saturday May 5th at the Garrett College Auditorium. An informational meeting will be held on Friday evening. Four breakout groups are planned for the Saturday morning activities and a summary of the findings will be presented on Saturday at 5:00 pm. Mr. Nelson reviewed the agenda and presented an overview for both days of the workshop. The director noted that these meetings are the last scheduled meetings regarding the Plan for several months. A draft for certain sections of the Plan will be assembled for review later this summer.

The Commission reviewed a form letter sent from members of the Garrett County Farm Bureau requesting a study to determine the affect that changing the minimum lot size would have on the farming community. Generally the Farm Bureau is recommending no change to the density of agricultural land.

Mr. Nelson asked the Committee for comments regarding any changes to density in the Agricultural land classification. The Commission discussed the idea of a maximum

lot size along with use of a density standard. Some members feel that this method would be closely related to clustering. The Commission is of the general opinion that some form of clustering would aid in the preservation of farmland.

Mr. Nelson stated that the Planning Office and the consultants would be meeting with the County Commissioners soon to ask for guidance regarding this and other issues concerning the Comprehensive Plan. The Commission discussed this issue at length and decided not to make any formal recommendations at this time.

- B. Letter from Charles Hoffditz** - Mr. Nelson noted that a letter and a picture from Mr. Hoffditz have been circulated to Planning Commission members. The area of concern is located along Route 219, near Traders Landing. Mr. Hoffditz is concerned with the loss of the vegetation from the site, especially the trees. He is also concerned about possible erosion and sedimentation from this construction site. Mr. Nelson noted that a condominium is planned here with a mix of single-family homes and townhouse units. Construction and grading has begun at the site that was previously a mobile home park. Mr. Nelson also pointed out that this site is located in a Town Center zone, which allows for a higher density of development. Considerable grading is needed at the site to provide for roads and buildings because of the slope of the property.

Carolyn Matthews of the Department of Natural Resources stated that the development does have lakefront access and docking privileges. Mr. Nelson noted that the Forest Conservation Act exempts Garrett County from the Act, because the county has about 275,000 acres of forest, which is well over the minimum requirement of 200,000 acres. The Commission discussed various aspects of the current regulation regarding erosion and sediment control, stormwater management, and forestry conservation. The Commission determined that this issue would be addressed in the Comprehensive Plan and could be one of the issues to be considered at the meetings to be held this weekend at Garrett College.

- C. Update from Jim Hinebaugh of Garrett County Economic Development-** Mr. Hinebaugh feels that workforce housing is an important issue in the county that should be addressed. Mr. Hinebaugh has been working with Duane Yoder to identify possible areas that could be used for workforce and affordable housing and that the McHenry area and more specifically the Whiteface farm property is a prospective site for such housing. He believes that daycare/childcare is also needed in the area. Projects for affordable housing are planned near Grantsville and Oakland at this time, while the McHenry site is being discussed only in the early concept stages.

Mr. Hinebaugh noted that approval has been granted for the \$100 million dollar recreation facility that will be part of Garrett College. The facility will include a swimming pool, a 2,000-seat basketball arena; weight training area, aerobic area and offices for the hospital and the college. In addition to the recreation facility, the college is constructing the Learning Resource Center and a new dormitory. The college is also in its second year of the tuition waiver for Garrett County residents.

Mr. Nelson stated that the Commission would discuss workforce-housing issues as work on the Comprehensive Plan continues.

C. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –

The Deep Creek Watershed Board of Zoning Appeals will conduct a public hearing on Thursday, May 17, 2007, starting at **7:00 pm**, in the County Commissioners Meeting Room, second floor, 203 South Fourth Street, Oakland. The Board will review the following docketed cases and hereby requests an advisory opinion from the Planning Commission for these cases:

- a. **SE-384-** an application submitted by Jonathan Kessler of McHenry Cove, LLC, for a Special Exception permit to allow construction of a hotel facility and water park that would extend no more than 50 feet beyond the Commercial Resort 2 district boundary line on to property owned by McHenry Cove, LLC. The applicant has previously received a Special Exception for the hotel facility and Water Park. The property is located at 23900 Garrett Highway (tax map 50, parcel 600 lots 1A and 1B and parcel 243, lot 19) and is zoned Commercial Resort 2 and Lake Residential.

The Planning Commission recommended approval of SE-384 by a unanimous vote of 4 to 0.

- b. **VR-627** an application submitted by William T. Hoffman, Jr. for a Variance to allow the construction of a principal structure that would come within 39.28 feet of a front property line. The property is located at 61 South Shore Road, tax map 59, parcel 437 and is zoned Lake Residential.

The Planning Commission has no comment on this application.

- c. **VR-628-** an application submitted by Sean and Jodi Nichols for Variances to allow the construction of a principal structure that would come within 7.0 feet of a rear property line, and a deck to come within 0.2 feet of the same rear property line. The owner of the property has purchased the buy-down from the State of Maryland. The property is located at 407 Maybury Lane, tax map 67, parcel 271 and is zoned Lake Residential.

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 Requests-

- a. Jason Miner-** Jason Miner requests a waiver to exceed the maximum 14% slope for private roads in order to subdivide his property located on tax map 59, parcel 647, into two lots. The Planning Commission previously granted a waiver on June 7, 2006, allowing Mr. Miner to access his proposed subdivision using Woodland Avenue, an existing private road with a slope of 17%, and an extension of Woodland Avenue with a slope of 15%. A detailed evaluation of the road by Thrasher Engineering determined that sections of the road exceed the slope allowed by the previous waiver. The new waiver request sought permission to access the proposed subdivision using Woodland Avenue, an existing private road, and an extension of Woodland Avenue with a maximum slope of 17.8%. After discussion, the Planning Commission recommended denial of the waiver request by a vote of 3 to 1.

6. Action on Planned Residential Development (PRD)- none

7. Action on Major Subdivision Plats-

- A) Major Subdivision-Charles Cornett.** The developers, Charles and Laurie Cornett, have proposed a 2-lot subdivision along Medallion Drive off of Old Frostburg Road. The property is located on tax map 20, parcel 144 within the Agricultural Resource land classification. The applicant is seeking conditional, final approval of this subdivision contingent on Stormwater Management and Sediment & Erosion Control approval. Homeowner documents have not been officially approved. The Commission granted conditional approval of this Preliminary and Final Plat by a unanimous vote of 4 to 0.

- 8. Next Scheduled meeting -** The next regular meeting of the Planning Commission is scheduled for Wednesday, **June 6, 2007**, in the County Commissioners Meeting Room, at **1:30 pm**.

- 9. Adjournment-** 4:00 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator