

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, June 4, 2008, at 1:30 pm, in the County Commissioners Meeting Room. Members in attendance at the meeting include:

Troy Ellington
Tim Schwinabart
Gary Fratz

Joe McRobie
Ruth Beitzel
Fred Holliday

Dr. William Pope
Paul Durham
John Nelson-staff
William DeVore-staff

1. Call to Order – By Chairman, Troy Ellington at 1:30 pm.
2. The May minutes were unanimously approved as submitted.
3. Report of Officers – Chairman Ellington noted that the Route 40 bridge at Penn Alps is scheduled to be closed for repair from May 28 through September 12.
4. Unfinished Business –
 - A. Comments on the Comprehensive Plan by the town of Mountain Lake Park.**

John Nelson, director of Planning and Land Development noted that the Mountain Lake Park Planning Commission submitted a letter concerning the proposed extension of the town's growth boundary. The town would like their growth boundary to include the nearby, county industrial parks as well as the new county office complex. Mr. Nelson pointed out that there is a disagreement between the county and the Mountain Lake Park Comprehensive Plans. At a future date, if the town and the county were at odds regarding annexation of this area into the town, the Department of State Planning would arbitrate such a disagreement.
5. New Business-
 - A. Review of a proposed amendment to the Ridgeview Valley PRD, Phase I -**

The Planning Commission granted final approval of the original 29-lot Final plat, during the September 6, 2006 meeting. The property is part of the Ridgeview Valley Planned Residential Development (PRD) and is located on tax map 50, parcel 14, in the Lake Residential zoning district. This revised plat removed two of the previously approved lots and added two new lots, leaving the remaining lots unchanged. Mr. Nelson noted that Ridgeview Valley is proposing to add lots

6 and 7 to the PRD while removing lots 80 and 81. On June 27, the official sales promotion of the subdivision will begin and the owners would like to include lots 6 and 7 in that promotion. The Planning Commission granted approval of this revised final PRD plat by a unanimous vote of 5 to 0.

B. Public Commentary-

Dr. William Pope asked whether industrial windmills could be constructed on the ridge tops surrounding the Ridgeview Valley property. He stated that he is looking for property but does not want to buy where windmills will be part of the nearby landscape. Dr. Pope notes that it is difficult to research the future location of these windmill farms that are proposed in the county because the easement agreements are not recorded in a timely manner. He feels that recording of these easements should be required to take place within a set time period.

Dr. Pope attended a meeting of the Backbone Mountain Property Owners Association and found that property owners there have recently found out about a proposed new wind farm in that area that would be only about 100 yards from a home in that subdivision. He feels that many times people move to Garrett County to get away from industrial development and now the county will be associated with this industrial development.

Dr. Pope also would like to know if the county attorney could be sued for bad or incorrect legal advice regarding the implementation of Performance Zoning. He feels that once the power companies have established a vested interest, it will be hard to stop the wind farm.

C. Miscellaneous

- 1. Deep Creek Watershed Zoning Appeals Cases** – There are no Board of Appeals cases scheduled for this month.
- 2. Minor Subdivisions** – Approved minor subdivisions have been included in the packet mailed to the Commission members, prior to the meeting.
- 3. Waivers Requests- None**
- 4. Ag-land District Applications – None**
- 5. Bill Proposal to Regulate Signage.** Mr. Nelson notes that Delegate Wendell Beitzel proposed a bill last year to control outdoor advertising signs. The bill is similar to an existing bill currently in effect in Hartford County. This bill

would control signs in the un-zoned areas of the county. Delegate Beitzel plans to introduce a new bill next session and he would like the support of the Planning Commission, the County Commissioners and the Chamber of Commerce. Mr. Nelson explained that when Delegate Beitzel was a County Commissioner he requested the Planning Commission's consideration to establish a countywide sign ordinance, largely to limit large billboard signs. Now Delegate Beitzel would like to revisit the issue. Current State Highway Administration (SHA) regulations require that any off premise sign must be located within 660 feet of some commercial activity on State highways.

Commissioner Holliday believes that it is necessary to set up an ad hoc committee to study the issue, in order to provide advice to the County Commissioners on this bill. Mr. Nelson feels that a county sign ordinance that is more prohibitive than the State ordinance could actually take the place of a State ordinance. Mr. Nelson also advised that the Interstate Commerce statutes would not allow the prohibition of out of state advertising signs.

The Commission also agreed to place this topic on the agenda, for further discussion, at a future date.

Troy Ellington volunteered to be a member of a small workforce, exploratory, committee to meet with members of the Chamber of Commerce and the Economic Development Corporation to study this issue and report to the Commissioners and the Planning Commission.

John Nelson said that he would send a letter to Charlie Ross to inform the Chamber that the Planning Commission has selected a member to join an exploratory committee to consider this issue. A letter would also be sent to Chris Sweitzer of Economic Development. At the suggestion of Commissioner Holiday, the Commission made a formal motion for formation of this taskforce, to consider countywide sign regulations, by a vote of 5 to 0.

E. Action on Planned Residential Developments (PRD) and Major Subdivisions

- 1. Final Plat- North Shore West Phase II-** The developers, PSE Family LP, submitted a Final plat for a 19-lot subdivision located off of North Shoreline Road and Smith Pointe Road. The property is located on tax map 67, parcel 1, in a Lake Residential zoning district. The Planning Commission granted approval of this Final plat by a unanimous vote of 5 to 0.
- 2. Final Plat-Thousand Acres II, Cathedral Springs-** The developer, Appalaichan Investment Properties, submitted a Final plat for a 35-lot cluster subdivision located off of realigned Crows Point Road. The property is

located on tax map 67, parcels 785 and 780 in a Lake Residential zoning district. The developer requested conditional approval of the Final plat and the Record plat for Phase I contingent on final approval by the Garrett County Health Department. The Planning Commission granted conditional approval of the Final and Record plats by a unanimous vote of 5 to 0.

- 3. Final Plat- Mountain Landings-** The developers, Aviation Properties Inc., submitted a Final plat for a 14-lot subdivision located off of Pysell Road. The property is located on tax map 42, parcel 9, and in a Rural land classification. The developer requested conditional final approval contingent on final approval of the homeowner documents and approval of the Grading/Stormwater permit and the bond associated with that permit. The Planning Commission granted conditional approval of this Final plat by a unanimous vote of 5 to 0.

F. Next Scheduled meeting - The next regular meeting of the Planning Commission is scheduled for Wednesday, **July 2, 2008**, in the County Commissioners Meeting Room, at **1:30 pm**.

G. Adjournment- 3:15 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

