

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

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

Troy Ellington	George Brady	William DeVore-staff
Joe McRobie	Jeff Messenger	Bonnie Cruvey
Tony Doerr	Ruth Beitzel	Paul Durham
Tim Schwinabart	John Nelson-staff	April Ritter

1. Call to Order – By Chairman, Troy Ellington at 1:30 pm.
2. The September minutes were unanimously approved as submitted.
3. Report of Officers – none
4. Unfinished Business – no comments
5. New Business-
 - A. **Review of Final Changes to the Comprehensive Plan.** Chairman Ellington noted that the Commission has reviewed each chapter one by one, to determine if there are any final changes to the Plan. Only a few minor typo changes were noted in Chapters 1 through 5. In Chapter 6, one change in the Transportation Section is necessary in order to clearly define the proposed Corridor H link, which follows Route 219 North, Interstate 68 East and then along US Route 220 South. Also a clarification; the New Page pulp and paper mill, which is no longer owned by the Westvaco Corporation, is located in Luke, Maryland.

Chairman Ellington believes that in Chapter 7- Sensitive Areas, page 7-15 should be modified to read, “While the County acknowledges that the potential negative impacts of wind power facilities, it also recognizes the potential benefits, especially those related to clean, sustainable power generation and potential socio-economic and fiscal benefits. The County acknowledges that the boundaries of current zoning regulations are limited to the Deep Creek Watershed and that regulations would permit the owners of land outside of the watershed, that is suitable for wind power facilities, to use their property for that purpose.” Chapter 8 was approved with no changes.

Discussion ensued regarding Housing- Chapter 9, especially the proposed housing units at the White Face Farm. Wording was clarified to explain that preliminary development plans for this parcel include 250 housing units of “mixed unit types”. Also the definition of “affordable housing” was raised and discussed, along with the proposed addition of a business park. The Commission agreed that wording in Chapter 6 of the plan should be modified to clarify that the White Face Farm includes a plan for a “business park and a workforce housing project”. The Commission agreed to modify Chapter 10, Mineral Resources Element to clarify that landowners would also receive free gas in exchange for drilling rights. Chapter 11- Economic Development and Chapter 12- Implementation had no changes.

Chairman Ellington made a motion to approve the Comprehensive Plan, along with the changes agreed to at this meeting, and to forward the Plan to the Garrett County Commissioners for their action. This motion was approved by unanimous vote of the Planning Commission (7 to 0) and the Commission signed and adopted a formal resolution with their signatures.

Chairman Ellington thanked the entire Commission and all of the participants on the professional manner in which the Plan was assembled. Mr. Nelson also noted that many public meetings were held at different times in order to accommodate and encourage public participation. Mr. Nelson also thanked the Commission and all participants for all of their hard work.

Mr. Nelson noted that the Commission’s next work program would be to update the Subdivision Ordinance, the Deep Creek Watershed Zoning Ordinance and the Sensitive Areas Ordinance. Mr. Nelson expects that this project to amend the regulations will take at least one year to a year and one-half to complete. Plans are to begin the project sometime around the beginning of the year.

- B. **Public Commentary-** Paul Durham congratulated the Commission for a job well done in the formulation of the Comprehensive Plan. Mr. Durham believes that the progress of the plan was documented on the County website in a timely manner and this aided public participation.

C. **Miscellaneous**

1. **Deep Creek Watershed Zoning Appeals Cases –**

- a. **SE-394-** an application submitted by Donald S. Nemith, for a Special Exception permit to allow construction of a hotel that will be up to six stories and 60 feet in height. The property is located at 531 Deep Creek Drive on the property currently occupied by the Point View Inn, tax map 50, parcel 287 and is zoned Town Center.

After discussion, the Commission has no comment regarding the request.

- b. **VR-650** - an application submitted by Spiker, LLC, for a Variance to allow the construction of a deck or patio that would come within 0.0 feet of a rear property line, instead of the required 5.0 feet. The owner has purchased the buy-down from the State of Maryland. The property is located at 20680 Garrett Highway, tax map 58, parcel 242 and is zoned Town Center.

The Commission has no comment regarding the request.

- c. **VR-651** - an application submitted by Donald S. Nemith for a Variance to allow the construction of parking lot that would be built without a required 10-foot planting strip along a highway right-of-way. Parking design standards require a planting strip that would be built parallel to State Route 219, Garrett Highway. The property is located at 531 Deep Creek Drive on the property currently occupied by the Point View Inn, tax map 50, parcel 287 and is zoned Town Center.

After discussion, the Commission has no comment regarding the request.

- d. **VR-652** an application submitted by Donald S. Nemith for a Variance to allow the construction of a hotel that would come to within 12.0 feet of a rear property line, instead of the existing, grandfathered setback. The owner has purchased the buy-down from the State of Maryland. The property is located at 531 Deep Creek Drive on the property currently occupied by the Point View Inn, tax map 50, parcel 287 and is zoned Town Center.

After discussion, the Commission has no comment regarding the request.

- 2. **Minor Subdivisions** – Approved minor subdivisions have been included in the packet that was mailed to the Commission members, prior to the meeting.
- 3. **Waivers Requests- None**
- 4. **Discharge Permit Applications - None**

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

- 1. Preliminary & Final Plat- Bear Ridge-** The developer, Toney Artice, submitted a combined Preliminary and Final plat for one new building lot in the Bear Ridge subdivision located off of Malachi Way, off of Route 42. The property is located on Map 23, Parcel 124 in a Rural land classification. The Planning Commission granted approval of this combined Preliminary and Final plat by a unanimous vote of 7 to 0.

- 2. Final Plat for the Common Areas of the Villages of Wisp phase of the Wisp Resort PRD-** Rehuba initiated this phase of the PRD in 1984. This is a plat for recordation of all of the common area in this phase. This plat demonstrates full compliance with the common open space requirements under the PRD section of the Ordinance. The plat shows about 50% of the property is common open space, while 25% is required. The Commission granted approval of this plat by a unanimous vote of 7 to 0.

F. Next Scheduled meeting - The next regular meeting of the Planning Commission is scheduled for Wednesday, **November 5, 2008**, in the County Commissioners Meeting Room, at 1:30 pm.

G. Adjournment- 2:45 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

