

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, March 4, 2009, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Gary Fratz	Bill Franklin
Tony Doerr	Chad Fike-staff	Dr. William Pope
Tim Schwinabart	William DeVore-staff	Paul Durham
George Brady		

1. Call to Order – By Chairman Ellington at 1:30 pm.
2. The February minutes were unanimously approved as submitted.
3. Report of Officers – none
4. Unfinished Business – none
5. New Business-

A. Discussion of a Report to the Allegany County Planning and Zoning Commission regarding “The Regulation and Management of Wind-Energy Devices”.

Chairman Ellington noted that a report to the Planning and Zoning Commission of Allegany County titled “The Regulation and Management of Wind-Energy Devices” was in the packet of information sent out to each Planning Commission member. Commission members noted that these recommendations apply to areas that are already zoned in Allegany County but they could be applicable to the Deep Creek Watershed Ordinance, in Garrett County. Chairman Ellington feels that the recommendations do a fair job of protecting property owner’s rights, along with protecting nearby residents. The chairman also feels the document addresses radio interference, a subject that may have been overlooked in previous attempts to regulate turbines.

Dr. Pope pointed out that wind turbines might affect communication signals at Eagle Rock. Dr. Pope and Paul Durham noted that Senator Edwards and Delegate

Beitzel have introduced bills in Annapolis to enable the County Commissioners to regulate wind turbines in the County.

William DeVore of the Planning office also noted that the recommendations from Allegany County also defined three types of Wind Energy Devices. The three types of Devices include Agricultural, Domestic and Industrial. The regulations are devised for each type, according to their impact, with a setback related to the height of the structure. The regulations also include a recommendation to require approval from the Board of Zoning Appeals for any structures over 300 feet in height. A performance bond would be posted in the amount of \$150,000 for each structure to protect against abandonment and \$100,000 as an “interference bond”. Mr. DeVore noted that the Allegany County Commissioners have not yet approved these recommendations, but the Planning Commission of Allegany County has recommended their approval.

Chairman Ellington suggests that Planning Commission members keep abreast of the development of these regulations in Allegany County.

Dr. Pope stated that if the new regulations to allow the Commissioners to regulate setbacks for wind turbines are enacted as proposed, the County will still have no control over abandonment and/or interference that may be associated with the turbines. Some of the Planning Commission members voiced support for some type of bonding mechanism to discourage or protect against abandonment of the structures, if they somehow become no longer economically viable.

B. Election of Officers- Troy Ellington was elected to continue as Chairman of the Planning Commission. Tim Schwinabart will continue as Vice-Chairman and Ruth Beitzel as Secretary, by unanimous vote of the Commission.

C. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases – None

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 – None

4. Discharge Permit Application– None

5. Mining Permit Applications

- a. LAOC Corporation** - Application has been made to the Maryland Bureau of Mines by LAOC Corporation for a 34-acre surface mine site, along the Maryland-West Virginia line, near Crellin. Access to the site will be from Crellin Mine Road. The Commission has no comment on the application.

D. Action on Planned Residential Developments (PRD) and Major Subdivision Plats- Preliminary Plat- Thousand Acres Phase II- The developer, Appalaichan Investment Properties, submitted a revised preliminary plat for a seven-lot subdivision located along realigned Thousand Acres Road in the Thousand Acres development. The property is located on Map 67, Parcel 780, in a Lake Residential zoning district. Preliminary approval of the entire 150-lot cluster development was granted in January 2008. The revised preliminary plat of Phase II deletes two small stub roads shown on the original plan. The Planning Commission granted approval of this revised preliminary plat by a unanimous vote of 5 to 0.

E. Next Scheduled meeting - The next regular meeting of the Planning Commission is scheduled for Wednesday, **April 1, 2009**, in the County Commissioners Meeting Room, at 1:30 pm.

F. Adjournment- 2:30 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

