

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

203 S. 4th St –Room 210
Oakland Maryland 21550
(301) 334-1920 FAX (301) 334-5023
E-mail: planninglanddevelopment@garrettcountry.org

MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, January 6, 2010, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	John Nelson-staff	Paul Durham
Ruth Beitzel	Chad Fike- staff	Bill Franklin
Tony Doerr	William DeVore-staff	Bill Weissgerber
Tim Schwinabart	Wesley Yoder	Larry Smith
Gary Fratz	Miriam Yoder	Mike Kennedy

1. Call to Order – By Chairman Ellington at 1:30 pm.
2. The December minutes were unanimously approved as submitted.
3. Report of Officers – As a note, Tim Schwinabart reported that the executive director of the Maryland Coal Association is meeting with the governor’s chief of staff today.
4. Unfinished Business –

A. Commission Members-Staff

Mr. Nelson noted that the press release concerning the proposed revisions to the Sensitive Areas Ordinance, the Subdivision Ordinance and Deep Creek Watershed Zoning Ordinance has been distributed to all media and should be published in the *Republican Newspaper* tomorrow, January 7. The release notes that copies of the draft ordinances are available for review at all branch offices of the Ruth Enlow library, the main offices of Crellin, Bloomington, Swan Meadow, Route 40, and Yough Glade schools and the county website. It is expected that the *Cumberland Times News* will also publish the press release that was sent out by the Planning Office.

Mr. Nelson also clarified that applications for natural gas drilling do not necessarily require a public hearing, but a hearing would be held if requested. As part of the gas drilling process, MDE will notify the public by newspaper of general circulation. Also a 1,000 foot setback is required from property owners who are not under lease, by the drilling company.

5. New Business-

A. Discussion on Revised Draft Ordinances.

Chairman Ellington notes that he has reviewed the changes to the ordinances and believes that the ordinances now reflect what was approved by the Planning Commission. These changes are also reflected in the minutes of the December meeting of the Commission.

The Commission feels that the public hearing date should be Thursday, February 4th, at 7:00 pm, or Saturday February 6th at, 10:00 am, with priority given to the Saturday date. Mr. Nelson will verify with ERM, the Planning Commission's consultant, to see if the Saturday date is possible. February 11th will be used as a contingency date. The date will be advertised, as soon as the date is confirmed, to solicit comments concerning the newly revised ordinances.

The Commission agreed to keep the comment period open for 30 days after the public meeting to allow for additional time for review of the documents. The Commission also agrees that it would be best to have the next meeting after the public hearing so that any appropriate changes could be incorporated into the draft ordinances.

The Commission suggests that local agencies, including the Planning Commission, make a recommendation to the *Republican* to establish a "community calendar" section within the newspaper to keep citizens posted regarding regular and special meetings of State and county governments, along with other useful civic information. The Commission believes that this would help make it easier for citizens to be aware of important meetings and events at the local government level.

Paul Durham and Bill Weissgerber pointed out that new language in the zoning ordinance would make small, non conforming lots that are later resurveyed, reconfigured and re-described, no longer grandfathered. Mr. Nelson acknowledged that this change was introduced by Rich Skipper. Mr. Weissgerber believes that the practice is done by attorneys largely because it is easier to compose the deed in this way.

B. 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 –

- a. Wesley Yoder-** Mr. Yoder is seeking a waiver from the density standards of the subdivision ordinance in order to establish a commercial business as a grocery store/deli, on a 1.34 acre lot. The lot already contains two existing homes. A separate septic, easement area is located north of the property on a tract owned by the father of the applicant. The property is located at 1406 Dorsey Hotel Road on tax map 8, parcel 124, in an Agricultural Resource land classification. The waiver is required because the property does not meet the minimum lot size requirements that are needed to allow additional development. The Agricultural Resource land classification requires a minimum lot size of three acres per dwelling unit. After discussion, the Commission granted approval of the waiver request by a unanimous vote of 5 to 0.

4. Surface Mining Permits- None

5. Discharge Permit Applications– None

D. Action on Planned Residential Developments (PRD) Plats- None

E. Action on Major Subdivision Plats-

- 1. Preliminary and Final Plat- Lee Brenneman-** The developer, Lee Brenneman has submitted a combined Preliminary and Final Plat for a two-lot subdivision located off of Hidden Meadow Lane. The property is located on tax map 44, parcel 61 in a Rural land classification. The Planning Commission granted conditional approval of this combined Preliminary and Final Plat by a unanimous vote of 5 to 0. The approval is conditioned upon final approval of the road plan.
- 2. Final Plat- South Shore Pointe-** The developer, Appalaichan Investment Properties, submitted Final Plats for Lot 3 and Lot 4 of the South Shore Pointe cluster development located off of Thousand Acres Core Road. The property is located on tax map 67, parcel 780 in a Lake Residential zoning district. The Planning Commission granted conditional approval of these Final Plats by a

unanimous vote of 5 to 0. The approval is conditioned upon final approval of the road plan and grading permit.

- 3. Preliminary Plat-Back of Beyond-** The developer, Franklin Trust, PSE Family, submitted a Preliminary Plat for a 15-lot cluster development located off of North Shoreline Drive and Shoreline Drive. The property is located on tax map 67, parcels 419-1 and 778, in a Lake Residential zoning district. The Planning Commission granted approval of the Preliminary 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, **February 3, 2010**, in the County Commissioners Meeting Room, at 1:30 pm. The Commission decided to forgo this meeting, if no business surfaces that may require immediate attention. Mr. Nelson will inform members of any new business that may require action. A public hearing by the Commission will be held on Thursday **February 4** or Saturday **February 6**.

- G. Adjournment-** 2:45 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

