

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 10, 2010, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Jeff Messenger	Paul Durham
Tim Schwinabart	George Brady	Rich Skipper
Tony Doerr	John Nelson-staff	Bill Atkinson
Gary Fratz	William DeVore-staff	

1. Call to Order – By Chairman Ellington at 1:30 pm.
2. The January minutes were unanimously approved as submitted. The Commission did not meet in February.
3. Report of Officers – None
4. Unfinished Business –

A. Commission Members-Election of Officers

Troy Ellington was reelected chairman by a unanimous vote of 5 to 0, with one abstention.

Tony Doerr was elected vice-chairman by a unanimous vote of 5 to 0, with one abstention. Mr. Doerr is serving as an alternate member of the Commission. The Planning Commission By-laws and Robert’s Rules of Order do not address this issue; therefore, after a review, Mr. Nelson feels that Mr. Doerr’s election as vice-chair is allowable.

Ruth Beitzel was reelected secretary by a unanimous vote of 6 to 0.

5. New Business-

A. Discussion on the Planning Commission and Board of Appeals Education Course Material.

Bill Atkinson from the Maryland Department of State Planning appeared before the Commission to answer any questions that the group may have concerning the education course material that has been circulated by the State Planning Office. Mr. Atkinson explained that anyone not taking the course online should complete the test material and send it to the county zoning office. Mr. Nelson can then verify to Mr. Hall at State Planning that this individual has completed the course. Bill Atkinson noted that the 133-page manual is comprehensive and serves to reiterate the importance of the job as commission or board of appeals member. Mr. Atkinson notes that his office is hoping to receive feedback concerning the education material so that his office can improve and update the material accordingly.

Bill Atkinson notes that other training material could be devised by jurisdictions, and pending State Planning approval, the newly devised material could be used instead of this particular course. The City of Cumberland has devised such a program. Mr. Atkinson explained that the State is meeting with the towns individually to help them through the course material, testing and certification.

The Commission requests that a “clean link” be circulated by the zoning office to clear up any problems in accessing the web site. Mr. Nelson will email the link to all members that are planning to take the course online.

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. Turner/Amspacher- Charles Turner and Lynda Amspacher are seeking a waiver from the lot width and acreage standards of the Subdivision Ordinance in order to subdivide their property located along Lonaconing Road. Mr. Nelson pointed out that the proposed changes to the Ordinance would allow this subdivision, without a waiver. The five-acre parcel is located on tax map 29, parcel 79, in an Agricultural Resource land classification. Currently, the property is not large enough to be further subdivided without a waiver since the Agricultural Resource land classification requires a minimum lot size of three acres and lot width of 200 feet. After discussion, the Commission granted approval of the waiver request by a unanimous vote of 6 to 0.

4. Surface Mining Permits- None

5. Discharge Permit Applications–

- a. **Discharge Permit Application –Garrett County Sanitary District-**renewal of an application to discharge 925,000 gallons per day from the Trout Run Wastewater Treatment Plant that discharges into the Little Youghiogheny River. The Commission has no comment on the application.

6. Discussion of Public Meeting of Saturday March 6 at Garrett College-

The Commission briefly discussed the results of the Saturday meeting. Mr. Nelson noted that seven people spoke at the meeting and staff is still awaiting written comments that are expected by several of those speakers. Chairman Ellington felt that predominately all comments were favorable and requests that all written comments are distributed to the Commission before the next meeting.

Questions were raised by two different speakers concerning the Table of Use Regulations, of the zoning ordinance, requiring Special Exceptions before the Board of Appeals. Mr. Nelson explained that an important part of the Special Exception process is that “special conditions” could be placed on the applicant, in certain circumstances that could lessen the impact of a new use.

Friends of Deep Creek are also expected to submit a letter concerning water quality and sedimentation issues which are related to a new bill introduced in Annapolis regarding fees for impervious surfaces.

Mr. Nelson noted that the record will be open until March 21 to allow for comments on the proposed changes to the Subdivision Ordinance, the Deep Creek Watershed Zoning Ordinance and the Sensitive Areas Ordinance. The Commission plans to respond to any comments and prepare a final recommendation to the Board of County Commissioners at the next meeting.

D. Action on Planned Residential Developments (PRD) Plats-

- 1. **Wisp Resort Phase 10A and B and Golf Club.** The developers, DC Development, submitted a revised preliminary plat and a Section 2 Final plat showing golf cart storage and a temporary club house located off of Lodestone Drive. The property is part of the Wisp Resort Planned Residential

Development and is located on tax map 49, parcel 11 in a Lake Residential zoning district. The Planning Commission granted preliminary approval and Section 1 Final approval during their May 2009 meeting. The Commission granted approval of this revised Preliminary plat and conditional approval of the Section 2 Final plat by a unanimous vote of 6 to 0. The Final plat, Section 2, approval is contingent on approval of a revised grading permit.

E. Action on Major Subdivision Plats-

- 1. Preliminary and Final Plat- Bernard-** The developer, Thomas Bernard, submitted a combined Preliminary and Final plat for a four-lot subdivision located off of Weber Road and Wolf Acres Road. The property is located on tax map 78, parcel 580 in a General Commercial land classification. The Planning Commission granted approval of this combined Preliminary and Final plat by a unanimous vote of 6 to 0.

F. Next Scheduled meeting - The next regular meeting of the Planning Commission is scheduled for Wednesday, **April 7, 2010**, in the County Commissioners Meeting Room, at 1:30 pm.

G. Adjournment- 2:45 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

