

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, July 7, 2010, at 1:30 pm, in the County Commissioners Meeting Room. Members in attendance at the meeting included:

Troy Ellington	George Brady	Bill Franklin
Tim Schwinabart	Tony Doerr	John Nelson-staff
Gary Fratz	Jeff Messenger	William DeVore-staff
Ruth Beitzel	Paul Durham	

1. Call to Order – By Chairman Ellington at 1:30 pm.
2. The June minutes were unanimously approved as submitted.
3. Report of Officers – Chairman Ellington noted that a documentary aired on HBO concerning drilling and gas extraction from the Marcellus Shale. The program titled “Gas Land” was provided by Commission member George Brady and is available on DVD from the Planning office, for Commission members to borrow and watch. Questions concerning drinking water contamination are raised in the program due to “fracking” technology used in drilling operations within the Marcellus Shale. Mr. Nelson noted that currently this type of drilling is not subject to the Clean Water Act but he notes that the EPA is currently conducting meetings throughout the country to solicit public comment on the issue.
4. Unfinished Business – None
5. New Business
 - A. Discussion on the Planning Commission and Board of Appeals Education Course Material.** All members of the Commission and the Board of Appeals completed the Maryland Department training course by the June 30th deadline, except for one alternate from each group. Mr. Nelson thanked the group for completing the training course.
 - B. Review and approval of Ag-land District Application (Vivian Hughes)-**

Vivian Hughes has applied for an Ag-land district on property located off of the Lonaconing-Avilton Road near Avilton. Most of the property is wooded with a small amount of pasture along Savage River. Mr. Nelson explained that a total of 126.66 acres are being applied for as an ag-land district. Two portions of the property, a 13-acre section and a 94.5-acre section do not qualify for a district, due to soil type. Mr. Nelson also noted that money from the State would be combined as one cycle for fiscal years 2011 and 2012. The Commission voted by a vote of 7 to 0 to approve the Hughes application to form the ag-land district. A letter to that effect, prepared by Mr. Nelson, was signed by Chairman Ellington.

C. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –

- a. VR668** - an application submitted by Charles Henck and Karen Malloy for a Variance to allow the construction of a proposed residence that would come to within 6.0 feet of the rear property line. The applicant also requests a patio to come to with 0.5 feet of the rear line. The owner has purchased the “buy-down” from the State of Maryland. The property is located at 3019 Lake Shore Drive, tax map 58, parcel 134, and is zoned Lake Residential 1. The Commission has no comment on the Variance by a vote of 7 to 0.
- b. VR669** - an application submitted by James and Amy Dimisa for a Variance to allow the construction of a proposed residence that would come to within 1.0 feet of the rear property line. The owner has purchased the “buy-down” from the State of Maryland. The property is located at 96 Whispering Way, tax map 67, parcel 407, and is zoned Lake Residential 1. The Commission has no comment on the Variance by a vote of 7 to 0.
- c. VR670** - an application submitted by Harry and Chris Kelly for a Variance to allow the construction of a proposed residence that would come to within 1.0 feet of the rear property line. The owner has purchased the “buy-down” from the State of Maryland. The property is located at the Reserve at Holy Cross, tax map 66, parcel 522, Lot 4 and is zoned Lake Residential 1. The Commission has no comment on the Variance by a vote of 7 to 0.

2. Minor Subdivisions – Approved minor subdivisions have been included in the packet mailed to the Commission members prior to the meeting. Chairman Ellington noted that the mailed plats were of appropriate size and scale.

3. Waivers Requests- None

4. Discharge Permit Applications –None

D. Action on Planned Residential Developments (PRD) and/or Major Subdivisions

- 1. Final Plat- Mountain View-** The developer, Appalaichan Investment Properties, submitted a Final plat for lot 14 in the Mountain View subdivision off of Thousand Acres Road. The property is located on tax map 67, parcel 780 in the Lake Residential 1 zoning district. The Planning Commission granted conditional approval of this Final plat by a unanimous vote of 7 to 0. The approval is conditioned upon the plat being signed by the Health Department and Department of Public Utilities.
- 2. Troy Gnegy -** The developer, Troy Gnegy has submitted a Preliminary/Final plat for a 5 lot subdivision off of Bernard Road. The property is located on tax map 85, parcel 50, in a Agricultural Resource land classification. The Commission granted Conditional approval of this Preliminary/Final plat by a unanimous vote of 7 to 0, contingent on the submission of approved homeowner documents and the required bonding.

E. Next Scheduled meeting - The next regular meeting of the Planning Commission is **tentatively** scheduled for Wednesday, **August 4, 2010**, in the County Commissioners Meeting Room, at **1:30 pm. Please note that the meeting may be canceled pending future business that may require immediate action.** In that case, the next meeting would be Wednesday, **September 1, 2010**, at 1:30 pm.

F. Adjournment- 2:15 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

