

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, December 8, 2010, at 1:30 p.m., in the County Commissioners Meeting Room. Members in attendance at the meeting included:

Troy Ellington	Robin Jones	Joyce Bishoff
Tim Schwinabart	Eric Robison	Sue Arnson
William Weissgerber	Dee Dee Ritchie	Paul Durham
Tony Doerr	Duane Yoder	John Nelson-staff
Jeff Messenger	Bill Franklin	William DeVore-staff
Jeff Gosnell	Cristan Carter	

1. Call to Order – By Chairman Ellington at 1:30 pm.
2. The November minutes were unanimously approved as submitted.
3. Report of Officers – Mr. Nelson announced that Bill Weissgerber has been appointed to the Planning Commission, replacing Joe McRobie as alternate. Bill's term will expire in November 2011.
4. Unfinished Business – Mr. Nelson explained that a letter was included in the packet from MDE regarding the TMDL Bay nutrient reduction project and the Watershed Implementation Plan. The letter is a response to a letter by Jim Stakem of the Allegany County Commissioners for an extension of time for completion of the Phase II part of the project. The letter states that MDE and EPA are committed to keeping the project on track, as required by federal guidelines. Recently, Mr. Nelson has learned that MDE may request a six-month extension to the EPA for completion of Phase II, which currently must be completed by June 1, 2011.
5. New Business

A. PUBLIC HEARING: Draft Comprehensive Plan amendment for incorporating the Heritage Plan into the Comprehensive Plan.

Mr. Nelson explained that this public hearing is required as part of implementation of the Heritage Plan. Mr. Nelson has prepared a Resolution that includes three amendments to the Comprehensive Plan consisting of text and additional documents to be incorporated into and made part of the Plan and its Appendix. The entire Heritage Plan will be added to the Appendix of the Comprehensive Plan. The other amendments are minor wording changes that

include reference and explanation of the Heritage Plan, which were advertised in the Republican.

Mr. Nelson read a copy of a letter from the Maryland Department of Planning stating that the office has reviewed and approves the amendments to the Comprehensive Plan. The State Planning Office feels that the Heritage plan is consistent with the State's programs and objectives.

In response to a question by the Chairman regarding a reference to Smart Growth, Mr. Nelson feels that the significance of the reference is that the target investment areas that the local Heritage Committee has prepared are largely synonymous with the towns which are designated as PFA's.

Peggy Jamison and Joyce Bishoff presented an overview of the Heritage Plan to the members of the Commission and the audience. Ms. Jamison explained that this process began in 2003 with the recognition of the entire county as a heritage area. Last year the committee began the process of determining what areas would be "certified" areas. A consultant helped to prepare the plan for the county.

The County Commissioners held a public hearing on October 26, for the final draft of the Heritage Plan. The County Comprehensive Plan and the Plan for all eight municipalities must also be amended to include the Heritage Plan. The plan must be submitted to the Maryland Heritage Area Authority Board for their review. Ms. Jamison explained that the Heritage Plan not only provides for ways to preserve historic buildings but also the plan can be used as an economic development tool, to identify and preserve the heritage of the county.

The Chairman commends the consultant and the committee for the superb product that was created on the history of the county, developed as part of the Heritage Plan, titled "Volume 1-"Defining the Heritage". The Chairman recommends that everyone read this document on the history of the county that can be found on the county web site.

Duane Yoder noted that the adoption and implementation of this plan could help provide a source of funding for the development of the county trail system.

Ms. Jamison hopes that the Heritage plan can be implemented within six months, though the Maryland Heritage Authority must visit the county before signing off on the plan. There is an April 1, 2011 deadline for new project requests. The Commission approved the resolution prepared by Mr. Nelson by unanimous vote of 5 to 0. The resolution will be forwarded to the County Commissioners, recommending the adoption of the amendments to the Comprehensive Plan, which is a requirement of the Heritage Plan.

- B. Review request for Tentative Plan amendment; Ridge View Valley PRD.** Mr. Nelson notes that in a letter from Jeff Gosnell, Ridge View Valley PRD requests for approval of changes to the PRD, by a lot line adjustment. The request would transfer 0.7 acres to an adjacent property owner and amend the number of housing units from 328, to 327 units. The transferred property would be used for access. The developer also requests the opportunity to make the decision regarding the type of housing unit to be dropped, at a later date. Mr. Nelson explained that the final plan must be submitted for every phase of the project so the request should have little impact on tracking the progress of the PRD. The Planning Commission granted approval of the revised Tentative Plan by a unanimous vote of 5 to 0.

C. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –

- a. VR677-** an application submitted by Ronald and Joy Paul for a Variance to allow an existing porch that would come to within 9.0 feet of a side property line, instead of the required 15.0 feet. The property is located at 950 Beckman Peninsula Road, tax map 58, parcel 720 and is zoned Lake Residential 1. The Board has no comment on the application.

- 2. Minor Subdivisions –** Approved minor subdivisions have been included in the packet mailed to the Commission members prior to the meeting.

3. Waivers Requests-

- a. Back of Beyond-** The developer, Franklin Trust, PSE Family, submitted a waiver request from the private road design standards of the Subdivision Ordinance. Back of Beyond is an eight-lot cluster development located off of North Shoreline Drive and Shoreline Drive. The property can be found on tax map 67, parcels 419, 1 and 778 in a Lake Residential 1 zoning district. Specifically, the waiver request is from the requirement to install a turnaround at the end of a short extension of Shoreline Drive. After discussion, the Planning Commission granted approval of this waiver request by a unanimous vote of 5 to 0, with the stipulation that the road segment be widened to a full width of 12 feet.

- 4. Mining Permit Applications –**An application was submitted by Vindex Energy Corporation for a surface mine coal permit located off of State Route 38. The application is to permit 434 acres for surface coal mining, near Wolf Den Run. The surface and mineral is owned by Douglas Coal Company, Inc. Any comments regarding the application will be received by the Maryland

Bureau of Mines by December 22, 2010. The Planning Commission offered no comments on the application.

D. Action on Planned Residential Developments (PRD) and/or Major Subdivision plats-

- 1. Revised Preliminary Plat-Back of Beyond Subdivision-** The developer, Franklin Trust, PSE Family, submitted a Preliminary Plat for an eight-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 1 zoning district. The Planning Commission previously granted preliminary approval of a design consisting of 15 lots on January 6, 2010. The Planning Commission granted approval of the 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, **January 5, 2011**, in the County Commissioners Meeting Room, at **1:30 pm**.

F. Adjournment- 3:00 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

