

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, July 6, 2011, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Jeff Messenger	Mark Spurrier
Bob Gatto	Harry Spiker	Larry Smith
Tim Schwinabart	John Nelson-staff	Paul Durham
Gary Fratz	William DeVore-staff	

1. Call to Order and Introduction of Guests – By Chairman Ellington at 1:30 pm.
2. The June minutes were unanimously approved as submitted.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business –

A. Status of Bear Population in Garrett County –DNR- Harry Spiker of the Department of Natural Resources (DNR) presented a 40-minute Power Point presentation concerning the status of the black bear population in Garrett County. The presentation was followed by a question and answer session. Mr. Spiker noted that originally bear populated the entire state but from 1966 through 1974 the bear population was largely limited to a small steep slope area in Western Maryland. In 2008, bears were sited in 14 of Maryland's 23 counties. Mr. Spiker notes that population estimates are expensive so they are not conducted often. DNR relies on trend information to track the population, including birth and death rates. Mr. Spiker stated that sows have an average of three cubs and some have up to five per litter. Typically, bears in the Mid Atlantic region reproduce at the age of three and their life expectancy is about 20 years. According to Mr. Spiker, the hunting season established in Garrett County, now in its sixth year, seems to be stabilizing the growth of the population, as shown by data that has been collected by the State. Mr. Spiker explained that hair samples are collected and sent to a genetics lab. From those samples, individual bears are identified along with their sex and how they are related. Statistical modeling and other

methods will be used in the latest population estimate. Typical female bears have a 13 square mile range and a male bear has a home range of 25 square miles, and up. Mr. Spiker hopes to have the results of the latest bear population estimate sometime before the summer of 2012.

Nuisance data is also tracked by category and is usually related to food availability. Trash and birdfeeder incidents are monitored along with vehicle strikes. Statistics seem to show that Garrett County's residents have adjusted to the presents of black bears because birdfeeder and trash incidents are well below the State average. Attempted home/garage break-ins are also a concern. Problem bears are usually trapped and aversively conditioned. Bear pepper spray is especially effective for controlling and conditioning bears. Hound dogs are also used, especially to keep bear out of agricultural crops. Landscaping and outdoor lighting can also be effective to discourage bears. A bear response team is on call in Garrett County, 24 hours a day, 7 days a week, from April through November. A damage compensation program has also been in effect, since 1996.

Last year 260 bear hunting permits were issued, out of about 3,850 applicants in Allegany and Garrett Counties. The bear hunter success rate is about 12 percent, compared with the regional average of three to five percent. The October firearm season was designed to occur when the females are not in the den yet. Mr. Spiker believes that October is the best month for a season, because all of the bears are feeding, getting ready for the winter season. Plotted data shows an even distribution of harvested bears, except for a rather large area south of Oakland that shows no harvested bear. This is probably caused by the existence of many private, large land holdings and private hunting clubs in this area.

Generally, bear sightings are on the rise in those areas that were previously not populated by bear. Sub-permittee or land owner permits can be designated along with the bear permit lottery winners, based on a system from by the Garrett County Farm Bureau. This season's quota will be 55 to 80 bears to be harvested, which would be about 25 percent of the estimated bear population. The usual harvest generally has a higher concentration of females.

Mr. Spiker notes that typical bear problems are related to bird feeders or other food sources. Humans should avoid contact with black bears because it is dangerous for the animals to receive food from people. Mr. Spiker believes that bears should be kept uncomfortable when they are around people.

After the presentation, the Board decided to make no specific recommendations regarding the bear population in the County. Members of the Commission feel that although there may have been problems in the past concerning bear in the County, DNR is doing a good job to manage and control the population in the State, especially with the implementation of the hunting season.

- B. Review Subdivision Checklist Revisions for driveway entrances-** Mr. Nelson noted that the current Minor Subdivision Checklist does not include an approval of an entrance permit along County roads. In order to avoid issues with site accessibility and comply with the sight distance requirements of the subdivision ordinance, language has been added to the Minor Subdivision Checklist. The list will now require evidence from the Roads Department that proposed entrances will meet sight distance requirements.

Mr. Nelson explained that a minor subdivision was approved several years ago, along Boy Scout Road that a new owner is now ready to develop. The County Roads Department cannot approve a driveway entrance at the site because of poor visibility and inadequate site distance. In order to help assure protection for any proposed lot buyer, the check list would be amended to include review by the Roads Department, as is now required for Major Subdivisions. The Planning Commission granted approval of this proposed addition to the Minor Subdivision checklist by a unanimous vote of 5 to 0.

- C. Review of Comments on Plan Maryland-**John Nelson notes the he has been working with the Greater Cumberland Committee to solicit comments from other planning directors and certain organizations, such as the Board of Realtors, regarding Plan Maryland. Mr. Nelson has so far received two comment letters along with his own set of comments and he believes it would be appropriate for the Planning Commission to submit their own comments regarding the Plan. Mr. Nelson noted that one of his comments, regarding industrial parks, has already been addressed in the Plan. The Keyers Ridge Industrial Park and the Southern Industrial Park, which are Enterprise Zones, which were originally not identified as Growth Print areas, have now been changed to Growth Print, which is a refined version of a Priority Funding Area. The Plan has been changed to add these enterprise zones to the eight County municipalities that the State would consider to be official Growth Print areas in Garrett County. Mr. Nelson stated that the Greater Cumberland Commission would assemble comments from the County Commissioners, the chambers of commerce, and others with shared interest, on issues common to both Allegany and Garrett Counties, so that they can be submitted collectively, as comments from Western Maryland. The Commission's comments would be specific to Garrett County. The commentary will then be considered by State Planning. The final version of Plan Maryland will be delivered to the governor and is expected to become state policy.

The Commission suggests that the pertinent comments from other sources be considered and that a letter be drafted by Mr. Nelson, as a formal reply to State Planning from the Planning Commission concerning Plan Maryland. One of Mr. Nelson's concerns is that Plan Maryland may hurt Garrett County's preservation programs. The Plan gives preference to Priority Preservation Areas. To qualify as Priority Preservation areas, the county must have a very specific means of directing growth away from those preservation areas, such as

restrictive zoning or restrictive density of development. The Commission is also concerned about the appearance of a “one size fits all” approach that the Plan appears to have. The Commission recommended that the letter be drafted and forwarded by Mr. Nelson, by unanimous vote of 5 to 0.

D. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –

- a. SE-414-** an application submitted by Ridgeview Valley, LLC, for a Special Exception permit to conduct transient or temporary recreational activities on the premises of Ridgeview Valley, up to 14 times per year. The property is located at 912 Gravelly Run Road (tax map 50, parcels 14 and 50) and is zoned Lake Residential 1 (LR1). The Commission recommended by unanimous vote, to support the application for Special Exception.
- b. SE-415-** an application submitted by Ridgeview Valley, LLC, for a Special Exception permit to operate a catering facility or banquet hall on the premises of Ridgeview Valley. The property is located at 912 Gravelly Run Road (tax map 50, parcels 14 and 50) and is zoned LR1. The Commission recommended by unanimous vote, to support the application for Special Exception.
- c. SE-416-** an application submitted by Stone Ridge Homes, Inc. for a Special Exception permit to establish a temporary, real estate office. The property is located in the Silver Ridge Condominium off of Glendale Road, tax map 50, parcel 14, near lot 24 and is zoned Town Residential. The Commission offered no comments on the application.

2. Minor Subdivisions – Approved minor subdivisions, if any, have been included in the packet that was mailed to the Commission members prior to the meeting.

3. Waiver Requests–None.

4. Departmental Changes - Mr. Nelson notes that after the retirement of the Director of the Department of General Services, the department has been divided up. As a part of these changes, the Liquor Control Board will now be a part of the Department of Planning and Land Development.

5. Maryland Planning Commission Association – Dues of \$300 are due and the Commission has decided to forgo membership for this year.

E. Action on Planned Residential Developments (PRD) and/or Major Subdivision plats- None

F. Next Scheduled meeting - The next regular meeting of the Planning Commission scheduled for Wednesday, August 3, 2011 may be canceled, pending the August work load. Unless the August meeting is determined to be necessary, the next meeting of the Commission will be held on **September 7, 2011**, in the County Commissioners Meeting Room, at 1:30 pm.

G. Adjournment- 3:15 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

