

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, October 5, 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	Blaine Bowser
George Brady	Wendell Yoder	Mark Spurrier
Tim Schwinabart	Clive Graham	Paul Durham
Gary Fratz	Joan Huston	John Nelson -staff
Bill Weissgerber	John Beitzel	William DeVore-staff

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

A. Briefing on the progress in preparation of the 2012 Land Preservation, Parks and Recreation Plan (LPPRP). Mr. Nelson explained that every six years, this plan must be updated, in order for the County to remain eligible for Program Open Space (POS) funding. Environmental Resources Management (ERM) was the successful bidder to update the plan for the County. Mr. Nelson explained that a meeting was held with some members of the Garrett Trails Committee, earlier in the day, to get input regarding the plan. Clive Graham and Joan Huston from ERM made a presentation regarding the progress that has been made updating the plan, along with the results of the morning meeting.

A joint public hearing with the County Commissioners will be held, to officially adopt the LPPRP, probably sometime early summer of 2012. A draft of the plan must be submitted to the Maryland Department of Planning and DNR by the end of the year. A plan must be adopted by the County by July 1, 2012.

Mr. Graham explained that there are three key elements of the plan: the recreation, the agricultural resource conservation and the natural resource conservation elements of the plan. The consultant explained that the guidelines are much less onerous than they were in 2005, the year of the previous plan, due to the economic changes in the State. Also there is more emphasis on recreation and less on agricultural preservation in this LPPRP. Clive Graham notes that Garrett County is unique because recreation areas must serve the residents and also visitors to the County. Also recreation has a major impact on tourism here.

Mr. Graham believes that there is particular interest to elevate the status of trails in the plan, as requested by trail groups including Garrett Trails and snowmobile enthusiasts. Mr. Graham explained that funding for Program Open Space (POS) comes from a portion of the Real Estate Transfer Tax from the State. The program was set up by the State in order to balance development with land protection. Also a ten percent matching fund is required from other sources, in order for an applicant to receive POS funding. Mr. Graham notes that this LPPRP does not have to be adopted as an absolute part of the County's Comprehensive Plan.

The consultant presented a copy of a work map that has been developed that shows the existing and proposed trails in the County. The types of trail uses are shown, displayed as a Power-Point map. Trail locations have been provided by the Department of Natural Resources (DNR), the County, Garrett Trails, the Winter Trails Committee and other sources. Proposed trails and corridors are also shown on the map, including the newly proposed Eastern Continental Divide Loop Trail. An updated winter trails map is also proposed to be included in the 2012 LPPRP, identifying snowmobile and cross county ski trails. Trails within and connecting the towns will also be shown, as the new map is developed. Discussion ensued concerning development of trails on private property and on county roads. Mr. Graham stated that ERM hopes to have a draft available by December, for the Commission and the public to review.

Wendell Yoder of the Casselman Valley AYSO Soccer Association appeared before the Commission regarding the needs of the group for future projects at the soccer fields. Mr. Yoder thanked the County for the Program Open Space money that the organization has received in the past for their six soccer fields, restrooms and concession stand. Mr. Yoder notes that the association currently has 605 children who play soccer during the spring season, and come from all over the area to use the facility. Mr. Yoder notes that many have been successful high school soccer players some even at the collegiate level.

The association requests driveway and parking lot enhancements to improve traffic flow and safety at the park. A walking track is also proposed to give the adults a place to exercise, while the participants play soccer. Perimeter fencing is needed to encourage unauthorized vehicles to stay off of the fields. Mr. Yoder feels that there is also a need for topdressing and some reseeding on the fields.

These projects would mainly address the short term needs of the association. He notes two other soccer associations are also using the fields.

Mark Spurrier stated that the fields are showing their age in some places and they definitely need some work and the parking lot needs some improvements. He believes these fields are a great investment and the volunteers that run the programs do an excellent job operating the soccer program for the community.

Members of the Commission discussed the possibility of a recommendation for the creation of a county parks and recreation department or a county recreation board. Paul Durham believes that a recreational council could be formed to administer parks and recreation in the County. The council would be made up of volunteers and possibly some county staff. Mr. Nelson stated that he would discuss these scenarios with the Board of Garrett County Commissioners.

B. Miscellaneous

- 1. Deep Creek Watershed Zoning Appeals Cases –None**
- 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–**
 - a. Ken Maust-** Mr. Maust is seeking a waiver in order to subdivide his parent’s property located along Foxtown Road. The 55.43-acre parcel is located on tax map 43, parcel 13, in a Rural land classification area. Mr. Maust requests permission to create two lots that would be served by an existing 20-foot right of way. The waiver is required due to the fact that the Garrett County Subdivision Ordinance requires a minimum right-of-way width of 30 feet. After discussion, the Commission granted approval of the waiver request for a minor subdivision, by a unanimous vote of 6 to 0.
 - b. John Beitzel-** Aaron Teets of Century Engineering has submitted a waiver in order for his clients, John and Rena Beitzel, to subdivide their property on Glotfelty Lane. The 45.23-acre parcel is located on tax map 42, parcel 325, in an Agricultural Resource land classification. Mr. and Mrs. Beitzel propose a single, non building lot to be located along Glotfelty Lane. The waiver is required due to the fact that Glotfelty Lane does not meet the subdivision ordinance existing private road standards, which require a minimum 12-foot cartway width and three inches of stone. After discussion, the Commission granted approval of the waiver request by a unanimous vote of 6 to 0.

4. **Discharge Permit Application** - Mr. Nelson notes that Texas Eastern Transmission Corp. has applied for the renewal of a discharge permit to release water from a compressor station into the ground, via an infiltration basin. No action was taken on the application.
5. **Reduction of Nutrient Loading- Total Maximum Daily Load –(TMDL) Program for the Chesapeake Bay-** Mr. Nelson notes that he is a member of a local committee that has been working on nutrient reductions under this program, as some of these regulations begin to be an issue at the county level. Each county is responsible for developing a Watershed Implementation Program to identify strategies to reduce nutrient loading to specific requirements, set by the State. These reduction numbers have been generated by the MDE and the EPA. Categories for the program include agriculture, forestry, wastewater treatment, and urban runoff.

The group wants to see if it would be feasible to reclaim enough abandoned mine acreage, each year, to comply with the target loading levels. The group is working with the Maryland Bureau of Mines to develop a strategy to lower nutrient loading based on reclamation of abandoned mines. The strategy must be feasible and have a funding stream in order to implement the plan.

Computer models focus on reduction of pounds of nitrogen, phosphorus and other nutrients. The program is required by federal mandate, driven by an executive order. Mr. Nelson notes that Garrett County's loading numbers are quite low compared to other counties, but there appears to be no easy fix to the problem. The group must submit a plan to MDE by July of 2012.

6. **Surface Mine Permit Applications-**

- a. **G & S Coal Company, Inc.** - G & S Coal Company, Inc. has submitted a surface mining permit application to mine coal to the Maryland Bureau of Mines. The operation would be located approximately four miles east of Swanton. The application is for 55 acres on the north side of Zion Road. The surface and mineral is owned by Catherine Duckworth and New Page, Inc. Written comments will be received by the Bureau until October 31, 2011. The Planning Commission offered no comments on the application.
- b. **PBS Coal Company, Inc.** - PBS Coal Company, Inc. has submitted a surface mining permit application to the Maryland Bureau of Mines. The operation would be located approximately eight miles south of Oakland. The application is for 32 acres on the west side of Fields Run. The surface is owned by David Bosley and mineral is owned by CDS Family Trust. Written comments will be received by the Bureau until October 17, 2011. The Planning Commission offered no comments on the application.

C. Action on Major Subdivisions and Planned Residential Developments -

None

D. Next Scheduled meeting - The next regular meeting of the Planning Commission will be held on **November 2, 2011**, in the County Commissioners Meeting Room, at 1:30 pm.

E. Adjournment- 3:15 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

