

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, February 1, 2012, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Bill Weissgerber	Larry Smith
George Brady	Bob Gatto	John Nelson -staff
Tim Schwinabart	Jerry Plauger	Deborah Carpenter-staff
Jeff Messenger	Paul Durham	William DeVore-staff
Tony Doerr	Richard Helbig	

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

A. Discussion of Draft Planning Area Guidelines – Mr. Nelson explained that this spring these guidelines are scheduled for acceptance by the State. The guidelines are expected to become the tool used in making nominations to the Sustainable Growth Commission, for designating places in the proposed categories under PlanMaryland. The proposed category guidelines are: Target Growth and Revitalization Areas, Established Communities within PFA's, Future Growth Areas, Large Lot Development Areas and Rural Resource Areas.

The categories are generally organized by the level of priority for which capital funding will be provided by the State to local jurisdictions:

Target Growth and Revitalization Areas are designated growth areas that include the towns. These areas will receive the most types of funding opportunities for infrastructure programs, such as upgrades to water and sewer facilities.

Established Communities within PFA's are comparable to the County's Suburban Residential and Town Residential zones or Rural Villages, where patterns of growth have already been established. Funding in these areas may be used to maintain services, but new growth would not be encouraged by the State.

Future Growth Areas are areas that municipalities may have identified in their own Comprehensive Plans for possible future annexation. Many of these Future Growth areas were identified in the County Plan.

Large Lot Development Areas are areas that may coincide with lands classified as Rural in the County Plan. There would be low priority for any infrastructure spending in this area, but this category would have some priority for agriculture preservation.

Rural Resource Areas would have high priority for resource preservation programs. There would be low priority for any infrastructure spending in these areas. These areas roughly correspond with the county's Agricultural Resource and Rural Resource land classifications.

Deborah Carpenter, GIS specialist for the Planning Office, presented the Commission with a series of draft maps using a PowerPoint presentation. The draft Planning Area Guidelines and PlanMaryland mapping strategies were used to develop these maps. Ms. Carpenter believes that the State guidelines will necessitate six maps that would coincide with the categories explained in the guide.

Ms. Carpenter presented the new maps to the Commission. One of the maps combines Ag-land, Rural, Agricultural and all Preservation areas. Another map shows established communities, PFA's and Future Growth areas. The remaining parcels were used to compile a draft map of the Large Lot Development category.

An example of a Natural Resource map includes state property, federal property and all parcels that are preserved in the County. A Water Resource map includes flood plains, major water features, wetlands and source water protection areas. An example of a Historical/Cultural Resource map was also presented.

Ms. Carpenter stated that all maps would be parcel based. Mr. Nelson noted that the maps were preliminary and they will be refined before nominations are made to the Maryland Department of Planning.

The director notes that the PFA law is still in effect but PlanMaryland further defines areas within the PFA to include the "Targeted Growth and Revitalization areas", which would become the highest target areas for investment, even though only approximately 2.5% of the county land area is in a PFA. Town Residential

and Suburban Residential zones within PFA's would be classed as the second category, namely "Established Communities".

Mr. Nelson believes that the Planning Office may not categorize and identify very many Large Lot Development areas. Mapping and nominations will begin this spring, by the County, in order to comply with the place designation process established by PlanMaryland.

The Commission believes that with implementation of PlanMaryland, it is clear that the State of Maryland will have more control over the way state money is spent.

B. Discussion of New Proposed Legislation by the Maryland General Assembly- Agriculture Land Preservation/Septic Bill- John Nelson presented the Commission with a copy of the new Septic Bill that has been filed in the General Assembly in Annapolis. Mr. Nelson believes if the bill is passed, the impact would dramatically and severely limit any new subdivision activity using private septic systems. The bill proposes to classify land areas into four tiers.

Tier One includes land within PFA's, which would have access to public sewer.

Tier Two includes area outside of PFA's. Subdivisions with greater than five lots would not be permitted in these areas that do not have public sewer.

Tier Three and Four are generally very rural areas of the County. The bill as drafted would not permit major subdivisions in these areas. The current bill defines Major Subdivision according to the each respective county's definition, as of January 1, 2012.

Mr. Nelson stated that new regulations, if enacted would impact approximately 90% of the County's total land area. The state Board of Realtors and other groups are following this bill closely. Paul Durham notes that the bill is an Administrative bill, couched as "agricultural preservation". MDE will be the controlling entity and serve as the agency that will administer the regulations but may assign the regulatory authority to the local Health Departments.

Mr. Nelson notes that the bill, as now written, will allow an exception for major subdivisions in Tier Four areas. This exception would permit one lot for each 25 acres, provided that zoning or subdivision regulations require a standard for one unit for every 25 acres, which the County does not have at this time. Bill Weissgerber feels that if these regulations are enacted, it would be difficult for banks to finance homes situated on 25-acre lots.

Richard Helbig believes that the State recognizes stormwater management and urban development as the major pollution contributors, but are they are the most costly to control.

Mr. Nelson believes that MACO will be making their recommendations on this bill in the near future and he expects the first reading of the bill to be on or near February 14.

- C. Discussion of the Draft of the 2012 Garrett Parks and Recreation Plan-** Mr. Nelson notes that the draft of the plan has been submitted to DNR and to the Maryland Department of Planning, which is required. Mr. Nelson stated that approximately \$217,000 of fiscal year 2013 Program Open Space funding is due from the State this year, but part of those funds were budget from previous years and may not be available to use.

A joint public hearing to receive comments on the draft will be held with the County Commissioners at a date yet to be announced. Priorities for new projects have been compiled and are shown on page III-12 of the report. It is noted that many of the future projects requested are within towns.

Mr. Nelson stated that the County's goals for Acquisition funds are a negative number because the County already has such a large amount of recreation land. Trail components of the plan have been included which shows planned routes for existing and proposed hiking, biking and snowmobile trails. A section of the plan is also devoted to agriculture preservation efforts. A public meeting will probably be held in May on the plan.

D. Miscellaneous

- 1. Deep Creek Watershed Zoning Appeals Cases – None**
- 2. Minor Subdivisions –** Approved minor subdivisions have been included in the packet mailed to the Commission members prior to the meeting.
- 3. Waiver Requests– None**
- 4. Discharge Permit Application –** The Maryland State Highway Administration has submitted an application to renew a permit to discharge 500 gallons per day of wash water from their service center at Keyser's Ridge. The discharge will be to groundwater. The Planning Commission granted approval of this application by a unanimous vote of 6 to 0.
- 5. Surface Mine Permit Applications- None**

E. Action on Major Subdivisions and Planned Residential Developments –

- 1. Preliminary and Final Plat- Garrett County Commissioners-** The Garrett County Commissioners submitted a Preliminary and Final plat for a one-lot commercial subdivision located along Francis Sanders Drive. The property is located on tax map 78, parcel 7, in an Employment Center land classification. The Planning Commission granted approval of this Preliminary and Final plat by a unanimous vote of 6 to 0.

- F. Next Scheduled meeting -** The next regular meeting of the Planning Commission will be held on **March 7, 2012**, in the County Commissioners Meeting Room, at 1:30 pm.

- G. Adjournment-** 3:00 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

