

**GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT**

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**MINUTES**

**The Garrett County Planning Commission** held its regular monthly meeting on Wednesday, June 5, 2013, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Bill Weissgerber	Steve Richards
Tony Doerr	Jerry Plauger	John Nelson-staff
Jeff Conner	Paul Durham	William DeVore-staff

1. Call to Order - by Chairman Troy Ellington at 1:40 pm.
2. The May minutes were unanimously approved, as corrected.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business –
  - A. Discussion-Villages of the WISP Planned Residential Development (PRD) Kendall Camp, Phase V-B-** Mr. Nelson explained that the developers, DC Development, LLC, submitted a final as-built plat showing 22 units off of Kendall Camp Circle. The property is part of the Villages of Wisp PRD and is located on tax map 50, parcel 401 in a Lake Residential 1 zoning district. The Planning Commission previously granted approval of 26 units in Kendall Camp. The intent of this final as-built plat is to clarify that only 22 of these original 26 units have been developed and the remaining four units are intended to be extinguished. The revised plat would reduce the number of total units from 332 to 328 units. Initially, the PRD final plat was approved in 2005 but was not recorded. Steve Richards of the Wisp stated that common areas will be conveyed to the homeowners association. The Planning Commission granted approval of this Final plat by a unanimous vote of 4 to 0.
  - B. Discussion- Transportation Projects and the 2012 Priority Letter-** Mr. Nelson explained the State has a specific protocol that the Maryland Department of Transportation follows for local government transportation initiatives. Local jurisdictions are required to develop at Priority Letter for county projects. A copy of the 2012 Priority Letter was distributed to the Commission before the meeting. This

letter was developed last year by the Garrett County Board of County Commissioners, itemizing the projects.

Mr. Nelson notes that funding for new capital improvement projects is not available in the State budget at this time. Projects in their rank of importance as described in the list are:

1. US Route 219 North-Chestnut Ridge Road project.
2. Design, acquisition and construction of the US 219 Oakland By-Pass.
3. Oakland Drive MD 826 A to Deer Park Ave; Sidewalk Project.
4. MD 495 and New Germany Road intersection; geometric upgrades.
5. US 219 Resurfacing from Oak Street to the Lowe's entrance.
6. MD 546 Bridge over I-68 needs deck replacement.
7. Continued funding for multimodal transportation to promote a pedestrian and bicycling trail network.
8. Continued funding for Garrett Bus (Transit) System.

The Commission reviewed each project and generally agrees with the items on the list and believes there is no need to change the two capital projects that are ranked at the top two spots.

The Commission understands that all capital projects are on hold until the State's budget picture improves, however, some maintenance work is still on-going. Jeff Conner indicated that repair work on the MD 546 bridge has been on-going, with patching made to the bridge surface. Mr. Nelson will check on the progress of the bridge work and bridge deck replacement on MD 546, over Interstate 68.

The Planning Commission also discussed potential new projects that could be added to the priority list and believes that the intersection at MD 135 and Sand Flat Road should be added. The Commission noted that this intersection is particularly hazardous because of limited sight distance. The group believes that this intersection should be included as a project and should be added to the list of priority projects recommending that traffic safety engineers should evaluate the intersection for potential safety improvements.

The Commission voted to approve the amended list by unanimous vote of 4 to 0.

## **C. Miscellaneous**

### **1. Deep Creek Watershed Zoning Appeals Cases –**

- a) **VR-700** - an application submitted by Eric Von Eckartsberg for a Variance to allow a detached accessory building/garage that would come to within 4.79 feet of the side property line. The property is located at 2353 Boy Scout Road, tax map 59, parcel 162 and is zoned Lake Residential 1. The Planning Commission voted to support the issuance of the Variance by a vote of 4 to 0.

2. **Minor Subdivisions** – Approved minor subdivisions were included in the packet mailed to the Commission members prior to the meeting.
3. **Waiver Requests**- Dwayne Kinsinger is seeking a waiver to create a lot on property owned by his brother Philip Kinsinger. The property is located along Norris Welch Road and designated tax map 85, parcel 4, in an Agricultural Resource land classification. Mr. Kinsinger requested permission to create a lot smaller than the minimum lot size of three-acres and minimum lot width of 200 feet required in the Agricultural Resource land classification. The lot would be used for agricultural purposes only, to accommodate grain storage silos. The lot would only be about three-quarters of an acre in size. After discussion, the Commission granted approval of the waiver request by a unanimous vote of 4 to 0, with the condition that the lot can only be used for agricultural purposes and that the silos are located at least 30 feet from the county road.
4. **Mining Permit Applications** – Application submitted by Maryland Energy Resources for a permit to surface mine approximately 5.0 acres of coal on property owned by William and Tina Buckel, near Grantsville, off of Durst Road. Comments will be accepted by the Maryland Bureau of Mines until July 1, 2013. The Planning Commission offered no comments on this application.
5. **Agland Preservation District Applications**-None
6. **Citizen Planners**- The Planning Commission decided not to join the Citizen Planners Association. The cost of the annual dues in order to join the association is \$300.
7. **Industrial Wind Project at Four Mile Ridge**- Jeff Conner notes that the developer of the wind turbine project, near Finzel still does not have FAA approval. Mr. Nelson notes that MDE has an open comment period until June 22, for the NPDES process. Interested parties may make comments to MDE and also request a public hearing regarding the project. MDE will decide whether to issue the permit after the public hearing takes place. This project, along with three other wind projects that were in the pipeline before March 1, 2013, is not subject to the new setback guidelines that were recently enacted by the State of Maryland, specifically for Garrett County.

**D. Action on Major subdivisions-**

- a) **Preliminary and Final Plat – Timothy and Jeffrey Williams**- The developer, Timothy Williams, submitted a Preliminary and Final plat for two lots located along Mayhew Inn Road. Lot 7 is located on tax map 57, parcel 40 in a Lake Residential 1 zoning district. The Planning Commission granted conditional approval of the Preliminary and Final plat by a unanimous vote of 4 to 0. The

approval is contingent on final review and approval of homeowner documents by the County Attorney.

- b) **Final Plat- Thousand Acres South Shore Pointe-** The developers, Appalaichan Investment Properties, submitted a Final plat for four lots located along South Shore Pointe Road. South Shore Pointe lots 6 through 9 are located on tax map 67, parcel 780 and 782 in a Lake Residential 1 zoning district. The Planning Commission granted approval of this Final plat by a unanimous vote of 4 to 0.
- c) **Weaver Group- LLC-** This plan involves a boundary change to the previously approved parcel. The parcel was recorded and re-platted as a commercial lot. The Planning Commission granted approval of this Final plat by a unanimous vote of 4 to 0

**E. Next Scheduled meeting -** The next regular meeting of the Planning Commission will be held on **July 10, 2013**, in the County Commissioners Meeting Room, at 1:30 pm. The meeting is moved from the first to the second Wednesday of the month because of the July 4<sup>th</sup> holiday.

**F. Adjournment-** 3:15 p.m.

Respectfully submitted,

William J. DeVore  
Zoning Administrator