

# DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

GARRETT COUNTY OFFICE OF PLANNING AND LAND MANAGEMENT

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## MINUTES

The **Garrett County Planning Commission** held its regular monthly meeting on Wednesday, February 5, 2014, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Tony Doerr	Tim Schwinabart	Deborah Carpenter -staff
Rick Schiff	Paul Durham	William DeVore-staff
Jeff Messenger	Eric Robison	Chad Fike-staff
Bob Gatto	Patty Mash	

1. Call to Order - by Vice-Chairman Doerr at 1:30 pm.
2. The January minutes were unanimously approved, as submitted.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business –
  - A. Recognition of New Member of the Planning Commission- Richard Schiff-** Mr. Schiff has been appointed by the County Commissioners as a member of the Garrett County Planning Commission. Mr. Schiff will replace George Brady on the Commission.
  - B. Deep Creek Lake Watershed Management Plan (DCLWMP) Update by Assistant Director Debbie Carpenter-** The DCLWMP Steering Committee is a citizen based task force appointed by DNR and the County. The committee was formed based on the terms of a Memorandum of Understanding between the State and the County, and is tasked with creating a Deep Creek Watershed Management Plan by July 2014.

An independent facilitator has been hired and staff from DNR and the County has been designated to serve as support. Mrs. Carpenter is the county designated staff support to the Steering Committee.

Mrs. Carpenter stated that to date there have been five Steering Committee meetings and one public meeting. The public meeting was used to gather a list of problem statements that the Management Plan will address.

Four subcommittees were formed to hash out specific issues including; impacts of growth, lake levels, water quality and accountability. Each subcommittee meets once every month. The Steering Committee's first meeting was in December of 2013.

The subcommittees are to submit goals, objectives and strategies to the Steering Committee each month. Mrs. Carpenter is working with the Impacts of Growth Subcommittee to explore topics regarding land use, stormwater, septic issues, sewerage and recreation.

Mrs. Carpenter recently conducted a data mining activity which pulled recommendations from relevant county documents, including the County Comprehensive Plan. The next meeting of the Steering Committee is March 3, 2014. The Steering Committee meets on the first Monday of every month at the Health Department from noon until 3:00 pm.

The next meeting of the Impacts of Growth Subcommittee is February 13, 2014. This subcommittee meets on the second Thursday of every month at the Chamber of Commerce/Visitors Center from 1:00 pm until 4:00 pm.

The Steering Committee's web site is now up and running. The web address is: <http://www.dnr.state.md.us/deepcreekwatershedplan> . The site includes agendas, educational materials, minutes and other important information. The public is invited to attend all meetings of the Steering Committee and subcommittees.

**C. Further Discussion Regarding Petition to amend the Deep Creek Watershed Zoning Ordinance to allow Industrial Wind Energy Conversion Systems in the RR Zoning District-Messenger Limited Partnership, LLLP.**

As noted at the previous meeting, Messenger Limited Partnership, LLLP submitted an application to amend the Deep Creek Watershed Zoning Ordinance to permit certain wind turbines in the Rural Resource zone. Jeff Messenger stated that he will notify the Planning Office by Tuesday, February 11<sup>th</sup> with a decision as to whether the LLLP intends to proceed with the request for the amendment. William DeVore, zoning administrator for the Deep Creek Watershed Zoning Ordinance, noted that the legal ad would have to be sent to the newspaper by the end of the day on February 11 if Messenger Limited Partnership intends to proceed with the request. Other agencies and groups would also have to be notified at that time. Mr. Messenger later withdrew the application for the amendment.

**D. Proposed Amendment to the Garrett County Subdivision Ordinance.** The group discussed the recent restructuring of the former Department of Planning

and Land Development including the elimination of the position of Planning Director. The elimination of the Planning Director position is in conflict with the wording in the Subdivision Ordinance, since the Ordinance assigns numerous responsibilities and duties specifically to the Planning Director. The Planning staff recommends that the definition of Planning Director in Section 159.016(36) of the Ordinance be amended by adding additional text, in *italics*, as follows:

Section 159.016(36) PLANNING DIRECTOR. The Director of the Garrett County Department of Planning and Land Development *or the equivalent position in any successor agency, responsible for administration of this Ordinance.*

The Planning Commission agrees with this recommendation to amend the Subdivision Ordinance in order to resolve any conflicts associated with the current designation of Planning Director. The Planning Commission also suggests that the Board of Garrett County Commissioners proceed with the public hearing process, as outlined in Article 66B of the Annotated Code of Maryland, by a vote of 4 to 0, with Commissioner Gatto abstaining.

## **E. Miscellaneous**

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

- a. SE-432** an application submitted by Phil St. Moritz, for a Special Exception permit to expand an existing tavern that is owned by the applicant. The property is located at 531 Deep Creek Drive, tax map 50, parcel 287 and is zoned Town Center (TC). Patty Mash, representing Mr. St Moritz, answered several questions that the Commission had regarding the proposal. The Planning Commission offered no comments on the proposed application.
- b. VR-713** - an application submitted by Hugh Umbel for a Variance to allow the reconstruction of a residence, that would come to within 14.89 feet and 11.11 feet of the side property lines. The property is located at 549 Marsh Hill Road, tax map 50, parcel 591, and is zoned Lake Residential 1 (LR1). The Planning Commission offered no comments on the proposed application.

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

**3. Mining Permits** – Application from Moran Coal Company to the Maryland Bureau of Mines for a 41-acre surface mine permit, OPA13-65. The operation,

which will be an amendment to an existing permit, will include the use of a “highwall miner”. The surface and mineral at the site, near Bloomington, is owned by Moran Coal Company. The Commission offered no formal comments on the application.

**4. Discussion on Major Subdivisions and PRD’s-**

- a. **Preliminary and Final Plat- Grant County Bank- Lot 8** – The developers, Grant County Bank, submitted a Preliminary and Final plat for one commercial lot located on Deep Creek Drive. Lot 8 is located on tax map 41, parcel 51, in a Town Center zoning district. After discussion, the Planning Commission granted approval of the Preliminary and Final plat, by unanimous vote of 5 to 0, contingent on final approval of the entrance permit.

**5. Information from Commissioner Gatto-**

- a. Commissioner Bob Gatto thanked the new member of the Commission, Rick Schiff on his appointment. The Commissioner also congratulated Debbie Carpenter on her new position as Assistant Director, under Executive Director Michael Koch. Mr. Gatto also noted that the Office of Permits and Inspections would be moving to the courthouse in the near future.
- b. Commissioner Gatto also distributed a handout on Sustainable Communities concerning populations and other general information about Garrett County. The Commissioner is also working with Duane Yoder concerning funding opportunities. Mr. Gatto also met with Congressman Delaney concerning federal funding opportunities that may be available for the County.

**F. Agland Preservation District Applications-None**

- G. Next Scheduled meeting -** The next regular meeting of the Planning Commission will be held on **March 5, 2014**, in the County Commissioners Meeting Room, at 1:30 pm. **The Public Hearing for the proposed amendment to the Deep Creek Watershed Zoning Ordinance has been cancelled.**

**H. Adjournment- 2:00 p.m.**

Respectfully submitted,

William J. DeVore  
Zoning Administrator

