

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

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**MINUTES**

**The Garrett County Planning Commission** held its regular monthly meeting on Wednesday, October 7, 2015, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Tim Schwinabart	Deborah Carpenter-staff
Jim Hinebaugh	Elizabeth Georg	William DeVore -staff
Jeff Messenger	Tony Doerr	Chad Fike-staff
Jeff Conner	Robert Gnegy	Bill Franklin
William Weissgerber	Valerie Dilley	Samantha Gravelle

1. Call to Order - by Chairman Ellington at 1:30 pm.
  
2. The September minutes were unanimously approved, as submitted, by a vote of 7 to 0.
  
3. Report of Officers – None
  
4. Unfinished Business – None
  
5. **New Business** –
  - A. **Miscellaneous**
    1. **Deep Creek Watershed Zoning Appeals Cases-**
      - a. **SE-439-** an application submitted by Bill Ingram of Land Management, Inc. for a Special Exception permit to modify or eliminate a condition of a previous Special Exception permit. The Board previously imposed certain days of operation for live outdoor entertainment at the site. The applicant is requesting to have live, outdoor entertainment on Sundays. The property is located at 19814 Garrett Highway, tax map 58, parcel 248, and is zoned Town Center. The Planning

Commission believes that the entertainment should not begin before 2:00 pm. and the Board should also consider the timing of the Sunday church services, located just across U. S. Route 219 from the site, by unanimous vote of 7 to 0.

## **2. Major Subdivisions-**

- a. Preliminary and Final Plat-Gnegy-** The developer, Robert Gnegy, submitted a one-lot subdivision located off of Jasper Riley Road. The property is located on tax map 85, parcel 214, in an Agricultural Resource land classification. The developer also requested waivers from the minimum road design standards and road maintenance and ownership requirements. After discussion, the Planning Commission granted conditional approval of the waivers and the Preliminary and Final plat, by a unanimous vote of 7 to 0. The approval was conditioned on submittal of simplified documentation for road maintenance.
  
- b. Preliminary Plat- Youghiogheny Outback-** The developer Harry Knopp, submitted a six-lot subdivision located off of Oakland Sang Run Road. The property is located on tax map 72, parcel 226, in a Rural Resource land classification. The developer also requested a waiver from the minimum required lot width of 200 feet, for Lot 3, of the subdivision. Lot 3 has a lot width of only 159.92 feet, due to the location of a common area for stormwater management. After discussion, the Planning Commission granted approval of the waiver and Preliminary plat by a unanimous vote of 7 to 0.

## **3. Action on Planned Residential Developments (PRD's)-**

- a. Wisp Resort Phase 3D-3G, North Camp Ridge Section 1 –** NLP of Maryland, LLC submitted a final plat showing a total of 37 lots located off of North Camp Road. The property is part of the Wisp Resort PRD and is located on tax map 49, parcel 128, in a Rural land classification. The Commission granted contingent approval of this Final plat by a unanimous vote of 7 to 0. Approval was conditioned on the plat being signed by the Health Department and final approval of the road plan and grading permit.

Jim Hinebaugh explained that any expansion of the McHenry water system may prove to be difficult, since that system is approaching maximum capacity. Commissioner Hinebaugh believes that possibly safeguards could be built-in, to allow the use of existing wells in the area, previously drilled by the county. Questions also arose as to whether private wells could be used on lots in the North Camp area.

**4. Waiver Requests – Hickory Ridge-** Fred Warther submitted a request for a ten year extension for the recordation of Lots 9, 11 and 12 in the Hickory Ridge subdivision. The Planning Commission originally approved the final plat for Lots 8-12 of the Hickory Ridge subdivision on March 3, 2004. The Garrett County Subdivision Ordinance states that if a record plat is not recorded within 10 years after the date of final plat approval, then the approval shall become null and void unless a written extension is granted by the Planning Commission. Lots 8 and 10 were recorded but Lots 9, 11 and 12 were not recorded within ten years after final plat approval. The Commission granted the extension approval by a unanimous vote of 7 to 0.

## **5. State Discharge Permits-None**

### **B. Discussion Items-**

**1. Maryland Department of Planning Secretary David R. Craig-** Secretary Craig visited the Planning Commission meeting to introduce himself and to note that his office would be available to assist the county. Secretary Craig introduced Bill Atkinson, David Cotton and his Chief of Staff, Brandon Wright, who are accompanying him today on his visit to Garrett County.

Secretary Craig announced that Bill Atkinson and David Cotton’s area of control will be changed to exclude Frederick County. The local planner’s new area will be Garrett, Allegany and Washington Counties which should help the regional staff and the county and municipal staffs that are involved. The new secretary also hopes to work with the other State agencies in an efficient manner.

Commissioner Hinebaugh thanked the Secretary for his visit to the county and his interest in the area. The Commissioner noted that all aspects of the policies of “Smart Growth” do not work in some of the smaller rural counties in the State. The Secretary also met with Commissioner Edwards earlier in the day.

**2. Comprehensive Plan Update-** Director Deborah Carpenter stated that there are now new guidelines from the Maryland Department of Planning (MDP) for the Comprehensive Plan. The new guidelines suggest that counties wait until the census figures are published to begin work on updating the county Comprehensive Plans. This would make the county Plan due between 2021 and 2023, since the census takes place in 2020 and therefore the figures would not be available until afterwards. Garrett County’s last Plan was completed in 2008, so the new plan update would normally be due in 2018. Planning staff would have to begin the process next year in order to meet the 2018 deadline. The new guidelines would add approximately three years to the due date of the plan, preparation would begin in 2019, instead of 2016.

The Director stated that regardless of the new deadline, the Tier map must be incorporated into the Comprehensive Plan by the end of next year. Chairman Ellington believes that the Board of Zoning Appeals is also proposing to recommend some changes to the Deep Creek Watershed Zoning Ordinance. The Director also noted the costs that were incurred for the last update and that the money was not budgeted yet for the project.

The Director requests that the Commission members review the options and be prepared at the next meeting, to make a recommendation to the County Commissioners regarding the Plan.

- C. **Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for **November 4, 2015** in the County Commissioners Meeting Room, at 1:30 pm.

Respectfully submitted,

William J. DeVore  
Zoning Administrator

