

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, March 2, 2016, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Tony Doerr
Troy Ellington
Tim Schwinabart
Jeff Conner

Bill Weissgerber
Elizabeth Georg
Michael Voelkel
Paul Durham

Deborah Carpenter-staff
William DeVore -staff
Chad Fike-staff

1. Call to Order - by Chairman Tony Doerr at 1:30 pm.

2. The January minutes were unanimously approved, as submitted, by a vote of 7 to 0. The February meeting of the Board was cancelled.

3. Report of Officers – None

4. Unfinished Business – Director Carpenter noted that she is tracking a bill in the State Legislature that would require Maryland Department of Planning review for any new parking lot or expansion of an existing parking lot that would result in 50 or more parking spaces. The bill has received an unfavorable review in committee, which could kill the bill. Other legislation that could impact the county is also being tracked at this time.

5. **New Business** –
 - A. **Miscellaneous**
 1. **Deep Creek Watershed Zoning Appeals Cases-**
 - a. **VR-748-** an application submitted by David Peterson for a Variance to allow a single family residence that would come to within 20 feet of the rear property

line. The owner has purchased the buydown from the State of Maryland. The property is located at 145 Thornberry Road, tax map 66, parcel 87, lot B and is zoned Lake Residential 1. The Planning Commission offered no comments regarding the proposal for the Variance.

- b. **VR-749-** an application submitted by Thomas Sylvester for a Variance to allow the construction of a single family residence that would come to within 30.0 feet of a front property line. The property is located at 485 Lake Shore Drive, tax map 57, parcel 139, and is zoned Lake Residential 1. The Planning Commission voted to support the application by a vote of 6 to 0.

2. Action on Major Subdivisions-

- a. **Final Plat-North Shore West Phase II** - The developer, William Franklin, submitted a Final Plat for lot 23, in the North Shore West Phase II subdivision. The property is located on tax map 67, parcel 1, in a Lake Residential 1 zoning district. The Planning Commission granted approval of the Final Plat by a unanimous vote of 5 to 0, with one member abstaining.
- b. **Sketch Plat- Casselman Farm** – The developer, Thomas Moran, submitted a Sketch Plat of a possible subdivision on property designated tax map 9, parcels 11 and 91, located along National Pike and Chestnut Ridge Road. The Planning Commission reviewed the proposal and provided comments to the developer. As specified in the Garrett County Subdivision Ordinance, the Planning Commission does not take official action on Sketch Plats.

3. Action on Planned Residential Developments (PRD's)- None

4. Waiver Requests –

- a. **Butner and Voelkel-** Property owners Tarry Butner, Carol Voelkel and Michael Voelkel sought a waiver in order to subdivide their property located at 445 Collier Road. The property is designated tax map 16, parcel 29 and located in an Agricultural Resource land classification. The owners requested permission to create a lot with a minimum size of one-acre and a minimum lot width of 100 feet around an existing dwelling. The waiver is required due to the fact that the Agricultural Resource land classification requires a minimum lot size of three acres and minimum lot width of 200 feet. After discussion, the Commission granted approval of the waiver request by a unanimous vote of 6 to 0.

5. **Annual Report-** The Commission reviewed the 2015 Annual Report and generally agreed with the summary put forward by the department. Director Carpenter noted that the local goal of locating ten percent of all new development within the counties PFA's by 2020 would continue. There is no proposed change to this goal that was part of the 2014 Annual Report. Also the spike in new home construction is due to the impact of the Maryland sprinkler law that took effect last year, causing a jump in new home construction, in order to beat the requirements of Maryland's new sprinkler law.

A member of the Commission believes that language in the Annual Report's January, March and April meeting summaries related to an analysis of land area available for vertical shale gas drilling may be misleading. The member is concerned that statements regarding the small amount of land that would be available for vertical drilling do not take into account the large amount of land area that could be reached by horizontal drilling techniques.

The Commission voted to add additional language to the January, March and April meeting summaries to clarify that the analysis mentioned in those summaries only considered the location of vertical surface drilling sites and did not consider the additional subsurface areas that may be accessed by horizontal drilling. The Commission approved the amended report by a unanimous vote of 6 to 0. The Director stated that the Report will be sent to the Maryland Department of Planning after the language is added.

- B. **Discussion Items- Tier Map Submission- final draft-** As discussed at the previous meeting, the Sustainable Growth and Agricultural Preservation Act of 2012, "The Septic Bill", requires counties to adopt a Tier Map and incorporate it into their County Comprehensive Plan. The final 17-page draft titled "Garrett County Tier Map Proposed Edits, 2016", was distributed to the Commission and now has been submitted to Maryland State Planning. The Planning Office is now awaiting the response from State Planning. Director Carpenter explained that there has been some debate on whether all areas with planned sewer service should be included in Tier II. Garrett County proposed to add those areas to Tier II, which are planned for service within the next three years. The county believes that land planned to be served within three years are the only areas where it is logical to allow interim systems. Those areas would have funding and the necessary engineering to reasonably assure their construction. As noted in the document, these amendments have little change to the percentage of land area in any of the tiers.
- C. **Next Scheduled meeting -** The next regular meeting of the Planning Commission is scheduled for **April 6, 2016** in the County Commissioners Meeting Room, at 1:30 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator

