

**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 1, 2017, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Tony Doerr	Bruce Swift	Deborah Carpenter-staff
Elizabeth Georg	William Weissgerber	Chad Fike-staff
Jeff Messenger	Bill Atkinson	William DeVore -staff
Tim Schwinabart	David Moe	Paul Durham

1. Call to Order - by Chairman Tony Doerr at 1:30 pm.
2. The February minutes were unanimously approved, as submitted, by a vote of 6 to 0.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business – Director Carpenter introduced Bill Atkinson from the Maryland Department of Planning (MDP). Mr. Atkinson noted that he is part of the regional team, which includes Dave Cotton, who is unavailable for today’s meeting. Mr. Atkinson noted that legislation to change PFA criteria has not gained any traction in the legislature, as of this date. Mr. Atkinson noted that Governor Hogan has addressed the permit application process for issuance of entrance permits. Since then, this process has greatly improved, largely due to the greater emphasis on using regional SHA offices for reviewing entrance applications. The Planning Commission also discussed sidewalk issues that add costs to certain developments. Mr. Atkinson stated that the main goal of the MDP is to ensure that the County Comprehensive Plan will comply with state law and all of the required elements of the Plan are included. MDP will also work to provide advice and guidance, as needed.

**A. Miscellaneous**

**1. Deep Creek Watershed Zoning Appeals Cases-**

- a. **VR-761** an application submitted by John R. Schneider for a Variance, to allow an addition to a home, to within 10.0 feet, of the side property line. The

property is located at 551 Crows Point Road, tax map 67, parcel 209 and is zoned Lake Residential (LR1).

After discussion, the Planning Commission offered no comments on the Variance request.

**2. Action on (PRDs) Planned Residential Developments- None**

**3. Action on Planned Major Subdivisions-**

- a. **Final Plat-Revised Lot 1 and 2-Back of Beyond** – William A. Franklin submitted a Final Plat for a revised Lot 1 and 2 in the Back of Beyond subdivision. The property is located on tax map 67, parcel 1, in a LR1 zoning district. The Planning Commission granted approval of the Final Plat by a unanimous vote of 6 to 0.

**4. Comprehensive Plan Continued Review of Chapter Three.**

**Note: The audio of this discussion has been recorded in its entirety and can be found on the county website: <https://www.garrettcourt.gov/planning-land-development/planning-commission/minutes>**

**Follow up from meeting of February 1-**Director Carpenter reviewed the questions that the director suggested that the members of the Commission consider:

- 1) What are the current concerns?
- 2) Do you have an issue with where residential/commercial/industrial growth has, is or will occur?
- 3) How have things changed?
- 4) Do any old concerns still apply?
- 5) What are the implications of the Septic Law on conservation?
- 6) What is the purpose of minimum lot size in the current context?
- 7) What is the roll of PFA's and infrastructure in encouraging development to occur in certain places?

Director Carpenter asked the Commission to keep these issues in mind as the review of the Plan goes forward. She feels like the state policy is encouraging certain types of growth and discouraging other types. The 2008 Plan and the reasons that it was developed need to be considered also. Bill Atkinson reminded the group that private development would not be subject to the PFA, since the designation only affects the state funding of projects. The State is encouraging development within areas served by existing infrastructure, namely public water and sewer. He feels that this administration does not have as much emphasis on supply/demand, as previously and there may be room to grow PFA areas now.

### Chapter Three Review Continued Discussion-

*Section 3.1-Land Use Goals and Objectives-* the Commission discussed the progress and continued relevance of the following ten County land use goals and objectives:

1. *Conserve forest resource land;* and 2. *Conserve agricultural resource land.* The Commission had no issues with the wording of these goals.

3. *Encourage growth in designated growth areas, including the County's incorporated towns, and especially where development can be served by public water and sewerage systems;* and 4. *Provide land in appropriate locations for growth and expansion of economic development opportunities.* The group believes these goals continue to be relevant to the economic development of the County. Paul Durham pointed out that the County developing or providing land sometimes directly competes with private development, and could be seen as placing the business community at an unfair disadvantage.

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5. *Continue to encourage growth and development around Deep Creek Lake and its associated resort activities.* Some members feel that the Deep Creek Watershed Zoning Ordinance needs to be adjusted to accommodate businesses and to clarify what types of residential development are being encouraged.

6. *Provide land in appropriate locations and densities for a variety of housing types and choices* and 7. *Provide land in appropriate locations to allow for the development of affordable housing.* The Commission feels that these concepts are especially important but could be combined into one goal. It was also suggested that the word "provide" could be replaced with the word "identify".

8. *Improve the layout and design of residential subdivisions to conserve resource land and rural character.* Chad Fike and Debbie Carpenter reviewed the current Tier Map and Subdivision Ordinance Map and discussed the effect that the Septic Bill has had on development in the areas of the County that are not served by public sewer. After the 2008 Comprehensive Plan, large amounts of areas previously designated Rural were changed to Agricultural Resource (AR) and Rural Resource (RR) on the Subdivision Map. The Septic Bill required all AR and RR areas and approximately half the Rural areas to be designated as Tier 4. Eighty-four percent of the County falls into this classification. The law prohibits major residential subdivision in all Tier 4 areas. After considerable discussion concerning layout and design, the Commission feels that the contractor should include discussion about whether a reduction in the minimum lot size in AR & RR from the current three-acre requirement would be advisable since development in those areas is already limited by the Septic Bill. Reduction of the minimum lot width was also discussed. The Commission also discussed the impact of the current LR2 designation that has a minimum area requirement of two acres.

Reducing the minimum LR2 lot size to 1 acre was considered. The Health Department already requires a 60,000 square foot minimum size for lots with septic in LR2.

*9. Discourage strip commercial development* The Commission agreed that this goal can be eliminated since they feel that commercial strip development is already controlled by highway entrance permit regulations.

*10. Encourage high quality building and site design.* Mr. Fike explained that the end result of goal 10 was a change to the Deep Creek Watershed Zoning Ordinance that required 40 percent of building façades visible from a public road in the TC and C zones to be made of something other than steel. The group stated that there is no mechanism to encourage “high quality building and site design” outside of the zoned areas. Bill Atkinson advised that the Commission should plan to use a consultant as much as possible to help provide ideas and concepts.

*Section 3.2 and 3.3*—These Sections will not be covered at this time, since they list existing and projected land use. These sections are a compilation of information rather than proposed policy.

- B. Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for **April 5, 2017** in the County Commissioners Meeting Room **at 1:30 pm**.

Respectfully submitted,

William J. DeVore  
Zoning Administrator