

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

203 South Fourth Street –Room 208  
Oakland Maryland 21550  
(301) 334-1920 FAX (301) 334-5023  
E-mail: [planning@garrettcountry.org](mailto:planning@garrettcountry.org)

**MINUTES**

**The Garrett County Planning Commission** held its regular monthly meeting on Wednesday, May 3, 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
Jeff Messenger	Elizabeth Georg	William DeVore -staff
Tim Schwinabart	Jeff Conner	Chad Fike -staff
William Weissgerber	David Cotton	Paul Durham
Richard Matlick	Jim Hinebaugh	Richard Bolt

1. Call to Order - by Chairman Tony Doerr at 1:30 pm.
2. The April 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 – None

**A. Miscellaneous**

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

- a. **SE-454-** an application submitted by Michael McNish, for a Special Exception permit for a seven-bedroom Transient Vacation Rental Unit. The property is located at 426 Sandy Beach Lane, tax map 57, parcel 501, lot 6 and is zoned Lake Residential 1 (LR1).

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

- b. SE-455-** an application submitted by Daniel Torrens, for a Special Exception permit for an eight-bedroom Transient Vacation Rental Unit. The property is located at 201 Highline Drive, tax map 49, parcel 119 and is zoned Lake Residential 1 (LR1).

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

- 2. Action on (PRDs) Planned Residential Developments- Final Plat-Wisp Resort Phase 3D-G North Camp Ridge Section 1-** The developers, NLP of Maryland, LLC, submitted a Final and Record plat of preservation areas for the North Camp Ridge section of the Wisp Resort Planned Residential Development. The purpose of the plat is to delineate the location of expanded stream and wetland buffer areas. The property is located on tax map 49, parcel 128, in a Rural land classification. The Commission granted approval of this Plat of preservation areas by a unanimous vote of 6 to 0.

### **3. Action on Planned Major Subdivisions-None**

- 4. Priority Capital Projects-Secretary's Annual Tour- Maryland Department of Transportation-Priorities Letter Draft of the Transportation Priority List-** Director Carpenter distributed a list of the 2016 Priority Capital Projects that were associated with the 2016-Secretary's Annual Tour (attached). The projects included: Planning, Safety, System Preservation, Sidewalk/Streetscape, Trail and Pedestrian, Transit and Regional Transportation Priorities. Many of the projects have not been started and will remain on the list. The group briefly discussed each of the priorities.

The Commission recommended adding a safety priority for State Route 42 at Elder Hill, due to the steep, winding, narrow roadway and some of the intersections with limited site distance. Some members believe that there is a high rate of traffic accidents here, especially involving trucks. Richard Bolt believes that guard rails could be installed in specific areas that could help with the safety issue.

Funding did not materialize this year for the Oakland Streetscape project and it is likely to be added back on to the list. The US Route 219 North project, to upgrade Route 219 North of Interstate 68, is expected to begin construction next spring.

The Director stated that the process for creation of the letter is to solicit comments and recommendations from the Planning Commission, Garrett Mayoral Association and Garrett Trails and then present all recommendations to the

Commissioners. The Commissioners will decide the final content of the priority letter and listing.

**5. Annual Report of the Department of Planning and Land Management-**

The Commission reviewed the 2016 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 is included, as in earlier reports. The director believes that the local goal of ten percent in new growth in PFA's is likely to be difficult to achieve, due to the inadequacy of county infrastructure. Many of the municipalities in the County have old or inadequate infrastructure and the cost to upgrade may be prohibitive. After discussion, the Commission believes a statement should be added to the local goal, clarifying the problems associated with attaining the goal.

Dave Cotton of Maryland Department of Planning stated there is no movement to change the PFA reporting requirement at this time. Mr. Cotton noted that other counties in the State have similar difficulties with this criteria, especially in rural areas.

The chairman noted that the spike in new home construction several years ago was due to the impact of the Maryland sprinkler law, causing a jump in new home construction, in order to beat the requirements of the new law.

The Commission approved the amended report by a unanimous vote of 7 to 0. The director stated that the Report will be sent to the Maryland Department of Planning after the language is added.

**6. Comprehensive Plan Chapter Four: audio of this discussion has been recorded in its entirety and can be found on the county website: [www.garrettcounty.org](http://www.garrettcounty.org)**

**Follow up-**After discussion at the last meeting, Director Carpenter stated that three items were added to the topic list for Chapter 3:

- a. Consider streamlining the watershed sections to avoid repetition.
- b. Consider eliminating the Policies and Action Sections at the end of every chapter, and listing them only in Chapter 12.
- c. Examine the topic of expanding zoning areas, exploring (1) whether there is a need and (2) what options exist besides standard Euclidean zoning.

The group agreed that the topic list should include these three items, which will be directed to the consultant.

## **Chapter Four- Deep Creek Lake Area**

*Section 4- and 4.1-Deep Creek Lake Influence Area Master Plan-* Director Carpenter explained that this chapter in the 2008 Comprehensive Plan was not just about the Deep Creek watershed, but also included an influence area. This chapter evaluates the Lake area's capacity to accommodate new growth, in terms of available land, water resources, traffic and public services. The influence area is not actually in the watershed, but has experienced growth in the past due to the Lake's proximity. The area includes several subdivisions in the Sang Run area.

Discussion ensued regarding how the original Deep Creek Watershed boundary was developed in relation to property lines and how the boundary crosses property lines. The Commission does not propose any specific changes to the boundary at this time.

*Section 4.2- Vision Statement for the Deep Creek Lake Influence Area-* This Vision statement for the Deep Creek Lake Watershed and Influence Area includes seven bullet points that outline the vision for the area. One part of the statement states: "agricultural and forest lands, as well as views of the lake, and the surrounding mountains are preserved". The Commission discussed whether these issues are still of high importance. This language led to the ridgeline protection zoning amendments that were added to the Zoning Ordinance.

Some members of the Commission believe that the ridgeline protection issue may not be as important to some as it was ten years ago. Paul Durham believes that this issue is still important to the property owners at Deep Creek Lake, especially regarding scenic qualities and view sheds. No change to the statement is proposed at this time.

*Section 4.3- Land Use Development Trends-* Part of this Section involves the understanding of past land use and development activities, as well as projected future Plan recommendations. This Section will have to be updated with the aid of the consultant.

*Section 4.3.1- Existing Land Use* – This Section will have maps and charts that must be updated. Director Carpenter notes that some of these sections may have repetitive material, dependent on formatting of the document.

*Section 4.4- Impacts on Growth-* Maximum development capacity will have to be revisited, based on current growth rates. Conclusions and recommendations will also have to be revisited.

*Section 4.4.1- Impacts on Transportation-* According to the 2008 Plan, the Deep Creek Watershed and influence area represents 60 percent of all residential development through 2030, which could have a great impact on several road intersections. These statements will have to be researched to see if those statements still apply.

*Section 4.4.2 –* This section addresses impacts on public sewer. Both the present and projected data, will have to be brought up to update.

*Section 4.4.3 –* This section addresses impacts on water quality. These issues will have to be researched and updated by the consultant. Richard Matlick stated that more extensive water monitoring/sampling will be started soon at Deep Creek Lake. This summer DNR will begin conducting water quality sampling for turbidity and other parameters in more cove areas.

*Section 4.5- Proposed Land Use Plan-* The director notes that mapping will be updated for the new plan. Changes will be made, as needed, regarding this chapter.

*Section 4.6- Transportation-* Issues will have to be identified and recommendations made regarding transportation issues. The director noted that an access management plan, recommended in the current Comprehensive Plan, was not developed. Transit service, utility and transportation issues will have to be discussed in the public sessions. No formal recommendations were made at this time.

William Weissgerber believes that parking at Deep Creek Lake for Transient Vacation Rental Units should be based on a voucher system, to eliminate the provision that requires one parking space per bedroom.

Paul Durham believes there are many issues in the County that are unique and effect the view shed, such as wind turbines and potential gas development, that were not foreseen ten years ago. The lake resort area is the economic engine of the County, and he believes that specific industrialization and energy development should be addressed in this planning exercise, in a specific section of the Plan. Mr. Durham notes that the Zoning Ordinance is inconsistent with State law regarding gas drilling and he believes that the Ordinance should be updated to reflect these changes.

- 7. Next Scheduled meeting -** The next regular meeting of the Planning Commission is scheduled for **June 7, 2017** in the County Commissioners Meeting Room, **at 1:30 pm.**

Respectfully submitted,

William J. DeVore  
Zoning Administrator