

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, September 6, 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
Tim Schwinabart

Jeff Conner
David Moe
Elizabeth Georg

William Weissgerber
Deborah Carpenter-staff
William DeVore -staff

1. Call to Order - by Chairman Tony Doerr at 1:30 pm.
2. The August minutes were approved as corrected. Bill Weissgerber's name was added instead of Tim Schwinabart, for the list of attendees, at the August meeting.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business – Director Carpenter reported that Plan Maryland has been repealed by the Governor. The director also noted that any follow up legislation from the plan is still in place, pending changes to the law.

A. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases-

- a. **VR-772-** an application submitted by James L. Venturella for a Variances to allow the construction of a residence, to within 9.0 feet of the side property line. The applicant is also requesting a variance to build within 24 feet of the rear property line.

The property is located at 96 Shingle Camp Terrace. The parcel can be found on tax map 50, parcel 359 and is zoned Lake Residential 1 (LR1).
The Commission offered no comments regarding the application.

b. **VR-773-** an application submitted by Michael and Alison Lee for a Variance to allow the construction of a residence to within 17.5 feet of the rear property line. The property is located at 106 Sandy Beach Lane. The owner has purchased the buy-down from the State of Maryland. The parcel can be found on tax map 57, parcel 50, lot 17 and is zoned Lake Residential 1 (LR1).
The Commission offered no comments regarding the application.

c. **VR-774-** an application submitted by Marie Dray for a Variance to allow the construction of a residence to within 12.0 feet of the side property line. The property is located at 3273 Lake Shore Drive. The parcel can be found on tax map 50, parcel 154 and is zoned Lake Residential 1 (LR1).
The Commission offered no comments regarding the application.

d. **SE-459 -** an application submitted by Jon M. Stout/ Managing Member for 386 Hines Drive, LLC, for a Special Exception for an eight-bedroom Transient Vacation Rental Unit. The property is located at 386 Hines Drive, tax map 59, parcel 585 and is zoned Lake Residential 1 (LR1).
The Commission offered no comments regarding the application.

e. **SE-460-** an application submitted by Deep Creek Marina, LLC, for a Special Exception for Commercial Outdoor Recreation, to change the character and extent of an existing aerial adventure park, approved by Special Exception 453, in April of this year. The property is located at 1067 and 1077 Deep Creek Drive in McHenry, tax map 50, parcel 26 and is zoned Town Center.
After discussion, the Commission offered no comments regarding the application.

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

3. Waiver and Subdivision Requests- None

4. 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

Director Carpenter presented the Chapter 4, Consultant Topic List for the Plan. The first part of the Chapter was reviewed in May. The purpose of the list is to assist the contractor in updating the Comprehensive Plan. The current list reads:

1. Update the existing land use and projected growth numbers.

2. Update Section 4.4 using current projections, latest documentation references and current processes. Specifically, refer to the last Water and Sewer Master Plan for Section 4.4.2 and the Deep Creek Watershed Management Plan and Administrative Council.
3. Update the watershed and influence area mapping to coincide with the proposed land use mapping changes in Chapter 3.

The director noted that the RFP document to hire a consultant, is being reviewed by the County Purchasing Department and will then be sent to the County Commissioners. After the Plan is approved by the Commissioners, the RFP will be released.

The purpose of the topic list is to prepare the contractor for major topics likely to be discussed, that need to be addressed in the plan. The goal will not be to come up with a solution, but to identify the issues and red flag them for public discourse or contractor action.

The first portion of Chapter 4 was reviewed in May. The topic list is a result of those discussions. The director stated that the Commission would review Chapters 4.6 through 4.11.

Each section explores:

- (1) What is the condition of the network? Does it need improvement?
- (2) Is it adequate for current conditions?
- (3) Will it be adequate for projected conditions? and
- (4) if not, what needs to be done to get that section to the point of adequacy?

The director explained that the Commission cannot address all these questions without the projected numbers and public dialogue, however, the Commission can discuss the current network and it's adequacy at this time. The director suggests to pull out only those major topics that the contractor will need to consider.

Section 4.6 – Transportation – This section includes roads and pedestrian networks, but does not include trails, which are discussed in Section 4.9. This section concerns the impacts of projected growth on various aspects of the Deep Creek network. The Commission discussed a variety of road problem areas including: Deep Creek Drive, Glendale Road, Mosser Road and other problem areas, especially regarding traffic and pedestrian safety. Signage, students at Garrett College, possible one-way road designations, education of pedestrians, sidewalks and other pedestrian issues were discussed. The Maryland Route 219 crosswalks at Uno's and Traders Landing were also a topic of conversation. The Commission decided that all of these issues should be considered by the consultant, as part of the review of the Plan.

Section 4.7 – Water Resources-This section will include wells to be acquired for the Hoyes Run project, which should be revisited by the consultant. Drinking water systems, public water and sewer masterplans will be reviewed in detail, as part of the Plan. McHenry and Thayerville service areas have been combined and are now known as the Deep Creek water service area. A member of the committee notes that with the advent of the sprinkler law, construction of new homes is directly related to the availability of the public water system at Deep Creek. Expansion of public sewer and public water will also be discussed as part of the Plan.

Section 4.8 – Sensitive Areas and Development Character – Previous concerns during the last plan update centered around new construction merging with existing homes and ensuring scenic views. These issues may or may not be still an issue today. The Commission decided to wait and see where public concern directed discussions during public discourse.

Section 4.9 – Community Facilities – This section addresses parks and recreational trails and facilities, lake access, public safety, etc. The plan will review whether the county has adequate parks and trails at Deep Creek and throughout the county. The Commission decided that trail connectivity should be highlighted as part of this section. Lake access and public access points will not necessarily be highlighted, since the Commission believes that facilities at Deep Creek State Park address many of those needs.

Public safety issues will be discussed regarding rescue squads and fire departments in the county. The Commission noted that there is a paid rescue squad now, versus the volunteer squad that was in place several years ago. The Commission noted that Deer Park and McHenry fire departments now have boats in place at Deep Creek. Also, the Commission believes that the firehouse at McHenry has been a major improvement.

David Moe believes that a light is needed at the intersection of Foster Road and State Route 219.

Section 4.10 – Plans for McHenry and Thayerville –Questions arose at the whether these plans should be updated, as they previously were done, as part of a charrette. This Section was developed by use of a two-day work session that was held at Garrett College. The Commission believes that it would be best to conduct this planning by way of another method. As many of the features in these plans are discussed in previous sections it may be best to include them in those sections only.

Pedestrian crossings should be reviewed as part of the plan. Crosswalk and pedestrian safety was discussed and the Commission believes that some changes need to be made at the crosswalks at Uno's and Traders Landing. Crosswalk safety will be added for consideration, as part, of the pedestrian safety topics.

Members of the Commission believe that the markings for the piers on the bridges at Deep Creek should be marked more distinctly. Director Carpenter will discuss the markings at the bridges at Deep Creek with the DNR at an upcoming meeting.

Section 4.11 – Organization and Management – This section was added as a response to public concerns. Some of the earlier concerns included the need for a zoning inspector for enforcement of possible zoning violations including parking, signs, building without a permit, etc. The zoning office is still complaint driven, with no active enforcement. This topic will also be revisited.

Bill Weissgerber believes that future subdivisions should be required to have community dumpsters to avoid the attraction of bears and other animals and also because they are more economical. He believes that communities with community trash receptacles have demonstrated better control of nuisance bears and other trash issues. Mr. Weissgerber also believes that parking for vacation rentals should be based on a permit system and should not be solely based on the number of bedrooms at the residence.

5. **Next Scheduled meeting** –The next regular meeting of the Planning Commission is scheduled for **October 4, 2017**, in the County Commissioners Meeting Room, at **1:30 pm**.

Respectfully submitted,

William J. DeVore
Zoning Administrator