

**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, September 5, 2018, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Tony Doerr	Tim Schwinabart	Deborah Carpenter -staff
Jeff Messenger	Liz Georg	Chad Fike-staff
Jim Hinebaugh	Shelley Argabrite	Chet Parsons - consultant
Bruce Swift	Jeff Conner	Bill Weissgerber
Judy Carbone	Eric Bowser	Dick Bolt
David Moe	Jim Lascaris	Karen Myers
Eric Robison	Mike Dreisbach	Ken Braitman
Earl Eisenhart	Tim Kline	

1. Call to Order - by Chairman Tony Doerr at 1:30 pm.
2. The August minutes were approved as submitted.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business – None

**A. Miscellaneous**

**1. Action on Major Subdivisions-**

**Preliminary Plat & Final Plat of McHenry Business Park, Lot 16-** The Garrett County Commissioners submitted a Preliminary and Final Plat for Lot 16 of the McHenry Business Park. The property is located on Map 42, Parcel 52 in an Employment Center Land Classification. The Planning Commission granted approval of the Preliminary & Final Plat by a unanimous vote of 5 to 0.

**2. Action on Planned Residential Developments (PRDs) –**

**Wisp Resort Phase 7, Lodestone Subdivision, Biltmore Section 10.** NLP of Maryland, LLC submitted a Final Plat for Section 10 (Lots 14-23) located off Biltmore Ridge Trail and Bunker Ridge Trail. The property is part of the Wisp Resort PRD and is located on

Map 49, Parcel 142 in a Lake Residential 1 (LR1) zoning district and Rural (R) Land Classification. The Planning Commission granted preliminary approval for a total of 145 lots in the Biltmore Section during their September 2013 meeting. The Commission granted approval of the Final Plat for Section 10 (Lots 14-23) by a unanimous vote of 5 to 0.

**Wisp Resort Phase 3D, 3E, 3F & 3G, North Camp Subdivision, North Camp Ridge Section 6.** NLP of Maryland, LLC submitted a Final Plat for Section 6 consisting of 1 new lot (Lot 67) located off of North Camp Road. The property is part of the Wisp Resort PRD and is located on Map 49, Parcel 128 in a Rural (R) Land Classification. The Planning Commission granted preliminary approval for a total of 175 lots in the North Camp Ridge Section during their September 2015 meeting. The Commission granted approval of the Final Plat for Section 6 by a unanimous vote of 5 to 0.

### **3. Deep Creek Watershed Zoning Appeals Cases-**

**VR-785-** an application submitted by Barbara Kight for a Variance to allow the construction of a deck to within 0.0 feet of the rear property line and to within 4.0 feet of the side property line. The owner has purchased the buy down from the State of Maryland. The property is located on 2763 Lake Shore Drive, tax map 58, parcel 6 and is zoned Lake Residential 1. The Commission offered no formal comments on the request.

**VR-786-** an application submitted by Raymond Ferguson for a Variance to allow the subdivision of an existing parcel into four new lots with a minimum lot area of one acre each. The property is located at 371 Pysell Road, tax map 42, parcel 28 and is zoned Lake Residential 2. The Commission offered no formal comments on the request.

### **4. Comprehensive Plan Discussion-**

**Comments Received.** Director Carpenter stated that three written comments were received since the last meeting and informed the Commission that the comments had been posted on the website. In addition, she relayed some comments that were personally relayed to her during the last Open House event.

**Overview of Sustainable Environment and Vibrant Economy Open Houses.** Chet Parsons, project manager for the Comprehensive Plan update from AECOM, stated that both Open Houses were well attended, but the one on the Economy had the best attendance. Comments received at the Environment Open House included concerns about fracking and a lot of the issues that the Commission has already discussed, so in his opinion, there were not a lot of surprises. Moving forward any of the actual comments received orally or in writing are being recorded, along with priority levels for the comments, which are created based on citizens not offering new comments, but agreeing with a comment that has already been stated. The comments received, the emphasis given to them and any mapping and pinpoints will all become part of the public record as they develop the Plan. During the Economy Open House the consultants focused on the economic generators, the growth areas and energy. The attendance at the Economy Open House was the best to date, which indicates the word got

out a little better. AECOM did boost the Plan's presence on Facebook and that seemed to help.

The draft sections are coming along. The Environment section is progressing quickly and they hope to get them available to the regional MDP representative over the next month. They intended to get the upcoming Open House out of the way before finalizing parts of the draft for MDP initial review. They hope the entire draft should be ready by the end of November.

Tony Doerr asked the crowd if any that were in attendance at the last Open House would like to share what they thought of the process and format. Eric Robison stated that it was a pleasant surprise to learn that comments that people agreed with would be flagged with a priority or emphasis level. He felt, however, that if the public knew that going in they would have been more likely to state whether they agreed with a comment already received. He felt the process has been open and pretty good. It's hard when there's a larger group at a station to get some one on one time to make comments, but other than that it's been good.

Judy Carbone stated that she was glad to hear about the plan to share the draft with the public and then hold a public comment session; however, she stated there was a request to hold another public comment session prior to the release of the draft, and she wondered if that would be done. Director Carpenter stated that the draft will be made available to the public once complete and at least two weeks after its release the Commission will hold a public comment session. No other meetings are planned prior to that.

**Thriving Population Open House.** The next open house will cover the topic of Population and will include stations on population projections, housing and facilities and services. Some proposed topics include affordable housing, elderly housing, variety in housing types, identification of specific areas in need of housing, declining school age population, long term funding for education, workforce development, fire and emergency services, public safety, health care, solid waste and recycling, libraries, and different types of community lands like parks & trails & lake access. It will function similarly to the other Open Houses. It will be held on September 10, 2018 from 4 – 7 p.m. in Room 111 of the Garrett College Continuing Education building. The members were encouraged to spread the word and pass out flyers of the event.

Karen Myers contributed a comment for the Comprehensive Plan. She feels the county has inadequacies in serving people with disabilities in both providing housing and services. Sometimes ADA standards are not enough, and given the opportunity to do something more than is required, we don't take advantage of that. With our aging population, we need to encourage more support for that population group.

Ken Braitman stated his belief that the document should plan for growing population due to climate change making Garrett County a more attractive place to live.

Shelley Argabrite emphasized the need to include the topic of homelessness in the Housing station. She also felt we need to ensure we specifically address the existing services available to the elderly and what needs exist.

The Commission members were encouraged to attend and it was noted that the time was changed to 4-7 pm due to public request.

**Zoning Amendment – Signage.** Director Carpenter explained that there are two requested zoning amendments on the docket, one for temporary signs and one for digital signs. She further explained how these requests for amendments came to be. The temporary signage request was provoked by a standing notice of violation to approximately 12 businesses in the Deep Creek Watershed for the use of feather flags, and the digital sign request was in response to a denial of a zoning permit for an LED sign. Carpenter further expressed that it is not only interesting that we have two requests for zoning amendment, after not having had any requests in quite some time, but they are both on signs and we have also previously stated that the entire sign chapter will need re-written due to the Comprehensive Plan update and a supreme court ruling that will impact how we regulate on and off premise signage. She feels that while it would be ideal to conduct a comprehensive review and amendment of that chapter at one time, preferably after the Comprehensive Plan update is completed, the pending violation and pending permit situation have created the need to move the timetable up and review it at least partially.

Eric Bowser, owner of KeyLock, stated his case and request for amendment regarding digital signs. He stated that the digital signs allow a business to communicate more information than just the name. In his instance KeyLock provides many different services and the digital sign would allow him to highlight them.

Chad Fike, Assistant Director in the Planning office, stated that the existing digital sign regulations were included in the ordinance in 2007. The existing regulations state that all digital signs were to be limited to a single color, which would preclude any type of TV screen type of sign. Those types of signs were not in existence at that time. The other limiting portion of the existing regulations is the statement that the LED part of the sign shall not exceed more than 25% of the total sign area. Given that technology has changed since the regulations were enacted, it is difficult to take a sign proposal using the latest technology and make it permissible under the parameters specified by the ordinance.

Carpenter reviewed zoning amendment process with the Commission, stating that the Planning Commission is an advisory body to the Commissioners, and as such they would make a recommendation to the Commissioners regarding any proposed changes to the ordinance. The Planning Commission may hold a public hearing before any recommendation is made. The Commissioners must hold a public hearing prior to any action on the proposal.

Discussion from the Board acknowledged the outdated status of the regulations, the fact that signage is generally a contentious topic, the existence of other issues within that chapter, including current height restrictions, and the need to look at the entire chapter and not just two sections of it.

Comments from the public included the need to find a balance between Columbia MD, where the sign regulations are so restrictive you cannot read the signs, and Branson MO where the regulations are too lenient.

The Commission favored reviewing the whole chapter instead of taking action on the two amendments and voted to suspend all violation enforcement on the temporary signs until such review and subsequent edits are completed. Further they determined a signage committee should be appointed to do an in depth review of the chapter. Director Carpenter will investigate how that appointment would work. The Commission would like to have this work completed in 4 – 6 months.

Jeff Conner made a motion to suspend enforcement of the temporary sign violations until the process was complete. A second was made by Liz and the vote was unanimous.

- B. Next Scheduled meeting** –The next regular meeting of the Planning Commission is scheduled for **October 3, 2018**, in the County Commissioners Meeting Room, at **1:30 pm**.
- C. Adjournment- 2:28 pm.**

Respectfully submitted,

Deborah Carpenter  
Director