

DORCHESTER COUNTY PLANNING COMMISSION
MINUTES – NOVEMBER 2, 2011

The Dorchester County Planning Commission held their regular meeting on November 2, 2011 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Joy Loeffler, Chairperson, Rob Hanson, Vice-Chair, Bill Giese, Ralph Lewis, and David Andrews. Also present were Chad Malkus, Attorney, Steve Dodd, Director of Planning, Rodney Banks, Deputy Director, Mike Bonsteel, Environmental Planner and Merris Hurley, recording. Absent were Pam Jackson and Laura Layton.

Chairperson Loeffler called the meeting to order at 12:00 p.m. A motion was made by Mr. Hanson to approve the minutes of the October 5, 2011 meeting. Seconded by Mr. Giese. Mrs. Loeffler abstained.

P & Z #397A – Jeffrey Foglesonger – Minor subdivision and shared driveway request. Mr. Foglesonger explained to the Commission that he applied for a subdivision back in 2006, to change an ag lot to a building lot. It was proposed that the lot would have a shared driveway with the Hooper's. The Hooper's refused to sign the shared driveway agreement. Without a shared driveway agreement, Mr. Foglesonger would have to bring the road up to county road standards, which is very expensive. Mr. Foglesonger doesn't want to go through the expense of bringing the road up to county standards without the assurance that it will be adopted into the county road system. The Hooper's will grant a right-of-way, if the road is brought up to county standards. Mike Moulds of the Department of Public Works told the Commission and Mr. Foglesonger that he has never heard of a road being denied access into the system, but with money the way it is and this being another dead end road, there is no guarantee. He suggested that Mr. Foglesonger speak to the County Council. Mr. Hanson agreed that Mr. Foglesonger needed to speak with the County Council, and he made a motion as such. Mr. Giese seconded the motion and it was unanimously carried.

Off-Premises Signs – Digital Billboards and existing static sign upgrades.
Discussion of possible ordinance modification. Mr. Dodd explained to the Commission that the county needed to consider amending sign regulations to include or exclude digital signs. Mrs. Loeffler stated that she was thinking about billboards in the past that had been denied and how this would affect those particular properties. She asked if it would be feasible to grant a digital sign if more than one static sign was taken down. Mr. Malkus recommended that there should be limits such as one granted, one taken down; should be local businesses/charities; public service; and with limited animation. Mr. Hanson also suggested that there be a limit of how many signs are within range of another. Mr. Banks suggested that there should be no new signs, that a new digital sign would only be upgrading an old sign; that there be limits on how the messages transition; how long the message appears; and that there be no animation.

Update of Critical Area Program Refinement Legislation. Mr. Bonsteel explained to the Commission that the Critical Area Commission was more receptive to what the county was trying to do with administrative variances. There has been discussion regarding the administrative variances that may include a 30% increase in footprint and discussion regarding including allegation of error for those aggrieved. These refinements will soon go to the County Council.

BOARD OF APPEAL CASES - The following cases were presented to the Planning Commission for review/comment.

Case #2409 - Michael and Karen McKinley

To request a variance from the (expanded) tidewater buffer setback to allow construction of addition(s) to an existing dwelling to be located in the (expanded) tidewater buffer. Property located at 5432 Cassons Neck Road and contains 3.09 acres. RR, Rural Residential Zoning District. The Planning Commission had no objection if the applicant could prove hardship.

Case #2410 - Schultz and Son Recycling Hurlock, LLC, Owner
Mitchell Cornwell, Esq., Applicant

To request a variance to allow a parcel containing less than 10 acres to be eligible for rezoning to an industrial zoning district. Property located at 6012 Shiloh Church-Hurlock Road and contains 5.66 acres. AC, Agricultural Conservation Zoning District. The Planning Commission supported this request and supported the position of the Director of Planning that a mistake had been made when the other parcel was rezoned and this was left out.

Case #2411 - Suzanne Applegarth, Owner
Raymond Simmons, Esq., Applicant

To request, as a special exception, a "hardship" manufactured home for a person in need of care. Also, to request a variance to allow the manufactured home to remain within the required sideyard setback area. Property located at 1709 Taylors Island Road and contains 4.15 acres. AC, Agricultural Conservation Zoning District. The Planning Commission had no objection to the special exception, but felt the applicant should come into compliance with the setback.

A schedule for next year's Planning Commission meetings was distributed. Mr. Lewis's term will expire in January. Mrs. Loeffler suggested sending a letter to the Council asking him to be re-appointed.

With no further items or information, Mr. Giese made a motion to adjourn the meeting. Mr. Andrews seconded the motion and it was carried unanimously. The meeting was adjourned at 12:50 pm.

Respectfully submitted,



Steve M. Dodd