

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – FEBRUARY 5, 2014

The Dorchester County Planning Commission held their regular meeting on February 5, 2014 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robbie Hanson, Bill Giese, Ralph Lewis, David Andrews, Jerry Burroughs, and attorney Chad Malkus. Also present were Steve Dodd, Director of Planning, Rodney Banks, Deputy Director, and Merris Hurley, recording. Absent were Laura Layton and Pam Jackson.

Mr. Hanson called the meeting to order at 12:00 p.m. A motion was made by Mr. Giese to approve the minutes of the January 8, 2013 meeting. Seconded by Mr. Burroughs and carried.

OLD BUSINESS:

Holland Point Preserve – Continued discussion regarding Planting Plan Maintenance and Management Agreement with Surety (Performance Bond), Sanitary District Agreement, and Record Plat. Mr. Dodd reminded the Commission of the series of events in this case. Mr. Eckrod was waiting on the conservation easement to go through and that is now done. The Sanitary Commission has recorded a revocation of their agreement. Mr. Eckrod had planned to revise the plat to just two lots. No plat has been submitted to the office for review as of yet. Mr. Malkus drafted a letter to Mr. Eckrod with a deadline for that submission. The two options that the Commission has are to suspend the final subdivision approval until the improvements are completed and record a document to that affect for the purpose of public notice or initiate proceedings to expunge the plat from the land records. The Commission asked Mr. Malkus to draft a letter to execute the suspension of the plat. A motion was made to that effect by Mr. Lewis and seconded by Mr. Giese and carried unanimously.

NEW BUSINESS:

Critical Area Administrative Variance Request – Case # AV-7, Francis and Nancy Maccherone, Requesting a variance to build a covered porch, second floor deck, and walkway in the 100' Tidewater Buffer. Steve Whitten was sworn in to represent the applicant. He explained to the Board that the subdivision has been existence since 1965, well before the Critical Area laws. He also said that the expansion will be mostly vertical and there will be no new disturbance as they are removing gravel to reduce lot coverage.

Janice Henderson, Environmental Planner, explained to the Commission that the replacement or expansion does not encroach any further than the existing structure into the 100' tidewater buffer. The proposed expansion will not enlarge the existing footprint of the structure by greater than 30%. The property will comply with the lot coverage restrictions in §155-38(O).

Mr. Burroughs made a motion to give a favorable recommendation to Mr. Dodd. Seconded by Mr. Andrews and unanimously carried.

Board of Appeals Cases – Review and recommendation.

Case #2445 – Jeffrey Fletcher

To request, as a special exception, accessory structure(s) larger than the principal structure. Property located at 6835 Gravel Branch Road and contains 2.4 acres. AC, Agricultural

Conservation Zoning District. The Planning Commission, based on the information presented, gave a favorable recommendation.

Case #2446 – Gia Clark, One Energy Renewables, Applicant
Roger Adams, Owner

To request, as a special exception, a solar energy systems utility scale project. Also, to request a variance from the front yard setback requirement. Property located at 4919 Bucktown Road and contains 365 acres. AC, Agricultural Conservation Zoning District. The Planning Commission, based on the information presented, gave a favorable recommendation, and the fact that the property is out in the country.

Case #2447 – Valley Proteins, Inc.

To request variances from the front yard setback requirement to allow the replacement of an existing water tank and to allow the expansion of an existing cooling tower. Property located at 5420 Linkwood Road and contains 88.31 acres. I-2, Heavy Industrial Zoning District. The Planning Commission, based on the information presented, gave a favorable recommendation, and the fact that this will be an improvement.

Case #2448 – Bruce and Jeanne Bernard

To request, as a special exception, an accessory structure larger than the principal structure. Property located at 5235 Ragged Point Road and contains 7.8 acres. RR, Rural Residential Zoning District. The Planning Commission, based on the information presented, gave a favorable recommendation, and the fact that this is an expansion of the original request.

P&Z # 1116 A – Wayne Markey Intrafamily Transfer Subdivision Request. Mr. Markey, Mr. Craig and Mr. Harper were sworn in. Mr. Markey explained that he wanted to seek approval again for his subdivision plat. Mr. Markey then presented his case and evidence with a Power Point presentation. Bill Craig, licensed surveyor, testified that the homes would be better served by two driveways because an emergency vehicle could not make the turns on the shared driveway and also that two driveways would have less environmental impact than one. Mr. Dodd asked what the impact to the buffer was with two driveways versus one. Mr. Craig said that the impact of two driveways was 3,575 square feet and one driveway is zero.

Steve Harper, contractor, testified that shared driveway will cause more disturbance and the utilities will have run the entire length of that driveway. He also didn't think that an emergency vehicle could negotiate the turns on the shared driveway.

A motion was made by Mr. Giese to deny the request for subdivision approval based on the information presented and on the Attorney General's opinion that the subdivision should not be approved. Seconded by Mr. Burroughs and unanimously carried.

With no further items or information, Mr. Andrews made a motion to adjourn the meeting. Mr. Giese seconded the motion and it was carried unanimously. The meeting was adjourned at 12:35 PM.

Respectfully submitted,



Steve Dodd