

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – April 5, 2017

The Dorchester County Planning Commission held their regular meeting on April 5, 2017 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robert Hanson, Chair, Bill Giese, Ralph Lewis, and Mary Losty. Also present were Rodney Banks, Deputy Director, Brian Soper Critical Area Planner and Christopher Drummond, Attorney. Absent: Laura Layton, Jeffrey King and Steve Dodd, Director.

Mr. Hanson called the meeting to order at 12:00 p.m.

Mr. Hanson asked for a motion to approve the minutes of March 1, 2017. Mr. Lewis made a motion to approve the minutes and Mr. Giese seconded. The motion unanimously carried.

OLD BUSINESS

A. None

NEW BUSINESS

A. BEA Permit Application – Frosty Freezer, LLC/Harry C. Phillips, owner Steve Whitten, applicant, for property located at 2810 Hoopers Island Road, Church Creek, Maryland 21622. Requesting approval for construction of a new 3,400 sq. ft. freezer storage building at an existing marina site, all within the 100 ft. Critical Area Tidewater Buffer.

Mr. Soper, Critical Area Planner, reviewed the application and the Staff Report. Property is 75,794 sq. ft., zoned Village, Critical Area Overlay, LDA, Limited Development Area, Buffer Exempt Area. Mr. Soper noted that the proposed development will decrease lot coverage by 8,139 sq. ft. for a new total of 25,950 sq. ft.

Mr. Soper noted that in a letter dated March 21, 2017 from Julie Roberts of the Critical Area Commission, they do not oppose this request provided the lot is properly grandfathered and each of the BEA criteria is met. Mr. Soper noted that all the criteria in (§155-38.J.5.c.1-8) Application of Ordinance Language to Facts has been met.

Steve Whitten, Applicant, with Fink, Whitten & Associates, Inc. reviewed the site plan he prepared. Mr. Whitten pointed out that over half of the new building will be located on existing gravel. There is an existing structure that will be removed. The building will be used for freezing and storage of seafood for the owner's other business Russell Hall Seafood.

Mr. Whitten acknowledged that the owner is aware of the mitigation requirements. Mr. Whitten advised that when they return for site plan approval, they will have the mitigation on the plan. There will also be some screening of the new building.

Mr. Soper advised that the owners have applied for a special exception through the Board of Appeals for the use. He noted that the Planning Commission is approving the BEA only. If the BEA and special exception are approved, the next step will be to submit the site plan for agency review and then come back before the Planning Commission for site plan approval.

Mr. Lewis made a motion to approve the request. Mr. Giese seconded and the motion unanimously carried.

B. Board of Appeals Cases – Review and recommendation.

Case # 2609 Rieves F. Verdery

To request a special exception to permit the construction of a residential accessory structure which will exceed the footprint of the principal structure. Property is located at 6944 Hynson Road, Hurlock, MD 21643. Property is zoned AC - Agricultural Conservation, and contains 2.68 acres.

Based on the information provided, the Planning Commission would like the Board of Appeals to make sure the applicant shows a hardship and that the agricultural use is appropriate.

**Case# 2610 Frosty Freezer, LLC Harry Phillips- Owner
Steve Whitten- Applicant**

To request, as a special exception, Seafood Processing/Cold Storage Use (freezer storage building) in the Village Zone. Containing 1.74 Acres. Property is located at 2810 Hoopers Island Road, Church Creek, MD 21622.

Based on the information provided, the Planning Commission has no problem with this request since it will support an existing seafood business, particularly during the busiest times of the year.

INFORMATION

Mr. Soper advised that the Board of Appeals unanimously denied Case 2608, Kevin McGinnis, who was requesting a variance from the expanded tidewater buffer for a pool and deck.

Mr. Banks advised that because the County has so much expanded buffer, the Critical Area Commission may be willing to work with the County to permit some construction in the expanded buffer with other requirements, such as extra mitigation.

With no further business, Ms. Losty made a motion to adjourn and Mr. Lewis seconded. The motion unanimously carried. The meeting was adjourned at 12:52 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be a stylized name, possibly "Steve Whitten", written over a horizontal line.