

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – January 2, 2019

The Dorchester County Planning Commission held their regular meeting on January 2, 2019 at 12:00 pm in the County Office Building, Room 110 in Cambridge, MD. Members present were, Robert Hanson, Chair, Jerry Burroughs, Vice Chair, Laura Layton, Bill Giese, and Ralph Lewis. Also present were, Rodney Banks, Deputy Director, Brian Soper, Planner and Christopher Drummond, Attorney. Absent: Mary Losty and Jeffrey King

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

Mr. Hanson asked for a motion to approve the minutes of December 5, 2018. Mr. Giese made a motion to approve the minutes and Mr. Burroughs seconded. The motion unanimously carried.

**OLD BUSINESS**

**A. P & Z #527A – Shared Driveway Request – Gypsy Hill Farms, Inc., 5095 Stone Boundary Road, Cambridge, Maryland. For property identified on Tax Map 42, Grid 14, Parcel 49, zoned AC – Agricultural Conservation, and containing 250.13 acres.**

Chris Waters, Applicant, Davis, Bowen & Friedel, Inc., Salisbury, MD, and any other person who would be testifying in this case, were sworn in.

Mr. Banks gave a brief overview of the request. There is an existing lot (1) that was cut from the farm several years ago; a second lot (2) is going through subdivision review at this time. The second lot will require a shared driveway.

Mr. Waters advised that the Burtons cannot do an intra-family lot because the property is under a corporation. Mr. Drummond requested a notice be provided for the files as to who the authorized signer is for the corporation. Mr. Waters also noted some forest conservation will be required.

Mr. Hanson advised that if the shared driveway request is approved, a Shared Driveway Agreement will need to be executed and recorded in Land Records. Mr. Soper advised that a note referencing the Shared Driveway Agreement will need to be placed on the final plat.

Mr. Lewis made a motion to approve the shared driveway request pending comments from the Department of Public Works, completion and recordation of the Shared Driveway Agreement and a note being placed on the final plat referencing the agreement. Mr. Giese seconded and, the motion unanimously carried.

## NEW BUSINESS

- A. Critical Area Text Amendment #337-01-2019 – The purpose of the amendment is to modify Chapter 68 of the County Code to include the Chesapeake Bay Critical Area Commission revisions.**
- B. Critical Area Text Amendment #338-02-2019 – The purpose of the amendment is to modify Chapter 68 of the County Code to include the Office of Planning & Zoning revisions.**

Mr. Soper advised that the two text amendments were presented to the County Council at their last meeting; the law requires a recommendation from the Planning Commission to the County Council.

Amendment #337-01-2019 deals with format changes the Critical Area Commission requested be made to the final Critical Area Chapter. None of the changes deal with law.

The second amendment adds language relating to the calculation of 75% of the buffer. The proposed language excludes privately owned tidal wetlands from the 75% calculation. There was a discussion on the benefits of this amendment for the homeowner and the Planning staff.

Mr. Burroughs made a motion to send a favorable recommendation for both text amendments to the County Council. Mr. Giese seconded and, the motion unanimously carried.

There was a discussion on the critical area mapping update being done by the State in coordination with local governments.

### **C. Board of Appeals Cases – Review and recommendation**

- Case #2641 – Glassywing Solar, LLC (applicant)
- (a) Kimberlee Ann Bisker and Blair Martin Bisker (owner)
- (b) Warwick Corp. (owner)

The application requests the following Board of Appeals approvals: (1) special exception approval of Solar Energy (Utility Scale) for the establishment of a 2MW community solar project on lands leased by Applicant along (a) 5722 Linkwood Road East (b) 5802 Heritage Road (“Project”), and (2) variance to permit construction of an eight-foot (8’) tall security fence around the Project. AC - Agricultural Conservation Zoning District.

**Based on the information provided, the Planning Commission suggests the Board hear the case and, make a decision based on the same guidelines used to make the decision for the larger solar projects.**

**Case #2635 – Edmond Burns IV & Candy Burns**

There was a brief discussion on the status of this case.

**INFORMATION**

**Comprehensive Plan Update**

Mr. Soper advised that AECOM plans to be at the February Planning Commission meeting with the land use element of the Comprehensive Plan update for their review/input.

Mr. Drummond gave an update on Suicide Bridge Restaurant possibly connecting to the Twin Cities sewer system located outside the town of Secretary. There has been discussion on how to get the lines from the restaurant to the sewer system through the County right of way, although a decision has not been made at this time. Mr. Drummond advised that part of the dilemma is the portion of ground beneath the public road is owned by property owners on each side, creating the necessity for either a fee or easement to run the pipeline.

Mr. Burroughs gave a brief update on the Cambridge Marketplace project.

With no further business, Mr. Hanson made a motion to adjourn and Mr. Burroughs seconded. The motion unanimously carried. The meeting was adjourned at 12:45 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "H. Hanson", written in a cursive style.