

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – OCTOBER 5, 2011

The Dorchester County Planning Commission held their regular meeting on October 5, 2011 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Rob Hanson, Vice-Chair, Bill Giese, Ralph Lewis, David Andrews, and Laura Layton. Also present were Chad Malkus, Attorney, Steve Dodd, Director of Planning and Merris Hurley, recording. Absent were Pam Jackson and Joy Loeffler.

Vice-Chairman Hanson called the meeting to order at 12:00 p.m. A motion was made by Mr. Andrews to approve the minutes of the September 7, 2011 meeting. Seconded by Mr. Lewis and unanimously carried.

Hill's Electric Motor Service, Inc. – Request for a one year extension to the effective period of the existing Site Plan approval. Mark Hill, Vice-President of Hill's Electric Motor Service, Inc. explained to the Commission that due to financial constraints (one of their large accounts filed bankruptcy) this project was put on hold. They needed some extra time to work through this the financial and legal issues associated with the bankruptcy and now intend to move forward with the project in the spring of 2012. A motion was made by Mr. Andrews to approve the one year extension. Motion seconded by Mr. Giese and unanimously carried.

Critical Area Buffer Exemption Area (BEA) Request – Terry. The applicant is requesting approval to replace an existing dwelling, driveway and parking pad in the buffer. There will be a maximum of 3,280 square feet of disturbance as a result of these improvements. The existing dwelling is 28' from the water and the proposed home will be 33' away. The existing driveway is 31' away from tidal wetlands and its replacement will be approximately the same distance away. The property is limited, generally, to 25% lot coverage. Areas of the existing driveway and an accessory structure will be removed to reduce existing lot coverage (approximately 7,965 square feet or 40.7%) to an acceptable proposed amount (4,140 square feet or 21.2%). If approved, 2:1 mitigation will be required, resulting in up to 6,560 square feet of native trees and shrubs planted in the buffer, as described in and ensured by a Minor Buffer Management Plan. David Terry and Cheryl Thomas explained to the Commission that the existing house was falling down and they wished to replacement it with what will eventually become their retirement home. A motion was made by Mr. Lewis to approve the request with the conditions that the applicant provide 2:1 mitigation, lot coverage be reduced to an acceptable amount and applicant must submit a Minor Buffer Management Plan. Seconded by Mr. Giese and unanimously carried.

Update of Critical Area Program Refinement Legislation. Mr. Dodd explained to the Commission that the Planning staff had met with the Critical Area Commission staff to discuss various changes which included administrative variances. Mike Bonsteel and Rodney Banks are meeting with the Critical Area Commission today in Annapolis, to discuss again these refinements. Talbot County is already using the administrative variance process, so Mr. Dodd does not think this will be a problem with the Critical Area Commission. A public hearing was held last Monday with the County Council and Mike Bonsteel made a presentation to show the Council the major problems we are facing.

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

Case #2406 - Hosier Memorial Church - To request a variance from the floodplain requirements to allow mechanical equipment to remain below flood protection elevation. Also to request a variance to allow replacement of handicap ramps and concrete walkway with the tidewater buffer. Property located at 2639 Hoopers Island Road and contains 1.77 acres. V, Village Zoning District. The Planning Commission had no objection to this request.

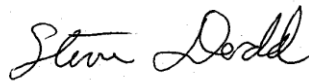
Case #2407 - Judd Shepard, III, et al - To request a variance from the tidewater and expanded buffer to allow replacement of a pump house and dwelling. Property located at 3730 Golden Hill Road and contains 62 acres. RC, Resource Conservation Zoning District. The Planning Commission had no objection to this request.

Case 2408 - Jack and Carla Mooney - To request a variance from the tidewater buffer to allow the replacement of existing steps with deck landing and deck addition. Property located at 2355 Hoopers Island Road and contains 1 acre. V, Village Zoning District. The Planning Commission had no objection to this request.

Case #2390 - Wayne Markey - To request a decision on allegation of error to overturn the Dorchester County Planning Commission's decision on October 6, 2010 ruling that the expanded buffer provisions of the March 8, 2010 Critical Area Regulations apply to the Markey intra-family transfer. Property located at 4407 Pine Top Road and contains 27 acres. RC, Resource Conservation Area. The Planning Commission recommended that the BOA uphold the Planning Commission's ruling of October 6, 2010.

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 12:35 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Steve M. Dodd". The signature is written in a cursive, flowing style.

Steve M. Dodd