

## DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – DECEMBER 5, 2012

The Dorchester County Planning Commission held their regular meeting on December 5, 2012 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Joy Loeffler, Chairperson, Bill Giese, David Andrews, Robbie Hanson, Laura Layton and Ralph Lewis. Also present were Chad Malkus, Attorney, Steve Dodd, Director of Planning, and Rodney Banks, Deputy Director, Janice Henderson, Environmental Planner, and Merris Hurley, recording. Absent was Pam Jackson.

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 November 7, 2012 meeting with a small correction. Seconded by Mr. Giese. Mrs. Layton abstained.

**Old Business: #1116 – Wayne Markey – Final Subdivision approval request.** Ms. Henderson, Mr. Banks, Mr. Dodd, Mr. Markey and Mr. Craig were sworn in. Mr. Dodd briefly explained the history of this property and this project.

Mr. Dodd read agency comments into the record. A letter from Janice Henderson, Environmental Planner for Planning and Zoning, dated November 13, 2012 and a letter from Mike Moulds, County Engineer for the Department of Public Works, dated November 9, 2012 were read into the record.

Bill Craig, surveyor for Mr. Markey, told the Commission that he has made all the revisions that Ms. Henderson has suggested. He has also made the revisions that Mr. Moulds submitted.

Mr. Hanson made a motion “to approve the final subdivision plat with the condition that it be in compliance with Ms. Henderson and Mr. Mould’s requirements.” Seconded by Mr. Lewis and unanimously carried.

At this time, Mrs. Loeffler suggested that the Tier Map Discussion be moved to the end of the meeting.

**New Business – Critical Area Administrative Variance Request – Case #AV-1, George Williams, Requesting a variance to replace an existing shed in the 100’ Buffer.** Ms. Henderson, Mr. Dodd and Mr. Williams were sworn in. Ms. Henderson explained to the Commission that the applicant is requesting an administrative variance from the 100’ Tidewater Buffer to replace an existing shed. The new shed will be smaller in size than the existing shed and will be outside of the 6’ side yard setback. The applicant is requesting the same location because of existing electric service to the shed and the shed’s proximity to the pier. The new shed will cause no further disturbance, therefore no mitigation will be required. The shed will not encroach any further than the existing structure into the 100’ tidewater buffer. Mr. Williams told the Commission that the old shed was deteriorating and needed to be replaced. A motion was made by Mr. Lewis to give Mr. Dodd a favorable recommendation for this request. Seconded by Mr. Andrews and unanimously carried.

**Board of Appeal Cases** - The following cases were presented to the Planning Commission for review/comment:

Case #2433 - Dennis and Mary Mabry, Owner  
Mabry Solar Farm 353411, LLC, Applicant

To request, as a special exception, a solar energy systems utility scale project. Property located at 5665 Hawkeye Road and contains 131.5 acres. AC, Agricultural Conservation Zoning District. Based on the information presented, the Commission had no problem with this request.

**Information: 2013 Calendar for Planning Commission.** A calendar for next year was submitted to the Commission.

**SB 236, Sustainable Growth and Agricultural Preservation Act of 2012 (Septic Bill). Amended Legislation Review.** Mr. Dodd explained to the Commission that changes were made to the text amendment and was then adopted, but the Tier Map was voted down. The Council thought that there was too much Tier 4. Mr. Dodd also explained that if a map is not adopted by January 2013, the Commission will no longer have the authority to approve a major subdivision on septic. If a map is to be adopted after January 2013, it will have to be done through a Comprehensive Plan amendment. A motion was made by Mr. Hanson to see the Council at their meeting on December 18, 2012 to resubmit the map and ask that the Council reconsider its decision. Seconded by Mrs. Layton and unanimously carried.

With no further items or information, Mr. Lewis made a motion to adjourn the meeting. Mr. Giese seconded the motion and it was carried unanimously. The meeting was adjourned at 1:05 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Dodd".

Steve Dodd