

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – MARCH 7, 2012

The Dorchester County Planning Commission held their regular meeting on March 7, 2012 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Joy Loeffler, Chairperson, Rob Hanson, Vice-Chair, Bill Giese, Ralph Lewis, and David Andrews. Also present were Chad Malkus, Attorney, Steve Dodd, Director of Planning, Rodney Banks, Deputy Director, and Merris Hurley, recording. Absent was Pam Jackson and Laura Layton.

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 2, 2011 meeting, with two corrections. Seconded by Mr. Giese and unanimously carried. A motion was made by Mr. Hanson to approve the minutes of the December 7, 2011 meeting, with two corrections. Seconded by Mr. Giese and unanimously carried.

P & Z #1065A – Pine Top Village II – Revised Preliminary Subdivision approval request. Don Baumgartner and Dick Lowry were sworn in. Mr. Dodd gave the Commission summary of the parcel and previous subdivisions. The road to serve this subdivision is partially completed and another road will also be constructed. There will be a Forest Conservation Area and wetland mitigation area on the residue parcel. The mobile home on the property will be removed. There had been some discussion at earlier Commission meetings regarding Lots 3 and 4 accessing on the new road, Village Way. A Road Construction Agreement will have to be recorded.

The Health Department stated that the plat was approved as submitted. The Highway Department had several comments which were submitted by letter to the developer.

Mr. Baumgartner informed the Board that everything was in order and heading in the right direction with this project. The revision shows some rearrangement of some of the lots on the left side of Village Way.

Mr. Hanson made a motion to accept revisions. Seconded by Mr. Lewis and unanimously carried.

Update of Critical Area Program Refinement Legislation. Mr. Banks explained to the Commission that negotiations with the Critical Area Commission were coming to an end and that soon formal adoption of the amendments will need to start. The Commission decided that a public hearing for this legislation can be done through the County Council. A motion was made by Mr. Hanson to forward to the County Council with a favorable recommendation. Seconded by Mr. Andrews and unanimously carried.

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

Case #2417 - Gary and Sophia Shockley - To request, as a special exception, an accessory structure measuring 32' x 42' prior to a principal structure. Property located at 6914 Williamsburg Church Road and contains 3 acres. AC, Agricultural Conservation Zoning District. Mr. Malkus recused himself from this review as he represents the Shockley's on an unrelated matter. The Planning Commission recommended approval with the following

conditions: special exception applicable only to the Shockley's, not transferable; a declaration of land restriction stated such should be recorded with the deed; and must not be used for home occupation or business.

Information – Update on proposed State Legislation

- A. Senate Bill 236 – Sustainable Growth and Agricultural Preservation Act of 2012.** Mr. Dodd explained briefly how this legislation will affect new subdivisions proposed for the County. Basically, the County would be analyzed and separated into four tiers. Tier One and Two will allow any subdivision. Tier Three will allow a major subdivision. Tier Four will not allow major subdivision, regardless of zoning or perc tests. Most of Dorchester County will probably fall into the Tier Four category. Projects that are pending now will have to be finalized by the end of 2013.
- B. Senate Bill 860 – Critical Area Commission – Buffer Standards – Hydric Soils.** This bill proposes that counties with more than 50% hydric soils should not have expanded buffers.
- C. PlanMaryland Update.** Mr. Banks told the Commission that he had met with Chuck Boyd and explained that this is not law, it is an executive order.

With no further items or information, Mr. Hanson made a motion to adjourn the meeting. Mr. Andrews seconded the motion and it was carried unanimously. The meeting was adjourned at 1:40 pm.

Respectfully submitted,



Steve M. Dodd