

## DORCHESTER COUNTY PLANNING COMMISSION

### MINUTES – MAY 2, 2012

The Dorchester County Planning Commission held their regular meeting on May 2, 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, Laura Layton, Ralph Lewis, and David Andrews. Also present were Chad Malkus, Attorney, Steve Dodd, Director of Planning, Rodney Banks, Deputy Director, Janice Henderson, Environmental Planner and Merris Hurley, recording. Absent were Pam Jackson and Bill Giese.

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 March 7, 2012 meeting. Seconded by Mr. Andrews and unanimously carried.

Mr. Dodd introduced the staff's new Environmental Planner, Janice Henderson, to the Commission.

**Critical Area Buffer Exemption (BEA) Request – Barber.** Mr. Banks and Mr. Showalter were sworn in. Mr. Banks explained to the Commission that the Barber's wished to construct a pergola with a patio underneath it which will be located over an area of existing compacted gravel within the 100' buffer. There will be 309.60 square feet of disturbance to the buffer which constitutes lot coverage. The pergola will be no closer to the water than the existing house corner that the pergola will align with, which lies 48' from the water. Current lot coverage of 4,816 square feet will be decreased by 1,466 square feet to approximately 3,350 square feet, within the allowable limit of 31.25%. If approved, 2:1 mitigation for new lot coverage will be required, resulting in 619.20 square feet of native trees and shrubs planted in the buffer, as described in and ensured by a Minor Buffer Management Plan. A two-year Planting Plan Maintenance and Management Agreement is not necessary for this amount of mitigation.

Ryan Showalter, attorney for the Barber's, submitted two photographs to the Commission showing them the existing improvements on the property. He told the Commission that the Barber's were willing to comply with the mitigation requirements.

Mr. Banks briefly went over the application of ordinance language to facts. Mr. Hanson made a motion to approve this request. Mr. Lewis seconded the motion and it was unanimously carried.

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

Case #2418 - Stephen V. Mullaney - To request a variance allowing 15,851.94 square feet of impact to the tidewater buffer and expanded tidewater buffer to permit the construction of a house, garage, driveway yard and bermed infiltration pond. Property located at 4909 Indian Trail Acres and contains 9.7 acres. RC, Resource Conservation Zoning District. The Planning Commission gave a favorable recommendation, saying that this was an unwarranted hardship.

Case #2419 - Richard and Gloria Santangelo - To request a variance allowing 28,284.50 square feet of impact to the tidewater buffer and expanded tidewater buffer to permit the construction of a house, garage, driveway yard and bermed infiltration pond. Property located at

w/s of Indian Trail Acres and contains 6.3 acres. RC, Resource Conservation Zoning District. The Planning Commission gave a favorable recommendation, saying that this was an unwarranted hardship.

Case #2420 - Edward Bozel - To request, as a special exception, an accessory structure, which in combination with existing accessory structures, will exceed the maximum allowed. Property located at 6420 Suicide Bridge Road and contains .93 acres. AC, Agricultural Conservation Zoning District. The Planning Commission stated that this was a reasonable request and they had no problem with it.

### **Information**

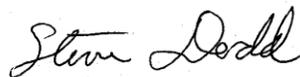
Mr. Dodd told the Commission that the County Council has scheduled a public hearing on the Critical Area Refinement legislation on May 8, 2012 at 6:50 PM.

Mr. Dodd also explained that he had attended a PlanMaryland meeting in Salisbury approximately one month ago and the final draft on how the counties are to map these areas is supposed to be out by end of June and then the counties are supposed to provide MDP with their PlanMaryland maps by the end of the calendar year.

He told the Commission that SB 236 has been passed, but had been watered down somewhat. He is going to a meeting at the end of the month and will find out more about how that will affect this county and he will report back to the Commission at the June meeting.

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 12:40 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve M. Dodd". The signature is written in black ink and is positioned centrally below the typed name.

Steve M. Dodd