

## DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – April 6, 2016

The Dorchester County Planning Commission held their regular meeting on April 6, 2016, at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robert Hanson, Chair, Laura Layton, Vice Chair, Ralph Lewis, Bill Giese, Jeffrey King and Mary Losty. Also present were Steve Dodd, Director, Rodney Banks, Deputy Director and Brian Soper Critical Area Planner. Absent was Christopher Drummond, Attorney.

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

Mr. Hanson asked for a motion to approve the minutes of March 2, 2016. Mr. Giese made a motion to approve the minutes as submitted and Mr. King seconded. The motion unanimously carried.

### OLD BUSINESS

- A. P & Z #804E continued – OneEnergy Dorchester, LLC, applicant – Site Plan Approval. The applicant is requesting site plan approval to develop a Solar Energy System, Utility Scale project located at 3714 Linkwood Drive and containing 107 acres. Zoned AC, Agricultural Conservation Zoning District (Tax Map 43, Grid 10, Parcel 64).**

***POSTPONED.***

### NEW BUSINESS

- A. Presentation – Naval Air Station Patuxent River Joint Land Use Study  
George Clark, JLUS Project Manager.**

Mr. George Clark, 9720 Huntley Drive, LaPlata, MD 20646, with the Tri-County Council of Southern Maryland introduced himself. The Council is comprised of Calvert, Charles, and St. Mary's Counties. Mr. Clark gave a brief overview of how the JLUS (Joint Land Use Study) came about. It helps protect and foster military operations and communities that surround the military installations, in this case the Pax River Naval Air Station located in St. Mary's County. Dorchester County chose to be a partner in this study since it is located in the air space of the Chesapeake-Atlantic test range

The study came about because Somerset County wanted to put up twenty-five 600 ft. wind turbines. These turbines would have interrupted testing done by Naval Air Station. Because Pax River Naval Air Station is such a large industry for the State of Maryland, they do not want to create problems that would cause them to relocate.

Mr. Clark reviewed pertinent parts of the study. The JLUS is a set of recommendations for the participating counties. He emphasized that the recommendations are not law. Mr. Clark advised that the study suggests that the County Council adopt these recommendations and then include them in the Comprehensive Plan. He also suggested that if these recommendations are

approved, a JLUS Committee might be set up within the county to make sure the recommendations are adhered to. Mr. Clark also reviewed the 35 recommendations that apply to Dorchester County.

Mr. Clark suggested mapping out suitable wind turbine sites in Dorchester County. Mr. Dodd advised that when the solar farm regulations were adopted, commercial wind turbine projects were not allowed. Wind turbines are only approved for individual and farm use. He also spoke about a disclosure form that real estate agents might use to alert potential buyers to a residence in the flight path.

Mr. Clark advised that he is here today in the hopes of acquiring a letter of endorsement in whole or part supporting the recommendations.

Mr. Dodd introduced Mr. Steve Garvin, Director of Emergency Management for Dorchester County and who has been directly involved with the study to speak to the Planning Commission. Mr. Garvin stated that the main concern they have had with Pax River Naval Air Station is communications. Response time has also been slow after several aircraft incidents within the County.

Mr. Hanson asked for a motion to send a letter of support to the County Council. Mr. Giese made the motion and Mrs. Layton seconded. The motion was unanimously carried.

**B. Presentation – Revised Critical Area Ordinance, Planning Commission review process.**

Mr. Soper reviewed the highlights and changes to the document. He pointed out changes that will affect the Planning Commission, primarily in the Administrative Variance section and BEA (Buffer Exempt Area). He noted that the BEA has been changed to a “Modified Buffer Area”. He reviewed the specific changes to both of these sections.

Mr. Dodd pointed out that the document is creating its own chapter by pulling the Critical Area regulations from zoning, subdivision, forestry, grading and agricultural codes. All the new regulatory changes that have been adopted by the Critical Area Commission since 2008 have been added to this ordinance. Staff is consolidating, updating the regulations in the local code and making a few policy changes.

Mr. Hanson asked if the County has any “floating districts”. Mr. Dodd advised that they are referred to as “economic development zone” and the County Council approves this zone. It allows a large project to come in and bypass the zoning if it would provide lots of jobs and economic opportunities.

Mr. Lewis asked if complaints can be made anonymously. Mr. Dodd advised that the County Council adopted a policy that if you want to make an anonymous complaint, the complaint goes to the County Manager. The County Manager decides if the complaint is worth being investigated. If a determination is made that the complaint should be investigated, it is forwarded to the proper agency for investigation. It remains anonymous.

All present agreed to continue this discussion and review comments from the Planning Commission to the May meeting.

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

**Case # 2592- John Chilimigras**

To request, as a special exception, an accessory structure which will exceed the maximum allowed. Proposed accessory structure measures 40' x 60', or 2,400 square feet. There is an existing accessory structure that is +508 sq. ft. The net square footage of the two accessory structures would be greater than the existing main dwelling (2,649 sq. ft.), and greater than 1,600 sq. ft.

**Based on the information provided, the Planning Commission had no objection.**

**INFORMATION**

Mr. Dodd advised that he would probably have information on funding for the Comprehensive Plan in either May or June after the budget has been finalized and approved.

With no further business, Ms. Losty made a motion to adjourn and Mr. Giese seconded. The motion was unanimously carried. The meeting was adjourned at 1:15 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be a cursive name, possibly "John Chilimigras", written over a horizontal line.