

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – April 4, 2018

The Dorchester County Planning Commission held their regular meeting on April 4, 2018 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robert Hanson, Chair, Laura Layton, Vice Chair, Bill Giese, Jerry Burroughs, Ralph Lewis, and Mary Losty. Also present were Steve Dodd, Director, Rodney Banks, Deputy Director, and Christopher Drummond, Attorney. Absent: Jeffrey King and Brian Soper, Critical Area Planner.

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

Mr. Hanson asked for a motion to approve the minutes of March 7, 2018. Mr. Burroughs made a motion to approve the minutes and Ms. Losty seconded. The motion unanimously carried.

OLD BUSINESS

A. None

NEW BUSINESS

- A. Critical Area Administrative Variance Request – Case #AV-41, Samuel and Phyllis Frucht, owners, for property located at 4504 Bay Shore Road, Taylors Island, Maryland. Requesting an administrative variance approval to allow the expansion of an existing dwelling with the construction of a deck within the Chesapeake Bay Critical Area 100' Buffer.**

Mr. Banks reviewed the request. Property is zoned RC – Resource Conservation, size of property is 28.5 acres and the Critical Area Overlay is RCA – Resource Conservation Area. The request is for the construction of a deck within the 100' buffer. Proposed deck will be 146 sq. ft. Mr. Banks reviewed the Staff Report dated April 4, 2018. Charlotte Shearin, Critical Area Commission, stated in an email dated March 14, 2018 that they did not oppose the request provided mitigation is performed as required. A buffer management plan will be required at the time of permit application.

Jeff Hubbard, Agent, Lane Engineering, 15 Washington St., Cambridge, MD and any other person who would be testifying were sworn in. Mr. Hubbard advised that the proposed deck will cover a void of about 3 ft. and is being placed there mainly for safety reasons.

Mr. Giese made a motion to send a favorable recommendation to the Director. Ms. Losty seconded and the motion unanimously carried.

- B. Subdivision Waiver and Shared Driveway Request to permit 3 parcels to be served by a shared driveway – Rolling View Farms, LLC, owner, Ryan Showalter, applicant – For property identified on tax Map 39, Grid 6, Parcels 5, 121 & 125, and located at 1542 Town Point Road.**

Mr. Banks reviewed the request. He advised that the applicant owns many lots/parcels off Town Point Road. The goal is to eventually put the property under a conservation easement. If the waiver and shared driveway requests are granted, the applicant will submit a revised plat consolidating the lot lines into

three (3) parcels, described as Farm 1, 2 and 3. These three parcels would share an existing gravel driveway. Agency comments were requested and Mr. Banks noted that Lane Engineering is providing comments for the Public Works Department at this time. Mr. Banks noted that Lane Engineering supports the waiver but asked that comments be obtained from Emergency Management. Mr. Banks referenced an email he received from Anna Sierra, Director of Emergency Management Services stating they have no objection to the request.

Mr. Showalter noted that there is an existing residence on one lot. The other two could be sold as water front lots in the future. Mr. Showalter advised that the Conservation Easement Plat has been recorded for purposes of referencing the easement. He also noted that he expects the conservation easement purchase to occur sometime this month and, shortly afterwards will be transferred to the State. Jeff Hubbard, Lane Engineering will then submit a line revision plat that corresponds with the lines for Farms 1, 2 & 3 on the Conservation Easement Plat. Mr. Showalter advised that a note will be placed on this plat referencing the Private Road Maintenance Agreement, recorded ahead of the plat. The revised plat will then come before the Planning Commission for review/approval.

Mr. Dodd advised that the Planning Commission must adopt the Findings of Fact for the waiver request. Mr. Hanson reviewed the written Findings of Fact dated August 22, 2017 with Mr. Showalter.

Mr. Hanson asked for a motion to accept the Findings of Fact for the waivers and modifications. Mr. Burroughs made the motion and Ms. Losty seconded. The motion unanimously carried.

Mr. Hanson then asked for a motion to proceed with the subdivision waiver and modification and, allow the three (3) lots to be served by a shared driveway conditioned on approval of the lot revision and Private Road Maintenance Agreement. Ms. Losty made the motion and Mr. Giese seconded. The motion unanimously carried.

B. Board of Appeals Cases – Review and recommendation.

Case # 2622 - Edwin M. HoOd

To request a Special Exception to permit the construction of a residential accessory structure which will exceed the footprint of the principal structure. Property is located at 7129 Hynson Road Hurlock, MD 21643. Zoned AC-Agricultural Conservation. Acres 2.11.

Based on the information provided, the Planning Commission had no objection to this request.

Case # 2623 - Marshyhope Operations, LLC

Dorchester Lumber Co, Inc. - Owners

Ryan D. Showalter- Applicant

To request a Special Exception and to amend stipulations in Case No. 2570 to permit expansion of sand and gravel extraction operation onto adjacent lands to the east of current operation. Property is located north of North Tara Road, South of Federalsburg on three different parcels Map 7, Grid 10, Parcel 43, containing 26.887 acres, Map 7, Grid 16, Parcel 8 containing 15.579 acres, and

Map 7, Grid 10, Parcel 57 containing 37.113 acres. Zoned AC - Agricultural Conservation.

Based on the information provided, the Planning Commission had no objection to the request. They would point out to the Board of Appeals that future expansion of this operation could lead to their requesting access to Rt. 313. Access to Rt. 313, is not presently sought, however, this could raise many issues should they request it in the future.

**Case # 2624- Robbie J. Willey- Owner
Steve Whitten- Applicant**

To request for a Variance to allow new front porch on existing dwelling to be located within the required front yard setback. The property is located at 3951 Maple Dam Road Cambridge, MD 21613 containing 4.5 acres, zoned RC-Resource Conservation.

Based on the information provided, the Planning Commission had no objection to this request.

**Case # 2625- Elizabeth Hill- Owner
Steve Whitten- Applicant**

To request a special exception to permit the construction of a residential accessory structure which will exceed the footprint of the primary structure. Property is located at 5317 Linkwood Road, Linkwood, MD 21835 containing 5.72 acres, zoned AC-Agricultural Conservation.

Based on the information provided, the Planning Commission does not believe this is an accessory to the use of the property. This building will become the principle use of the property, i.e. storage.

D. Comprehensive Plan Update

Mr. Dodd advised that the contract has been signed by all parties. Mr. Dodd would like to have an introductory meeting with AECOM and the Planning Commission next month.

INFORMATION

Mr. Lewis advised that the landscape company is working on the Bucktown solar project installing additional screening plantings. There was a discussion on the need for more emphasis being placed on adequate screening and care of plantings for this type of project.

With no further business, Mr. Burroughs made a motion to adjourn and Mr. Giese seconded. The motion unanimously carried. The meeting was adjourned at 12:50 pm.

Respectfully submitted,

