

The Dorchester County Board of Appeals met in regular session on Thursday, December 22, 2016 in Room 110 of the County Office Building at 7:30 PM. Present were, Catherine McCulley, Chair, Elizabeth Hill, Vice Chair, Gordon Hill, Lin Spicer, Steve Dodd, Director of Planning and Walt Gunby, Attorney. Absent were Dwight Cromwell and Wendell Foxwell.

An introduction was made by Chairperson McCulley explaining the procedures of the meeting to the audience. She then asked Mr. Dodd to read the first case.

**Case # 2601- Mark & Melinda Lowe - Owner
Robert S. Collison, P.A.- Applicant**

To request, a variance for a 25-foot variance from the 35-foot front yard setback requirement to allow an accessory structure to be located 10 foot from the property line abutting a private road. Property is located at 5302 Bucktown Road Cambridge, MD 21613. Zoned SR- Suburban Residential

Postponed.

**Case # 2602- Greenlawn Cemetery of Cambridge, MD LLC- Owner
Ryan Showalter, Esq- Applicant**

To request as a special exception, to permit expansion of an existing crematorium. The project site is located west of Cambridge on the north side of Maryland Route 343 (Hudson Rd) and is comprised of 11.12 acres, more or less, identified as Map 30, Grid 14, Parcel 86 ("Property"). Zoned RR-RCA.

Ryan Showalter, Esq., Applicant, McAllister, DeTar, Showalter and Walker, LLC, 100 N. West Street, Easton, MD 21601, Roman Coale, Owner, 3501 Indian Creek Road, East New Market, MD, 21631 and any other person who would be testifying in this case, were sworn in.

Mr. Dodd read the case and all pertinent information into the record.

Ms. McCulley advised the applicant of his two options, to rely on his written responses to the criteria or comment on the responses. Mr. Showalter stated that he would rely on his written responses and supplement with comments.

Mr. Showalter reviewed the request and the site plan. This is a request to modify the 1994 special exception. The zoning has changed since the original application in 1994. An approved text amendment was required before this application could come before the Board of Appeals. The Critical Area Commission also needed to approve the request.

Mr. Showalter stated that the request is for a new building that will become the crematorium operation. There will be no increase in traffic or activity on site. The existing building will be used for storage only. The new building meets all setback requirements and is outside the buffer. Lot coverage, with parking, will be 6.4%, well below the permitted 15%.

The use is subject to air quality regulations under Maryland Department of the Environment. This permit has been in effect since 1994 and the operation is inspected annually.

Ms. McCulley asked about a Critical Area Commission letter that addresses new cemeteries in the critical area and whether it pertains to this case. Mr. Dodd advised that the letter pertains to new cemeteries in the RC zoning district only.

Mr. Hill asked if the crematorium had its own septic system. Mr. Coale advised that it has a holding tank. They have applied through the Health Department for a septic system which is pending.

Mr. Hill asked if the employee base would be increased. Mr. Coale advised that the cremation rate in Dorchester County has increased significantly over the years and there will be a need to increase the employee base eventually. Presently there are two individuals that report to the site as needed.

Mr. Coale advised that the reason for this request is the need for another piece of equipment that will not fit in the existing building. Mr. Hill asked how many cremators they house presently. Mr. Coale advised that there are two and one more will be added to the new building. Mr. Coale noted that approximately 250 human and 500 animal cases are done annually with each having a separate cremator.

Mr. Hill asked what the existing building would be used for. Mr. Coale advised that it will be used for the equipment needed to maintain the cemetery.

Ms. Hill asked if a license was needed to operate the crematorium. Mr. Coale advised that as well as MDE permits, the State of Maryland Board of Morticians requires licensing of individuals.

Mr. Dodd read agency comments into the record. The Department of Public Works had no comment or objection, however, a storm water management plan and erosion sediment control plan will need to be submitted for review and approval prior to construction of the new building. The Planning Commission, based on the information provided, had no objection to the request. Mr. Dodd read a letter dated September 9th, from the Critical Area Commission stating they have no objection to the expansion of the crematorium. The Health Department had no response.

No one spoke in favor of this request and no one was opposed.

Ms. McCulley announced the end of testimony and the Board began their deliberations.

At this time, each Board member explained his decisions regarding the criteria.

After all testimony, Ms. McCulley called for a motion regarding this case. Ms. Hill made a motion to approve the request and Mr. Spicer seconded. The motion unanimously carried.

With no further business, a motion was made by Ms. Hill to adjourn. Seconded by Mr. Hill and unanimously carried. Time of adjournment: 8:20 PM.

Respectfully submitted,



Steve Dodd
Executive Secretary