

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES –AUGUST 6, 2014

The Dorchester County Planning Commission held their regular meeting on August 6, 2014 at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robbie Hanson, Laura Layton, Bill Giese, Jerry Burroughs and Ralph Lewis. Also present were Steve Dodd, Director, and Janice Henderson, Environmental Planner. Absent were Pam Jackson, and David Andrews.

Ms. Layton called the meeting to order at 12:10 p.m. A motion was made by Mr. Burroughs to approve the minutes of the July 2, 2014 meeting. Seconded by Mr. Giese and carried.

NEW BUSINESS

- A. P&Z # 1290 – Delmarva Power Jacktown Substation Site Plan – Proposing to replace existing substation (represented by Ryan Showalter).** Ryan Showalter, John Fellows and Lisa Savage were sworn in. Mr. Dodd said the Planning Commission received the site plan, agency comments and aerial photo. Ryan Showalter representing Delmarva Power introduced John Fellows director of project and Lisa Savage real estate representative of Delmarva Power. Mr. Showalter explained to the Commission that this is the same plan that they reviewed a few months ago. The project is an existing substation constructed about 50 years ago and needs upgraded for system reliability. The Planning Commission in their previous review recommended they apply for setback variances and a special exception approval from the Board of Appeals. The Board granted both the variances and special exception. The site plan proposes to replace existing substation equipment with newer equipment and new equipment shelter. There will be some trees removed but will be replaced with landscaping, small stormwater and screening plan. Only one neighbor showed interest in the project at the Board of Appeals hearing and had no objection. Mr. Fellows stated that we are pursuing a permanent access onto Route 50 through State Highway, we received approval for E&S plan and a few issues to work through with Greg LeBlanc Department of Public Works; grading permit fee, stormwater management application and maintenance inspection agreement. Mr. Dodd stated that staff report recommends site plan be approved conditioned on compliance with agency comments.

A motion was made by Mr. Hanson to approve this site plan conditioned on compliance with agency comments, seconded by Mr. Burroughs and carried.

B. DISCUSSION

Mr. Dodd told the Commission that we have looked for possible replacement for Planning Commission legal counsel. We have a few resumes from Denton and Queen Anne's County. Mr. Lewis asked if we could advertise locally for counsel. Mr. Dodd agreed to advertise and schedule interviews at September Planning Commission meeting at 11:00 a.m.

C. BUFFER EXEMPT AREA APPLICATIONS

- **Arthur M. Turowski – 2503 Hoopers Island Road, LDA and Buffer Exempt Area – requesting to construct new garage and remove existing garage within the 100' Buffer.**

Janice Henderson, Environmental Planner, explained to the Commission that the replacement garage will not be any closer to the shoreline than the existing primary structure. The new lot coverage will be 144 square feet and will be required mitigation at 2:1. The property will comply with the lot coverage restrictions in §155-38(O).

Mr. Twigg, contractor, representing the owner said the new coverage will be mitigated and the lot will be nicer than current condition. Mitigation will be 2:1.

Critical Area Commission had no objection to the application.

Mr. Lewis made a motion to approve this request. Seconded by Ms. Layton and unanimously carried.

- **Michael Willey, 2343 Hoopers Island Road, LDA and Buffer Exempt Area – requesting to replace a garage in the 100' Buffer that was partially destroyed by wind.**

Janice Henderson explained to the Commission that the new garage will be smaller than existing size and not be closer to the shoreline than the existing structure. The property will comply with the lot coverage restrictions in §155-38(O). Since the disturbance will be smaller than existing, no mitigation will be required.

Critical Area Commission had no objection to the application.

Mr. Lewis made a motion to approve this request. Seconded by Mr. Burroughs and unanimously carried.

D. CRITICAL AREA ADMINISTRATIVE VARIANCE

- **AV#11 – Charles D. & Patricia Thompson, 730 Twin Point Cove Road, LDA – requesting new shed in 100' Buffer.**

Ms. Henderson explained to the Commission that the new structure will not be located any further shoreward than the closest point of the existing structure in the 100 foot tidewater buffer. The closest point the dwelling is to the shoreline is 42'. Proposed accessory structure will be 44' from edge of tidal marsh. The proposed shed will be less than 30% of the footprint of the primary structure.

Mr. Hanson reminded the applicant that mitigation is required. The applicant is aware that mitigation will be 3:1 for the size of the new shed.

A motion was made by Mr. Hanson to recommend approval. Seconded by Mr. Burroughs and carried.

Board of Appeals Cases – Review and recommendation.

Case #2561 – Brandon and Irene Thomas, owners.

To request, as a special exception, a home occupation (hair salon) to be conducted in a proposed accessory structure. Property located at 4829 Old Route 50 and contains .22 acres. SR, Suburban Residential Zoning District. Mr. Dodd answered question pertaining to the requirements for home occupations from the Commission. The Planning Commission, based on the information presented, gave a favorable recommendation.

Case #2562A – Wayne Markey, applicant

To request a variance from the tidewater buffer setback to permit the construction of two individual driveways within the tidewater buffer. Properties are located at 4421 Pine Top Road containing 6.39 acres (Lot 1) and 4411 Pine Top Road containing 8.47 acres (Lot 2), RC, Resource Conservation Zoning District. Mr. Dodd answered question pertaining to the variance request from the Commission. The Planning Commission, based on the information presented and if no new information is presented, stated that they would stay with their recommendation of denial from the hearing date of February 5, 2014.

Case #2562B – Wayne Markey, applicant

To request a decision on allegation of error to overturn the Dorchester County Planning Commission's decision dated February 6, 2014 to deny subdivision plat #1116A, RC, Resource Conservation Zoning District. Mr. Dodd answered questions from the Commission concerning the allegation of error. Based on the information available at the time they reviewed this appeals case, the Planning Commission supports and upholds their February 6, 2014 decision.

A motion was made by Mr. Hanson to close meeting to discuss personnel issues. Mr. Lewis seconded and unanimously carried.

A motion was made open the meeting by Mr. Hanson, seconded by Ms. Layton and unanimously carried.

Mr. Burroughs informed the Commission that the City Planning Commissioners asked to share information concerning the City's unified code. They recommended the new code to be scheduled for a public hearing in the near future.

With no further business, Mr. Giese made a motion to adjourn. Seconded by Mrs. Layton and unanimously carried. The meeting was adjourned at 12:45 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rodney Banks', with a long horizontal line extending to the left.

Rodney Banks