

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – October 5, 2016

The Dorchester County Planning Commission held their regular meeting on October 5, 2016, at 12:00 pm in the County Office Building, Room 110 in Cambridge MD. Members present were: Robert Hanson, Chair, Bill Giese, Ralph Lewis, and Mary Losty. Also present were Rodney Banks, Deputy Director, Brian Soper Critical Area Planner and Christopher Drummond, Attorney. Absent: Laura Layton, Jeffrey King and Steve Dodd, Director.

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

Mr. Hanson asked for a motion to approve the minutes of September 7, 2016. Mr. Giese made a motion to approve the minutes and Ms. Losty seconded. The motion unanimously carried.

OLD BUSINESS

A. None

NEW BUSINESS

A. P & Z #1311 – Tideland Seaford, Inc., owner – Site Plan Approval. The applicant is requesting site plan approval to construct a two story building for a water dependent facility, located at 2500 Old House Point Road, Fishing Creek, Maryland. The property is zoned V, Village Zoning District (Tax Map 100, Grid 3, Parcel 30) and contains 1.43 acres.

Mr. Banks reviewed the Staff Report. He also read agency comments into record. The Department of Public Works, Greg LaBlanc stated that the disturbance appears to be only 2,000 sq. ft. of impervious area and will be replaced with impervious area. William Forlifer, Health Department, stated that the revisions made work for him.

Steve Whitten, Johnny Shockley, and any other person who would be testifying in this case were sworn in.

Steve Whitten, Professional Surveyor, Fink, Whitten & Associates, 108 Dorchester Ave., Cambridge MD and Johnny Shockley, co-owner, Hoopers Island Oyster Aquaculture Co., 2500 Old House Point Rd., Fishing Creek, MD spoke about the project. Mr. Whitten stated that Mr. Forlifer from the Health Department had requested that they establish a septic site on the property. At building permit time, depending on the number of employees, a new septic system may need to be installed. The building has been designed so that the finished floor is above the flood protection elevation. Parking requirements have been met. All agency comments have been addressed.

Mr. Shockley advised that the new building will complement the hatchery that was before the Planning Commission several months ago. Mr. Shockley stated that this building will be used primarily for “nursery work” such as flavor infusion of the oysters, wet storage of oysters, post-harvest, pre-market and seed work.

Mr. Hanson asked Mr. Shockley if he was aware that a sprinkler system for the building and architectural plans would be needed. Mr. Whitten advised that these items will be addressed during the building permit process.

Mr. Hanson asked for a motion to approve the site plan with the conditions, a sprinkler system and architectural plans will be provided during the building permit stage. Mr. Giese made the motion and Mr. Lewis seconded. The motion unanimously carried.

B. Critical Area Administrative Variance Case #AV-27, Patriot Point, LLC, owner – 750 Taylors Island Road, Taylors Island, Maryland. Requesting a variance for the replacement of four existing structures (four structures will be consolidated into two) within the Chesapeake Bay Critical Area Expanded Buffer.

Mr. Soper reviewed the Staff Report. He advised Critical Area staff have reviewed the request and stated in a letter dated September 28, 2016, they do not oppose the request. A buffer management plan will be required at the time of permit application. Mr. Soper pointed out that Exhibit 3 shows how the consolidation of the buildings was done to permit an expansion of 2,000 sq. ft. of the structures.

Mr. Hanson asked Mr. Showalter about the status of item 6 on the Staff Report. Mr. Showalter advised they are working with the Critical Area Commission and County staff to address this issue with a text amendment.

Mr. Showalter reviewed exhibit 1 and advised that there are four existing structures on the property, a 2-story dwelling, 2-story building, dog kennel and a shed. These structures will be consolidated into two structures. He noted on Exhibit 2, there is an existing structure that will be turned into storage on the first floor and the caretaker’s residence on the second floor. The proposed second building or “outfitter’s cabin” is not a dwelling but is used for hunting apparel, hunting supplies, guns, etc. Mr. Showalter noted that approval of this Administrative Variance does not involve retreat center approval.

Mr. Lewis expressed concern that this is another project within the County that will probably become tax exempt at some point, creating less revenue for schools, police, fire departments, etc. Mr. Showalter checked the tax records and the owners are now paying taxes.

Mr. Hanson clarified the motion. The request is for an Administrative Variance for the consolidation of four existing buildings into two buildings.

Mr. Giese made a motion to send a favorable recommendation to the Director of Planning and Ms. Losty seconded. The motion carried with Mr. Lewis opposing.

C. Board of Appeals Cases – Review and recommendation.

Case # 2598- Algie LNF, LLC

To request, a variance from the tidewater buffer to permit renovation and modest expansion of the existing dwelling within 85.4' of mean high water. Property located at 5634 Ross Neck Road Cambridge, MD 21613. Zoned AC-RCA & RR-C.

Based on the information provided, the Planning Commission does not believe that the owners have demonstrated a hardship.

Case # 2599- Jennifer A. Snelling

To request, as a special exception, an accessory structure which, in combination with existing accessory structures, will exceed 1600 square feet. Applicant currently has 607 square feet of accessory structures square footage, and proposes to build another 1600 square feet, for a total of 2207 square feet. Applicant's house footprint is 1192 square feet. He is entitled to have up to 1600 square feet of accessory structure square footage by right in the AC zone. Property is located at 5111 Airey's Road Cambridge, MD 21613

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

INFORMATION

Mr. Banks advised that staff is continuing to work with Mr. Showalter on the text amendment for Patriot Point, LLC.

Mr. Banks also noted that staff continues to work with the Critical Area Commission and Mr. Showalter concerning revisions to the text amendment for Young Life. The Critical Area Commission is requesting either criteria in the text amendment or growth allocation since it is a permitted use in the RCA. Mr. Soper stated that the text amendment was found to be invalid because it was not reviewed for uses in the RCA.

Mr. Banks also advised that the text amendment for the expansion of the Greenlawn Crematorium was sent to the Critical Area Commission for their review. They have approved the text amendment for Greenlawn but they are requesting language be added that any new Cemetery/Crematorium in the RR-RCA zoning district will be required to apply for growth allocation. Mr. Banks noted that this will not affect the Greenlawn Crematorium.

Mr. Soper advised that the consolidation of the Critical Area Ordinance is now in final draft and ready to be put into bill form to be sent to the County Council.

With no further business, Ms. Losty made a motion to adjourn and Mr. Giese seconded. The motion unanimously carried. The meeting was adjourned at 12:55 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be a stylized name, possibly "J. A. Snelling", written over a horizontal line.