

DORCHESTER COUNTY PLANNING COMMISSION

MINUTES – September 7, 2016

The Dorchester County Planning Commission held their regular meeting on September 7, 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, Bill Giese, Ralph Lewis, Jeffrey King and Mary Losty. Also present were Rodney Banks, Deputy Director, Brian Soper Critical Area Planner and Christopher Drummond, Attorney. Absent: 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 August 3, 2016. Ms. Losty made a motion to approve the minutes and Mr. Giese seconded. The motion unanimously carried.

OLD BUSINESS

A. None

NEW BUSINESS

A. BEA Permit Application – George DeGennaro & Bonnie Ware, owners, 1205 Flowers Road, Fishing Creek, Maryland – request approval of a porch roof over a proposed deck to be attached to the existing single family dwelling within the 100’ Critical Area Tidewater Buffer. The deck was previously approved under a BEA in October 2015.

Brian Soper, Critical Area Planner reviewed the Staff Report. Property is 3.71 acres, Village zoning, in the LDA and within the buffer exempt area. Applicant would like to construct a porch roof over a proposed deck on an existing house. Proposed disturbance will not be any closer to the shoreline than the existing shed which is 16 ft. Current lot coverage is 5,060 sq. ft. and proposed structure will increase lot coverage by 1,115 sq. ft. for a new total of 6, 175 sq. ft. Mitigation will be required at a 2 to 1 ratio.

Mr. Soper reviewed a letter from Nick Kelly, Critical Area Commission dated August 29, 2016. Mr. Soper noted that the Critical Area Commission has no objection to this request as long as an approved buffer management plan is completed before construction begins. Mr. Soper also noted paragraph three of this letter that states, the Critical Area Commission will not support any future variances within the 100 ft. buffer on this property. They recommend a condition be included that would prohibit future construction of porches or decks on the main dwelling towards the water. Mr. Soper advised that this is in response to a request Mr. DeGennaro made in October, 2015 to square off the corner of the

house and construct a deck in the front. During the process his plans changed and he needed to have a new request approved.

Mr. DeGennaro came forward and was sworn in. Mr. Hanson asked Mr. DeGennaro if he was aware that he would need to provide a buffer management plan. Mr. DeGennaro advised that he was aware of this and would provide a plan.

Mr. Soper reviewed the Application of Ordinance Language – (§155-38.J.5.c.1-8) to Facts.

Mr. Hanson asked for a motion. Ms. Losty made a motion to approve the request with the following conditions, the applicant will provide a buffer management plan, and that future construction of porches or decks on the water side of the main residence are prohibited. Mr. King seconded and the motion unanimously carried.

B. ~~Text Amendment #332-02-2016—Patriot Point, LLC, owners, MDSW, applicant, 750 Taylors Island Road, Taylors Island, Maryland. 21669. The purpose of the proposed Retreat Center or Camp amendment would reduce the requirement from the current 700 acres, regardless of the number of participants, to a sliding scale area requirement based on the number of participants. POSTPONED~~

Mr. Banks gave a brief overview of the request. The owners purchased this property for a proposed retreat center/camp for wounded veterans. The minimum area required for this type of project is 700 acres. The property being considered is between 250 and 300 acres. Mr. Showalter is proposing a text amendment that would reduce the acreage required and use a sliding scale area requirement based on number of participants. Mr. Banks advised that this request has been sent to the Critical Area Commission for their review. The property is in the Resource Conservation area (RCA) and the Commission sees this as an intensification of a use and will require growth allocation. Mr. Banks advised they have met with the Critical Area Commission and they have suggested rewriting the text amendment and adding criteria that would require a small retreat center within the RCA to either meet the specific criteria in the text amendment or obtain growth allocation.

C. Board of Appeals Cases – Review and recommendation.

There were no cases scheduled for September.

INFORMATION

Mrs. Layton asked about the status of the solar farm projects. Mr. Banks stated that they are all at a standstill. Mr. Drummond suggested that the uncertainty of the forest conservation requirement is probably the main reason for the standstill. Until a determination is made on this issue, he does not see the large scale projects proceeding.

Ms. Losty advised that at the last Cambridge City Planning & Zoning meeting, they had a preliminary application for a solar project on the two remaining subdivisions on Egypt Rd. (formerly Dwayne Zentgraf projects). The Committee has asked the applicant to return in October for further review of the project.

Mr. Drummond spoke about the preliminary selection of applicants and locations for the processing and distribution of medical marijuana. Ms. Losty advised that Hurlock is under consideration for growing and Cambridge for growing and processing.

With no further business, Mrs. Layton made a motion to adjourn and Ms. Losty seconded. The motion unanimously carried. The meeting was adjourned at 12:25 pm.

Respectfully submitted,

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