

## DORCHESTER COUNTY PLANNING COMMISSION

### MINUTES – May 1, 2019

The Dorchester County Planning Commission held their regular meeting on May 1, 2019 at 12:00 pm in the County Office Building, Room 110 in Cambridge, MD. Members present were, Robert Hanson, Chair, Jerry Burroughs, Vice Chair, Laura Layton, Bill Giese, Ralph Lewis and Mary Losty. Also present were Rodney Banks, Acting Director, Brian Soper, Planner and Christopher Drummond, Attorney.

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

Mr. Hanson asked for a motion to approve the minutes of April 3, 2019. Mr. Lewis made a motion to approve the minutes and Mr. Burroughs seconded. The motion carried, with Mr. Giese abstaining.

### **OLD BUSINESS**

- A. Critical Area Administrative Variance Request – Case #AV-49, David and Laurie Belt, owners, for property located at 640 Hills Point Road, Cambridge, Maryland. Requesting an administrative variance approval to expand an existing dwelling and construct a deck within the Chesapeake Bay Critical Area 100 ft. Tidewater Buffer.**

Steve Whitten, Fink, Whitten and Associates, 504 Maryland Ave., Cambridge, MD and any other person who would be testifying in this case, were sworn in.

Mr. Soper reviewed the Staff Report. He noted that the Critical Area Commission was not opposed to the request per an email dated April 24, 2019. He also pointed out that the house has been elevated to comply with floodplain requirements; the addition will need to meet the same requirement.

Mr. Hanson asked about buffer management requirements. Mr. Soper advised there is enough lot coverage now, but any increase will require mitigation. Mr. Soper noted that any mitigation would primarily consist of grasses or other types of vegetative plantings, as trees and shrubs will be difficult to grow in these soils.

Mr. Whitten advised the addition will be a 415 sq. ft. porch and will be no closer to tidal wetlands than the existing dwelling. Beyond the porch will be a 381 sq. ft. pervious deck that will be no closer than 50 ft. to tidal wetlands.

Mr. Hanson asked for a motion. Mrs. Layton made a motion to send a favorable recommendation to the Acting Director and Mr. Burroughs seconded. The motion unanimously carried.

**B. Critical Area Administrative Variance Request – Case #AV-50, Kurt Bosley and Leila Gueydon, owners, for property located at 2347 Hoopers Island Road, Fishing Creek, Maryland. Requesting an administrative variance approval to replace an existing dwelling within the Chesapeake Bay Critical Area 100 ft. Tidewater Buffer.**

Steve Whitten, Fink, Whitten and Associates, 504 Maryland Ave., Cambridge, MD and any other person who would be testifying in this case, were sworn in.

Mr. Soper reviewed the Staff Report. He noted this property has two buffers; a 100 ft. buffer from Back Creek and a 100 ft. buffer from the tidal wetlands across Hoopers Island Rd. Mr. Soper advised the Critical Area Commission had no objection to the request as long as mitigation is done in accordance with COMAR. Mr. Whitten advised the owners are aware of the required mitigation.

Mr. Whitten gave an overview of the property and request. He noted the existing house was constructed around 1900; it is non-conforming to the front yard setback, side yard setback, the flood ordinance and the buffer from the west side of Hoopers Island Rd. New construction will be partially in the Hoopers Island Rd. buffer, the non-conformity will be removed from the front and side yards setbacks. It will also be in conformance with the flood ordinance.

Mr. Drummond asked about the encroachment of a shed onto another property. There was a discussion on the survey and tax map lines. Mr. Whitten agreed that the ramp is over the property line but will be removed during construction.

Mr. Hanson asked for a motion. Ms. Losty made a motion to send a favorable recommendation to the Acting Director and Mr. Giese seconded. The motion unanimously carried.

**NEW BUSINESS**

**A. Board of Appeals Cases – Review and recommendation**

**Case #2643 – Brian and Brandi Knill**

To request a variance to allow an accessory building within the required 60' from center of road front yard setback. Variance requested is 14' or 46' from center of road. Property located at 175 Hoopersville Road, Fishing Creek, MD 21634, containing 1.0 acre. Zoned V – Village District.

**Based on the information provided, the Planning Commission suggests the Board make sure the building is placed in conjunction with the requested setbacks.**

**Case #2644 – George M. Neall, II, Trustee**

To request a variance to allow a primary dwelling and associated appurtenant attachments within the required 100' intermittent stream buffer. Variance requested is 45' (or buffer reduced to 55'). Property located on Tates Bank Road, Cambridge, MD 21613, Map 31, Parcel 111, Lot 1, containing 1.448 acres. Zoned SR – Suburban Residential.

**Based on the information provided, the Planning Commission suggests the Board of Appeals assure everything proposed will fit within the requested setbacks**

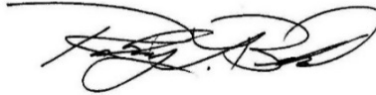
**B. Comprehensive Plan Update**

Chris Rogers, AECOM, gave a progress report on the Community Facilities and Water Resource elements.

**INFORMATION**

With no further business, Mrs. Layton made a motion to adjourn. Mr. Giese seconded and, the motion unanimously carried. Time of adjournment, 12:55 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "George M. Neall, II", written in a cursive style.