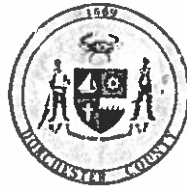


DORCHESTER COUNTY
DEPARTMENT OF PLANNING & ZONING
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CAMBRIDGE, MD 21613
410-228-3234



Planning Commission
04-21-2021 Meeting Minutes

The Dorchester County Planning Commission conducted a meeting on Wednesday April 21 2021 at 12pm. The meeting was held both in person and virtually.

Planning Commission:

- **Attending in person:**
Robert Hanson, Chair; Jerry Burroughs, Vice-Chair; Commissioner Ralph Lewis, William Windsor, Mary Losty and William Giese.
- **Attending by phone:**
Christopher Drummond (Attorney)
- **Absent:** Laura Layton

Also attending:

Herve Hamon, Director of Planning & Zoning; Susan Webb, Assistant Director of Planning & Zoning; Brandon Vermillion, GIS Specialist; Steve Whitten (applicant)

- 1- Chairman Hanson called the meeting to order at 12:05pm, and proceeded with the approval of the agenda; Vice-Chair Burroughs made a motion to approve the agenda, Commissioner Giese seconded, all approved the agenda as revised.

A- Planning and Zoning:

- **Administrative Variance #72 – Hoffman Residence: 1428 Town Point Road, Cambridge, MD 21613** (Zoned, RC – Resource Conservation District, RCA Critical Area, Floodplain) Request to extend existing dwelling and new deck into the 100 ft buffer.
 - **Nature of request:**
 - The expansion and new deck are in the area of the existing lawn.
 - Request to approve expansion of existing dwelling (163 sq ft) and new deck (198 sq ft) addition within the 100 foot buffer.
 - **Decision:**
After Ms. Webb presentation, Chair Burroughs made a motion to approve the application as submitted, contingent on the Department of Planning and Zoning receiving positive confirmation from the Critical Area Commission (not available at the time of this hearing). Commissioner Giese seconded that motion, all approved (vote was 6-0). The Administrative Variance was approved with the contingency above.
- **Administrative Variance #73 Kimball Property: 3802 Wrights Wharf Rd, Hurlock, MD 21613** (Zoned, RC-Rural Residential District, LDA Critical Area, Floodplain) Request to expand existing dwelling into the 100 foot buffer. Only 8 sq ft of buffer will be effected.
 - **Nature of request:**
 - Proposed expansion minimizes intrusion in to the 100' buffer.
 - Request to approve expansion of existing dwelling into 100' buffer. Only 8 sq ft of buffer will be affected.
 - **Decision:**
Commissioner Windsor made a motion to approve the application as submitted, contingent on the Department of Planning and Zoning receiving positive confirmation from the Critical Area Commission (not available at the time of this hearing).

Commissioner Giese seconded that motion, all approved (vote was 6-0). The Administrative Variance was approved with the contingency above.

- **Administrative Variance #74 Hughes Property: 3505 Griffith Neck Rd, Cambridge MD 21613** (Zoned, RC-Rural Residential District, RCA Critical Area, Floodplain) Request to expand existing dwelling and new deck into the 100 foot buffer.
- **Nature of request:**
 - Proposal expands footprint of existing house in area of lawn.
 - Request to expand existing dwelling (480 sq ft) and addition of new deck (425 sq ft) into 100' buffer.
- **Decision:**

Commissioner Lewis made a motion to approve the application as submitted, contingent on the Department of Planning and Zoning receiving positive confirmation from the Critical Area Commission (not available at the time of this hearing). Commissioner Windsor seconded that motion, all approved (vote was 6-0). The Administrative Variance was approved with the contingency above.
- **Administrative Variance #75 Cooper Property: 5307 Morris Neck Rd, Cambridge, MD 21613** (Zoned, RC-Rural Residential District, RCA Critical Area, Floodplain) Request to expand existing dwelling into the 100 foot buffer. Only 8 sq ft of buffer will be effected.
- **Nature of request:**
 - Proposed expansion of privately owned existing dwelling and accessory structure.
 - Request to expand existing dwelling (733 sq ft) and accessory building (394 sq ft) within the 100' buffer.
- **Decision:**

Commissioner Windsor made a motion to approve the application as submitted, contingent on the Department of Planning and Zoning receiving positive confirmation from the Critical Area Commission (not available at the time of this hearing). Commissioner Giese seconded that motion, all approved (vote was 6-0). The Administrative Variance was approved with the contingency above.

B- Board of Appeal Cases

- C- **BOA Case #2686 Willey Property: Variance, Hoopers Island Road, Fishing Creek, MD** (Zoned, V – Village District, LDA Critical Area) Request as a variance, approval to construct a pier and appurtenant mooring pilings within the required 25' lateral line setback.
- D- **BOA Case #2687 Brookbank Property: Special Exception, 5812 Indian Quarter Rd, Cambridge, MD** (Zoned, RC – Resource Conservation District, RCA Critical Area) Request special exception to construct accessory structure total sum area greater than primary structure. Total requested: 2,128 sq ft.
- E- **BOA Case #2688 Hoffman Property: Variance, 1428 Town Point Road, Cambridge MD** (Zoned, RC – Resource Conservation District). RCA Critical Area. Requesting variance from Section 155.37D.4a requiring elevating of the lowest floor and appurtenant mechanical equipment flood protection elevation. The building is a duplex. The floor of portion adjoining the party wall is an elevated slab on grade construction. The other side of the party wall is under different ownership. Elevating the lowest floor to the flood protection elevation would require demolition of the party wall and additional construction by the adjoining owner. The adjoining owner is not part of this application and is not undertaking any improvements to their portion of the duplex at this time.
- F- **BOA Case #2689 Newman Property: Special Exception, 5813 Phyllis Dr., Cambridge, MD** (Zoned, AC – Agricultural Conservation District) Request special exception to construct an accessory structure without a primary structure.
- G- **BOA Case #2690 D'Adamo Property: Special Exception, 6425 Suicide Bridge Rd, Cambridge, MD** (Zoned, AC – Agricultural Conservation District) Request special exception to construct accessory structure total sum area greater than primary structure. Total requested: 768 sq ft.
- H- **BOA Case #2691 Horseman Property: Special Exception, 4835 Madison Canning House Rd, Cambridge, MD** (Zoned, RC – Resource Conservation District, RCA Critical Area) Request special exception to use the subject property as a seafood processing facility.

❖ Discussion Points and Comments:

All Board of Appeal cases were recommended. Case #2691 had further discussion. These questions were posed to legal:

- Is the use a legal non-conforming use?
- Was it legally non-conforming when the RC district was established?
- Can this legally not be restarted again?
- Can this be restarted by special exception?
- New commercial use – growth allowcation?

I- Other Business:

Mr. Hamon gave an update on the Solar Chapter. That will be discussed at the May 5th Planning Commission meeting. In addition, regarding BIP's, a revision of the water and sewer plan is required, and will be organized and submitted to council.

Post-meeting Discussion:

Mr. Hamon gave a quick update on the most recent issues being handled in the Department of Planning and Zoning:

- Commissioner Losty asked a question regarding "sea plane landing" regulations. It was recommended that she speak to the Airport regarding this issue.

Chairman Hanson asked for a motion to adjourn the meeting. Vice Chair Burroughs made a motion, it was seconded by Commissioner Losty, all approved. The meeting adjourned at 1:05 pm.

Respectfully submitted:

Susan Webb
Assistant Director of Planning and Zoning

Reviewed:  Chairman R. Hanson

Date: 5/5/21