**DORCHESTER COUNTY**

**DEPARTMENT OF PLANNING & ZONING**

**501 COURT LANE, PO BOX 107**

**CAMBRIDGE, MD 21613**

**410-228-3234**



**Planning Commission**

**08-03-2022 Meeting Minutes**

The Dorchester County Planning Commission conducted a meeting on Wednesday, August 3, 2022 **at 12pm**. The meeting was held both in person and virtually.

The meeting took place in Room 110 of the County Building, at 501 Court Lane, Cambridge. The call-in number remained similar.

Planning Commission:

* Attending in person:

Ralph Lewis, Chair; Commissioners William Giese, William Windsor, Russell Hurley, and David Brohawn

* Absent:

Mary Losty, Commissioner

Also attending:

Christopher Drummond, Attorney; Susan Webb, Director of Planning & Zoning; Jason Boothe, Environmental Planner

Chairman Lewis called the meeting to order at 12:05pm.

Chairman Lewis asked for a motion to approve the agenda, as presented; Commissioner Hurley made a motion, it was seconded by Vice-Chair Giese, all approved.

1. **Planning and Zoning:**

* **Site Plan Revision** – Palm Beach Willie’s – 638 Taylors Island Road, Taylors Island, MD. Request to allow modifications to existing commercial site in RC/B-2 Zone.

**Nature of request:**

Site Plan Approval / Revision

**Discussion:**

Ms. Webb staff presented the proposed site plan

* the installation of a semi-temporary/permanent kitchen,
* the installation of addition to the Tiki-Bar
* relocation of screened in structure, next to pool
* relocation of a commercial trailer and two (2) sea-trailers

**Decision:**

Site Plan was approved as submitted, contingent on applicant coming into compliance with the Buffer Management Plan requirements set forth by the Critical Area Commission. Once this plan has come into compliance, the applicant can then finish the site plan process.

Chairman Lewis asked if there was a motion on the floor for the Site Plan as presented; Commissioner Windsor made a motion to approve, it was seconded by Comm. Hurley. All others approved (vote was 5-0).

* **Site Plan Review** – New Market Solar, South of Rhodesdale Rd, E. New Market, MD. Request to allow installation of utility scale solar energy system in AC Zone.

**Nature of request:**

Site Plan Approval

**Discussion:**

Ms. Webb presented the proposed site plan as submitted

Applicant provided comments to support the submittal. Mr. Drummond, legal counsel for the Planning Commission, explained that the use was not permitted by the local zoning code and the approval process for this use was incomplete, since a Special Exception would need to be obtained prior to site plan approval. A Special Exception was applied for and heard in December 2020 and was tabled, no decision was made at that time. There was lengthy discussion regarding whether or not the Planning Commission had the authority to approve a site plan that is not allowed by the local zoning code and prior to a Special Exception being obtained.

**Decision:**

Chairman Lewis asked if there was a motion on the floor for the Site Plan presented. Vice-Chair Giese made a motion, and seconded by Comm. Brohawn; all approved (vote 5-0) to make the decision as follows:

The Planning Commission finds that it does not have the discretion to approve a site plan for a use that is not permitted. However, the site plan as presented is approved since it appears to satisfy the technical requirements of the counties zoning code, contingent on the approval of the Board of Appeals.

This is provided that the applicant install irrigation to all landscaped and landscaped buffer areas as to not rely upon natural rainfall and truck watering. Also must include a landscape guarantee to provide financial security to survive for five (5) years.

1. **Board of Appeals:**

* None

1. **Other Business:**

* None

Chairman Lewis asked for a motion to adjourn the meeting. Commissioner Hurley made a motion; it was seconded by Commissioner Windsor, all approved. The meeting adjourned at 2:09 pm.

Respectfully submitted:

Susan E. Webb Reviewed (Chairman Ralph Lewis):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director of Planning and Zoning Date: \_\_\_\_\_\_\_\_\_\_\_