

Caroline County Planning Commission



John Schmidt, Chairman
Keith Neal, Vice Chairman
Wilbur Levengood, Jr., Commissioner Member
Nancy Minahan, Member
Charles Mosca, Member
Jeffrey Powell, Member
Dr. Derek Simmons, Member

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August 8, 2018

CAROLINE COUNTY PLANNING COMMISSION MINUTES

The Caroline County Planning Commission held its regularly scheduled meeting on Wednesday, August 8, 2018 in Room 110 of the Health and Public Services Building, 403 South 7th Street, Denton, Maryland.

Present were: John Schmidt, Chairman; and members, Wilbur Levengood, Keith Neal, Nancy Minahan, Chuck Mosca, Jeffrey Powell, and Dr. Derek Simmons. Also present were Katheleen Freeman, Director of Planning & Codes; Leslie Grunden, Assistant Director of Planning; Matt Kaczynski, Development Review Coordinator; Alex Willis, Long Range and Agricultural Planner; and Melanie Smith, Administrative Assistant to the Boards.

Agenda:

- Approval of the July 11, 2018 Meeting Minutes
- Review of Preliminary Site Plan – Bridgetown Sand & Gravel
- Review of Final Site Plan – Perry Corner Materials
- Proposal of Critical Area Ordinance Outline

Information and Discussion:

- Department Update – Katheleen Freeman
- BZA Report – Melanie Smith

Chairman Schmidt called the meeting to order at 7:38 p.m.

APPROVAL OF MINUTES

Chairman Schmidt asked for comments on or corrections to the minutes from the July 11, 2018 meeting.

Motion: Chairman Schmidt made a motion to approve the minutes with minor corrections.

Second: Ms. Minahan seconded the motion.

In Favor: All Commission members voted in favor of the motion (7-0).

BRIDGETOWN SAND & GRAVEL – Preliminary Site Plan

David A. Bramble has requested a Major Site Plan approval for an expansion of an existing sand, gravel and mineral extraction facility known as Bridgetown Sand and Gravel near the intersection of Oakland Road and Cherry Lane. The existing facility is approximately 40 acres in size and the proposed expansion is 17.5 acres.

The County Commissioners recently enacted Ordinance #2018-1 which relates to application and site plan requirements of a Mineral Extraction Facility. §175-27.5 sets minimum required standards for the extraction, processing and/or the operation of a wash plant. The proposed expansion and storage of materials and equipment does not meet the 200-foot setback requirement from adjacent lot lines.

The setback modifications must be reviewed by the Zoning Administrator and/or Planning Commission and a recommendation made to the Board of Zoning Appeals as part of the Special Use Exception process.

Staff has reviewed the application and supporting documents for conformance with the newly adopted Ordinance and has found that the applicant will need to address the following before final approval of this Major Site Plan Application:

- A Special Use Exception (SUE) Application must be filed with the department. This application must be approved by the Board of Zoning Appeals;
- All stock pile areas must be shown on the site plan including the maximum height of such stockpiles;
- Must include maximum height of all structures in association with the extraction, processing and/or wash plant operations;
- An Operations Plan must be submitted in conjunction with the preliminary site plan;
- The “proposed buffer area” has already been planted as a condition of approval from a previous BZA Special Use Exception application; the plans should be revised to reflect this;
- Existing road right of ways must be shown on the plans;

- Proposed fence does not meet the front yard setback requirements. Fence will need to be moved at a minimum to the Building Restriction Line to comply with the front yard setback requirements;
- All existing and proposed pedestrian entrances and exits must be shown on the plans;
- Location of streams, ditches, wetlands and all associated buffers must be shown on the site plan;
- A signature line for Planning Director Approval must be on the site plan;
- Location of all off-street parking areas must be shown on the site plan;
- Specific Uses proposed must be shown on the site plan;
- The number of employees must be shown on the site plan;
- Type of power used in conjunction with proposed uses must be shown on the site plan;
- Types of wastes or by-products produced by any process and the proposed method of disposal of such wastes or by-products must be shown on the site plan;
- The special flood hazard area boundaries must be shown on the site plan as well as their base flood elevation;
- The applicant should submit a written request for any setback modifications found in §175-27.5 of Ordinance #2018-1 as part of the Special Use Exception Application.

Staff suggested that the Planning Commission approve a motion to make recommendations to the Board of Zoning Appeals (BZA) for setback modifications to the 200-foot setback requirement and that the applicant proceed with the Special Use Exception (SUE) Application to the BZA. If the SUE is approved the applicant should submit the final site plan to the Planning Commission, incorporating any additional conditions specified by the BZA.

Chairman Schmidt asked that phasing be included on the site plan. Upon review of the application and recommendations; members agreed to recommend the setback modification to the 15-foot setback that was approved by the Board of Zoning Appeals in 2013.

Motion: Dr. Simmons made a motion to recommend that the Board of Zoning Appeals (BZA) approve a setback modification to a 15-foot setback; and that the applicant proceed with the Special Use Exception (SUE) application; Additionally, he recommends they meet all the bulleted requirements from

the staff report and BZA SUE approval as well as showing “phasing on the site plan when they return for final site plan approval.

Second: Mr. Powell seconded the motion.

In Favor: All Commission members voted in favor of the motion (7-0).

Mr. Levengood pointed out that if the applicant intends to use dredging they need to include that on their SUE application.

PERRY CORNER MATERIALS – Final Site Plan

Perry Corner Materials has requested a Major Site Plan approval for an expansion of an existing Sand, Gravel and Mineral Extraction facility located adjacent to the Town of Goldsboro. The existing facility is 11.53 acres and the applicants are requesting an additional 7.98 acres.

The Board of Zoning Appeals (BZA) approved a Special Use Exception (SUE) application on November 15, 2016. It should be noted that the Maryland Department of the Environment (MDE) issued a Surface Mining Permit for this proposed expansion following the approval. The set of plans that were provided with this Major Site Plan application were also submitted and approved by MDE. Therefore, the Zoning Administrator determined that the newly adopted Mineral Resources Ordinance #2018-1 does not apply. Approval of this site plan must follow the previous Sand, Gravel and Mineral Extraction regulations.

Mr. Kaczynski noted that all the bulleted recommendations in the staff report had been addressed except for the written approval from the Maryland Department of Transportation (MDOT) for the Railroad Right of Way (ROW). The letter is expected to be received within 60 days.

Ms. Freeman advised the Board that although she received an email from Cindy Burns, Circuit Rider Town Administrator for the Town of Goldsboro regarding the application it would not affect the approval of the site plan. The email stated that the Town had some questions about the project and asked that Ms. Freeman attend the towns next Planning meeting to answer them.

Staff recommended final approval of the site plan with the condition that the MDOT letter of approval is received and any conditions required by the Board of Zoning Appeals.

Motion: Mr. Neal made a motion to approve the application with the staff recommendation and conditions required by the Board of Zoning Appeals.

Second: Mr. Powell seconded the motion.

In Favor: All Commission members voted in favor of the motion (7-0).

PROPOSAL OF CRITICAL AREA ORDINANCE OUTLINE

The State Critical Area Commission (CAC) requested that the County adopt a Critical Area Ordinance and updated program. The CAC provided a “model ordinance” for the County

to work from and promised some local flexibility. After discussion with the County Commissioners, staff has been asked to develop an outline and/or list of concerns to submit to the CAC prior to developing a full draft.

Members noted that there were suggestions included in the model that was not within the County's authority. They also noted confusing and unnecessary language. The Planning Commission approved Ms. Freeman's suggestion to respond to the CAC with the listed concerns before attempting to create a new ordinance.

DEPARTMENT UPDATE

The offices for the new employees have received a fresh coat of paint and new furniture. Staff is taking advantage of this opportunity to "spring clean" the remaining offices this week.

Ms. Freeman was pleased that Jennifer Shull, the new Circuit Rider Town Planner, started work for the Department. She added that Ms. Shull had a lot of experience working with the Town of Trappe and the Town of Denton. She is confident that she will be very helpful to the Towns she will be assisting.

BOARD OF ZONING APPEALS UPDATE

The Board unanimously approved the Cherrywood Solar Project Special Use Exception application with conditions that will be enforced during the Building Permit application process.


Opposition was heard from a handful of residents, but testimony did not reveal any significant impact the project would have that would require denial of the application.

ADJOURNMENT

Motion: Mr. Mosca made a motion to adjourn the meeting at 8:38 p.m.

Second: Mr. Powell seconded the motion.

In Favor: All members voted in favor of the motion (7-0).



Kathleen Freeman
Director, Planning & Codes



John Schmidt, Commission Chairman



Prepared by: Melanie L. Smith