

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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January 9, 2019

CAROLINE COUNTY PLANNING COMMISSION MINUTES

The Caroline County Planning Commission held its regularly scheduled meeting on Wednesday, January 9, 2019 in Room 110 of the Health and Public Services Building, 403 South 7th Street, Denton, Maryland.

Present were: John Schmidt, Chairman; and members, Keith Neal, Wilbur Levengood, Nancy Minahan, Chuck Mosca, Jeffrey Powell and Dr. Simmons. Also present were Katheleen Freeman, Director of Planning & Codes; Matt Kaczynski, Development Review Coordinator; Heather Price, County Attorney and Melanie Smith, Administrative Assistant to the Boards.

Agenda:

- Approval of the November 14, 2018 Meeting Minutes
- Review of Final Site Plan – Harmony Road Self Storage
- Review of Proposed Expansion of Rural Legacy Areas
- Discussion of Preliminary and Final Site Plan Requirements
- BZA Report
- Department Update

Chairman Schmidt called the meeting to order at 7:30 p.m.

APPROVAL OF MINUTES

Chairman Schmidt asked for comments on or corrections to the minutes from the November 14, 2018 meeting. A minor correction was noted on page five.

- Motion:** Ms. Minahan made a motion to approve the minutes with the minor correction.
- Second:** Mr. Powell seconded the motion.
- In Favor:** All Commission members voted in favor of the motion (6-0).

HARMONY ROAD SELF STORAGE - Final Site Plan

Mr. Kaczynski introduced the final site plan for a warehouse, mini storage facility near the intersection of Maryland Route 404 and Maryland Route 16. He noted that the project is proposed on three tax parcels. The applicant has filed an addition plat with the Department to combine two of the lots into one tax parcel while also adding a portion of the third parcel. The only change is that there are three parcels included to establish the septic reserve area.

The land owner, Mike Cussimano was present. Kevin Shearon, Engineer for DMS & Associates, explained that stormwater management has been added to the plans to allow the applicant the ability to add an office and bathroom to the site in the future. Mr. Shearon confirmed for Chairman Schmidt that the parcel would include Parcel 51 and 39. Parcel 180 will be absorbed into the addition plat. A landscaping plan was added to accommodate the stormwater management plan. A few trees will be removed from the Critical Area on one side of the property and new ones planted on the left side for mitigation

Motion: Mr. Neal made a motion to approve the final site plan as proposed on the condition that the addition plat is signed and recorded prior to any issuance of a zoning certificate and/or building permit in association with this application.

Second: Mr. Mosca seconded the motion.

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

Dr. Simmons arrived during this portion of the meeting.

REVIEW OF PROPOSED EXPANSION OF RURAL LEGACY AREAS

Ms. Freeman explained that the Eastern Shore Land Conservancy (ESLC), a non-profit organization, manages the State's Rural Legacy Areas (RLA)/Agriculture Security Corridors in Caroline County. Over the past several years the RLA program has been relatively quiet due to funding constraints. The program is going to receive increased funding in the upcoming fiscal year, and ESLC, working with DNR, has flagged areas of Caroline County for expansion. Properties included in the expanded areas will be eligible to apply for agricultural preservation easements through ESLC and the RLA program. Landowners that have been turned down by Maryland Department of Agriculture (MALPF) could potentially get an easement through this program.

The Board asked some questions about how the program worked. Ms. Minahan stated there is no downside to the program and suggested they agree to support Ms. Grunden's evaluation.

- Motion:** Ms. Minahan made a motion to make a recommendation to the County Commissioners that they approve the letter of support and designation of the Heartland RLA as a priority expansion, with an additional comment urging funding of both proposed expanded RLA's.
- Second:** Mr. Powell seconded the motion.
- In Favor:** All Commission members voted in favor of the motion (7-0).

DISCUSSION OF PRELIMINARY AND FINAL SITE PLAN REQUIREMENTS

In 2014 the Site Plan section of the Zoning ordinance was amended to define separate review process for minor and major site plans. In 2017 applications for Special Use Exceptions (SUE) became subject to site plan approval. Over the years the Planning Commission has completed reviews of several major site plans, and those requiring a SUE have posed unique challenges. Staff and the Planning Commission have grappled with determining the level of detail needed to recommend a site plan for BZA SUEs. Applicants have been advised to submit concept plans for preliminary review, then go before the BZA with a SUE application, and return to the Planning Commission with a final site plan for approval.

Staff has asked the Planning Commission to determine the level of detail that should be required for a preliminary plan that is seeking a recommendation for BZA review and approval. Chairman Schmidt advised Ms. Freeman that the Planning Commission is confident that staff and the Technical Advisory Committee (TAC) can make that determination based on their knowledge of what level of detail is needed for preliminary plan review.

BZA Update

Ms. Smith informed the members that the application for the construction of an accessory structure at 1760 Oak Grove Road in Federalsburg was approved.

The application to establish a sand & gravel extraction facility on Log Cabin Road was denied. The Board found that the traffic would pose a significant danger at the Route 404 intersection and J-Turn. The danger would be exacerbated by beach traffic during the summer.

There was also testimony that the land was recognized as prime farmland by the National Corn Growers Association. The Comprehensive Plan was referenced to support that farmland is the County's preferred use of the land and is renewable.

There was a full house at all three hearings. The neighbors submitted considerable testimony that the project would be injurious to the peaceful use and enjoyment of other properties in the neighborhood.

Department Update

Ms. Freeman asked for the Board’s determination of what level of detail is required for a preliminary site plan review. It has become apparent that those site plans requiring Board of Zoning Appeals approval of a Special Use Exception have unique challenges. Staff’s recommendation is to recommend a sketch site plan along with supporting documentation describing the proposed use.

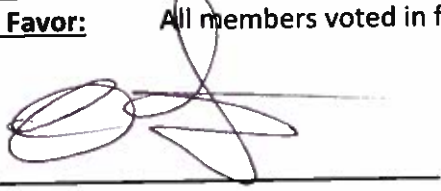
The suggestion was discussed, and it was concluded that if an applicant fails to be present for the preliminary site plan review the application should be tabled until they are available. Lastly, the Board agreed that should staff determine that the preliminary site plan was lacking information, the hearing would be postponed until the information was provided.

The contract for the new software was signed by the County Commissioners and the company is prepared to kick off the process next week.

The Agricultural Planner position is advertised, and staff is anxious to fill the position. Staff is meeting with IT Friday to discuss providing notebooks to the members to take home for meeting review.

ADJOURNMENT

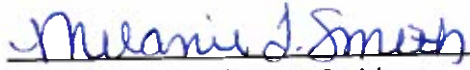
- Motion:** Mr. Mosca made a motion to adjourn the meeting at 8:45 p.m.
- Second:** Ms. Minahan seconded the motion.
- In Favor:** All members voted in favor of the motion (7 -0).



Katheleen Freeman
Director, Planning & Codes



John Schmidt, Commission Chairman



Prepared by: Melanie L. Smith