

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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October 10, 2018

CAROLINE COUNTY PLANNING COMMISSION MINUTES

The Caroline County Planning Commission held its regularly scheduled meeting on Wednesday, October 10, 2018 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, Nancy Minahan, Chuck Mosca, Jeffrey Powell, and Dr. Derek Simmons. Also present were Katherine Freeman, Director of Planning & Codes; Leslie Grunden, Assistant Director of Planning; Matt Kaczynski, Development Review Coordinator; Heather Price, County Attorney and Melanie Smith, Administrative Assistant to the Boards. Wilbur Levengood, member, arrived after the Low Country Holdings portion of the meeting.

Agenda:

- Approval of the September 12, 2018 Meeting Minutes
- Review of Final Site Plan – Low Country Holdings
- Review of Preliminary Site Plan – Wood Farm Sand and Gravel
- Review of Preliminary Site Plan – Caroline County Sheriff's Office
- MDP Clearinghouse Review – CDBG Block Grant Town of Denton (Blight Removal)
- MDP 2017 Annual Report
- BZA Report
- Department Update

Chairman Schmidt called the meeting to order at 7:35 p.m.

APPROVAL OF MINUTES

Chairman Schmidt asked for comments on or corrections to the minutes from the September 12, 2018 meeting.

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

LOWCOUNTRY HOLDINGS – Final Site Plan

Brendan Mullaney, Attorney, McAllister, DeTar, Showalter & Walker

Lowcountry Holdings LLC, was before the Planning Commission to request approval of a final major site plan for a Retail Greenhouse/Nursery Operation as a secondary use to a Trucking/Service Business. The business proposed is a landscape/property maintenance and snow removal service. The applicant received approval for a Special Use Exception to continue and expand the nonconforming use of a Trucking/Service Business and for a Material Storage Yard in connection with retail sales. They also received approval of a Variance to modify the setback requirement of 100 feet. The Board allowed an additional one-year extension for the variance and material storage yard with the following conditions:

- The Site Plan is approved by the Planning Commission prior to the issuance of a Building Permit and/or Zoning Certificate, and
- A Building Permit and/or Zoning Certificate is received prior to any proposed development and must be accompanied by all the necessary documentation and site plan requirements to conform with State and Local laws, and
- They receive an approved Water & Sewer Verification from the Environmental Health Department, and
- A phased development schedule is submitted and approved by the Planning Commission.

Staff reviewed the application and the applicant was given a list of comments that must be addressed before final approval of this major site plan application.

Ms. Minahan asked for an update on the existing septic system. Mr. Mullaney explained that it currently has the capability to support the initial use they were proposing and may need to be upgraded in the future depending on how many employees will be on site. This was the reason that a phase-in was requested.

- Motion:** Mr. Neal made a motion to approve the final site plan upon the conditions required by the Board of Zoning Appeals.
- Second:** Ms. Minahan seconded the motion.
- In Favor:** All Commission members voted in favor of the motion (6-0).

WOOD FARM – Preliminary Site Plan

Sean Callahan, Lane Engineering, representing Dan Schuster, introduced the Major Site Plan application for Mr. Dan Schuster owner of the Wood Farm property.

Wood Farm LLC, has requested a Major Site Plan approval for a Mineral Extraction Facility located on Log Cabin Road and Maryland Route 404. Phase I as proposed is a 60-acre site that consists of a 37.75-acre extraction area and a 7.3-acre area used for a haul road, the office/scale house, wash plant and material stockpile areas. Staff has reviewed the application and supporting documents for conformance with the newly adopted Mineral Extraction Facility Ordinance which included the needs to be addressed for a final approval.

Chairman Schmidt asked if anyone from the audience had any questions before they voted. Richard Gorleski, a neighbor to the Woods Farm property, felt the project would be better located elsewhere in the County where it would be less obtrusive, that the buffer should completely screen the project from view right away and stated that he was angry that Mr. Schuster did not consult the neighbors about the project in advance. Mr. Gorleski submitted seven photos of a buffer around a mineral extraction facility in Bridgetown. Commissioner Levensgood noted that the Bridgetown site he photographed has been operating for 15 years. In time, the buffer that is required around the Log Cabin site will be as lush. Chairman Schmidt offered to show Mr. Gorleski the diagrams that were submitted to show how the buffer would look.

The members believed that the applicant went above and beyond what was required to be approved for this application. They recognized Mr. Gorleski's disappointment, however as a property owner, he must understand that Mr. Schuster has a right to use his property as he wishes within the confines of the law.

Motion: Mr. Mosca made a motion to recommend to the Board of Zoning Appeals (BZA) regarding the proposed setback modification, as well as a recommendation that the applicant proceed with the Special Use Exception (SUE) application and resubmit the final site plan incorporating any additional conditions and safeguards specified by the BZA if the SUE is approved.

Second: Mr. Powell seconded the motion.

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

CAROLINE COUNTY SHERIFF'S OFFICE – Preliminary Site Plan

The County Commissioners have hired DMS (Davis, Moore, Shearon & Associates, LLC) to handle site design for the construction of the new Caroline County Sheriff's Office. Government buildings typically do not go through the Site Plan Approval process but because of the size and scope of this project the Planning and Codes Department found it pertinent to provide the same level of review for this County project as any other project

that requires Site Plan Approval. The Sheriff's Office is proposed to be located on Double Hills Road, adjacent to the Town of Denton. The site plan shows a development area of 3.8 acres which include the disturbance for the construction of the building, parking lot and stormwater management facilities.

Staff reviewed the application and supporting documents and has supplied comments to DMS regarding site plan and stormwater management requirements. The site plan submittal documents are still in a preliminary design stage because the building footprint has not been finalized. Once the building design is completed DMS can get the Environmental Health Department septic capacity numbers addressed and finish the engineering of the stormwater facilities. When all the site plan documents are complete the applicant, DMS will return for final review by the Planning Commission.

The members asked if the Town of Denton would allow the County to hook up to their water and sewerage system. Commissioner Levengood stated that the County made such a request, but the request was denied. However, staff advised that the system is designed so that it can be hooked up later if a connection to the Town's wastewater treatment plant is available.

Bidding for the job will take place in early December. The County hopes to start the project in March of 2019. Mr. Kaczynski stated, and the members agreed, that this was a magnificent site plan.

- Motion:** Mr. Mosca made a motion to recommend the applicant proceed with completing the final site plan.
- Second:** Ms. Minahan seconded the motion.
- In Favor:** All Commission members voted in favor of the motion (7-0).

CDBG GRANT TOWN OF DENTON (BLIGHT REMOVAL) – MDP Clearinghouse Review

The Town of Denton has been awarded a \$700,000 CDBG grant to purchase three properties located in the Town and to demolish abandoned and dilapidated structures located on the properties. The buildings include a dilapidated warehouse on Market Street. The Planning Commission was asked to direct staff to respond to MDP with consistencies/inconsistencies with Caroline County plans, programs or objectives.

- Motion:** Dr. Simmons made a motion for staff to respond that there were no inconsistencies with Caroline County plans, programs or objectives.
- Second:** Mr. Powell seconded the motion.
- In Favor:** All Commission members voted in favor of the motion (7-0).

MDP 2017 ANNUAL REPORT

Ms. Grunden asked the members to review the Maryland Department of Planning Annual Report for 2017. The report showed that 50 new Single-Family Residential Permits were issued in 2017.

Motion: Mr. Neal made a motion to submit the report with minor corrections.

Second: Mr. Powell seconded the motion.

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

DISCUSSION

Ms. Smith informed the members that the Board of Zoning Appeals had approved a Special Use Exception (SUE) and Variance for Low Country Holdings, LLC with the normal conditions and that they receive an approved Water & Sewer Verification from the Environmental Health Department and a phased in development schedule is submitted and approved by the Planning Commission. The Board allowed an additional one-year extension to the approval for the Variance and Material Storage SUE.

Ms. Freeman's Department update to the members included:

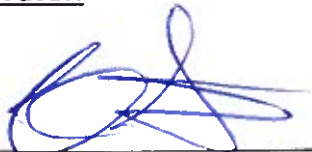
- An invitation to the MPCA convention in Gaithersburg, October 25,26; and
- Progress/savings on the new software purchase; and
- Savings to go towards the purchase of tablets for Board meetings; and
- Ordinance request on agenda November 13; and
- Update on the County Critical Area Program
- County Excise Tax to be removed
- December 7 effective date for new Impact Fee
- Board Appreciation Party scheduled at the Culinary Center for mid-November.

ADJOURNMENT


Motion: Mr. Mosca made a motion to adjourn the meeting at 9:41 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