

MINUTES

The Kent County Planning Commission met in regular session on Thursday, February 7, 2013, in the County Commissioners Hearing Room at 400 High Street, Chestertown, Maryland with the following members in attendance: Elizabeth Morris, Chairman; Bill Sutton, Vice Chairman; Bill Crowding; Ed Birkmire; Joe Hickman; and Randy Bellows. Staff: Amy Moredock, Director of Planning, Housing and Zoning; Carla Gerber, Community Planner; Bill Kerbin, Housing Planner; G. Mitchell Mowell, Planning Commission Attorney; and Kim Dixon, Secretary.

Ms. Morris called the meeting to order at 1:30 p.m.

MINUTES

The minutes of the January 3, 2013, meeting were approved as presented.

A & S Properties, LLC – Major Subdivision – A & S Properties, LLC, requests concept, preliminary, and final review for a major subdivision of its 1.706 acre parcel into three lots. Lot 1 will be 0.841 acres; Lot 2 will be 0.312 acres; and Lot 3 will be 0.553 acres. The property is located at the corner of Maryland Routes 20 and 288. It is in the 5th Election District and is zoned “V” Village.

Present and duly sworn were Carla Gerber, Community Planner, and Walter Souder, representing the applicant.

Ms. Gerber reviewed the staff report noting the Applicable Laws of the Kent County Land Use Ordinance to include Article V, Section 7.5 which establishes the area, density and width requirements; Article V, Section 7.6 which sets forth the general standards; Article V, Section 7.7 which sets forth the environmental standards; Article V, Section 7.8 which sets forth the design standards; and Article VI, Section 6.3.B.15 which sets forth that the Planning Commission shall prepare findings of facts.

There was no correspondence in this matter.

Mr. Souder testified he intends to remove the existing shed on the property. He stated there will be no removal of trees with this project. The swimming pool on site will also be removed.

Mr. Crowding asked if the sidewalk easement would interfere with the valve pits. Ms. Gerber stated it is just an easement, and the sidewalks would not be constructed at this point.

Ms. Gerber stated the applicants have four sewer allocations. Mr. Birkmire asked about specifying the number of allocations available on the plat. Mr. Mowell said there should be a note on the plat indicating they have the allocations required but that a note in the file would suffice.

There were no comments from the audience.

After a discussion, Mr. Hickman made a motion to grant preliminary and final approval finding:

- The proposal is consistent with the Comprehensive Plan.
- The project complies with the provisions of all applicable rules and regulations of county, state, and federal agencies.
- Convenience and safety of both vehicular and pedestrian movement within the site and in relation to adjoining ways and properties has been addressed.
- Reasonable demands will be placed on public services and infrastructure.

- There are adequate methods of sewage and refuse disposal.
- The applicant has paid the open space fee.
- The proposal meets all minimum setback requirements.
- The existing trees within the front yard setback are adequate to meet the requirements for street trees but must be documented as to type and deed restricted.

A condition that the forest conservation plan must be approved was placed on the approval.

The motion was seconded and approved unanimously.

STAFF REPORTS

Bill Kerbin – nothing to report

Carla Gerber – She is still working on the Tier Map exemption. Data on zoning and subdivisions has been sent to the Maryland Department of Planning and she is waiting to hear from them. Ms. Gerber informed the members that she will have the Annual Report and the revised Parks and Recreation plan for their review at next month's meeting.

Mitch Mowell – nothing to report

Amy Moredock – She informed the members that the joint Planning Commission meeting will be held on March 27, 2013, at 7:00 p.m. at the Kent County Community Center. Ms. Moredock also informed the members that the Administrative Buffer Variance has been officially approved by the Critical Area Commission. She said the Commissioners voted on the proposed mooring buoy code amendment; they did not adopt the proposed changes. In light of the Commissioners' vote, she asked the members if they would like to continue with the zoning text amendment to change the definition of a marina. The members decided to proceed with the change.

Ms. Moredock informed the members that MACo is working on four planning initiatives:

1. Changing the planning cycle from a 6- to a 10-year cycle
2. A two-year time out on all planning legislation.
3. An exemption or variance from the best available technology requirements for septic systems located outside the critical area.
4. Local government voice regarding the Conowingo Dam license renewal.

GENERAL DISCUSSION

Ms. Morris informed the members that the Planning Commission's regularly-scheduled meeting during the month of July, 2013, will be July 4th. It was decided to hold the meeting on July 11, 2013. Ms. Dixon will put a notice in the *Kent County News*.

There being no further business for the good of the organization, the meeting was adjourned at 2:48 p.m.

Elizabeth Morris, Chairman

Kim Dixon, Clerk