

MEETING SUMMARY
Carroll County Planning and Zoning Commission

March 19, 2019

Location: Carroll County Office Building

Members Present: Richard Soisson, Chair
Cynthia L. Cheatwood, Vice Chair
Jeffrey A. Wothers
Alec Yeo
Daniel E. Hoff
Janice R. Kirkner, Alternate (9:10)
Ed Rothstein, Ex-officio

Members Absent: Eugene A. Canale

Present with the Commission were the following persons: Lynda Eisenberg, Arco Sen and Laura Bavetta, Department of Planning; Laura Matyas, Kierstin Eggerl and David Becraft, Development Review.

CALL TO ORDER/WELCOME

Chair Soisson called the meeting to order at approximately 9:01 a.m.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that six members of the Board were present and a quorum was in attendance. Ms. Kirkner arrived at 9:10 and seven members were present.

PLEDGE OF ALLEGIANCE

REVIEW AND APPROVAL OF AGENDA

On motion of Mr. Yeo, seconded by Mr. Wothers and carried, the Agenda was approved.

REVIEW AND APPROVAL OF MINUTES

On motion of Mr. Wothers, seconded by Mr. Yeo and carried, the Minutes from the March 6, 2019 meeting were approved.

PUBLIC COMMENTS

There were no public comments.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chair Soisson stated that he approved the site development plan for the Carroll Hospital Access Drive, S-17-0033.

B. EX-OFFICIO MEMBER

Commissioner Rothstein reported that cross-over day in Annapolis occurred on March 18th. Commissioner Rothstein also stated that Budget season has begun and the schedule has been posted.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Eisenberg reminded everyone that the April business meeting will be held on Tuesday, April 9th in Room 105. Secretary Eisenberg updated the Commission on the status of the Comprehensive Rezoning letters.

B. EXTENSIONS

There were no extensions.

C. BZA CASES

Arco Sen reported that BZA Case No. 6122 was heard in February and the request was granted. There are three cases that will be heard in March, Case No. 6130, Case No. 6133 and Case No. 6134.

D. OTHER

There were no other reports.

CONCEPT SUBDIVISION PLAN

SUBJECT: P-18-0082 – Rose Acres Resubdivision of Lot 1A
LOCATION: South side of Algernon Drive, east of Salem Bottom Road, E.D. 9
OWNER: Lisa & Zachary Hinton, 1122 Algernon Drive, Westminster, MD 21157
DEVELOPER: Same as owner
SURVEYOR: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21157
ZONING: Conservation
ACREAGE: 9.902 acres
WATERSHED: Liberty Reservoir
NO. OF LOTS: 1 lot
FIRE DISTRICT: Winfield
MASTER PLAN: Resource Conservation
PRIORITY
FUNDING AREA: Outside
DESIGNATED
GROWTH AREA: Outside

❖ **Action Requested:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a Concept Major Subdivision Plan. **No action is required.**

❖ **Existing Conditions:**

Rose Acres subdivision was recorded in Plat Book 42, Page 45 in 1997 creating Lot 1, a 21.9335-acre property, and Lot 2, a 3.00-acre property (see attached). Lot 1 was subsequently resubdivided, receiving Planning and Zoning Commission approval in May 2016. Lots 1A, 3, 4, and 5 were recorded in Plat Book 54, Page 206 (see attached).

Lot 1A, the 9.902-acre subject property, is developed with a single-family residence, zoned Conservation, and served by a private well and septic system. The property slopes downhill from northwest to southeast. A Forest Conservation Easement and Non-Forested Water Resource Protection Easement were established at the southern property line with the previous subdivision plans for Rose Acre. Current access is via Algernon Drive, a use-in-common driveway off of Salem Bottom Road, which serves the five lots in the Rose Acres. A Declaration of Maintenance Obligations and ingress / egress easement was recorded.

Surrounding properties are zoned Conservation, built with single-family homes, and served by private well and septic systems. The adjoining property to the south hosts a horse farm.

The minimum lot size in the Conservation Zoning District is three acres. While the resubdivision in 2016 created three new lots, it did not exhaust the lot yield. Recognizing this, the owner / developer informed staff in 2016 of their intent to further subdivide Lot 1A in the future. This was communicated to the Planning and Zoning Commission for their information.

Lot 1A was recorded with 8.5 feet of frontage on Salem Bottom Road. This necessitated the developer to seek a reduction of the requirement of 30 feet of frontage to subdivide. On October 17, 2018, in ZA Case-1816, the Zoning Administrator approved the reduction (see attached).

❖ **Plan Review:**

The developer proposes one lot of subdivision from Lot 1A of Rose Acres. The existing structures will remain on Lot 1B and the lot size will be reduced from 9.902 acres to 4.706 acres. Lot 6 is a proposed new 5.116-acre residential lot with private well and septic system. The minimum lot size in the Conservation Zoning District is three acres.

Proposed access will be from the existing use-in-common (UIC) driveway, Algernon Drive, which is built to County standards. Since Algernon Drive is more than 500 feet in length an approved, required, pullover and turnaround exist as part of the circular portion of the drive. The total number of users permissible on a UIC in the Conservation Zoning District is seven and this subdivision will bring the total to six users on Algernon Drive. Lot 6 will be part of the Declaration of Maintenance Agreement and access easement.

§ 155.025 IN-FEE ACCESS STRIPS; USE-IN-COMMON DRIVEWAY STANDARDS AND CRITERIA.

(C) **Maximum number of users.** The maximum number of users for a UIC driveway, including subdivision lots, remaining portions, remainders, and off conveyances, if applicable, is seven in the “A” and “C” Districts and five in the Residential Districts.

The plan was reviewed by the Department of Planning and determined to be consistent with all applicable plan policies and recommendations.

The existing environmental easements are not affected and there are no further requirements from Water Resources Review. Forest Conservation was addressed with the previous plan of subdivision. The project is exempt from Floodplain Code and Landscape requirements. Engineering Review has reviewed and approved the plan. Stormwater Management will be achieved with sheet flow to a level spreader. The proposed house is sited in a natural drainage area and Grading Review has requested additional information for review.

The plan was subject to citizen involvement during a regularly held meeting of the Technical Review Committee on February 25, 2019. No citizens signed in or spoke at the meeting.

The project is subject to the provisions of Concurrency Management, Chapter 156 of the Code, and will be tested prior to presentation of the plan to the Commission for approval of the Preliminary / Final Plan. At the Concept stage, all facilities and services are adequate.

Discussion:

Laura Matyas presented the staff report.

John Lemmerman, RTF Associates, Inc. and Lisa Hinton, owner, were present.

This plan will come back for Preliminary/Final approval as a Major Subdivision.

Decision:

No action is required.

MASTER PLAN AMENDMENT – DISCUSSION – INSERTION OF SOLAR TEXT

Secretary Eisenberg presented draft text for an amendment to the Master Plan regarding Solar Energy. The Commission will review the information and discuss at the next meeting.

PUBLIC COMMENT

Gary Greshe, citizen, wanted to know the status of solar energy conversion in the Ag district. Commissioner Rothstein stated he would bring the issue up to the Board for discussion. Mr. Hoff stated solar energy in the Ag district is a complex issue.

ADJOURNMENT

On motion of Mr. Hoff, seconded by Mr. Wothers and carried, the Commission adjourned at approximately 9:50 a.m.

Secretary

Approved