

FEBRUARY 2007
CAROLINE COUNTY PLANNING COMMISSION MINUTES

The Caroline County Planning Commission meeting scheduled for Wednesday, February 14, 2007 was cancelled due to weather and held its rescheduled meeting on Wednesday, February 21, 2007 at 7:30 p.m. in Room 110 of the Health and Public Services Building, 403 South 7th Street, Denton, Maryland.

Present were: John Schmidt; Chairman, Ann Collier, Chris Williams, and Robert Jester, members. Also present were Shane Johnston; Deputy Planner, Ernest Crofoot; Caroline County Planning Commission Attorney, Katheleen Freeman; Environmental Planner, and Denise Breeding; Planning Commission Secretary.

Agenda will include:

- 7:30 p.m.** - Approval of minutes from the January 10, 2007 meeting.
- 7:35 p.m.** - Departmental Presentation: 2007 Caroline County Critical Area Ordinance – Shane Johnston; Deputy Planner.
- 8:00 p.m.** - Departmental Presentation: 2007 North Caroline County Build-Out Analysis – Shane Johnston; Deputy Planner and Katheleen Freeman; Environmental Planner.
- 8:30 p.m.** - North County Water and Sewer Work Session with North County Towns – “Scheduling a special meeting to discuss North County Water and Sewer issues and opportunities.”

Discussion Items:

1. Letter to Denton Planning Commission from the County Planning Commission;
2. Letter from Anne Ogletree - Fuchs Farm;
3. FY08 Department Presentation to Caroline County Commissioners; and
4. Update - January 31, 2007 State meeting and presentation on implications of total maximum daily loads TMDL's and House Bill 1141.

Approval of Minutes from the January 10, 2007 meeting

A few corrections were requested to be made to the Minutes by the Commission.

- Motion:** Robert Jester made a motion to approve the minutes with corrections.
Second: Chris Williams seconded the motion.
In Favor: All members were in favor.

Departmental Presentation: 2007 Caroline County Critical Area Ordinance

Handouts of the 2007 *Caroline County Chesapeake Bay Critical Area Ordinance* presentation were included in the Commission's packages for review.

Shane Johnston, Deputy Planner, gave the presentation for the updated and revised Caroline County Critical Area Ordinance.¹ After the presentation, Mr. Johnston stated the following:

- Proposed Modified Buffer Areas will be mapped and established at the request of the Chesapeake Bay Critical Area Commission;
- Will utilize Global Positioning Systems for future development review and inspection in the Critical Area;
- Proposing a public hearing for the Critical Area Ordinance with the Planning Commission at the March 14, 2007 meeting;
- Review by the Critical Area Commission (state agency) will take place following the Planning Commission public hearing and prior to scheduling a hearing with the Caroline County Commissioners; and
- Proposing to update the Critical Area Zoning maps following the completion of the ordinance.

Departmental Presentation: 2007 North Caroline County Build-Out Analysis

Handouts of the 2007 "Draft" *Build-Out Study & Analysis for the North Caroline County Water & Sewer Service Area* and presentation were included in the Commission's packages for review.

Shane Johnston, Deputy Planner, gave a presentation regarding the North County Build-Out Analysis.²

and stated the following:

- Planning Department has been working on the North County Water and Sewer initiative since 1998;

¹ Public Local Laws of Caroline County, Maryland; Chapter 175 Article XXV: Zoning; "Draft" *Chesapeake Bay Critical Area Ordinance for Caroline County, Maryland*; January 2007. "Chesapeake Bay Critical Area Power Point Presentation;" Prepared by the Caroline County Department of Planning & Codes Administration; January 2007.

² 2007 "Draft" Build-Out Study & Analysis for the North Caroline County Water & Sewer Service Area; Prepared by Peter Johnston Associates for the Caroline County Department of Planning & Codes Administration; January 2007. "Draft" Build-Out Analysis for North Caroline County Water & Sewer Service Area - Presentation; Prepared by Peter Johnston Associates for the Caroline County Department of Planning & Codes Administration; January 2007.

- Hired a Consultant on January 17, 2007 to complete a build-out analysis for the North County Water and Sewer Service Area as defined in the Maryland Environmental Service (MES) 5-Year Water and Service Plan;
 - The build-out analysis is a State requirement under Maryland House Bill 1141;
 - The North Caroline County Build-Out Analysis is proposed to give minimum and maximum development potential for the water and sewer area, to meet the requirements of House Bill 1141 and to determine the area's need;
 - The build-out analysis is based on four hypothetical policy alternatives; and
 - A meeting is scheduled for February 23, 2007 with the towns of Goldsboro, Henderson, Marydel and Templeville to discuss their proposed capacity needs and to finalize the Build-Out Analysis.
- Debbie Rowe, Mayor of Marydel, had the following questions and concerns:
 - What part does Artesian play with the proposed water and sewer area;
 - Has an engineer been hired by the county to assist with the water and sewer area;
 - Is concerned with greatly increasing population within northern Caroline County and what effect it may have on the proposed water and sewer area; and
 - Had questions regarding the "proposed" Consent Order that was issued to the Towns and County.
- Dale Mumford, Mayor of Goldsboro, stated the following:
 - His major concern is the health and sanitary issues in the area and sees a need to service these areas; and
 - Is concerned that options in the build-out analysis are different than what the towns have discussed with the County;
- Ernest Crofoot, County Attorney, stated the following:
 - Artesian is currently not contracted by the county;
 - The County Engineer position has been advertised and is being filled to assist this project;
 - The proposed options on the build-out analysis are "hypothetical" only, not particular scenarios the towns will be required to adopt;
 - The State determines water and sewer allocation and the figures from the towns will help establish it hence the desire to determine capacity need; and
 - The Consent Order was a "draft, not an actual Consent Order.
- Joyce Delaurentis; Planner with Maryland Rural Development Corporation (MRDC), stated the following:
 - State grant money will fix the existing problems, but will not be provided for new growth issues; and
 - Increased capital costs could occur.

The Commission stated that they realize there is a major problem in the North County area and will do what they can to help provide a resolution and assistance.

North County Water and Sewer Work Session with North County Towns – “Scheduling a special meeting to discuss North County Water and Sewer issues and opportunities.”

It was decided that a meeting to discuss North County water and sewer issues and opportunities be scheduled for the March Planning Commission date held on Wednesday March 14, 2007.


Discussion Items:

1. Letter to Denton Planning Commission from the County Planning Commission: A letter was issued to the Town of Denton by the Caroline County Planning Commission in response to Denton’s Comprehensive Plan. The Commission and Staff agreed to meet with the Town of Denton in April to discuss their proposed Comprehensive Plan.
2. Letter from Anne Ogletree – Fuchs Farm: A letter was sent to the Planning Commission from Anne Ogletree requesting an opportunity to present the Board with a proposal for developing the Fuchs Farm property as an age restricted community. Ms. Ogletree appeared before the Commission on behalf of Mr. Robert Karen; Developer, and the Fuchs family. The Commission noted to staff that no meeting should be scheduled until the West Caroline County Comprehensive Plan and *Caroline County Chesapeake Bay Critical Area Ordinance* are completed and have been adopted by the County Commissioners given that the proposed development project is within Denton’s Growth Area, as indicated in the *1997 Denton Comprehensive Plan*, and is also partially located in the Critical Area for Caroline County. The Planning Commission further stated that a tentative schedule for presentation could be June/July 2007 depending on completion and adoption of these items. The Planning Commission stated that in order to be fair and balanced to Denton that staff would need to contact the town prior to the meeting so that Denton will be provided an opportunity to discuss its growth plan for the region as well.
3. FY08 Department Presentation to Caroline County Commissioners: Handouts of the presentation were included in the Planning Commission’s packages for review.
4. Update to the January 31, 2007 State meeting and presentation on implications of Total Maximum Daily Loads (TMDL’s) and House Bill 1141: Staff and the Planning Commission discussed the recent Total Maximum Daily Loads (TMDL’s) and House Bill 1141 meeting between Caroline County, County Towns, Maryland Department of the Environment (MDE) and Maryland Department of Planning (MDP) that occurred on January 31, 2007. Discussion included the implications of both stated initiatives and implications of requirements. Mr. Johnston stated that staff and resources are lacking to implement the objectives of the state initiatives. The state needs to develop a better system to provide assistance.

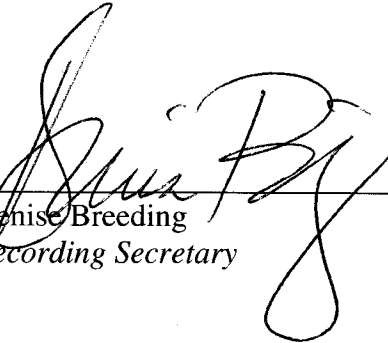
There being no further business, the meeting was adjourned at 10:30 p.m.



Shane Johnston
Executive Secretary
Acting Planning Director



John Schmidt, *Chairman*



Denise Breeding
Recording Secretary