

APRIL 2007
CAROLINE COUNTY PLANNING COMMISSION MINUTES

The Caroline County Planning Commission held its regularly scheduled meeting on Wednesday, April 11, 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, Jim Lewis, Vice-Chairman, Ann Collier, Chris Williams, Robert Jester, and Richard Edwards, members. Also present were Shane Johnston; Deputy Planner, Tammy Buckle; Agricultural Planner, Katheleen Freeman; Environmental Planner, and Denise Breeding; Planning Commission Secretary.

Agenda will include:

7:30 p.m. - The Planning Commission meeting will begin with the approval of Minutes from the March 14, 2007 meeting.

- 1) Transferable Development Rights (TDR) Multi-application Transfer: Bill and Ann Collier – Tammy Buckle, Agricultural Planner
- 2) North Caroline County Water and Sewer Initiatives: Support/Recommendation Resolution from the Planning Commission to the Caroline County Commissioners - Shane Johnston; Deputy Planner, Katheleen Freeman; Environmental Planner and Ernest Crofoot; County Attorney.
- 3) Heritage Initiatives Proposal: Presentation and Discussion – JOK Walsh; Economic Development Corporation/Tourism.
- 4) Draft Caroline County Water Quality Improvement Report: Presentation and Discussion – Shane Johnston; Deputy Planner.
- 5) Planning & Codes Departmental Budget Report and Presentation for FY2008 – Shane Johnston; Deputy Planner.
- 6) Announcement - Resignation of the Acting Director of Planning: Discussion of Important Planning Commission Projects and Initiatives

Discussion Items:

1. Project List for Plans and Ordinances;
2. Important Upcoming Meetings: Tributary Team, Maryland Environmental Service (MES) and Maryland Department of the Environment (MDE);
3. Upcoming Denton and County Comprehensive Planning Discussions; and
4. Geographic Information System (GIS) Initiatives and Mapping Needs.
5. State Proposed Impervious Surface Tax.

Approval of Minutes from the March 14, 2007 Meeting.

Corrections were requested by the Planning Commission to be made to the minutes.

Motion: Ann Collier made a motion to approve the minutes with corrections.
Second: Jim Lewis seconded the motion.
In Favor: All members were in favor.

Transferable Development Rights (TDR) Multi-application Transfer: Bill and Ann Collier.

Ann Collier recused herself from the meeting. Tammy Buckle, Agricultural Planner, stated that due to an amended application being submitted there were a total of seven applications instead of six. Mrs. Buckle issued the additional application to the Board to review along with the other applications which were included in their packages. Tammy Bill and Ann Collier are requesting to lift a total of 24 development rights from 6 adjoining properties they own at Baltimore Corner in the R-Rural zone. Individually all of the properties, except for parcel 18, are less than 50 acres in size. Perc tests are not required because they all adjoin and act as one farming operation. Parcel 18 is adjoining, however, is 60.95 acres in size. All requirements of the regulations have been met. Staff recommended approval by the Planning Commission.

Shane Johnston; Deputy Planner, suggested that review of the TDR applications should be processed at an administration level instead of by the Planning Commission and that the Planning Commission should consider it in October when the TDR regulations will be evaluated. The Board was agreeable with the suggestion.

All of the appropriate documents were signed by John Schmidt; Chairman and Shane Johnston, Deputy Planner.

Motion: Chris Williams made a motion to approve the TDR transfer applications.
Second: Robert Jester seconded the motion.
In Favor: All members were in favor.

North County Water and Sewer Initiatives: Support/Recommendation Resolution from the Planning Commission to the Caroline County Commissioners.

Shane Johnston; Deputy Planner read the proposed resolution into the record, which consisted of the following recommendations:

- Acknowledgement of the important community health needs in the North County Water and Sewer Service Area;
- Continued County efforts to address health conditions in the municipalities located in the North County area;
- Recommendation that the Maryland Environmental Service (MES) assist with regional water and sewer initiatives for North County and perform detailed feasibility studies to examine alternative systems for wastewater treatment and distribution of effluent in lieu of an additional point-source discharge in the Upper Choptank Watershed;

- All parties involved in the North County Water & Sewer Project remain cognizant of environmental limitations;
- Designate the County Engineer as project manager for the North County Water and Sewer Project;
- The County seek additional private water and wastewater expertise, if required;
- The *Caroline County Water Quality Improvement Report* be utilized as a guidance document for County-wide water and sewer efforts;
- County land use policies, as defined in the *Caroline County Comprehensive Plan*, be addressed during the formation and implementation of any County-wide Water and Sewer Authority and District;
- County and Municipal partners in the North County Water and Sewer Project be allotted a proportional share of wastewater capacity;
- The proposed East Star LLC development be considered new development;
- That East Star LLC consider the limited availability of wastewater capacity and evident community health needs;
- That County and North County municipalities continue to coordinate water and sewer efforts with Federal and State entities and proceed with requests for potential Federal and State funding;
- That inter-jurisdictional issues and other related processes be discussed and negotiated during the formation of the Water and Sewer Authority and District; and
- The Planning Commission directs staff of the Caroline County Department of Planning and Codes Administration to prepare a tentative outline and timeline of required and official Planning Commission actions and documents.

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

Motion: Richard Edwards made a motion to send the amended *Caroline County Planning Commission Resolution Supporting North County Water and Sewer Initiatives and Recommending Specific Actions to the County Commissioners of Caroline County, Maryland in Relation to Water and Sewer Efforts in North Caroline County, Commonly Referred to as the 1st Election District of Caroline County Including the Municipalities of Goldsboro, Henderson, Marydel, and Templeville* to the Caroline County Commissioners with the Planning Commission's favorable recommendation.

Second: Chris Williams seconded the motion.

In Favor: All members were in favor.

All requested amendments were made to the resolution and the resolution was signed by the present Board members.

Heritage Initiatives Proposal: Presentation and Discussion.

JOK Walsh, Executive Director of the Caroline Economic Development Corporation, issued an outline and brochures to the Planning Commission regarding his presentation. Mr. Walsh's presentation discussed what is involved in the Heritage Development Program, the importance of it and the need for funding in order to move forward.

The Planning Department prepared a resolution to recommend to the Caroline County Commissioners that funding be provided to the Economic Development Corporation and that a "Caroline County Historic Preservation Plan" be developed by the Economic Development Corporation in coordination with the Caroline County Department of Planning and Codes Administration and the Caroline County Historical Society to highlight detailed goals, objectives, and implementation strategies and actions for heritage preservation and tourism initiatives.

Shane Johnston, Deputy Planner read the proposed resolution into the record.

A few corrections were requested to be made.

Motion: Robert Jester made a motion to send the amended *Caroline County Planning Commission Resolution Supporting a Heritage Development Program Initiative as Proposed by the Caroline Economic Development Corporation* to the Caroline County Commissioners with the Planning Commission's favorable recommendation.

Second: Jim Lewis seconded the motion.

In Favor: All members were in favor.

Draft Caroline County Water Quality Improvement Report: Presentation and Discussion.

Shane Johnston, Deputy Planner, gave a presentation on the Draft Water Quality Improvement Report. Handouts of the presentation were included in the Planning Commission's packages for review.

Planning & Codes Departmental Budget Report and Presentation for FY2008.

Shane Johnston, Deputy Planner, gave a presentation on the Planning & Codes Departmental Budget Report and Presentation for FY2008. Handouts of the presentation were included in Planning Commission's packages for review.

Announcement – Resignation of the Acting Director of Planning: Discussion of Important Planning Commission Projects and Initiatives.

Shane Johnston, Deputy Planner, stated that he will be resigning as the Acting Director of Planning and his last day will be Friday April 13, 2007.

The Planning Department composed a letter from the Caroline County Planning Commission to the Caroline County Commissioners stating that Tammy Buckle, Agricultural Planner, will be temporarily taking over the Director of Planner position

until someone is hired to fill it. John Schmidt, Chairman, read the letter into the record as follows:

Dear Caroline County Commissioners:

The Caroline County Planning Commission understands that Ms. Tammy Buckle will be assuming administrative duties as Interim Director of Planning until a replacement can be hired by the Caroline County Commissioners. The Director of Planning & Codes position will need to be advertised, an interview committee formed, and a selection process established, which the Planning Commission believes could take 3 to 6 months.

Presently, many important projects and initiatives are now being processed by the Planning Department including: 1) final completion of the *West Caroline County Comprehensive Plan* including an inter-jurisdictional process for the review and discussion of the recently updated *Denton Comprehensive Plan* juxtaposed to the County Plan; 2) inter-jurisdictional processes with other County municipalities in relation to land use, growth management, land preservation, and infrastructure and services; 3) completion of the "Caroline County Critical Area Zoning District Maps;" 4) completion of the *Caroline County Water Quality Improvement Report*; 5) Municipal Build-Out Analyses for North County, Ridgely, and Greensboro; 6) development of a comprehensive "Caroline County Land Preservation Study" including Transfer of Development Rights-TDR standards and guidelines and designation of priority Agricultural Preservation Areas; and 7) scheduled updates and revisions to the *Caroline County Comprehensive Water & Sewerage Plan*. Planning & Codes also is working on specific updates and revisions to the Caroline County Zoning Ordinance and Subdivision Regulations at the request and guidance of the Planning Commission.

The Planning Commission requests that critical projects and initiatives be suspended until a new Director is hired. In this regard, the Planning Commission believes that Ms. Buckle should perform administrative duties in the interim and should not be responsible for major initiatives with potential political implications. The new Director should have a major role in moving forward with these projects.

The Planning Commission appreciates the assistance of the Caroline County Commissioners to ensure that a new Director is hired as soon as possible so these important projects and initiatives can continue. The Planning Commission also would like to thank the County Commissioners for their patience and support during this difficult transition.

- Motion: Ann Collier made a motion for the Planning Commission to sign the letter and forward it onto the Caroline County Commissioners.
- Second: Robert Jester seconded the motion.
- In Favor: All members were in favor.

Discussion Items:

1. Project List for Plans and Ordinances: Shane Johnston; Deputy Planner stated that the Planning Commission should refer to the time line included within the Budget Report for this information.
2. Important Upcoming Meetings: Tributary Team, Maryland Environmental Service (MES) and Maryland Department of the Environment (MDE): Kathleen Freeman; Environmental Planner, stated that a Watershed Planning meeting co-hosted by the Tributary Team will be held on Thursday April 12, 2007 at 7:00 pm and the Caroline County Environmental Health Department along with the Caroline County Planning & Codes Department will be co-hosting a Bay Restoration Fund meeting on Monday April 30, 2007. Mrs. Freeman also stated that currently there are no scheduled meetings with MES or MDE.
3. Upcoming Denton and County Comprehensive Planning Discussions: Shane Johnston; Deputy Planner, stated that the Planning Department composed a letter to send to the Denton Planning Commission requesting the meeting with the Denton Planning Commission regarding the review of the *2006 Denton Comprehensive Plan* be postponed until a new Director of the Caroline County Department of Planning and Codes Administration is hired. The letter stated the following:

Denton Planning Commission & Staff:

Mr. Shane Johnston, acting Director of Planning, is resigning from County service effective April 13, 2007. The Director of Planning & Codes position will need to be advertised, an interview committee formed, and a selection process established, which the Planning Commission believes could take 3 to 6 months or possibly more. Under the circumstances, the Planning Commission is unsure when a technical review of the *2006 Denton Comprehensive Plan* can be completed and when a meeting between the Caroline County Planning Commission and Denton Planning Commission can be scheduled.

In the interim Ms. Tammy Buckle will assume the role of Director of Planning but in an administrative capacity only. The Planning Commission has decided to temporarily suspend all important planning projects and initiatives, including comprehensive planning and inter-jurisdictional processes. Therefore, the Caroline County Planning Commission would like to humbly request that the meeting with the

Denton Planning Commission be postponed until a new Director of the Caroline County Department of Planning & Codes Administration is hired.

The Caroline County Planning Commission reiterates its position that inter-jurisdictional cooperation and dialogue with Denton is critical for the County's future. We hope you understand the reasons for this delay and apologize. The Planning Commission looks forward to establishing a new meeting date in the near future. If you have any questions or concerns, please feel free to contact Ms. Tammy Buckle at 410-479-8100.

Motion: Robert Jester made a motion for the Caroline County Planning Commission to sign the letter and forward it onto the Denton Planning Commission.

Second: Ann Collier seconded the motion.

In Favor: All members were in favor.

Shane Johnston; Deputy Planner, stated that the Planning Department composed a letter to send to Anne Ogletree; Representative of the Fuch's Farm, requesting to temporarily suspend any discussion or presentation related to the potential development of the Fuchs Farm until a new Director of the Caroline County Department of Planning and Codes Administration is hired. The letter stated the following:

Dear Ms. Ogletree:

The Caroline County Planning Commission would like to inform you that Mr. Shane Johnston, acting Director of Planning, is resigning from County service effective April 13, 2007. The Director of Planning & Codes position will need to be advertised, an interview committee formed, and a selection process established, which the Planning Commission believes could take 3 to 6 months or possibly more.


In the interim Ms. Tammy Buckle will assume the role of Director of Planning but in an administrative capacity only. The Planning Commission has decided to temporarily suspend all important planning projects and initiatives, including any discussion or presentation related to the potential development of the Fuchs Farm as per your January 10, 2007 letter. When a new Director of Planning & Codes is hired, the Planning Department will contact you to establish a time when New Hope Investors LLC can present conceptual plans for the Fuchs Farm to the Planning Commission.

The Planning Commission would like to thank you for your patience during this difficult transition. If you have any questions, please feel free to contact Ms. Tammy Buckle at 410-479-8100.

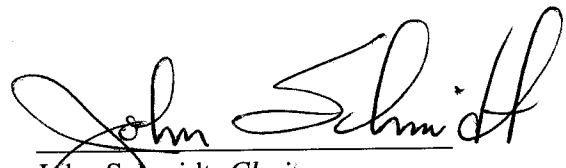
Motion: Robert Jester made a motion for the Caroline County Planning Commission to sign the letter and forward it onto Anne Ogletree.
Second: Chris Williams seconded the motion.
In Favor: All members were in favor.

4. Geographic Information System (GIS) Initiatives and Mapping Needs: Shane Johnston; Deputy Planner, stated that this will currently be on hold until someone is hired to take the project over.
5. State Proposed Impervious Surface Tax: Shane Johnston; Deputy Planner, stated that the State is proposing to charge developers an Impervious Surface Tax, and advised the Planning Commission to stay updated on the topic. Kathleen Freeman; Environmental Planner, stated that the proposed tax did not pass.

There being no further business, the meeting was adjourned at 10:15 pm.



Tammy Buckle
Executive Secretary
Acting Planning Director



John Schmidt, Chairman



Denise Breeding
Recording Secretary