

MEETING SUMMARY
Carroll County Planning and Zoning Commission

November 19, 2019

Location: Carroll County Office Building

Members Present: Richard Soisson, Chair
Cynthia L. Cheatwood, Vice Chair
Jeffrey A. Wothers
Eugene A. Canale
Daniel E. Hoff
Janice R. Kirkner
Michael D. Gosnell, Alternate
Ed Rothstein, Ex-officio

Members Absent:

Present with the Commission were the following persons: Lynda Eisenberg, Cody Spaid, Clare Stewart and Laura Bavetta, Department of Planning; Clay Black, Laura Matyas, Kierstin Eggerl and David Becraft, Development Review and Gail Kessler, County Attorney's office.

CALL TO ORDER/WELCOME

Chair Soisson called the meeting to order at approximately 9:05 a.m.

ESTABLISHMENT OF QUORUM

Laura Bavetta took attendance and noted that seven members of the Board were present, and a quorum was in attendance.

REVIEW AND APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES

On motion of Mr. Wothers, seconded by Ms. Kirkner and carried, the Minutes from the October 15, and October 30, 2019 meetings were approved.

COMMISSION MEMBER REPORTS

A. COMMISSION CHAIRMAN

Chair Soisson reported that he approved two plans since the last meeting; Lake Memorial Park Mausoleum and MG Fulton Services.

B. EX-OFFICIO MEMBER

Commissioner Rothstein updated the Commission on the Comprehensive Rezoning process. Commissioner Rothstein also discussed an initiative by Bryan Lyburn, Habitat for Humanity, and forming a community group to look at affordable housing in the county.

C. OTHER COMMISSION MEMBERS

There were no other reports.

ADMINISTRATIVE REPORT

A. ADMINISTRATIVE MATTERS

Secretary Eisenberg discussed affordable housing as it pertains to the Master Plan. Secretary Eisenberg reported that she and Clay Black will be attending the Freedom Redistricting Committee meeting on November 20, 2019. Secretary Eisenberg introduced new Planning Department staff members; Hannah Weber and David Boellner. Secretary Eisenberg also discussed the comprehensive rezoning effort, a joint Planning Commission/BZA meeting, and other elements of the 2020 work plan.

Commissioner Rothstein reported there will be a meeting between the Commissioners and the City of Westminster to discuss water allocation.

B. EXTENSIONS

There were no extensions to report. Clay Black reported staff will present information regarding Use-in-Common driveways at a future work session.

C. BZA CASES

Cody Spaid reported four cases were heard last month Case No. 6191, Case No.6192, Case No.6193 and Case No. 6194. Mr Spaid reported one case is being reconsidered in December, Case No. 6167.

D. OTHER

There were no other reports.

ELECTION OF COMMISSION CHAIR, VICE CHAIR AND SECRETARY

Mr. Hoff nominated Lynda Eisenberg for the Board position of Secretary. The motion was seconded by Mr. Canale and approved.

Mr. Soisson passed the gavel to Secretary Eisenberg for the election of Chair. Secretary Eisenberg declared the nominations open for the office of Chair. Mr. Hoff nominated Cynthia L. Cheatwood for the Board position of Chair. Ms. Kirkner seconded the nomination. There were no other nominations. Ms. Cheatwood accepted the nomination and was voted in as Chair.

Chair Cheatwood declared the nominations open for the office of Vice Chair. Mr. Wothers nominated Daniel E. Hoff for the office of Vice Chair. Mr. Canale seconded the nomination. There were no other nominations. Mr. Hoff accepted the nomination and was voted in as Vice Chair.

ADMINISTRATIVE RULES – PRELIMINARY DISCUSSION

On motion of Mr. Soisson, seconded by Mr. Wothers and carried, the Commission voted to approve the Administrative Rules with no changes.

PROPOSED 2020 MEETING DATES

On motion of Mr. Hoff, seconded by Mr. Wothers and carried, the Commission voted to remove the December 30th meeting date and approve the 2020 Meeting dates.

RECESS

BICYCLE – PEDESTRIAN MASTER PLAN – APPROVAL RESOLUTION

Clare Stewart presented a summary of the process since the Planning Commission Accepted the plan. Ms. Stewart reviewed the changes to the Accepted Plan and outlined the next steps. The plan will be adopted by the Board of County Commissioners as part of the Transportation Master Plan.

On motion of Mr. Soisson, seconded by Mr. Wothers and carried, the Commission voted to Approve the Resolution.

SPECIAL REPORT

SUBJECT: FX-15-0001 – The Offutt Place, Lot 4
LOCATION: 941 Kayley Drive, Eldersburg, MD 21784; E.D. 5
OWNER: John and Sarah Hunt, 941 Kayley Drive, Eldersburg, MD 21784
DEVELOPER: same as owner
SURVEYOR: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: R-10,000
ACREAGE: 0.2786 acres

❖ Action Requested:

The plan is before the Planning and Zoning Commission with a request from a lot owner for a modification to the Commission-recommended, approved landscaping on Lot 4 of The Offutt Place subdivision.

❖ Existing Conditions:

941 Kayley Drive is built with a single-family residence on Lot 4 of The Offutt Place, recorded in Plat Book 54, Page 255 (plat attached). The property accesses Freedom Avenue from a use-in-common drive, Kayley Drive. At the rear of the property, Erna Drive is configured with a ninety degree turn to provide access to Lots 5 -9 of the subdivision.

❖ Project History & Request:

A preliminary plan of subdivision was presented to the Planning and Zoning Commission on June 16, 2015 (meeting minutes attached). At that meeting, Daniel E. Hoff, Commission member, asked whether consideration had been given to screening the rear yards of Lots 2, 3, and 4 from the adjacent use-in-common drive (now named Erna Drive). Although not necessary for compliance with landscape requirements for the subdivision, trees were added at the rear yards of Lot 2 and Lot 4 on the final plan set in response to the concern (plan attached).

The Chair was empowered by the Commission to approve the final plan. Final approval was granted on February 17, 2016.

In accordance with the construction drawings, the trees were planted along the rear lot line of 941 Kayley Drive. The owner is requesting removal of the non-required

landscaping (letter attached). Whereas the trees were a recommendation of the Planning and Zoning Commission, the Commission has the authority to grant the request.

Staff and the property owner are requesting a determination regarding the removal of the landscaping at the rear property line of Lot 4 of The Offutt Place.

Discussion:

Laura Matyas presented the staff report.

Ryan Humphrey, Developer, and John Hunt, Owner, were present.

Decision:

On motion of Mr. Wothers, seconded by Mr. Soisson and carried, the Commission voted to approve the request for modification to the approved landscaping on Lot 4 of the final plan.

SPECIAL REPORT

SUBJECT: M-19-0068, Harry G. Shaffer Subdivision, Resubdivision of Tract 3
LOCATION: 2926 Hoffman Mill Road, Hampstead, MD 21074; Election District 8
OWNER: Joan Leslie Gailey, 2926 Hoffman Mill Road, Hampstead, MD 21074
DEVELOPER: Allison & Adam Milosz, 2926 Hoffman Mill Road, Hampstead, MD 21074
ENGINEER: RTF Associates, Inc., 142 East Main Street, Westminster, MD 21157
ZONING: Agricultural
ACREAGE: 17.184 acres
WATERSHED: Liberty Reservoir
NO. OF LOTS: 1
FIRE DISTRICT: Hampstead Volunteer Fire Company
MASTER PLAN: Agriculture- 2014 Carroll County Master Plan
PRIORITY
FUNDING AREA: Outside
DESIGNATED
GROWTH AREA: Outside

❖ Action Requested:

The project is before the Planning and Zoning Commission per Chapter 155.025(L) for review and determination of modification of the code requirements regarding the width of a use-in-common driveway. **Action is requested.**

❖ Property Overview:

The subject property is a 17.2-acre tract of land, identified as “Tract 3” of the Harry G. Shaffer subdivision recorded in Plat Book 9, Page 83 (attached). It lies on the north side of Hoffman Mill Road, approximately 1.1 mile to the west of the Town of Hampstead and 1 mile south of Hampstead-Mexico Road. The property is improved with one dwelling, which is accessed via a paved driveway that connects to Hoffman Mill Road to the south. The driveway is also utilized

by the residence between the subject property and Hoffman Mill Road by means of a deeded right of way.

The property is relatively flat, with exception of the northwestern-most corner which slopes downhill. The entire length of the driveway is also generally flat. The curtilage area of the existing dwelling and a portion of the driveway are wooded, and the remainder of the property is an open field.

The property and the adjoining properties are zoned Agricultural. Most adjoining properties contain dwellings, and others are in use for agricultural purposes. Areas of Conservation zoning are also located nearby to the east and south and are also used for a mix of residential and agricultural purposes. The property utilizes private water and sewer and it does not contain any streams or floodplains. It lies outside of the designated growth area of Hampstead and is not within a Priority Funding Area.

❖ **Plan Review:**

On August 22, 2019, a minor subdivision plan for the subject property was submitted to create one new lot. A request for modification to the use-in-common driveway requirements was also submitted at that time (attached).

An existing 10-foot wide driveway currently provides access from Hoffman Mill Road to two dwellings; one user is located on the subject property, and the other is on a separate property which has right-of-way over the driveway. The proposed subdivision is subject to all applicable codes and regulations, including those regarding the width of the use-in-common driveway.

Article XIV within the Development Review Manual and the plate illustrations within the Department of Public Works Design Manual specify that use-in-common driveways have a minimum width of 12-feet. The developer is requesting a waiver from the requirement to widen the existing paved driveway from 10' to 12'.

Ordinance No. 2013-10, passed on November 14, 2013, amended the Code of Public Local Laws and Ordinances of Carroll County Chapter 155.025 adding section "L" as shown below. Determination of a modification to the above-mentioned requirements on a use-in-common driveway lies with the Planning and Zoning Commission.

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

(L) **Modifications.** Where the Planning Commission finds that because of unusual circumstances of shape and topography or other physical features or conditions of the proposed subdivision, or because of the nature of adjacent developments, extraordinary hardship may result from strict compliance with the UIC design requirements of this § 155.025 and the Development Review Manual, there may be granted a modification when requested by the subdivider or developer. However, no such modification shall be granted which will have the effect of nullifying the intent and purpose of the Master Plan, the zoning regulations, this chapter or any other pertinent rules, regulations or laws of the county. Prior to considering such requests, the Planning Commission shall refer the matter for technical agency review, which will include the Office of Public Safety, which may request that the Fire Chief of the first due fire department provide input. In granting modifications, the Planning Commission will consider the comments from the technical review agencies and may require such conditions as will, in its judgment, secure substantially the objectives of the standards of the requirements so waived or Chapter

155, Development and Subdivision of Land modified. The applicant shall submit a written request for a modification to the county. The request shall include the specific conditions necessitating a modification and include supporting documentation. Any modification for a particular subdivision or development shall be noted on the final plat and appear in the records of the Division.

(2004 Code, § 103-11) (Ord. 04-14, passed 4-20-2004; Ord. 09-01, passed 4-7-2009; Ord. 2013-10, passed 11-14-2013)

Although the paved driveway is existing, the property is being divided via the subdivision process and Chapter 155 requirements are applicable. A Declaration of Maintenance Obligations for the shared driveway will need to be recorded with recordation of the subdivision plat.

The waiver request was forwarded to the Office of Public Safety and Engineering Review who have responded with no objection to the above-mentioned request. Engineering Review has provided a memorandum in which they provide comments regarding additional construction to the driveway (attached).

Staff and the developers are requesting a determination from the Commission regarding the waiver of the above-mentioned criteria noted within the Development Review Manual.

Following a determination from the Commission, the plans will continue through the minor subdivision process.

Discussion:

Kierstin Eggerl presented the staff report.

Joan Gailey, Owner, and Jon Lemmerman, Surveyor, were present.

Mr. Lemmerman briefed the Commission on the history of the plan and explained the reasoning for the request.

Mr. Wothers specified details that outline the extraordinary hardship the applicant would endure should the modification not be granted.

Decision:

On motion of Mr. Wothers, seconded by Ms. Kirkner and carried, the Commission voted to grant the modification request as presented.

RECESS

The Commission omitted the recess and continued with the Agenda.

PRELIMINARY SUBDIVISION PLAN

SUBJECT: P-17-0058 – Hearl’s Farm (formerly Condon Property)
LOCATION: West side of Ridge Road (MD Route 27), north of West Liberty Road (MD Route 26), E.D. 9
OWNER: Charles Burgess Condon & Hearl G. Condon, 205 Flower Court, Mt. Airy, MD 21771
DEVELOPER: same as owner
SURVEYOR: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: Agricultural

ACREAGE: 53.39 acres
WATERSHED: Double Pipe Creek & Lower Monocacy River
NO. OF LOTS: 5 lots + Remaining Portion
FIRE DISTRICT: Winfield
MASTER PLAN: Agriculture & Village Residential
PRIORITY
FUNDING AREA: Outside
DESIGNATED
GROWTH AREA: Outside
SEWER/WATER
DISTRICT: Outside
PUBLIC FACILITIES IMPACTED
SCHOOLS: Winfield Elementary
Mount Airy Middle
South Carroll High
ROADS: Ridge Road
FIRE & EMS: Winfield
POLICE: Maryland State Police/Carroll County Sheriff's Office

❖ **Action Requested:**

Two actions are required:

1. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County.
2. Approval of the Preliminary Plan of Subdivision pursuant to Chapter 156, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County

❖ **Existing Conditions:**

The subject property is comprised of four parcels of undeveloped land in the Agricultural zoning district. Two off-conveyances were processed through the County and created in 2017. All four parcels and the two off-conveyances are owned by the Condons. The land is gently rolling open cropland with the exception of the northernmost parcel being wooded.

The property is outside of Designated Growth Areas, Priority Funding Areas, and water and sewer service areas.

The subject property and adjoining properties to the west, north, and south are zoned Agricultural. Adjoining the south along Ridge Road are General Business-zoned (B-G) properties which have been developed. Across Ridge Road to the east are additional businesses as well as single-family residences in the R-40,000 zoning district. All properties are served by well and septic systems.

❖ **Plan Review:**

The developer proposes to utilize the available yield of the four parcels to create five residential lots of subdivision and a Remaining Portion. Lots are depicted in a concentrated area near a proposed 12-foot-wide use-in-common (UIC) drive, Amelia Drive, from Ridge Road (MD Rt. 27). Remaining acreage from all parcels will be consolidated with the Remaining Portion. While the Remaining Portion has additional lot rights, the design of Hearl's Farm would necessitate lot reconfiguration to attain the frontage to further subdivide. Lots will be served by private well and septic systems.

The State Highway Administration has no objection to the access from MD Route 27. Code permits a maximum of seven users on a use-in-common driveway in the Agricultural district. The plan proposes six users on the UIC; five lots and the Remaining Portion. A Declaration of Maintenance Obligations for the shared drive will be recorded.

The plan was reviewed by the Bureau of Comprehensive Planning and determined consistent with the 2014 Carroll County Master Plan designations of Agriculture and Village Residential.

The plan is exempt from the Floodplain and Water Resources codes. No landscaping is required. Forest Conservation will be addressed with on-site retention on the Remaining Portion. Requirements for stormwater management will be met with drywells, a wide shoulder at the UIC, and a swale to convey runoff downhill towards Liberty Road. Whereas the swale will convey stormwater southward onto the Condon off-conveyance, a right-to-discharge was provided by Mr. Condon to protect the diversion.

The plan was subject to citizen involvement during a regularly held meeting of the Technical Review Committee on October 23, 2017. One citizen signed in and was seeking information on the plan proposal.

On April 17, 2018, the Planning and Zoning Commission reviewed the concept plan (minutes attached). No citizens spoke and there was no discussion by the Commission.

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the preliminary plan subject to the following conditions:

1. That the Owner/Developer enters into a Public Works Agreement with Carroll County that guarantees completion of any required improvements.
2. That a Declaration of Maintenance Obligations for the use-in-common driveway serving Lots 1, 2, 3, 4, 5, and the Remaining Portion, be recorded simultaneously with recordation of the subdivision plat.
3. That a Forest Conservation Easement be granted to the County Commissioners of Carroll County simultaneously with recordation of the subdivision plat.
4. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with recordation of the subdivision plat.

5. That any area labeled as a drainage easement be granted to the County Commissioners of Carroll County by deed to be recorded simultaneously with recordation of the subdivision plat.
6. That any changes to the Preliminary Plan as submitted and approved by the Commission herein shall be resubmitted to the Commission for further review and approval.

CONCURRENCY MANAGEMENT REPORT

❖ Background:

Pursuant to Chapter 156 of the Code of Public Local Laws and Ordinances, once the Department has determined that the residential development plan may be presented to the Commission, the plan is reviewed for Available Threshold Capacity.

❖ Agency Responses:

Police Services:

The estimated Carroll County population as of September 30, 2019 was 168,029. There are currently 238 sworn law officers with 18 positions currently in training; an additional 13 positions are funded. Based on a total of 269 funded positions, the ratio of law enforcement positions to Carroll County population as of the end of September 2019 was 1.60. Based on a total of 256 positions, the ratio of sworn law enforcement positions to Carroll County population as of the end of September 2019 was 1.52. Including the development projects in the pipeline along with the funded positions, the ratio will be over 1.3. Services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1,000.

Schools:

The proposed subdivision is located in the Winfield Elementary, Mt. Airy Middle, and South Carroll High attendance areas. In accordance with the criteria established in Chapter 156, all schools are rated adequate for Fiscal Years 2020-2025.

The January 2019 enrollment projections, prepared by Carroll County Public Schools, indicate that Winfield Elementary had an actual enrollment of 85.2% of state-rated capacity. The projections indicate that enrollment increases to 91.4% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 65 buildable lots in the attendance area that have either been recorded since the adoption of the Concurrency Ordinance (3/5/98) or are currently in the review process. An elementary school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

The January 2019 enrollment projections indicate that Mt. Airy Middle had an actual enrollment of 90.5% of functional capacity. The projections indicate that enrollment increases to 103.1% of functional capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 126 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are

currently in the review process. A middle school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the functional capacity.

The January 2019 enrollment projections indicate that South Carroll High had an actual enrollment of 77% of state-rated capacity. The projections indicate that enrollment will decrease to 76% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 126 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are currently in the review process. A high school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

Fire and Emergency Medical Services:

The proposed subdivision is located in the Winfield fire and emergency medical services district. The Available Threshold Capacity form and preliminary plan were delivered to the appropriate agency for review and comment. Comments were not received within the allotted timeframe, therefore, per Chapter 156-6 D(2)(c) pertaining to a preliminary plan, “if no response is received from any applicable agency within 30 days of the date the Department distributes the ATC form, the ATC shall be presumed adequate for the particular facility or service for which no response was received”.

Roads:

Ridge Road is rated adequate.

❖ **Chapter 156 Recommendation:**

With regard to a preliminary plan, Chapter 156.06D(4)(c) states “If all public facilities and services are adequate during the current CIP, the Planning Commission may approve the plan to proceed to the final plan stage and issue a recordation schedule and building permit reservations, subject to a building permit cap adopted by the County Commissioners in effect at the time of application for building permits.”

Pursuant to Chapter 156, staff recommends that the Planning Commission approve the preliminary plan with conditions as follows:

1. Police, schools, roads, and fire and emergency medical services are considered adequate;
2. the building permit reservation is for 5 lots in FY20, subject to modification at the final plat stage;
3. the recordation schedule requires the plat to be recorded within 24 months of preliminary approval;
4. the building permit reservation is allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.

Discussion:

Laura Matyas presented the staff report.

Linda Alexander, CLSI and Charles Condon, Owner/Developer, were present.

Mr. Hoff and Ms. Matyas discussed the lot right that will remain. Ms. Matyas stated there will be one lot right left but it will not have road access

Mr. Canale noted the entrance from Ridge Road and questioned whether accommodations will be made for an acceleration/deceleration lane.

Ms. Alexander stated a double wide entrance will be required by State Highway, not an acceleration/deceleration lane. Ms. Alexander stated the speed limit has been reduced and it will meet site distance requirements.

Decision:

On motion of Mr. Wothers, seconded by Mr. Hoff and carried, the Commission voted to approve the Preliminary Plan in accordance with Chapter 155 and subject to the six conditions outlined in the staff report. Mr. Canale opposed.

On motion of Mr. Wothers, seconded by Ms. Kirkner and carried, the Commission voted to approve the Preliminary Plan in accordance with Chapter 156 and subject to the four conditions outlined in the staff report. Mr. Canale opposed.

PRELIMINARY/FINAL SUBDIVISION PLAN

SUBJECT: FX-19-0004 – 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
PUBLIC FACILITIES IMPACTED
SCHOOLS: Winfield Elementary
Mount Airy Middle
South Carroll High
ROADS: Salem Bottom Road
FIRE & EMS: Winfield
POLICE: Maryland State Police/Carroll County Sheriff's Office

❖ **Action Requested:**

Two actions are required:

3. Approval of the Preliminary and Final Plan of Subdivision pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County.
4. Approval of the Preliminary and Final Plan of Subdivision pursuant to Chapter 156, *Adequate Public Facilities and Concurrency Management*, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **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. 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 (plat 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 from Salem Bottom Road, which serves the five lots in the Rose Acres. A Declaration of Maintenance Obligations and ingress and 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.

❖ **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. With the subdivision, all lot yield will be exhausted.

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.

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. Grading Review and all other agencies have approved the plan.

The plan was subject to citizen involvement during a regularly held meeting of the Technical Review Committee on February 25, 2019. On March 19, 2019, the Planning and Zoning Commission reviewed the concept plan of subdivision (minutes attached). No citizens signed in or spoke at either meeting.

❖ **Recommendations:**

Pursuant to Chapter 155, staff recommends approval of the preliminary plan subject to the following conditions:

1. That the Owner/Developer enters into a Public Works Agreement with Carroll County that guarantees completion of any required improvements.
2. That a Declaration of Maintenance Obligations to include Lot 6 be recorded simultaneously with the recordation of the subdivision plat.
3. That a Stormwater Management Conservation Area Easement, with a total acreage of 0.388 acres, shall be granted to the County Commissioners of Carroll County by a deed to be recorded simultaneously with the recordation of the subdivision plat.
4. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneously with recordation of the subdivision plat.
5. That any changes to the Preliminary Plan as submitted and approved by the Commission herein shall be resubmitted to the Commission for further review and approval.

CONCURRENCY MANAGEMENT REPORT

❖ **Background:**

Pursuant to Chapter 156 of the Code of Public Local Laws and Ordinances, once the Department has determined that the residential development plan may be presented to the Commission, the plan is reviewed for Available Threshold Capacity.

❖ **Agency Responses:**

Police Services:

The estimated Carroll County population as of September 30, 2019 was 168,029. There are currently 238 sworn law officers with 18 positions currently in training; an additional

13 positions are funded. Based on a total of 269 funded positions, the ratio of law enforcement positions to Carroll County population as of the end of September 2019 was 1.60. Based on a total of 256 positions, the ratio of sworn law enforcement positions to Carroll County population as of the end of September 2019 was 1.52. Including the development projects in the pipeline along with the funded positions, the ratio will be over 1.3. Services are adequate if the projected ratio of sworn law enforcement officers to population is 1.3:1,000.

Schools:

The proposed subdivision is located in the Winfield Elementary, Mt. Airy Middle, and South Carroll High attendance areas. In accordance with the criteria established in Chapter 156, all schools are rated adequate for Fiscal Years 2020-2025.

The January 2019 enrollment projections, prepared by Carroll County Public Schools, indicate that Winfield Elementary had an actual enrollment of 85.2% of state-rated capacity. The projections indicate that enrollment increases to 91.4% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 65 buildable lots in the attendance area that have either been recorded since the adoption of the Concurrency Ordinance (3/5/98) or are currently in the review process. An elementary school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

The January 2019 enrollment projections indicate that Mt. Airy Middle had an actual enrollment of 90.5% of functional capacity. The projections indicate that enrollment increases to 103.1% of functional capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 126 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are currently in the review process. A middle school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the functional capacity.

The January 2019 enrollment projections indicate that South Carroll High had an actual enrollment of 77% of state-rated capacity. The projections indicate that enrollment will decrease to 76% of state-rated capacity by the end of the 6-year CIP cycle. In this attendance area, there are approximately 126 buildable lots in the attendance area that have either been recorded since the adoption of Concurrency Management (3/5/98) or are currently in the review process. A high school serving a proposed project is adequate, for the purposes of Chapter 156, when current or projected enrollment equals or is less than 109% of the state-rated capacity.

Fire and Emergency Medical Services:

The proposed subdivision is located in the Winfield fire and emergency medical services district. The Available Threshold Capacity form and preliminary plan were delivered to the appropriate agency for review and comment. Comments were not received within the allotted timeframe, therefore, per Chapter 156-6 D(2)(c) pertaining to a preliminary plan, "if no response is received from any applicable agency within 30 days of the date the Department distributes the ATC form, the ATC shall be presumed adequate for the particular facility or service for which no response was received".

Roads:

Salem Bottom Road is rated adequate.

❖ **Chapter 156 Recommendation:**

As this is a one-lot subdivision with no County road improvements, the preliminary plan and final plan were simultaneously processed and reviewed.

With regard to a preliminary plan, Chapter 156.06D(4)(c) states “If all public facilities and services are adequate during the current CIP, the Planning Commission may approve the plan to proceed to the final plan stage and issue a recordation schedule and building permit reservations, subject to a building permit cap adopted by the County Commissioners in effect at the time of application for building permits.”

Pursuant to Chapter 156, staff recommends that the Planning Commission approve the preliminary plan with conditions as follows:

5. Police, schools, roads, and fire and emergency medical services are considered adequate;
6. the building permit reservation is for 1 lots in FY20, subject to modification at the final plat stage;
7. the recordation schedule requires the plat to be recorded within 24 months of preliminary approval;
8. the building permit reservation is allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.

With regard to the final plan, Chapter 156.06-E(4)(e) states “For projects that received a recordation schedule and building permit reservations at the preliminary plan stage, the Planning Commission’s Secretary shall inform the developer whether any existing or proposed building permit cap would be applicable to the project.” There is no existing or proposed building permit cap that would be applicable to this project.

Pursuant to Chapter 156, staff recommends that the Planning Commission approve the final plan with the following conditions:

1. The building permit reservation is for 1 lot in FY20; provided the plat is recorded prior to any permits being issued;
2. The recordation schedule requires the plat to be recorded within 24 months of preliminary plan approval;
3. The building permit reservations are allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.

Discussion:

Laura Matyas presented the staff report.

Jon Lemmerman, Surveyor, and Lisa Hinton, Owner, were present.

Mr. Lemmerman asked if there is a need for the Public Works Agreement.

Mr. Black stated that condition can be addressed during the building permit process and the Commission can state that as part of their vote.that condition can be removed from the staff report.

Mr. Hoff questioned if the declaration needs to be signed by all users. Mr. Lemmermen stated it will be addressed during the process.

Decision:

On motion of Mr. Hoff, seconded by Mr. Kirkner and carried, the Commission voted to approve the Preliminary and Final Plan in accordance with Chapter 155 and subject to the five conditions outlined in the staff report with the modification regarding the Public Works Agreement review.

On motion of Mr. Hoff, seconded by Mr. Wothers and carried, the Commission voted to approve the Preliminary Plan in accordance with Chapter 156 and subject to the four conditions outlined in the staff report.

On motion of Mr. Hoff, seconded by Ms. Kirkner and carried, the Commission voted to approve the Final Plan in accordance with Chapter 156 and subject to the three conditions outlined in the staff report.

RECESS

FINAL SUBDIVISION PLAN

SUBJECT: FX-17-0005, Heird Ridge & Amended Plat of Lot 1, Buchman Ridge
LOCATION: East side of Houcksville Road, North of Weaver's Lane, E.D. 8
OWNER: Steven Buchman Heird and Jesse Heird, 2728 Chestnut Run Road, York, PA 17402
DEVELOPER: same as owner
SURVEYOR: CLSI, 439 East Main Street, Westminster, MD 21157
ZONING: Agriculture
ACREAGE: 30.62 acres
WATERSHED: Liberty Reservoir
NO. OF LOTS: 5 new lots, 1 amended lot, and 1 remaining portion
FIRE DISTRICT: Hampstead
MASTER PLAN: Agriculture
PRIORITY
FUNDING AREA: outside
DESIGNATED
GROWTH AREA: outside
PUBLIC FACILITIES IMPACTED
SCHOOLS: Hampstead Elementary
Shiloh Middle
Manchester Valley High
ROADS: South Houcksville Road
FIRE & EMS: Hampstead
POLICE: Carroll County Sheriff's Office / Maryland State Police

❖ **Action Required:**

Two actions are required:

1. Approval of the Final Plan of Subdivision pursuant to Chapter 155, *Development and Subdivision of Land*, of the Code of Public Local Laws and Ordinances of Carroll County.
2. Approval of the Final Plan of Subdivision pursuant to Chapter 156, *Adequate Public Facilities and Concurrency Management*, of the Code of Public Local Laws and Ordinances of Carroll County.

❖ **Existing Conditions:**

The subject property is vacant. The property is made up of Lot 1 of Buchman Ridge which was created in 2009 (plat attached), two off-conveyances that were created in 1997, and two parcels from a multi-parcel deed. The off-conveyances are 4.80 acres and 4.71 acres in size and the parcels are 9.03 acres and 10.02 acres in size. There are several single-family homes and farm buildings located in the vicinity of this property. This property and all adjoining properties are zoned Agricultural and are served by private wells and septic systems. A property immediately to the south is under a Carroll County Land Trust easement. Immediately to the north is a property in a Maryland Agricultural Land Preservation Foundation Easement. An existing driveway runs over the southernmost portion of the property for access to several properties to the east of the subject property. There are no proposed changes to this right-of-way.

❖ **Plan Review:**

The developer proposes to reconfigure the off-conveyance lots and subdivide the two parcels, creating a total of five lots plus a remaining portion with this development. A minimum of thirty feet of in-fee frontage is required for a property to be subdivided. Adequate frontage for this subdivision is being provided by amending Lot 1 of Buchman Ridge.

The lots range in size from 1.64 acres to 2.27 acres. The remaining portion is 18.27 acres. All lots and the remaining portion will be accessed via Buchman Drive, a use-in-common driveway (UIC), from Houcksville Road. The driveway will have a total of seven users; the five new lots, Lot 1A of Buchman Ridge, and the remaining portion. Parcel A, which is 0.0093 acres in size, will be dedicated to Carroll County for frontage along Houcksville Road. With this subdivision, the lot yield will be exhausted.

The proposed land use is consistent with the 2014 Carroll County Master Plan land use designation of Agriculture.

The development is exempt from the requirements of the Floodplain code. To address Stormwater Management (SWM), drywells will be installed on all lots and a storm drain pipe will route along the use-in-common driveway to discharge onto the remaining portion. There is no landscaping requirement for this development. Forest Conservation will be addressed with the planting of 2.30 acres off-site.

The subdivision plan was subject to Citizen's Involvement on August 27, 2012 during the Technical Review Committee (TRC) meeting. Several citizens stopped into the Bureau of Development Review to go over the proposed plan before the TRC meeting, but no written comments were submitted, and no citizens spoke at the TRC meeting.

The concept plan was presented to the Planning and Zoning Commission at their meeting on September 18, 2012. At their February 19, 2013 meeting, the Commission approved the Preliminary plan pursuant to Chapter 155. With regard to concurrency, fire and emergency services were approaching inadequate and in accordance with the Code, the Commission conditionally approved the Preliminary plan pursuant to Chapter 156 (minutes attached).

📖 **§ 156.06 APPROVAL PROCESS.**

(D) Preliminary process.

(4) Planning Commission adequacy determination.

(b) Conditional approval. If a public facility or service is inadequate and a relief facility is planned in the six-year CIP to address the inadequacy or mitigation is accepted by the county pursuant to § [156.06\(B\)](#), or a public facility or service is approaching inadequate during the current CIP, the Planning Commission may conditionally approve the plan to proceed to the final plan stage and issue a tentative recordation schedule and tentative building permit reservations, subject to modification at the final plan stage.

Since the Preliminary plan approval in 2013, five one-year extensions have been granted with a current recordation deadline of February 25, 2020.

❖ **Recommendation:**

Pursuant to Chapter 155, staff recommends approval of the final plan subject to the following conditions:

6. That the Owner/Developer enter into a Public Works Agreement with Carroll County that guarantees completion of any required improvements.
7. That a Stormwater Management Easement and Maintenance Agreement be granted to the County Commissioners of Carroll County as an easement of access to the County Commissioners or authorized representatives by a deed to be recorded simultaneous with recordation of the plat.
8. That the area shown as Parcel B be conveyed to the County Commissioners of Carroll County upon acceptance of the facilities by the County.
9. That a Stormwater Management Easement be granted to the County Commissioners of Carroll County as an easement of access to Parcel B via Buchman Drive for the County Commissioners or authorized representatives by a deed to be recorded simultaneous with recordation of the plat.
10. That the area shown as Parcel A be conveyed to the County Commissions of Carroll County by a deed to be recorded simultaneous with recordation of the subdivision plat.

CONCURRENCY MANAGEMENT REPORT

❖ **Background:**

When the Department determined that the preliminary plan could be presented to the Planning and Zoning Commission, Available Threshold Capacity forms were distributed for completion. The project was tested for schools, police, fire and EMS, and roads. Schools, police, and roads facilities and services were found to be adequate. Fire and EMS was found

to be approaching inadequate. Accordingly, the Planning Commission granted conditional approval of the preliminary plan under Chapter 156 at the February 19, 2013 meeting.

❖ **Threshold Review:**

Fire and Emergency Medical Services:

The proposed subdivision is located in the Hampstead emergency services district. Emergency services data is not yet available from the Office of Public Safety; therefore, assessment of the standard is unable to occur. If no response is received from any applicable agency within 30 days of the date the Department distributes the ATC form, the ATC shall be presumed adequate for the particular facility or service for which no response was received.

❖ **Chapter 156 Recommendation:**

With regard to the final plan, Chapter 156.06-E(4)(c) states “If adequacy was not determined by the Planning Commission at the preliminary plan stage and the Planning Commission determines that all public facilities and services are adequate, the Planning Commission may approve the plan and issue a recordation schedule and building permit reservations.

Staff recommends that the Planning Commission approve the final plan with the following conditions:

1. The building permit reservation is for 5 lots in FY20; provided the plat is recorded prior to any permits being issued.
2. The recordation schedule requires the plat to be recorded within 24 months of preliminary plan approval. The preliminary plan was approved on February 19, 2013 with a written approval date of February 25, 2013.
3. The building permit reservations are allowed to roll over year after year until the sunset provision takes effect and the preliminary plan becomes void.

Discussion:

Laura Matyas presented the staff report.

Clark Shaffer, Attorney, Jesse and Steve Heird, Owners, and Jeff Ziegler, CLSI were present.

Ms. Matyas stated staff is no longer seeking approval of the final plan in accordance with Chapter 156 due to the reduction of lots.

Mr. Hoff suggested a record detailing the how the number of lots were configured be added to the plat for clarity.

Mr. Canale asked if the declaration of maintenance obligation is covered in Item 2.

Ms. Matyas stated that a declaration of maintenance obligation needs to be added as a condition.

Mr. Hoff suggested the use-in-common driveway be widened from the beginning due to the plans for future use.

Mr. Shaffer stated the driveway will be widened in future plans.

Ms. Matyas clarified that two lots are off conveyances and not subject to Concurrency Management and the remaining three lots are a Minor Subdivision and not subject to Concurrency Management.

Decision:

On motion of Mr. Hoff, seconded by Ms. Kirkner and carried, the Commission voted to approve the final plan in accordance with Chapter 155, subject to the five conditions outlined in the staff report and the additional condition regarding the declaration of maintenance agreement.

Clay Black addressed Emergency Services and Mr. Van Fossen provided an explanation on behalf of Mr. Campbell regarding data from fire companies. Mr. Van Fossen stated numbers are currently being vetted. Mr. Black stated Mr. Campbell is expected to attend the next Planning Commission meeting and report on the data.

SPECIAL REPORT

SUBJECT: S-17-0042, Eldersburg Station

LOCATION: Intersection of Londontown Boulevard (south side) and Bevard Road (east side); E.D.5

OWNER: Main Street Eldersburg LLC, MSMI LLC, One West Pennsylvania Avenue, Suite 975, Towson, MD 21204
(Managing member: Dixon Harvey)

DEVELOPER: Black Oak Associates, One West Pennsylvania Avenue, Suite 975, Towson, MD 21204

ENGINEER: DDC Inc., Development Design Consultants, 192 East Main Street, Westminster, MD 21157

ZONING: B-G - General Business

ACREAGE: 7.97 acres

WATERSHED: Liberty Reservoir

FIRE DISTRICT: Sykesville

MASTER PLAN: Commercial High – 2018 Freedom Community Comprehensive Plan

PRIORITY FUNDING AREA: Freedom

DESIGNATED GROWTH AREA: Freedom

❖ **Purpose:**

This project is currently in the final plan review phase and staff is providing an update on the project. The plan does not have all technical agency approval, specifically Stormwater Management, and as such staff is not ready to recommend final plan approval. Staff proposes that the Planning Commission consider delegating final approval to the Chair.

❖ **Existing Conditions:**

The property is located at the southeast quadrant of Londontown Boulevard and Bevard Road. The property is currently vacant of any structures-an open field.

The subject property is located in a Priority Funding Area and a Growth Area. It is in the Freedom Existing / Final public water and public sewer areas. There are no streams or floodplain on site.

All adjoining properties to the west, east, and south are zoned either I-R (Restricted Industrial) or B-G (General Business). A Safeway grocery store is located directly to the west and a Home Depot directly to the north. All properties in this area are served by public water and public sewer systems.

❖ **Plan History:**

A site development plan, Main Street Eldersburg, was previously approved by the Planning Commission in 2008. Although approved by the Commission, no construction ever took place and that project approval expired.

The proposed Eldersburg Station development is located on lots 2A and 3A of Main Street Eldersburg, previously recorded in Plat Book 50 Pages 141 - 143. Existing lots 2A and 3A will be reconfigured by the recording of an amended plat. That plat has been submitted and has received all review agency approvals.

❖ **Plan Review:**

A concept plan of the development proposal was submitted to the Bureau of Development Review and distributed on February 16, 2018. The concept plan was reviewed by the Carroll County Planning and Zoning Commission at the August 21, 2018 Planning Commission meeting (minutes attached). The final plan was submitted and distributed to technical review agencies on January 22, 2019.

The plan identifies two buildings to be constructed: a 12,853 square foot/floor four-story Candlewood Suites Hotel (89 rooms) on amended lot 2B and a one-story 6,000 square foot restaurant on amended lot 3B. The plan meets the requirements of the Zoning Ordinance as hotels and restaurants are principal permitted uses in the B-G (Business General) zoning district.

This plan does not have final approval in accordance with the requirements of Chapter 151, Stormwater Management. The developer has verbally committed to compliance; however, plans have not been submitted that address code requirements.

Access to the site will be by two new access points, a shared entrance from Bevard Road and a shared entrance from Londontown Boulevard. Cross easements will be established for the shared entrance and to permit vehicles to travel between both lots. Based on agency review concept plan comments, the Bevard Road access was redesigned to improve the internal circulation so that vehicles are not stacking onto Bevard Road. Due to the existing Londontown Boulevard median curb, the entrance/exit is right turn only.

Based on the projected trip generations a traffic study was submitted to both the County and the State Highway Administration which identified intersection concerns. A memorandum of understanding has been signed between the Carroll County Department of Public Works and the developer to address the traffic impacts. Improvements considered by Carroll

County Department of Public Works include a roundabout at the Londontown/Bevard intersection.

The State Highway Administration commented "No roadwork is proposed within MDOT SHA right-of-way and none is required. MDOT SHA has no objection to the proposed site development and requires no further review of this development proposal."

Building elevations of the hotel are shown on sheets 36 and 37 of the drawing set. In accordance with § 158.078 (F.) of the Code "No structure shall exceed 50 feet in height..." The height is shown as 47 feet and complies with that requirement. The B-G bulk requirements; however, limits hotel structures to three stories. In ZA-1774 case, the Zoning Administrator on May 2, 2018 granted a variance from three stories to four stories.

Chapter 155 of the Carroll County Code states that parking requirements for a hotel are "1 for each bedroom, plus 1 for each employee on the maximum shift" and restaurants are "1 for every 3 persons, based on maximum capacity". The parking tabulation identifies that the hotel would need 129 spaces; the plan proposes 131 parking spaces. The parking tabulation indicates that the restaurant would need 184 spaces while the plan proposes 187 parking spaces. The parking lots are interconnected with drive aisles and pedestrian walkways.

The hotel building materials and colors are depicted as a variety of earth tones EIFS with a neutral stone veneer base. Architectural elevations are shown on sheets 36 and 37. The restaurant area will be labeled as future restaurant and an amended site plan will be required for this structure at which time the architectural details will be provided.

A 6 feet high retaining wall of approximately 50 feet in length is proposed at the north side of the site and a 6 feet high retaining wall of approximately 100 feet is proposed around the hotel dumpster/loading dock area. Details are included on sheets 38 and 39.

A sidewalk will be constructed along Bevard Road and Londontown Boulevard for the full frontage of the property owned by Main Street Eldersburg (lots 2A, 3A, and 4A). A sidewalk is currently located along Londontown Boulevard beginning at MD Route 32. A pedestrian walkway will provide access between the restaurant and the hotel with marked crosswalks through the parking lot.

One new 26 feet high pylon sign is proposed near the corner of Londontown Blvd. and Bevard Road. An area location is depicted on sheet 2 with sign details shown on sheet 30. The architectural elevations (sheets 36 and 37) show the building mounted hotel signage. 30-foot high pole mounted lights are proposed at new parking areas and building-mounted lights are depicted on both structures. A photometric plan is included in the set on sheet 34. The landscaping plan (sheet 31) also shows the pole locations.

The Bureau of Utilities has approved the plan with an amended plat being processed that relocates/removes easements.

The plan complies with the requirements of fire protection with fire hydrants being provided on site. The building will be sprinklered.

Forest Conservation for the site was previously completed under Main Street Eldersburg development (purchase into an off-site bank). Landscaping is in accordance with the Manual and is shown on sheet 31. Landscaping is proposed at the exterior property lines of the development. Water Resources has approved the final plan. The project is exempt from the requirements of the Floodplain code.

The concept site plan was subject to citizen involvement at the March 26, 2018 meeting of the Technical Review Committee. Four citizens signed in and no one spoke. No citizens spoke at the August 21, 2018 Planning Commission meeting of the concept plan.

The project is consistent with the adopted 2018 Freedom Community Comprehensive Plan.

The final site plan has been tested and reviewed for adequacy of public facilities in accordance with Chapter 155 of the Code of Public Laws and Ordinances of Carroll County Maryland. All facilities are adequate with the memorandum of understanding addressing the traffic concerns.

Discussion:

Clay Black presented the staff report.

Kelly Shaffer, Attorney, Dixon Harvey, Black Oak Associates, Jim Mathias, DDC Inc., Ray Keil, Black Oak Associates, were present.

The Commission discussed sign height.

Ms. Shaffer and Mr. Stein stated the sign height of 26' is consistent with other Route 26 corridor signage.

Mr. Harvey stated the sign will be used for other businesses that may be added to the site.

The Commission expressed the importance of clear signage for the hotel and traffic mitigation for the site.

Mr. Mathias addressed sidewalk, cross walks and lighting surrounding the site.

Chair Cheatwood reviewed a letter from Economic Development in full support of the project.

Sean Hussle, citizen, expressed concerned about security in the area.

Mr. Harvey stated the hotel group will have their own security on-site.

Commissioner Rothstein applauded Black Oak and the Sheriff's Department for working together to address security issues in the area.

Decision:

On motion of Mr. Soisson, seconded by Ms. Kirkner and carried, the Commission voted to delegate approval of the final plan to the Chair.

PUBLIC COMMENT

There was no other public comment.

ADJOURNMENT

On motion of Mr. Canale, seconded by Mr. Soisson and carried, the Commission adjourned at approximately 11:59

Secretary

Approved