

The regular meeting of the Thurmont Planning and Zoning Commission was held on Thursday, June 26, 2003 at 7:30 p.m. Present were: Bryant Despeaux, Chairman; Bill Blakeslee; John Ford; Shirley DePaolis; Jim Laroche; Commissioner Hooper; Jim Gugel; Rick May; Jim Brown; Gary Castle; Mr. & Mrs. Wayne Wivell; John Brown; Glenn Muth and Mayor Burns.

Mr. Despeaux welcomed everyone to the June meeting of the Thurmont Planning and Zoning Commission. He stated Shirley DePaolis would be an alternate member tonight. The May meeting minutes will not be approved tonight they we're just received. The next item on the agenda was the Zoning Inspector's report. Mr. Despeaux turned the meeting over to Mr. Brown.

Mr. Brown stated, "There was thirty six (36) Zoning Certificates issued from May 21st to June 24th 2003 for fifteen (15) single family dwelling units, one (1) residential addition, one (1) commercial accessory use and nineteen (19) residential accessory uses. Zoning Certificates have been issued for seventy seven (77) single family units to June 24th 2003. This compares to thirty four (34) single family dwelling units for the same period in 2002. One hundred and thirty six (136) Zoning Certificates have been issued so far in 2003 and this compares to one hundred and thirteen (113) for the same period last year."

Mr. Despeaux stated the next item on the agenda is the Subdivision Plat for Section One of Pleasant Acres. He turned the meeting over to Mr. Gugel for the staff report (see attached). Mr. May presented the local staff report (see attached). Mr. Gary Castle was present representing the applicant and stated they concur with staff comments. He stated he talked with Rick and Jim earlier about the access to and from lots 34 and 35 and he stated they would like to put a note on the plat as well as what they were doing in the deed but if they put a note on the plat about the future street in there he felt it would make it more of a public notice and he stated they're getting a lot of first time home buyers and when they look at things they don't know what they're looking at so he would like to put an additional note to go on there that would say lots 34 and 35 are denied access to the future stub street until such time that it's completed to Radio Lane and accepted by the Town of Thurmont and then that makes it very clear to anyone that's doing a title research and they'll bring that up at the settlement as opposed to a covenant that many people don't understand when they read them anyway. A discussion was held. Some concerns discussed were problems some of the residents have had in that development, problems with the Storm Water Pond, the final paving in the development and possibly holding the plat up until some of those concerns are addressed. Mr. Castle stated once the paving is done and they get the dirt stabilized and seeded the pond could be converted within a few weeks. Once the pond is converted that will help with some of the concerns. It was stated holding up the plat doesn't do anything but keep the individual lots from being recorded it will not have any effect on the other issues in that development. Mr. May suggested they could direct staff to contact the developer to get a time line for the project. Mr. Glenn Muth commented on the storm pond problem and the concerns that were questioned when he was on the Planning and Zoning Board. Mr. Blakeslee made motion to approve based upon staff recommendations Final Plat Pleasant Acres file THS-

00-2 subject to agency comments plus the additional comment that lots 34 and 35 be denied access to the future stub street until such time as it's supposed to be turned over to the town for connection to Radio Lane. Mr. Ford seconded the motion. Vote – all for. Motion carried.

Mr. Despeaux stated the next item on the agenda was the Fence Text Amendment discussion. Mr. May stated they have mentioned before to get together and look at some different areas and they have never been able to do that and he felt that was critical in reviewing this text amendment. Mr. Brown stated if the board wanted to pick a day he has a intersection picked out where there is clear visibility from all four corners that they could come in from two different streets and it would show the corner lot at the maximum on the truncation and along the side for visibility at 6' height and then he can cut the paper and drop it down each level very easily once he gets it up and he is going to put some steel rebar in the place on the truncation of the corners and back 30' from each side in the location and stretch paper for the visibility so it's a solid fence. Mr. Blakeslee stated if they pick a date and it's raining his next door neighbor which is a corner lot just put a 4' fence and they could visualize it from the front of his house. Mr. Brown stated Mr. Blakeslee's neighbor is well back in his yard but at the intersection he has picked out it would be set up right on the property line so they could see what the maximum effect would be if you had the fence in the front on a corner lot. The board decided to meet on July 2nd at Woodland Park at 7:00 p.m. Mr. Ford commented he would like to start seeing something on paper so when they go out to visualize things they have something they can test to see if it is going to cover the different situations and he would be happy to help draft something. Mr. Despeaux asked to have this discussion put back on the next month's agenda.

The next item on the agenda was the Cell Tower Ordinance discussion. Mr. Despeaux stated Mr. Ford has written a proposal for the text amendment. The board reviewed what Mr. Ford has submitted. There was public comment from Glenn Muth, Mayor Burns and John Brown. Mr. Ford stated he would make the changes to the draft that was discussed. The board decided to continue reviewing the draft at a workshop meeting on Tuesday, July 15th at 7:00p.m.

Mr. Muth had some comments on storm water management and sediment. He felt the town might want to consider these as amendments to the Zoning Ordinance. He read the items into the record (see attached). Mr. Muth's second concern was the town and the residents have worked really hard for a number of years to convince the County to fix our schools so they weren't over crowded. He stated the County is doing it again and the Primary School that was supposed to be able to hold all the kids and be easy to add to they're now going to put portables at or that's what they're plan is and these are the youngest kids in our town. Mr. Muth suggested a Zoning Text Amendment and it would go in Section 3, which is Prohibited Uses In All Districts. He suggested adding subparagraph D) Temporary / Portable classrooms, Teaching Cottages and the like or any nonpermanent structure whose main use is or is intended to be a classroom. That would be prohibited in all districts and that would force the County to do something. He stated it's not the town's problem, it's not the parents problem, it's the school boards and a lot

of time has been spent working on the A.P.F.O. and fighting with the school board to make our schools fine and they're doing it to us again. This is a chance for the town to be proactive instead of reactive and he felt the board should consider a favorable recommendation for this Ordinance to the Commissioners.

The next Planning and Zoning Meeting will be held on Thursday, July 24, 2003.

Without further business to be discussed, the meeting adjourned at 10:07 p.m.

Respectfully submitted,

Rebecca E. Sharer-Long
Recording Secretary