

**KEEDYSVILLE PLANNING AND ZONING COMMISSION**  
MEETING February 11, 2019 7PM

Attending members: Randy Burns, Sarah Baker, Matt Rhoads, Greg Carroll & ex officio Matt Hull

Also attending: Rick Bishop

The minutes from January, 2019 were read and approved.

Justin Holder, the property owner of 28 Antietam Drive presented a draft of a plan to reconfigure the property lines for two properties located at:

Map: 0721 Grid: 0000 Parcel 0414 with Parcel ID 19-001830 and

Map: 0073 Grid: 0019 Parcel 0127 with Parcel ID 19-002578.

As the lot with Parcel ID 19-001830 is only a narrow creek front property, he is desiring to create a new buildable lot so he may erect a single-family home. Mr. Bishop stressed that all parts for the Final Plat must be included.

Because this, in essence, a reconfiguration of property lines, Mr. Carroll made a motion to waive the preliminary steps of the Subdivision Ordinance. Mr. Rhoads seconded. Motion passed unanimously.

Because of limited access to the properties, Ms. Baker made a motion to waive the 80' road frontage requirement of the Zoning Ordinance. Mr. Carroll seconded. Motion passed unanimously.

Because of the narrow nature of the access road to the properties and the fact that there will be only three residences, Mr. Rhoads made a motion to wave the right-of-way requirements of the Subdivision Ordinance. Ms. Baker seconded. Motion passed unanimously.

The plans for the property owned by Jason Toothman at 67 South Main Street to put an addition on his house were discussed. It was agreed that the plans were acceptable and a building permit could be issued.

(Note: The recorder shut off at approximately 19:32 in the recording. All of the above except for the right-of-way waiver and the building addition were recorded.)

The meeting adjourned at 7:33pm.

Submitted,  
Richard Bishop  
Town Administrator

# TOWN OF KEEDYSVILLE, MARYLAND

*"Where Northern Thrift and Personality Blend with Southern Charm and Hospitality"*

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*Ken Lord, Mayor*  
*Brandon Sweeney, Assistant Mayor*  
*Judy Kerns, Council*  
*Matt Hull, Council*  
*Sarah Baker, Council*

## Planning & Zoning Commission Meeting Transcript February 11, 2019

Randy Burns: Call the Keedysville Planning and Zoning Commission meeting to order. Need the approval of the minutes from January 2019.

Rick Bishop: Minutes from January 15, 2019 at seven, uh, meeting at 7pm, attending members Randy Burns, Sarah Baker, Matt Rhoads, Greg Carroll, and ex officio, Matt Hall, also attending Rick Bishop. Minutes from October 2018 were read and approved.

Justin and Deena Holder discussed his desire, discussed their desire, to reconfigure the property lines at their property at 28 Antietam Drive. They presented a sketch to the Commission members of what their desire is. They said they desire to have Washington County provide public sewer to the properties. Mark Bradshaw of Washington County will not approve sewer plan until he knows how many connections are needed. Therefore, Mr. Holder is desirous of the Commission's blessing on a plan.

Mr. Holder requested that the Commission waive the requirements of the Subdivision Ordinance. Mr. Bishop read Section 6.01 of the Subdivision Ordinance regarding waivers for exceptional conditions.

Ms. Baker made a motion to waive the subdivision regulations for this project if the approval of the Town Attorney can be obtained. Mr. Rhoads seconded. Motion passed unanimously.

Mr. Bishop noted that David Griffith was desiring to combine the two properties at 14 Antietam Drive into one property.

Mr. Bishop noted the desire of Jason Toothman, the property owner at 67 South Main Street,

wants to put an addition on the back of the existing home. The Commission asked for engineered drawings that were more specific and showed how the home will look from the street.

Meeting adjourned at 7:48pm. Submitted Richard Bishop, Town Administrator

Greg Carroll: I'd like to move that we approve those as read.

Sarah Baker: I'll second that.

Mr. Burns: The motion was seconded. Those in favor say, Aye.

Ms. Baker, Matt Rhoads, Mr. Carroll: Aye.

Mr. Bishop: Before you get started, can I ask something?

Mr. Burns: Sure

Mr. Bishop: We need to hold the conversations down to one. The minutes, listening to the recording the last time, was pretty dreadful. There was three or four conversations going on at any one time, and it's really hard to figure out what's going on, so, if we can try to keep it, focus on who's talking, and if I have somebody's got something to say, just wait your turn. Okay? It would just, it would make life, like I say, the recording, probably a third of the recording was virtually useless, because you can't, you can't, you just hear four people talking, okay? Thank you.

Mr. Burns: Old business, 25, 28 Antietam draft.

Mr. Bishop: You want to start? You want me to start?

Justin Holder: Um, I can go over the drawings if...

Mr. Bishop: Go for it.

Mr. Holder: We got the reconfiguration here that Fred Fredericks did for us. So, we did one with the topography and the uh, proposed, uh, we went on the website, it said minimum lot size of 18,000 so we propose reconfiguring parcel 127, um, drawing the lines to fit the 18,000 ends up being 18,068 and then reconfiguring the lines on parcel 414, um, so that it contains about 3.84 acres and would have a additional building lot buildable area up there, there's a lot of the buildable space on parcel 414 is in a flood plain. It also allows us to grant Mark Bradshaw the easements he needs. He needs a 20-foot easement for a sewer line. He has a note on the drawing that we can't proceed with construction until he's able to be granted that 20-foot easement. He needs it to be able to get his equipment in to work on the sewer line. All very common sense. So, part of the property was going to be from 414, and the other part was going

to be from the 127 so we're moving that line over to accommodate his easements for the sewer line to get the sewer in as well. So, if you guys have any questions or anything

Mr. Rhoads: You guys want to look at this?

Ms. Baker: Enough (unintelligible). Yep.

Mr. Burns: (Unintelligible)? Oh, okay.

Matt Hull: (Unintelligible) lands down to the stream. I'm, I'm kind of befuddled on, on a couple of lines on the, on the, is this the streamline or is that a flood line, what is this? Or is that an (unintelligible).

Mr. Holder: This is the, this is the stream. The dotted lines are the (unintelligible)

Mr. Burns: Steep hill there

Ms. Baker: Yeah, all that's (unintelligible)

Mr. Hull: This one seems uh, this little bump out. Was that there before? Or is that?

Mr. Holder: Okay, this bump out is part of the tax, um, property, but Fox and Associates that did a survey,

Mr. Hull: Mm-hm.

Mr. Holder: And they kind of boxed it in, and then, and then, whenever the, the land that was sold down around the creek...

Mr. Burns: Is that the road, or is this the road that goes out here?

Mr. Holder: ...was sold to the brother to go fishing in 1964, they kind of deeded out around the creek, so it cut off, cut off the bump out, um, (unintelligible) that would have been, there's a piece of land over here (unintelligible) that belonged to (unintelligible) Mount Hebron. The way the deed did, it cut it off. So that just sort of became lost land to somebody, because the Fox survey goes down here. This piece I'm not sure how that it's going across the creek. Either the creek changed lines over the years, or when they built the railroad bridge, the railroad bridge, is going to be right here.

Mr. Burns: This is the back end of (unintelligible), right?

Mr. Holder: (unintelligible) lines. The same thing happened with, with the ground back here, because Ben's line will come around like this because of flooding. It's changed. It used to follow the creek, and now they sort of changed and overlapped.

Mr. Hull: Okay, I was just curious why it was there, and I was, I was trying to find, you know, the existing there's a couple of existing lines. And then I got completely befuddled on why that was there, so...

Mr. Holder: I, I don't, yeah, I don't know, I'd have to ask Mr. Fredericks

Mr. Hull: I-it's, it's really, neither here nor there, it's just a curiosity thing

Mr. Holder: Um, there's, there's a few strange perks about that place back there.

Mr. Hull: Well, there have been a lot of places around here.

Mr. Burns: Where would you bring the borderline and the back the road all the way back to here, right?

Mr. Holder: Yep. Uh, Mr. Burns, a new, this is a new road, and this is along the cliff, and it really fell off. So we brought in 62 loads of dirty crush and run, brought that up 48 inches, so that I can, instead of doing an as-built drawing to avoid rocks, I can actually tell him he's going to get his easement down through here, um, because there was so much rock back there. I had no way of saying we're going to be able to go this way or that way. So that's what, it'll just go down the left side of the road, and then actually, Potomac Edison is going to bury the electric on the right side of the road. So it's kind of going to bring it up to more modern standards, with underground electric as well.

Mr. Burns: What am I supposed to do now?

Ms. Baker: Did the attorney have any problems with anything?

Mr. Bishop: Um, no, he just said, we should be, you all should be specific about any waivers granted. Don't just grant a, grant a blanket waiver. Um, a couple of questions I see. You're going to have a stormwater management plan to go with this to mitigate the runoff because of the house, and the house and any other (unintelligible).

(Coughing)

Mr. Holder: I can call (unintelligible) stormwater

(Coughing)

Mr. Bishop: I'm not trying to be a pain, but it's, it's

Mr. Holder: Sure.

Mr. Bishop: it's got to be done,

Mr. Holder: Additional roofline

Mr. Bishop: it's got to be done, you know. Um, and then the only other thing I'm seeing is, you know, for the final plat, we need to follow all of the rules that are in here for, was it section 7.04, for requirements for the final plat, meaning various certifications, and this, that and the other, okay, because it is a subdivision um, and the final plat

Mr. Holder: I believe, it's a reconfiguration of the lot lines

Mr. Bishop: Yeah

Mr. Holder: is What Fred Fredericks was calling it

Mr. Bishop: My attorney called it a subdivision.

Mr. Holder: Okay,

Mr. Bishop: That's, that's, so that's what I'm going on. Again, Justin, I'm not trying, I'm

Mr. Holder: I understand.

Mr. Bishop: not trying to make life costly or difficult, okay? Um, it's just, it's, and quite honestly, it's not up to me. It's up to them. So um, and then, so then the other thing is, is, what I saw was, there's a lot of fees involved that are really kind of almost punitive for this type of project. They're more designed for, you know, 20 lots, or, you know, 30-40, lots, 100 lots, whatever. Um, my talk with Justin and I suggested that maybe you all would be willing to waive. Did I give you a copy of the that, the waive, the concept, the steps, the concept, so, that's yours. That's yours. The concept, subdivision plan, the preliminary subdivision plan, the fee for the sub preliminary subdivision plan revisions, and just charging for the final subdivision plan. When presented, that'll be a mylar. Um, it's stated in here as to what it needs to be and everything.

Mr. Holder: Would you want the floodwater management, uh, for approval? Or can we put a stipulation in there that that's before the building permit? Or...

Mr. Bishop: What do you mean the floodwater approval?

Mr. Holder: The uh, I'm sorry, the stormwater management plan

Mr. Bishop: Oh, stormwater management, um, guess that's a thing to, is it, is it a kind of (unintelligible)

Ms. Baker: Can I see your notebook?

Mr. Hull: The other ones are already, the other two houses are already

Ms. Baker: Subdivision. Can I see this one? Thank you.

Mr. Hull: existing, but

Ms. Baker: I have one, but

Mr. Bishop: Not worried about that. I'm talking about the new house,

Mr. Hull: yeah, right, that, that's pretty much what he's asking. Since the other houses already exist that's what his

Mr. Bishop: I mean, the idea behind this. I mean, the way I understand it from it, these, these plans, is to have things in place, what you're going to do, you know what I mean, even though you may not be building the home for however many years

Mr. Holder: Well, there is the chance that the stormwater management may affect the subdivision, or where the line should be drawn. Somehow, I don't know how, but it, it could so I can put this on hold, and go back to MDE and ask them.

Mr. Bishop: I, I don't, um,

Mr. Hull: I guess you would almost, I guess have to have that for your final approval.

Mr. Bishop: Yeah.

Mr. Hull: You know, for mylar.

Mr. Bishop: That's usually part of it.

Mr. Holder: Okay.

Mr. Bishop: Um

Ms. Baker: Can I ask you a question? We were discussing at one point about waivers

Mr. Bishop: Uh-huh

Ms. Baker: What would if we had the waiver, would that get rid of the fees anyway? Or, I'm fuzzy, I'm fuzzy I guess on

Mr. Bishop: Well, like I say, we don't want to, don't want to do a blanket waiver. We want to be specific.

Mr. Baker: Okay, so what would we be waiving?

Mr. Bishop: Waiving the preliminary steps.

Ms. Baker: Okay.

Mr. Bishop: Okay? Just, you know, we only requiring the subdivision or the, the uh, final plan,

Ms. Baker: So this would be in coordination, okay

Mr. Bishop: And then also um, the road frontage, and I don't know what else, anything else you're looking for

Mr. Holder: I, I think that I was just, the reason I had come initially, was I was looking for a waiver of the 80 foot of road frontage requirement to get a building permit.

Mr. Bishop: Right

Ms. Baker: Right

Mr. Holder: That's, that was kind of the only reason I thought after, after, I thought reading on the

Mr. Bishop: One other thing I thought about when I was looking at these, the, the final plat is going to have to have the uh, easements,

Mr. Holder: Yes

Mr. Bishop: Specifically on there

Mr. Holder: Yep

Mr. Bishop: Okay? Yeah, okay.

Ms. Baker: So we're looking at waiving the road frontage and the like \$5,000 of fees?

Mr. Bishop: The preliminary steps, well, the preliminary steps

Mr. Hull: It'd be the

Mr. Holder: 800 bucks plus the (unintelligible)

Mr. Bishop: Not waiving the fees.

Ms. Baker: Which ones?

Mr. Bishop: Not waving the fees. We're waiving steps.

Ms. Baker: Oh.

Mr. Bishop: Okay?

Mr. Carroll: There's no steps?

Mr. Bishop: There's a difference. Okay?

Ms. Baker: Okay.

Mr. Bishop: Let's be clear about that. We're not waiving any fees.

Ms. Baker: Okay.

Mr. Bishop: We don't want to start waiving any fees.

Ms. Baker: That's what I'm just making sure that I'm understanding what we're talking about.

Mr. Bishop: We're waiving the steps.

Ms. Baker: Waiving the steps.

Mr. Bishop: They have associated fees, so (unintelligible)

Ms. Baker: Which may, which may also do that, but that's not what (unintelligible), okay

(Laughter)

Mr. Bishop: The fees aren't going to happen because the steps aren't happening.

Ms. Baker: Okay.

Mr. Bishop: Okay?

(Laughter)

Mr. Bishop: I know.

Ms. Baker: I love it.

Mr. Bishop: I've been doing this job too long.

(Laughter)



Mr. Hull: That's what I'm chuckling out here.

Ms. Baker: Someone out there somewhere went, did they say waiving fees?

Mr. Bishop: Yeah, yeah, we're not waving any fees.

Mr. Holder: I don't, I don't want any

Ms. Baker: I'm just asking because I want to make sure.

Mr. Bishop: I mean, I keep saying we. Listen recording. I don't mean me. They make the decision. I don't. Anyhow. So, um, you know, I, you know, yada yada yada. You know, it's up to you all as to what you want to do. I mean...

Mr. Holder: So I would need, I would, I'm sorry to interrupt, but I need that flood the storm water plan after we figure out what we're doing with it, but before I pay the \$800 and 30 to get the final approval.

Mr. Bishop: Right

Mr. Holder: Okay

Mr. Bishop: Yeah, it needed as far to the as part of the final (unintelligible)

Mr. Holder: Actually, I have the lady, Dee's number. I'd already contacted her about a

Mr. Bishop: Dee?

Mr. Holder: stormwater plan, yeah

Mr. Bishop: Um, yeah, so I mean, and like I say, make sure all of these things. Make sure Fred has all of these things included. It's not a huge deal. They just gotta be in. Okay? Section 7.04, it says final plats can be drawn on mylar, 24 by 24, yada yada, you got a scale of 100 feet to one inch, primary control points, you know, tracked boundary lines, right of way lines, name and right of way, width of each street and other locations, dimensions and purpose of any easements, number to identify each lot or site, purpose for which sites are, not enough in there. But anyway, you know what I mean. Some of the stuff is not, is not relevant to this plan, okay, but the stuff that is really needs to be on there, title, scale, north arrow, and date, and it's mostly really not a big deal. Signature blocks, you know, the right signature blocks, you got to have enough signature block room on there

Mr. Hull: For Mayor and Council, which is usually

Mr. Holder: Mr., Mr. Fredericks told me this was a sketch and that, you know, we were going to present it, and that he was going to get me a file, so.

Mr. Bishop: That's fine, and that's fine, like I say, just as long as he's making sure. Doesn't say anything about, I'm not seeing it. I'm not saying it's not here, but a signature block for the Mayor and Council. I'm seeing one for the Planning Commission. I don't see anything about the Mayor and Council on here.

Mr. Holder: It's kind of an expensive sketch, it was a sketch. Kinda could frame it maybe, like one of (unintelligible)'s paintings.

Mr. Carroll: Back lighting, because it's uh

Mr. Holder: Almost have to.

Mr. Hull: Over the top of the mantle when it's all said and done.

Mr. Bishop: Anyhow, so

Mr. Hull: Yeah, I think that stuff hasn't been in there, the Mayor and Council, but it's been utilized since

Mr. Bishop: If you want to have them put it on, I don't, I don't know if you can require it, because it's not in our ordinance

Mr. Hull: Yeah, because at some place in there, someplace, not in that, the Planning Commission has the last signature. Mayor and Council has the second last signature. Or is it vice versa. So it may not be in that one, but it's in some place. But, I mean, that's

Mr. Burns: It's in the column.

Mr. Hull: It's in the column?

Mr. Holder: Just one signature for Planning and Zoning and one signature for Mayor and Council?

Mr. Bishop: Yeah, I guess the Mayor and Coun-, I'm, I'm not seeing the Mayor and Council noted in here so if, if they want it in make sure you tell Fred

Mr. Holder: Probably, probably should, I'll write (unintelligible)

Mr. Bishop: Go ahead and add it. I mean, you know, it's better, better to have it.

Mr. Holder: That's what I was thinking. I'll just add, I'll get that list, and I'll email it all over and say this is the requirements and actually Fred's going to have to work with the, the uh, storm water.

Mr. Hull: It's a shame his name isn't Poobah, or

Mr. Carroll: Grand Poobah?

Mr. Hull: Yes

Mr. Burns: What do we need to do first? Does anybody know? Because it doesn't say.

Mr. Carroll: I do. I'd like to uh, make a motion that we uh,

Mr. Bishop: Speak clearly.

Mr. Carroll: I am uh, attempting to, especially without my glasses. I'd like to move that we uh waive the preliminary uh steps for the subdivision,

Mr. Burns: Is there a second?

Mr. Bishop: Hold on. We're not done.

Mr. Burns: Oh, okay.

Mr. Bishop: You're going to do the 80 foot

Mr. Carroll: Separate

Mr. Bishop: Okay, you'll do them separate? Okay.

Mr. Carroll: Bless you, Sir.

Mr. Hull: Then I'll do it, you might want to, we can share

Mr. Rhoads: I'll second that motion.

Mr. Burns: It has been moved, and second that we, do what?

Mr. Carroll: Waive the preliminary steps.

Mr. Burns: Waive the preliminary steps, okay. Those in favor signify by saying aye.

Ms. Baker, Mr. Rhoads, and Mr. Carroll: Aye

Mr. Burns: Opposed? Motion carried.

Ms. Baker: Okay, I move that we waive the road frontage requirements.

Mr. Carroll: I'd second that.

Ms. Baker: Is that right? Okay.

Mr. Burns: Is there a second?

Mr. Carroll: I did.

Ms. Baker: Right here.

Mr. Carroll: Sorry, I was quiet. I second that.

Mr. Burns: Those in favor of the motion signify by saying aye.

Ms. Baker, Mr. Rhoads, and Mr. Carroll: Aye.

Mr. Burns: Opposed? Motion carried.

Mr. Bishop: There you go.

Mr. Holder: Thank you, guys. I appreciate it.

Mr. Bishop: Anything else?

Mr. Holder: No, that's all.

Mr. Hull: There may be one more, doesn't subdivision have for a 50-foot right of way for easement in and out, is that

Mr. Holder: 25

Mr. Bishop: Huh? What? Huh? What?

Mr. Hull: I thought it was 50 for road, road going into said subdivision. Is the right of way for a road going into a subdivision 50 feet?

Mr. Holder: It does have a requirement in there for if you're building it out, having a certain width road, and we don't

Mr. Bishop: So what are you talking about? The section from the end of Antietam to the rail bed, or?

Mr. Hull: Pretty much

Mr. Bishop: Okay, because, I mean, once it's on your property, it's not

Mr. Hull: Right, so that's, so I would almost think just to make sure that

Mr. Bishop: Yeah, go ahead.

Ms. Baker: Just while we're at it.

Mr. Bishop: Go for it. Yeah.

Mr. Hull: I can't make a motion, I'm the

(End of recording at 19 minutes and 32 seconds)