

**Worcester County Planning Commission  
Meeting Minutes**

**Meeting Date:** October 1, 2020

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Room 1102

**Attendance:**

**Planning Commission**

Jay Knerr, Chair

Rick Wells, Vice Chair

Jerry Barbiéri, Secretary

Mike Diffendal

Betty Smith

**Staff**

Roscoe Leslie, County Attorney

Ed Tudor, Director

Jennifer Keener, Deputy Director

Jessica Edwards, Customer Service Representative

Robert Mitchell, Director of Environmental Programs

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, September 3, 2020** — As the first item of business, the Planning Commission reviewed the minutes of the September 3, 2020, meeting. Following the discussion, it was moved by Mr. Diffendal and seconded by Mr. Barbiéri and carried unanimously, with Ms. Smith having not yet arrived, to approve the minutes as submitted.

**B. Board of Zoning Appeals agenda, October 8, 2020** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals hearing scheduled for October 8, 2020. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

**III. Text Amendment**

As the next item of business, the Planning Commission reviewed a proposed text amendment request to amend the accessory apartment regulations to eliminate the requirement that either the main dwelling or the accessory apartment be occupied by the property owner.

Mr. Hugh Cropper, IV, Esquire and Kathy Clark, the applicant, were present for the review. Mr. Cropper began his testimony by explaining that the language in the current accessory apartment regulations was intended to limit density on a piece of land, while still allowing for affordable housing within the county.

Mr. Cropper further explained that the effective January 1, 2020, rental regulations went in to affect requiring rental licensing for all rental properties. Numerous standards are now in place to govern the rental of properties throughout the county as part of the rental licensing program. Mr.

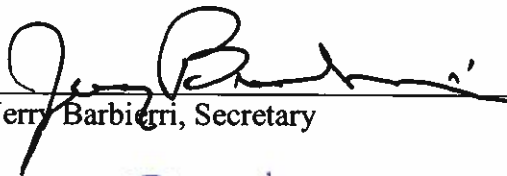
as they know they have a follow-up amendment for the actual plant if this amendment is successful. He introduced Robert Rauch of Rauch Engineering as their engineering consultant and said he could make a presentation of information as well. Mr. Rauch said that he started his career with public works in Talbot County and is very familiar with these issues as he designs these kinds of systems statewide for his mobile home park clients. Mr. Rauch explained that they had investigated every inch of the existing park for additional septic capacity and looked at neighboring properties for spray irrigation, but were not successful in those efforts. If the soils on and offsite did not yield the capacity, the property owners with promising offsite lands were not allowing access. He added that the package plants of yesterday were not equipped to provide the level of treatment we are able to provide today. While MD Department of the Environment sets the permit limitations and decides if a permit can be issued, he is confident their technology (4-stage Bardenpho) can easily meet 3 parts per million total nitrogen and 0.3 parts per million total phosphorus and they can go lower on phosphorus as the state may require that level of removal. They will have a financial management plan for the plant and will retain a Class 5 licensed operator, which is what the state will require for operation of this technology.

Mr., Mitchell added an explanation of what large flow groundwater discharge permits were and how there could be large flow septic systems without groundwater discharge permits, what exists on the property currently, the options for the property if the existing system failed, and what the future would look like at the park with a discharge and an expansion with the number of sites and how that could provide a funding path for the project upgrade to treatment. He echoed Mr. Rauch's statements on the explorations and efforts done to date to investigate the mobile home property and the surrounding properties.

Mr. Mitchell finished with the staff report's findings noting the consistencies found for such a development within the Comprehensive Plan and land use designations, and that the proposed improvements would need to be permitted in accordance with existing zoning within the property boundaries of the current campground. Mr. Knerr asked about flushing in the river, and Mr. Mitchell responded that there were many different models and estimates for the flushing rates of the different coastal bays watersheds. He stated that Sinepuxent was of course the fastest at a few days while St Martins River, as a part of the Isle of Wight watershed, would be between 1-2 weeks.

Following the discussion, a motion was made by Mr. Diffendal, seconded by Mr. Barbierri, and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

**VI. Adjourn** – The Planning Commission adjourned at 1:37 P.M.

  
Jerry Barbierri, Secretary

  
Jennifer Keener, Deputy Director