

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
February 8, 2018

The Queen Anne's County Planning Commission met on Thursday, February 8, 2018, at 8:45 A.M. The following members were present: Jeffrey Reiss, Tom Leigh, David Douglas, Tom Jackson, and Sheila Tolliver

Also present were Michael Wisnosky, Director Department of Planning and Zoning; Holly Tompkins, Development Review Principal Planner; John Shelton, Clerk; Christopher F. Drummond, Esquire; and Sharon H. Brinster, Esquire.

1. Public Comment – No comments received

2. Meeting Minutes Review – Upon motion made by Commissioner Tolliver, seconded by Commissioner Leigh and passed by voice vote, the January 11, 2017 Planning Commission Minutes were approved as presented.

3. Extension Requests –

(A) Major Site Plan #05-16-08-0008-C Mears Point Associates – Mr. Joseph Stevens, Esq., on behalf of the applicant, reminded the Planning Commission that the project received Conditional Major Site Plan approval in January 2017 and was granted a 6-month extension in August 2017. He said they are currently working on the phasing of the project with the County. He said that the owner of Southern Management Company had recently passed away and they were trying to determine the direction the company would be taking in the future which may mean Mears needs a new partner for the project.

Upon review and further consideration, the following motion was made by Commissioner Leigh, seconded by Commissioner Douglas and passed by unanimous voice vote;

RESOLVED, that at the request of **Mears Point Associates**, the conditionally approved Major Site Plan, **Department of Planning and Zoning File #05-16-08-0008-C**, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission meeting on **July 12, 2018**.

4. UPDATES: Legislation and Legal Matters – Mr. Michael Wisnosky, Planning and Zoning Director, provided the following updates

(A) TA/CO 17-17 regarding solar legislation was adopted by the County Commissioners on January 23, 2018 and includes the Planning Commission suggestions for revised language,

(B) The Board of Appeals approved the Conditional Use for Jones Farm upon condition that they comply with TA/CO 17-17,

- (C) Mr. Drummond tracked down the owner(s) of Cedar Lane and they have agreed to complete the required buffer,
- (D) A Public Hearing will be held Tuesday, February 13, 2018 at 6:30 PM to discuss the vision of "A Better Maryland".

The Planning Commission took a short break at 9:10 A.M. and reconvened at 9:16 A.M.

5. Public Hearing – Byler Materials, LLC Conditional Use #17070010 - Mr. Christopher Drummond, Planning Commission Attorney, informed the Planning Commission that he was satisfied the notice requirements have been met to hold a Public Hearing to receive comments concerning a conditional use application for a proposed expansion of a sand and gravel major extraction and washing operation located on the east side of Maryland route 313 between Merrick Corner Road and Ingleside Road, in Ingleside.

Ms. Holly Tompkins, Development Review Principal Planner, described the highlights of the applicant's request for a favorable recommendation to the Board of Appeals for conditional use permit for a major extraction Phase 3 operation for an additional 48 acres totaling 100 acres of sand and gravel mining.

Mr. Sean Callahan, Lane Engineering, described the current sand and gravel mining operations including water discharge, permit, monitoring and testing. Mr. Jonathon Byler discussed current truck traffic, routes, and hours of operation. He said the proposal to start earlier is to avoid buses in the morning.

Mr. Lee Edgar, Department of Public Works, described the department's comments and suggested conditions.

Chairman Reiss asked if there were members of the public who wished to be heard, at which time the following comments were received:

- (A) Mr. Dale Walls, 205 Ingleside Road, expressed concern regarding truck traffic and many incidents and accidents. He said the noise levels from the machinery are unbelievable now and the expansion will put them even closer to his house. He also said trucks are parking down the road very early in the morning waiting for entry.
- (B) Mr. Jay Falstad, Queen Anne's Conservation Association, submitted a document for the record and asked the Planning Commission to take what they say with a grain of sand as they have said this before. He suggested waiting for results from MDE and Earth Data water samples prior to granting approval.
- (C) Ms. Robin Arcorci said she has seen the trucks go down Merrick Road and they do not comply with the time and route restrictions. She expressed concern regarding safety, noise, and diminished quality of life for area residents.

Upon review and further consideration, the following motion was made by Commissioner Tolliver, seconded by Commissioner Leigh, amended by Commissioner Tolliver and seconded by Commissioner Leigh:

RESOLVED, that the Planning Commission, regarding the request by **Byler Materials, LLC**, for a favorable recommendation from the Planning Commission to the Board of Appeals for the proposed major extraction Phase 3 operation for an additional 48 acres totaling 100 acres of sand and gravel mining on 150.28 acres of land on the East side of MD 313, along Merrick Corner Road and Ingleside Road, in Ingleside and as more particularly described in **Department of Planning & Zoning file CU#17070010**, shall be and is hereby tabled pending receipt of report from the Maryland Department of the Environment regarding sediment discharge, and the Planning Commission requests the appearance of Mr. Ed Larrimore.

6. Concept Plan – GSH Slippery Hill, LLC / Green Street Housing -CP #05-13-07-0004 – Ms. Holly Tompkins, Development Review Principal Planner, described the highlights of the applicant's request for Concept Plan approval to revise the conditionally approved Major Site Plan with a phased mixed use development with 151 residential units, 34 commercial apartments, and 16,349 square feet of commercial and community amenity space on 23.14 acres of land on Nesbit Road, in Grasonville.

Commissioner Douglas left the meeting at 12:03 PM for the remainder of the meeting.

Mr. Jeffrey Thompson, Esq., on behalf of the applicant, informed the Planning Commission that the applicant is back because the concept has changed, and the main issue has been public financing and tax credits. He said there is no known opposition to the project.

Mr. Tom Ayd, Green Street Housing, said tax credits have been issued by the Maryland Department of Housing for the first building, and the debt/equity financing is aligned for construction to begin in September 2018. Mr. Ayd said the phased concept has been optimized to win/earn tax credits for affordable housing.

Mr. Barry Griffith, Lane Engineering, said on the site of approximately 24 acres 9 acres will be developed, and 15 acres will be open space and/or protected land. Mr. Griffith said the project meets all requirements of the Queen Anne's County Code. Lastly, he detailed each of the proposed phases for the project.

Ms. Judy Miller, Architect by Design, displayed and described the proposed architecture for all buildings.

Chairman Reiss asked if there were members of the public who wished to comment, at which time no comments were received.

Upon review and further consideration, the following motion was made by Commissioner Leigh, seconded by Commissioner Tolliver, and passed by unanimous voice vote:

RESOLVED, that the Planning Commission, regarding the request by **GSH Slippery Hill, LLC (Green Street Housing)** for Concept Plan approval to revise the conditionally approved Major Site Plan to create a phased mixed use development consisting of 151 residential units, 34 commercial apartments, and approximately 16,349 square feet of commercial and community amenity space on 23.14 acres of land on Nesbit Road in Grasonville, and as more particularly described in **Department of Planning & Zoning file Amended Concept Plan #05-13-07-0004**, hereby finds that the proposed shared parking is sufficient for Phase I as the uses are both commercial and residential and typically will use spaces at different times, and hereby grants approval with the following conditions to be addressed with the submittal of an Amended Site Plan; (1) the applicant must decide whether to revise the Administrative Subdivision plat to reflect the acreages as proposed on this Concept Plan or to revise the Concept Plan to reflect the acreage of Parcel 819, (2) an updated Adequate Public Facilities Ordinance study must be submitted and any mitigation is provided as may be required, (3) a lighting study is provided, (4) an emergency vehicle turning exhibit be provided, and (5) details for signage, benches, or community amenities, sidewalks, and any other features are provided as was done with the conditionally approved Major Site Plan.

7. Public Comment – None.

There being no further business to come before the Planning Commission, the meeting was adjourned at 12:37 P.M.

RESPECTFULLY SUBMITTED,



Tom Leigh, Secretary