

**QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES**  
**March 12, 2020**

The Queen Anne's County Planning Commission met on Thursday, March 12, 2020, at 8:45 A.M. The following members were present: Tom Leigh, Robert Priest, Tom Jackson, Sheila Tolliver and Teddy Baker.

Also present were Michael Wisnosky, Director Department of Planning and Zoning; Amy Moredock, Principal Planner; Rob Gunter, Development Review Principal Planner, Brennan Tarleton, Senior 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 Priest and passed by voice vote, the February 13, 2019 Planning Commission Minutes were approved as presented.

**3. UPDATES: Legislation and Legal Matters**

(A) Ms. Amy Moredock, Principal Planner, provided the following information to the Planning Commission:

(1) Citizen- Sponsored Text and Map Amendment application period has closed and the County Commissioners have forwarded 4 of those applications to the Planning Commission for review on the topics of (a) Resource Conservation Area accessory dwelling unit standards, (b) Grasonville Village Neighborhood Conservation minimum lot width standards, (c) addition of definition within the Stormwater management section, and (d) update of definition of Resort Hotel to include rental policy, and  
(2) County Commissioners have also sponsored legislation regarding the collection of impact fees.

(B) Mr. Chris Drummond, Planning Commission Attorney, informed the Planning Commission of the details of House Bill 1390 / Senate Bill 741 which was cross-filed by a Senator and Delegate from Montgomery County regarding Utility Scale Solar and Certificate of Public Convenience Need (CPCN) applications eliminating the obligation to receive local discretionary zoning approval as part of the CPCN application process.

**4. Major Site Plan – Wells Cove Development (Wells Cove II, LLC) SP#19-10-0042**

– Mr. Brennan Tarleton, Senior Planner, provided the Planning Commission with the highlights of the applicant's request for Final Major Site Plan approval to withdraw the 3<sup>rd</sup> amendment to MASP#05-05-05-0006 and revert back to the 2<sup>nd</sup> amendment for the construction of a 4-unit condominium building and reconfiguration of the parking islands, on 1.715 acres of land on Main Street in the Southeast quadrant of the Kent Narrows.

Mr. Tom Davis, DMS & Associates, said they have been working of this project since 2004. He provided a brief history and then went on to describe the paved parking area, garages, and shared parking agreement with the Hilton Hotel parcel.

Acting Chairman Leigh asked if there were members of the public who wished to be heard, at which time no comments were received.

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

**RESOLVED**, that the Planning Commission, regarding the request by **Wells Cove II, LLC**, for Final Major Site Plan approval to amend Amendment #2 of Major Site Plan #05-05-05-0006 for the construction of a 4-unit condominium building and reconfiguration of the parking islands, on 1.715 acres of land on Main Street in the Southeast quadrant of the Kent Narrows, and as more particular described in **Department of Planning & Zoning file SP #19-10-0042**, hereby finds; (1) the proposed project is consistent with the Waterfront Village Center zoning district, (2) an exception from Critical Area regulations consistent with the property's inclusion in an intensely developed area has been received, and (3) modification of the parking islands increase the square footage of the landscape surface areas, and hereby grants approval with the following conditions; (1) the building will be constructed in a substantially consistent manner with the architectural drawing and elevation provided, as well as be substantially consistent with the existing buildings as stated, (2) the applicant will adhere to the conditions of approval of the Floodplain Variance from the Board of Appeals, (3) all required bonds, sureties, review and inspection fees must be submitted to the Department of Public Works and the Department of Planning & Zoning as appropriate, (4) a letter must be obtained from the Adequate Public Facilities Administrator indicating that the proposed project is exempt from requiring an Adequate Public Facilities Study, (5) any remaining edits and / or documents required by the Department of Public Works and the Department of Planning & Zoning be submitted, reviewed and approved, (6) any required legal documents must be approved, signed and recorded, and (7) all required signatures must be obtained.

**5. Final Major Subdivision – Walter Properties, LLC (Perry's Retreat) SUB #05-14-05-0006** – Mr. Brennan Tarleton, Senior Planner, provided the Planning Commission with the history and highlights of the applicant's request for Final Major Subdivision approval to amend the previously approved 128-lot Major Subdivision to include an additional 28 lots for a total of 156 lots with the request to record the Subdivision in 3 separate phases, on 110,89 acres of land on the East side of Perry's Corner Road, in Grasonville.

Mr. Michael Foster, Esq., on behalf of the applicant, described the relationship between owner, developer and builder for the project.

Mr. Kevin Shearon, DMS & Associates, said the houses proposed are 2-stories with a maximum height of 30 feet. Mr. Shearon said the house would be in the 400 to 500-thousand-dollar range, and the request for phasing is because the bank is requiring it. He went on to say the reduction of street lighting was the request of the most recent builder and we will put it the number of lights deemed necessary. Lastly, he added that there will be fire hydrants throughout the development and all homes would be sprinklered.

Mr. Foster suggested that the Department of Planning & Zoning determine the number and location of streetlights, and we will comply. He added that the entire plan is shown up front, and Phase I will include 46 lots, acceleration / deceleration lanes (on Perry Corner Road), and the approval and recordation of other documents, including the Forest Conservation Easement. He said Water and Sewer payments will be made as the project proceeds.

Acting Chairman Leigh asked if there were members of the public who wished to be heard, at which time no comments were received.

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

**RESOLVED**, that the Planning Commission, regarding the request by **Walter Properties, LLC and Elm Street Development (Perry's Retreat)** for Final Major Subdivision approval to combine 4 existing parcels into 2 parcels, donate Parcel 45 to the County and subdivide Parcel 201 into 156 single family lots using the cluster subdivision technique as part of a Planned Residential Community, on 110,89 acres of land on the East side of Perry's Corner Road, in Grasonville, and as more particularly described in **Department of Planning & Zoning file #14-05-0006** hereby finds; (1) the proposal complies with the Queen Anne's County Comprehensive Plan and the Grasonville Community Plan in size and density, (2) the donation of land to the County for Moderate Priced Dwelling Units has been approved previously, and (3) the proposed plan avoids building on sensitive environmental areas, and hereby grants approval with the following conditions; (1) the Administrative Subdivision #18-03-0008 must be reviewed, signed and recorded prior to Planning Commission signature of this Major Subdivision, (2) the Forest Conservation Plan #05-18-03-0008 must be reviewed, signed and recorded prior to Planning Commission signature of this Major Subdivision, (3) the updated Adequate Public Facilities school mitigation is

reviewed and approved by the Adequate Public Facilities Commission prior to final signature of this Major Subdivision, (4) the number and location of street lights be designed to illuminate intersections and crosswalks and be subject to staff approval, (5) the height restriction of all buildings shall not exceed 30 feet, (6) the conditions of this Subdivision shall be applied to the plat for each phase as approved, and the documents for all provisions other than housing be filed and satisfied by Phase 1 Plat, (7) road designs for each phase be subject to approval by the Department of Planning & Zoning to ensure traffic flow for each phase be safe and self-contained including, as appropriate, cul-de-sacs for turn-around at street ends, (8) any remaining edits and / or documents required by the Department of Public Works and the Department of Planning & Zoning be reviewed and approved, (9) all required bonds, sureties, review and inspection fees must be submitted to the Department of Public Works and the Department of Planning & Zoning as appropriate, (10) any required legal documents must be approved, signed and recorded, (11) the Moderately Priced Dwelling Unit dedication per the legal agreement document is approved by the Queen Anne's County Commissioners and all required bonds, sureties, review and inspection fees related to the dedication must be submitted to the Department of Public Works and the Department of Planning & Zoning as appropriate, and (12) all required signatures must be obtained.

The Planning Commission took a short break at 10:15 A.M. and reconvened at 10:22 A.M.

#### **6. Extension Requests**

**(A) Major Subdivision #05-14-05-0006 – Perry's Retreat / Walter Properties, LLC –** Withdrawn by the applicant.

**(B) Major Site Plan #05-10-02-0005 – Kent Narrows Hospitality, Inc. / Holiday Inn Express** – Mr. Tom Davis, DMS & Associates, provided the Planning Commission with the history of approvals and extension requests for the project. Mr. Jim DiDonato, Kent Narrows Hospitality, described the historical issues that have delayed the project including the economy, approvals from Holiday Inn Corporate, and the need to have everything perfect at the outset because it is being built on a fill site so pilings are required for the foundation.

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

**RESOLVED**, that at the request of **Kent Narrows Hospitality, Inc. / Holiday Inn Express**, the conditionally approved Major Site Plan, Department of Planning and Zoning File #05-10-02-0005, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission meeting on **March 11, 2021**.

Commissioner Tolliver requested the issue of Planning Commission policy regarding the granting of Extension Requests be discussed more fully during the Comprehensive Plan review. Specifically, how long and for what reasons, without a specific project in mind.

**7. Miscellaneous Staff Items**

**(A) Comprehensive Plan Update** – Ms. Amy Moredock, Principal Planner, said the contract with Smith Planning for the 2020 Update of the QAC Comprehensive Plan has been dissolved and staff is currently negotiating with another firm.

**(B) Four Seasons** – Commissioner Tolliver expressed thanks to Lee Edgar at the Department of Public Works and Lane Engineering for the letter in response to a post-approval condition.

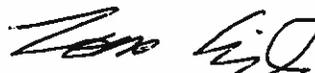
Mr. Christopher Drummond, Planning Commission Attorney, said the Board of Appeals case alleging the Planning Commission's failure consider sea level rise in approval of Four Seasons Phase II, was ultimately affirmed as appropriate.

**8. Public Comment**

Ms. Barbara Obers, Stevensville, said she filed a Public Information Request regarding the abrupt departure of the Comprehensive Plan consultant and has not received any information. She said it is important to know what or who has done what to end the contract when it appeared that staff and consultant were working well together.

There being no further business to come before the Planning Commission, the meeting was adjourned at 10.59 A.M.

RESPECTFULLY SUBMITTED,

  
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Tom Leigh, Secretary