

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
April 8, 2021

The Queen Anne's County Planning Commission met on Thursday, April 8, 2021, at 8:45 A.M. The following members were present: Sharon Dobson, Tom Leigh, Jeffrey Reiss, Tom Jackson, Teddy Baker, Kathy Deoudes, and Arthur Ebersberger.

Also present were Amy Moredock, Director Department of Planning and Zoning; Rob Gunter, Development Review Principal Planner; Stephanie Jones, Long Range Principal Planner; Rob Tracy, Senior Planner, Steve Johnson, County Planner; Sam Stanton, GIS Coordinator; 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 Ebersberger, seconded by Commissioner Jackson and passed by voice vote, the May 11, 2021 Planning Commission Minutes were approved as presented.

3. Extension Requests – None.

4. UPDATES:

(A) Legislation and Legal Matters –

(1) Ms. Amy Moredock, Director of Planning and Zoning, clarified the Site Plan Extension Request policy vs. regulations. The Planning Commission reached consensus to move forward following the existing regulations in §18:1-7(d), §18:1-54 and 55(b) that require review for extensions for projects 2 years from the approval date and discontinue the policy of reviewing projects after 6 months.

(2) Ms. Stephanie Jones, Principal Planner, said the Critical Area Commission legislation regarding renewable energy and utility scale solar became effective March 8, 2021 codifying lot coverage, buffer, and tree clearing requirements in the LDA and RCA districts.

(B) Miscellaneous Staff Items

(1) Ms. Amy Moredock, Director, introduced newly hired employees Rob Tracey, Long Range Planner, and Steve Johnson, Development Review Planner.

(2) Special Meeting for a Comprehensive Plan Workshop to review the Draft Environment and Community Facilities chapters was scheduled by the Planning Commission for June 24, 2021 at 8:45 A.M. in the Planning Commission Hearing Room.

(3) Historic Aerial Imagery Project; Sam Stanton, GIS Coordinator described and presented the County-wide Historical Aerial Images Project which can be viewed at QAC.org under Information Technology, GIS Mapping.

4. Citizen Sponsored Text Amendment Applications

(1) TACO #21-02 – Walter H. Petrie, Bay Bridge Marina Ventures, LLC, and Timothy P. McGrath c/o Joseph A. Stevens, Esq.: § 18:1-22. Urban Commercial

(UC) District. Addition of major and minor multifamily provisions. Ms. Stephanie Jones, Principal Planner, described the proposed amendment to allow minor and multifamily units within the UC only as part of a redevelopment that includes an existing Marina and other commercial uses including the addition of commercial apartments and multifamily dwellings within the purpose statement and adding density, dimensional, and bulk standard requirements to include increasing the maximum building height for both residential and nonresidential uses.

Mr. Joseph Stevens Esq. thanked staff for their help and said the proposed amendment would only apply to this area and the multi-family component allows condos, apartments, and townhouses in combination where there is a marina. Mr. Stevens said it would not provide more floor space but allow for a much better design. He added that they are working with the airport and will stay within the height restrictions. Lastly, he described the development review process where more detail will be provided.

Mr. Walter Petrie, Bay Bridge Marina Ventures, LLC, described the history of ownership of the property and surrounding properties, and his vision moving forward to enhance the area.

The Planning Commission discussed building height and asked whether there would be a workforce housing component.

Upon review and further consideration of the findings outlined in the staff memorandum and packet and the applicant's submittal and testimony, the following motion was made by Commissioner Deoudes, seconded by Commissioner Ebersberger, and passed by unanimous voice vote:

RESOLVED, that the Planning Commission hereby makes a favorable recommendation to the Queen Anne's County Commissioners regarding Citizen-Sponsored Text Amendment **TACO #21-02 by Walter H. Petrie, Bay Bridge Marina Ventures, LLC, and Timothy P. McGrath c/o Joseph A. Stevens, Esq. to amend § 18:1-22. Urban Commercial (UC) District** to allow minor and multifamily units within the Urban Commercial District only as part of a redevelopment that includes an existing Marina and other commercial uses including the addition of commercial apartments and multifamily dwellings within the purpose statement and adding density, dimensional, and bulk standard requirements to include increasing the maximum building height for both residential and nonresidential uses, as presented and attached hereto and labeled "**Exhibit A**".

(2) TACO #21-03 – Nashville Properties, LLC c/o Joseph A. Stevens, Esq.: § 18:1-28 Town Center (TC) District and § 18App-1 Definitions. Ms. Stephanie Jones, Principal Planner, described the proposed amendment to allow for self-storage facilities

within the Town Center District with interior access only and add self-storage facility (interior access only) to the existing definition of a light industrial use.

Mr. Joseph Stevens, Esq. said this is not a change or rezoning or density issue and waiting for the Comprehensive Plan update process to be completed could take months and is uncertain. He said the real issue is the difference between a miniwarehouse and an indoor storage facility. Mr. Jody Schulz, Nashville Properties, said that in 2008 the use was removed because they were unsightly, not because they were not wanted or needed. He said the interior access buildings look good and are within the realm of Town Center District uses.

Upon review and further consideration of the findings outlined in the staff memorandum and packet and the applicant's submittal and testimony, the following motion was made by Commissioner Deoudes, seconded by Commissioner Ebersberger and passed by voice vote with Commissioner Leigh opposed and all others in favor:

RESOLVED, that the Planning Commission hereby makes a favorable recommendation to the Queen Anne's County Commissioners regarding Citizen-Sponsored Text Amendment **TACO #21-03 – Nashville Properties, LLC c/o Joseph A. Stevens, Esq. to amend § 18:1-28 Town Center (TC) District and § 18App-1 Definitions** to allow for self-storage facilities within the TC with interior access only and add self-storage facility (interior access only) to the existing definition of a light industrial use, as presented and attached hereto and labeled "**Exhibit B**".

The Planning Commission recessed for a short break at 10:17 A.M. and reconvened at 10:23 A.M.

(3) TACO #21-04 – E. Trippe Callahan, Jr., c/o Ryan Showalter, Esq.: § 18:1-38.1(B) Utility Scale Solar Array (USSA) District. Ms. Stephanie Jones, Principal Planner, provided an overview and described the history of Utility scale solar arrays saying they are currently permitted by conditional use in the Agricultural (AG) and Countryside (CS) Districts and specifically within the mapped USSA District. She said amendment would allow for arrays to be located outside the two-mile radius on parcels that are partially inside of the USSA Overlap District Map and the applicant would be required to comply with all design standards and to obtain and establish a perpetual conservation easement prior to construction. She added that the easement must protect an area of agricultural land in the AG District equal to one-third of an acre for every acre of land outside of the two-mile radius that is to be developed for solar array or associated improvements.

Mr. Ryan Showalter, Esq. described the mandate for renewable portfolio standards by 2030 and stated that Maryland needs to add a lot to meet the requirement.

He went on to say that it can only occur close to an electric grid circuit that has capacity which greatly reduces the number of viable sites.

Mr. Jay Juleani, Enel Green Power, described his company and their willingness to connect with the community via schools and STEM programs. He went on to describe the site, anticipated output, construction timetable, and easement location and noted that wires/connections will be underground and will not be visible. Mr. Juleani added that it would have a positive economic impact as a result of local taxes, jobs, and materials.

Mr. Showalter added that the “2 mile” limit is arbitrary, and a slight offset accommodation is a benefit to the County.

Mr. Trippe Callahan described his property, tillable farm area, woodland areas, and location and amount of his property that falls within the 2-mile area.

Mr. Chris Drummond, Planning Commission Attorney, stated that the choice of a 2-mile width was not arbitrary at all, and was selected with industry input at the time. He added that he appreciates the effort to resolve the matter by amending the code in advance rather than waiting for a battle in Baltimore during the CPCN review.

Ms. Donna Landis-Smith, Soil Conservation Office, said they have worked with Planning Staff and don't have a favorable or unfavorable opinion. She said it appears to be a wonderful opportunity that is a win/win situation.

Mr. Drummond said solar location is not a zoning problem, but in the fact that they can not find landowners within that swath to participate, and they are chasing capacity, much like chasing percs resulted in weird lot configurations. He suggested investment in transmission lines, substations, and interconnections rather accepting this.

Upon review and further consideration of the findings outlined in the staff memorandum and packet and the applicant's submittal and testimony, the following motion was made by Commissioner Deoudes, seconded by Commissioner Jackson, amended by Commissioner Deoudes, seconded by Commissioner Jackson, and passed by voice vote with Commissioner Reiss in opposition and all others in favor:

RESOLVED, that the Planning Commission hereby makes a favorable recommendation to the Queen Anne's County Commissioners regarding Citizen-Sponsored Text Amendment **TACO #21-04 – E. Trippe Callahan, Jr., c/o Ryan Showalter, Esq. to amend § 18:1-38.1(B) Utility Scale Solar Array (USSA) District** to allow for arrays to be located outside the two-mile radius on parcels that are partially inside of the USSA Overlap District Map, and the

applicant shall work with staff to include standards for preservation and other items noted in the staff report prior to forwarding to the County Commissioner, as presented, amended, and attached hereto and labeled "**Exhibit C**".

The Planning Commission took a short break at 11:29 A.M. and reconvened at 11:36 A.M., at which time Commissioner Deoudes did not return to the meeting.

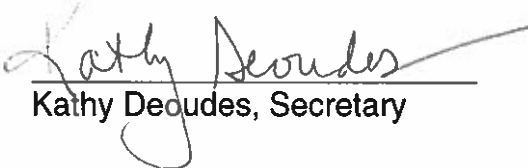
5. Comprehensive Plan Workshop – Ms. Lauren Good and Mr. Ray Moravec of Wallace Montgomery led the Commission in a Comprehensive Plan Work Session in which they provided a status briefing including an update of their recent work, Visioning Workshop recap, Special Topic recap, recent public outreach, website interactions, and the schedule of future workshops.

The Housing and Historic & Cultural Resources draft chapters were reviewed and discussed.

6. Public Comment – Mr. Jack Broderick, Kent Island Heritage Society, commended the staff and consultant for their work on Heritage Stories in addition to locations and is looking forward to strong County and private partnership moving forward.

There being no further business to come before the Planning Commission, the meeting was adjourned at 12:26 A.M.

RESPECTFULLY SUBMITTED,


Kathy Deoudes, Secretary