

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
September 9, 2021

The Queen Anne's County Planning Commission met on Thursday, September 9, 2021, at 8:45 A.M. The following members were present: Sharon Dobson, Tom Leigh, Jeff 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 Tracey, Long Range Planner; Steve Johnson, Development Review 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 Ebersberger, seconded by Commissioner Leigh and passed by voice vote, the August 12, 2021, Planning Commission Minutes were approved as presented.

3. Extension Requests – None.

4. UPDATES:

(A) Legislation and Legal Matters – Rob Tracey, Long Range Planner, said the Queen Anne's County Commissioners held a Public Hearing regarding TACO #21-06 Accessory Structures in the Side Yards of Property Abutting Two Streets on August 24, 2021, and will be considered at their meeting on September 14, 2021.

(B) Miscellaneous Staff Items – None.

5. Preliminary Major Subdivision – Land Bridge LLC (Placek's Place) Sub #20-02-0160 – Rob Gunter, Development Review Principal Planner presented the highlights of the applicant's request for Preliminary Major Subdivision approval for a subdivision identified as Placek's Place, to administratively subdivide to transfer 1.165 acres from tax map 56 parcel 300 to parcel 38 and to create ten new residential lots utilizing the large lot subdivision technique, on a combined total of 7.834 acres West of Romancoke Road and South of Victoria and Stafford Drives in Stevensville.

Michael Foster, Esq., on behalf of Land Bridge, LLC., described the history of the property, previous attempt to gain access via Romancoke Road, and his position that Victoria Drive ends at the applicant's property.

Barry Griffith, Lane Engineering, said this residential subdivision is consistent with infill development. Additionally, he said the stormwater management is extensive and designed to withstand 2, 10, and 100-year storms. He added that clearing will be minimal, and deadfall from a previous weather event has been cleared.

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

- (A) David Blitzer, Esq**, representing Bay City Homeowner's Association, expressed the following legal issues and concerns; (1) Ownership of the intersection of Victoria and Stafford Drives, (2) use of Stafford Drive, which is private, by the residents of the new subdivision, (3) traffic impacts to 800+ lot subdivision where there are already extensive backups exiting the neighborhood, (4) drainage issues within Bay City, and (5) previous forest clearing was more than dead tree removal and should be included in the count for current clearing. Mr. Blitzer provided a binder of legal documents and correspondence regarding the property.
- (B) Mike Drysidel**, Vice President of Bay City Homeowner's Association, said we do not want this and expressed the following issues; (1) conservation area, (2) traffic back ups at Bay City entrances, (3) Stafford Drive is private and there is no way to prevent use, (4) safety and welfare of existing residents, (5) preventing use of Bay City amenities, and (6) in 1995 when roads were dedicated to the County the inventory list says "Victoria Drive dead ends at Bay City and Stafford.
- (C) Jay Sullivan**, Bay City, expressed concern about the traffic backups at the intersection with the light, mud and trees in the wetland, and said there is no benefit to us and will use our roads and lead to problems.
- (D) Linda Crandall**, Victoria Drive, expressed concern regarding traffic added on a street with 9 school children, said Kent Island is already over-developed, water pools at intersection of Victoria Drive and Bay City Road, currently speeding is a problem and this will make it worse, and construction traffic will make the area unsafe.
- (E) Robert Riley**, adjacent lot with access on Stafford expressed concern regarding his access and was told he would be landlocked.
- (F) Michael Timmons**, Victoria Drive said the existing infrastructure is inadequate, there is flooding, culverts have collapsed, there are no crosswalks to schools and parks across Route 8 and complained that the developer has had years to plan this, and we only had one week to prepare.
- (G) Matt Ronicka**, former Bay City lot owner, said the decision regarding public and private roads in Bay City was made over the hood of a truck with Todd Mohn who was the Director of Public Works at the time. We decided that Victoria ended at side of Stafford which would remain private. He expressed concern regarding the current resident's quality of life and bearing the burden and, added that in August 2016 when they cleared the non-tidal wetlands were disturbed and had to replant.
- (H) Keith Hutchins**, McKay Road, Bay City, said flooding water is a tremendous problem and he has had to pay \$20,000 to have his crawl space re-done twice and is now struggling to pay his mortgage due to these water drainage issues.

(I) **Grace Sammarco**, Representative for Living Waters Church, said they sold the property to the developer after offering it to Bay City and they declined. She said Bay City residents are opposed to everything and use the area as a dumping ground for trash and yard debris.

(J) **Mary Ralston**, Bayside Drive, Homeowner's Association Board Member from 2002 – 2006, expressed concern about all the children and buses on Victoria Drive, said Stafford Drive is maintained by Bay City HOA funds, it takes more than 10 minutes to get onto Romancoke Road, and that water from Stafford Road and Chesapeake Drive drainage ditch should go to the Bay but it does not.

The Planning Commission took a short break at 9:50 A.M and reconvened at 10:00 A.M.

Todd Mohn, County Administrator and former Director of Public Works said it really boils down to whether they have access to Victoria Drive. He said in the mid-1990s water and sewer were added to Bay City and road improvements were made to all roads except for private roads which included Stafford. Mr. Mohn described the intersection of Victoria and Stafford Drives in detail, and said they concluded that Victoria Drive extended through and included the Placek property.

Christopher Drummond, Planning Commission Attorney, reviewed a copy of his opinion letter from years ago and added that he, Patrick Thompson (County Attorney) and Todd Mohn agree and stand by their opinion. However, he added that they could be wrong, and this will probably end up before the court either way.

Todd Mohn said that over the years there have been numerous road and drainage improvements done by the County, but it is difficult because we don't have the rights of way to do everything. He said if road and drainage issues are reported the County will look at them to see what can be done. Lastly, he said the County can look at adjusting the traffic light times out of Bay City to see if State Highway Administration can give them longer green time in the morning.

The following motion was made by Commissioner Ebersberger, seconded by Commissioner Baker, and passed with Commissioners Ebersberger, Baker and Deoudes and Jackson in favor and Commissioners Reiss and Leigh in opposition:

RESOLVED, that the Planning Commission, regarding the request by **Land Bridge, LLC** for Preliminary Major Subdivision approval for a subdivision identified as Placek's Place, to administratively subdivide to transfer 1.165 acres from tax map 56 parcel 300 to parcel 38 and to create ten new residential lots utilizing the large lot subdivision technique, West of Romancoke Road and South of Victoria and Stafford Drives in Stevensville, as more particularly described in **Department of Planning & Zoning file #20-02-0160**, hereby finds the Subdivision to be consistent with the goals and objectives of the Queen Anne's County Zoning and Subdivision Regulations and the 2010 Comprehensive

Plan, and hereby grants approval with the following conditions; (1) the sewer allocation deposit of \$15,785 shall be paid prior to receiving Conditional Final Subdivision approval from the Planning Commission, and (2) any remaining edits and/or documents required by the Department of Public Works and/or the Department of Planning & Zoning be submitted, reviewed and approved.

6. Comprehensive Plan Update: Lauren Good and Ray Moravec of Wallace Montgomery led the commission in a Comprehensive Plan work session to continue the review of the Comprehensive Rezoning Requests in the context of the Draft Land Use Chapter.

The Planning Commission made the following decisions regarding Comprehensive Rezoning Requests:

CRR28: Kent Island Volunteer Fire Department: support Technical Committee recommendation.

CRR29: Kolby Schulz: support Technical Committee recommendation.

At 11:10 A.M. and prior to consideration of the CCR32 and CCR35, Commissioner Baker recused himself from the meeting, and returned at 12:16 P.M.

CRR32: RB Baker & Sons: Because the property is uniquely situated within the Queenstown Long Range Growth Plan, the Planning Commission does not support the Technical Committee recommendation and does endorse the applicant's request provided the Town of Queenstown is consulted and does not oppose the land use change.

The Planning Commission took a short break at 11:52 A.M. and reconvened at 12:01 P.M.

CRR35 H.D. Myles Farms, LLC: support the Technical Committee recommendation.

7. Public Comment

(A) Scott MacGlashan – Comprehensive Plan: maintain farmland.

(B) Howard Dean – Comprehensive Plan: strengthen commitment to Ag.

(C) Amanda Leager – Comprehensive plan: scenic byway, reduce traffic accidents.

(D) Bonnie Dean Roschie – Comprehensive Plan: preserve farms, prevent sprawl.

(E) Tripp Callahan – Comprehensive Plan: protect farmland from commercial development.

There being no further business to come before the Planning Commission, the meeting was adjourned at 12:36 P.M.

RESPECTFULLY SUBMITTED,

A handwritten signature in red ink, appearing to read "Kathy Deoudes", written over a horizontal line.

Kathy Deoudes, Secretary