

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
September 10, 2020

The Queen Anne's County Planning Commission met on Thursday, September 10, 2020, at 8:45 A.M. The following members were present: Jeffrey Reiss, Tom Leigh, Sharon Dobson, Tom Jackson, Teddy Baker, Kathy Deoudes, and Arthur Ebersberger.

Also present were Amy Moredock, Acting Director Department of Planning and Zoning; 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 Dobson, seconded by Commissioner Ebersberger and passed by unanimous voice vote, the August 13, 2020 Planning Commission Minutes were approved as presented.

3. Vote of Confidence – Chairman Reiss opened the floor for discussion and or motion regarding the Planning Commission discussion at their August 13, 2020 meeting.

The following motion was made by Commissioner Dobson, was seconded by Commissioner Ebersberger, and after comment and further discussion, passed by voice vote with Commissioners Dobson, Jackson, Baker, Deoudes and Ebersberger in favor and Commissioner Leigh opposed:

RESOLVED, that the Planning Commission affirms Chairman Reiss remaining in the position of Chairman of the Planning Commission.

Extension Requests –

(A) MAJOR SUBDIVISION #SUB 05-14-05-0006 Perry's Retreat – Walter Properties, LLC. – Mr. Michael Foster, Esq., described the difficulties encountered since March due to the Covid pandemic. He said the applicant has paid \$200,000 regarding the Public Works Agreement and will pay an additional \$240,000 next week for Phase I. He described the need to wait until Spring for optimal weather and said the Public Works Agreement has been granted a 6-month extension.

Mr. Kevin Shearon, DMS & Associates, further described the need for clearing and grading in March-May and said that although they are requesting 12-month extension, probably only need 9 months.

Mr. Fred Sheckells, Ten Oaks Development, described the issues with the pump house and vacuum station and said that although the design needs to be completed with Phase I, it will be built in Phase III. He said the optimal schedule would be to clear in March, compact in April, grade and install basins with pavement installed by Thanksgiving.

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

RESOLVED, that at the request of **Perry's Retreat Subdivision (Walter Properties, LLC.)**, the conditionally approved Major Subdivision, Department of Planning and Zoning **File #05-14-05-0006**, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission meeting on **September 9, 2020**.

(B) MAJOR SUBDIVISION 06-18-05-0011 Meadows Edge – Phase II – Mr. Jeff Thompson, Esq., on behalf of the applicant, said he was informed landscaping submittals were missing on July 16th and had to re-submit them to the department.

Mr. Jack Kirby, Kirby & Associates, said the plats are fully signed except for the Fire Marshall and Planning Commission Chairman.

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

RESOLVED, that at the request of **Meadows Edge Phase II**, the conditionally approved Major Subdivision, Department of Planning and Zoning **File #06-18-05-0011**, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission meeting on **December 10, 2020**.

(C) MAJOR SITE PLAN SP#19-10-0042 Wells Cove Development – Wells Cove II, LLC. – Mr. Tom Davis, DMS & Associates, said the cash deposit for sureties will be submitted in the next week. He added that this is the applicant's first extension request

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

RESOLVED, that at the request of **Wells Cove Development – Wells Cove II, LLC.**, the conditionally approved Major Site Plan, Department of Planning and Zoning **File SP#10-10-0042**, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission meeting on **March 11, 2020**.

4. MINOR SITE PLAN SP #19-09-0037 Economy Tree Service, Inc – Mr. Rob Gunter, Development Review Principal Planner, described the history and highlights of the applicant’s request for Minor Site Plan approval to remove the existing building and construct a 7,200 square foot building with office and storage area on 7.495 acres of land on Arrington Road, outside of Queenstown.

Mr. Branden Davis, DMS & Associates, said the building footprint is 6,000 square feet and the second story storage area makes it a total floor area of 7,200 square feet. He described the re-orientation of the stormwater management pond to avoid tree clearing and remain out of the non-tidal buffer area, said the demolition permit has been issued and the Historical Trust process has been started. Lastly, he said the Administrative Subdivision to combine lots does not change the zoning lines.

Mr. Trey Porter, Department of Public Works, said the stormwater management is unusual, but the site is best suited for a detention pond which would not clog as quickly. He said the department did not want them to expand the pond or to add an additional pond.

Chairman Reiss 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 Dobson, seconded by Commissioner Jackson, was amended twice to add conditions (6) and (7), and passed by unanimous voice vote:

RESOLVED, that the Planning Commission, regarding the request by **Economy Tree Service, Inc.**, for Minor Site Plan approval for the construction of a 7,200 square foot building with an office and storage area along Arrington Road, and as more particularly described in **Department of Planning and Zoning file SP #19-09-0037**, hereby finds; (1) the proposed plan is consistent with the goals and objectives of the Queen Anne’s County Zoning & Subdivision Regulations and the 2010 Comprehensive Plan, and hereby grants Minor Site Plan approval with the following conditions; (1) the buildings are constructed consistent with the architectural elevations provided for approval, (2) any remaining edits and/or

documents required by the Department of Public Works, Department of Planning & Zoning, or other reviewing agency be reviewed and approved, (3) any required legal documents must be approved, signed and recorded, (4) all required estimates, bonds, sureties, review and inspection fees must be submitted to the Department of Public Works and the Department of Planning & Zoning as appropriate, (5) all required signatures must be maintained, (6) the applicant shall use super silt fence around the limit of disturbance along down gradient, and (7) building permit shall not be issued until the Administrative Subdivision is completed or an easement is created for the septic system.

The Planning Commission recessed for a short break at 10:12 A.M. and reconvened at 10:21 A.M.

5. Discussion: Barry Waterman – Grasonville Village Commercial (Cottages) §18:1-13.D(4) General District Regulations – Uses not permitted – Ms. Amy Moredock, Acting Planning Director, said Planning Director Mike Wisnosky and Planning Commission Attorney Christopher Drummond determined that a cluster of modest single family homes (cottages) located on one property in the GVC is not a materially similar use to a listed use within GVC as proposed. And as such, she said this matter has been referred to the Planning Commission for consideration. Ms. Moredock said in Queen Anne’s County, the definition of a Multiplex includes a common wall and the proposed cottages are separate units.

Mr. Barry Waterman and Mr. Kevin Waterman described their desire to build cottages in the GVC district. He described and showed what was currently permissible as a multiplex townhome, and how cottages would look and function in the same space. Mr. Waterman said he believed cottages were consistent with the Zoning Code and a text amendment adding a paragraph with standards in a few places for whatever zones you decide to allow them would be a rather easy process. Lastly, he said if the Planning Commission opts to wait to make the addition with the Comprehensive Plan Update over the next year, they will move forward building something else; however, they would wait and build cottages if the Planning Commission choose to expeditiously consider the text amendment.

Chairman Reiss 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 Dobson, seconded by Commissioner Ebersberger and passed by unanimous voice vote:

RESOLVED, that the Planning Commission directs staff to create a draft Text Amendment to add "Cottages" to the Zoning Ordinance for Planning Commission review.

6. UPDATES: Legislation and Legal Matters – Ms. Amy Moredock, Acting Planning Director, began by saying she was appointed to the role of Acting Planning & Zoning Director last month and thanked Mr. Wisnosky for his leadership and support. She added that the County Commissioners are interviewing for the position which is expected to be permanently filled by the end of October. She then provided the following updates:

(A) Blue Grass Solar informed the department that One Energy Holding sold to Healstone Development, LLC.,

(B) TA/CO 20-03 Timing of development impact fee collection and assignment of an administrative fee for the processing of deferred impact fee payments in Queen Anne's County – was adopted with amendment by the County Commissioners,

(C) TA/CO 20-04 Accessory Dwelling Unit Provisions in the Resource Conservation Area – was introduced by the County Commissioners following Critical Area approval and is scheduled for a Public Hearing before the County Commissioners on September 22, 2020 at 6:00 P.M.

(D) TA/CO 20-11 Updates to the Building Code for Queen Anne's County is scheduled for a Public Hearing before the County Commissioners on September 22, 2020 at 6:05 P.M.

(E) TA/CO 20-08 Provisions for alcohol production facilities (to include distilleries) in the Agricultural and Countryside Districts in Queen Anne's County, defining certain terms and correcting the definition of farm brewery is scheduled for a Public Hearing before the County Commissioners on October 13, 2020 at 6:00 P.M.

(F) Comprehensive Plan Planning Commission homework responses were forwarded to Ms. Lauren Good at Wallace Montgomery who is currently scheduling virtual meetings and moving forward with the update.

8. Public Comment – No comments received.

There being no further business to come before the Planning Commission, the meeting was adjourned at 11:16 A.M.

RESPECTFULLY SUBMITTED,



Tom Leigh, Secretary