April 2, 2015

Talbot County Planning Commission
Final Decision Summary
Wednesday, March 4, 2015 at 9:00 a.m.
Bradley Meeting Room
11 N. Washington Street, Easton, Maryland

Attendance:

Commission Members:

Thomas Hughes, Chairman
Jack Fischer
William Boicourt
Michael Sullivan

Staff:

Mary Kay Verdery, Planning Officer
Jeremy Rothwell, Planner I
Elisa Deflaux, Environmental Planner
Mike Pullen, County Attorney
Carole Sellman, Recording Secretary

1. **Call to Order**—Commissioner Hughes called the meeting to order at 9:00 a.m. Commissioner Hughes explained that Commissioner Spies would not be in attendance. He explained that tie votes are considered a negative vote. If any applicant chooses they can withdraw without penalty until the next month.

2. **Decision Summary Review**—February 4, 2015—The Commission noted the following corrections to the draft decision summary:
   a. Line 148, correct to read: "and location of the kitchen as an argument for expansion. Given the obvious need to expand the kitchen, he has no trouble with that." Delete 151, 152, 153.
   b. Line 166, after staff conditions, add period to make new sentence.
   c. Line 225, correct to read: "Commissioner Boicourt stated we are going through our Comprehensive Plan right now. Eliminate Commissioner Boicourt stated he was worried about road capacity and the total impact."
   d. Line 317, eliminate first line thru Route 50. "Commissioner Fischer asked why this site was chosen for expansion in preference to other Nagel sites." Then paragraph change and "Commissioner Fischer asked if ground storage leads to rodent and shrinkage issues."
   e. Line 341, Before if insert "Mr. Mertaugh said that".
   f. Line 372, insert: "with all staff comments being complied with".
   g. Line 498, insert: "The Commission members agreed that since this project had been practically to final signatures (stage) previously it made no sense to make them go back and resurvey the property."
   h. Line 639, should be "west" not "wast".
   i. Line 708, change to read : "If after the previously approved site plan is approved someone decides to build something that is not on the site plan the County should not allow major changes without Planning Commission review."
   j. Lines 786 and 778, revise to read: "Maryland Broadband Coalition".

k. Line 793, revise to read: "needs to be parallel in both places, in the table on 3.12".
l. Line 847, strike 847-849.
m. Correct page numbering.

Commissioner Sullivan moved to approve draft Planning Commission Decision Summary for February 4, 2015, as amended; Commissioner Boicourt seconded the motion. The motion carried unanimously.

3. **Decision Summary Review**—February 5—The Commission noted the following corrections to the draft decision summary:
   a. Correct Wednesday to Thursday in the Caption.
   b. Line 73, revised to read: "The County should consider the feasibility of establishing broadband …." before the quote
   c. Line 127, add “d” to zone so it reads "zoned"
   d. Line 128, correct to read: "Ms. Verdery stated she believed they did that as part of their service to the community.", not she.
   e. Line 183, change to read as follows: "He stated that he would be uncomfortable approving the plan without seeing the final changes."
   f. Line 197, correct to read: "The other 10% is additions or changes necessitated by Maryland law. He is hoping that when this Plan gets to the Council we will have the opportunity to explain it to the Council."

   Commissioner Boicourt moved to approve the draft Planning Commission Decision Summary for Thursday February 5, 2015, as amended; Commissioner Sullivan seconded the motion. The motion carried unanimously.

4. **Special Meeting Decision Summary Review**—January 29, 2015

   Commissioner Boicourt moved to approve the draft Planning Commission Decision Summary for January 29, 2015, as presented; Commissioner Sullivan seconded the motion. The motion carried unanimously.

5. **Old Business**—None.

6. **New Business**

   a. Administrative Variance—J. Michael Potter and Deborah O. Potter, #A211—27303 Baileys Neck Road, Easton, MD 21601, (map 41, grid 23, parcel 40, zoned Rural Residential), Charles Paul Goebel Architect, Ltd., Agent.

   Mr. Rothwell presented the staff report of the applicant’s request to expand a legal non-conforming dwelling located within the Shoreline Development Buffer by approximately 377 square feet for the addition of a first floor master bedroom. Most of the proposed master bedroom addition will be located on existing impervious gravel surface. As part of the proposed addition both the driveway and front entrance will be reoriented towards the western face of the dwelling and out

of the 100 foot Shoreline Development Buffer. While a portion of the existing driveway will remain in the buffer to serve an existing boat ramp the applicant is proposing to reduce impervious surface within the Shoreline Development Buffer by approximately 2,844 square feet.

The proposed site plan also includes approximately 1,225 square feet of additions to the west face of the dwelling, along with a new entry porch, stoop, terrace and screened porch which are all outside of the 100 foot Shoreline Development Buffer. All proposed additions and new impervious surfaces were calculated to ensure that the project will comply with the 15% lot coverage requirement in accordance with the *Talbot County Code* §190-136.

Staff recommendations include:

1. The applicant shall make an application to the Office of Permits and Inspections and follow all rules, procedures and construction timelines as outlined regarding new construction.
2. The applicant shall commence construction on the proposed improvements within eighteen (18) months from the date of the Department of Planning and Zoning's "Notice to Proceed".
3. Natural vegetation of an area three times the extent of the approved disturbance in the buffer shall be planted in the buffer or on the property if planting in the Buffer cannot be reasonably accomplished. Disturbance outside the buffer shall be 1:1 ratio. A Buffer Management Plan application may be obtained through the Planning and Zoning Office.

Charles Goebel appeared on behalf of applicants. Mr. Goebel stated this was a weekend home which will become a full time permanent residence.

Commissioner Hughes questioned if there is an issue of whether or not there is an unwarranted hardship here. He sees the interior of the house pretty much rearranged. He sees no unwarranted hardship in not having a game room, or no reason why the bedroom could not be on the other end of the house where the terrace is going. He sees no physical reason with regards to this lot why the master bedroom which is supposedly the reason for encroaching into the 100 foot buffer, couldn't be put outside the buffer. The idea of a variance is to make some adjustment for the fact of an existing nonconforming structure in the buffer and to do something within reason to improve one’s home.

Commissioner Boicourt stated there are two points, what we have done in the past and what we have before us. Even though there is some decrease in the drive, he thinks we should consider at least the suggestion of the Critical Area in removing the drive near the bedroom.

Mr. Goebel stated the existing house is dated. Commissioner Hughes stated the warrant we have to follow is: are there special conditions or circumstances

existing that are peculiar to the land or structure such that a literal enforcement to the provisions of this chapter would result in an unwarranted hardship. You are proposing major additions outside the buffer and again he has not heard a compelling reason why the master bedroom could not be outside the buffer.

Commissioner Fischer stated if we were to approve this he does not see how we would ever be able to deny anyone else. Commissioner Boicourt stated that we have in the past allowed these kinds of additions to an existing residence; one of the benefits is we have reduced the pervious coverage. Commissioner Hughes said he has no problem with a total remodel outside of the buffer, but the reasoning for encroaching into the buffer is lacking.

Mr. Rothwell asked if it would make a difference if the applicant were to take out the portion of the drive within the buffer coming up to the bedroom? Commissioner Boicourt stated that should come out regardless.

Mr. Goebel stated the Potters would consider removing more impervious surface in the buffer.

Commissioner Boicourt stated that would make him more in favor of the project. Take out the continuation of the drive in front by the bedroom, leaving enough for the turn around.

Commissioner Sullivan stated the existing dwelling is 1,943 square feet, the additions are over 1,600 square feet, the screen porch and terraces take it up to 2,900 square feet of new structure, more than doubling the size of the house.

Commissioner Hughes asked the Commission members how they wanted to handle this. He stated that this is not just an addition, it is a major overhaul of the house. In the past we have trimmed back such applications, and as Commissioner Fischer said this is a bad precedent. The applicant is proposing to increase the house on three of the four sides of the house. Commissioner Hughes asked Ms. Verdery what they can do procedurally, turn it down or ask them to come back. Ms. Verdery stated they must make a recommendation, if they make a negative recommendation, they can include some things he can potentially do to make it more amenable.

Commissioner Hughes stated since the applicant is about to undertake a major remodel and gutting of this structure that he would like to see a better attempt to minimize impervious surface and encroachment in the hundred foot buffer.

Mr. Goebel said he could go back to the Potters and ask what can we do to reduce impervious surface in the buffer and amend the application.

Ms. Verdery stated it is the Commission’s obligation to make a recommendation. But if the applicant chooses to withdraw his project, he can come back with

something different prior to the Commission making a recommendation. If he ultimately chooses not to withdraw and the project is denied by the Planning Officer, he can make an appeal to the Board of Appeals.

Mr. Goebel stated he is looking for guidance.

Commissioner Hughes explained to Mr. Goebel that the Commission is not trying to single him out. On rare occasions they have had applications like this that are a little bit beyond the warrants and the zoning code stating that you have to demonstrate an unwarranted hardship that is peculiar to this lot. Commissioner Hughes asked if there was a consensus to see the master bedroom out of the buffer and to try to reduce the impervious surface as much as possible.

Commissioner Sullivan asked that the left side be reworked as much as possible, shift everything to the right for less encroachment and get everything out of the buffer.

Mr. Goebel withdrew and will come back with another plan.

Commissioner Boicourt moved to table the administrative variance for J. Michael Potter and Deborah O. Potter, 27303 Baileys Neck Road, Easton, MD 21601, until the next meeting, pending a revised plan to not encroach as much into the buffer and decrease impervious surface, Commissioner Sullivan seconded. The motion carried unanimously.

b. Administrative Variance—Charles Davitt and Katherine Davitt, #A212—27153 Anchorage Road, Easton, MD 21601, (map 24, grid 16, parcel 117, lot , zoned Rural Conservation), Bill Stagg, Lane Engineering LLC, Agent.

Mr. Rothwell presented the staff report of the applicant's request for expansion of a legal non-conforming dwelling located within the Shoreline Development Buffer by approximately 44 square feet for the addition of two second-story dormers. The increase in gross floor area comes out to just over one percent of the dwelling.

Staff recommendations include:

1. The applicant shall make an application to the Office of Permits and Inspections and follow all rules, procedures and construction timelines as outlined regarding new construction.
2. The applicant shall commence construction on the proposed improvements within eighteen (18) months from the date of the Department of Planning and Zoning's "Notice to Proceed".
3. Natural vegetation of an area three times the extent of the approved disturbance in the buffer shall be planted in the buffer or on the property if planting in the Buffer cannot be reasonably accomplished. Disturbance

outside the buffer shall be 1:1 ratio. A Buffer Management Plan application may be obtained through the Planning and Zoning Office.

Bill Stagg, Lane Engineering appeared before the Commission representing Mr. and Mrs. Davitt. He stated it was a fairly simple vertical expansion and he had nothing to add to the staff report.

Commissioner Hughes asked for comments from the public; there were none.

Commissioner Boicourt moved to recommend to the Planning Officer to approve the administrative variance for Charles Davitt and Katherine Davitt, 27153 Anchorage Road, Easton, MD 21601, provided compliance with staff recommendations occurs, Commissioner Fischer seconded. The motion carried unanimously.

c. Phillips Wharf Environmental Center (PWEC)—6129 Tilghman Island Road, Tilghman, MD 21671 (map 44A, parcel 25, zoned Village Center), Elizabeth Fink Fink, Whitten & Associates, LLC, Agent.

Mr. Rothwell presented the staff report of the applicant's request for a modification to a previously approved Major Site Plan to alter the facade of the primary structure, and to add a full third floor. In the revised proposal, the total footprint of the structure and porches/decks/stairwells will be reduced by approximately 1,792 square feet. The total gross floor area (GFA) of the proposed structure will correspondingly be reduced by approximately 487.75 square feet.

Staff recommendations include:

1. The applicant shall comply with conditions of the previous major site plan approval granted by the Planning Commission on July 2, 2014, and the special exception modification (Appeal No. 14-1610) of the Board of Appeals.
2. The applicant shall make an application to the Office of Permits and Inspections and follow all rules, procedures and construction timelines as outlined regarding new construction.
3. The applicant shall commence construction on the proposed improvements within twelve (12) months from the date of the Department of Planning and Zoning's "Notice to Proceed".

Mr. Rothwell explained there would be a change in the façade and a nearly complete reconfiguration. Given changes of the façade the project was worthy of a site plan revision. There was a reduction of 1,800 square feet in footprint. There is an addition of a full third story for mechanical and electrical equipment. Both buildings are 40 feet but the roof pitch is different and the dormers are taken out. There is a different arrangement of windows. The front entrance is on the same side but moved towards Tilghman Island Road. Page 5 of the proposed site plan (A.101.2) shows a very significant reconfiguration of uses. If you look at the

second floor (102.2) there is not as much change, the bulk of the reconfiguration is on the first floor. The breakdown of uses has been provided. There is a fairly significant reduction in the proposed general retail (from 361 down to 156) and seafood sales (185 down to 41).

Commissioner Hughes summarized that the appearance of the building has changed somewhat, the overall gross floor area had been reduced, and the overall retail had been reduced, and those are material changes.

Elizabeth Fink, Fink, Whitten & Associates, LLC and Kelly Cox, Executive Director of Phillips Wharf Environmental Center appeared before the Commission.

Commissioner Fischer asked if the changes were budget driven? Ms. Cox stated they were driven by workflow as well as financial. Commissioner Fischer stated this is not as attractive a building as it used to be. The primary view of this building from most people driving in and out of Tilghman will be the view of the ladders going up the outside and will not be as attractive.

Commissioner Hughes asked if everything was still good with State Highway Administration and parking. Ms. Fink stated it was and even though there was a reduction in gross floor area they were going to maintain the same amount of parking spaces.

Commissioner Hughes asked for public comments; none were made.

Commissioner Sullivan moved to approve the amendment to the Major Site Plan of Phillips Wharf Environmental Center (PWEC), 6129 Tilghman Island Road, Tilghman, MD 21679, with staff recommendations being complied with; Commissioner Boicourt seconded. The motion carried unanimously.

d. <u>Bill 1298 exemption owner/applicant with Maryland Department of the Environment permit exemption from local 25 foot nontidal wetland buffer</u>

Ms. Verdery provided a Memo which notes that the Commission is required to make a recommendation to the County Council on this proposed text amendment. This is similar to Bill 1292 which the Commission reviewed in the past. There was additional information provided from the Office of Law. There were several examples of projects reviewed. Currently the Applicant is required to go to Board of Appeals for a variance of the nontidal wetlands buffer. Elisa Deflaux goes on site visits to ensure proper delineation of nontidal wetlands

Mr. Rothwell presented a power point report. To take the state data and put it into GIS he has to isolate the non-tidal wetlands. Power point slides included: nontidal wetlands in the county, in critical area, and outside the critical area. Maps showing these areas in red in critical area, along the Choptank and along eastern

border of County; non critical area wetlands focused in three areas: Miles River, Marengo and Western Neck between Easton and St. Michaels; nontidal wetlands which follow the tributaries; Tunis Mills area most of nontidal wetlands are forested areas; hatched yellow areas are protected with conservation easement; Royal Oak, same pattern, nontidal wetlands concentrated in forest areas; areas of land not placed in conservation easements; Cordova up to Queen Anne most of the nontidal wetlands in this area are along the existing streambeds. There is a 100 foot tributary stream buffer.

We would require wetlands to be delineated during the site plan or subdivision process.

We have 11,453 acres of nontidal wetlands in Talbot County that meet the wetlands classification as per Department of Natural Resources, in the stream buffer-4,299 acres, nontidal wetlands protected by conservation easements-2,900 acres. There is some overlap in terms of some area in the stream buffer protected by conservation easements. The nontidal wetland area not protected by stream buffer or conservation easement is 5,379 acres.

Commissioner Hughes noted in terms of the western part of Talbot County much of these nontidal wetlands are zoned Western Rural Conservation (WRC) and are zoned areas of limited development because of the poor soils. He also noted Miles River Neck and many of the other areas have been flagged as particular areas of concern, in the Comprehensive Plan and there are numerous references to protect nontidal wetlands and their buffers, which is a significant issue for this County. Seeing the delineation of all these areas is very important with regards to proper planning for these areas.

Ms. Deflaux stated when we get development projects we look at everything. We look at the maps, we look at the soils maps, we use aerial photography, we look at all the forested areas. We visit every site and walk practically the entire site. We use soil conservation's aerial photography which goes back to the 1930s to see the drainage patterns. We require nontidal wetlands to be delineated whether they are in the field or in the forest if they are part of the development concept. Delineation is verified by the Maryland Department of the Environment and shown on the plan with the appropriate buffers. The Commission asked who requires the delineation, Ms. Deflaux stated the Planning Office requires it She said the first review of any development project is visiting the site, identify the areas that could be impacted by development, require them to be delineated, visit the site again with Maryland Department of the Environment to have the nontidal wetlands verified.

Commissioner Hughes mentioned he received a letter to be entered into the record from Mr. Alspach on this matter. He has given a copy to the staff and members of the Commission.

Mr. Pullen, County Attorney stated he had submitted a memo to the Commission and if they would like to review that memo and ask any questions or seek legal advice he would suggest they make a motion to go into executive session. Matters related to this bill are pending in litigation and he is not able to give a legal analysis in public concerning that litigation and this bill from a legal perspective.

Commissioner Boicourt stated if only the legislation was discussed it would not be an issue. Mr. Pullen stated he could not give legal advice unless it was a closed Executive Session.

It was discussed among the Commission members whether or not to go into Executive Session.

Commissioner Sullivan moved to adjourn into Executive Session related to legal issues regarding policy decisions; Commissioner Boicourt seconded. The motion carried unanimously. Adjourned to Executive Session at 10:31 a.m.

Planning Commission session resumed at 11:46 a.m.

Commissioner Hughes asked for public comment.

Tom Alspach stated that he represents one of the Talbot County citizens who is in court on this legislation. He stated his interest in this goes far beyond that. These provisions have been the law of Talbot County for 15 years or more. Why are they suddenly a compelling issue? The reason is that the County Attorney wants to reverse the Board of Appeals decision of KES Farms. Last summer the County Council was given advice to support predecessor legislation and they agreed. The issue went into Circuit Court and it ruled there was no pre-emption over nontidal wetlands. The law in this jurisdiction right now is that the Board of Appeals has the right to rule on applications for variances in the nontidal wetlands buffer. That case is on appeal to the Court of Special Appeals. If Court of Specials Appeals reverses this the whole thing goes away. So what is to be gained by adopting this legislation now? If the Court of Special Appeals agrees then the KES Farms decision is affirmed then the Talbot County Council has another opportunity to adopt this. There are two property owners, Robert Magdaleno and Joseph Morris, who are concerned about an open sewer field next to their property. Regardless of who the parties are at the end, the Court of Special Appeals is going to decide this very legal question as presented by this legislation, i.e., does the local government in Talbot County have the right to regulate nontidal buffers or is that right preempted when Maryland Department of the Environment acts on a permit. That is the legal question. It is still before the courts. There is no reason to take any action on this at this time.

Commissioner Fischer asked if the Circuit Court actually did rule on preemption or if they passed on preemption because Maryland Department of the Environment was not present at the court case.

Mr. Alspach stated the judge gave three or four reasons about why he upheld the Board of Appeals and one of them was specifically that the Maryland statute that talks about Maryland Department of the Environment certificates specifically says that these are contingent upon federal state and local laws and local zoning regulations.

Mr. Alspach stated the easy thing is to point out to the County Council not to get involved in this now. To the extent you do there is no valid reason to want to give up your local control of regulation for all time of wetland buffers simply to get out of a takings claim in one case.

Phil Jones, St. Michaels Road, St. Michaels. He stated the map was great and he appreciated being able to see it. Mr. Jones stated he is a Board of Appeals member but was there as a private citizen. His property sits downstream from the nontidal wetlands. The drainage pattern out there flows to the Miles River from those narrow necks. His property and the state highway ditches carry storm water and other water out of the woodlands down a branch of Long Haul Creek. His concern specifically at this moment is the impact on non-tidal neighbors. When you have a process, whether before the Planning Commission or the Board of Appeals, you can come before your fellow citizens and explain what you are dealing with. Mr. Jones stated for him that is the biggest benefit of having a provision in the zoning code. Maryland Department of the Environmental may not always recognize the impacts. He stated from his perspective he wanted to be able to talk to elected officials, or appointed officials or his neighbors and explain what is happening. He feels more comfortable doing that than dealing with the state.

Commissioner Hughes asked the Commission what their feelings were; he stated they had issues with the wording and policy implications. It was decided last year that it was premature to go sawing away (on) our ability to have some regulation over nontidal wetlands. He stated he is very concerned with making significant changes to our zoning code on the basis of a single law suit; it is a bad precedent.

Commissioner Fischer stated the question is; if Bill 1298 makes good sense on a policy level. Is it good public policy to cede local control of land use to the state? He stated he does not know of a precedent which a county has stepped forward and said please manage our land for us. The second element: is it good policy to concede a debate on local control before that debate is held. If the Board of Appeals wins this case then we have defined pre-emption. If the Board of Appeals loses we can write the bill at that time. He stated it obviates the need for this bill at this time.

Commissioner Fischer stated that the state seized control of our tidal wetlands and we have been working for years with the Critical Area Commission trying to straighten out mischief that has resulted from that seizure. Who is more informed making judgment on our properties, a person coming down from Baltimore and

walking the property, if he even comes down or someone who lives and works here and knows the physical conditions of the property. It does not make sense to him on a public policy level. It is not good public policy, not good for our citizens, not good for our land, not good for all of us.

Commissioner Sullivan stated one of the presumptions in this whole thing is that the Maryland Department of the Environment is right. The Trappe situation, where clearly Maryland Department of the Environment was very clearly incorrect. He thinks this piece of legislation represents a bad policy.

Commissioner Boicourt stated we got advice from our counsel and feel it is a strong argument. That advice is going to go to the County Council and he accepts that. Clearly we are not in a situation where we can or should make that interpretation of the law. The fundamental objection to what has happened here is the flawed process by which the Maryland Department of the Environment allowed a permit in this case. That is objectionable and has been for a long time. We ought to convey that to the County Council.

Commissioner Sullivan stated he has been financing commercial real estate for 35 years. When you look on a macro level of most developments, you can go back and look at most of the cities in the United States, you don't want to be down wind, you don't want to be down slope, you don't want to be down river. An enormous percentage of cities developed through those times everything down wind, down river, and down slope is poor. It is where the effluents from the factories flowed, the wind took the smoke. Everything up wind and up smoke is where the wealthier people and the nicer parts of the city were. We talk about a taking, well the people who have to smell the stink from this and potentially it is migrating into their property, that is a taking of their quiet enjoyment of their property also. We need to get back to the basic issue, which is: we need to change the policies and address the issues to get them done effectively.

Commissioner Fischer said we don't want to get sidetracked. The issue is: is it wise public policy for a county to give up control of its land. Is it wise public policy to do it now.

Commissioner Hughes wanted to throw in one final word on berm infiltration ponds. He has been interested in environmental issues for 40 years. In the 1980s the County was given millions of dollars to correct failing septic issues in Royal Oak and it seems ludicrous now in 2015 to be going back to allowing an open sewer. Who is going to be taking care of these things. In 2002 he had wetlands put in his farm that have berms around them. Several times a year he has to go around and fill in holes because they leak. Will passage of this legislation make any further discussion of that moot?

Commissioner Fischer moved not to recommend Bill No. 1298, A Bill to provide that regulated activities within nontidal wetlands and their buffers that are

authorized by a permit or letter of exemption from the Maryland Department of the Environment, and Development Activities that do not require a permit or letter of exemption from the Maryland Department of the Environment are not subject to the requirement for a twenty-five foot buffer from the edge of nontidal wetlands under §190-123 C and §190-140 B, *Talbot County Code*.

Because:

1. Ceding local control of development in non-tidal wetlands buffers is not good policy as the consequences may have negative results on public health and the environment;
2. The County Council should petition the Maryland Department of the Environment to delegate specific authority to Talbot County to create a local nontidal wetland protection program pursuant to COMAR; and
3. The language of Bill No. 1298 Sections 190-123C and 190-140B are not clear to specify what activities are subject to the County requirement of maintaining a twenty-five foot buffer.

Commissioner Sullivan seconded the motion. The motion carried unanimously.

7. Discussions Items

8. Staff Matters

a. Family Affair Farms

Ms. Deflaux presented the information for this project. The Saathoffs would like to offer strawberry milkshakes made with strawberries from their farms.

Commissioner Hughes questioned restricting sales to only milkshakes. Ms. Deflaux stated that would be an enforcement issue. It was questioned if there would be other items such as ice cream cones and water. Ms. Deflaux stated that they would have to go through an Administrative Site Plan process. Another question was if they would have porta potties on site. Ms. Deflaux stated the site plan showed porta potties but the Health Department stated they were not to have them. This would need to be discussed during the Administrative Site Plan process.

Commissioner Hughes asked if we could limit sales in any way. Ms. Deflaux stated one of the site plan stipulations was that all of the parking be off the road.

Commissioner Sullivan recommended the Planning Officer approve Family Affair Farm (Saathoff Family) U Pick Strawberry, the mobile food vendor, for milk shakes only, subordinate to the value added use, Commissioner Fischer seconded the motion. The motion carried unanimously.

9. WorkSessions

10. Commission Matters

11. Adjournment–Commissioner Hughes adjourned the meeting at 1:01 p.m.

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