



**Talbot County Planning Commission
Decision Summary**

Wednesday, November 6, 2019 at 9:00 a.m.
Bradley Meeting Room
11 N. Washington Street, Easton, Maryland

Attendance:

Commission Members:

Staff:

Paul Spies, Chairman (absent)
Phillip “Chip” Councill, Vice Chairman
William Boicourt
Michael Strannahan
Lisa Marie Ghezzi

Mary Kay Verdery, Planning Officer
Miguel Salinas, Assistant Planning Officer
Elisa Deflaux, Planner II
Mike Mertaugh, Assistant County Engineer

1. Call to Order—Commissioner Councill called the meeting to order at 9:00 a.m.

Commissioner Councill explained there were only four (4) members of the Commission present and that a tie vote is considered a negative vote. He stated that any applicant may choose to withdraw their application until the next month without penalty.

2. Decision Summary Review—October 2, 2019—The Commission noted the following corrections to the draft decision summary:

- a. Line 76, revise to read “339 square feet”.
- b. Line 133, revise to read “289.7 feet”.
- c. Line 188-189, revise to read “Commissioner Boicourt asked if the Planning Officer had any concerns with approving the Preliminary Final. Staff did not have any concerns.”
- d. Line 195, revise to read “Commissioner Boicourt moved to approve the Preliminary Final of Major Revision Plat – Preliminary Plat for William B. and Nathaniel J. Ewing, Tuckahoe Bow Road, Cordova, Maryland, with all staff recommendations.”

Commissioner Boicourt moved to approve the draft Planning Commission Decision Summary for October 2, 2019, as presented. Commissioner Strannahan seconded the motion. The motion carried unanimously (4-0).

3. Old Business

- a. Recommendation to County Council – Recommendation to amend Section 190-30.12 of the Talbot County Code to amend Recycling, Product—McAllister, DeTar, Showalter & Walker, LLC #C-705.

53 Mr. Salinas presented the staff comments. Mr. Ryan Showalter was present on
54 behalf of the applicant. A discussion was had regarding concerns related to the
55 property line setbacks. Ms. Verdery explained that the applicant is requesting a
56 modification to the 500-foot minimum equipment and storage setback
57 requirement (Subsection D) and the direct access to a major collector or arterial
58 highway requirement (Subsection F). They are not requesting a modification to
59 the 1,000-foot minimum setback from existing residences (Subsection E). The
60 Commission agreed to revise Subsection L to include a minimum setback of 200
61 feet.

62
63 **Commissioner Boicourt moved to recommend the County Council approve**
64 **the Text Amendment to Section 190-30.12 of the Talbot County Code to**
65 **amend Recycling, product with the amendments discussed in the meeting**
66 **and all staff recommendations. Commissioner Strannahan seconded the**
67 **motion. The motion carried 4 to 0.**
68

69 **4. New Business**
70

- 71 a. Preliminary Major for a Small Scale Subdivision—Wrightson Subdivision,
72 Melinda and Steve Wrightson #M1169—30722 Kingston Road, Easton, Maryland
73 21601 (Tax Map 35, grid 4, Parcel 33, Zoning District CP/AC).
74

75 Ms. Deflaux presented the staff report for the Preliminary Plan for a Small Scale
76 Subdivision to divide Tax Parcel 33 into Tax Parcel 33, Lot 2 and Tax Parcel 33,
77 Lot 1 (Farm Parcel), and establish a 40’-wide private road right-of-way easement,
78 Mt Hope Lane, on a property located at 30722 Kingston Road, Easton, Maryland.
79

80 Staff recommendations include:

- 81 1. Address the October 16, 2019 TAC comments from the Department of
82 Planning and Zoning, Department of Public Works, Environmental
83 Health Department, Talbot Soil Conservation District, Critical Area
84 Commission and the Environmental Planner prior to the Preliminary
85 Plat submittal.
86

87 Ms. Elizabeth Fink with Fink, Whitten & Associates, LLC appeared in front of
88 the Commission to represent Mr. Steven T. Wrightson and Ms. Elaine A.
89 Wrightson. Ms. Fink asked for Preliminary Final Approval.
90

91 **Commissioner Ghezzi moved to approve the Preliminary and Final Major**
92 **Single Lot Subdivision with private road for Melinda and Steve Wrightson,**
93 **30722 Kingston Road, Easton, Maryland, with all staff recommendations.**
94 **Commissioner Boicourt seconded the motion. The motion carried 4 to 0.**
95

- 96 b. Major Site Plan—Helene’s of St. Michaels, Edward J. Higgins and Helene
97 Higgins #SP609 —1005 S. Talbot Street, St. Michaels, Maryland 21663 (Tax
98 Map 32, grid 9, Parcel 117, Unit D, Zoning District GC/GWO).

99 Ms. Deflaux presented the staff report for Major Site Plan approval for a change
100 of use from a residential dwelling to a General Service, Beauty Parlor in an
101 existing 1,128 square foot structure. The applicants intend to add a 300 square
102 foot addition to the structure along with a covered entry, ADA accessible ramp
103 and the parking on Unit “D” of condominium area on the Parcel 117. The
104 applicants are also requesting waivers of the following Code requirements:

- 105 1. 190-17.4.E.2 – Parking in the Gateway Overlay District (GWO) is
106 required to be located in the side or rear yard with the exception of two
107 (2) spaces permitted in the front yard. The applicants are requesting
108 two additional spaces in the front yard in addition to the two existing
109 spaces.
- 110 2. 190-17B(1)(a) – Limits the Gateway Overlay District (GWO) to one
111 freestanding sign. The applicant is seeking a waiver to allow for two
112 freestanding signs on the parcel, as permitted in the General
113 Commercial Zoning District (GC) under 190-42.9C on parcels with
114 over 200 feet of road frontage with a limit of 50 square feet. If
115 approved, the applicant will need to provide a signage inventory to
116 determine the size of the sign.
- 117 3. 190-41.6 Bicycle Parking. – The site plan does not provide bicycle
118 parking.
- 119 4. 190-41.7 Loading Area. – The site plan does not provide the one
120 necessary loading space for this use.
- 121 5. 190-35.5 Sidewalks. – A 10-foot pedestrian access easement is
122 provided on the site plan with a request to delay construction.
123

124 Staff recommendations include:

125 Should the Planning Commission approve one or more of the waiver requests –

- 126 1. The applicants shall take all of the required steps and acquire all
127 necessary approvals required for a Major Site Plan as spelled out in the
128 Talbot County Code.

129 Should the Planning Commission approve the Major Site Plan –

- 130 1. The applicants shall address the October 16, 2019 TAC comments
131 from the Departments of Planning and Zoning, Public Works, State
132 Highway Administration and Environmental Health, and Soil
133 Conservation District.
- 134 2. The applicants shall make applications to and follow all of the rules,
135 procedures, and construction timelines as outlined by the Office of
136 Permits and Inspections regarding new construction.
- 137 3. The applicants shall commence construction on the proposed
138 improvements within twelve (12) months from the date of final
139 approval.
140

141 Ms. Elizabeth Fink with Fink, Whitten & Associates, LLC appeared in front of
142 the Commission to represent Mr. Edward J. Higgins and Ms. Helene Higgins. A
143 discussion was held regarding multiple property owners and concerns related to
144 the proposed signage and parking.

145 **Commissioner Boicourt moved to approve the Major Site Plan for Helene’s**
146 **of St. Michaels, 1005 Talbot Street, St. Michaels, Maryland, with all staff**
147 **recommendations. Commissioner Strannahan seconded the motion. The**
148 **motion carried 4 to 0.**

149
150 **Commissioner Boicourt moved to grant waivers for signage, bicycle parking,**
151 **loading and sidewalk for Helene’s of St. Michaels, 1005 Talbot Street, St.**
152 **Michaels, Maryland, with all staff recommendations. Commissioner**
153 **Strannahan seconded the motion. The motion carried 4 to 0.**

154
155 **Commissioner Boicourt moved to grant the parking waiver for Helene’s of**
156 **St. Michaels, given that the other property owner has overflow parking that**
157 **is shared, and that there is other parking available, for 1005 Talbot Street,**
158 **St. Michaels, Maryland, with all staff recommendations. Commissioner**
159 **Strannahan seconded the motion. The motion carried 4 to 0.**

- 160
161 c. Major Site Plan—Ferry Cove Oyster Hatchery, Ferry Cove Project, LLC #SP612
162 —21770 Lowes Wharf Road, Sherwood, Maryland (Tax Map 30, grid 17, Parcel
163 106, Zoning District RC/WRC).

164
165 Ms. Deflaux presented the staff report for the Major Site Plan approval for a
166 17,245 square foot oyster hatchery building under the land use categories of
167 Aquaculture (Wholesale), 190-26.17 and Fish and Game Hatcheries of the Talbot
168 County Code (Code). Also as part of this request is gravel parking, stormwater
169 management features, improvements to an existing farm driveway to be a 12-foot
170 wide gravel driveway access, a new 165-foot timber pier with a Chesapeake Bay
171 water intake filter box with stone riprap surround for ice flow protection and a
172 460 square foot L head pier platform. The L head platform is to provide a safe
173 workspace for maintenance of the intake pipes within the intake filter box. The
174 intake pump station force mains and return lines pump water to the hatchery
175 building and a separate 1,500 square foot on-shore nursery located on a 1,500
176 square foot concrete pad. All Chesapeake Bay intake water is returned to the
177 Chesapeake Bay via piping to riprap stabilized outfalls. The proposed hatchery
178 building is 38 feet 10.5 inches in height and the associated six outdoor water
179 storage tanks are approximately 14 feet in height.

180
181 Also, as part of this request the applicant is seeking a change of use of an existing
182 agricultural storage barn to an office for the hatchery under the land use category
183 of Aquaculture (Wholesale), 190-26.17 of the Talbot County Code.

184
185 The applicant is also requesting waivers of the following Code requirements:

- 186 1. 190-41.3 Table V-6 – Minimum required off-street parking.
 - 187 2. 190-40.5E Table V-4 – Perimeter Landscaping for 121 shrubs for a
 - 188 Alternative Landscaping Plan.
 - 189 3. 190-35.5D Streetlights and Sidewalks.
- 190

191 Staff recommendations include:
192 Should the Planning Commission approve one or more of the waiver requests –
193 1. The applicant will need to provide a Code-compliant landscape plan,
194 bicycle parking and loading space or the project will need additional
195 waivers from the Planning Commission.
196 2. The applicant shall take all of the required steps and acquire all
197 necessary approvals required for a Major Site Plan as spelled out in the
198 Talbot County Code.

199 Should the Planning Commission approve the Major Site Plan –
200 1. The applicant shall address the October 16, 2019 TAC comments from
201 the Departments of Planning and Zoning, Public Works, Critical Area
202 Commission, and Environmental Health, and Talbot Soil Conservation
203 District.
204 2. The applicant shall make applications to and follow all of the rules,
205 procedures, and construction timelines as outlined by the Office of
206 Permits and Inspections regarding new construction.
207 3. The applicant shall commence construction on the proposed
208 improvements within twelve (12) months from the date of approval.
209

210 Mr. Sean Callahan with Lane Engineering appeared in front of the Commission to
211 represent Ferry Cove Project, LLC. Mr. Callahan noted that there is a proposed
212 Text Amendment for the pier, and that there is ongoing design work on the
213 hatchery building and revisions to the landscape plan. He also stated that the
214 Critical Area Commission may require a reduction in width to the driveway.
215

216 A member of the audience, Mr. Kennedy, the Chairman of The Bay 100
217 Coalition, invited the owner and designer to a Sherwood meeting to brief the
218 nearby residents on what is proposed for the building design; in his presentation
219 he indicated that he received no adverse comment on the project from the public.
220

221 **Commissioner Boicourt moved to approve the Major Site Plan for Ferry**
222 **Cove Oyster Hatchery, 21770 Lowes Wharf Road, Sherwood, Maryland,**
223 **with all staff recommendations. Commissioner Ghezzi seconded the motion.**
224 **The motion carried 4 to 0.**
225

226 **Commissioner Ghezzi moved to grant waivers for off-street parking,**
227 **Perimeter Landscaping, and Streetlights and Sidewalks for Ferry Cove**
228 **Oyster Hatchery, 21770 Lowes Wharf Road, Sherwood, Maryland, with all**
229 **staff recommendations. Commissioner Strannahan seconded the motion. The**
230 **motion carried 4 to 0.**
231

232 d. Recommendation to County Council – Zoning Text Amendment to Talbot County
233 Code 190-31.2(D) to add a new subsection for exceeding the limitation of length,
234 width and platform area of piers to support fisheries and marine-related uses—
235 McAllister, DeTar, Showalter & Walker, LLC #C-706.
236

237 Ms. Verdery presented the staff comments and noted a few modifications to the
238 amended text. Ms. Verdery also noted that MDE does not have a length limitation
239 for commercial piers or associated platforms. Mr. Showalter explained in detail
240 the need for the additional pier length for water quality. After further discussion,
241 it was determined that pier extension at Aquaculture wholesale should be included
242 and permitted by Special Exception.

243
244 **Commissioner Boicourt moved to recommend the County Council approve**
245 **the Text Amendment to Talbot County Code 190-31.2(D) for piers**
246 **supporting fisheries and marine related uses with amendments by staff, all**
247 **staff recommendations, and with Aquaculture wholesale pier extensions**
248 **permitted by Special Exception. Commissioner Strannahan seconded the**
249 **motion. The motion carried 4 to 0.**

- 250
251 e. Recommendation to County Council – Zoning Map Amendment for Modified
252 Buffer Area, Talbot County Code 190-15.11H—McAllister, DeTar, Showalter &
253 Walker, LLC #C-707.

254
255 Ms. Verdery presented the staff comments for the requested Critical Area
256 Modified Buffer Area Overlay in Bellevue to allow for reduced buffer from Mean
257 High Water. Both Mr. Showalter and Mr. Callahan explained the reasoning for
258 the reconfigured lots and modified buffer.

259
260 **Commissioner Boicourt moved to recommend the County Council approve**
261 **the Zoning Map Amendment for the Modified Buffer Area Overlay in**
262 **Bellevue, Talbot County Code 190-15.11H, with staff recommendations**
263 **including the first #4 option. Commissioner Strannahan seconded the**
264 **motion. The motion carried 4 to 0.**

265
266 **5. Discussions Items**

- 267
268 a. Mr. Salinas gave a presentation on progress with development of the Working
269 Waterfront Overlay District. He provided background related to the origin of the
270 project – implementation of a strategy recommendation in the Tilghman Village
271 Master Plan. Mr. Salinas also provided an overview of the consultant’s work as a
272 precursor to the drafting of the district including a Research and Best Practices
273 Report and Zoning Discovery Report; a description of the differences between
274 water-dependent, water-related and water-enhanced uses; and the zoning structure
275 and zoning incentives included in the current draft of the district. He concluded
276 the presentation with additional questions staff is exploring Critical Area
277 Commission staff prior to a public release of the final preliminary draft of the
278 district.
- 279
280 b. Ms. Verdery briefly discussed the following:
281 1. The Commission was provided a copy of Bill 1435 for a replacement pier
282 to a boathouse.

283 2. The next Cordova Master Plan meeting is on November 21st; open house
284 starts at 5:30 p.m. and the draft will be reviewed at 6:30 p.m. The draft
285 should be posted on the webpage by November 12th. Ms. Verdery will
286 suggest January 14th at 3:00 p.m. for a work session to present the Master
287 Plan to the County Council.
288

289 **6. Staff Matters—** Ms. Verdery stated that the new Planning Staff Assistant, Jennifer
290 Collins, will begin next week.
291

292 **7. Work Sessions**
293

294 **8. Commission Matters—** Commissioner Councill asked if smaller printed site plans or
295 electronic copies would provide an easier review. Commissioner Ghezzi stated that she
296 preferred the clarity of the larger plan sets. Commissioner Councill also asked Mr.
297 Mertaugh to clarify the disturbance calculation and review process for stormwater
298 management.
299

300 **9. Adjournment—** Commissioner Councill adjourned the meeting at 1:30 p.m.