



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury-Wicomico Planning and Zoning Commission met in regular session on January 19, 2017 in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

### COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman  
Scott Rogers  
Marc Kilmer  
Newell Quinton  
James McNaughton  
Jack Heath  
Jim Thomas

### CITY/COUNTY OFFICIALS:

Henry Eure, Building, Permits and Inspections Department  
Brian Wilkins, Salisbury Public Works Department

### PLANNING STAFF:

Jack Lenox, Director  
Gloria Smith, Planner  
Beverly Tull, Recording Secretary



The meeting was called to order at 1:31 p.m. by Mr. Dashiell, Chairman.



### MINUTES:

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission **APPROVED** the minutes of the December 16, 2016 meetings as submitted.

*Mr. Kilmer abstained from the vote due to his absence from the meeting.*



**RE: #WP-0904-17A PUBLIC HEARING – SPECIAL EXCPETION AND SITE PLAN APPROVAL – Delmarva Power Sports – Beaver Run Drive – Motorcycle and ATV Sales – Lt. Bus. And Institutional District.**

Mr. Lenox read the ad and administered the oath. Mr. Dashiell explained the public hearing procedure.

Mr. Charles Vane came forward. The applicant is requesting a Special Exception and a Site Plan approval for construction of a 20,000 sq. ft. Motorcycle and ATV sales facility on this site.

Mr. Vane explained that this request was before the Commission before. He noted that his existing building has not sold but he’s added additional lines of merchandise and now has to build the new building.

Dr. McNaughton questioned if the parking was excessive. Mrs. Smith responded that the parking shown on the plans meets the parking standards.

Mr. Rogers questioned how many parking spaces were actually required. Mrs. Smith responded that 82 parking spaces are required. Mr. Rogers noted that at the end of the parking bay in the center there isn’t any landscaping. Mrs. Smith responded that the County Code is slightly different from the City Code and does not require landscaping at the end of parking bays.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission **APPROVED** the Special Exception and Site Plan for Delmarva Power Sports in Beaver Run Business Center, subject to the following Condition of Approval:

**CONDITIONS:**

1. The site shall be developed in accordance with the approved Site and Landscaping Plan.
2. All plant materials larger than six (6) inches in diameter shall be retained along the Route 50 frontage of the site.
3. This development is subject to any applicable Conditions of Approval imposed by the Wicomico Board of Appeals in 1988 or 1994.

- 4. On-site signage shall be in accordance with the requirements of the Conditions of Approval for Beaver Run Business Park OR as approved by the Wicomico County Board of Zoning Appeals.
- 5. Subject to further review and approval, if required, by the Wicomico County Public Works Department.

**#SP-1203-17B            COMPREHENSIVE DEVELOPMENT PLAN – Delmarby, Inc. – Arby’s – Summer Drive – Planned Development District #3, Parcel 2 – M-39; G-17; P-430.**

***Mr. Dashiell and Mr. Rogers recused themselves due to professional conflicts. Mr. Heath served as Acting Chairman.***

Mr. Steve Fuller and Mr. Todd Hershey came forward. Mrs. Gloria Smith summarized the request explaining that a Final Development Plan has been submitted for Parcel 2 including the Comprehensive Development Plan, Landscaping Plan, Building Elevations and Signage information. The Plan proposes development of Parcel 2 with a 3,273 sq. ft. Arby’s containing 1,050 sq. ft. of patron seating area. Parking including handicapped and RV parking, dumpster location, storage building location, landscaping, and bio retention areas are shown on the Plan. The round-about has been constructed on Walston Switch Road at the intersection of Summer Drive and Campus Drive (Wor Wic Community College). A subdivision plat is under review in Salisbury Public Works for the creation of this 1.7988 acre site (slight modification of the lot shown on the Preliminary Subdivision Plat) and the extension of Summer Drive.

Mr. Fuller noted that they would add the additional handicapped space at the front of the building. The subdivision plat has been through the review process and they are just waiting for the developers to sign the mylar so it can be recorded. The stormwater management plans have been submitted and comments should be available soon. The construction plans should be submitted by the end of the month. The easement for utilities that was mentioned is to assist the Tri County building.

Dr. McNaughton questioned if this was the final approval. Mrs. Smith responded in the affirmative.

Upon a motion by Mr. Thomas, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** the Final Comprehensive Development Plan for Parcel 2 of the Moore Property Commerce Park Planned Development District #3, including a **WAIVER** of the Community Impact Statement and Statement of Intent to Proceed and Financial Capability, and subject to the following Conditions of Approval:

**CONDITIONS:**

1. The site shall be developed in accordance with Final Comprehensive Development Plan for Parcel 2. Minor Plan adjustments may be approved jointly by the Directors of Building, Permits and Inspections and Planning and Zoning.
2. A Final Subdivision Plat for this lot, prepared in accordance with the Salisbury Subdivision Regulations, shall be recorded in the Land Records of Wicomico County.
3. The remainder of Moore Property Commerce Park Planned Development District #3 shall be maintained and kept free of trash and debris until such time as development occurs.
4. Construction improvement plans shall be submitted to the Salisbury Department of Public Works for review and approval for street construction, utility construction, stormwater management and other required improvements.
5. Development of this project is subject to further review and approval by the Salisbury Public Works Department.



**#SP-1203-17C      SIGN PLAN – Delmarby, Inc. – Arby’s – Summer Drive – Planned Development District #3, Parcel 2 – M-39; G-17; P-430.**

***Mr. Dashiell and Mr. Rogers recused themselves due to professional conflicts. Mr. Heath served as Acting Chairman.***

Mr. Steve Fuller and Mr. Todd Hershey came forward. Mrs. Gloria Smith summarized the request explaining that Delmarby, Inc. has submitted the signage proposed for the Arby’s proposed in the Moore Property PDD #3, Parcel 2.

Dr. McNaughton questioned if the LED sign would be a blinking sign. Mr. Hershey responded that the message board was a digital sign. Dr. McNaughton questioned if the blinking would be a distraction. Mr. Fuller responded in the negative. Mrs. Smith questioned what cycle the message will change. Mr. Hershey responded that they could program the message to whatever the standard is. Mrs. Smith noted that the state standard is every six (6) seconds.

Upon a motion by Mr. Thomas, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** the Sign Plan for Arby’s located on Parcel 2 of the Moore Property Commerce Park Planned Development District #3, as submitted.



Dr. McNaughton stated that the message cycle should be part of the conditions in the future so that it is complied with. Mr. Heath questioned if you can ask people already approved to meet the current standards. Mr. Dashiell doubted that

you could ask people who already have signs to change their standard. Mr. Thomas noted that this would be worth studying due to the safety issues involved with distracting drivers.




Mr. Thomas noted that he had attended his first MPO TAC meeting. He explained that the MPO now extends into Delaware. There were representatives from DELDOT and DNREC at the meeting to give updates for their areas.

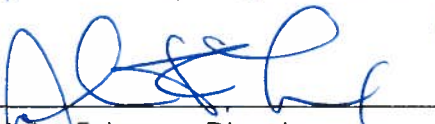


There being no further business, the Commission meeting was adjourned at 2:15 p.m. by Mr. Dashiell.



This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development Office.

  
Charles "Chip" Dashiell, Chairman

  
John F. Lenox, Director

  
Beverly R. Tull, Recording Secretary