



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
P.O. BOX 870
125 NORTH DIVISION STREET, ROOMS 203 & 201
SALISBURY, MARYLAND 21803-4860
410-548-4860
FAX: 410-548-4955



JACOB R. DAY
MAYOR

JULIA GLANZ
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on March 15, 2018, in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

COMMISSION MEMBERS:

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

CITY/COUNTY OFFICIALS:

Anne Roane, Infrastructure and Development Dept.
Marilyn Williams, Planning and Zoning Dept.

PLANNING STAFF:

Jack Lenox, Director
Amanda Rodriguez, Administrative Office Associate



The meeting was called to order at 1:30 p.m. by Mr. Dashiell, Chairman.



MINUTES:

Upon a motion by Mr. Thomas, seconded by Mr. Rogers, and duly carried, the Commission **APPROVED** the minutes of the February 15, 2018 meetings as submitted. Mr. Heath and Dr. McNaughton abstained from voting due to absence from February's meeting.



Merritt Mill Townhouses – Pennrose Properties, LLC – Merritt Mill Road – R-8A Residential District – I&D# 03-050 –M-39, G-7, P-33 (A. Roane)

Mr. Patrick Stewart, of Pennrose Properties, Kevin Anderson, Engineer, and Forrest French, Architect, came forward. Ms. Roane presented the Staff Report. She noted the handout at the table that altered the format of the Staff Report presented in the distributed packets, which clarifies the recommended conditions. She summarized the history of the proposed 75 unit apartment complex and the previous annexation of the property into the city as of February 27, 2014. As per the December 2017 meeting, 3 additional units are included in Mr. Stewart's request for preliminary approval.

Mr. Stewart thanked the Commission for their time and hoped to consider both preliminary and final approval from the Commission today. Mr. Stewart described the progress that has been made in their concept planning, including addressing the waste removal and landscaping concerns, and noting the more detailed pedestrian paths. He explained the breakdown of the units would be 8 market rate apartments and 67 affordable housing units.

Mr. Dashiell stated the Commission could not consider final approval due to the needed annexation revision.

Mr. Anderson revealed 2 additional exhibits to show the interconnectivity of the pedestrian walkways and the placement of acceleration and deceleration lanes to address community concerns.

Mr. French stated the new design places the parking units in the rear of the buildings making the common area in the center of the buildings more pedestrian friendly. Mr. Stewart added that the paths address surrounding residents' concerns about foot traffic through their properties.

Ms. Virginia Bender, of 2300 Whispering Ponds Court (Merritt Mill Townhomes), came forward to address personal concerns. She inquired about the addition of the 3 extra units. Mr. Stewart explained the discrepancies between the deed and the survey. Ms. Bender raised concerns about future developments, but was told by Mr. Stewart that the remaining land would be a Forest Conservation Easement or placed into the Lower Shore Land Trust. She asked for clarification on the location of the tot lot and the parking density. She raised a question about the availability of handicap units. Mr. Stewart stated the ADA requirement for accessible units is 5% but this complex will feature an additional 12 units for those with disabilities. Ms. Bender lastly requested a confirmation on the name of the complex. It was determined that the proposed name for the complex is "The Square at Merritt Mill."

Mr. Richard Pallone, of 209 Rutledge Street, Syracuse, NY, came forward with concerns about site drainage, LEED certification status, and the possibility of a fence

along the property line. Mr. Stewart pointed out the location of the proposed bio swales that would collect water into infiltration ponds. He noted that Pennrose is not currently seeking LEED certification but was granted "Bronze" status by the National Green Building Standard.

Dr. McNaughton, Mr. Pallone, and Mr. Stewart engaged in brief discussion about the necessity of a fence and density concerns, featuring concerns about the number of children that would be residing in these proposed units and the liabilities that would surround the safety of the children.

Mr. Paul Longshore, a resident in West Nithsdale but a unit owner in Whispering Ponds, also voiced concerns about future resident children and the need for a fence to keep said children off of the Whispering Ponds property.

Mr. Thomas asked if there had been further DID reports. These will be discussed at the City Council work session scheduled for March 19, 2018.

Mr. Dashiell again noted that it would be in the best interest of the Commission to postpone the final approval vote until after the City Council work session as well as a public hearing, tentatively scheduled for March 26, 2018.

Ms. Roane stated that the annexation legislation limits the density to 75 units for that lot, so future development would be restricted without additional legislation.

Mr. Heath asked for an explanation of the difference between LEED and the National Green Building Standard requirements. Mr. Stewart explained the two are relatively equivalent, LEED just has more paperwork.

Upon a motion by Mr. Rogers, seconded by Mr. McNaughton, and duly carried, the Commission granted a conditional approval of the Preliminary Comprehensive Development Plan subject to the completion of sections IV, V, and VI of the Staff Report and the following Conditions:

CONDITIONS OF APPROVAL:

1. Provide detail of the sidewalk connection along Merritt Mill Road with the adjacent property to the east and detail of deceleration and acceleration lane pavement sections.
2. Provide details of the pedestrian connection to the existing shopping center to the south per Resolution No 2356.
3. Further detailed review by Salisbury Department of Infrastructure and Development for compliance with all State and local regulations.



COUNTY SUBDIVISION PLAT: (M. Williams)

Gary Mancuso Preliminary/Final 1 Lot
Morris Road - M-51; P-69; G-8

Ms. Williams, Wicomico County Planning and Zoning, and Mr. Steve Fuller, of Solutions, IPEM, LLC came forward to present the County Subdivision Analysis to be considered for both preliminary and final approval by the Commission.

Mr. Rogers recused himself from this matter due to a personal acquaintance with the applicant.

The subdivision in question will divide a 10.6938 acre lot from an 85.18 acre parcel. The lot will remain in possession of the owners, Gary and Cynthia Mancuso.

Upon a motion by Mr. Thomas, seconded by Mr. Kilmer, and duly carried, the Commission granted a final approval of the subdivision subject to the proposed conditions listed in the County Subdivision Analysis.

CONDITIONS OF APPROVAL:

- 1. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations.
- 2. Health Department approval is required prior to recordation of the Final Plat.



COUNTY SUBDIVISION PLAT: (M. Williams)

Gregory William Rayne Preliminary/Final 1 Lot
Gumboro Rd - M-32; P-6; G-2

Ms. Williams, Wicomico County Planning and Zoning came forward to present the County Subdivision Analysis to be considered for both preliminary and final approval by the Commission.

The subdivision in question will divide an 18.66 acre lot from a 38.108 acre parcel. The lot will remain in possession of the owner, Gregory William Rayne.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission granted a final approval of the subdivision subject to the proposed conditions listed in the County Subdivision Analysis.

CONDITIONS OF APPROVAL:

- 1. Approval of the subdivision is required by the State Highway Administration.
- 2. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations.

- 3. The Health Department is requiring approval of the existing septic system and establishment of a 10,000 square foot Sewage Reserve Area prior to recordation of the Final Plat. Evaluation of the existing system is underway.



**NATURAL RESOURCES CONSERVATION ADVISORY COMMITTEE – COMMISSION DESIGNEE
(J. Lenox)**

Mr. Lenox advised that Mr. Quinton had previously served as the Planning Commission designee on this Committee. Mr. Copeland has agreed to now serve, subject to Commission approval.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission supported the addition of Mr. Copeland to the Natural Resources Conservation Advisory Committee.



There being no further business, the Commission meeting was adjourned at 2:33 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

Recording Secretary