



# 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 December 20, 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, Absent  
Jim Thomas

### CITY/COUNTY OFFICIALS:

Henry Eure, Infrastructure and Development Dept.  
Anne Roane, Infrastructure and Development Dept.  
Duran Holder, Salisbury Fire Department

### PLANNING STAFF:

Jack Lenox, Director  
Amanda Rodriguez, Recording Secretary

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

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**MINUTES:** Upon a motion by Mr. Rogers, seconded by Mr. Copeland, and duly carried, the Commission **APPROVED** the minutes of the November 15, 2018 meeting as written.

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**COMPREHENSIVE SITE PLAN – MIXED-USE BUILDING – Bateman Street Partnership LLC – 123 Bateman St. – Gen. Comm. District - #201800987 – (H. Eure)**

Mr. Henry Eure, Bob Kambarn, the property owner, and Jeff Dashiell of JDC Construction came forward. Mr. Eure explained that the applicants want to convert an existing 4,400 square foot building to a mixed-use building for apartments and office space.

He explained that a mixed use building is permitted inherently. He continued that the existing parking is noncompliant in regards to paving, landscaping, and accessibility requirements but the revised site plan will address these issues to bring the property into compliance.

Mr. Eure stated that there is no dumpster enclosure on site currently, and none is shown on the submitted plan. Staff recommended approval with the addition of a dumpster enclosure.

Mr. McNaughton asked if there was available parking behind the building. Mr. Eure replied that some parking will be removed from behind the building to ensure removal landscaping and the dumpster enclosure.

Mr. Thomas asked if the dumpster addition would interfere with the applicant's ability to meet the parking requirements. Mr. Eure reminded the Commission that the new City parking requirements actually require less spaces per unit, and that the dumpster would not interfere.

Mr. Rogers inquired about the surface treatment for the lot, and if the handicap accessible space would be paved. Mr. Eure referred to the aerial of the existing lot, noting that the handicap space is already paved per ADA standards.

Chairman Dashiell noted that while additional paving is not necessary for sites under 5,000 square feet, the landscaping portion is more necessary to improve the site.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission granted Comprehensive Site Plan approval as submitted subject to the following Condition of Approval:

**CONDITION OF APPROVAL:**

1. Provide a refuse disposal area with screening on three (3) sides as required by the Code. Minor plan adjustments may be approved by the Director of the Department of Infrastructure and Development.
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**CITY SUBDIVISION PLAT—Preliminary Approval— Greystone Res. Community—  
Schumaker Lane- M-116, P-2524& 34, G-10, 40 Lots-- (A. Roane)**

Ms. Roane and Keith Iott, of Timber Crest SBY, LLC, and property owner, came forward. Ms. Roane read the Staff Report and stated that the applicant is seeking preliminary approval for a 40 lot subdivision located between Beaglin Park Drive and Schumaker Lane for a single-family housing development.

Ms. Roane stated that there was a representative from the Salisbury Fire Department, Mr. Duran Holder, present to discuss the addition of a second entry to the development for emergency access purposes.

Mr. Iott stated that he had a few concerns about including the suggested second entrance to the community. He explained that, in his opinion, the second entrance will affect the safety of the neighborhood. He stated that the proposed neighborhood has a certain feel and aesthetic to make it feel like a closed community. A grey stone wall along the side facing Beaglin Park Drive, as well as a privacy fence along the other sides of the community, would help future residents feel safe.

Mr. Iott insisted that all of the houses would be equipped with sprinkler systems as required, which would cut down on the need for a second emergency access. He continued by listing other developments in the area that have only one entryway, but are still in compliance.

Ms. Sherry Cook, of 708 Schumaker Lane, asked the Commission if she could speak on behalf of the surrounding neighbors. She expressed concerns about the amount of homes being put into this subdivision and the impacts the development would have on traffic in the area. She also stated that the neighborhood was concerned there would be future pressure for their properties to be annexed into the city.

Mr. Dashiell stated that this project would not require annexation of any of the surrounding properties.

Mr. Holder came forward to address the fire safety aspects of the proposed subdivision. He noted that sprinkler systems are only a temporary control method until the Fire Department can arrive on scene, and would not provide sufficient protection if emergency vehicles could not access the development due to unforeseen circumstances regarding the single entryway.

Mr. Rogers interjected that requiring a second entrance would not create a through street, but would just provide more accessibility.

Ms. Roane stated that the Canal Woods Development was a great example of the potential dangers of only having one way in and out.

Mr. Kilmer inquired about the potential location of a second entrance. Mr. Iott answered that most likely it would be along the side that faces Foggy Bottom Drive.

Mr. McNaughton asked Mr. Iott to expand upon the safety concerns for the community.

Mr. Iott explained that his idea for this development is to really capture that small neighborhood feel and sense of community. He stated that creating through traffic would destroy those ideals. He explained that people from other neighborhoods could intrude on the community and make residents feel unsafe.

Chairman Dashiell explained that the addition of a second entrance has been entertained by the Commission in the past on the recommendation of the Fire Department, and that the addition of a second point of entry is not unreasonable for this project. He stated that while a second entryway on Beaglin Park Drive would create multiple traffic issues, the Foggy Bottom location seems very reasonable. Mr. Dashiell noted that he was not convinced that the second entryway would “ruin the sense of community.”

Mr. Kilmer reminded the Commission of a project on Pemberton Drive from a few months ago where they required a second entry. He stated that the Commission should be consistently following the recommendations of the Fire Department.

Mr. Iott agreed to add the second entrance in order to respect the wishes of the Fire Department and Planning Commission.

Dr. McNaughton asked if there would be a need for additional traffic signals on any of the roads connected to this development. Ms. Roane stated there would be no need for additional signals.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission granted Comprehensive Site Plan approval as submitted subject to the following seven Conditions of Approval:

**CONDITIONS OF APPROVAL:**

1. A second entrance shall be added for accessibility per Salisbury Fire Department request.
2. Provide landscape buffers and privacy fencing along Beaglin Park Drive and Schumaker Lane.
3. The Final Plat shall comply with all requirements of the Salisbury Subdivision Regulations.
4. Health Department approval is required prior to the recordation of the Final Plat.
5. The Final Plat shall comply with all requirements of the Forest Conservation Act.
6. A Homeowner's Association shall be created to maintain open space, recreation and Stormwater management facilities, drainage and maintenance easements and forest conservation easements.

7. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development.
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**COUNTY SUBDIVISION PLAT EXTENSION REQUEST:**

**Six Chix**

**Extension to Record**

**6 Lots**

**Powellville Road – M-61; P-82; G-18**

Chairman Dashiell chose to recuse himself from this matter due to his personal ties to the applicant.

Mr. Lenox explained the subdivision extension requests noting that the subject was discussed extensively in October, and that this particular extension was outstanding as the applicant missed the deadline for the November meeting.

He discussed the Code language controlling the granting of extensions. A Preliminary Plat is not good forever. The applicant has one year to submit the Final Plat.

After a Final Plat is approved, the applicant has three years to record the plat. He continued that it is very common for the Commission to have extension requests. The Commission is allowed to grant one year at a time.

Mr. Lenox read the request for an extension to record the final plat that would include a 6 lot, 28.17 acre subdivision from the parent parcel. Staff recommends the one year extension be granted.

Mr. McNaughton asked if there should be some announcement to the public about the subdivision extension. Mr. Lenox explained that the code allows a 12-month extension without public notice.

Upon a motion by Mr. Thomas, seconded by Mr. Kilmer, and duly carried, the Commission granted a 12-month extension to record the final plat, to expire December 31, 2019.

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There being no further business, the Commission meeting was adjourned at 2:20 p.m. by Mr. Dashiell.

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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.

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Charles “Chip” Dashiell, Chairman

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Lori A. Carter, Director

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Recording Secretary