



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
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MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on May 16, 2019, 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:

Henry Eure, Infrastructure and Development Dept.
Anne Roane, Infrastructure and Development Dept.
Keith Hall, Deputy Director, Wicomico County Planning and Zoning
Marilyn Williams, Land Development Coordinator, Wicomico County Planning and Zoning

PLANNING STAFF:

Gloria Smith, Planner, Wicomico County Planning and Zoning
Amanda Rodriguez, Recording Secretary

The meeting was called to order at 1:32 p.m. by Mr. Dashiell, Chairman.

MINUTES: Upon a motion by Mr. Rogers, seconded by Mr. Thomas and duly carried, the minutes from the April 18, 2019 meeting were **APPROVED** as submitted.

ADMINISTRATIVE MATTER: Chairman Dashiell wanted to acknowledge and thank Commission Member Kilmer for his service to the Commission and wish him luck in his future endeavors.

ANNEXATION ZONING – 927 Johnson Road – Dirk Widdowson – 1.77 Acres - R-8A Residential District - #19-021; M-48, P- 270, G-5, (B. Wilkins)

Ms. Anne Roane and Mr. Dirk Widdowson came forward. Ms. Roane summarized the Staff Report and explained the applicant is seeking a favorable recommendation for R-8A zoning for 927 Johnson Road to be connected to City sewer due to a failing septic on the property.

Mr. Widdowson added that this property is unique, containing two dwellings with separate wells and septic systems, one of which is failing, as well as outbuildings. He noted that there is a public easement for Schumaker Manor that runs directly up to the Johnson Road property line, thus making the service extension possible.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission forwarded a favorable recommendation to Council for the R-8A zoning.

ANNEXATION ZONING – 1305 S. Division Street – KENPO333, LLC, Mr. Richard Mitchell; BDMK, LLC, Mr. Bref Davis – 3.03 Acres – “Commercial” District - #19-022; M-48, P- 217, G-8, (A. Roane)

Ms. Roane came forward and summarized the Staff Report. She stated the applicants are seeking a favorable recommendation be forwarded to Council for this property to be zoned Commercial. The parcel is currently zoned LB-1 in the County.

Mr. Thomas asked if the entire parcel was co-owned or if each building was owned independently. Ms. Roane replied that there was one owner per building on the parcel.

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission forwarded a favorable recommendation to Council for this parcel to be zoned Commercial.

ANNEXATION ZONING – Greystone Residential Community – Timber Crest SBY, LLC – Schumaker Lane – 0.40 Acres - R-8A Residential District - #201900380; M-38, P- p/o34, G-23, (H. Eure)

Mr. Eure came forward and summarized the Staff Report. He stated the applicants are requesting R-8A zoning for a 40-unit single-family development. He noted that the parcel is currently zoned R-8 in the County.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission forwarded a favorable recommendation to Council for this parcel to be zoned R-8A.

REVISED COMPREHENSIVE DEVELOPMENT PLAN – Millers Edge – Skymark Real Estate Inc., represented by Parker and Assoc. – Pemberton Drive – R-8A Residential District - #201900353; M-113, P-1136, G-15, (H. Eure)

Mr. Eure, Brock Parker of Parker and Associates, and Mark Ackerman of Skymark Investments came forward. Mr. Eure summarized the Staff Report and explained that the applicants are seeking approval of the Preliminary Comprehensive Development Plan for 153 townhouse style units off of Pemberton Drive.

Mr. Parker described the site plan, noting there would be 30 buildings containing 153, 1-story units that include individual backyards for privacy. He stated that this would fill a need within the City for housing for seniors that was not specifically designated 55+ housing.

Mr. Heath inquired about the composition of the fencing surrounding the individual backyards. Mr. Ackerman replied that it would be your standard white vinyl privacy fencing.

Chairman Dashiell noted that the Commission had the authority in this situation to waive the building coverage requirement and the financial impact fee. He also stated he would like the conditions to be more specific about lighting and landscaping within the community.

Mr. Heath asked Mr. Parker for clarification on the number of on-site dumpsters. Mr. Parker replied that the site plan detailed 11 dumpsters on the property.

Mr. Rogers made a motion to approve the Preliminary Comprehensive Development Plan with an amendment to the first condition to require detailed landscaping and lighting plans, as well as to waive both the impact fee and building coverage requirements. Mr. Kilmer seconded the motion, with all others voting in favor, the Commission granted approval of the Preliminary Comprehensive Development Plan with the amended condition.

FINAL CERTIFICATE OF DESIGN & SITE PLAN – – Marina Landing – Salisbury Development Group, LLC – Fitzwater Street – RRMU #2 and CBCA IDA - #16-014; M-106, P- 1108, G-22 (A. Roane)

Ms. Roane, Brock Parker of Parker and Associates, and Keith Fisher of Fisher Architecture came forward. Ms. Roane summarized the Staff Report and noted that this project is before the Commission again seeing Final approval. She stated that Staff recommends approval with the 6 listed conditions.

Mr. Thomas asked if there had been many modifications to the plan over the review history of this project. Mr. Parker replied that the modifications that have been made have only been done so as to keep up with the current changing code language and requirements.

Mr. Parker noted that this project has been a large one in terms of the impact it could have on the City of Salisbury as a signature landmark.

Dr. McNaughton asked if the State of Maryland has changed any Stormwater Management regulations that would impact this project. Ms. Roane replied that the Stormwater regulations remain unchanged, however, the approval timelines vary from agency to agency.

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission approved the Final Certificate of Design and Site Plan for Marina Landing with the 6 conditions as submitted.

COUNTY SKETCH PLAT: (G. Smith/M. Williams)

The Pond at Nutters Sketch, Stonehaven Drive, 18 Lots

Ms. Gloria Smith and Brock Parker of Parker and Associates came forward. Ms. Smith reminded the Commission that there is no action to be taken in this review, but that the Commission is welcome to give feedback and make additional comments.

Mr. Thomas stated that the property is designated a Tier IIA area, and then requested the definition of a Tier III growth area in case this would need to be changed before approval.

Mr. Hall explained that the Tier III areas have different density limits and operate “business as usual”. He stated that Tier IIA is given to areas with 7 lots or less, and as this is a proposed 18 lots, it will no longer meet the Tier IIA limits. The Comprehensive Plan provides a guide for the process of changing a Tier designation, but that sewer and density regulations are up to Maryland

Department of the Environment as well as the Wicomico County Health Department.

Ms. Smith noted that the private utility never went into this section of the subdivision. She explained that County Public Works made comments to the review, including the need to have the existing curb and gutter as well as the drains re-inspected to ensure proper Stormwater drainage.

Mr. Heath asked if this new section would be subject to the Homeowners' Association governance as they exist today. He expressed concerns Ms. Smith replied that there are two separate HoAs for this subdivision, and that she believed this section would most likely be under the jurisdiction of the one that governs the adjacent section.

There being no further business, the Commission meeting was adjourned at 2:50 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

Lori A. Carter, Director

Amanda Rodriguez, Recording Secretary