



# City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION  
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

BOB CULVER  
COUNTY EXECUTIVE

JULIA GLANZ  
CITY ADMINISTRATOR

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## SALISBURY-WICOMICO COUNTY PLANNING AND ZONING COMMISSION

### AGENDA

**REGULAR MEETING**

**MAY 21, 2020**

**TELE CONFERENCE DUE TO COVID-19 SEE BELOW FOR DETAILS**

**1:30 P.M.** Convene, Chip Dashiell, Chairman

**Minutes – Meeting of April 16, 2020**

**1:35 P.M. AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION – McCain** – Union Church Road – 85.13 acres - M-58, P-117, G-24 (G. Smith)

**AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION – Porter Mill Properties** – Ocean Gateway – 129.05 acres - M-18, P-28, G-12 (G. Smith)

**AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION – Delmarva Farms** – 91.32 acres - M-46, P-141, G-18 (G. Smith)

**REVISED COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Downtown Bridal** – represented by Solutions Engineering – Gateway Crossing - Regional Commercial Zoning - #20-009 - M-110; G-17; P-4491 (A. Roane)

**SIGN PLAN APPROVAL – Panera Bread** – Selby Sign for Panera Bread/PVT I LLC - 2835 N. Salisbury Blvd. – Gen. Comm. District - #202000373 – M-20; G-24; P-215 (H. Eure)

In response to the COVID-19 crisis and in an effort to promote the healthy, safety, and general welfare of the public, the May 21, 2020, meeting of the Salisbury-Wicomico County Planning and Zoning Commission will be conducted via conference call. Interested parties can participate by joining the meeting via phone by using the following call in meeting numbers:

Call in number is 510-338-9438

Meeting number is 799-295-727

Password 13579

If using this option, please call in prior to the 1:30PM start of the meeting and place your phone on mute.

\* \* \* \* \*



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## MINUTES

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The Salisbury-Wicomico Planning and Zoning Commission met in regular session on April 16, 2020, via WebEx teleconference, with the following persons participating:

**COMMISSION MEMBERS:**

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

**PLANNING STAFF:**

Anne Roane, Infrastructure and Development Dept.  
Henry Eure, Infrastructure and Development Dept.  
Brian Wilkins, Infrastructure and Development Dept.  
Keith Hall, Deputy Director, Wicomico County Planning, Zoning, and Community Development  
Brian Soper, Planning Services Manager, Wicomico County Planning, Zoning, and Community Development  
Jesse Drewer, Planner II, Wicomico County Planning, Zoning, and Community Development  
Melissa Cassimore, 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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Chairman Dashiell announced in response to the COVID-19 crisis and in an effort to promote the health, safety, and general welfare of the public this meeting is being conducted via teleconference call. He proceeded with thanking County and City Staff for assisting with making the teleconference possible. Also, Chairman Dashiell welcomed public that may be joining on the call. He stated no matters before the Commission are public hearings, but the

public will be given an opportunity to speak on each item being presented. Chairman Dashiell concluded the opening remarks by recognizing the loss of loved ones as a result of this pandemic, as well as acknowledging the efforts of fire responders, health care providers, doctors and nurses on the front line in countless communities.

Mr. Hall conducted a roll call of Commission members participating on the call, as well as City and County staff. Mr. Hall announced a quorum of Commissioners was achieved for the meeting. Chairman Dashiell requested Mr. Hall to provide a brief overview of procedures and tips for conducting a teleconference meeting. Mr. Hall presented the house keeping procedures, which included participants and applicants placing phone on mute, announce name prior to speaking, conducting individual roll call for Commissioner comments and votes on items. With no questions, Mr. Hall turned the meeting over to Chairman Dashiell.

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**MINUTES:** The minutes from the February 20<sup>th</sup> meeting were brought forward for approval. Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the minutes from the February 20, 2020 meeting were **APPROVED** unanimously as submitted.

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**FINAL COMPREHENSIVE DEVELOPMENT PLAN - 7-Eleven  
Convenience Store and Gas Station – Westwood Business Park – Corner of  
Westwood Road and Naylor Mill Road. Core Acquisitions, LLC - # 18-022 Map  
0028 Parcel 0263 (A. Roane)**

Ms. Anne Roane, Mr. Dave Kuklish of Bohler Engineering, and Tim Flanagan, Developer of Core Acquisitions confirmed their presence on the teleconference. Ms. Roane presented the Staff Report and stated the applicant was seeking Final Comprehensive Development Plan Approval for a 4,950 SF convenience store and an eight (8) MPD gas canopy (4,295 SF) and a four (4) MPD diesel canopy (1,800 SF). Ms. Roane stated the Plan had received Preliminary Plan approval. The site is located at the corner of Westwood and Naylor Mill Road. Ms. Roane stated the Applicant has addressed all City concerns and the Storm Water Management plans are being reviewed, but it would not affect the layout. Staff recommended approval of the Final Comprehensive Development Plan.

Mr. Dave Kuklish stated in addition to securing the final approval from the City, they are also in final stages of securing final approval from the State Highway Administration and final approval prints from the Conservation District.

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Mr. Tim Flannigan stated Mr. Adam Finsel was unable to attend. Mr. Flannigan stated they are looking forward to providing this project to the community.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Chairman Dashiell asked if the public had any questions or comments. There were none.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas asked if traffic counts and studies were conducted in connection to the site.

Ms. Roane stated they were not required.

Mr. Kuklish stated yes a traffic impact study was done and approved by the Maryland State Highway Administration prior to submittal.

Ms. Roane confirmed it was done and there were no issues.

Mr. Rogers confirmed no questions.

Mr. Copeland confirmed no questions.

Mr. Heath confirmed no questions.

Chairman Dashiell responded no questions or comments. Chairman Dashiell asked if the public had any questions or comments. There were none.

Upon a motion by Mr. Rogers to approve the Final Comprehensive Development Plan as presented, seconded by Mr. Heath. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members, which all Commissioners voted in the affirmative. Chairman Dashiell stated the motion to approve the Final Comprehensive Development Plan passed.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN APPROVAL –  
Adams Tree Care – 2030 Windsor Drive – Parker and Associates - #20-005, Map  
0102 Parcel 0016 (B. Wilkins)**

Mr. Brock Parker, Engineer of Parker and Associates, confirmed being on the conference call. Mr. Wilkins presented the Staff Report and stated the applicant was requesting Preliminary Comprehensive Development Plan

Approval to construct a 2,560 SF pole building for general tree maintenance and construction/landscaping. Mr. Wilkins stated the proposed site is approximately 0.9 acres on four (4) lots fronting on Windsor Drive. The surrounding area is zoned Light Industrial and the site will have one (1) entrance on Windsor Drive.

The proposed uses are permitted in the Light Industrial District Salisbury Municipal Code 17.76. A waiver of the Community Impact Statement, Statement of Intent to Proceed, and Financial Capability and Development Schedule is requested. Due to the small size of the project, Staff has no concerns with granting the request. Mr. Wilkins added Staff is requesting removal of existing lot lines.

Staff recommends approval with the following five (5) conditions:

1. Review and acceptance of a dedicated landscaping plan;
2. Approval of detail sign plan prior to issuance of building permit;
3. Site work and Storm Water Management shall be subject to further review and approval by Salisbury Department of Infrastructure & Development;
4. Approval of any Fire Marshall requirements; and
5. Approval of any Forest Conservation requirements.

Mr. Brock Parker does not have any problems with the conditions of the project for the growing business needs of a small office and workshop to consolidate the business in one location. Mr. Parker stated the intention is to subdivide the four (4) lots into one (1) lot.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas questioned if there would be outside storage on the site.

Mr. Parker stated there will not be any storage of debris or waste on the site, which the owner confirmed no storage of waste on the site. He added the site will only be used for storage of vehicles and employees and that the waste and debris from job sites are stored at another location.

Mr. Rogers asked if the pole building would be constructed using the standard metal roof and sides.

Mr. Parker confirmed the pole building would be standard metal roof and siding, no color selections were determined at this time.

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Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell asked if the re-subdivision has been done to consolidate the four (4) parcels into one (1) parcel.

Mr. Parker stated it has not been completed, but is in process. Mr. Parker further discussed once engineering has been defined it will be consolidated prior to final approval.

Chairman Dashiell asked Mr. Wilkins if that should be added as a condition since it is underway, but not completed.

Mr. Wilkins stated it should be added as a sixth (6) condition of plan approval.

Chairman Dashiell asked if the public had any questions or comments. There were none.

Upon a motion by Mr. Rogers to approve the Preliminary Comprehensive Development Plan for Adams Tree Care at 2030 Windsor Drive with the five (5) recommendations, adding a sixth recommendation to re-subdivide the existing properties, and granting waivers for the Community Impact Statement, Statement of Intent to Proceed, Financial Capability and Development Schedule. The motion was seconded by Mr. Thomas. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members, which all Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion for the Preliminary Comprehensive Development Plan was approved.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Sassafra Meadows – West Road and Victoria Park Drive – GMB, LLC - # 19-045, Map 0019 Parcel 0229 (H. Eure)**

Mr. Lawton Myrick, Chris Pfeiffer, Steve Marsh of GMB, and Michael Sullivan confirmed being on the conference call. Prior to Mr. Eure's presentation of the Staff Report, Mr. Thomas recused himself because of prior working relationship with GMB for the development of the site. Mr. Eure presented the Staff Report and stated the applicants are seeking approval for the development of 44-single family dwellings and 127-townhouses on approximately 40 acres. The overall density of both townhomes and single family dwellings are compliant with the City's Zoning Code.

Mr. Eure stated with exception of refuse disposal being shown, the preliminary comprehensive development plan is compliant with Zoning Code standards. In addition, as part of the submittal for Final Comprehensive Development Plan review, other plans to be submitted include building elevations, sign plan, landscaping plan, and lighting plan. A development schedule was not provided, but it is expected the project will occur in one (1) phase. He added the Community Impact Statement, Statement of Intent to Proceed, and Financial Capability documents were not provided, nor was a waiver requested. Prior to final approval, the applicant will need to provide the documents or request a waiver. In addition, Mr. Eure expressed the City's concern about the lack of recreational facilities, which none were shown on the site plan.

Staff recommends approval with the following three (3) conditions:

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury Department of Infrastructure and Development. Detailed building elevations, landscaping, lighting and sign plans shall be incorporated in the Final Comprehensive Development Plan;
2. Provide a Community Impact Statement, Statement of Intent to Proceed, and Financial Capability; and
3. Provide recreational amenities and/or community building as deemed necessary by Wicomico County Recreation, Parks, and Tourism Department.

Mr. Myrick stated a previous meeting with the City occurred and revised street layout and storm water management were made.

Ms. Roane stated the preliminary kick off meeting was conducted and they have met all the concerns.

Mr. Myrick stated the beneficial location to the new West Salisbury Elementary School is approximately a quarter of a mile.

Mr. Marsh anticipates each unit will have individual trash service; therefore, no dumpster or dumpster pads were indicated on the plan.

Chairman Dashiell stated that this matter would be addressed with Planning Staff prior to submitting the final plan.

Mr. Eure confirmed.

Mr. Pfeiffer stated that because of ongoing utility and storm water management design work the project may not occur in a single phase and a development phasing plan and schedule will occur as they get further into the designs.

Mr. Parker stated they are currently in the process of utility and storm water design.

Mr. Sullivan had no comments.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas recused.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell discussed the expectation of recreational facilities and asked if anyone would like to speak to that topic or if this would be submitted as part of the final plan submittal.

Mr. Sullivan looks forward to working with Wicomico County Recreation, Parks, and Tourism Department to identify an area suitable for a community recreational facility for a subdivision, which meets the feasibility requirements for the project, residents would enjoy, and will increase the value of the project. Mr. Sullivan stated it will be determined in advance of final plan approval.

Chairman Dashiell inquired if it can remain as a condition and it will be addressed prior to final plan approval.

Mr. Sullivan responded it will be addressed in advance of the final comprehensive development plan approval.

Chairman Dashiell asked if they would be requesting a waiver for the Community Impact Statement or the Statement of Intent to Proceed and Financial Capability prior to final plan approval.

Mr. Sullivan deferred to Mr. Marsh.

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Mr. Marsh stated at this time there is no plan to request a waiver, but it is an option moving forward.

Chairman Dashiell asked if the public had any questions or comments. There were none.

Upon a motion by Mr. Rogers to approve the Preliminary Comprehensive Development Plan for Sassafras Meadows in accordance with the three (3) conditions presented in the Staff report, as well as leaving provision for applicants to request a waiver regarding Staff recommendation #2. The motion was seconded by Dr. McNaughton. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. With exception of Mr. Thomas's recusal on this item, all Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion for the Preliminary Comprehensive Development Plan was approved.

Mr. Eure wanted to clarify that Recommendation # 2 was to be provided or the applicant would need to request a waiver.

Chairman Dashiell concurred.

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**FINAL COMPREHENSIVE DEVELOPMENT PLAN – Greystone Residential Community – Timber Crest SBY, LLC – Located between Beaglin Park Drive and Schumaker Lane - #17-011, Map 116 Parcels 2524 & 34 (A. Roane)**

Mr. Keith lott, Applicant, confirmed being on the conference call. Prior to presenting the Staff Report, Ms. Roane indicated the subdivision consists of 41 single-family units rather than 40 as indicated in the Staff Report. Ms. Roane presented the Staff Report and stated the applicant is seeking final subdivision plan approval to construct a residential community consisting of 41 single family homes. The Plan has received Preliminary approval by the Commission. Two (2) previous conditions associated with the Preliminary Plan have been met, which include an additional entrance and one (1) lot needed to be annexed. The annexation of the one (1) lot became effective in 2019.

Staff recommends approval with the following five (5) conditions:

1. The final plat shall comply with all requirements of the Salisbury Subdivision Regulations;
2. Health Department approval is required prior to the recordation of the final plat;
3. The final plat shall comply with all requirements of the Forest Conservation Act;

4. A Homeowner's Association shall be created to maintain open space, recreation and Storm Water Management facilities, drainage and maintenance easements and Forest Conservation easements; and
5. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development.

Mr. Iott is looking forward to bringing a small subdivision to Salisbury and thanked the Infrastructure and Development staff.

Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas no response was given.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell had no questions or comments, but suggested to try Mr. Thomas again.

Mr. Hall stated Mr. Thomas sent a text message to Mr. Hall stating he could hear the meeting, but was unable to respond to or be heard by members. A brief time was given to attempt to rectify the situation.

Mr. Hall instructed Mr. Thomas to respond to him via text and suggested Chairman Dashiell to continue with the meeting.

Upon a motion by Mr. Rogers to approve the Final Comprehensive Development Plan for the 41-unit, formerly known as Timbercrest, Residential Community, subject to the five (5) conditions presented in the Staff report. The motion was seconded by Mr. Heath.

Prior to a call for the question, Chairman Dashiell asked if the public had any questions or comments. There were none.

Mr. Hall conduct an individual roll call vote of Commission members. Mr. Hall stated he received a text message from Mr. Thomas recusing himself from the vote. With exception of Mr. Thomas recusal from voting, all Commissioners

individually voted in the affirmative. Chairman Dashiell stated the motion for the Final Comprehensive Development Plan was approved.

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**STAFF COMMENTS:**

Ms. Roane thanked everyone for their patience and to the County for setting the meeting up and working together.

Mr. Hall appreciated everyone's efforts and patience, as this is a first for conducting a meeting of this nature. Staff will continue looking at other platforms for conducting virtual meetings. Open Meeting Law compliance was achieved for all aspects of the meeting.

Chairman Dashiell thanked Commission members for their patience, assistance, and participation to make this meeting a success as we move forward.

The next Commission meeting will be May 21<sup>st</sup>.

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There being no further business, the Commission meeting was adjourned at 2:30 p.m. by a motion from Mr. Rogers and seconded by Dr. McNaughton, and duly carried by all members.

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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 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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Melissa Cassimore, Recording Secretary



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Bob Culver  
County Executive

R. Wayne Strausburg  
Director of Administration

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## STAFF REPORT

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MEETING OF MAY 21, 2020

### MARYLAND AGRICULTURAL PRESERVATION EASEMENT APPLICATION RECOMMENDATION TO COUNTY COUNCIL

#### I. PROPOSED AGRICULTURAL DISTRICT

NAME: William R. and Teresa B. McCain Easement Application  
Location: Southerly side of Union Church Road, Southeast of Fruitland  
County Tax Map #58, Parcel #117, Grid #24  
Size: 85.13 Acres

#### II. INTRODUCTION

An application has been filed by William R. and Teresa B. McCain to sell an easement on their property on Union Church Road to the Maryland Agricultural Land Preservation Foundation. (See Attachments #1, 2, and 3.)

Maryland's Agricultural Land Preservation Program requires the Planning Commission's review of applications to sell Agricultural Land Preservation Easements. The duties of the Planning Commission are as follows:

1. To advise County Council if the easement is compatible with existing and approved County Plans and overall County policy; and,
2. To recommend to County Council if an easement should be created.

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Planning & Zoning Commission  
Natural Resources Conservation Advisory Committee  
Metropolitan Planning Organization  
Shore Housing Resource Board

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Wicomico County Board of Appeals  
Historic District Commission  
Agricultural Reconciliation Committee  
Agricultural Land Preservation Advisory Board

### **III. MARYLAND PROGRAM SUMMARY**

The following is a brief overview of Maryland's Agricultural Land Preservation Program. Participation in the program is entirely voluntary on the part of landowners:

- \* Agricultural Land Preservation Easements may be sold by landowners whose land meets eligibility requirements of the Maryland Agricultural Land Preservation Foundation;
- \* An Agricultural Easement is perpetual and the land must be kept in agriculture. The subdivision and development of land for residential, commercial or industrial purposes is prohibited;
- \* Support on an easement application is an official acknowledgment from the County and Foundation that farming is the preferred use of the land, which may aid farmers in defending against nuisance complaints;

### **IV. EASEMENT CRITERIA**

The qualifying criteria of the Foundation for sale of easements under the provisions of the Maryland Program are:

- \* Criterion #1: The land is currently being used for producing food or fiber or has the capability to do so.  
The land is suitable for grain and timber production.
- \* Criterion #2: The majority of the land area of any district should consist of either of USDA Soil Capability Classes I, II, and III; USDA Woodland Groups 1 & 2; or at least 60 percent of the two classifications combined.  
The site contains 96 percent Class II, and III and Woodland Group I soils.
- \* Criterion #3: An Agricultural Easement generally should not be less than 50 contiguous acres, unless certain conditions are met.  
The total size of the proposed easement is 85.13 acres.
- \* Criterion #4: Land within the boundaries of a 10-year water and sewerage service district may be included in an Agricultural Easement only if it is outstanding in productivity and of significant size.  
The McCain property is not located within the boundaries of a 10-year water and sewer service district. The closest district is that of Fruitland located to the northwest.

**V. DESCRIPTION OF PROPOSED AGRICULTURAL EASEMENT**

The McCain property is located southeast of Fruitland on the southerly side of Union Church Road. The farm totals 85.13 acres and contains a residence and one outbuilding.

**VI. COMPREHENSIVE WATER AND SEWERAGE PLAN**

The McCain property is not within the boundaries of a 10-year water and sewer service district. The closest district is that of Fruitland located to the northwest.

**VII. WICOMICO COUNTY COMPREHENSIVE PLAN**

The County Comprehensive Plan identifies the following policies, which pertain to agriculture/resource areas:

1. Support the agricultural industry and associated jobs.
2. Afford agricultural uses with maximum protection and freedom from nuisance complaints in zoning regulations and through “right to farm” ordinances.
3. Give priority to public improvements directed toward agriculture related uses.

In addition, with the adoption of the 2017 Comprehensive Plan, a Priority Preservation Area was adopted that includes all of the A-1 Agricultural-Rural zoned areas of the County.

The Plan’s Overall Development Policy concerning the formation of Agricultural Land Preservation Easements provides for their sale on farmland situated in the agriculture/resource areas when consistent with the criteria set forth in the Maryland Agricultural Land Preservation Act. The McCain property is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan, which encourages the sale of Agricultural Preservation Easements. In addition, the property is zoned Agricultural-Rural and is located in a predominantly agricultural area.

**VIII. ELIGIBILITY TO SELL AND EASEMENT**

The Planning Staff finds that the proposed easement meets the minimum criteria established by the Agricultural Land Preservation Foundation for the sale of an easement in regards to location, size and soils suitability.

**IX. COUNTY AGRICULTURAL ADVISORY BOARD ACTION**

State Law requires that the Wicomico County Agricultural Land Preservation Advisory Board review potential easements in regards to soils suitability, farm size, and other criteria described in Section IV. Staff will recommend that the Board forward a Favorable recommendation to the Council for the support of the sale of an Agricultural Land Preservation Easement on McCain farm as it meets the minimum requirement for size, soils suitability, and current production status. A Board meeting will be scheduled at a future date.

**X. PLANNING COMMISSION ACTION**

State Law requires that the Wicomico County Planning Commission review the request for consideration of the location of the proposed easement. The McCain property is located in an area designated Agriculture/Resource by the Comprehensive Plan and in the Agricultural-Rural zoning district, near Fruitland. Staff recommends that the Commission forward a **Favorable** recommendation to the Council for support of the sale of an Agricultural Land Preservation Easement on the McCain property based on compliance with the County Comprehensive Plan.

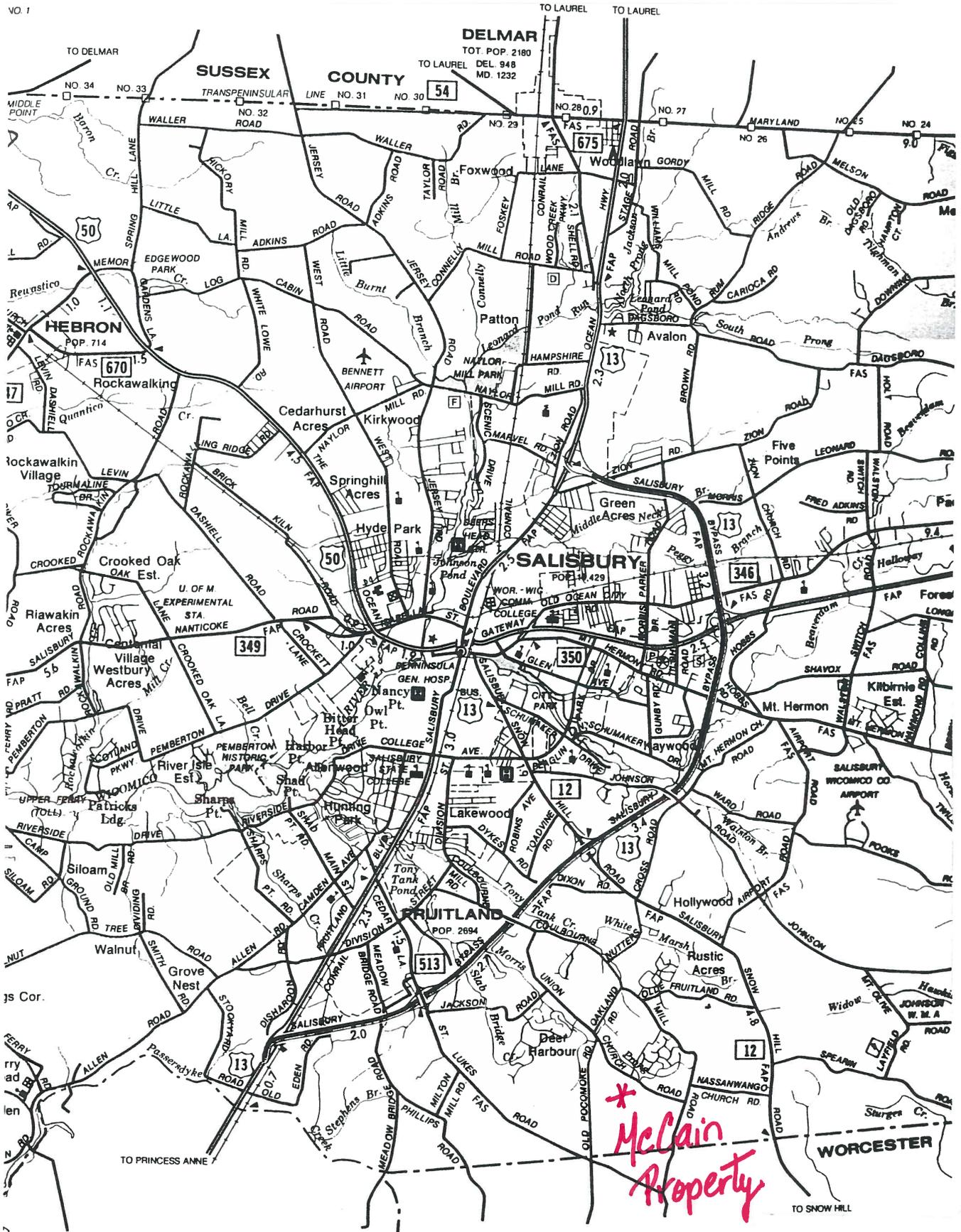
COORDINATOR: Gloria Smith, Planner

DATE: May 5, 2020

Salisbury - Wicomico County Department Of

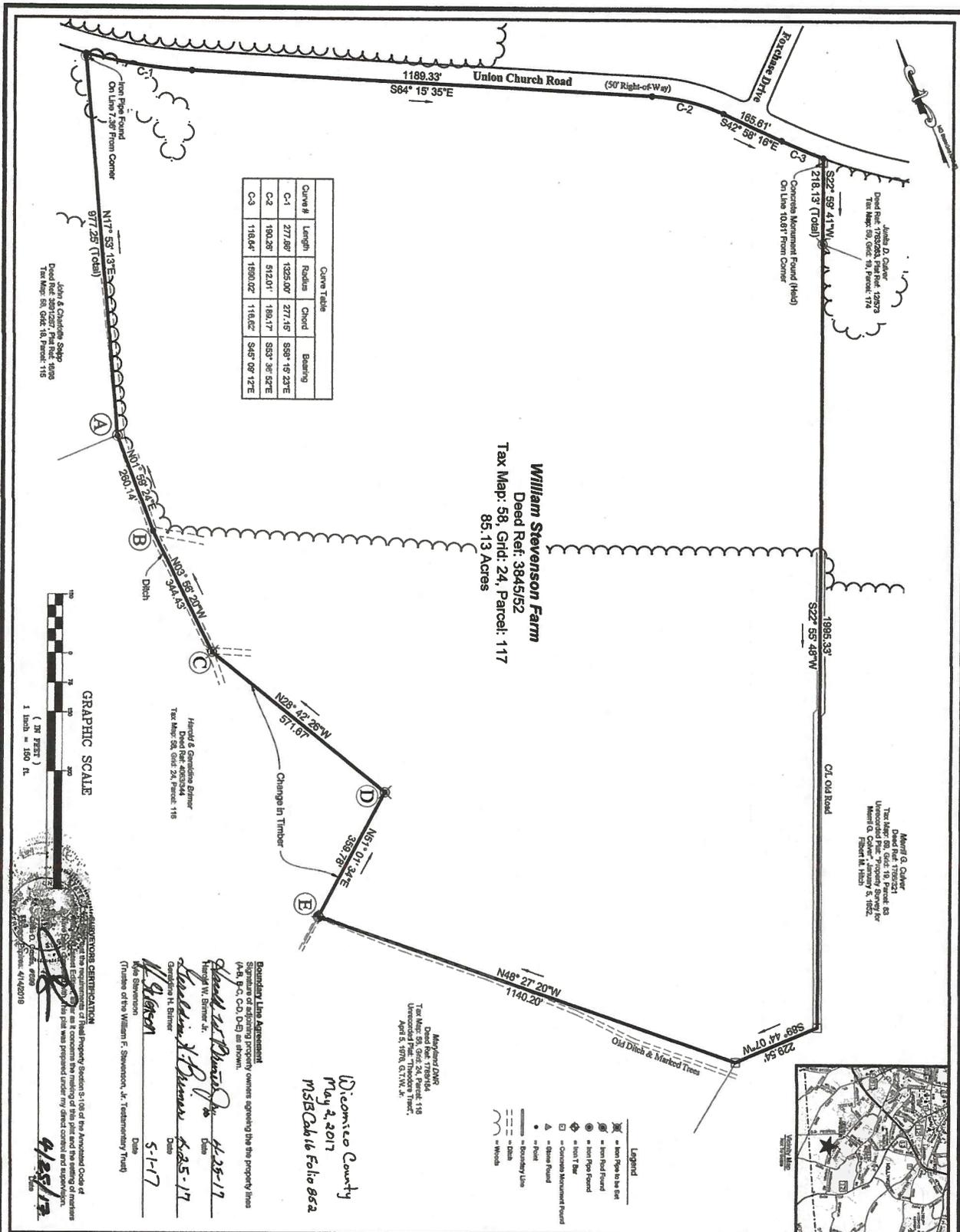
D E L M A R

NO. 1



Attachment #1





Curve #	Length	Radius	Chord	Bearing
C-1	277.89'	1325.00'	277.45'	S89° 16' 23"E
C-2	190.28'	912.01'	189.17'	S53° 36' 52"E
C-3	116.64'	1890.02'	116.62'	S47° 09' 12"E



**WICOMICO COUNTY, MARYLAND**  
 DEPARTMENT OF REGISTERED PROFESSIONALS  
 STATE OF MARYLAND  
 REGISTERED PROFESSIONAL SURVEYOR  
 License No. 11000  
 Date of Expiration 04/13/2020

**WICOMICO COUNTY, MARYLAND**  
 DEPARTMENT OF REGISTERED PROFESSIONALS  
 STATE OF MARYLAND  
 REGISTERED PROFESSIONAL SURVEYOR  
 License No. 11000  
 Date of Expiration 04/13/2020

**Boundary Line Agreement**  
 This is a Boundary Line Agreement between the undersigned owners regarding the property lines (A-B, B-C, C-D, D-E) as shown:  
 Date: 4-25-17  
 Signature: [Signature]  
 Name: William Stevenson  
 Date: 5-1-17  
 Signature: [Signature]  
 Name: William Stevenson  
 (Trustee of the William F. Stevenson, Jr. Testamentary Trust)

Wicomico County  
 May 2, 2017  
 MSB Cabinet Folio 852

Deed Ref: 1782023, Plat Ref: 12879  
 Tax Map: 58, Grid: 24, Parcel: 117

- Legend**
- Iron Pipe Found
  - Iron Pipe Found
  - Iron Pipe Found
  - Concrete Monument Found
  - Stake Found
  - Point
  - Boundary Line
  - Ditch
  - Whisk



2024737

MSA C2332-3018

<p><b>Boundary Survey</b>                  William Stevenson Farm                  Lands Of                  Kyle Stevenson Trustee                  Eighth District, Wicomico County Maryland                  Tax Map: 58, Grid: 24, Parcel: 117</p>	<p><b>CHRIS JUSTIS SURVEYING</b>                  410.726.3576                  1017 STANFORD AVENUE                  GREENBELT, MD 21740                  To make the necessary field observations                  construction layout, and planning                  cksurveying@gmail.com</p>	<p><b>Attachment #3</b></p>
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**McCain**



**\*Definition of Parent Tract:** The term Parent tract, as used by MALPF, is the total property described in this application. It refers to that entire contiguous acreage that is under common ownership. This may be a single tax map parcel or may include multiple tax map parcels, but should include the entire acreage on any parcel, even if only a portion of that parcel is being considered for easement sale.

- It includes any withheld acreage and unpaid acreage
- It does not include any tax map parcel which may be contiguous and under common ownership, but for which no portion is being considered for easement sale under this application.

**PART B**

(To be completed by the County Program Administrator or other County employee as necessary.)

Part B provides Instructions directly to the assigned appraisers. Completeness and accuracy is essential for the appraiser(s) to ascertain the farm’s maximum market value as of the date of valuation. All data should be as precise as possible. Do not round figures and please cite sources when possible.

**SECTION # 1: PLANNING AND ZONING INFORMATION**

(A) **ZONING** (See Instructions B.1.)

Current Zoning of Property:

**Agricultural-Rural**

Does the property lie within the boundaries of a planned 10-year water and sewer service district?

- YES       NO

If yes, please describe: \_\_\_\_\_

Is the encumbrance of this property by an agricultural land preservation easement consistent with county plans? (Master Plan, Comprehensive Land-Use Plan Growth Management Plan, etc.)

- YES       NO

Does the county zoning permit any farm use of the land?

- YES       NO

If any limitations on farm use, describe (can attach if need more space):  
\_\_\_\_\_

(B) Is there withheld or permitted use envelope acreage?

- YES       NO

Reason for the withheld acreage? \_\_\_\_\_

Reason for permitted use envelope? \_\_\_\_\_

(C) Is the property adjacent to other protected lands (fee or easement)?

- YES       NO

If yes, what is the approximate size of protected block of land (without subject property acres included)?

50 ac.

(D) For Certified Counties, is the property located within a Priority Preservation Area?

- YES       NO

(E) Is/are there a county-designated tenant house located on the property?

- YES       NO

If yes, work with County to complete and submit a certification documentation for EACH proposed tenant house and included as part of the application submission. (See Instructions B.1.E.)

**SECTION #2: DEVELOPMENT RIGHTS**

**NOTE:** The development rights information provided in this application will be provided to the appraisers to determine the fair market value of the **property** and therefore the MALPF easement value. If this section is not completed, the application IS NOT complete and will be returned.

The term “development right(s)” as used by MALPF is the maximum number of residential structures legally allowed to be placed on the parent tract as of the date of the application.

**SECTION #3: TRANSFERABLE DEVELOPMENT RIGHTS PROGRAMS** (See Instructions B.3.)

A. Does the County have a TDR program? Yes  No

B. Is the subject property eligible to participate in the TDR program? Yes  No

C. How many residual TDRs are associated with the subject property (including any withheld acres area) as of the date of the application submission? **7 to 84**

**PART C**

1. **LANDOWNER INFORMATION** - necessary for all landowners of record. Attach a separate sheet, if needed. Also, enter primary contact information. The primary contact person will receive all correspondence from and is the individual to be contacted by the Foundation regarding the easement Application

**MAILING ADDRESS of Owner/Trust/Business Entity:**

**William R. & Teresa B. McCain**  
Name

**5298 James Landing Road**  
Address

**Salisbury, MD, 21801**  
City, State, Zip Code

**410-726-1122**                      **410-860-1461**  
Phone #: (1<sup>st</sup>)                      (2<sup>nd</sup>)

**bill@wrmccain.com**  
e-mail

**PRIMARY CONTACT PERSON:**

**William R. McCain**  
Name

**All Same**  
Mailing Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #: (1<sup>st</sup>)                      (2<sup>nd</sup>)

\_\_\_\_\_  
e-mail

2. **ENTITY INFORMATION:** Please list all members/partners/trustees/shareholders of the ownership entity, if applicable (see Instructions C.2.). (Attach a separate sheet if necessary.)

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **LOCATION OF PROPERTY:**  
**PLEASE NOTE: FOR PROPERTIES CONSISTING OF MORE THAN ONE TAX PARCEL, IF THE APPLICATION TO SELL AN EASEMENT TO MALPF IS SUCCESSFUL, THE PARCELS MUST REMAIN UNDER IDENTICAL COMMON OWNERSHIP, AND MAY NOT BE CONVEYED OFF FROM EACH OTHER UNLESS SPECIFICALLY APPROVED BY THE MALPF BOARD.**

Tax Map **58**      Grid **24**      Parcel # **117**  
Tax ID# **012709**  
(List all if more than one)

Tax Map \_\_\_\_\_ Grid \_\_\_\_\_ Parcel # \_\_\_\_\_  
Tax ID# \_\_\_\_\_  
(List all if more than one)

Tax Map: \_\_\_\_\_ Grid: \_\_\_\_\_ Parcel #: \_\_\_\_\_  
Tax ID#: \_\_\_\_\_  
(List all if more than one)

Property Address: (if different from mailing address)

**3682 Union Church Road**

**Salisbury, MD 21804**

4. **DEED REFERENCE(S)** (see Instructions C.4.):

4162 / 0239      \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_  
liber      folio      liber      folio      liber      folio

If acreage reflected in deed is different from acreage of proposed easement, please explain:

5. **EXISTING PROPERTY RESTRICTION(S)**: (see Instructions C.5.)

Please state whether there are any existing restrictive easements or covenants (such as Forest Conservation Easements, Open Space Easements, etc.) on your property and, if so, please explain:

6. **OTHER THIRD PARTY INTERESTS** (see Instructions C.6.):

a. Does anyone own or lease surface or subsurface rights on this property (including oil/gas/mineral, whether or not there has been any activity on the lease)?

YES       NO      If yes, please explain: \_\_\_\_\_

b. Does anyone hold a lease, right of first refusal, or option to purchase for this property?

YES       NO      If yes, please explain: \_\_\_\_\_

c. Has any mining been done on the property?

YES       NO      If yes, please explain: \_\_\_\_\_

d. Are there any other third party interests in this property? (For example, life estate, right-of-ways, renewable energy operations, telecommunication company leases, ground leases in excess of 20 years, etc.)

YES       NO      If yes, please explain: \_\_\_\_\_

If you answered yes to any of the questions a. through d., please provide name and contact information for the third party interest; signatures of such parties will be required on the Option Contract and Deed of Easement if the Foundation extends you an easement offer.

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Nature of Third Party Interest

\_\_\_\_\_  
Nature of Third Party Interest

7. **MORTGAGES OR LIENS:**

Is there a mortgage or other lien on this property, including equity line of credit?

YES     NO

If yes, signatures and addresses of such holders will be required on the Option Contract and Deed of Easement, if the Foundation extends an easement offer to you.

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

8. **LAND USE (round to whole number):**

Tillable Cropland:	<u>45</u>	acres
Pasture:	_____	acres
Woodland:	<u>38</u>	acres
Wetland(s):	_____	acres
Orchard; Nursery:	_____	acres
Structure(s): (Farm buildings and dwellings)	<u>2</u>	acres
Pond/lake:	_____	acres
Other: _____ (Describe other land use)	_____	acres
<b>TOTAL ACRES:</b>	<b><u>85</u></b>	<b>acres</b>

(Acres must equal Part A: f, on Page 1 – rounded to a whole number)

9. **PROPERTY USE:**

	YES	NO	DON'T KNOW
a. Has the property been used for a purpose other than agricultural operations and residential use (for example, landfill, commercial cell tower, commercial energy production, sand and gravel extraction, railroad right-of-way)? If so indicate use/explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have any chemicals been used on the property beyond what could reasonably be expected in normal and customary agricultural practices? If so indicate type of chemicals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Has the property ever contained areas used to dispose of waste other than normal and customary household and agricultural waste? If yes, indicate the kinds of material disposed and method of disposal.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Has there ever been a chemical spill or leak on the property to your knowledge? If yes, indicate what was spilled, where it was spilled, approximately how much was spilled, and what actions were taken in response.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have any previous environmental assessments/tests/samplings/impact statements been conducted for the property, to your knowledge? If so, attach copies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Has any government entity ever investigated, cited, or been involved with any violations or regulatory actions regarding this property to your knowledge? If so, explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Are there/have there been any disputes, including claims of adverse possession, or written or oral agreements with adjacent landowners regarding boundary lines? If so, explain and provide detail on map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE EXPLAIN BELOW OR ATTACH A LETTER OF EXPLANATION ALONG WITH ANY SUPPORTING DETAILS TO THE APPLICATION.**

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10. **STRUCTURES** List and briefly describe any/all structures currently existing on the property including agricultural, residential and non-agriculturally-related structures existing at the time of application. On a current aerial map, locate and label by corresponding letter (a, b, c, d, etc.) all structures listed here. A current aerial map may be obtained through the county program administrator. Use separate page if necessary.

	<u>Structure</u>	<u>Approximate Dimensions or Capacity</u>
a.	<b>Farmhouse</b>	<b>1,843 sqft</b>
b.	<b>Outbuilding</b>	<b>3,335 sqft</b>
c.		
d.		
e.		
f.		
g.		
h.		
i.		
j.		

11. **FARM OPERATION:**

Describe the farming operation(s): Cropland leased to Daniel Rayne. Rotates corn and soybeans.

Owner operated:  Leased:  Both:

12. **QUALIFYING SOILS: (To be completed by the County Program Administrator, see Instructions C.12.)**

Total acreage/percentage may not exceed 100% (may not count soils in both Class and Group categories.)

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>GROUP 1</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	<u>0</u>	<u>16.5</u>	<u>30.3</u>	<u>35.1</u>	<u>0</u>	<u>81.9</u>
PERCENT OF TOTAL:	<u>0</u>	<u>19.4</u>	<u>35.6</u>	<u>41.2</u>	<u>0</u>	<u>96.2</u>

Other information: \_\_\_\_\_  
(Please indicate if the wetland acres were not counted when calculating the percent of total figure.)

13. **CERTIFICATION OF SOIL CONSERVATION & WATER QUALITY PLAN** (see Instructions C.13.):

Property Owners: **William R. & Teresa B. McCain** Phone Number: **410-726-1122**

Property Address: **3682 Union Church Road, Salisbury, MD 21804**

Tax Map: **58** Parcel: **117** Conservation Tract No: \_\_\_\_\_ Farm No: \_\_\_\_\_

The **Wicomico** County Soil Conservation District hereby certifies that the landowner(s) listed on the front of this Application to Sell an Easement has had a complete soil conservation and water quality plan prepared for the subject property.

\_\_\_\_\_  
Signature and Title of Soil Conservation District Official

\_\_\_\_\_  
Date

14. IF PROPERTY HAS 25 ACRES OR MORE OF CONTIGUOUS WOODLAND, A FOREST STEWARDSHIP PLAN IS REQUIRED

- a) Is a Forest Stewardship Plan required:  Yes  No
- b) If yes, is it in effect  Yes  No  
(If yes, submit evidence of the Plan)

15. **REQUIRED DOCUMENTATION** to be included with this Application to Sell an Easement:

- a. All deeds, surveys, and/or plats that describe the property.
- Md. Ann. Code Agriculture Article, § 2-510(b)(3) requires that an Application to Sell An Easement be accompanied by a complete description of the property to be encumbered by an Easement. Failure to submit a complete description with the Application to Sell an Easement may result in rejection of the Application.
- b. If property owned by an entity, provide necessary organizational documents (See Instructions Part C.2).
- c. Assessments and Taxation Data sheet from website (County administrator can provide)
- d. A tax map outlining property boundaries, and clearly indicating withheld acreage, if any, including legal and practical access to the withheld acreage.
- e. Aerial map with identified structures on the property located, as instructed in Part B #10.
- f. Forest Stewardship Plan, if one is required and completed
- g. Annual Implementation Review Sheet for the Nutrient Management Plan, if one is available.

## PART D

**Note: All landowners of record must sign this application. If the property is owned by an entity, all entity members must sign in their capacity as designated in the entity's organizational documents. Attach a separate sheet if necessary. Please note that if there are any life estate interests or right of first refusal in another person or entity, they must also sign this application.**

I/We confirm my/our understanding that I/we may not change the lot selection unless I/we withdraw my/our application and apply in a subsequent cycle.

I/We acknowledge that the land on which I am/we are applying to sell an easement shall not be subdivided (including lot releases), conveyed to others, altered in its configuration, or encumbered by a restriction during the application process without prior written approval of the Foundation. Failure to comply with this restriction may result in withdrawal of the application.

I/We acknowledge that the land on which I am/we are applying to sell an easement consists of only the paid acres as described on page 1 of this application. I/We acknowledge that any acres identified on page 1, Part A, paragraphs d. and e., are voluntarily and willing incorporated into the easement for no compensation. In addition, when determining the agricultural value of the land (per COMAR 15.15.02.06), only the paid acres shall be considered.

I/We confirm my/our understanding that if the property contains at least 25 acres of contiguous woodland, I/we must submit evidence of a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. I/we also confirm our understanding that the plan must include methods of management and a schedule of implementation. I/we also understand that the plan must have been created and/or updated for sufficiency within the last ten years, and I/we confirm our understanding that the Forest Stewardship Plan must be followed according to its schedule for implementation. If an easement is purchased on this property, I/we confirm our understanding of the responsibility for implementing the plan as outlined according to the schedule of implementation.

I/We confirm my/our understanding that a current Nutrient Management Plan must be implemented for the property prior to the sale of the MALPF easement on the property under the following circumstances: (i) an easement offer is extended and accepted, and (ii) if the property is required to have a Nutrient Management Plan under Md. Code Ann., Agric. Section 8-801 *et seq.* (associated regulations are located in COMAR 15.20.07-08).

I/We confirm my/our understanding that the Department of General Services shall be reviewing title to the property and may request additional documentation, require certain actions by me/us to clear title to the property, or may require me/us to provide a modern boundary survey of the property, at my/our expense, prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. In addition, if there are multiple tax parcels being placed under one easement, then we may be required to combine those tax parcels into one account and parcel number.

I/We give MALPF permission to conduct appraisals on my/our property upon reasonable notification. I am/We are aware that any approval to obtain an option contract for the purchase of an agricultural land preservation easement made by the Foundation is subject to Board of Public Works approval and available funds.

I/We understand that there is no guarantee that an offer will be made or accepted for the purchase of an agricultural land preservation easement on this property.

I/We assert that all representation and information regarding the property are, to the best of my/our knowledge, accurate and complete. Additionally, I/we assert that there is no known reason (e.g. environmental or otherwise) why the property cannot be productively farmed.

In addition, I/we are aware that both Parts A and B of this Application to Sell an Easement must be completed and submitted to the County's Program Administrator, along with all necessary documentation. I/we understand that an incomplete application will be returned.

\_\_\_\_\_  
Landowner Signature Date

**William R. McCain**

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

**Teresa B. McCain**

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

I hereby affirm, to the best of my knowledge, information and belief, that this application to sell an easement is complete and accurate.

\_\_\_\_\_  
County Program Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name



WICOMICO COUNTY, MARYLAND  
DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
125 N. DIVISION STREET, ROOM 203  
P.O. BOX 870  
SALISBURY, MARYLAND 21803-0870  
PHONE: 410-548-4860 | FAX: 410-548-4955

Bob Culver  
County Executive

R. Wayne Strausburg  
Director of Administration

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## STAFF REPORT

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MEETING OF MAY 21, 2020

### MARYLAND AGRICULTURAL PRESERVATION EASEMENT APPLICATION RECOMMENDATION TO COUNTY COUNCIL

#### I. PROPOSED AGRICULTURAL DISTRICT

NAME: Porter Mill Properties, LLC Easement Application  
Location: Northerly side of Ocean Gateway, North of Hebron  
County Tax Map #18, Parcel #28, Grid #12  
Size: 129.05 Acres

#### II. INTRODUCTION

An application has been filed by Porter Mill Properties, LLC to sell an easement on property on Ocean Gateway to the Maryland Agricultural Land Preservation Foundation. **(See Attachments #1, 2, and 3.)**

Maryland's Agricultural Land Preservation Program requires the Planning Commission's review of applications to sell Agricultural Land Preservation Easements. The duties of the Planning Commission are as follows:

1. To advise County Council if the easement is compatible with existing and approved County Plans and overall County policy; and,
2. To recommend to County Council if an easement should be created.

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Planning & Zoning Commission  
Natural Resources Conservation Advisory Committee  
Metropolitan Planning Organization  
Shore Housing Resource Board

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Wicomico County Board of Appeals  
Historic District Commission  
Agricultural Reconciliation Committee  
Agricultural Land Preservation Advisory Board

### **III. MARYLAND PROGRAM SUMMARY**

The following is a brief overview of Maryland's Agricultural Land Preservation Program. Participation in the program is entirely voluntary on the part of landowners:

- \* Agricultural Land Preservation Easements may be sold by landowners whose land meets eligibility requirements of the Maryland Agricultural Land Preservation Foundation;
- \* An Agricultural Easement is perpetual and the land must be kept in agriculture. The subdivision and development of land for residential, commercial or industrial purposes is prohibited;
- \* Support on an easement application is an official acknowledgment from the County and Foundation that farming is the preferred use of the land, which may aid farmers in defending against nuisance complaints;

### **IV. EASEMENT CRITERIA**

The qualifying criteria of the Foundation for sale of easements under the provisions of the Maryland Program are:

- \* Criterion #1: The land is currently being used for producing food or fiber or has the capability to do so.  
The tillable land is suitable for grain or vegetable production. The remainder is in forest.
- \* Criterion #2: The majority of the land area of any district should consist of either of USDA Soil Capability Classes I, II, and III; USDA Woodland Groups 1 & 2; or at least 60 percent of the two classifications combined.  
The site contains 61.3 percent Class I, II, and III and Woodland Group I soils.
- \* Criterion #3: An Agricultural Easement generally should not be less than 50 contiguous acres, unless certain conditions are met.  
The total size of the proposed easement is 129.05 acres.
- \* Criterion #4: Land within the boundaries of a 10-year water and sewerage service district may be included in an Agricultural Easement only if it is outstanding in productivity and of significant size.

The Porter Mill Properties, LLC property is not located within the boundaries of a 10-year water and sewer service district. The closest district is that of Hebron located to the south.

**V. DESCRIPTION OF PROPOSED AGRICULTURAL EASEMENT**

The Porter Mill Properties, LLC property is located north of Hebron on the northerly side of Ocean Gateway. The farm totals 129.05 acres.

**VI. COMPREHENSIVE WATER AND SEWERAGE PLAN**

The Porter Mill Properties, LLC property is not within the boundaries of a 10-year water and sewer service district. The closest district is that of Hebron located to the south.

**VII. WICOMICO COUNTY COMPREHENSIVE PLAN**

The County Comprehensive Plan identifies the following policies, which pertain to agriculture/resource areas:

1. Support the agricultural industry and associated jobs.
2. Afford agricultural uses with maximum protection and freedom from nuisance complaints in zoning regulations and through “right to farm” ordinances.
3. Give priority to public improvements directed toward agriculture related uses.

In addition, with the adoption of the 2017 Comprehensive Plan, a Priority Preservation Area was adopted that includes all of the A-1 Agricultural-Rural zoned areas of the County.

The Plan’s Overall Development Policy concerning the formation of Agricultural Land Preservation Easements provides for their sale on farmland situated in the agricultural/resource areas when consistent with the criteria set forth in the Maryland Agricultural Land Preservation Act. The Porter Mill Properties, LLC property is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan, which encourages the sale of Agricultural Preservation Easements. In addition, the property is zoned Agricultural-Rural and is located in a predominantly agricultural area.

**VIII. ELIGIBILITY TO SELL AND EASEMENT**

The Planning Staff finds that the proposed easement meets the minimum criteria established by the Agricultural Land Preservation Foundation for the sale of an easement in regards to location, size and soils suitability.

**IX. COUNTY AGRICULTURAL ADVISORY BOARD ACTION**

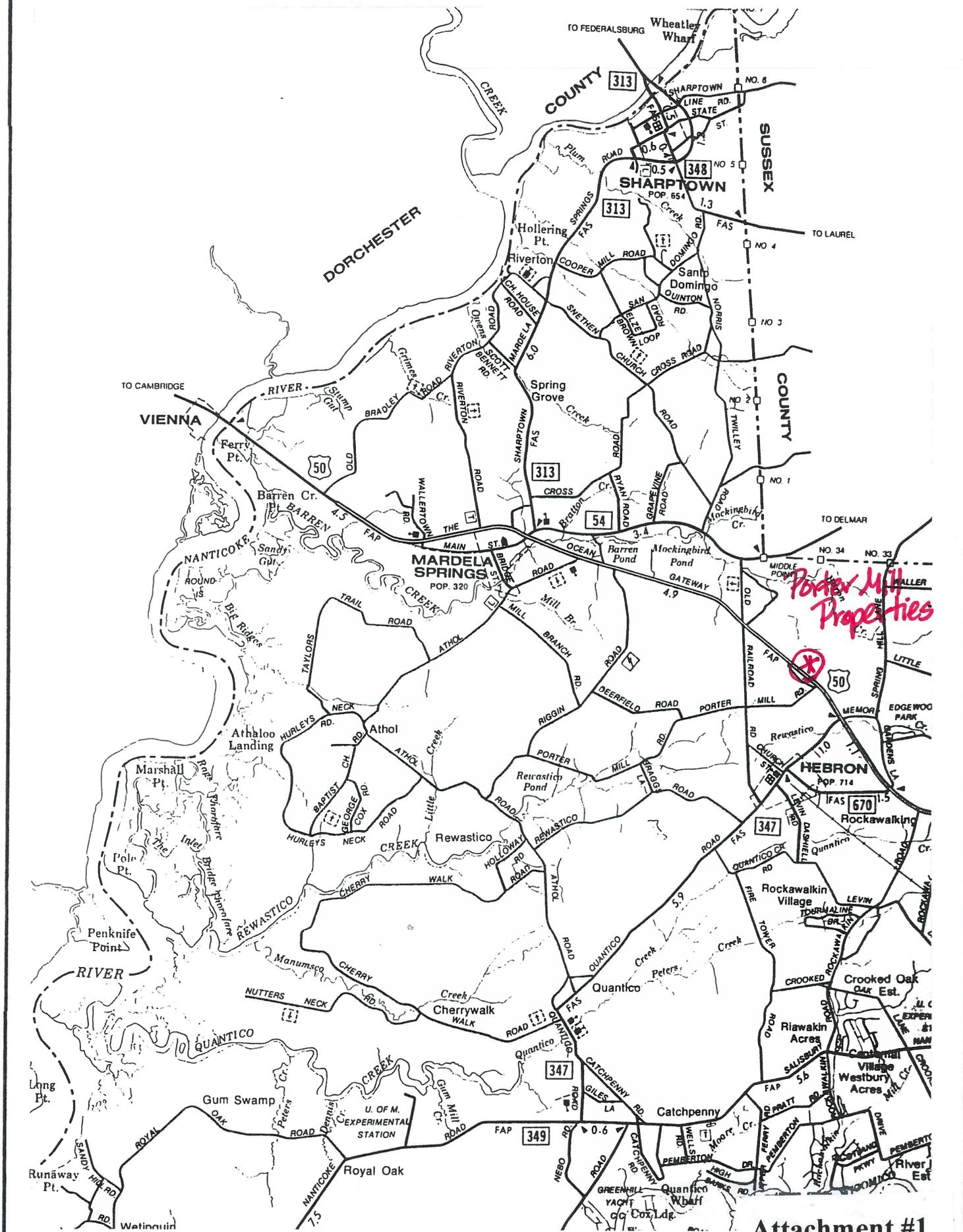
State Law requires that the Wicomico County Agricultural Land Preservation Advisory Board review potential easements in regards to soils suitability, farm size, and other criteria described in Section IV. Staff will recommend that the Board forward a Favorable recommendation to the Council for the support of the sale of an Agricultural Land Preservation Easement on Porter Mill Properties, LLC farm as it meets the minimum requirement for size, soils suitability, and current production status. A Board meeting will be scheduled at a future date.

**X. PLANNING COMMISSION ACTION**

State Law requires that the Wicomico County Planning Commission review the request for consideration of the location of the proposed easement. The Porter Mill Properties, LLC property is located in an area designated Agriculture/Resource by the Comprehensive Plan and in the Agricultural-Rural zoning district, near the City of Salisbury. Staff recommends that the Commission forward a **Favorable** recommendation to the Council for support of the sale of an Agricultural Land Preservation Easement on the Porter Mill Properties, LLC property based on compliance with the County Comprehensive Plan.

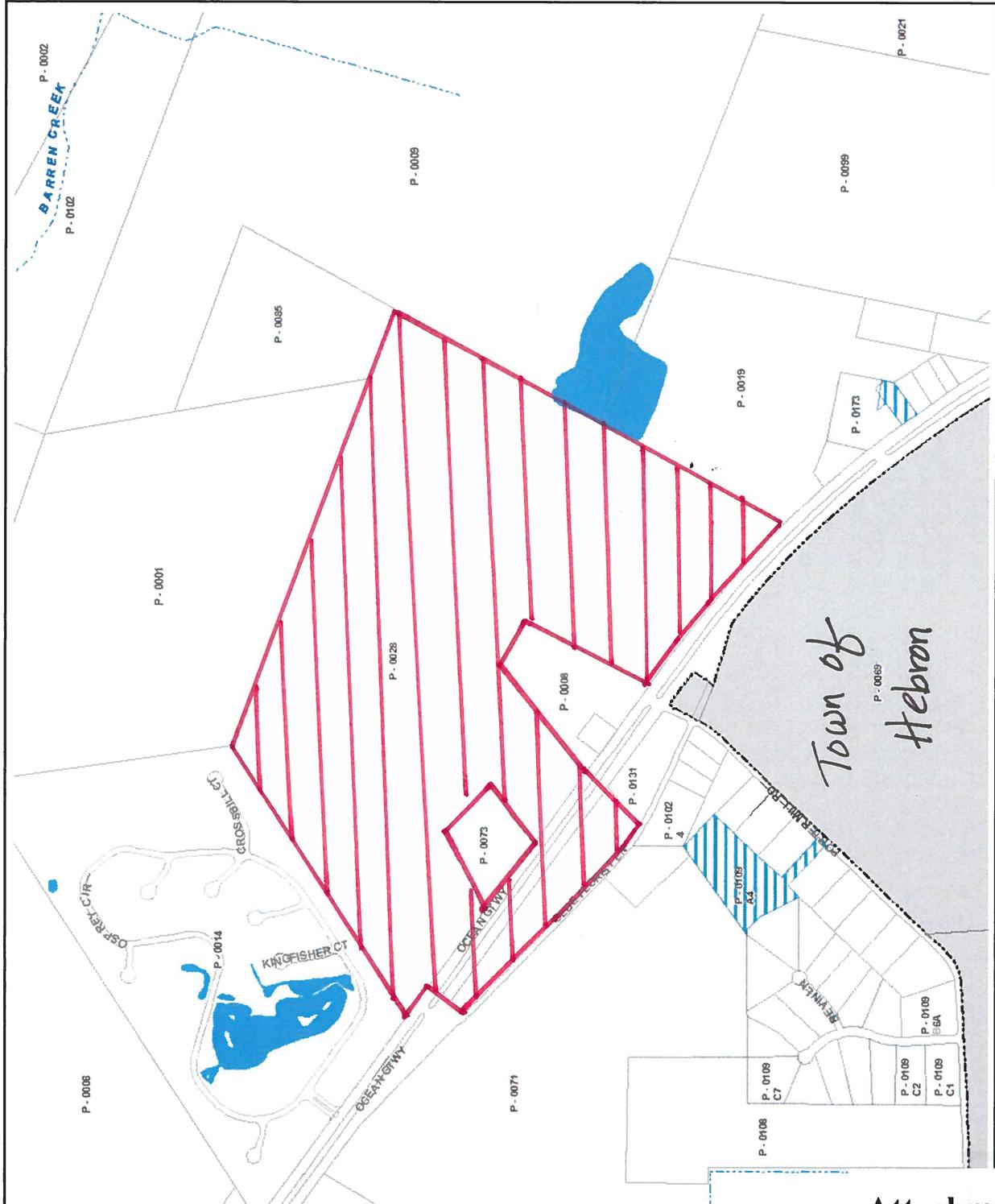
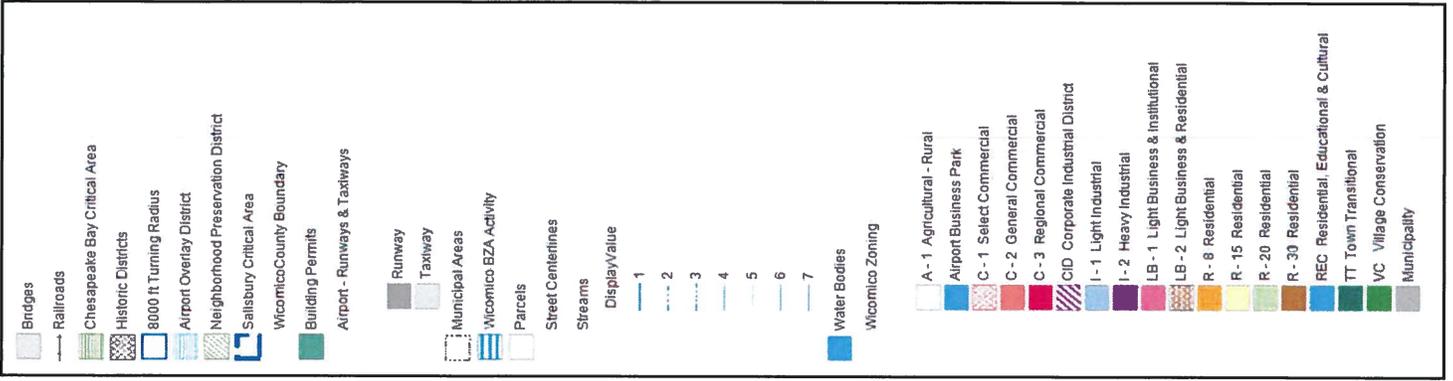
COORDINATOR: Gloria Smith, Planner  
DATE: May 4, 2020

Salisbury - Wicomico County Department Of



Attachment #1

# WICOMICO COUNTY ZONING MAP



249 ft



3  
3 |



DEPARTMENT OF AGRICULTURE
MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

FISCAL YEAR 20
APPLICATION TO SELL AN EASEMENT

MALPF File Number (Provided by MALPF)

\*\*\*PLEASE READ ATTACHED INSTRUCTIONS BEFORE COMPLETING APPLICATION\*\*\*
THIS APPLICATION CANNOT BE CHANGED AFTER SUBMITTAL TO THE FOUNDATION.
PLEASE TYPE RESPONSES

Did you apply to sell an easement in the previous application cycle? Yes / No

PART A

I/We Porter Mill Properties, LLC, landowner(s) of the property referenced herein, located in Wicomico County, Maryland, apply to the Maryland Agricultural Land Preservation Foundation (MALPF) to sell an agricultural land preservation easement, pursuant to Agriculture Article, Section 2-510, Annotated Code of Maryland.

This application to sell an easement and any subsequent offer to buy an easement, including any Deed of Easement to be recorded on this property, will cover the entire contiguous acreage referenced in the application. Acreage is not permitted to be withheld, unless it is for the permitted lot exclusions specified under Agriculture Article, Section 2-513, Annotated Code of Maryland, or the acreage to be withheld is approved by the Foundation (see Instructions A.1.).

For purposes of valuation, I/we affirm that the acreage of the total property, also referred to as the parent tract\*, was determined by one of the following (a copy of which is attached to this application) (see Instructions A.1.):

- property deed(s)
tax assessment records
survey
other (identify):

Table with 2 columns: Question (a-g) and Answer. a. Total acreage of property: 129.05; b. Pre-Existing Dwelling(s): 0; c. Acreage to be Withheld: 0; d. Designated permitted envelope acreage: 0; e. Other unpaid areas: 0; f. Easement Payment Acreage: 129.05; g. Total acres to be encumbered: 129.05

I am/We are willing to sell an easement on my/our land for \$ per acre. I/We understand that the Foundation makes offers based on the lower of: (1) the asking price, (2) the calculated easement value, (3) a cap set by the County, or the statutory State cap of 75% of the recommended appraised value (see Instructions A.6.).

**\*Definition of Parent Tract:** The term Parent tract, as used by MALPF, is the total property described in this application. It refers to that entire contiguous acreage that is under common ownership. This may be a single tax map parcel or may include multiple tax map parcels, but should include the entire acreage on any parcel, even if only a portion of that parcel is being considered for easement sale.

- It includes any withheld acreage and unpaid acreage
- It does not include any tax map parcel which may be contiguous and under common ownership, but for which no portion is being considered for easement sale under this application.

**PART B**

**(To be completed by the County Program Administrator or other County employee as necessary.)**

**Part B provides Instructions directly to the assigned appraisers. Completeness and accuracy is essential for the appraiser(s) to ascertain the farm’s maximum market value as of the date of valuation. All data should be as precise as possible. Do not round figures and please cite sources when possible.**

**SECTION # 1: PLANNING AND ZONING INFORMATION**

**(A) ZONING (See Instructions B.1.)**

Current Zoning of Property:

**Agricultural-Rural**

Does the property lie within the boundaries of a planned 10-year water and sewer service district?

YES  NO

If yes, please describe: \_\_\_\_\_

Is the encumbrance of this property by an agricultural land preservation easement consistent with county plans? (Master Plan Comprehensive Land-Use Plan Growth Management Plan, etc.)

YES  NO

Does the county zoning permit any farm use of the land?

YES  NO

If any limitations on farm use, describe (can attach if need more space):  
\_\_\_\_\_

**(B) Is there withheld or permitted use envelope acreage?**

YES  NO

Reason for the withheld acreage? \_\_\_\_\_

Reason for permitted use envelope? \_\_\_\_\_

**(C) Is the property adjacent to other protected lands (fee or easement)?**

YES  NO

If yes, what is the approximate size of protected block of land (without subject property acres included)?  
\_\_\_\_\_

**(D) For Certified Counties, is the property located within a Priority Preservation Area?**

YES  NO

**(E) Is/are there a county-designated tenant house located on the property?**

YES  NO

If yes, work with County to complete and submit a certification documentation for EACH proposed tenant house and included as part of the application submission. (See Instructions B.1.E.)

**SECTION #2: DEVELOPMENT RIGHTS**

**NOTE:** The development rights information provided in this application will be provided to the appraisers to determine the fair market value of the **property** and therefore the MALPF easement value. If this section is not completed, the application IS NOT complete and will be returned.

The term “development right(s)” as used by MALPF is the maximum number of residential structures legally allowed to be placed on the parent tract as of the date of the application.

“Legally allowed” takes into consideration such limiting factors such as: zoning, septic law, Chesapeake Bay Critical Areas regulations, existing easements, etc. It does not include any additional structures allowed by virtue of a specific owner (such as family lots), nor does it include any allotted transferrable development rights (“TDRs”). As used herein, “development rights” does not address TDRs. TDRs should be considered as an addition if a current market exists. See application **SECTION #3** below regarding TDRs.

**Lot Selection (see Instructions B. Section 2.):**

**When considering lot selection, please take into account that retaining a dwelling right with the property can benefit the long term viability of future farming operations.**

In the Deed of Easement, I/we hereby elect to (check one):

- reserve family lots, subject to density restrictions,
- reserve one (1) unrestricted lot that is either:
  - subdividable, or
  - a non-subdividable building envelope
- waive all rights to lots

1. Has the County adopted a Tier Map under The Sustainable Growth & Agricultural Preservation Act of 2012 (Senate Bill 236), also known as the septic law?  Yes  No
2. If a Tier Map has been adopted, in which Tier is the subject property located? Tier: 4
3. What is the maximum number of residential lots permitted in a minor subdivision? 7

**Any discrepancies between this section and page one of this application should be reconciled or explained.**

	Permitted On-Site Development Rights	Dev. Rights	Acres
(a)	Total development rights/acres associated with the parent tract [This takes into consideration lots previously subdivided from the property; underlying zoning; septic law restrictions; and any other known restrictions (for dev. rights, take into account Chesapeake Bay Critical Areas regulations, other easements or deed/plat restrictions, etc).]	<b>7</b>	<b>129.05</b>
(b)	Total development rights/acres associated with pre-existing dwelling (within easement area)	<b>0</b>	<b>0</b>
(c)	Total development rights/acres associated with withheld acres (includes any dwelling(s) in withheld acres)	<b>0</b>	<b>0</b>
(d)	Total development rights associated with designated permitted use envelope area/s AND other unpaid acres.	<b>0</b>	<b>N/A</b>
(e)	Unrestricted lot option chosen: <input type="checkbox"/> Yes (deduct 1 development right) <input type="checkbox"/> No (deduct 0 development rights)	<b>1</b>	<b>N/A</b>
	Total development rights to be extinguished / acres to be appraised by MALPF easement acquisition (a - b - c - d - e)	<b>6</b>	<b>129.05</b>

**SECTION #3: TRANSFERABLE DEVELOPMENT RIGHTS PROGRAMS** (See Instructions B.3.)

A. Does the County have a TDR program? Yes  No

B. Is the subject property eligible to participate in the TDR program? Yes  No

C. How many residual TDRs are associated with the subject property (including any withheld acres area) as of the date of the application submission? 6 to 129

**PART C**

1. **LANDOWNER INFORMATION** - necessary for all landowners of record. Attach a separate sheet, if needed. Also, enter primary contact information. The primary contact person will receive all correspondence from and is the individual to be contacted by the Foundation regarding the easement Application

**MAILING ADDRESS of Owner/Trust/Business Entity:**

**PRIMARY CONTACT PERSON:**

Porter Mill Properties, LLC  
Name

Harold Scrimgeour  
Name

5728 George Island Landing Road  
Address

Same  
Mailing Address

Stockton, MD 21864  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

410-251-6926  
Phone #: (1<sup>st</sup>) (2<sup>nd</sup>)

\_\_\_\_\_  
Phone #: (1<sup>st</sup>) (2<sup>nd</sup>)

hscrimg@comcast.net  
e-mail

\_\_\_\_\_  
e-mail

2. **ENTITY INFORMATION:** Please list all members/partners/trustees/shareholders of the ownership entity, if applicable (see Instructions C.2.). (Attach a separate sheet if necessary.)

Harold Scrimgeour

Scrimgeours Trust

\_\_\_\_\_

\_\_\_\_\_

3. **LOCATION OF PROPERTY:**

**PLEASE NOTE: FOR PROPERTIES CONSISTING OF MORE THAN ONE TAX PARCEL, IF THE APPLICATION TO SELL AN EASEMENT TO MALPF IS SUCCESSFUL, THE PARCELS MUST REMAIN UNDER IDENTICAL COMMON OWNERSHIP, AND MAY NOT BE CONVEYED OFF FROM EACH OTHER UNLESS SPECIFICALLY APPROVED BY THE MALPF BOARD.**

Tax Map 0018 Grid 0012 Parcel # 0028  
Tax ID# 15-009187  
(List all if more than one)

Tax Map \_\_\_\_\_ Grid \_\_\_\_\_ Parcel # \_\_\_\_\_  
Tax ID# \_\_\_\_\_  
(List all if more than one)

Tax Map: \_\_\_\_\_ Grid: \_\_\_\_\_ Parcel #: \_\_\_\_\_  
Tax ID#: \_\_\_\_\_  
(List all if more than one)

Property Address: (if different from mailing address)

**US Rt. 50 Hwy**

**Hebron, MD**

4. **DEED REFERENCE(S)** (see Instructions C.4.):

2198 / 342      \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_  
liber      folio      liber      folio      liber      folio

If acreage reflected in deed is different from acreage of proposed easement, please explain:

**N/A**

5. **EXISTING PROPERTY RESTRICTION(S)**: (see Instructions C.5.)

Please state whether there are any existing restrictive easements or covenants (such as Forest Conservation Easements, Open Space Easements, etc.) on your property and, if so, please explain:

**N/A**

6. **OTHER THIRD PARTY INTERESTS** (see Instructions C.6.):

a. Does anyone own or lease surface or subsurface rights on this property (including oil/gas/mineral, whether or not there has been any activity on the lease)?

YES       NO      If yes, please explain: \_\_\_\_\_

b. Does anyone hold a lease, right of first refusal, or option to purchase for this property?

YES       NO      If yes, please explain: \_\_\_\_\_

c. Has any mining been done on the property?

YES       NO      If yes, please explain: \_\_\_\_\_

d. Are there any other third party interests in this property? (For example, life estate, right-of-ways, renewable energy operations, telecommunication company leases, ground leases in excess of 20 years, etc.)

YES       NO      If yes, please explain: \_\_\_\_\_

If you answered yes to any of the questions a. through d., please provide name and contact information for the third party interest; signatures of such parties will be required on the Option Contract and Deed of Easement if the Foundation extends you an easement offer.

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Nature of Third Party Interest

\_\_\_\_\_  
Nature of Third Party Interest

7. **MORTGAGES OR LIENS:**

Is there a mortgage or other lien on this property, including equity line of credit?

YES  NO

If yes, signatures and addresses of such holders will be required on the Option Contract and Deed of Easement, if the Foundation extends an easement offer to you.

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

8. **LAND USE (round to whole number):**

Tillable Cropland:	<b><u>65.5</u></b>	acres
Pasture:	_____	acres
Woodland:	<b><u>63.55</u></b>	acres
Wetland(s):	_____	acres
Orchard; Nursery:	_____	acres
Structure(s): (Farm buildings and dwellings)	_____	acres
Pond/lake:	_____	acres
Other: _____ (Describe other land use)	_____	acres
<b>TOTAL ACRES:</b>	<b><u>129.05</u></b>	acres

(Acres must equal Part A: f, on Page 1 – rounded to a whole number)

9. **PROPERTY USE:**

	YES	NO	DON'T KNOW
a. Has the property been used for a purpose other than agricultural operations and residential use (for example, landfill, commercial cell tower, commercial energy production, sand and gravel extraction, railroad right-of-way)? If so indicate use/explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have any chemicals been used on the property beyond what could reasonably be expected in normal and customary agricultural practices? If so indicate type of chemicals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Has the property ever contained areas used to dispose of waste other than normal and customary household and agricultural waste? If yes, indicate the kinds of material disposed and method of disposal.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Has there ever been a chemical spill or leak on the property to your knowledge? If yes, indicate what was spilled, where it was spilled, approximately how much was spilled, and what actions were taken in response.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have any previous environmental assessments/tests/samplings/impact statements been conducted for the property, to your knowledge? If so, attach copies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Has any government entity ever investigated, cited, or been involved with any violations or regulatory actions regarding this property to your knowledge? If so, explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Are there/have there been any disputes, including claims of adverse possession, or written or oral agreements with adjacent landowners regarding boundary lines? If so, explain and provide detail on map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE EXPLAIN BELOW OR ATTACH A LETTER OF EXPLANATION ALONG WITH ANY SUPPORTING DETAILS TO THE APPLICATION.**

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10. **STRUCTURES** List and briefly describe any/all structures currently existing on the property including agricultural, residential and non-agriculturally-related structures existing at the time of application. On a current aerial map, locate and label by corresponding letter (a, b, c, d, etc.) all structures listed here. A current aerial map may be obtained through the county program administrator. Use separate page if necessary.

	<u>Structure</u>	<u>Approximate Dimensions or Capacity</u>
a.	<b>N/A</b>	
b.		
c.		
d.		
e.		
f.		
g.		
h.		
i.		
j.		

11. **FARM OPERATION:**

Describe the farming operation(s): Corn, Wheat, Soybeans, Watermelons, Timber

Owner operated:  Leased:  Both:

12. **QUALIFYING SOILS: (To be completed by the County Program Administrator, see Instructions C.12.)**

Total acreage/percentage may not exceed 100% (may not count soils in both Class and Group categories.)

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>GROUP 1</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	<b>6.9</b>	<b>53.4</b>	<b>5.2</b>	<b>13.7</b>		<b>79.2</b>
PERCENT OF TOTAL:	<b>5.3</b>	<b>41.4</b>	<b>4.0</b>	<b>10.6</b>		<b>61.3</b>

Other information: \_\_\_\_\_  
 (Please indicate if the wetland acres were not counted when calculating the percent of total figure.)

13. **CERTIFICATION OF SOIL CONSERVATION & WATER QUALITY PLAN** (see Instructions C.13.):

Property Owners: **Porter Mill Properties, LLC** Phone Number: **410-251-6926**

Property Address: US Rt. 50 Hwy, Hebron, MD

Tax Map: 18 Parcel: 28 Conservation Tract No: \_\_\_\_\_ Farm No: \_\_\_\_\_

The **Wicomico** County Soil Conservation District hereby certifies that the landowner(s) listed on the front of this Application to Sell an Easement has had a complete soil conservation and water quality plan prepared for the subject property.

\_\_\_\_\_  
 Signature and Title of Soil Conservation District Official

\_\_\_\_\_  
 Date

## 14. IF PROPERTY HAS 25 ACRES OR MORE OF CONTIGUOUS WOODLAND, A FOREST STEWARDSHIP PLAN IS REQUIRED

- a) Is a Forest Stewardship Plan required:  Yes  No
- b) If yes, is it in effect  Yes  No  
(If yes, submit evidence of the Plan)

15. **REQUIRED DOCUMENTATION** to be included with this Application to Sell an Easement:

- a. All deeds, surveys, and/or plats that describe the property.  
Md. Ann. Code Agriculture Article, § 2-510(b)(3) requires that an Application to Sell An Easement be accompanied by a complete description of the property to be encumbered by an Easement. Failure to submit a complete description with the Application to Sell an Easement may result in rejection of the Application.
- b. If property owned by an entity, provide necessary organizational documents (See Instructions Part C.2).
- c. Assessments and Taxation Data sheet from website (County administrator can provide)
- d. A tax map outlining property boundaries, and clearly indicating withheld acreage, if any, including legal and practical access to the withheld acreage.
- e. Aerial map with identified structures on the property located, as instructed in Part B #10.
- f. Forest Stewardship Plan, if one is required and completed
- g. Annual Implementation Review Sheet for the Nutrient Management Plan, if one is available.

**PART D**

**Note: All landowners of record must sign this application. If the property is owned by an entity, all entity members must sign in their capacity as designated in the entity's organizational documents. Attach a separate sheet if necessary. Please note that if there are any life estate interests or right of first refusal in another person or entity, they must also sign this application.**

I/We confirm my/our understanding that I/we may not change the lot selection unless I/we withdraw my/our application and apply in a subsequent cycle.

I/We acknowledge that the land on which I am/we are applying to sell an easement shall not be subdivided (including lot releases), conveyed to others, altered in its configuration, or encumbered by a restriction during the application process without prior written approval of the Foundation. Failure to comply with this restriction may result in withdrawal of the application.

I/We acknowledge that the land on which I am/we are applying to sell an easement consists of only the paid acres as described on page 1 of this application. I/We acknowledge that any acres identified on page 1, Part A, paragraphs d. and e., are voluntarily and willing incorporated into the easement for no compensation. In addition, when determining the agricultural value of the land (per COMAR 15.15.02.06), only the paid acres shall be considered.

I/We confirm my/our understanding that if the property contains at least 25 acres of contiguous woodland, I/we must submit evidence of a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. I/we also confirm our understanding that the plan must include methods of management and a schedule of implementation. I/we also understand that the plan must have been created and/or updated for sufficiency within the last ten years, and I/we confirm our understanding that the Forest Stewardship Plan must be followed according to its schedule for implementation. If an easement is purchased on this property, I/we confirm our understanding of the responsibility for implementing the plan as outlined according to the schedule of implementation.





WICOMICO COUNTY, MARYLAND  
DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
125 N. DIVISION STREET, ROOM 203  
P.O. BOX 870  
SALISBURY, MARYLAND 21803-0870  
PHONE: 410-548-4860 | FAX: 410-548-4955

Bob Culver  
County Executive

R. Wayne Strausburg  
Director of Administration

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## STAFF REPORT

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MEETING OF MAY 21, 2020

### MARYLAND AGRICULTURAL PRESERVATION EASEMENT APPLICATION RECOMMENDATION TO COUNTY COUNCIL

#### I. PROPOSED AGRICULTURAL DISTRICT

NAME: Delmarva Farms, LLC Easement Application  
Location: Westerly side of Campground Road, Eden, Maryland  
County Tax Map #46, Parcel #141, Grid #18  
Size: 91.32 Acres

#### II. INTRODUCTION

An application has been filed by Delmarva Farms, LLC to sell an easement on property on Campground Road to the Maryland Agricultural Land Preservation Foundation. (See **Attachments #1, 2, and 3.**)

Maryland's Agricultural Land Preservation Program requires the Planning Commission's review of applications to sell Agricultural Land Preservation Easements. The duties of the Planning Commission are as follows:

1. To advise County Council if the easement is compatible with existing and approved County Plans and overall County policy; and,
2. To recommend to County Council if an easement should be created.

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Planning & Zoning Commission  
Natural Resources Conservation Advisory Committee  
Metropolitan Planning Organization  
Shore Housing Resource Board

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Wicomico County Board of Appeals  
Historic District Commission  
Agricultural Reconciliation Committee  
Agricultural Land Preservation Advisory Board

### **III. MARYLAND PROGRAM SUMMARY**

The following is a brief overview of Maryland's Agricultural Land Preservation Program. Participation in the program is entirely voluntary on the part of landowners:

- \* Agricultural Land Preservation Easements may be sold by landowners whose land meets eligibility requirements of the Maryland Agricultural Land Preservation Foundation;
- \* An Agricultural Easement is perpetual and the land must be kept in agriculture. The subdivision and development of land for residential, commercial or industrial purposes is prohibited;
- \* Support on an easement application is an official acknowledgment from the County and Foundation that farming is the preferred use of the land, which may aid farmers in defending against nuisance complaints;

### **IV. EASEMENT CRITERIA**

The qualifying criteria of the Foundation for sale of easements under the provisions of the Maryland Program are:

- \* Criterion #1: The land is currently being used for producing food or fiber or has the capability to do so.  
The land is suitable for corn, wheat, soybeans and timber production.
- \* Criterion #2: The majority of the land area of any district should consist of either of USDA Soil Capability Classes I, II, and III; USDA Woodland Groups 1 & 2; or at least 60 percent of the two classifications combined.  
The site contains 68.1 percent Class II, and III and Woodland Group I soils.
- \* Criterion #3: An Agricultural Easement generally should not be less than 50 contiguous acres, unless certain conditions are met.  
The total size of the proposed easement is 91.32 acres.
- \* Criterion #4: Land within the boundaries of a 10-year water and sewerage service district may be included in an Agricultural Easement only if it is outstanding in productivity and of significant size.  
The Delmarva Farms, LLC property is not located within the boundaries of a 10-year water and sewer service district. The closest district is that of Fruitland located to the east.

**V. DESCRIPTION OF PROPOSED AGRICULTURAL EASEMENT**

The Delmarva Farms, LLC property is located west of Fruitland on the westerly side of Campground Road. The farm totals 91.32 acres and contains one shed.

**VI. COMPREHENSIVE WATER AND SEWERAGE PLAN**

The Delmarva Farms, LLC property is not within the boundaries of a 10-year water and sewer service district. The closest district is that of Fruitland located to the east.

**VII. WICOMICO COUNTY COMPREHENSIVE PLAN**

The County Comprehensive Plan identifies the following policies, which pertain to agriculture/resource areas:

1. Support the agricultural industry and associated jobs.
2. Afford agricultural uses with maximum protection and freedom from nuisance complaints in zoning regulations and through “right to farm” ordinances.
3. Give priority to public improvements directed toward agriculture related uses.

In addition, with the adoption of the 2017 Comprehensive Plan, a Priority Preservation Area was adopted that includes all of the A-1 Agricultural-Rural zoned areas of the County.

The Plan’s Overall Development Policy concerning the formation of Agricultural Land Preservation Easements provides for their sale on farmland situated in the agricultural/resource areas when consistent with the criteria set forth in the Maryland Agricultural Land Preservation Act. The Delmarva Farms, LLC property is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan, which encourages the sale of Agricultural Preservation Easements. In addition, the property is zoned Agricultural-Rural and is located in a predominantly agricultural area.

**VIII. ELIGIBILITY TO SELL AND EASEMENT**

The Planning Staff finds that the proposed easement meets the minimum criteria established by the Agricultural Land Preservation Foundation for the sale of an easement in regards to location, size and soils suitability.

**IX. COUNTY AGRICULTURAL ADVISORY BOARD ACTION**

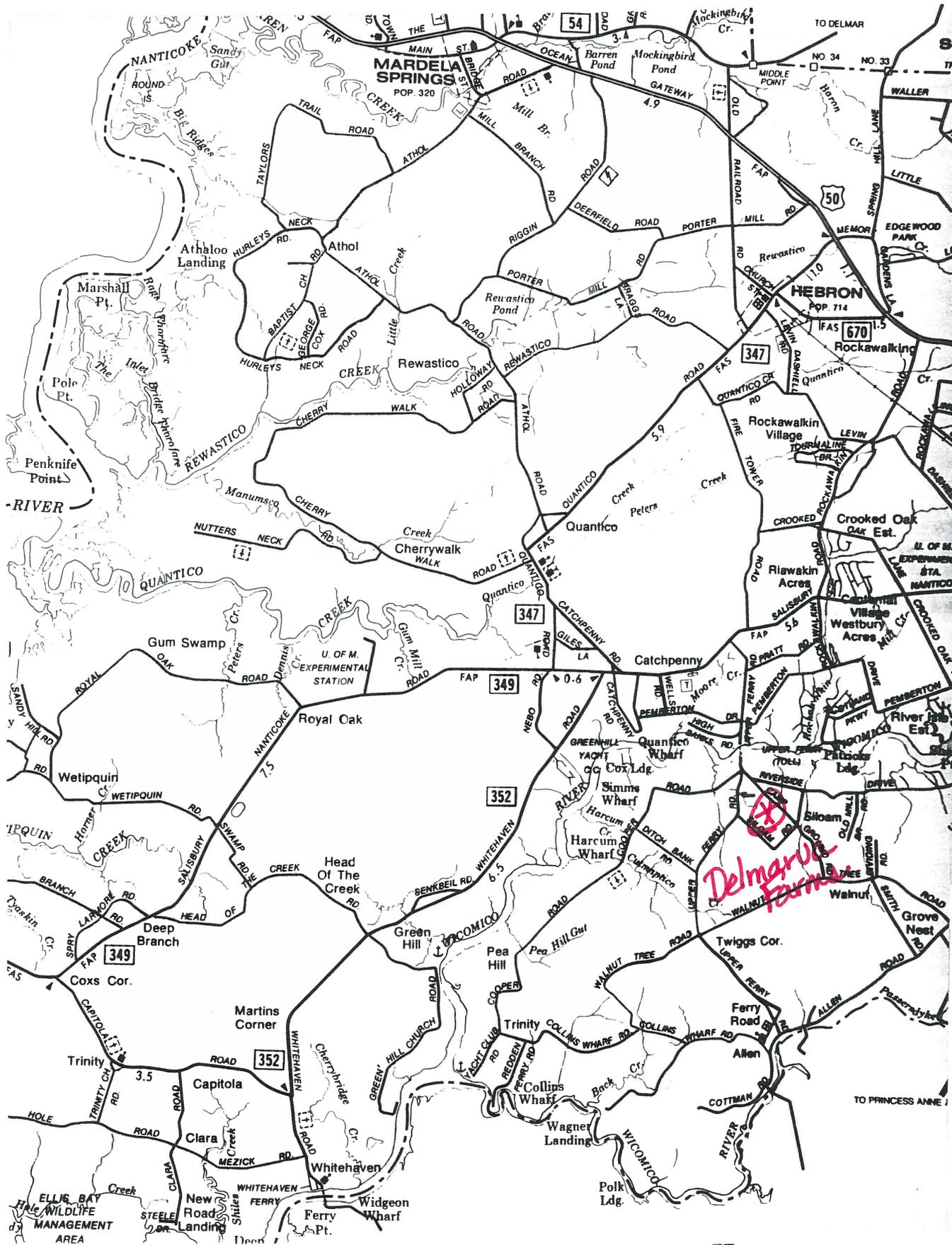
State Law requires that the Wicomico County Agricultural Land Preservation Advisory Board review potential easements in regards to soils suitability, farm size, and other criteria described in Section IV. Staff will recommend that the Board forward a Favorable recommendation to the Council for the support of the sale of an Agricultural Land Preservation Easement on Delmarva Farms, LLC farm as it meets the minimum requirement for size, soils suitability, and current production status. A Board meeting will be scheduled at a future date.

**X. PLANNING COMMISSION ACTION**

State Law requires that the Wicomico County Planning Commission review the request for consideration of the location of the proposed easement. The Delmarva Farms, LLC property is located in an area designated Agriculture/Resource by the Comprehensive Plan and in the Agricultural-Rural zoning district, near the City of Salisbury. Staff recommends that the Commission forward a **Favorable** recommendation to the Council for support of the sale of an Agricultural Land Preservation Easement on the Delmarva Farms, LLC property based on compliance with the County Comprehensive Plan.

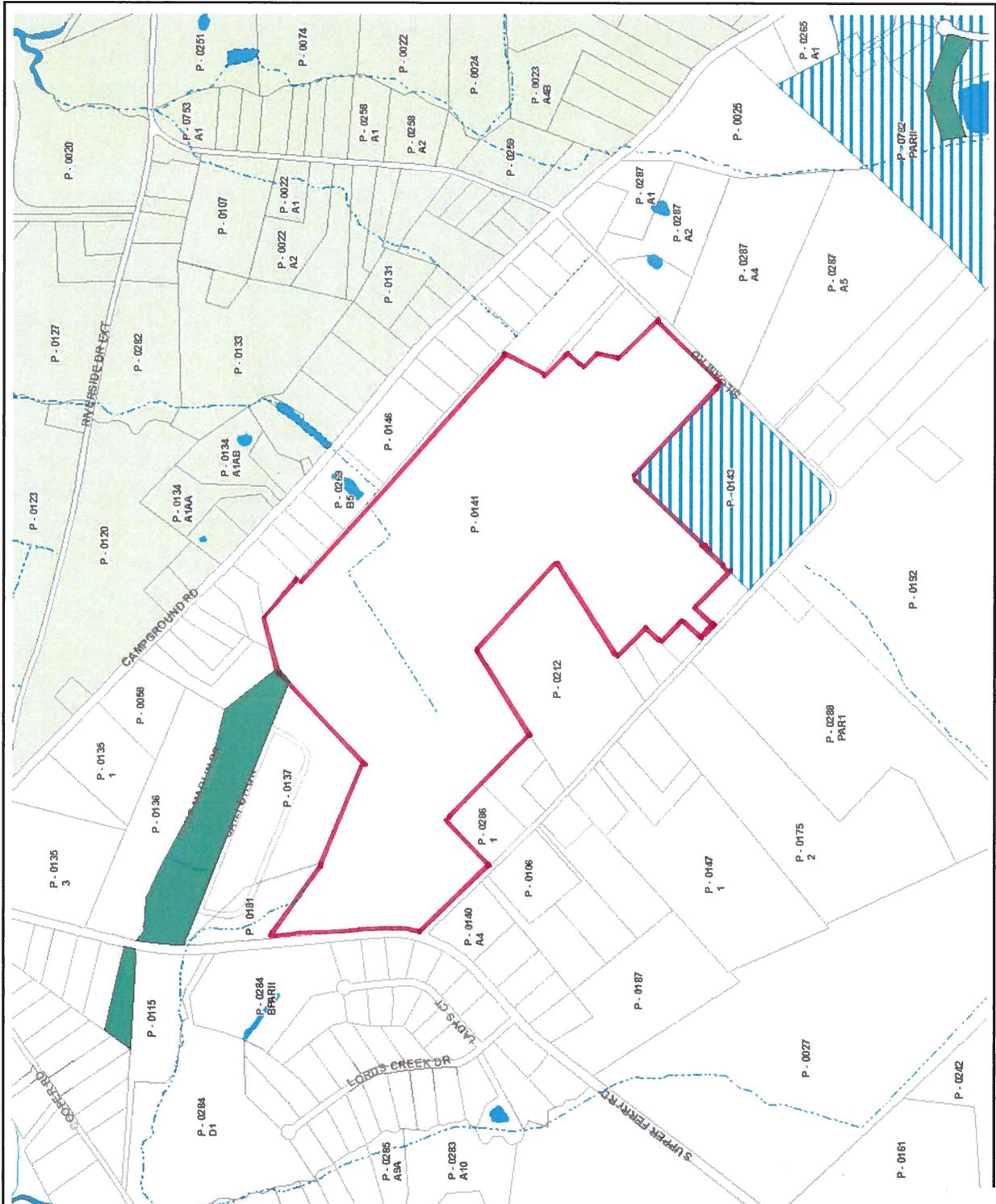
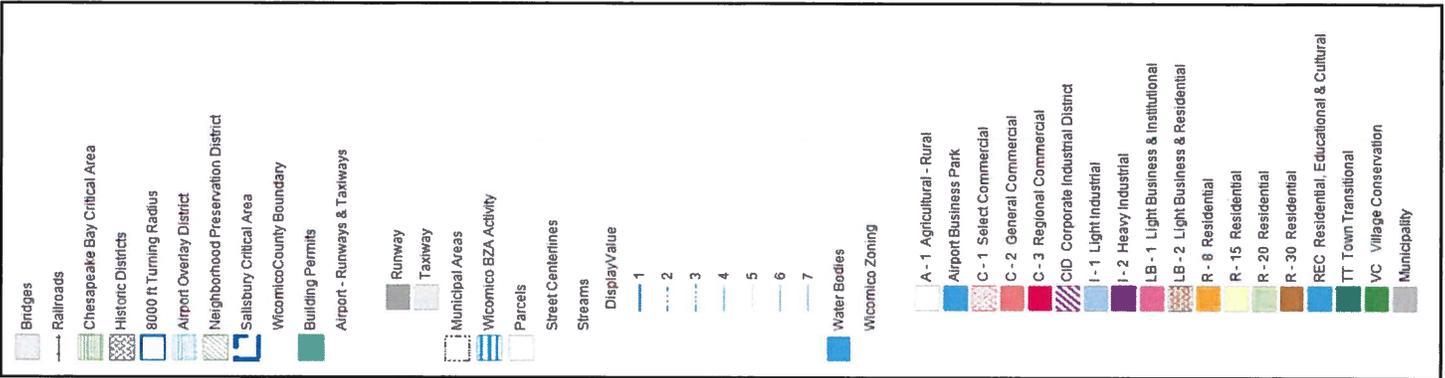
COORDINATOR: Gloria Smith, Planner  
DATE: May 4, 2020

Salisbury - Wicomico County Department Of



Attachment #1

# WICOMICO COUNTY ZONING MAP



249 ft



Attachment #3





**\*Definition of Parent Tract:** The term Parent tract, as used by MALPF, is the total property described in this application. It refers to that entire contiguous acreage that is under common ownership. This may be a single tax map parcel or may include multiple tax map parcels, but should include the entire acreage on any parcel, even if only a portion of that parcel is being considered for easement sale.

- It includes any withheld acreage and unpaid acreage
- It does not include any tax map parcel which may be contiguous and under common ownership, but for which no portion is being considered for easement sale under this application.

**PART B**

**(To be completed by the County Program Administrator or other County employee as necessary.)**  
**Part B provides Instructions directly to the assigned appraisers. Completeness and accuracy is essential for the appraiser(s) to ascertain the farm’s maximum market value as of the date of valuation. All data should be as precise as possible. Do not round figures and please cite sources when possible.**

**SECTION # 1: PLANNING AND ZONING INFORMATION**

(A) **ZONING** (See Instructions B.1.)

Current Zoning of Property:

Agricultural-Rural

Does the property lie within the boundaries of a planned 10-year water and sewer service district?

YES  NO

If yes, please describe: \_\_\_\_\_

Is the encumbrance of this property by an agricultural land preservation easement consistent with county plans? (Master Plan, Comprehensive Land-Use Plan Growth Management Plan, etc.)

YES  NO

Does the county zoning permit any farm use of the land?

YES  NO

If any limitations on farm use, describe (can attach if need more space):  
 \_\_\_\_\_

(B) Is there withheld or permitted use envelope acreage?

YES  NO

Reason for the withheld acreage? \_\_\_\_\_

Reason for permitted use envelope? \_\_\_\_\_

(C) Is the property adjacent to other protected lands (fee or easement)?

YES  NO

If yes, what is the approximate size of protected block of land (without subject property acres included)?  
 \_\_\_\_\_

(D) For Certified Counties, is the property located within a Priority Preservation Area?

YES  NO

(E) Is/are there a county-designated tenant house located on the property?

YES  NO

If yes, work with County to complete and submit a certification documentation for EACH proposed tenant house and included as part of the application submission. (See Instructions B.1.E.)

**SECTION #2: DEVELOPMENT RIGHTS**

**NOTE:** The development rights information provided in this application will be provided to the appraisers to determine the fair market value of the **property** and therefore the MALPF easement value. If this section is not completed, the application IS NOT complete and will be returned.

The term “development right(s)” as used by MALPF is the maximum number of residential structures legally allowed to be placed on the parent tract as of the date of the application.

“Legally allowed” takes into consideration such limiting factors such as: zoning, septic law, Chesapeake Bay Critical Areas regulations, existing easements, etc. It does not include any additional structures allowed by virtue of a specific owner (such as family lots), nor does it include any allotted transferrable development rights (“TDRs”). As used herein, “development rights” does not address TDRs. TDRs should be considered as an addition if a current market exists. See application **SECTION #3** below regarding TDRs.

**Lot Selection (see Instructions B. Section 2.):**

**When considering lot selection, please take into account that retaining a dwelling right with the property can benefit the long term viability of future farming operations.**

In the Deed of Easement, I/we hereby elect to (check one):

- reserve family lots, subject to density restrictions,
- reserve one (1) unrestricted lot that is either:
  - subdividable, or
  - a non-subdividable building envelope
- waive all rights to lots

1. Has the County adopted a Tier Map under The Sustainable Growth & Agricultural Preservation Act of 2012 (Senate Bill 236), also known as the septic law?  Yes  No
2. If a Tier Map has been adopted, in which Tier is the subject property located? Tier: **4**
3. What is the maximum number of residential lots permitted in a minor subdivision? **7**

**Any discrepancies between this section and page one of this application should be reconciled or explained.**

	Permitted On-Site Development Rights	Dev. Rights	Acres
(a)	Total development rights/acres associated with the parent tract [This takes into consideration lots previously subdivided from the property; underlying zoning; septic law restrictions; and any other known restrictions (for dev. rights, take into account Chesapeake Bay Critical Areas regulations, other easements or deed/plat restrictions, etc).]	<b>7</b>	<b>46.32</b>
(b)	Total development rights/acres associated with pre-existing dwelling (within easement area)	<b>0</b>	<b>0</b>
(c)	Total development rights/acres associated with withheld acres (includes any dwelling(s) in withheld acres)	<b>0</b>	<b>0</b>
(d)	Total development rights associated with designated permitted use envelope area/s AND other unpaid acres.	<b>0</b>	<b>N/A</b>
(e)	Unrestricted lot option chosen: <input type="checkbox"/> Yes (deduct 1 development right) <input type="checkbox"/> No (deduct 0 development rights)	<b>1</b>	<b>N/A</b>
	Total development rights to be extinguished / acres to be appraised by MALPF easement acquisition (a - b - c - d - e)	<b>6</b>	<b>46.32</b>

**SECTION #3: TRANSFERABLE DEVELOPMENT RIGHTS PROGRAMS** (See Instructions B.3.)

- A. Does the County have a TDR program? Yes  No
- B. Is the subject property eligible to participate in the TDR program? Yes  No
- C. How many residual TDRs are associated with the subject property (including any withheld acres area) as of the date of the application submission? 7 to 46

**PART C**

- 1. **LANDOWNER INFORMATION** - necessary for all landowners of record. Attach a separate sheet, if needed. Also, enter primary contact information. The primary contact person will receive all correspondence from and is the individual to be contacted by the Foundation regarding the easement Application

**MAILING ADDRESS of Owner/Trust/Business Entity:**

**Delmarva Farms, LLC**

Name

**5728 George Island Landing Road**

Address

**Stockton, MD 21864**

City, State, Zip Code

**410-251-6926**

Phone #: (1<sup>st</sup>) (2<sup>nd</sup>)

**hscriming@comcast.net**

e-mail

**PRIMARY CONTACT PERSON:**

**Harold Scrimgeour**

Name

**Same**

Mailing Address

City, State, Zip Code

Phone #: (1<sup>st</sup>) (2<sup>nd</sup>)

e-mail

- 2. **ENTITY INFORMATION:** Please list all members/partners/trustees/shareholders of the ownership entity, if applicable (see Instructions C.2.). (Attach a separate sheet if necessary.)

**Harold Scrimgeour**

**Rural Integrity Land, LLC**

- 3. **LOCATION OF PROPERTY:**

**PLEASE NOTE: FOR PROPERTIES CONSISTING OF MORE THAN ONE TAX PARCEL, IF THE APPLICATION TO SELL AN EASEMENT TO MALPF IS SUCCESSFUL, THE PARCELS MUST REMAIN UNDER IDENTICAL COMMON OWNERSHIP, AND MAY NOT BE CONVEYED OFF FROM EACH OTHER UNLESS SPECIFICALLY APPROVED BY THE MALPF BOARD.**

Tax Map **0046** Grid **0018** Parcel # **0141**

Tax ID# **07-005334**  
(List all if more than one)

Tax Map \_\_\_\_\_ Grid \_\_\_\_\_ Parcel # \_\_\_\_\_

Tax ID# \_\_\_\_\_  
(List all if more than one)

Tax Map: \_\_\_\_\_ Grid: \_\_\_\_\_ Parcel #: \_\_\_\_\_

Tax ID#: \_\_\_\_\_  
(List all if more than one)

Property Address: (if different from mailing address)

**Campground Road**

**Eden, MD**

4. **DEED REFERENCE(S)** (see Instructions C.4.):

4272 / 412      \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_  
liber      folio      liber      folio      liber      folio

If acreage reflected in deed is different from acreage of proposed easement, please explain:

**N/A**

5. **EXISTING PROPERTY RESTRICTION(S)**: (see Instructions C.5.)

Please state whether there are any existing restrictive easements or covenants (such as Forest Conservation Easements, Open Space Easements, etc.) on your property and, if so, please explain:

**Forest Conservation Act & Open Space - Property had received Final approval for a 36 lot Subdivision – now back to farm land. FCA and Open Space can be removed.**

6. **OTHER THIRD PARTY INTERESTS** (see Instructions C.6.):

a. Does anyone own or lease surface or subsurface rights on this property (including oil/gas/mineral, whether or not there has been any activity on the lease)?

YES       NO      If yes, please explain: \_\_\_\_\_

b. Does anyone hold a lease, right of first refusal, or option to purchase for this property?

YES       NO      If yes, please explain: \_\_\_\_\_

c. Has any mining been done on the property?

YES       NO      If yes, please explain: \_\_\_\_\_

d. Are there any other third party interests in this property? (For example, life estate, right-of-ways, renewable energy operations, telecommunication company leases, ground leases in excess of 20 years, etc.)

YES       NO      If yes, please explain: \_\_\_\_\_

If you answered yes to any of the questions a. through d., please provide name and contact information for the third party interest; signatures of such parties will be required on the Option Contract and Deed of Easement if the Foundation extends you an easement offer.

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Name of Other Third Party Interest

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Nature of Third Party Interest

\_\_\_\_\_  
Nature of Third Party Interest

7. **MORTGAGES OR LIENS:**

Is there a mortgage or other lien on this property, including equity line of credit?

YES  NO

If yes, signatures and addresses of such holders will be required on the Option Contract and Deed of Easement, if the Foundation extends an easement offer to you.

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Name of Mortgage or Lien Holder

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

8. **LAND USE (round to whole number):**

Tillable Cropland:	<b><u>60.0</u></b>	acres
Pasture:	_____	acres
Woodland:	<b><u>31.32</u></b>	acres
Wetland(s):	_____	acres
Orchard; Nursery:	_____	acres
Structure(s): (Farm buildings and dwellings)	_____	acres
Pond/lake:	_____	acres
Other: _____ (Describe other land use)	_____	acres
<b>TOTAL ACRES:</b>	<b><u>91.32</u></b>	acres

(Acres must equal Part A: f, on Page 1 – rounded to a whole number)

9. **PROPERTY USE:**

	YES	NO	DON'T KNOW
a. Has the property been used for a purpose other than agricultural operations and residential use (for example, landfill, commercial cell tower, commercial energy production, sand and gravel extraction, railroad right-of-way)? If so indicate use/explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have any chemicals been used on the property beyond what could reasonably be expected in normal and customary agricultural practices? If so indicate type of chemicals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Has the property ever contained areas used to dispose of waste other than normal and customary household and agricultural waste? If yes, indicate the kinds of material disposed and method of disposal.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Has there ever been a chemical spill or leak on the property to your knowledge? If yes, indicate what was spilled, where it was spilled, approximately how much was spilled, and what actions were taken in response.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have any previous environmental assessments/tests/samplings/impact statements been conducted for the property, to your knowledge? If so, attach copies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Has any government entity ever investigated, cited, or been involved with any violations or regulatory actions regarding this property to your knowledge? If so, explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Are there/have there been any disputes, including claims of adverse possession, or written or oral agreements with adjacent landowners regarding boundary lines? If so, explain and provide detail on map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE EXPLAIN BELOW OR ATTACH A LETTER OF EXPLANATION ALONG WITH ANY SUPPORTING DETAILS TO THE APPLICATION.**

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10. **STRUCTURES** List and briefly describe any/all structures currently existing on the property including agricultural, residential and non-agriculturally-related structures existing at the time of application. On a current aerial map, locate and label by corresponding letter (a, b, c, d, etc.) all structures listed here. A current aerial map may be obtained through the county program administrator. Use separate page if necessary.

	<u>Structure</u>	<u>Approximate Dimensions or Capacity</u>
a.	<b>Old Shed</b>	<b>12 x 24</b>
b.		
c.		
d.		
e.		
f.		
g.		
h.		
i.		
j.		

11. **FARM OPERATION:**

Describe the farming operation(s): Corn, Wheat, Soybeans, Timber

Owner operated:  Leased:  Both:

12. **QUALIFYING SOILS: (To be completed by the County Program Administrator, see Instructions C.12.)**

Total acreage/percentage may not exceed 100% (may not count soils in both Class and Group categories.)

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>GROUP 1</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	<u>0</u>	<u>24.3</u>	<u>35.5</u>	<u>2.4</u>	<u>0</u>	<u>62.2</u>
PERCENT OF TOTAL:	<u>0</u>	<u>26.6</u>	<u>38.9</u>	<u>2.6</u>	<u>0</u>	<u>68.1</u>

Other information: \_\_\_\_\_  
(Please indicate if the wetland acres were not counted when calculating the percent of total figure.)

13. **CERTIFICATION OF SOIL CONSERVATION & WATER QUALITY PLAN** (see Instructions C.13.):

Property Owners: **Delmarva Farms, LLC** Phone Number: **410-251-6926**

Property Address: Campground Road, Eden, MD

Tax Map: 46 Parcel: 141 Conservation Tract No: \_\_\_\_\_ Farm No: \_\_\_\_\_

The **Wicomico** County Soil Conservation District hereby certifies that the landowner(s) listed on the front of this Application to Sell an Easement has had a complete soil conservation and water quality plan prepared for the subject property.

\_\_\_\_\_  
Signature and Title of Soil Conservation District Official

\_\_\_\_\_  
Date

14. IF PROPERTY HAS 25 ACRES OR MORE OF CONTIGUOUS WOODLAND, A FOREST STEWARDSHIP PLAN IS REQUIRED

- a) Is a Forest Stewardship Plan required:  Yes  No
- b) If yes, is it in effect (If yes, submit evidence of the Plan)  Yes  No

15. **REQUIRED DOCUMENTATION** to be included with this Application to Sell an Easement:

- a. All deeds, surveys, and/or plats that describe the property.
- Md. Ann. Code Agriculture Article, § 2-510(b)(3) requires that an Application to Sell An Easement be accompanied by a complete description of the property to be encumbered by an Easement. Failure to submit a complete description with the Application to Sell an Easement may result in rejection of the Application.
- b. If property owned by an entity, provide necessary organizational documents (See Instructions Part C.2).
- c. Assessments and Taxation Data sheet from website (County administrator can provide)
- d. A tax map outlining property boundaries, and clearly indicating withheld acreage, if any, including legal and practical access to the withheld acreage.
- e. Aerial map with identified structures on the property located, as instructed in Part B #10.
- f. Forest Stewardship Plan, if one is required and completed
- g. Annual Implementation Review Sheet for the Nutrient Management Plan, if one is available.

## PART D

**Note: All landowners of record must sign this application. If the property is owned by an entity, all entity members must sign in their capacity as designated in the entity's organizational documents. Attach a separate sheet if necessary. Please note that if there are any life estate interests or right of first refusal in another person or entity, they must also sign this application.**

I/We confirm my/our understanding that I/we may not change the lot selection unless I/we withdraw my/our application and apply in a subsequent cycle.

I/We acknowledge that the land on which I am/we are applying to sell an easement shall not be subdivided (including lot releases), conveyed to others, altered in its configuration, or encumbered by a restriction during the application process without prior written approval of the Foundation. Failure to comply with this restriction may result in withdrawal of the application.

I/We acknowledge that the land on which I am/we are applying to sell an easement consists of only the paid acres as described on page 1 of this application. I/We acknowledge that any acres identified on page 1, Part A, paragraphs d. and e., are voluntarily and willing incorporated into the easement for no compensation. In addition, when determining the agricultural value of the land (per COMAR 15.15.02.06), only the paid acres shall be considered.

I/We confirm my/our understanding that if the property contains at least 25 acres of contiguous woodland, I/we must submit evidence of a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. I/we also confirm our understanding that the plan must include methods of management and a schedule of implementation. I/we also understand that the plan must have been created and/or updated for sufficiency within the last ten years, and I/we confirm our understanding that the Forest Stewardship Plan must be followed according to its schedule for implementation. If an easement is purchased on this property, I/we confirm our understanding of the responsibility for implementing the plan as outlined according to the schedule of implementation.

I/We confirm my/our understanding that a current Nutrient Management Plan must be implemented for the property prior to the sale of the MALPF easement on the property under the following circumstances: (i) an easement offer is extended and accepted, and (ii) if the property is required to have a Nutrient Management Plan under Md. Code Ann., Agric. Section 8-801 et seq. (associated regulations are located in COMAR 15.20.07-08).

I/We confirm my/our understanding that the Department of General Services shall be reviewing title to the property and may request additional documentation, require certain actions by me/us to clear title to the property, or may require me/us to provide a modern boundary survey of the property, at my/our expense, prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. In addition, if there are multiple tax parcels being placed under one easement, then we may be required to combine those tax parcels into one account and parcel number.

I/We give MALPF permission to conduct appraisals on my/our property upon reasonable notification. I am/We are aware that any approval to obtain an option contract for the purchase of an agricultural land preservation easement made by the Foundation is subject to Board of Public Works approval and available funds.

I/We understand that there is no guarantee that an offer will be made or accepted for the purchase of an agricultural land preservation easement on this property.

I/We assert that all representation and information regarding the property are, to the best of my/our knowledge, accurate and complete. Additionally, I/we assert that there is no known reason (e.g. environmental or otherwise) why the property cannot be productively farmed.

In addition, I/we are aware that both Parts A and B of this Application to Sell an Easement must be completed and submitted to the County's Program Administrator, along with all necessary documentation. I/we understand that an incomplete application will be returned.

Harold Scrimgeour 4/14/2020  
Landowner Signature Date

\_\_\_\_\_  
Landowner Signature Date

Harold Scrimgeour  
Print Full Name

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Print Full Name

I hereby affirm, to the best of my knowledge, information and belief, that this application to sell an easement is complete and accurate.

\_\_\_\_\_  
County Program Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

## Infrastructure and Development Staff Report

May 21, 2020

### I. BACKGROUND INFORMATION:

Project Name: Downtown Bridal  
Applicant/Owner: Solutions Engineering  
Infrastructure and Development Case No.: 20-009  
Nature of Request: Revised Comprehensive Development Plan Approval  
Location of Property: Gateway Crossings  
Existing Zoning: Regional Commercial

### II. SUMMARY OF REQUEST:

A Revised Comprehensive Development Plan has been submitted for a 11,000 square foot tenant located what was previously the K-Mart building in the Gateway Crossing Shopping Center. **(Attachment 1)**

### III. DISCUSSION:

The applicants proposed to construct a 11,000 sq. ft. new store front to include a new entry and two store fronts for a proposed bridal retail store.”.

### IV. APPROVAL HISTORY:

Gateway Crossing (formerly Shopper’s World) Shopping Center has an extensive history, beginning in 1974, when the Planning Commission granted the original approval. At that time, the property was outside of the city’s corporate limits, but was subsequently annexed into the City in 1976, which is also when the original building was constructed. Numerous changes to the comprehensive development plan have been approved since then. The most significant approval came in 2002, when the Planning Commission approved a new Preliminary and Final Comprehensive Development Plan for redevelopment of the entire shopping center. This approval streamlined the approval process so that applicants would no longer have to also receive approval from the Salisbury Board of Zoning Appeals to alter a nonconforming use.

Oak Ridge Baptist Church recently received approval for a 24,511 square foot addition in January of 2019.

**V. COMPREHENSIVE DEVELOPMENT PLAN REVIEW:**

**A. Parking.**

The existing parking will more than accommodate the retail requirement for the new business.

**B. Building Elevations.**

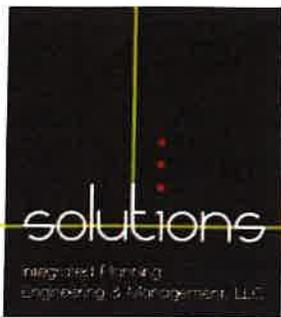
Building elevations will include a new entrance and two glass and aluminum store fronts as indicated in the submittal.

**C. Sign Plan**

A sign plan has not been submitted and may need Planning Commission approval at a later date.

**VI. RECOMMENDATION**

Staff recommends approval for the Revised Comprehensive Plan for Downtown Bridal boutique.



April 15, 2020

Ms. Anne Roane  
City of Salisbury  
Department of Infrastructure and Development  
125 North Division Street  
Salisbury, Maryland 21801

**RE: Gateway Crossing Shopping Center  
Partial Façade Modifications  
Downtown Bridal  
G20028**

Dear Ms. Roane,

Attached please find our submission materials for the proposed modifications to a portion of the façade of the old K-Mart building. These modifications are proposed for a new tenant, Downtown Bridal, which will be occupying approximately 11,000 sf of space. We have included an overall plan, tenant demising plan and exterior elevation for review. By submission of these materials, we request to be included on the agenda for the May 2020 Planning Commission hearing.

It is the intention of the developers to continue to secure tenants to fill out the remainder of the space, and as such additional modifications to the façade will be necessary. These modifications will be submitted at the appropriate time. An upgrade to the overall aesthetic of the shopping center is also planned to compliment the architectural design of the new Oak Ridge Church addition currently being designed.

The signage we have indicated for Downtown Bridal serves as a placeholder at this time. We understand this will be required to undergo a separate submittal and approval process.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Solutions IPPEM, LLC

A handwritten signature in black ink that reads "Scott G. Rogers".

Scott Rogers, AIA, LEED AP  
Director of Architecture

# ATTACHMENT 1





## Infrastructure and Development Staff Report

May 21, 2020

### I. BACKGROUND INFORMATION:

Project Name: Panera Bread  
Applicant/Owner: Selby Sign for Panera Bread/PVT I LLC  
Infrastructure and Development Case No.: 202000373  
Nature of Request: Sign Plan Approval  
Location of Property: 2835 N. Salisbury Blvd.  
Existing Zoning: General Commercial

### II. SUMMARY OF REQUEST:

Selby Sign Company has submitted a sign plan for Panera Bread Restaurant for approval by the Commission as part of a Comprehensive Development Plan.

### III. DISCUSSION:

#### Approval History

Panera Bread, which is adjacent to Aldi Grocery, (**Attachments 1 & 2**) Received Final Comprehensive Development Plan Approval in March of 2019.

#### Proposed Sign Plan

The applicant is proposing to install a number of identification, service, and directional signs for Panera Bread, as follows:

1. A 71.33 sq. ft. "Panera Bread" wall sign on the east, south and west walls. The signs will have white lettering with the gold Panera Bread logo on a dark green background. (**Attachments 3 - 5**)
2. An 11 sq. ft. "Drive Thru" wall sign on the same elevations, with the same white lettering on a dark green background. (**Attachments 3 - 5**)
3. A "Panera Bread" projecting blade sign is proposed for the southeast corner of the building. This sign will maintain the same white, gold and green color scheme, and will be 5.84 sq. ft. in area, and 8 ft. above grade. (**Attachments 3, 4 & 6**)



4. A black "Clearance 9 ft." sign is proposed for the landscaped island located at the northeast corner of the building at the drive-thru entrance. **(Attachments 7 & 8)**
5. A pre-menu board, menu board and "Panera Bread" canopy are proposed along the drive-thru lane along the north side of the building. **(Attachments 7 & 8)**
6. Five directional signs are proposed for the sign along the south side of the property. All signs will be 3.5 sq. ft. in area and have a maximum height of 3 ft. 3 inches. The signs will read "Do Not Enter," "Thank You", and "Drive Thru" with directional arrows. The colors will include green, white, gold and black. **(Attachments 7 & 9)**
7. A 30 ft. tall pylon sign is proposed at the entrance along Rt. 13. The sign will total 98 sq. ft. in area, with two 49 sq. ft. tenant panels. The Panera Bread portion of the sign will maintain the typical colors and design of the other signs. The other tenant panel will remain blank until a tenant is secured for the remaining parcel. **(Attachments 7 & 10)**

#### **IV. PLANNING CONCERNS**

None. The signs are attractive and modest in design and are necessary for both identification and navigation.

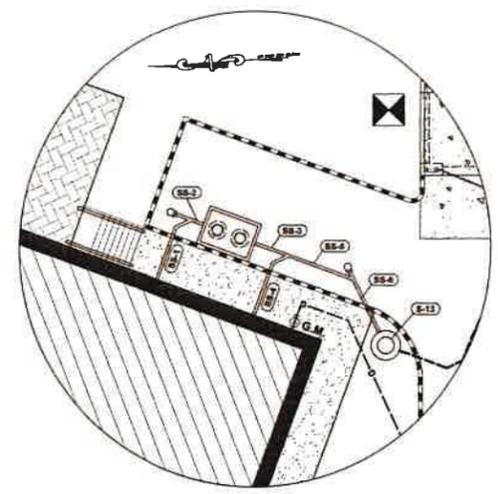
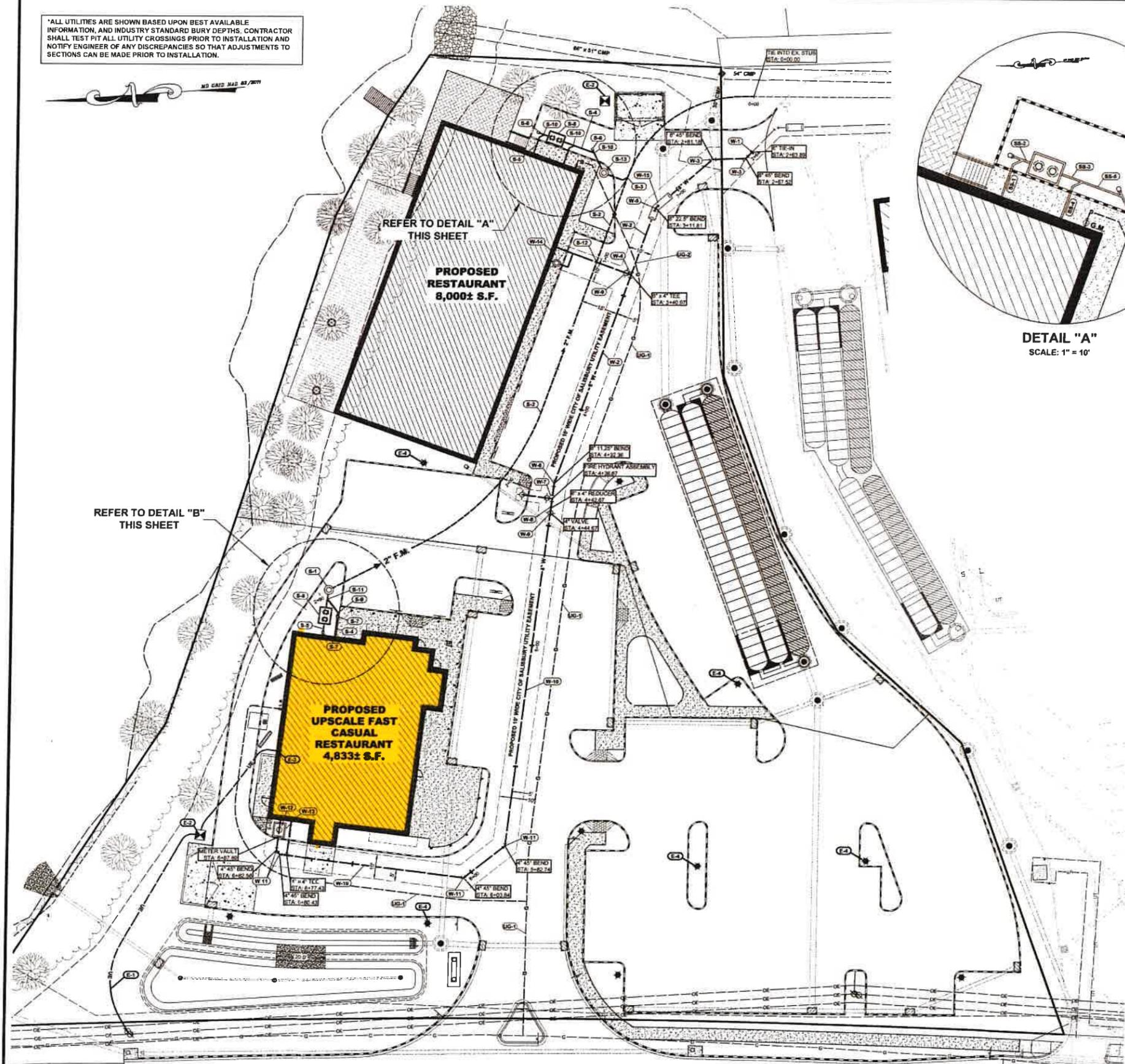
#### **V. RECOMMENDATION**

Staff recommends approval for the proposed Sign Plan as submitted.

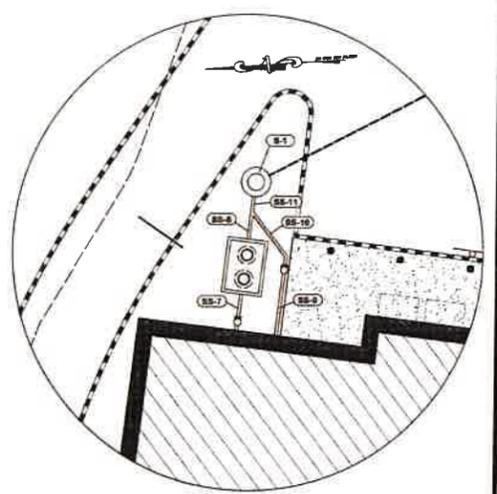


Attachment 1

\*ALL UTILITIES ARE SHOWN BASED UPON BEST AVAILABLE INFORMATION, AND INDUSTRY STANDARD BURY DEPTHS. CONTRACTOR SHALL TEST PIT ALL UTILITY CROSSINGS PRIOR TO INSTALLATION AND NOTIFY ENGINEER OF ANY DISCREPANCIES SO THAT ADJUSTMENTS TO SECTIONS CAN BE MADE PRIOR TO INSTALLATION.



DETAIL "A"  
SCALE: 1" = 10'



DETAIL "B"  
SCALE: 1" = 10'

SANITARY SEWER PIPE SCHEDULE						
PIPE No.	SIZE	PIPE TYPE	LENGTH	SLOPE	INV. IN	INV. OUT
SS-1	6"	PVC SDR 35	8'	2.00%	38.00'	37.84'
SS-2	6"	PVC SDR 35	3'	2.00%	37.84'	37.78'
SS-3	6"	PVC SDR 35	3'	2.00%	37.68'	37.62'
SS-4	6"	PVC SDR 35	8'	2.00%	37.78'	37.62'
SS-5	6"	PVC SDR 35	10'	2.00%	37.62'	37.42'
SS-6	6"	PVC SDR 35	8'	2.00%	37.42'	37.26'
SS-7	6"	PVC SDR 35	8'	2.00%	36.60'	36.50'
SS-8	4"	PVC SDR 35	3'	4.67%	36.40'	36.26'
SS-9	4"	PVC SDR 35	10'	2.00%	36.60'	36.40'
SS-10	4"	PVC SDR 35	7'	2.00%	36.40'	36.26'
SS-11	4"	PVC SDR 35	2'	4.67%	36.26'	36.16'

**GAS CONSTRUCTION NOTES**  
 UG-1 CONTRACTOR TO COORDINATE WITH UTILITY COMPANY GAS SERVICE LOCATION TO BUILDING FROM UTILITY COMPANY CONNECTION POINT. ROUTING AND INSTALLATION TO BE PERFORMED BY UTILITY COMPANY. SEE LUMING DRAWINGS BY OTHERS FOR METER AND BUILDING CONNECTION DETAILS. SIZE, MATERIALS, AND DEPTH TO BE DETERMINED BY THE UTILITY COMPANY. SEE MEF PLANS BY OTHERS. SHOWN ONLY FOR COORDINATION.  
 UG-2 GAS MAIN TO BE INSTALLED MINIMUM 1' BELOW THE WATER MAIN. A LICENSE TO ENCUMBER MUST BE IN PLACE TO CROSS THE CITY OF SALISBURY EASEMENT IN A NON-PERPENDICULAR MANNER.

**ELECTRIC CONSTRUCTION NOTES**  
 E-1 INSTALL 4" PVC CONDUIT CONTRACTOR TO COORDINATE WITH ARCHITECT AND DELMARVA POWER FOR INSTALLATION, SPECIFICATION AND TO FINALIZED CONNECTION OF ELECTRICAL SERVICE LINE FROM TRANSFORMER TO EXISTING CONNECTION POINT. SERVICE LINE TO BE CONTINUED BY UTILITY COMPANY. SEE MEF PLANS BY OTHERS.  
 E-2 PROPOSED TRANSFORMER ON CONCRETE PAD AT LOCATION SHOWN. CONTRACTOR SHALL COORDINATE DELMARVA POWER FOR EXACT LOCATION, INSTALLATION AND SPECIFICATION OF TRANSFORMER.  
 E-3 CONTRACTOR TO INSTALL 4" PVC CONDUITS FROM BUILDING CONNECTION POINT TO TRANSFORMER. CONTRACTOR SHALL COORDINATE WITH ARCHITECT AND DELMARVA POWER FOR INSTALLATION AND SPECIFICATION OF ELECTRICAL SERVICE LINE AND EQUIPMENT. CONTRACTOR SHALL MAINTAIN A 1" VERTICAL SEPARATION BETWEEN OTHER CONDUITS, STORM DRAIN LINES, SANITARY SEWER LINES, AND GAS LINES.  
 E-4 ON-SITE LIGHTING SHOWN HEREON IS FOR DEMONSTRATION PURPOSES ONLY. PLEASE REFER TO THE LIGHTING PLAN BY ALLEN AND SHARFF FOR ON-SITE LIGHTING REQUIREMENTS AND LOCATIONS.

**DOMESTIC WATER SYSTEM CONSTRUCTION NOTES**  
 W-1 REMOVE EXISTING 8" DIA OFF 1" DRAIN AND TIE INTO EXISTING STUB  
 W-2 6" C 900 PVC DR 18 WATER MAIN  
 W-3 8" 45' BEND. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS  
 W-4 PROPOSED 6" x 4" TEE. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS.  
 W-5 8" 22.5' BEND. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS.  
 W-6 8" 11.25' BEND. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS.  
 W-7 PROPOSED FIRE HYDRANT ASSEMBLY PER CITY STD. NO. 300.25. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS.  
 W-8 PROPOSED 6" x 4" REDUCER.  
 W-9 PROPOSED 4" MECHANICAL JOINT RESILIENT SEATED WEDGE GATE VALVE.  
 W-10 4" C 900 PVC DR 18 WATER MAIN  
 W-11 4" 45' BEND. INSTALL RESTRAINTS PER NEW CITY OF SALISBURY CONSTRUCTION AND MATERIALS SPECIFICATIONS.  
 W-12 PROPOSED PRECAST CONCRETE WATER METER VAULT AND LID PER CITY STD. N. 300.10.  
 W-13 PROPOSED DOMESTIC 4" WATER SERVICE AND 4" FIRE SERVICE PER CITY STD. N. 300.26 (MODIFIED).  
 W-14 PROPOSED DOMESTIC 2" WATER SERVICE AND 4" FIRE SERVICE PER CITY STD. N. 300.26.  
 W-15 PROPOSED WATER MAIN REALIGNMENT CITY STD. NO. 300.42. REFER TO PROFILE SHEET C-302.

**SANITARY SEWER CONSTRUCTION NOTES**  
 S-1 PROPOSED EXONE DH-772 DUPLEX PUMP STATION. REFER TO DETAIL SHEET C-302.  
 S-2 PROPOSED 2" SDR 26 FORCE MAIN  
 S-3 PROPOSED 2" SDR 26 WYE CONNECTION.  
 S-4 PROPOSED SDR 35 PVC SANITARY SERVICE.  
 S-5 PROPOSED SDR 35 PVC SANITARY SERVICE DEDICATED FOR GREASE WASTE.  
 S-6 PROPOSED CLEANOUT IN PAVED AREA. REFER TO DETAIL SHEET C-301.  
 S-7 PROPOSED STANDARD CLEANOUT. REFER TO DETAIL SHEET C-301.  
 S-8 PROPOSED GREASE TRAP. TO BE SIZED AND PROVIDED BY INDIVIDUAL RESTAURANTS.  
 S-9 PROPOSED 4" 45' ELBOW.  
 S-10 PROPOSED 4" x 4" WYE.  
 S-11 PROPOSED 4" x 4" WYE.  
 S-12 FORCE MAIN TO BE INSTALLED BENEATH THE WATER SERVICE WITH A MINIMUM 1' CLEARANCE BETWEEN THE OUTER EDGE OF THE PIPES.  
 S-13 PROPOSED EXONE WH-483 TRIPLEX PUMP STATION. REFER TO DETAIL SHEET C-302.

**OWNERS CERTIFICATION**  
 WE, PTY CAPITAL HOLDINGS, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.  
 [Signature]  
 WILLIAM R. OWEN, PROJECT DESIGN MANAGER  
 PENN TEX VENTURES, LLC  
 400 PENN CENTER BLVD, BLDG 4  
 PITTSBURGH, PA 15236  
 DATE: 08/16/2019



ARCHITECTURE  
ENGINEERING  
 Dover, DE  
 249 S Governors Ave  
 Dover, DE 19904  
 Ph: 302.734.7955  
 Fax: 302.734.7965  
 Salisbury, MD  
 313 West Main St, Suite 300  
 Salisbury, MD 21801  
 Ph: 410.546.9100  
 Fax: 410.546.5824  
 Wilmington, NC  
 3533 Jaccck Drive, Suite 120  
 Wilmington, North Carolina 28403  
 Ph: 910.341.7460  
 Fax: 910.341.7466  
 www.beckermorgan.com



30331  
 08/23/20

**PENN TEX VENTURES, LLC**

2815, 2825, 2835 N. SALIS. BLVD.  
 SALISBURY  
 WICOMICO COUNTY, ND

**UTILITY PLAN**

SCALE: 1" = 20'

NO.	DATE	DESCRIPTION
02-23-15	02-27-2019	ISSUE COMMENTS
07-08-15	08-07-2019	ISSUE COMMENTS
08-02-15	08-07-2019	ISSUE COMMENTS
08-24-15	08-16-2019	ISSUE COMMENTS
04-18-15	04-18-2019	ISSUE COMMENTS

PROJECT NO.: 2018133.00  
 DATE: 05/03/2019  
 SCALE: 1" = 20'  
 DRAWN BY: E.H.H. PROJ. MGR: J.A.H.  
 SHEET  
**C-301**

SINCE 1986



**MANDEVILLE SIGN**  
MANUFACTURING & INSTALLATION  
 876 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02865-4255  
 401-334-9100 401-344-7199  
 www.mandevillesign.com

**APPROVALS**

Engineering	DATE
Sales	DATE
Estimating	DATE
Production	DATE
Quality Control	DATE

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	01/29/18	REVISED	JM
2	01/29/18	REVISED	JM
3	01/29/18	REVISED	JM
4	01/29/18	REVISED	JM
5	01/29/18	REVISED	JM
6			
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All electrical signs shall comply with the National Electric Code (Article 600) and be manufactured according to Underwriters Laboratories, UL-16 Standards and labeled accordingly.

**51017-1**

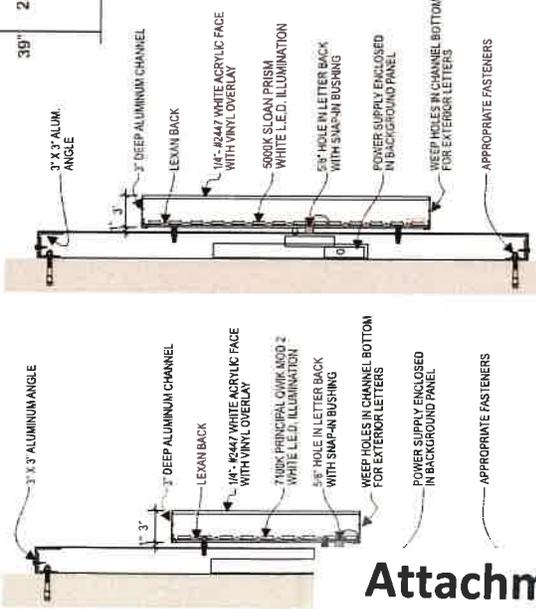
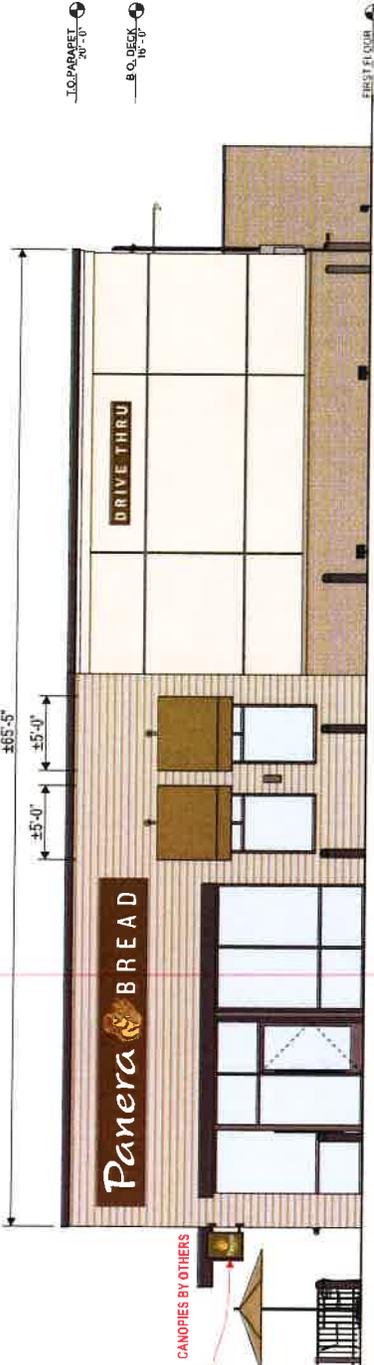


**3841**

2835 N. Salisbury Blvd  
 Salisbury, MD 21801

Carda M.  
 07/20/18

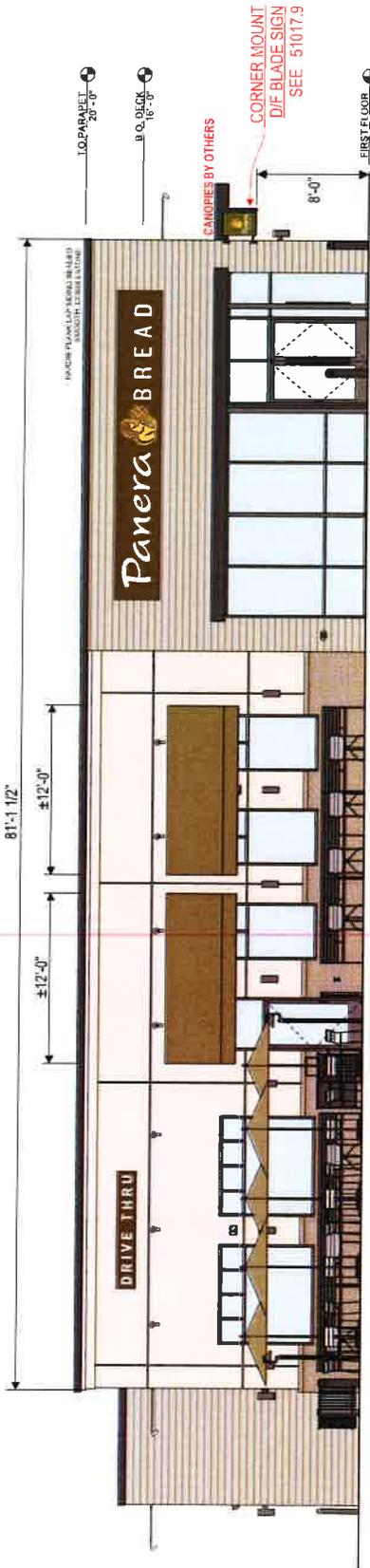
**51017.2**



- INTERNALLY ILLUMINATED FRONT LITHALO LIT CHANNEL LETTERS:**
- PANERA BREAD™ LETTERS
  - 2447 WHITE FACES WITH 3" DEEP CHANNELS PAINTED BLACK
  - CLEAR LEXAN BACKS
  - 7100K PRINCIPAL OWIK MOD 2 WHITE LED LIGHTING (PANERA BREAD)
  - 5000K SLOAN PRISM (MOTHER BREAD)
  - TRIMLESS DESIGN
  - MB LOGO WITH PANTONE 7403 CP INTERNALLY LITHALO LIT TRANSLUCENT BACKGROUND w/ TRANSLUCENT PANTONE 476 CP DETAILS
  - 3" DEEP CHANNEL PAINTED TO MATCH PANTONE 476 CP
  - 3" DEEP BACKGROUND PANEL PAINTED TO MATCH PANTONE 476 CP WITH 1" THICK SUPER IMPOSED PANEL BEHIND MB LOGO PAINTED PANTONE 5767 CP
  - ALL LETTERS TO BE PINNED OFF PANEL 1"
  - SELF CONTAINED POWER SUPPLIES



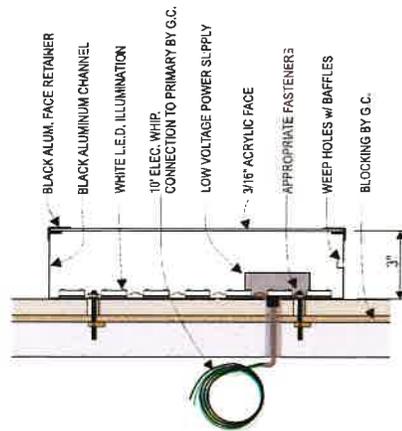
# Attachment 4



ELEVATION 2 (SOUTH) 1/8" = 1'-0"



SCALE: 3/8" = 1'-0" 7.1.33 SIF



DRIVE THRU BOX SIGN SECTION: N.T.S.

- ILLUMINATED "DRIVE THRU" SIGN CABINET:
- ALUMINUM CHANNEL LETTER TYPE CONSTRUCTION
  - .040 ALUM. RETURNS, 3" DEEP, PAINTED BLACK
  - 3/16" THICK WHITE ACRYLIC FACE
  - BROWN VINYL BACKGROUND w/ BLACK OUTLINES
  - ROUND WHITE ILLUMINATED LETTERS
  - BLACK PAINTED ALUM. FACE RETAINER
  - WHITE L.E.D. ILLUMINATION
  - WEEP HOLES REQUIRED
  - LOW VOLTAGE POWER SUPPLY
  - FLUSH WALL MOUNT
  - U.L. LABEL OUT OF VIEW



SIGN ELEVATION: 3/8" = 1'-0" 11.0 S.Q.F.T.

SINCE 1917

**MANVILLE SIGN**  
SINCE 1917

676 GEORGE WASHINGTON HIGHWAY  
LINCOLN, RI 02865-4255

401-334-9100     401-334-7199

www.manville-sign.com

APPROVALS

Engineering	
SEALS	2023
LABORATORY	6/23
PRODUCTION	5/24
QUALITY CONTROL	4/27
	4/26

REVISIONS

1	W/P	10/29/17
2	W/P	11/02/17
3	W/P	11/12/17
4	W/P	11/15/17
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All sketches shall comply with the National Electrical Code (Article 600) and be manufactured according to Underwriters Laboratories, U.L. 16 standards and labeled accordingly.

51017-1

3841

2835 N. Salisbury Blvd  
Salisbury, MD 21801

Carla M.  
JIM     07/20/18

51017.3

1917



**MANTEVILLE SIGN**  
 676 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02865-4255  
 401-334-9100 401-334-7899  
 www.mantevillesign.com

**APPROVALS**

Engineering	
Sketches	
Estimating	
Production	
Quality Control	

**REVISIONS**

1	W/D	10/29/17
2	W/D	11/04/17
3	W/D	11/12/17
4		
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All electrical signs shall comply with the National Electric Code (Article 600) and its amendments according to Underwriters Laboratories, U.L. 48 standards and listed accordingly.

**51017-1**



**3841**

2835 N. Salisbury Blvd  
 Salisbury, MD 21801

07/20/18

**51017.4**

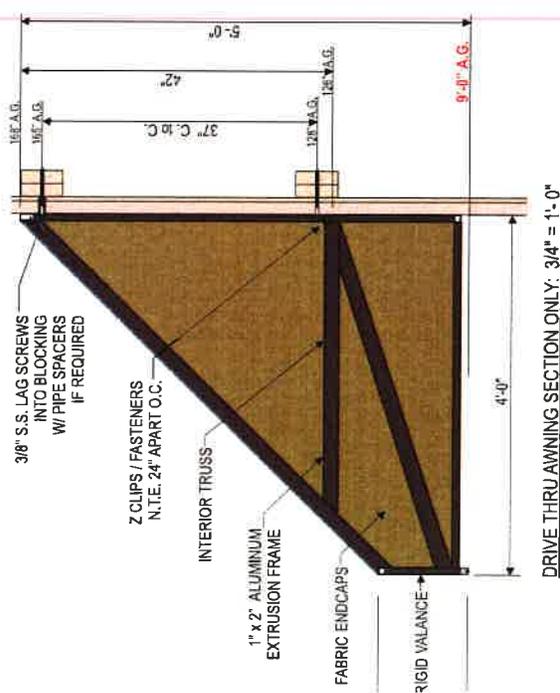


--- 1.0 PARAPET  
 20'-0"

--- B.O. DECK  
 16'-0"



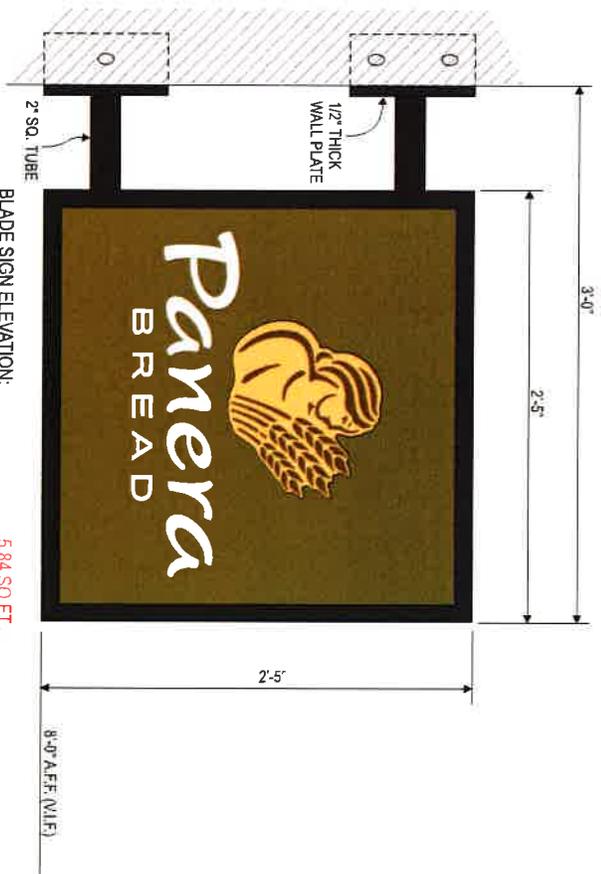
71.33 S.F. SCALE: 3/8" = 1'-0"



SUNBRELLA  
 UNITY LEAF #85003

- EXTERNALLY ILLUMINATED DRIVE THRU AWNING:**
- 1" x 2" x 125" ALUMINUM EXTRUSION WELDED FRAME INCLUDES 12" RIGID VALANCE
  - FRAME COLOR: BENJ. MOORE # 1617 "cheating heart"
  - TRUSS SPACING N.T.E. 24" APART O.C.
  - SUNBRELLA #85003-0000" UNITY LEAF FABRIC COVER INCLUDES FABRIC ENDCAPS
  - GRAY PVC TRIM STAPLE COVER
  - MOUNTED USING Z-CLIPS & APPROPRIATE ANCHORS
  - G.C. TO PROVIDE 2" x 6" BLOCKING IF NECESSARY
- FLAME COATED FABRIC COVERS



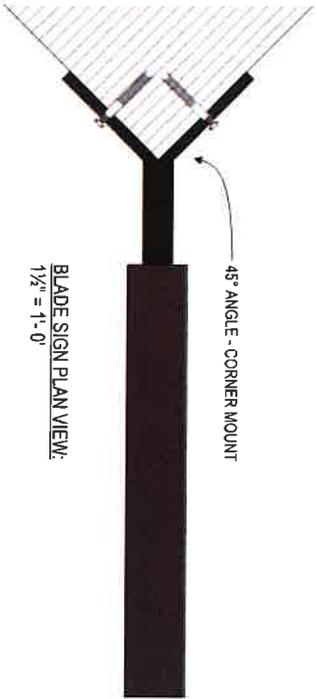


BLADE SIGN ELEVATION:  
1 1/2" = 1'-0"

5.84 SQ.FT.



BLADE SIGN END VIEW  
1 1/2" = 1'-0"



BLADE SIGN PLAN VIEW:  
1 1/2" = 1'-0"

**DIE INTERNALLY ILLUMINATED BLADE SIGN:**

- CLEAR 3/16" POLYCARBONATE SIGN FACES
- FIRST SURFACE DIGITALLY PRINTED GRAPHIC:
- OPAQUE PANTONE 5757 CP GREEN BACKGROUND BEHIND LETTERS/LOGO
- PANTONE 7403 CP LOGO w/ PANTONE 476 CP BROWN DETAILS
- WHITE LETTER COPY & "®" SYMBOL
- ALUMINUM FABRICATED CABINET & RETAINERS PAINTED BLACK
- 6500K LED ILLUMINATION
- LOW VOLTAGE OUTPUT POWER SUPPLY
- BLACK SUPPORT ARMS AND WALL PLATES



**MANDENVILLE SIGN**  
SINCE 1978  
676 GEORGE WASHINGTON HIGHWAY  
LIMMUDEN, RI 02885-4255  
401-334-9100 FAX: 401-334-7299  
www.mandevillesign.com

**APPROVALS**

Engineering	2/15/18
Design	2/15/18
Estimating	2/15/18
Production	2/15/18
Quality Control	2/15/18

**REVISIONS**

No.	Date	Description
1	2/15/18	Initial
2		
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All Mandeville signs are manufactured in the United States. Components are manufactured according to Underwriters Laboratories, U.L. 24 standards and listed accordingly.



Project Number: **3841**

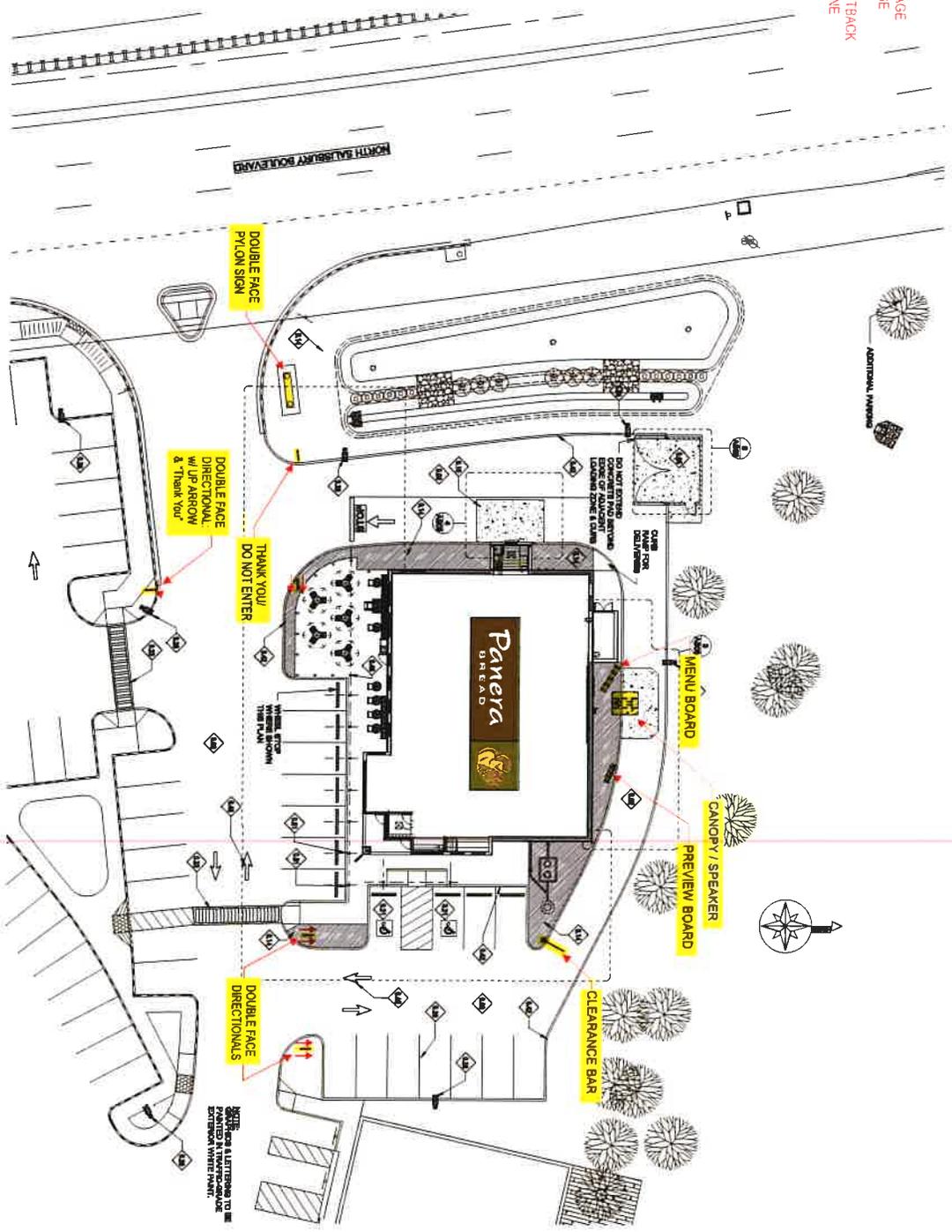
2835 N. Salisbury  
Salisbury, MD 2

Designer: **Carla M.**

Checker: **JM**

51017.9

CODE NOTES:  
 NITE 2 WALL SIGNS PER ELEVATION  
 2 S/F PER LINEAL FOOT OF FRONTAGE  
 NITE 200 S/F IN TOTAL WALL SIGNAGE  
 PYLON SIGN NITE 100 S/F PER FACE  
 NITE 30'-0" IN HEIGHT WITH 15'-0" SETBACK  
 FROM CURB LINE OR PROPERTY LINE



1 | SITE PLAN  
 Aerial Scale: 1:30



SINCE 1984  
 MANDEVILLE  
 676 GEORGE WASHINGTON  
 LINDOLN III QZ  
 401-334-9100  
 www.mandeville.com

APPROVAL  
 Engineering  
 Estimating  
 Production  
 Quality Control

NO.	DATE	DESCRIPTION	BY
1	08/28/17	WORKING DRAFT - SIGNAGE	JM
2			
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51017-1

All electrical signs shall comply with the National Electrical Code (Article 650) and be manufactured according to Underwriters Laboratories, U.L. 49 standards and labeled accordingly.

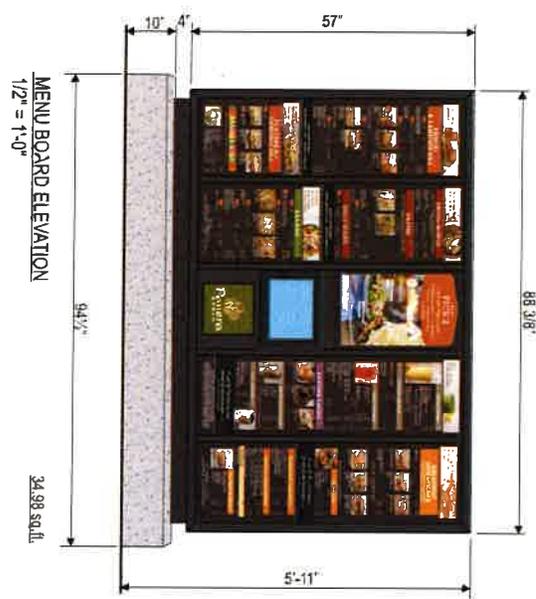
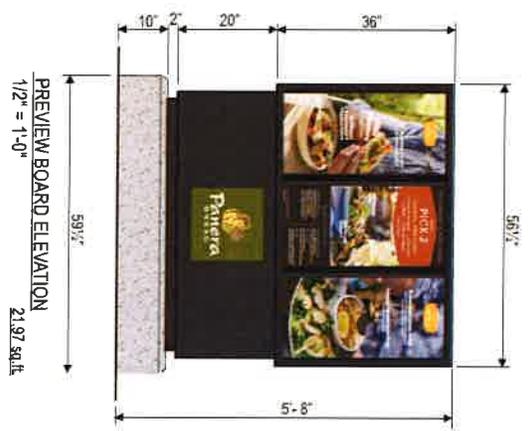
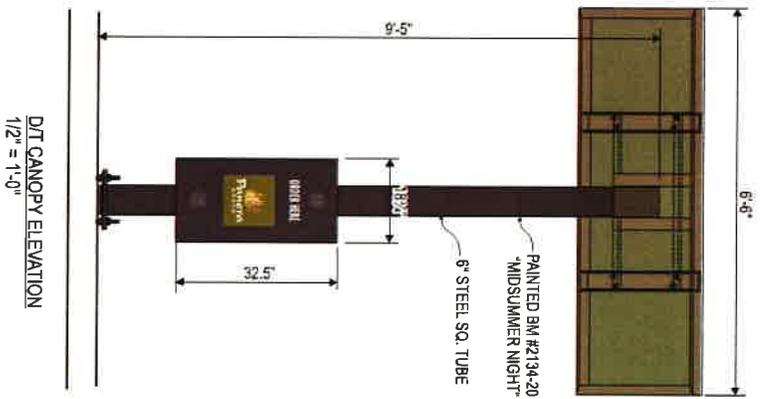
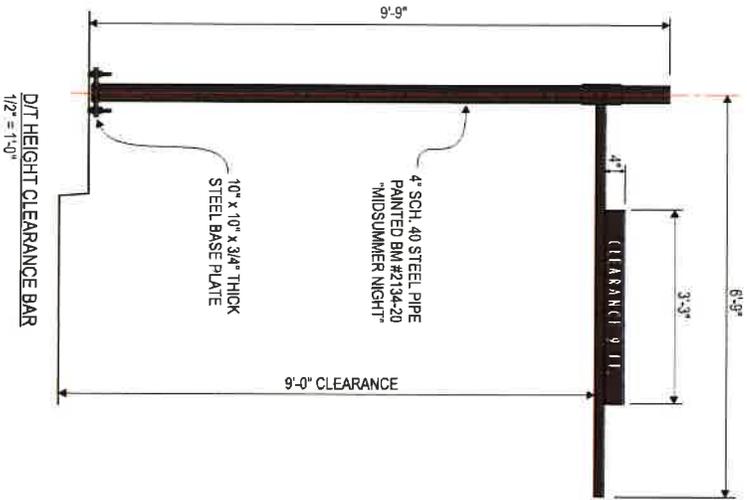


3841

2835 N. Salisbury Blvd  
 Salisbury, MD 21801

Carla M.  
 JM 07/20/18

51017.1



**MANDEVILLE SICON**  
 SINCE 1917  
 676 GEORGE WASHINGTON HIGHWAY  
 LINCOLN, RI 02885-4255  
 401-334-9100 FAX 401-334-7799  
 www.mandevilledesign.com

**APPROVALS**

Approval	Date
Engineering	07/17
Structural	07/17
Electrical	07/17
Insulation	07/17
Quality Control	07/17

**REVISIONS**

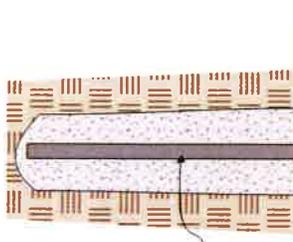
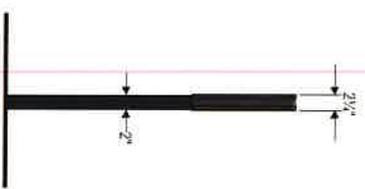
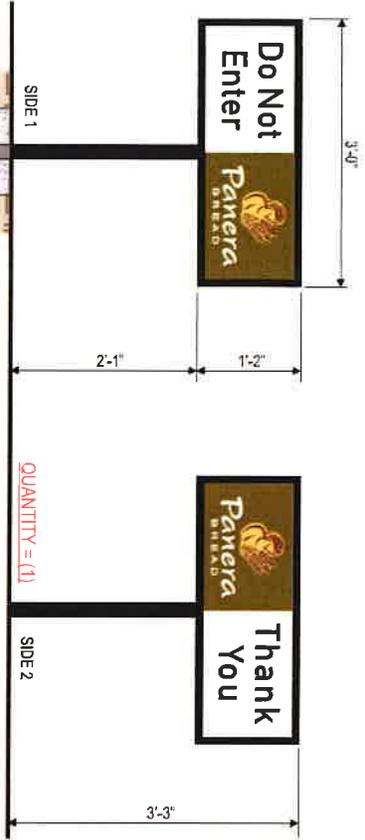
No.	Description	Date
1	W/D - 4556A (2/20/10) & 4556B (1/13/20) (1/13/20) (1/13/20)	1/13/20
2		
3		
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All electrical work shall comply with the National Electrical Code (Article 650) and all other applicable codes according to University of Maryland's standards, UL 48 standards and kitchen electrical code.

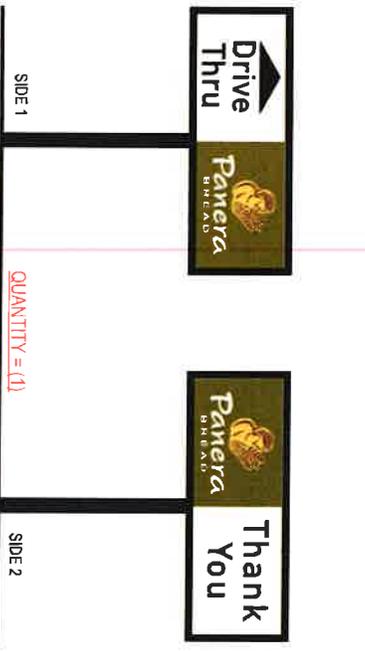
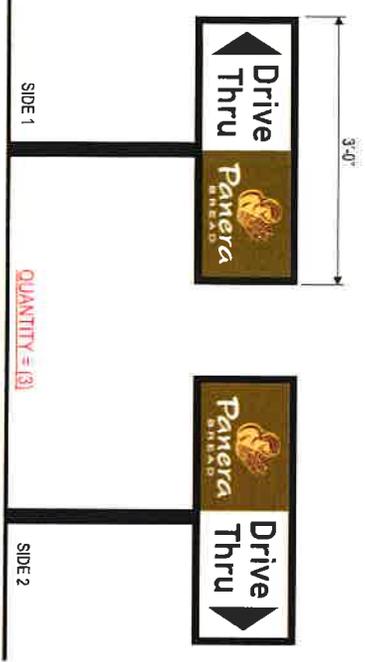
51017-1



3841  
 2835 N. Salisbury  
 Salisbury, MD  
 Carla W  
 JM  
 51017.



- DIRECT BURIAL IN FREE-FORMED CONCRETE FOOTING**  
 Area = 3.5 sq ft each  
 DIRECTIONAL SIGNS  
 3/4" = 1'-0"
- NON ILLUMINATED DIRECTIONAL SIGNS:**
- 2" DEEP ALUM. PANEL CONSTRUCTION
  - BORDER AND RETURNS PAINTED BM #2134-20 'Midsummer Night'
  - .090 ALUMINUM FACES
  - DIGITALLY PRINTED GRAPHICS ON REFLECTIVE PSV (VINYL)
  - COLORS:
    - BLACK ON WHITE DIRECTIONAL GRAPHICS
    - PANTONE 5757 CP OPAQUE GREEN FIELD BEHIND LOGO
    - PANTONE 7403 CP PEACH LOGO w/ PANTONE 476 CP BROWN DETAILS
    - WHITE 'PANERA BREAD' COPY
  - BACKS OF SINGLE FACED SIGNS PAINTED BM #2134-20
  - BM #2134-20 POSTS: 2" x 2" x 1/4" WALL ALUM. SQ. TUBE
  - DIRECT BURIAL IN FREE-FORMED CONCRETE FOOTING



**D/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO**

**QUANTITY = (3)**

**D/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO**

**QUANTITY = (1)**

**D/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO**

**QUANTITY = (1)**

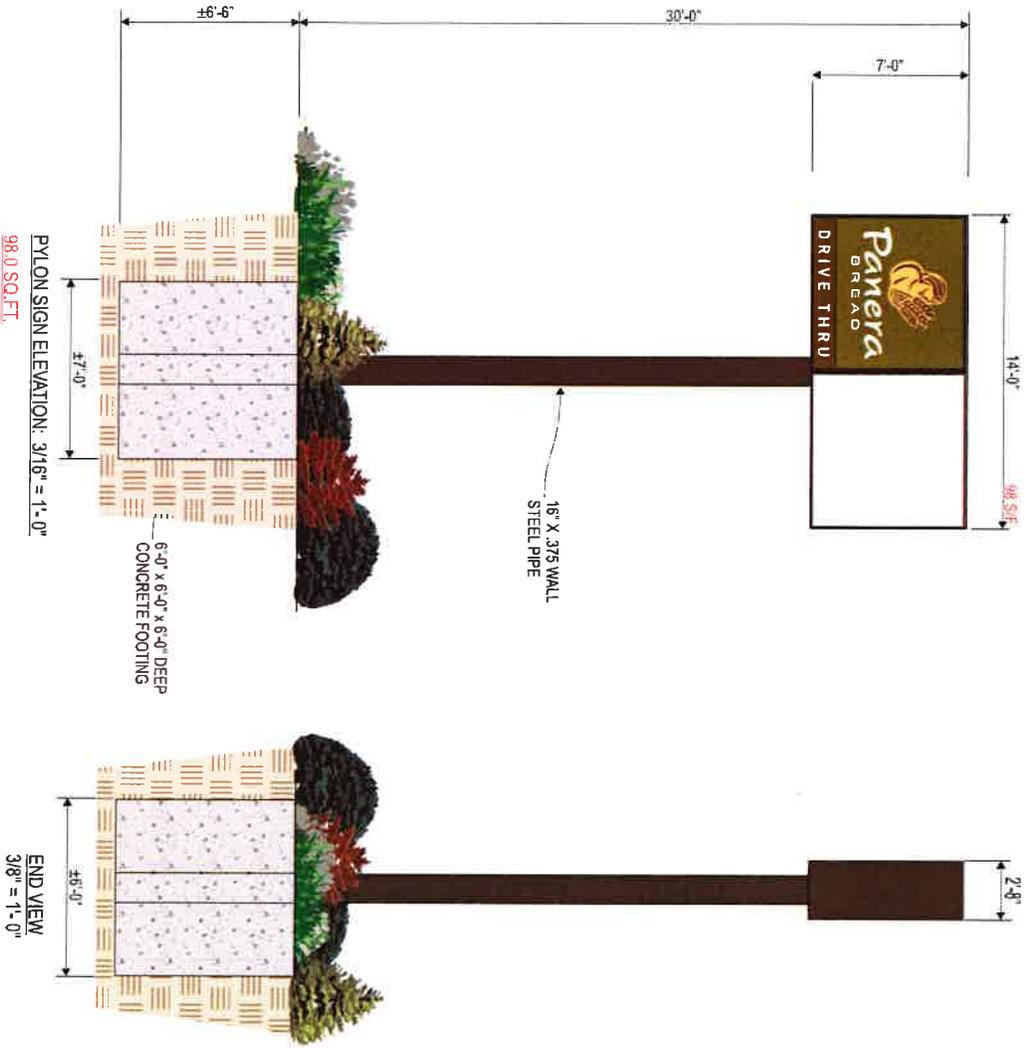
NO.	REVISIONS	DATE
1	ADD	08/28/17
2	WIDEN	10/26/18
3	WIDEN	11/13/18
4		
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Project No. 51017-1

3841

2835 N. Salisbury Blvd  
 Salisbury, MD 21801

51017.8



- D/E ILLUMINATED PYLON SIGN:**
- (PANTONE 476 CP) PAINTED ALUMINUM FABRICATED SIGN CABINET & RETAINERS
  - FLEX PAGES
  - COLORS AS SHOWN, DETAILED BELOW
  - WHITE ILLUMINATION
  - U.L. & MANUFACTURERS LABELS
  - CONCRETE PAD, FOOTING & STEEL PIPE BY MSI, EXACT DIMENSIONS TO BE FINALIZED

**SIGN CODE ALLOWANCE:**  
 Max. 156 sq.ft. and 20' in height,  
 25' min. setback from road.

	PANTONE 5797 CP C: 100% M: 0% Y: 0% K: 0% R: 100% G: 0% B: 0% HEX: #000000
	PANTONE 7403 CP C: 100% M: 0% Y: 0% K: 0% R: 25% G: 75% B: 0% HEX: #008080
	PANTONE 478 CP C: 0% M: 100% Y: 0% K: 0% R: 0% G: 0% B: 100% HEX: #0000FF

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	11/15/17	ADD SIGN CODE ALLOWANCE	JM
2			
3			
4			
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All design and sign shall comply with the National Electric Code (NEC) 650 and be manufactured according to Underwriters Laboratories, U.L. 46 standards and listed under #99.

51017-1



3841

2835 N. Salisbury  
 Salisbury, MD

Carlin M.  
 JM

51017.11