



City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION
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MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on May 21, 2020, via WebEx teleconference, with the following persons participating:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Scott Rogers
Mandel Copeland
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
Gloria Smith, Planner, Wicomico County Planning, Zoning, and Community Development
Melissa Cassimore, Recording Secretary, Wicomico County Planning, Zoning, and Community Development

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

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 the 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.

MINUTES: The minutes from the April 16th meeting were brought forward for approval. Mr. Thomas believes the comments from Mr. Parker on page 7 were from a previous meeting. Chairman Dashiell responded staff would check and make the change if necessary. Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the minutes from the April 16, 2020 meeting were **APPROVED** unanimously as submitted.

**AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION - McCain –
Union Church Road – 85.13 acres - Map 58 Parcel 117 Grid 24 (G. Smith)**

Mrs. Gloria Smith confirmed being on the call. Mr. William R. & Mrs. Teresa B. McCain were not on the call. Mrs. Smith presented the Staff Report and stated the McCain's are requesting to file an application to the Maryland Agricultural Land Preservation Foundation program for their property, 85.13 acres, located on the southerly side of Union Church Road. Ms. Smith stated the property is zoned A-1 Agricultural-Rural, it is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan. Mrs. Smith stated the purpose of Attachment #1 was to show the adjoining property owned by John Seipp has a MALPF easement. Adjoining properties include one (1) owned by Maryland Department of Natural Resources and the other owned by Merrill Culver is believed by Mr. McCain to have a CREP easement. If the McCain's receive an offer from the Land Preservation program to purchase an easement on this property there would be a larger block of land protected then what is shown on Attachment #2. Mrs. Smith further discussed on Attachment #2 the map is out of date and does not show the correct size of the property possibly due to the

property not being surveyed until 2017. Mrs. Smith explained the process begins with the Commission reviewing the application for location in concurrence with the County Comprehensive Plan, the Ag Preservation Advisory Board will meet in the summer to review the soils, upon completion both recommendations will be forwarded to County Council for a public hearing.

Chairman Dashiell asked if the McCain's had joined the call. No response was heard. Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Mr. Thomas confirmed no questions or comments.

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 make a favorable recommendation to the Wicomico County Council for support of the sale of an Agricultural Land Preservation Easement of the McCain property based on its compliance with the County Comprehensive Plan, seconded by Mr. Thomas. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members, which all Commissioners in attendance voted in the affirmative. Chairman Dashiell stated the motion to make a favorable recommendation for this Agricultural Land Preservation Easement Application is approved.

AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION – Porter Mill Properties – Ocean Gateway – 129.05 acres - Map 18 Parcel 28 Grid 12 (G. Smith)

Mrs. Gloria Smith confirmed being on the call. There were no representatives from Porter Mill Properties, LLC on the call. Mrs. Smith presented the Staff Report and stated Porter Mill Properties, LLC is requesting to file an application to the Maryland Agricultural Land Preservation Foundation program for their property, 129.05 acres, located on the northerly side of Ocean Gateway, north of Hebron. Ms. Smith stated the property meets the criteria because it is zoned A-1 Agricultural-Rural, it is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan. Attachment #2 provides a map to show the property's location in reference to the Town of Hebron's border, it is cut off by Rt. 50. Mrs. Smith further discussed the property wraps around a property occupied by Servpro and another by Jack's

Market, and is west of the Farmer's Daughter property. Mrs. Smith informed the Committee that an interested party contacted her questioning if the property was being rezoned and she clarified it was not. Mrs. Smith stated this application would follow the same process as the McCain property.

Chairman Dashiell asked if the McCain's had joined the call. No response was heard. Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers confirmed no comments at this time.

Mr. Copeland confirmed no comments or questions.

Mr. Heath confirmed no questions or comments.

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

Upon a motion by Mr. Rogers to make a favorable recommendation to the Wicomico County Council for support of the sale of an Agricultural Land Preservation Easement of the Porter Mill Properties, LLC property based on its compliance with the County Comprehensive Plan, seconded by Mr. Heath. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members, which all Commissioners in attendance voted in the affirmative. Chairman Dashiell stated the motion to make a favorable recommendation for this Agricultural Land Preservation Easement Application is approved.

AGRICULTURAL LAND PRESERVATION EASEMENT APPLICATION – Delmarva Farms – 91.32 acres - Map 46 Parcel 141 Grid 18 (G. Smith)

Mrs. Gloria Smith confirmed being on the call. There were no representatives from Delmarva Farms, LLC on the call.

Mr. Rogers is recusing himself for the remainder of the meeting and stated there will still be a quorum.

Chairman Dashiell confirmed with Mr. Roger's he wished be recused from the remainder of the items on the agenda not just this item.

Mr. Rogers affirmed.

Mrs. Smith presented the Staff Report and stated Delmarva Farms, LLC is requesting to file an application to the Maryland Agricultural Land Preservation Foundation program for their property, 91.32 acres, located on the westerly side of Campground Road and bordering Siloam Road, Eden. Ms. Smith stated the property was formerly an approved subdivision, Bryer Estates, with only one (1) lot developed. Ms. Smith confirmed the property meets the criteria because it is zoned A-1 Agricultural-Rural, it is located in an area designated as Agriculture/Resource and within the Priority Preservation Area in the County Plan. Mrs. Smith stated this application would follow the same process as the other two (2) properties submitted.

Chairman Dashiell asked if anyone representing Delmarva Farms, LLC was on the call. No response was heard. Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Mr. Thomas confirmed no comments or questions.

Mr. Copeland confirmed no comments or questions.

Mr. Heath confirmed no questions or comments.

Mr. Rogers is recused.

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

Upon a motion by Mr. Thomas to make a favorable recommendation to the Wicomico County Council for support of the sale of an Agricultural Land Preservation Easement of the Delmarva Farms, LLC property based on its compliance with the County Comprehensive Plan, seconded by Mr. Heath. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. With exception of Mr. Roger's recusal, all Commissioners in attendance voted in the affirmative. Chairman Dashiell stated the motion to make a favorable recommendation for this Agricultural Land Preservation Easement Application is approved.

REVISED COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Downtown Bridal – Gateway Crossing – represented by Solutions Engineering – Regional Commercial Zoning - #20-009, Map 0110 Grid 17 Parcel 4491 (A. Roane)

Ms. Anne Roane, Mr. John McClellan of SVN, and Pastor Mark Reynolds of Oak Ridge Baptist Church, confirmed being on the conference call. Ms. Roane presented the Staff Report and stated the applicant is requesting a modification to a portion of the façade of the old K-Mart building to construct a new store

front for an 11,000 SF unit, which includes a new entry and two (2) store fronts for a proposed bridal retail store. Ms. Roane stated the building was previously the K-Mart building in the Gateway Crossing Shopping Center.

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

Chairman Dashiell asked Mr. McClellan if he had any comments.

Mr. McClellan discussed K-Mart occupied the site since 1976 and after almost 2 years since the closure they are moving forward to new life. Downtown Bridal, currently located at the corner of Mill and West Main Street, will double its size in the new location. Mr. McClellan clarified the partial nature of this request is due to the uncertain plans for the remainder of the shopping center.

Chairman Dashiell asked Pastor Mark Reynolds if he had any comments.

Pastor Mark Reynolds is excited to move forward and thanks the City for their support.

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

Mr. Thomas asked if the access and egress is only accessible through Downtown Bridal.

Mr. McClellan discussed the building has a 220-foot depth and finding retailers requiring that much space has been difficult therefore rear storage areas were designed with ingress through the common loading dock area.

Mr. Copeland confirmed no questions or comments.

Mr. Heath stated his question was the same as Mr. Thomas so it has been answered.

Mr. Rogers is recused.

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

Upon a motion by Mr. Thomas to approve the Revised Comprehensive Development Plan for Downtown Bridal at Gateway Crossing, the former K-Mart location. The motion was seconded by Mr. Heath. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. With exception of Mr. Roger's recusal, all Commissioners in attendance individually

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

SIGN PLAN APPROVAL – Panera Bread – 2835 N. Salisbury Blvd. – Selby Sign for Panera Bread/PVT I LLC - # 202000373, Map 0020 Grid 24 Parcel 0215 (H. Eure)

Mr. Henry Eure and Mr. John Selby, representing the owner and developer confirmed being on the conference call. Mr. Eure presented the Staff Report and stated the applicant is requesting a Sign Plan Approval to install a number of identifications, service, and directional signs for Panera Bread. The signs match, are modest in design and necessary for both identification and navigation. The pylon sign has two (2) equal tenant panels, Panera Bread will use one (1) panel and one (1) panel will remain blank until a tenant is secured for the remaining parcel. Upon selection of a new tenant the sign approval will come before the Commission.

Staff recommends approval for the proposed Sign Plan as submitted.

Chairman Dashiell asked Mr. Selby if he had any comments to add.

Mr. Selby thanked Mr. Eure for getting 10 pages into one (1) or two (2) paragraphs.

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

Mr. Thomas confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Mr. Rogers is recused.

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

Upon a motion by Mr. Thomas to approve the Sign Plan Approval by Selby Sign for Panera Bread. The motion was seconded by Mr. Heath. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. With exception of Mr. Roger's recusal, all Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion for the Sign Plan Approval was approved.

STAFF COMMENTS:

Mr. Hall stated the County has no further items for consideration from the Commission. Mr. Hall applauded the Commission for their efforts during this unprecedented time and their continual service.

Chairman Dashiell thanked Commission members for their participation to make this meeting a success during this unusual time. Chairman Dashiell looks forward to meeting again in person to move the business of the City and County forward.

Ms. Roane appreciates everyone for their patience, to Mr. Hall and the County's for their help in keeping the business moving forward, and to Mr. Eure and the City employees for their work in these conditions.

Chairman Dashiell expressed his appreciation to the City and County Staff for all they continue to do to help this Commission and to see all the business in the City and County gets the attention it needs in spite of the challenging circumstances.

Mr. Eure informed the Commission next month will include a Public Hearing for a text amendment request where any participants will have to be sworn in. Mr. Eure asked Mr. Heath for suggestions based on his experience with this at City Council meetings.

Chairman Dashiell stated that is helpful and asked for comments from Mr. Heath.

Mr. Heath stated the City Council meetings are conducted on Zoom, but that should not make a difference. Mr. Heath described the process as the initial item is brought up, it is asked if anyone wishes to be sworn in regarding the item, the participant is asked to identify themselves, the clerk swears the participant in, the participant makes their comments, when all the participants are finished the hearing is closed and then the item proceeds to vote.

Chairman Dashiell stated this Commission should be able to proceed in a similar fashion with the help of Mr. Hall and Mr. Heath for implementation of the process.

Mr. Heath will forward a copy of the procedure to Mr. Hall and Chairman Dashiell for review prior to discussion.

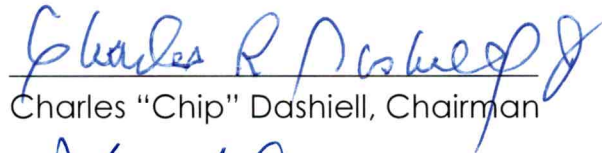
Ms. Roane added the Historic Commission also conducts public hearings remotely that comply with the Open Meeting Law.

Chairman Dashiell stated it would be reviewed prior to the next meeting.

The next Commission meeting will be June 18th.

There being no further business, the Commission meeting was adjourned at 2:18 p.m. by a motion from Mr. Thomas and seconded by Mr. Copeland, and duly carried by all members.

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.


Charles "Chip" Dashiell, Chairman


Lori A. Carter, Director


Melissa Cassimore, Recording Secretary