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# City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION  
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## MINUTES

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The Salisbury-Wicomico Planning and Zoning Commission met in regular session on September 17, 2020, via WebEx teleconference, with the following persons participating:

### **COMMISSION MEMBERS:**

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

### **PLANNING STAFF:**

Henry Eure, Infrastructure and Development Dept.  
Brian Wilkins, Infrastructure and Development Dept.  
Anne Roane, Infrastructure and Development Dept.  
Keith Hall, Deputy Director, Wicomico County Planning, Zoning, and Community Development  
Brian Soper, Planning Manager, Wicomico County Planning, Zoning, and Community Development  
Marilyn Williams, Land Development Coordinator, Wicomico County Planning, Zoning, and Community Development  
Jesse Drewer, Planner II & Recording Secretary, Wicomico County Planning, Zoning, and Community Development

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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 the public that may be joining on the call. He stated none of the matters before the Commission are public hearings, but the public will be given an opportunity to speak on each item being presented.

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, and staff may request for a person to restate name or confirm name. With no questions, Mr. Hall turned the meeting over to Chairman Dashiell.

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**MINUTES:** The minutes from the August 20th meeting were brought forward for approval. Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the minutes from the August 20, 2020 meeting were **APPROVED** as submitted.

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**FINAL COMPREHENSIVE DEVELOPMENT PLAN/PALEOCHANNEL SITE PLAN – Reserve at Parson's Lake – Salisbury Ventures, LLC / William Krapf – Between E. Naylor Mill Rd. & Brown Rd. – R-10A Residential – #19-023 – M-0030, G-0007, P-0223 (A. Roane)**

Chairman Dashiell confirmed Mr. Brock Parker, Mr. William Krapf and Ms. Anne Roane were on the call.

Chairman Dashiell asked Ms. Roane to present the Staff Report. Ms. Roane stated there is one amendment to the Staff Report in the discussion subsection, where the project was referenced as The Villages at Parson's Lake when it is the Reserves at Parson's Lake.

Ms. Roane presented the Staff Report and stated the applicant is looking for final comprehensive plan approval and paleochannel site plan approval for 416 market-rate apartments with various amenities. Ms. Roane stated the Planning Commission granted preliminary Comprehensive Development Plan approval at the July 18<sup>th</sup> 2019 meeting. The site meets the zoning code, setback and parking requirements, and a detailed sign plan will be submitted for review prior to the issuance of a building permit. Ms. Roane stated the applicant requested a waiver for the Community Impact Statement, Statement of Intent to Proceed, Financial Capability and Development Schedule. Plans have been



submitted for Fire Marshal and Forest Conservation review and approval must be made prior to building permit issuance. The proposed use is permitted within the Paleochannel Protection District as none of the exceptions listed within the City's Zoning Code 17.100.030.A.1 are being proposed on-site.

Ms. Roane stated that a concern from the previous July 2019 meeting was for a traffic study to be conducted. Ms. Roane stated a traffic study was completed and found that no additional improvements were warranted.

Staff recommends approval with the following five conditions:

1. Provide detail signage plan for review;
2. Site work and Stormwater Management shall be subject to further review and approved by Salisbury Department of Infrastructure & Development;
3. Approval of the Salisbury Fire Marshal;
4. Provide proof of Forest Conservation Approval; and
5. A Homeowner's Association shall be created to maintain open space, recreation, stormwater management facilities, drainage and maintenance easements and forest conservation easements.

Chairman Dashiell thanked Ms. Roane for her report and asked if Mr. Brock Parker had any additional comments in regards to the presentation.

Mr. Parker thanked Ms. Roane for her report. Mr. Parker stated this is the first of the two or three phases consisting of approximately 200 of the 400 total units. Mr. Parker added the subdivision of the property will be completed as each phase progresses to contain each phase on its own lot with the 10-acre lake on its own lot. Mr. Parker discussed the amenities include a clubhouse, a pool, and eight five-bay garages. Mr. Parker stated he is looking forward to final approval and starting the project. Mr. Parker stated a meeting with the HOA occurred, and the proposal was well received. He concluded by stating a traffic impact study was completed, which determined no impacts of concern.

Chairman Dashiell thanked Mr. Parker for his comments and asked if Mr. William Krapf had any comments to add.

Mr. Krapf stated he had no comments to add, but wanted to thank the Planning Commission for their consideration and he was looking forward to joining the Salisbury market.

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

Dr. McNaughton confirmed no questions or comments.

Mr. Thomas asked if there is a master plan showing the connection of streets between the subdivision of Lot 2 and 4 for future phases. Mr. Thomas questioned if they connect since Lot 3 is the stormwater management.

Mr. Parker stated the subdivision is the preliminary plan shown to Planning Commission in July 2019 for the Reserves at Parson's Lake and the remaining 180 acres on the property would be for future development.

Mr. Thomas thanked Mr. Parker for his clarification.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Holloway confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell asked Ms. Roane to provide clarification about the project exceeding maximum parking and more detail being requested regarding the landscape plan. Chairman Dashiell questioned Ms. Roane if those two issues need to be added conditions for approval.

Ms. Roane responded that she was satisfied with the plans and there was no need for that to come back before the Planning Commission.

Chairman Dashiell clarified there is not an issue with exceeding the parking maximum with any additional detail on the landscape plan.

Ms. Roane confirmed it is not an issue.

Chairman Dashiell stated the applicant requested a waiver for the Community Impact Statement, Statement of Intent to Proceed, Financial Capability and Development Schedule.

Chairman Dashiell asked if there are members of the public on the call. No members from the public were on the call.

Upon a motion by Mr. Rogers to approve the Final Comprehensive Development Plan / Paleochannel for the Reserves at Parson's Lake as submitted and that the five conditions be met prior to the issuance of a building permit and also the Community Impact Statement, Statement of Intent to Proceed, Financial Capability and Development Schedule will be waived. The motion was seconded by Mr. Thomas. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. All Commissioners individually voted in the



affirmative. Chairman Dashiell stated the motion for the Final Comprehensive Development Plan for the Reserves at Parson's Lake was approved.

Chairman Dashiell thanked Mr. Krapf and Mr. Parker for attending and stated it's an exciting project for the community.

Mr. Krapf thanked the Planning Commission, support of staff, the City of Salisbury's Infrastructure and Development and he looks forward to becoming part of the community in the City of Salisbury.

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**REVISED SIGN PLAN APPROVAL – Pecan Square Shopping Center / Food Lion – Rite Lite Signs, Inc. for RWB Investments, LLC / Food Lion – 1216 Nanticoke Road – Neighborhood Business - #202000860; M-37, G-0018, P-0415 (H. Eure)**

Chairman Dashiell confirmed Mr. Henry Eure and Mr. Edward Quails of Rite Lite Signs, Inc. were on the call.

Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated this is a request to revise a Sign Plan for Pecan Square Shopping Center on Nanticoke Road. Mr. Eure stated the request is to add additional colors for Food Lion specifically blue, black, and yellow. Mr. Eure stated the proposal is to replace the wall sign, as well as the pylon sign. Mr. Eure discussed the history of the shopping center along with the sign plan for the shopping center. Mr. Eure added in November of 2014 the Planning Commission approved the colors blue and black, but only for Apple Drug. Mr. Eure stated in 2005 Food Lion was approved for white letters only. Mr. Eure stated the logo will be black, the Food Lion letters will be blue and the sign will be smaller than the existing sign. Mr. Eure noted the sign plan includes a yellow and white decal on the window at the left/north entrance of the store. Mr. Eure stated the signs will be similar to the ones approved at the Snow Hill Road Food Lion location. The colors of proposed pylon sign tenant panel were approved for the pylon sign when Apple Drug introduced the colors in 2014.

Staff recommends the revised sign plan be approved as submitted. Additionally, it is recommended the proposed colors of blue, black and yellow be extended for all tenants of the Pecan Square Shopping Center.

Chairman Dashiell asked Mr. Quails if he had anything he would like to add.

Mr. Quails stated that the yellow window decal is not part of the scope of work to be completed by Rite Lite Signs, Inc. Rite Lite Signs, Inc. application is for the building wall and pylon signs only.

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 confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Holloway confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell asked if the window decal was to be voted on since it is not in the scope of work to be completed by Rite Lite Signs, Inc and the details are limited.

Mr. Eure clarified that because the decal will be on the exterior of the window it is counted as an exterior sign and the color and sign must be approved by the Planning Commission.

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

Upon a motion by Mr. Rogers to approve the Revised Sign Plan for Pecan Square Shopping Center / Food Lion as submitted, the use of an exterior window decal, as well as the use of the colors blue, black and yellow for all tenants of the shopping center. The motion was seconded by Mr. Holloway. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. All Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion for the Revised Sign Plan was approved.

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**COUNTY SUBDIVISION PLATS – Resubdivision/Waiver for a road dedication – Post Office Road, Eden – 4 lots – Kathleen Hall - M-56, G-18, P-42, 44, 47, 213 (M. Williams)**

Chairman Dashiell confirmed Ms. Marilyn Williams was on the call.

Ms. Williams presented the Staff Report and stated this resubdivision plat would normally be approved administratively. However, in this case it is coming before the Planning Commission as a waiver for a road dedication that is in the subdivision regulations. Ms. Williams explained if the required road dedication occurred as part of the resubdivision, a couple of wells and a platted sewage



reserve area would be in the road right-of-way. Ms. Williams stated this area was platted from a 1940s era survey and multiple issues with the property lines exist and a new survey would be required. Ms. Williams requested the road dedication requirement be waived to prevent property owners' utilities being located in the road right-of-way. Ms. Williams stated her meeting with the Wicomico County Roads Superintendent and the Public Works Department indicated this road is a minor collector and confirmed they do not have plans to widen this road.

Chairman Dashiell stated that Mr. Hall sent a revised plat that illustrated the area of the 10-foot dedication for parcel 213 on the plat that was originally sent to the Commissioners. 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 confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.

Mr. Holloway confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell had no questions or comments.

Chairman Dashiell noted that when there is a motion, Ms. Williams has three proposed conditions for the motion to approve.

Staff recommends approval with the following three conditions:

1. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations;
2. Health Department approval is required prior to the recordation of the Final Plat; and
3. This approval is subject to further review and approval and conditions imposed by the Planning and Zoning and Public Works Department.

Chairman Dashiell asked if there are members of the public on the call. No members from the public were on the call.

Upon a motion by Mr. Rogers to approve granting a waiver for the requirements for a road dedication resubdivision plat which includes parcels 44, 47 and 213 on Post Office Road as submitted also including the three proposed

conditions. The motion was seconded by Mr. Thomas. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. All Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion granting a waiver for the 10-foot road dedication was approved.

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**COUNTY SUBDIVISION PLATS – Preliminary/Final Subdivision – 7755 Holt Road  
– 1 lot – Riley Acres, Section 3 - M-30, G-12, P-152 (M. Williams)**

Chairman Dashiell asked Ms. Williams to present the Staff Report.

Ms. Williams presented the Staff Report and stated this request for a single lot subdivision is required for Planning Commission approval since the farm has been subdivided previously. Ms. Williams stated the intent of the owner is to demolish the existing structure on the property and replace it with a new structure to which a dedicated lot is required.

Ms. Williams stated that after review by the Zoning Administrator the poultry houses on the neighboring property are not suitable for commercial poultry operations and would be suitable to have a lot line within the 200-foot buffer from a poultry operation.

Staff recommends approval with the following four conditions:

1. The Final Plat shall comply with all requirements of the Wicomico County Subdivision Regulations;
2. Health Department approval is required prior to the recordation of the Final Plat;
3. A deed of Open Space Easement must be recorded prior to recordation of the Final Plat; and
4. This approval is subject to further review and approval and conditions imposed by the Planning and Zoning and Public Works Departments.

Chairman Dashiell thanked Ms. Williams for her report and asked if applicant, Mr. Evan Young, was on the call. Mr. Young was not on the call.

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 confirmed no questions or comments.

Mr. Rogers confirmed no questions or comments.

Mr. Copeland confirmed no questions or comments.



Mr. Holloway confirmed no questions or comments.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell had no questions or comments.

Chairman Dashiell asked if there are members of the public on the call. No members from the public were on the call.

Upon a motion by Mr. Holloway to approve the Preliminary/Final Subdivision subject to the four conditions listed in the Staff Report. The motion was seconded by Mr. Rogers. Chairman Dashiell requested Mr. Hall to conduct an individual roll call vote of Commission members. All Commissioners individually voted in the affirmative. Chairman Dashiell stated the motion for the Preliminary/Final Subdivision was approved.

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#### **STAFF COMMENTS:**

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. Chairman Dashiell asked Ms. Roane if she had any comments prior to adjournment.

Ms. Roane stated the consultant working on the City's Zoning Ordinance will make a brief presentation in October.

Chairman Dashiell stated it sounds positive that progress is being made.

Dr. McNaughton stated he will recuse himself from the discussion on the Zoning Ordinance update when the presentation comes before the Commission.

Chairman Dashiell thanked Dr. McNaughton for bringing this to the Commission's attention.

Chairman Dashiell asked Mr. Hall if there were any matters he wished to bring to the Commission's attention.

Mr. Hall discussed the Maryland Planning Commissioners Association 37<sup>th</sup> Annual conference this fall, on Monday, November 9<sup>th</sup> from 9am to 4pm. Mr. Hall stated it will be a virtual conference and is free to participate in and stated the sessions include: Open Meetings Act training, Housing Elements for Comprehensive Plan Updates, Virtual Planning During A Pandemic, Planning After

A Pandemic, Maryland's Adaptation Framework and Continuity Planning For Local Boards.

The next Commission meeting will be October 15<sup>th</sup>.

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There being no further business, the Commission meeting was adjourned at 2:31 p.m. by a motion from Mr. Rogers and seconded by Mr. Thomas, 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.

  
Charles "Chip" Dashiell, Chairman

  
Lori A. Carter, Director

  
Jesse Drewer, Planner II & Recording Secretary