



Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
P.O. BOX 870
125 NORTH DIVISION STREET, ROOMS 203 & 201
SALISBURY, MARYLAND 21803-4860
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JACOB R. DAY
MAYOR

JOHN D. PSOTA
ACTING COUNTY EXECUTIVE

JULIA GLANZ
CITY ADMINISTRATOR
ACTING MAYOR

JOHN D. PSOTA
DIRECTOR OF ADMINISTRATION

SALISBURY-WICOMICO COUNTY PLANNING AND ZONING COMMISSION

AGENDA

REGULAR MEETING

DECEMBER 17, 2020

TELE CONFERENCE DUE TO COVID-19 SEE BELOW FOR DETAILS

- 1:30 P.M.** Convene, Chip Dashiell, Chairman
Minutes – Meeting of November 19, 2020
- 1:35 P.M.** **REVISED COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Salisbury Promenade** – 2618 N. Salisbury Blvd. - General Commercial Zoning - #202001153 - M-0101; G-0004; P-5490 (H. Eure)
ANNEXATION ZONING – 535 Lincoln Avenue Annexation – M+L Rentals, LLP – 535 Lincoln Avenue – 8,379 sq. ft. - R-8 Residential District - #20-021; M-48, G-0004, P-0242 (A. Roane)
COUNTY SUBDIVISION PLATS - (M. Williams)
- | | |
|---|----------------------------|
| 1.) Ronald & Jacquelyn Townsend | 3 Lots |
| Dagsboro Road (M-22; P-142, G-22)) | Preliminary Plat Extension |
| 2.) Arsemus & Willa Nutter/Hester T. Johnson, et.al. | 3 Lots |
| 3678 & 3668 Texas Road (M-53; G-17, P-321&334) Minor Subdivision/Re-subdivision | |

In response to the COVID-19 crisis and in an effort to promote the healthy, safety, and general welfare of the public, the December 17, 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:

Join Zoom Meeting

<https://zoom.us/j/98701753454?pwd=ZEJzQzlaQWVacmtkUXkvZGFV3VzQT09>

Meeting ID: 987 0175 3454

Passcode: 8FC4Xv

One tap mobile

+13017158592,,98701753454#,,,,,0#,,742574# US (Washington D.C)

+13126266799,,98701753454#,,,,,0#,,742574# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 646 558 8656 US (New York)

Meeting ID: 987 0175 3454

Passcode: 742574

Find your local number: <https://zoom.us/u/a0ZfZg9ME>

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

* * * * *



City of Salisbury – Wicomico County

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MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on November 19, 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, City of Salisbury, Infrastructure and Development Department
Anne Roane, City of Salisbury, Infrastructure and Development Department
Brian Wilkins, City of Salisbury, Infrastructure and Development Department
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
Gloria Smith, Planner III, Wicomico County Planning, Zoning, and Community Development
Melissa Cassimore, Recording Secretary, Wicomico County Planning, Zoning, and Community Development
Paul Wilbur, Attorney, Wicomico County Department of Law

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 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.

MINUTES: The minutes from the October 15th meeting were brought forward for approval. Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the minutes from the October 15, 2020 meeting were **APPROVED** as submitted.

SIGN PLAN APPROVAL – 7-Eleven – Cummings Signs for F3 Core Salisbury, LLC/7-Eleven – 28490 Naylor Mill Road – Westwood Commerce Park - #202000959 – M-0028; G-18; P-0263, L-1 (H. Eure)

Chairman Dashiell confirmed Ms. Victoria Cox of Cummings Signs was on the call. Chairman Dashiell asked Mr. Eure to present the Staff Report.

Mr. Eure presented the Staff Report and stated Empire Graphics and Cummings Signs, on behalf of F3 Core Salisbury LLC and 7-Eleven, Inc. is requesting a Sign Plan for a new 7-Eleven convenience store as part of the Comprehensive Development Plan. The site is located at the northeast corner of the U.S. Rt. 50 and Naylor Mill Road. Mr. Eure stated the applicant is proposing to install a number of signs including three wall signs, window graphics, gasoline and diesel canopy signs, two pylon signs, and directional signs for 7-Eleven with the typical corporate logo and colors. Mr. Eure stated there are no specific standards regarding signs within Westwood Commerce Park. Mr. Eure discussed the Commission has latitude when approving a sign plan for Westwood Commerce Park since the City Zoning Code Section 17.122.050G does not contain specific standards. Mr. Eure informed Commissioners of the sign standards for other properties in the General Commercial Zoning District in addition to the Maryland law requirements for fueling stations.

Staff recommends approval for the proposed Sign Plan, but encourages the Planning Commission to consider alternative options for the secondary freestanding sign. It is suggested that the Commission also incorporate a condition that banners and flags be prohibited on the site, except after a short period for the grand opening.

Chairman Dashiell thanked Mr. Eure for his report and asked if Ms. Cox had any additional comments in regards to the presentation.

Ms. Cox stated the request for the second pylon sign is to provide visibility of diesel fuel for large trucks.

After extensive discussion between Chairman Dashiell and Staff regarding monument signs and the sign standards for properties located in the General Commercial Zoning District, Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments to applicants or staff.

Dr. McNaughton asked if this business was being treated differently than every other one.

Mr. Eure stated the staff report was prepared using the General Commercial Zoning District regulations as a comparison due to the lack of standards for the Westwood Commerce Park.

Ms. Roane stated the Westwood Commerce Park is an overlay district with its own set of regulations. The regulations do not establish sign standards for the Westwood Commerce Park, but gives the Planning Commission broad discretion and approval authority of the sign plan.

Dr. McNaughton asked if the pricing was removed would the sign be permitted in General Commercial Zoning District.

Mr. Eure answered it would not be permitted in other areas since the second sign is larger than 50 sq. ft. in area.

Mr. Thomas confirmed no questions or comments.

Mr. Rogers asked if 10-14 days is a reasonable time frame for a banner.

Mr. Eure recommended one to two months.

Mr. Copeland confirmed no questions or comments.

Mr. Holloway asked if restricting the size would be a disadvantage for the applicant due to the location of the property.

Mr. Eure stated the proposed signs are all on different corners and the applicant can answer if it would be a disadvantage.

Ms. Cox stated the applicant prefers pricing on both signs and is willing for the second sign to be a 50 sq. ft. monument.

Mr. Heath indicated support of limiting the banner to a 30-day time period and one large pylon sign and one monument sign less than 50 sq. ft.

Chairman Dashiell confirmed support of a large pylon sign on U.S. Rt 50 and Naylor Mill Road with a smaller monument on Westwood Drive to comply with square footage requirements in the General Commercial Zoning District and for consistency with other businesses.

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, seconded by Mr. Thomas and carried unanimously, the Commission approved the Sign Plan for 7-Eleven subject to modification of request #7 as follows:

- a) The proposed secondary pylon sign shall be changed to a monument sign and limited to a maximum size of 50 sq. feet.
- b) Any banners and flags erected on the property shall be limited to 30 days after the store opening.

Chairman Dashiell stated the motion was approved.

PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – St. Albans Commons-Dollar General – Parker and Associates – Planned Residential District (PRD) #11 - Villages at Salisbury Lake – M-121, G-21, P-2581 - #99-012 (A. Roane)

Chairman Dashiell confirmed Mr. Brock Parker of Parker and Associates was on the call. Chairman Dashiell asked Ms. Roane to present the Staff Report.

Ms. Roane presented the Staff Report and stated this is a request to construct a 10,707 sq. ft. new retail facility, Dollar General, on an existing pad site in the St. Albans Commons shopping center. Ms. Roane stated the main access will be off of St. Alban's Drive with an additional access off of MD 350 Mt. Hermon Road.

Staff recommends approval for the Preliminary Comprehensive Plan for Dollar General retail with the following conditions to be met prior to final submittal:

Staff recommends approval with the following five conditions:

1. Submit detail elevations that clearly indicate colors and materials;
2. Submit a detailed sign plan;
3. Submit a detailed landscape plan;
4. Site work and Stormwater Management shall be subject to further review and approval by Salisbury Department of Infrastructure & Development; and
5. Approval of the Salisbury Fire Marshall.

Chairman Dashiell asked Mr. Parker if there is anything he would like to add.

Mr. Parker discussed the current approval of this project reflects the construction of a 15,000 sq. ft. shopping center on a separate pad site with a building that encompassed 4,759 sq. ft. Mr. Parker stated this approval seeks to scrap the original plan and move forward with the construction of a single building to house a Dollar General retail store with the standard brick front, floor plan and elevations, with brown and yellow colors. Mr. Parker stated the Stormwater Management is currently being reviewed by City of Salisbury Department of Infrastructure and Development and approval is expected shortly.

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 asked if the stormwater pond located to the south is an existing pond that is proposed to be utilized.

Mr. Parker confirmed it is an existing stormwater management pond and the determination of whether it will be utilized has not been made at this time.

Mr. Thomas asked if the Dollar General will have a separate truck entrance for deliveries.

Mr. Parker stated the truck access would be behind Hebron Savings Bank to allow Dollar General trucks to enter in the site, back up to the dumpster pad then exit on Mt. Hermon Road.

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 what is considered the primary entrance to the store for customers.

Mr. Parker envisions the Mt. Hermon Road entrance to be the primary entrance until the Salisbury Mall redevelopment is completed.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were on the call.

Upon a motion by Mr. Rogers, seconded by Mr. Holloway and carried unanimously, the Commission approved the Preliminary Comprehensive Plan for Dollar General subject to the five proposed conditions presented in the staff report.

Chairman Dashiell stated the motion was approved.

**REVISED COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Lotus Plaza, LLC
– Lotus Plaza Shopping Center - General Commercial Zoning - #20-026 - M-0029;
G-11; P-0164 (B. Wilkins)**

Chairman Dashiell confirmed Mr. Thomas Maloney and Mr. Michael Sullivan of Cockey, Brennan & Maloney, P.C., Chris Adamopoulos, Heather Morrison of Fisher Architecture, and Ben Phillips of Phillips Signs were on the call. Chairman Dashiell asked Mr. Wilkins to present the Staff Report.

Mr. Wilkins presented the Staff Report and stated the applicant is proposing an exterior remodel and replacement of the existing site signage. Mr. Wilkins explained the site consists of a total area of 2.69 acres located on the west side of U.S. Rt.13 with a 22,500 sq. ft. building divided into 16 rentable units. Mr. Wilkins stated the area of the proposed new signage is 320 sq. ft. per side for a total of 640 sq. ft. Mr. Wilkins discussed the City Zoning Code Section 17.212.080 specifies a maximum of 400 sq. ft. total area.

Staff recommends approval of the Revised Comprehensive Development Plan, as submitted with the following three conditions and the resubmittal of the Sign Plan addressing the size of the sign and specifying the sign setback (15' minimum):

1. Approval of detail sign plan prior to issuance of building permit;
2. Address any Fire Marshall requirements if any; and
3. Address Forest Conservation requirements if any.

Chairman Dashiell asked if the applicant is requesting the Community Impact Statement, Statement of Intent to Proceed, and Financial Capability and Development Schedule to be waived.

Mr. Wilkins confirmed.

Chairman Dashiell asked each of the representatives on the call if there was anything they would like to add. After extensive discussion between the Commission, Staff and representatives regarding the size of the sign, Chairman Dashiell asked Mr. Hall to conduct a roll call of Commissioners for questions and comments.

Dr. McNaughton confirmed no further comments.

Mr. Thomas is in support of the approval of everything except the sign.

Mr. Rogers stated it is an attractive sign, but does not support the proposed sign due to non-conformance with the City of Salisbury Zoning Code.

Mr. Copeland confirmed no questions or comments.

Mr. Holloway supports a new sign that conforms with City of Salisbury Zoning Code.

Mr. Heath suggested the placement of two signs, one at each entrance, with eight business listed on each.

Mr. Sullivan stated the City of Salisbury Zoning Code limitations on monument signs make that an unviable option and plans to explore reducing the panel width further with City Staff.

Chairman Dashiell stated further review of the signage possibilities to adhere to the requirements is recommended.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas and carried unanimously, the Commission approved the Revised Comprehensive Development Plan for Lotus Plaza Shopping Center excluding the Sign Plan in particular the monument pylon sign and subject to the three proposed conditions with the addition of condition #4 Waiver of Community Impact Statement, Statement of Intent to Proceed, and Financial Capability and Development Schedule.

Chairman Dashiell asked if the public had any questions or comments. No members from the public were on the call.

Chairman Dashiell stated the motion was approved.

Chairman Dashiell wished Mr. Adamopoulos luck with the renovations and stated the Commission is in support of his project and keeping the consistency of the City of Salisbury Zoning Code.

Mr. Adamopoulos thanked the Commissioners.

COUNTY SUBDIVISION PLATS: (M. Williams) Nassawango Estates - 3 Lots - Coulbourn Mill & Nassawango Church Rd. (M-59; P-117, G-14) - Preliminary/Final Plat

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

Mr. Rogers informed Commission members he needed to leave the meeting due to another commitment.

Ms. Williams presented the Staff Report and stated the plat proposes the creation of three large residential lots from a 78.78 acre farm located at the intersection of Coulbourn Mill and Nassawango Church Roads. Ms. Williams discussed the poultry houses have been removed, as well as the need to establish an Open Space Easement and a Forest Conservation Easement. Ms. Williams stated this subdivision will max out this farm for any future subdivision.

Staff recommends approval with the following six 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. The Final Plat shall comply with all requirements of the Forest Conservation Program and a deed of Forest Conservation Easement and Long-Term Management Agreement shall be recorded in the Land Records of Wicomico County prior to the recordation of the Final Plat;
4. A deed of Open Space Easement shall be recorded in the Land Records of Wicomico County prior to the recordation of the Final Plat;
5. Approval of an entrance location on Lot 5 is required from the County Roads Superintendent; and
6. 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. Chairman Dashiell asked if Matthew & Melissa Miller or a representative from Chris Custis Surveying were on the call. No representatives were 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. 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, seconded by Mr. Thomas and carried unanimously by participating members, the Commission approved the Preliminary/Final Plat for Nassawango Estates subject to the six proposed conditions.

Chairman Dashiell stated the motion was approved.

COUNTY SUBDIVISION PLATS: (M. Williams) Cedar Ridge - 2 Lots - Connelly Mill Road (M-20; P-125, G-15) - Preliminary Plat

Chairman Dashiell confirmed Mr. George Young of Hampshire, Hampshire & Andrews was on the call. Chairman Dashiell asked Ms. Williams to present the Staff Report.

Ms. Williams presented the Staff Report and stated this plat proposes to create two new lots, Lots 10 & 11, in the Cedar Ridge subdivision which was a 9-lot subdivision recorded in 1993. Ms. Williams discussed the zoning on this property is Town Transition, which allows for additional new lots. Ms. Williams stated three new lots have been created since 1989 along Connelly Mill Road, a major collector; therefore, these new lots will have to be served by an interior road.

Staff recommends approval with the following six 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. The Final Plat shall comply with all requirements of the Forest Conservation Program prior to the recordation of the Final Plat;
4. Final approval of the Stormwater Management and Road Construction Plan by the Department of Public Works is required prior to the submission of a Final Plat to the Planning Commission;
5. No new entrances onto Connelly Mill Road will be permitted; and
6. 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 Mr. Young had any comments to add.

Mr. Young stated he was available for questions or 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 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 how Lot 10 would be accessed.

Ms. Williams discussed the access is the decision of the applicant.

Mr. Young suggested the owner's access both lots from the cul-de-sac.

Upon a motion by Mr. Thomas, seconded by Mr. Heath and carried unanimously by participating members, the Commission approved the Preliminary Plat for Cedar Ridge Section 1 subject to the six proposed conditions.

Chairman Dashiell stated the motion was approved.

CAPITAL IMPROVEMENTS PROJECT REVIEW – FY2022-2026 (G. Smith)

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

Ms. Smith presented the Staff Report and stated this summary of proposed Capital Improvement Projects for FY2022-2026 has been reviewed by the Acting County Executive and a Public Hearing is being held in the Midway Room at the Wicomico Youth and Civic Center at 6 p.m. on Thursday, November 19, 2020. Ms. Smith highlighted the significant new projects, excluding road projects, from the various departments.

Staff recommends the Planning Commission approve the Capital Projects as submitted as to their location and use. Many involve rehabilitation or expansion of existing County facilities. The projects are in accordance with the goals, objectives, and policies of various Chapters of the *Wicomico County Comprehensive Plan* as adopted March 21, 2017.

Chairman Dashiell thanked Ms. Smith for her report.

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. Copeland confirmed no questions or comments.

Mr. Holloway confirmed no questions and will abstain from the vote.

Mr. Heath confirmed no questions or comments.

Chairman Dashiell no questions or comments.

Chairman Dashiell stated public comments would be addressed at the Public Hearing.

Upon a motion by Mr. Thomas, seconded by Mr. Heath with five Commissioners voting in favor and Mr. Holloway abstaining, the Commission approved the Capital Projects for FY2022-2026 as submitted as to the location and use.

Chairman Dashiell stated the motion was approved.

STAFF COMMENTS:

Chairman Dashiell thanked Mr. Hall for his efforts in contacting Commissioners regarding adding a video component to future meetings. Chairman Dashiell stated adding video component would be helpful and asked Mr. Hall if he had any comments to add.

Mr. Hall stated internal testing would take place to address issues in preparation to add a video component to the December meeting.

Chairman Dashiell stated he looks forward to meeting again in person to move the business of the City and County forward. Chairman Dashiell asked if anyone had any comments prior to adjournment.

Mr. Hall discussed four Staff members were able to attend the Maryland Planner Association 37th Annual Conference held virtually on November 9th. Mr. Hall stated copies of the presentation slides will be sent out to Commission members via e-mail.

Chairman Dashiell thanked Mr. Wilbur for being on the call and supporting the Commission.

The next Commission meeting will be on December 17th.

There being no further business, the Commission meeting was adjourned at 3:44 p.m. by a motion from Mr. Thomas and seconded by Mr. Heath, and duly carried by participating 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



Infrastructure and Development Staff Report

July 18, 2019

I. BACKGROUND INFORMATION:

Project Name: Salisbury Promenade
Applicant/Owner: SVN/Miller Commercial Real Estate
Infrastructure and Development Case No.: 202001153
Nature of Request: Revised Comprehensive Development Plan Approval
Location of Property: 2618 N. Salisbury Blvd. (**Attachment 1**)
Existing Zoning: General Commercial

II. SUMMARY OF REQUEST:

A Revised Comprehensive Development Plan has been submitted for a new outdoor seating area for Mission BBQ. In addition, the applicants have also included new signage for the Planning Commission's review and approval. (**Attachment 2**)

III. DISCUSSION:

The applicants proposed to construct a 600 sq. ft. outdoor dining area at the southeast corner of the building. The dining area will be covered/protected with a corrugated metal awning. Matching awnings are also proposed for the remaining windows and doors of the restaurant's tenant space. The seating area will be enclosed with a 3 ft. tall fence, and will be provided with pipe bollards where the dining area adjoins the parking lot. The bollards will provide an extra layer of protection for patrons. (**Attachments 3 - 5**) Additionally, two (2) "Mission BBQ" wall signs are proposed to be erected on the front (east) and side (south) wall of the building for the restaurant. A new "Mission BBQ" tenant panel is also proposed for the existing pylon sign. (**Attachments 5 & 6**)

IV. APPROVAL HISTORY:

The Planning Commission approved a Final Comprehensive Development Plan for the existing shopping center on August 15, 2002. A Sign Plan was approved in February of 2003, with several amendments to both the Comprehensive Development and Sign Plans since then. The approved Sign Plan indicates that signs shall consist of individual channel letters mounted on a raceway, with an overall height not to exceed 36 inches or an area of 100 sq. ft. Letters shall be white with dark green returns and red trim. The Sign Plan also has the following condition: "Sign face colors for individual tenants shall be reviewed and approved by the



Salisbury Planning Commission unless white is to be used.” Subsequent approvals included an approval for Panera Bread in May of 2005, which included a 38-inch-tall logo that exceeded the maximum height allowance of 36 inches, and Uptown Cheapskate in June of 2010, where a “pan” background was approved as well as an approximate 40-inch-tall logo. **(Attachment 7)** This sign is notable as it is similar to the applicant’s proposed wall signage for Mission BBQ. The most recent approval was in April 2017 for the OC Brewing Co. This sign was never installed.

V. COMPREHENSIVE DEVELOPMENT PLAN REVIEW:

A. Building Elevations

The proposed modifications to the building’s elevations are relatively minor in nature, and include the 600 sq. ft. covered dining area located at the south end of the shopping center, as well as exterior window treatments. A silver/gray corrugated metal awning will be provided over this new outdoor seating. Matching metal awnings will replace the existing cloth awnings over the windows. The new color should complement the existing black fabric awnings on the remainder of the building. Decorative wood shutters are also proposed for the existing windows. A 55 ft. tall flagpole is also proposed to be located near the seating area. **(Attachments 3-5, 8 & 9)**

B. Sign Plan

Two (2) “Mission BBQ” wall signs are proposed to replace the existing “Panera Bread” signs located on the front (east) and south walls. The proposed signs are comprised of 17-inch-tall white channel letters mounted on a 25-inch-tall black background. A 3 ft. 7-inch-tall orange and white star logo is also mounted on the background and extends beyond the 25-inch background height. In addition, a small cabinet sign with the tag line “The American Way” is proposed beneath the primary sign. It consists of black letters on a gray background. **(Attachment 5, 10 & 11)** The Zoning Code only allows one (1) sign per tenant in shopping centers, but the Planning Commission has historically permitted multiple signs for larger tenants if deemed appropriate. In addition, a tenant panel is proposed for the pylon sign, and will consist of the Mission BBQ name and logo in white and orange on a black background. **(Attachment 6)** Other signs include a 30-inch x 22.5 inch (4.69 sq. ft.) “Pick Up Entrance” wall sign located on the south wall, two (2) 12-inch x 18 inch (1.5 sq. ft.) hours of operation signs located by the two (2) main entrance doors, and a 16-inch x 12 inch (1.3 sq. ft.) commemorative brass plaque, located next to the main entrance doors on the east elevation. The entrance and hours signs will be in the typical corporate Mission BBQ colors of black, white and orange. **(Attachments 5 & 12)**



VI. PLANNING CONCERNS

The outdoor seating area is a relatively minor change to the existing site plan. The dining area, although abutting directly with the parking lot and drive aisle, has been provided with a significant buffer to protect patrons. No landscaping is being proposed for the new dining area. Staff suggests that some landscaping, such as outdoor planters, be provided to soften the addition's appearance. Although the metal awnings are a departure from the existing fabric awnings that are in place for the other tenant spaces, the appearance is complimentary to the tenant space, and will not detract from the shopping center's overall appearance.

Similar signage requests for the shopping center's building elevations have been approved in the past by the Planning Commission, as illustrated in the shopping center's history. However, Staff has concerns with the overall height of the two (2) wall signs. The shopping center's Sign Plan indicates that wall signs be limited to 36 inches in height, although exceptions were made to increase the logo for Panera Bread to 38 inches, and Uptown Cheapskate to approximately 40 inches. The proposed signs' overall height is 43 inches due to the logo star. Reducing the height/size of the star should bring the signs in alignment with other wall signs in the shopping center. Staff is also concerned with the pylon sign's proposed tenant panel, as it is in contrast with other tenant panel signs. Reversing the sign's colors would make it compatible with other secondary tenant panel signs.

VII. RECOMMENDATION

Staff recommends approval for the Revised Comprehensive Plan for an outdoor seating area and signage for Mission BBQ, with the following conditions:

1. Provide landscaping/planters around the dining area.
2. Reduce the overall height of the wall signs to 36 inches, which is the standard maximum height for signs in this shopping center, according to the approved Sign Plan.
3. Reverse the colors of the tenant panel sign to black lettering on a white background.



Brent C. Miller
SALISBURY PROMENADE, LLC
206 East Main Street
Salisbury, Maryland 21801

November 17, 2020

City of Salisbury
Department of Infrastructure and Development
125 North Division Street
Salisbury, Maryland 21801
Attn: Henry Eure

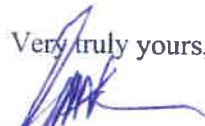
Re: Mission BBQ Salisbury, LLC

Dear Mr. Eure:

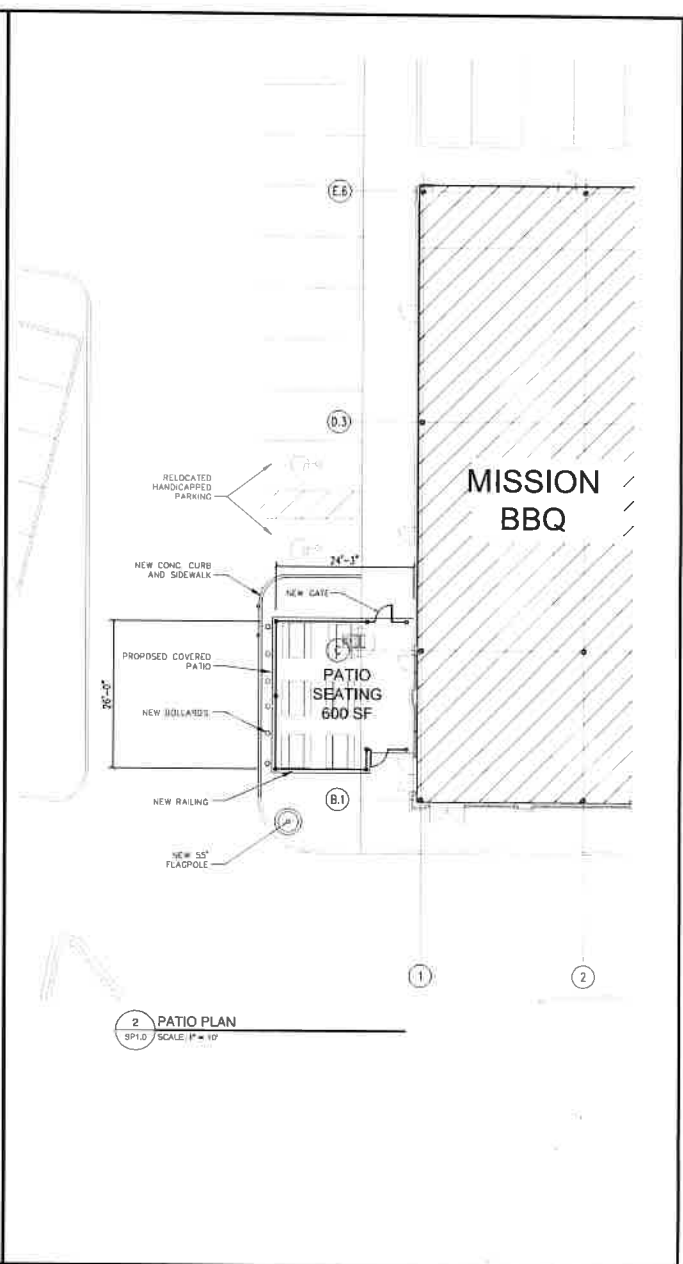
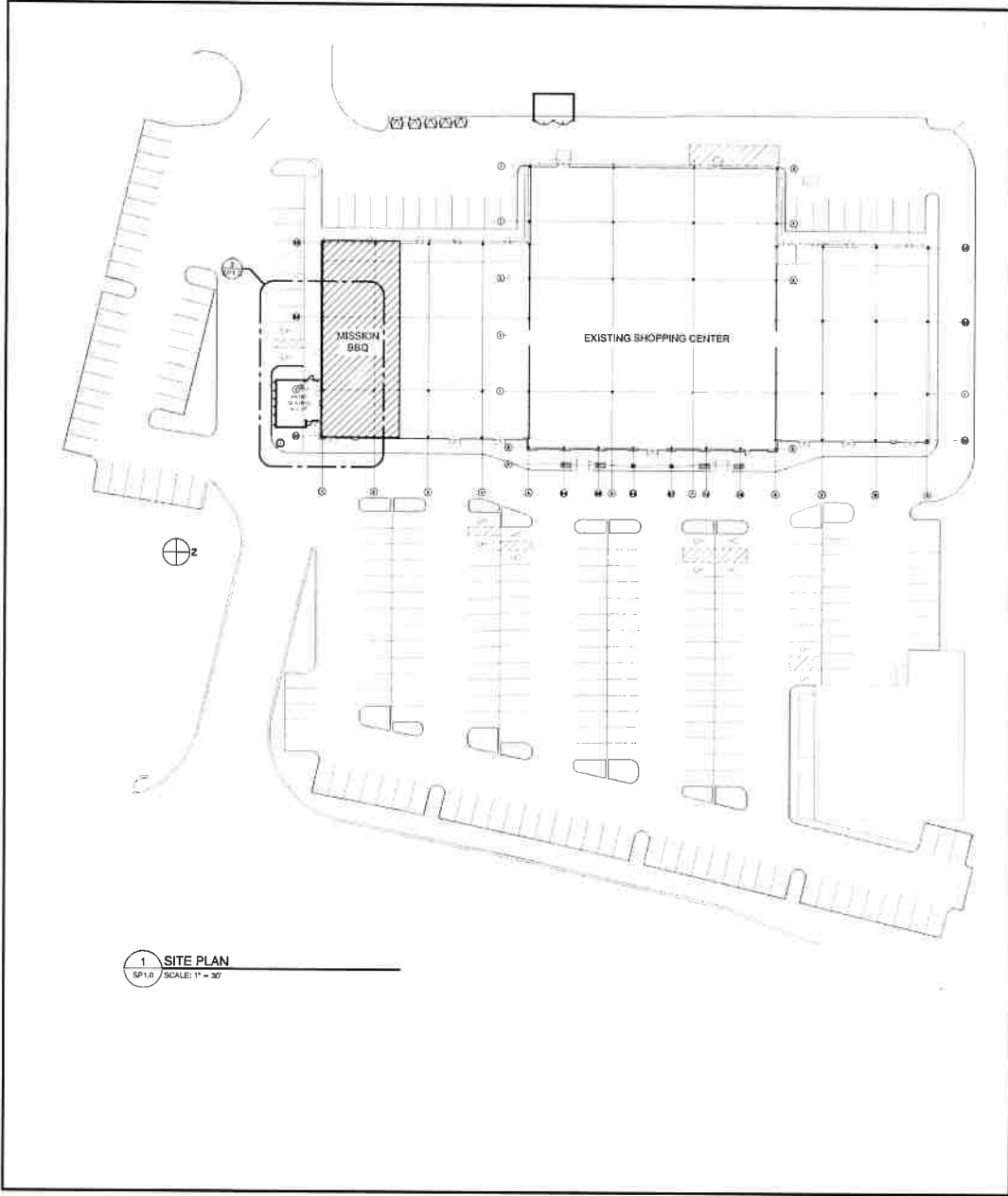
I am the Landlord for the Mission BBQ which is going into the Promenade at Salisbury, (located at 2618 North Salisbury Boulevard, Salisbury, Maryland 21801). Please treat this letter as confirmation that the scope of work for the improvements to be made by Mission BBQ (as submitted to you by Mission BBQ's architect, Alan Hamm), is the same scope of work which he submitted to me, and has already been approved by me as Landlord and owner of the property.

If you have any questions, please do not hesitate to give me a call. Thank you!

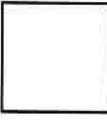
Very truly yours,



Salisbury Promenade, LLC
By: Brent C. Miller



AHA ALAN HAMM ARCHITECTS P.C.
 1000 WASHINGTON AVENUE • SUITE 200 • ANNAPOLIS, MD 21403
 PHONE: 410-291-1100 • FAX: 410-291-1101
 WWW.AHAMMARCHITECTS.COM



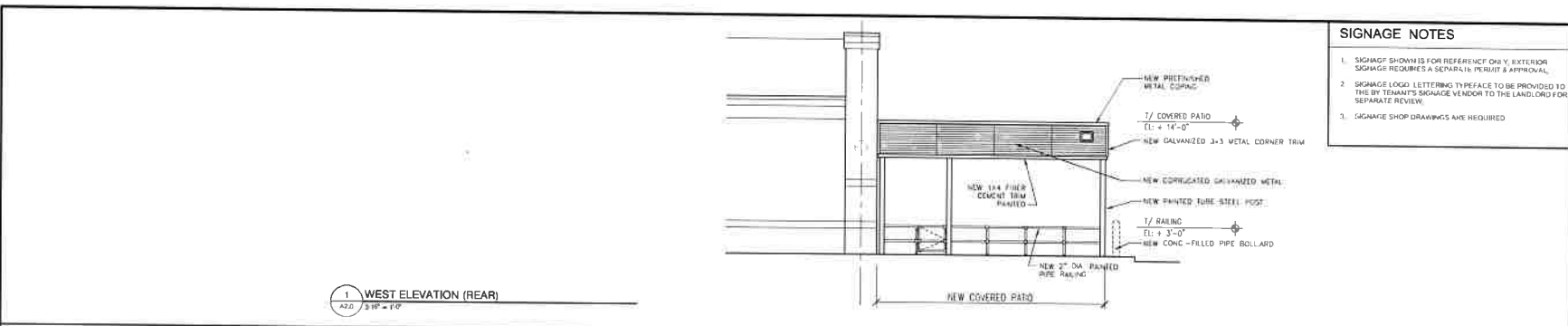
SITE PLAN
MISSION BBQ SALISBURY
 2618 N. SALISBURY BLVD.
 SALISBURY, MD 21801



DATE	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
PROJECT NO.	
CLIENT	

PROJECT NO. 10000
 DRAWN BY: J. J. J.
 CHECKED BY: J. J. J.

SP1.0

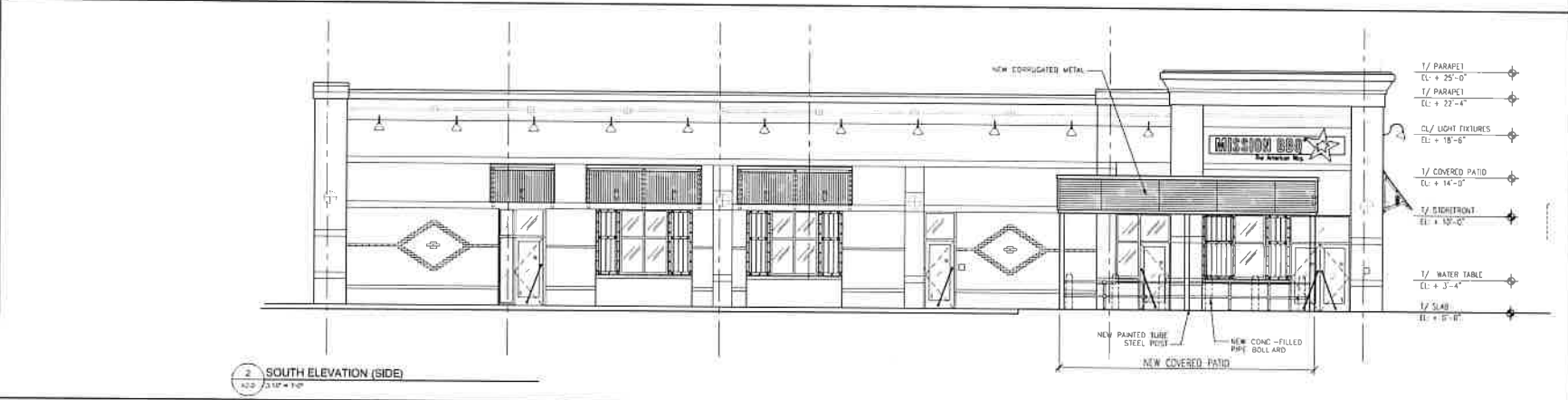


1 WEST ELEVATION (REAR)
A2.0 3'10" x 10'

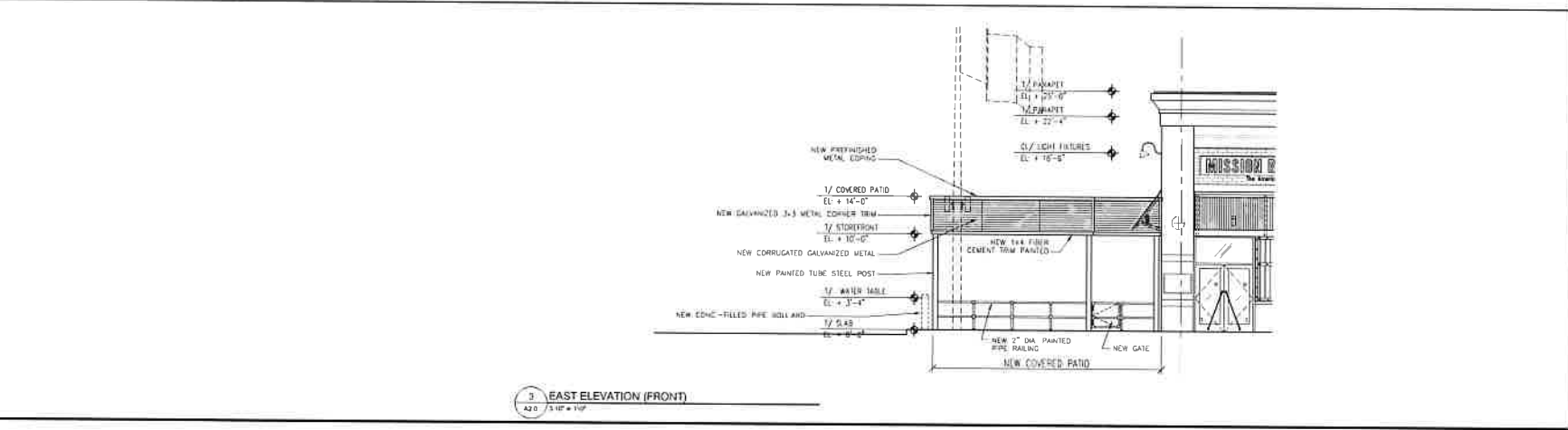
SIGNAGE NOTES

1. SIGNAGE SHOWN IS FOR REFERENCE ONLY. EXTERIOR SIGNAGE REQUIRES A SEPARATE PERMIT & APPROVAL.
2. SIGNAGE LOGO, LETTERING TYPEFACE TO BE PROVIDED TO THE BY TENANT'S SIGNAGE VENDOR TO THE LANDLORD FOR SEPARATE REVIEW.
3. SIGNAGE SHOP DRAWINGS ARE REQUIRED.

AHA ALLAN HAMM ARCHITECTS P. C.
1801 ARTHUR AVENUE • ANNAPOLIS, MARYLAND • PHONE 410-326-5800
PROFESSIONAL ARCHITECTS LICENSE NO. 14120 • REGISTERED PROFESSIONAL ENGINEERS LICENSE NO. 14120
CORPORATE OFFICE: 1801 ARTHUR AVENUE, ANNAPOLIS, MD 21403
RESIDENTIAL OFFICE: 10000 WOODBURN ROAD, GREENBELT, MD 20818



2 SOUTH ELEVATION (SIDE)
A2.0 3'12" x 10'



3 EAST ELEVATION (FRONT)
A2.0 3'10" x 10'

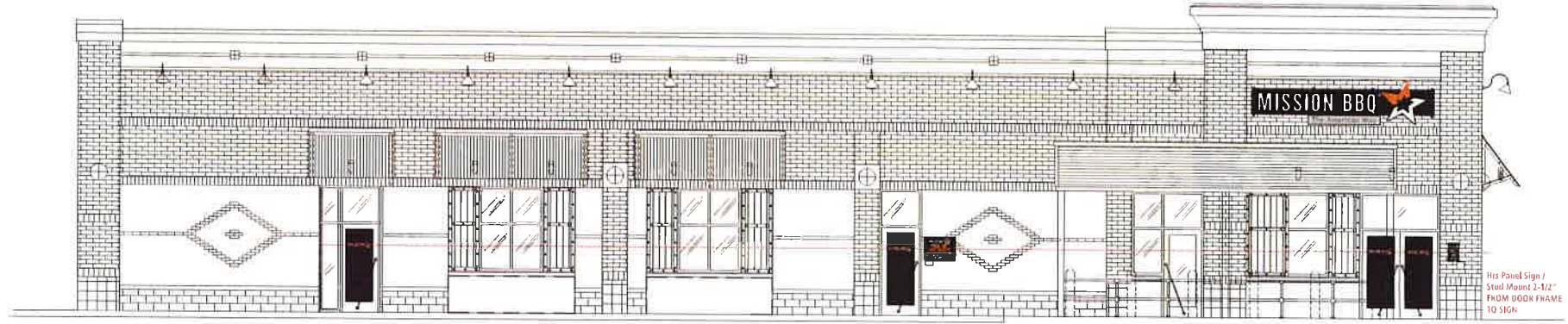
EXTERIOR ELEVATIONS
MISSION BBQ SALISBURY
2618 N. SALISBURY BLVD.
SALISBURY, MD 21801



DATE	
DESCRIPTION	
REVISION	

PROJECT NO. 10000
DRAWN BY: J. P. DE
CHECKED BY: J. P. DE
DATE: 10/10/2024

SOUTH ELEVATIONS (SIDE) | EAST ELEVATION (FRONT)



Hrs Panel Sign / Stud Mount 2-1/2" FROM DOOR FRAME TO SIGN

SOUTH ELEVATION (SIDE)

SCALE: 1/8" = 1'

Pickup Entrance Sign MOUNTS 2-1/2" FROM DOOR FRAME



EAST ELEVATION (FRONT)

SCALE: 1/8" = 1'


ALL EXTERIOR MTD SIGNS MOUNT 64" AFF TO MOBILE CENTER

Hrs Panel Sign / Stud Mount 2-1/2" FROM DOOR FRAME TO SIGN

9/11 Plaque 2-1/2" FROM DOOR FRAME TO SIGN

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DESIGNED TO BE MANUFACTURED TO UL LISTED SPECIFICATIONS AND TO BE MARKED WITH THE UL LISTED SYMBOL IN ACCORDANCE WITH NATIONAL ELECTRICAL CODES.

Project Title:
SALISBURY MBBQ | EXTERIOR PACKAGE
Client:
MISSION BBQ
Site Address:
2618 N. SALISBURY BLVD.
SALISBURY, MD 21801

Quote #: 001951-0000
Sales Person: ANDREW G.
Project Manager: DIEGO G.
Designer: DG/DC
File Location: G:\Mission BBQ\Maryland

Project Specifications:
 Interior Exterior
 Single Sided Double Sided
 Non-Illuminated
 Illuminated

Drawn By	Date	Change Notes
DX	01.13.20	CONCEPT DRAWINGS
DG	01.14.20	UPDATES
DC	11.19.20	UPDATED ELEVATIONS & LAYOUT 1.25hrs
DC	12.08.20	PLACEMENT CHANGES 0.25hrs

TENANT PANEL OPTIONS | EXISTING ILLUMINATED MONUMENT



TENANT PANEL | MOCK UPS

SCALE: NA



P1

M1

V1



P1

M1

V1

TENANT PANEL | DETAILS

SCALE: NA

KEY P - PAINT M - MATERIAL
V - VINYL D - DIGITAL PRINT

SPECIFICATIONS AND NOTES

- 1 (2) SET REQUIRED - MANUFACTURE AND INSTALL
- 2
- 3
- 4
- 5

MATERIALS

- P1 Matthews | Satin Black
- M1 3/16" Acrylic | White
- V1 Oracal | Orange Translucent (PMS 157U Equivalent)

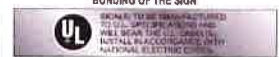
COLOR LEGEND

- PANTONE 3005
- MATTHEWS WHITE

NOTES:
SURVEY NEEDED, CONDITIONS TO BE FIELD VERIFIED

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Project Title:
SALISBURY MBBQ | EXTERIOR PACKAGE
Client:
MISSION BBQ
Site Address:
2618 N. SALISBURY BLVD.
SALISBURY, MD 21801

Quote #: 001951-00000

Sales Person: ANDREW G.
Project Manager: DIEGO G.
Designer: DG/DC
File Location: G:\Mission BBQ\Maryland

Project Specifications:
 Interior Exterior
 Single Sided Double Sided
 Non-Illuminated
 Illuminated

Drawn By	Date	Change Notes
DG	01.13.20	CONCEPT DRAWINGS
DG	01.14.20	UPDATES
DC	11.19.20	UPDATED ELEVATIONS & LAYOUT 1.25hrs
DC	12.08.20	PLACEMENT CHANGES 0.25hrs

OPTION A

22'

44'



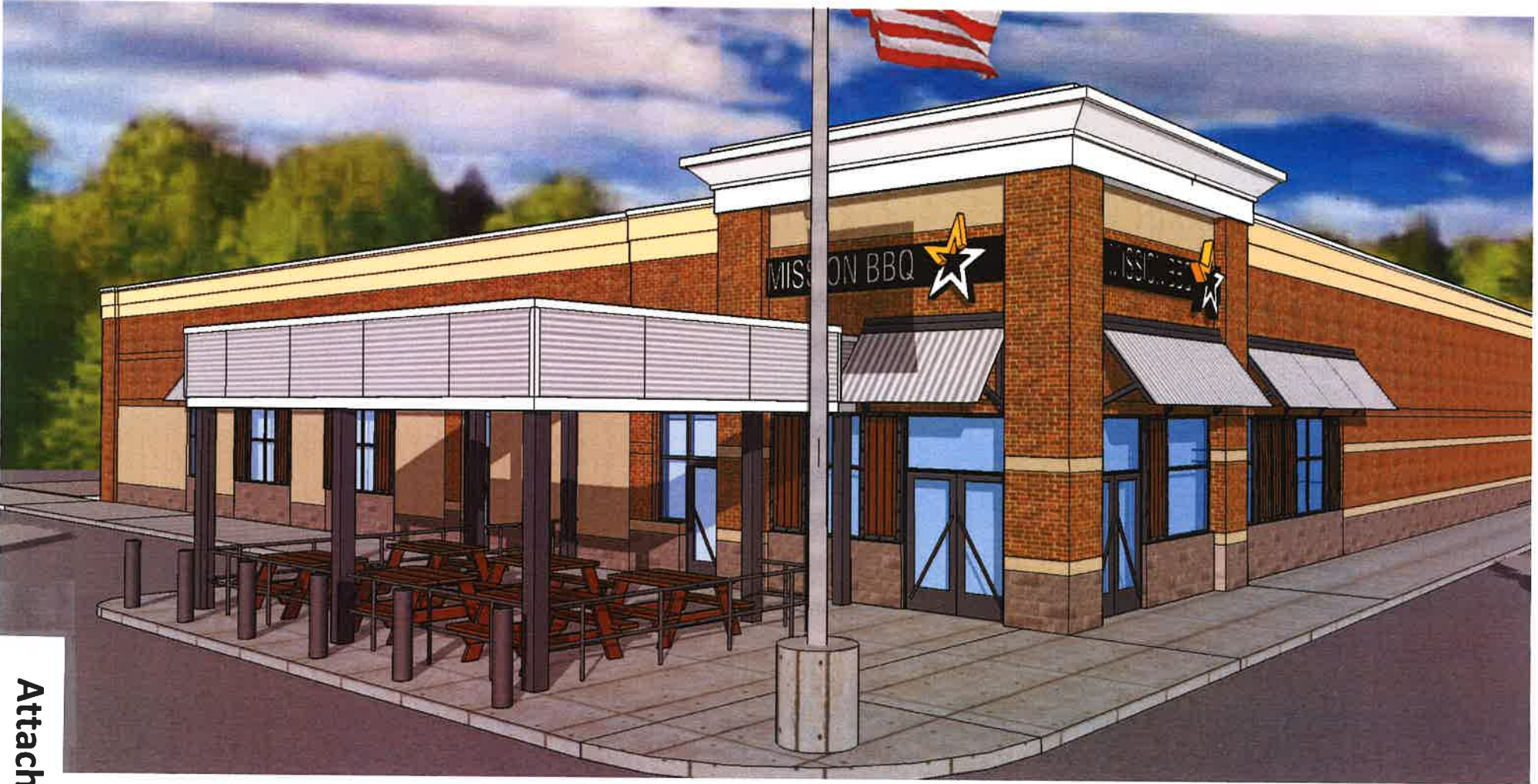
OPTION A



- 0.90 ALUMINUM PAN 3" DEEP W/
REVERSE PAN CHANNEL LETTERS & LOGO
MOUNTED TO THE FACE OF PAN

- LETTERS & LOGO TO HAVE WHITE
LED HALO ILLUMINATION

- DARK GREEN BACKGROUND
- WHITE LETTERS W/ LIGHT GREEN PAINT



Attachment 8



Attachment 9

ILLUMINATED | PAN MOUNTED CHANNEL LETTER SET

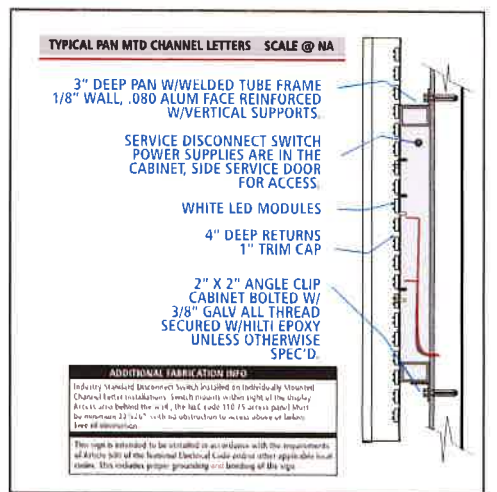
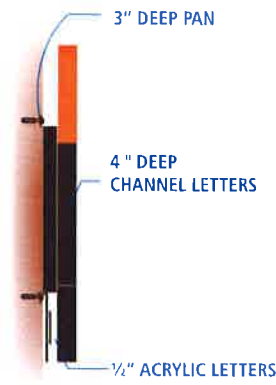


KEY P - PAINT M - MATERIAL
V - VINYL D - DIGITAL PRINT

SPECIFICATIONS AND NOTES

- (2) SET REQUIRED - MANUFACTURE AND INSTALL
- QTY: 2
- 51.91 50 FOOT SIGN REAR ELEVATION
- Aluminum Fabricated Channel Letters 4" Deep
- White LED Modules & Transformers in Cabinet.
- 1/2" Thick Acrylic Top Line Painted Satin Black Mounted to Facade with Studs and Silicone Adhesive.
- PAN mount(s) to facade w/ ANGLE CLIPS
- All Electrical Components UL® Listed.

FLUSH-MOUNTED 1/2" ACRYLIC LETTERS
ALUM PANEL PAINTED TO MATCH FACADE



ILLUMINATED | PAN MOUNTED CHANNEL LETTERS

SCALE: 3/4" = 1'

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Project Title: SALISBURY MBUQ | EXTERIOR PACKAGE
Client: MISSION BBQ
Site Address: 2618 N. SALISBURY BLVD. SALISBURY, MD 21801

Quote #: 001951-0000
Sales Person: ANDREW G.
Project Manager: DIEGO G.
Designer: DCI/DC
File Location: G:\Mission BBQ\Maryland

Project Specifications:
 Interior Exterior
 Single Sided Double Sided
 Non-Illuminated
 Illuminated

Drawn By	Date	Change / Notes
DG	01.13.20	CONCEPT DRAWINGS
DG	01.14.20	UPDATES
DC	11.19.20	UPDATED ELEVATIONS & LAYOUT 1.25hrs
DC	12.08.20	PLACEMENT CHANGES 0.25hrs

RIGHT 2020 APPLE SIGNS THIS DESIGN IS PROPERTY OF APPLE SIGNS, ANY USE OF THIS DESIGN OR SALIENT ELEMENTS BY OTHERS WITHOUT WRITTEN PERMISSION FROM APPLE SIGNS IS PROHIBITED TO THE FULLEST EXTENT OF THE LAW. ANY UNAUTHORIZED USE OF THIS DESIGN WILL RESULT IN A MINIMUM ART CHARGE OF \$1000.00 OR 25% VALUE OF SIGN (\$) WHICHEVER IS GREATER

Attachment 10

4 INCH DEEP CHANNEL LETTERS ON FACE

disconnect switch

enclosure tray lid

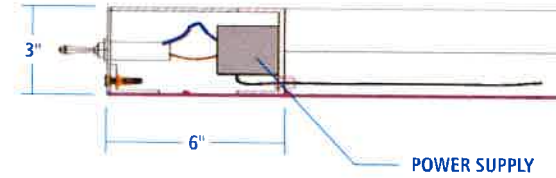
power supplies

POWER SUPPLIES, DISCONNECT & ALL POWER TO BE STORED IN THIS CUSTOM-BUILT POCKET

PAN MOUNTED CHANNEL LETTERS | PERSPECTIVE

SCALE: NA

FACE FABRICATED WITH 1/4" THICK ALUM ANGLE 3" X 3", SKINNED IN .080 ALUMINUM.



HARDWARE FOR MOUNTING TABS: TYPICAL INSTALL GALVANIZED 3/8" LAG BOLTS 3-4"

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DESIGNED TO THE UNDERSTANDING THAT ALL SPECIFICATIONS ARE TO BE READ THROUGH THE UL LISTING. INSTALL IN ACCORDANCE WITH NATIONAL ELECTRICAL CODES

Project Title:
SALISBURY MBBQ | EXTERIOR PACKAGE
Client:
MISSION BBQ
Site Address:
2618 N. SALISBURY BLVD.
SAI ISBURY, MD 21801

Quote #: 001951-0000

Sales Person: ANDREW G.
Project Manager: DIEGO G.
Designer: DG/DC
File Location: G:\Mission BBQ\Maryland

Project Specifications:

- Interior Exterior
- Single Sided Double Sided
- Non-Illuminated
- Illuminated

Drawn By	Date	Change / Notes
DG	01.13.20	CONCEPT DRAWINGS
DG	01.14.20	UPDATES
DC	11.19.20	UPDATED ELEVATIONS & LAYOUT 1.25hrs
DC	12.04.20	PLACEMENT CHANGES 0.25hrs



- QTY: 7
- Oracal 035 Pastel Orange & White HP Vinyl.
- Vinyl Graphics Mount 1st Surface to Entry Doors.
- Printout colors are for reference only.
- Verify Conditions In Field.
- To be applied 64" on center AFF

ENTRANCE | VINYL GRAPHICS SCALE: 3" = 1'



PICK UP | ENTRANCE SIGN SCALE: 3/4" = 1'

- QTY: 1
- DIMENSIONAL PANEL SIGN
- .063 ALUMINUM PAN SIGN PAINTED BLACK.
- DIGITALLY PRINTED FACE IN BLACK WHITE & ORANGE TO MATCH PANTONE PMS 158C
- MATTE UV LAMINATE ON FACE.
- PANELS MOUNT FLUSH TO WALLS WITH 4 SCREWS THROUGH FACE AT CORNERS AND SCREW CAPS



9/11 PLAQUE SCALE: 6" = 1'

- QTY: 1
- Brass Plaque 5/16" Thick
- Raised Copy with Leatherette Background w/ Satin Surface.
- Single Line Border, F63R Brown, Semi Gloss, Blind Mount
- Standard Studs, no rosettes req'd.
- Sign Mounts flush to wall.



ALUMINUM | HOURS SIGN SCALE: 1-1/2" = 1'

- QTY: 2
- .063" Aluminum Panel W/ 2 Holes & 1" Radius Corners
- aluminum Panel Mounts Flush To Walls With 2 Screws Through Face And Screw Caps

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UL LISTED TO THE SIGN MANUFACTURER'S LISTING. THESE SIGNS ARE LISTED FOR USE IN ACCORDANCE WITH NATIONAL ELECTRICAL CODES.

Project Title:
SALISBURY MBBQ | EXTERIOR PACKAGE
Client:
MISSION BBQ
Site Address:
2618 N. SALISBURY BLVD.
SALISBURY, MD 21801

Quote #: 001951-0000

Sales Person: ANDREW G.
Project Manager: DIEGO G.
Designer: DG/DC
File Location: G:\Mission BBQ\Maryland

Project Specifications:
 Interior Exterior
 Single Sided Double Sided
 Non-Illuminated
 Illuminated

Drawn By	Date	Change Notes
DG	01.13.20	CONCEPT DRAWINGS
DG	01.14.20	UPDATES
DC	11.19.20	UPDATED ELEVATIONS & LAYOUT 1.25hrs
DC	12.08.20	PLACEMENT CHANGES 0.25hrs

Infrastructure and Development Staff Report December 17, 2020

I. BACKGROUND INFORMATION:

Project Name: 535 Lincoln Avenue Annexation
Applicant/Owner (s): M+L Rentals, LLP
Infrastructure and Development No.: 20-021
Nature of Request: Zoning Recommendation for Annexation
Location of Property: North side of Lincoln Avenue, west of Edgar Drive
Requested Zoning District: R-8 Residential

II. SUMMARY OF REQUEST:

A. Introduction:

The property owner of 535 Lincoln Avenue, M+L Rentals, LLP, entered into an annexation agreement with the City of Salisbury on May 7, 2019 (**Attachment A-Pre-Annexation Agreement**). Because this was part of a pre-annexation agreement, to property did not require a referral from the Council for a zoning recommendation. On that same day a petition for annexation was filed (**Attachment B**). The applicant/owner is now requesting a zoning recommendation from the Planning and Zoning Commission. This recommendation will then be forwarded to the City Council for consideration and approval.

B. Area Description:

The annexation request is comprised of one parcel for a total of 8,379 square feet and has a 1,904 square foot residential dwelling unit (**Attachments C and D**).

III. ZONING ANALYSIS:

A. Existing Zoning:

The annexation area and the adjoining County area is zoned R-8 Residential.

B. Proposed Zoning:

The applicant is requesting the City zone this property be zoned R-8 Residential.

C. City and County Plans.

Both the city and county Comprehensive Plans designate this property and area as Medium-Density Residential. The property is within the City of Salisbury's designated growth areas in the City's Comprehensive Plan, adopted in July, 2010.

C. Zoning for Annexed Areas.

1. Introduction.

Current City policy requires that all areas to be annexed shall be submitted to the Salisbury-Wicomico Planning Commission for review and recommendation of an appropriate zoning district. The Zoning Code does not establish specific procedures for zoning lands to be annexed to the City of Salisbury. The classification of future City areas, therefore, is conducted consistent with local adopted plan recommendations and Maryland Annexation Law.

2. Adopted Plans.

The Planning Commission is a jointly established agency for both the City of Salisbury and Wicomico County. One of its basic charges is to prepare and recommend various plans guiding the long-range development of both jurisdictions.

The information below summarizes the legal status of the plans currently in effect for Wicomico County and the City of Salisbury.

- a. The Salisbury Comprehensive Plan - The Salisbury City Council adopted the current Comprehensive Plan on July 12, 2010. That document includes land use policies for all lands within the Corporate Limits as well as a Municipal Growth Element addressing growth areas outside the Corporate Limits. This property is included within the Municipal Growth Area, and designates this area as Mixed Use.
- b. The Wicomico County Comprehensive Plan - The Wicomico County Council adopted the County Plan on March 21, 2017.

3. Maryland Law.

House Bill 1141 made two changes to Annexation Procedures that became effective October 1, 2006. They are:

- 1. The Five-Year Rule.** First, the rule is applied solely on zoning. The issue becomes the degree of use change from the current county zoning classification to the proposed municipal classification following the annexation. When the zoning change is from one residential zone to another, “substantially different” is defined as a density change. The five-year rule does not apply for a density change unless the proposed zoning is denser by 50 percent. For example, if the current zoning permits 1 unit per acre, the new zoning can be subject to the five-year rule if it permits anything more than 1.5 units per acre. A municipality may obtain a waiver from the county to avoid the five-year wait until the new zoning classification applies.
- 2. Annexation Plans Required.** An annexation plan is required that replaces the “outline” for the extension of services and public facilities prior to the public hearing for an annexation proposal. This section contains no additional language for the content of the annexation plan to be adopted, but does require it to be consistent with the municipal growth element for any annexations that begin after October 1, 2009 (unless extended for up to two six-month periods). The Plan must be provided to the county and the State (the Maryland Department of Planning) at least 30 days prior to the hearing.

IV. ZONING RECOMMENDATION:

- A.** The specific purpose of the Planning Commission's review is to make a zoning recommendation for the annexation area that is currently zoned R-8 Residential in the County.



City of
Salisbury
Jacob R. Day, Mayor

The adopted Salisbury Comprehensive Plan designates this property and area as “Medium-Density Residential”, and the proposed use and requested zoning classification meet this designation by utilizing the R-8 Residential zoning.

Staff recommends that the Planning Commission forward a **Favorable** recommendation to the Mayor and City Council for this property to be zoned **R-8 Residential** upon annexation.

PRE-ANNEXATION COVENANT AND AGREEMENT

*for service connection to
City of Salisbury Water/Sewer Mains*

THIS PRE-ANNEXATION COVENANT AND AGREEMENT (hereinafter referred to as "Agreement") made and executed this 7th day of MAY, 2019, by and between the City of Salisbury, a municipal corporation of the State of Maryland (hereinafter referred to as "City"), and M+L Rentals, LLP (hereinafter referred to as "Owner"):

WHEREAS, Owner is in the process of developing or performing construction on a tract of land (hereinafter referred to as "Property") located at 535 E. Lincoln Ave. (Address) _____ (Liber/Folio), located in a previously identified Urban Service District, but outside the City of Salisbury Corporate Limits, Wicomico County, State of Maryland, and has requested water and/or sewer utility service to the described Property utilizing City of Salisbury public utility mains.

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties covenant and agree as follows:

- A. City will allow the extension of existing utilities outside the City corporate limits to serve the Property before annexation, but conditioned upon the agreement that the Owner shall petition for annexation of the Property into the City upon request by the City.
- B. Owner shall be responsible for all costs and fees associated with the connection of services as established by the policy of the City of Salisbury for utility construction and service connections. Owner shall make all required payments on a time schedule established by the City.
- C. Owner shall request service connection for both water and sewer utilities to the Property, when available.
- D. The Owner shall:
 1. Dedicate to the City all easements and rights-of-way needed to serve Property with water and/or sewer utilities.
 2. Prepare and submit executed deeds for utility easement and/or right-of-way, when needed.
 3. Pay fees to the City of Salisbury required for hookup, inspection, and other costs associated with providing water and sewer service to the Property.
 4. Prepare a site plan showing building proximity to other buildings and property lines, where needed. Plans shall be prepared with sufficient detail to allow the City to determine location of service to the existing or proposed buildings.

5. Submit a petition for annexation within thirty (30) days of receipt of an annexation request from the City.

6. Agree to pay for all costs associated with the annexation, including, but not limited to, advertising costs.

E. The City shall:

1. Review and accept or require modifications to site plans.
2. Provide municipal water and sewer service to the Property after receipt of fees and costs.
3. Accept for perpetual maintenance the public utility service between the public main and the sanitary cleanout, excluding the cleanout assembly.
4. Accept for perpetual maintenance the public utility service between the public main and the water meter assembly tailpiece, including the water meter and vault.

F. This Covenant and Agreement is, and shall be, binding upon the Owner, its successors, heirs, and assigns, and shall burden and run with the land. All future Owners shall be bound by this Covenant and Agreement. This Covenant and Agreement shall become null and void when the annexation of the Property into the City becomes effective.

WITNESS the hands and seals of the parties, the day and year set forth above.

ATTEST:

CITY OF SALISBURY

Kimberly R. Hales

By: _____



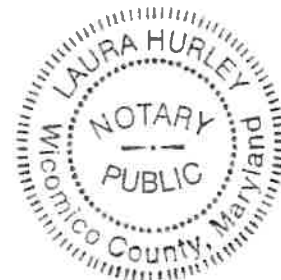
(SEAL)

Laura Hurley



(SEAL)

, Owner



Expires: 1/8/2020

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 9th day of May, 2019, before me, the subscriber, a Notary Public, for the state and county aforesaid, personally appeared Jacob R. Day, as Mayor for the CITY OF SALISBURY, a municipal corporation of the State of Maryland, and on their behalf did acknowledge the foregoing instrument to be the act and deed of said corporation.



WITNESS my hand and Notarial Seal.

Kimberly R. Nichols
NOTARY PUBLIC

My Commission Expires: 3-5-22

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 24th day of April, 2019, before me, the subscriber, a Notary Public, for the state and county aforesaid, personally appeared Usha Cannon, Owner, and (they/he/she) acknowledged the foregoing to be (their/his/her) respective act and deed.



WITNESS my hand and Notarial Seal.

Beverly R. Jule
NOTARY PUBLIC

My Commission Expires: 8/15/22

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and that the foregoing instrument was prepared under my supervision.

[Signature]
S. Mark Tilghman, Esquire



CITY OF SALISBURY
PETITION FOR ANNEXATION


To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 0242

Map # 0048

SIGNATURE(S)

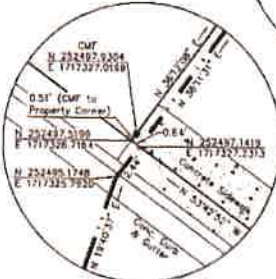
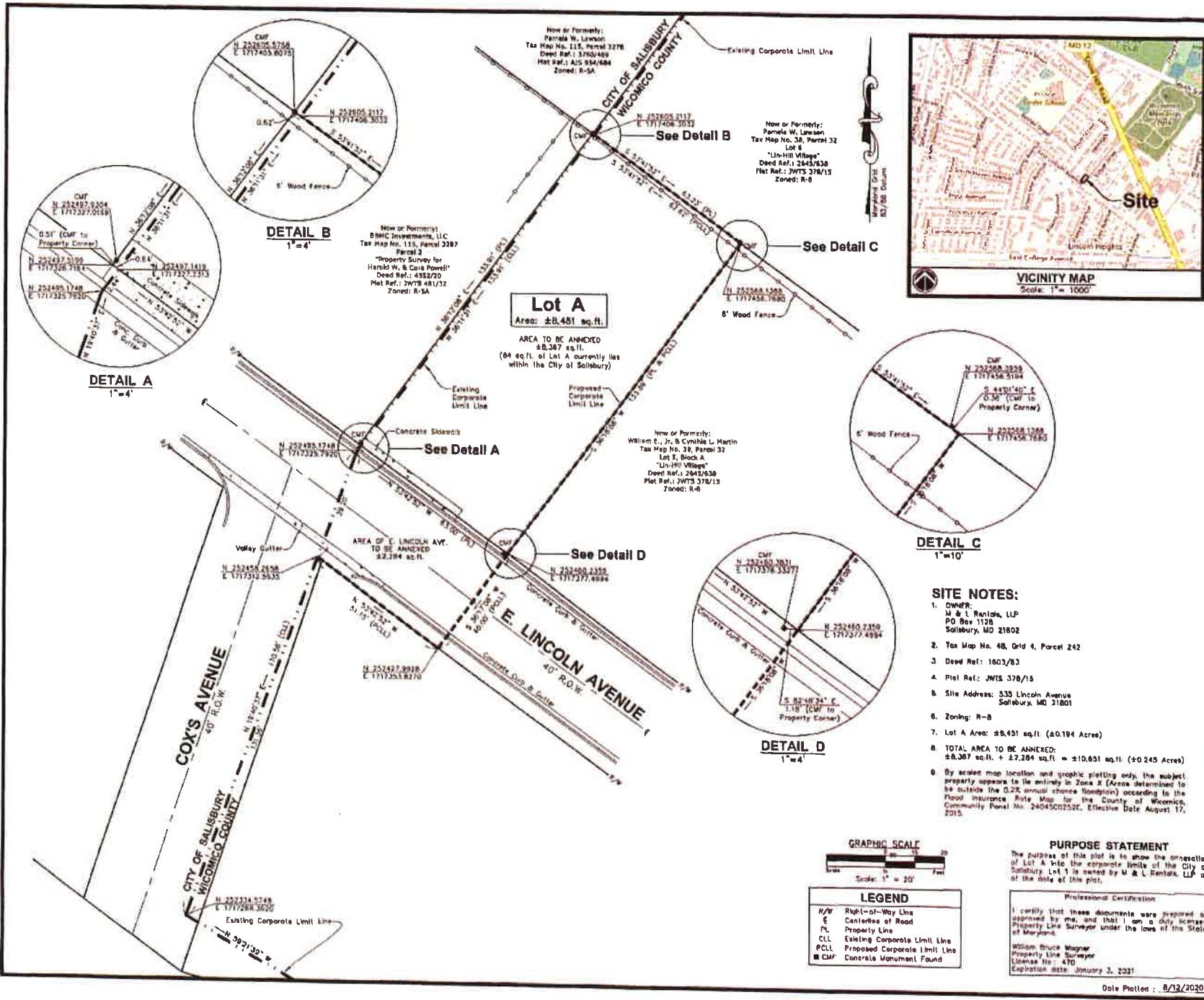
 _____

05/07/19
Date

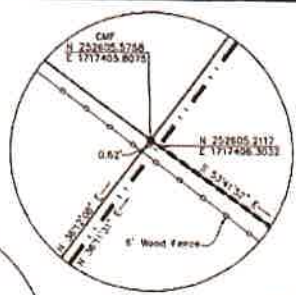
Date

Date

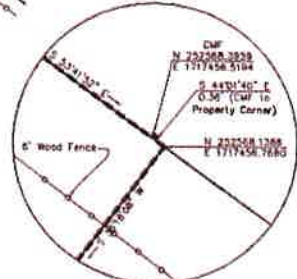
Date



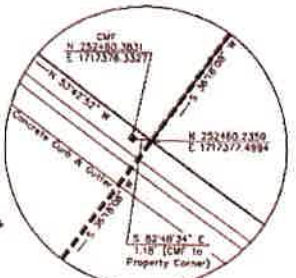
DETAIL A
1"=4'



DETAIL B
1"=4'



DETAIL C
1"=10'



DETAIL D
1"=4'

Lot A
Area: ±B.451 sq.ft.

AREA TO BE ANNEXED
±8,387 sq.ft.
(84 sq.ft. of Lot A currently lies
within the City of Salisbury)

Now or Formerly:
BMC Investments, LLC
Tax Map No. 115, Parcel 5387
Parcel 2
"Property Survey for
Harold W. & Carla Powell"
Deed Ref.: 458270
Met Ref.: JMTS 378/13
Zoned: R-5A

Now or Formerly:
William C. Jr. & Cynthia L. Martin
Tax Map No. 38, Parcel 32
Lot 9, Block A
"Lin-Hill Village"
Deed Ref.: 2645/638
Met Ref.: JMTS 378/13
Zoned: R-8

Now or Formerly:
Patricia W. Lawson
Tax Map No. 115, Parcel 3276
Deed Ref.: 3760/489
Met Ref.: A15 934/884
Zoned: R-5A

Now or Formerly:
Patricia W. Lawson
Tax Map No. 38, Parcel 32
Lot 6
"Lin-Hill Village"
Deed Ref.: 2645/638
Met Ref.: JMTS 378/13
Zoned: R-8



SITE NOTES:

- OWNER: M & L Rentals, LLP
PO Box 1128
Salisbury, MD 21802
- Tax Map No. 48, Grid 4, Parcel 242
- Deed Ref: 1603/83
- Plat Ref: JMTS 378/15
- Site Address: 535 Lincoln Avenue
Salisbury, MD 21801
- Zoning: R-8
- Lot A Area: ±8,451 sq.ft (±0.194 Acres)
- TOTAL AREA TO BE ANNEXED:**
±8,387 sq.ft. ± 2,284 sq.ft. = ±10,651 sq.ft (±0.245 Acres)
- By aerial map location and graphic plotting only, the subject property appears to lie entirely in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) according to the Flood Insurance Rate Map for the County of Wicomico, Community Panel No. 24045C0252E, Effective Date August 17, 2015.

PURPOSE STATEMENT

The purpose of this plat is to show the annexation of Lot A into the corporate limits of the City of Salisbury. Lot 1 is owned by M & L Rentals, LLP as of the date of this plat.

Professional Certification

I certify that these documents were prepared or approved by me, and that I am a duly licensed Property Line Surveyor under the laws of the State of Maryland.

William Bruce Wagner
Property Line Surveyor
License No. 470
Expiration date: January 3, 2021

Date Plotted: . 8/13/2020



LEGEND

N/W	Right-of-Way Line
E	Centerline of Road
PL	Property Line
CLL	Existing Corporate Limit Line
PCLL	Proposed Corporate Limit Line
■ CMF	Concrete Monument Found

W. BRUCE WAGNER
PROPERTY LINE SURVEYOR, LLC

33915 Bob Smith Rd.
Pittsville, MD 21850
410-430-0287
bwagnersurveying@gmail.com

REVISIONS	Issued For
Date	

**ANNEXATION PLAN
OF
LOT A, BLOCK A
"LIN-HILL VILLAGE"
CAMDEN ELECTION DISTRICT
WICOMICO COUNTY, MARYLAND**



Surveyed By WBW	Drawn By MPB
Date August 2020	Job No. 20-033
Sheet No. 1 of 1	

EAST LINCOLN AVENUE – M & L RENTALS, LLP

Beginning for the same at a point at a corner of the existing Corporate Limits Line of the City of Salisbury, MD, being near the northerly right of way line of East Lincoln Avenue and also being near the southwesterly corner of the lands of M & L Rentals, LLP, being known as Lot A. X 1,204,899.93 Y 191,747.85 (1) Thence by and with the said existing Corporate Limits Line and crossing E. Lincoln Avenue South nineteen degrees forty minutes thirty-seven seconds West (S 19° 40' 37" W) thirty-nine decimal two, zero (39.20) feet to a point on the southerly right of way line of the said E. Lincoln Avenue. X 1,204,886.73 Y 191,710.94 (2) Thence by and with the southerly line of the said E. Lincoln Avenue South fifty-three degrees forty-two minutes fifty-two seconds East (S 53° 42' 52" E) fifty-one decimal one, five (51.15) feet to a point. X 1,204,927.97 Y 191,680.67 (3) Thence crossing the said E. Lincoln Avenue North thirty-six degrees seventeen minutes eight seconds East (N 36° 17' 08" E) forty decimal zero, zero (40.00) feet to a point at the southeasterly corner of the said Lot A. X 1,204,951.64 Y 191,712.91 (4) Thence by and with the easterly line of the said Lot A North thirty-six degrees eighteen minutes eight seconds East (N 36° 18' 08" E) one hundred thirty-three decimal eight, nine (133.89) feet to a point at the northeasterly corner of the said Lot A X 1,205,030.91 Y 191,820.81 (5) Thence by and with the northerly line of the said Lot A North fifty-three degrees forty-one minutes fifty-two seconds West (N 53° 41' 52" W) sixty-two decimal six, two (62.62) to a point on the said line of Lot A at its intersection with the existing Corporate Limits Line X 1,204,980.44 Y 191,857.89 (6) Thence by and with the said Corporate Limits Line South thirty-six degrees eleven minutes thirty-one seconds West (S 36° 11' 31" W) one hundred thirty-six decimal three, five (136.35) feet to the point of beginning.

Annexation containing 0.245 acres (10,651 square feet), more or less.



City of
Salisbury
Jacob R. Day, Mayor

CERTIFICATION

EAST LINCOLN AVENUE – M & L RENTALS, LLP ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

Leslie C. Sherrill

Leslie C. Sherrill
Surveyor

Date: 08/17/2020

East Lincoln Ave – M+L Rentals LLP - Certification.doc

arch Result for WICOMICO COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 13 Account Number - 010846

Owner Information

Owner Name:	M & L RENTALS LLP	Use:	RESIDENTIAL
Billing Address:	PO BOX 1128 SALISBURY MD 21802	Principal Residence:	NO
		Deed Reference:	/01603/ 00063

Location & Structure Information

Address:	535 LINCOLN AVE SALISBURY 21801-0000	Legal Description:	BL-A L-A 8,379 SQFT 535 LINCOLN AVE LIN HIL VILLAGE PLAT
-----------------	---	---------------------------	--

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
048	0004	0242	13050764.23	0000				2019	Plat Ref:

Own: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
900	1,904 SF		8,379 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
	NO	STANDARD UNIT	SIDING/	2	2 full		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2019	07/01/2020	07/01/2021
Land:	14,300	14,300		
Improvements	45,400	41,900		
Total:	59,700	56,200	56,200	56,200
Referential Land:	0			0

Transfer Information

Seller: SELL, TERRY R	Date: 04/20/1998	Price: \$775,000
Type: ARMS LENGTH MULTIPLE	Deed1: /01603/ 00063	Deed2:
Seller: SELL, TERRY R & JILL D	Date: 06/29/1995	Price: \$10,000,000
Type: NON-ARMS LENGTH OTHER	Deed1: /01444/ 00478	Deed2:
Seller: PRYOR, ALMA M	Date: 02/14/1980	Price: \$17,500
Type: ARMS LENGTH IMPROVED	Deed1: /00937/ 00620	Deed2:

Exemption Information

Partial Exempt Assessments:	Class		07/01/2020	07/01/2021
County:	000		0.00	
State:	000		0.00	
Municipal:	000		0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

tract: 13 Account Number: 010846



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Google Maps 533 E Lincoln Ave



Google

Image capture: Oct 2019 © 2020 Google

Salisbury, Maryland

Google

Street View

ATTACHMENT D



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

John D. Psota
Acting County Executive

John D. Psota
Director of Administration

Lori A. Carter
Director

COUNTY SUBDIVISION ANALYSIS

MEETING OF DECEMBER 17, 2020

Extension Request

Subdivision Name: Ronald & Jacquelyn Townsend

Location: Dagsboro Road

DPW#:

Map: 22

Parcels: 142

Grid: 22

Acres: 19.45 acres

Subdivision Acreage: 19.45 +/- acres

Lots: 3

Applicant & Owner

Ronald and Jacquelyn Townsend
33374 Dagsboro Road
Parsonsburg, MD 21849

Zoning: A-1 (Agricultural)

Jurisdiction: Wicomico County

Type of Development Proposed: Residential

Preliminary Approval: 3/18/10

1 Year Extension Granted: 11/15/18
12/19/19

Overview:

Mr. Townsend originally submitted a Sketch Plat in April 2009 for a rural cluster subdivision of three lots on his property located on Dagsboro Road. Mr. Townsend's existing parcel is located in the A-1 Zoning District and contains 19.45 acres. Since the regulatory date, several lots have been subdivided from the parent parcel as part of the Eastwinds Subdivision. In order to subdivide his property further, Mr. Townsend will have to meet the 1:15 density ratio required in the A-1 Zoning District (has to have 30 acres to create one lot).

Mr. Townsend’s land did not meet the A-1 density requirements for any additional minor lots; therefore, in 2009 an application was made for a three-lot rural cluster subdivision. The regulations in existence at the time allowed a rural cluster subdivision when minor lots were not available, but all new lots had to be served by an interior road. As such, Mr. Townsend is required to build a short cul-de-sac road to serve the proposed new lots.

Mr. Townsend’s only available option for a subdivision is to update the original cluster subdivision to bring the Stormwater Management / Improvements Construction Plan, as well as the Final Plat into compliance with today’s standards. Actions have been taken to meet the aforementioned requirement.

On December 19, 2019, the Commission approved a second extension request for a period of one-year. At which time, the Commission expressed their expectation of the applicant showing “significant progress” towards advancing the preliminary to final plat during the one-year extension.

At the time of this meeting, Mr. Townsend’s representative submitted a revised Stormwater Management / Improvements Construction Plan (“Plan”) to Wicomico County Department of Public Works, Engineering Division for review. Based on the review comments, the Plan is approximately 75 percent complete. Additionally, Mr. Townsend has been in contact with the County Roads Division inquiring about the need to obtain an entrance permit for the cul-de-sac road.

Per the applicant, the following actions have occurred to over the past year (items are required at time of recordation):

- i. Forest Conservation: Applied for exemption – Declaration of Intent. If denied, a Forest Conservation Plan is required;
- ii. Sediment Control and Erosion – Contacted Wicomico County Soil Conservation; and
- iii. Performance Bond and Letter of Credit – Coordinated with Avery Hall and Bank of Delmarva.

The following items are required to advance the proposed subdivision for final plat consideration:

- i. Stormwater Management / Improvements Construction Plan. In progress; and
- ii. Wicomico County Health Department approved percs, which a request for land re-evaluation has not been submitted.

Recommendation:

The Planning Staff does not have a recommendation and defers to the Planning and Zoning Commission to determine if progress over the previous 12-months is consistent with expectation of “significant progress”.

Attachment: Letter from Mr. Townsend requesting an extension.

10-27-2020

WICOMICO COUNTY PLANING AND ZONING

MS MARILYN WILLIAMS

125 NORTH DIVISION STREET

SALISBURY, MD 21801

PLANNING DEPARTMENT
RECEIVED
DATE 11/4/2020 BY MBW
Hand Delivered

MS WILLIAMS,

MY NAME IS RON TOWNSEND AND I LIVE AT 33374 DAGSBORO ROAD IN PARSONSBURG, MD. AS YOU KNOW I AM ATTEMPTING TO BUILD A NEW HOUSE FOR MY FAMILY ON MY EXISTING 19.5 ACRE PROPERTY. I AM WORKING WITH YOU TO GET THE FINAL APPROVAL FOR A SUBDIVISION AND CUL DE SAC COMPLETED.

I AM WORKING WITH JOHN PLUMMER AND ASSOCIATES WHO SUBMITTED A NEW STORM WATER MANAGEMENT PLAN TO MR TONY FASCELLI IN PUBLIC WORKS IN MID OCTOBER. I HAVE A CALL INTO TONY TO DISCUSS VARIOUS ISSUES AND I SHOULD HEAR FROM HIM SHORTLY. A COVER LETTER FOR THIS STORM WATER ANALYSIS IS ATTACHED.

A FOREST CONSERVATION PROGRAM EXEMPTION – DECLARATION OF INTENT HAS BEEN SUBMITTED AND A COPY IS ATTACHED.

I SPOKE TO LEE AT WICOMICO COUNTY ROADS OFFICE (410-548-4872) ABOUT AN ENTRANCE PERMIT AND HE DOES NOT FEEL THAT THIS ADDITIONAL PERMIT IS REQUIRED. TONY FASCELLI AND LEE ARE SUPPOSED TO DISCUSS THIS AND GET BACK TO ME. I AM WAITING FOR THEIR RESPONSE.

I SPOKE WITH MR RICK GLASCO AT THE WICOMICO COUNTY SOIL CONSERVATION OFFICE AND HE IS WORKING WITH MR KEVIN KEENAN (CONSULTANT) TO ADVISE ME ON THE NEXT STEP.

MR JACK PLUMMER OF PLUMMER AND ASSOCIATES IS WAITING TO HEAR FROM PUBLIC WORKS SO THAT HE CAN SUBMIT A FINAL REVIEW TO YOU AND YOUR DEPARTMENT.

MARILYN, I THINK I AM CLOSE TO HAVING ALL THE REQUIREMENTS COMPLETED AND I AM MAKING AN EFFORT TO WRAP THIS UP. I AM WORKING ON THE PREFORMANCE BOND WITH AVERY HALL INSURANCE AND A LETTER OF CREDIT WITH BANK OF DELMARVA. I AM VERY CLOSE AND WOULD ASK YOU AND THE ZONING COMMISSION TO WORK WITH ME TO GET THIS RESOLVED QUICKLY. I KNOW YOU HAVE BEEN VERY PATIENT WITH ME AND I THANK YOU. WOULD YOU PLEASE CONTACT ME AT 410-742-4107 (HOME) OR 410-251-2415 (CELL) TO DISCUSS THIS AND SHOULD I REQUEST TO BE AT THE DECEMBER 2020 COMMISION MEETING TO REQUEST THEIR ASSISTANCE WITH THIS.

*THANK YOU,
Ron Townsend*

JOHN H. PLUMMER & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS



11

October 15, 2020

Wicomico County Public Works Department
125 North Division Street
Salisbury, Md. 21801

Attn: Mr. Antonio Fascelli
Civil Engineer II

RE: Ron Townsend Stormwater Management
Analysis, 33374 Dagsboro Rd, TM 22, P142

Dear Tony:

Attached herewith is a stormwater management analysis of the above referenced property. I have independently analyzed the subject drainage area and compared it to the Soule analysis of 2010. In the Soule narrative the site is referred to as being -0.69 acres when their drainage area map shows 1.14 acres. It also refers to a concrete control structure which there is none shown on the plans, only a stone check dam.

Basically, my analysis showed that a concrete control structure is required and more storage was necessary to adequately reduce the discharge rate.

In addition to the report I have included a set of stormwater management drawings showing our title block and the addition of a control weir wall replacing the stone check dam.

Please review this submittal at your earliest convenience and advise me of any revisions you believe are necessary.

Sincerely,

John H. Plummer, President
John H. Plummer & Associates, Inc.
615 Eastern Shore Drive
Salisbury, Maryland 21801
(410)-546-4215 V
(410)-546-0401 F

(410) 430-3889 M
615 Eastern Shore Drive, Salisbury, Maryland 21804
(410) 546-4215; (410) 546-0401 F
email: plummer@jhplummer.com

October 12, 2020R

STORMWATER MANAGEMENT ANALYSIS OF RON TOWNSEND
DRIVEWAY PROPOSAL FOR PROPERTY ON
DAGSBORO ROAD

Mr. Ron Townsend is proposing to subdivide a 19.26 acre parcel of land on Dagsboro Road into three lots, one for his current home and the other two for future use. This subdivision will require the construction of a cul-de-sac driveway entrance to serve all three lots creating an additional 0.16 acres of bituminous concrete surface area. This analysis was done to determine the runoff consequences of this additional impervious surface.

This project was originally proposed in 2010. The original application was prepared and submitted by Soule and Associates, Inc. As a result of the passage of 10 years since this original application was made the County has requested an updated analysis be made. In response, my firm of John H. Plummer & Associates, Inc. has prepared the following analysis. The project was analyzed using the HydroCad program and the current Maryland Stormwater Management regulations for the 2,10, and 100 year storm volumes and ESDv volume.

The drainage area is 1.2 acres of partially wooded Hurlock Sandy Loam, HSG "B" now served by a single driveway entrance off Dagsboro Rd. The original narrative incorrectly refers to 0.69 acres of land, but the drainage area map shows 1.14 acres. Our analysis found an area of 1.20 acres with a CN of 64. The original narrative refers to a concrete control structure, but only a stone check dam is shown on the plans. We are proposing to change this check dam to a concrete wall with a 4-1/2" orifice, a 1.5' weir, utilizing the top of the wall as an additional weir having a length of 20'. These modifications achieve the following pre and post storm flows;

	PLUMMER		SOULE	
	PRE	POST	PRE	POST
2 year	0.25 cfs	0.51	0.19	0.19
10 year	0.86	0.98	1.23	1.01
100 year	1.71	5.96		
ESDv		740 cf		891 cf

The developed site has a CN of 70 and a wet swale storage volume for a 2 year storm of 0.021 ac-feet, or 915 cubic feet.

FOREST CONSERVATION PROGRAM
EXEMPTION -
DECLARATION OF INTENT

FCA Number: _____
Date: _____
Applicant: JOHN H PLUMMER & ASSOC INC
Address: 115 EASTERN SHORE DR, SALISBURY, MD 21804
Telephone: _____
Property Owner: RONALD & JACQUELYN TOWNSEND
Property Location: 33374 DASHBARD ROAD, PARSONSBURG, MD 21879
Property Size: 19.47 ACRES Deed Reference: 97.5/394
Subdivision Name: N/A Block: _____ Lot: _____
Tax Map #: 22 Grid #: 22 Parcel #: 142
Jurisdiction: Salisbury: _____ Wicomico County: X Other: _____
Proposed Activity: SUBDIVIDE EXISTING PARCEL INTO PLOTS

Article III, Section 126-4.B, of Chapter 126, Forest Conservation, of the County Code establishes a list of developments and activities that are EXEMPT from the County's Forest Conservation regulations, provided the applicant files a **DECLARATION OF INTENT** with the Department assuring compliance with all requirements of the Forest Conservation Act. Based upon information provided by the applicant, it has been determined that the above-referenced proposed activity is **EXEMPT** as follows:

- 1. Subdivision/Non-tidal wetlands.
- 2. Disturbing less than 20,000 S.F. of forest on an existing single lot above 40,000 S.F. in area.

DECLARATION OF INTENT

I hereby verify that the property will be used as stated in the proposed activity above. I hereby declare that no regulated activity shall occur on the above-referenced property within five (5) years of the effective date of this Declaration of Intent.

I understand that:

- a. The conditions upon which this declaration was granted may not be changed without approval by the Department.
- b. Any regulated activity, as defined in the Forest Conservation Act, that is not the subject of this Declaration of Intent will require additional approval.

CERTIFIED:

[Signature]
Applicant/Agent
Date: 10/22/2020

EXEMPTION APPROVED:

Planning Office
Date: _____



WICOMICO COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS – ENGINEERING DIVISION
125 N. DIVISION STREET, ROOM 205
SALISBURY, MD 21803
PHONE: 410-548-4927

John Psota
Acting County Executive

John Psota
Director of Administration

Mark Whitelock
Deputy Director of Public Works

November 9, 2020

John H. Plummer
John H. Plummer and Associates
615 Eastern Shore Drive
Salisbury, MD 21804

Re: Ron Townsend Subdivision
33374 Dagsboro Rd
Review #1
SWM # 8-10

Mr. Plummer;

The Wicomico County, MD Department of Public Works (WCDPW) has reviewed the Ron Townsend Subdivision Project located 33374 Dagsboro Rd submitted to our office on October 16, 2020. We have the following comments:

Plan Comments:

1. Wicomico County Standard Notes are to be on the cover sheet
2. General Notes: Number 8. Datum: "Blank" should be in some site of on-site benchmark. Preferred to be in NAD83.
3. Please add a legend to the cover sheet for all symbols, both existing and proposed.
4. Please reference stormwater management plan number: 8-10
5. Please add a Wicomico County Department of Public Works signature box for approval.
 - a. Currently located on Sheet 3 (please remove) and should be on Sheet 1.
6. Please remove Wicomico County Planning commission and Department of planning and zoning signature box from the plans.
7. Please move the FCA note to the cover sheet from Sheet 3.
8. Please revise the spot shot elevation locations and the proposed contours location on the plans are hard to read from the amount of overlap. (Realign or adjust the location)
9. Please label and note the existing right of way of Dagsboro Rd where the proposed entrance is going to be created. (Sheet 2 and 3 of 5)

10. Please provide a separate sheet for the cul-de-sac design showing the centerline of road, edge of pave, flow line, and top of curb grade shots. Please refer to the preliminary checklist for all roadway design requirements.
11. On Sheet 3 of 5, Please add the limits of disturbance in sqft on the plan.
12. On Sheet 4 of 5, The proposed wet swale profile view shows proposed dual 12” pipes going across the driveway and the above cul-de-sac plan view and profile view shows dual 10” pipes. Please revise accordingly.
13. On Sheet 4 of 5, proposed block wall in profile view shows a 4 1/2” orifice and the detail of the concrete block wall shows just a 1.5’ wide opening. Please revise.
14. In regards to the concrete block wall is there going to be any type of wing walls installed to prevent erosion around the side slopes?
 - a. Please provide notes in regards to the construction of the concrete block weir.
 - i. Are blocks going to be filled? What material?
 - ii. Rebar size and location?
 - iii. Trash rack for the low flow from debris
 - b. Have any other alternatives been pursued? (I.E. Earthen berm with stone overflow or precast structures)
15. Please provide a maintenance and inspection schedule for the proposed stormwater management features.

Computations/Narrative Comments:

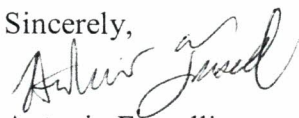
16. Please revise design/computations to hold the 2- and 10-year post discharge rates to the pre. It is not allowed to discharge any more water then what was previously already going downstream.
17. Per the 2-year post construction discharge rate it shows a velocity of 4.59fps per the design manual it says, “the maximum flow velocity for the ESDv shall be less than or equal to 1.0fps.
18. Per the design manual the for all swales it states, “Swales shall be designed to safely convey the 10-year, 24-hour storm at a non-erosive velocity with at least six inches of freeboard.”
 - a. It appears the 10-year post construction peak storm elevation is 59.98’ in the swale. It appears the road elevation is 61.78. So, with the additional six inches of freeboard you would need at least 60.48’.
 - b. After reviewing the plans submitted it appears the curb cut elevation is unknown. Please provide the invert elevation on the plans/details.

General Comments:

19. After further review it appears a subdivision plat was not submitted with the plans for review/approval to Planning and Zoning which is required to create the lots within the subdivision.
20. One last concern I have is with the age of this project requiring Health Department Approval documentation.
 - a. Has an application been submitted to the Health Department for the new lots to be perked/tested because the old applications may have expired by now.

Please address all items and respond to the comments contained in this letter. Should you have any questions, please do not hesitate to contact me at 410-548-4927.

Sincerely,



Antonio Fascelli
Civil Engineer II



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

John D. Psota
Acting County Executive

John D. Psota
Director of Administration

Lori A. Carter
Director

COUNTY SUBDIVISION ANALYSIS

MEETING OF DECEMBER 17, 2020

Subdivision/Re-subdivision Name: Arsemus & Willa Nutter/Hester T. Johnson, et.al.

Location: 3678 & 3668 Texas Road

DPW#:

Map: 53

Parcels: 321 & 334

Grid: 17

Acres: 7.2 +/- acres (P. 321)

Subdivision Acreage: 2 +/- acres

Lots: 1

Applicant:

F. Douglas Jones
F. Douglas Jones & Associates
P.O. Box 2658
Salisbury, MD 21802

Owners:

Arsemus & Willa Nutter (Parcel 321)
3678 Texas Road
Bivalve, MD 21814

Hester T. Johnson (Parcel 334)
3668 Texas Road
Bivalve, MD 21814

Zoning: Village Conservation

Jurisdiction: Wicomico County

Type of Plat: Minor Subdivision/Re-subdivision

Type of Development Proposed: New Single Lot Subdivision and Re-subdivision with Parcel 334 (modification of common property line)

I. EXPLANATION OF REQUEST.

The owners of Parcel 321 (Arsemus and Willa Nutter) are proposing to create a new residential building lot, and to adjust the common boundary line with Parcel 334 (Hester Johnson). The new lot will be the first lot since our regulatory date. While the County's subdivision regulations allow the Director of Public Works to administratively approve this plat, this case is brought

before the Planning Commission with a request for a Waiver of the requirement for a road dedication.

Texas Road is a “minor collector” in the County’s road system. Therefore, a dedication equal to 30 feet from the centerline of the road would be required as part of the resubdivision process. However, a road dedication from these particular parcels of land would create a hardship in that the wells for both Parcels 321 and 334 would then lie within the County’s right-of-way. This could cause a conflict with the health department and COMAR regulations, as well as for lending institution and title company approvals.

§200-18 entitled, “Waivers” allows the Planning Commission to waive this requirement. The language of this section reads:

§200-18. Waivers

The Planning Commission may waive the requirements of Article II of this chapter provided that:

- A. Any such waivers may only be permitted where strict adherence to the provisions of these standards would cause practical difficulty for an applicant or subdivide.
- B. Such waivers can only be granted where the applicant demonstrates that approving the waiver will not substantially impair the purposes and intent of this chapter or any other County regulation.
- C. Any waivers thus granted by the Planning Commission shall be stated in the records of the Commission.
- D. No waivers may be granted to subdivisions which have received sketch plat review or preliminary plat approval prior to February 3, 1998, except as set forth above.

II. RECOMMENDATION.

The Planning Staff recommends the waiver of the requirement for a 30 foot from centerline road dedication for this subdivision/resubdivision plat, as such a waiver appears to meet all of the four requirements of §200-18 stated above. Texas Road is a rural road with little traffic, and, according to the Lee Out ten, Roads Superintendent, there are no foreseeable plans for widening or otherwise improving the road.

As an alternative, staff recommends a 5-foot road dedication and a 10-foot road reservation provided that the health department approves the two wells being located in a future road reservation.

III. SUBDIVISION STATUS.

A. WAIVERS REQUIRED:

Waiver of 30’ road dedication requirement.

B. FOREST CONSERVATION:

The plat must comply with forest conservation regulations.

C. CHESAPEAKE BAY CRITICAL AREA:

A small portion of Parcel 321 lies within the Chesapeake Bay Critical Areas and the plat must comply with CBCA regulations.

D. PROPOSED 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. The plat must comply with Forest Conservation and Chesapeake Bay Critical Areas regulations.
4. This approval is subject to further review and approval and conditions imposed by the Planning and Zoning and Public Works Departments.

E. PLANNING/PUBLIC WORKS STAFF COMMENTS:

Both Parcels 321 and 334 were first developed in the 1950's. The wells were placed closer to the road – not anticipating a future road widening. The well for Parcel 334 was erroneously placed on Parcel 321 – resulting in the need for a boundary line adjustment of the common property line between the two parcels.

The health department is requiring a minimum lot size for the new of two acres, which is suitable to this rural neighborhood.

COORDINATOR: Marilyn Williams, Technical Review
DATE: December 7, 2020

Arsemus & Willa Nutter/Hester Johnson
December 17, 2020

Attachment #A – Tax Map

Attachment #B – Aerial View

Attachment #C – Proposed Subdivision/Resubdivision Plat

3668 and 3678 Texas Road



03/24/2019

Attachment B

PURPOSE STATEMENT:
 THE PURPOSE OF THIS SURVEY IS TO ESTABLISH LOTS 1-2, P/O PARCEL 321 AND TO MODIFY THE COMMON DIVISIONAL LINE BETWEEN PARCELS 321 & 334 AS SHOWN HEREON.

- GENERAL NOTES:**
- OWNER OF RECORD/PREMISE ADDRESS:
 PARCEL 321
 ARSEMUS & WILLA NUTTER
 3678 TEXAS ROAD
 BIVALVE, MD. 21814
 DEED REF. 3002/95
 - TAX MAP NO. 53, PARCEL 321 & 334
 - PLAT REFERENCE: 655/57 & AS NOTED
 - ZONED: VILLAGE CONSERVATION
 - SETBACKS FOR PRIMARY STRUCTURE: FRONT = 30' (55' FROM CENTERLINE ROAD), SIDE = 10' & REAR = 30'.
 - THESE LOTS MAY BE SUSCEPTIBLE TO PERIODIC LOCALIZED DRAINAGE PROBLEMS. LOT OWNERS ARE ENCOURAGED TO PREPARE THE SITE AND CONSTRUCT STRUCTURES SO AS TO MINIMIZE THE IMPACT OF THESE POTENTIAL STORM DRAINAGE PROBLEMS.
 - ALL FUTURE CONSTRUCTION SHALL CONFORM TO THE WICOMICO COUNTY ZONING CODE IN EFFECT AT THE TIME OF CONSTRUCTION.
 - MD. GRID NORTH PER OPUS SOLUTION/REPORT.
 - THERE ARE NO WELLS AND SEPTIC SYSTEMS LOCATED WITHIN 100' OF THE PROPOSED FACILITIES.
 - BY GRAPHICS PLOTTING ONLY THIS PROPERTY IS IN ZONE X & AE OF THE FLOOD INSURANCE RATE MAP 24045C0195E DATED 8/17/2015. EXACT DESIGNATIONS CAN ONLY BE DETERMINED BY AN ELEVATION CERTIFICATE, BASED ON THE ABOVE INFORMATION. A PORTION OF THIS PROPERTY IS IN A SPECIAL FLOOD HAZARD AREA.
 - THE APPROVAL OF THE WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS DOES NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY TO COMPLY WITH ALL OTHER APPLICABLE FEDERAL, STATE AND LOCAL LAWS.
 - A 5' WIDE STRIP IS HEREBY DEDICATED TO WICOMICO COUNTY FOR ROAD AND UTILITY PURPOSES (0.0612± ACRES).
 A 10' WIDE STRIP IS HEREBY RESERVED TO WICOMICO COUNTY FOR FUTURE ROAD AND UTILITY PURPOSES (0.1228± ACRES).
 - WETLAND ARE NOT PRESENT ON THIS SITE PER MDMERLIN ONLINE MAPPING RESOURCE.
 - FINAL PLAT APPROVAL CERTIFIES THAT THE SUBDIVISION HAS BEEN REVIEWED FOR STORMWATER DRAINAGE AFFECTING ONLY STREETS AND PUBLIC AREAS WITHIN ITS OWN BOUNDARIES, NOT INDIVIDUAL LOTS.
 - THIS PROPERTY IS LOCATED WITHIN AN AREA WHICH ALLOWS AGRICULTURAL OPERATIONS. THIS "RIGHT-TO-FARM" IS ONLY PROTECTED UNDER CHAPTER 186 OF THE WICOMICO COUNTY CODE.
 - WITHIN THE AREA DESIGNATED AS "DRAINAGE AND MAINTENANCE EASEMENT", OBJECTS SUCH AS TREES, SHRUBS, STRUCTURES, FENCES, SIDEWALKS, PAVED DRIVEWAYS, AND/OR UTILITIES WHICH MAY ACT AS AN OBSTRUCTION TO THE INTENDED USE AND/OR MAINTENANCE OF THIS EASEMENT, SHALL NOT BE PERMITTED.
 - THE AREA WITHIN THE FLOOD PROTECTION SETBACK SHALL REMAIN FREE OF BUILDINGS, STRUCTURES, STORAGE TANKS, STORAGE OF EQUIPMENT AND MATERIALS, AS WELL AS DEVELOPMENT, SUCH AS PAVING, GRADING, FILLING, AND EXCAVATION.
 - HOMEDOWNERS ARE RESPONSIBLE FOR DITCH MAINTENANCE.
 - CRITICAL AREA PROGRAM LINE & FLOODPLAIN LINES SHOWN HEREON AREA PROTRACTED PER MDMERLIN ONLINE MAPPING.

- HEALTH DEPARTMENT NOTES:**
- EACH SEWAGE RESERVE/DISPOSAL AREA SHALL REMAIN EXCLUSIVE OF STRUCTURES, EASEMENTS, RIGHTS-OF-WAYS, AND DRIVEWAYS. UTILITIES ARE TO BE LOCATED OUTSIDE OF THE SEWAGE DISPOSAL AREAS.
 - THE SEWAGE DISPOSAL AREA(S) SHOWN ON THIS PLAT ARE NOT TO BE IMPACTED DURING ANY PHASE OF CONSTRUCTION, GRADING, OR STORM WATER MANAGEMENT ACTIVITIES, OTHERWISE THE SITE MAY BE DEEMED NOT BUILDABLE.
 - THIS SITE IS LOCATED IN THE GROUNDWATER MANAGEMENT ZONE: A.
 - ALL FOUNDATIONS MUST BE A MINIMUM OF 10' FROM SEWAGE RESERVE AREA (25' FROM SAND MOUND SEWAGE AREAS) AND 30' FROM A POTABLE WELL.
 - SEWAGE SYSTEM DESIGNS ARE BASED ON UNDISTURBED GRADE ELEVATIONS WHICH WERE OBSERVED DURING THE LAND EVALUATION PROCESS.
 - THE APPROVED WASTE WATER FLOW IS BASED ON RESIDENTIAL USE. OTHER USES MAY REDUCE THE APPROVED FLOW.

FOREST CONSERVATION NOTE:
 ANY DISTURBANCE OF LAND OR FUTURE SUBDIVISION ACTIVITY ON THIS PARCEL MAY BE SUBJECT TO THE WICOMICO COUNTY FOREST CONSERVATION ACT AS APPLICABLE. REF. FCA (E)#

AREA CALCULATIONS (PARCEL 321):
 ORIGINAL AREA
 * PARCEL 321 = 7.1893± AC.
 ROAD DEDICATION
 * TEXAS ROAD = 0.0331± AC.
 AREA REMOVED AND ADDED TO PARCEL 334
 * WESTERLY STRIP = 0.0555± AC.
 NEW AREAS
 * LOT 1 = 2.0382± AC.
 * LOT 2 = 5.0625± AC.

AREA CALCULATIONS (PARCEL 334):
 ORIGINAL AREA
 * PARCEL 334 = 1.8182± AC.
 ROAD DEDICATION
 * TEXAS ROAD = 0.0281± AC.
 AREA ADDED FROM PARCEL 321
 * WESTERLY STRIP = 0.0555± AC.
 NEW AREA
 * REVISED PARCEL 334 = 1.8456± AC.

- LEGEND:**
- CORNER (UNMARKED)
 - S.D.A. CORNER (UNMARKED)
 - IRON ROD W/CAP SET (FDJ)
 - IRON ROD FOUND
 - IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - ELECTRIC PANEL
 - WELL (AS NOTED)
 - SEPTIC LIDS/WAULT
 - ABOVE GROUND L/P GAS

WICOMICO COUNTY PLANNING COMMISSION

BY: _____ DATE: _____

WICOMICO COUNTY DEPARTMENT OF PLANNING & ZONING

BY: _____ DATE: _____

WICOMICO COUNTY HEALTH DEPARTMENT
 THIS SUBDIVISION IS APPROVED FOR WITERS INDIVIDUAL WATER SUPPLY AND SEWAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE WICOMICO COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN. EXISTING FACILITIES NOT EVALUATED FOR THE PURPOSE OF THIS PLAT.

BY: _____ DATE: _____
 L.E. #7590

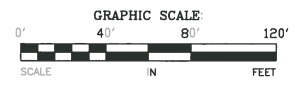
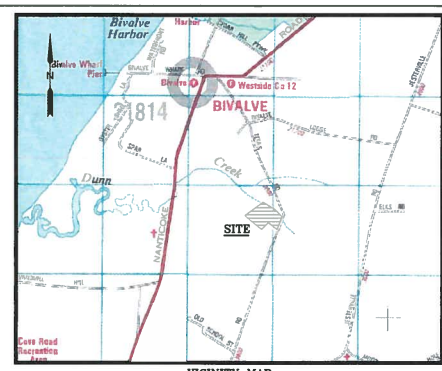
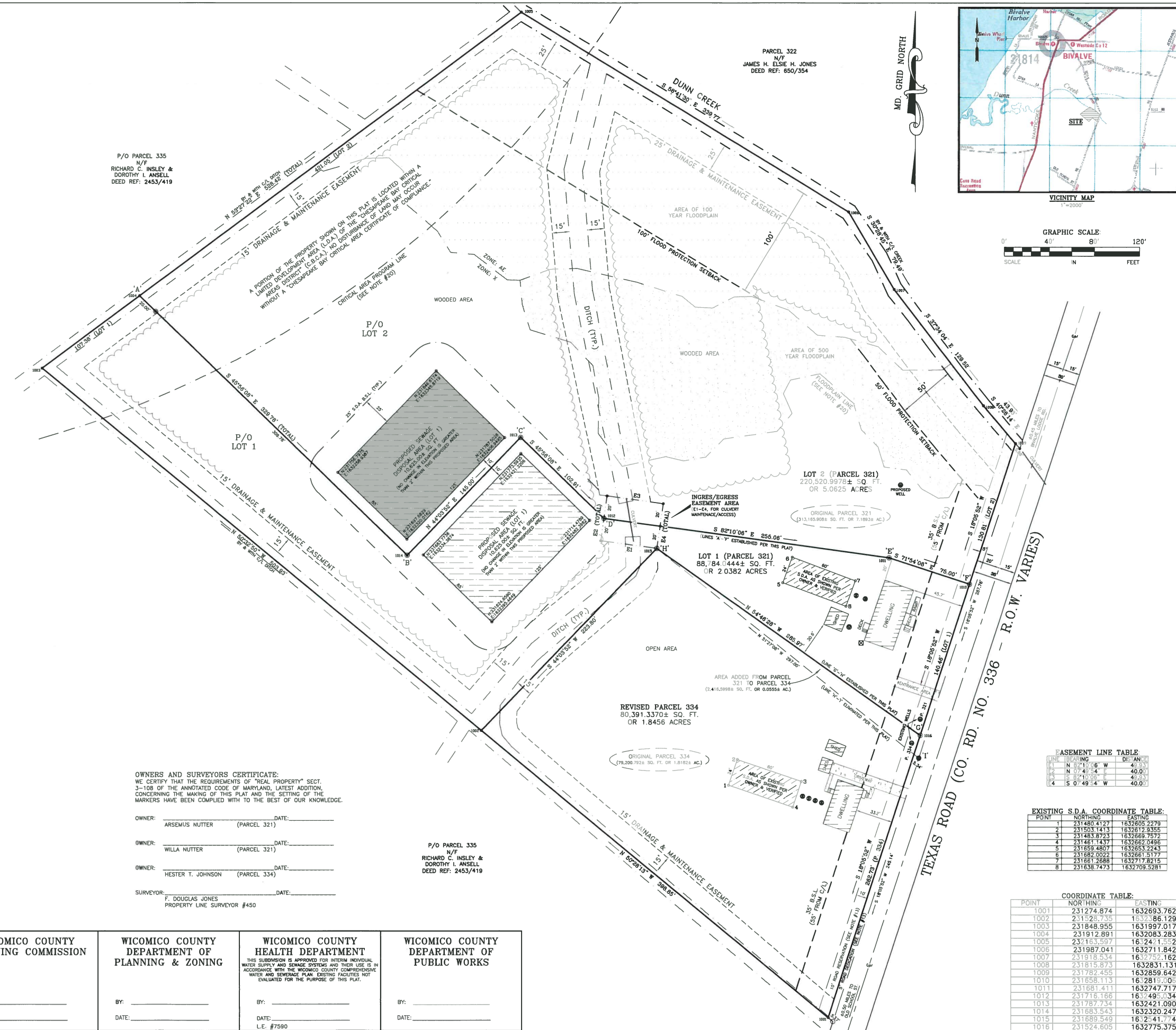
WICOMICO COUNTY DEPARTMENT OF PUBLIC WORKS

BY: _____ DATE: _____

OWNERS AND SURVEYORS CERTIFICATE:
 WE CERTIFY THAT THE REQUIREMENTS OF "REAL PROPERTY" SECT. 3-108 OF THE ANNOTATED CODE OF MARYLAND, LATEST EDITION, CONCERNING THE MAKING OF THIS PLAT AND THE SETTING OF THE MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF OUR KNOWLEDGE.

OWNER: ARSEMUS NUTTER (PARCEL 321) DATE: _____
 OWNER: WILLA NUTTER (PARCEL 321) DATE: _____
 OWNER: HESTER T. JOHNSON (PARCEL 334) DATE: _____
 SURVEYOR: F. DOUGLAS JONES (PROPERTY LINE SURVEYOR #450) DATE: _____

P/O PARCEL 335
 RICHARD C. INSLEY &
 DOROTHY I. ANSELL
 DEED REF: 2453/419



EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
1	N 82°10'06" W	40.00
2	N 0°41'04" E	40.00
3	S 82°10'06" E	40.00
4	S 0°49'54" W	40.00

EXISTING S.D.A. COORDINATE TABLE

POINT	NORTHING	EASTING
1	231480.4127	1632605.2279
2	231503.1413	1632612.9355
3	231483.8723	1632669.7572
4	231441.1437	1632665.0466
5	231659.4807	1632653.2243
6	231682.0022	1632661.5177
7	231681.2688	1632717.8315
8	231638.7473	1632709.3281

COORDINATE TABLE

POINT	NORTHING	EASTING
1001	231274.874	1632693.762
1002	231528.735	1632386.129
1003	231848.955	1631997.017
1004	231912.891	1632083.283
1005	231637.977	1632413.352
1006	231987.041	1632711.842
1007	231918.534	1632752.162
1008	231815.873	1632831.131
1009	231782.455	1632859.642
1010	231658.113	1632813.006
1011	231681.411	1632747.717
1012	231716.166	1632497.034
1013	231737.734	1632421.090
1014	231683.543	1632320.247
1015	231689.549	1632417.774
1016	231524.605	1632775.375

MINOR SUBDIVISION & RESUBDIVISION
 ARSEMUS & WILLA NUTTER, et.al
 HESTER T. JOHNSON, et.al
 3668 & 3678 TEXAS ROAD
 WESTSIDE ELECTION DISTRICT
 WICOMICO COUNTY, MARYLAND

EXP./RENEWAL DATE: 12/15/2020

SURVEYED BY: DLN/TGJ
 DRAWN BY: MLT
 CHECKED BY: FDJ
 JOB NUMBER: 20-5199
 SCALE: 1"=40'
 1 OF 1

F. Douglas Jones
 Surveying Associates
 540 RIVERSIDE DRIVE, UNIT 14
 P.O. Box 2656
 Salisbury, Maryland 21802
 Phone: 410-543-2615
 Email: fjones@jonesurveying.com



Attachment C