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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.

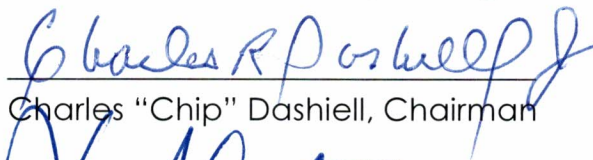
Mr. Hall discussed four Staff members were able to attend the Maryland Planner Association 37th Annual Conference held virtually on November 9th. Mr. Hall stated copies of the presentation slides will be sent out to Commission members via e-mail.

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

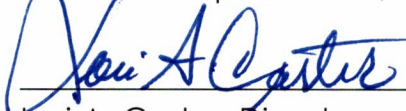
The next Commission meeting will be on December 17th.

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