



# City of Salisbury – Wicomico County

PLANNING AND ZONING COMMISSION  
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BUNKY LUFFMAN  
DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury-Wicomico County Planning and Zoning Commission ("Commission") met in regular session on August 10, 2023 in Room 301, Council Chambers, Government Office Building with the following persons participating:

**COMMISSION MEMBERS:**

Charles "Chip" Dashiell, Chairman  
Jim Thomas  
Joe Holloway  
Mandel Copeland  
Kevin Shertz  
Matt Drew

**PLANNING STAFF:**

Henry Eure, City of Salisbury, Department of Infrastructure and Development ("DID")  
Lori A. Carter, MBA, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")  
Danielle Rogers, PZCD

Laura Hay, City of Salisbury, Department of Law

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

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**MINUTES:** The minutes from July 27, 2023 were brought forward for approval. Chairman Dashiell mentioned the minutes were revised on page 10, paragraph 7, to state "the Commission has limited discretion regarding downtown parking" from its original verbiage. Mr. Joe Holloway submitted a motion to approve, seconded by Mr. Mandel Copeland and duly carried. The minutes from July 27, 2023 meeting were **APPROVED** as submitted.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN/WELLHEAD PROTECTION PLAN APPROVAL – WOODBROOKE MEDICAL CENTER – Parker and Associates for G2 Properties, LLC – 1603 Treesap Court – Light Business & Institutional Zoning District – M-0110, G-0020, P-2432 - #202300884 (H. Eure)**

Mr. Henry Eure was joined by Mr. Brock Parker (Parker and Associates). Mr. Eure presented the Staff Report.

The applicants proposed to construct a single-story office building and parking lot on a 28,451 sq. ft. lot. The building will be similar in style to other buildings located within the Woodbrooke Medical Center campus.

Staff presented the Comprehensive Development Plan Review, which consisted of a Site Plan, Building Elevations, Landscaping Plan, Development Schedule, Community Impact Statement / Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, Wellhead Protection District, Forest Conversation and Traffic.

The Planning Staff comments stated parking should comply with Zoning Code standards including providing bicycle parking and additional landscaping. Also, providing trees at the ends of parking rows, as well as installing landscaping along Phillip Morris Drive.

Staff recommended approval of the Preliminary Comprehensive Development Plan/Wellhead Protection Plan for 1603 Treesap Court, with the following four (4) conditions:

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury DID.
2. Provide a detailed Sign Plan for approval by the Planning Commission prior to issuance of sign permits.
3. Grant waivers for the Community Impact Statement / Statements of Intent to Proceed and Financial Capability.
4. This approval is subject to further review and approval by the Salisbury DID and the Salisbury Fire Department.

As there were no additional comments, Chairman Dashiell said he would entertain a motion to approve the Preliminary Comprehensive Development Plan / Wellhead Protection Plan for 1603 Treesap Court subject to the four (4) Conditions listed in the Staff Report. Mr. Holloway entered a motion to approve, which was seconded by Mr. Matt Drew. Mr. Jim Thomas recused himself. The motion was duly carried, and the Commission approved the Preliminary Comprehensive Development Plan/Wellhead Protection Plan for 1603 Treesap Court.

Chairman Dashiell stated the motion was **APPROVED**.

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**COMPREHENSIVE SITE PLAN APPROVAL – Parker and Associates for Richardson & Davis, LLC – 1411 S. Salisbury Blvd. – General Commercial Zoning District – M-0117, G-0015, P-3132 - #202300886 (H. Eure)**

Mr. Eure and Mr. Parker remained at the table. Mr. Eure presented the Staff Report.

The applicants proposed to convert the existing 4,488 sq. ft. multi-tenant office building into a multi-use building by adding a four-bedroom residential apartment on a 12,000 sq. ft. lot located at the northeast corner of U.S. Route 13 and Milford Street. A multi-use building requires a Comprehensive Site Plan Review by the Planning and Zoning Commission.

Staff presented the Comprehensive Site Plan Review consisting of Parking and Landscaping.

Planning Staff recommended approval for the Site Plan as submitted.

Mr. Parker stated the developer, Eric Davis (Eric Davis Property Management), wants to take approximately 1,200 sq. ft. of the existing building to convert into a 4-bedroom apartment. Access will be at the back of the building where an existing parking court is located. As a recommendation from Staff, presented at the table, the handicap ramp located along Milford Street will be removed and replaced. Landscaping will be added to the front of the building and the parking lot will be restriped.

Mr. Dashiell inquired if any commercial space will remain. Mr. Parker confirmed there will be commercial space located in the building.

Mr. Drew expressed concern about how unsafe it is for residents to walk along that commercial area. He asked if removing the handicap ramp improves the walkability of residents. Mr. Parker said removing the handicap ramp will allow them to replace it with a full-face curb making it stable for walking.

As there were no additional comments, Mr. Thomas entered a motion to approve the Comprehensive Site Plan Approval for 1411 S. Salisbury Blvd. as submitted. The motion was seconded by Mr. Drew and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN – MARTIN'S MILL – Vestoge Salisbury MD, LLC, rep. by Parker and Associates - 30591 Dagsboro Road R - 10A Residential – M-0021, G-0019, P-0040A - #202300747 (H. Eure)**

Mr. Eure and Mr. Parker remained at the table. Mr. Eure presented the Staff Report.

The applicants proposed to construct 67 single-family dwellings, 58 townhouse units and 4 (four) three-story, 24-unit apartment buildings, for a total of 221 residential units. The total acreage of the parcel being developed is 34.67 acres and located on the south side of Dagsboro Road.

Staff presented the Comprehensive Development Plan Review consisting of a Site Plan, Building Elevations, Sign Plan, Landscaping Plan, Development Schedule, Community Impact Statement / Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, Wellhead Protection District, Forest Conversation, Transportation, and Wicomico County Board of Education.

1. The Planning Staff comments included: plan shows limited open space amenities for the residents. Staff requested the developer work with the Department on amenities prior to final comprehensive plan approval; Condition 4 of the May 17, 2007 meeting required the subdivision plat to have a note addressing Right to Farm legislation; and Condition 5 of the previous approval regarding screening shall be included as part of the detailed landscaping plan with input from Staff.

Staff recommended approval of the Preliminary Comprehensive Development Plan / Wellhead Protection Plan for Martin's Mill, with the following eight (8) conditions:

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury DID.

2. Provide a detailed signage plan for approval by the Planning Commission prior to issuance of sign permits.
3. Refuse disposal areas to be screened on three (3) sides.
4. The subdivision plat for the development shall contain a note regarding Right to Farm legislation.
5. Work with Staff on open space amenities for the development.
6. Provide a Traffic Impact Study.
7. Provide Development Schedule, Community Impact Statement / Statement of Intent to Proceed and Financial Capability.
8. This approval is subject to further review and approval by the Salisbury DID and the Salisbury Fire Department.

Mr. Brock Parker provided an overview of the project and how it changed from the original concept in 2007 as a townhouse project. The current trend is a diversity of housing types for this type of project. The layout of the project reflects housing types consistent with existing housing types in the area. The project will resemble an upscale development that will enhance the community.

Mr. Parker stated that no waivers are being requested for the Community Impact Statement / Statement of Intent to Proceed and Financial Capability, which those will be presented as part of the Final Development Plan Review. The project will most likely be turned over to a national builder. Also, a Traffic Impact Study will be completed for the project.

Mr. Holloway commented on the number of development approvals that will generate a lot of traffic in the area. He asked about the possibility to connect the development to North Pointe Drive. Mr. Parker responded a Traffic Impact Study will guide the project team on possible solutions to the traffic issue. Mr. Holloway also mentioned the concerns with Avalon Park development. There have been several complaints from residents about the drainage after a rain event. Mr. Parker said they are aware of the situation. Mr. Eure reminded the Commission this is a separate project and it would be difficult to make another project assume that responsibility.

Mr. Holloway inquired if the Board of Education ("BOE") responds to the City's review team. Mr. Eure replied the BOE does respond. Also, Mr. Holloway mentioned the Right to Farm Act and asked how that's handled with a City project. Mr. Parker stated a note placed on the subdivision plat denotes the property is adjacent to a farm.

Mr. Shertz voiced the same concern regarding the BOE review and the capacity of the schools as it relates to future planning. Mr. Shertz asked if the increased density of the apartment building was requested by the developer. Mr. Parker stated the density increase is a provision of the Zoning Code, which allows any multi-family product to go for an increase in density via special exception if certain criteria is met. To make this project viable an increase in density was requested. Mr. Eure stated an increase in density for apartments may not exceed 40 units per acre.

Mr. Shertz asked about the open space and amenities for the development. Mr. Parker stated the project will be providing additional amenities, which will be shown in the Final Plan Review. Mr. Shertz stated showing more amenities will be a positive aspect for the project since there is a request for increased density.

Mr. Drew asked if the plans show an accel/decel lane at Dagsboro Road around 40 MPH speed limit sign. Mr. Parker replied it is a placeholder until a Traffic Study is completed. It was also discussed since Dagsboro Road is a County Road consideration should be given to being reviewed by County

Public Works.

Mr. Shertz asked a procedural question regarding the Board of Appeals and their review of the Community Impact Statement or Traffic Study. Ms. Hay stated traffic patterns are one (1) of the criteria the Board of Appeals examine as a part their review. Mr. Eure stated Staff would do an internal review and will most likely make that a part of the conditions.

As there were no additional comments, Mr. Thomas entered a motion to approve the Preliminary Comprehensive Development Plan / Wellhead Protection Plan for Martin's Mill subject to the eight (8) conditions listed in the Staff Report and adding two (2) additional conditions: (1) the granting of the Special Exception to increase density by the Board of Appeals shall be obtained; and (2) additional landscaping and screening shall be provided on the Landscaping Plan. The motion was seconded by Mr. Shertz and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN APPROVAL – Fisher Architecture for Piraeus Realty Corp. – 1313-1315 S. Salisbury Blvd. – General Commercial Zoning District – M-0117, G-0009, P-3277 - #202300885 (H. Eure)**

Mr. Eure and Mr. Parker remained at the table and were joined by Ms. Lauren White from Fisher Architecture. Mr. Eure presented the Staff Report.

The applicant proposed to construct a 12,350 sq. ft. building with an additional 1,339 sq. ft. patio area, for a total building area of 13,689 sq. ft. The total acreage of the parcel to be developed is 1.95 acres.

Staff presented the Comprehensive Development Plan Review. It included a Site Plan, Building Elevations, Sign Plan, Landscaping Plan, Development Schedule, Community Impact Statement / Statement of Intent to Proceed and Financial Capability, Fire Service, Stormwater Management, and Transportation.

Staff recommended approval of the Preliminary Comprehensive Development Plan for 1313-1315 S. Salisbury Blvd. with the following five (5) conditions:

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all Code Requirements. Minor plan adjustments may be approved by the Salisbury DID;
2. Provide a detailed Sign Plan for approval by the Planning Commission prior to issuance of sign permits;
3. Provide a 3 ft. wide landscaping strip between the back of the sidewalk and the parking lot;
4. Grant waivers for the Community Impact Statement, and Statements of Intent to Proceed and Financial Capability; and
5. This approval is subject to further review and approval by the Salisbury DID and the Salisbury Fire Department.

Mr. Parker stated the only Staff comment to address was the 3 ft. wide landscaping strip between the back of the sidewalk and parking lot. Mr. Parker explained he is holding the edge of the existing paving. With regards to the stormwater management requirement, it's based on the amount of disturbance. The desire is to retain as much of the existing infrastructure. The new asphalt is the

three (3) or four (4) spaces in front of the addition. The new spaces are on existing stones and stabilization is to the back of the sidewalk.

Mr. Dashiell asked Mr. Eure for any comments that could be added to the discussion. Mr. Eure stated that it is a Code requirement, but the Commission has discretion to approve the applicant's request based on Condition three (3). Mr. Eure did add it is nice to have a landscaped area.

Mr. Thomas stated he likes having the landscaped area, but realizes the site is very tight and difficult to maneuver through.

Mr. Shertz stated he is in favor of the enforcement of the 3 ft. wide landscaped area. He references there are two-drive through lanes; therefore, it's not the difference between one-drive through lane or none.

Mr. Parker informed the Commission the plan is to remove one (1) entrance, but the revised entrance will be wide enough for vehicles to go both ways. They are rethinking the drive through and considering double stack and double lane.

Ms. White stated the building will be comprised of six (6) commercial shell spaces. It will possibly be food and retail tenants that could attract the college student population. The exterior front of the building will resemble 1305 S. Salisbury Blvd. with stone, stucco siding, and a faux wood low maintenance finish. The proposed plan is to include a large glass storefront that will suit multiple store tenants or a tenant taking over multiple spaces.

Mr. Drew asked if units A, B, and C is the existing building, and D, E, and F are the proposed building. Ms. White stated units A, B, and C are the footprint of the existing building. They are still assessing the cost of reusing that shell or if it should be replaced in the same footprint. Mr. Drew expressed concern about the drive through of having one-way traffic and no bypass and possibility experiencing a cue of cars stuck. Mr. Drew stated he wasn't sure if the Commission could enforce that, but it was an option to consider. Another comment by Mr. Drew was consideration for connectivity when the Rail to Trail Project is implemented.

As there were no additional comments, Mr. Thomas entered a motion to approve the Preliminary Comprehensive Development Plan for 1313-1315 S. Salisbury Blvd. subject to the five (5) Conditions listed in the Staff Report and adding one (1) additional condition: (1) provide rails to trails access if property adjoins City's Rails to Trails Project. The motion was seconded by Mr. Drew and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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**REVISED SIGN PLAN APPROVAL – GATEWAY CROSSING SHOPPING CENTER – Selby Sign Company for Junior Achievement – 305 Tilghman Road – Regional Commercial Zoning District – M-0110, G-0017, P-4491 - #202300865 (H. Eure)**

Mr. Eure was joined by Mr. Jamie Covington, Selby Sign Company, and Ms. Kate Bleile, Junior Achievement. Mr. Eure presented the Staff Report.

A revised Sign Plan was submitted to be located in the Junior Achievement location (formerly

K-Mart) and has the approval of the property owner.

Mr. Eure stated the proposed sign plan is similar in appearance to the building elevations that were approved as a part of the Revised Comprehensive Development Plan, although the freestanding signs have been eliminated.

Staff recommended approval for the proposed Revised Sign Plan as submitted. Although the signs are rather large they are appealing, attractive and proportionate to the building elevations.

Mr. Covington stated the size of the letters on the building has not changed from the original submittal and will not impact any adjacent properties. It's important that the organization has its name recognition and branding.

Ms. Bleile said they have increased the height of the building, which will support the request of the increase of the size of the letters.

For clarification purpose, Mr. Thomas asked about Attachment 5. Mr. Eure provided an overview of the diagram(s).

As there were no additional comments, Mr. Thomas entered a motion to approve the Revised Sign Plan for Junior Achievement at Gateway Crossing Shopping Center - 305 Tilghman Road. The motion was seconded by Mr. Shertz and duly carried.

Chairman Dashiell stated the motion was **APPROVED**.

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## **PUBLIC COMMENT(S)**

Mr. Holloway informed Chairman Dashiell that a citizen, Cory Huston, would like to discuss a matter with the Commission.

Ms. Huston stated she came before the Commission when Parker and Associates sought approval for the Glen Heights project. Her property is adjacent to Glen Heights on Glen Avenue. The property has been in her family for 70 years. The property is wooded and the remainder is farmland. Her property abuts Stonegate. She requested a 6' privacy vinyl fence down her property line at a previous meeting, which no fence has been installed along her property line. The fence was a condition of final approval for the project. She contacted Mr. Parker as directed about her fence. She has yet to hear from him regarding this matter. The fence is around the houses and not along the property line. Ms. Huston stated she's experiencing dumping at the property by Chester River Landscaping workers.

Chairman Dashiell asked Mr. Parker to respond about the fence issue. Ms. Huston stated Mr. Parker emailed her and would like to include Sean Waters in the discussion. He's a manager of the property for the development. It's her understanding the development is being sold or has been sold. Mr. Parker also requested they meet to discuss.

Chairman Dashiell stated he needed help figuring out how to proceed. Mr. Eure joined the table and informed the Commission and Ms. Huston that it was the City's responsibility to address the issue. Chairman Dashiell stated that the Commission is not the enforcement agency. Mr. Eure agreed to look

into the matter with DID.

Mr. Holloway asked if there was a follow-up to ensure the conditions of approvals were done. Mr. Eure said that is typically done. In this instance, the inspectors may have thought the fencing around the homes was sufficient.

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**STAFF ANNOUNCEMENTS**

Ms. Carter reminded the Commission that they will have a Special Meeting on the Cannabis Legislation on August 24, 2023 at 1:30 p.m.

Chairman Dashiell thanked everyone for their time spent at the meeting.

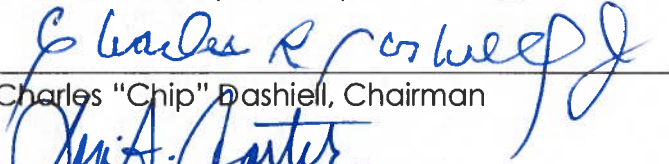
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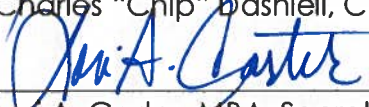
Upon a motion by Mr. Holloway, seconded by Mr. Thomas, and carried unanimously, the Commission meeting was adjourned at 3:40 p.m.

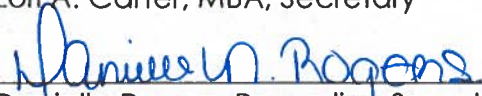
The next regular Commission meeting will be on September 21, 2023.

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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Wicomico County Department of Planning and Zoning, and Community Development Office.

  
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Charles "Chip" Dashiell, Chairman

  
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Lori A. Carter, MBA, Secretary

  
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Danielle Rogers, Recording Secretary