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PLANNING AND ZONING COMMISSION
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JULIE M. GIORDANO
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MINUTES

The Salisbury-Wicomico County Planning and Zoning Commission ("Commission") met in regular session on January 18, 2024, in Room 301, Council Chambers, Government Office Building with the following persons participating:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Daniel Moreno-Holt
Matt Drew
Mandel Copeland
Joe Holloway
D'Shawn Doughty

PLANNING STAFF:

Henry Eure, City of Salisbury, Department of Infrastructure and Development ("DID")
Brian Soper, City of Salisbury, DID
Amanda Rodriguez, City of Salisbury DID
Lori A. Carter, MBA, Wicomico County Department of Planning, Zoning, and Community Development ("PZCD")
Marilyn Williams, Land Development Coordinator, PZCD
Janae Merchant, Recording Secretary, PZCD

Laura Ryan, City of Salisbury, Department of Law
Andrew Illuminati, Wicomico County, Department of Law

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

MINUTES: The December 21, 2023 minutes were brought forward for approval. Mr. Matt Drew submitted a motion to approve, seconded by Mr. Joe Holloway and duly carried. The minutes from the December 21, 2023 meeting were **APPROVED** as submitted.

REVISED COMPREHENSIVE DEVELOPMENT PLAN & PALEOCHANNEL PROTECTION AREA – MILL POND VILLAGE PLAZA – Parker and Associates, Inc. for Mill Pond Village Plaza LLC – 701 E. Naylor Mill Road, Unit 801 – General Commercial Zoning District – M-0101, G-0018, P-5489 – L-1 #202400010 (H. Eure)

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

The applicant submitted a Revised Site Plan for the Mill Pond Village Plaza Shopping Center. They were seeking approval for the installation of a 6 ft. tall privacy fence to enclose an outdoor play area for a new daycare center that will be located in unit 801. The State of Maryland Office of Childcare Administration requires daycare centers to provide protected outdoor play areas.

When the shopping center was originally approved back in 2001 it did not include approval for the Paleochannel Protection Area as part of the Comprehensive Development Plan approval. For maintenance purposes, it was brought back to recommend that the Commission grant Paleochannel Protection approval for the entire shopping center. The uses in the shopping center itself are all low-hazard uses that do not impact the City's aquifer and water supply.

The Planning Staff recommended approval of the Revised Comprehensive Development Plan for the installation of a 6 ft. tall fence enclosing the outdoor play area as submitted Paleochannel Protection District approval is also recommended for the shopping center.

Mr. Holloway inquired about a gate in the fence in case of an emergency. Mr. Parker replied stating if the State requires one, one will be installed. However, there are two (2) rear entry doors into the building.

Mr. D'Shawn Doughty asked if the material would be similar to a fence already there because he has noticed about four (4) times a vinyl panel has come off. Mr. Parker said the owner is the same and does wish to use the same materials but he will have a conversation with him about the safety concerns for the children.

As there were no additional comments, Chairman Dashiell requested a motion to approve the Revised Comprehensive Development Plan for the installation of a 6 ft. tall fence enclosing the outdoor play area as submitted and also to approve Paleochannel Protection District for the shopping center. Mr. Daniel Moreno-Holt entered a motion to approve then it was seconded by Mr. Holloway and duly carried,

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

MINOR SUBDIVISION – Gayle A. Basch, rep. by Nathan Noble, Wilkins-Noble, LLC – 33414 Wango Road, Parsonsburg – M-0050, G-0022, P-0054 (M. Williams)

Ms. Marilyn Williams was joined at the table by Mr. Donald Basch (33414 Wango Road, Parsonsburg, MD). Ms. Williams presented the Staff Report.

This Plat proposes the creation of two new minor lots from Parcel 54. The lots will be the third and fourth lots subdivided from the parent parcel since our regulatory date. The proposed lots are larger with Lot 3 proposed at 9 +/- acres and Lot 4 proposed at 2 +/- acres. The remaining land is approximately 60 acres. Proposed Lot 3 is improved with a single-family home and proposed Lot 4 is tilled farmland. The remaining lands are a mixture of tilled farmland and wooded acreage.

The Planning Staff recommended approval of Lots 3 and 4 of the Gayle Basch lands subject to the four (4) conditions listed below.

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

Mr. Holloway asked if there was any documentation to notify potential buyers of the property that the land falls under the Right to Farm Act. Ms. Williams said there is a note in the general notes on the recorded plat that the property is in an A1 Zoning District and subject to rural noise and odors.

As there were no comments, Chairman Dashiell requested a motion to approve lots three (3) and four (4) of the Gayle A. Basch lands subject to the four (4) conditions that are listed in the Staff Report and adding number five (5) "Subject to the Open-space easement." Mr. Doughty entered a motion to approve then it was seconded by Mr. Holloway and duly carried,

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

PARKING WAIVER REQUEST – MILFORD STREET DOLLAR GENERAL – Oxford Chase Development Inc., rep. by Parker and Associates – Milford St & S. Division St – College and University District M-0117, G-0017, P-3269 - #23-035 (A. Rodriquez)

Ms. Amanda Rodriquez was joined at the table by Mr. Parker, and Mr. Howard Crossan (Developer and Contractor, 29323 Deal Island Road, Princess Anne, MD). Ms. Rodriquez presented the Staff Report.

Parker and Associates, on behalf of the owner, submitted a request for the construction of a new Dollar General store on the corner of Milford Street and S. Division Street in the College and University District. The applicant requested 27 parking spaces; a 20% increase over City Code requirements.

Staff recommended granting the parking waiver for the 20% increase in vehicular parking spaces to accommodate a total of 27 spaces for Milford Street Dollar General subject to the two (2) conditions listed below.

1. The site shall be developed in accordance with an approved, detailed Landscaping Plan to offset the increase in parking.
2. This approval is subject to further review and approval by the Salisbury DID, the Salisbury Fire Department, and other agencies as appropriate.

Mr. Moreno-Holt asked for clarification on the City's parking standards. Ms. Rodriquez explained there is a calculation and 20% is the maximum allowance. According to the calculation, this facility is allowed 22 parking spaces but to appease corporate, they are requesting 27 parking spaces.

Mr. Holloway inquired if there would be adequate room for tractor-trailers to enter and exit

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without causing traffic problems. Mr. Parker responded stating we have the movements available here without hitting any curbs. We increased the entrance on Milford Street to be a little wider than most and we do not have parking along Milford so the trucks may back up to the dumpsters. The trucks will then exit onto South Division Street.

Mr. Matt Drew asked if they would consider adding additional bicycle parking due to the location of the store and the number of parking spaces. Mr. Crossan believed it was a good recommendation and that it would be a good addition to the store.

As there were no additional comments, Chairman Dashiell requested a motion to Grant the parking waiver for the 20% increase in particular parking spaces to accommodate a total of 27 spaces for Milford Street Dollar General subject to the two (2) conditions mentioned in the Staff Report. Mr. Doughty entered a motion to approve then it was seconded by Mr. Holloway and duly carried.

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

FINAL COMPREHENSIVE DEVELOPMENT PLAN/ WELLHEAD PROTECTION PLAN APPROVAL – WOODBROOKE MEDICAL CENTER BUILDING A – G2 Properties, LLC, rep. by Parker and Associates – Woodbrooke Medical Center-- 1603 Treesap Court– Light Business & Institutional District– M-0109, G-0002, P-2518 - #05-001 (A. Rodriquez)

Ms. Rodriquez and Mr. Parker remained at the table. Ms. Rodriquez presented the Staff Report.

Parker and Associates, on behalf of the owner, submitted a request for the construction of a 5,755 sq. ft. single-story office building, located at the northeast corner of Phillip Morris Drive and Tree Sap Court. The building will be similar in style to the other buildings located within the Woodbrook Medical Center campus.

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

Staff recommended approval of the Final Comprehensive Development Plan/Wellhead Protection Plan subject to the six (6) conditions listed below.

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval and the standards set forth in CH 17.28 for the Light Business & Industrial District. Minor plan adjustments may be approved by the Salisbury DID.
2. Provide a corrected Lighting Plan with specifications by Ch 17.196.020 for approval by City Staff.
3. Provide a corrected Landscaping Plan indicating the inclusion of shade trees at the ends of each parking row as required.
4. Submit a detailed Sign Plan that meets all standards set forth in Ch 17.216 of the Zoning Code for approval by the Planning Commission prior to issuance of sign permits.
5. Include the calculated number of bicycle parking spaces as required by code.
6. This approval is subject to further review and approval by the Salisbury DID, the Salisbury Fire Department, and other agencies as appropriate.

As there were no comments, Chairman Dashiell requested a motion to approve the Final Comprehensive Development Plan and Wellhead Protection Plan for Woodbrook Medical Center Building A subject to the six (6) conditions that are mentioned in the Staff Report. Mr. Drew entered a motion to approve then it was seconded by Mr. Mandel Copeland and duly carried.

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

DISCUSSION – City Critical Area Map Update (B. Soper)

Mr. Brian Soper provided a brief overview of the Critical Area Map ownership flow. In February 2022, the Critical Area Commission transferred the maps to the City. There was a net loss of 40 acres and it affected 74 property owners. Amendments to the Critical Area District require a Public Hearing before adoption, this is scheduled for February 15, 2024.

Mr. Drew asked how the 1,000 ft. was measured. Mr. Soper indicated it was measured from the edge of tidal wetlands.

Chairman Dashiell inquired if the County would be providing information on this topic as well. Ms. Lori Carter responded the County will have a Public Meeting along with the Critical Areas Commission on February 22nd. The Commission has sent out letters to all impacted residents.

STAFF ANNOUNCEMENTS

Chairman Dashiell mentioned the Open House held on January 17th to gather information for a 10-year Comprehensive Plan went well. He was grateful to the Commission members who were able to attend and he was glad to see several young people show up. Mr. Soper added there was a lot of participation and thus far, they have received 212 responses from the online survey. There are other meetings scheduled with different stakeholders. Mr. Drew and Mr. Doughty have received comments from individuals so Mr. Soper will find out the best venue to communicate that information to the Consultants.

Chairman Dashiell had a conversation with Mr. Soper concerning the update on the Community Impact Statement and Statement of Intent to Proceed in Financial Capability. Mr. Soper stated there would be further discussions on the City and County levels to get all the information together to present to the Commission.

Ms. Lori Carter mentioned the County's Critical Area Mapping Update public meeting will be held on Thursday, February 22nd at 6:00 p.m. in the Wicomico Youth and Civic Center in the Da-Nang room. Ms. Carter confirmed an email would be sent to the Commissioners closer to the event to remind everyone about the meeting.

As there were no additional comments, Chairman Dashiell asked for a motion to adjourn. Upon

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a motion by Mr. Doughty, and carried unanimously, the Commission meeting was adjourned at 2:27 p.m.

The next regular Commission meeting will be on February 15, 2024.

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.



Charles "Chip" Dashiell, Chairman



Lori A. Carter, MBA, Secretary



Janae Merchant, Recording Secretary