



# City of Salisbury

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## MINUTES

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The Salisbury Board of Appeals met in regular session on January 4, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

### **BOARD MEMBERS:**

Sandeep Gopalan, Vice Chair  
William Hill  
Maurice Ngwaba  
Edward Torbert  
Miya Horsey

Shawn Jester (Absent)

### **CITY STAFF:**

Henry Eure, Senior Planner  
Brian Soper, City Planner  
Beverly Tull, Recording Secretary  
Laura Ryan, City Solicitor

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Mr. Gopalan called the meeting to order at 6:06 p.m.

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### **MINUTES:**

Upon a motion by Mr. Ngwaba, seconded by Mr. Hill, and duly carried, the minutes of the November 2, 2023 were approved as submitted.

Due to lack of a quorum from the December 7, 2023 meeting, the approval of minutes from the December 7, 2023 minutes were postponed until the next meeting.

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Mr. Eure administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



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**Case #202301591 - Snowfield, LLC – Special Exception to Utilize the Entire Property for Residential Use to Construct 195 Residential Units – Northeast Corner of Toadvine Road and Snow Hill Road – R-8 Residential and General Commercial District.**

Mr. Mark Cropper, Mr. Jason Malone, and Mr. Brock Parker came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requested permission to construct a 195 unit residential subdivision to be known as the Village at Snowfield. The site is located within the R-8A Residential and General Commercial zoning districts. A special exception is being requested to construct residential units in the General Commercial district pursuant to Zoning Code standards.

Mr. Eure moved the Staff Report into the record.

Mr. Gopalan questioned Mr. Eure if there were any changes between the Staff Report from September 2022 and this Staff Report. Mr. Eure responded in the negative.

Mr. Cropper introduced Mr. Malone and Mr. Parker. Mr. Cropper referenced the decision letter from the prior meeting dated September 6, 2022 that approved this exact request and moved the letter into the record as ***Applicant's Exhibit #1***.

Mr. Cropper questioned Mr. Malone and Mr. Parker if they concurred with the Staff Report and both responded in the affirmative. Mr. Cropper requested Mr. Parker explain what is left to be done to exercise the special exception. Mr. Parker responded that there are two (2) remaining comments to be addressed with the City's Department of Infrastructure and Development. The traffic circle plans have been approved by State Highway. The Comprehensive Development Plan is scheduled on the February 15, 2022 Planning Commission agenda. Mr. Cropper reiterated that if everything had been completed prior to September 2023 this case wouldn't be back before the Board. Mr. Cropper added that the use is appropriate per the Code as long as all criteria are met.

Mr. Ngwaba questioned when the traffic study was done. Mr. Parker responded that the traffic study has been completed and the traffic circle design has been approved.

Mr. Ngwaba questioned if the Board of Education comments were needed before this project was approved. Mr. Eure responded that Staff must simply make the Board of Education aware of the project.

Mr. Torbert questioned if the County had approved the discharge onto Toadvine Road. Mr. Parker responded in the affirmative, adding that there will be a traffic light installed at Robins Avenue and Snow Hill Road. Mr. Torbert questioned if there had been any concerns from the residents on Toadvine Road. Mr. Parker responded in the negative.



Mrs. Donna Toadvine Hoch, 1300 Snow Hill Road, stated that she had missed the notification about this during the initial request in 2022 but was concerned about the traffic and not being able to get out of her driveway. She explained that cars run the stop sign at Toadvine Road and Snow Hill Road all the time. People are using her driveway to avoid the stop sign. She further questioned how the roundabout would affect her property and requested more information.

Mr. Parker stated that there had been an extensive traffic impact study completed. The City Department of Infrastructure and Development and State Highway are working together on the approval of the roundabout, with encouragement to put an outlet onto Toadvine Road. The traffic circle will be a traffic calming device.

Mr. Torbert questioned if Toadvine Road was in the County. Mr. Parker responded and added that County Public Works has seen the plan and approved it.

Mr. Gopalan reiterated that the Board can only make a decision based on the criteria listed in the Code.

Mrs. Hoch requested the location of the roundabout. Mr. Eure provided a copy of the Staff Report and Mr. Parker located the proposed roundabout on the attached map. He noted that this will serve Snowfield as well as a future development behind Summersgate.

Mr. Torbert noted that the Board is restricted to the criteria in the Code and suggested that Mrs. Hoch reach out to the County Executive's office with her concerns.

Upon a motion by Mr. Hill, seconded by Mr. Torbert, and duly carried, the Board **APPROVED** the Special Exception to utilize the entire property for residential use to construct 195 residential units on the property located at the northeast corner of Toadvine Road and Snow Hill Road, based on the criteria listed in the Staff Report, particularly the criteria listed in Section V(c), and subject to the following Condition of Approval:

**CONDITIONS:**

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development, the Salisbury Fire Department, and other agencies as appropriate.

The Board vote was as follows:

<b>Sandeep Gopalan</b>	<b>Aye</b>
<b>William Hill</b>	<b>Aye</b>
<b>Maurice Ngwaba</b>	<b>Aye</b>
<b>Edward Torbert</b>	<b>Aye</b>
<b>Miya Horsey</b>	<b>Aye</b>



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**ADJOURNMENT**

With no further business, the meeting was adjourned at 6:41 p.m.

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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 City of Salisbury Department of Infrastructure and Development Department.

  
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Sandeep Gopalan, Vice Chair  
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Richard Baldwin, Secretary to the Board  
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Beverly R. Tull, Recording Secretary