

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – July 7, 2022**

Meeting Date: July 7, 2022

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbiéri, Chair
Mary Knight, Secretary
Marlene Ott
Betty Smith
Ken Church

Staff

Jennifer Keener, Director, DRP
Gary Pusey, Deputy Director, DRP
Kristen M. Tremblay, Zoning Administrator
Stu White, DRP Specialist
Robert Mitchell, Director, Environmental Programs
Roscoe Leslie, County Attorney

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, May 5, 2022

As the first item of business, the Planning Commission reviewed the minutes of the March 3, 2022 meeting.

A motion was made by Ms. Ott, seconded by Ms. Knight, and carried unanimously to approve the minutes.

B. Board of Zoning Appeals Agenda, July 14, 2022

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for July 14, 2022. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

C. Technical Review Committee Agenda, July 13, 2022

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for July 13, 2022. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Committee.

III. §ZS 1-325 Site Plan Review

- A.** As the next item of business, the Planning Commission reviewed the site plan for a proposed 3 story, 100' x 130' self-storage building, containing 217 climate controlled units totaling 39,000 sq. ft. of gross floor area. Located on the east side Racetrack Road approximately 340 feet south

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of the intersection with Taylorville Lane, Tax Map 21, Parcel 66, Lot 1, Tax District 3, C-2 General Commercial District, Maryland Medical Owners, LLC, owner / J.W. Salm Engineering, Inc., engineer. Hugh Cropper, IV, and John Salm presented the proposal. Wayne Yetman from Sina Companies was present for the review. Mr. Cropper and Mr. Salm stated that the building was placed in the easternmost portion of the parcel to preserve area to the west for future medical office development. Also, Mr. Salm stated the proposed location would not be easily noticeable from Rt. 589. Mr. Barbierri indicated that the building design did not meet all of the Worcester County Design Guidelines and Standards criteria and expressed concerns about the building's overall appearance. Mr. Cropper stated that the building could not meet all of the Design Guidelines and Standards because of the nature of the proposed use (i.e. transparencies in a self-storage unit). However, he agreed to work with the architect to add features (brick banding, etc.) in order to enhance the visual appeal of the building.

Following the discussion, a motion was made by Ms. Knight, seconded by Ms. Ott, and carried unanimously to approve the site plan with requested Design Guidelines and Standards waivers.

- B. As the next item of business, the Planning Commission reviewed the site plan for Sunrise Solar, a proposed ground mounted solar array, with a LOD of approximately 2.474 acres. Located at 3864 Grove Lane, Pocomoke, MD, Tax Map 85, Parcel 1, Tax District 1, A-1 Agricultural District, NFB, LLC, owner / Wilkins - Noble, LLC, engineer. Far Nassir was present for the review and presented the project. He stated that the solar array is proposed to generate power for the farm operation.

Following discussion, a motion was made by Ms. Smith, seconded by Ms. Knight, and carried unanimously to approve the site plan as presented.

IV. Maryland Agricultural Land Preservation Foundation (MALPF) FY23 Easement Sale Application Review and Approval

As the next item of business, The Planning Commission met with Katherine Munson, Planner V, Worcester County Environmental Programs, to review the following eleven (11) FY23 applications to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF):

1. Bixler, Nick, TM 38, P 26; Davis Road, Snow Hill; 80 acres
2. Blank, William Berger, Jr.; TM 64, P 112; 7440 Public Landing Road; 283.69 acres
3. Butler, James and Margaret Estate (William Hudson, Personal Representative); TM 91, P 47; Hilman Road, Pocomoke City; 250 acres
4. Cantwell, Mary, TM 31, P 26, 32, 33; Evans Road/Ironshire Station Road, Berlin; 183 acres
5. Fair, Freddie and Faye, TM 93, P 41; Steel Pond Road, west side, Stockton; 102 acres (re-application, previous years)
6. Fair, Freddie and Faye & Marion Butler, Matthew Butler; TM 69, P 41; Fleming Mill Road, west side, Pocomoke City, 50 acres

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7. Glad-Mar Land Co., Inc. TM 77, P 6; Whitesburg Road, Snow Hill; 110 acres
8. Larry Dean and Deborah Guy; TM 99, P 27; Hall Road; 96.75 acres
9. Holland, Mark and Ricky Holland; TM 91, P 42, 122; Hillman Road/Cedar Hall Road 80 acres
10. Piper, Wayne and Jennifer; TM 92, P 69; Sheephouse Road, Pocomoke City; 144.93 acres
11. Queponco Farms, Inc. TM 49, P 71; 6636 Basket Switch Road; Newark; TM 187.75 acres (re-application, FY22)

Ms. Munson explained as background that the MALPF program is a state program that purchases permanent agricultural easements on farmland, and that there are currently 63 MALPF easements in Worcester County on over 9,000 acres of land. She stated that it is the role of the Planning Commission to review these applications and confirm that protection of these properties is consistent with the Worcester County Comprehensive Plan and other planning documents. Maps were provided to the Planning Commission showing the location of the applicant properties in relation to protected lands, zoning and the 2006 Land Use Plan.

She noted that all FY23 applications meet the minimum requirements of the program. All properties are zoned A-1 with one property partly zoned RP. All applicant properties are within the Priority Preservation Area and within Agriculture and/or Green Infrastructure

She stated that the Worcester County Agricultural Land Preservation Advisory Board approved all eleven (11) applications at their meeting on June 7, 2022, but are recommending that only the top eight (8) be forwarded to MALPF, due to anticipation of a shortfall of funding for all applications.

In response to a question, she confirmed that the ranking system was established about a decade ago by the county commissioners. She stated the ranking of the FY23 applications is confidential so cannot be discussed in open session, and also that the ranking of the applications is not relevant to the review and approval by the Planning Commission.

Mr. Church made the motion to endorse all eleven (11) applications presented and recommend approval of all applications to the Worcester County Commissioners; Ms. Ott seconded the motion, and approval was unanimous.

V. Comprehensive Water and Sewerage Plan Amendment

As the next item of business, the Planning Commission reviewed an application for a campground expansion and wastewater project for the Island Resort Campground located in Newark, MD. This amendment proposes to amend the *Master Water and Sewerage Plan (The Plan)* for a 62 lot expansion of with modifications to the wastewater and water infrastructure. Mr. Mark Cropper and Mr. Bob Rauch submitted the amendment on behalf of Island Resort Park, Inc., the applicant. Robert Mitchell, Director of Environmental Programs, presented the staff report to the Planning Commission and Mr. Cropper and Mr. Rauch were also present and participated in the presentation and conversations with the Commission. The owners, the Ewells, were present as well.

Mr. Mitchell explained the amendment proposes a 62 lot expansion to the existing 176 lot seasonal campground. The campground has been in existence since 2005. There have been two

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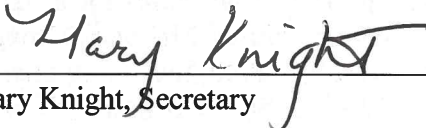
amendments to *The Plan* for this facility. They have expanded periodically within the approved and expanded planning area in concurrence with its existing land use, density, and zoning regulations. Mr. Mitchell explained the most recent expansion was in 2020 added 36 lots and that last expansion brought the permitted discharge capacity of the wastewater treatment plant near its maximum. This proposed expansion will require additional wastewater treatment capacity. This will be accomplished by proposed modifications to the existing treatment plant on TM 40 Parcel 241 and a proposed 15.44 acre spray field on TM 40 Parcel 93, which is immediately adjacent to the campground.

Mr. Church asked the owner's representatives how many campsites they had and the owner, Mr. Ewell, responded 176. Mr. Cropper introduced the amendment's purpose to the Commission and asked Mr. Ewell if he agreement with the amendment which Mr. Ewell responded that he did. Mr. Cropper reviewed the history of the property which started with the borrow pit, located where the campground's pond now sits. He further explained that the prior to 2009, a special exception was required for campgrounds in A-1 zones. After 2009, the zoning code removed the special exception requirement for A-2 zoned properties. He also clarified that this campground has become a legal non-conforming use and the owners have a choice coming for this proposed expansion. They could apply for a rezoning or apply for another special exception as they move forward.

Mr. Cropper told the Commission he agreed with the staff report and pointed out Chapter 4 of the *Comprehensive Plan* could also be mentioned as this expansion would economically benefit the county as well. He introduced Robert Rauch as the engineer for the project. Mr. Rauch told the Commission he agreed with the staff report and said while the plant can reach ENR treatment capability, it is more of a BNR plant. The difference in treatment will have no bearing on the spray irrigation as the nutrients in the treated wastewater and the volume of spray put on the fields will be much less than the needs of the crop plantings selected for the irrigated area. He was also asked about the staff recommendations and can they be adhered to, he saw no reason that they could not, and he noted they are preparing the growth allocation submittal.

The Chair, Mr. Barbieri, indicated that any motion should specifically include staff recommendations # 2 and #5, which requested that the zoning requirements be resolved and that a critical area growth allocation application be submitted within 30 days. Following the discussion, a motion was made by Ms. Ott, seconded by Ms. Smith, and to find this application consistent with the *Comprehensive Plan* and recommended that they forward a favorable recommendation to the County Commissioners. The vote was unanimous and included conditions # 2 and #5.

- V. **Adjourn** – A motion to adjourn was made by Ms. Knight and seconded by Ms. Smith. The Planning Commission adjourned at 2:15 P.M.



Mary Knight, Secretary



Stuart White, DRP Specialist