



Planning Commission MEETING AGENDA

Thursday, May 18, 2023 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes.

- a. Approval of the Draft Decision Summary from the April 20, 2023 meeting.

3. Old Business

- a. **Applicant:** Brett Ewing - Lane Engineering, LLC
Owner: 5001 SHR, L.C.
Location: Oxford Road- Poplar Hill
Nature of Request: Supplemental Growth Allocation
Request to seek a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation to reclassify 65.977 acres +/- from RCA to IDA.

4. New Business

- a. **Applicant:** Lane Engineering, LLC
File No.: 2023-933
Location: Mistletoe Hall Commerce- Business Park Lot 1
Tax Map 25, Grid 16, Parcel 0138, Lot 1
Zoning District: I
Nature of Request: Site Plan and Stormwater Management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.
- b. **Applicant:** Lane Engineering, LLC
File No.: 2023-934

Location: 28857 Fausley Wood Court, Lot 7A
Tax Map 25, Grid 16, Parcel 0138, Lot 7A

Zoning District: I

Nature of Request: Site Plan and Stormwater Management approval of a proposed two-story office building; two storage buildings; and a one-story office building with associated stormwater management, parking and landscaping.

c. **Owner:** Town of Easton

Location: Easton Point Park Annexation

Nature of Request: Consideration of the annexation of Easton Point Park (formerly Southern States Property), and a formal recommendation to the Town Council.

5. Discussion Item

6. Adjournment.



**Town of Easton Planning Commission
Draft Decision Summary**

Thursday, April 20, 2023 at 1:00 p.m.

Town Hall Chamber 2
14 S. Harrison Street, Easton

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes](https://www.eastonmd.gov/Agendas/Agendas%20and%20Minutes)
[\(eastonmd.gov\)](https://www.eastonmd.gov/)

Attendance:

Commission Members:

Jennifer Dindinger, Chairperson
Philip Toussaint, Vice Chairperson
Victoria McAndrews
William Ryall
Paul Weber
Tom Klien, Alternate

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Planner
Sharon Van Emburgh Esq, Town Attorney
Rick Van Emburgh, Town Engineer
Samantha Smith, Administrative Specialist

- 1. Call to Order**—Chairperson Dindinger called the meeting to order at 1:00 pm.
- 2. Decision Summary Review**—
 - a. March 16, 2023 - The Commission noted the following correction to the draft decision summary:
 - i. Item 4e.: Review for the accuracy of motions made.
 - ii. Item 2.: Corrected date for the February 16, 2023 Decision Summary Review.
 - iii. Item 4a.: Correction to the applicant request.
 - iv. Staff Attendance: Addition of Administrative Specialist.

Vice Chairperson Toussaint moved to approve the March 16, 2023 Decision Summary with amendments. Commissioner Weber seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- b. February 2, 2023 Comprehensive Plan and Zoning Code Workshop - The Commission noted the following corrections to the draft decision summary:
 - i. Item 2.a.i.: Grammatical corrections.
 - ii. Staff Attendance: Addition of Administrative Specialist.

Commissioner Weber moved to approve the February 2, 2023 Comprehensive Plan and Zoning Code Workshop Decision Summary with amendments. Commissioner McAndrews seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- c. March 2, 2023 Zoning Code Amendment Workshop - The Commission noted the following correction to the draft decision summary:
 - i. Item 3.: Grammatical corrections.
 - ii. Staff Attendance: Spelling; addition of Administrative Specialist.

Vice Chairperson Toussaint moved to approve the March 2, 2023 Zoning Code Amendment Workshop Decision Summary with amendments. Commissioner Weber seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. Old Business

- a. **Applicant:** Rise Up Dover Road LLC
File No.: 2023-0874
Agent: Rise Up Coffee Roasters % Zachary A. Smith
Location: 625 Dover Road, Easton, MD 21601
 Tax Map 103, Grid 0EA, Parcel 0990
Zoning: R-7A
Request: The applicant is returning for an amendment of their previously approved Temporary Use permit for a tent located at 625 Dover Road. From the past Planning Commission approval on March 16, 2023, the applicant would like to amend their Temporary Use permit to add a new kitchen facility at 625 Dover Road for “Mad Eggs”. The kitchen is fabricated from a shipping container, and will replace the food service functions currently provided by the existing trolley

unit at 618 Dover Road.

Staff recommends the following conditions:

1. At the end of the temporary approval period, the tent will be taken down and stored offsite;
2. All tripping hazards will be removed as deemed necessary by the Building Inspection Division;
3. Music from the loudspeakers is not to be played prior to 8 a.m.
4. The restroom, tables and chairs may all remain in place and ready for use;
5. Rise Up is required to obtain a building permit for the temporary structures. In addition, approval from the Fire Marshal, Talbot County Health Department and Easton Utilities Commission is required.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Applicant Presentation:

Zachary A. Smith

Ozzie Jimenz, Rise Up Roasters LLC

Public Comment — None

Commissioner McAndrews moved to approve the 2023 temporary seasonal request with the following conditions:

1. At the end of the temporary approval period, the tent and kitchen facility shall be taken down and stored offsite.
2. All tripping hazards shall be removed as deemed necessary by the Building Inspection Division.
3. Music or other amplified sounds from the loudspeakers shall not play prior to 8 a.m. or after 7 p.m.
4. The restroom, tables and chairs shall remain in place and ready for use.
5. The applicant shall obtain a building permit for the temporary structures. In addition, approval from the Fire Marshal, Talbot County Health Department and Easton Utilities Commission is required.

Commissioner Weber seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. New Business

- a. Applicant:** Benjamin and Patricia Philips
File No.: 2023-0908
Location: 710 Lomax Street, Easton, MD 21601
Tax Map 103, Grid 0EA, Parcel 0866, Lot 85
Zoning: R-10A
Request: The applicant is seeking a Supplemental Waiver Request of one (1) parking space.

Staff recommend the following condition:

1. The waiver shall not continue with the future sale or transfer of the property.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Patricia Phillips

Benjamin Phillips

Public Comment — None

Vice Chairperson Toussaint moved to approve the parking waiver request of one (1) parking space subject to the condition that with a future transfer of the property the off-street parking shall be reverted back to a total of two (2) parking spaces.

Commissioner Ryall seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- b. Applicant:** Catherine Joyce
File No.: 2023-0903
Location: 220 S. Harrison Street, Easton, MD 21601
Tax Map 105, Grid 0EA, Parcel 2107
Zoning: R-10A
Request: The applicant is seeking a Supplemental Waiver Request of two (2) parking spaces. There is an Accessory Dwelling Unit within the existing single-family dwelling requiring a total of three (3) parking spaces. The applicant proposes one (1) parallel parking space at the proposed garage.

Staff recommend the following condition:

1. The waiver be modified to request all three (3) parking spaces.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Catherine Joyce

Ross Joyce

Jim Sebastian, Alchemy Works, Inc.

Public Comment:

John Mann

James Taylor

Charles Goebel

Commissioner Weber moved to approve the parking waiver request subject to the condition that the waiver shall be modified to include a total of three (3) parking spaces. Commissioner McAndrews seconded the motion.

<u>Vote</u>	5-0
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- c. Applicant:** Callahan Signs
File No.: 2023-0912
Location: 28464 Marlboro Avenue, Easton, MD 21601
Tax Map 034, Grid 003, Parcel 0020, Lot 5
Zoning: PUD
Request: The applicant is requesting approval to allow two or more business wall signs to occupy a building with a common entrance.

Staff recommend the following condition:

1. Upon Planning Commission approval, the applicant shall obtain approval via the appropriate building permit for the installation of signage.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

John Callahan, Callahan Signs

Public Comment — None

Vice Chairperson Toussaint moved to approve the sign waiver request subject to the condition that the applicant shall obtain the appropriate building permits for the installation of the sign. Commissioner McAndrews seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- d. Applicant:** Easton Utilities Commission
File No.: 2023-0882
Agent: Madeline Selick Barbalance
Location: 8670 Commerce Drive, Easton, MD 21601
Tax Map 101, Grid 002, Parcel 004, Lot 3
Zoning: BC
Request: The applicant is requesting a continuance of the application to a future meeting.
- e. Applicant:** Naima Ventures, LLC
File No.: 2023-0914
Agent: Kendrick Daly
Location: 22, 30, 36 & 44 Jowite Street Easton, MD 21601
Tax Map 104, Grid 0EA, Parcels 1369, 1370, 1371, 1372
Zoning: R-7A, with PRD overlay
Request: The applicant is seeking site plan approval, which also includes a deviation from the landscaping and buffering requirements through a waiver request.

Staff recommends the following conditions:

1. The minimum front setback is five feet (5'), side setback is five feet (5') and the rear setback is fifteen feet (15').
2. The minimum lot size is 7,200 square feet.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Derrick Daly

Paul Rauch, Rauch Inc.

Brian Fitzgerald, Rauch Inc.

Public Comment — None

Vice Chairperson Toussaint moved to approve the site plan, including minimum setbacks, minimum lot size, and landscape waiver requests pursuant to the Planned Redevelopment Overlay District review process subject to the following conditions:

1. **The minimum front setback shall be five feet (5'); the side setback shall be five feet (5'); and the rear setback shall be fifteen feet (15').**
2. **The minimum lot size shall be 7,200 square feet.**
3. **The materials and general appearance of the new units shall remain consistent with Phase I.**

Commissioner Ryall seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion Items

- a. A workshop to present the revised drafts of the Subdivision Regulations and Zoning Code Amendments to the Town Council has been scheduled to be held on May 1, 2023 at 5:00 p.m. in the Town Council Chambers of Easton Town Hall.
- b. Mr. Lynn Thomas updated the Commission on all ongoing efforts to revise chapters of the Town's Comprehensive Plan. These updated chapters include the Introduction; Plan Background; Land Use; Municipal Growth and Community

Character. A meeting to present the first draft of the revised chapters will be scheduled at a future date.

- c. Mr. Miguel Salinas updated the Commission on the finalization of the next Comprehensive Plan Update Survey, and all ongoing public outreach efforts to balance demographic disparities. The finalized version of the survey will be distributed online and/or as focus groups in partnership with various community organizations including the Chesapeake Multicultural Resource Center. Mr. Thomas advised that there are roughly 1,000 online responses from the three current Comprehensive Plan Update Surveys.
 - d. A continuation of the Poplar Hill Supplemental Growth Allocation request is anticipated to appear on the May 16, 2023 Planning Commission agenda. This continuation is for the purpose of a Planning Commission decision to recommend the allocation request to the Town Council. The Commission further discussed sports versus passive park use as a recurring topic addressed at the April 4, 2023 Poplar Hill hearing; and assessed the community need.
 - e. Aspire Apartments is anticipated to appear on the June 15, 2023 Planning Commission agenda. The applicant appeared before the Board of Zoning Appeals on April 18, 2023 to seek a Special Exception for Multifamily Apartment Complex use, and a Variance to their site plan. The Board voted to continue the Special Exception and Variance applications to at least 180 days (October 17, 2023) to address all staff recommended conditions; and with a condition that the applicant shall receive a Planning Commission recommendation prior to the next Board of Zoning Appeals appearance.
6. **Adjournment**– Commissioner McAndrews moved to adjourn. Commissioner Weber seconded the motion. The meeting was adjourned at 3:26 p.m.

Date of Meeting: May 18, 2023

3A Supplemental

PLANNING COMMISSION

SUBJECT: **Supplemental Growth Allocation Request for Poplar Hill**

ELECTION WARD: Ward 3

STAFF CONTACT: Miguel Salinas, Director of Planning and Zoning

PURPOSE: The applicant is seeking a recommendation from the Planning Commission to the Town Council (Council) for the granting of supplemental growth allocation for the purpose of reclassifying approximately 65.977 acres of land located in the Critical Area, designated as Resource Conservation Area (RCA) to be reclassified as Intensely Developed Area (IDA).

RECOMMENDATION:

Staff: Staff supports a Planning Commission (Commission) recommendation to the Council of approval of the request to reclassify the land management designation of Tax Map 42, Parcel 57, also known as Poplar Hill, from RCA to IDA, subject to the staff condition (see below). However, staff recommends the Commission may wish to discuss the merits of the type of park proposed for the Poplar Hill prior to a recommendation.

UPDATE: 501 SHR, L.C. (applicant) is seeking a recommendation from the Commission to the Council for the granting of supplemental growth allocation from Talbot County (County) for the purpose of reclassifying approximately 65.977 acres of land located in the Critical Area and on the subject property, designated as RCA, to be reclassified as IDA. The area of land is part of a proposed mixed-use Planned Unit Development (PUD) called Poplar Hill that includes 456 residential units, a commercial area consisting of two office buildings and two retail buildings, a public park to be dedicated to the Town of Easton (Town), community open space, walking trails, two community clubhouses and swimming pools, and a satellite fire department building¹.

Supplemental growth allocation is required from the County's allocation to implement the PUD following their procedures as outlined in § 190-55.I of the County Code. The process includes a joint hearing by the planning commissions of both jurisdictions. Upon recommendations from both commissions to their respective councils, a joint hearing is held by the two councils who will make their respective decisions separately.

A growth allocation application was submitted to the Town on July 6, 2022. The Critical Area

¹ Residential consists of 108 single-family detached homes, 138 single-family attached villa townhomes, and 210 multi-family apartments.

Commission received the application on July 7, 2022. The Critical Area Commission provided comments in a letter dated July 20, 2022. Revised plans were submitted by the Town to the Critical Area Commission on October 21, 2022. The Town/ County Joint Planning Commission Public Hearing was held on April 4, 2023.

The standards for evaluation by the Town are specified in § 28-401.8.E and F of the Town Code (Zoning Code). The joint planning commission public hearing staff report is attached to this supplemental item. Below is additional or new information from staff following the public hearing,

History of the Subject Property

Since 1970, the Poplar Hill property has been planned for medium density residential land uses.

§ 28-401.8.F of the Zoning Code states that for the use of Growth Allocation, the Town shall consider certain factors including consistency with Town's adopted comprehensive plan. The staff report submitted to the Commission for the April 4th joint public hearing provided staff's analysis of this factor. The analysis stated that the State of Maryland, County, and Town growth policies are consistent in their growth management strategy; to concentrate growth in and around the Towns of Easton, Oxford, St. Michaels, and Trappe. Staff noted:

- The Poplar Hill property (subject property) is within the Town's municipal limits and is designated as a Priority Growth Area
- The subject property's planned future land use is residential (2010 Comprehensive Plan, Future Land Use Map)
- The Town supports the objective of a minimum net density of 3.5 dwelling units per acre for new development located within Priority Funding Areas
- The County's land use policies promote growth management by directing new residential, institutional, commercial, business, and industrial development in designated growth areas and incorporated towns
- An objective of the Town's comprehensive plan is to protect the quality of rivers and streams through a number of measures, including stream buffers, adherence to limited development within the Buffer and Stormwater Management (SWM) (2010 Comprehensive Plan, Sensitive Areas, Text, pp. 158-159) and the applicant is proposing an enhanced vegetative Buffer and submitted a preliminary SWM plan that demonstrates a 15% reduction in pollutants post-development

Staff reviewed Town records to determine the preferred land use and zoning of the subject property over time. The estate of Alfred T. Warner was subdivided in 1969 to create two parcels: Parcel #1 which was the approximately 133-acre property and Parcel #2 which today is the Mallard Ridge Condominiums (Plat 48/37)². The 1970 comprehensive plan showed the Poplar Hill property as an annexation priority area planned for medium density residential. The plan stated that efforts to annex the area should be undertaken to prevent the complex administrative

² The remaining area of the estate comprises the Papermill Crossing subdivision.

problems of two conflicting governmental jurisdictions concerned with overlapping problems; the most efficient services can be provided by the Town in conjunction with other newly developing areas³. The Poplar Hill property was annexed into the Town in 1975. The property was planned for medium density residential in the 1974 Comprehensive Plan⁴. The 1974 plan stated that the annexation area would provide a logical extension of the Town limits to provide land for future residential development. The 1985 Generalized Land Use Plan continued to designate the property as medium density residential and the property was zoned R-10A in which the zoning ordinance in effect at that time permitted single family detached, single-family attached, and multi-family dwellings. The Town's 1997 Land Use Map showed the subject property as planned for institutional and residential uses, most likely in anticipation of a future regional medical center.

The Town's current comprehensive plan which refers to the subject property as a Priority Development Area, in its estimate of residential development potential within the Town's municipal boundaries, identifies the subject property as a mixed-use site, or quasi-residential development, to include the future medical center. The plan estimates a medium-density residential of 4 dwelling units per acre, consistent with the Londonderry density, for half of the site which would generate an estimated 404 dwelling units. The UM Shore Medical Center is now planned for an alternative site adjacent to Route 50. In 2016, the subject property was subdivided to include a 6-acre parcel where the Temple B'Nai Israel synagogue is now built.

County Comprehensive Plan

The Town Comprehensive Plan's growth management objectives and Future Land Use Map are compatible with the County's Comprehensive Plan's land use plan for growth management.

The County's comprehensive plan strategy for keeping the County's rural character is dependent upon preserving rural lands and open space, and encouraging most future residential, commercial, and industrial growth to occur in the incorporated towns and existing Designated Growth Areas. The County's plan states that municipalities possess adequate public facilities and services and additional facilities can most efficiently be provided in the towns; the towns therefore are the logical locations for compact development and future investments in public infrastructure. The County's plan further states that concentrating residential, commercial and industrial growth in the towns will deflect development pressure from the County's agricultural and environmentally sensitive areas (*Talbot County Comprehensive Plan, Land Use Plan, Chapter 2, text, p. 2-4*). The County's land use policies state that new residential, institutional, commercial, business and industrial development should be located in Designated Growth areas and incorporated towns (*Talbot County Comprehensive Plan, Land Use Plan, Chapter 2, Policy 2.3, p. 2-3*).

IDA Locational Requirements

³ Land Development Trends, Easton Comprehensive Plan, 1970, pp. 72-74.

⁴ A portion of the Easton Club property was planned as an annexation area for low-density residential.

The Poplar Hill project proposes a mitigation of impacts to the Buffer that exceed those in adjacent IDA developments.

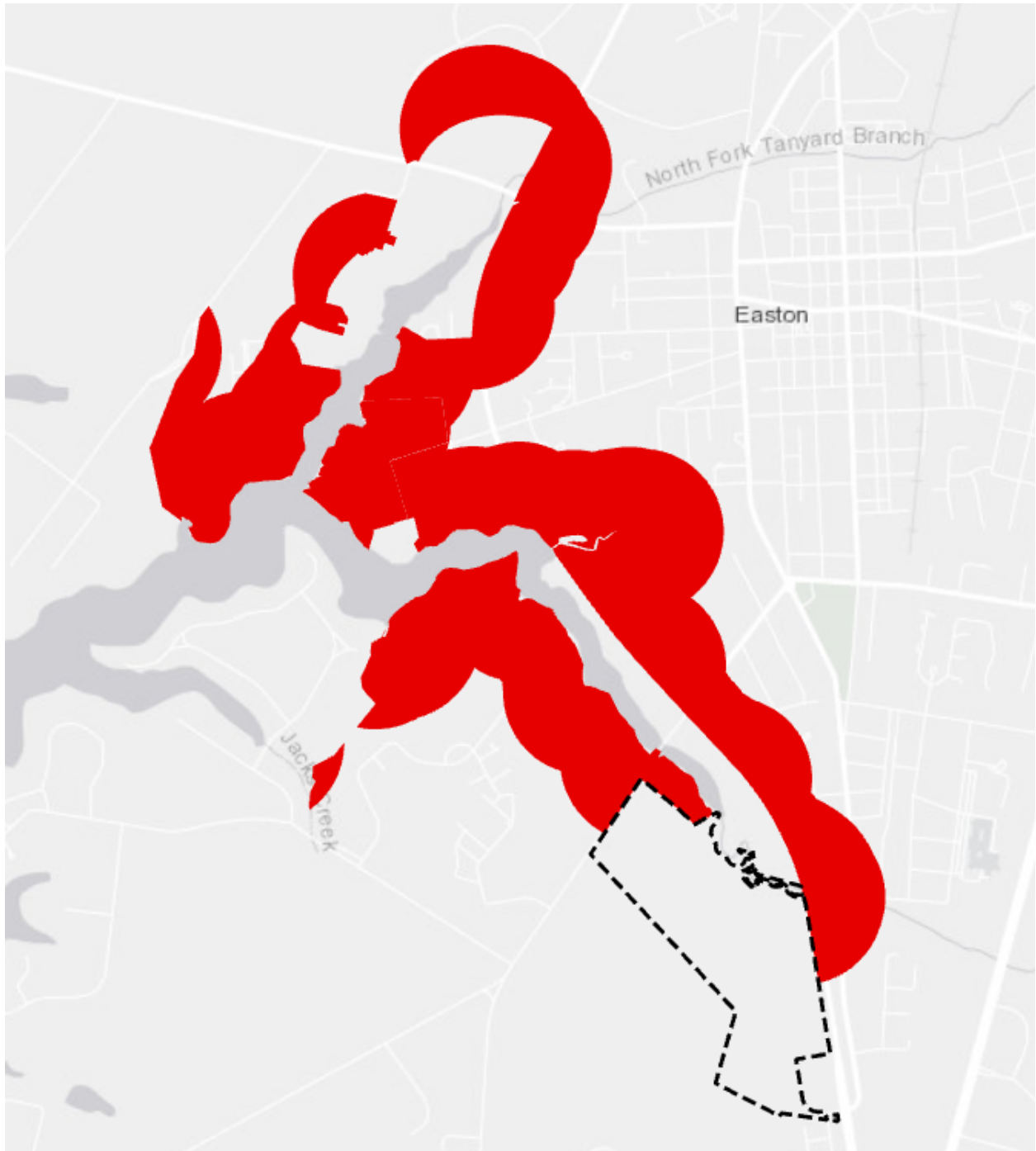
§ 28-401.8.E of the Town's Zoning Code lists the location requirements for a new IDA including: a) whether a new IDA is located in an LDA or adjacent to an existing IDA, b) whether the new IDA is located in a manner that minimizes impacts to Habitat Protection Areas and in an area and manner that optimizes benefits to water quality, and c) whether the new IDA is located where they minimize their impacts to the defined land uses of the RCA.

The staff report submitted to the Commission for the April 4th joint public hearing provided staff's analysis of these factors. Staff noted:

- The proposed new IDA is adjacent to existing IDAs mapped in the Easton Club PUD and on the east side of Route 322.
- There are no historic waterfowl staging and concentration areas on or adjacent to the subject property, there are no Habitat Protection Areas where development is proposed, there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided, and there are no specific concerns regarding potential impacts or recommendations for protection measures at this time.
- Impacts are minimized through an enhanced buffer and forest protection area adjacent to Windmill Branch.
- The proposed configuration of the project retains substantial open space in the most environmentally sensitive areas of the property.
- The Buffer Management Plan provided by the applicant protects the 100-foot Buffer (including expanded buffer areas) and fully establishes a 200' buffer area with additional plantings.
- The applicant proposes to provide an enhanced 300' Buffer with additional vegetation with the exception of areas either associated with SWM facilities and a corner of the multipurpose field within the proposed active park.
- The applicant submitted a Concept SWM Report, an ESD Calculations and 15% Phosphorus Removal worksheet, a Proposed Conditions Drainage Map, and Maryland ESD Computations, to address the Town's SWM Ordinance and the ten percent (10%) rule requirement which concludes that the proposed SWM plan results in a fifteen percent (15%) reduction of phosphorus post-development, exceeding the minimum required.

Staff reviewed existing Critical Area IDA locations adjacent to and surrounding the subject property. Areas adjacent to and surrounding Poplar Hill include Critical Area lands associated with the Tred Avon River and its tributaries. With the exception of constrained land between the Easton Parkway and the south Branch of the Tred Avon, the land management classification of these Critical Area properties is IDA and are developed lands, including the planned developments of Douglass Landing (2004), Easton Club (1993), Londonderry (1998-2008) Mallard Ridge Condominiums (1985), Papermill Crossing (1994), Pennsfield (1972-1988), and

Thread Haven (1990)⁵.



⁵ The years are based on Talbot County plat records. The list of planned developments from earliest to most recent are: Pennsfield (northern tract), Mallard Ridge Condominiums, Pennsfield (southern tract) Thread Haven, Easton Club, Papermill Crossing, Londonderry, and Douglass Landing.

Figure 1: Adjacent and Surrounding Areas to Poplar Hill with Critical Area IDA Land Management Designation

The largest development within the aforementioned area is Easton Club with approximately 340 single-family detached and single-family attached units. The property was annexed into the Town of Easton in 1981 with a land management designation of RCA. The 1985 Generalized Land Use Plan designated Easton Club as low and medium-density residential. In 1991, the Town Council agreed that the property should be added to the “Potential Growth Areas” map as the County staff confirmed that the County’s comprehensive plan envisioned Critical Area land within the Town to be IDA.

In 1992, Rock East Limited Partnership, a developer from Vienna, Virginia, requested growth allocation to develop an 18-hole golf course and 305 dwelling units on approximately 283 acres of land. Approximately 119 acres were in the Critical Area. In April of 1993, the Critical Area Commission granted a change in the Critical Area land management designation from RCA to IDA, using up almost all of the Town’s growth allocation acreage. The Easton Club PUD was approved by the Town Council in 1993 (Ordinance 254). Ordinance 284, approved in 1994, authorized the execution and delivery of a Master Development Agreement. Easton Club today has 90 single-family homes along with portions of the former golf course and associated driving range, clubhouse, and pavilion within the Critical Area. The homes along the waterways include the 100-foot Shoreline Development Buffer, although many of the lots are only partially forested with the remaining areas in turf. The build-out of Easton Club was approximately 15 years, with the majority of the homes built during the housing boom that ended in 2008⁶.

Papermill Crossing, adjacent to the subject property, also includes a 100-foot buffer along Windmill Branch. It appears from GIS parcel data and aerials that several properties have less than the minimum 100-foot Buffer and include a combination of vegetation and turf. Londonderry also meets the minimum 100-foot Buffer although some areas are not fully vegetated. Easton Village, provides a minimum 100-foot vegetated Buffer and in certain areas provide an enhanced Buffer.

ISSUES: Many comments from members of the public at the joint public hearing expressed their desire to change the proposed park from an active park to a passive meadow. There are merits to either type of park. Staff recommends the Planning Commission take into account additional considerations.

1. Inclusivity: The Poplar Hill project is adjacent to the communities of Magnolia Meadows (99 units) and Chatham Village (94 units) apartments. These two complexes provide 99 and 94 units,

⁶ Town of Easton building permit data from 2010 through 2022 shows that the average yearly absorption of new homes from planned developments is 31 units per year with a typical build-out period of planned developments between 15 and 20 years. These developments include Easton Village, Ashby Commons, Patriot Square, Cooks Hope, Meadow Gate, Hunters Mill, and Lakelands.

respectively for a total of 193 units⁷. Both projects were built using Low-Income Housing Tax Credits and provide affordable housing for families living and working in Easton. Both projects include small playgrounds. The addition of multi-family units from the proposed Poplar Hill project means that families residing in a potential 403 units will benefit from the type of parks facility that are approved as part of Poplar Hill. The park will be accessible for youth from Magnolia Meadows and Chatham Village with the construction of the 10-foot wide off-street multi-use path that will link the park to Lauren Lane⁸.

The type and design of the park facility and the amenities within it (multi-purpose fields, ball fields, basketball court, passive meadow) should not exclude the opinions and needs of certain groups of people that will benefit from Town amenities, nor should accessibility be limited. Although not homeowners, renters in multi-family buildings are equal contributors to the community, especially to the workforce. Their opinions matter and ideally their perspectives should be taken into account.

2. Park Advisory Board: The Commission would benefit from an official opinion on the type of park facility and its amenities from the Park Advisory Board who may ultimately manage and maintain the park. Further, the Park Advisory Board may have a sense of the demand for active recreational amenities that are in demand.

3. Easton Woodland Park: The Town recently purchased the 197-acre Easton Woodland Park adjacent to the subject property to the south and also adjacent to Magnolia Meadows and Chatham Village. The park will remain a passive park and will provide opportunities for nature trails through the majority-forested park. The park can provide access to the residents of these communities for their use and will be located directly behind the proposed multi-family apartments.

RECOMMENDED CONDITION:

Staff supports the following condition should the Planning Commission recommend to the Town Council approval of the supplemental growth allocation request:

1. The Conceptual Site Plan submitted with the supplemental growth allocation application is conceptual in nature and was assessed by staff for conformance to § 28-401.8.E and § 28-401.8.F of the Town Code. Approval of the supplemental growth allocation shall not infer Town of Easton Sketch Plan or PUD approval. Prior to any approval, the proposed development will be evaluated by the applicable reviewing agencies for conformance to all applicable Zoning; Subdivision; Forest Conservation; Stormwater Management; Erosion and Sediment Control; and other applicable regulations. Such review may result in modifications to the conceptual site plan.

⁷ In addition, the Greens at Cross Court apartment complex, which contains 144 market rate units, is located nearby across the Parkway.

⁸ Staff notes that Lauren Lane does not have pedestrian and bicycle facilities.

DRAFT MOTIONS:

1. I move that the Planning Commission recommend to the Town Council approval of CC-22-1, Supplemental Growth Allocation Request for, based on the Findings for Approval and subject to the staff condition.

OR

2. I move that the Planning Commission recommend to the Town Council denial of CC-22-1, Supplemental Growth Allocation Request for, based on the following findings.....

OR

3. I move an alternate motion.

ATTACHMENT:

1. Joint Public Hearing Staff Report, April 4, 2023



TOWN OF EASTON

PLANNING & ZONING

PO Box 520

Easton, Maryland 21601

(410)-822-2526

Date of Hearing: April 4, 2023

**TOWN OF EASTON/TALBOT COUNTY
JOINT PLANNING COMMISSION MEETING
JOINT PUBLIC HEARING
STAFF REPORT**

SUBJECT: Supplemental Growth Allocation Request for Poplar Hill

ELECTION WARD: Ward 3

STAFF CONTACT: Miguel Salinas, Director of Planning and Zoning

APPLICANT: 5001 SHR, L.C.

PURPOSE: The applicant is seeking a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation for the purpose of reclassifying approximately 65.977 acres of land located in the Critical Area, designated as Resource Conservation Area (RCA) to be reclassified as Intensely Developed Area (IDA).

RECOMMENDATION:

Staff: Staff supports a Planning Commission recommendation of approval of the request to reclassify the land management designation of Tax Map 42, Parcel 57, also known as Poplar Hill, from Resource Conservation Area to Intensely Developed Area, subject to conditions (see below).

APPLICATION INFORMATION:	
APPLICANT: 501 SHR, L.C. 9161 Liberia Avenue Manassas, Virginia 20110	REPRESENTATIVE: Ryan Showalter MDSW 100 N. West Street Easton, MD 21601

PARCELS/ACREAGE:	
Parcel Information	Acreage
Tax Map 42, Grid 04, Parcel 57	120.4760 acres
ACCEPTANCE DATE: July 7, 2022 Revised, October 21, 2022 Revised, January	LOCATION: Oxford Road Easton, Maryland 21601
EXISTING ZONING Residential District (R-10A)	EXISTING LAND USE: Vacant
HISTORIC DISTRICT: Not Applicable	FUTURE PLANNED LAND USE: Residential

CONTEXT:

Location/Site Access – The subject property is located adjacent to the Easton Parkway (Route 322) and Oxford Road (Route 333). Current site access from Tristan Drive which is further accessed from Route 322).

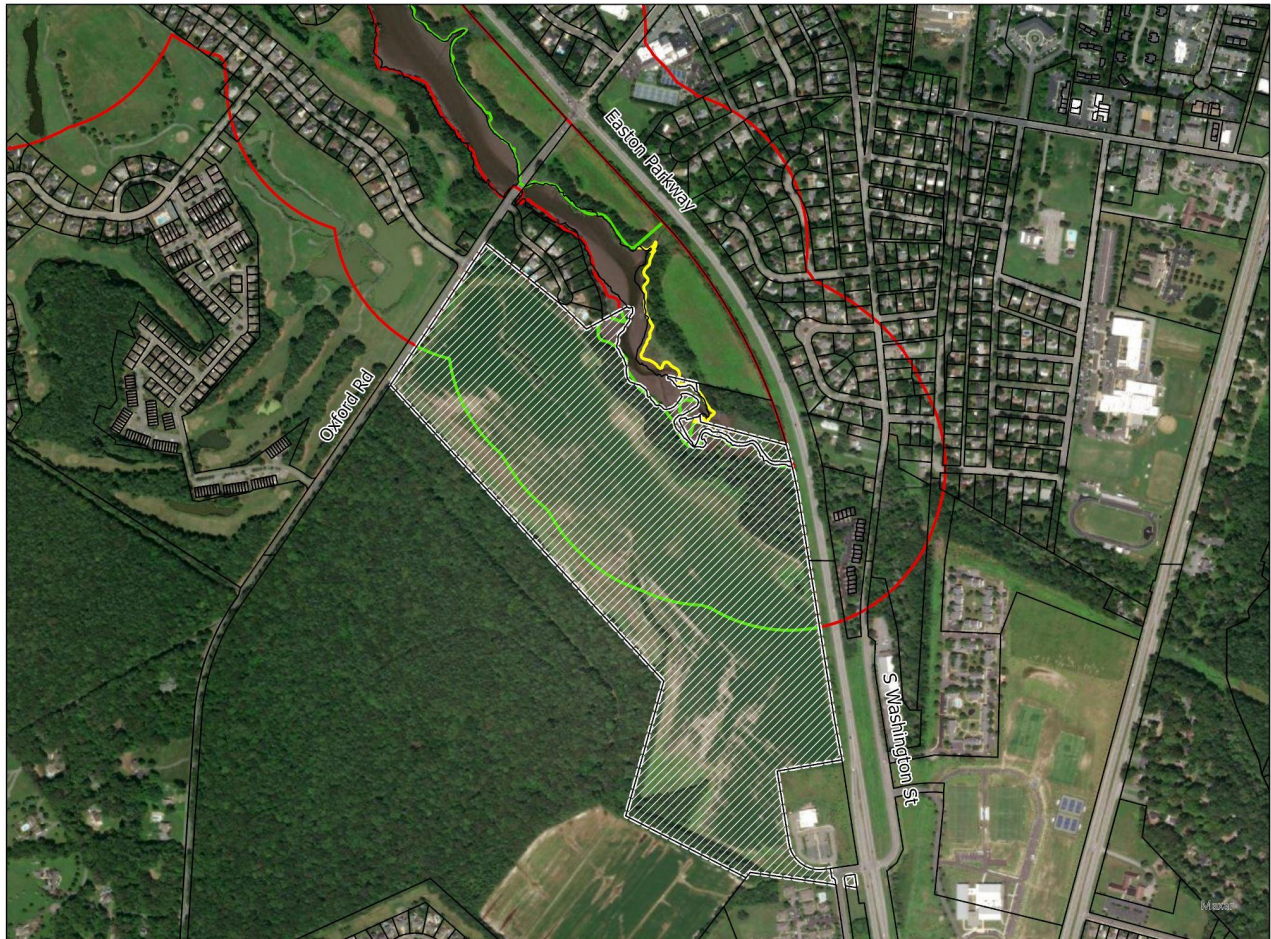
Existing Conditions – The subject property is vacant and can generally be described as an open field with minimal peripheral forest cover with the exception of the aforementioned Critical Area Shoreline Development Buffer (Buffer). There are nontidal wetlands dispersed along the subject property’s western boundary and a nontidal wetland located at the northeast corner of the subject property adjacent to an open space for the purpose of stormwater management (SWM) in the Papermill Crossing subdivision. The subject property contains a 100-foot Buffer associated with Windmill Branch. A portion of the Buffer is expanded for steep slopes and highly erodible soils. There is also a nontidal wetland adjacent to the southern end of the expanded Buffer adjacent to Route 322. There is forest cover associated with Windmill Branch. Lastly, there is a Special Flood Hazard Area (AE-5) located along the edge of Mean High Water (MHW) of Windmill Branch.

Surrounding Properties –

	<i>Land Use</i>	<i>Zoning District(s)</i>	<i>Future Planned Land Use</i>
<i>North</i>	Residential	R-10A	Residential
<i>South</i>	Institutional Residential	R-10A R-10A	Residential
<i>East</i>	Residential	R-10A	Residential

West	Vacant	R-10A	
------	--------	-------	--

Figure 1: Vicinity Map



PROPOSAL: 501 SHR, L.C. (applicant) is seeking a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation from Talbot County for the purpose of reclassifying approximately 65.977 acres of land located in the Critical Area and on the subject property, designated as Resource Conservation Area, to be reclassified as Intensely Developed Area. The area of land is part of a proposed mixed-use Planned Unit Development (PUD) called Poplar Hill that includes 456 residential units, a commercial area consisting of two office buildings and two retail buildings, a public park to be dedicated to the Town of Easton, community open space, walking trails, two community clubhouses and swimming pools, and a satellite fire department building¹.

¹ Residential consists of 108 single-family detached homes, 138 single-family attached villa townhomes, and 210 multi-family apartments.

Per the requirements of COMAR Sec, 27.01.02.06-1, the applicant submitted:

- Conceptual Site Plan (Plan)
- Environmental Features Map that indicates the delineated nontidal wetlands were verified by the Maryland Department of the Environment (MDE) and the U.S. Army Corps of Engineers
- Environmental Report
- Map showing the area of the requested growth allocation (Aerial Context Plan and Sheet 2 of the Plan)
- A growth allocation application that includes a supplemental narrative addressing growth allocation criteria
- Maryland Department of Natural Resources (DNR) letter indicating a determination there are no official State or Federal records for listed plant or animal species within the RCA
- MDE letter (included in the applicant's supplemental narrative)

Staff verified that the amount of the proposed growth allocation indicated on the Environmental Features Map and the Plan is accurate and equal to the amount of growth allocation to be deducted from Talbot County's existing total allotment of growth allocation.

Stormwater Management (SWM) information submitted includes a Concept SWM Report, Fifteen Percent (15%) Phosphorus Removal Worksheet, Proposed Conditions Drainage Area Map, and Maryland Environmental Site Design (ESD) Computations.

Other information submitted includes a Buffer Management Plan, Preliminary Intermediate Forest Stand Delineation and Forest Conservation Plan, and Non-Tidal Wetland Impact Worksheet.

BACKGROUND: The applicant submitted a PUD - General application on September 1, 2021 that included a Sketch Plan per the requirements of Section 28-701 of the Town Code (Zoning Ordinance). The submission was reviewed by the Easton Staff Development Review Committee (ESDR Committee) on September 22, 2021. The submission was forwarded to the Planning Commission for discussion at their October 21, 2021 meeting. Updates to the application were submitted on July 6, 2022 and the updated application was reviewed by the ESDR Committee at their July 27, 2022 meeting. Additional updates to the application were provided in August and October and ESDR Committee meetings were held on August 24, 2022 and October 26, 2022. The submission was again forwarded to the Planning Commission for discussion at their November 17, 2022 meeting. An update to the Transportation Impact Analysis was submitted on January 17, 2023 and an update to the PUD Sketch Plan was submitted on February 13, 2023.

As stated in the applicant's revised Supplemental Narrative for the PUD application, and as shown on the their Plan, the applicant proposes to improve the 120-acre Property with: a) residential units consisting of single-family detached homes, villa townhomes, and apartment units; b) neighborhood commercial consisting of two office buildings and two retail buildings; c) a public park to be dedicated to the Town of Easton with three multipurpose sports fields, a dog park, and parking area; d) community features, including community open spaces with walking trails and two community clubhouses with swimming pools; e) a satellite fire department building; f) public and private streets and parking areas; and g) ESD stormwater management features. The Development will include a

mix of lot sizes, home designs and uses and will have passive and active open space consisting of approximately 39 acres and bufferyards. The overall site will include 13.42 acres of forested area.

Growth Allocation

Supplemental growth allocation is required from the County's allocation to implement the PUD. A growth allocation application was submitted to the Town on July 6, 2022. The Critical Area Commission received the application on July 7, 2022. The Critical Area Commission provided comments in a letter dated July 20, 2022. Revised plans were submitted by the Town to the Critical Area Commission on October 21, 2022.

The Critical Area includes three types of land management designations: 1) Intensely Developed Areas (IDA), 2) Limited Development Areas (LDA), and 3) Resource Conservation Areas (RCA). In brief, intense development is directed within lands classified as IDA where residential, commercial, institutional, and/or industrial, developed land uses predominate or where public sewer and water collection and distribution systems are currently serving the area and housing density is greater than three dwelling units per acre². There is no Critical Area lot coverage limitation on development in the IDA (except when required by local zoning). However, new development must demonstrate a reduction in pollutant loadings by at least ten percent (10%) from pre-development levels to help improve the quality of stormwater runoff from developed areas that enter the Chesapeake and its tributary streams.

Development in low or moderate intensity uses that also contain areas of natural plant and animal habitats, and where the quality of runoff from these areas has not been substantially altered or impaired, is directed within lands designated as LDA. Development within the RCA is designated primarily for very low density residential, agriculture, forestry, fisheries activities, and for habitat protection³. Main regulatory features for development in the LDA and RCA is that lot coverage is generally limited to fifteen percent (15%) and the alteration of forest and developed woodlands is restricted and mitigated.

Growth Allocation means the number of acres of land in the Critical Area that the Town of Easton may use, or the County may allocate to municipal jurisdictions to use, to create new IDAs and new LDAs. The purpose is to authorize a change in the Critical Area classification to develop at a higher density or use than the current classification allows. A growth allocation changes the designation of land in the Critical Area from a less intense to a more intense land management designation (for example RCA to LDA or IDA). The Town was granted growth allocation equal to five percent (5%) of the RCA acreage located within the Town at the time of local Critical Area law adoption in 1985. As of this date, the Town has utilized all of its growth allocation.

Talbot County was granted a growth allocation of 2,554 acres, which also equaled five percent (5%) of the RCA acreage within the County at the time of the original Critical Area Program adoption. In 1985, Talbot County provided a portion of their growth allocation to the Towns of Easton, Oxford,

² The density requirement is in-line with the PFA requirement of 2.5 du's per acre for existing residential communities within municipal boundaries and the PFA requirement of 3.5 du's for areas within a locally designated growth area (see PFA footnote 6).

³ Density is restricted to one dwelling unit per 20 acres.

and St. Michaels. The County provided 155 acres of growth allocation to the Town of Easton to allow properties to be reclassified from RCA to LDA or IDA⁴. An additional 508 acres of growth allocation was provided to the Towns of Oxford and St. Michaels, leaving the County with a remaining 1,872.38 acres that may be used for growth allocation⁵.

To date, the Town has used the 155 acres granted by the County for reclassification from RCA to LDA or IDA and has 16.49 acres left for reclassification from LDA to IDA. Chapter 190 of the County's Code (County Code) allows for a property owner, through the Town, to apply for a supplemental growth allocation if the Town has used all of its allocation. Applications are reviewed on a case-by-case basis following the procedures outlined in the County Code § 190-55.I, which includes a joint hearing by the Planning Commissions of both jurisdictions. Upon recommendations from both Commissions to their respective Councils, a joint hearing is held by the two Councils who will make their respective decisions separately. § 190-55.I of the County Code also specifies the submission and review procedures and standards for evaluation by the County. The standards for evaluation by the Town of Easton are specified in § 28-401.8.E and F of the Town Code.

OUTSTANDING ISSUES: There are no outstanding issues.

ANALYSIS:

I. Criteria for Approval - § 28-401.8.F of Town Code (Zoning Code) states that for the use of Growth Allocation, the Town of Easton shall consider the factors below, followed by staff's analysis.

A. Consistency with Town of Easton's adopted comprehensive plan and whether the Growth Allocation would implement the goals and objectives of the adopted plan.

Analysis – The State of Maryland, Talbot County (County), and the Town of Easton (Town) growth policies all approach growth management in the county by concentrating that growth in and around the Towns of Easton, Oxford, St. Michaels, and Trappe. The County's land use policies specifically promote growth management by directing new residential, institutional, commercial, business, and industrial development in designated growth areas and incorporated towns. Focusing compact growth in incorporated towns is a logical strategy; these locations are where municipalities possess and invest in public facilities and services.

The subject property is within the Town's municipal limits and is designated as a Priority Growth Area. The existing land use is vacant and agriculture with a planned future land use of residential (*2010 Comprehensive Plan, Future Land Use Map*). To limit the geographic outward expansion of

⁴ The County also allocated 24 acres to the Town of Easton to be used for properties to be reclassified from LDA to IDA. There are 16.49 acres remaining in this category.

⁵ The County added 5.38 acres from the original allocation due to the reclassification of property from LDA to RCA. With the County's comprehensive plan's growth management strategy to concentrate and focus development within or near municipal boundaries (growth and development areas), combined with the County's very low-density zoning of one dwelling unit per 20 acres (with the exception of villages, established residential subdivisions, and limited commercially-zoned properties), the likelihood of the County using a majority of their growth allocation is extremely low.

the Town and to slow the demand for more land, the Town supports the objective of a minimum net density of 3.5 dwelling units per acre for new development located within Priority Funding Areas (PFA)⁶ (*2010 Comprehensive Plan, Land Use, p. 45*). The Plan's overall gross density is 3.78 dwelling units per acre. When factoring out areas that include open space, parks, buffers, SWM, forested areas, and other amenities, the net density is 5.6 acres.

Given that the State, County, and Town growth policies assert that growth should be concentrated in and around Easton, there needs to be a delicate balance between new development and sensitive areas. The quality of rivers and streams within the Town are protected through a number of measures, including stream buffers, adherence to limited development within the Buffer and SWM (*2010 Comprehensive Plan, Sensitive Areas, Text, pp. 158-159*). A goal of the Town is to protect and, where possible, enhance the natural environment of the Town and its environs while recognizing its role as a regional growth center. The objectives to achieving this goal are to: a) identify and protect environmentally sensitive areas during the initial stages of the development review process, b) direct development, whenever possible, away from environmentally sensitive areas so that impacts are avoided to the greatest extent possible, and c) coordinate, and where necessary enhance, sensitive areas protection with other Town environmental programs such as the Critical Area Program, the Forest Conservation Ordinance, the Floodplain Ordinance, and the SWM Ordinance (*2010 Comprehensive Plan, Sensitive Areas, p. 167*). Additional goals include to minimize and mitigate adverse impacts to water quality, protect the 100-year floodplain, and identify and protect Habitats of Threatened and Endangered Species (*2010 Comprehensive Plan, Sensitive Areas, p. 169*).

The applicant proposes a balance in the Plan between the proposed land uses and sensitive areas through a proposed mixed-use, compact, and walkable development that identifies and enhances the sensitive areas associated with Windmill Branch. Buffers have a dual function of protecting streams from disturbance and encroachment from adjacent land uses while playing a role in filtering pollutants. The applicant submitted a Buffer Management Plan that proposes to fully establish the 100-foot expanded Buffer and further extend the fully established Buffer to 200 feet. The Plan also proposes to provide an enhanced 300' Buffer with additional vegetation with the exception of areas either associated with SWM facilities and a corner of the multipurpose field within the proposed active park⁷. Plantings include a combination of 2" caliper canopy trees and bare-root seedlings at 700 stems per acre. The nontidal wetland and wetland buffer located adjacent to Route 322 will also remain undisturbed and the same located adjacent to Route 333 at the northeastern corner of the subject property will remain undisturbed.

⁶ PFA's are designated and certified by local jurisdictions where local governments prefer growth to occur and where collaboration with State agencies to direct resources and investments into that area are desired. They generally include lands within municipal boundaries that are zoned for industrial or employment uses and where average residential densities are a minimum 2 dwelling units per acre and are on a public sewer system. Lands annexed by a municipality that are within a locally designated growth area, planned to be served under an approved 10-year water and sewer plan, and where there is permitted an average density of not less than 3.5 units per acre in areas designated for residential use or development are also eligible for PFA certification.

⁷ The SWM ponds are designed to capture and manage 2-year and 10-year storm events. Best practices for stream protection are to locate these ponds at a minimum 100 feet from streams. In this case, the applicant's Plan proposes the location of the ponds between 200 and 300 feet from the stream with a 200-foot forested buffer that can provide additional filtration for stormwater runoff.

Applicant's Response

The applicant's supplemental narrative provides thorough responses to this criterion. The applicant states that the Community Character Chapter of the Town's Comprehensive Plan promotes certain design principles, including integrated uses and the preservation of natural features: "Above all else, neighborhood development can be environmentally responsible by providing adequate opportunities for walking to jobs, convenient retail, and community facilities." The applicant notes that the proposed PUD is designed to achieve these design goals by creating a walkable community with foot-path access to public open space and appropriately scaled neighborhood commercial. The applicant points out that development is also configured to avoid the most environmentally sensitive features near existing tidal areas. Lastly, the applicant states that the site of the proposed PUD is adjacent to the existing Easton Club neighborhood, creating continuity from neighborhood to neighborhood.

The applicant states that The Housing Chapter of the Town's Plan contains several goals and objectives aimed at promoting a mix of housing types. The first goal is to ensure that "housing in Easton is safe, sanitary, structurally sound and safeguards or upgrades neighborhood design." The applicant states the Plan proposes to accomplish this goal by achieving "a density that creates a sense of place, uses infrastructure efficiently, produces pedestrian-friendly neighborhoods and accommodates plans for transit" and further, by providing "open spaces; using landscaping to accentuate the natural environment and giving visual connectivity; preserving natural assets, community identity and environmental and health standards."

Another goal the applicant notes is to ensure "a more heterogeneous mix of price points in future residential projects" by, among other things, providing "density bonuses in projects for the inclusion of low and moderate-income housing units." The applicant states the proposed growth allocation will help the Town meet these goals by offering three distinct types of housing at different price points, single family residences, townhomes, and multifamily apartments, and that the development will create a unique sense of place with limited neighborhood commercial uses, significant open space, and pedestrian trails while being configured to preserve sensitive environmental areas near tidal waters.

The applicant states that the Parks, Recreation, and Open Space Chapter includes the goal of providing "a system of green infrastructure (see Future Land Use Map)" and the objective of identifying "appropriate open space areas to serve as green centers or anchors and connect them through a series of pathways and green corridors." The applicant notes the proposed development plan for Poplar Hill calls for the establishment of substantial open space, including playing fields and creates a new open space anchor in south Easton. The applicant points out that the location of the proposed open spaces also offers potential future connectivity to other Town parks and trails. The applicant also notes that the location is extremely close to the Talbot County YMCA, which is listed in Table 12 of the Parks, Recreation, and Opens Space Chapter as a quasi-public special park area.

Regarding the Transportation Chapter of the Comprehensive Plan, the applicant states the following objective: "Require future development to occur based on a gridded street system which includes accommodations for pedestrians and bicycles." The applicant notes the Town's Proposed Bicycle

Routes Map shows a planned bicycle connection running past the Oxford Road entrance to the Poplar Hill site through the intersection of Oxford Road and Easton Parkway and continuing into downtown via Peachblossom Road. The applicant further notes that the proposed development adheres to the objective of promoting pedestrian and bicycle activity, as shown in the PUD plans submitted to the Town.

The applicant concludes that the Poplar Hill project is consistent with the timing of Plan implementation; the timing of development; the timing of rezoning; development patterns; land uses; and densities and intensities. The applicant notes that the property is recognized as an area of potential development by the Town and an application for a PUD overlay zoning district is currently pending. The proposed project is also consistent with development patterns within the Town, being adjacent to the Easton Club and across the parkway from downtown Easton. In terms of densities or intensities, the applicant states the Poplar Hill project seeks to make the most efficient use of the land by offering a variety of housing types and options while preserving open space and protecting sensitive environmental areas; and the proposed densities are consistent with the designation of the subject property as a PFA.

B. For a map amendment or refinement involving a new LDA, whether the development is: (a) to be served by a public wastewater system or septic system that uses the best available nitrogen removal technology; (b) a completion of an existing subdivision; (c) an expansion of an existing business; or (d) to be clustered.

Analysis – This factor is not applicable.

C. For a map amendment or refinement involving a new IDA, whether the development is: (a) to be served by a public wastewater system; (b) if greater than 20 acres, to be located in a designated Priority Funding Area; and (c) to have a demonstrable economic benefit.

Analysis – The subject property is designated a Priority Funding Area⁸. Easton Utilities reviewed the PUD Sketch Plan submittal and confirmed that the property will be served by their public wastewater system; capital charges were estimated.

The applicant's Environmental Report states that the proposed growth allocation for Poplar Hill is consistent with the policies in the Town of Easton's Comprehensive Plan where the Land Use Chapter of the Comprehensive Plan contains the following goals: "to limit the geographic outward expansion of" the Town and "to achieve a more balanced and integrated mix of land uses within the Town" by, among other things, promoting neighborhoods with "an integrated mix of residential, neighborhood-scale commercial, civic, and open space uses". The Applicant notes that the proposed growth allocation helps the Town achieve these goals and objectives by concentrating new development within the Town's existing boundaries, which reduces pressure for additional annexations, and by establishing a planned, mixed-use community featuring a variety of housing types, substantial open space, public park areas, and appropriately scaled neighborhood commercial uses.

⁸ <https://mdpgis.mdp.state.md.us/PFA/publicinfotemplate/index.html>

The applicant also notes that The Property is identified in the Comprehensive Plan's Municipal Growth Chapter as an area of potential infill/redevelopment within a Priority Development Area, as identified in the 2004 Comprehensive Plan (*2010 Comprehensive Plan, Municipal Growth, p. 53*). They further state that, of the four remaining Priority Development Areas, the Property has the greatest infill/redevelopment potential in terms of the potential number of units. Thus, the Comprehensive Plan anticipates build out of the Poplar Hill site on the scale envisioned by the applicant.

The applicant also states in their supplemental narrative that the proposed growth allocation will have a demonstrable economic benefit to the area by creating temporary jobs associated with construction along with permanent jobs to operate the limited neighborhood commercial uses and to maintain the residences and other improvements within the development. The applicant adds that job creation or retention may also occur in connection with the addition of playing fields, which require athletic program direction and maintenance. The applicant notes that the proposed growth allocation will also provide a mix of single family, townhome, and multi-family housing options, including affordable housing, and will enhance the Town's appeal through increased public open space and walking trails. The applicant states that expanded housing choices benefit the local economy through increased job retention and financial stability. They further state that additional open space also provides benefits by promoting active lifestyles, enhanced property values, and recreational activities.

D. The use of existing public infrastructure, where practical.

Analysis – The property is mapped W-1/S-1 immediate priority service. The proposed development will access public water and sewer served by Easton Utilities. Easton Utilities will also serve the development for dry utilities including electric gas, and internet. Solid waste management and recycling is provided through the Town of Easton. The subject site is near the intersection of two arterial roads - Routes 322 and 333 - and will be accessed from both state roads. A Traffic Impact Analysis (TIA) was submitted by the applicant and reviewed and approved by the Maryland Department of Transportation's State Highway Administration with one comment. Further review will occur as part of the PUD Sketch Plan process.

E. Consistency with State and regional environmental protection policies concerning the protection of threatened and endangered species and species in need of conservation that may be located on- or off-site.

Analysis – The Maryland DNR's Wildlife and Heritage Service determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, there are no specific concerns regarding potential impacts or recommendations for protection measures at this time.

F. Impacts on a priority preservation area.

Analysis – This factor is not applicable.

G. Environmental impacts associated with wastewater and stormwater management practices and wastewater and stormwater discharges to tidal waters, tidal wetlands, and tributary streams.

Analysis – COMAR 27.01.02.06-1 specifies the growth allocation submittal requirements to include an environmental report that demonstrates that the project has been designed and will be constructed in compliance with all requirements of the proposed Critical Area land classification. COMAR 27.01.02.06-2 specifies the contents of the report, including the method and description of proposed stormwater management, all qualitative and quantitative management measures; and the preliminary plan for compliance with the ten percent (10%) pollutant reduction rule with all worksheets and supporting documentation. The Plan has to meet the Critical Area Commission's requirement for IDA's that stormwater management technologies reduce pollution loadings by at least ten percent (10%) below the level of pollution on the site prior to development, with SWM preferred onsite.

The applicant submitted a Concept SWM Report, an ESD Calculations and 15% Phosphorus Removal worksheet, a Proposed Conditions Drainage Map, and Maryland ESD Computations, to address the Town's SWM Ordinance and the ten percent (10%) rule requirement. As described in the applicant's Environmental Report, the SWM features proposed to be utilized are shown on the Plan & SWM Plan and include Best Management Practices such as micro infiltration, non-roof top disconnection, bioswales, and grass swales. Per MDE's growth allocation review recommendations, the applicant redesigned the plans to completely avoid existing nontidal wetlands at the northeastern end of the site near the Easton Parkway and the Commercial use area. The report concludes that the proposed SWM plan results in a fifteen percent (15%) phosphorus post-development, exceeding the minimum required.

In a comment letter dated October 25, 2022, the Engineering Department approved the sketch SWM with conditions.

H. Environmental impacts associated with location in a coastal hazard area or an increased risk of severe flooding attributable to the proposed development.

Analysis – The proposed development is not located in a coastal hazard area and will not cause any increased risk of severe flooding.

II. Consistent with § 8-1808.1 of the Annotated Code of Maryland, § 28-401.8.E of the Town's Zoning Code lists the location requirements for a new IDA.

A. A new IDA shall only be located in an LDA or adjacent to an existing IDA.

Analysis – The proposed new IDA is adjacent to existing IDAs mapped in the Easton Club PUD and on the east side of Route 322.

B. The new IDA shall be located in a manner that minimizes impacts to Habitat Protection Areas and in an area and manner that optimizes benefits to water quality.

Analysis – Historic Waterfowl Staging and Concentration Areas are areas of open water and adjacent marshes where waterfowl gather during migration and throughout the winter season. According to the Maryland Living Resources iMap data catalog, there are no historic waterfowl staging and concentration areas on or adjacent to the subject property. There are no Habitat Protection Areas where development is proposed. As previously stated, the Maryland DNR's Wildlife and Heritage Service determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. The letter concludes that there are no specific concerns regarding potential impacts or recommendations for protection measures at this time.

C. A new IDAs shall only be located where they minimize their impacts to the defined land uses of the RCA.

Analysis – The proposed IDA is at the intersection of two arterial roads and impacts are minimized through an enhanced buffer and forest protection area adjacent to Windmill Branch. The applicant's supplemental narrative notes that the proposed IDA will be adjacent to, and located in between, two existing IDAs within the Town. They further state that locating the proposed IDA in this area minimizes impacts to defined land uses of the RCA by concentrating new development in an area with existing development. In addition, they state the proposed configuration of the project retains substantial open space in the most environmentally sensitive areas of the property, namely those areas near tidal waters. The applicant points out that the Buffer Management Plan protects the 100' Buffer (including expanded buffer areas) and enhances the 200' buffer area with additional plantings. Lastly, the applicant states that the proposed growth allocation will minimize impacts to agricultural land in Talbot County by concentrating new development within the Town of Easton where greater density is permitted instead of creating sprawl in outlying, lower density agricultural areas.

D. New IDA's shall be at least 20 acres in size unless they are contiguous to an existing IDA or located in an LDA.

Analysis – The proposed new IDA is 65.977 acres.

E. A new IDA shall be located at least 300 feet beyond the landward edge of tidal wetlands or tidal waters.

Analysis – In response to Critical Area Commission comments and after a site visit with their staff and Town staff on August 4, 2022, the applicant states that the Plan and Buffer Management Plan delineates the 300-foot setback. The proposed improvements within the 300-foot setback total 1.15 acres, which include a portion of a grass sports field, SWM features, and a community walking path. Of these, only the community walking path comprising 0.06 acres is considered lot coverage. The applicant proposes to offset the 1.15 acre impacts to the 300-foot setback with: 1) an enhanced 200' and 300' planting offset establishment consisting of 3.35 acres of plantings (2" caliper trees and seedlings), or 2.9 times the proposed impacts to the 300' setback, and 2) educational signage for SWM features. The applicant states that although they may elect to treat stormwater in excess of the

10% pollution reduction standard, they recognize that the Critical Area Commission may not accept this as an offset for impacts to the 300-foot setback area. The applicant notes the enhanced 200-foot and 300-foot Planting Offset Establishment is an addition to 1.46 acres of buffer establishment within the Buffer and expanded Buffer.

F. The new IDA shall conform to all criteria of The Town of Easton for such areas, shall be so designated on The Town of Easton Critical Area Maps and shall constitute an amendment to this Chapter subject to review and approval by The Town of Easton Planning and Zoning Commission, the Mayor and Council and the Critical Area Commission as provided herein.

Analysis – The procedure for the change in the land use management designation for the subject property is following the procedures as specified in COMAR, the Town Zoning Ordinance, and the County Code. The analysis of conforming to the criteria for the location of a new IDA is outlined above.

RECOMMENDED CONDITION:

Staff supports the following condition should the Planning Commission recommend to the Town Council approval of the supplemental growth allocation request:

1. The Conceptual Site Plan submitted with the supplemental growth allocation application is conceptual in nature and was assessed by staff for conformance to § 28-401.8.E and § 28-401.8.F of the Town Code. Approval of the supplemental growth allocation shall not infer Town of Easton Sketch Plan or PUD approval. Prior to any approval, the proposed development will be evaluated by the applicable reviewing agencies for conformance to all applicable Zoning; Subdivision; Forest Conservation; Stormwater Management; Erosion and Sediment Control; and other applicable regulations. Such review may result in modifications to the conceptual site plan.

DRAFT MOTIONS:

1. I move that the Planning Commission recommend to the Town Council approval of CC-22- 2, Supplemental Growth Allocation Request for, based on the Findings for Approval and subject to the staff condition.

OR

2. I move that the Planning Commission recommend to the Town Council denial of CC-22-2, Supplemental Growth Allocation Request for, based on the following findings.....

OR

3. I move an alternate motion.

ATTACHMENTS:

1. Growth Allocation Application Supplemental Narrative Dated July 6, 2022
2. Aerial Context Plan
3. Poplar Hill PUD Sketch Plan, January 27, 2023
4. Elevation - Apartments
5. Exhibit (Oxford Road Perspective)
6. Exhibit (Oxford Road Section)
7. Environmental Features Plan
8. Critical Area Environmental Report, Revised October 5, 2022
9. Stormwater Management Narrative, Revised November 1, 2022
10. Maryland ESD Calculations and 15% Phosphorus Removal Worksheet
11. Maryland Environmental Site Design Computations
12. Proposed Conditions Drainage Area Map
13. Buffer Management Plan
14. Intermediate Forest Stand Delineation and Preliminary Intermediate Forest Conservation Plan
15. Nontidal Wetland Impact Worksheet
16. Applicant Response to Critical Area Commission Staff Comments Letter Dated October 5, 2022
17. DNR Heritage Review Letter dated March 26, 2021
18. SHA Response Letter, dated December 12, 2022
19. Transportation Impact Analysis, Revised January 17, 2023 (revised in response to SHA comments)



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

May 3, 2023

Dear Resident,

The Easton Planning Commission will hold a public meeting on **Thursday, May 18, 2023 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that a Supplemental Growth Allocation Request for Oxford Road - Poplar Hill has been filed. The applicant is seeking a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation for the purpose of reclassifying approximately 65.977 acres of land located in the Critical Area, designated as Resource Conservation Area (RCA) to be reclassified as Intensely Developed Area (IDA).

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies are also available for review via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith
Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 05/01/23
	Ad Date: 05/03/23
	Class: 10
Name: Joanne Drummer	Ad ID: 3021135
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 250
	Lines: 45
Telephone: (410) 822-2525	Agate Lines: 216
Email:	Depth: 6.0
Description: Planning Comm Meeting	Inserts: 2
	Blind Box:

Other Charges: **\$0.00** Total:
Discount: **\$0.00**
Surcharge: **\$0.00** Paid Amount:
Credits: **\$0.00**
Bill Depth: **6.0** Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	05/03/23	05/03/23	1	

Ad Note:

Customer Note:

Planning Commission MEETING AGENDA	
Thursday, May 16, 2023 - 7:00 PM Council Chambers, Easton Town Office 14 S Harrison Street	
1. Call to Order	
2. Approval of Minutes	
3. a. Approval of the Draft Decision Summary from the April 20, 2023 meeting.	
3. Old Business	
a. Applicant: Brett Ewing - Lane Engineering, LLC	
Owner: 5001 SHR, LLC	
Location: Oxford Road, Poplar Hill	
Nature of Request: Supplemental Growth Allocation Request to seek a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation to reclassify 65.977 acres +/- from RCA to IDA.	
4. New Business	
a. Applicant: Lane Engineering, LLC	
File No.: 2023-833	
Location: Middlebrook Hall Commerce-Business Park Lot 1	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 1	
Nature of Request: Site Plan and Stormwater Management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.	
b. Applicant: Lane Engineering, LLC	
File No.: 2023-834	
Location: 2887 Fausley Wood Court, Lot 7A	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 7A	
Nature of Request: Site Plan and Stormwater Management approval of a proposed two-story office building, two storage buildings, and a one-story office building with associated stormwater management, parking and landscaping.	
c. Owner: Town of Easton	
Location: Easton Point Park Annexation	
Nature of Request: Consideration of the annexation of Easton Point Park (formerly Southern States Property), and a formal recommendation to the Town Council.	
6. Discussion Item	
6. Adjournment.	
3021135 SD	5/3/2023



Sign posted on May 3, 2023

We Appreciate Your Business!
Thank You Joanne Drummer!

Papermill Crossing Homeowners Assn.
7585 Pollys Hill Lane
Easton, Maryland
3 November 2022

Mr. Lynn B. Thomas, Jr.
Town Planner
Town of Easton
14 S. Harrison Street
P.O. Box 520
Easton, Maryland 21601

Mr. Brennan Tarleton
Planning Officer
Talbot County
215 Bay St # 2
Easton, Maryland 21601

Re: Request for Supplemental Growth Allocation for Development of Poplar Hill Farm

Dear Messrs. Thomas and Tarleton:

I am the President of the Papermill Crossing Homeowners Association, representing homeowners who are concerned about development of the former Poplar Hill Waterfowl Sanctuary. A Manassas, Virginia developer, 5001 SHR, L.C., has proposed a planned use development (PUD) that would place 456 dwelling units and four commercial/retail buildings totaling 98,000 square feet on the property. Of these, 272 dwelling units and 40,000 square feet of retail/office space would be built on the 66 acres of the property that are located within the Chesapeake Bay Critical Area. Because this would require use of growth allocation and the Town has used all its growth allocation, 5001 SHR, L.C. submitted a request for an additional growth allocation from Talbot County and the Town of Easton on 6 July 2022. This letter responds to that request and urges that it be denied.¹

1. Introduction.

The Maryland Critical Area Program has three goals:

- a. To minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- b. To conserve fish, wildlife, and plant habitat; and

¹ SHR 5001, L.C. has separately submitted and subsequently revised a Planned Use Development (PUD) package for this development and then amended it again. Although there is considerable overlap in our objections to the application for an additional growth allocation and our objections to the PUD, this letter focuses primarily on the additional growth application and we may supplement our views on the PUD later.

c. To establish land use policies for development in the Chesapeake Bay Critical Area... which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.²

The request for an additional growth allocation to change 66 acres of critical area now classified as Resource Conservation Area (RCA) to Intensely Developed Area (IDA) should not be approved because, if implemented as proposed, it does not advance any of the goals of the Maryland Critical Area Program.

5001 SHR, L.C. has submitted an application for an additional growth allocation for 66 acres of Critical Area designated as Resource Conservation Area (RCA), a label that aptly describes the original intention for this area when the Chesapeake Bay Critical Area Program was established. Among other protective measures, RCA designation only allows construction of 1 dwelling unit per 20 acres, or a total of 3 dwelling units in this case. 5001 SHR, L.C. asks that all 66 acres be redesignated as Intensely Developed Area (IDA), which also aptly describes the end state if this request is approved. In fact, 5001 SHR, L.C. proposes to build 272 dwelling units in just those 66 acres, and 184 more outside the Critical Area. The development will also include 98,000 square feet of retail/commercial buildings and associated parking, of which 40,000 square feet will be within the Critical Area.

The application recites compliance with a list of requirements, many of which are not in dispute. But even if the request were to meet every technical requirement (and the applicant has not demonstrated such compliance), a request for reallocation is an extraordinary request and should not be granted unless the planning commissions, governing councils, and Critical Area Commission, exercising their sound judgment, determine that the request will achieve the goals of the Maryland Critical Area Program.³

2. What Is at Stake for Future Generations.

Whether you call it Papermill Pond, the Tred Avon River, or Windmill Branch, the stream to the north and east of the project that the designated Critical Area protects is special. The water slowly ebbs and flows in broad, lazy, S-curves into the recesses of marsh. Upstream of Oxford Road, there are no piers or boatlifts, only nooks and crannies, mud, grasses, and reeds - the nurseries of the Chesapeake Bay. The stream is tidal, sometimes full, sometimes almost empty, always changing. One consequence of this is that even pollutants deposited downstream, at

² MD Natural Resources Art. § 8-1808(d)

³ Talbot County's state-approved program expressly makes this point: "The fact that an application for growth allocation complies with the specific requirements and standards shall not be deemed to create a presumption that the proposed growth allocation would be compatible with surrounding land uses, and is not, in itself, sufficient grounds to require approval." Talbot County Code 55.5.F.5 .

the marsh along Oxford Road, will be deposited back upstream in the nurseries and breeding areas twice a day. Other pollutants from this development will be discharged directly from outfalls planned for the upper reaches of Papermill Branch. It is home to perch in the spring, mud shad, carp, and recently, snakeheads. It contains snapping turtles, terrapins, and muskrats. From February to June, the shallows are full of minnows. Herons, ospreys, and bald eagles feast on all this. Five eagles perched in one of our community's trees to work the pond this past spring. On occasion, wild turkeys fly back and forth from one bank to the other and strut through the field.

The field previously known as the Poplar Hill Waterfowl Sanctuary is also special because it provides Easton residents a convenient, accessible location to see one of the spectacles of nature, which informs Easton's conservation values. Each fall, flocks of hundreds to thousands of migratory Canadian geese use the field to feed and to loaf where they are easily visible to passersby on Oxford Road. Because of its proximity to Papermill Pond and location within the Town of Easton, this field was treated as a wildlife habitat of local significance from sometime before 2005 until 2018, prominently proclaimed by a large sign on Oxford Road that labeled it as "Waterfowl Sanctuary - Project of Waterfowl Festival Inc., Easton MD."⁴ The sign was only removed after the property went up for sale. This is perhaps the last relatively large plot of Critical Area left within Easton, and affords Easton perhaps the last chance to protect this important resource within town boundaries.

3. The Request for Additional Growth Allocation Must Be Disapproved Because It will Not Achieve the Goals of the Maryland Critical Area Program.

A. The proposal will not achieve the core goals of the Maryland Critical Area Program because it will not minimize adverse impacts on water quality, a core goal of the Maryland Critical Area Program.⁵

While 5001 SHR, L.C.'s proposal contains some elements to reduce the impacts of the intense development planned for the Critical Area, it has not shown that it will minimize adverse impacts on water quality and will not minimize runoff.⁶ The issues start with fundamental design. The intensive development in the Critical Area speaks for itself as to the burden it will place on the environment. See Attachment E. 5001 SHR, L.C.'s proposal will build 272 dwelling units in the 65.9 acres of RCA Critical Area alone - substantially more than Gannon Estates will place (200 dwelling units) on its entire 76.3 acres, none of which is Critical Area. In fact 5001 SHR, L.C. will place 62% of its dwelling units in the Critical Area. 5001 SHR, L.C.'s development will also include 40,000 square feet of retail/commercial buildings and associated parking

⁴ See Attachment A,

⁵ MD Natural Resources Art. § 8-1808(d)

⁶ Talbot County Code 190-55.5.F.3.d.

within the Critical Area. This is not minimizing impacts.⁷ In fact, this proposal is the opposite of what Easton's Critical Area regulations require. Easton's Critical Area Program comes at the issue from a different direction, but the result is the same. Easton's Critical Area Program requires that a "new LDA or IDA shall be located ... in an area and manner that optimizes benefits to water quality." [emphasis added]⁸

The failure to optimize benefits and minimize adverse impacts on water quality is especially evident in the park complex. Rather than design a park that would mitigate these impacts, the proposed park complex will exacerbate them. Ironically, the active park complex does not even have to be located in the Critical Area. It is not enhanced by its location in the Critical Area and will primarily serve organized teams from all over Easton, likely through a reservation process, and not individuals or casual groups. The park complex is not dependent on the development and the development is not dependent on the park complex. The development and the park would just be co-located. A passive natural park, available to individuals without reservations would provide the open space the development requires and be more closely linked to unstructured use by the residents of the development and nearby communities.

5001 SHR, L.C. has not demonstrated that it has minimized impacts on water quality or optimized the benefits to water quality. Technical analyses start with basic data or empirical data. Even if an analysis is completed diligently, however, if the analysis is based on assumptions that are incorrect, too generous, or too strict, it can produce results that are less reliable than desired. 5001 SHR, L.C. has used unreasonable and worst case assumptions about the current condition of the agricultural field to project that its stormwater management plan for the intense development will reduce phosphorous pollution.

The analysis does not cite any field samples of nutrient levels to support the assumptions beyond soil type. A reduction of 10 or 15% of pollutant discharge would be a good result, but only if the actual condition and available nutrient load of the field at present is as bad/high as the assumptions in the tables used to compute the reduction. Reducing the release of a small nutrient load by the same percentage may not result in significant nutrient reductions in the real world despite how large they appear on paper. If the total pollutant load of the 120 acres of houses, townhomes, apartments, parking lots, commercial buildings, etc. is significantly higher than the current agricultural use, the result is a net increase in overall pollution. This is no different than a merchant advertising a sale with deep discounts based upon illusory list prices - prices at which the sale items never sell. There are no real savings. The design creates the very problem that is addressed by the third goal of the Maryland Critical Area Program.

⁷ The term "minimize" is commonly defined in the United States as "to reduce to a minimum; decrease to the least possible amount, degree, etc." <https://www.collinsdictionary.com/us/dictionary/english/minimize>

⁸ Town of Easton Code 28-501.C.5

Even if all the individual environmental requirements are met, the cumulative burden that the sheer numbers of dwellings, vehicles, buildings, pavement, pools, active playing fields, parking spaces, etc. will impose on the environment qualities of this particular part of the Critical Area will have adverse impacts.⁹

5001 SHR, L.C. also has not accounted for the additional pollutants that will be flushed with stormwater from the lawns, playing fields, streets, and parking lots when the former Pollys Hill Waterfowl Sanctuary is converted from agriculture. Moreover, it will be difficult or impossible to control the fertilizer and pollution contributions of the residents of those 456 dwelling units and the approximately 800 cars that will be parked in the project. Lawns require phosphorous fertilizers to start and nitrogen-rich fertilizers to grow thereafter. The proposed playing fields will require the same, on a grander scale. Internal combustion vehicles emit nitrogen gases that are a significant contributor to water pollution in the Chesapeake Bay. If that pollution is only moderately greater than the existing condition, approval of this growth allocation will increase water pollution despite proposed mitigation measures.

The analysis submitted by 5001 SHR, L.C. also requires additional review. The Surface Water Management Report submitted by 5001 SHR, L.C. uses the highest runoff curve numbers possible (86-88)¹⁰ for row crops, assuming the near worst soil is present and that there is no management of the soil to reduce nutrient release.¹¹ Nowhere in the proposal is there any discussion of the actual conditions in the field. This field is not a hypothetical. The analysis does not consider the possibility that the actual pollutant load of a field managed by an experienced farmer, using "no till" best practices, cover crops, and a state-approved nutrient management plan that is reviewed by state and local authorities, might be less than the assumed load built into the tables. The seminal reference, U.S. Department of Agriculture Technical Release-55, "Urban Hydrology for Small Watersheds" (USDA TR-55) provides that fields that retain crop residue, as does this "no-till" field, have a runoff curve number of 75-82 for the soil types present, significantly lower than assumed by 5001 SHR's analysis.¹² There also is no consideration that this field has been used primarily to grow soybeans, which require little phosphorous fertilizer and which, as a legume, actually fix nitrogen (from car exhausts, etc.) to the soil. In comparison, once developed as athletic fields, the soil will be bulldozed into a level but "crowned" condition, compacted, and planted with short turf grass that will require phosphorous fertilizers to become established and repeated fertilization with nitrogen-rich mixtures to maintain an optimum playing surface.

⁹ See generally, MD Natural Resources Art. § 8-1808(d)

¹⁰ Concept Stormwater Management Report (SWM), 6 July 2022, p. 4

¹¹ "Run off curve numbers" are used to calculate an estimate of runoff from storm rainfall. The higher the number, the higher the runoff. USDA TR-55, June 1986, p. 1-2. Runoff is associated with flushing pollutants, sediment, and nutrients from the soil to a receiving water body. The lower the number, the better for the environment.

¹² USDA TR- 55, June 1986, Table 2-2B, p.6.

If 5001 SHR, L.C.'s proposal for intense residential development of the Critical Area would reduce water pollution compared to a professionally managed agricultural use, then it would seem to follow that the answer to the Chesapeake Bay's pollution issues is to intensely develop those parts of the Critical Area that are now farmed. 5001 SHR, L.C. has produced no evidence to prove that strategy would work and the State of Maryland doesn't support it.

B. Contrary to the goals of the Maryland Critical Area Program, this development will result in such numbers, movements, and activities of persons that it will create adverse environmental impacts.

5001 SHR, L.C. has not tried to minimize water pollution and other adverse environmental impacts. In fact, it has ignored basic steps that would greatly mitigate the clear and present threat that it poses to Windmill Branch and the Chesapeake Bay. First, 5001 SHR, L.C. has vastly expanded the intensity of the planned development. In April 2021, it instructed its traffic consultant that the development would consist of 84 single-family homes, 120 townhomes, and 120 apartments.¹³ By September 2021, the project had grown by 35%. The added 115 dwelling units and the cars they will attract will increase, not reduce and certainly not minimize the attendant pollution. In October 2022, the project grew again, adding 17 dwelling units. Second, as discussed above at page 3, this project intensely develops the Critical Area, placing most of the dwelling units and their amenities in the Critical Area and then filling the remainder with a large sports complex.

5001 SHR, L.C. has tried to hold for ransom the Critical Area that will not be covered with residences and pavement, dangling creation of 3 large playing fields as incentives to the Town of Easton. This could be a generous offer if it would not further damage the remainder of the Critical Area in addition to the damage done elsewhere. Instead, it heaps environmental injury upon injury. There is no reason why those facilities must be developed in the Critical Area. They are not water dependent and the experience of attending a game there will not be heightened by proximity to Windmill Branch.

Before this development was unveiled, the Easton Park Advisory Board had not completed any study establishing the need for these fields, let alone fields that would unnecessarily damage the environment - and damage the environment they will. The areas proposed for the fields are on some of the most contoured portions of the field. They include a depression with a natural drainage course and a copse of mature trees in the middle of the Critical Area. The depression drains the field to the north to the tidal wetlands abutting Oxford Road. All this will fall to the bulldozer's blade. Playing fields must be level, except for a "crown" in the middle to encourage rapid runoff of rain or snow melt.

¹³ "Traffic Impact Analysis for Poplar Hill Farm," Lenhart Traffic Consulting, Inc., Sept. 15, 2021 at p.28.

Additionally, the plan calls for a building to house a snack bar and restrooms nearly as large as new affordable houses being built in Easton. A 125-foot grandstand will also be erected. A large parking lot, also carved out of the contours to be level, will accommodate 209 vehicles for the fields and perhaps overflow parking from the apartments in the evenings. Game starting and ending times will produce "episodic" traffic as large groups of people arrive and depart at the same time, increasing the existing traffic congestion on Oxford Road. This isn't minimizing pollution, it is maximizing it.

Creation of the large, active park complex comes with consequences. The Concept Stormwater Management Plan gives scant attention to these issues. The storm water management analysis accounts for storm water from most of the proposed development through 18 "Drainage Areas."¹⁴ The proposed stormwater plan tracks the amount and velocity and proposes various management controls. When it considers stormwater flows from Drainage Area 18, however, it summarily concludes that the flows can be managed by "non-rooftop disconnect," meaning that the stormwater is dispersed onto the ground. This might be adequate for water from the paved areas at the restrooms and snack bar, but given the size of Drainage Area 18, it seems wholly inadequate to deal with all the stormwater, laden with fertilizer, that will, by design, be draining off the playing fields and towards the tidal wetlands at the north end of the property. Much the same issue, but without the same contour problems, exists in Drainage Area 17.

Contradictions in 5001 SHR, L.C.'s plans for a multimodal path along Oxford Road also threaten to complicate stormwater management. More than a year after the proposal was first introduced to the Easton Planning Commission, the most recent amendment to the plans now includes the previously promised ten-foot pedestrian and bike path along Oxford Road from the Oxford Road entrance to the property's northern boundary. The path would be located between the proposed berm and the existing drainage ditch along Oxford Road. This amounts to approximately 9250 square feet of impermeable surface on the very edge of the drainage ditch. In addition, the water from the Oxford Road side of the berm, which could be seven feet above the path, also will drain immediately to the ditch. It does not appear that the berm can be located where it is drawn and accommodate the path without impinging on the drainage ditch.¹⁵ This additional stormwater does not appear to be addressed by the plan.

¹⁴ See Appendix E to Concept Stormwater Management Report, 6 July 2022.

¹⁵ The berm could be relocated further from Oxford Road, but this will reduce its effectiveness in obscuring the development from Oxford Road, particularly the seven, three-story apartment buildings located on an elevated portion of the property.

C. The proposed plan will not preserve wildlife habitat, a core goal of the Maryland Critical Area Program.

Minimizing water pollution from this portion of the development could mean keeping it in agriculture, perhaps as a real world agricultural laboratory for use by Easton High School (which once had such a facility), especially with a buffer of tall grasses between the field and the intermodal path. That would preserve a local feeding area for the thousand or more geese that loaf in Windmill Branch from October to March and provide a strong link to Easton's conservation ethic right in town.

If that is not feasible, 5001 SHR, L.C. could create a passive "natural park" similar to the Oxford Conservation Park.¹⁶ The Critical Area Commission encourages "the creation of opportunities for interaction between people and natural environments without destroying the fragile components of natural habitats."¹⁷ "Natural parks" are areas of natural habitat that provide opportunities for those recreational activities that are compatible with the maintenance of natural conditions.¹⁸ In fact, Easton and Talbot County are required to identify areas within their Critical Areas where natural parks can be established.¹⁹ Children who have never been in a natural area could learn that nature is amazing and beautiful and, while always to be respected, is not something that has to be feared. This also is a resource that is available to adults and children at a time of their choosing. It does not have to be reserved or scheduled, as will playing fields. Regimentation will give way to recreation.

Creation of a natural park involves a minimalist approach. A few trails, both gravel and mowed grass, would provide access for adults and children to immerse themselves in an emergent meadow environment of warm weather grasses, wildflowers, and short shrubs. Creation of a natural park at Poplar Hill would require little or no bulldozing because existing contours could be retained. The copse of mature trees that is currently growing in the depression in the middle of the field could be retained. Planting warm weather grasses and native bushes would provide valuable habitat for wildlife, including a wildlife corridor from the wooded areas along Windmill Branch to the nontidal wetlands and to the other wooded areas further southwest on Oxford Road. It could include milkweed and other native plants that support the endangered Monarch butterfly and other pollinators. Maintenance is simple and much less expensive than active playing fields. No fertilization is required. Once established, one-third of the park is bush-hogged each year to maintain the "emergent" quality. Herbicide use is drastically reduced compared with a turf playing field. Mowing requirements are a fraction of a playing field

¹⁶ See Appendix A at page 3.

¹⁷ COMAR 27.01.08.02

¹⁸ COMAR 27.01.08.01

¹⁹ COMAR 27.01.08.03

complex. Natural parks featuring meadow environments are increasingly being created on the Eastern Shore from former croplands for their benefits to the environment and wildlife.²⁰

A natural park is clearly superior to the proposed grass playing fields and even the woods to be planted under the stormwater management plan. USDA runoff curve numbers for a "good" grass park are 61 (Soil type B) and 74 (Soil type C).²¹ The SWMR uses a runoff curve of 70 for the woods, but plantings will take 20 years or more to reach that level of effectiveness.²² In contrast, a mixed grass and brush meadow used in a natural, emergent meadow park, has runoff curve numbers of 48 (Soil type B) and 65 (Soil type C) - better than even mature woods.²³ The State of Maryland advises that a mix of tall grasses, bushes, and small trees in a conservation park absorbs 14 times as much water as does turf grass - and likely more when compared to the low-growing grass used on Easton's playing fields.²⁴ The Natural Lands Project, headquartered at Washington College in Chestertown, found that tall grass buffers remove up to 50% of nutrients and pesticides and up to 75% of sediment.²⁵

A natural park is typically used intermittently by individuals, who arrive randomly. There would be no need for a snack bar. The restroom facility could be smaller, and the parking lot could be resized to hold several dozen cars or a few school buses (proximity to the Easton schools would allow visits to be incorporated into their programs). Random arrivals and departures ease the significant traffic issues that this project otherwise will exacerbate around game times.

Although the public favors more parks of all kinds in general, recent surveys reflect a strong preference for more passive parks as opposed to active parks (64% to 37%).²⁶ The cost of maintaining a passive, conservation park, which is not fertilized and requires minimal mowing

²⁰ [Natural Lands Project: https://storymaps.arcgis.com/stories/50ef1cb961af4f4eb9d5ac69afa8aa5c](https://storymaps.arcgis.com/stories/50ef1cb961af4f4eb9d5ac69afa8aa5c); <https://whatsupmag.com/culture/upland-gamebirds-coming-soon-farm-near/>; [Conquest Beach: https://www.youtube.com/watch?app=desktop&v=274v7Ttu36g](https://www.youtube.com/watch?app=desktop&v=274v7Ttu36g)

²¹ TR-55, Table 2-2A, p. 2-5

²² SWMR, p. 4

²³ TR-55, Table 2-2C, p. 2-7

²⁴ MDE "Facts About: Stormwater Conservation in Your Backyard," https://www.google.com/url?client=internal-element-cse&cx=007821330218074952993:jvmcacnyjwo&q=https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Documents/RAIN_BARREL%25202015.pdf&sa=U&ved=2ahUKEwig67WFhO35AhWpK1kFHZ0dBjwQFnoECAQQAQ&usg=AOvVaw1iQb9bop6fv283a88IKhnU

²⁵ <https://storymaps.arcgis.com/stories/50ef1cb961af4f4eb9d5ac69afa8aa5c>

²⁶ Easton has conducted 3 surveys of residents of both the town and Talbot County in connection with its revision of Easton's 2010 Comprehensive Plan (ECP 2010). Hereinafter these surveys will be referred to as "Survey 1," "Survey 2," and "Survey 3." See <https://eastonmd.gov/564/2023-Comprehensive-Plan-Update>. Survey results cited here are as of 22 July 2022. This question was in Survey 2.

and maintenance, will also please Easton taxpayers. Establishing a passive natural park would minimize water pollution and environmental damage, conserve fish, wildlife, and plant habitat even if the rest of the development is built. In contrast to the dangerous barrier that playing fields create for wildlife, a natural park would allow at least part of the property to continue as a wildlife habitat, forming a wildlife corridor between Windmill Branch and other undeveloped properties along the Oxford Road corridor - a "scenic Maryland byway." It would provide badly needed habitat for grassland bird species, which have suffered population losses of 50% since 1970 nationwide and even more severe losses on the Eastern Shore. This habitat is also used by Forest Interior Dwelling Species (FIDS), which also have declined 15% in the last two decades. Grassland areas - with tall grasses and shrubs provide the food, nesting sites, and cover these birds need. Playing fields provide none of these vital resources.²⁷ Creation of a similar "emerging meadow" habitat at Pickering Creek Audubon Sanctuary has also shown significant environmental benefits. The emergent meadow habitat recently created at Pickering Creek has already led to a dramatic increase in the population of American Woodcock, a species particularly in decline in Maryland. The new emergent meadow habitat has been an effective educational resource for use by local schools, and a resource closer to schools would be even more useful. It also has drawn significant numbers of both local and regional visitors.²⁸ A similar passive natural park would reinforce the reputation of Easton and Talbot County as a rural area with a strong conservation ethos, celebrated during the annual Waterfowl Festival that fills Easton and the surrounding area with visitors.

Maryland and the Town of Easton have already committed substantial time and resources to protecting the water quality of the Tred Avon River and the public supports these efforts.²⁹ Consider the time and cost of two recent stream recovery efforts designed to protect the water quality of the same stretch of the Tred Avon that becomes Windmill Branch/Papermill Pond. The rehabilitation of the Tanyard Branch near Bay Street and Papermill Branch south of Washington Street, both far less significant than Windmill Branch/Papermill Pond, have taken years to complete and cost \$1 million. Protecting an existing resource is far less expensive than recreating it. Requiring that this project, if approved, minimize pollution of the Tred Avon will save money for the Town in maintenance of an active park and not undo the investment just made only a short way downstream. Wildlife habitat will be preserved and improved. These are two of the primary goals of Maryland's Critical Area Program, which must control here.

²⁷ Dr. Wayne Bell letter to Town of Easton Planner and Talbot County Planning Officer, dated 1 Oct. 2022. Available at <https://1drv.ms/b/s!Ah5-loRLWM7HkQk6HRuuOsDbQugo?e=lmQgKc>

²⁸ Mark Scallion, Director, Pickering Creek Audubon Sanctuary, letter dated 3 Nov. 2022. Available at <https://1drv.ms/b/s!Ah5-loRLWM7HkQ52cKlFqS5BkzGo?e=Q3pxpx>. See also, "New Trail Meadow in the Back 40" at <https://pickeringcreek.org/wp-content/uploads/2021/11/PCK-VIEWS-21-22-FINAL-WEBpdf.pdf>

²⁹ 64% of respondents to Survey 2 were in favor of stream restoration projects.

4. The Development as Proposed Will Not Be "Ordered, Efficient, or Productive" as Required by Talbot County Regulations.

A. The project will create dramatic, new, unfunded demands for county services.

Approval of this large development, combined with other developments already approved or pending approval by the Town of Easton within the next few years, will not be "ordered, efficient, or productive" as required by Talbot County.³⁰ The timing and size of growth approved will overwhelm schools and town and county resources. Just considering imminent, major residential developments within the Town of Easton that have been approved, are under review, or have received preliminary approval, over 1350 dwelling units could be added to Easton within a few years.³¹

When considered with the 2501 homes in the massive Lakeside development already under construction in Trappe, Talbot County faces a crushing load to develop the infrastructure necessary to meet the educational, safety, health, and public services this explosive growth will require. A Housing Yield Study by the Talbot County School System for just Poplar Hill, Gannon Estates, and the Elliott Rd. Apartments raised "significant concerns" about the ability of the system to meet the increased student load.³² The study did not assess the impact of the other developments in Easton or, notably, the tidal wave of students from Lakeside. The impact to other public services is likely to be as or more severe. The increased traffic load on Oxford Road and the Bypass will also require significant investments to maintain safety and avoid backlogs that are even longer than now experienced. The impact will be immediate: When SHR 5001, L.C. introduced this project to the Easton Planning Commission last year, it said that it plans to build all the apartment buildings at once as soon as it completes the internal infrastructure (roads, utilities, etc.).

B. The project fails to enhance habitat or improve water quality as required by Talbot County.

This project design also conflicts with Talbot County regulations because, under careful review, it does not significantly enhance the habitat value or improve water quality.³³ Soil characterization in the northern portion of the field, closest to the nontidal wetlands that drain directly to Windmill Branch, are incomplete and that drainage area has no stormwater management control.³⁴ As explained above at pages 6 - 9, bulldozing the critical area adjoining

³⁰ Talbot County Code §190-55.5.F.2.d.

³¹ For a comparison of recent development activity in Easton, see Table 2, Attachment B.

³² Kevin Shafer, Director of Operations, Talbot County Public Schools letter to Lynn Thomas, Easton Town Planner dtd 21 December 2021.

³³ Talbot County Code §190-55.5.F.2.d.

³⁴ SWMR p. 3-4

the nontidal wetlands to build grass playing fields that have to be fertilized and groomed and will be accompanied by a 209-car parking lot, large snack bar, restrooms, and bleachers does not improve water quality and certainly does not improve water quality in comparison with a passive natural park.³⁵ In short, this design does not give protection to Windmill Branch/Papermill Pond, the sensitive areas up and downstream, or the wildlife that depend upon them as it could or should. Protection of these sensitive areas is vital to the conservation ethos for which Easton is known, as is recognized in the Town of Easton Comprehensive Plan (ECP 2010) and the Talbot County Code.³⁶ Similarly, Easton requires identification and special protection of other habitat areas, including "plant and wildlife habitats determined to be of local significance."³⁷

Apart from water quality, there is no provision to minimize the impact on habitat protection areas and agricultural areas. Instead they are needlessly consumed. The proposed plan clearly does not "maximize protection of plant and wildlife habitats for ... wildlife common to the Chesapeake Bay Region" [emphasis added] as is required by Talbot County Code for approval.³⁸ No provision is made for the wild turkeys or foxes that can be seen there. No provision is made to reduce the impact to the flocks of geese for which Easton is famous.³⁹ In summary, in its treatment of this special plot along Oxford Road, no attempt is made to preserve Easton's special conservation qualities, the celebration of which annually draws tens of thousands of visitors and millions of dollars to Easton and Talbot County.

Habitat value *could be* enhanced if the 25 acres now planned for an active park were instead used to create a natural park or to maintain the area in agriculture. A natural park could include a wildlife corridor that links the wooded areas along Windmill Branch and the forested areas on

³⁵ A proposed dog park has been moved from a most sensitive area closer to the apartment complex.

³⁶ "... Streams and their buffers are home to countless species of animals and plants; and streams themselves serve as lifelines to the Bay, transporting valuable nutrients, minerals, and vitamins to the Chesapeake. The floodplains, wetlands, and wooded slopes along streams are very important parts of the stream ecosystem, and in many ways determine the diversity and health of a stream. (From Managing Maryland's Growth: Models and Guidelines - Preparing a Sensitive Areas Element for the Comprehensive Plan, Maryland Office of Planning, May 1993).

The importance of streams is irrefutable. It is also perhaps better understood by residents, particularly long-time natives, of Maryland's Eastern Shore than the average citizen in any other part of the State. Streams have been of paramount importance on the Eastern Shore since the founding of the region." ECP 2010 at p. 156.

³⁷ Town of Easton Code 28-501.16. Poplar Hill Farm was proudly proclaimed as "Waterfowl Sanctuary - Project of Waterfowl Festival Inc., Easton MD" for decades. See Attachment A. In the absence of any formal effort by the Town to implement this part of the town's Critical Area Program, Poplar Hill Farm should be provided protection as a *de facto* Habitat Protection Area.

³⁸ Talbot County Code §190-55.F.3.h.

³⁹ See Anthony Kupersmith ltr of July 6, 2022 (hereinafter "Developer's Narrative") at p. 15.

Oxford Road. A natural park could include habitat for Monarch butterflies and other pollinators that could be easily accessible to Easton residents and students. A natural park could make use of the existing contours and mature trees to create a passive park favored in surveys. A natural park could provide suitable habitat to restore populations of grassland species and FIDS alike that are in serious decline, especially on the Eastern Shore.⁴⁰ Instead, the proposal includes an active park, large parking lot, snack bar, and bleachers that will increase the damage to the environment and provide no additional habitat - an active park that could be built in a more appropriate location elsewhere. When inserted into the scenic Oxford Road corridor, an active park full of fields, goals, stands, fences, etc., will create a far different impression for visitors than a natural park and will diminish Easton and Talbot County's reputation for rural beauty.⁴¹

5. The Proposed Development Is Inconsistent with the 2010 Easton Comprehensive Plan Because It Would Allow Unreasonable Growth and Adversely Impact Core Community Values.

In considering a request for supplemental growth allocation, a critical factor is whether the project for which the growth allocation is sought is consistent with the ECP 2010 and would implement the goals and objectives of the plan.⁴² One goal of the Critical Area Program is to accommodate growth, and we are not against reasonable growth within Easton and Talbot County. That said, growth must be reasonable and must not destroy the qualities that make the Town of Easton and Talbot County the desirable place to live that it is. Nor should development outpace infrastructure, requiring massive investments in infrastructure that will take years to complete. The project that is at the heart of this growth allocation, as proposed, is not sufficiently consistent with the ECP 2010 and will not adequately implement the goals and objectives of the plan. This consistency determination is not a "check-the-box" exercise, rather it lies within the sound discretion of the planning commissions, councils, and the Chesapeake Critical Area Commission.

A. The proposed development is not consistent with protection of the quality of life Easton's Comprehensive Plan aims to protect.

ECP 2010 recognizes that Easton's quality of life and attractiveness to residents and visitors is rooted in relevant part in its rural, small town character, historic Downtown area, the historic and contemporary neighborhoods that are within walking distance of downtown, and its public facilities like schools and parks. ECP 2010 recognizes that development will occur, but that

⁴⁰ See Dr. Wayne Bell letter cited in footnote 27

⁴¹ Compare photos at Attachment A, p. 3-4.

⁴² Town of Easton Code 28-501.8.D.

various types of development must be "balanced and controlled as to timing, location, appearance and impact upon surrounding properties as well as the Town as a whole."⁴³

Although the proposed development does contain many individual elements found in ECP 2010, many of the elements and the design as a whole are simply too much, too fast, and all in one small place.⁴⁴ It includes an apartment complex of 7 large, 3-story apartment buildings with 210 dwelling units that by itself dwarfs any other apartment complex in Easton.⁴⁵ Built on one of the highest parts of the field and rising almost another 48 feet, this complex will dominate the viewscape.⁴⁶ The apartment complex has separate amenities from the remainder of the development, creating what feels like a community separate from the "estates" and townhouse "villas." The rank upon rank of 138 three-story townhouses is likewise, based on the combined number of units and height, is not found elsewhere in Easton. Many of the single-family homes are found on identically-sized lots, quite different from Easton's historic neighborhoods. The plan substitutes bulldozed, manicured soccer fields, a large snack bar and restroom building, and a grandstand stretching 125 feet for the natural contours of soybean fields filled with migrating geese after the harvest. While the plan would be at home in Montgomery County or Prince William County, as a whole it simply is not consistent with Easton's rural, small town character placed where it is. Replacing what had been publicly proclaimed as a waterfowl sanctuary and adding almost 800 cars to a complex series of intersections on Oxford Road will dramatically impact surrounding properties, including the Temple Bnai Israel at the south end. On the north end, the Easton Club community and especially our small development, Papermill Crossing, will be impacted. Our neighborhood will go from rural to "anything but" as fast as construction can move. This sort of growth is neither reasonable nor "balanced and controlled."

1) Pedestrian, bicycle and traffic safety will be impaired, unreasonably impacting existing neighborhoods.

The proposed development will greatly exacerbate already significant safety hazards on Oxford Road from the Easton Bypass to Cedar Point Road and thus is not "balanced and controlled as to timing, location, appearance and impact upon surrounding properties as well as the Town as a whole."⁴⁷ This area is already congested during morning and afternoon rush periods and hosts a large number of bicyclists, particularly on weekends. It also hosts a number of pedestrians, but admittedly that number has dropped as the apparent safety risks force pedestrians into their cars, even to go to the

⁴³ ECP 2010 (2010) at p. 7-8.

⁴⁴ The third goal of the Maryland Critic Area Program recognizes that too much of a good thing can be bad. "[E]ven if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." That is the case here.

⁴⁵ Table 1 in Attachment B compares Easton's apartment complexes.

⁴⁶ Our discussion of SHR 5001, L.C.'s dismissal of this problem is addressed at p.18 and Attachment D.

⁴⁷ ECP 2010 (2010) at p. 7-8.

nearby YMCA, schools, Idlewild Park, or downtown. Our residents have been rear-ended driving into the development and there have been many more close calls, especially during the morning and evening commute periods. Residents of Easton Club share some of these same problems.

We have obtained copies of several traffic studies for this development, but find them unpersuasive for a number of reasons. Even the updated report seems designed more to check a box than inquire about conditions on the ground.⁴⁸ It analyzes potential traffic congestion at major intersections, compares it to congestion in urban centers, and concludes that residents' everyday frustration with increased traffic on Oxford Road and the Easton Bypass doesn't really exist. Without an explanation of all the assumptions and choices that went into their preparation, one is left to trust the expertise and judgment of the consultant. The consultant states that it used "Methodology for Prince Georges County." See Traffic Impact Analysis at p. 71 - 76. This does not build trust. Unfamiliarity with local conditions and simple mistakes, even in the revised studies, raises concern about the detailed analysis elsewhere. Most striking, while the consultant looked at background developments far afield from the proposed site, the closest developments, Papermill Crossing and Easton Club, are treated as if they don't exist. See Traffic Analysis at p.9. There is also no mention of Pollys Hill Lane, Clubhouse Drive, and Tour Drive, which serve those developments. For example, see Traffic Analysis at p. 10 and throughout. None of these roads are mentioned in either of the traffic signal analyses.

If asked, local residents could have provided their years of experience with the particular area in question and the study could have been designed to provide much more useful information than it did: numbers of vehicle trips based on a single day's data (1 weekday, 1 weekend day) and extrapolations based on nationwide averages (including California, Montana, etc.). For example, we believe that three soccer fields, each with 22 players plus coaches, plus fans, will generate more than the 50 trips in and out at the peak time on Saturdays that the study projects. See Traffic Analysis at p. 22. We know that drivers turning onto Oxford Rd and driving west generally accelerate as fast as possible to get up to 50 mph (and more) as soon as possible. Distracted by phones or the beauty of Papermill Pond, they frequently are not anticipating our residents or visitors slowing to turn left into our development, despite early use of turn signals and pumping the brakes. When they wake up to the turn signal and brake lights, they swerve sharply onto the narrow right shoulder on the bridge over Papermill Pond to avoid a collision. Bicyclists, pedestrians, and recently fishermen, often accompanied by children, found on the bridge have nowhere to go. See Attachment C.

Drivers coming east on Oxford Road towards the Bypass are supposed to slow from the 50+ mph they are travelling to 40 mph before they get to Clubhouse Drive and then to 30 mph when they get to Pollys Hill Lane. This rarely happens, even when drivers can see that the light at the Bypass is red or has been green for a long time. Our experience is that hope springs eternal for many drivers and a great number of them accelerate past the roads to Easton Club and Papermill Crossing in an effort to make the light at

⁴⁸ The updated study is: Lenhart Traffic Consulting Inc., "Poplar Hill Farm Development - Traffic Impact Analysis," May 26, 2022 (Revised)(Traffic Impact Analysis); There have also been two analyses for traffic signals at either end of the proposed development: Lenhart Traffic Consulting Inc., "Poplar Hill Farm Development - Traffic Signal Warrant Analyses," Dec. 10, 2021: and Lenhart Traffic Consulting Inc., "Poplar Hill Farm Development - Traffic Signal Warrant Analyses," May 19, 2022.

the Bypass. If there are cars trying to turn into Easton Club, the through drivers swerve into an extra lane created out of the paved shoulder, leaving bicyclists or pedestrians to navigate a very narrow weed border between the extra lane and a deep drainage ditch. This game of "chicken," especially when played with dump trucks and pick-ups pulling trailers, discourages many pedestrians from walking to the YMCA, Easton Middle School, or into town.

All these traffic analyses focus on the access roads for the development, not on existing local roads. These broader studies look for chronic congestion, not the more acute threats that emerge when a number of roads intersecting Oxford Road interact. The addition of 456 new dwelling units and approximately 800 cars will make these problems much worse by introducing a huge new source of traffic and traffic turbulence at a critical point. Drivers turning left out of Easton Club and left into Papermill Crossing will especially be affected. Proposed development in Easton Club by the Maryland Health Club will surely add many more drivers to the mix, many unfamiliar with the area. As gaps in traffic moving east on Oxford Road come to the new access road into the Poplar Hill development, drivers turning right there will fill the existing gaps. Fewer or smaller gaps in traffic further east at Countryclub Drive and Pollys Hill Lane will make it much more dangerous to turn onto Oxford Road, particularly for the school buses that service Easton Club. Also, the multi-modal track will exit the development and then run northeast along Oxford Road to the end of the property. This would ordinarily be a good thing, but in this case, it will dump bicyclists and pedestrians onto Oxford Road at the same point that cars using the shoulder lane at Clubhouse Drive are swerving back off the shoulder lane and bicyclists and pedestrians are trying to navigate with no dedicated space. Attachment C illustrates that if this development is built as planned, there will be far too much going on in much too small a space, where cars, trucks, bikes, and pedestrians all have to make spit-second decisions. Tragedy is almost ensured.

The problems may be able to be solved, but the solution will not come cheap. The deep drainage ditches, the large culvert at Pollys Hill Lane, and the narrowed shoulders/bike lane on the bridge over Papermill Pond will likely have to be re-engineered and replaced. We are informed by MDOT that there is currently a six-year backlog to build new bridges. As with the challenges that explosive growth poses to schools, medical care, public safety resources, and similar governmental programs, already limited resources will be stretched again. The more dwelling units, the greater the hazard. The PUD as planned will not provide a sustainable, pedestrian and bike friendly result, forcing even short trips to require automobiles. Development should not proceed until the solutions to these issues are designed, approved, funded, and underway.

2) The growth that the proposal will produce, in conjunction with other pending proposals, will not be balanced and controlled as required by ECP 2010.

In determining what growth is reasonable and "balanced and controlled as to timing, location, appearance and impact upon surrounding properties as well as the Town as a whole," the views of the citizens of Easton and Talbot County must be considered. While the proposed development contains many attractive qualities, it tries to do too much, all in the same place,

and too quickly. What is proposed is contrary to what most Easton and Talbot County residents believe is compatible with the communities they love. The results of Surveys 1 and 2 provide unique and timely insight into the views of Easton and Talbot County on growth. In Survey 1, a strong majority (67.5%) believe that the current population of Easton, 17,101, is about right.⁴⁹ Easton's growth rate (0.7%) over the decade from 2010 to 2019, is overwhelmingly considered about right.⁵⁰ Over 65% of respondents believed that development along waterways should generally be prohibited. Survey 2 asked respondents to rate strategies for managing growth on a five-point scale from "strongly disagree" to "strongly agree." Respondents overwhelmingly were against sprawl outside the urban growth boundary⁵¹ and a majority favored increased density. But that doesn't mean that they favor the kind of large scale, intense development proposed by SHR 5001, L.C. When asked to rate whether the rate of growth in Easton should be restricted, only 15.5% of respondents disagreed or strongly disagreed. Confirming the results of Survey 1, over 57% of respondents to Survey 2 agreed or strongly agreed that the rate of growth should be restricted.

A survey conducted in July 2022 sponsored by the National Association of Realtors on the views of Easton and Talbot County on growth and housing also is instructive.⁵² Eighty-six percent of the respondents rated the quality of life in Talbot County as excellent or good. Overcrowding (too much housing and commercial development) was the most cited concern. Protecting the coast and its ecosystems, preserving rural areas and farmland, protecting the historic character of the county's towns and villages, and creating more affordable housing were ranked the top 4 priority issues (67%, 66%, 60%, 52%, respectively, rated them "4" or "5" out of 5 where 5 is the highest ranking). Limiting new housing developments to towns and villages was ranked 4 or 5 by only 45% of respondents. Respondents think maintaining character and making development more dense are both important (51% to 44%).⁵³ The vast majority (74%) strongly favor or somewhat support "infill development" in the Town of Easton - converting vacant lots and decaying properties into homes and businesses.⁵⁴

The proposed development squeezes 456 dwelling units into a moving target acreage that was 105.4 a year ago, then 120 in July, and now apparently is 114.6, resulting in densities from 4.2

⁴⁹ Survey 1.

⁵⁰ Survey 1.

⁵¹ Includes Poplar Hill.

⁵² The National Association of Realtors conducted a phone survey of 325 adult residents of Easton and Talbot County from 18 to 21 in July 2022. (Hereinafter "NAR Survey"). It was briefed to the Easton Planning Commission and Affordable Housing Board on 12 September 2022, but as of now, has not been posted. A copy of the presentation is available upon request.

⁵³ The overall margin of error for all respondents was +/- 5.4%.

⁵⁴ We reject SHR 5001, L.C.'s suggestion that this proposal is "infill" within the proper meaning of the term. If a massive development of 120 acres of agricultural field is "infill," any development within Easton's borders would be infill.

to now 3.8 dwelling units per acre. This easily exceeds the density in the recently approved Gannon Estates development or the proposed Four Seasons Development on Dutchman's Lane.⁵⁵ As discussed above, this proposal does not protect the environment to the extent it easily could by substituting a natural park. It does not preserve the farmland or waterfowl sanctuary, which track the conservation ethos for which Easton is famous. It does not preserve the historic look and feel of Easton. As discussed above at page 14, it is not readily accessible by walking or biking to Easton by Oxford Road because of traffic issues that have not been resolved, only "shushed" away by a standard study that didn't look at the real issues. It does include workforce housing, but not integrated with the rest of the planned community. All but nine units of the workforce housing will be market-priced.

3) The proposal is contrary to ECP 2010 because it fails to preserve Easton's valuable conservation ethos and scenic and environmental attributes.

The addition of 25 acres of active parkland is also contrary to the ECP 2010. That plan noted that "Natural features can be preserved as valuable scenic and environmental attributes of the Town."⁵⁶ And so it was with the Waterfowl Sanctuary at Poplar Hill for decades. The ECP 2010 found that Easton had a fairly large number of parks, 14. That number has grown to 16 in 2022.⁵⁷ Almost all of them were "active" parks used for sports, playgrounds, or picnic areas.⁵⁸ What the town lacks is sufficient "passive" parks, like the natural park that we addressed earlier, where adults and children could easily experience the rural atmosphere that is part of the identity of Easton and Talbot County without necessarily getting into a car.⁵⁹ Building more active parks on the western side of town is also contrary to the recommendation of ECP 2010, which recommended that new parks be located on the eastern side of town, closer to new residential development. Locating new parks there would, among other things, avoid forcing soccer moms from having to fight beach traffic on Route 50 to get to the game on time.⁶⁰

Moreover, a January 2022 survey of 516 Talbot County residents (which included a proportionate sampling of Easton residents) shows that desires as to parks continue to favor natural, passive parks over active parks. In assessing the availability of existing types of parks, the percentage of respondents who said that the availability of "Green Space-Passive parks that preserve natural open spaces" is "inadequate" (45%) was three times as great as for

⁵⁵ Gannon Estates will have 202 single family homes on 76 acres, for a density of 2.7 dwelling units per acre. Four Seasons will have 252 single family homes on 100 acres, for a density of 2.5 dwelling units per acre.

⁵⁶ ECP 2010 at p. 143.

⁵⁷ Talbot County 2022 Land Preservation, Parks & Recreation Plan, July 2022 (Talbot LPPRP 2022) at I-19. See <https://dnr.maryland.gov/land/Documents/Stewardship/Talbot-2022-LPPRP-Draft.pdf> Although marked "Draft" DNR has advised that it has been approved and posted it to the official state site.

⁵⁸ ECP 2010 at p. 143-147.

⁵⁹ ECP 2010 at p. 151.

⁶⁰ ECP 2010 at p. 152.

"Lacrosse Fields" (15%), and more than two and one-half times as great as "Soccer Fields."⁶¹ The Talbot LPPRP 2022 concluded that the features considered not adequate in Talbot County are 1) Longer hiking/walking trails, bike trails; 2) Additional water access; and 3) "Greenspace parks that preserve natural spaces."⁶² [emphasis added]

4) The dramatic change to the viewscape of the scenic Oxford Road corridor will impact the nearby communities and those on Oxford Road.

The proposed development is not "balanced and controlled as to timing, location, appearance and impact upon surrounding properties as well as the Town as a whole."⁶³ Even just considering apartments, at one stroke this proposal would create the most massive apartment complex in Easton. This development will have more units and more large, 3-story buildings than any other private apartment complex in Easton, 75% more than recently approved for the Easton Apartments on Elliott Road.⁶⁴ The apartments are set at one of the highest points of the site, where they will dominate the previously bucolic viewscape from Oxford Road, which is designated as a Maryland Scenic Highway. As seen from Oxford Road, they will stretch for 784 feet west to east. We believe that the commissions should presume that the apartments will not be screened from view from most portions of Oxford Road for most users for many years, and then only from April to October. This unfortunate first impression will diminish the benefits from historical efforts to protect this scenic highway with conservation and agricultural easements and will not be "ordered, efficient, or productive" as required by Talbot County regulations.

Contrary to the exhibits submitted by SHR 5001, L.C., the apartments will be prominent and visible from Oxford Road. During the initial presentation to the Easton Planning Commission in October, 2021, Commissioner McAndrews asked if the apartment buildings will be visible from Oxford Rd. Mr. Showalter said that although there would be a berm, the "top floors" of the buildings would be visible from Oxford Rd because the field is flat. Mr. Showalter promised to provide a visual representation. Responding in July 2022, SHR 5001, L.C. filed two exhibits: "Oxford Road Section," and "Oxford Road Perspective." The exhibits concluded that "Planting Heights Prevent View of Apartment Buildings." Well. Relying upon a strategically placed mature evergreen atop an earthen berm, this portrayal predicts that the 7 large, 3-story buildings will simply not be visible. Our analysis, set out in Attachment D, concludes otherwise.

No narrative explanation of the exhibits that were filed by SHR 5001, L.C. has been provided other than on the exhibits themselves, so our analysis is driven by the exhibits, topographical information from Google Maps, publicly available information on common vehicles and measurements, and other charts

⁶¹ Talbot LPPRP 2022 at Appendix E at p. 15-16.

⁶² Talbot LPPRP 2022 at II-17.

⁶³ ECP 2010 (2010) at p. 7-8.

⁶⁴ See Table 1, Attachment B, Comparison of Easton Apartment Complexes

filed by SHR 5001, L.C. The illustration provided looks at only one viewpoint and apparently relies upon assumptions that only occur in the best possible circumstances. The visibility of the apartment buildings and the effectiveness of any screen depends on factors that include the height of eye for the observer, the ground elevation of the observation point, the ground elevation of the apartment buildings, the height of the apartment buildings, the height of the berm, and the nature and height of the plantings. SHR 5001, L.C.'s representation depends on the best possible case of all these factors, and probably more. SHR 5001, L.C.'s exhibits apparently use a view point with the lowest possible ground elevation for the observer (10 feet above sea level (ASL)). SHR 5001, L.C.'s conclusion depends upon the viewer having a relatively low height of eye, consistent with being in a car rather than an equally common vehicle like a SUV or pickup truck, or even pedestrians, who typically have a height of eye higher than most vehicle occupants. It also depends upon the viewer being positioned where the highest part of the berm (which varies between 9 and 2 feet high) lies between the viewer and the apartments. The apartments are not a point in space, but 7 large buildings spread over hundreds of feet horizontally, all nearly 44 feet tall. It also depends upon the presence of virtually solid, mature, evergreen plantings. It is also not clear that the difference in ground elevation between the actual intersection used for SHR 5001, L.C.'s analysis and the ground height of the apartments was considered.

Some important considerations are not in dispute. First, there will be no berm to screen the apartments along approximately 280 feet along Oxford Road at the southwest portion of the property. The apartments will be visible from foundation to roof peak, save for incidental trees, parked cars, and perhaps the apartment pool building or the restroom facility. Second, even where there is a berm, it will vary between 2 and 9 feet high, with a slope of 3:1. That means that between two high points on the berm, there will be a point seven feet lower and the high points will be at least 42 feet apart (two slopes of 7 feet height spread over 21 feet horizontally). Everywhere the berm is below 9 feet, more of the apartments are visible. Because of the trigonometry, the increase in the apartment's visibility is much greater than the change in the height of the berm. Third, deciduous plantings will be largely bare half the year, from mid to late October until mid to late April. Fourth, most trees grow about 18 inches taller each year after becoming established, so it will take decades to establish a mature growth. Fifth, Oxford Road gains ground elevation going from the Countryclub Drive intersection and moving southwest, gaining 9 ft by the time it approaches the proposed entrance to the development. Again, because of the trigonometry, the increase in the apartment's visibility is much greater than the change in the height of the berm. Sixth, the apartments are not a point in space that can be obscured by a tree; the 7 apartment buildings will be spread out 784 feet (over two football fields) as seen from Oxford Road.

Other considerations in the proposal are not clear. Trigonometry determines that the effectiveness of a berm to mask the apartment buildings decreases as the berm is moved away from an observation point on Oxford Road. The farther the berm is from Oxford Road, the more of the apartment buildings can be seen. Page 3 of the latest PUD Sketch, dated 6 July 2022 (but marked "sealed" on 4 October 2022), includes the multi-modal path that SHR 5001, L.C. has said it would construct along Oxford Road to allow

bikers and pedestrians to access central Easton.⁶⁵ To allow room for a path, which typically is relatively level, the distance from the edge of Oxford Road to the center of a 9 foot berm with a 3:1 slope with a 10 foot path interposed is at least 37 feet, plus the width of the drainage ditch on Oxford Road. Any additional space needed to construct the berm to the planned specifications would require either moving the berm further from Oxford Road or reducing its height. Either one will make more of the apartments visible. Given resource limitations, our calculations and projections are undoubtedly imperfect, but they are far more representative than the "best case analysis" that SHR 5001, L.C. has provided.

6. Summary.

The Town of Easton and Talbot County are at an important crossroads. After a decade of little or no population growth, they are now faced with multiple proposals to quickly expand residential development on a vast scale, threatening the small town, rural nature of Easton, anchored in a conservation ethos and environmental values. Easton and Talbot County residents overwhelmingly say they enjoy a wonderful quality of life that should be protected. SHR 5001, L.C.'s proposal for Poplar Hill would place all that at risk by attempting to do too much, all at one place, too fast. Although change is inevitable, it can be done in a way that preserves the quality of life in Easton and Talbot County if it is carefully tailored.

The former Waterfowl Sanctuary at Poplar Hill is a special piece of property that, because of its proximity to the headwaters of the Tred Avon River and its historic links to Easton and Talbot County's conservation and environmental values, deserves special protection. There are no more areas like this within Easton where those values can be preserved as they can be here. There are other, less sensitive, areas within Easton where additional playing fields or additional apartments can be located. The Critical Area regulations of both the Town of Easton and Talbot County require the development be designed to minimize adverse impacts on water quality. The current design does not do that. The Town of Easton Code requires protection of wildlife habitats determined to be of local significance. The Talbot County Code requires that the development maximize protection of wildlife common to the Chesapeake Bay Region. The current design meets neither of those requirements.

The Town of Easton Comprehensive Plan requires that the development be balanced and controlled as to timing, location, appearance and impact upon surrounding properties as well as the Town as a whole. The Talbot County Code requires that the development be ordered, efficient, or productive. This development is neither balanced and controlled nor is it ordered, efficient, or productive. Instead, the proposed design will have a dramatic adverse impact on the surrounding properties and the scenic Oxford Road corridor. It will seriously add to existing traffic safety problems for our residents and those of Easton Club and provides no plan to mitigate them. It will contribute to a looming wave of fiscal requirements for new schools and other public resources when there is no plan

⁶⁵ As discussed at page 17, currently this is "the path to nowhere" because it terminates in a very congested spot and leaves a risky gauntlet to reach the northeast side of the Easton Bypass)

on how to meet those challenges. Hoping that someone will figure something out on these critical issues that won't destroy Easton and Talbot County's quality of life is not a plan.

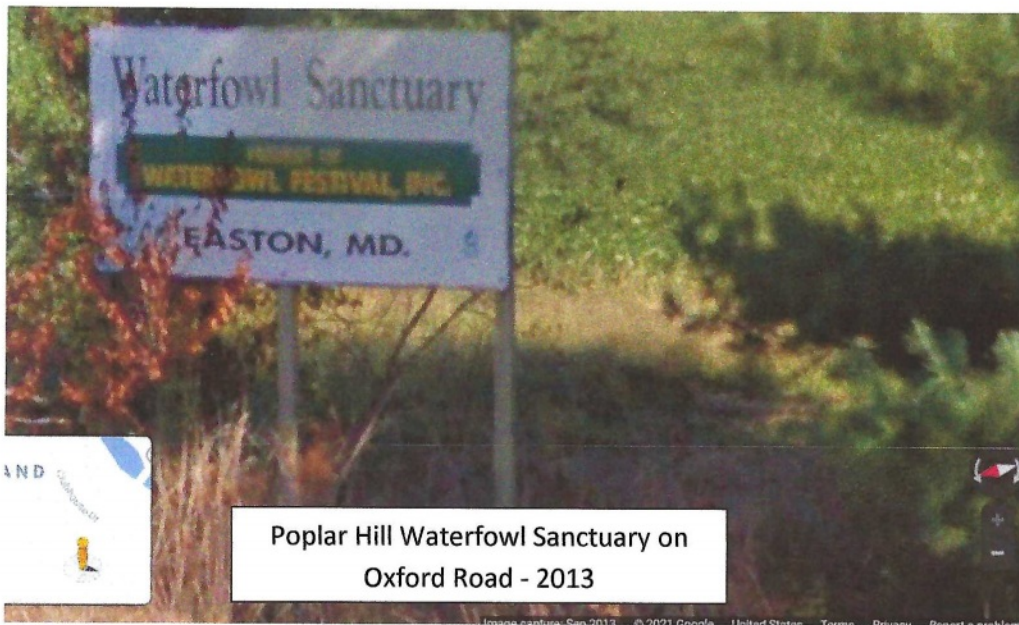
SHR 5001, L.C. is free to develop the property subject to the terms and restrictions to which the property was subject has been subject for years and when it was recently purchased, including the limitations on development in a RCA. The current design, however, seeks to go far beyond that in terms of density and design and location of physical features. A design that asks as much as this one does from the community, the environment, and the Chesapeake Bay truly must be exceptional in all regards to merit approval. This design could be, but is not now, the equal of what is required. Absent significant change, the request for additional growth allocation must be denied.

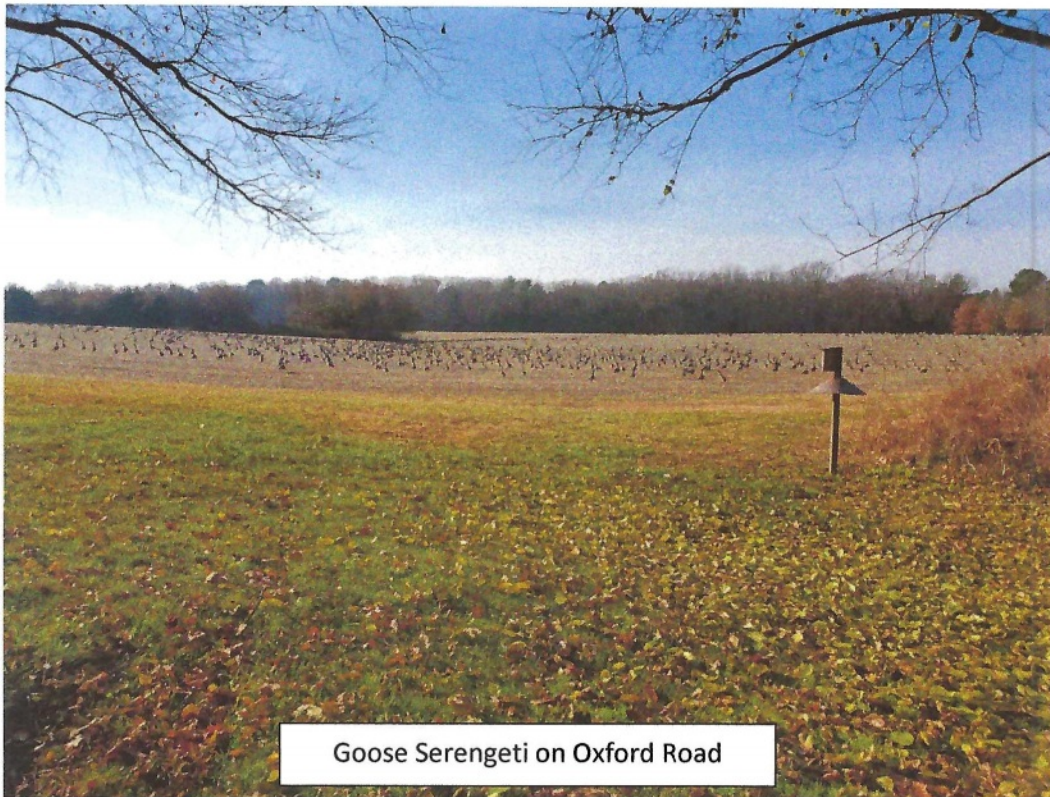
Respectfully,



Thomas Ledvina
President

Attachment A





Goose Serengeti on Oxford Road



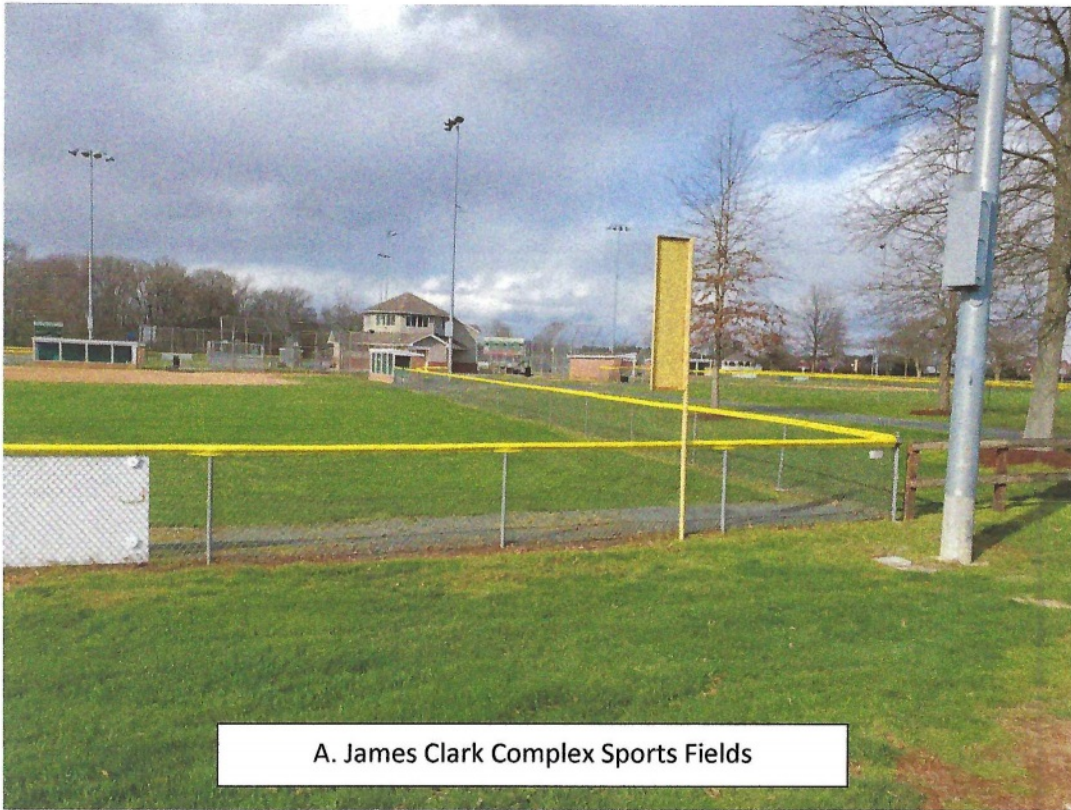
Central Papermill Pond/Windmill Branch



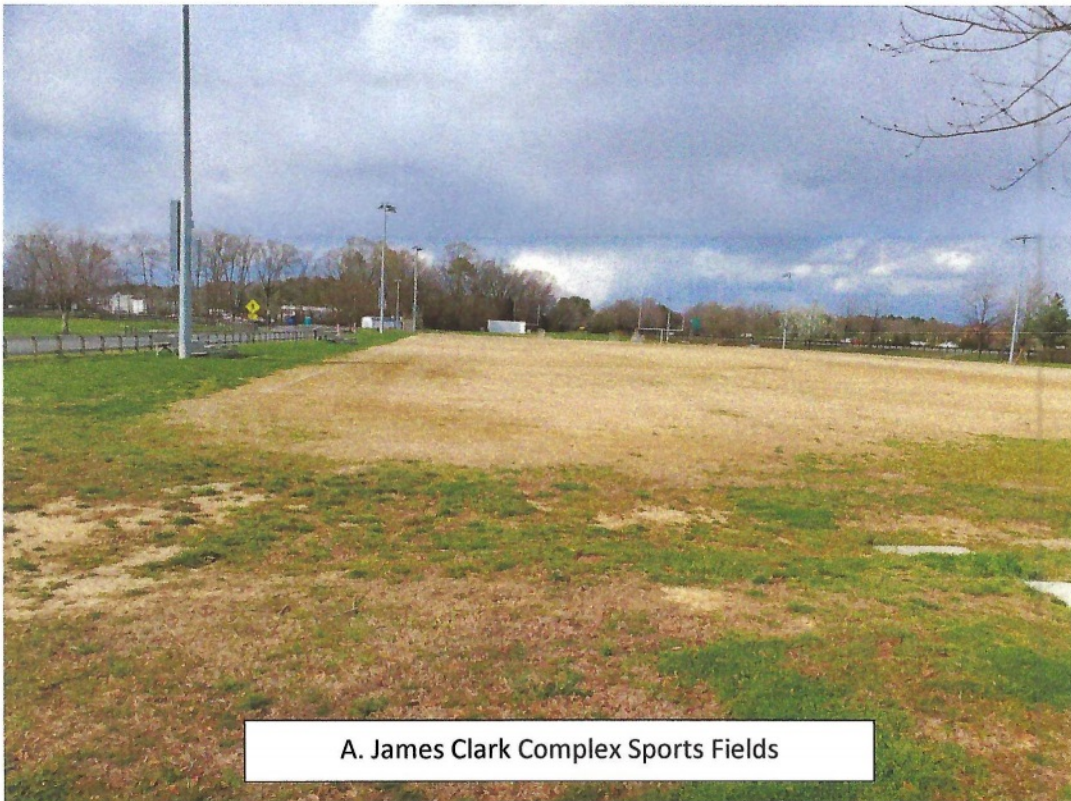
Poplar Hill Farm Looking South from Oxford Road



Oxford Conservation Park



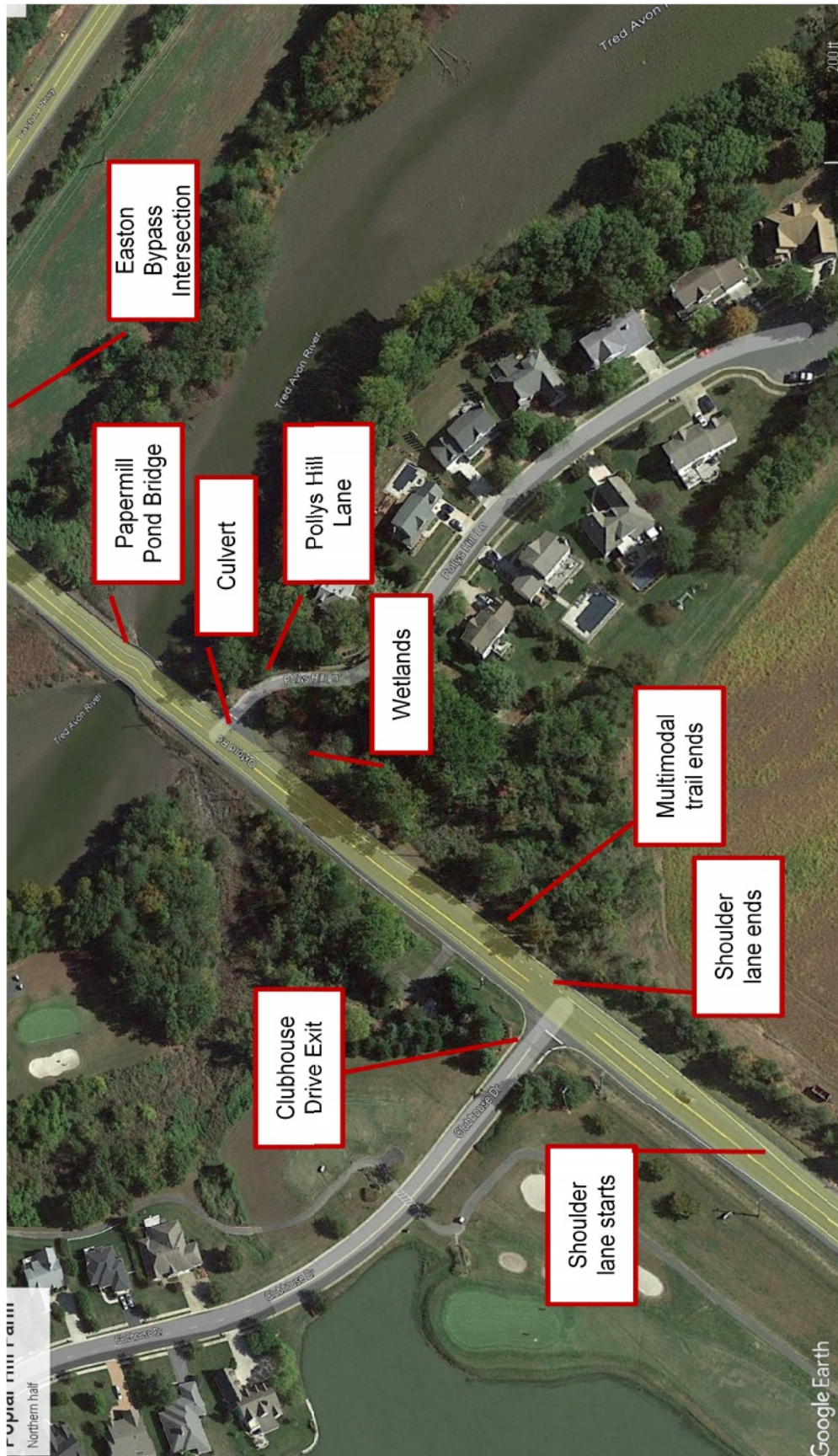
A. James Clark Complex Sports Fields



A. James Clark Complex Sports Fields

Table 1 Comparison of Easton Apartment Complexes				
Development	Total Apts.	1- Story Bldgs.	2- Story Bldgs.	3- Story Bldgs.
Chatham Village	94	18		
Magnolia Meadows	98		10	
Greens at Cross Court	144		17	
Park View at Cross Court	80			1
Easton Apartments (Elliott Rd)	120			4
Mulberry Estates	128		16	
Pippin Farms	144		11	
Quail Meadows	40		5	
Poplar Hill	210			7

Table 2 Recently Approved or Proposed Developments In Easton					
Development	Single Family	Townhomes	Apartments	Condominiums	Total Dwelling Units
Poplar Hill	108	138	210		456
Gannon Estates	200				200
Elliott Rd Apartments			120		120
Four Seasons					252
Port Street Small Area Plan				300	323
Totals	309	138	312	300	1351



Former Waterfowl Sanctuary at Poplar Hill

Visibility of Apartments from Oxford Road

Percent Of Apt. G Visible for Berm
Heights from 9 to 3.5 Feet* from
Cars, Compact SUVs, and Trucks

Point 1 – Clubhouse Dr. at
Oxford Road centerline

Roof
Peak
43'8"

3rd Fl 31'
1-1/2"

2nd Fl
22' 1-1/2"

1st Fl
11' 3/4"



Height of eye: 51" (Honda CRV)
Berm heights: 5.5' and 3.5'
Amt. visible: 100%

Height of eye: 64" (Ford F-150)
Berm height: 5.5' and 3.5'
Amt. visible: 100%

Height of eye: 41" (car)
Berm height: 3.5'
Amt. visible: 100%

Height of eye: 40" (car)
Berm height: 9'
Amt. visible: 41% (25.8' and up)

Height of eye: 51" (Honda CRV)
Berm height: 9'
Amt. visible: 52% (20.8' and up)

Height of eye: 64" (Ford F-150)
Berm height: 9'
Amt. visible: 69% (13.5' and up)

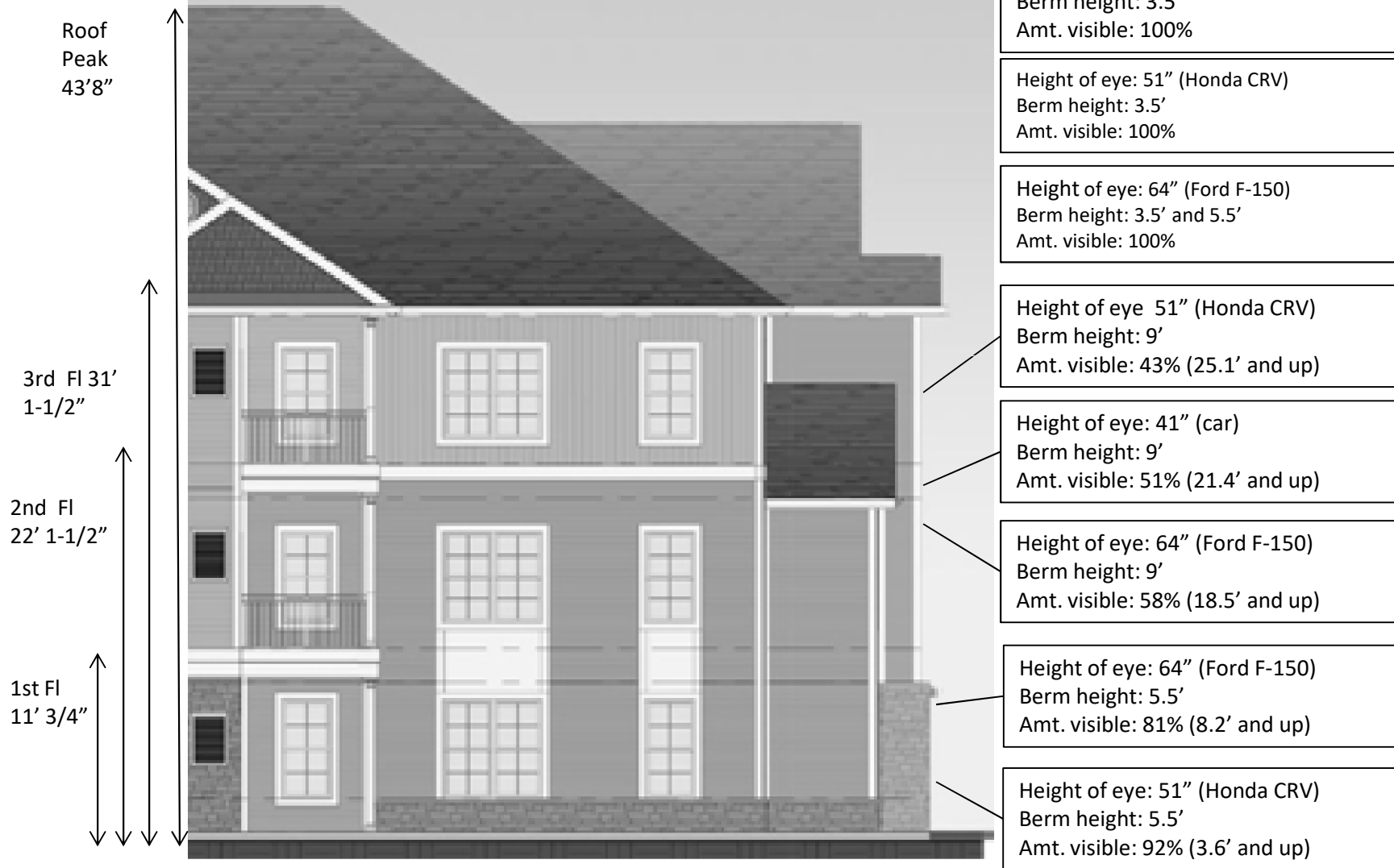
Height of eye: 41" (car)
Berm height: 5.5'
Amt. visible: 95% (2.4' and up)

10/25/2022

*Note: Although berm varies from 9 to 2 feet, a minimum height of 3.5 feet was used here to avoid overwhelming 100% visible results

Percent Of Apartment G Visible for
Berm Heights from 9 to 3.5 Feet*
from Cars, Compact SUVs, and Trucks

Point 2 – Midpoint of
Property at Oxford Road
centerline



10/25/2022

*Note: Although berm varies from 9 to 2 feet, minimum height of 3.5 feet was used here to avoid overwhelming 100% visible results

Percent Of Apartment G Visible for
Berm Heights from 9 to 3.5 Feet*
from Cars, Compact SUVs, and Trucks

Point 3 – Western End of Berm at
Centerline of Oxford Rd.

Roof
Peak
43'8"

Height of eye: 41" (car)
Berm height: 3.5'
Amt. visible: 100%

Height of eye: 51" (Honda CRV)
Berm height: 3.5'
Amt. visible: 100%

Height of eye: 64" (Ford F-150)
Berm height: 5.5', and 9'
Amt. visible: 100%

Height of eye: 41" (car)
Berm height: 9'
Amt. visible: 27% (31.9' and up)

Height of eye: 51" (Honda CRV)
Berm height: 9'
Amt. visible: 38% (27.1' and up)

Height of eye: 64" (Ford F-150)
Berm height: 9'
Amt. visible: 54% (20.3' and up)

Height of eye: 41" (car)
Berm height: 5.5'
Amt. visible: 78% (8.5' and up)

Height of eye: 51" (Honda CRV)
Berm height: 5.5'
Amt. visible: 89% (4.9' and up)

3rd Fl 31'
1-1/2"

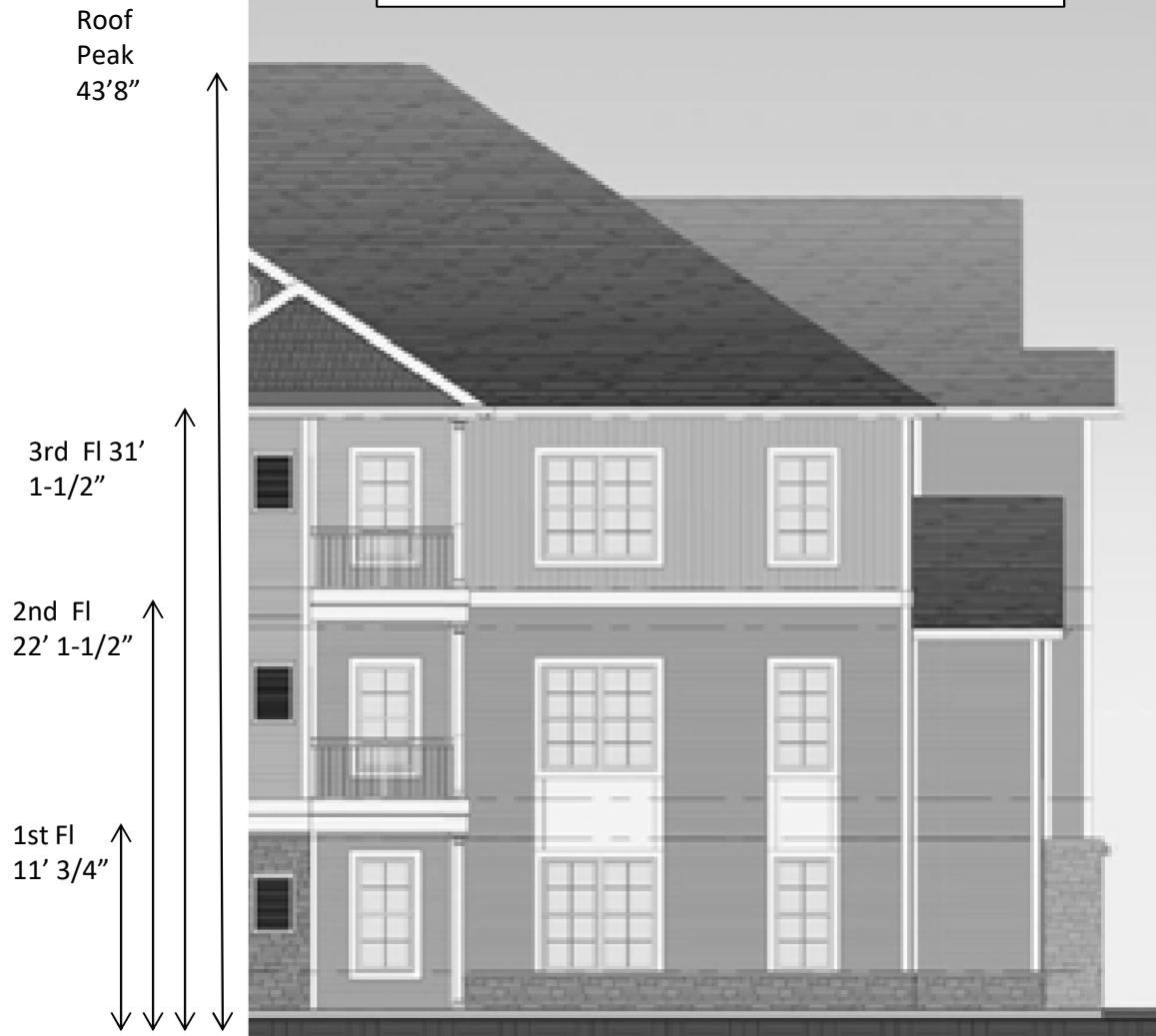
2nd Fl
22' 1-1/2"

1st Fl
11' 3/4"

10/25/2022

*Note: Although berm varies from 9 to 2 feet, minimum height of 3.5 feet was used here to avoid overwhelming 100% visible results

Percent Of Apartment G Visible for
Berm Heights from 9 to 3.5 Feet*
from Cars, Compact SUVs, and Trucks



10/25/2022

*Note: Although berm varies from 9 to 2 feet, minimum height of 3.5 feet was used here to avoid overwhelming 100% visible results

Point 4 – Access Rd at
Centerline of Oxford Rd.

Height of eye: 41" (car)
Berm heights: 9', 5.5' and 3.5'
Amt. visible: 100%

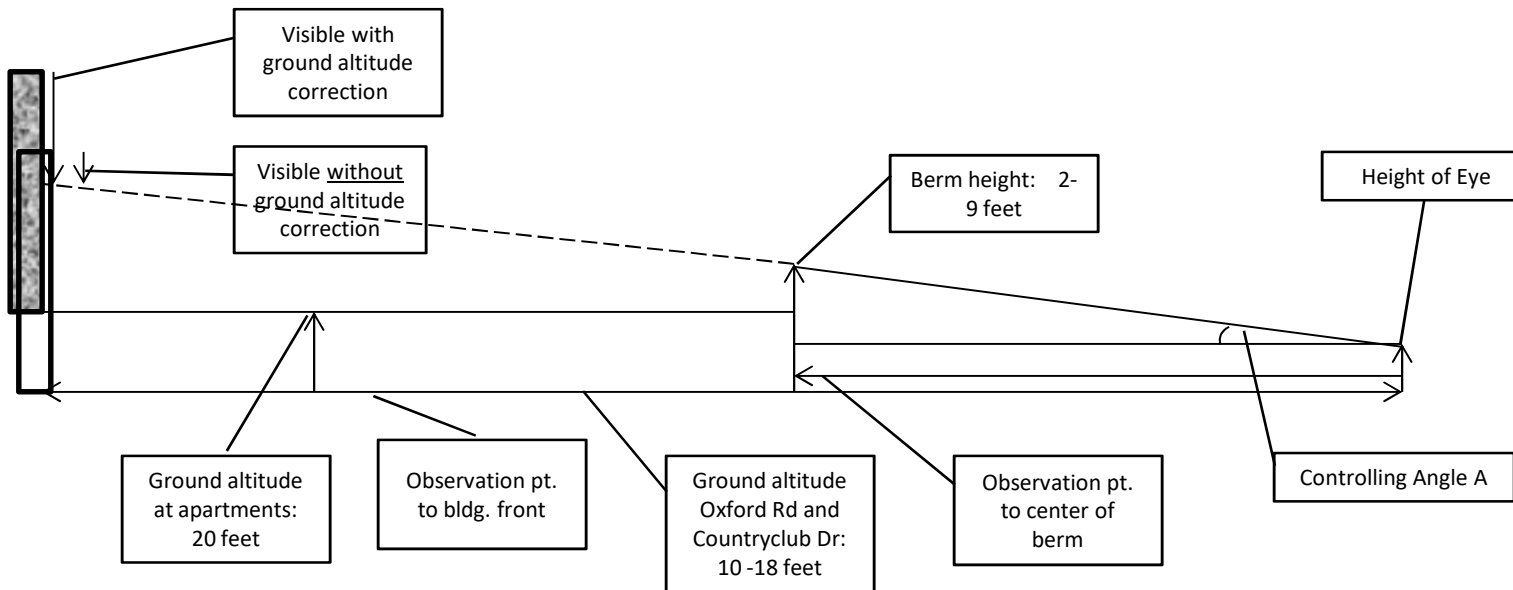
Height of eye: 51" (Honda CRV)
Berm height: 9', 5.5' and 3.5'
Amt. visible: 100%

Height of eye: 64" (Ford F-150)
Berm height: 9', 5.5' and 3.5'
Amt. visible: 100%

Attachment D

6

Poplar Hill Waterfowl Sanctuary Apartment Visibility Factors



Calculations

Berm Effectiveness Analysis - Former Waterfowl Sanctuary at Poplar Hill			
Point 1 Clubhouse Dr and Oxford W corner	938' East of Prop WB extended @ CL Oxford Rd		
Altitude of Point 1 (Center of Oxford Rd)	10	10	10
Apt C Alt.	21	21	21
Addl appt exposed considering alt	11	11	11
Berm Ht	9	5.5	3.5
Point 1 to berm crown on line to Apt C	181	181	181
Point 1 to corner of Apt 5	1210	1210	1210
Height of Eye - Car	3.5	3.5	3.5
Net height of berm versus - car	5.5	2	0
Viewer angle Angle A (to crown berm) (degrees)	1.74	0.53	0
Height of apt. obscured (level)	36.8	13.4	0
Height of apt. obscured (Corrected for appt alt.)	25.8	2.4	0
Percentage of bldg visible over berm	41%	95%	100%
Height of Eye - Honda CRV - female driver	4.25	4.25	4.25
Net height of berm versus - Honda CRV (compact crossover)	4.75	1.25	-0.75
Viewer angle Angle A (to crown berm) (degrees)	1.50	0.40	0.00
Height of apt. obscured (level)	31.8	8.36	0
Height of apt. obscured (Corrected for appt alt.)	20.8	0	0
Percentage of bldg visible over berm	52%	100%	100%
Height of Eye - Pickup truck	5.33	5.33	5.33
Net height - pickup truck	3.67	0.17	-1.83
Viewer angle Angle A (to crown berm) (degrees)	1.16	0.05	0.00
Height of apt. obscured (level)	24.5	1.1	0
Height of apt. obscured (Corrected for appt alt.)	13.5	0.0	0.00
Percentage of bldg visible over berm	69%	100%	100%
Point 2 - Midpoint of Property	565' East of Prop WB extended @ CL Oxford Rd		
Altitude of Point 2 (Center of Oxford Rd)	17	17	17
Apt C Alt.	21	21	21
Addl appt exposed considering alt	4	4	4
Berm Ht	9	5.5	3.5
Point 2 to berm crown	152	152	152
Point 2 to corner of Apt C	930	930	930
Height of Eye - Car	3.5	3.5	3.5
Net height of berm over car	5.5	2	0
Viewer angle Angle A (to crown berm) (degrees)	2.07	0.75	0
Height of apt. obscured (level)	33.7	12.2	0
Height of apt. obscured (Corrected for appt alt.)	21.4	8.2	0
Percentage of bldg visible over berm	51%	81%	100%
Height of Eye - Honda CRV - female driver	4.25	4.25	4.25
Net height of berm versus - Honda CRV (compact crossover)	4.75	1.25	-0.75
Viewer angle Angle A (to crown berm) (degrees)	1.79	0.47	-0.24
Height of apt. obscured (level)	29.1	7.6	0
Height of apt. obscured (Corrected for appt alt.)	25.1	3.6	0
Percentage of bldg visible over berm	43%	92%	100%
Height of Eye - Pickup truck	5.33	5.33	5.33
Net height - pickup truck	3.67	0.17	-1.83
Viewer angle Angle A (to crown berm) (degrees)	1.38	0.06	-0.48
Height of apt. obscured (level)	22.5	1.0	0.00
Height of apt. obscured (Corrected for appt alt.)	18.5	0.0	0.00
Percentage of bldg visible over berm	58%	100%	100%

Point 3 - Western end of berm	410' East of Prop WB extended @ CL Oxford Rd		
Altitude of Point 3 (Center of Oxford Rd)	18	18	18
Apt C Alt.	21	21	21
Addl appt exposed considering alt	3	3	3
Berm Ht	9	5.5	3.5
Point 3 to berm crown	133	133	133
Point 3 to NE corner of Apt C	843	843	843
Height of Eye - Car	3.5	3.5	3.5
Net height of berm over car	5.5	2	0
Viewer angle Angle A (to crown berm) (degrees)	2.37	0.86	0
Height of apt. obscured (level)	34.9	12.7	0
Height of apt. obscured (Corrected for appt alt.)	31.9	9.7	0
Percentage of bldg visible over berm	27%	78%	100%
Height of Eye - Honda CRV - female driver	4.25	4.25	4.25
Net height of berm versus - Honda CRV (compact crossover)	4.75	1.25	-0.75
Viewer angle Angle A (to crown berm) (degrees)	2.05	0.54	0.00
Height of apt. obscured (level)	30.1	7.9	0
Height of apt. obscured (Corrected for appt alt.)	27.1	4.9	0
Percentage of bldg visible over berm	38%	89%	100%
Height of Eye - Pickup truck	5.33	5.33	5.33
Net height - pickup truck	3.67	0.17	-1.83
Viewer angle Angle A (to crown berm) (degrees)	1.58	0.07	
Height of apt. obscured (level)	23.3	1.1	
Height of apt. obscured (Corrected for appt alt.)	20.3	0.0	0.00
Percentage of bldg visible over berm	54%	100%	100%

Point 4 -	242' East of Prop WB extended @ CL Oxford Rd		
Altitude of Point (Center of Oxford Rd)	19	19	19
Apt C Alt.	21	21	21
Addl appt exposed considering alt	2	2	2
Berm Ht (berm starts just to east of Point 3)	0	0	0
Point 4 to berm crown	123	123	130
Point 4 to NE corner of Apt C (closest to Oxford Rd)	740	740	740
Height of Eye - Car	3.5	3.5	3.5
Net height of berm versus - car	-3.5	-3.5	-3.5
Viewer angle Angle A (to crown berm) (degrees)	0.00	0.00	0.00
Height of apt. obscured (level)	0	0	0
Height of apt. obscured (Corrected for appt alt.)	0	0	0
Percentage of bldg visible over berm	100%	100%	100%

Apartment roof height	43.7		
Height of eye in car	3.5		
Height of eye in Honda CRV (female driver)	4.25		
Height of eye in F-150	5.33		
Center of Berm from south side (east bound) of Oxford	75		

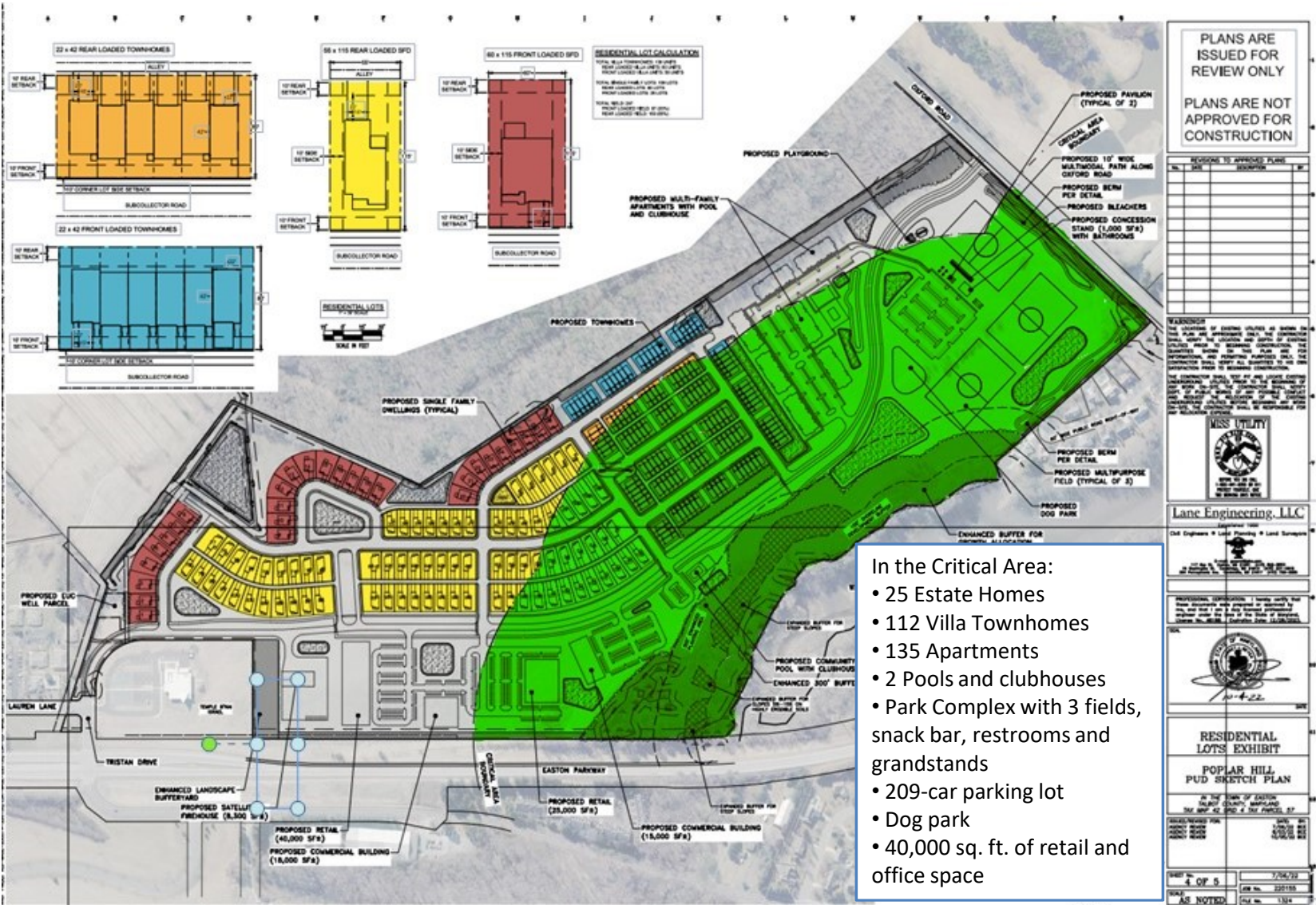
Notes:	Updated	25-Oct-22
1. All measurements in feet except angles.		
2. Berm height varies from 9 to 2 ft. with a 2 ft. wide crown and 3:1 slope (42 ft min. interval between 9 ft peaks)		
3. Middle berm: height of 5.5 ft. used - halfway between highest (9 feet) and lowest point (2 feet)		
4. Minimum berm: height of 3.5 used in calculations, 1.5 higher than planned, as conservative measure		

10/25/2022

Attachment D

9

Intense Development of the Critical Area





Samantha Smith <ssmith@eastonmd.gov>

Letter to Planning Commission Members

2 messages

csk1951@aol.com <csk1951@aol.com>

Sun, May 7, 2023 at 12:21 PM

Reply-To: csk1951@aol.com

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Cc: "mcook@eastonmd.gov" <mcook@eastonmd.gov>, csk1951@aol.com

Dear Members of the Town of Easton Planning Commission,

A resident of Easton, MD, I am a strong advocate for the preservation of our Chesapeake Bay and its surrounding wetlands, plant life, and animal habitats.

I am writing to request that at your May 18, 2023 Planning Commission meeting you deny the Poplar Hill Farm developer's request for a growth allocation and reclassification of Critical Area designations so they can build multiple residential and commercial structures. As you know, the developer wants to reclassify 65.977 acres, more than half of its Poplar Hill Farm property, which is adjacent to the Oxford Road, from a "Resource Conservation Area" (RCA), to an "Intensely Developed Area" (IDA).

The continuing efforts of out-of-state developers in general are threatening Maryland's Eastern Shore climate and natural resources, as well as our quality of life.

Senators Chris Van Holland and Ben Cardin just achieved a Federal grant of millions of dollars for the repair and maintenance of our beautiful Bay. And opposition against the Poplar Hill Farm project was voiced by Talbot County residents and conservationists at the joint Talbot County and Town of Easton joint planning commissions' meeting held last month.

Please, members of our TOE Planning Commission, deny the Poplar Hill Farm developer's requests. Granting exceptions will only embolden those in favor of urban development to chip away at the protections afforded by the 1984 Critical Area Act and 1986 Critical Area Criteria, current PUD's and our Town's Comprehensive Plan.

Sincerely,

Clara Kelly

(202) 320-1251

cc: Town of Easton Town Council



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

judy Tinelli <judytinelli@hotmail.com>

Thu, May 11, 2023 at 3:14 PM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Please count me as strongly opposed to the proposed development of Poplar Hill.

Keep Easton as it is...a small town not surrounded by sprawl.

Judy Tinelli

Sent from my iPad



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

Nancy Karch <nancykar@mac.com>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 3:16 PM

As an Oxford part time resident, a supporter of ESLC, and in my other home area Vice Chair of the Westchester Land Trust (an area with many water supply reservoirs that we help protect) - I have many concerns about the Poplar Hill development. I realize the location is contiguous to other developed Easton neighborhoods, and that something will likely be developed on the property; I am not suggesting no development at all (tho I am very pleased with the town's acquisition of the land just past Poplar Hill, to remain as a natural park, with trails).

My main concern is developing property at the headwaters of the Tred Avon, and the reset of a substantial number of acres from RCA to IDA. I am also concerned about the density of housing, and the placement of ball fields on the RCA land. A more modest development, with less dense housing, some retail on the bypass (where it is planned), and more natural use (nature preserve? Walking trails?) of the land near the headwaters would strike me as more reasonable.

Thank you for your consideration.

Nancy Karch
107 First St, Oxford.



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Development

1 message

bob <bob@goeaston.net>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 3:19 PM

I very strongly oppose this development!

Bob Flower

Sent from my T-Mobile 5G Device



Samantha Smith <ssmith@eastonmd.gov>

NO to Poplar Hill

1 message

bittersweet@goeaston.net <bittersweet@goeaston.net>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 3:42 PM

Subject: NO to Poplar Hill

To Whom it May Concern--- I am very much opposed to the development of Poplar Hill! The nature around us in the Oxford Road area is much more important than more houses and more traffic. At age 79 and a Talbot County native, I would be so sad to see the development take place. And as a widow living in Easton Club, we certainly don't need more traffic interrupting our peaceful life! Please help see that this project is stopped! Sincerely, Harriett Downes-Slaughter

May12, 2023

Talbot Planning Commission

Dear planning Commissioners,

We live at 102 Caroline St. in Oxford. We are vehemently opposed to the proposed development called "Poplar Hill" for the following reasons.

1. The site is a designated Critical Area and is not suited for development due to its position at the headwaters of the Tred Avon River.
2. The very dense mix of rental apartments and single family homes will not be conducive to making a safe and pleasant community.
3. Adequate Public Facilities do not exist to support a development of this magnitude. Our schools are at full capacity, our roads are already crowded, especially at the critical intersection of 333 and 322.
4. Our quality of life will be negatively affected. We will lose our pastoral and rural character and become just another suburban sprawl community.

Please deny the request for the above and many other reasons.

Thank You,

Cameron J Mactavish

Michelle B Mactavish

RECEIVED
MAY 11 2023
TOWN OF EASTON



Samantha Smith <ssmith@eastonmd.gov>

Reclassification of Critical Area land

1 message

Mike & Brenda Meier <mbblithe@gmail.com>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 3:57 PM

Dear Planning Commission Members:

I attended the presentation at the Avalon that laid out the plans for Poplar Hill and I wish to urge you to vote NOT to reclassify the nearly 66 acres of land in the critical area for that development. This CRITICAL AREA designation was made for a reason and one that has not changed. It seems the only thing that has changed is the way developers think they can change that designation, regardless of the effect on our waters. They only see dollar signs!

The Bay is struggling enough without adding more problems and removing such areas that are crucial to saving our watersheds. I ask you PLEASE do not vote in favor of this reclassification. SAVE OUR CHESAPEAKE BAY!

Brenda Meier
[224 Wye Avenue](#)
[Easton, MD 21601](#)



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

Marian Murphy <marianmurphy43@icloud.com>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 4:01 PM

I wasn't able to attend the meeting regarding this issue but I have a definite opinion of what should happen and it's to deny changing to IDA! I moved here for the peace and beauty of this area and although I realize the area will need to grow it shouldn't develop to that extent. Please keep this area as a haven in this crazy world!

Marian Murphy
Goldsborough
Easton
Sent from my iPad



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Farm

1 message

buck waller <buckwaller3@gmail.com>
To: ssmith@eastonmd.gov

Thu, May 11, 2023 at 4:36 PM

I am extremely upset by the prospect of 66 acres in Easton being reclassified from Resource Conservation Area to Intense Development Area. Aside from the increase in traffic, noise, lack of infrastructure, and density, the drive towards suburbanization of our cherished environment is not what most people in Talbot County wish for. Most disturbing though is the wish to change what is law under the Critical Areas Act, which for 39 years has done a very good job of keeping us from becoming just another suburb.

PLEASE VOTE TO DENY THE DEVELOPERS REQUEST FOR RECLASSIFICATION TO A HIGHER DENSITY.
THANK YOU.

Buck Waller
5754 Poplar La.
Bellevue, Md. 21662

Sent from my iPad



Samantha Smith <ssmith@eastonmd.gov>

Letter regarding the development of Poplar Hill in Easton

1 message

Rebecca Gaffney <rfgaffney46@gmail.com>

Thu, May 11, 2023 at 4:56 PM

To: ssmith@eastonmd.gov

Town of Easton Planning Commission:

As a current resident of Oxford, I am writing to express my strong opposition to the development of the Poplar Hill tract located at Oxford Road and the Bypass. We who have chosen to live in Talbot County (for its rural character, e.g.), are dismayed that a development such as this would even be considered as a possibility.

A number of factors, listed in no particular order, make this development undesirable:

1. An increase in traffic entering the Oxford Road and the Bypass.
2. More residents with medical care needs (from already over-burdened medical care professionals).
3. An increase in the number of school children, thus the possible need for school construction.
4. Elimination of land now occupied by wildlife.
5. The unnecessary addition of office space (many people now work from home).
6. The unnecessary addition of retail space (there are many empty store fronts in both Talbot Town and the Giant/Walmart shopping centers, and others).
7. The negative effect on the health of Chesapeake Bay and its tributaries.

There are undoubtedly additional excellent reasons for not approving this development, and you will be hearing from other concerned Talbot County residents who also oppose the development of this property. I trust you will have the foresight to not allow this development to go forward.

Sincerely,

(signed)

Rebecca F. Gaffney
PO Box 671
Oxford, MD 21654



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill agenda item

1 message

Julie McCahill <jpmccahill@msn.com>

Thu, May 11, 2023 at 5:13 PM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Please add my name to the list of those citizens strongly opposing the Commission's granting the request from Lane Engineering to change the RCA designation on a large portion of Poplar Hill to an IDA. This large development on that fragile site is unwise, and will certainly change the rural nature of our county forever.

Julie McCahill
Sent from my iPad



Samantha Smith <ssmith@eastonmd.gov>

Poplar Farm

1 message

Edward Clucas <milescreekmarine@gmail.com>

Fri, May 12, 2023 at 5:57 AM

To: ssmith@eastonmd.gov

Good morning ,
Greetings from Miles Creek . Please accept my disapproval of ANY development of the Poplar Hill Farm . After the Lakeside debacle a much firmer hand is need by your staff .
It is my firm belief that any Major Development exceeding 25 units should be put to a Talbot county referendum . So few should not have such power over so many when comes to the counties welfare .

Respectively

E.W. Clucas

[31048 Bruceville Rd](#)[Trappe , Md](#)

Rsvp

--

IMERC



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

j bohn <fudgebohn@yahoo.com>

Fri, May 12, 2023 at 10:32 AM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

I'd like to add my PLEASE DO NOT GRANT THE POPLAR HILL proposal vote to the Planning Commission. There is a reason that land is zoned RCA and it should not be changed. Those of us who live on the water (the Tred Avon in my case) can never get a variance or permit to do anything in the critical area. We have to jump through hoops just to take down a dead tree and then have to plant two more to make up for the dead one. I can't even get permission to cut the foliage for a two foot path down our considerable slope so we can easily get to the very small beach at the bottom. But a developer can ask for and receive permission to take RCA land and turn it into IDA land? How ridiculous and short sighted is that? Please use common sense and reject this proposal.

Jan Bohn

7881 Fort Stokes Lane

Easton MD 21601



Samantha Smith <ssmith@eastonmd.gov>

Please Do Not Approve Poplar Hill's Request

1 message

Deidra Lyngard <dlyngard@gmail.com>
To: ssmith@eastonmd.gov

Fri, May 12, 2023 at 11:49 AM

Developers do not care about the impact of their developments beyond what they are forced to attend to. The residents of Easton do care about the impact—on their lifestyle and more importantly, on the environment.

Please do not approve the developer's requested change on a portion of their property from RCA to IDA. They act like it's an economic hardship if they aren't given the opportunity to build more houses. Poor developers. Don't listen to them. Keep the zoning the way it is.

Thank you for your consideration,
Deidra Lyngard



Samantha Smith <ssmith@eastonmd.gov>

Poplar hill

1 message

Peter Clancy <clancyparkman@gmail.com>
To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Fri, May 12, 2023 at 12:32 PM

Dear Sir:

Writing to express my opposition to this proposed development.

Peter Clancy
[106 Myrtle Street](#)
[Oxford MD](#)
[21654](#)

Thank you

Get [Outlook for Android](#)



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Development plan

1 message

Barry Smale <bsmale14299@gmail.com>

Sat, May 13, 2023 at 8:06 AM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Good morning - We are out of town this week an unable to attend this weeks meeting on Poplar Hill Development.

As 12 year residents in Easton, we oppose plans for this intense development.

If approved, the massive project will have a severe negative impact on our schools, traffic, environment and our way of life.

.
Thank you,
Barry and Terrie Smale
[Seventeenth Drive](#)
[Easton, MD 21601](#)



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill concerns

1 message

Maury Schlesinger <mzschlesinger@live.com>
To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Sun, May 14, 2023 at 11:42 AM

Since the City has purchased the adjacent area for a future "passive park" has there been any discussion with the Poplar Hill developer about swapping some of that land which is not in the "Critical Area" for land it owns which are within the buffer? Looking at both parcels together might benefit the environment, provide for "passive park" use of the buffer area, and provide a more suitable location for some of the construction the developer has planned, including proposed public facilities (park, firehouse) included in the PUD.

Maury Schlesinger

[304 Winton Ave.](#)

[Easton, MD](#)

Letter to Editor: Don't Let Easton Become Falls Church

May 13, 2023 by Letter to Editor 20 Comments

Many in our community may be aware of the City of Falls Church, VA. Historically, it's about as old as the Town of Easton, MD.



Well, at the intersection of Route 7, which leads to Tysons Corner, VA, and Haycock Road, which is a two-lane street that goes through the middle of a residential neighborhood, there's a sign which reads, "Welcome to Falls Church, The Little City."

Last Fall, Clark Construction began building a mixed-use development cross the street from that sign. It's one of many projects Falls Church city planners approved during the past 10 years because they listened to calls for "badly needed growth."

<https://www.westfallsva.com/> 40 acres of "badly needed growth."

To put it in perspective, please refer to the two progress pictures I took on April 27.

No, Mr. Boisvert. It's not a matter of lightening up. It's a matter of urban sprawl versus maintaining our Eastern Shore rural areas. There's more than enough abandoned property within Easton between Ocean Gateway and the bypass to satisfy "badly needed growth" in keeping with our Comprehensive Plan.

As one who has had the good fortune of enjoying what this region has to offer since 1978, I respectfully disagree that Easton needs yet another mixed use project — especially like the one the developers of Poplar Hill Farm are proposing at the expense of 65.977 acres of Resource Conservation Area.

Clara Kelly
Easton

MARCH 22,2023

TOWN OF EASTON, PLANNING COMMISSION
14 S HARRISON STREET
EASTON, MARYLAND

RE: Request for supplemental critical area growth allocation
Meeting May 18,2023

Dear PLANNERS:

Please do not approve the project known as POPLAR HILL. I think it does not meet the existing regulations and therefore, the request should be denied.

Others, more up-to-date on these regulations and their requirements have made those facts known to you. Please listen to them and deny this project.

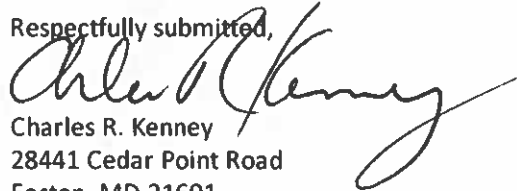
I have been a Talbot County tax-paying property owner since June 1975. We have owned houses in Tunis Mills, Woodland Farms and since 1987, Kings Woods. I retired from my CPA practice in June 2017. During my residence in Talbot County, Nancy and I have raised our children and sent them to Talbot County Public schools. I have participated in several community-oriented and charitable organizations such as Pickering Creek, YMCA, Easton Lions Club and Talbot United Fund.

We have built two custom homes in Talbot County and hope to remain here for our entire life. And, YES we have developed some of the very dear limited areas of Talbot County. Therefore, my current position is SELFISH.

However, this is a question of the current rate of growth. You must help to SLOW-IT-DOWN !

Another point is the proposed athletic fields. They are not needed. Also I will add that the added future traffic on the Oxford Road may cause some of us to GO THE OTHER WAY !!!!!!!!!!!
That's right. We may decide to shop in Oxford or Cambridge.

Respectfully submitted,


Charles R. Kenney
28441 Cedar Point Road
Easton, MD 21601

Crk@kenneywww.com

RECEIVED
MAY 15 2023
TOWN OF EASTON



Samantha Smith <ssmith@eastonmd.gov>

Proposed Poplar Hill development

1 message

George DeSimone <desimoneg@goeaston.net>
To: ssmith@eastonmd.gov

Mon, May 15, 2023 at 1:57 PM

Sent from my iPhone

Dear Planning Commission,

my wife and I have enjoyed living in Easton Maryland for the last 18 years and greatly appreciate our community. We live in Easton Club East, a Del Webb development. Our community was beautifully planned and executed. It has wonderful, open spaces, wide alleys, and safe excesses from Dutchman's Lane. From what we have observed, the Poplar Hill development will not have the kind of excellent living space consistent with the Easton community Standards. We respectfully request that the Planning Commission respond to the concerns of our citizens and seek a more acceptable design for this property.

Sincerely,

George and Kathleen DeSimone,
7427Kevin Ave, Easton, MD
410-770-9933



To protect the unique environment and heritage of Talbot County—its waterways, farmland and historic small towns.

May 16, 2023

VIA ELECTRONIC MAIL

Easton Planning Commission
Town of Easton
14 S. Harrison Street
Easton, MD 21601

Re: 5001 SHR, LC Pending Application for Growth Allocation

Dear Commission Members:

An entity named “5001 SHR, LC” has requested an award of 66 acres of Growth Allocation, in order to increase the development potential of a parcel on Oxford Road from approximately 60 acres to 120 acres. The requested award would enable construction of 459 new dwelling units on that site.

The Growth Allocation would be used to develop both single family homes and town houses, although almost half of the project would include 210 apartments housed in seven high rise buildings, the dominant feature of the project on Oxford Road. This would break down to approximately 30 apartments in each of seven buildings.

The Easton Planning Commission now must recommend whether Growth Allocation enabling this development should be approved. In making that recommendation the first and primary factor that the Commission must consider is whether an award of Growth Allocation would be “consistent” with Easton’s Comprehensive Plan, and whether it would “implement the goals and objectives of [that] Plan.” We submit that an award of Growth Allocation to enable the project, as presently configured, would not be consistent with the Comprehensive Plan, and would directly contravene important goals and objectives of the Plan.

The Comprehensive Plan recognizes that “Easton derives its identity in considerable part from its rural character,” and further observes that “Easton is not a suburban community like those found on Maryland’s Western Shore ... We are a small but growing community in the heart of a rural, agricultural and maritime region.” CP at 7, 265-66. The intensively dense housing project that the requested Growth Allocation would enable is entirely inconsistent with the Plan’s depiction of Easton’s rural character, and is incompatible with the character of the closely adjacent neighborhoods of Easton Club, Cooke’s Hope and Paper Mill Pond. These facts alone would warrant a finding of “inconsistency” by the Commission.

The Applicant points out that the subject parcel is within a designated “Growth Area,” and that the Comprehensive Plan calls for channeling residential development into the Town of Easton in order to preserve open countryside in the county. This is true, but does not take into account that such desirable “channeling” can occur without the creation of overly dense population centers that are inconsistent with rural character, and incompatible with neighboring areas.

Moving beyond the general question of whether the Poplar Hill parcel appropriately should be developed, when one reaches the specifics of how the proposed development would be configured it is plain that the Applicant’s proposal fails to conform with the relevant Comprehensive Plan “goals and objectives” for new housing projects.

Easton’s Comprehensive Plan sets out a series of explicit “Design Principles” intended to regulate the character of all new development within the town. CP at 95-111. The Land Use chapter of the Plan recites as a primary “Objective” that those Design Principles must be adhered to, to “ensure that Easton stands out as a unique place rather than looking like ‘Anyplace USA.’” CP at 46. The Plan stipulates that “to improve the appearance of *all new development*,” it is necessary to “*vigorously apply* the Design Principles for Easton as outlined in this [Comprehensive Plan].” CP at 124 (emphasis added).

The Poplar Hill application fails to conform the proposed development with the Plan’s stated Design Principles. Indeed, the Poplar Hill proposal directly conflicts with many of those Principles. Identification of each and every Poplar Hill inconsistency with the Plan’s Design Principles is beyond the scope of this correspondence. But several of the more glaring inconsistencies illustrate why the pending application should be denied.

The Applicant touts Poplar Hill as a desirable “mixed use” development, and Design Principle 1 addresses the applicable standards for such mixed/integrated uses. The “mixed use” proposed by the Applicant, however, bears no resemblance to the mixed use development envisioned by the Comprehensive Plan. As the Plan explains:

It is not enough to simply mix uses within a development. A vast area of residential uses with a disconnected pod of commercial use is not the concept we are trying to promote.

CP at 94-95. The Applicant offers exactly the opposite of what the Plan here requires. All of the residential uses in Poplar Hill are crammed together in one section of the project, while the commercial (retail/offices) uses are segregated in a “disconnected pod.” What the Plan envisions is true “integrated” use – small scale offices/retail located at various points within the neighborhoods, making both more accessible and creating real neighborhood mixed use character.

The Plan elaborates on this concept, and in so doing demonstrates Poplar Hill’s failure to comply:

What we are actually looking for is old fashioned, neighborhood-style development. That means development that includes housing, with retail ***located at or near the center*** of the area [together with] offices, civic space [and] open space This does not mean a strip shopping center located along a State Road with the remainder of the site devoted to housing.

CP at 95. The Applicant's proposal directly contravenes this Design Principle. Its proposed office/retail feature is not "located at or near the center" of the residential neighborhood. Instead, in what the Plan specifically condemns, the Applicant proposes a shopping center "located along a State Road [Route 322]" with the remainder of the site devoted to housing.

Similarly, design layout of the project's open space ignores the Plan's prescription that such space must be "thoughtfully located so as to be a driving force in establishing the character of the neighborhood being created." CP at 95. The "open space" proposed by the Applicant is no "driving force" regarding the "character of the neighborhood" – almost all of that proposed open space is like the proposed commercial area, a segregated disconnected "pod" not integrated into the residential neighborhoods. Indeed, actually within the residential neighborhoods illustrated in the Poplar Hill plan, there is scant open space – no multiple spaces designed to attract and accommodate neighborhood gatherings, outdoor social activities, or other uses throughout the community. Instead, effectively all of the "residential" project area is given over to high density housing and apartments, driven not by the Comprehensive Plan's Design Principles, but rather by a plain effort to increase unit density to the greatest extent possible.

Compounding Poplar Hill's failure to conform with the Design Principles, the proposed individual lots sizes and configuration directly contravene the Plan's prescriptions. The Plan sets out several simple, specific parameters that "future residential developers in Easton should note and incorporate." The first two such standards are relevant here:

- Adjacent lots should be different sizes.
- There should be no two lots of the same size and configuration within 300 feet.

CP at 109. The Poplar Hill developer entirely ignores these criteria. The 138 town house lots, and the 109 single family lots are essentially all the same size within those respective neighborhoods; "adjacent lots" are not "different sizes" but generally are sized identically. Similarly, there is a multitude of lots – way more than "two lots" – of the same size and configuration within 300 feet of each other in each of those neighborhoods. The single family lots are essentially indistinguishable; some are 55 feet wide and some are 60 feet wide, but all are 115 feet deep. Again, the developer has ignored the Plan's lot size and configuration criteria in order to maximize the number of saleable lots.

May 16, 2023
Page 4

We will end the examples of inconsistency there, although there are more. The Applicant would have the Commission ignore these plain inconsistencies, and instead focus upon the notion that the project provides “density,” and density is a good thing for concentrating growth within town limits. But the density proposed here goes way overboard; the Comprehensive Plan advocates that we “achieve a density that creates a sense of place” CP at 140. One only need look at the proposed layout of the project to see that no “sense of place” will be created.

Growth Allocation is a precious and scarce resource; indeed, for Easton it is a non-existent resource absent the consent of Talbot County. That resource therefore should be reserved for only the most creative and carefully conceived projects, that will promote the rural character of our community, and that will conform with the Comprehensive Plan and its “goals and objectives” in all respects.

Poplar Hill as proposed with Growth Allocation, as presently configured, does not do that. The Commission should recommend denial of the request, while explaining to the developer that the door remains open for a project that is less dense and observes the Design Principles – or that, alternatively, might just utilize the 60 plus acres not within the Critical Area, leaving that unique amenity in its natural state into the future.

Thank you for considering these comments.

Very truly yours,



Thomas T. Alspach
Talbot Preservation Alliance, Inc.

TTA/tsd
cc: Miguel Salinas

RECEIVED
MAY 16 2023
TOWN OF EASTON

5/16/23

ssmith@eastonmd.gov

mcook@eastonmd.gov

Re: Poplar Hill reclassification of growth allocation

Dear Members of the Town of Easton Planning Commission:

I am an Easton resident and strong advocate for preserving the Chesapeake Bay and its wetlands and animal habitats. I urge you to deny the Manassas, Virginia developer 5001 SHR, L.C.'s request for additional growth allocation for its project on the Poplar Hill property for the following reasons.

1. The proposed PUD includes 456 dwelling units, including seven 3-story apartment buildings and 40,000 square feet of retail/office space. The proposed project would be built on 66 acres located within the Chesapeake Bay Critical Area. Allowing growth in this Critical Area will negate the protections created by the 1984 Critical Area Act.
2. Residents of both the Town of Easton and Talbot County oppose this massive project as inconsistent with their desire for open spaces and a small-town community specified in their Comprehensive Plans. We strongly oppose urban sprawl as a threat to our way of life.
3. The seven 3-story apartment buildings will be an unwanted eyesore visible from both the Oxford and Easton Parkway. We do not want to become an urbanized and overcrowded Annapolis or Manassas.
4. We do not have adequate public facilities to support a project of this scale. It will impact our schools, medical facilities, police and fire departments.
5. We do not require the proposed playing fields, restroom facilities, and the noise and traffic they would generate. The additional blacktop parking lots will mean more runoff into our already threatened tributaries leading into the Chesapeake Bay.
6. Traffic on Oxford Road and Easton Parkway has steadily increased, and the additional vehicles generated by this project will bring travel to a standstill. There is also a safety issue. The Oxford Road near the proposed entrance and exit for this project cannot be widened because of the fixed bridge over Papermill Pond, headwaters of the Tred Avon River. Oxford Road is used by cars, trucks, cyclists and pedestrians. Multiple accidents involving personal injuries will increase.

For these and other reasons, I respectfully request that the Planning Commission respond to citizen concerns by denying the growth allocation requested by 5001 SHR L.C. for this project.

Very truly yours,
Jane T. Phelan
7635 Tour Drive
Easton, MD 21601

RECEIVED

MAY 17 2023

TOWN OF EASTON



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

Laurie <lmackaness@gmail.com>
To: ssmith@eastonmd.gov

Tue, May 16, 2023 at 7:57 PM

Dear Planning Commission, while we understand that the property of Poplar Hill has the propensity for development, we urge you to take into consideration the magnitude of this proposed development and the ramifications it will have for years to come. Traffic, overcrowding of schools, and the loss of natural habitat and its current beauty, to name but a few. Please deny the Growth Allocation request and the density which is proposed.

To quote C. S. Lewis: "You can't go back and change the beginning, but you can start where you are and change the ending."

Respectfully submitted, Laurie and Kimball Mackaness- Clubhouse Drive

Sent from my iPhone
Laurie



Samantha Smith <ssmith@eastonmd.gov>

Re: 5001 SHR Pending Application

1 message

Lois <shepinc@aol.com>

Tue, May 16, 2023 at 9:43 PM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Easton Planning Commission
Town of Easton
[14 S. Harrison Street](#)
[Easton, Md. 21601](#)

Re: 5001 SHR Pending Application
for Growth Allocation

Dear Commission Members:

As you have before you, the entity " 5001 SHR, LC" has requested a Major growth allocation from you, the Easton Planning Commission. They are doing their job. They represent the entities involved whose goal is to build whatever they can get away with.

As we see it, it is up to you to uphold the Comprehensive Plan and to defend your constituents, the citizens of Easton from the "Developers" whose sole objective is to "develope" us out of our community.

We are in complete agreement with Mr. Alsbach's analysis. We leave it to the professionals to get into the Comprehensive Plan details, but we do know that the Intent of the plan is to preserve the character of Easton. We trust that is your intent as well.

Respectfully.

Lois & William Shepard
Clubhouse Drive
Easton



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

jb@jbsales.com <jb@jbsales.com>

Tue, May 16, 2023 at 11:06 PM

To: ssmith@eastonmd.gov

Cc: Barbara Beshel <ecca.mhc@gmail.com>, jini_68@hotmail.com, pinnproducts@gmail.com

Dear Town of Easton-

I am totally against Poplar Hill developer planning **"7 high-rise buildings with 30 apartments each."**

Totally not what we need for this area... What are you all thinking?

There is NO building in the town or the county over 3-4 floors...

James Spear

410-924-0752

Papermill Crossing Homeowners Assn.
7585 Pollys Hill Lane
Easton, Maryland
16 May 2023

Mr. Lynn B. Thomas, Jr.
Town Planner
Town of Easton
14 S. Harrison Street
P.O. Box 520
Easton, Maryland 21601

Re: Request for Supplemental Growth Allocation for Development of Poplar Hill Farm

Dear Mr. Thomas:

We have attached additional materials for consideration at the Easton Planning Commission on 18 May. We respectfully request that these materials be added to the record available to the public and distributed to commissioners as soon as possible. We apologize for the late submittal, but we only learned of the substantial discussion of the request for supplemental growth allocation after reviewing the draft minutes for the 20 April meeting. The agenda for that meeting did not suggest that there would be discussion and especially submission of opinions about the need for additional fields. The draft minutes were available late on 13 May. We have reviewed the video of the meeting and provide these comments in writing to streamline Thursday's meeting, although we may of course briefly respond if permitted after the open discussion there.

Respectfully,



Thomas Ledvina

President, Papermill Crossing Homeowners Association

RECEIVED
MAY 17 2023
TOWN OF EASTON

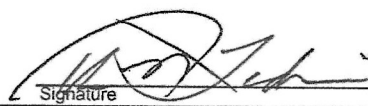


TOWN OF EASTON

P.O. Box 520
14 S. Harrison Street
EASTON, MD 21601
www.EastonMD.gov

DATE: 19 FEB 2023

MARYLAND PUBLIC INFORMATION ACT REQUEST

NAME, ADDRESS, PHONE NUMBER AND ORGANIZATION OF REQUESTOR: PLEASE INCLUDE E-MAIL.	
<u>Thomas Ledvina</u>	
<u>7585 Pollys Hill Ln</u>	
<u>Easton, MD 21601-8374</u>	
<u>Ledstn@msn.com</u>	<u>703 489-4597</u>
TO TOWN CLERK:	
In accordance with the Administrative Orders of the Town of Easton, request is hereby made for (PLEASE CHECK) ☐ examination / ☒ copy of the following record(s), if any (identify as specifically as possible the record desired):	
1. Approved minutes of the Park Advisory Board meetings for 28 Nov. 2022 and 25 Oct. 2021.	
2. Any official long range (more than 1 year in advance) assessment, study, or plan of the Town of Easton's need for additional public athletic playing fields prepared in the last 3 years.	
3. The Town of Easton's official input to the 2022 Talbot County Land Preservation, Parks & Recreation Plan	
Digital copies in pdf format are acceptable.	
I understand that if the Town does not have the record as requested above, it is not required to compile information. I further understand that the examination or copy must be paid for in advance as prescribed. It is also understood that if I am permitted to examine the record, I shall not alter, falsify, cancel, destroy, mutilate or remove any part thereof, under penalty of law. If the Town denies access to the records I have requested herein, I understand that I have the right to seek judicial review of the decision by filing a complaint in the circuit court, as provided in Section 10-623 of the State Government Article, Annotated Code of Maryland (1995 Repl. Vol.), which sets forth certain remedies for wrongful denial of access.	
Date: 19 FEB 2023	 Signature
For office use only RECEIVED ON, 2/20/23 JIM	NOTIFICATION OF AVAILABILITY/COST ON _____
AMOUNT DUE: _____ FEE PAID ON, _____	INFORMATION AVAILABLE ON _____
INFORMATION RECEIVED BY REQUESTOR ON _____	

Freedom Of Information Requests Are Subject To Disclosure Under The Maryland Public Information Act

My Documents/Templates/
Public Information Request Form.xls

From: Kathy Ruf
Sent: Monday, February 27, 2023 12:29 PM
To: Ledstn@msn.com
Subject: Fwd: Public Information Act Request

Mr. Ledvina:

Please see attached regarding the Public Information Act Request submitted 2/19/22:

#2 - Nothing in the last 3 years.

#3 - There was no official Town input on the County plan that I am aware of. (I checked with Tom Klein from our Town Park Board who is our Representative on the County Park Board and he said he does not recall the County providing the plan to the Towns for their input).

Kathy Ruf, Town Clerk, CMC

Office of the Mayor and Town Council

Town of Easton

14 S Harrison Street, P.O. Box 520

Easton, MD 21601

410-822-2525, ext. 127

www.EastonMD.gov

Why the Critical Area at Poplar Hill Must Be Protected

As we get closer to the decision on whether and how to develop the Poplar Hill site, we thought it might be useful to create a document that succinctly summarizes why the Critical Area must be protected and why even if the development is built, a passive meadow park would be more beneficial to the development and surrounding area.

There are two areas where we can objectively outline the advantages of a passive meadow park over an active park or sports field; 1) the impact on water quality, and 2) the impact on the surrounding habitat. Additionally, we have a concern about the cumulative impact of the Poplar Hill development on the environment and a question about the need for additional ball fields.

1. Water Quality

1. **Regulations:** The first goal of the Maryland Critical Area Program Goal is: Minimize adverse impacts on water quality, and the Easton Town Code §28-401.8.E requires that the plan optimize benefits to water quality.
2. **Current conditions:** We recently heard from ShoreRivers at the Avalon Theater that the water quality of the upper Tred Avon River is among the worst of the waters it monitors. The Chesapeake Bay Foundation reports that the cleanup of the Chesapeake Bay will not meet the 2025 goals for nutrient reduction, largely due to failure to control stormwater runoff. The Bay Journal reports that continued failure to meet standards could result in mandatory withdrawal of land from cultivation or reduction in the number of farm animals raised within the watershed, including the Eastern Shore. The Chairman of the DELMARVA Fisheries Association has stated “[W]e can’t plant seed, we can’t catch crabs, we can’t catch fish if this Bay continues to go the way it is with the pollution problem that we have.”
3. **Sports Complex Water Quality Impacts vs. Passive Meadow Park,**

Sports Complex impact: The storm runoff from the turf fields of a sports park is nearly equal to that from impervious surfaces. Although the developer’s SWMP predicts a 15% reduction in phosphorous, that assumes the field was farmed traditionally. In fact, the field was farmed using no-till methods, cover crops, and a fertilization plan approved by the Talbot County Soil Conservation Service. Use of no-till alone already reduces nutrient runoff by 10%, so in practice the SWMP will produce little additional reduction in nutrient runoff compared to existing conditions. Sports fields require regular applications of fertilizer, herbicides, and pesticides that can run off. Finally, the 209-car parking lot, snack bar, grandstands, and associated sheds, dumpsters, etc., increase impervious surface area.

Passive Meadow Park impact: Meadow habitat absorbs 14 times as much water as turf grass. MDE. According to the Natural Lands Project at Washington College, there is up to 50% reduction in runoff of nutrients and 75% reduction in sediment runoff with a passive meadow park. The U.S. Department of Agriculture (USDA) predicts that a passive park reduces runoff 13%-22% better than a mature forest. Also, a meadow park does not require fertilization or pesticides and only very limited herbicides. Finally, a passive park would require a much smaller parking lot, no snack bar, grandstands, etc., thus reducing the impervious surface area.

2. Surrounding Habitat

1. **Regulations:** The second goal of Maryland Critical Area Program Goal is: Conserve fish, wildlife, and plant habitat. The Easton Town Code §28-501.16 requires identification and special protection of other habitat areas, including “plant and wildlife habitats determined to be of local significance.”
2. **Current conditions:** The field at Poplar Hill was publicly proclaimed as a waterfowl sanctuary for almost two decades before the property was put up for sale. The field is currently used by wild turkeys, foxes, deer, and Canada geese. Grassland birds, such as would inhabit a meadow park, have declined up to 50% since 1970 – loss of habitat is a significant factor. Forest birds, which also use adjoining grasslands, have declined up to 15% in the last two decades, also due to habitat loss, including adjacent grasslands.
3. **Impact of a Sports Complex vs. a Passive Meadow Park on Surrounding Habitat:**

Sports field impact: A sports field does nothing to preserve the existing habitat for wildlife nor does it create habitat to mitigate losses elsewhere. In fact, it will create an “environmental desert” that will have no food, cover, or breeding areas for wildlife, while bulldozing the trees and land features currently thriving there. Finally, THE crucial aspect of this endeavor is that a ball field or sports complex could be located almost anywhere and doesn’t have to be in the Critical Area.

Passive Meadow Park impact: A passive meadow park creates significant additional wildlife habitat, especially for grassland birds, forest interior dwelling birds (FIDS) from adjoining Easton Forest Park and the Windmill Branch buffer, as well as pollinators. It creates a wildlife corridor that would link the forested areas along Windmill Branch and the new Easton Forest Park. The unique location in the Critical Area between Windmill Branch and Easton Forest Park is unlikely to be

found elsewhere in Easton. Each facet links with and enhances the others, taking advantage of existing features and qualities.

3. Cumulative Impact of the Entire Development to the Environment.

1. **Regulations:** The third goal of Maryland Critical Area Program Goal is: Establish land use policies for development in the Chesapeake Bay Critical Area... which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.
2. **Current conditions:** Easton has already used its allocation for Critical Area growth, set in view of the extensive existing use of Critical Area when the program was established. A great portion of Easton was impervious surface (dwellings, roads, parking lots, etc.) then. Impervious surface area in Easton has only increased since then and is not available to mitigate deteriorated water quality and habitat now. A 2018 NOAA assessment found clear signs of ecosystem degradation in the Tred Avon, especially close to Easton. In 2022, ShoreRivers graded the water quality at Easton Point as D+, the worst of the 22 sampling sites.

3. **The Cumulative Impact Will Create Significant Adverse Impacts:**

Cumulative Impacts and Degraded Water Quality. Approval of this supplemental request would impose even greater stress on the ability of the upper Tred Avon River ecosystem to digest an already disturbing diet of nutrients, chemical contaminants, fecal bacteria, and algae found by NOAA in 2018. As the Maryland Critical Area Program recognizes that cumulative adverse environmental impacts can become unacceptable when successive environmental burdens are imposed upon an ecosystem, even when the individual burdens standing alone might be acceptable. Smart growth standards and limits on impervious surfaces that make sense standing alone can still result in significant environmental impacts when combined with existing conditions and other stressors, including other development. Existing environmental conditions in Easton, which already had substantial impervious surface area and contaminants when the Critical Area Program was established, posed environmental challenges from the start.

More Nutrient Runoff From Poplar Hill Hurts, not Helps. Recent research shows that conditions in the Tred Avon, especially at the focus of the new small area development at Easton Point, are degraded. Approval of this supplemental request would increase Easton's portion of Intensely Developed Area by 43%, placing even greater stress on the upper Tred Avon. The impacts would include additional runoff to already poor water quality in the Tred Avon, less than a mile

from Port Street Small Area Plan. That plan focuses on waterside residential and water dependent activities such as boating, kayaking, and walking a boardwalk.

Further stressing the already poor water quality in the upper Tred Avon and ignoring the opportunity to mitigate with a passive meadow park ignores the cumulative nature of the impacts. The avoidable pollution would also eventually flow to the Bay, hampering, not helping, the multi-state cleanup program and reducing fisheries upon which our watermen depend. Unless cleanup of the Bay using current initiatives is more successful, resort to more onerous methods to reduce non-point pollution of the Bay are likely. Measures discussed include limiting cultivation or fertilization of significant farm acreage or limiting the number of farm animals that can be raised. Measures like this would be especially painful in Talbot County and Easton, where agriculture is the largest part of the economy.

Project Growth and Impacts on Traffic and Noise.

The Poplar Hill project will worsen traffic and noise, especially when the cumulative impact of this project and the 818 other dwelling units recently completed or approved are considered. The scope and density of this proposal itself has grown 41% since April 2021, from 324 units to 456. (See "Traffic Impact Analysis for Poplar Hill Farm," Lenhart Traffic Consulting, Inc., Sept. 15, 2021, at p.28). If approved, this will be the largest development in Easton. The population of this single development will be bigger than the entire town of Oxford. As currently proposed, 272 (62%) of the units and substantial amenities will be in the Critical Area. Planned density in the Critical Area is 4.2. This is out of scale with Easton. The development just in the Critical Area exceeds the entire development at the Gannon Estates or Four Seasons developments, which are outside Critical Area.

The methodology of existing traffic studies has not satisfied Easton and Talbot County residents, who are seeking to maintain Easton's quality of life, not what passes for acceptable in Baltimore. Numerous local residents have commented about increased traffic congestion and noise throughout Easton, but especially along Oxford Road. The Poplar Hill development would further stress local traffic and noise along Oxford Road, further threatening the rural small-town quality of life that Easton residents treasure.

4. There is No Demonstrated Need to Build Another Sports Complex, Especially Not in the Critical Area.

We do not oppose more parks or sports fields. But we do oppose placing these kinds of facilities where they will cause environmental harm by destroying the Critical Area and precluding better use of its sensitive environment, for example, by creating badly needed

habitat for wildlife that can't be created just anywhere. The need for a new sports complex and where it should be located deserves to be carefully studied for a host of reasons. This has not happened. When Ryan Showalter asked the Park Advisory Board and the Director of Parks and Recreation in October, 2021 whether there was any "needs assessment" or long range plan for fields, the answer was no. More recently, our Maryland Public Information Act request for records of any study of the need for new fields confirmed that no analysis has been done (our request and the response is attached.) The 2022 Talbot County Land Preservation, Parks and Recreation Plan, which includes analysis of Easton parks, did not identify any significant need for more multipurpose fields in Easton, even after conducting a professional survey of county and towns residents.

The ball fields currently in use are allowed to be reserved in large blocks over long periods of time without any penalty for reserving this resource without actually using it. When you go to reserve the ballfields, they appear to be fully subscribed, but are often found to be empty on date and time they should be full. We feel that prior to moving ahead with yet another sports complex, which will cause the environmental damage described above, we should first try to better understand how much unused ballfield capacity we currently have.

If a needs assessment is done now, after an expression of an opinion, its objectivity may be in question. We believe that the methodology, assumptions, and records upon which such study is done at this date must be disclosed and time for review be allowed.



Samantha Smith <ssmith@eastonmd.gov>

Poplar Plan

1 message

Frank Celestino <fcelestino510@gmail.com>

Wed, May 17, 2023 at 9:26 AM

To: ssmith@eastonmd.gov

I've been a homeowner in Easton for 22 years and I've seen the impact of growth and the issues attached to it.

The farm land will become more available as GMO marches forward. This lovely shore community does not need anything over 2 stories if that. Eyesores no matter how contemporary they look are a quick way to destroy the atmosphere.

Thank you for reading this.

Frank W Celestino
[28525 Clubhouse Drive](#)
[Easton, MD](#)

Dr. James E. Kelly

PO Box 2878 Easton Maryland 21601

Easton Planning Commission

Town of Easton

14 S. Harrison St., Easton, MD 21601

May 17, 2023

Dear planning commission members,

Initially I had a favorable opinion of the Poplar Hill project until I got the details.

I was recruited to come to the Easton from Johns Hopkins Hospital to help with the shortage of physicians in the Eastern shore. I was being recruited all over the country and had more lucrative offers at many other places besides Easton. But we came to Easton is because Easton is unique and only **Easton is Easton**.

As of today, Easton is still a beautiful, rural, safe, friendly, small town to raise a family without the congestion, crime and problems of larger towns.

I have reviewed the comprehensive growth plan for Easton and it is apparently clear that this project is in violation of the comprehensive plan for Easton.

Poplar Hill project will no doubt be profitable for the developer because **Easton is still Easton** and has not yet been **destroyed by developers!**

If you approve this project Easton will no longer be Easton!

It will become another beautiful small town **destroyed for profit** and whose current residents were abused **by not being protected by its planning commission!**

Please do not approve Poplar Hill project- our lives depend on it!

Sincerely , Dr. James E Kelly

RECEIVED

MAY 17 2023

TOWN OF EASTON



May 17, 2023

Easton Planning Commission
14 S Harrison Street
Easton, MD 21601

RE: Poplar Hill Growth Allocation

Dear Easton Planning Commission,

The Eastern Shore Land Conservancy requests the Easton Planning Commission to send an unfavorable recommendation to the town council for the development of the 25-acre three-ballfield sports complex in the Critical Area.

ESLC instead supports the creation of a grassland meadow park with trails on this section of the property. Such a park would help protect and enhance the water quality in the Tred Avon River and create a vital habitat for migratory songbirds that have experienced a 50% decrease in their population over the past few decades.

Due to this property's unique position between the town and the natural landscape, Easton also has a rare opportunity with this property to become a regional leader in public land access. By creating a meadow park with trails, the town would build a continuous park and trail network that leads from the existing rail trail to Idlewild Park, to the potential meadow park, and on to the new woodlands park farther down Oxford Road. Eventually, the trail could also connect to Easton Point. This open space network would become a force multiplier, bringing value to the town, its residents, and visitors as such connectivity would bring greater success than each park and trail would individually.

A network like this would be akin to Boston's Emerald Necklace, a tree and meadow-filled system of trails and parks that have infinitely benefited Boston residents and has drawn attention from the National Park Service, National Geographic, Conde Nast, and Architectural Digest. Begun in the 1870s, this network has now hosted hundreds of millions of pedestrians and is essential to Boston's character. This is the type of opportunity Easton has at hand.

Thank you for the opportunity to provide comment,

Owen Bailey

Owen Bailey
Director of Land Use and Policy



RECEIVED
MAY 17 2023
TOWN OF EASTON

May 14, 2023

Mr. Lynn B. Thomas, Jr., Town Planner &
Town of Easton
14 S. Harrison Street
P.O. Box 520
Easton, Maryland 21601

Mr. Brennan Tarleton, Planning Officer
Talbot County
215 Bay St # 2
Easton, Maryland 21601

Dear Messrs. Thomas and Tarleton:

My wife and I attended the Poplar Hill planning commission meeting on April 4, 2023 (as did many other concerned citizens) and we are very concerned as to a number of out-of-state applicants desiring to commercially develop open pieces of vacant land (in a Waterfowl Sanctuary & in a Residential Zone (Easton Club) to construct homes, townhouses, apartments, a hotel and commercial businesses.

Our specific concern based on the information presented at that meeting is the construction of well over 500 homes and businesses.

The Traffic slide that was shown in that meeting was very misleading in that it indicated that traffic density was "Normal".

I assume that "Normal" is at the current levels and NOT after the 500+ homes and commercial businesses are constructed and the vehicles associated with those homes & businesses begin moving onto the local roads.

I would like to know - Where on earth will the 500 – 700 cars go as these people leave their homes for work each morning and exit onto Oxford Road or for that matter any other road in Easton?

My wife and I live in Easton Club off the Oxford Road and in addition to this Poplar Hill development monstrosity, we are also currently dealing with another development monstrosity - a California based group that call themselves the Maryland Health Club desire to bring many California style multi-story buildings to our community under the "Farm to Table" motto. This building complex would also contain a hotel for overnight guests.

Thank you for your attention to this matter.

Sincerely,



Robert & Kathleen A. Kopec
28488 Wedgeway Circle
Easton, MD 21601

RECEIVED

MAY 17 2023

TOWN OF EASTON



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Farm project

1 message

Zachary Warrender <zachary.warrender@gmail.com>

Wed, May 17, 2023 at 3:41 PM

To: ssmith@eastonmd.gov

Hello,

I'm writing to express my strong opposition to the Poplar Hill Farm project. One of the most valuable resources Easton- and the eastern shore in general- possess is its rural character, beautiful natural environment, and low density. This project, along with others already planned or in development, threatens that. I hope the planning commission will reject the reclassification of 65.977 acres of the Poplar Hill Farm developer's property from a Resource Conservation Area (RCA) to an Intensely Developed Area (IDA.)

Thank you,
Zachary Warrender
South Street, Easton



Samantha Smith <ssmith@eastonmd.gov>

Please vote NO on Easton's request for growth allocation from the County for Poplar Hill or any other 'growth' project

1 message

rebecca@boundinghome.org <rebecca@boundinghome.org>
To: ssmith@eastonmd.gov

Thu, May 18, 2023 at 9:48 AM

It's a bad idea for every reason ... Easton has let the Pragers and the Gannons do anything they want in Easton without scrutiny ... now a new municipality, larger than Oxford itself, is being forced onto the Oxford Road.

... All without formal consideration of impacts on the town or the County.

That is wrong and has to stop. Fortunately we can rely on simple Growth has been uncontrolled ... since past history shows that no one in government cares about the effect on traffic, education, medical care, police and fire or the aquifers or air and water quality it is past time for a MORATORIUM in any growth outward from the towns, esp. for the creation of new municipalities such as Lakeside at Trappe and Poplar Hill.

Planners and Councils need to realize what the rest of us who live here already know ... there already is an overcrowding crisis re: health care, education, road congestion, aquifer depletion, river quality, etc.

Building huge, entirely new, multi-use municipalities on farmland adjacent to our towns is NOT 'smart growth', it is simply a capitulation to greed and, increasingly, to corruption as well.

NO ONE thinks that awarding Easton growth allocation for it to embark on a replay of Lakeside at Trappe is a good idea.

Please listen to your Town constituents and your County neighbors as well as your common sense (and the existing Comprehensive Plans) and VOTE NO.

Sincerely,
Rebecca Ellison



April 4, 2023

Talbot County and Town of Easton Planning Commissions, Joint Public Meeting

Re: Supplemental Growth Allocation Request for Poplar Hill

Sent via email to: PublicComment@talbotcountymd.gov

Thank you for the opportunity to provide comments on the proposed growth allocation request to reclassify 65.9 acres of land located in the Critical Area from Resource Conservation Area (RCA) to Intensely Developed Area (IDA), submitted by 5001 SHR, L.C. ShoreRivers is a nonprofit organization headquartered in Easton, MD, with a membership of more than 2,000 people. We are dedicated to the protection and restoration of the waterways of the Eastern Shore through science-based advocacy, education, and restoration. After reviewing the related documents, I'd like to submit the following information for you to consider as you process this request:

1. Water Quality Conditions are Poor in the Upper Tred Avon River

ShoreRivers Water Quality Data on the Upper Tred Avon River: ShoreRivers manages a water quality monitoring program where we collect information on nutrient levels (nitrogen and phosphorus), chlorophyll a levels, dissolved oxygen conditions, water clarity, and more, as a means of understanding baseline water quality conditions and where areas of poor water quality exists. ShoreRivers has been collecting this data on the Tred Avon River (TA) for more than 10 years, and what we've learned is that **the upper portion of this river (TA01) has some of the poorest water quality conditions of all the stations that we monitor.** This is primarily due to persistently high levels of phosphorus, nitrogen, and chlorophyll a (algae), and low dissolved oxygen levels, as indicated in Table 1 and Figure 1, which shows the 2022 water quality scores per sampling station per sampling parameter.

NOAA Water Quality Assessment of the Tred Avon River: In 2018, researchers from National Oceanic Atmospheric Administration (NOAA) commissioned a [Coastal Ecological Assessment of the Tred Avon River](#)¹ in support of the designation of the Choptank River Complex (including the Tred Avon River) as a Habitat Focus Area. The assessment concluded that, while the Tred Avon River ecosystem as whole is in good condition relative to the larger Choptank River, **clear signs of ecosystem degradation exist, "especially in areas affected by rapid growth and development."** The report goes on to further explain that **"signs of degradation were particularly evident in the sub-watershed nearest Easton (TA1), the most highly developed location...which was impacted by multiple stressors – low dissolved oxygen in bottom waters, the presence of chemical contaminants..., high levels of nutrients, high chlorophyll a concentration, high fecal bacteria counts, and poor water clarity."**

¹ Coastal Ecological Assessment to Support NOAA's Choptank River Complex Habitat Focus Area: Tred Avon River, McLaughlin, Shawn M.; Leight, A. (Andrew); Bricker, Suzanne B. (Suzanne Boyd); Jacobs, John M., 1970-; Messick, Gretchen A.; Skelley, Suzanne; Spires, Jason E.; Corporate Authors(s): National Centers for Coastal Ocean Science (U.S.), Published Date: 2018, Series: NOAA Technical Memorandum NOS NCCOS; 251, DOI: <https://doi.org/10.25923/k2xr-5n27>

Main Office
114 S. Washington St.
Suite 301
Easton, MD 21601
443.385.0511

Regional Office
111A North Main St.
Galena, MD 21635
410.810.7556
shorerivers.org

Regional Office
207 S. Water St.
Unit B
Chestertown, MD 21620
410.810.7556

According to a study by the Department of Natural Resources (Uphoff et al. 2011)², watersheds having 10% of impervious surface or more are three times more likely to create hypoxic (low oxygen) conditions at the bottom of the river, which can have an impact on fish habitat that is not reversible using conventional restoration methods. **The NOAA study went on to hypothesize that “the absence of fish during frequent low dissolved oxygen events at Easton Point (TA1) may be related to the relatively high proportions of impervious surface (22%) in the urban sub-watershed” where Easton is located.**

The Critical Area protects against the impacts of development in an effort to protect water quality, therefore, **we can expect that if this growth allocation request is granted, water quality in the upper Tred Avon River will continue to degrade. This is inconsistent with the goals of Talbot County’s Comprehensive Plan, which explicitly states the need to (1) “conserve and protect Talbot County’s most valuable and attractive assets, its natural resources,” and (2) “take steps to protect and restore water quality, and to meet water quality requirements in rivers and streams”** (Goals statement, Chapter 6, Natural Resource Conservation).

Samplnig Station	Dissolved Oxygen Score	Nitrogen Score	Phosphorus Score	Secchi Depth Score	Chlorophyll a Score	Water Quality Index	2022 Grade
BBC01	92%	64%	48%	24%	40%	54%	C
BC02	92%	80%	80%	44%	73%	74%	B
BC05	92%	82%	76%	44%	83%	75%	B+
CR01	75%	94%	80%	51%	70%	74%	B
CR04	90%	80%	80%	51%	50%	70%	B
CR07	75%	80%	74%	49%	70%	70%	B
CR09	58%	64%	48%	38%	47%	51%	C
CR11	83%	55%	38%	20%	45%	48%	C
CR14	100%	80%	40%	40%	40%	60%	B-
CR15	83%	62%	58%	33%	48%	57%	C+
CR17	86%	58%	62%	40%	53%	60%	C+
CR19	86%	49%	62%	40%	46%	56%	C+
CR20	86%	36%	67%	40%	43%	54%	C
HC04	100%	91%	74%	40%	70%	75%	B+
IC01	100%	83%	73%	38%	60%	71%	B
LI01	92%	66%	50%	31%	43%	56%	C+
LI05	50%	60%	42%	29%	27%	42%	C-
TA01	43%	51%	20%	24%	37%	35%	D+
TA04	79%	78%	69%	38%	68%	66%	B
TA06	100%	80%	69%	47%	57%	70%	B
TR01	100%	40%	60%	36%	34%	54%	C
TR03	100%	8%	38%	68%	77%	58%	C+
TOTAL	85%	66%	59%	39%	54%	61%	B-

Table 1: 2022 Water Quality Index Score for ShoreRivers sampling stations. TA01 represents the sampling station located at Easton Point on the upper Tred Avon River.

2. Proposed Landuse in the Critical Area Will Have Negative Water Quality Impacts

The applicant is requesting growth allocation to convert nearly 66 acres of Critical Area currently designated as RCA to IDA for the purpose of building grass sports fields, stormwater management features, and a walking path. None of these landuses contributes to the protection of water quality, with the potential exception of the stormwater management features.

Grass Sports Fields: While slightly better than impervious surfaces, grass fields are not a sufficient substitute to filter pollutants in the absence of a well-vegetated, 1,000’ Critical Area zone filled with native plant species. The persistent mowing of grass sports fields lessens the water quality

² Uphoff, J.H., M. McGinty, R. Lukacovic, J. Mowrer and B. Pyle. Impervious surface, summer dissolved oxygen, and fish distribution in Chesapeake Bay subestuaries: Linking watershed development, habitat conditions, and fisheries management. North American Journal of Fisheries Management 31(3):554-566.



advantages associated with vegetation growing in the Critical Area. Grass sports fields will likely be fertilized with nutrients that are harmful to local waterways and already impairing in the Upper Tred Avon River. In fact, as illustrated in Figure 1, turf grass cover is the least beneficial type of vegetation when considering opportunities to capture and filter polluted runoff, prevent soil erosion, and provide wildlife habitat.

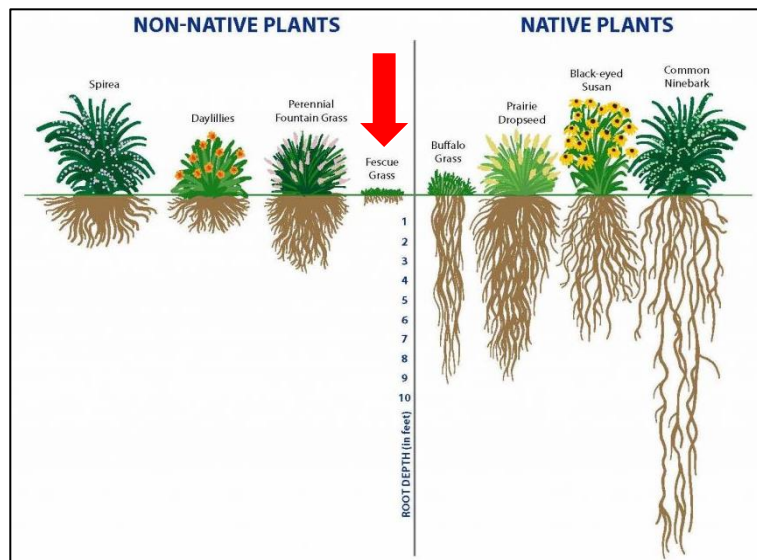


Figure 1: Image of root zones for non-native plants compared to native plants. Deeper roots provide benefits by protecting against polluted runoff and erosion.

Stormwater Management: Polluted stormwater runoff is a focus point in the State of Maryland's efforts to meet pollution reduction goals under the Chesapeake Bay Watershed Implementation Plan. Related, stormwater pollution is one of the sectors that needs the biggest investment and advancements in water quality protections in order to meet said goals. Currently, the Maryland Stormwater Manual used to determine the design standards for stormwater management in the Critical Area of this development are based on standards established in the year 2000. These standards do not include predictions for increased intensity and volume of stormwater as expected impacts from climate change. Even more concerning is that the 2000 Maryland Stormwater Manual carves out an exemption for the Eastern Shore to not have to consider storage volume criteria for the protection of stream channels. (Chapter 2, Unified Stormwater Sizing Criteria).³ **If the growth allocation request is granted, we suggest that the Commission require a special condition that stormwater design criteria include channel protection storage volume.**

The Commission should be aware that Maryland Department of Environment (MDE) has nearly finished a comprehensive review and update of the Maryland Stormwater Design Manual pursuant to [Senate Bill 227](https://mde.maryland.gov/programs/water/StormwaterManagementProgram/Documents/www.mde.state.md.us/asset/s/document/chapter2.pdf) (2021), which tasks MDE with developing plans to evaluate current flooding risks and update regulations to improve urban stormwater flood manual.⁴ MDE is expected to release new regulations in 2023 that reflect the results of this review. Approving the request for this growth allocation before the new regulations are due out later this year means that the proposed, outdated stormwater management facilities would be grandfathered in and not consistent with the more protective measures included with the update. **ShoreRivers suggests that the Commission**

³ Maryland Stormwater Design Manual, Chapter 2, Unified Stormwater Sizing Criteria <https://mde.maryland.gov/programs/water/StormwaterManagementProgram/Documents/www.mde.state.md.us/asset/s/document/chapter2.pdf>

⁴ MDE: Advancing Stormwater Resiliency in Maryland: <https://sb-227-maryland.hub.arcgis.com/>



wait to make a final determination on the growth allocation request until the new design standards are established and reflected in the applicant's design plans.

Post-Development Flooding Impacts: It's our understanding that when reviewing application materials, the applicant did not submit results showing how they modeled the post-development flooding impacts to downstream properties, wetlands, and waterways, or how they plan to address those impacts. We're learning that because of inadequacies of the current MDE Stormwater Design Manual, flooding is occurring more often, even in areas where stormwater facilities are utilized—particularly downstream from those developments. In order to prevent flooding and damage to downstream properties and environments, developers should prove during the permit application phase that the proposed projects won't have downstream impacts. This is modeling that's readily available and well known by engineering consultants, and can be an important tool for ensuring that unintended consequences are avoided. Given that this request for growth allocation includes placing a stormwater management facility in the Critical Area, **ShoreRivers suggests that the Commission require the applicant to show post-development downstream flooding models before approving the use of any growth allocation.**

We feel it's important that the Commission consider the existing poor water quality conditions in the upper Tred Avon River and how the use of 66 acres of growth allocation will further contribute to its degradation and that of our local natural resources. We also want to emphasize that, given that the Town of Easton is out of their originally allotted growth allocations, how this proposal is handled sets a precedent for similar future proposals. There's no question that the Town of Easton, Talbot County, and much of the Eastern Shore is under immense development pressure. And as this proposal can be seen as the tip of the iceberg, it's important that the Commission establish a robust and highly-protective set of criteria for handling future requests of a similar nature.

Sincerely,



Matt Pluta
Director of Riverkeeper Programs
Choptank Riverkeeper
ShoreRivers Inc.



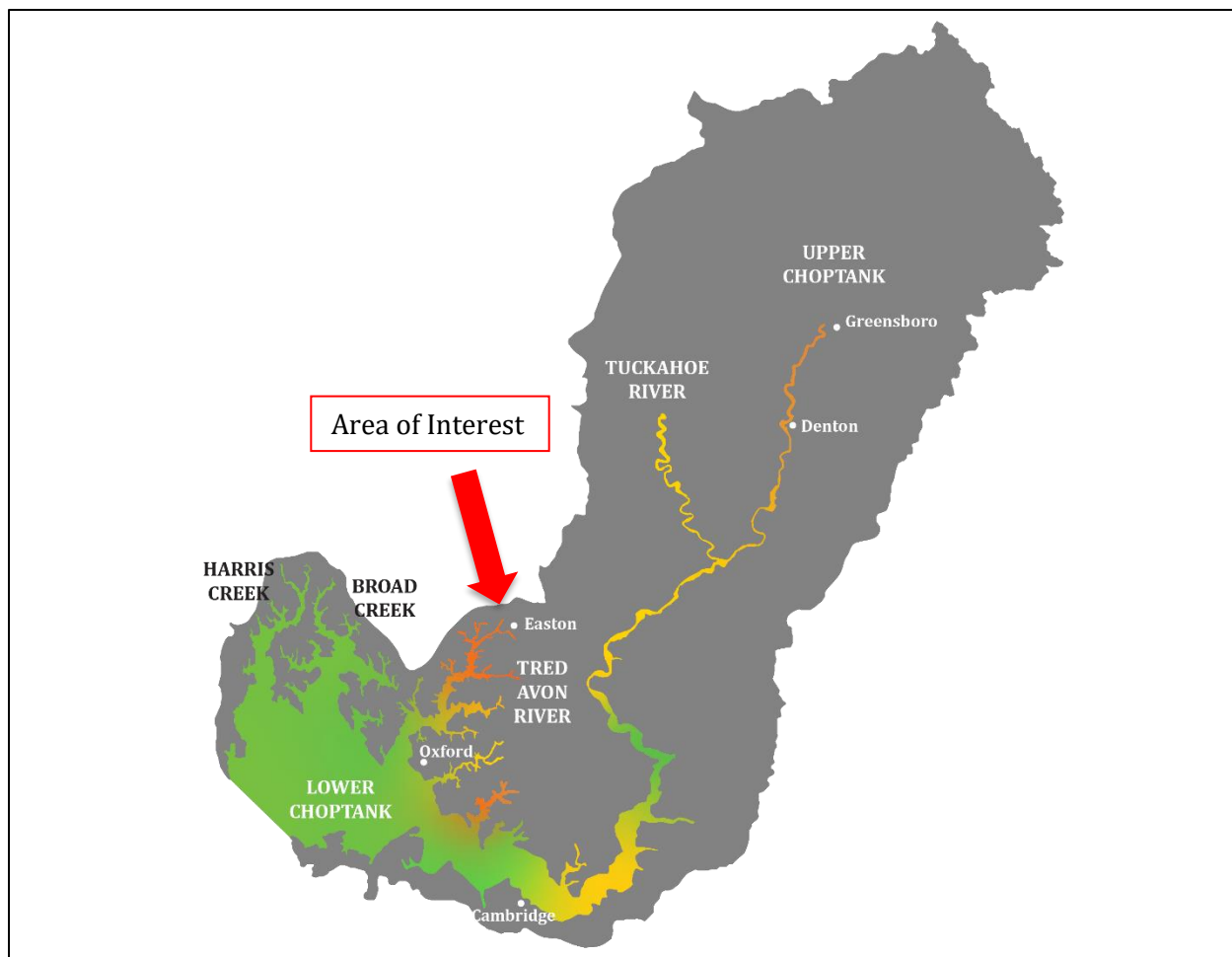


Figure 2: Map of the Choptank River Water Quality Index Scores for the 2022 ShoreRivers' sampling season. Areas in green show good water quality and areas in red show poor water quality.





Samantha Smith <ssmith@eastonmd.gov>

Please do not permit Poplar Hill

1 message

Ann Rosenwald <annrosenwald@gmail.com>
To: ssmith@eastonmd.gov

Thu, May 18, 2023 at 8:53 PM

We moved to Easton Club in 2021 because we wanted peace and quiet, low density development, and nature around us. I am very disappointed that the town would consider lifting environmental protections to slam a high density development on Oxford Road.

Losing the essential character of Easton will cost you immeasurably in the future. If we lose our small town feel, we might as well be on the Western Shore amidst sprawl and traffic. Please protect our neighborhoods and our community from reckless growth.

Please pardon my iPhone, it likes to spell, even when it doesn't know what I want to say!



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Comments

1 message

Brad Hill <brad.v.hill@gmail.com>
To: ssmith@eastonmd.gov

Thu, May 18, 2023 at 9:44 PM

Reflecting on today's meeting and a few thoughts are coming to mind that I would appreciate your consideration of.

Critical Area:

It is true that 1000' is the critical area and it is true that the Tred Avon is a very sick river, especially the upper reaches. If the Maryland law says the critical area cannot be developed if the river is in poor health then approval would subject the town to potential lawsuits from well funded and determined local citizens. I would find the code section that was referenced today and have that before each committee member because their could be consequences for breaking the law.

The developer certainly would have budgeted denial of critical area as a contingency when they did the deal. Saving the critical area would greatly ease the feeling that so many have about this project.

Given the alarming state of the Tred Avon and given the contemplation of such in the law it is reasonable to conclude that this developer has no right to a single acre of growth allocation.

The Developer:

Knows the rent, knows the price, knows exactly what is planned. The proposed rent should absolutely be disclosed as it seems that it is being implied that the developer is generously providing with affordable housing when we all know that is not true.

Expects to be asked for money for impact in the broader community. Things like new hospital, new school, the overpass at Oxford Road and the bypass are the types of things that developers are used to paying. Trappe never thought to ask. They could have and it would have been given.

Interestingly won't show his/her face which should give you a strong sense of just how little regard this person has for any sort of long term standing in this community. When Bill Hunter developed Cooke's Hope he did it in a way that was in keeping with the character of this county because he lived here.

Traffic:

Traffic studies can exercise discretion as to the precise time of taking the study. For example "morning" might mean 7-10am. The person conducting the study can simply survey the 9:45-10:00 traffic and report that everything will be fine. Like the runoff buffers, not sure how much the traffic studies can be trusted. Instead, look at the studies with a healthy skepticism while applying your own instincts. How does the traffic feel to you right now in Talbot County? To me Oxford Road feels like St Michaels Road used to feel.

The People:

Very few people know about this project. I have many acquaintances and friends in this county and aside from the developers counsel I can't think of a single one who is for this project when they hear about it. In fact it is alarming to the people.

Comprehensive Plan and Law:

The project deviates substantially from the characteristics that the comprehensive plan outlines.

The plan says put playing fields East of 50. The developer says West.

The plan says put commercial in the center of a neighborhood. The developer says strip malls and track homes and high rises.

The law says no growth allocation of critical area if rivers are impaired. The developer says let's pave the critical area.

The plan says let's grow at 1%. But factoring the large increase of utilization of existing homes is not considered so we have no idea what the increase in human load has been on this county the last three years.

Im not sure what the plan says about traffic but the developer says let's put in stop lights and let's let those cars onto Oxford Road.

Government Policies:

A great deal seems to have been made of the ability of the regulations to protect our rivers. Much time seems to be spent

listening to whether or not this project is in compliance with various different requirements. None of that really seems to be addressing the felt issue, which is this project feels wrong for this community. It feels like too much. It feels like it is an imposition from a faceless force that will cause all of us long lasting problems long after the the profiteer has taken their money from our community.

Thank you for consideration of these thoughts.

Warmest Regards,
Brad



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

Clayton Fisher <clayton@aerosealcorp.com>
To: PlanningCommission@eastonmd.gov

Fri, May 19, 2023 at 7:45 AM

If it will take 20 years at peak historic rates to build out the currently approved growth, why are you considering the Poplar Hill developers requests? There is no need so who benefits other than the developer?

Thanks

Clayton Fisher
27833 Waverly Road
Easton, Md 21601
443-496-1461
clayton@aerosealcorp.com



Samantha Smith <ssmith@eastonmd.gov>

Planning Commission Members

1 message

csk1951@aol.com <csk1951@aol.com>

Fri, May 19, 2023 at 5:19 PM

Reply-To: csk1951@aol.com

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

Please do not recommend Talbot County approve the supplemental growth allocation to the Poplar Hill Farm developers.

Please do not approve the PUD change.

You have the discretion to just say "no."

<https://talbotspy.org/maryland-court-finds-county-erred-in-waiving-forest-conservation-law/>

TOE citizens's concerns and quality of life vs. out-of-town developers financial motivation.

Sincerely,

Clara Kelly

Easton Club

Maryland Court finds County Erred in Waiving Forest Conservation Law

May 19, 2023 by [Bay Journal](#) 2 Comments



An effort to prevent development of one of the last large, unprotected forests near the upper Chesapeake Bay has won a signal victory, but too late to spare some of its oldest trees from the bulldozer.

A Harford County Circuit Court judge ruled May 9 that the county's planning and zoning officials improperly granted developers permission three years ago to remove 49 large "specimen" trees while developing a business park in a 326-acre tract known as Abingdon Woods. Harford Investors LLP and BTC III I-95 Logistics Center LLC received county approval in 2020 to clear 220 wooded acres for the construction of four large warehouses, restaurants, shops, a hotel and gas station. As part of the plan, the county also waived a requirement in its forest conservation ordinance that would have required the developers to preserve trees that were notable specimens because of their size and age.

The county allowed the removal of 49 of 85 such trees after the developers asserted that it would be a hardship to keep them.

The Chesapeake Bay Foundation and some residents living near Abingdon Woods filed suit in 2020, arguing that the county failed to follow the Forest Conservation Act, the 1991 state law on which the county's ordinance was modeled. Harford Circuit Judge Diane Adkins-Tobin at first dismissed the case, ruling at the time that the county's sign-off on a developer's forest conservation plan could not be appealed until the entire project was approved.

But in 2022, Maryland's highest court — now called the Maryland Supreme Court — ruled that a developer's forest conservation plan could be challenged in court and sent it back for reconsideration. The Harford judge then ordered a temporary halt to construction until she could hear and decide the case, but clearing at the site had already begun.

In January, when the case came up for a hearing, the county — which had until then defended its decision — switched its position and asked the judge to send the issue back to the county to reconsider.

In her May 9 opinion, Adkins-Tobin did just that. She declared that the county had not made any findings of fact, as required by the law, to justify waiving the preservation of all specimen trees.

The Bay Foundation hailed the latest ruling as a "major victory."

"The judge's ruling sends a message to counties and developers that there must be a clear factual basis for granting waivers from the state's requirements to protect forested land," said Paul Smail, the organization's attorney.

"Most developers won't suffer hardship," Smail added, "by preserving forests and large trees that benefit residents' physical and mental health, the enjoyment of their property, and improve water quality."

Tracey Waite, chair of the Save Abingdon Woods Coalition, said the rulings set important precedents for preserving trees and forests.

"These court actions and decisions have kept hope alive even as trees were being cut down," she said.

Before work was stopped at the site, though, the developer felled 22 of the specimen trees.

“Families of turkeys were seen running out of the woods and through suburban neighborhoods looking for cover,” she said. Polluted runoff into the stream called Haha Branch also was observed after rainstorms, she added.

The Bay Foundation’s lawyer noted that project opponents had tried and failed to prevent the start of tree clearing until the case could be resolved. He said he and his clients are now weighing what recourse they have for the loss of those trees.

Meanwhile, the court has yet to rule on a separate related lawsuit challenging the Maryland Department of the Environment’s decision to let the developer build across wetlands and a stream.

Harford County spokesman Joe Cluster said officials are still reviewing the ruling in the Bay Foundation lawsuit and weighing their next step. That decision comes at a time when Republican County Executive Bob Cassilly, who took office in December, has expressed reservations about the environmental impacts of e-commerce-related warehouse development in the county.

At Cassilly’s behest, the county council in April approved a three-month moratorium on warehouse projects while officials weigh what if any new limits or requirements they want to place on them. That has at least temporarily held up another large warehouse project proposed on Perryman Peninsula near the Bush River, a tributary of the Chesapeake Bay.

Waite said that during the moratorium, her group and others hope to persuade the county to alter its development laws to permit distribution centers larger than 200,000 square feet only on land zoned for industry — which would prevent construction of what she called “mega-warehouses” at Abingdon Woods and Perryman Peninsula.

“There’s every reason to keep fighting,” she said.

By Tim Wheeler



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Development: Transfer of 65 Additional Acres of Critical Growth Allocation

1 message

Cheryl Kramer <cherylfree49@gmail.com>

Sun, May 21, 2023 at 3:57 PM

To: ssmith@eastonmd.gov

Cc: David Montgomery <wdavid3@goeaston.net>, Lois Small <lsmall@comcast.net>, Cheryl Kramer <cherylfree49@gmail.com>

To Whom It May Concern,

The developer is asking for too much now. Is this something that has already been agreed upon as part of the long standing negotiations? I would hate to think this type of "back room deal" is part of the modus operandi of our county and town governmental leaders.

NO to additional acreage of critical growth allocation land for apartments. Let the developer work within the parameters of land he already has and help minimize the traffic congestion, infrastructure, educational and healthcare gaps which we already face with the developer's original plan.

Thank you,

Cheryl Kramer

To The Spy and the Easton Planning Commission Members—

First, let me publicly thank the Planning Commission members for their voluntary service dedicated to safeguarding our community and environment. There is no question as to the significant amount of time that is devoted to the matters put before the Commission.

Having observed the town Planning Commission's May 18 hearing regarding the Poplar Hill project I am truly confused. Why are the Planning Commission's overly conciliatory interactions with this Northern Virginia developer and its enabler, Mr. Showalter (referred to by PC staff in the public hearing as "Ryan"), allowing for such a time-consuming, ill-advised proposal to dominate your attention and valuable time?

The resolution of this matter seems to quickly boil down to two primary points. As Mr. Pluta of Shore Rivers noted, the Critical Areas buffer (which is widely believed to be inadequate) is 1,000 feet from tidal waters. Why should there be such time-consuming back-and-forths regarding what the developer would like to do at the 100- or 200- or 300-foot lines, ballfields vs. passive meadows, sediment catchment and filtering basins, etc.? What is the basis for the Town or County giving consideration to compromising on the existing regulations? The town is not getting anything it needs or wants to support compromising on important standards.

There continues to be community discussion as to the need for 'affordable housing', but as Mr. Showalter candidly admitted, there is no portion of this project that is dedicated to low-income or affordable housing or subsidized housing. As he indicated, it is a pure for-profit "market rate" housing investment proposal. Is there some other benefit to the town of which I am not aware that might form the basis for compromising our (inadequate) resource protection standards in an effort to be conciliatory to this out-of-town profit-based business proposal?

The second primary point that would lead to an obvious and quick resolution to this proposal was noted by Mr. Hughes, formerly the Chair of the County Planning Commission. Under certain circumstances, some growth or development is permitted within the Critical Areas, although the permitted Supplemental Growth allocated for Easton's use has long since been used up. As a clear provision of Maryland law regarding development within the critical areas, (Title 27, sect 01.02.03, I believe), it is stated that this is only permitted "provided that water quality is not impaired". The upper reaches of the Tred Avon is deemed to be one of the most impaired sectors in the entire far-reaching Choptank River. This is scientific fact. Per NOAA. Per Md DNR. Per local environmental groups. By law, this portion of the developer's proposal (ANY development or changes within 1,000 feet), should not be under discussion. Not various considerations of 100 vs 200 vs 300 feet. End of discussion. Five minutes. Next agenda item. How was this developer and his attorney able to steer the discussion so off track?

Lastly, it should be noted that after so many, many years and community meetings, the Town is well on the way to actually moving forward with the public-access waterfront park development and more commercial development of the under-utilized Easton Point area. The area under consideration for these happens to be the very same upper reaches of the Tred Avon River just

around the corner from the Poplar Hill development with its proposed compromises of the Maryland water quality regulations.

I encourage the Planning Commission to look beyond the fog of engineering discussions, boil the project down to its simplicities and let the developer know that he is invited to submit proposals that are in compliance with applicable regulations, but that compromising those standards to the permanent detriment of the town and county is not something to be entertained.

- Bob Wenneson, Easton



Joe Mayer <jmayer@eastonmd.gov>

(no subject)

1 message

Kimberly Baldwin <kbbaldwin30@gmail.com>

Mon, May 22, 2023 at 2:20 PM

To: PlanningCommission@eastonmd.gov, ssmith@eastonmd.gov

Good afternoon,

I am writing this email to all of you to ask for you all to refuse the proposal of Poplar Hill Development at the location on the Easton Bypass and Oxford Road. There are many reasons why this development is a terrible idea, and will only add stress to our economy, our roads, our waterways, our children, our traffic and the list goes on and on. Right now Oxford is starting to be saturated with bicycles, nature lovers, and tourists galore. Our little town is an oasis for many people, the people who moved away from the congestion, the crime and traffic that the western shore is known for. By allowing this project to continue, you are especially pushing us down the slippery slope of becoming overpopulated (more than we already are) overwhelming our schools, hospitals, and emergency services. We already are facing a severe lack of personnel in all of these areas, and by creating this new "development" you will only be adding to this decline. Please, please before you allow this to happen, you actually take the constituents of this area into consideration and protect our precious remaining acreage and say no to the money and say yes to protecting this beautiful place we all chose as our home and the place for our children to grow.

I thank you for your time and consideration in this matter,

Kimberly Baldwin



Joe Mayer <jmayer@eastonmd.gov>

Poplar Hill Farm

1 message

Russ Breckenridge <breckenridge.russell@gmail.com>

Sat, May 20, 2023 at 10:49 AM

To: PlanningCommission@eastonmd.gov

Good Morning,

My wife and I live at 5600 Oxford Road. We've grown very concerned the more we learn about the Poplar Hill development. Not only is this destroying a natural area, its also too massive in scale. This large-scale development in this area of town would have a significantly negative impact. We would like this area to remain in its natural environment to preserve the Chesapeake environment.

Thank You

Russ

Russ and Anita Breckenridge
5600 Oxford Rd
Oxford, Rd 21654



Joe Mayer <jmayer@eastonmd.gov>

Poplar Hill Development

1 message

'Sue Ellen Thompson' via Planning Commission <PlanningCommission@eastonmd.gov>Mon, May 22, 2023 at
12:59 PM

Reply-To: Sue Ellen Thompson <iambic@aol.com>

To: "PlanningCommission@eastonmd.gov" <PlanningCommission@eastonmd.gov>

Dear Planning Commission Members:

I am writing to urge you to put a stop to the plan for developing the land at the corner of Oxford Road and the Bypass. As someone who left southeastern CT to escape the traffic and rampant development that had come to the area, it sickens me to think that the same thing might now happen here. A development of this size will be larger than all of Oxford, population-wise, and will (in the words of someone I heard speak at the Avalon meeting) create a "town within a town" that not only draws energy away from downtown Easton but that will also snarl traffic at the Peachblossom/Oxford Rd. intersection of Oxford Rd. The impact that all of those flushing toilets and draining sinks will have on the nearby creek cannot be overlooked, either.

I have lived here for 17 years and have never before felt compelled to write a letter like this before. Basically, I trusted our leaders in Easton to do whatever is necessary to maintain the rural character of Talbot County. But now I am seriously worried that a decision will be made that runs counter to the wishes of the vast majority of area residents. Whenever the subject comes up in conversation, everyone is against the idea. Please consider the long-term negative impact this development will have on the environment, the traffic patterns, and the overall appeal of Easton as a place to live.

Sue Ellen Thompson
[111 Tilghman St.](#)
[Oxford, MD 21654](#)



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Development

1 message

'Sue Ellen Thompson' via Planning Commission <PlanningCommission@eastonmd.gov>Mon, May 22, 2023 at
12:59 PM

Reply-To: Sue Ellen Thompson <iambic@aol.com>

To: "PlanningCommission@eastonmd.gov" <PlanningCommission@eastonmd.gov>

Dear Planning Commission Members:

I am writing to urge you to put a stop to the plan for developing the land at the corner of Oxford Road and the Bypass. As someone who left southeastern CT to escape the traffic and rampant development that had come to the area, it sickens me to think that the same thing might now happen here. A development of this size will be larger than all of Oxford, population-wise, and will (in the words of someone I heard speak at the Avalon meeting) create a "town within a town" that not only draws energy away from downtown Easton but that will also snarl traffic at the Peachblossom/Oxford Rd. intersection of Oxford Rd. The impact that all of those flushing toilets and draining sinks will have on the nearby creek cannot be overlooked, either.

I have lived here for 17 years and have never before felt compelled to write a letter like this before. Basically, I trusted our leaders in Easton to do whatever is necessary to maintain the rural character of Talbot County. But now I am seriously worried that a decision will be made that runs counter to the wishes of the vast majority of area residents. Whenever the subject comes up in conversation, everyone is against the idea. Please consider the long-term negative impact this development will have on the environment, the traffic patterns, and the overall appeal of Easton as a place to live.

Sue Ellen Thompson
[111 Tilghman St.](#)
[Oxford, MD 21654](#)



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Farm Development

1 message

Dick Deerin <ddeerin@gmail.com>
To: PlanningCommission@eastonmd.gov
Cc: ssmith@eastonmd.gov

Wed, May 24, 2023 at 1:04 PM

To: Town of Easton Planning Commission

Re: Proposed Poplar Hill Farm Development

Date: May 24, 2023

I am a resident of Oxford and Talbot County. I have lived here part-time since 1977 and full-time since 2006.

I am writing in opposition to the application for Talbot County to transfer to the Town of Easton approximately 65 acres of the county's Maryland Critical Growth Allocation to facilitate the proposed 120 acre Poplar Hill Farm development project. Although there has been some movement in the numbers, I understand that there are proposed construction of 108 single family homes, 138 townhouses, 210 apartments and 60,000+ square feet of commercial/retail space.

The Town of Easton has used up its Maryland Critical Growth Allocation. Rather than seeking a transfer of allocation from Talbot County, the Town of Easton should preserve the remaining critical areas within the town to protect the environment, waterways and rural character of the town. The sad fact is that the Tred Avon River is already polluted and this project will simply contribute to the degradation of that beautiful waterway.

There is no need for this massive development in the Town of Easton. The roads that abut this project (Oxford Road and the Easton Bypass) will be overwhelmed by the additional traffic. Talbot County schools are already at capacity and this type of development will put further and unnecessary stress on the school system. Although at some point in time there will be a new hospital serving Talbot County and surrounding areas, the fact is that the availability of medical care is stretched, forcing many citizens to seek medical care far from Easton.

The Maryland Critical Area Program is designed to (1) protect the natural resources of the Chesapeake Bay and its tidal shorelines and (2) preserve the County's existing rural character and quality of life. These are treasures that should not be cast aside to line the pockets of developers. We have already seen the tragedy of the Lakeside development in Trappe. Please don't let that happen here.

The public hearings on this project have seen virtually unanimous opposition. The only testimony in favor of the project comes from the developer's attorneys, engineers and consultants.

I urge you to reject the proposal to transfer Talbot County's Critical Growth Allocation to the Town of Easton and the current plans for this Poplar Hill Farm development. Thank you.

James (Dick) Deerin
301 S. Morris Street
Oxford MD 21654



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill

1 message

Linda Laramy <llaramy@gmail.com>
To: planningcommission@eastonmd.gov

Wed, May 24, 2023 at 2:14 PM

Hello,

I am writing to express my opposition to the Poplar Hill Development. I do not think the Easton schools and hospital can handle the many more people this development would bring. I would like to see Easton keep its rural nature.

Linda Laramy



Joe Mayer <jmayer@eastonmd.gov>

Poplar Hill

1 message

Linda Laramy <llaramy@gmail.com>
To: planningcommission@eastonmd.gov

Wed, May 24, 2023 at 2:14 PM

Hello,

I am writing to express my opposition to the Poplar Hill Development. I do not think the Easton schools and hospital can handle the many more people this development would bring. I would like to see Easton keep its rural nature.

Linda Laramy



Samantha Smith <ssmith@eastonmd.gov>

Poplar Hill Application

1 message

Maureen Gittens <gittens2d@goeaston.net>
To: ssmith@eastonmd.gov

Sat, May 27, 2023 at 3:39 PM

My husband and I have lived in Easton for over 19 years now.

In the past 12 months, the Gynecology practice I went to, closed their offices in Easton and Cambridge. Their nearest practice is now on Kent Island. Yesterday, I was advised by my Dermatologist that they received the biopsy results confirming that I have Squamous Cell skin cancer. However, the first available appointment for surgery is two months away; the end of July. These are typical difficulties in getting medical care experienced by many residents of Easton, and Talbot County. Whether we need an Internist, a Dermatologist, a Gynecologist or other doctor, we clearly already have a shortage of doctors in this area.

My question to the Town Planning Commission is this: why in the world would you give serious consideration to approving the application for the Poplar Hill "growth allocation" Development Project, knowing that we already have a serious shortage of health care providers in Talbot County? Adding at least 456 more residents to Easton, will only make it more difficult for **everyone** to get good health care.

Please recommend that the Town reject this application. Thank you for your consideration.

Maureen Gittens
7598 Easton Club Drive

Sent from my iPad



Samantha Smith <ssmith@eastonmd.gov>

Critical Area Growth Allocation

1 message

gerard marconi <gerardmarconi2@gmail.com>

Sun, Jun 4, 2023 at 8:35 PM

To: smoran@talbotcountymd.gov, planningcommission@eastonmd.gov

DATE: June 4, 2023

TO: Talbot County Planning Commission and Council

FROM: Gerard & Katherine Marconi

We are writing to oppose the Critical Area Growth Allocation request proposed for the Poplar Hill development for the following reasons.

1. There is no critical need for additional office or retail buildings in Easton at a time when more people are working at home and shopping online.
2. While there is currently a need for low-income housing in Easton, there is no critical need for 456 additional residential units of this type when there are new developments like it in Trappe and Bellevue.
3. Such a large development proposed at the intersection of Routes 322 and 333 would constitute a severe traffic problem at a busy intersection near schools, churches, and the YMCA.
4. Such development at that location would also change the rural nature along the Oxford Road in an irrevocable way.
5. This development would also have a negative effect on attracting more tourists and vacationers, which has seen significant growth in recent years.

Please consider these likely outcomes if the proposed Critical Area Growth Allocation request is approved. Many of our friends and neighbors agree that approval by the Planning Commission would have a serious and long-lasting effect on our lives and on future generations in Talbot County.

Sincerely,

Gerard & Katherine Marconi
Avenue

301 Bonfield
Oxford, MD 21654



Samantha Smith <ssmith@eastonmd.gov>

Fwd: FW: Poplar Hill

1 message

Lynn Thomas <lthomas@eastonmd.gov>

Mon, Jun 5, 2023 at 12:52 PM

To: Planning Commission <PlanningCommission@eastonmd.gov>

----- Original message -----

From: Kathy Dawkins <dawkins.kk@gmail.com>

Date: 6/5/23 11:40 AM (GMT-05:00)

To: Tom Ledvina <ledstn@msn.com>

Subject: Poplar Hill

Ladies and Gentlemen,

To approve the Poplar Hill development as presented is to approve the continued erosion of the Chesapeake Bay and its many tributaries that we all enjoy. It seems unconscionable that 66 acres of Critical Areas acres would be sacrificed in such a cavalier manner. PH is yet another cookie cutter development that has no redeeming qualities for our current housing situation in Talbot County. The developers from VA have refused to state what these houses, apartments and townhouses will be sold for but most certainly they will not even be classified as workforce housing. So, it's inconceivable to me that a development geared to upper middle class people and certainly retirees would also include active sports fields. Additionally, please have them explain how they justify putting commercial property in CA? The long drive to downtown Easton or Waterside village is just too far to go for retail needs? Our northern neighbor Queen Anne County has shown the lure of the \$\$ to be more important than the health of our precious Chesapeake Bay let's not follow their lead but rather take the hard stand to truly act to preserve the Bay!

James Michener lived in Talbot County when he wrote his impressive tome Chesapeake. He shopped at my in-laws garden center "Hilly's" and spent countless hours on the bay with the waterman to truly understand the special place we call home. He commented on our land this way.

"The announced justification for the bridge was that it would provide an alternate route between Washington and New York," Michener wrote in Chesapeake, "but the real purpose was to enable Monday-to-Friday bureaucrats in Washington and Baltimore to get more speedily to their summer resorts along the Atlantic Ocean, and this meant the sleepy fields of the Eastern Shore, so long protected from outside influences, would be converted into snarling highways for pleasure seekers. Where gracious living had prevailed, gas stations and quick-food counters would clutter the landscape".

Seems to me Mr. Michener had it right so many years ago. I hope you will see fit to take a stand today.

Respectfully yours,
Kathy Dawkins
28568 Clubhouse Drive



Samantha Smith <ssmith@eastonmd.gov>

Please VOTE NO re: anything to do with Poplar Hill ... for all the reasons that have already been stated by others + Maryland Geological Survey's Drummond Report on Aquia aquifer for Q.A.'s and Talbot County Councils in 2001

1 message

Rebecca Ellison <rebecca@boundinghome.org>

Tue, Jun 6, 2023 at 12:41 AM

To: PlanningCommission@eastonmd.gov, Samantha Smith <ssmith@eastonmd.gov>

Dear Easton Planning Commission Members [Jennifer Dindinger, Chairperson; Philip Toussaint, Vice Chairperson; William Ryall, Chair Pro Tem; Victoria McAndrews; Paul Weber; Thomas Klein - Alternate] and Samantha Smith, Administrative Specialist -

I am writing to ask that you vote NO to each and every aspect of the proposed Poplar Hill project to be located on the Oxford Rd. and bypass etc. ... not only to the growth allocation issue, but to the entire project in all its details.

There is no reason FOR this project and there is every reason AGAINST IT. As someone who has strongly opposed the Trappe East/Lakeside development for over 20 years, I am exhausted by the apparent acknowledgement of local governments and the County government that there are presently no ways to prevent or regulate the addition of entirely new municipalities to Talbot County's independent towns if the town undertakes such a thing ... as Trappe has been persuaded to do by billionaire investors.

And now there is Mr. Showalter bringing yet another 'northern Virginia developer' to slip an entirely developer designed and independent new MUNICIPALITY into the very outskirts of Easton ...

Yet, even without Mr. Showalter's Lakeside (2,501 homes and approx. 55k sq. ft. of retail) and Mr. Showalter's Poplar Hill (456 homes plus commercial, sports complex, fire department etc.) having even yet been constructed, the entire County is already increasingly being crippled by Gannon and Prager etc. growth which is clogging our roads, filling up our schools, making physician, dentist and even veterinary appointments difficult to come by, jeopardizing our volunteer firefighter system, sucking our aquifers dry, polluting our air, streams and rivers, etc. etc. We are being overrun by tourists and short-term renters. The drivers on the Oxford Road (where I live) are more and more aggressive ... just this afternoon I was being tailgated by a Delaware driver who continued to push too close to me, even as we approached cars slowing for a stopped school bus. As I came to a stop behind the line of cars behind the school bus, I saw that tailgater coming up behind me with no indication he had noticed that everyone ahead of him had STOPPED. In order to miss me hitting me from behind, he had to veer totally into the oncoming traffic's lane ... fortunately of course the oncoming traffic had already stopped for the school bus stopping ahead of us. I let him pass me and got a photo of his license plate ... but, like everything else about the increased growth around here, there is no one to complain to. Yesterday I was passed on the Oxford Rd. by two young girls who were driving into Oxford at speeds up to 80 miles an hour ... I followed them and they were simply going to take some beach chairs to the strand to watch the sunset.

Small things and small changes add up to be big annoyances and even big hazards ... yet there is no remedy and, with unrelenting growth from St. Michaels and Easton, there seems little recourse.

Easton DOES NOT NEED TO GROW. I have lived here since 1946, and, believe me there were much more interesting stores and activities back then and in the subsequent decades than there are now. I was part of the visioning for one of the County's Comprehensive plans ... we stressed that no national chains should be allowed to take the place of locally owned businesses ... and yet the first thing that happened was that Pizza Hut and other pizza stores arrived and put the squeeze on local pizza places.

Similarly, the Planet Fitness store is hurting the local fitness store next to the laundromat and the Aspen Dental doesn't seem to have the strength to even open. The local optometrist has become a national chain (My Eye Doctor) and I was amused to learn that they national rules require them to keep the background music at an intolerable level 'because of the HIPA rules' ... they said they are required to play the loud music because their waiting area is within hearing of those checking in.

We have lost many privately owned high quality stores to lesser quality national chains ... for example losing Shannahan and Wrightson's to nonsensical shops, losing Trader's Pharmacy to a rug store, losing Hill's downtown Drugstore to the Hills at Idlewilde, losing Atkinson's to an antique store, losing Southern States to Lowe's, Ben Franklins to Michaels, three pet stores (Breeders Best, Noah's Ark etc.) to PetSmart, Rowens Stationery to Staples, Nevius Hardware to the plastic

surgery place, and Lowes, etc. etc. etc. Remember when we had several fancy dress and lingerie stores, and the expensive jeweler and news stand at the Tidewater? When we had Sports and Specialties and The Children's Shop? It was impressive to get the New York Times delivered daily to the Tidewater ... and the Tidewater was somewhere you went for special occasions, weddings, Christmas dances, dancing class with Mrs. Ziegler, lunch with your grandmother etc..

What I am trying to say is that all this fussing about the need for growth and the need to improve the economy is not supported by anything. Certainly, the last thing we need is more housing ... and I'd go so far as to say that we need to get rid of the short term rentals. The County particularly abuses that by insisting that they are not commercial ... and yet the County reaps high profits ... and those of us who live next to them pay the price (tens of thousands of \$ in road repairs for some driveways) ... , short term rentals are now an 'investment' ... my former family home was bringing in \$7,000 a WEEK to the person who bought it ... it is now for sale for multiples of what we sold it for. The price of housing is driven sky high by the rental possibility and it is an abomination to the neighbors. And a risk to neighbors as well as, at least in the county, short term rentals are not required to carry liability insurance for their neighbors.

Short term rentals and tourism are fake ways of getting short term money ... the way to have a REAL community is to let it be what it wants to be. No one developer (Gannon or Prager and Showalter clients) should jerk around whole towns and the county itself.

Those of us who have built this place have the right to complain when the local governments conspire to dilute and degrade the quality of life here ... at the same time making costs go up and traffic etc. become unbearable.

Please vote NO. I think it's safe to say this might well end up being litigated until the end of time ... just as will be the case for Lakeside.

I am sure you have received similar comments which better address your concerns ... I'm sorry mine is so lengthy. It is hard to understand how these stupid projects get as far as they do when NO ONE wants them and there are such GOOD REASONS not to permit them.

I have done the best I can to help explain things to those in office ... but alas. The Showalters of the world never quit ... and there's something about this that causes the local governments to just cave in. It's a mystery ... but please, please vote NO ...

Sincerely,

Rebecca Ellison, Ph.D. (biology)

ALSO - There is factual evidence to support your constituents and the County residents who oppose the Poplar Hill project ... with regard to our aquifers, I wrote a reply to an article in Spy today in which I addressed the issue of depleted aquifers and a 2001 Report which (as I understand it) was jointly requested by the Queen Anne's and Talbot Councils. It describes, for example, the saltwater intrusion into the Aquia from the hydrologic communication with Chesapeake Bay near Kent Island ... the Report was prepared by D. Drummond of the Maryland Geological Survey ... see text of my 'reply' to the Spy letter below (also note that the link in my 'reply' is to the source of a paper copy, please click the link directly below which is to the digital version of the Drummond report).

Here is the link to the digital form of the original Maryland Geological Survey, Drummond Report -
http://www.mgs.md.gov/publications/report_pages/RI_72.html

Please do especially look at Figure 24 in the Drummond report which shows a graph of the Aquia aquifer's drop relative to sea level on a monthly basis. The biggest drop over a one month period took place between July and August at the measuring site at Canterbury, off Bailey's Neck Rd. in the vicinity of the golf course there, presumably reflecting the extensive irrigation there (water is pumped to fill ponds, irrigation water is drawn from ponds according to the son of a former caretaker).

=====

- Rebecca Ellison says

June 5, 2023 at 1:53 PM

Golf courses also irrigate extensively. This not only depletes our drinking water aquifers and increases the total volume of water runoff from the golf course, it creates a vicious cycle in which the freshwater added by irrigation carries off the applied chemicals, and thus 'necessitates' additional fertilizer and pesticide application ... and, ultimately, causes a disproportionate runoff of chemicals into the adjacent lands and water bodies as well as creating measurable aquifer depletion. A water level monitoring station near Bailey's Neck Rd. (off the Oxford Rd.)

shows seasonal drops in the Aquia aquifer presumably from golf course pumping. A decade or so ago residential Aquia wells in that area have had to be drilled deeper, including my own.

That Aquia aquifer report was commissioned for the Talbot County area by the Talbot and Queen Anne's County Councils.

"Hydrogeology of the coastal plain aquifer system in Queen Anne's and Talbot Counties, Maryland, with emphasis on water-supply potential and brackish-water intrusion in the Aquia aquifer" ... link is <https://search.library.wisc.edu/catalog/9910310844702121> .

One doubts that the present council members or even the Planning Commission member have read it.

We should ALL read it. And we should all protest further depletion of our aquifer. And we should remember that aquifer depletion is a known cause of land subsidence ... it's not just that the sea level is rising ... this area is also sinking.

NOTE – the Aquia aquifer is now so depleted by overuse that it is 'recharging' partly by drawing in water ('brackish water intrusion' mentioned in title) from a 'hydrologic communication' with the Chesapeake Bay water in the area of Kent Island.

We ignore and abuse (and allow our elected officials to ignore and abuse) our aquifers at our peril.

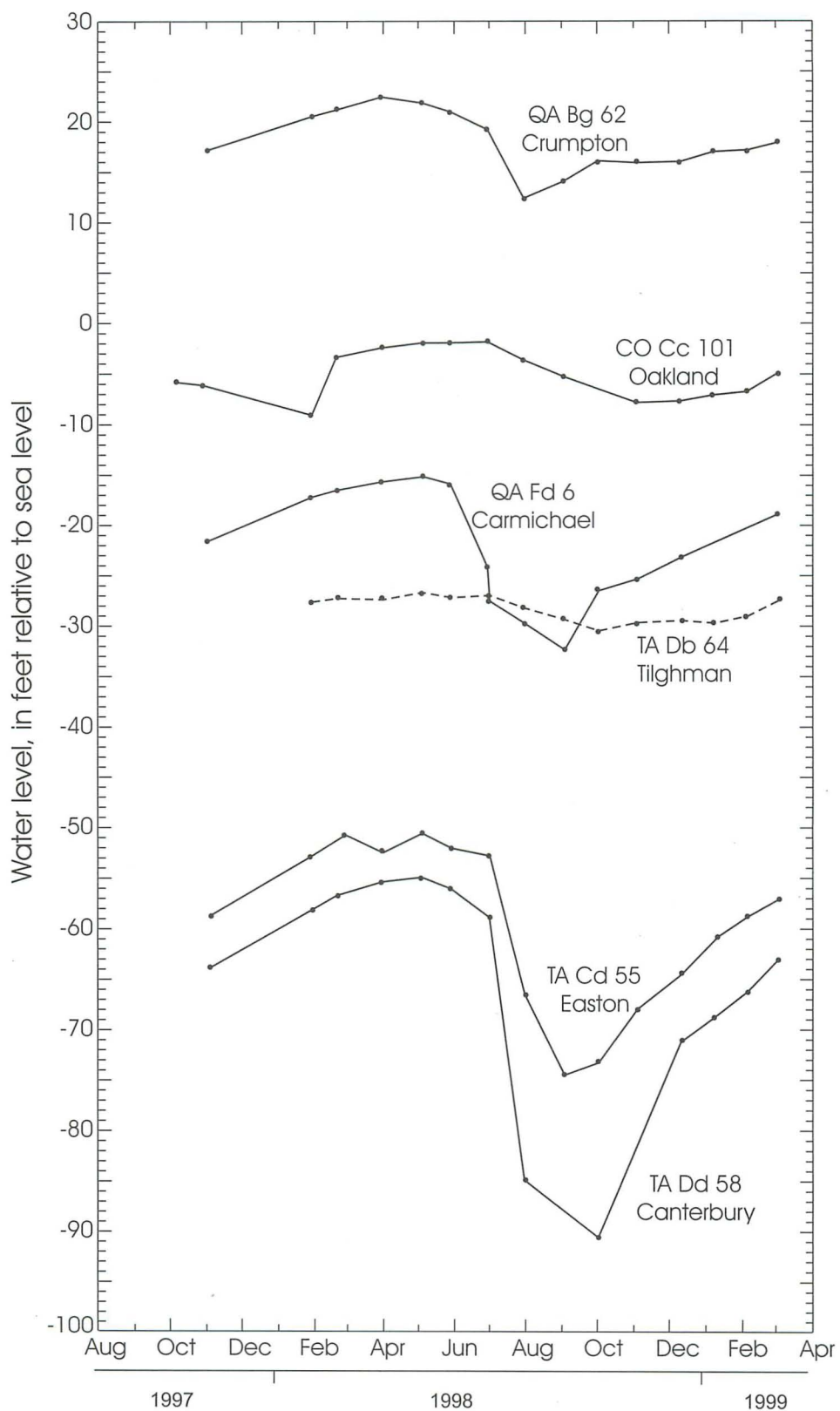


Figure 24. Hydrographs showing seasonal water-level trends in the Aquia aquifer, October 1997 to March, 1999.



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Hearing: May 18, 2023

4a

**PLANNING COMMISSION
PUBLIC HEARING
STAFF REPORT**

SUBJECT: 9196 Mistletoe Drive – Total Home Performance

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

APPLICANT: Pro Wellness Group LLC

DOCUMENT CREATED ON: May 10, 2023

PURPOSE: The applicant is seeking site plan approval from the Planning Commission.

RECOMMENDATION: Staff supports Planning Commission approval of the proposed site plan subject to staff's condition (see below).

APPLICATION INFORMATION:	
APPLICANT: Pro Wellness Group LLC	REPRESENTATIVE: Lane Engineering, LLC.: Brett Ewing Pro Wellness Group LLC: Matt Hargrove
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 025, Grid 0016, Parcel 0138, Lot 1	10.049
ACCEPTANCE DATE: May 1, 2023	LOCATION: 9196 Mistletoe Drive
EXISTING ZONING I	EXISTING LAND USE: Vacant parcel within the Mistletoe Hall Commerce Business Park.
HISTORIC DISTRICT: Not Applicable	FUTURE LAND USE MAP: Industrial

CONTEXT:

Location/Site Access – The subject property is located within the “Mistletoe Hall Commerce Business Park” on the Southeast corner of Goldsborough Neck Road and Mistletoe Drive, fronting on the south side of Mistletoe Drive.

Existing Conditions – The subject property is currently unimproved.

Surrounding Properties

- Parcel 158, Goldsborough Neck Road – Talbot County, MD
- 9155 Mistletoe Drive – I
- 9170 Mistletoe Drive – I
- Parcel 100, Goldsborough Neck Road – Talbot County, MD
- Parcel 129, Goldsborough Neck Road – Talbot County, MD
- Parcel 139, Goldsborough Neck Road – Talbot County, MD
- 9293 Goldsborough Neck Road – Talbot County, MD

Figure 1: Vicinity Map



PROPOSAL: The applicant is proposing to construct an office building and warehouse with associated parking, stormwater management facilities and landscaping.

BACKGROUND: The applicant submitted an application to the Easton Staff Development Review Committee on April 26, 2023.

ZONING ANALYSIS:

A. Permissible Land Uses

28-201 table 2.1 (1) 103.7

I										
505	Contractor's Office w/ no outside storage	--	--	--	--	P	P	P	P	P

Analysis –The proposed project is presented and described by the Applicant as a one-story office building with an associated warehouse for a construction related business. The project is categorized as a “*Contractor’s Office with no outside storage*”. The proposed use is permitted by

right as indicated in Table 2.1 Table of Permissible Uses. For the purpose of parking calculations, the use is considered a “Construction-related business.”

B. Off-Street Parking

28-1001.3 Parking Requirements

	Use/Activity	Minimum Vehicle Spaces	Maximum Vehicle Spaces	Minimum Bicycle Spaces	Notes
	Industrial Buildings				
38	Construction-related businesses	1 per 1,000 sf GFA	1 space per 200 sf GFA	--	

Total Site Parking Required:

Construction-related businesses: 1 Space /1,000 SF GFA; 26 Spaces Required- Minimum
 1 Space /200 SF GFA; 130 Spaces Required- Maximum

Total spaces provided: 49

Analysis- The applicant has provided forty-nine (49) off-street parking spaces. If there was a demand for more parking spaces in the future, there’s ample space to expand on the east side of the site.

C. Industrial District Development Standards

Table 1. Development Standards		
I Zoning District	Standard	Proposed
Setbacks	Front = 25 feet Side = 10 feet Side = 25 feet if adjacent to residentially zoned properties. Rear = 25 feet	Front = 40 feet Side = 10 feet Side – Not applicable. Rear = 50 feet
Lot Size (min.)	40,000 square feet	437,734 square feet
Lot Frontage (min.)	100 feet	675.16 feet
Building Envelope (min.)	30 feet x 80 feet	615 feet X 625 feet
Lot Coverage (max.)	50% (Lot Area)	6% (Lot Area)
Height (max.)	40 feet	40 feet

Bufferyard	Per the provisions of Section 28-1014 of the Zoning Ordinance.	Bufferyard 'B' provided.
------------	--	--------------------------

§ 309.2 of the Zoning Ordinance states that development within the Industrial District shall also meet these additional requirements:

- ***Off-street parking shall be provided in accordance with the provisions of Section 28 – 1001.***
- ***All storage areas shall be adequately screened and landscaped in accordance with provisions of Section 28 – 1014 of this Ordinance.***
- ***All on-site lighting unless approved otherwise by the Planning and Zoning Commission shall be low cut-off shielded luminaries at 18’ height and light shall not shine off-site at levels greater than 1-foot candle.***
- ***All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural planting, either of which shall be a minimum of eight (8) feet in height, in accordance with the provisions of Section 28 – 1014 of this Ordinance.***
- ***All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner, in accordance with the provisions of Section 28 – 1014 of this Ordinance.***
- ***Sidewalks shall be constructed along any public right-of-way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems.***

Analysis - The site falls under the I - Industrial District Area and meets the 28-309 Development Standards. In addition to the Development Standards, the Applicant is required to adhere to the November 5, 2021 Declaration of Covenants for Mistletoe Hall Commerce-Business Park-Book: 2916, Page: 104. Compliance with these covenants is summarized and analyzed below.

Any comments or concerns from the ESDR review letters will be addressed during the Development Site Plan review process.

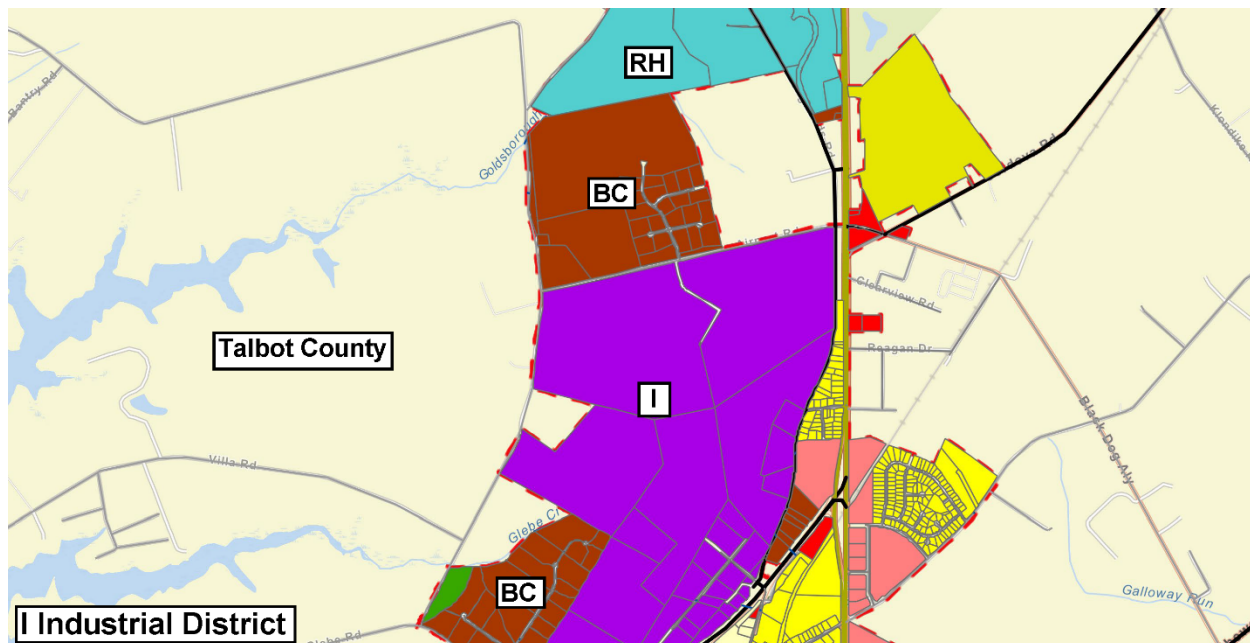
C. Forest Conservation

The Easton Forest Conservation Requirements of the Town Code, Article III, § 31-3.1 Relevance, states that the requirements are applicable to any person making application for a subdivision, project plan, grading, or sediment and erosion control approval on units of land 40,000 square feet or greater after the effective date of the Ordinance.

Analysis - The site is located within the Mistletoe Hall Commerce-Business Park. Forest Conservation was approved at the original Subdivision Plat (Plat KMD 87/124).

POLICY ANALYSIS:

Figure 2: Zoning Map



The submission of a site plan for a proposed use or development activity shall not be approved unless it meets the factors below:

1. The site plan meets the design principles and standards and required improvements set forth in this Ordinance, the Town Comprehensive Plan, the Town of Easton Subdivision Regulations, and other ordinances, regulations, and policies established by the Town of Easton.

Analysis -

Town of Easton 2010 Comprehensive Plan Design Principles (Principle #1) - Integrated uses are desirable.- *Applicant's response: This development proposal provides additional office and associated construction business-related warehouse in this mixed business park.*

Staff notes that the proposed development fits within the industrial nature of this business park.

(Principle #2) Natural features should determine design – *Applicant's response: No compelling natural features; site layout oriented to take advantage of natural drainage patterns and to orient "office" buildings front to street warehouse to the rear.*

Staff notes that there are no compelling natural features on site. Forest Conservation was approved at the original Subdivision Plat (Plat KMD 87/124).

(Principle #3) Automobiles should not determine design – *Applicant's response: Parking for office users and customers provided for convenience with bulk of the parking to front or side of facility.*

Staff notes that the applicant has provided adequate off-street parking.

(Principle #4) Ample Open Space should be provided within & around neighborhoods – *Applicant's response: Usable open space not applicable here.*

Staff notes that open space is provided within the business park and was approved at the original Subdivision Plat (Plat KMD 87/124).

(Principle #5) Architecture should respect Easton's Historical Development – *Applicant's response: This application proposes architecture compatible with Easton and the Mistletoe Hall Commerce-Business Park's architectural Palette.*

(Principle #6) Signs should inform but not dominate – *Applicant's response: Signage, simple and per code.*

Staff notes that any proposed monument sign will require a Signage Application to be submitted prior to installation. Signs should inform but not dominate the area.

(Principle #7) Neighborhoods should contain a diversity of housing types – *Applicant's response: Not applicable to this application.*

(Principle #8) Residential neighborhoods should be interesting places – *Applicant's response: Not applicable to this application.*

(Principle #9) Neighborhoods should connect – *Applicant's response: Not specifically applicable to this application.*

Staff notes that although this Principle generally applies to residential subdivisions, Mistletoe Hall does connect to the adjacent Talbot Commerce Park and provides two means of access.

2. The site plan avoids or minimizes adverse impacts upon features (whether on-site or off-site) of historical, cultural or ecological significance.

Analysis - The proposed site is not within the Historic District or the Critical Area. This project would provide an office and a construction related warehouse with improved amenities; adequate parking, stormwater management facilities and landscaping.

3. The proposed use or development activity will not substantially increase traffic hazards due to traffic generated by the proposed use, the location of curb cuts or the layout of internal traffic circulation.

Analysis - The proposed use and activity will not increase traffic hazards in the surrounding area. Adequate off-street parking is provided.

4. The site plan and the proposed use or uses do not cause any adverse impact upon the health or safety of persons residing or working in the area surrounding the site or upon the character of the neighborhood surrounding the site; and

Analysis - There would be no adverse impacts. The existing property is located within an industrial zoned commerce park. The proposed use would provide an office building with an associated warehouse, adequate parking, landscaping features and stormwater management facilities.

5. The site plan improves the water quality of the Chesapeake Bay or its tributaries.

Analysis - The proposed site is not within the Critical Area boundaries and would meet required design practices for stormwater management.

**DECLARATION OF COVENANTS FOR MISTLETOE HALL COMMERCE-BUSINESS
 PARK ANALYSIS:**

**MISTLETOE HALL COMMERCE-BUSINESS PARK
 COVENANTS**

Checklist of Submission Requirements-April 26, 2022

Project Name: Total Home, Lot 1

Allowable Uses	As permitted in the Zoning Code	☒	Contractor's Office without no Outside Storage are permitted by-right in the I zoning district
Prohibited Uses	<u>Prohibited Uses</u>		
	Uses and the manufacturing, processing, and storage of materials and products which cause an undue fire or health hazard to adjoining lots, or which constitute a nuisance or cause an emission of noxious odors, gases or smoke	☒	
	<u>Prohibited Operation or Use</u>		

	No operation or uses which causes or produces the following effects outside any lot or portion of lots subject to the covenants: • Smoke • Noxious, toxic, or corrosive fumes or gases • Obnoxious odors • Dust, dirt, or fly ash • Unusual fire or explosive hazard • Intense glare or heat • Intense vibration • Excavation, with the exception of excavation for the construction of improvements with proper protection of adjacent lots and, upon completion, shall be backfilled and disturbed ground shall be graded and stabilized	☒	
Development Standards	<u>Site Design</u>		
	Massing, scale, color, and circulation relates to adjacent buildings and to the total development	☒	
	<u>Architectural Standards</u>		
	Massing and scale of larger buildings are broke down into smaller and varied volumes	☒	

	Buildings exceeding 20 feet in height: • Base capped with a molding or reveal placed between 2 ft. and 4 ft. in height with a depth of at least 2 inches and a height of at least 4 inches • Middle may include multiple stories, windows, doors, and balconies capped with a molding or reveal which shall have a depth of at least 2 inches and a height of at least 4 inches • Cap includes the area from the middle to the roof and includes a cornice, eave, parapet, or overhang	☒	Base consists of 4' high contrasting black siding. Middle consists of windows set in off-white steel siding as well as doors (including storage doors).. Cap feature is a parapet. <i>Applicant proposes a contrasting black siding at the base on all elevations without a molding or reveal on the front facade.</i> <i>The applicant to verify whether the front facade has an eave or overhang.</i> <i>Response:</i> <i>Applicant provided 2" deep by 4" tall wainscot and revised drawings.</i>
	Major architectural expressions employed such as corner massing, oversized windows-entrances and roof form to demarcate and anchor key locations	☒	All elevations are broken up by green-colored "portals" that create a change in the exterior plane. The east elevation also includes evenly spaced garage doors.
	Solid walls to not exceed 60 feet in length without a minimum 10-foot facade return, offset, or change in plane	☒	All elevations are broken up by green-colored "portals" that create a change in the exterior plane. The east elevation also includes evenly spaced garage doors.
	<u>Exterior Materials</u>		
	Building finish applied to all publicly-visible sides and neighboring lots and streets	☒	Use off-white steel panels with 4-foot-high wainscot of contrasting black panels.
	Traditional, durable, and environmentally sustainable materials. Examples include: • Brick or or tile burned clay with color and texture to be approved	☒	Use off-white steel panels with 4-foot-high wainscot of contrasting black panels with sufficient return.

	- Concrete masonry units with no plain concrete block on the front of any building, no exposed gray concrete block on any elevation, and gray cement color to be coated - Poured in place or tilt-up concrete walls with a finish of stone, a texture or coating - Coated precast concrete units which are not uniform in color - Concrete finishes for front elevations shall have a wainscot treatment with returns at least 4 feet on the adjacent side elevation - Concrete textured finishes - Cementitious-type or an epoxy-type concrete coating with a life expectancy of a minimum 10 years - Steel panels with a wainscot using dissimilar approved materials at least 4 feet in height when used for a front building elevation and a 4-foot return on adjacent side walls - Wood or wood products - Vinyl - Glass or glass block		
	<u>Roofs</u>		
	Minimum pitch of 5:12 unless 4:12 pitch or less and surrounded by a parapet wall	☒	
	Roof mounted equipment screened by a parapet wall integrated into the architecture	☒	
	<u>Colors</u>		
	Shall be approved by the Town Mayor	☐	<i>TBD</i>
	<u>Temporary Improvements</u>		
	Temporary buildings and other temporary improvements are prohibited	☒	

Automobile Parking	<u>Off-Site Parking</u>		
	Number of spaces in accordance with the ZO without overbuilding	☒	
	Employee and company vehicles designated in the side and back of the property and located as to not compete with patron parking	☒	Designate location of company vehicles.
	Patron parking generally located in the front of the property	☒	
	<u>Off-Site Parking</u>		
	No parking within the street ROW within the property	☒	
	<u>Parking Area Standards</u>		
	Paved with asphalt, concrete, or pervious pavers	☒	
	Front ends of parking spaces shall consist of concrete curbs or curb stops	☒	<i>Applicant to note on plan. Response: Vertical curb added to plan.</i>
	Concrete curbing provided at the radius of all parking access entries off public roads	☒	<i>Applicant to note on plan. Response: Curbing provided at radius.</i>
	Exposed edge of all curbs, parking areas, or walkways installed with grass, ground cover, or mulch	☒	
	Special paving materials may be used to accent special entrance areas or walkways	☒	
	No more than 7 consecutive, single-loaded spaces provided without a landscaped island measuring at least 6 feet in width	☒	
	Parking spaces lined or striped in accordance with the Town's required parking space size	☒	
	<u>Screening</u>		

	Parking screened from view as much as possible by depressing grades, landscaping, and/or berms	☒	
Truck Loading and Parking	Loading docks located in the rear and side of buildings	☒	Loading spaces not shown. Response: No loading docks onsite. Loading spaces shown at rear of building.
	Loading docks screened from view so that trucks using docks are not readily visible from public streets	☐	

	Loading docks screened from view by the building, landscaping, walls, or decorative fencing	☐	
	No overnight parking of trucks and commercial vehicles parked outside the building overnight except in the rear or in suitably screened areas	☒	Applicant to verify. Response: Loading spaces to the rear of the building.
	Loading areas shall not encroach into setback areas unless approved by the Declarant in writing	☒	Loading areas not shown. Response: Loading spaces do not encroach into the setback.
	Loading areas located in side yards shall be set back and screened to minimize the effect from the street and from neighboring lots	☒	Loading areas not shown. Response: Loading spaces are screened.
	Loading doors and docks shall not be closer than 100 feet to the street property line, unless specifically approved by the Declarant in writing	☒	Loading areas not shown. Response: No loading docks onsite.
	Loading areas are prohibited on the front of any building	☒	Loading areas not shown. Response: Loading spaces to the rear of the building.

Storage	No materials, supplies, or equipment stored for more than 24 hours in any area except inside a closed building or behind a visual barrier completely screened from view of adjoining lots or public streets (if screened from view by landscaping, buffer must be opaque within 5 years of installation)	☒	
	Garbage and refuse containers completely concealed from view by a screening wall constructed of material compatible with the building, landscaping materials or decorative fencing with screening located in a side or rear yards of the lot	☒	
Outdoor Work Areas	No work areas permitted on any lot except inside a closed building or behind a visual barrier completely screened from view of adjoining lots and public streets	☒	
Storage Tanks	Prohibited unless approved by the Declarant in writing	☒	
Trailers	Except for a temporary period during construction, prohibited when used for storage purposes	☒	

Landscaping	All open areas not occupied by buildings and paved areas and open areas between each lot's property boundaries and the edge of paving along the street frontage shall be suitably graded and drained and landscaped with lawns, trees, shrubs, and flower beds	☒	Label open space areas Response: Areas identified to be turf grass or landscaped areas.
	Each lot - landscaped areas no less than 12.5%	☒	Not verified on the plan. Response: Percent listed on plan.
	Natural vegetation retained to the greatest extent possible	☒	

	Copy of the landscape plan showing preservation of natural areas; planting of trees, shrubs, flower beds, grass; and installation of earth berms, screens, and underground sprinkling systems (if applicable) submitted to the Declarant for approval in conjunction with the site plan	☒	
	Landscape plan showing components reflecting seasonal changes in the plans	☒	Not provided. Table provided.
	Plant material in conformance with the American Standard for Nursery Stock, latest edition	☒	Applicant to verify and note on the plan. Noted on plan.
	Landscape Plan prepared by a registered landscape architect, certified by the State of Maryland	☒	Applicant to verify and note on the plan. Noted on plan.
	Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant	☒	Applicant to note on the plan. Noted on plan.
Tree Removal	No healthy tree with a diameter exceeding 4 inches may be approved without written approval from the Declarant unless removal is necessary in connection with the location of a building, loading area, driveway or other improvement	☒	
Exterior Lighting	Compatible and harmonious throughout the property	☒	Not shown No site lighting proposed, only security wall pact.
	Lighting sources screened from view or directed downward and shielded	☒	Not shown. No site lighting proposed, only security wall pact.
	Automobile and truck parking areas, if illuminated, shall be directed downward and screened to reduce visible glare from the street	☒	Not shown. No site lighting proposed, only security wall pact.
Signs	Permanent signs for identification only and may not be an advertising device	☒	Any proposed signage must conform.

	Text limited to company name or logo	☒	<i>Any proposed signage must conform.</i>
	No permanent, painted signs permitted	☒	<i>Any proposed signage must conform.</i>
Fencing	Natural areas are preferred for enclosing and screening	☒	
	Black or dark brown vinyl clad chain link fencing, CMU, concrete, brick, and stone walls permitted	☒	<i>Applicant to indicate materials on the plan.</i> <i>Materials for black vinyl clad labeled on plan.</i>

RECOMMENDED CONDITION:

Staff recommends the Planning Commission approve the sketch site plan with the following condition:

- The Applicant is required to receive Town of Easton approval of the Master Plan, Site Plan, and Architectural Plans and Construction Drawings for conformance to the November 5, 2021 Declaration of Covenants for Mistletoe Hall Commerce-Business Park-Book: 2916, Page: 104.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the sketch site plan subject to staff's Condition of Approval.

OR

2. I move that the Planning Commission table the application to the June 15th Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2023-04-26 ESDR Determination, paper copy & PDF
2. 2023-04-26 ESDR Application & Checklists, paper copy & PDF
3. 2023-04-27 ESDR Determination Letter Total Home, paper copy & PDF
4. 2023-04-27 Sketch Site Plan Review ESDR (Total Home)-2, paper copy & PDF
5. 2023-04-28 A-105-color (1), paper copy & PDF
6. 2023-04-28 Total Home Performance-Staff Development Review response letter, paper copy & PDF
7. 2023-04-28 Aerial Context Plan-230019, paper copy & PDF
8. 2023-04-28 Hargrove-Covenants Comment Response Letter, paper copy & PDF
9. 2023-04-28 Hargrove-ESDR Comment Response Letter, paper copy & PDF
10. 2023-04-28 Illustrative Plan-230019, paper copy & PDF
11. 2023-04-28 Lot1-Tree-List, paper copy & PDF
12. 2023-04-28 Sketch Site Plan-230019, paper copy & PDF



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: April 27, 2023
TO: Pro Wellness Group LLC – Owner
Brett Ewing – Lane Engineering, LLC
Cc: Sierra Clem – Engineering Department
Miguel Salinas – Planning and Zoning Department
Aaron Goller – EUC
FROM: Rick Van Emburgh – Town Engineer
SUBJECT: Total Home – Sketch Site Plan Review Comments - REVISED

After reviewing the project at the 4/26/2023 ESDR Meeting, my updated 4/25/2023 Letter comments are in ***bold/italics***.

Sketch Site Plan:

The ***Sketch Site Plan is acceptable with the following conditions:***

1. ***Please label the existing gravel entrance to remain.***
2. Please include wheel stops on parking stalls that do not abut curb.
3. Label the width of the entrance.

The original plan submitted may proceed to the Planning Commission. Please address the comments above on the Preliminary Site Plan.

Stormwater Management:

The ***Sketch Stormwater Management Plan is Approved with the following conditions:***

1. Please complete the ESD Summary Chart with the Target ESDv and include it on the site plan.
2. Please complete the Quantity summary chart and include it on the site plan. The Pre calculations need to be completed.
3. ***The Quantity Management approach to compare all drainage areas cumulatively is acceptable.***

The original plan submitted may proceed to the Planning Commission. Please address the comments above on the Preliminary Stormwater Management Plan.

Please contact me if you have any questions. Thank you.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

Easton Staff Development Review Worksheet

Date: April 27, 2023

Project: Total Home

To: Brett Ewing

The Easton Staff Development Review (ESDR) Committee meeting was held on April 26th at 11:00 am. Staff reviewed the Site Sketch Plan for the proposed office and warehouse building on the property located at 9196 Mistletoe Drive, also known as Tax Map 25, Parcel 138, Lot 1.

The project will need to address all agency comments as specified in the attached review letters and at ESDR. In addition, Article VI in the Declaration of Covenants for Mistletoe Hall Commerce-Business Park (Declaration) requires the applicant to submit Plans to the Town of Easton Plans to include : 1) a master plan for full development of the site, 2) a site plan and schematic design of the area proposed for immediate development including all items required for approval of a site plan, and 3) architectural plans and construction drawings. The Town then reviews the Plans to determine whether they are in accordance with the Declaration.

Section D of Article VI requires the Town to approve, disapprove, or request additions or supplemental information relating to the Plans within thirty (30) days from the date of submission. The Plans were submitted to the Town on April 6, 2023. Staff asked for additions or supplemental information in the form of revisions to the Plans based on the attached Declaration Checklist of Submission Requirements and from the discussion at the ESDR Committee meeting.

The Committee determined that the application may be scheduled for Planning Commission review pending the Town Engineer's approval of an updated Sketch Stormwater Management Plan. Please address all comments and submit an updated application.

Further, please address and submit under separate cover the requested additions and supplemental information with a detailed narrative and response to the staff comments and "unchecked" items in the Declaration Checklist pertaining to the aforementioned covenants for further review.

The next Planning Commission meeting is scheduled for **Thursday, May 18, 2023 at 1:00 pm**. **Submit all documentation to the Planning and Zoning Department no later than Monday, May 1st. Files for presentation at the Planning Commission need to be provided on a flash drive. In addition, provide a digital submittal (via email) of the Planning Commission Application and its supporting documents, including ten paper copies.**

Based on the ESDR sketch plan submission, the Staff did not identify constraints which require action by the Board of Zoning Appeals.

Please contact the Planning & Zoning Department at 410 822-1943 with any questions.

Sincerely,

Miguel Salinas
Department of Planning and Zoning



TOWN OF EASTON PLANNING & ZONING DEPARTMENT

P.O. Box 520
Easton, Maryland 21601
410-822-1943
www.EastonMD.gov

DATE: April 20, 2023

TO: Brett Ewing – Lane Engineering, LLC/Lot 1 Mistletoe Hall Commerce-Business Park, LLC

Cc: Miguel Salinas – Director, Planning & Zoning Department

Rick Van Emburgh – Town Engineer, Department of Engineering

FROM: Joseph A. Mayer - Plan Reviewer, Planning & Zoning Department

SUBJECT: 9196 Mistletoe Drive - Total Home

We reviewed the **April 5, 2023** Sketch Plan Submittal for the Subject Project and have the following comments:

PLANNING & ZONING COMMENTS

Sketch Site Plan

1. Revise permissible use on the Development Data as Contractor's Office with no outside storage.
2. Per Article 4-4.01 of the Declaration of Covenants for Mistletoe Hall Commerce-Business Park, the net landscaped areas shall be no less than twelve and one-half percent (12.5%) of the lot area. Please provide calculations for the total proposed landscaped areas.
3. Per Chapter 28-1007.A.3.I.1 thru 5 of the Zoning Code, provide an impact statement on the site plan.
4. Indicate the use of curb & gutter and/or curb stops on all plan views.
5. The parking calculations for construction-related businesses do not require bicycle spaces. Please advise.
6. Include a statement regarding "*the nature of the proposed use, its expected impact on its surrounding area, expected truck traffic, and any other information necessary to provide a fair and accurate assessment of the impacts of the proposed use on the subject property and the surrounding area.*" (28-1007.3.A.6).
7. Show all entrances and garage locations to proposed buildings on all plan views. Provide an accessible path to the entrance on the east and west sides of the office

building

8. Dimension offset distances from building to the property line adjacent to Goldsborough Neck Road.
9. Provide additional screening for the loading and unloading area adjacent to the proposed stormwater management facilities. Add landscape plantings between the facilities. Per Chapter 28-308.2 J of the Zoning Code, any natural plantings used for screening off-street loading and unloading shall be a minimum of eight feet in height. Please revise the Landscape Key on the Illustrative Plan to reflect the required height. However, an option is provided to utilize an evergreen tree buffer planting, minimum 7' height at installation, staggered to create a solid screen at installation. See Chapter 28-1014.6 F(2)d of the Zoning Code.
10. Indicate on the landscape plan, Article 4-4.07A of the Declaration of Covenants for Mistletoe Hall Commerce-Business Park, the type of landscaping utilized in all open areas, a table showing components reflecting seasonal changes and that the plan is prepared by a registered landscape architect, certified by the State of Maryland. In addition, add a note stating; *Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant.*
11. Add Ward District in the Title Block to all sheets.
12. Label property owners adjacent to Goldsborough Neck Road.
13. Show zoning district boundaries on the Vicinity Map.
14. Show proposed site lighting. Indicate that the lights will be eighteen feet in height and shall not shine off-sight at levels greater than 1-foot candle unless approved otherwise by the Planning Commission.

DEPARTMENT OF ENGINEERING

COMMENTS ATTACHED.

EASTON UTILITIES

COMMENTS ATTACHED.

BUILDING INSPECTION & PERMIT DEPARTMENT

COMMENTS ATTACHED.

Plan Review Status

IMPROVEMENT PLAN REVIEW			Comments
Plans Approved	☐ Y	☒ N	Please review the comments above. Revise and resubmit.

GRADING PERMIT STATUS			
Application and Final Approved Site Plan Submitted to Town Engineer	☐ Y	☒ N	To be processed by the Department of Engineering.

LEGAL DOCUMENTS		
Storm Water Easement		
☒ Required ☐ Submitted ☐ Approved		
To be processed by the Department of Engineering.		
Drainage & Utility and Landscape Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required.		
Shared Access/Use Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required		
Sidewalk Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required		
Declaration of Covenants		
☒ Required ☐ Submitted ☐ Approved		
To be prepared by Town Attorney		
Public Works Agreement		
☒ Required ☐ Submitted ☐ Approved		
To be prepared by Town Attorney		
Bond/Letter of Credit/ Cash Agreement		
☒ Required ☐ Submitted ☐ Approved		
To be processed by the Department of Engineering.		

Talbot Soil Conservation District Approval	
☒ Approval Required	Approval pending.
Forest Stand Delineation & Forest Conservation Plan	
☐ Required ☐ Submitted ☐ Approved	The development of this site has already been mitigated for Forest Conservation under the 2020 Forest Conservation Plan, recorded on record plat KMD 87/124.
Other	
☒ Required ☐ Submitted ☐ Approved	Applicant to provide FAA Determination of no hazard to air shall be required prior to site plan approval.

Please contact me if you have any questions. Thank you.

MISTLETOE HALL COMMERCE-BUSINESS PARK COVENANTS

Checklist of Submission Requirements

Project Name: Total Home, Lot 1

Allowable Uses	As permitted in the Zoning Code	☒	Contractor's Office without no Outside Storage are permitted by-right in the I zoning district
Prohibited Uses	<u>Prohibited Uses</u>		
	Uses and the manufacturing, processing, and storage of materials and products which cause an undue fire or health hazard to adjoining lots, or which constitute a nuisance or cause an emission of noxious odors, gases or smoke	☒	
	<u>Prohibited Operation or Use</u>		
	No operation or uses which causes or produces the following effects outside any lot or portion of lots subject to the covenants: • Smoke • Noxious, toxic, or corrosive fumes or gases • Obnoxious odors • Dust, dirt, or fly ash • Unusual fire or explosive hazard • Intense glare or heat • Intense vibration • Excavation, with the exception of excavation for the construction of improvements with proper protection of adjacent lots and, upon completion, shall be backfilled and disturbed ground shall be graded and stabilized	☒	
Development Standards	<u>Site Design</u>		
	Massing, scale, color, and circulation relates to adjacent buildings and to the total development	☒	

	Architectural Standards		
Massing and scale of larger buildings are broke down into smaller and varied volumes	☒		
Buildings exceeding 20 feet in height: • Base capped with a molding or reveal placed between 2 ft. and 4 ft. in height with a depth of at least 2 inches and a height of at least 4 inches • Middle may include multiple stories, windows, doors, and balconies capped with a molding or reveal which shall have a depth of at least 2 inches and a height of at least 4 inches • Cap includes the area from the middle to the roof and includes a cornice, eave, parapet, or overhang	☐	Base consists of 4' high contrasting black siding. Middle consists of windows set in off-white steel siding as well as doors (including storage doors).. Cap feature is a parapet. <i>Applicant proposes a contrasting black siding at the base on all elevations without a molding or reveal on the front facade.</i> <i>The applicant to verify whether the front facade has an eave or overhang.</i>	
Major architectural expressions employed such as corner massing, oversized windows-entrances and roof form to demarcate and anchor key locations	☒	All elevations are broken up by green-colored "portals" that create a change in the exterior plane. The east elevation also includes evenly spaced garage doors.	
Solid walls to not exceed 60 feet in length without a minimum 10 foot facade return, offset, or change in plane	☒	All elevations are broken up by green-colored "portals" that create a change in the exterior plane. The east elevation also includes evenly spaced garage doors.	
	Exterior Materials		
Building finish applied to all publicly-visible sides and neighboring lots and streets	☒	Use off-white steel panels with 4-foot high wainscot of contrasting black panels.	
Traditional, durable, and environmentally sustainable materials. Examples include: • Brick or or tile burned clay with color and texture to be approved	☒	Use off-white steel panels with 4-foot high wainscot of contrasting black panels with sufficient return.	

	• Concrete masonry units with no plain concrete block on the front of any building, no exposed gray concrete block on any elevation, and gray cement color to be coated • Poured in place or tilt-up concrete walls with a finish of stone, a texture or coating • Coated precast concrete units which are not uniform in color • Concrete finishes for front elevations shall have a wainscot treatment with returns at least 4 feet on the adjacent side elevation • Concrete textured finishes • Cementitious-type or an epoxy-type concrete coating with a life expectancy of a minimum 10 years • Steel panels with a wainscot using dissimilar approved materials at least 4 feet in height when used for a front building elevation and a 4-foot return on adjacent side walls • Wood or wood products • Vinyl • Glass or glass block		
	Roofs		
	Minimum pitch of 5:12 unless 4:12 pitch or less and surrounded by a parapet wall	☒	
	Roof mounted equipment screened by a parapet wall integrated into the architecture	☒	
	Colors		
	Shall be approved by the Town Mayor	☐	TBD
	Temporary Improvements		
	Temporary buildings and other temporary improvements are prohibited	☒	
Automobile Parking	Off-Site Parking		
	Number of spaces in accordance with the ZO without overbuilding	☒	

	Employee and company vehicles designated in the side and back of the property and located as to not compete with patron parking	☒	Designate location of company vehicles.
	Patron parking generally located in the front of the property	☒	
	Off-Site Parking		
	No parking within the street ROW within the property	☒	
	Parking Area Standards		
	Paved with asphalt, concrete, or pervious pavers	☒	
	Front ends of parking spaces shall consist of concrete curbs or curb stops	☐	<i>Applicant to note on plan.</i>
	Concrete curbing provided at the radius of all parking access entries off public roads	☐	<i>Applicant to note on plan.</i>
	Exposed edge of all curbs, parking areas, or walkways installed with grass, ground cover, or mulch	☒	
	Special paving materials may be used to accent special entrance areas or walkways	☒	
	No more than 7 consecutive, single-loaded spaces provided without a landscaped island measuring at least 6 feet in width	☒	
	Parking spaces lined or striped in accordance with the Town's required parking space size	☒	
	Screening		
	Parking screened from view as much as possible by depressing grades, landscaping, and/or berms	☒	
Truck Loading and Parking	Loading docks located in the rear and side of buildings	☐	<i>Loading spaces not shown.</i>
	Loading docks screened from view so that trucks using docks are not readily visible from public streets	☐	

	Loading docks screened from view by the building, landscaping, walls, or decorative fencing	☐	
	No overnight parking of trucks and commercial vehicles parked outside the building overnight except in the rear or in suitably screened areas	☐	<i>Applicant to verify.</i>
	Loading areas shall not encroach into setback areas unless approved by the Declarant in writing	☐	<i>Loading areas not shown.</i>
	Loading areas located in side yards shall be set back and screened to minimize the effect from the street and from neighboring lots	☐	<i>Loading areas not shown.</i>
	Loading doors and docks shall not be closer than 100 feet to the street property line, unless specifically approved by the Declarant in writing	☐	<i>Loading areas not shown.</i>
	Loading areas are prohibited on the front of any building	☐	<i>Loading areas not shown.</i>
Storage	No materials, supplies, or equipment stored for more than 24 hours in any area except inside a closed building or behind a visual barrier completely screened from view of adjoining lots or public streets (if screened from view by landscaping, buffer must be opaque within 5 years of installation)	☒	
	Garbage and refuse containers completely concealed from view by a screening wall constructed of material compatible with the building, landscaping materials or decorative fencing with screening located in a side or rear yards of the lot	☒	
Outdoor Work Areas	No work areas permitted on any lot except inside a closed building or behind a visual barrier completely screened from view of adjoining lots and public streets	☒	
Storage Tanks	Prohibited unless approved by the Declarant in writing	☒	
Trailers	Except for a temporary period during construction, prohibited when used for storage purposes	☒	

Landscaping	All open areas not occupied by buildings and paved areas and open areas between each lot's property boundaries and the edge of paving along the street frontage shall be suitably graded and drained and landscaped with lawns, trees, shrubs, and flower beds	☐	<i>Label open space areas</i>
	Each lot - landscaped areas no less than 12.5%	☐	<i>Not verified on the plan.</i>
	Natural vegetation retained to the greatest extent possible	☒	
	Copy of the landscape plan showing preservation of natural areas; planting of trees, shrubs, flower beds, grass; and installation of earth berms, screens, and underground sprinkling systems (if applicable) submitted to the Declarant for approval in conjunction with the site plan	☒	
	Landscape plan showing components reflecting seasonal changes in the plans	☐	<i>Not provided.</i>
	Plant material in conformance with the American Standard for Nursery Stock, latest edition	☐	<i>Applicant to verify and note on the plan.</i>
	Landscape Plan prepared by a registered landscape architect, certified by the State of Maryland	☐	<i>Applicant to verify and note on the plan.</i>
	Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant	☐	<i>Applicant to note on the plan.</i>
Tree Removal	No healthy tree with a diameter exceeding 4 inches may be approved without written approval from the Declarant unless removal is necessary in connection with the location of a building, loading area, driveway or other improvement	☒	
Exterior Lighting	Compatible and harmonious throughout the property	☐	<i>Not shown</i>

	Lighting sources screened from view or directed downward and shielded	☐	<i>Not shown.</i>
	Automobile and truck parking areas, if illuminated, shall be directed downward and screened to reduce visible glare from the street	☐	<i>Not shown.</i>
Signs	Permanent signs for identification only and may not be an advertising device	☒	<i>Any proposed signage must conform.</i>
	Text limited to company name or logo	☒	<i>Any proposed signage must conform.</i>
	No permanent, painted signs permitted	☒	<i>Any proposed signage must conform.</i>
Fencing	Natural areas are preferred for enclosing and screening	☒	
	Black or dark brown vinyl clad chain link fencing, CMU, concrete, brick, and stone walls permitted	☐	<i>Applicant to indicate materials on the plan.</i>



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: April 25th, 2023
TO: Pro Wellness Group LLC – Owner
Brett Ewing – Lane Engineering, LLC
Cc: Sierra Clem – Engineering Department
Miguel Salinas – Planning and Zoning Department
Aaron Goller – EUC
FROM: Rick Van Emburgh – Town Engineer
SUBJECT: Total Home – Sketch Site Plan Review Comments

I have reviewed the revised application for the subject project received on 4/11/2023. I have the following comments.

Sketch Site Plan:

I have reviewed the **Sketch Site Plan** and have the following comments:

1. Please remove the label for the gravel entrance.
2. Please include wheel stops on parking stalls that do not abut curb.
3. Label the width of the entrance.

The **Sketch Plan** is acceptable to the Engineering Department, please submit a Preliminary Site Plan.

Stormwater Management:

The **Sketch Stormwater Management Plan** and have the following comments:

1. Please complete the ESD Summary Chart with the Target ESDv and include on the site plan.
2. Please complete the Quantity summary chart and include on the site plan. The Pre calculations need to be completed.
3. Page 5 – Study Point 4 for the 10 year storm needs to be managed, the table shows an increase.

Please submit a Revised Sketch Stormwater Management Plan.

Please contact me if you have any questions. Thank you.

P.O. Box 520, Easton, Maryland 21601
410-820-8822
Engineering@EastonMD.gov - www.EastonMD.gov



Easton Utilities Commission

Plan Review Comments

Date: Monday, April 24, 2023

To: Joe Mayer; Nicholas Johnson; Sierra Clem

From: Kia Gibbs on behalf of Aaron Goller, PE

Re: 9196 Mistletoe Drive - Total Home Performance

No. of Pages: 1

Phase: Sketch Site Plan

Review Type: Preliminary

SUBM: 1

Status: Approved as Noted

Easton Utilities Commission has reviewed the above referenced plans and have provided the following comments. Please provide your corrections as listed below. Additional reviews will be required to ensure comments have been addressed. Items or documents not provided on initial submission will be subject to further review. Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.

ITEM:	DRAWING / PAGE	COMMENTS:
1	1 of 1	Utility easement on Mistletoe 10"
2	General	No water meter on site
3	General	Gas service not shown
4	General	Contact EUC for electric design
5	General	Gas available in area
6	General	Install 2" communications conduit with electric.

PROPERTY: TAX MAP 25, PARCEL 138 - LOT 2

CONTRACT PURCHASER/
DEVELOPER: PRO WELLNESS GROUP, LLC
C/O: MATT HARGROVE
8625 BROOKS DRIVE
EASTON, MD 21601

OWNER: TOWN OF EASTON
P.O. 520
EASTON, MD 21601

DEED: 743/703, 2916/104 (MISTLETOE HALL DECLARATION OF COVENANTS)
PLAT: 87/124

CURRENT ZONING: I (INDUSTRIAL)

PROPOSED

BUILDING SETBACKS: FRONT- 40' FRONT- 122'±
SIDE- 30' SIDE- 85'±/441'±
REAR- 10' REAR- 359'±
NON-TIDAL WETLANDS- 25'

PROPOSED DEVELOPMENT: CONSTRUCTION RELATED BUSINESS - 26,000 SF± TOTAL

BUILDING HEIGHT: 40' MAXIMUM ALLOWED / PROPOSED

TOTAL LOT COVERAGE: 50% PERMITTED (BUILDINGS & STRUCTURES ONLY)
CONSTRUCTION RELATED BUSINESS: 1-STORY OFFICE/WAREHOUSE BUILDING: 26,000 SF; (6%)

PARKING REQUIRED: CONSTRUCTION RELATED BUSINESS @ 1/1000 GFA: 26,000 SF/1000 = 26 SPACES MINIMUM
CONSTRUCTION RELATED BUSINESS @ 1/200 GFA: 26,000 SF/200 = 130 SPACES MAXIMUM
TOTAL SPACES REQUIRED = 26 SPACES (MINIMUM)

PARKING PROVIDED: 49 SPACES PROVIDED

BIKE RACK REQUIRED: 1 BIKE SPACE/10 VEHICLE SPACES; 5 BIKE SPACES/ BIKE RACK REQUIRED

ARTICLE 4.03.(1): BUILDINGS EXCEEDING 20 FEET IN HEIGHT SHALL INCORPORATE A BASE, MIDDLE AND CAP

ARTICLE 4.04.(A): ON-SITE PARKING REQUIRED: IN ACCORDANCE WITH TOWN OF EASTON ZONING CODE WITHOUT OVERBUILDING PARKING, EMPLOYEE & COMPANY VEHICLES SHALL BE DESIGNATED GENERALLY IN THE SIDE AND OR BACK OF THE PROPERTY.

ARTICLE 4.04.(B): OFF-SITE PARKING: NO PARKING SHALL BE PERMITTED WITHIN THE STREET RIGHT-OF-WAY OF ANY STREETS WITHIN THE PROPERTY.

ARTICLE 4.04.(C): PARKING AREA STANDARDS: IN FRONT AND ON THE SIDE OF THE BUILDINGS, PAVED PARKING AREAS SHALL HAVE LANDSCAPED ISLANDS, NO MORE THAN SEVEN (7) CONSECUTIVE, SINGLE LOADED PARKING SPACES (14 SPACES IF TWO SEVEN-SPACE GROUPINGS OF PARKING SPACES SHALL BE PROVIDED WITH A LANDSCAPED ISLAND MEASURING AT LEAST SIX (6) FEET IN WIDTH.

ARTICLE 4.04.(D): SCREENING: ALL PARKING SHALL BE SCREENED FROM VIEW AS MUCH AS POSSIBLE BY DEPRESSING GRADES, THE USE OF LANDSCAPE AND/OR BY EARTH BERMS.

ARTICLE 4.05: TRUCK LOADING & PARKING: ALL LOADING DOCKS SHALL BE LOCATED IN THE REAR OR SIDE OF THE BUILDINGS AND SCREENED FROM VIEW.

ARTICLE 4.06.(A): MATERIAL & EQUIPMENT STORAGE: NO MATERIALS, SUPPLIES OR EQUIPMENT (INCLUDING BATS, RECREATIONAL VEHICLES, TRAILERS, OR COMPANY OWNED OR OPERATED VEHICLES) SHALL BE STORED FOR NO MORE OF TWENTY-FOUR (24) HOURS IN ANY AREA ON A LOT EXCEPT INSIDE A CLOSED BUILDING , OR BEHIND A VISUAL BARRIER COMPLETELY SCREENED FROM VIEW OF ADJOINING LOTS OR PUBLIC STREETS.

ARTICLE 4.06.(B): SCREENING OF REFUSE CONTAINERS: SHALL BE COMPLETELY CONCEALED FROM VIEW BY MEANS OF A SCREENING WALL CONSTRUCTED OF MATERIAL SIMILAR AND COMPATIBLE WITH THE BUILDING OR LANDSCAPE.

ARTICLE 4.09: EXTERIOR LIGHTING:LIGHTING SOURCES, EXCEPT FOR STREET LIGHTS SHALL BE SCREENED FROM VIEW OR DIRECTED DOWNWARD AND SHIELDED.

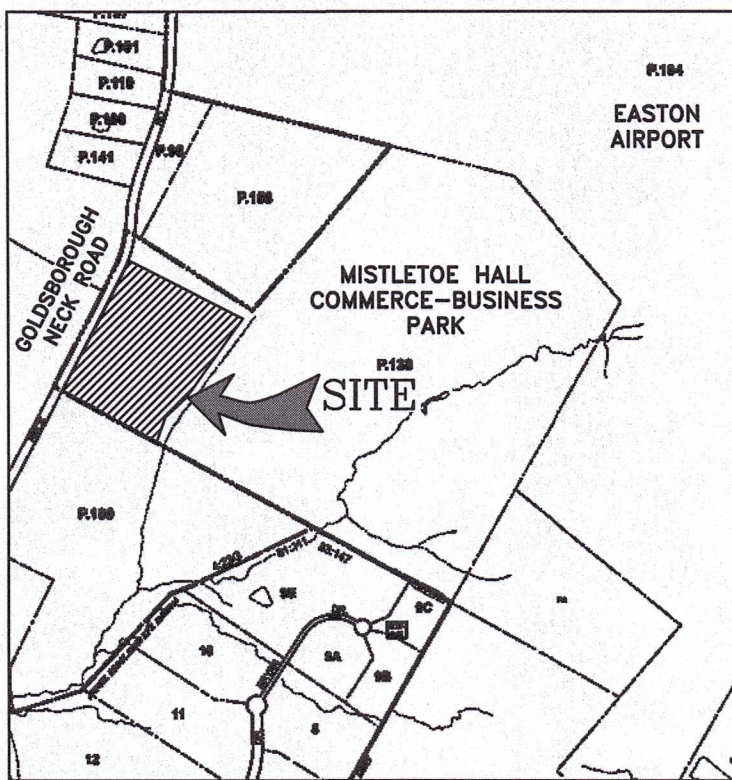
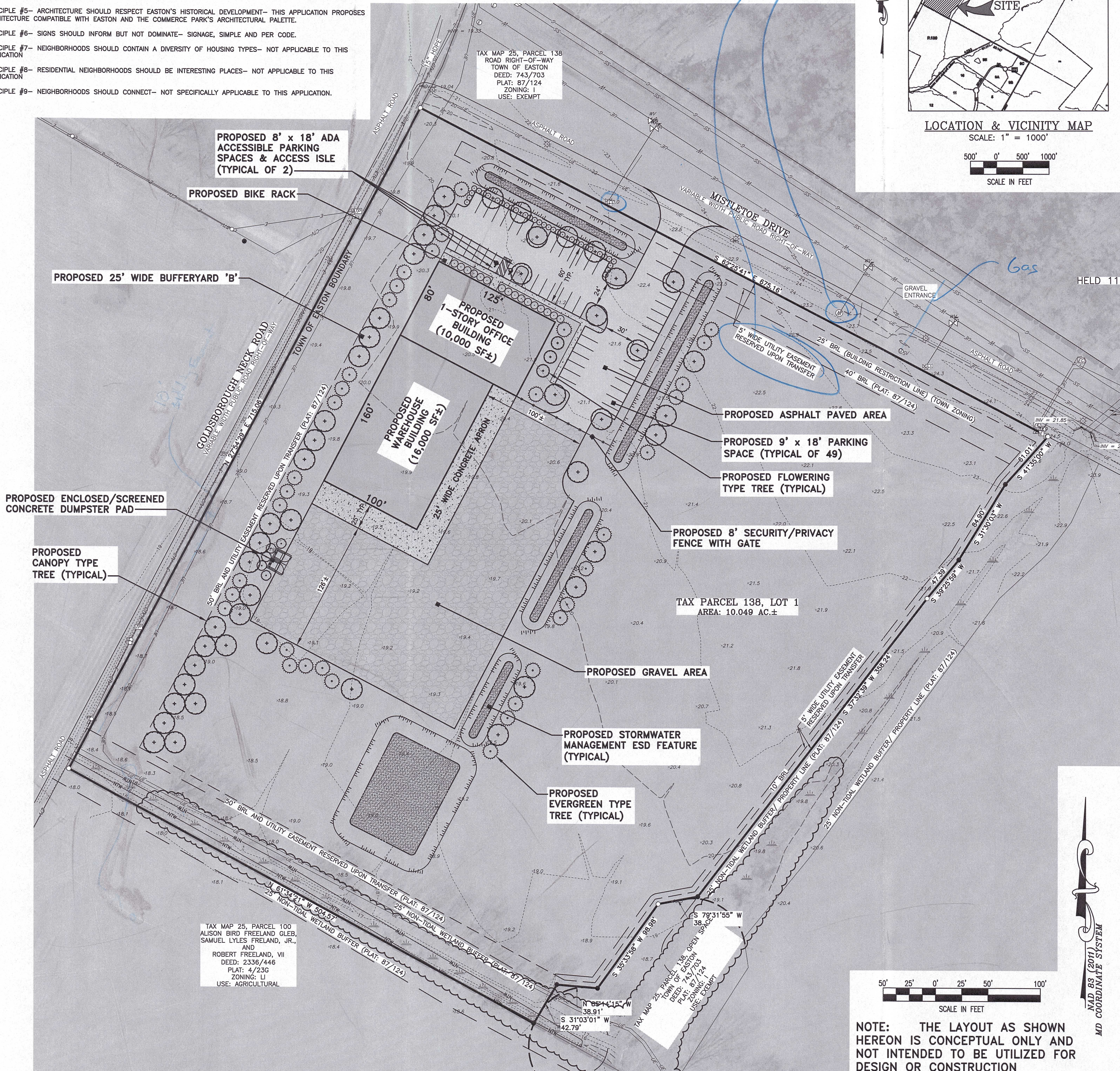
ARTICLE 4.11: FENCING: NATURAL BARRIERS ARE PREFERRED. BLACK OR DARK BROWN VINYL CLAD CHAIN FENCING, CMU, CONCRETE, BRICK AND STONE WALLS RE ALLOWED. GALVANIZED CHAIN LINK FENCE IS DISCOURAGED.

STORMWATER: STORMWATER QUALITY AND QUANTITY WILL BE ADDRESSED THROUGH ESD FEATURES AS REQUIRED AND AS SHOWN HEREON APPROXIMATELY.

FOREST CONSERVATION: N/A- PREVIOUSLY SATISFIED UNDER ORIGINAL SUBDIVISION APPROVAL

	2" CALIPER MINIMUM CANOPY OR STREET TREES (OAK, MAPLE TYPES)
	1.25" CALIPER OR 7' HEIGHT MINIMUM FLOWERING TREES (CHERRY, MAGNOLIA, RED BUD, SERVICEBERRY TYPES)
	8' HEIGHT MINIMUM EVERGREEN TREES (WHITE PINE, SPRUCE, ARBORVITAE, HOLLY, LOBLOLLY TYPES)
	STORMWATER MANAGEMENT ESD LANDSCAPING MASS / PERENNIAL MIX WITH SHRUBS AND GRASSES

PRINCIPLE #9- NEIGHBORHOODS SHOULD CONNECT- NOT SPECIFICALLY APPLICABLE TO THIS APPLICATION.



SCALE IN FEET

[illegible]

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

SEAL

DATE _____

ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	4/5/23	BCF

SHEET No. 1 OF 1

SCALE: AS NOTED

DATE:	4/5/23
JOB No.	230019
FILE No.	A037

NOTE: THE LAYOUT AS SHOWN
HEREON IS CONCEPTUAL ONLY AND
NOT INTENDED TO BE UTILIZED FOR
DESIGN OR CONSTRUCTION
PURPOSES.



TOWN OF EASTON
PO Box 520
Easton, Maryland 21601
(410)-822-2526 Fax (410)-822-8738



Office of Building Inspection.

ESDR- Building Inspection and Permit Department Comments

Date: April 11, 2023

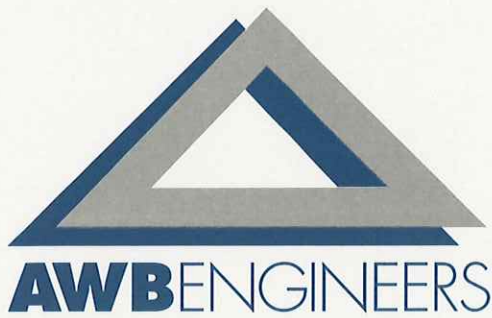
Project; Mistletoe Hall Commerce Park, Lot 1 Warehouse & Office

Owner; Pro-Wellness Group, LLC

A Town of Easton Building Permit is required for all new construction. The following lists items required on the construction drawings in order to apply for a Building Permit.

- Contact this Department to verify current Building Codes including the Town of Easton's modifications prior to preparation of Building plans.
- Indicate the type of construction, new (shell only or Tenant fit out).
- Construction Documents (3 sets) for new construction will be required. Documents must be prepared by a registered Maryland Registered Architect, with original plans signed and sealed. A code analysis completed by a Registered Maryland Architect including, classification (use group), construction type, and occupant loads must be completed and included with the application materials. Items that must be addressed by the construction documents will be structural strength, means of egress (include travel distance), facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, **Accessibility**, and other safety requirements for public access.
- The Town of Easton, in accordance with the International Building Code Chapter 17, establishes a building inspections procedure that utilizes qualified, third-party professionals in addition to the Town's Building Inspectors. The purpose of this document is to establish the policy and guidelines for the construction process.
A copy of this can be found on the Town's Web Site
- All mechanical, electrical, and plumbing permits as required must include construction documents signed and sealed by a professional engineer and by a responsible party for the contractor receiving the permit. Be sure the Town of Easton modifications are included. Section 6-16 of the Town Code.

- Pursuant to Town of Easton Ordinance 477, Chapter 9 Fire Protection, Article VII Security Key Lock Boxes, a lockbox shall be provided on the exterior of the building and shall be located as required by the chief of the Easton Volunteer Fire Department, Inc. (410-822-4848).
 - An appointment may be set up with this department to review your permit application materials prior to permit application submission.
-
- **State Fire Marshal**, (410-822-7609) plan review and inspections are required. It is your responsibility to contact them and make application.



April 28, 2023
23-EMC-0126

Town of Easton
14 South Harrison Street
Easton, Maryland 21601

RE: Staff Development Review Comments Response
Mistletoe Hall Commerce-Business Park
Total Home Performance
Easton, Maryland

To Whom it May Concern:

This letter serves to demonstrate that the proposed new building for Total Home Performance on Lot 2 within the Mistletoe Hall Commerce-Business Park complies with the Architectural Standards (Article 4, Section 4.03) of the Declaration of Covenants dated November 5, 2021 and the previously submitted drawings have been revised per the comments made by the Town of Easton Staff Development Review Board on Wednesday, April 26, 2023.

During the meeting with the Review Board, we were asked to provide the following revisions:

- 1) On the street facing façade, the trim piece on top of the wainscot should be 2" deep by 4" tall. We have provided that on our revised drawings.
- 2) On the street facing façade, the covenants require an additional the trim piece within the middle section of the façade. We have provided a 2" deep by 4" tall black trim piece located above the window heads on our revised drawings.
- 3) We were directed to extend the parapet to a height of 2'-0" above the ridge line of the roofs. We have provided that on our revised drawings.

Thank you for your consideration. We look forward to the approval of this project and its completion for the benefit of Town of Easton.

Sincerely,

Eric M. Catellier, AIA
Project Architect

Lane Engineering, LLC

Established 1986

Civil Engineering • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095
Fax 410-758-4422

April 28, 2023

Joe Mayer
Plan Reviewer
Town of Easton
14 South Harrison Street
Easton, MD 21601

Subject: Pro Wellness Group, LLC – Lot 1, Mistletoe Hall Farm

Dear Mr. Mayer,

We have reviewed the Town's comments dated April 27, 2023, and have updated the plans accordingly. Our responses are in order with your letter as follows:

Planning & Zoning

Site Plan:

1. Contractor's Office with outside storage is a permitted use in the Industrial zoning district.
2. Landscaped area calculation added to the plan; exceed minimum 12.5%
3. Comment N/A per previous ESDR and PC meeting. The use identified as "Industrial Park" is not proposed. The proposed use is contractors office with outside storage.
4. Labels for vertical curb or wheel stops added to the plan.
5. Bike rack proposed.
6. See number 3 response above.
7. Garage door locations and applicable lead walks added.
8. Building offsets to property lines added to the general notes. We did not provide additional leaders/ offsets in the plan view to keep the plan legible.
9. Per discussion at ESDR, additional planting on the east side is not required. The openings between the SWM features will allow for access to the eastside of the property for future phases.
10. Narrative prepare by landscape architect reflecting seasonal blooming provided.
11. Ward district information has been added to the Development Data notes on the Sketch Site Plan and Illustrative Plan.
12. Adjacent owners added.
13. Not required per town checklist or code.
14. Note is on the site plan that indicates wall mounted security lighting.



www.leinc.com
general@leinc.com

Engineering Department (received updated letter 4/28)

Plan Review:

1. Existing gravel entrance to remain per ESDR meeting discussion.
2. Updated on the site plan.
3. Drive aisle width provided.

Stormwater Management:

1. Chart included in last couple pages of the stormwater report.
2. Chart included in last couple pages of the stormwater report.
3. Acknowledged. Thank you.

Easton Utilities

Plan Review:

1. Utility easement width updated per comment.
2. Water meter removed.
3. Gas shown.
4. Acknowledged.
5. Acknowledged.
6. Acknowledged.

Thank you for your review of this project. Should you have any questions or need additional information, please contact me directly at 410-822-8003.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brett C. Ewing', with a stylized flourish extending to the right.

Brett C. Ewing, AICP
Principal

Lane Engineering, LLC

Established 1986

Civil Engineering • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095
Fax 410-758-4422

April 28, 2023

Miguel Salinas
Town of Easton
14 South Harrison Street
Easton, MD 21601

Subject: Pro Wellness Group, LLC – Lot 1, Mistletoe Hall Farm

Dear Miguel,

We have reviewed the Town's covenants comments dated April 27, 2023, and have updated the plans accordingly. Our responses are in order with your letter as follows:

Covenants

Architecture:

1. See Architects responses to three town comments enclosed with this letter.

Site Plan:

1. Vertical curb label added to the plan.
2. Two loading spaces shown on the rear of the building.
3. Loading spaces do not encroach into a setback and are in the rear yard.
4. No loading docks onsite.
5. Area adjacent to proposed improvements to be turf grass or landscaped areas as labeled. Existing fallow field to remain on the eastern half of the site.
6. Total open space/ landscaped area 78%.
7. Seasonal landscape narrative enclosed separately.
8. Timing of planting added to seasonal narrative.
9. No site lighting proposed, only security wall pact.
10. Black vinyl clad fence labeled on plan.

Thank you for your review of this project. Should you have any questions or need additional information, please contact me directly at 410-822-8003.

Sincerely,



Brett C. Ewing, AICP
Principal



www.leinc.com
general@leinc.com

**Town of Easton**

Engineering, Planning and Zoning

14 South Harrison Street, Easton, MD 21601

Easton Staff Development Review**Property Information**

Address	LOT 1 MISTLETOE HALL COMMERCE-BUSINESS PARK							
Tax Map	25	Grid	16	Parcel	138	Lot	1	
Deed Reference:	Liber	743	Folio	703				
Plat Reference:	Liber	87	Folio	124				
Base Zoning District	I		Historic District	Y ☐ N ☒			Planning Redevelopment	Y ☐ N ☒

Purpose of Application / Description of Work:

Applicant proposes 16,000sf warehouse building and a 10,000sf 1-story office building with parking.

CONTRACT PURCHASER Owner: TOWN OF EASTON

Name	PRO WELLNESS GROUP LLC C/O MATT HARGROVE		
Mailing Address	8625 Brooke Drive, Easton MD 21601		
Telephone No.	410-822-8003	Email	matt@totalhomeperformance.com

Applicant / Agent

Name	Lane Engineering LLC C/O BRETT EWING		
Mailing Address	117 Bay Street, Easton MD 21601		
Telephone No.	410-822-8003	Email	bewing@leinc.com

Surveyor / Engineer

Name	LANE ENG	License No.	363	Expiration Date	-
Mailing Address	117 Bay Street Easton MD 21601				
Telephone No.	410-822-8003	Email	bewing@leinc.com		

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

4/5/2023

Printed Name of Applicant or Agent

BRETT EWING

For Office Use Only

Easton Staff Development Review Meeting Required Y ☒ N ☐

Easton Staff Development Review Meeting Date

ESDR 2023-08 / 2023-916

Completeness Check Date

Revisions/Resubmissions Required Y ☐ N ☐

Resubmission Date

Documents Received Y ☐ N ☐

Staff Determination

Planning Commission Required Y ☐ N ☐

BOZA Required Y ☐ N ☐

Historic District Commission Required Y ☐ N ☐

Resubmission for ESDR Required Y ☐ N ☐

Staff Signature

Date

RECEIVED

APR 06 2023

TOWN OF EASTON

Revised 02-2019

**Town of Easton**

Engineering, Planning and Zoning

14 South Harrison Street, Easton, MD 21601

Site Plan, PUD, Planned Healthcare Application**Application Type**Planned Unit Development ☐Amendment ☐Health Care (HC) ☐Site Plan ☒**Subdivision Information**

Name

Original Property Size Acres Square Feet

Telephone No. Email

Site Plan Information

Property Size Acres Square Feet

Structure's Floor Area Structure's Square Feet

Area of Disturbance Number of Dwelling Units

Property Information

Address

Tax Map Grid Parcel Lot

Deed Reference: Liber Folio

Plat Reference: Liber Folio

Base Zoning District Historic Y ☐ N ☒ Planned Redevelopment Y ☐ N ☒

Source of Electricity

CONTRACT PURCHASER: Owner : TOWN OF EASTON

Name

Mailing Address

Telephone No. Email

Applicant or Agent

Name

Mailing Address

Telephone No. Email

Surveyor / Engineer

Name License No. Expiration Date

Mailing Address

Telephone No. Email

Any modifications during review shall warrant an updated application.

I hereby certify that I have reviewed and satisfied the Town of Easton Development Standards and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

4/5/23

Printed Name of Applicant or Agent

BRETT EWING

For Office Use Only

Planning Commission Required	Y ☐	N ☐
Planning Commission Meeting Date		
Sketch Approval Date	Project No.	ESDR 2023-08
Prelim/Dev. Approval Date	Application No.	2023-916
Final Approval Date	Sketch Fee Paid	04/06/2023
Recordation Date	Develop. Fee Paid	

Revised 02-2019

RECEIVED
APR 06 2023
TOWN OF EASTON

APPENDIX B

SKETCH PLAN SUBMITTAL CHECKLIST

NOTE: THIS CHECKLIST REPRESENTS THE MINIMUM INFORMATION TO BE SUBMITTED ON A SITE PLAN. ADDITIONAL INFORMATION MAY BE REQUIRED FOR UNIQUE SITUATIONS.

COMPLETE THE CHECKLIST AND SUBMIT IT WITH THE PLAN. IF AN ITEM IS NOT APPLICABLE, ENTER "N/A".

1. Location map,	<u>X</u>
2. Boundary,	<u>X</u>
3. Topography,	<u>X</u>
4. General proposed land uses drawn to scale, and	<u>X</u>
5. The Forest Stand Delineation as detailed in the Town of Easton's Forest Conservation Ordinance.	<u>N/A</u>
6. The location of any easements, rights-of-way or any other encumbrances which pertain to the property subject to the site plan review.	<u>X</u>
7. Conditions of concern, for example, water courses, wetlands, floodplains, or other environmentally sensitive features.	<u>X</u>
8. Location of refuse collection, exterior lighting, fencing, and all pedestrian walkways and sidewalks.	<u>X</u>
9. General location and description (r.e. intended function, proposed species, etc.) of proposed landscaping.	<u>X</u>
10. Location of parking including layout and landscaping.	<u>X</u>
11. Conceptual building elevations or renderings illustrating the character, scale, and materials of all proposed structures. Such elevations or renderings shall be sealed by a licensed professional as described above.	<u>X</u>
12. A statement describing the extent to which the application complies with the Recommended Design Principles for Easton set forth on pages 29-31 of the Comprehensive Plan.	<u>X</u>

APPENDIX B-2

SKETCH STORMWATER MANAGEMENT PLAN SUBMITTAL CHECKLIST

EFFECTIVE MAY 4, 2010

NOTE: THE FOLLOWING CHECKLIST REPRESENTS THE MINIMUM INFORMATION TO BE SUBMITTED FOR SUPPORT OF A STORMWATER MANAGEMENT CONCEPT PLAN, SITE DEVELOPMENT PLAN, AND/OR FINAL DESIGN PLAN. THE TOWN MAY REQUEST ADDITIONAL INFORMATION AS DEEMED NECESSARY.

COMPLETE THE APPROPRIATE CHECKLIST AND SUBMIT IT WITH THE PLANS, APPLICATION FORM, NARRATIVE OR REPORT, AND FEE. ITEMS IN BOLD ARE REQUIRED FOR CONCEPT AND/OR SITE DEVELOPMENT PHASE REVIEW.

I. Sketch Plan Submittal

A. Site and Resource Map

Natural Resources Identified on Plan, including, but not limited to:

Please use these responses for the following:

(Provided = P; Not Provided = NP; Not Applicable = N/A)

Tidal and Non-Tidal Wetland Boundaries	N/A	
Wetland Buffers		N/A
Floodplain Boundaries and Elevations	N/A	
Streams and other Waterways	N/A	
Stream Buffers	N/A	
Forest Boundaries		N/A
Forest Buffers	N/A	
Critical Areas	N/A	
Steep Slopes (>25%)	N/A	
Erodible Soils	N/A	
Areas of High Recharge	N/A	
Springs		N/A
Soil Types and Hydrologic Soil Groups	P	
Bedrock and/or other Geologic Features	N/A	
Vegetative Cover		P
Existing Drainage Areas and Flow Patterns	P	
Existing Stormwater Outfalls	P	
Site and Resource Map field verified by a properly licensed design professional.	N/A	

Existing contours (1' max intervals) and utilities shown. P

Large tracts of contiguous open spaces, forested areas and other important resources protected by conservation easements.

N/A

Opportunities for afforestation identified.

N/A

Wetland, stream and forest buffers enhanced and/or

expanded.

N/A

B. Site Fingerprinting and Development Layout

Locations of proposed impervious areas provided.	<u>P</u>
Proposed contours (1' max intervals) and utilities shown.	<u>NP</u>
Preliminary locations of proposed Environmental Site Design (ESD) practices provided.	<u>P</u>
Locations of stormwater outfalls and conveyance provided with offsite storm drains, culverts and grass channels with size and slope.	<u>P</u>
Limit of disturbance and extent of clearing & grading.	<u>P</u>
Site natural resources protected during construction. If site natural resources must be disturbed during construction, please include an explanation in the stormwater narrative.	<u>N/A</u>

Better Site Design Techniques incorporated, including:

Sheetflow and overland flow provided wherever possible	<u>P</u>
Building footprint and site layout designed to protect conservation areas	<u>P</u>
Proposed streets, rights of way, and/or sidewalks with modifications to reduce impervious area	<u>N/A</u>
Landscaped medians and/or cul-de-sacs	<u>P</u>
Stormwater management features in medians or cul-de-sacs	<u>N/A</u>
Private open road section with grass channels and/or biofilters	<u>N/A</u>
Minimize numbers of parking spaces and sizes	<u>P</u>
Narrow frontages to reduce road length	<u>N/A</u>
Site graded to encourage runoff from impervious areas to pervious areas or other natural conveyance systems	<u>N/A</u>

C. Stormwater Narrative

Title Page includes:

Job Name	<u>P</u>
Owner/Developer	<u>P</u>
Design Professional	<u>P</u>
Date Prepared	<u>P</u>
Seal and Signature (properly licensed Design Professional)	<u>P</u>

Project is identified as new development or redevelopment. (Redevelopment projects have $\geq 40\%$ total site imperviousness)	<u>P</u>
---	----------

Project and streets designed for 2-year and 10-year quantitative management.

P

Project is identified as being within the Tanyard Branch Watershed. (Projects within this watershed must manage proposed 10-year storm flows to the existing 2-year storm discharge rate.)

N/A

A narrative that supports the concept and describes how the design will achieve:

Natural resource protection and enhancement

N/A

Maintenance of natural flow patterns

P

Reduction of impervious areas through better site design, alternative surfaces, and non-structural practices

N/A

Implementation of ESD planning techniques and practices to the Maximum Extent Practicable (MEP)

P

Preliminary ESD sizing calculations provided

P

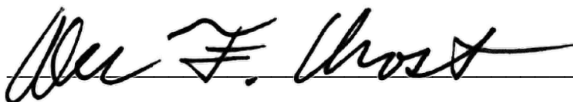
Integration of erosion and sediment controls (ESC) into the stormwater strategy

P

D. Sketch Plan Meeting

Following the Sketch Plan submittal, a meeting will be scheduled between the Town of Easton Planning & Zoning, Town Engineer, the Talbot County Soil Conservation District (SCD) ESC reviewer, the owner/developer, the SWM and ESC designer(s), and any other reviewers deemed necessary by the Town of Easton and/or the Talbot County SCD. Official Minutes from the Sketch Plan Meeting must be submitted for review and acceptance by all parties. These minutes must accompany all future submittals.

N/A

This checklist completed by  Date 4-4-23

MISTLETOE HALL FARM COMMERCE-BUSINESS PARK – Lot 1

All plant material shall be in conformance with the American Standard for Nursey Stock.

Approved Landscaping shall be installed within the next planting season of occupancy or within 6 months of substantial completion, (date on which the exterior walls and roofs have been installed), of any Building.

The Landscape Plan shall show components that reflect seasonal changes.

The Owner/ Applicant shall utilize a variety of species to reflect seasonal change as shown below:

Concept plant list

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
Canopy Trees						
Acer rubrum	Red Maple	red	March-April	Red to tan samaras	red	native
Betula nigra	River Birch	Brown & green catkins	April - May	Tan/brown aggregate	yellow	native
Carya Glabra	Pignut Hickory	Yellowish catkins	April - May	nut	Yellow	native
Celtis occidentalis	Hackberry	green	April - May	Dark maroon berries	yellow	native
Gkeditsia tricanthos var. inermis 'skycole'	Skyline honeylocust	Greenish yellow to white	May - June	seedless	Yellow	native
Gymnocladus dioicus 'espresso'	Kentucky coffee tree	white	May - June	seedless	Yellow	native
Platanus x acerifolia 'columbia'	Columbia planetree	Yellow & red	April	Achene	yellow	hybrid
Quercus alba	White oak	Yellowish green	may	acorn	Dark reddish to brown	native
Quercus rubra	Red oak	Yellowish green	may	acorn	Red to scarlet	native
Quercus palustris	Pin oak	Yellowish green	April	acorn	Red to bronze	native
Quercus phellos	Willow oak	Yellowish green	April	acorn	Orangish yellow	native
Tilia americana x euchlora	Redmond linden	Pale yellow	june	Green pea-sized nutlet	yellow	native
Ulmus Americana 'Jefferson'	Jefferson Elm	green	March – April	Samara	yellow	native

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
Evergreen Trees						
<i>Ilex opaca</i>	American holly	white	May	Red berries	evergreen	native
<i>Juniperus virginiana</i>	Eastern red cedar	Non flowering		Silver blue berries	Evergreen	native
<i>Thuja occidentalis</i>	Eastern arborvitae	Non flowering		Small cone	Evergreen	native
Flowering/Understory Trees						
<i>Amelanchier canadensis</i>	Shadblow serviceberry	white	April – may	Red to purplish berries	Orange to red	native
<i>Carpinus carolina</i>	American hornbeam	Yellow green catkins	february	Small nut	Yellow to orange	native
<i>Cercis canadensis</i>	Eastern redbud	Pinkish purple	april	legume	yellow	native
<i>Crataegus virdis</i>	hawthorn	white	may	Red berries ripen in September and persist well into winter	Yellowish orange	native
<i>Prunus americana</i>	American plum	White	April - may	Small reddish purple plums	Yellow to reddish	native
<i>Prunus pensylvanica</i>	Pin cherry	white	April - june	Red drupe	Yellowish orange	native
<i>Prunus virginiana</i>	chokecherry	white	April - may	Purple drupe	Reddish purple	native
Shrubs						
<i>Aronia arbutifolia</i>	Red chokeberry	White	april	Red berries that persist well into winter	Scarlet orange	native
<i>Callicarpa americana</i>	beautyberry	Lavender, pink	June - august	Purple berries	yellow	native
<i>Ceanothus americanus</i>	New jersey tea	White	May - july	Black drupe	Yellow to tan	native
<i>Cornus racemosa</i>	Gray dogwood	white	May - june	White drupe	Reddish purple	native
<i>Hypericum x 'hidcote'</i>	St. john's wort	yellow	June - September	Red-orange berries	Orange yellow	native
<i>Ilex glabra</i>	Inkberry holly	white	May - june	Black berry	Evergreen	native
<i>Juniperus virginiana</i> 'grey owl'	Grey owl juniper	Non flowering		Silver blue berries	evergreen	native
<i>Itea virginica</i>	sweetspire	white	June - july	Brown capsule	red	native
<i>Morella pensylvanica</i>	bayberry	Yellowish green	may	Pale blue – purple drupe	Semi - evergreen	native

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
<i>Viburnum dentatum</i>	Arrowwood viburnum	white	May - june	Black drupe	Yellow to reddish purple	native
Herbaceous Perennials						
<i>Asclepias syriaca</i>	Common milkweed	Pink mauve	June - july			native
<i>Aster oblongifolius</i>	Aromatic aster	Blue purple	August - september			native
<i>Baptisia australis</i>	Aromatic aster	Blue purple	August - september			native
<i>Chasmanthium latifolium</i>	Northern sea oats	Green	August - september	Seed (caryopsis)		native
<i>Deschampia cespitosa</i>	Tufted hairgrass	Tones of gold, silver, purple, and green	July - september	Seed (caryopsis)		native
<i>Echinacea purpurea</i>	Purple coneflower	Purplish pink	June - august	Seed (achene)		native
<i>Nepeta x faassenii</i> 'novanejun'	Junior walker catmint	Lavender blue	April - september			native
<i>Panicum virgatum</i>	switchgrass	Pink-tinged	July - february	Seed (caryopsis)		native
<i>Rudbeckia hirta</i>	Black-eyed susan	yellow	June - july	Seed capsule		native
<i>Schizachyrium scoparium</i>	Little bluestem	Purplish bronze	August - february	seed		native

PROPERTY: TAX MAP 25, PARCEL 138 - LOT 2 (ELECTION WARD 1)

CONTRACT PURCHASER/
DEVELOPER: PRO WELLNESS GROUP, LLC
C/O: MATT HARGROVE
8625 BROOKS DRIVE
EASTON, MD 21601

OWNER: TOWN OF EASTON
P.O. 520
EASTON, MD 21601

DEED: 743/703, 2916/104 (MISTLETOE HALL DECLARATION OF COVENANTS)
PLAT: 87/124

CURRENT ZONING: I (INDUSTRIAL) PROPOSED

BUILDING SETBACKS: FRONT- 40' FRONT- 122'±
SIDE- 30' SIDE- 85'±/441'±
REAR- 10' REAR- 359'±
NON-TIDAL WETLANDS- 25'

PROPOSED DEVELOPMENT: CONSTRUCTION RELATED BUSINESS - 26,000 SF± TOTAL

BUILDING HEIGHT: 40' MAXIMUM ALLOWED / PROPOSED

TOTAL LOT COVERAGE: 50% PERMITTED (BUILDINGS & STRUCTURES ONLY)
CONSTRUCTION RELATED BUSINESS: 1-STORY OFFICE/WAREHOUSE BUILDING: 26,000 SF; (6%)

PARKING REQUIRED: CONSTRUCTION RELATED BUSINESS @ 1/1000 GFA: 26,000 SF/1000 = 26 SPACES MINIMUM
CONSTRUCTION RELATED BUSINESS @ 1/200 GFA: 26,000 SF/200 = 130 SPACES MAXIMUM
TOTAL SPACES REQUIRED = 26 SPACES (MINIMUM)

PARKING PROVIDED: 49 SPACES PROVIDED

BIKE RACK REQUIRED: 1 BIKE SPACE/10 VEHICLE SPACES; 5 BIKE SPACES/ BIKE RACK REQUIRED

ARTICLE 4 DEVELOPMENT STANDARDS

ARTICLE 4.03.(1):	BUILDINGS EXCEEDING 20 FEET IN HEIGHT SHALL INCORPORATE A BASE, MIDDLE AND CAP
ARTICLE 4.04.(A):	ON-SITE PARKING REQUIRED: IN ACCORDANCE WITH TOWN OF EASTON ZONING CODE WITH OVERBUILDING PARKING, EMPLOYEE & COMPANY VEHICLES SHALL BE DESIGNATED GENERALLY IN THE SIDE AND OR BACK OF THE PROPERTY.
ARTICLE 4.04.(B):	OFF-SITE PARKING: NO PARKING SHALL BE PERMITTED WITHIN THE STREET RIGHT-OF-WAY OF ANY STREETS WITHIN THE PROPERTY.
ARTICLE 4.04.(C):	PARKING AREA STANDARDS: IN FRONT AND ON THE SIDE OF THE BUILDINGS, PAVED PARKING AREAS SHALL HAVE LANDSCAPED ISLANDS, NO MORE THAN SEVEN (7) CONSECUTIVE, SIDE-LOADED PARKING SPACES (14 SPACES IF TWO SEVEN-SPACE GROUPINGS OF PARKING SPACES) SHALL BE PROVIDED WITH A LANDSCAPED ISLAND MEASURING AT LEAST SIX (6) FEET IN WIDTH.
ARTICLE 4.04.(D):	SCREENING: ALL PARKING SHALL BE SCREENED FROM VIEW AS MUCH AS POSSIBLE BY DEPRESSING GRADES, THE USE OF LANDSCAPE AND/OR BY EARTH BERMS.
ARTICLE 4.05:	TRUCK LOADING & PARKING: ALL LOADING DOCKS SHALL BE LOCATED IN THE REAR OR SIDE OF THE BUILDINGS AND SCREENED FROM VIEW.
ARTICLE 4.06.(A):	MATERIAL & EQUIPMENT STORAGE: NO MATERIALS, SUPPLIES OR EQUIPMENT (INCLUDING BOATS, RECREATIONAL VEHICLES, TRAILERS, OR COMPANY OWNED OR OPERATED VEHICLES) SHALL BE STORED IN THE YARD-FOUR (24) HOURS IN ANY AREA ON A LOT EXCEPT INSIDE A CLOSED BUILDING , OR BEHIND A VISUAL BARRIER COMPLETELY SCREENED FROM VIEW OF ADJOINING LOTS OR PUBLIC STREETS.
ARTICLE 4.06.(B):	SCREENING OF REFUSE CONTAINERS: SHALL BE COMPLETELY CONCEALED FROM VIEW BY MEANS OF A SCREENING WALL CONSTRUCTED OF MATERIAL SIMILAR AND COMPATIBLE WITH THE BUILDING OR LANDSCAPE.
ARTICLE 4.09:	EXTERIOR LIGHTING:LIGHTING SOURCES, EXCEPT FOR STREET LIGHTS SHALL BE SCREENED FROM VIEW OR DIRECTED DOWNWARD AND SHIELDED.
ARTICLE 4.11:	FENCING: NATURAL BARRIERS ARE PREFERRED. BLACK OR DARK BROWN VINYL, CLAD CHAIN FENCING, CMU, CONCRETE, BRICK AND STONE WALLS RE FLOWED, GALVANIZED CHAIN LINK FENCE IS DISCOURAGED.
STORMWATER:	STORMWATER QUALITY AND QUANTITY WILL BE ADDRESSED THROUGH ESD FEATURES AS REQUIRED AND AS SHOWN HEREON APPROXIMATELY.
LANDSCAPE AREAS:	TOTAL PROPOSED LANDSCAPE AREA = 341,433 SF; (78% (INCLUDES LANDSCAPE, STORMWATER MANAGEMENT, TURF AND FALLOW FIELD AREA)
LIGHTING:	SHALL BE SHIELDED WALLPACKS AND DIRECTED DOWNWARD, NO SITE LIGHTING PROPOSED.
FOREST CONSERVATION:	N/A- PREVIOUSLY SATISFIED UNDER ORIGINAL SUBDIVISION APPROVAL
LANDSCAPE NOTE:	LANDSCAPE PLANT MATERIAL SHALL CONFORM WITH THE AMERICAN STANDARD FOR NURSERIES LANDSCAPING SHALL BE INSTALLED WITHIN THE NEXT PLANTING SEASON OF OCCUPANCY 6 MONTHS OF SUBSTANTIAL COMPLETION.

THE CONTOURS SHOWN HEREON WERE TAKEN FROM TOPOGRAPHY PROVIDED BY TALBOT COUNTY AND ARE APPROXIMATE ONLY. THE SITE IS LOCATED ENTIRELY OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA.

THERE ARE NO KNOWN HISTORIC STRUCTURES OR ARCHEOLOGICALLY SIGNIFICANT RESOURCES, STEEP SLOPES APPROACHING 15%, STREAMS, TIDAL WETLANDS/NON-TIDAL WETLANDS OR KNOWN HABITAT PROTECTION AREAS IN PROXIMITY TO THE PROPOSED SITE IMPROVEMENTS.

PUBLIC WATER AND SEWER SERVICES ARE PROVIDED BY THE TOWN OF EASTON.

FAA DETERMINATION OF NO HAZARD TO AIR NAVIGATION SHALL BE REQUIRED.

1. 1 TREE PER 70' STREET FRONTAGE = $675' \pm$ LESS 50' UTILITY EASEMENT & 15' BUFFERYARD (65'), LESS ENTRANCE ACCESS (90') (ALONG MISTLETOE DRIVE) EQUALS $520/70' = 7$ TREES REQUIRED

1. OVERALL TREES- 1 TREE/3000 SF OF DISTURBED AREA- 163,668 SF±/3000 SF = 55 TREES REQUIRED AND SHALL BE PROVIDED.

- 2A. INTERIOR PARKING LOT PLANTINGS-- 1 TREE PER 10 SPACES;
49 SPACES/ 10 = 5 TREES REQUIRED/ PROVIDED
- 2B. PARKING HEDGE-- SHALL BE PROVIDED.
- 2C. BUILDING FAÇADE PLANTINGS-- 1 TREE/20' OF AFFECTED FAÇADE = PHASE ONE: $365' / 20 = 18$ TREES
REQUIRED AND SHALL BE PROVIDED.
- 2D. SERVICE / LOADING AREAS -- TOWN COMPLIANT ENCLOSURE, SCREENED AS SHOWN HEREON.
- 2F. BUFFERYARDS: 25' WIDE BUFFERYARD 'B' REQUIRED ALONG GOLDSBOROUGH NECK ROAD (PER PLAT).

25' WIDE LANDSCAPE BUFFER/ YARD 'B' (ALONG GOLDSBOROUGH NECK ROAD)
715' LF LESS 50' SOUTHERN UTILITY EASEMENT (50 LF), LESS 50' NORTHERN UTILITY EASEMENT (50 LF) EQUALS
615 LF / 50' = 12.3 PLANT UNITS (PU)
2 SHADE/ CANOPY TREE X 12.3 PU = 24 SHADE/ CANOPY TREES REQUIRED
1 EVERGREEN TREES X 12.3 PU = 12 EVERGREEN TREES REQUIRED

PRINCIPLE #1- INTEGRATED USES ARE DESIRABLE- THIS DEVELOPMENT PROPOSAL PROVIDES ADDITIONAL OFFICE AND ASSOCIATED CONSTRUCTION BUSINESS RELATED WAREHOUSE IN THIS MIXED BUSINESS PARK.

PRINCIPLE #2- NATURAL FEATURES SHOULD DETERMINE DESIGN- NO COMPELLING NATURAL FEATURES; SITE LAYOUT ORIENTED TO TAKE ADVANTAGE OF NATURAL DRAINAGE PATTERNS AND TO ORIENT "OFFICE" BUILDINGS FRONT TO STREET WAREHOUSE TO THE REAR.

PRINCIPLE #3- AUTOMOBILES SHOULD NOT DETERMINE DESIGN- PARKING FOR OFFICE USERS AND CUSTOMERS PROVIDED FOR CONVENIENCE WITH BULK OF THE PARKING TO FRONT OR SIDE OF FACILITY.

PRINCIPLE #4- AMPLE OPEN SPACES SHOULD BE PROVIDED WITHIN & AROUND NEIGHBORHOODS- USABLE OPEN SPACE NOT APPLICABLE HERE.

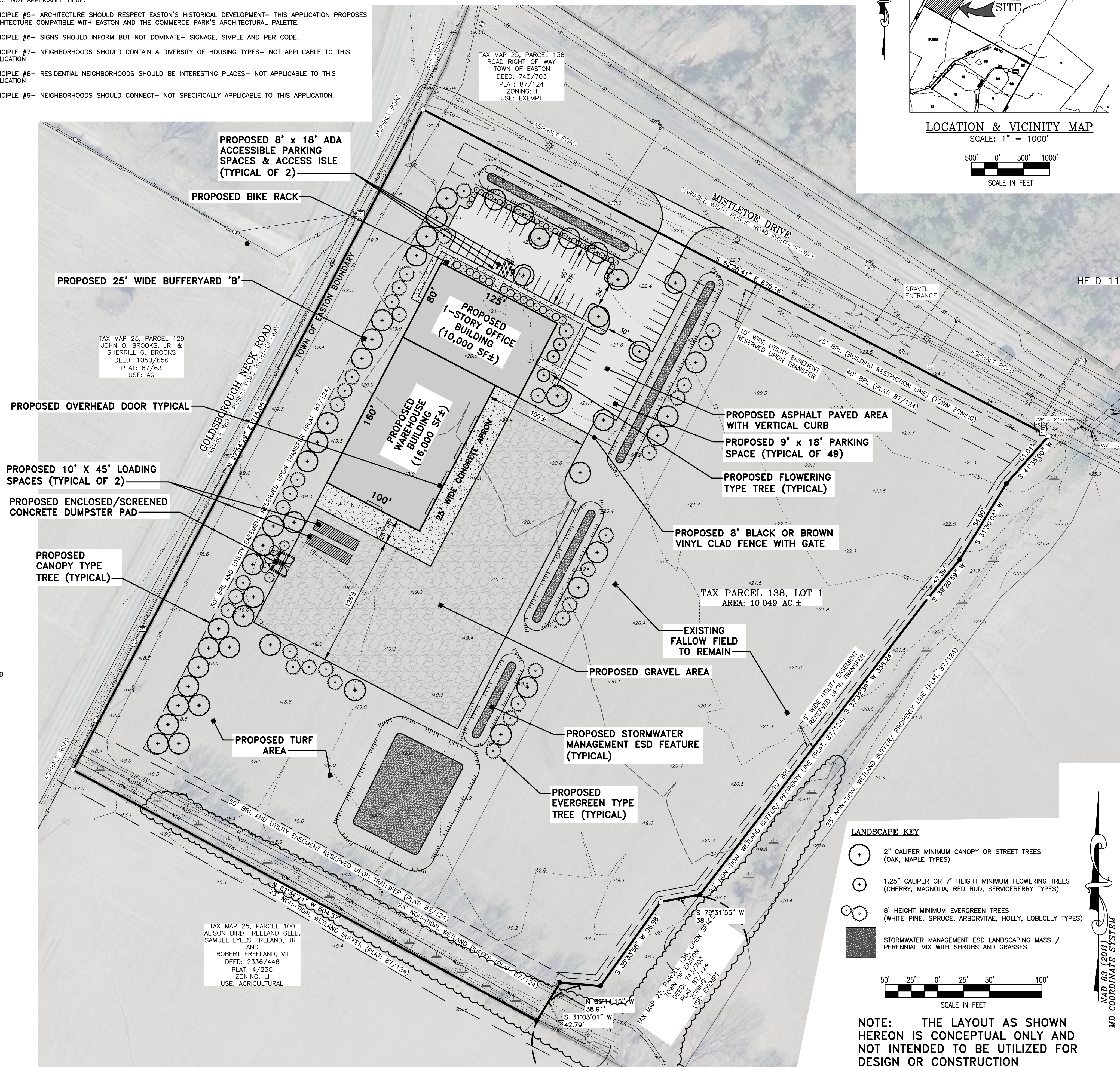
PRINCIPLE #5- ARCHITECTURE SHOULD RESPECT EASTON'S HISTORICAL DEVELOPMENT- THIS APPLICATION PROPOSES ARCHITECTURE COMPATIBLE WITH EASTON AND THE COMMERCE PARK'S ARCHITECTURAL PALETTE.

PRINCIPLE #6- SIGNS SHOULD INFORM BUT NOT DOMINATE- SIGNAGE, SIMPLE AND PER CODE

PRINCIPLE #7- NEIGHBORHOODS SHOULD CONTAIN A DIVERSITY OF HOUSING TYPES- NOT APPLICABLE TO THIS APPLICATION

PRINCIPLE #8- RESIDENTIAL NEIGHBORHOODS SHOULD BE INTERESTING PLACES- NOT APPLICABLE TO THIS APPLICATION

PRINCIPLE #9- NEIGHBORHOODS SHOULD CONNECT- NOT SPECIFICALLY APPLICABLE TO THIS APPLICATION.



NOTE: THE LAYOUT AS SHOWN
HEREON IS CONCEPTUAL ONLY AND
NOT INTENDED TO BE UTILIZED FOR
DESIGN OR CONSTRUCTION
PURPOSES.

[illegible]

WARNING!!
THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE QUANTITIES SHOWN ON THIS PLAN ARE FOR INFORMATIONAL AND PERMITTING PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



Lane Engineering, LLC

Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2025.

SEAL



SKETCH SITE PLAN

FOR
LOT 1 - MISTLETOE HALL
COMMERCE-BUSINESS PARK

IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 25, GRID 16, PARCEL 138 LOT 1

ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	4/5/23	BCE
AGENCY REVIEW	4/28/23	BCE

SHEET No. 1 OF 1 DATE: 4/5/23

SCALE: AS NOTED	FILE No. A037
--------------------	---------------

PROPERTY: TAX MAP 25, PARCEL 138 - LOT 2 (ELECTION WARD 1)

CONTRACT PURCHASER/
DEVELOPER: PRO WELLNESS GROUP, LLC
C/O: MATT HARGROVE
8625 BROOKS DRIVE
EASTON, MD 21601

OWNER: TOWN OF EASTON
P.O. 520
EASTON, MD 21601

DEED: 743/703, 2916/104 (MISTLETOE HALL DECLARATION OF COVENANTS)
PLAT: 87/124

CURRENT ZONING: I (INDUSTRIAL) PROPOSED

BUILDING SETBACKS: FRONT- 40' FRONT- 122'±
SIDE- 30' SIDE- 85'±/441'±
REAR- 10' REAR- 359'±
NON-TIDAL WETLANDS- 25'

PROPOSED DEVELOPMENT: CONSTRUCTION RELATED BUSINESS - 26,000 SF± TOTAL

BUILDING HEIGHT: 40' MAXIMUM ALLOWED / PROPOSED

TOTAL LOT COVERAGE: 50% PERMITTED (BUILDINGS & STRUCTURES ONLY)
CONSTRUCTION RELATED BUSINESS: 1-STORY OFFICE/WAREHOUSE BUILDING: 26,000 SF; (6%)

PARKING REQUIRED: CONSTRUCTION RELATED BUSINESS @ 1/1000 GFA: 26,000 SF/1000 = 26 SPACES MINIMUM
CONSTRUCTION RELATED BUSINESS @ 1/200 GFA: 26,000 SF/200 = 130 SPACES MAXIMUM
TOTAL SPACES REQUIRED = 26 SPACES (MINIMUM)

PARKING PROVIDED: 49 SPACES PROVIDED

BIKE RACK REQUIRED: 1 BIKE SPACE/10 VEHICLE SPACES; 5 BIKE SPACES/ BIKE RACK REQUIRED

ARTICLE 4 DEVELOPMENT STANDARDS

ARTICLE 4.03.(1):	BUILDINGS EXCEEDING 20 FEET IN HEIGHT SHALL INCORPORATE A BASE, MIDDLE AND CAP
ARTICLE 4.04.(A):	ON-SITE PARKING REQUIRED: IN ACCORDANCE WITH TOWN OF EASTON ZONING CODE WITH OVERBUILDING PARKING, EMPLOYEE & COMPANY VEHICLES SHALL BE DESIGNATED GENERALLY IN THE SIDE AND OR BACK WITH THE PROPERTY.
ARTICLE 4.04.(B):	OFF-SITE PARKING: NO PARKING SHALL BE PERMITTED WITHIN THE STREET RIGHT-OF-WAY OF ANY STREETS WITHIN THE PROPERTY.
ARTICLE 4.04.(C):	PARKING AREA STANDARDS: IN FRONT AND ON THE SIDE OF THE BUILDINGS, PAVED PARKING AREAS SHALL HAVE LANDSCAPED ISLANDS, NO MORE THAN SEVEN (7) CONSECUTIVE, SIDE-LOADED PARKING SPACES (14 SPACES IF TWO SEVEN-SPACE GROUPINGS OF PARKING SPACES) SHALL BE PROVIDED WITH A LANDSCAPED ISLAND MEASURING AT LEAST SIX (6) FEET IN WIDTH.
ARTICLE 4.04.(D):	SCREENING: ALL PARKING SHALL BE SCREENED FROM VIEW AS MUCH AS POSSIBLE BY DEPRESSING GRADES, THE USE OF LANDSCAPE AND/OR BY EARTH BERMS.
ARTICLE 4.05:	TRUCK LOADING & PARKING: ALL LOADING DOCKS SHALL BE LOCATED IN THE REAR OR SIDE OF THE BUILDINGS AND SCREENED FROM VIEW.
ARTICLE 4.06.(A):	MATERIAL & EQUIPMENT STORAGE: NO MATERIALS, SUPPLIES OR EQUIPMENT (INCLUDING BOATS, RECREATIONAL VEHICLES, TRAILERS, OR COMPANY OWNED OR OPERATED VEHICLES) SHALL BE STORED IN MORE THAN FORTY-FOUR (24) HOURS IN ANY AREA ON A LOT EXCEPT INSIDE A CLOSED BUILDING , OR BEHIND A VISUAL BARRIER COMPLETELY SCREENED FROM VIEW OF ADJOINING LOTS OR PUBLIC STREETS.
ARTICLE 4.06.(B):	SCREENING OF REFUSE CONTAINERS: SHALL BE COMPLETELY CONCEALED FROM VIEW BY MEANS OF A SCREENING WALL CONSTRUCTED OF MATERIAL SIMILAR AND COMPATIBLE WITH THE BUILDING OR LANDSCAPE.
ARTICLE 4.09:	EXTERIOR LIGHTING:LIGHTING SOURCES, EXCEPT FOR STREET LIGHTS SHALL BE SCREENED FROM VIEW OR DIRECTED DOWNWARD AND SHIELDED.
ARTICLE 4.11:	FENCING: NATURAL BARRIERS ARE PREFERRED. BLACK OR DARK BROWN VINYL, CLAD CHAIN FENCING, CMU, CONCRETE, BRICK AND STONE WALLS RE ALLOWED. GALVANIZED CHAIN LINK FENCE IS DISCOURAGED.
STORMWATER:	STORMWATER QUALITY AND QUANTITY WILL BE ADDRESSED THROUGH ESD FEATURES AS REQUIRED AND AS SHOWN HEREON APPROXIMATELY.
LANDSCAPE AREAS:	TOTAL PROPOSED LANDSCAPE AREAS = 341,433 SF; (78%) (INCLUDES LANDSCAPE, LAWN AND FALLOW AREAS)
LIGHTING:	SHALL BE SHIELDED WALLPACKS AND DIRECTED DOWNWARD, NO SITE LIGHTING PROPOSED.
FOREST CONSERVATION:	N/A- PREVIOUSLY SATISFIED UNDER ORIGINAL SUBDIVISION APPROVAL
LANDSCAPE NOTE:	LANDSCAPE PLANT MATERIAL SHALL CONFORM WITH THE AMERICAN STANDARD FOR NURSERIES LANDSCAPING SHALL BE INSTALLED WITHIN THE NEXT PLANTING SEASON OF OCCUPANCY 6 MONTHS OF SUBSTANTIAL COMPLETION.

THE CONTOURS SHOWN HEREON WERE TAKEN FROM TOPOGRAPHY PROVIDED BY TALBOT COUNTY AND ARE APPROXIMATE ONLY. THE SITE IS LOCATED ENTIRELY OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA.

THERE ARE NO KNOWN HISTORIC STRUCTURES OR ARCHEOLOGICALLY SIGNIFICANT RESOURCES, STEEP SLOPES APPROACHING 15%, STREAMS, TIDAL WETLANDS/NON-TIDAL WETLANDS OR KNOWN HABITAT PROTECTION AREAS IN PROXIMITY TO THE PROPOSED SITE IMPROVEMENTS.

PUBLIC WATER AND SEWER SERVICES ARE PROVIDED BY THE TOWN OF EASTON.

FAA DETERMINATION OF NO HAZARD TO AIR NAVIGATION SHALL BE REQUIRED.

1. 1 TREE PER 70' STREET FRONTAGE = $675' \pm$ LESS 50' UTILITY EASEMENT & 15' BUFFERYARD (65'), LESS ENTRANCE ACCESS (90') (ALONG MISTLETOE DRIVE) EQUALS $520/70' = 7$ TREES REQUIRED

1. OVERALL TREES- 1 TREE/3000 SF OF DISTURBED AREA- 163,668 SF±/3000 SF = 55 TREES REQUIRED AND SHALL BE PROVIDED.

- 2A. INTERIOR PARKING LOT PLANTINGS-- 1 TREE PER 10 SPACES;
49 SPACES/ 10 = 5 TREES REQUIRED/ PROVIDED
- 2B. PARKING HEDGE-- SHALL BE PROVIDED.
- 2C. BUILDING FAÇADE PLANTINGS-- 1 TREE/20' OF AFFECTED FAÇADE = PHASE ONE: $365' / 20 = 18$ TREES
REQUIRED AND SHALL BE PROVIDED
- 2D. SERVICE/ LOADING AREAS-- TOWN COMPLIANT ENCLOSURE, SCREENED AS SHOWN HEREON.
- 2F. BUFFERYARDS: 25' WIDE BUFFERYARD 'B' REQUIRED ALONG GOLDSBOROUGH NECK ROAD (PER PLAT).

25' WIDE LANDSCAPE BUFFER/ YARD 'B' (ALONG GOLDSBOROUGH NECK ROAD)
715' LF LESS 50' SOUTHERN UTILITY EASEMENT (50 LF), LESS 50' NORTHERN UTILITY EASEMENT (50 LF) EQUALS
615 LF / 50' = 12.3 PLANT UNITS (PU)
2 SHADE/ CANOPY TREE X 12.3 PU = 24 SHADE/ CANOPY TREES REQUIRED
1 EVERGREEN TREES X 12.3 PU = 12 EVERGREEN TREES REQUIRED

PRINCIPLE #9- NEIGHBORHOODS SHOULD CONNECT- NOT SPECIFICALLY APPLICABLE TO THIS APPLICATION.



NOTE: THE LAYOUT AS SHOWN
HEREON IS CONCEPTUAL ONLY AND
NOT INTENDED TO BE UTILIZED FOR
DESIGN OR CONSTRUCTION
PURPOSES.

[illegible]

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



Established 1986

Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2025.

The seal of the Commonwealth of Massachusetts is located at the bottom left of the document. It features a shield with a Native American figure holding a bow and arrow, with a five-pointed star above. The shield is surrounded by a ribbon with the motto "Ense petit placidam sub libertate quietem". Above the shield is a crest with a bent arm holding a sword. The entire seal is encircled by the text "SIGILLUM REIPUBLICÆ MASSACHUSETTENSIS".



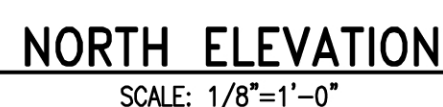
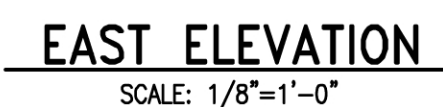
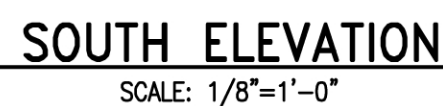
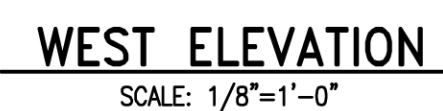
FOR
LOT 1 - MISTLETOE HALL
COMMERCE-BUSINESS PARK

IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 25, GRID 16, PARCEL 138 LOT 1

ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	4/5/23	BCE
AGENCY REVIEW	4/28/23	BCE

SHEET No. 1 OF 1 DATE: 4/5/23

SCALE:	JOB No.
AS NOTED	230019
	FILE No.
	A037

[illegible]



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

May 3, 2023

Dear Resident,

The Easton Planning Commission will hold a public meeting on **Thursday, May 18, 2023 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that a Site Plan Review application for Mistletoe Hall - Commerce Business Park has been filed to request site plan and stormwater management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies are also available for review via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith
Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

APG Media of Chesapeake, LLC
29088 Airpark Drive
Easton, MD 21601

05/01/23

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 05/01/23
	Ad Date: 05/03/23
	Class: 10
Name: Joanne Drummer	Ad ID: 3021135
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 250
	Lines: 45
Telephone: (410) 822-2525	Agate Lines: 216
Email:	Depth: 6.0
Description: Planning Comm Meeting	Inserts: 2
	Blind Box:

Other Charges:	\$0.00	Total:
Discount:	\$0.00	
Surcharge:	\$0.00	Paid Amount:
Credits:	\$0.00	
Bill Depth:	6.0	Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	05/03/23	05/03/23	1	

Ad Note:

Customer Note:

Planning Commission MEETING AGENDA	
Thursday, May 18, 2023 - 7:00 PM Council Chambers, Easton Town Office 14 S Harrison Street	
1. Call to Order	
2. Approval of Minutes	
3. a. Approval of the Draft Decision Summary from the April 20, 2023 meeting.	
3. Old Business	
a. Applicant: Brett Ewing - Lane Engineering, LLC	
Owner: 5001 SHR, LLC	
Location: Oxford Road, Poplar Hill	
Nature of Request: Supplemental Growth Allocation Request to seek a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation to reclassify 65.977 acres +/- from RCA to IDA.	
4. New Business	
a. Applicant: Lane Engineering, LLC	
File No.: 2023-803	
Location: Middlebrook Hall Commerce-Business Park Lot 1	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 1	
Nature of Request: Site Plan and Stormwater Management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.	
b. Applicant: Lane Engineering, LLC	
File No.: 2023-804	
Location: 28677 Fausley Wood Court, Lot 7A	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 7A	
Nature of Request: Site Plan and Stormwater Management approval of a proposed two-story office building, two storage buildings, and a one-story office building with associated stormwater management, parking and landscaping.	
c. Owner: Town of Easton	
Location: Easton Point Park Annexation	
Nature of Request: Consideration of the annexation of Easton Point Park (formerly Southern States Property), and a formal recommendation to the Town Council.	
6. Discussion Item	
6. Adjournment.	
3021135 SD	5/3/2023



Sign posted on May 3, 2023

We Appreciate Your Business!
Thank You Joanne Drummer!



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Hearing: May 18, 2023

4b

**PLANNING COMMISSION
PUBLIC HEARING
STAFF REPORT**

SUBJECT: 28857 Fausley Wood Court – Carrion Electric

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

APPLICANT: C Estates LLC

DOCUMENT CREATED ON: May 10, 2023

PURPOSE: The applicant is seeking site plan approval from the Planning Commission.

RECOMMENDATION: Staff supports Planning Commission approval of the proposed site plan subject to conditions (see below).

APPLICATION INFORMATION:	
APPLICANT: C Estates LLC	REPRESENTATIVE: Lane Engineering, LLC.: Brett Ewing C Estates LLC
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 025, Grid 0016, Parcel 0138, Lot 7A	3.316
ACCEPTANCE DATE: May 1, 2023	LOCATION: 28857 Fausley Wood Court
EXISTING ZONING I	EXISTING LAND USE: Vacant parcel within the Mistletoe Hall Commerce Business Park.
HISTORIC DISTRICT: Not Applicable	FUTURE LAND USE MAP: Industrial

CONTEXT:

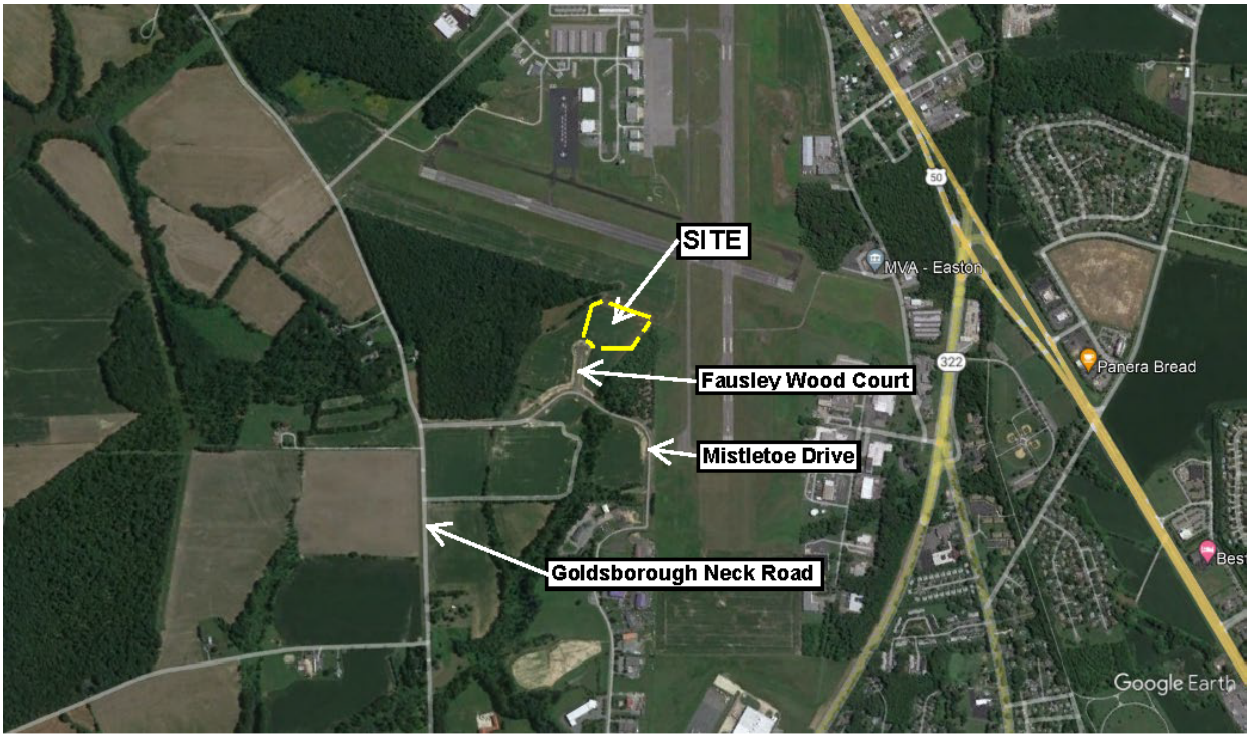
Location/Site Access – The subject property is located within the “Mistletoe Hall Commerce Business Park” along Fausley Wood Court, fronting on the Northeast side of the cul-de-sac.

Existing Conditions – The subject property is currently unimproved.

Surrounding Properties

- 29137 Newnam Road – Talbot County, MD
- 28860 Fausley Wood Court – I
- 28849 Fausley Wood Court – I
- Parcel 138, Goldsborough Neck Road – I

Figure 1: Vicinity Map



PROPOSAL: The applicant is proposing to construct a two-story office building and storage building A and a one-story office building and storage building B with associated parking, stormwater management facilities and landscaping. Building B is to be constructed in the future as Phase 2 and will be submitted to the Planning Commission for architectural review and approval at that time.

BACKGROUND: The applicant submitted an application to the Easton Staff Development Review Committee on April 26, 2023.

ZONING ANALYSIS:

A. Permissible Land Uses

28-201 table 2.1 (1) 103.7

I												
505	Contractor's Office w/ no outside storage	--	--	--	--	P	P	P	P	P		

Analysis –The proposed project is presented and described by the Applicant as a one & two-story office building with associated storage buildings A & B for a construction related business. Building B is to be constructed in the future as Phase 2. The project is categorized as a “*Contractor’s Office with no outside storage*”. The proposed use is permitted by-right within Table 2.1 Table of Permissible Uses.

B. Off-Street Parking

For the purposes of off-street parking calculations, the use is considered “Construction-related Business” and has the following requirements:

28-1001.3 Parking Requirements

	Use/Activity	Minimum Vehicle Spaces	Maximum Vehicle Spaces	Minimum Bicycle Spaces	Notes
	Industrial Buildings				
38	Construction-related businesses	1 per 1,000 sf GFA	1 space per 200 sf GFA	--	

Total Site Parking Required:

Building A

Construction-related businesses: 1 Space /1,000 SF GFA; 16 Spaces Required- Minimum
 1 Space /200 SF GFA; 80 Spaces Required- Maximum
Total spaces provided: 16

Building B (Future Phase 2 Construction)

Construction-related businesses: 1 Space /1,000 SF GFA; 13 Spaces Required- Minimum
 1 Space /200 SF GFA; 67 Spaces Required- Maximum
Total spaces provided: 13

Analysis- The applicant has provided twenty-nine (29) off-street parking spaces. If there is a demand for more parking spaces in the future, there’s ample space to expand on the southeast side of the site.

C. Industrial District Development Standards

Table 1. Development Standards		
I Zoning District	Standard	Proposed
Setbacks	Front = 25 feet Side = 10 feet Side = 25 feet if adjacent to	Front = 40 feet Side = 10 feet Side – Not applicable.

	residentially zoned properties. Rear = 25 feet	Rear = 50 feet
Lot Size (min.)	40,000 square feet	144,445 square feet
Lot Frontage (min.)	100 feet	101 feet
Building Envelope (min.)	30 feet x 80 feet	295 feet X 425 feet
Lot Coverage (max.)	50% (Lot Area)	17.6% (Lot Area)
Height (max.)	40 feet	40 feet
Bufferyard	Per the provisions of Section 28-1014 of the Zoning Ordinance.	Not required.

§ 309.2 of the Zoning Ordinance states that development within the Industrial District shall also meet these additional requirements:

- ***Off-street parking shall be provided in accordance with the provisions of Section 28 – 1001.***
- ***All storage areas shall be adequately screened and landscaped in accordance with provisions of Section 28 – 1014 of this Ordinance.***
- ***All on-site lighting unless approved otherwise by the Planning and Zoning Commission shall be low cut-off shielded luminaries at 18’ height and light shall not shine off-site at levels greater than 1-foot candle.***
- ***All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural planting, either of which shall be a minimum of eight (8) feet in height, in accordance with the provisions of Section 28 – 1014 of this Ordinance.***
- ***All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner, in accordance with the provisions of Section 28 – 1014 of this Ordinance.***
- ***Sidewalks shall be constructed along any public right-of-way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems.***

Analysis - The site falls under the I - Industrial District Area and meets the 28-309 Development Standards. In addition to the Development Standards, the Applicant is required to adhere to the

November 5, 2021 Declaration of Covenants for Mistletoe Hall Commerce-Business Park-Book: 2916, Page: 104.

Any comments or concerns from the ESDR review letters will be addressed during the Development Site Plan review.

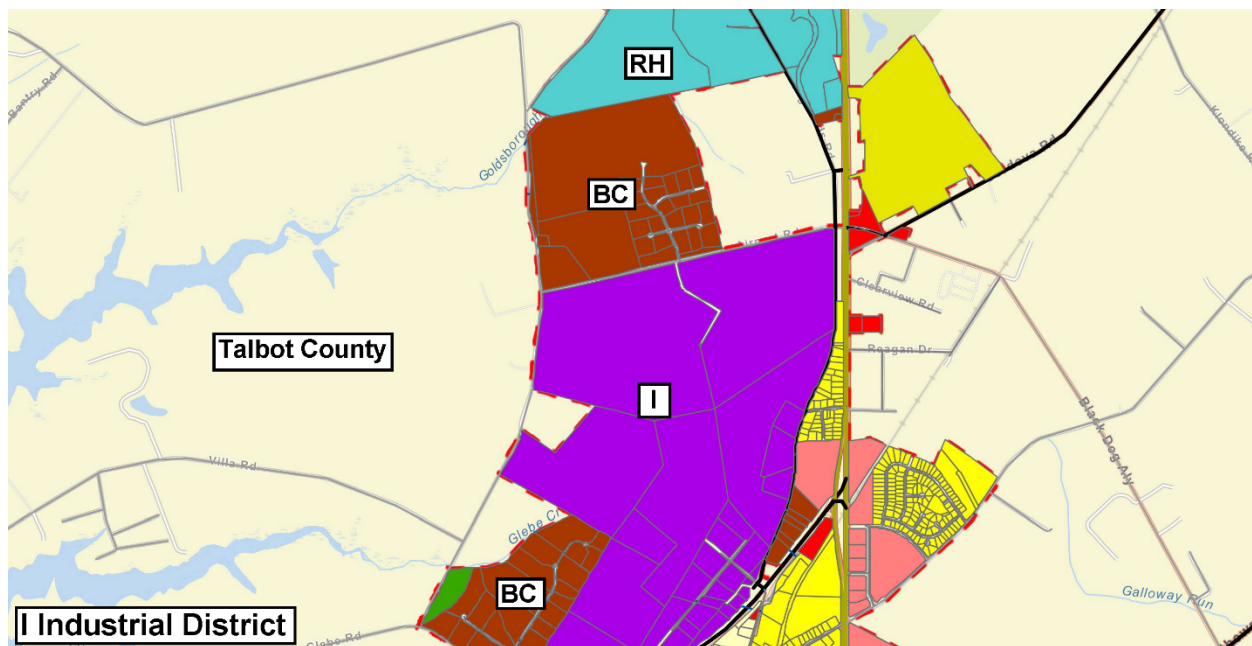
C. Forest Conservation

The Easton Forest Conservation Requirements of the Town Code, Article III, § 31-3.1 Relevance, states that the requirements are applicable to any person making application for a subdivision, project plan, grading, or sediment and erosion control approval on units of land 40,000 square feet or greater after the effective date of the Ordinance.

Analysis - The site is located within the Mistletoe Hall Commerce-Business Park. Forest Conservation was approved at the original Subdivision Plat (Plat KMD 87/124).

POLICY ANALYSIS:

Figure 2: Zoning Map



The submission of a site plan for a proposed use or development activity shall not be approved unless it meets the factors below:

1. The site plan meets the design principles and standards and required improvements set forth in this Ordinance, the Town Comprehensive Plan, the Town of Easton Subdivision

Regulations, and other ordinances, regulations, and policies established by the Town of Easton.

Analysis -

Town of Easton 2010 Comprehensive Plan Design Principles (Principle #1) Integrated uses are desirable- Applicant's response: *This development proposal provides additional office and associated construction business related warehouses in this mixed business park.*

Staff notes that the proposed development fits within the industrial nature of this business park.

(Principle #2) Natural features should determine design – Applicant's response: *No compelling natural features; site layout oriented to take advantage of natural drainage patterns and to orient "office" buildings front to street warehouse to the rear.*

Staff notes that there are no compelling natural features on site. Forest Conservation was approved at the original Subdivision Plat (Plat KMD 87/124).

(Principle #3) Automobiles should not determine design – Applicant's response: *Parking for office users and customers provided for convenience with the bulk of the parking to the front or side of the facility.*

Staff notes that the applicant has provided adequate off-street parking.

(Principle #4) Ample Open Space should be provided within & around neighborhoods – Applicant's response: *Usable open space not applicable here.*

Staff notes that open space is provided within the business park and was approved at the original Subdivision Plat (Plat KMD 87/124).

(Principle #5) Architecture should respect Easton's Historical Development – Applicant's response: *This application proposes architecture compatible with Easton and the Mistletoe Hall Commerce-Business Park's architectural Palette.*

(Principle #6) Signs should inform but not dominate – Applicant's response: *Signage, simple and per code.*

Staff notes that any proposed monument sign will require a Signage Application to be submitted prior to installation. Signs should inform but not dominate the area.

(Principle #7) Neighbors should contain a diversity of housing types – Applicant's response:
Not applicable to this application.

(Principle #8) Residential neighborhoods should be interesting places – Applicant's response:
Not applicable to this application.

(Principle #9) Neighborhoods should connect – Applicant's response: *Not specifically applicable to this application.*

Staff notes that although this Principle is primarily directed towards residential subdivisions, Mistletoe Hall Commerce-Business Park is connected to the Talbot Commerce Business Park to the south and has two means of access.

2. The site plan avoids or minimizes adverse impacts upon features (whether on-site or off-site) of historical, cultural or ecological significance.

Analysis - The proposed site is not within the Historic District or the Critical Area. This project would provide an office and a construction related warehouse with improved amenities; adequate parking, stormwater management facilities and landscaping.

3. The proposed use or development activity will not substantially increase traffic hazards due to traffic generated by the proposed use, the location of curb cuts or the layout of internal traffic circulation.

Analysis - The proposed use and activity will not increase traffic hazards in the surrounding area. Adequate off-street parking is provided.

4. The site plan and the proposed use or uses do not cause any adverse impact upon the health or safety of persons residing or working in the area surrounding the site or upon the character of the neighborhood surrounding the site; and

Analysis - There would be no adverse impacts. The existing property is located within an industrially zoned commerce park. Proposed use would provide an office building with an associated warehouse, adequate parking, landscaping features and stormwater management facilities.

5. The site plan improves the water quality of the Chesapeake Bay or its tributaries.

Analysis - The proposed site would meet required design practices for stormwater management.

DECLARATION OF COVENANTS FOR MISTLETOE HALL COMMERCE-BUSINESS PARK ANALYSIS:

MISTLETOE HALL COMMERCE-BUSINESS PARK COVENANTS

Checklist of Submission Requirements-April 26, 2023

Project Name: Carrion Electric, Lot 7A

Allowable Uses	As permitted in the Zoning Code	☒	Contractor's Office without no Outside Storage are permitted by-right in the I zoning district.
Prohibited Uses	<u>Prohibited Uses</u>		
	Uses and the manufacturing, processing, and storage of materials and products which cause an undue fire or health hazard to adjoining lots, or which constitute a nuisance or cause an emission of noxious odors, gases or smoke	☒	
	<u>Prohibited Operation or Use</u>		
	No operation or uses which causes or produces the following effects outside any lot or portion of lots subject to the covenants: • Smoke • Noxious, toxic, or corrosive fumes or gasses • Obnoxious odors • Dust, dirt, or fly ash • Unusual fire or explosive hazard • Intense glare or heat • Intense vibration • Excavation, with the exception of excavation for the construction of improvements with proper protection of adjacent lots and, upon completion, shall be backfilled and disturbed ground shall be graded and stabilized	☒	
Development Standards	<u>Site Design</u>		
	Massing, scale, color, and circulation relates to adjacent buildings and to the total development	☒	

Architectural Standards		
Massing and scale of larger buildings are broken down into smaller and varied volumes	☒	<i>Either the proposed 1-story office and storage building is mislabeled and should be a 2-story office building, or the floor plans and elevations for Building B need to be revised.</i> <i>Response:</i> <i>Building B is to be constructed in the future as Phase 2.</i>
Buildings exceeding 20 feet in height: • Base capped with a molding or reveal placed between 2 ft. and 4 ft. in height with a depth of at least 2 inches and a height of at least 4 inches • Middle may include multiple stories, windows, doors, and balconies capped with a molding or reveal which shall have a depth of at least 2 inches and a height of at least 4 inches • Cap includes the area from the middle to the roof and includes a cornice, eave, parapet, or overhang	☒	2-story office building(s) portion of the structure: Base cap is a stone veneer 3 to 4 feet in height with a molding at the top. Middle includes what appears to be molding in the central portion of the front facade. Cap includes a 1-foot overhang. <i>Applicant to verify height and depth of molding at the top of the stone veneer.</i> <i>Response:</i> <i>The office portion of Building A is stone veneer as the base and capped with a sill for 3'-0". The middle is horizontal siding with oversized windows. The roof is gable with a standard 1-foot overhang.</i>
Major architectural expressions employed such as corner massing, oversized windows-entrances and roof form to demarcate and anchor key locations	☒	The 2-story office front facade portion includes a lean-to roof.

	Solid walls to not exceed 60 feet in length without a minimum 10-foot facade return, offset, or change in plane	☒	Both storage buildings exceed 60 feet in length. The facades visible to the interior parking lot are broken up with overhead doors spaced 20 feet apart with the facade not including a true return, offset or change in plane. The rear facades are not interrupted with a return, offset or change in plane although the rear facades of both storage buildings face the airstrip or proposed storage units. Response: <i>The office portion of Building A has adhered stone veneer as the base capped with a sill for 3'-4' n height. The middle is horizontal vinyl siding with oversized windows.</i> <i>The warehouse portion provides overhead doors located at a rhythm of a 20' spacing to provide a visual break.</i> <i>3'-4' high wainscoting is on all three sides of the warehouse building.</i> <i>Rather than offsets, alternating vertical steel panels are provided to break up the rear façade.</i>
	Exterior Materials		
	Building finish applied to all publicly-visible sides and neighboring	☒	Applicant to indicate whether the vertical steel panels
	lots and streets		include a finish. Response: <i>The steel panels consist of multiple colors on the warehouse.</i>

	Traditional, durable, and environmentally sustainable materials. Examples include: • Brick or tile-burned clay with color and texture to be approved • Concrete masonry units with no plain concrete block on the front of any building, no exposed gray concrete block on any elevation, and gray cement color to be coated • Poured in place or tilt-up concrete walls with a finish of stone, a texture or coating • Coated precast concrete units which are not uniform in color • Concrete finishes for front elevations shall have a wainscot treatment with returns at least 4 feet on the adjacent side elevation • Concrete textured finishes • Cementitious-type or an epoxy-type concrete coating with a life expectancy of a minimum 10 years • Steel panels with a wainscot using dissimilar approved materials at least 4 feet in height when used for a front building elevation and a 4-foot return on adjacent side walls • Wood or wood products • Vinyl • Glass or glass block	☒	Steel panels on the warehouses. The front elevation of the 2-story office building includes a stone veneer base with the middle portion including vinyl siding.
	<u>Roofs</u>		
	Minimum pitch of 5:12 unless 4:12 pitch or less and surrounded by a parapet wall	☒	
	Roof mounted equipment screened by a parapet wall integrated into the architecture	☒	
	<u>Colors</u>		
	Shall be approved by the Town Mayor	☐	<i>TBD</i>
	<u>Temporary Improvements</u>		

	Temporary buildings and other temporary improvements are prohibited	☒	
Automobile Parking	<u>Off-Site Parking</u>		
	Number of spaces in accordance with the ZO without overbuilding	☒	

	Employee and company vehicles designated in the side and back of the property and located as to not compete with patron parking	☒	
	Patron parking generally located in the front of the property	☒	
	Off-Site Parking		
	No parking within the street ROW within the property	☒	
	Parking Area Standards		
	Paved with asphalt, concrete, or pervious pavers	☒	Applicant to note on plan. Response: Asphalt parking lot labeled on plan.
	Front ends of parking spaces shall consist of concrete curbs or curb stops	☒	Applicant to note on the plan. Response: Vertical curb and wheel stop label added to plan.
	Concrete curbing provided at the radius of all parking access entries off public roads	☒	Applicant to note on the plan. Response: Curbing at radius of all parking added.
	Exposed edge of all curbs, parking areas, or walkways installed with grass, ground cover, or mulch	☒	
	Special paving materials may be used to accent special entrance areas or walkways	☒	
	No more than 7 consecutive, single-loaded spaces provided without a landscaped island measuring at least 6 feet in width	☒	Interior parking across from Building B shows more than seven consecutive spaces without an island. Response: No more than 7 spaces in a

			<i>row depicted.</i>
	Parking spaces lined or striped in accordance with the Town's required parking space size	☒	
	Screening		
	Parking screened from view as much	☒	

	as possible by depressing grades, landscaping, and/or berms		
Truck Loading and Parking	Loading docks located in the rear and side of buildings	☒	Loading spaces not shown. Response: <i>Loading spaces shown at the rear of the building.</i>
	Loading docks screened from view so that trucks using docks are not readily visible from public streets	☒	Response: <i>No Loading docks onsite.</i>
	Loading docks screened from view by the building, landscaping, walls, or decorative fencing	☒	Response: <i>No Loading docks onsite.</i>
	No overnight parking of trucks and commercial vehicles parked outside the building overnight except in the rear or in suitably screened areas	☒	Applicant to verify. Response: <i>No commercial parking outside except in a screened area onsite.</i>
	Loading areas shall not encroach into setback areas unless approved by the Declarant in writing	☒	Loading areas not shown. Response: <i>Loading spaces do not encroach into a setback and are in the rear yard.</i>
	Loading areas located in side yards shall be set back and screened to minimize the effect from the street and from neighboring lots	☒	Loading areas not shown. Response: <i>Loading areas shown at the rear of the building and screened.</i>
	Loading doors and docks shall not be closer than 100 feet to the street property line, unless specifically approved by the Declarant in writing	☒	Loading areas not shown. Response: <i>No Loading docks onsite.</i>

	Loading areas are prohibited on the front of any building	☒	Loading areas not shown. Response: Loading areas shown at the rear of the building.
Storage	No materials, supplies, or equipment stored for more than 24 hours in any area except inside a closed building or behind a visual barrier completely screened from view of adjoining lots or public streets (if screened from view by landscaping, buffer must be opaque within 5 years of installation)	☒	
	Garbage and refuse containers completely concealed from view by a screening wall constructed of material compatible with the building, landscaping materials or decorative fencing with screening located in a side or rear yards of the lot	☒	
Outdoor Work Areas	No work areas permitted on any lot except inside a closed building or	☒	

	behind a visual barrier completely screened from view of adjoining lots and public streets		
Storage Tanks	Prohibited unless approved by the Declarant in writing	☒	
Trailers	Except for a temporary period during construction, prohibited when used for storage purposes	☒	
Landscaping	All open areas not occupied by buildings and paved areas and open areas between each lot's property boundaries and the edge of paving along the street frontage shall be suitably graded and drained and landscaped with lawns, trees, shrubs, and flower beds	☒	Indicate turf where proposed. Response: Area labeled on plan.
	Each lot - landscaped areas no less than 12.5%	☒	Not verified on the plan. Response: Total Landscaped area is 49%.
	Natural vegetation retained to the greatest extent possible	☒	

	Copy of the landscape plan showing preservation of natural areas; planting of trees, shrubs, flower beds, grass; and installation of earth berms, screens, and underground sprinkling systems (if applicable) submitted to the Declarant for approval in conjunction with the site plan	☒	
	Landscape plan showing components reflecting seasonal changes in the plans	☒	Not provided. Response: Narrative provided.
	Plant material in conformance with the American Standard for Nursery Stock, latest edition	☒	Applicant to verify and note on the plan. Response: Provided.
	Landscape Plan prepared by a registered landscape architect, certified by the State of Maryland	☒	Applicant to verify and note on the plan. Response: Provided on plan.
	Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant	☒	Applicant to note on the plan. Response: Seasonal landscape narrative provided.

Tree Removal	No healthy tree with a diameter exceeding 4 inches may be approved without written approval from the Declarant unless removal is necessary in connection with the location of a building, loading area, driveway or other improvement	☒	
Exterior Lighting	Compatible and harmonious throughout the property	☒	Not shown Response: No site lighting proposed, only security wall pact.
	Lighting sources screened from view or directed downward and shielded	☒	Not shown. Response: No site lighting proposed, only

			<i>security wall pact.</i>
	Automobile and truck parking areas, if illuminated, shall be directed downward and screened to reduce visible glare from the street	☒	<i>Not shown.</i> <i>Response:</i> <i>No site lighting proposed, only security wall pact.</i>
Signs	Permanent signs for identification only and may not be an advertising device	☒	<i>Any proposed signage must conform.</i>
	Text limited to company name or logo	☒	<i>Any proposed signage must conform.</i>
	No permanent, painted signs permitted	☒	<i>Any proposed signage must conform.</i>
Fencing	Natural areas are preferred for enclosing and screening	☒	
	Black or dark brown vinyl clad chain link fencing, CMU, concrete, brick, and stone walls permitted	☒	<i>Applicant to indicate materials on the plan.</i> <i>Response:</i> <i>Black vinyl clad fence labeled on the plan.</i>

RECOMMENDED CONDITION:

Staff recommends the Planning Commission approve the sketch site plan with the following conditions:

- The Applicant is required to receive Town of Easton approval of the Master Plan, Site Plan, and Architectural Plans and Construction Drawings of Phase 1 (to include Building A) for conformance to the November 5, 2021 Declaration of Covenants for Mistletoe Hall Commerce-Business Park-Book: 2916, Page: 104.
-
- The applicant shall submit the Master Plan, Site Plan, an Architectural Plans and Construction Drawings of Phase II for a review of conformance to the November 5, 2021 Declaration of Covenants for Mistletoe Hall Commerce-Business Park-Book: 2916, Page: 104, prior to or concurrent with Sketch Plan submission.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the sketch site plan subject to staff's Conditions of Approval.

OR

2. I move that the Planning Commission table the application to the June 15th Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2023-04-27 ESDR Determination Letter Carrion Electric, paper copy & PDF
2. 2023-04-28 Sketch Site Plan Review ESDR (Carrion Electric)-2, paper copy & PDF
3. 2023-04-28 Aerial Context Plan-230135, paper copy & PDF
4. 2023-04-28 Carrion-Covenants Comment Response Letter, paper copy & PDF
5. 2023-04-28 Carrion-ESDR Comment Response Letter, paper copy & PDF
6. 2023-04-28 Illustrative Plan Carrion-220135, paper copy & PDF
7. 2023-04-28 Lot7A-Tree-List, paper copy & PDF
8. 2023-04-28 Sketch Site Plan Carrion-220135, paper copy & PDF
9. 2023-05-03 Letter of Response, paper copy & PDF
10. 2023-05-03 Titan Building-Carrion Electric, paper copy & PDF



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: April 28, 2023
TO: C Estates LLC - Owner
Brett Ewing - Lane Engineering, LLC
Cc: Sierra Clem - Engineering Department
Miguel Salinas - Planning and Zoning Department
Aaron Goller - EUC
FROM: Rick Van Emburgh - Town Engineer
SUBJECT: Carrion Electric - Sketch Site Plan Review Comments - REVISED

After reviewing the project at the 4/26/2023 ESDR Meeting, our updated 4/25/2023 Letter comments are in ***bold/italics***.

Sketch Site Plan:

The Sketch Site Plan is acceptable with the following conditions:

1. Please include wheel stops on parking stalls that do not abut curb.
2. Please label the width between the parking stalls and the edge of pavement in front of building B.
3. Please verify the 42' width in front of building A - the two sections scaled do not reflect the same measurement.
4. Please label the width of the entrance drive aisle.
5. Please specify the material of the parking area between building A and building B.
6. Based on the elevations provided, it appears that the parking stalls in front of building A may conflict with the garage doors.

The original plan submitted may proceed to the Planning Commission. Please address the comments above on the Preliminary Site Plan.

Stormwater Management:

The Sketch Stormwater Management Plan is Approved with the following conditions:

1. Please complete the ESD Summary Chart with the Target ESDv and include on the site plan.
2. Please complete the Quantity summary chart and include on the site plan. The Pre calculations need to be completed.
3. The stormwater appears to drain to the high side of the property. This is acceptable but may be challenging to grade during construction.

The original plan submitted may proceed to the Planning Commission. Please address the comments above on the Preliminary Stormwater Management Plan.

Please contact me if you have any questions. Thank you.

P.O. Box 520, Easton, Maryland 21601
410-820-8822
Engineering@EastonMD.gov - www.EastonMD.gov



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

Easton Staff Development Review Worksheet

Date: April 27, 2023

Project: Carrion Electric

To: Brett Ewing

The Easton Staff Development Review (ESDR) Committee meeting was held on April 26th at 11:00 am. Staff reviewed the Site Sketch Plan for the proposed office and contractor buildings on the property located at 28857 Fausley Wood Court, also known as Tax Map 25, Parcel 138, Lot 7A.

The project will need to address all agency comments as specified in the attached review letters and at ESDR. In addition, Article VI in the Declaration of Covenants for Mistletoe Hall Commerce-Business Park (Declaration) requires the applicant to submit Plans to the Town of Easton Plans to include : 1) a master plan for full development of the site, 2) a site plan and schematic design of the area proposed for immediate development including all items required for approval of a site plan, and 3) architectural plans and construction drawings. The Town then reviews the Plans to determine whether they are in accordance with the Declaration.

Section D of Article VI requires the Town to approve, disapprove, or request additions or supplemental information relating to the Plans within thirty (30) days from the date of submission. The Plans were submitted to the Town on April 6, 2023. Staff asked for additions or supplemental information in the form of revisions to the Plans based on the attached Declaration Checklist of Submission Requirements and from the discussion at the ESDR Committee meeting.

The Committee determined that the application may be scheduled for Planning Commission review pending the Town Engineer's approval of an updated Sketch Stormwater Management Plan. Please address all comments and submit an updated application.

Further, please address and submit under separate cover the requested additions and supplemental information with a detailed narrative and response to the staff comments and "unchecked" items in the Declaration Checklist pertaining to the aforementioned covenants for further review.

The next Planning Commission meeting is scheduled for **Thursday, May 18, 2023 at 1:00 pm**. **Submit all documentation to the Planning and Zoning Department no later than Monday, May 1st. Files for presentation at the Planning Commission need to be provided on a flash drive. In addition, provide a digital submittal (via email) of the Planning Commission Application and its supporting documents, including ten paper copies.**

Based on the ESDR sketch plan submission, the Staff did not identify constraints which require action by the Board of Zoning Appeals.

Please contact the Planning & Zoning Department at 410 822-1943 with any questions.

Sincerely,

Miguel Salinas
Department of Planning and Zoning



TOWN OF EASTON PLANNING & ZONING DEPARTMENT

P.O. Box 520
Easton, Maryland 21601
410-822-1943
www.EastonMD.gov

DATE: April 20, 2023
TO: Brett Ewing – Lane Engineering, LLC/C Estates, LLC
Cc: Miguel Salinas – Director, Planning & Zoning Department
Rick Van Emburgh – Town Engineer, Department of Engineering

FROM: Joseph A. Mayer - Plan Reviewer, Planning & Zoning Department
SUBJECT: 28857 Fausley Courte - Carrion Electric

We reviewed the **April 5, 2023** Sketch Plan Submittal for the Subject Project and have the following comments:

PLANNING & ZONING COMMENTS

Sketch Site Plan

1. Revise permissible use on the Development Data as Contractor's Office with no outside storage.
2. Per Article 4-4.01 of the Declaration of Covenants for Mistletoe Hall Commerce-Business Park, the net landscaped areas shall be no less than twelve and one-half percent (12.5%) of the lot area. Please provide calculations for the total proposed landscaped areas.
3. Per Chapter 28-1007.A.3.l.1 thru 5 of the Zoning Code, provide an impact statement on the site plan.
4. Per Chapter 28-1007.A.3.g of the Zoning Code, provide safe pedestrian movement for parking spaces adjacent Storage Building 'B'.
5. Indicate the use of curb & gutter and/or curb stops.
6. Two of the parking spaces adjacent to Proposed Storage Building 'A' interfere with the docking bay door. Please revise and provide an adequate path to the entrance.
7. Provide ADA accessible parking space and access aisle for Proposed One-Story Office Building 'B'.
8. The parking calculations for construction-related businesses do not require bicycle spaces. Please advise.

9. Label proposed paving on all plan views.
10. Revise architectural rendering for proposed 1-story office building. The rendering currently shows two stories.
11. Indicate on the landscape plan, Article 4-4.07A of the Declaration of Covenants for Mistletoe Hall Commerce-Business Park, the type of landscaping utilized in all open areas, a table showing components reflecting seasonal changes and that the plan is prepared by a registered landscape architect, certified by the State of Maryland. In addition, add a note stating; *Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant.*
12. Include a statement regarding *"the nature of the proposed use, its expected impact on its surrounding area, expected truck traffic, and any other information necessary to provide a fair and accurate assessment of the impacts of the proposed use on the subject property and the surrounding area."* (28-1007.3.A.6).
13. Show all entrance and garage locations to proposed buildings on all plan views.
14. Dimension offset distances from building to the property line adjacent to Fausley Wood Court.
15. Provide additional landscape screening adjacent to lot 6A.
16. Show the truck loading space location and its dimensions on the sketch plan. Each loading space shall be not less than ten (10) feet in width and forty-five (45) feet in length, and shall have a minimum overhead clearance of fourteen (14) feet.
17. Add Ward District in the Title Block to all sheets.
18. Show zoning district boundaries on the Vicinity Map.
19. Show proposed site lighting on the plan view. Indicate that the lights will be eighteen feet in height and shall not shine off-sight at levels greater than 1-foot candle unless approved otherwise by the Planning Commission.

DEPARTMENT OF ENGINEERING

COMMENTS ATTACHED.

EASTON UTILITIES

COMMENTS ATTACHED.

BUILDING INSPECTION & PERMIT DEPARTMENT

COMMENTS ATTACHED.

Plan Review Status

IMPROVEMENT PLAN REVIEW			Comments
Plans Approved	☐ Y	☒ N	Please review the comments above. Revise and resubmit.

GRADING PERMIT STATUS			
Application and Final Approved Site Plan Submitted to Town Engineer	☐ Y	☒ N	To be processed by the Department of Engineering.

LEGAL DOCUMENTS		
Storm Water Easement		
☒ Required ☐ Submitted ☐ Approved		
To be processed by the Department of Engineering.		
Drainage & Utility and Landscape Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required.		
Shared Access/Use Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required		
Sidewalk Easement		
☐ Required ☐ Submitted ☐ Approved		
Not required		
Declaration of Covenants		
☒ Required ☐ Submitted ☐ Approved		
To be prepared by Town Attorney		
Public Works Agreement		
☒ Required ☐ Submitted ☐ Approved		
To be prepared by Town Attorney		
Bond/Letter of Credit/ Cash Agreement		
☒ Required ☐ Submitted ☐ Approved		
To be processed by the Department of Engineering.		

Talbot Soil Conservation District Approval	
☒ Approval Required	Approval pending.
Forest Stand Delineation & Forest Conservation Plan	
☐ Required ☐ Submitted ☐ Approved	The development of this site has already been mitigated for Forest Conservation under the 2020 Forest Conservation Plan, recorded on record plat KMD 87/124.
Other	
☒ Required ☐ Submitted ☐ Approved	Applicant to provide FAA Determination of no hazard to air shall be required prior to site plan approval.

Please contact me if you have any questions. Thank you.

MISTLETOE HALL COMMERCE-BUSINESS PARK COVENANTS

Checklist of Submission Requirements

Project Name: Carrion Electric, Lot 7A

Allowable Uses	As permitted in the Zoning Code	☒	Contractor's Office without no Outside Storage are permitted by-right in the I zoning district.
Prohibited Uses	<u>Prohibited Uses</u>		
	Uses and the manufacturing, processing, and storage of materials and products which cause an undue fire or health hazard to adjoining lots, or which constitute a nuisance or cause an emission of noxious odors, gases or smoke	☒	
	<u>Prohibited Operation or Use</u>		
	No operation or uses which causes or produces the following effects outside any lot or portion of lots subject to the covenants: • Smoke • Noxious, toxic, or corrosive fumes or gases • Obnoxious odors • Dust, dirt, or fly ash • Unusual fire or explosive hazard • Intense glare or heat • Intense vibration • Excavation, with the exception of excavation for the construction of improvements with proper protection of adjacent lots and, upon completion, shall be backfilled and disturbed ground shall be graded and stabilized	☒	
Development Standards	<u>Site Design</u>		
	Massing, scale, color, and circulation relates to adjacent buildings and to the total development	☒	

	Architectural Standards		
Massing and scale of larger buildings are broke down into smaller and varied volumes	☐	<i>Either the proposed 1-story office and storage building is mislabeled and should be a 2-story office building, or the floor plans and elevations for Building B need to be revised.</i>	
Buildings exceeding 20 feet in height: • Base capped with a molding or reveal placed between 2 ft. and 4 ft. in height with a depth of at least 2 inches and a height of at least 4 inches • Middle may include multiple stories, windows, doors, and balconies capped with a molding or reveal which shall have a depth of at least 2 inches and a height of at least 4 inches • Cap includes the area from the middle to the roof and includes a cornice, eave, parapet, or overhang	☐	2-story office building(s) portion of the structure: Base cap is a stone veneer 3 to 4 feet in height with a molding at the top. Middle includes what appears to be molding in the central portion of the front facade. Cap includes a 1 foot overhang. <i>Applicant to verify height and depth of molding at the top of the stone veneer.</i>	
Major architectural expressions employed such as corner massing, oversized windows-entrances and roof form to demarcate and anchor key locations	☒	The 2-story office front facade portion includes a lean-to roof.	
Solid walls to not exceed 60 feet in length without a minimum 10 foot facade return, offset, or change in plane	☐	Both storage buildings exceed 60 feet in length. The facades visible to the interior parking lot are broken up with overhead doors spaced 20 feet apart <i>with the facade not including a true return, offset or change in plane.</i> The rear facades are not interrupted with a return, offset or change in plane although the rear facades of both storage buildings face the airstrip or proposed storage units.	
	Exterior Materials		
Building finish applied to all publicly-visible sides and neighboring	☐	<i>Applicant to indicate whether the vertical steel panels</i>	

	lots and streets		<i>include a finish.</i>
	Traditional, durable, and environmentally sustainable materials. Examples include: • Brick or or tile-burned clay with color and texture to be approved • Concrete masonry units with no plain concrete block on the front of any building, no exposed gray concrete block on any elevation, and gray cement color to be coated • Poured in place or tilt-up concrete walls with a finish of stone, a texture or coating • Coated precast concrete units which are not uniform in color • Concrete finishes for front elevations shall have a wainscot treatment with returns at least 4 feet on the adjacent side elevation • Concrete textured finishes • Cementitious-type or an epoxy-type concrete coating with a life expectancy of a minimum 10 years • Steel panels with a wainscot using dissimilar approved materials at least 4 feet in height when used for a front building elevation and a 4-foot return on adjacent side walls • Wood or wood products • Vinyl • Glass or glass block	☒	Steel panels on the warehouses. The front elevation of the 2-story office building includes a stone veneer base with the middle portion including vinyl siding.
	<u>Roofs</u>		
	Minimum pitch of 5:12 unless 4:12 pitch or less and surrounded by a parapet wall	☒	
	Roof mounted equipment screened by a parapet wall integrated into the architecture	☒	
	<u>Colors</u>		
	Shall be approved by the Town Mayor	☐	<i>TBD</i>
	<u>Temporary Improvements</u>		

	Temporary buildings and other temporary improvements are prohibited	☒	
Automobile Parking	<u>Off-Site Parking</u>		
	Number of spaces in accordance with the ZO without overbuilding	☒	
	Employee and company vehicles designated in the side and back of the property and located as to not compete with patron parking	☒	
	Patron parking generally located in the front of the property	☒	
	<u>Off-Site Parking</u>		
	No parking within the street ROW within the property	☒	
	<u>Parking Area Standards</u>		
	Paved with asphalt, concrete, or pervious pavers	☐	<i>Applicant to note on plan.</i>
	Front ends of parking spaces shall consist of concrete curbs or curb stops	☐	<i>Applicant to note on the plan.</i>
	Concrete curbing provided at the radius of all parking access entries off public roads	☐	<i>Applicant to note on the plan.</i>
	Exposed edge of all curbs, parking areas, or walkways installed with grass, ground cover, or mulch	☒	
	Special paving materials may be used to accent special entrance areas or walkways	☒	
	No more than 7 consecutive, single-loaded spaces provided without a landscaped island measuring at least 6 feet in width	☐	<i>Interior parking across from Building B shows more than seven consecutive spaces without an island.</i>
	Parking spaces lined or striped in accordance with the Town's required parking space size	☒	
	<u>Screening</u>		
	Parking screened from view as much	☒	

	as possible by depressing grades, landscaping, and/or berms		
Truck Loading and Parking	Loading docks located in the rear and side of buildings	☐	Loading spaces not shown.
	Loading docks screened from view so that trucks using docks are not readily visible from public streets	☐	
	Loading docks screened from view by the building, landscaping, walls, or decorative fencing	☐	
	No overnight parking of trucks and commercial vehicles parked outside the building overnight except in the rear or in suitably screened areas	☐	Applicant to verify.
	Loading areas shall not encroach into setback areas unless approved by the Declarant in writing	☐	Loading areas not shown.
	Loading areas located in side yards shall be set back and screened to minimize the effect from the street and from neighboring lots	☐	Loading areas not shown.
	Loading doors and docks shall not be closer than 100 feet to the street property line, unless specifically approved by the Declarant in writing	☐	Loading areas not shown.
	Loading areas are prohibited on the front of any building	☐	Loading areas not shown.
Storage	No materials, supplies, or equipment stored for more than 24 hours in any area except inside a closed building or behind a visual barrier completely screened from view of adjoining lots or public streets (if screened from view by landscaping, buffer must be opaque within 5 years of installation)	☒	
	Garbage and refuse containers completely concealed from view by a screening wall constructed of material compatible with the building, landscaping materials or decorative fencing with screening located in a side or rear yards of the lot	☒	
Outdoor Work Areas	No work areas permitted on any lot except inside a closed building or	☒	

	behind a visual barrier completely screened from view of adjoining lots and public streets		
Storage Tanks	Prohibited unless approved by the Declarant in writing	☒	
Trailers	Except for a temporary period during construction, prohibited when used for storage purposes	☒	
Landscaping	All open areas not occupied by buildings and paved areas and open areas between each lot's property boundaries and the edge of paving along the street frontage shall be suitably graded and drained and landscaped with lawns, trees, shrubs, and flower beds	☐	<i>Indicate turf where proposed.</i>
	Each lot - landscaped areas no less than 12.5%	☐	<i>Not verified on the plan.</i>
	Natural vegetation retained to the greatest extent possible	☒	
	Copy of the landscape plan showing preservation of natural areas; planting of trees, shrubs, flower beds, grass; and installation of earth berms, screens, and underground sprinkling systems (if applicable) submitted to the Declarant for approval in conjunction with the site plan	☒	
	Landscape plan showing components reflecting seasonal changes in the plans	☐	<i>Not provided.</i>
	Plant material in conformance with the American Standard for Nursery Stock, latest edition	☐	<i>Applicant to verify and note on the plan.</i>
	Landscape Plan prepared by a registered landscape architect, certified by the State of Maryland	☐	<i>Applicant to verify and note on the plan.</i>
	Landscaping installed within the next planting season of occupancy or within 6 months of substantial completion (date on which the exterior walls and roofs have been installed) of any Building, whichever occurs first, provided that an extension may be granted by the Declarant	☐	<i>Applicant to note on the plan.</i>

Tree Removal	No healthy tree with a diameter exceeding 4 inches may be approved without written approval from the Declarant unless removal is necessary in connection with the location of a building, loading area, driveway or other improvement	☒	
Exterior Lighting	Compatible and harmonious throughout the property	☐	<i>Not shown</i>
	Lighting sources screened from view or directed downward and shielded	☐	<i>Not shown.</i>
	Automobile and truck parking areas, if illuminated, shall be directed downward and screened to reduce visible glare from the street	☐	<i>Not shown.</i>
Signs	Permanent signs for identification only and may not be an advertising device	☒	<i>Any proposed signage must conform.</i>
	Text limited to company name or logo	☒	<i>Any proposed signage must conform.</i>
	No permanent, painted signs permitted	☒	<i>Any proposed signage must conform.</i>
Fencing	Natural areas are preferred for enclosing and screening	☒	
	Black or dark brown vinyl clad chain link fencing, CMU, concrete, brick, and stone walls permitted	☐	<i>Applicant to indicate materials on the plan.</i>



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: April 25th, 2023
TO: C Estates LLC - Owner
Brett Ewing - Lane Engineering, LLC
Cc: Rick Van Emburgh - Town Engineer
Miguel Salinas - Planning and Zoning Department
Aaron Goller - EUC
FROM: Sierra Clem - Engineering Department
SUBJECT: Carrion Electric - Sketch Site Plan Review Comments

I have reviewed the revised application for the subject project received on 4/11/2023. I have the following comments.

Sketch Site Plan:

I have reviewed the **Sketch Site Plan** and have the following comments:

1. Please include wheel stops on parking stalls that do not abut curb.
2. Please label the width between the parking stalls and the edge of pavement in front of building B.
3. Please verify the 42' width in front of building A - the two sections scaled do not reflect the same measurement.
4. Please label the width of the entrance drive aisle.
5. Please specify the material of the parking area between building A and building B.
6. Based on the elevations provided, it appears that the parking stalls in front of building A may conflict with the garage doors.

The **Sketch Plan** is acceptable to the Engineering Department, please submit a Preliminary Site Plan.

Stormwater Management:

The **Sketch Stormwater Management Plan** and have the following comments:

1. Please complete the ESD Summary Chart with the Target ESDv and include on the site plan.
2. Please complete the Quantity summary chart and include on the site plan. The Pre calculations need to be completed.
3. The stormwater appears to drain to the high side of the property. This is acceptable but may be challenging to grade during construction.

Please submit a Revised Sketch Stormwater Management Plan.

Please contact me if you have any questions. Thank you.

P.O. Box 520, Easton, Maryland 21601
410-820-8822
Engineering@EastonMD.gov - www.EastonMD.gov



Easton Utilities Commission

Plan Review Comments

Date: Monday, April 24, 2023

To: Joe Mayer; Nicholas Johnson; Sierra Clem

From: Kia Gibbs on behalf of Aaron Goller, PE

Re: 28857 Fausley Wood Court - Carrion Electric

No. of Pages: 1

Phase: Sketch Site Plan

Review Type: Preliminary

SUBM: 1

Status: Revise and Resubmit

Easton Utilities Commission has reviewed the above referenced plans and have provided the following comments. Please provide your corrections as listed below. Additional reviews will be required to ensure comments have been addressed. Items or documents not provided on initial submission will be subject to further review. Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.

ITEM:	DRAWING / PAGE	COMMENTS:
1	General	Show existing utilities
2	General	Contact Easton Utilities for electrical design
3	General	Gas is available.
4	General	Install 2" communications conduit with electric.



TOWN OF EASTON
PO Box 520
Easton, Maryland 21601
(410)-822-2526 Fax (410)-822-8738



Office of Building Inspection.

ESDR- Building Inspection and Permit Department Comments

Date: April 11, 2023

Project; Mistletoe Hall Commerce Park, Lot 7A - Building A & B

Owner; C Estates, LLC

A Town of Easton Building Permit is required for all new construction. The following lists items required on the construction drawings in order to apply for a Building Permit.

- Contact this Department to verify current Building Codes including the Town of Easton's modifications prior to preparation of Building plans.
- Indicate the type of construction, new (shell only or Tenant fit out), addition or alterations, (includes tenant fit out new or change of use/occupancy)
- Construction Documents (3 sets) for new construction will be required. Documents must be prepared by a registered Maryland Registered Architect, with original plans signed and sealed. A code analysis completed by a Registered Maryland Architect including, classification (use group), construction type, and occupant loads must be completed and included with the application materials.
- The Town of Easton, in accordance with the International Building Code Chapter 17, establishes a building inspections procedure that utilizes qualified, third-party professionals in addition to the Town's Building Inspectors. The purpose of this document is to establish the policy and guidelines for the construction process.
A copy of this can be found on the Town's Web Site
- Items that must be addressed by the construction documents will be structural strength, means of egress (include travel distance), facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, **Accessibility**, and other safety requirements for public access.
- All mechanical, electrical, and plumbing permits as required must include construction documents signed and sealed by a professional engineer and by a responsible party for the contractor receiving the permit. Be sure the Town of Easton modifications are included. Section 6-16 of the Town Code.

- Pursuant to Town of Easton Ordinance 477, Chapter 9 Fire Protection, Article VII Security Key Lock Boxes, a lockbox shall be provided on the exterior of the building and shall be located as required by the chief of the Easton Volunteer Fire Department, Inc. (410-822-4848).
 - An appointment may be set up with this department to review your permit application materials prior to permit application submission.
- **State Fire Marshal**, (410-822-7609) plan review and inspections are required. It is your responsibility to contact them and make application.

Lane Engineering, LLC

Established 1986

Civil Engineering • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095
Fax 410-758-4422

April 28, 2023

Joe Mayer
Plan Reviewer
Town of Easton
14 South Harrison Street
Easton, MD 21601

Subject: Carrion – Lot 7A, Mistletoe Hall Farm

Dear Mr. Mayer,

We have reviewed the Town's comments dated April 27, 2023, and have updated the plans accordingly. Our responses are in order with your letter as follows:

Planning & Zoning

Site Plan:

1. Contractor's Office with outside storage is a permitted use in the Industrial zoning district.
2. Landscaped area calculation added to the plan; exceed minimum 49%
3. Comment N/A per previous ESDR and PC meeting. The use identified as "Industrial Park" is not proposed. The proposed use is contractors office with outside storage.
4. Parking spaces in this area are for employees that will utilize trucks parked inside overnight. Client parking will occur in front of the office.
5. Labels for vertical curb or wheel stops added to the plan.
6. Spaces adjusted to avoid overhead doors.
7. ADA parking provided for building B.
8. Bike rack proposed.
9. Paving label added to the plan.
10. N/A, building B to be constructed in the future as Phase 2. PC architectural review and approval will occur at that time.
11. Narrative prepared by landscape architect reflecting seasonal blooming provided.
12. See number 3 response above.
13. Garage door locations and applicable lead walks added.
14. Building offsets to property lines added to the general notes. We did not provide additional leaders/ offsets in the plan view to keep the plan legible.
15. Additional landscaping added on the west side of building to help soften.
16. Truck loading spaces shown in the rear of the site.



www.leinc.com
general@leinc.com

17. Ward district information has been added to the Development Data notes on the Sketch Site Plan and Illustrative Plan.
18. Not required per town checklist or code. Please provide updated checklist.
19. Note is on the site plan that indicates wall mounted security lighting.

Engineering Department (received updated letter 4/28)

Plan Review:

1. Updated on the site plan.
2. Dimension provided.
3. Updated dimension provided.
4. Drive aisle width provided.
5. Parking lot material labeled.
6. Conflict addressed.

Stormwater Management:

1. Chart included in last couple pages of the stormwater report.
2. Chart included in last couple pages of the stormwater report.
3. Acknowledged.

Easton Utilities

Plan Review:

1. Existing utilities are show per EUC GIS.
2. Acknowledged.
3. Acknowledged.
4. Acknowledged.

Thank you for your review of this project. Should you have any questions or need additional information, please contact me directly at 410-822-8003.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brett C. Ewing', with a stylized flourish at the end.

Brett C. Ewing, AICP
Principal

Lane Engineering, LLC

Established 1986

Civil Engineering • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095
Fax 410-758-4422

April 28, 2023

Miguel Salinas
Town of Easton
14 South Harrison Street
Easton, MD 21601

Subject: Carrion – Lot 7A, Mistletoe Hall Farm

Dear Miguel,

We have reviewed the Town's covenants comments dated April 27, 2023, and have updated the plans accordingly. Our responses are in order with your letter as follows:

Covenants

Architecture:

1. N/A, building B to be constructed in the future as Phase 2. PC architectural review and approval will occur at that time.
2. Updated building "A" architecture and responses to three town comments provided under separate cover by the PC deadline of 5/3.

Site Plan:

1. Asphalt parking lot label added.
2. Vertical curb and wheel stops label added to the plan.
3. Curbing at radius of all parking acknowledged.
4. No more than 7 spaces in a row depicted.
5. Two loading spaces shown on the rear of the building.
6. No commercial parking outside except in a screened area onsite.
7. Loading spaces do not encroach into a setback and are in the rear yard.
8. No loading docks onsite nor within 100' of property line.
9. Area adjacent to proposed improvements to be turf grass or landscaped areas as labeled.
10. Total open space/ landscaped area 49%.
11. Seasonal landscape narrative enclosed separately.
12. Timing of planting and plant vendor information added to seasonal narrative.
13. No site lighting proposed, only security wall pact.



www.leinc.com
general@leinc.com

14. Black vinyl clad fence labeled on plan.

Thank you for your review of this project. Should you have any questions or need additional information, please contact me directly at 410-822-8003.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brett C. Ewing', with a long horizontal flourish extending to the right.

Brett C. Ewing, AICP
Principal



542 Riverside Drive
Salisbury, MD 21801
(410) 743-0238 (office)
(888) 879-7149 (fax)
fisherarchitecture.com

5/3/2023

Town of Easton

c/o Town Manager

14 South Harrison Street | P.O. Box 520 | Easton, MD 21601

(O) 410-822-2525

Re: Carrion Electric – New Building

To Whom It May Concern:

In regards to the compliance of *Article 4 Development Standards* in the *Declaration of Covenants for Mistletoe Hall Commerce-Business Park* for the Carrion Electric project, we have developed the following responses.

- A. *Building Massing (Shape, Form and Size). Massing and scale of larger buildings shall generally be broken down into smaller and varied volumes.*
 - (1) *Building exceeding 20'-0" in height shall incorporate a base, middle and cap describes as follows*
 - a. *The base shall be capped with a molding or reveal placed between 2'-0" and 4'-0" in height. The molding or reveal shall have a depth of at least two inches and a height of at least four inches;*
 - b. *The middle may include; multiple stories, windows, doors and/or balconies and shall be capped with a molding or reveal. The molding or reveal shall have a depth of at least two inches and a height of at least four inches; and*
 - c. *The cap shall include the area from the middle to the roof of the building including a cornice, eave, parapet or overhang.*
 - (2) *Major architectural expressions in the façade such as; corner massing, oversized windows-entrances and roof form, shall be employed to demarcate and anchor key locations.*
 - (3) *Solid walls shall not exceed 60 feet in length, without a minimum of 10'-0" façade return, offset or change in plane.*
- ❖ For the office portion of our proposed building, we have used adhered stone veneer as the base capped with a sill for 3'-0". The middle is horizontal vinyl siding with oversized windows. The roof is gable roof with a standard 1'-0" overhang on all sides.
- ❖ For the warehouse portion of our proposed building, the overhead doors are located at a rhythm of 20' spacing along the warehouse front and provide a visual break from the expanse of siding. We have also provided a 3'-0" high wainscoting on all three sides of the warehouse portion. To further break up the rear façade, we have provided alternating vertical steel panels that complement the overall building.

B. *Exterior Materials. Building finish shall be applied to all sides of a building which are visible to the general public, as well as from neighboring Lots and streets. Exterior materials shall consist of materials that are traditional, durable, and environmentally sustainable. The following list of materials is intended to serve as examples for the desired design aesthetic. Additional materials may be proposed, subject to review and approval by the Declarant.*

- (1) Brick or Tile shall be hard burned clay, color and texture to be approved.*
- (2) Concrete Masonry Units shall be those generally described by the National Concrete Masonry Association as "Customized Architectural Masonry units." There shall be no plain concrete block on the front of any building and there shall be no exposed gray plain concrete block on the exterior of any elevation. Any concrete masonry units that have a grey cement color shall be coated.*
- (3) Concrete may be poured in-place, tile-up or precast. Poured in place and tilt-up walls shall have a finish of stone, a texture or a coating. Concrete finishes used for front building elevation shall be required to have a wainscot treatment which returns at least four (4) feet on adjacent side elevation. Textured finishes shall be coated. Precast units which are not uniform in color shall be coated. Coating shall be a cementitious or an epoxy-type with a life expectancy of ten (10) year minimum.*
- (4) Steel panels may be utilized, except that there must be a wainscot using dissimilar approved materials for at least four (4) feet in height when steel finish walls are used for a front building elevation and the wainscot must return at least four (4) feet on adjacent side walls.*
- (5) Wood or wood products*
- (6) Vinyl*
- (7) Glass or glass block*
- ❖ Our proposed building exterior is comprised of adhered stone veneer and horizontal/vertical vinyl siding on the office portion and steel panels of multiple colors on the warehouse. The office portion wainscot is 3'-4" in height and aligns top of stone with the window sills.*

C. *Roofs. All roofs shall have a minimum pitch of 5:12 or greater unless the roof shall be 4:12 pitch or less are surrounded by parapet wall. All roof mounted equipment must be screened from view by a parapet wall integrated into the architecture.*

- ❖ All roof slopes are no less than 5:12. Please refer to the roof plan on sheet A-103 for details.*

D. *Colors. Colors shall be approved by Declarant.*

- ❖ Please see the Material Legend on sheet A-201 for colors selected for the exteriors.*

E. *Temporary Improvements. No temporary buildings or other improvements of a temporary nature including trailers, incomplete buildings, tents or shacks shall be permitted on any Lot. Temporary Improvements such as construction trailers used solely in connection with the construction of permanent improvements may be permitted during the period of an active building permit, provided they are inconspicuous as possible and are removed immediately after completion of such*

construction. Nothing herein shall preclude the use and storage of trailers used to haul equipment and materials as part of the Owner's business.

❖ No response required at this time.

Please feel free to contact our office should you have any further questions in regard to the responses provided above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chan Park', with a stylized flourish at the end.

Chan Park

Sr. Architectural Designer

Fisher Architecture, LLC

cpark@fisherarchitecture.com

**Town of Easton**

Engineering, Planning and Zoning

14 South Harrison Street, Easton, MD 21601

Easton Staff Development Review**Property Information**

Address	Tax Map 25 Parcel 138, Lot 7A						
Tax Map	25	Grid	16	Parcel	138	Lot	7A
Deed Reference:	Liber	2975	Folio	63			
Plat Reference:	Liber	89	Folio	178			
Base Zoning District	I		Historic District	Y ☐ N ☒		Planning Redevelopment	Y ☐ N ☒

Purpose of Application / Description of Work:

Proposed 2 story office building, 8,450sf storage building A, 9,600sf storage building B, and proposed one story office building B with parking.

Owner

Name	C Estates LLC		
Mailing Address	28857 Fausley Wood Ct, Easton MD 21601		
Telephone No.	-	Email	ryan@carrionelectric.com

Applicant / Agent

Name	Lane Engineering LLC C/O BRETT EWING		
Mailing Address	117 Bay Street, Easton MD 21601		
Telephone No.	410-822-8003	Email	bewing@leinc.com

Surveyor / Engineer

Name	LANE ENG	License No.	363	Expiration Date	-
Mailing Address	117 Bay Street Easton MD 21601				
Telephone No.	410-822-8003	Email	bewing@leinc.com		

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

4/5/2023

Printed Name of Applicant or Agent

For Office Use Only

Easton Staff Development Review Meeting Required Y ☒ N ☐

Easton Staff Development Review Meeting Date 04/26/2023

ESDR 2023-07 / 2023-915

Completeness Check Date

Revisions/Resubmissions Required Y ☐ N ☐

Resubmission Date

Documents Received Y ☐ N ☐

Staff Determination

Planning Commission Required Y ☐ N ☐

BOZA Required Y ☐ N ☐

Historic District Commission Required Y ☐ N ☐

Resubmission for ESDR Required Y ☐ N ☐

Staff Signature

Date

RECEIVED

APR 06 2023

TOWN OF EASTON

Revised 02-2019

**Town of Easton**

Engineering, Planning and Zoning

14 South Harrison Street, Easton, MD 21601

Site Plan, PUD, Planned Healthcare Application**Application Type**Planned Unit Development ☐Amendment ☐Health Care (HC) ☐Site Plan ☒**Subdivision Information**

Name

Original Property Size Acres Square Feet

Telephone No. Email

Site Plan Information

Property Size Acres Square Feet

Structure's Floor Area Structure's Square Feet

Area of Disturbance Number of Dwelling Units

Property Information

Address

Tax Map Grid Parcel Lot

Deed Reference: Liber Folio

Plat Reference: Liber Folio

Base Zoning District Historic Y ☐ N ☒ Planned Redevelopment Y ☐ N ☒

Source of Electricity

Owner

Name

Mailing Address

Telephone No. Email

Applicant or Agent

Name

Mailing Address

Telephone No. Email

Surveyor / Engineer

Name License No. Expiration Date

Mailing Address

Telephone No. Email

Any modifications during review shall warrant an updated application.

I hereby certify that I have reviewed and satisfied the Town of Easton Development Standards and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

4/5/23

Printed Name of Applicant or Agent

BRETT EWING

For Office Use Only

Planning Commission Required	Y ☐	N ☐
Planning Commission Meeting Date		
Sketch Approval Date	Project No.	ESDR 2023-08
Prelim/Dev. Approval Date	Application No.	2023-915
Final Approval Date	Sketch Fee Paid	04/06/2023
Recordation Date	Develop. Fee Paid	

Revised 02-2019

RECEIVED
APR 06 2023
TOWN OF EASTON

APPENDIX B-2

SKETCH STORMWATER MANAGEMENT PLAN SUBMITTAL CHECKLIST

EFFECTIVE MAY 4, 2010

NOTE: THE FOLLOWING CHECKLIST REPRESENTS THE MINIMUM INFORMATION TO BE SUBMITTED FOR SUPPORT OF A STORMWATER MANAGEMENT CONCEPT PLAN, SITE DEVELOPMENT PLAN, AND/OR FINAL DESIGN PLAN. THE TOWN MAY REQUEST ADDITIONAL INFORMATION AS DEEMED NECESSARY.

COMPLETE THE APPROPRIATE CHECKLIST AND SUBMIT IT WITH THE PLANS, APPLICATION FORM, NARRATIVE OR REPORT, AND FEE. ITEMS IN BOLD ARE REQUIRED FOR CONCEPT AND/OR SITE DEVELOPMENT PHASE REVIEW.

I. Sketch Plan Submittal

A. Site and Resource Map

Natural Resources Identified on Plan, including, but not limited to:

Please use these responses for the following:

(Provided = P; Not Provided = NP; Not Applicable = N/A)

Tidal and Non-Tidal Wetland Boundaries	N/A	
Wetland Buffers		N/A
Floodplain Boundaries and Elevations	N/A	
Streams and other Waterways	N/A	
Stream Buffers	N/A	
Forest Boundaries		N/A
Forest Buffers	N/A	
Critical Areas	N/A	
Steep Slopes (>25%)	N/A	
Erodible Soils	N/A	
Areas of High Recharge	N/A	
Springs		N/A
Soil Types and Hydrologic Soil Groups	P	
Bedrock and/or other Geologic Features	N/A	
Vegetative Cover		P
Existing Drainage Areas and Flow Patterns	P	
Existing Stormwater Outfalls	P	
Site and Resource Map field verified by a properly licensed design professional.	N/A	

Existing contours (1' max intervals) and utilities shown. P

Large tracts of contiguous open spaces, forested areas and other important resources protected by conservation easements.

N/A

Opportunities for afforestation identified.

N/A

Wetland, stream and forest buffers enhanced and/or

expanded.

N/A

B. Site Fingerprinting and Development Layout

Locations of proposed impervious areas provided.

P

Proposed contours (1' max intervals) and utilities shown.

NP

Preliminary locations of proposed Environmental Site Design (ESD) practices provided.

P

Locations of stormwater outfalls and conveyance provided with offsite storm drains, culverts and grass channels with size and slope.

P

Limit of disturbance and extent of clearing & grading.

P

Site natural resources protected during construction.
If site natural resources must be disturbed during construction, please include an explanation in the stormwater narrative.

N/A

Better Site Design Techniques incorporated, including:

Sheetflow and overland flow provided wherever possible

P

Building footprint and site layout designed to protect conservation areas

P

Proposed streets, rights of way, and/or sidewalks with modifications to reduce impervious area

N/A

Landscaped medians and/or cul-de-sacs

P

Stormwater management features in medians or cul-de-sacs

N/A

Private open road section with grass channels and/or biofilters

N/A

Minimize numbers of parking spaces and sizes

P

Narrow frontages to reduce road length

N/A

Site graded to encourage runoff from impervious areas to pervious areas or other natural conveyance systems

N/A

C. Stormwater Narrative

Title Page includes:

Job Name

P

Owner/Developer

P

Design Professional

P

Date Prepared

P

Seal and Signature (properly licensed Design Professional)

P

Project is identified as new development or redevelopment.
(Redevelopment projects have $\geq 40\%$ total site imperviousness)

P

Project and streets designed for 2-year and 10-year quantitative management.

P

Project is identified as being within the Tanyard Branch Watershed. (Projects within this watershed must manage proposed 10-year storm flows to the existing 2-year storm discharge rate.)

N/A

A narrative that supports the concept and describes how the design will achieve:

Natural resource protection and enhancement

N/A

Maintenance of natural flow patterns

P

Reduction of impervious areas through better site design, alternative surfaces, and non-structural practices

N/A

Implementation of ESD planning techniques and practices to the Maximum Extent Practicable (MEP)

P

Preliminary ESD sizing calculations provided

P

Integration of erosion and sediment controls (ESC) into the stormwater strategy

P

D. Sketch Plan Meeting

Following the Sketch Plan submittal, a meeting will be scheduled between the Town of Easton Planning & Zoning, Town Engineer, the Talbot County Soil Conservation District (SCD) ESC reviewer, the owner/developer, the SWM and ESC designer(s), and any other reviewers deemed necessary by the Town of Easton and/or the Talbot County SCD. Official Minutes from the Sketch Plan Meeting must be submitted for review and acceptance by all parties. These minutes must accompany all future submittals.

N/A

This checklist completed by  Date 4-4-23

APPENDIX B

SKETCH PLAN SUBMITTAL CHECKLIST

NOTE: THIS CHECKLIST REPRESENTS THE MINIMUM INFORMATION TO BE SUBMITTED ON A SITE PLAN. ADDITIONAL INFORMATION MAY BE REQUIRED FOR UNIQUE SITUATIONS.

COMPLETE THE CHECKLIST AND SUBMIT IT WITH THE PLAN. IF AN ITEM IS NOT APPLICABLE, ENTER "N/A".

1. Location map,	<u>X</u>
2. Boundary,	<u>X</u>
3. Topography,	<u>X</u>
4. General proposed land uses drawn to scale, and	<u>X</u>
5. The Forest Stand Delineation as detailed in the Town of Easton's Forest Conservation Ordinance.	<u>N/A</u>
6. The location of any easements, rights-of-way or any other encumbrances which pertain to the property subject to the site plan review.	<u>X</u>
7. Conditions of concern, for example, water courses, wetlands, floodplains, or other environmentally sensitive features.	<u>X</u>
8. Location of refuse collection, exterior lighting, fencing, and all pedestrian walkways and sidewalks.	<u>X</u>
9. General location and description (r.e. intended function, proposed species, etc.) of proposed landscaping.	<u>X</u>
10. Location of parking including layout and landscaping.	<u>X</u>
11. Conceptual building elevations or renderings illustrating the character, scale, and materials of all proposed structures. Such elevations or renderings shall be sealed by a licensed professional as described above.	<u>X</u>
12. A statement describing the extent to which the application complies with the Recommended Design Principles for Easton set forth on pages 29-31 of the Comprehensive Plan.	<u>X</u>

MISTLETOE HALL FARM COMMERCE-BUSINESS PARK – Lot 7A

All plant material shall be in conformance with the American Standard for Nursey Stock.

Approved Landscaping shall be installed within the next planting season of occupancy or within 6 months of substantial completion, (date on which the exterior walls and roofs have been installed), of any Building.

The Landscape Plan shall show components that reflect seasonal changes.

The Owner/ Applicant shall utilize a variety of species to reflect seasonal change as shown below:

Concept plant list

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
Canopy Trees						
Acer rubrum	Red Maple	red	March-April	Red to tan samaras	red	native
Betula nigra	River Birch	Brown & green catkins	April - May	Tan/brown aggregate	yellow	native
Carya Glabra	Pignut Hickory	Yellowish catkins	April - May	nut	Yellow	native
Celtis occidentalis	Hackberry	green	April - May	Dark maroon berries	yellow	native
Gkeditsia tricanthos var. inermis 'skycole'	Skyline honeylocust	Greenish yellow to white	May - June	seedless	Yellow	native
Gymnocladus dioicus 'espresso'	Kentucky coffee tree	white	May - June	seedless	Yellow	native
Platanus x acerifolia 'columbia'	Columbia planetree	Yellow & red	April	Achene	yellow	hybrid
Quercus alba	White oak	Yellowish green	may	acorn	Dark reddish to brown	native
Quercus rubra	Red oak	Yellowish green	may	acorn	Red to scarlet	native
Quercus palustris	Pin oak	Yellowish green	April	acorn	Red to bronze	native
Quercus phellos	Willow oak	Yellowish green	April	acorn	Orangish yellow	native
Tilia americana x euchlora	Redmond linden	Pale yellow	june	Green pea-sized nutlet	yellow	native
Ulmus Americana 'Jefferson'	Jefferson Elm	green	March – April	Samara	yellow	native

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
Evergreen Trees						
<i>Ilex opaca</i>	American holly	white	May	Red berries	evergreen	native
<i>Juniperus virginiana</i>	Eastern red cedar	Non flowering		Silver blue berries	Evergreen	native
<i>Thuja occidentalis</i>	Eastern arborvitae	Non flowering		Small cone	Evergreen	native
Flowering/Understory Trees						
<i>Amelanchier canadensis</i>	Shadblow serviceberry	white	April – may	Red to purplish berries	Orange to red	native
<i>Carpinus carolina</i>	American hornbeam	Yellow green catkins	february	Small nut	Yellow to orange	native
<i>Cercis canadensis</i>	Eastern redbud	Pinkish purple	april	legume	yellow	native
<i>Crataegus virdis</i>	hawthorn	white	may	Red berries ripen in September and persist well into winter	Yellowish orange	native
<i>Prunus americana</i>	American plum	White	April - may	Small reddish purple plums	Yellow to reddish	native
<i>Prunus pensylvanica</i>	Pin cherry	white	April - june	Red drupe	Yellowish orange	native
<i>Prunus virginiana</i>	chokecherry	white	April - may	Purple drupe	Reddish purple	native
Shrubs						
<i>Aronia arbutifolia</i>	Red chokeberry	White	april	Red berries that persist well into winter	Scarlet orange	native
<i>Callicarpa americana</i>	beautyberry	Lavender, pink	June - august	Purple berries	yellow	native
<i>Ceanothus americanus</i>	New jersey tea	White	May - july	Black drupe	Yellow to tan	native
<i>Cornus racemosa</i>	Gray dogwood	white	May - june	White drupe	Reddish purple	native
<i>Hypericum x 'hidcote'</i>	St. john's wort	yellow	June - September	Red-orange berries	Orange yellow	native
<i>Ilex glabra</i>	Inkberry holly	white	May - june	Black berry	Evergreen	native
<i>Juniperus virginiana</i> 'grey owl'	Grey owl juniper	Non flowering		Silver blue berries	evergreen	native
<i>Itea virginica</i>	sweetspire	white	June - july	Brown capsule	red	native
<i>Morella pensylvanica</i>	bayberry	Yellowish green	may	Pale blue – purple drupe	Semi - evergreen	native

Scientific name	Common name	Bloom color	Bloom time	Fruit	Fall Color	
<i>Viburnum dentatum</i>	Arrowwood viburnum	white	May - june	Black drupe	Yellow to reddish purple	native
Herbaceous Perennials						
<i>Asclepias syriaca</i>	Common milkweed	Pink mauve	June - july			native
<i>Aster oblongifolius</i>	Aromatic aster	Blue purple	August - september			native
<i>Baptisia australis</i>	Aromatic aster	Blue purple	August - september			native
<i>Chasmanthium latifolium</i>	Northern sea oats	Green	August - september	Seed (caryopsis)		native
<i>Deschampia cespitosa</i>	Tufted hairgrass	Tones of gold, silver, purple, and green	July - september	Seed (caryopsis)		native
<i>Echinacea purpurea</i>	Purple coneflower	Purplish pink	June - august	Seed (achene)		native
<i>Nepeta x faassenii</i> 'novanejun'	Junior walker catmint	Lavender blue	April - september			native
<i>Panicum virgatum</i>	switchgrass	Pink-tinged	July - february	Seed (caryopsis)		native
<i>Rudbeckia hirta</i>	Black-eyed susan	yellow	June - july	Seed capsule		native
<i>Schizachyrium scoparium</i>	Little bluestem	Purplish bronze	August - february	seed		native

PROPERTY: TAX MAP 25, PARCEL 138 - LOT 7A (ELECTION WARD 1)

OWNER: C ESTATES, LLC
28857 FAUSLEY WOOD COURT
EASTON, MD 21601

DEED: 2975/63
PLAT: 89/178

CURRENT ZONING: I (INDUSTRIAL)

	REQUIRED	PROPOSED -	BUILDING A	BUILDING B
BUILDING SETBACKS:	FRONT - 25'		117'±	316'
	SIDE - 10'		20'±/173'±	47'±/173'±
	REAR - 30'		118'±	33'±
MINIMUM LOT SIZE:	40,000 SF			
MINIMUM LOT FRONTAGE:	100'			
MAXIMUM HEIGHT:	40'			
MINIMUM BUILDING ENVELOPE:	30' x 80'			
LOT COVERAGE:	50% (ALL BUILDINGS & STRUCTURES)			

THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. THE PROPERTY IS MAPPED IN THE "X" FLOOD ZONE AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 24067, map no. 24041-C01817D FOR TOWN OF EASTON, MARYLAND. THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SFHA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE SFHA INCLUDES ZONES A, AH, AE, A1, A2, A3, A9, & X. THE BASE FLOOD ELEVATION (BFE) IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD. FLOOD INSURANCE MAY BE REQUIRED FOR STRUCTURES LOCATED IN THE SPECIAL FLOOD HAZARD AREA.

ZONE X - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD

THE FLOOD DATA SHOWN HEREON IS BASED ON AVAILABLE MAPPED AND/OR DIGITAL INFORMATION AND IS DEPICTED AS DIRECTED AND REQUIRED BY FEDERAL, STATE AND LOCAL REGULATIONS. IT IS SUBJECT TO DATA INACCURACIES AND REGULATORY CHANGE AND SHOULD BE VERIFIED PRIOR TO FINALIZING DEVELOPMENT OR IMPROVEMENT PLANS FOR THE SUBJECT LANDS.

COMPUTED POINT

NOTE: THE LAYOUT AS SHOWN HEREON IS
CONCEPTUAL ONLY AND NOT INTENDED TO BE
UTILIZED FOR DESIGN OR CONSTRUCTION PURPOSES.

PRINCIPLE #1- INTEGRATED USES ARE DESIRABLE- THIS DEVELOPMENT PROPOSAL PROVIDES ADDITIONAL OFFICE AND ASSOCIATED CONSTRUCTION BUSINESS RELATED WAREHOUSE IN THIS MIXED BUSINESS PARK.

PRINCIPLE #2- NATURAL FEATURES SHOULD DETERMINE DESIGN- NO COMPELLING NATURAL FEATURES; SITE LAYOUT ORIENTED TO TAKE ADVANTAGE OF NATURAL DRAINAGE PATTERNS AND TO ORIENT "OFFICE" BUILDINGS FRONT TO STREET WAREHOUSE TO THE REAR.

PRINCIPLE #3- AUTOMOBILES SHOULD NOT DETERMINE DESIGN- PARKING FOR OFFICE USERS AND CUSTOMERS PROVIDED FOR CONVENIENCE WITH BULK OF THE PARKING TO FRONT OR SIDE OF FACILITY.

PRINCIPLE #4- AMPLE OPEN SPACES SHOULD BE PROVIDED WITHIN & AROUND NEIGHBORHOODS- USABLE OPEN SPACE NOT APPLICABLE HERE.

PRINCIPLE #5- ARCHITECTURE SHOULD RESPECT EASTON'S HISTORICAL DEVELOPMENT- THIS APPLICATION PROPOSES ARCHITECTURE COMPATIBLE WITH EASTON AND THE COMMERCE PARK'S ARCHITECTURAL PALETTE.

PRINCIPLE #6- SIGNS SHOULD INFORM BUT NOT DOMINATE- SIGNAGE, SIMPLE AND PER CODE.

PRINCIPLE #7- NEIGHBORHOODS SHOULD CONTAIN A DIVERSITY OF HOUSING TYPES- NOT APPLICABLE TO THIS APPLICATION

PRINCIPLE #8- RESIDENTIAL NEIGHBORHOODS SHOULD BE INTERESTING PLACES- NOT APPLICABLE TO THIS APPLICATION

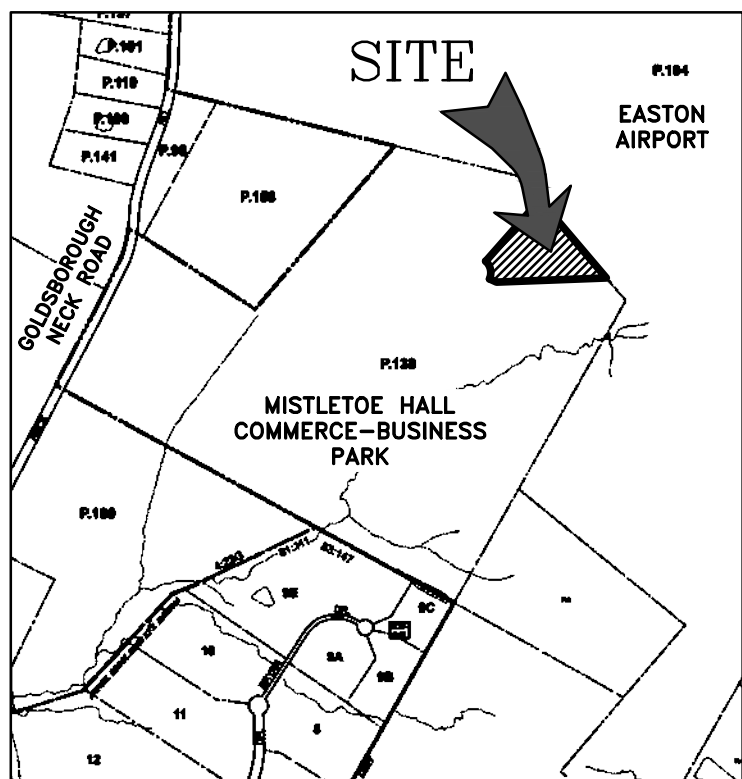
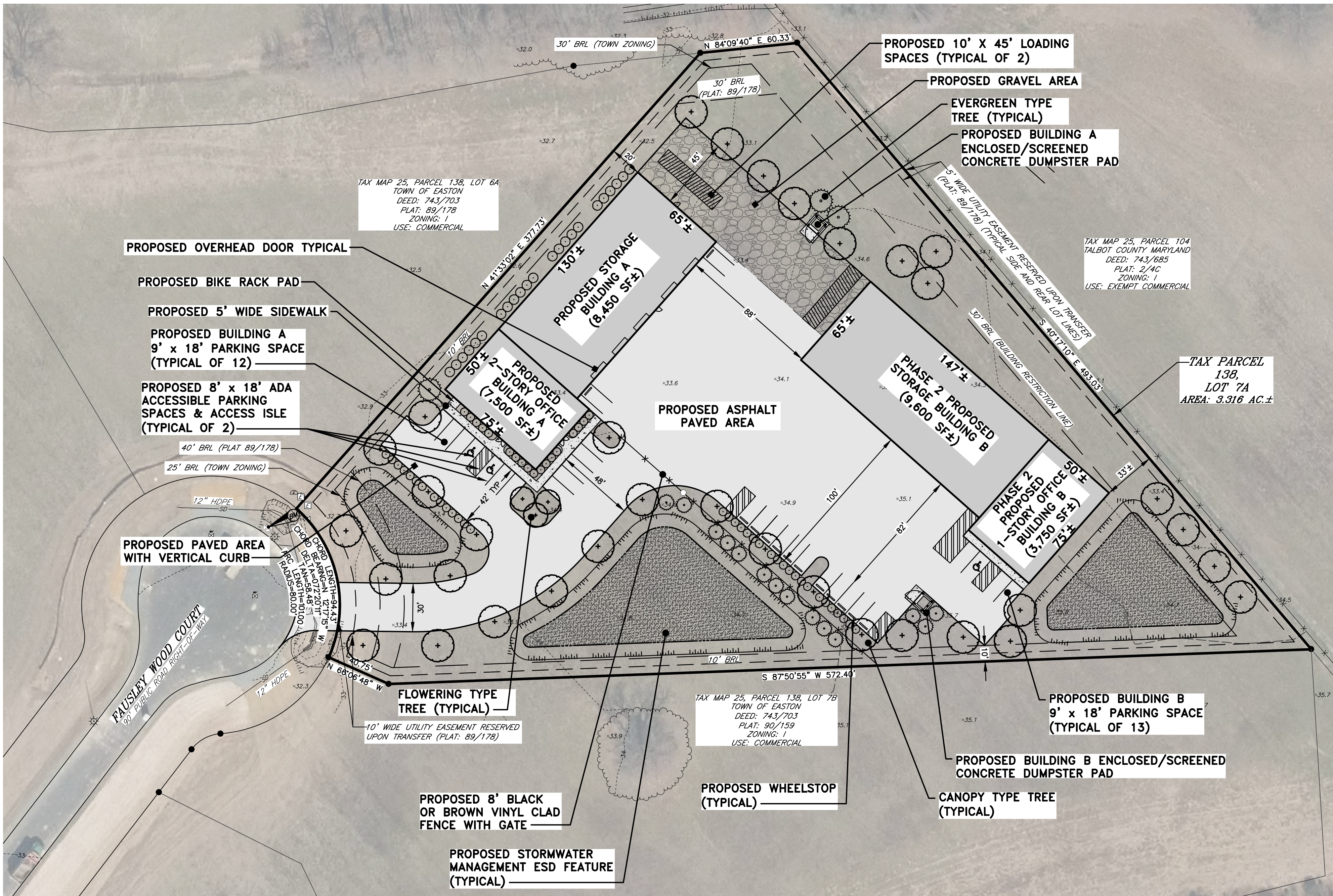
PRINCIPLE #9- NEIGHBORHOODS SHOULD CONNECT- NOT SPECIFICALLY APPLICABLE TO THIS APPLICATION.

 2" CALIPER MINIMUM CANOPY OR STREET TREES
(OAK, MAPLE TYPES)

 1.25" CALIPER OR 7' HEIGHT MINIMUM FLOWERING TREES
(CHERRY, MAGNOLIA, RED BUD, SERVICEBERRY TYPES)

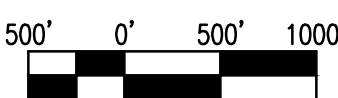
 8' HEIGHT MINIMUM EVERGREEN TREES
(WHITE PINE, SPRUCE, ARBORVITAE, HOLLY, LOBLOLLY TYPES)

 STORMWATER MANAGEMENT ESD LANDSCAPING MASS /
PERENNIAL MIX WITH SHRUBS AND GRASSES



LOCATION & VICINITY MAP

SCALE: 1" = 1000'



SCALE IN FEET

[illegible]

THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE QUANTITIES SHOWN ON THIS PLAN ARE FOR INFORMATIONAL AND PERMITTING PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21817 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2025.

SEAL



DATE _____

FOR
LOT 7A - MISTLETOE HALL
COMMERCE-BUSINESS PARK

IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 25, GRID 16, PARCEL 138 LOT 7A

ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	4/5/23	BCE
AGENCY REVIEW	4/28/23	BCE

SHEET No. 1 OF 1 DATE: 4/5/2023

SCALE:	JOB No. 220135
--------	----------------

AS NOTED	FILE No. A037
----------	---------------

PROPERTY: TAX MAP 25, PARCEL 138 - LOT 7A (ELECTION WARD 1)

OWNER: C ESTATES, LLC
28857 FAUSLEY WOOD COURT
EASTON, MD 21601

DEED: 2975/63
PLAT: 89/178

CURRENT ZONING: I (INDUSTRIAL)

	REQUIRED	PROPOSED -	BUILDING A	BUILDING B
BUILDING SETBACKS:	FRONT - 25'		117 ±	316'
	SIDE - 10'		20 ±/173' ±	47 ±/173' ±
	REAR - 30'		118 ±	33 ±
MINIMUM LOT SIZE:	40,000 SF			
MINIMUM LOT FRONTAGE:	100'			
MAXIMUM HEIGHT:	40'			
MINIMUM BUILDING ENVELOPE:	30' x 80'			
LOT COVERAGE:	50% (ALL BUILDINGS & STRUCTURES)			

THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. THE PROPERTY IS MAPPED IN THE "X" FLOOD ZONE AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 24067, map no. 24041-C01817D FOR TOWN OF EASTON, MARYLAND. THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SFHA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE SFHA INCLUDES ZONES A, AH, AE, A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15, A16, A17, A18, A19, A20, A21, A22, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A34, A35, A36, A37, A38, A39, A40, A41, A42, A43, A44, A45, A46, A47, A48, A49, A50, A51, A52, A53, A54, A55, A56, A57, A58, A59, A60, A61, A62, A63, A64, A65, A66, A67, A68, A69, A70, A71, A72, A73, A74, A75, A76, A77, A78, A79, A80, A81, A82, A83, A84, A85, A86, A87, A88, A89, A90, A91, A92, A93, A94, A95, A96, A97, A98, A99, A100, A101, A102, A103, A104, A105, A106, A107, A108, A109, A110, A111, A112, A113, A114, A115, A116, A117, A118, A119, A120, A121, A122, A123, A124, A125, A126, A127, A128, A129, A130, A131, A132, A133, A134, A135, A136, A137, A138, A139, A140, A141, A142, A143, A144, A145, A146, A147, A148, A149, A150, A151, A152, A153, A154, A155, A156, A157, A158, A159, A160, A161, A162, A163, A164, A165, A166, A167, A168, A169, A170, A171, A172, A173, A174, A175, A176, A177, A178, A179, A180, A181, A182, A183, A184, A185, A186, A187, A188, A189, A190, A191, A192, A193, A194, A195, A196, A197, A198, A199, A200, A201, A202, A203, A204, A205, A206, A207, A208, A209, A210, A211, A212, A213, A214, A215, A216, A217, A218, A219, A220, A221, A222, A223, A224, A225, A226, A227, A228, A229, A230, A231, A232, A233, A234, A235, A236, A237, A238, A239, A240, A241, A242, A243, A244, A245, A246, A247, A248, A249, A250, A251, A252, A253, A254, A255, A256, A257, A258, A259, A260, A261, A262, A263, A264, A265, A266, A267, A268, A269, A270, A271, A272, A273, A274, A275, A276, A277, A278, A279, A280, A281, A282, A283, A284, A285, A286, A287, A288, A289, A290, A291, A292, A293, A294, A295, A296, A297, A298, A299, A300, A301, A302, A303, A304, A305, A306, A307, A308, A309, A310, A311, A312, A313, A314, A315, A316, A317, A318, A319, A320, A321, A322, A323, A324, A325, A326, A327, A328, A329, A330, A331, A332, A333, A334, A335, A336, A337, A338, A339, A340, A341, A342, A343, A344, A345, A346, A347, A348, A349, A350, A351, A352, A353, A354, A355, A356, A357, A358, A359, A360, A361, A362, A363, A364, A365, A366, A367, A368, A369, A370, A371, A372, A373, A374, A375, A376, A377, A378, A379, A380, A381, A382, A383, A384, A385, A386, A387, A388, A389, A390, A391, A392, A393, A394, A395, A396, A397, A398, A399, A400, A401, A402, A403, A404, A405, A406, A407, A408, A409, A410, A411, A412, A413, A414, A415, A416, A417, A418, A419, A420, A421, A422, A423, A424, A425, A426, A427, A428, A429, A430, A431, A432, A433, A434, A435, A436, A437, A438, A439, A440, A441, A442, A443, A444, A445, A446, A447, A448, A449, A450, A451, A452, A453, A454, A455, A456, A457, A458, A459, A460, A461, A462, A463, A464, A465, A466, A467, A468, A469, A470, A471, A472, A473, A474, A475, A476, A477, A478, A479, A480, A481, A482, A483, A484, A485, A486, A487, A488, A489, A490, A491, A492, A493, A494, A495, A496, A497, A498, A499, A500, A501, A502, A503, A504, A505, A506, A507, A508, A509, A510, A511, A512, A513, A514, A515, A516, A517, A518, A519, A520, A521, A522, A523, A524, A525, A526, A527, A528, A529, A530, A531, A532, A533, A534, A535, A536, A537, A538, A539, A540, A541, A542, A543, A544, A545, A546, A547, A548, A549, A550, A551, A552, A553, A554, A555, A556, A557, A558, A559, A560, A561, A562, A563, A564, A565, A566, A567, A568, A569, A570, A571, A572, A573, A574, A575, A576, A577, A578, A579, A580, A581, A582, A583, A584, A585, A586, A587, A588, A589, A590, A591, A592, A593, A594, A595, A596, A597, A598, A599, A600, A601, A602, A603, A604, A605, A606, A607, A608, A609, A610, A611, A612, A613, A614, A615, A616, A617, A618, A619, A620, A621, A622, A623, A624, A625, A626, A627, A628, A629, A630, A631, A632, A633, A634, A635, A636, A637, A638, A639, A640, A641, A642, A643, A644, A645, A646, A647, A648, A649, A650, A651, A652, A653, A654, A655, A656, A657, A658, A659, A660, A661, A662, A663, A664, A665, A666, A667, A668, A669, A670, A671, A672, A673, A674, A675, A676, A677, A678, A679, A680, A681, A682, A683, A684, A685, A686, A687, A688, A689, A690, A691, A692, A693, A694, A695, A696, A697, A698, A699, A700, A701, A702, A703, A704, A705, A706, A707, A708, A709, A710, A711, A712, A713, A714, A715, A716, A717, A718, A719, A720, A721, A722, A723, A724, A725, A726, A727, A728, A729, A730, A731, A732, A733, A734, A735, A736, A737, A738, A739, A740, A741, A742, A743, A744, A745, A746, A747, A748, A749, A750, A751, A752, A753, A754, A755, A756, A757, A758, A759, A760, A761, A762, A763, A764, A765, A766, A767, A768, A769, A770, A771, A772, A773, A774, A775, A776, A777, A778, A779, A780, A781, A782, A783, A784, A785, A786, A787, A788, A789, A790, A791, A792, A793, A794, A795, A796, A797, A798, A799

ZONE X - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD

THE FLOOD DATA SHOWN HEREON IS BASED ON AVAILABLE MAPPED AND/OR DIGITAL INFORMATION AND IS DEPICTED AS DIRECTED AND REQUIRED BY FEDERAL, STATE AND LOCAL REGULATIONS. IT IS SUBJECT TO DATA INACCURACIES AND REGULATORY CHANGE AND SHOULD BE VERIFIED PRIOR TO FINALIZING DEVELOPMENT OR IMPROVEMENT PLANS FOR THE SUBJECT LANDS.

COMPUTED POINT

NOTE: THE LAYOUT AS SHOWN HEREON IS
CONCEPTUAL ONLY AND NOT INTENDED TO BE
UTILIZED FOR DESIGN OR CONSTRUCTION PURPOSES.

PRINCIPLE #1- INTEGRATED USES ARE DESIRABLE- THIS DEVELOPMENT PROPOSAL PROVIDES ADDITIONAL OFFICE AND ASSOCIATED CONSTRUCTION BUSINESS RELATED WAREHOUSE IN THIS MIXED BUSINESS PARK.

PRINCIPLE #2- NATURAL FEATURES SHOULD DETERMINE DESIGN- NO COMPELLING NATURAL FEATURES; SITE LAYOUT ORIENTED TO TAKE ADVANTAGE OF NATURAL DRAINAGE PATTERNS AND TO ORIENT "OFFICE" BUILDINGS FRONT TO STREET WAREHOUSE TO THE REAR.

PRINCIPLE #3- AUTOMOBILES SHOULD NOT DETERMINE DESIGN- PARKING FOR OFFICE USERS AND CUSTOMERS PROVIDED FOR CONVENIENCE WITH BULK OF THE PARKING TO FRONT OR SIDE OF FACILITY.

PRINCIPLE #4- AMPLE OPEN SPACES SHOULD BE PROVIDED WITHIN & AROUND NEIGHBORHOODS- USABLE OPEN SPACE NOT APPLICABLE HERE.

PRINCIPLE #5- ARCHITECTURE SHOULD RESPECT EASTON'S HISTORICAL DEVELOPMENT- THIS APPLICATION PROPOSES ARCHITECTURE COMPATIBLE WITH EASTON AND THE COMMERCE PARK'S ARCHITECTURAL PALETTE.

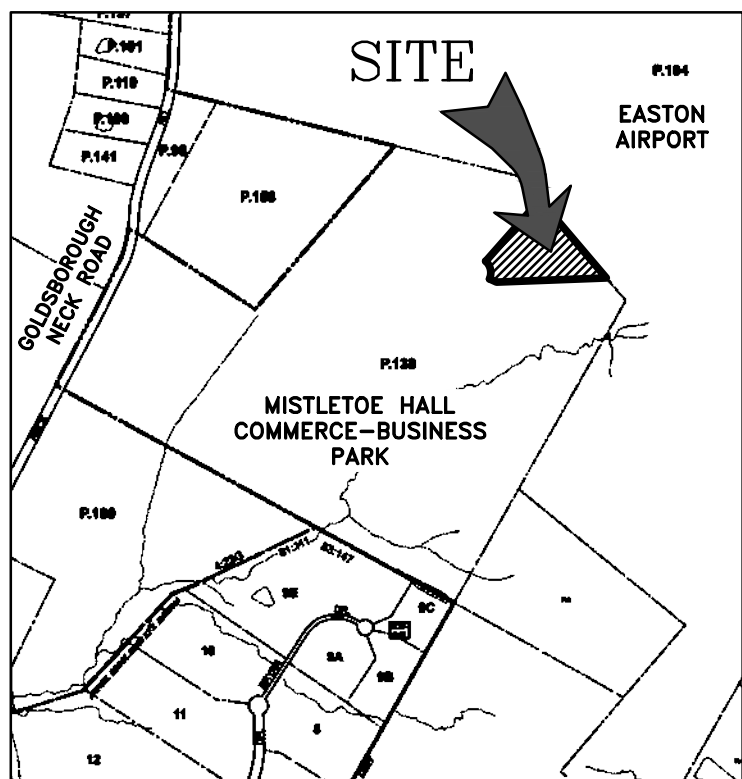
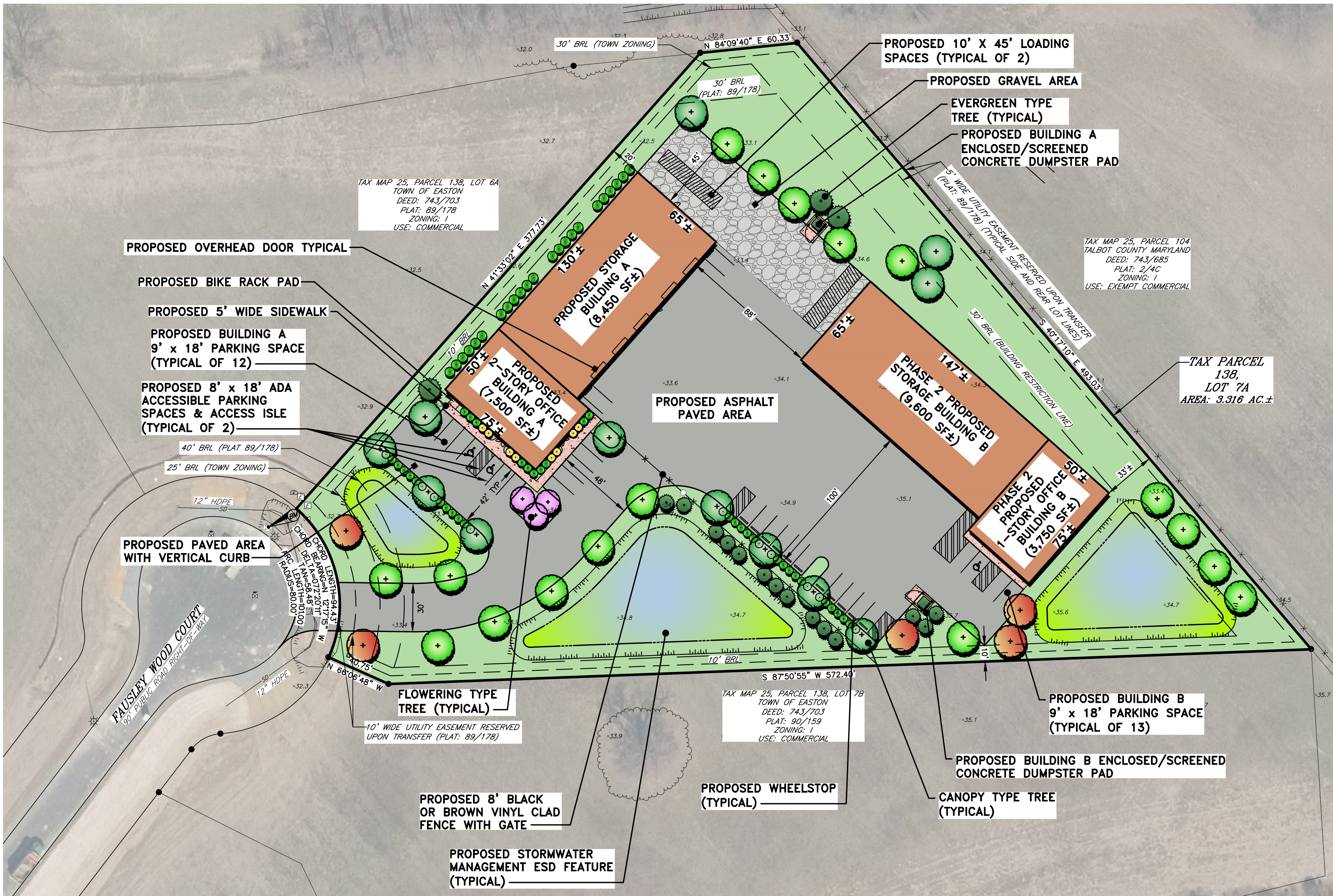
PRINCIPLE #6- SIGNS SHOULD INFORM BUT NOT DOMINATE- SIGNAGE, SIMPLE AND PER CODE.

PRINCIPLE #7- NEIGHBORHOODS SHOULD CONTAIN A DIVERSITY OF HOUSING TYPES- NOT APPLICABLE TO THIS APPLICATION

PRINCIPLE #8- RESIDENTIAL NEIGHBORHOODS SHOULD BE INTERESTING PLACES- NOT APPLICABLE TO THIS APPLICATION

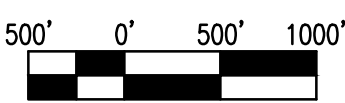
PRINCIPLE #9- NEIGHBORHOODS SHOULD CONNECT- NOT SPECIFICALLY APPLICABLE TO THIS APPLICATION.

	2" CALIPER MINIMUM CANOPY OR STREET TREES (OAK, MAPLE TYPES)
	1.25" CALIPER OR 7' HEIGHT MINIMUM FLOWERING TREES (CHERRY, MAGNOLIA, RED BUD, SERVICEBERRY TYPES)
	8' HEIGHT MINIMUM EVERGREEN TREES (WHITE PINE, SPRUCE, ARBORVITAE, HOLLY, LOBLOLLY TYPES)
	STORMWATER MANAGEMENT ESD LANDSCAPING MASS / PERENNIAL MIX WITH SHRUBS AND GRASSES



LOCATION & VICINITY MAP

SCALE: 1" = 1000'



SCALE IN FEET

[illegible]

THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE QUANTITIES SHOWN ON THIS PLAN ARE FOR INFORMATIONAL AND PERMITTING PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21817 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2025.

SEAL



4.28.2022

DATE _____

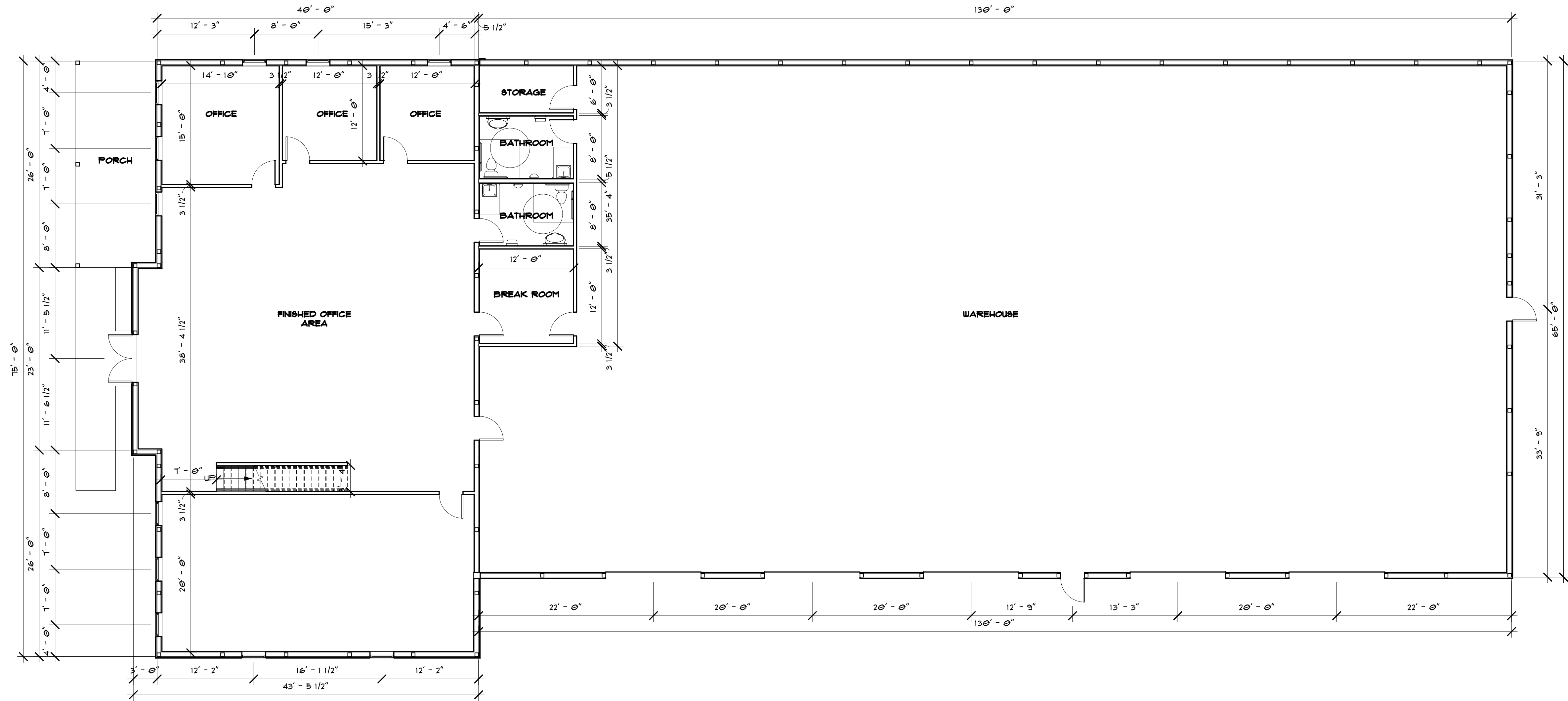
FOR
LOT 7A - MISTLETOE HALL
COMMERCE-BUSINESS PARK

IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 25, GRID 16, PARCEL 138 LOT 7A

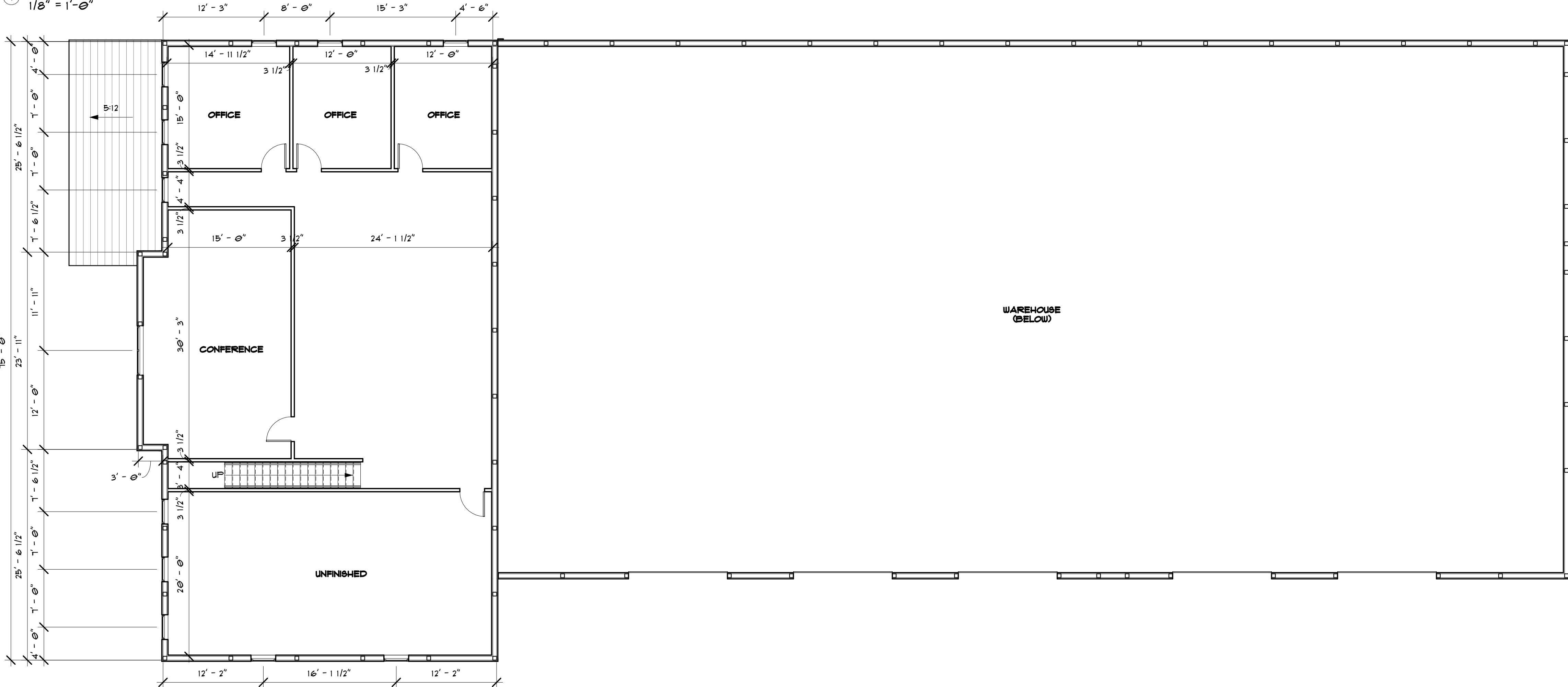
ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	4/5/23	BCE
AGENCY REVIEW	4/28/23	BCE

SHEET No. 1 OF 1	DATE: 4/5/2023
------------------	----------------

SCALE:	JOB No. 220135
AS NOTED	FILE No. A037



1 FIRST FLOOR
1/8" = 1'-0"



2 SECOND FLOOR
1/8" = 1'-0"



SEAL:



PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A QUALIFIED ARCHITECT UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO.: 0013955
EXPIRATION NO.: 09-23-2024

THE DOCUMENTS PREPARED BY FISHER
ARCHITECTURE, LLC, ARE SOLELY FOR
THE PURPOSES OF THE SPECIFIED
PROJECT. THEY ARE NOT INTENDED OR
AUTHORIZED FOR USE ON ANY OTHER
PROJECT. FISHER ARCHITECTURE, LLC
MAKES NO REPRESENTATION AS TO
THEIR SUITABILITY FOR ANY OTHER USE.
ALL DOCUMENTS PREPARED BY FISHER
ARCHITECTURE, LLC ARE INSTRUMENTS
OF PROFESSIONAL SERVICE IN RESPECT
OF THE PROJECT. THESE DOCUMENTS
ARE, AND SHALL REMAIN, THE PROPERTY
OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

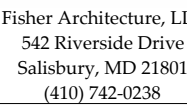
CARRION ELECTRIC
LOT 1A - MISTLETOE HALL COMMERCE BUSINESS PARK
EASTON, MD 21601

SHEET INFO:

FIRST FLOOR PLAN

REV	REV DATE	DESCRIPTION
1	2022.09.29	DATE:
2	2022.09.29	PROJECT NO.:
3	2022.09.29	SCALE:
4	2022.09.29	PROJ MGR:
5	2022.09.29	DRAWN BY:
6	2022.09.29	SHEET NUMBER:

A-101



SEAL:



PROFESSIONAL CERTIFICATION
I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT
A DULY LICENSED ARCHITECT UNDER THE
OF THE STATE OF MARYLAND.

LICENSE NO.: 06
EXPIRATION NO.: 09.2

THE DOCUMENTS PREPARED BY FISHIER ARCHITECTURE, LLC, ARE SOLELY FOR THE PURPOSES OF THE SPECIFIC PROJECT. THEY ARE NOT INTENDED TO BE AUTHORIZED FOR USE ON ANY OTHER PROJECT. FISHER ARCHITECTURE MAKES NO REPRESENTATION AS TO THE SUITABILITY FOR ANY OF THE DOCUMENTS PREPARED BY FISHER ARCHITECTURE, LLC FOR PROFESSIONAL SERVICE IN THE PROJECT. THESE DOCUMENTS ARE, AND SHALL REMAIN, THE PROPERTY OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

LOT 1A - MISTLETOE HALL COMMERCE BUSINESS PARK
EASTON, MD 21601

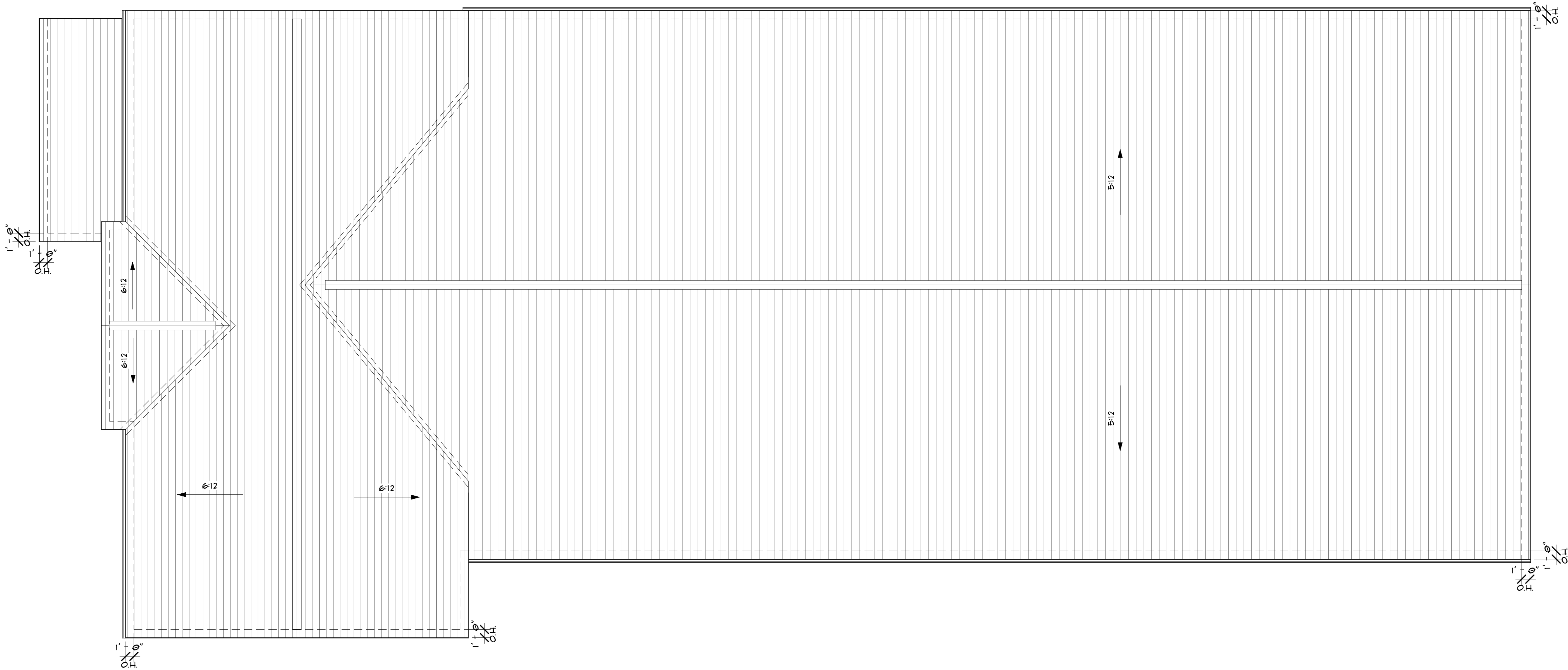
SHEET INFO:

ROOF PLAN

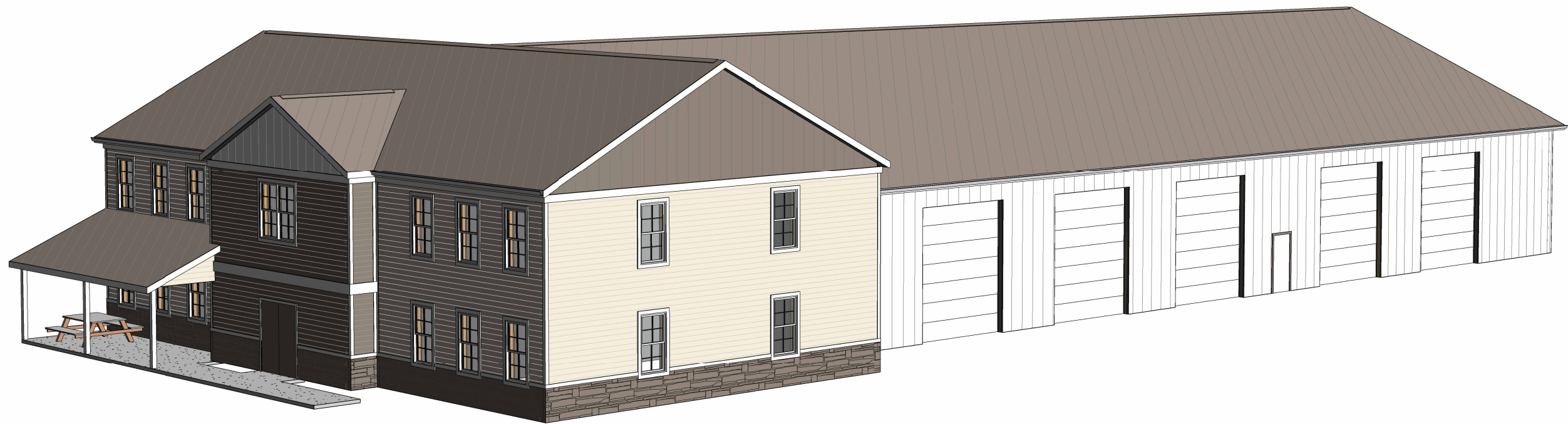
[illegible]

REV	REV DATE	DESCRIPTION
DATE:	2022.03.29	
PROJECT NO.	2023039	
SCALE:	1/8" = 1'-0"	
PROJ MGR:	Designer	
DRAWN BY:	Author	
SHEET NUMBER:		

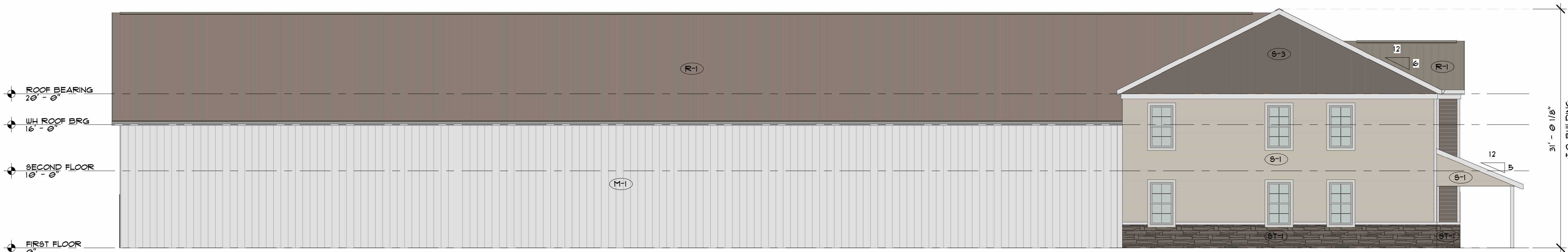
A-103



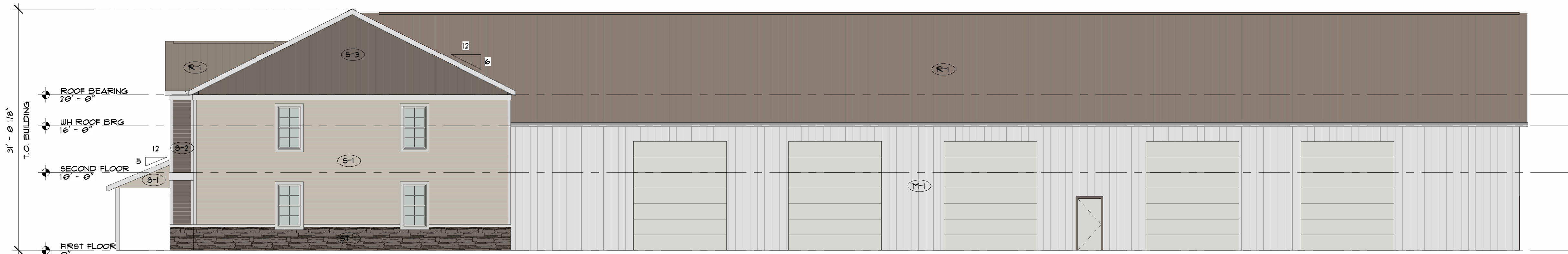
① ROOF PLAN
1/8" = 1'-0"



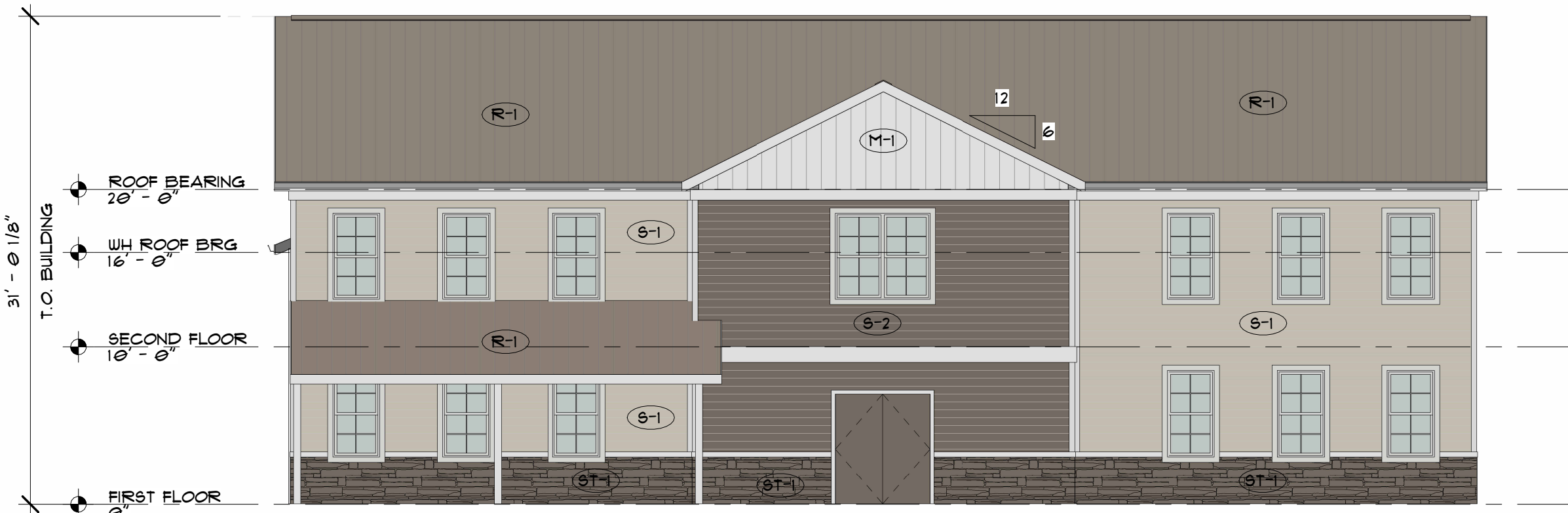
3D VIEW 1



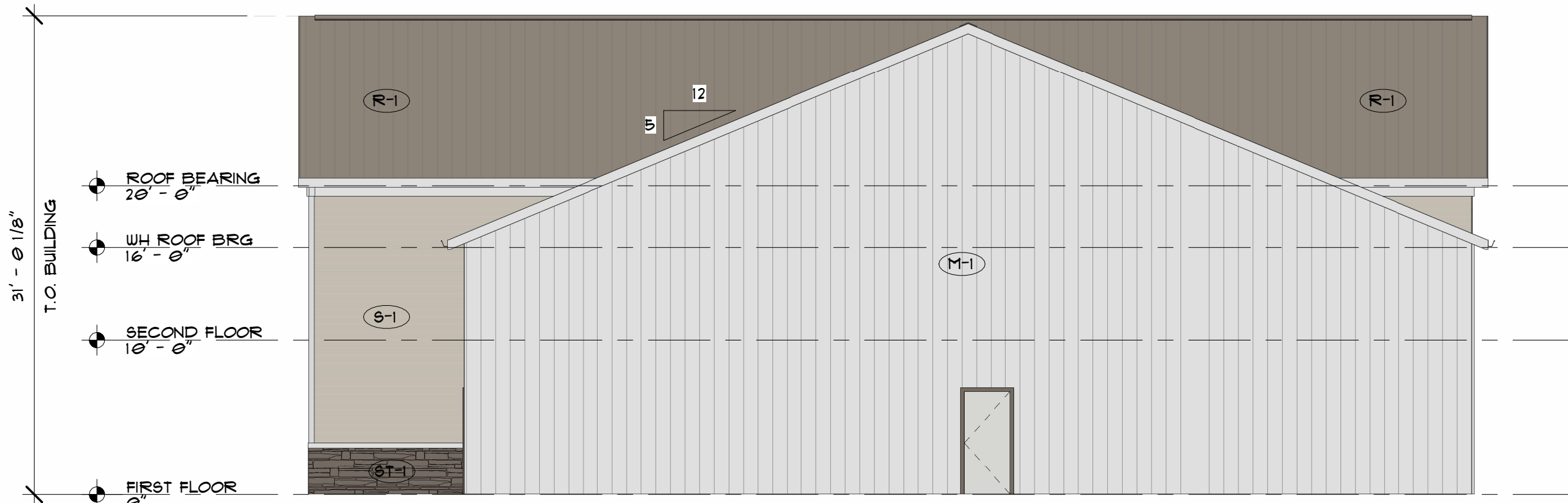
1 LEFT ELEVATION
1/8" = 1'-0"



2 RIGHT ELEVATION
1/8" = 1'-0"



3 ELEVATION EAST
1/8" = 1'-0"



4 ELEVATION WEST
1/8" = 1'-0"

MATERIAL LEGEND		
ABBREV.	APPEARANCE	DESCRIPTION
(S-1)		HORIZONTAL VINYL SIDING BOD: TBD COLOR: BEIGE
(S-2)		HORIZONTAL VINYL SIDING BOD: TBD COLOR: BROWN
(S-3)		VERTICAL VINYL SIDING BOD: TBD COLOR: BROWN
(ST-1)		ADHERED STONE VENEER BOD: TBD COLOR: BROWN
(M-1)		VERTICAL STEEL PANELS BOD: TBD COLOR: GREY
(R-1)		METAL ROOFING BOD: TBD COLOR: BROWN



SEAL:



PROFESSIONAL CERTIFICATION:
I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A QUALIFIED ARCHITECT UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO.: 0013955
EXPIRATION NO.: 09-23-2024

THE DOCUMENTS PREPARED BY FISHER
ARCHITECTURE, LLC, ARE SOLELY FOR
THE PURPOSES OF THE SPECIFIED
PROJECT. THEY ARE NOT INTENDED OR
AUTHORIZED FOR USE ON ANY OTHER
PROJECT. FISHER ARCHITECTURE, LLC
MAKES NO REPRESENTATION AS TO
THEIR SUITABILITY FOR ANY OTHER USE.
ALL DOCUMENTS PREPARED BY FISHER
ARCHITECTURE, LLC ARE INSTRUMENTS
OF PROFESSIONAL SERVICE IN RESPECT
OF THE PROJECT. THESE DOCUMENTS
ARE, AND SHALL REMAIN, THE PROPERTY
OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

CARRION ELECTRIC
LOT 1A - MISTLETOE HALL COMMERCE BUSINESS PARK
EASTON, MD 21601

SHEET INFO:

BUILDING
ELEVATIONS

REV	REV DATE	DESCRIPTION
1	2022.09.29	PROJECT NO. 20220929
2	2022.09.29	SCALE: 1/8" = 1'-0"
3	2022.09.29	PRGM MGR: Designer
4	2022.09.29	DRAWN BY: Author

SHEET NUMBER:

A-201

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 05/01/23
	Ad Date: 05/03/23
	Class: 10
Name: Joanne Drummer	Ad ID: 3021135
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 250
	Lines: 45
Telephone: (410) 822-2525	Agate Lines: 216
Email:	Depth: 6.0
Description: Planning Comm Meeting	Inserts: 2
	Blind Box:

Other Charges: **\$0.00** Total:
Discount: **\$0.00**
Surcharge: **\$0.00** Paid Amount:
Credits: **\$0.00**
Bill Depth: **6.0** Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	05/03/23	05/03/23	1	

Ad Note:

Customer Note:

Planning Commission MEETING AGENDA	
Thursday, May 16, 2023 - 7:00 PM Council Chambers, Easton Town Office 14 S Harrison Street	
1. Call to Order	
2. Approval of Minutes.	
a. Approval of the Draft Decision Summary from the April 20, 2023 meeting.	
3. Old Business	
a. Applicant: Brett Ewing - Lane Engineering, LLC	
Owner: 5001 SHR, LLC	
Location: Oxford Road - Poplar Hill	
Nature of Request: Supplemental Growth Allocation Request to seek a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation to reclassify 65.977 acres +/- from RCA to IDA.	
4. New Business	
a. Applicant: Lane Engineering, LLC	
File No.: 2023-803	
Location: Middlebrook Commerce - Business Park Lot 1	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 1	
Nature of Request: Site Plan and Stormwater Management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.	
b. Applicant: Lane Engineering, LLC	
File No.: 2023-804	
Location: 28657 Fausley Wood Court, Lot 7A	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 7A	
Nature of Request: Site Plan and Stormwater Management approval of a proposed two-story office building, two storage buildings, and a one-story office building with associated stormwater management, parking and landscaping.	
c. Owner: Town of Easton	
Location: Easton Point Park Annexation	
Nature of Request: Consideration of the annexation of Easton Point Park (formerly Southern States Property), and a formal recommendation to the Town Council.	
6. Discussion Item	
6. Adjournment.	
3021135 SD	5/3/2023



Sign posted on May 3, 2023

We Appreciate Your Business!
Thank You Joanne Drummer!



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

May 3, 2023

Dear Resident,

The Easton Planning Commission will hold a public meeting on **Thursday, May 18, 2023 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that a Site Plan Review application for 28857 Fausley Wood Court Lot 7A has been filed to request site plan and stormwater management approval for a proposed two-story office building; two storage buildings; and a one-story office building with associated stormwater management, parking and landscaping.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies are also available for review via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith
Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

Date of Hearing: May 18, 2023

4c

**PLANNING COMMISSION
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **PROPOSED ANNEXATION**

ELECTION WARD: Ward 4 (Upon Annexation)

CRITICAL ACTION DATE: May 18, 2023

STAFF CONTACTS: Lynn Thomas, Town Planner
Sharon VanEmburch, Town Attorney
Miguel Salinas, Director of Planning and Zoning

APPLICANT: The Town of Easton

DOCUMENT CREATED ON: May 10, 2023

PURPOSE: The applicant is seeking Annexation of the property into Town limits. Specifically, at this meeting, a recommendation to the Town Council is needed.

RECOMMENDATION: Staff recommends that the Commission recommends approval of the Annexation, finds the proposed annexation request consistent with the Comprehensive Plan, and recommends the assignment of the Mixed Use Waterfront (MXW) Zoning Classification to the property.

APPLICATION INFORMATION:	
APPLICANT: Town of Easton	REPRESENTATIVE: Town Staff
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 034, Parcel 0215	2.471
Map 034, Parcel 0158	0.156
- Note that the acreage in the Annexation Resolution is > than that reflected in SDAT. That is due to portions of the property that include the water.	
PROPOSED ZONING MXW	LOCATION: 801 Port Street
EXISTING ZONING LI (Talbot County)	EXISTING LAND USE: Formerly the site of Southern States and used for Fuel Storage and Distribution. Recently improvements have been demolished in order to establish a public waterfront park on the property.
HISTORIC DISTRICT: Not Applicable	FUTURE LAND USE MAP: Redevelopment Area

CONTEXT:

Location/Site Access – The subject property is located on Easton Point, with a street address of 801 Port Street. The larger of the two parcels is accessed via a drive of approximately 450 feet from Port Street.

Existing Conditions – The Town of Easton purchased the property from Southern States on 08/05/21. Since that time the site has been essentially cleared of the former improvements in preparation for converting the land into a Town-owned public waterfront park.

Surrounding Properties

- To the east, property is owned by Blue Water Illumination, LLC. It is an 8.9 acre unimproved parcel and is not yet within the Town's jurisdiction.
- To the north is the Town's former Public Works Site, which is also in the process of being converted into a waterfront park, with a couple of structures remaining for continued limited use. One of these was recently leased to Phillips Wharf Environmental Center.. This 10.555 acre parcel is within Town Limits and is zoned MXW.
- To the west/southwest is the 6.184 parcel owned by Arundel Corp. This parcel is not within the Town Limits and is zoned LI under Talbot County's Zoning Designation.
- Immediately west of the smaller of the two parcels, is a 13,455 sq. ft. parcel also owned by Arundel Corp. It is also not within Town Limits and is zoned LI by Talbot County.

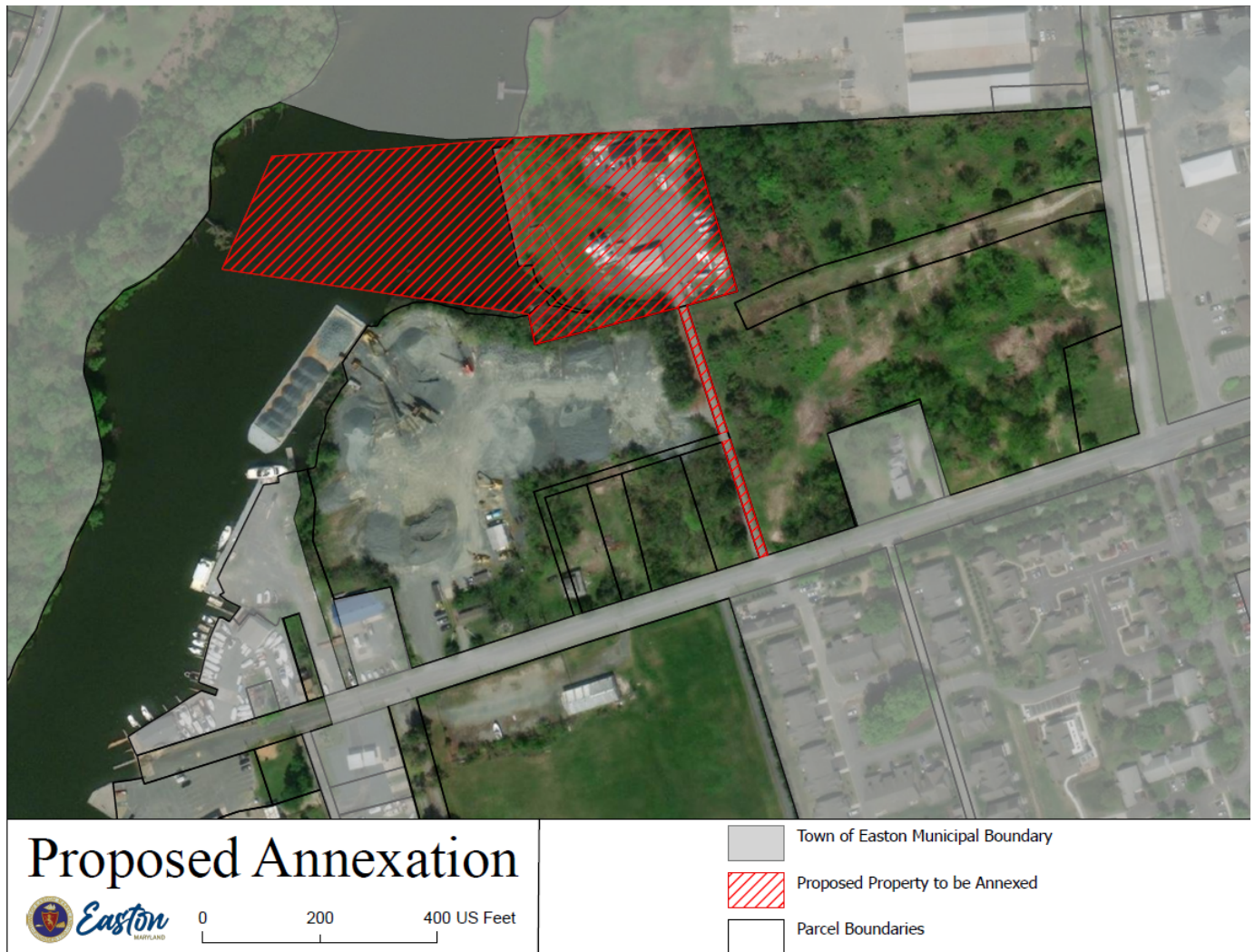


Figure 1: Vicinity Map

PROPOSAL: The Town is seeking annexation of the parcels that we recently acquired from Southern States and are in the process of converting to a waterfront park. Annexation is simply the legal process by which unincorporated parcels join a municipal Corporation. The process for Annexation in Maryland is prescribed by Subtitle 4-400 of the Local Government Article of the Annotated Code of Maryland. The Maryland Municipal League has published a handbook describing the annexation process, a copy of which is attached to this Staff Report.

This Annexation request is somewhat different than most we review in a few regards. First, the Town is not only the entity that the land is proposed to join, but we are also the property-owner and the applicant for this request. Second, generally Annexations are received in association with either the extension of utilities to solve some deficiency (e.g., to connect to our public waste

water service) or for the purpose of facilitating development of the parcel(s) with different uses and/or at a higher density/intensity than permitted under County rules and regulations. In this instance, there is no development proposal envisioned. Rather, we will be establishing the property as a public park. Use of the property will actually be less, rather than more, intense following Annexation.

Maryland Annexation procedures do not actually include any requirements of the local Planning Commission. However, given that multiple aspects of Annexation concern planning issues, it is customary for Planning Commissions to be involved. Historically, in Easton, that has generally meant that the Commission reviews the proposed Annexation, determines whether the request is consistent with the Comprehensive Plan, and makes a recommendation as to whether the request should be approved, and if so, what zoning classification should be assigned.

This is one of the more straightforward requests you will ever have with regards to compliance with the Comprehensive Plan. As you know, the Town adopted a Small Area Plan for Easton Point/Port Street in 2017. That Plan describes a mixed-use redevelopment of Easton Point, with significant public park and open spaces, especially close to the waterfront. The proposed use of the property is perfectly aligned with this vision. In 2017 the Town Council amended the Comprehensive Plan to incorporate the Small Area Plan by reference and to describe it in the Comprehensive Plan itself. The language that was added to the Plan is included as another attachment to this Staff Report.

More simply, the request is consistent with the Future Land Use Map, which designates Easton Point as a “Redevelopment Area” and the Growth Areas Map, which classifies Easton Point as Priority 1 for Annexation.

As with all annexations, the Town must also consider what zoning to apply to the Property upon its transition from County to Town jurisdiction. The legislation introduced by the Town Council is for the MXW Zoning to be applied to the property. The Planning Commission is also charged with making a recommendation on whether that is the appropriate zoning to apply to the property. When the MXW zoning district was created for Easton Point, the map that was adopted at that time (Map 28-312.1) depicts Easton Point and shows the anticipated application of the MXW zoning to the property at the time of annexation.

The Town Council has held a Public Hearing on the request, but the Hearing has remained open so that you can forward your recommendations on the matter. Additionally, at their meeting of May 9, 2023, the Talbot County Council voted unanimously to waive their right to “hold” the assignment of the MXW Zoning for a period of five years, meaning that if approved by our Town Council, the MXW Zoning can take effect immediately.

STAFF RECOMMENDATION:

Staff recommends that the Commission recommends approval of the Annexation, finds the proposed annexation request consistent with the Comprehensive Plan, and recommends the assignment of the Mixed Use Waterfront (MXW) Zoning Classification to the property.

DRAFT MOTIONS:

1. I move that the Planning Commission finds the proposed Annexation consistent with the Town's Comprehensive Plan and recommends that the Easton Town Council approve the Annexation request and assign the Town's MXW Zoning classification to the Annexation properties.

OR

2. I move that the Planning Commission table the application to the June 15th Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. Easton Point Annex Map
2. Easton Point Annex Aerial
3. Annexation Handbook 2013
4. 2017 Comp Plan Amendment
5. SS Annexation Plat

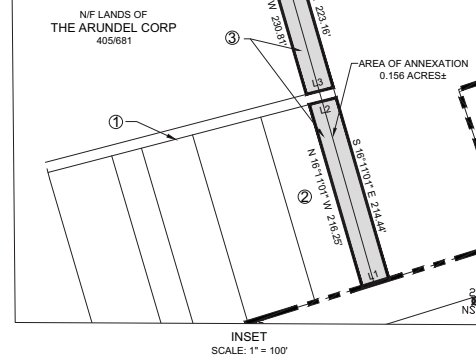
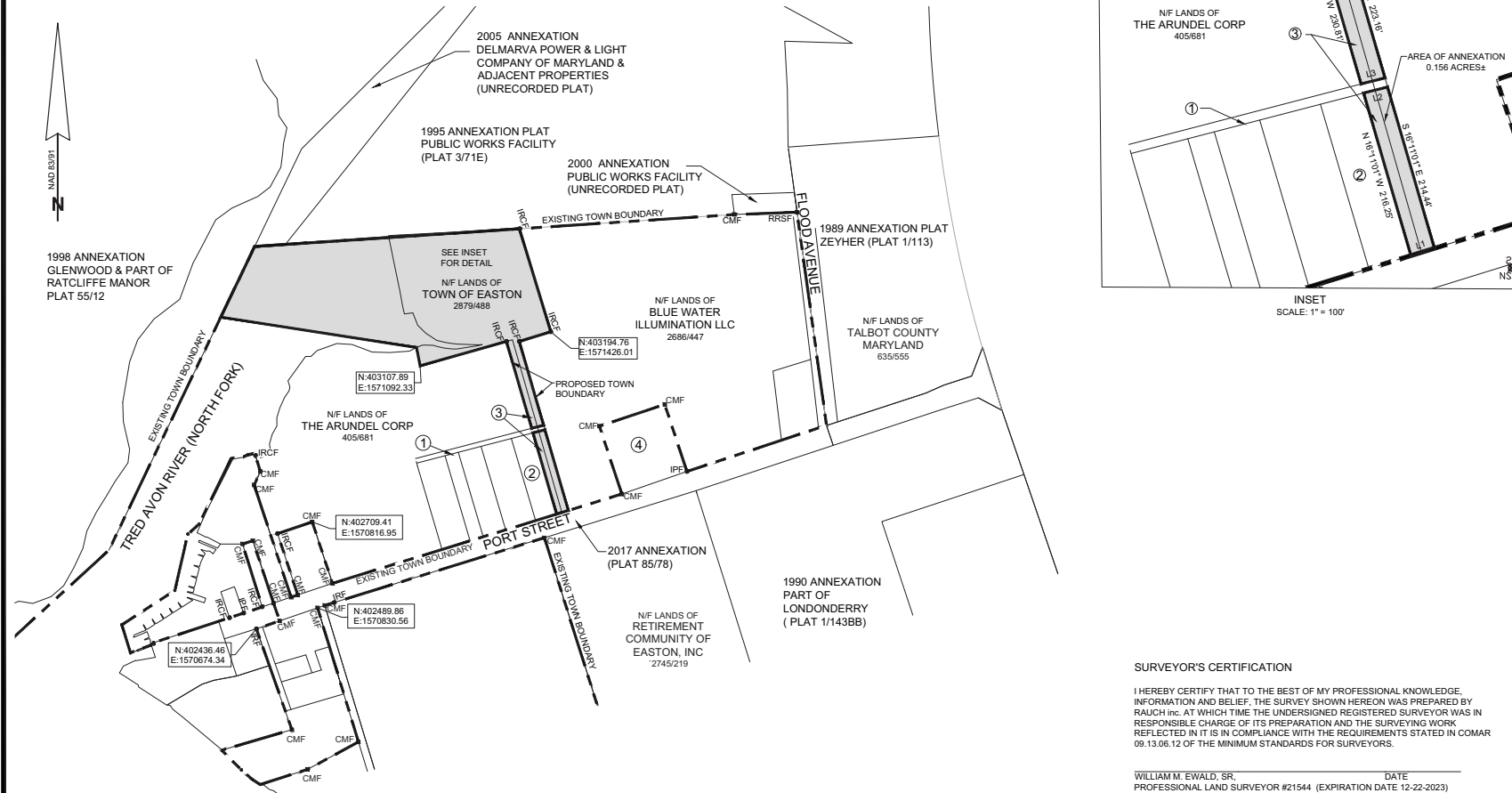
LINE	BEARING	DISTANCE
L1	S 72°50'59" W	31.49'
L2	N 76°08'59" E	31.51'
L3	S 76°08'59" W	31.51'
L4	N 11°01'01" W	47.72'
L5	S 73°06'49" W	84.00'

OWNERS INFORMATION			
NUMBER	PARCEL	ACCOUNT #	OWNER NAME
1		(NO ACCOUNT)	WILLIAM D. GAY (12' ALLEY)
2	157	01-030213	THE ARUNDEL CORP.
3	158	01-043455	TOWN OF EASTON
4	80	01-045679	JASON M. WEBB, ETAL

** INDICATES INCLUDED IN ANNEXATION

LEGEND

N/F	DENOTES NOW OR FORMERLY
---	DENOTES EXISTING TOWN BOUNDARY
- - -	DENOTES PROPOSED TOWN BOUNDARY
■	DENOTES 4.899 ACRES± TO BE ANNEXED
CMF	DENOTES CONCRETE MONUMENT FOUND
RRSP	DENOTES RAILROAD SPIKE FOUND
IPF	DENOTES IRON PIPE FOUND
IRF	DENOTES IRON ROD FOUND
IRCF	DENOTES IRON ROD WITH CAP FOUND



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS PREPARED BY RAUCH inc. AT WHICH TIME THE UNDERSIGNED REGISTERED SURVEYOR WAS IN RESPONSIBLE CHARGE OF ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN COMAR 09.13.06.12 OF THE MINIMUM STANDARDS FOR SURVEYORS.

WILLIAM M. EWALD, SR.
PROFESSIONAL LAND SURVEYOR #21544 (EXPIRATION DATE 12-22-2023)

DATE

THE TOWN OF EASTON

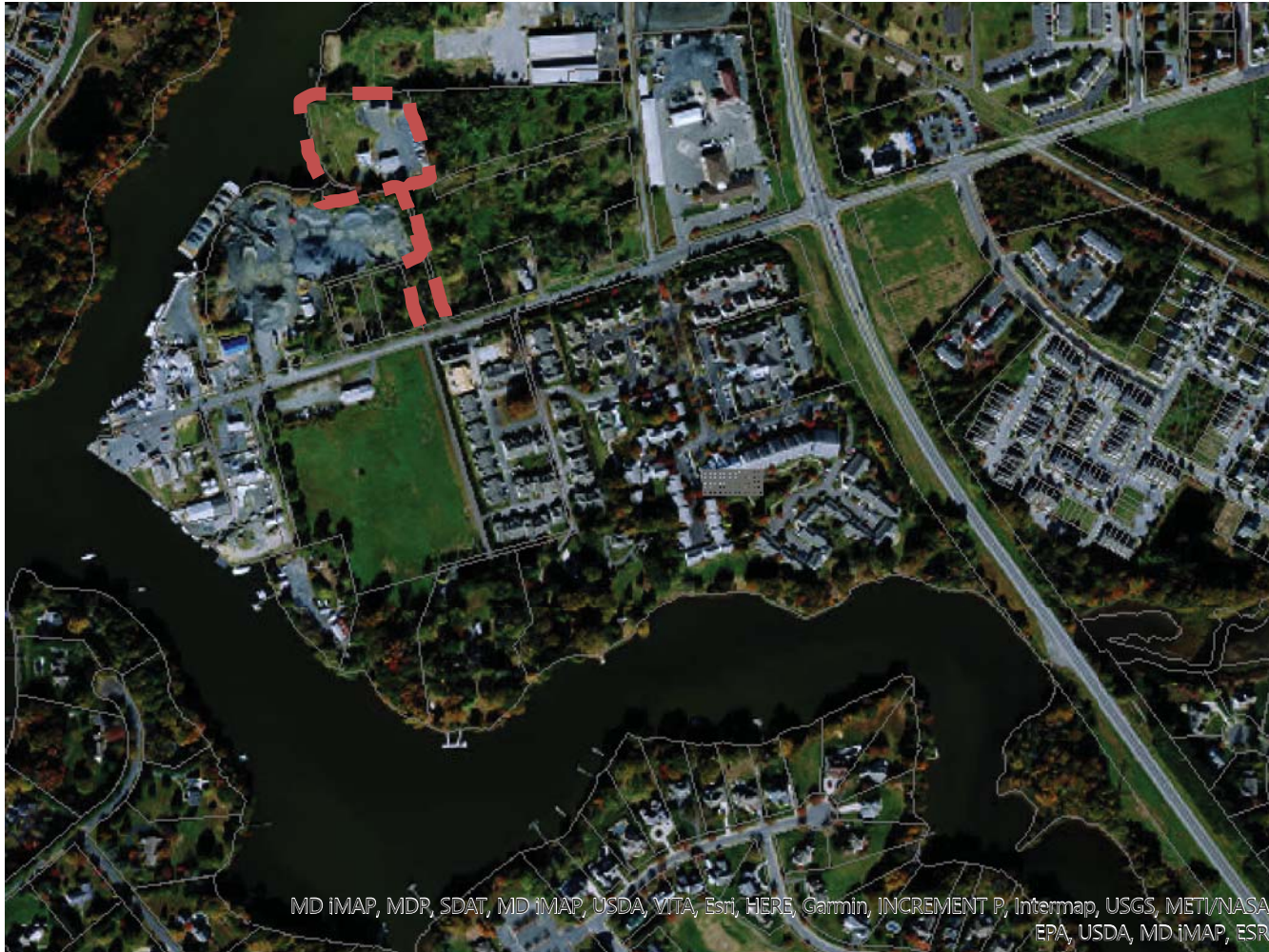
PROPOSED ANNEXATION
OF MULTIPLE PROPERTIES TO

TOWN OF EASTON, FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND
PREPARED FOR: TOWN OF EASTON

RAUCH inc.
engineering design & development services
office: 410.770.9081 fax: 410.770.3867
email: design@raucheng.com | web: www.raucheng.com
address: 106 N. Harrison St. - Easton, MD 21801

DRAWN BY	
DESIGNED BY	
APPROVED BY	
DATE	REVISION
JUNE 2022	
SHEET NO	1 OF 1





MD iMAP, MDP, SDAT, MD iMAP, USDA, VITA, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA,
EPA, USDA, MD iMAP, ESRI

2017 AMENDMENT NO. 1 TO TOWN OF EASTON, MD
2010 COMPREHENSIVE PLAN, IMPLEMENTATION SECTION-
EASTON POINT WATERFRONT AREA CONCEPT AND IMPLEMENTATION

**REVISION TO FUTURE LAND USE MAP CATEGORY, ADDITION OF AREA
8, AND ASSOCIATED EXPLANATORY TEXT, GOALS AND OBJECTIVES**

The dream of many in the Easton area for a waterfront presence is finally being realized, albeit in small, halting steps as nine parcels are being annexed into the Town. Thus, the potential exists for an exciting waterfront, infill and redevelopment project of a mixed use nature, with long-desired public waterfront access a keystone of this project. The July 3, 2017 Annexation of the nine parcels has heightened public interest and excitement in its own right, and as part of the general redevelopment of Easton Point and the Port Street Corridor, as defined below.

Preceding even the inception of the initial Easton Comprehensive Plan, and, with accelerating intensity during the several year period preceding this amendment to the present Comprehensive Plan, the Town and County citizenry, governments and property owners, both within the present confines of the Town and without it, have been concerned and excited by the prospects for redevelopment of Easton Point. The Town over the years has recognized the need for more detailed Comprehensive Planning for Easton Point and in 2014 initiated the process that has evolved into the development of the Port Street Small Area Plan, which in part this Comprehensive Plan Amendment is a product of.

This Comprehensive Plan Amendment creates a new Future Land Use Map, Priority Growth Area 8, See the Amended Land Use Map attached hereto. This Amendment pertains to part of a greater area addressed by the Port Street Small Area Plan, more particularly described below, some of which is presently within the Town of

Easton and as may be annexed into the Town in the future. Area 8 should also be considered as the sum of four related but distinctly different sub-areas; (a) the Waterfront; (b) Non-Waterfront Easton Point; (c) the Port Street Corridor between Washington Street and the Easton Parkway; and (d) the Intersection of Port and the Parkway, envisioned as a new “Gateway” to both Downtown and the Waterfront.

The Easton Economic Development Corporation (“EEDC”) has been the catalyst for advancing comprehensive planning for Easton Point and indeed, the whole of the Port Street Corridor. EEDC has taken the “laboring oar” and devoted substantial time, money and attention, including multiple meetings to secure public input, to developing the “Port Street Small Area Plan.” That Plan embraces all of Easton Point and the Port Street Corridor from the Parkway to Washington Street and sets forth development goals and implementation plans for what it calls the “Port Street Study Area” (the “Study Area”). This Comprehensive Amendment No. 1 is informed by and closely connected to the outstanding effort of EEDC as it pertains to Area 8 through their recommendations as to both the immediate waterfront (referred to as “At The Water’s Edge in the Small Area Plan), and the non-waterfront areas (referred to as a “New Gateway for Easton” and “The Link to Downtown and The Hill”). It is the first “down payment” on comprehensive planning and zoning amendments that may be necessary for the entirety of the Study Area.¹ The Port Street Small Area Plan should be considered an extension of this Comprehensive Plan, providing a more focused study of this particular area. As such, for this smaller study area, it should be treated with the same legal weight as this overall Town Comprehensive Plan.

¹ The exigency of the recent annexation of nine Easton Point parcels, several of which are on the immediate waterfront, necessitate moving ahead with an Easton Point waterfront Comprehensive Plan amendment in advance of a more global examination of the Study Area, in its entirety.

The nine parcels annexed into the Town in 2017 contain some waterfront parcels, triggering the need for critical thinking and planning for creation of a waterfront and appurtenant area of such beauty and utility as to place the Town and County in the forefront of planned waterfront development. Achievement of an integrated planned waterfront development for all of Easton Point, however, is not without complications that must be addressed. Much of Easton Point west of Flood Avenue remains outside the Corporate Limits of the Town and consists of multiple parcels, the owners of which may have no present plans to seek annexation. Perhaps foremost among these owners is Talbot County itself, which owns a boat ramp and parking lot comprising a significant part of the waterfront. Clearly having a boat ramp and ancillary parking for the boat ramp are integral to the development of Easton Point. However, the Town and County should study whether the boat ramp can and should be relocated to another location at Easton Point. Any alternative location would need to have adequate water depth and sufficient land for parking. Moving the boat ramp would allow for the end of Port Street, possibly the most prominent location in Easton Point, to be reused in another manner, potentially as a public waterfront park.

Several of the properties annexed in 2017 are on the waterfront and will, at the inception, come under the Town's General Commercial zoning classification. Accordingly, planning for the waterfront at this time is visionary and goal oriented with substantial real world reality to be addressed in implementation of the goals and visions set forth in this Amendment to the Comprehensive Plan.

Moving further inland, but still on Easton Point, the opportunity exists for relatively more intense development than what is envisioned along the Waterfront.

Parcels that front on Port Street should treat said frontage with primary importance. That is, buildings should be sited and designed with Port Street as a primary entrance.

Architecture on this elevation should likewise reflect Port Street as a frontage, as one would find along older, traditional Downtown Streets, such as Washington, Dover, Goldsborough or Harrison in Easton. The appearance of off-street parking should be minimized through siting (behind the building), screening, and shared-parking arrangements.

Moving east across the Parkway is another portion of the area subject to the Port Street Small Area Master Concept Plan. It corresponds to the corridor of Port Street located between Washington Street and the Easton Parkway. Much of this corridor, particularly to the east, is already developed. In such areas the vision would be for redevelopment that is sympathetic with the historic fabric of this neighborhood. Housing should generally be replaced with housing and close scrutiny should be given to avoid issues of gentrification. The existing Planned Redevelopment Overlay District should be all that is necessary to achieve the Vision suggested for this part of the corridor.

The portion closer to Easton Parkway, in particular three relatively large, undeveloped parcels on the south side of Port Street, have a different kind of potential. For one thing, given their location at or near the intersection of Port and the Parkway, the opportunity exists to provide a dramatic Gateway entrance statement via the design, siting and architecture of whatever gets built on these parcels. As such, they would seem to be more suitable for some combination of office, institutional or mixed uses than might be expected from the Future Land Use Map of 2010 and the current zoning of these properties. The Future Land Use Map is thus proposed to be amended accordingly.

Other factors which might ultimately influence the development of these parcels include the extension of Easton's Rail-Trail between two of the parcels as well as the close proximity to two significant parks (Moton and the to-be-built park at the Town's former Public Works property on Easton Point). There is also the potential for a major redevelopment project just beyond this corridor should the current hospital relocate as planned in the near future. Finally, the appearance of properties from Port Street (as well as their presence on Port Street) becomes critical should Easton Point develop in the manner envisioned in the Small Area Plan. If and when that occurs, this portion of Port Street becomes the link between two major activity centers; the Waterfront and Downtown and the Hill.

IMPLEMENTATION GOALS AND OBJECTIVES- EASTON POINT WATERFRONT

GOAL:² To ensure that public access to the immediate Easton Point Waterfront, as defined, is the central principle of its planning.

OBJECTIVE: Focus the design of the immediate waterfront upon public uses that are inviting in terms of size and location. Structures should be set back to avoid any sense of intrusion. Places to sit, rest, eat, and drink should be provided adjacent to and inland of the immediate waterfront area and should not unreasonably interfere with public enjoyment of that area or with neighboring waterfront property owners.

GOAL: To encourage the appropriate transformation of Easton Point into a sustainable and vibrant mixed use neighborhood, with a working waterfront, beneficial public spaces, interesting streetscapes and a well-built environment.

OBJECTIVE: Enact zoning and design rules regulating the form and function of all new development and redevelopment at Easton Point that are sufficient to bring about

² This and the following goals and objectives borrows liberally from "Urban Edginess: Urban Design Principles," an Internet article written by Joseph E. Petrillo, writing as trenzpruca, accessed on July 3, 2017, at <https://planningimplementation.wordpress.com/.../urban-waterfront-design-principles/>.

the Town's vision for this area, as that vision is established in the Port Street Small Area Plan.

GOAL: To emphasize design standards that are centered upon and protect major views of the Tred Avon River.

OBJECTIVE: Minimize obstruction of the public use area on the immediate waterfront. Wherever possible and practicable, private development should allow inland buildings a view of the waterfront.

GOAL: To provide for recreational and commercial uses that require a waterfront location that are not inconsistent with other goals and objectives should have space allocated for development.

OBJECTIVE: Retain the historic flavor of the Easton Point waterfront as a working waterfront including both commercial, e.g., crabbing, and recreational, e.g., boating. The retention of the flavor of these historical uses, consistent with other goals and objectives, particularly for maximizing public access to the waterfront, is to be encouraged.

OBJECTIVE: Study and consider relocating the County boat ramp and its parking to a different Easton Point location to maximize public access to the waterfront area provided an alternative location can be identified that has adequate water depth and sufficient land for parking.

GOAL: To emphasize radial planning and avoidance of traditional "checkerboard" zoning

OBJECTIVE: Plan for the Easton Point waterfront in a manner that is radial in nature, from the specific to the general with the immediate waterfront serving as a focal point. It should be specific as to uses along the immediate waterfront and become more generalized as it moves inland.

GOAL: To make the planning process both dynamic and organic– avoiding over planning!

OBJECTIVE: Target the Easton Point waterfront as the beginning of a long-term development of the Easton Point-Port Street Corridor, as envisioned by EEDC, and not its end point. Design should be driven by the dynamism of people who will use the waterfront in different ways and not be unduly prescriptive. Planning must be animated by the truism that successful Port Street Study Area development depends on implementation and design plans responsive to the needs and desires of both the public and potential investors in development.

The foregoing goals and objectives are but the starting point for redevelopment of the parts of Easton Point now within the Town and as may come in by future annexations. As for the areas already within the corporate limits of Easton (“The Link to Downtown and The Hill” and a “New Gateway”), the following new Implementation Goals and Objectives are proposed:

Upper Port Street (or The Link To Downtown and The Hill):

GOAL: To link Easton’s downtown to Easton Point through sound re-development strategies.

OBJECTIVE: Expand the extent of the western Planned Redevelopment Overlay District to afford maximum development flexibility along the Port Street Corridor.

GOAL: To enhance the streetscape along Port Street.

OBJECTIVE: Develop a standard for a Green and Complete Street for Easton, with the first application of said new standard to Port Street.

OBJECTIVE: Work with the Maryland State Highway Administration to take over maintenance responsibilities of the State-controlled portion of Port Street in exchange for the State rebuilding as much of Port Street as possible in accordance with the aforementioned new Complete and Green Street Detail.

GOAL: To promote mixed-income housing and affordable housing along Port Street.

OBJECTIVE: Continue to work with Professional Land Use Organizations (and similar organizations) to explore potential projects in which they might serve as

developers for housing or mixed-use development which could be catalysts for further development of the Port Street Small Area.

OBJECTIVE: Encourage and support developers of affordable housing to consider projects in the Plan Area.

OBJECTIVE: Explore ways in which the development of affordable housing can be incentivized (e.g., perhaps through density bonuses).

GOAL: To strengthen the existing community by retaining the social networks and maintaining the cultural history.

OBJECTIVE: Identify all interested parties, particularly neighborhood associations or groups, with an interest in the Port Street Corridor and keep them informed throughout the process of adopting, and even more importantly, implementing the Small Area Plan.

A NEW GATEWAY

GOAL: To incorporate a hub to serve as a University/Innovation Center assisting in anchoring Easton's gateway.

OBJECTIVE: Reach out to colleges and universities throughout the Chesapeake Bay Watershed to gauge interest in establishing a presence in Easton for Chesapeake Bay studies.

GOAL: To create a striking, attractive Gateway at the intersection of Port Street and the Easton Parkway.

OBJECTIVE: Consider adopting design regulations that would be applicable to properties in close proximity to the Port Street/Parkway intersection, for the purpose of assuring high quality design that establishes the location as a special

point, one which links Easton's new waterfront to the west and Downtown and The Hill to the east.

OBJECTIVE: Work with the Maryland State Highway Administration to develop and implement a design for the Parkway and Port Street intersection, and the approaches thereto, that alerts travelers that they are entering a truly unique and special place. Such a solution must accommodate pedestrians and bicyclists in the safest possible manner given that the Rail-Trail Spur Line is to be established there.

2017 Comprehensive Plan Amendment Part 2

Add the following language to the Municipal Growth Element, Page 55 immediately before the Subsection entitled "Land Area Needed to Satisfy Demand":

One of these Priority 1 Growth Areas that appears ripe for development/redevelopment is Easton Point, one component or sub-areas of the Port Street Small Area Plan (See also Implementation Element for more details). Easton Point is envisioned to be developed in a mixed-use fashion and residential use is certainly a significant component of that mix. The total unit mix is unknown as there are numerous potential combinations of uses that would theoretically be possible under the guidance suggested in this Plan and the Small Area Plan. Using the same formula of 3.5 du/ac with the underbuild factor, suggests 92 additional future units could be built on the 35.05 undeveloped acres of Easton Point. Substituting the "Londonderry Density" of 4.0 for the standard 3.5 yields a prediction of 105 units. At the higher end of possibilities, one version of a build-out scenario prepared by the Easton Economic Development Corporation (see Appendix of the Port Street Small Area Plan), anticipates 332 residential units in a mix of single-family detached and duplex units, townhomes, apartments, co-living space and condominiums (although it should be noted that some of these units are proposed on Port Street between the Parkway and Washington Street rather than on Easton Point).

The Town has the ability to accommodate the development of Easton Point, regardless of the ultimate unit mix and number of residential units (within the range of possibilities). The area can adequately be served with Town utilities and services. Improvements will be required, but they have been factored into the Small Area Planning. For instance, a limited number of connections can be made to the pressurized sewer line that serves Easton Village (anticipated to be no more than those associated with a 2017 Annexation request of 9 parcels) and after that, a new sewer pumping station will be required to be added to the system, such that all development will feed into this system and it will then provide one, single, connection to the force main. A small parcel of land will be required for the sewer pump station, but that land is anticipated to be acquired from future annexation areas in Easton Point that trigger the need for the additional capacity. There is abundant capacity at the Wastewater Treatment Plant and while the numbers will be updated when the Comprehensive Plan is next updated, given that growth has been significantly less than anticipated in the 2010 Plan, it seems safe to assume that capacity will be projected to be available even longer into the future than suggested in the 2010 Plan.

The increased residential units at Easton Point would increase the need for additional parkland. The Town envisions creating waterfront park areas as part of the development of the entire region. In addition, the Town is in the process of building an extension to its rails to trails system that will run in close proximity to this area and will connect it to other park areas throughout Town. The Town also owns a large parcel on the water in Easton Point that is intended to be developed into a park.

2017 Comprehensive Plan Amendment No. 3

Update dates and references in the Foreword

FOREWORD

Comprehensive Planning in Easton has a long history, dating back at least to 1950 when Elements of the first Plan were adopted by the Planning Commission. Citizen involvement in Comprehensive Planning underwent a sea change in the mid 1990's with the development of the 1997 Comprehensive Plan. That Plan was developed with what was then an unprecedented level of community involvement throughout a two and one-half year process, the cornerstone of which was two meetings designed to solicit citizen input through a variety of interesting and clever techniques. Thematic stations were set up and techniques ranging from surveys to interviews to quasi-gaming exercises collected responses from hundreds of attendees. In large part because of this community involvement, the 1997 Plan remains relevant today to the extent that much of what it says still pervades throughout this latest Plan.

This Plan, as well as the one adopted in 2004, are generally refinements of the themes first discussed and described in the 1997 Plan. The 2004 Plan added elements of Growth Management to the primary premise of the 1997 Plan, which was that the quality and appearance of all types of development in Easton needed to be improved. The Growth Management Strategy that was added in 2004 established a Growth Boundary beyond which the Town should not grow. Furthermore, within this ultimate boundary the area between the current Town boundary and the growth boundary was divided into three priority areas for future growth. This has had a profound effect on Annexation policy since 2004 as the only Annexation requests approved were those that were classified as Priority One Growth Areas.

This 2010 Plan refines these Growth Management Strategies further, is somewhat more technical in nature, and reflects changes mandated by the Maryland Legislature in the form of HB 1141. It was rewarding to see that much of what was required in these new Elements, particularly the Municipal Growth Element, are things that we in Easton already do and/or reflect existing policies of Easton and Talbot County.

Comprehensive Planning is of paramount importance today. 1.1 million new residents are expected to move to Maryland by 2030 and an ever increasing number of them are choosing the Eastern Shore as their home. Maintaining the character, the very essence of this place that makes it so unique and special, will be an enormous challenge. This Plan lays the groundwork for insuring that happens here in Easton. If we find we have missed the mark, we will revise the course along the way and we will once again take a Comprehensive look in 2023. Our hope is that we will still be close enough to the right path that that Plan will represent one more refinement and not a whole new change of direction.



Municipal Annexation Handbook

Table of Contents

Introduction.....	3
Procedures.....	4-6
Annexation Considerations.....	7-8
Annexation Agreements.....	9
Annotated Code of Maryland, Local Government, Article Subtitle 4-400	10-18
Maryland Municipal Annexation Procedures Flow Chart.....	insert
Annexation Checklist.....	19

Municipal Annexation

Introduction

Municipal annexation is the process of legally including within the corporate limits of a city or town an unincorporated area that is outside the municipality. For many cities and towns in Maryland, annexation of surrounding areas plays an important role in influencing the economic growth, environmental protection, quality of life, and municipal fiscal well-being of their communities.

The Maryland Municipal League prepared this handbook to provide basic guidance to municipal government officials on procedures and considerations associated with municipal annexation in Maryland. This publication is not intended to provide in-depth analyses of annexation issues but rather to provide a brief overview of annexation procedures and considerations. Included for your information is the full text of Subtitle 4-400 of the Local Government Article of the *Annotated Code of Maryland* which makes up the primary source of Maryland law concerning annexation.

League staff members are available to answer any questions you may have relating to annexation.

Procedures

1. Minimum Prerequisites

In order to be annexed to an existing municipality, an area must be contiguous and adjoining to the existing municipal corporate area and may not be located within another incorporated municipality. Also, annexation of the area may not create an enclave of unincorporated area that would be completely surrounded on all sides by land within the municipality upon completion of the annexation.

2. Annexation Petition/Consent

An annexation petition signed by at least 25% of the qualified voters along with the owners of 25% of total assessed property in the area to be annexed may be filed with the municipal legislative body. Alternatively, the legislative body may initiate an annexation by obtaining the consent of a like percentage of qualified voters and property owners.

3. Annexation Resolution

Upon verification that the annexation petition signatures meet the requirements of law and that all other prerequisites of the law have been met, the elected body should promptly introduce a resolution proposing the annexation. Similarly the elected body may initiate the resolution upon receipt of the consent of the required percentage of voters and property owners. The resolution should describe the area to be annexed together with any conditions or circumstances applicable to the proposed annexation.

4. Annexation Plan

A municipal governing body must prepare, adopt and make available to the public a plan detailing (1) the proposed land use or uses in the area to be annexed, (2) available land that could be used for anticipated public facilities that may be needed, (3) a schedule for extending municipal services to the area to be annexed, and (4) anticipated means of financing the extension of services. The plan must be provided at least 30 days prior to holding the public hearing required by law for an annexation to the county in which the municipality is located as well as to the Maryland Department of Planning and any regional and state planning agencies having jurisdiction within the county.

Legislation passed in 2006 (House Bill 1141) by the Maryland General Assembly added to the level of detail of an annexation plan for most cities and towns. For a municipality that exercises planning and zoning authority under Land Use Article of the *Annotated Code of Maryland*, by October 1, 2009 it must amend its comprehensive plan to include a growth element that serves as a basis for any annexation plan it prepares. Upon a showing of good cause, the Maryland Department of Planning may authorize extensions through October 1, 2010 for preparation of a municipal growth element. Once a comprehensive plan growth element is in place for a municipality, a municipal annexation plan must be consistent with growth element of the municipality. At that point, the required level of detail in an annexation plan could be much greater for municipalities that exercise planning and zoning authority than was required prior to the passage of House Bill 1141.

5. Proposed Annexation Publication, Hearing and Resolution Passage

After introduction of the resolution, a municipality must publish at least four times at a minimum of weekly intervals in one or more newspapers of general circulation a notice of the proposed annexation; notice of the time and place of a hearing on the resolution must also appear in the newspaper advertisements. For annexations where the area to be annexed is 25 acres or less, the required publication need only be done twice at weekly intervals. A copy of the public notice must be provided to the county governing board and regional and state planning agencies as soon as it is initially published. At the hearing itself, the county and planning agencies must be afforded first right to be heard, after which the general public may make comment. After conducting the required hearing, the municipal elected body may pass (or reject) the resolution which becomes effective 45 days after its passage unless it is petitioned to referendum.

6. Petitions to Referendum

Within the 45 days prior to the effective date of the resolution, any of three groups may petition the annexation resolution to referendum. At least 20% of the registered voters in the existing municipality or in the area to be annexed may petition the resolution to referendum; alternatively, a minimum of two-thirds of the county governing board may petition to call for a referendum on the annexation question. After verification of petition signatures or county governing board compliance with the law's requirements (whichever is applicable), the effectiveness of the resolution is suspended pending results of the referendum.

7. Annexation Referendum

The annexation referendum may be held from 15 to 90 days following newspaper publication of notice of the referendum. The notice must occur a minimum of two times at a minimum of weekly intervals. Should the referendum pass, the annexation will become effective on the fourteenth day following the referendum. Which voters participate in a referendum is dependent upon where the referendum petition emanated. If the petition was submitted by the county governing body or the residents in the area to be annexed, the voters in the area to be annexed may participate in the referendum. If the petition was submitted by residents of the municipality, the voters in the municipality participate. If both circumstances exist, separate elections are held for both the existing municipal voters and for voters in the area to be annexed. In the case of two elections, both sets of voters must approve the referendum in order for the annexation to proceed.

8. Registration of Resolution and Boundaries

Regardless of whether or not the annexation is brought to referendum, the annexation resolution and the new municipal boundaries of the municipality must be promptly sent to (1) the county clerk of courts in the county in which the annexation occurred, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

Annexation Considerations

Why annex? What are the advantages of annexation?

- To extend municipal services to communities that are adjacent to existing city/town corporate limits and that may not have such services.
- To expand the size, population base, property tax assessable base, and—in some cases—the political influence of a city or town.
- To ensure local input into and control over future development around the periphery of existing municipal corporate boundaries and to facilitate implementation of the Maryland Growth Management Act which focuses future growth in and around existing urban centers.
- Through legal agreements with developers, to exact concessions that will meet adequate public facility requirements and provide added amenities (for example: roads, parks, affordable housing) that are beneficial to the community.
- To support economic and community development goals by negotiating annexation agreements to attract business, industry and housing development.
- To unify currently incorporated and fringe unincorporated areas that share common sociological, economic, cultural, and geographic characteristics.
- To provide residents of areas adjacent to cities and towns a direct role in local community affairs through access to municipal election voting rights and the opportunity to serve in municipal elected and appointed offices.
- To achieve logical city/town growth and boundaries.

Why not annex? What are the possible drawbacks to annexation?

- The city or town may lack adequate financial, personnel or infrastructure resources to extend public services to the area to be annexed.
- Annexation of an area may prove to be a fiscal drain on the city or town where potential revenues to be raised from the area to be annexed do not meet the costs of providing municipal services to the area.
- Residents in a potential area to be annexed may wish to maintain a separate community identity rather than having their identity subsumed within that of the existing city or town.
- Residents in an area to be annexed may consider municipal government to be unneeded, undesirable, or duplicative and may not wish to pay added taxes or fees to pay for the costs of municipal public services.
- There are difficulties set forth in law in achieving a successful annexation, including the ability of the county to veto for five years significant changes in zoning classifications in an area to be annexed and the ability of various parties to petition an annexation to referendum where it can potentially be voted down.

Annexation Zoning—The Five-Year Rule

Cities and towns authorized to exercise and exercising planning and zoning powers under Land Use Article of the Annotated Code of Maryland have exclusive authority over planning and zoning in newly annexed areas. However, Subsection 4-416(b) the Local Governments Article of the *Annotated Code* provides that no city or town may for five years following an annexation allow development of property within an annexed area if the development would be substantially different than the use authorized under county zoning at the time of the annexation. Also, for five years following an annexation, development density of newly annexed property may not be greater than 50% higher than would have been permitted under county zoning at the time of annexation. A county governing body may waive this requirement if its members so desire.

As a practical matter, the impact of this provision of law is to give county governments a major role in municipal annexations where substantial changes in land use are anticipated. Development projects dependent upon annexation and annexations themselves can be not just delayed, but derailed by action (or inaction) of the county to withhold approval of land use changes in some circumstances. It is recommended therefore that county planners and elected officials be contacted early in the annexation process to negotiate these issues when the possibility of such changes is under consideration.

Annexation Agreements

An annexation agreement is a contract typically made between a city or town and the owner or owners of land or private developers of land in an area to be annexed. An agreement is used to overcome obstacles to potential annexations by exacting concessions from one or more of the parties involved prior to consenting to annexation. It normally sets out the terms and conditions under which an annexation is to occur as well as any special obligations of the parties relating to a proposed annexation.

Provisions included in annexation agreements frequently address the following:

- The intent of the parties to enter into a contract.
- On-site and off-site public improvements to be provided by the developer of land in the area to be annexed.
- Financial terms such as temporary or phased municipal property tax abatements or service fee reductions.
- Timetables for the extension and provision of public utilities and other services.
- Land use stipulations. (Note however that "contract zoning" or offering to guarantee a specified zoning classification as a precondition for annexation is prohibited in Maryland.)
- Construction and environmental protection requirements.
- Agreement enforcement provisions.
- Conditions for terminating the agreement under specified circumstances.

Given the legal complexities involved, it is strongly recommended that professional legal counsel be employed throughout the process of negotiating, drafting, and carrying out the provisions of any annexation agreement.

Annotated Code of Maryland

Local Government Article , Subtitle 4-400

§4-401. **Enlargement of Municipal Corporate Boundaries Authorized**

(a) Subject to subsections (b) and (c) of this section, the legislative body of a municipality may enlarge its boundaries by annexation as provided in this subtitle.

(b) The power of annexation applies only to land that:

(1) is contiguous and adjoining to the existing boundaries of the municipality; and

(2) does not create an unincorporated area that is bounded on all sides by:

(i) real property presently in the boundaries of the municipality;

(ii) real property proposed to be in the boundaries of the municipality as a result of the proposed annexation; or

(iii) any combination of real property described in item (i) or (ii) of this item.

(c) A municipality may not annex land that is in another municipality.

§4-402. **How Annexation Initiated**

An annexation proposal may be initiated by:

(1) the legislative body of the municipality as provided in § 4-403 of this subtitle; or

(2) a petition in accordance with § 4-404 of this subtitle.

§4-403. **Initiation by Legislative Body**

(a) Subject to subsection (b) of this section, an annexation resolution may be introduced in the legislative body of the municipality in accordance with:

(1) the requirements and practices applicable to its legislative enactments; and

(2) the requirements of § 4-303(a) of this title.

(b) Before an annexation resolution is introduced, the legislative body shall obtain consent from:

(1) at least 25% of the registered voters who are residents in the area to be annexed; and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(c) The annexation resolution:

(1) shall describe by a survey of courses and distances the exact area to be annexed;
(2) may also describe by landmarks and other well-known terms the exact area to be annexed; and

(3) shall contain a complete and detailed description of the conditions and circumstances that apply to:

(i) the change in boundaries; and

(ii) the residents and property in the area to be annexed.

§4-404. Annexation Petition

(a) Subject to § 4-413 of this subtitle, an annexation petition shall be signed by:

(1) at least 25% of the registered voters who are residents in the area to be annexed;
and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

(b) After an annexation petition is presented to the legislative body of the municipality, the presiding officer of the legislative body shall verify:

(1) the signatures on the petition; and

(2) that the petition meets the requirements of subsection (a) of this section.

(c) (1) After verifying compliance with the requirements of this section, the presiding officer of the legislative body promptly shall cause a resolution proposing the change of boundaries as requested by the petition to be introduced in the legislative body.

(2) The annexation resolution shall conform to the form and content requirements of this subtitle.

§4-405. Annexation Resolution

(a) An annexation resolution shall provide that the residents in the area to be annexed and their property shall be added to the municipality, generally subject or not, as applicable, to specific provisions of the municipal charter.

(b) (1) Notwithstanding subsection (a) of this section, an annexation resolution may provide, for stated periods and under specific conditions, special treatment of the residents in the area to be annexed and their property as to:

Annexation Procedures Flow Chart

- (i) rates of municipal taxation; and
- (ii) municipal services and facilities.

(2) After an annexation resolution takes effect, any change in the provisions for special treatment for stated periods and under specific conditions may be made only by a resolution enacted under this subtitle.

§4-406. **Public Notice and Hearing**

(a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:

- (1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and
- (2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.

(b) (1) Public notice of the annexation resolution shall be published:

- (i) 1. at least four times; or
- 2. if the total area of the proposed annexation is 25 acres or less, at least two times;
- (ii) at not less than weekly intervals; and
- (iii) in at least one newspaper of general circulation in the municipality and the area to be annexed.

(2) The public hearing shall be:

- (i) set no sooner than 15 days after the final required publication of the public notice; and

- (ii) held in the municipality or the area to be annexed.

(c) Immediately after the first publication of the public notice, the municipality shall provide a copy of the public notice to:

- (1) the governing body of the county in which the municipality is located; and
- (2) any regional or State planning agency with jurisdiction in the county.

(d) The county and any regional or State planning agency with jurisdiction in the county has the right to be heard before the public at the hearing on the proposed annexation.

(e) (1) The public hearing may be rescheduled for or continued to a later date not more than 30 days after:

- (i) the date when the hearing was originally scheduled; or
- (ii) the date on which the hearing began but was not completed.

- (2) If the hearing is rescheduled or continued, public notice shall be published:
 - (i) at least 7 days before the date of the rescheduled or continued hearing; and
 - (ii) in a newspaper of general circulation in the municipality and the area to be annexed.
- (3) The public notice shall:
 - (i) briefly and accurately describe the area to be annexed; and
 - (ii) specify the date, time, and place of the rescheduled or continued public hearing.

§4-407. Enactment and Effective Date

- (a) After a public hearing, the legislative body of a municipality may enact an annexation resolution in accordance with its normal legislative procedure.
- (b) The annexation resolution may not take effect until at least 45 days after its enactment.

§4-408. Petition of Resolution to Referendum by Residents of Areas to be Annexed

- (a) Subject to § 4-413 of this subtitle, at any time within 45 days after enactment of an annexation resolution, at least 20% of the registered voters who are residents in the area to be annexed may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:
 - (1) the signatures on the petition; and
 - (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

§4-409. Petition of Resolution to Referendum by Residents of Municipality

- (a) At any time within 45 days after enactment of an annexation resolution, at least 20% of the qualified voters of the municipality may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.
- (b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.
- (c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

§4-410. Petition of Resolution to Referendum by County Governing Body

- (a) At any time within 45 days after enactment of an annexation resolution, the governing body of the county or counties in which the municipality is located, by at least a two-thirds majority vote, may petition the chief executive and administrative officer of the municipality for a referendum on the resolution.
- (b) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

§4-411. Referendum Timing and Public Notice

- (a) The chief executive and administrative officer of the municipality shall schedule a referendum on the annexation resolution and publish notice of the date, time, and place at which the referendum will be held.
- (b) The referendum shall be held:
 - (1) no sooner than 15 days and no later than 90 days after notices of the referendum are published; and
 - (2) at one or more places in:
 - (i) the municipality, for the referendum in the municipality; and
 - (ii) the area to be annexed, for the referendum in that area.
- (c) Public notice of the referendum shall be published:
 - (1) twice at not less than weekly intervals; and
 - (2) in at least one newspaper of general circulation in the municipality and

§4-412. Conduct of Referendum

- (a) The governing body of a municipality, by ordinance, resolution, or regulation, may provide for conducting and tabulating the results of a referendum held under this subtitle.
- (b) (1) The annexation resolution shall be submitted to:

- (i) a referendum of the qualified voters of the municipality if the petition for referendum was presented by the residents of the municipality;
 - (ii) subject to § 4-413 of this subtitle, a referendum of the registered voters who are residents in the area to be annexed if the petition for referendum was presented by the residents of the area to be annexed; or
 - (iii) separate referendums of the voters specified in items (i) and (ii) of this paragraph if a petition for referendum was presented by the residents of the municipality and the residents in the area to be annexed.
- (2) A petition for referendum presented by the governing body of a county shall be acted on in the same manner as a petition for referendum presented by the residents of the area to be annexed.
- (c) The ballot shall:
- (1) contain a summary of the annexation resolution; and
 - (2) provide for the voter to indicate a choice for or against the annexation resolution.
- (d) (1) If only one petition for a referendum is filed and if a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.
- (2) (i) If a referendum is conducted for both the residents of the municipality and the residents in the area to be annexed, the votes cast for the two referendums shall be tabulated separately to show the votes cast in the municipality and the area to be annexed.
- (ii) If in both referendums a majority of the persons voting on the annexation resolution vote for the resolution, the resolution takes effect on the 14th day after the referendum.
- (iii) If two referendums are held, the annexation resolution is void unless a majority in both referendums vote for the resolution.
- (e) The municipality shall pay for a referendum held under this subtitle.

§4-413. Who May Sign Petition and Vote in Referendum in Special Circumstances

If fewer than 20 residents in an area to be annexed are eligible to sign a petition for annexation and vote in a referendum under this subtitle, any person, including the two or more joint owners of jointly owned property, who owns real property in the area to be annexed may sign the petition and vote in the referendum.

§4-414. Completed Annexation Notification Requirements

- (a) (1) The chief executive and administrative officer of a municipality that has annexed property shall send a copy of the annexation resolution with the new boundaries to:
- (i) the clerk or similar official of the municipality;
 - (ii) (ii) the clerk of the court in any county in which the municipality is located;
 - (iv) (iii) the Department of Legislative Services in accordance with paragraph (2) of this subsection; and
 - (vi) (iv) for any municipality located in the regional district, the Maryland–National Capital Park and Planning Commission.
- (2) The annexation resolution shall be sent to the Department of Legislative Services within 10 days after the resolution takes effect.
- (b) Each official or agency that receives an annexation resolution under subsection (a) of this section shall:
- (1) keep on record the resolution with the new boundaries; and
 - (2) make the resolution available for public inspection during regular business hours.

§4-415. Annexation Plan Requirements

- (a) In addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed.
- (b) Except as provided in subsection (e) of this section, for an annexation that began before October 1, 2009, the annexation plan shall:
- (1) contain a description of the land use pattern proposed for the area to be annexed, which may include a county master plan already in effect for the area;
 - (2) describe the schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed;
 - (3) describe the general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed; and
 - (4) be presented so as to demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water or sewage treatment, libraries, recreation, or fire or police services.
- (c) Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

- (d) For purposes of subsections (b) and (c) of this section, an annexation begins when a proposal for annexation is initiated by:
- (1) resolution under § 4–403 of this subtitle; or
 - (2) petition under § 4–404 of this subtitle.
- (e) (1) On or after October 1, 2009, a municipality may submit an annexation plan under subsection (b) of this section if the municipality is granted an extension for the inclusion of a municipal growth element under § 3–304 of the Land Use Article.
- (2) After the expiration of a final extension granted under § 3–304 of the Land Use Article for the inclusion of a municipal growth element, an annexation plan shall be submitted in accordance with subsection (c) of this section.
- (f) At least 30 days before the public hearing on an annexation resolution required under § 4–406 of this subtitle, a copy of the annexation plan shall be provided to:
- (1) the governing body of any county in which the municipality is located;
 - (2) the Department of Planning; and
 - (3) any regional or State planning agency with jurisdiction in the county.
- (g) (1) The annexation plan shall be open to public review and discussion at the public hearing on the annexation resolution.
- (2) An amendment to the annexation plan does not:
- (i) amend the proposed annexation resolution; or
 - (ii) cause a reinitiation of the annexation procedure then in process.

§4–416. Zoning within Annexed Area

- (a) (1) Notwithstanding § 4–104(f) of this title, if an area is annexed to a municipality that has planning and zoning authority at the time of annexation, the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning in the area annexed.
- (2) Paragraph (1) of this subsection does not grant any planning or zoning power or subdivision control to a municipality that is not authorized to exercise planning or zoning power or subdivision control at the time of annexation.
- (b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

(c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

Annexation Checklist

1. _____ Receive written consent of (if initiated by municipal governing body) or petition from at least 25% of qualified voters and the owners of 25% of assessed property in area to be annexed.
2. _____ Present resolution to municipal governing body.
3. _____ Provide annexation plan to (1) the county governing body, (2) regional and state planning agencies at least 30 days prior to the public hearing, and (3) the Maryland Department of Planning.
4. _____ Publish notice of proposed annexation hearing as required.
5. _____ Provide immediately to the county governing body, to the regional planning agency where applicable and the Maryland Department of Planning a copy of the first hearing notice.
6. _____ Conduct public hearing at least 15 days after the final hearing notice is published.
7. _____ Pass the resolution.
8. _____ Wait 45 days to allow time for petition to annexation referendum.
9. _____ If no petition is received, promptly send the resolution and new boundaries to (1) the county clerk of courts, (2) the Department of Legislative Services, and (3) where applicable the Maryland-National Capital Park and Planning Commission.

The Maryland Municipal League

The Maryland Municipal League, founded in 1936, represents 157 municipal governments and two special taxing districts throughout the State. A voluntary, nonprofit, nonpartisan association controlled and maintained by city and town governments, the League works to strengthen the role and capacity of municipal government through research, legislation, technical assistance, training, and the dissemination of information for its members. Through its membership in the National League of Cities, the League offers legislative representation in Washington, urban research programs, and a national municipal government information exchange.



MARYLAND MUNICIPAL LEAGUE

an association of cities and towns

1212 West Street
Annapolis, MD
21401-3610

410/268-5514
800/492-7121

E-mail – mml@mdmunicipal.org
WEB URL – www.mdmunicipal.org

APG Media of Chesapeake, LLC
29088 Airpark Drive
Easton, MD 21601

05/01/23

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 05/01/23
	Ad Date: 05/03/23
	Class: 10
Name: Joanne Drummer	Ad ID: 3021135
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 250
	Lines: 45
Telephone: (410) 822-2525	Agate Lines: 216
Email:	Depth: 6.0
Description: Planning Comm Meeting	Inserts: 2
	Blind Box:

Other Charges:	\$0.00	Total:
Discount:	\$0.00	
Surcharge:	\$0.00	Paid Amount:
Credits:	\$0.00	
Bill Depth:	6.0	Amount Due:

CREDIT CARD DETAILS

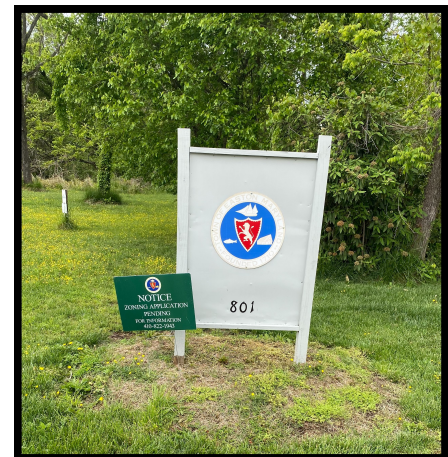
PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	05/03/23	05/03/23	1	

Ad Note:

Customer Note:

Planning Commission MEETING AGENDA	
Thursday, May 16, 2023 - 7:00 PM Council Chambers, Easton Town Office 14 S Harrison Street	
1. Call to Order	
2. Approval of Minutes	
3. a. Approval of the Draft Decision Summary from the April 20, 2023 meeting.	
3. Old Business	
a. Applicant: Brett Ewing - Lane Engineering, LLC	
Owner: 5001 SHR, LLC	
Location: Oxford Road, Poplar Hill	
Nature of Request: Supplemental Growth Allocation Request to seek a recommendation from the Planning Commission to the Town Council for the granting of supplemental growth allocation to reclassify 65.977 acres +/- from RCA to IDA.	
4. New Business	
a. Applicant: Lane Engineering, LLC	
File No.: 2023-803	
Location: Middlebrook Commerce Business Park Lot 1	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 1	
Nature of Request: Site Plan and Stormwater Management approval of a proposed warehouse building and a one-story office building with associated stormwater management, parking and landscaping.	
b. Applicant: Lane Engineering, LLC	
File No.: 2023-804	
Location: 28877 Fausley Wood Court, Lot 7A	
Zoning District: Tax Map 25, Grid 16, Parcel 0138, Lot 7A	
Nature of Request: Site Plan and Stormwater Management approval of a proposed two-story office building, two storage buildings, and a one-story office building with associated stormwater management, parking and landscaping.	
c. Owner: Town of Easton	
Location: Easton Point Park Annexation	
Nature of Request: Consideration of the annexation of Easton Point Park (formerly Southern States Property), and a formal recommendation to the Town Council.	
6. Discussion Item	
6. Adjournment.	
3021135 SD	5/3/2023



Sign posted on May 3, 2023

We Appreciate Your Business!
Thank You Joanne Drummer!



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

May 3, 2023

Dear Resident,

The Easton Planning Commission will hold a public meeting on **Thursday, May 18, 2023 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that the Easton Planning Commission will meet to discuss the proposed annexation of Easton Point Park (formerly Southern States property) and to formulate a recommendation on the request to the Town Council. The property is currently owned by the Town of Easton and is proposed to be zoned Mixed-Use Waterfront (MXW) upon annexation into the Town.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies are also available for review via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith
Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov