



**Talbot County Planning Commission
Town of Easton Planning Commission
Joint Hearing Decision Summary**

Tuesday, April 4, 2023 at 5:30 p.m.
Avalon Theater - 40 E. Dover Street, Easton

Archived video of this meeting is available at the MCTV YouTube channel:
[youtube.com/midshorecommunitytelevision](https://www.youtube.com/midshorecommunitytelevision)

Attendance:

County Commission Members:

Chip Councill, Chairperson
Michael Strannahan, Vice Chairperson
James Corson
William Boicourt
Paul Spies

Town Commission Members:

Jennifer Dindinger, Chairperson
Philip Toussaint, Vice Chairperson
Paul Weber

Absent:

Town Commission Members:

Victoria McAndrews

Recused:

Town Commission Members:

William Ryall

County Staff:

Brennan Tarleton, Planning Officer
Elisa Deflaux, Planner II
Bryce Yelton, Planner II
Andy Meehan, County Attorney
Mike Mertaugh, Assistant County Engineer

Town Staff:

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

- 1. Introductions**— County Chairperson Councill and Town Chairperson Dindinger called the meeting to order at 5:30 p.m.

2. Hearing Session —

A joint hearing was called between the Town and County Planning Commission on behalf of 5001 SHR, L.C. to formally request 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, designated as Resource Conservation Area (RCA) to be reclassified as Intensely Developed Area (IDA). Mr. Ryan D. Showalter,

Esq. gave a brief introduction to their presentation of the project, responded to the criteria of the Allocation Standards and Factors under the Critical Area Commission, and the processes involved within the Planned Unit Development Review. Mr. Showalter's responses to the Standards and Factors are below:

a. Growth Allocation Standards — The Growth Allocation Standards are defined under State law in Natural Resources Article § 8-1808.1 and under COMAR 27.01.01.06-3 and are implemented in the Town of Easton Code § 28-501.81 and Talbot County Code § 190-15.3.

- i. A new intensely developed area shall be at least 20 acres:* the applicant is proposing an IDA of 65.977 acres.
- ii. No more than 50% of the County's growth allocation may be utilized on lands located in the RCA, unless all Critical Area Commission-approved alternate standards are met:* Talbot County currently has approximately 1,872.28 acres of available allocation, and the 65.977 acres of proposed reallocation is below the 50% threshold.
- iii. Locate a new Intensely Developed Area adjacent to an existing Intensely Developed Area:* the proposed IDA is adjacent to existing IDA properties located at Easton Club, Papermill Crossing, Easton Bypass, and Mallard Ridge.
- iv. Locate a new Intensely Developed Area in a manner that minimizes impacts to habitat protection areas as defined in COMAR 27.01.09, and enhances water quality and impacts to the defined land uses of the RCA:* the applicant has proposed a Buffer Management Plan with an established 100' shoreline buffer, and includes a 200' planting buffer.
- v. Locate a new Intensely Developed Area in a Resource Conservation Area at least 300' beyond the landward boundary of tidal wetlands or tidal waters:* In addition to the proposed Buffer Management Plan, the applicant has also proposed pollution reduction measures through a Stormwater Management Plan and a Forest Conservation Plan that will enhance the water quality to meet or exceed the 10% pollutant reduction.

b. Growth Allocation Factors — the Growth Allocation Factors are organized under consideration by the Critical Area Commission staff for reviewing Growth Allocation requests.

- i. Consistency with the jurisdiction's adopted Comprehensive Plan:* Staff reports from the respective Town and County Planning and Zoning Departments concluded that the proposed project conforms to the goals and objectives outlined in the adopted Comprehensive Plan.

- ii. *For a new Intensely Developed Area, the development will be served by a public wastewater system; have a density of at least 3.5 units per acre; be located in a Priority Funding Area for a new intensely developed area greater than 20 acres:* the property is located within the Town of Easton limits and will be served by Easton Utilities, and is expected to receive service from the Town's wastewater treatment plant. The average density of the proposed property will be 3.80 units per acre. The proposed Intensely Developed Area is located in a Municipal Priority Funding Area, and is 65.977 acres.
- iii. *Consistency with State and regional environmental policies and the environmental impacts associated with stormwater and wastewater management:* the proposed Stormwater Management Plan is expected to conform under the 10% pollutant reduction requirement. The proposed property will not cause an increased risk of flooding as it is not located in a coastal hazard area.
- iv. *The Intensely Developed Area is not to exceed 5% of the Resource Conservation Area lands:* the proposed allocation of 65.977 acres is less than the 5% of RCA land in the County.

Applicant Presentation:

Ryan D. Showalter, Esq.
 Brett Ewing, Lane Engineering
 Jarret Byer, Lane Engineering
 Kevin Sills, Mid-Atlantic Real Estate Investments, Inc.
 Michael Lenhart, Lenhart Traffic Consulting, Inc.

Public Comment:

John Farehall
 Tom Ledvina, Papermill Crossing HOA
 Phil Livingston
 Reggie Taylor
 Betty Manche
 John Pepe
 Bruce Harrington
 Jim Wilcox
 Karen Starr
 Owen Bailey, Eastern Shore Land Conservancy
 Matt Pluta, Shore Rivers
 Tom Alspach, Talbot Preservation Alliance
 Marc Ebersberger

- 3. **Adjournment**– Town Chairperson Dindinger moved to adjourn. The meeting was adjourned at 7:25 p.m.