



**Town of Easton Planning Commission
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**—Commissioner 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.

Vote	5-0
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 temporary seasonal request through November 30, 2023 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.
6. The applicant shall produce mechanical equipment screening at the top of the temporary structure as deemed appropriate by staff and the Commission.

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

4. 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.

Vote 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 Rogers, 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.

Vote	5-0
FOR:	5- Dindinger, Toussaint, McAndrews, Ryall, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

5. 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 18, 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 sought input from Parks and Recreation on the community need for sports parks.
 - 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.