



**Town of Easton Planning Commission
Decision Summary**

Thursday, February 15, 2024 at 1:00 p.m.

Town Hall Chamber 2

14 S. Harrison Street, Easton, Maryland

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
Tom Klein
William Ryall
Michael Ports, Alternate

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh Esq, Town Attorney
Rick Van Emburgh, Town Engineer
Samantha Smith, Administrative Specialist

Absent:

Commission Members:

Victoria McAndrews

Staff:

Joseph Mayer, Plan Reviewer

- 1. Call to Order** — Chairperson Dindinger called the meeting to order at 1:00 pm.
- 2. Decision Summary Review** —
 - a. January 18, 2024 - The Commission noted the following correction to the draft decision summary:
 - i. Line 155: Strike: “...review draft findings of a park board study”; Add: “draft language for the Parks and Recreation 2024 Annual Plan”.

Vice Chairperson Toussaint moved to approve the January 18, 2024 Decision Summary with amendments. Commissioner Ryall seconded the motion.

<u>Vote</u>	<u>5 - 0 - 1</u>
FOR:	5 - Dindinger, Toussaint, Klein, Ports, Ryall
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - McAndrews

3. Old Business

- a. **Applicant:** Shoregate of Cannery Commercial LLC
File No.: 2023 - 996
Location: 503 North Street, Easton, MD 21601
Tax Map 103, Grid 0EA, Parcel 0756, Lots 3 & 4
Zoning: BC
Request: The applicant is seeking architectural approval of three (3) multifamily residential buildings and an amenity building. This application received sketch site plan approval by the Commission for the construction of the residential buildings and amenity building at their December 21, 2023 meeting subject to the following conditions:

1. The applicant shall return to the Planning Commission for architectural approval, and to address all concerns regarding the architectural design.
2. The applicant shall examine the feasibility to provide a playground or tot lot within the Stormwater area.
3. The applicant shall explore all options for a pedestrian crosswalk at North Street/Elizabeth Street with the Town Engineer and Commissioner Klien.

Staff Presentation:

Miguel Salinas, Director of Planning and Zoning
Lynn B. Thomas, Town Planner - Long Range

Applicant Presentation:

Brett Ewing, Lane Engineering
Lauren White, Fisher Architecture

Public Comment:

Tom Ledvina, Talbot Preservation Association

Public Comment Written:

Catherine Liebl, 412 Salmon Avenue

**Vice Chairperson Toussant moved to approve the architecture as submitted.
Commissioner Ryall seconded the motion.**

The Commission made a request for the applicant to explore the feasibility of providing a playground or tot lot within the Stormwater area with Staff during the Development Site Plan review phase.

Vote 5 - 0 - 1

FOR: 5 - Dindinger, Toussaint, Klein, Ports, Ryall

AGAINST: 0

ABSTAIN: 0
ABSENT: 1 - McAndrews

- b. Applicant:** **Habitat for Humanity**
File No.: **2022 - 722 / 2024 - 1109**
Location: 310 South Street, Easton, MD 21601
Tax Map 104, Grid 0EA, Parcel 1864, Lot 10
Zoning: R-7A
Request: The applicant is seeking an amendment to a previously approved Planned Redevelopment (PR) Overlay for a reduced side-yard setback. In July of 2022, the applicant received site plan approval for the development of five (5) single family detached units on the property located at 35, 40, 108 and 119 South Locust Lane and 310 South Street, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback at 310 South Street. On April 11, 2022 the applicant received a Certificate of Appropriateness from the Historic District Commission (HDC) for a new single family dwelling at 310 South Street. The Certificate of Appropriateness has lapsed six (6) months after issuance of the certificate, and the applicant is anticipated to return to the HDC at their February 12, 2024 for the approval of a two-story single-family structure. The scope of work remains unchanged from what was originally approved by the Commission in July, 2022.

Staff recommends the following condition:

1. The applicant shall obtain a Certificate of Appropriateness from the Historic District Commission, and address all outstanding ESDR review comments.

Staff Presentation:

Miguel Salinas, Director of Planning and Zoning
Lynn B. Thomas, Town Planner - Long Range

Applicant Presentation:

William B. Stagg

Public Comment — None

**Commissioner Ports moved to approve the amended application as submitted.
Commissioner Klein seconded the motion.**

Vote 5 - 0 - 1
FOR: 5 - Dindinger, Toussaint, Klein, Ports, Ryall
AGAINST: 0
ABSTAIN: 0
ABSENT: 1 - McAndrews

- c. **Applicant:** Armistead, Lee, Rust & Wright, P.A.
File No.: 2021 - 473
Location: 29659 Matthewstown Road, Easton, MD 21601
Tax Map 026, Grid 0020, Parcel 0045
Zoning: PUD with a base zoning district of A-1
Request: The applicant is seeking an extension of a previously approved Planned Unit Development (PUD) that entitles the development of the Gannon Range mixed-use subdivision through December 31, 2024. The project was approved by the Town Council pursuant to Ordinance No. 773 with an effective date of March 13, 2022. On December 20, 2023 the Improvement Plans for Gannon Range were approved.

Update: On February 5, 2024, the Town Council approved Ordinance 803, amending the language of PUD approvals for multi-phased projects in Chapter 28 of the Town Zoning Code. Under the new Ordinance, a multi-phased PUD approval will lapse at three (3) years rather than the current two (2) years. Considering that Town Ordinances are effective 20 days after the Mayor's signature, Ordinance 803 will not be effective until February 25, 2024 at the earliest. Although it may be unnecessary, it would be proactive for the Commission to consider and act upon this request prior to the March 13, 2024 expiration.

Staff Presentation:

Miguel Salinas, Director of Planning and Zoning
Lynn B. Thomas, Town Planner - Long Range

Applicant Presentation:

Zachary A. Smith *Esq.*

Public Comment — None

Commissioner Ryall moved to grant the PUD extension request through December 31, 2024. Commissioner Klein seconded the motion.

<u>Vote</u>	<u>5 - 0 - 1</u>
FOR:	5 - Dindinger, Toussaint, Klein, Ports, Ryall
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - McAndrews

4. New Business

- a. **Applicant:** Rise Up Dover Road LLC
File No.: 2024 - 1079
Location: 618 Dover Road, Easton, MD 21601

Tax Map 105, Grid 0EA, Parcel 1021

Zoning: CB

Request: The applicant is seeking sketch site plan and architectural approval to construct a one-story addition comprising 928.2 square feet (SF) of gross floor area (GFA) to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.

Staff recommends the following condition:

1. The applicant shall address all outstanding ESDR review comments, and obtain all applicable permits from the Town's Building Inspection Division and Talbot County Health Department.

Staff Presentation:

Miguel Salinas, Director of Planning and Zoning

Lynn B. Thomas, Town Planner - Long Range

Applicant Presentation:

Zachary A Smith *Esq.*

Ozzie Jimenez, Rise Up Coffee Roasters LLC

Public Comment:

Kendrick Daly

Vice Chairperson Toussaint moved to approve the site plan and architecture subject to the condition that the applicant shall address all outstanding Easton Staff Development Review (ESDR) comments, and that the applicant shall obtain all applicable permits from the Town's Building Inspection Division and Talbot County Health Department. Commissioner Ports seconded the motion.

Vote 5 - 0 - 1

FOR: 5 - Dindinger, Toussaint, Klein, Ports, Ryall

AGAINST: 0

ABSTAIN: 0

ABSENT: 1 - McAndrews

b. Applicant: GLMV Architecture LLC

File No.: 2024 - 1120

Location: 8091 Ocean Gateway, Easton, MD 21601
Tax Map 105, Grid 000, Parcel 2844, Lot 2

Zoning: CG

Request: The applicant is seeking architectural approval for reconstruction to the exterior of the property located at 8091 Ocean Gateway for a standalone Taco Bell restaurant destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.

Staff recommends the following condition:

1. The applicant shall obtain all applicable permits from the Town's Building Inspection Division and Talbot County Health Department.

Staff Presentation:

Lynn Thomas, Town Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Rosa Paddock, GLMV Architecture LLC

Dan Pellissier, Southpaw

Public Comment — None

Commissioner Klein moved to approve the architecture subject to the condition that the applicant shall obtain all applicable permits. Vice Chairperson Toussaint seconded the motion.

The Commission made a request for the applicant to provide a landscape plan with appropriate plantings during the Building Inspection review phase.

Vote 5 - 0 - 1

FOR: 5 - Dindinger, Toussaint, Klein, Ports, Ryall

AGAINST: 0

ABSTAIN: 0

ABSENT: 1 - McAndrews

5. Discussion Items

- a. Draft review of the Inclusionary Zoning Ordinance — Mr. Miguel Salinas introduced the most recent draft of the Inclusionary Zoning Ordinance and provided additional background information on its components. Pursuant to § 3-114 of the Annotated Code of Maryland's requirement for local jurisdictions to address an affordable housing element within their Comprehensive Plan, § 7-401 of the Annotated Code gives local legislative bodies the authority to enact local laws that impose inclusionary zoning, and awards density bonuses to create affordable housing units; and restricts the use, cost, and resale of housing to ensure that the objectives of addressing affordable housing are imposed.

A draft of this Ordinance was first written in 2005 before it was tabled and subsequently updated and discussed before the Council in 2023 as part of three Housing Task Force workshops. Attachments to the draft ordinance include an analysis and examples of median family income and income limits for Easton and

Talbot County, and a comparison of several jurisdictions within and outside of the State of Maryland that have similar ordinances. The Commission will begin more detailed discussion on this draft of the Inclusionary Zoning Ordinance at a future meeting or meetings, and is anticipated to forward a recommendation to the Town Council prior to the introduction of new legislation.

- b. **Attainable Housing Task Force** — Subsequent to a Housing Task Force workshop in July of 2023, the Council advocated for the formation of a Housing Work Group to review and revise the current draft of the Inclusionary Zoning Ordinance. This work group included Council Members Maurren Curry and Rev. Elmer Davis; Mayor Megan Cook; Town Manager Don Richardson; Town Attorney Sharon VanEmburch; Planning and Zoning Director Miguel Salinas; Long Range Town Planner Lynn Thomas; Holly Dekarske from the Easton Economic Development Corporation; and Jim Bent from the Affordable Housing Board. Subsequent to a joint Council and Commission workshop primarily focused on missing middle housing, the Council supported the formation of an Attainable Housing Task Force that is larger and broader than the work group. This task force intends to meet over the course of four months with the objective of providing the Council a comprehensive set of strategies that furthers attainable housing in Easton. The Commission discussed potential members on the task force.

Chairperson Dindinger called for a brief recess at 2:25 p.m. The meeting was called to Order at 2:30 p.m.

- c. **Continued discussion of New Town Design Guidelines** — Vice Chairperson Toussaint initiated the discussion with a word association exercise using the popular New York Times word puzzle “Connections”. Using the list of words inspired by the Three Principles of Architecture at their January meeting, the Commission developed common themes and associated categories for those words including: Community & Space; Sustainability & Investment; Functionality, Interface, Engagement & Use; Context and Emotional Reaction, Interactive & Sensory. Vice Chairperson Toussaint and the Commission will continue to further develop this language to be easily interpreted within the Comprehensive Plan and that will bridge inconsistencies to be found between the Zoning Ordinance and the Comprehensive Plan.

- 6. **Adjournment** — Chairperson Dindinger moved to adjourn. Commissioner Klein seconded the motion. The meeting was adjourned at 3:33 p.m.