



Town Council AGENDA

Monday, August 19, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

5:30 PM: Call to Order by President Gunsallus.

Opening remarks by Councilmember Curry and Pledge of Allegiance.

Approval of Minutes.

Meeting minutes of 8/5/24.

Meeting minutes of Closed Executive Session 8/5/24.

Meeting minutes of Special Meeting 8/12/24.

Municipal Official Items.

Items by Mayor Cook.

Appointment Confirmation for Easton Utilities Commissioner.

Items by Interim Town Manager

Public Assembly Event, Ceremony to Commemorate the Events of
September 11, 2001 9/11/24 - 8:30a.m. Gas Plant

Items by Town Attorney.

Ms. Holly DeKarske, Executive Director to update Mayor and Council on EEDC.

Ms. Joan Brooks with members of American Legion Post 77 to discuss Hometown Heroes.

Legislation.

Ord. 827, "AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE APPLICATION OF NAI SATURN EASTERN, LLC AND MILLER DEVELOPMENT CORP. FOR A PLANNED UNIT DEVELOPMENT UNDER THE PROVISIONS OF THE EASTON ZONING CODE"

Res. 6195, "A RESOLUTION OF THE TOWN OF EASTON AMENDING THE TOWN OF EASTON, MD DEFINED CONTRIBUTION 401(a) RETIREMENT PLAN."

Public Participation/Comments.

Items by Members of the Council:

Adjournment.

The public can access the meeting as follows:

<https://www.eastonmd.gov/129/Agendas-Minutes>

If you are an Easton Cable subscriber, you can view the meeting through TV-Channel 98.

Please note: There is a possibility of all or part of the meeting may be held in Closed Session.



Town of Easton

14 S. HARRISON STREET, EASTON, MARYLAND 21601

MEGAN JM COOK
MAYOR

410-822-2525
mcook@eastonmd.gov

MEMORANDUM

TO: Mr. Frank Gunsallus, President of the Council
Members of the Town Council

cc: Alan Lowery
Sharon VanEmburch

FROM: Megan JM Cook *mjm*

SUBJECT: Appointment to the Easton Utilities Commission

DATE: August 19, 2024

Due to Commissioner Lee Gordon's recent move to a new residential address, it is necessary to appoint a commissioner for the remainder of her unexpired term.

Upon the full support from President & CEO John Horner, I am asking for confirmation for the appointment of Cheryl R. Palumbo to fill Commissioner Gordon's six-year term which will expire April 21, 2027. Ms. Palumbo's resume is enclosed for your reference.

Your consideration for the confirmation of Cheryl Palumbo's appointment to the Easton Utilities Commission is appreciated.



CHERYL R. PALUMBO

SR. VICE PRESIDENT | FINANCIAL ADVISOR
THE SRPA GROUP | BAIRD
410-822-2160

SUMMARY OF QUALIFICATIONS

- Demonstrated Ability to Develop and Maintain Client Relationships
- Effective Negotiation and Motivational Skills
- Efficient Planning & Organization
- Proficient In-Depth Financial Analysis
- Proven Problem-Solving Abilities

SKILLS & LICENSES

- Series 7 & 66 Licensed
- Life, Health & LTC Insurance Licensed
- Proficient in Microsoft Office Suite
- Excellent communication & organizational skills
- Emotional intelligence & strong interpersonal skills

EDUCATION

- Texas Tech University
Bachelors of Business Administration

CONTACT INFO

7823 Woodland Circle
Easton, MD 21601
C: (410) 829-3056

E: cpalumbo@rwbaird.com

EXPERIENCE

2009-Current – BAIRD

Easton MD

- Senior Vice President/Financial Advisor – specializing in financial planning, risk management, and asset allocation; with deep commitment to helping clients achieve their financial objectives.

2001-2009 – Legg Mason, Smith Barney & Morgan Stanley

- Financial Advisor - Through swap transaction, Legg Mason Advisors merged with Smith Barney, who subsequently merged with Morgan Stanley.

1996-2001 – Full-time Mom

Easton MD

1991-1995 – Ryland Mortgage Company

Richmond VA

- Elevated to Vice President and Operations Manager – managed the securitization process for one of the largest private-label issuers of residential mortgage-related securities.
- Orchestrated issuance of over 50 public & private label mortgage-backed security offerings in excess of \$11billion.
- Negotiated business issues with various participants, incl: underwriters, mortgage bankers, insurers, servicers, rating agencies, legal counsel, and independent accountants.

1988-1991 – PACIFICORP Capital, Inc

Reston VA

- Finance Specialist – managed and implemented computer collateralized non-recourse debt financing, loan prepayments, collateral substitutions and equity sale transactions for the computer leasing corporation.

1987-1988 – Temps & Company, Inc

Alexandria VA

- Account Manager – responsible for the supervision of an average 75 temporary employees, including hiring, job placement, and performance & salary evaluations. Managed top ten client accounts.

LEADERSHIP

- Currently Serving as Secretary on Saints Peter & Paul Finance Council (2016-Current)
- Served as Treasurer and Member of Soroptimist International of Talbot County (2006-2022)
- Served as Treasurer and Member of SSPP Parent Association (2004-2016)

EASTON POLICE DEPARTMENT

"With Pride We Serve"

UPCOMING PUBLIC ASSEMBLY EVENT

TO: Mayor Cook and Chief Lowrey
DATE: August 14, 2024
PREPARED BY: 1st Sgt. P. Sally 0135
PAP #: 24-033
Received: August 13, 2024

EVENT: Ceremony to Commemorate the Events of September 11, 2001

APPLICANT: Clay B. Stamp – Talbot County Government

LOCATION: Gas Plant Location – Corner of West St. and Dover St.

DATE/TIME: September 11, 2024 0830

ATTENDANCE: Approx. 50 - 100

PURPOSE: To commemorate the events of September 11, 2001

DETAILS:

- Commemoration of the September 11 events. The police department will block off the streets for safety

SPECIAL REQUESTS:

- None

EPD CONCERNS:

- None

APPROXIMATE COST:

- No Cost for the Police Department

RECOMMENDATIONS: Approve



- LEGEND
- Brick paving
 - Planting or Lawn
 - Tree Grates

139 N. Washington St.

139 N. WASHINGTON ST. | EASTON, MD 20814

1ST ELECTION DISTRICT
TALBOT COUNTY, MD
WSSC GRID:
TAX MAP:

MNCPPC:

OWNER / CLIENT

MILLER GROUP
8120 Woodmont Ave, Ste 160 | Bethesda, MD 20814
202.752.9866 | www.miller.group

ARCHITECT

mauricewalters | architect
400 7th St NW, Ste 502 | Washington, DC 20004
202.675.1094 | www.mwaltersarchitect.com

CIVIL ENGINEER

Lane Engineering, LLC
117 Bay St. | Easton, MD 21601
410.822.8003 | www.leinc.com

LANDSCAPE ARCHITECT

OEHME, VAN SWEDEN
800 G St SE | Washington, DC 20003
202.546.7575 | www.ovsla.com

LAND USE ATTORNEY

McAllister, DeTar, Showalter & Walker, LLC
100 N. West St | Easton, MD 21601
410.820.0222 | www.mdswlaw.com

Issues / Revisions

NO.	DESCRIPTION	DATE

Professional Seal



I hereby certify that these document were prepared or approved by me, and that I am a duly licensed professional architect under the laws of the State of Maryland.

NAME: MAURICE WALTERS
LICENSE No: 13218
EXPIRATION DATE: 09/03/2024

Drawing Title
LANDSCAPE PLAN

Sheet No.

L001

Scale

1/16"=1'-0"

EASTON PLANNING COMMISSION - 05.16.24

A photograph of a garden path lined with flowering trees and hedges, leading to a large blue urn. The path is made of light-colored gravel and is flanked by low, green hedges. On either side of the hedges are rows of young trees with white blossoms, likely cherry trees. The path leads towards a large, blue, classical-style urn placed on a small, light-colored stone platform. The background is filled with more greenery and trees, creating a sense of depth and tranquility.



A close-up photograph of a brick wall. The wall is constructed from reddish-brown bricks laid in a traditional pattern. The top of the wall features a decorative arch or coping made of bricks. Behind the wall, there is dense green foliage, including some dark green leaves and some lighter green, feathery plants. The lighting is bright, suggesting a sunny day.



NTS

Page 8 of 39



139 N. Washington St.

139 N. WASHINGTON ST. | EASTON, MD 20814

ST ELECTION DISTRICT
TALBOT COUNTY, MD
WSSC GRID:
TAX MAP:

ICPPC:

OWNER / CLIENT

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[illegible]

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NAME: MAURICE WALTERS
LICENSE No: 15649
EXPIRATION DATE: 09/03/2024

Drawing Title
SITE RENDERING

Sheet No.

A001

Scale 1" = 40'-0"



○ KEY PLAN 1-40
1" = 40'-0"

VIEW AT CORNER OF BAY ST AND WASHINGTON ST

EASTON TOWN COUNCIL - 06.17.24



VIEW FROM WASHINGTON ST TOWARD MEWS ENTRY



EASTON TOWN COUNCIL - 06.17.24

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NAME: MAURICE WALTERS

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EXPIRATION DATE: 09/10/2017

Drawing Title

SITE RENDERING

Sheet No.

A002

Scale

1" = 40'-0"



BAY ST.

VIEW IN MEWS TOWARD WEST ST



○ KEY PLAN 1-40
1" = 40'-0"

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EXPIRATION DATE: 09/03/2024

Drawing Title
SITE RENDERING

Sheet No.

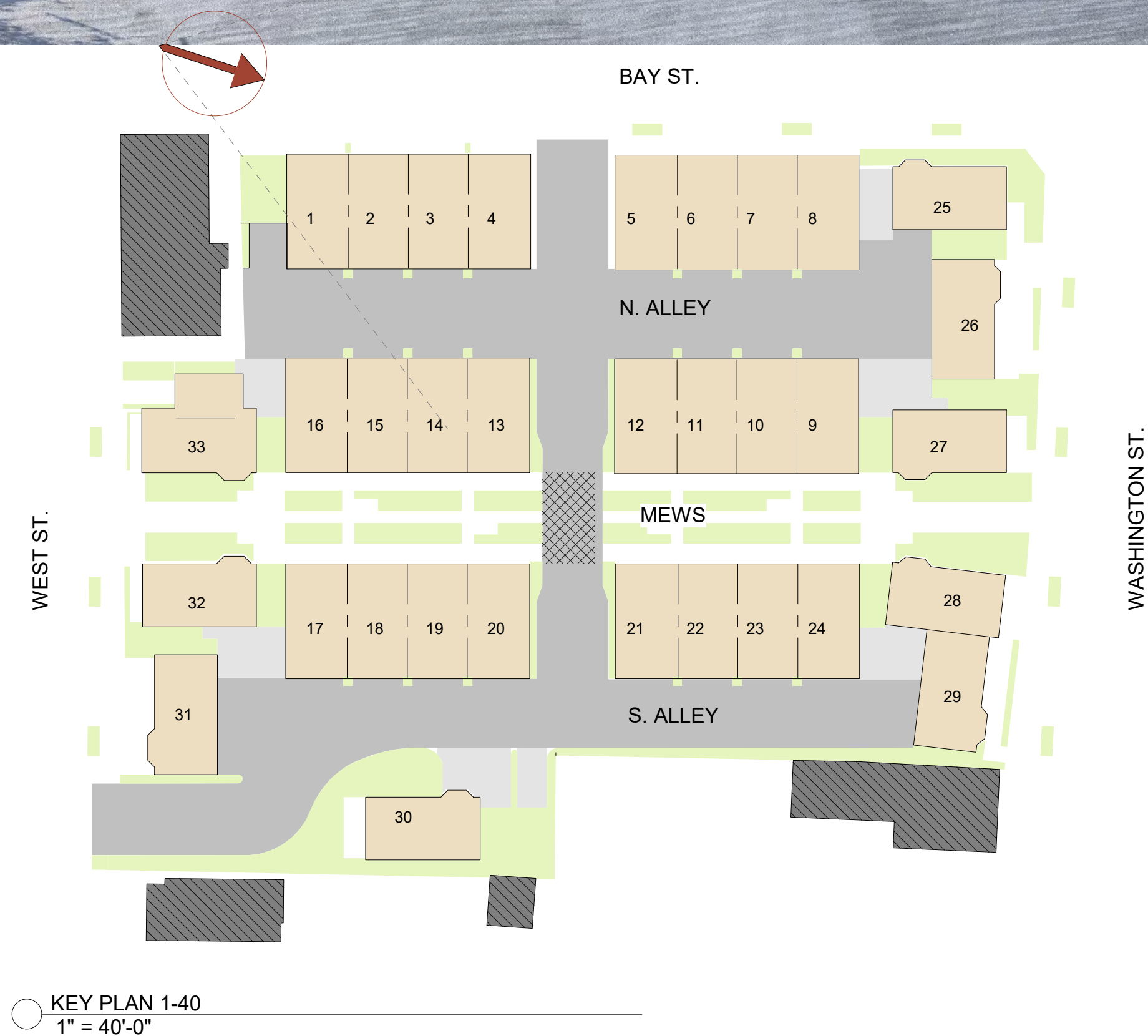
A003

Scale 1" = 40'-0"

EASTON TOWN COUNCIL - 06.17.24



VIEW FROM BAY ST TOWARD WASHINGTON ST.



KEY PLAN 1-40
1" = 40'-0"

139 N. Washington St.

139 N. WASHINGTON ST. | EASTON, MD 20814
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TALBOT COUNTY, MD
WSSC GRID:
TAX MAP:
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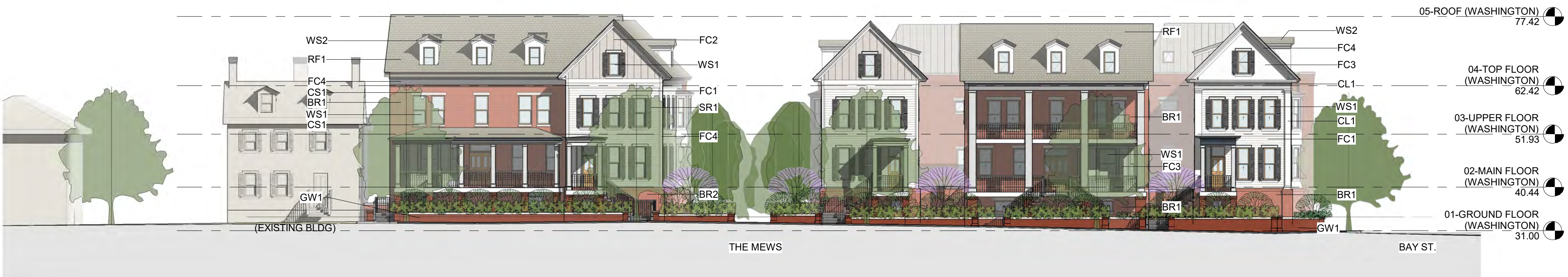
A006

Scale

1" = 40'-0"

EASTON TOWN COUNCIL - 06.17.24

Materials Legend	
Key Value	Keynote Text
BR1	BRICK A (RED)
BR2	BRICK B
BR3	BRICK C (RED)
BR5	STACKED BOND BRICK, MATCH BRICK
BR6	SOLDIER COURSE BRICK HEADER, MATCH BRICK
BR7	BRICK CORBEL, DETAIL, MATCH BRICK
BR8	CHECKERBOARD BRICK SPANDREL, MATCH BRICK
CL1	DECORATIVE PORCH COLUMNS AND ENTABLATURE
CS1	CAST STONE SILL,BAND/HEADER
CS2	CAST STONE COPING
DR1	TOWNHOUSE DOOR, SINGLE
DR2	TOWNHOUSE DOOR, DOUBLE
DR3	SECTIONAL ALUMINUM AND GLASS OVERHEAD GARAGE DOOR
DR4	TERRACE DOOR
FC1	CLAPBOARD SIDING (FIBER CEMENT)
FC2	VERTICAL SHIPLAP SIDING (FIBER CEMENT)
FC3	FIBER CEMENT PANEL
FC4	FIBER CEMENT TRIM
GW1	MASONRY GARDEN WALLS
MT1	DECORATIVE RAILING
MT2	STEEL LINTEL, PAINTED
RF1	SHINGLED ROOFING
RF3	STANDING SEAM METAL ROOF AND SIDING
SR1	SHUTTERS, OPERABLE
WS1	WINDOWS, HUNG OR AWNING
WS2	DORMER WINDOWS, HUNG OR AWING



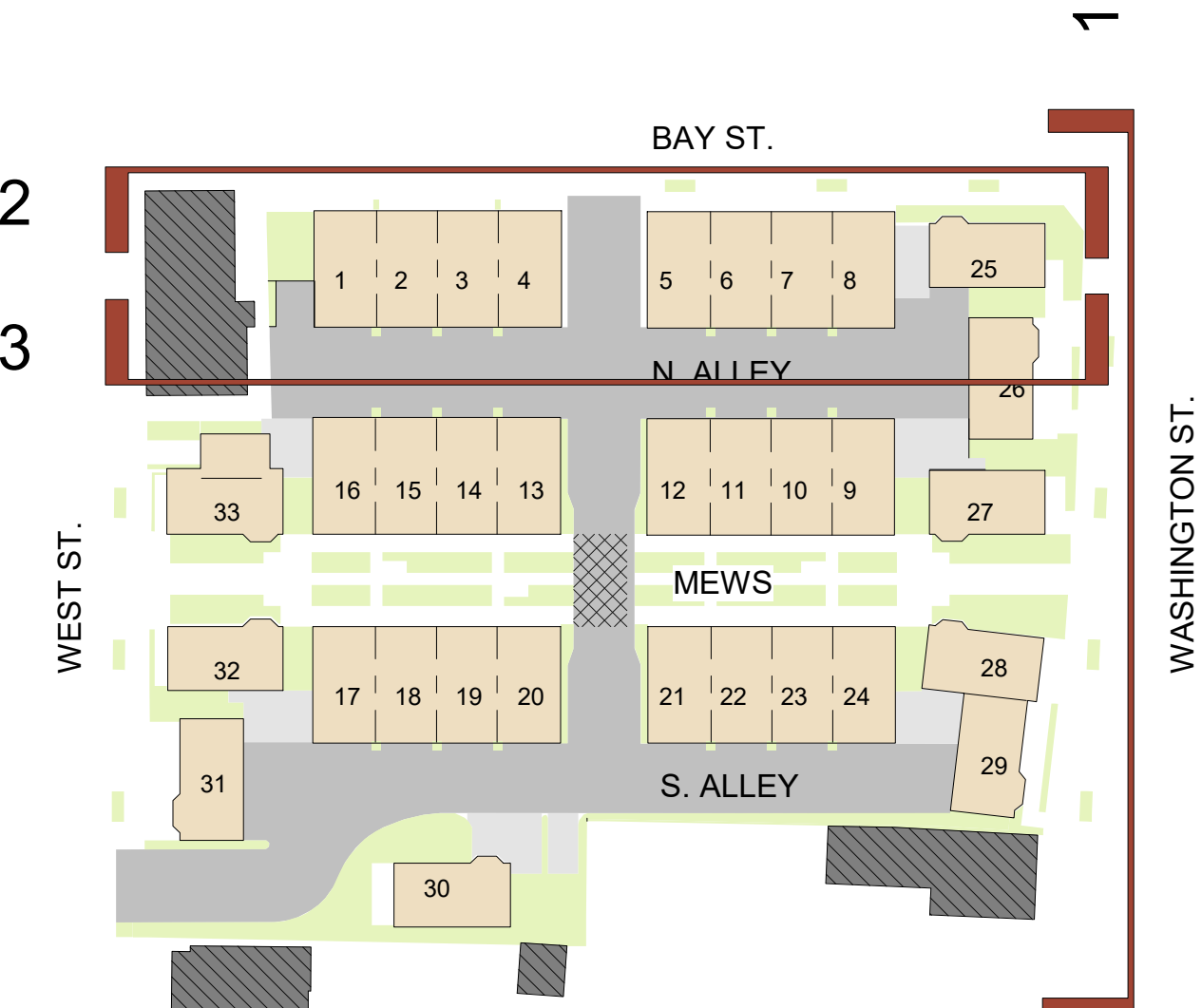
① Washington St - East Elevation
1/16" = 1'-0"



2 Bay Street - South Elevation
1/16" = 1'-0"



③ North Alley - North Elevation
1/16" = 1'-0"



EASTON TOWN COUNCIL - 06.17.24

139 N. Washington St.

139 N. WASHINGTON ST. | EASTON, MD 20814

1ST ELECTION DISTRICT
TALBOT COUNTY, MD
WSSC GRID:
TAX MAP:

MNCPPC:

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Issues / Revisions

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NAME: MAURICE WALTERS
LICENSE No: 15649
EXPIRATION DATE: 09/03/2024

Drawing Title

SITE ELEVATIONS

Sheet No.

SD - 201

Scale	As indicated
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Exhibit "A"

Page 17 of 39

Date: 04/29/2024 -- 8:56am User: jcarroll Project Manager: BCE
Drawing Path: C:\web\AcPublish\11068\CSK-PUD-PLTS-240014.dwg | 2-Aerial Context Plan
XREF File(s): VLD-BASE-240014/2024-03-18-CAR/CSF-SRCE-240014/CSK-BASE-240014/CBS-BASE-2436-240014/RAR-BASE-240014/RLD-EUC-OLD-BASE-240014/CSW-CSK-BASE-240014/XRN-PUD-BASE-240014/LP-PUD-BASE-240014



APPROVED:
TOWN OF EASTON - TOWN PLANNER
DATE
APPROVED:
TOWN OF EASTON - TOWN ENGINEER
DATE

APPROVED:
EASTON TOWN ENGINEER
DATE

REVISIONS TO APPROVED PLANS			
No.	DATE	DESCRIPTION	BY

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.

MISS UTILITY
DIG WITH CARE
PROTECT YOURSELF, GIVE TWO WORKING DAYS NOTICE
BEFORE YOU DIG CALL
1-800-441-8355 OR 311

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. Centreville, 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 engineer under the laws of the State of Maryland.
License No. 45188 - Expiration Date: 12/28/2025

SEAL

DATE: 4-26-24

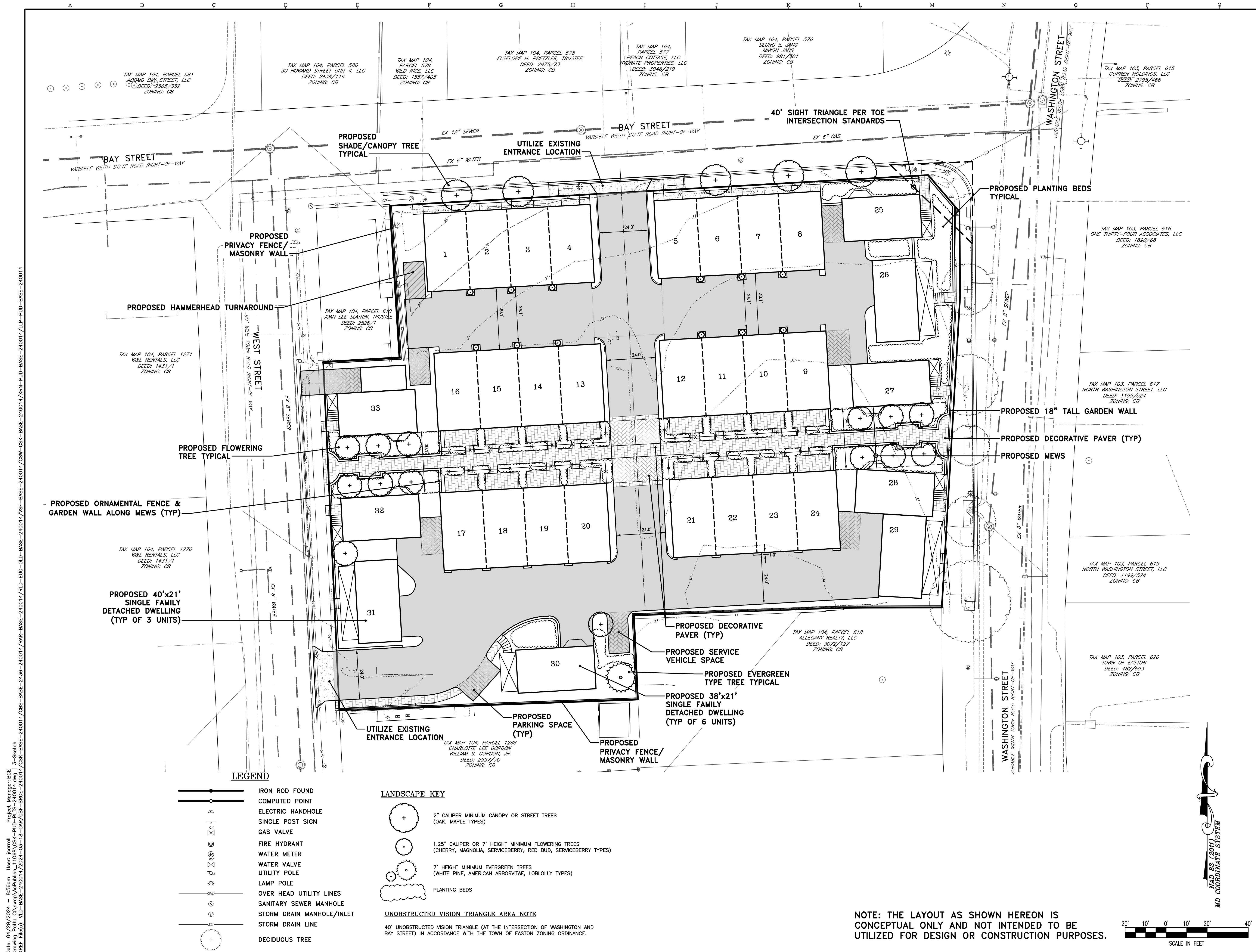
AERIAL
CONTEXT PLAN

ON THE LANDS OF
NAI SATURN EASTERN, LLC

IN THE TOWN OF EASTON, WARD DISTRICT 1
TALBOT COUNTY, MARYLAND
TAX MAP 104 TAX PARCEL 612

ISSUED/REVISED FOR: DATE: BY:
ESDR 04/03/24 BCE
PC 04/26/24 BCE

SHEET No. 2 OF 6
SCALE: AS NOTED
JOB No. 240014
FILE No. B412

[illegible]

WARNING!

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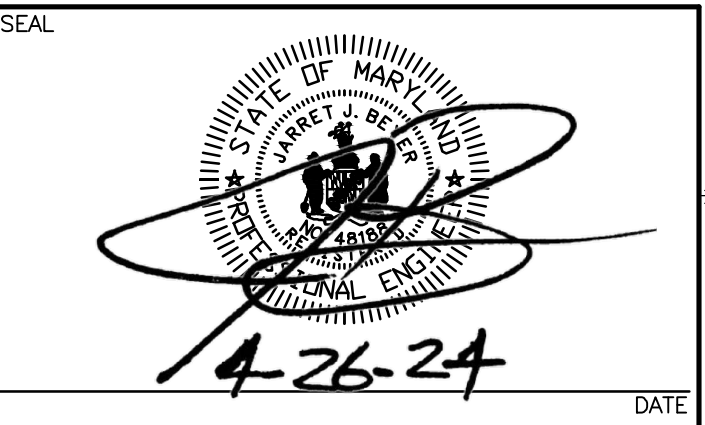


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15 Washington St. Cambridge, MD 21613 (410) 221-0818
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SKETCH
SITE PLAN

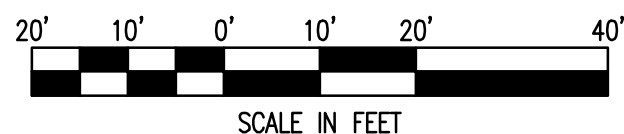
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TALBOT COUNTY, MARYLAND
TAX MAP 104 TAX PARCEL 612

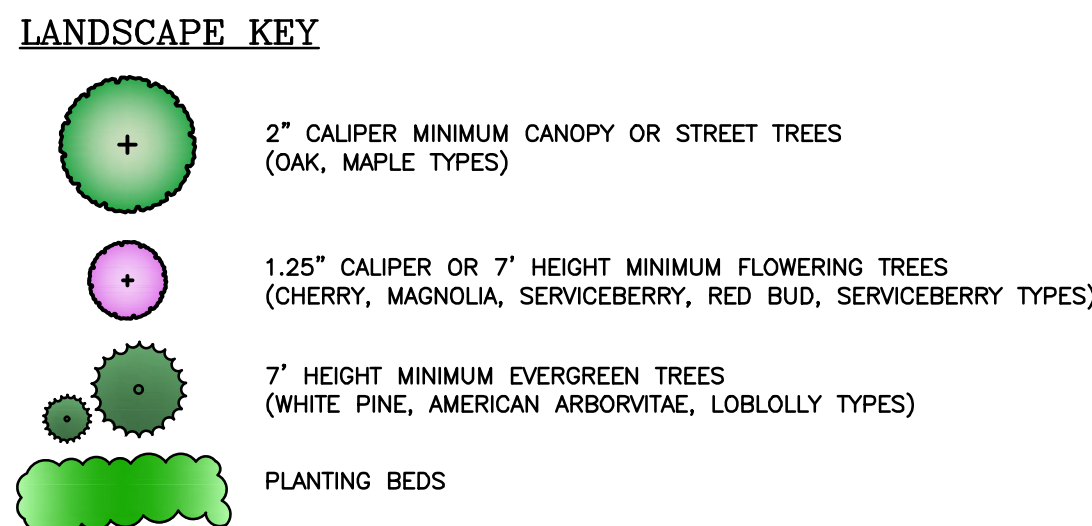
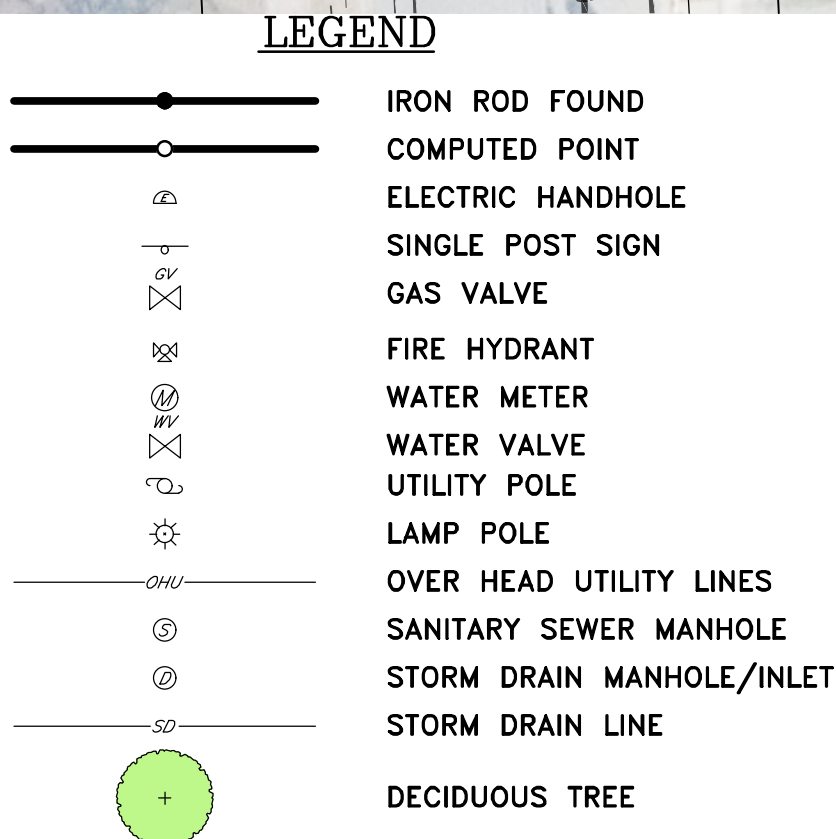
ISSUED/REVISED FOR:	DATE:	BY:
ESDR	04/03/24	BCE
PC	04/26/24	BCE

SHEET No. 3 OF 6	
SCALE: AS NOTED	JOB No. 240014
	FILE No. B412

NOTE: THE LAYOUT AS SHOWN HEREON IS
CONCEPTUAL ONLY AND NOT INTENDED TO BE
UTILIZED FOR DESIGN OR CONSTRUCTION PURPOSES.

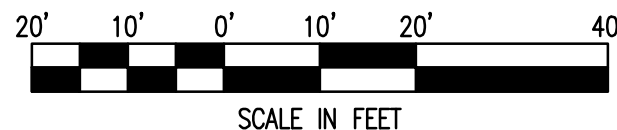


Date: 04/29/2024 - 8:56am User: jcorroll Project Manager: BCE
Drawing Path: C:\webp\acPublish\11068\CSK-PUD-PLTS-240014.dwg | 4-Illustrative
XREF File(s): VLD-BASE-240014/2024-03-18-CAR/CSF-SRCE-240014/CSK-BASE-240014/CBS-BASE-2436-240014/RAE-BASE-240014/RLD-EUC-OLD-BASE-240014/VSF-BASE-240014/XRN-PUD-BASE-240014/LP-PUD-BASE-240014



UNOBSTRUCTED VISION TRIANGLE AREA NOTE
40' UNOBSTRUCTED VISION TRIANGLE (AT THE INTERSECTION OF WASHINGTON AND BAY STREET) IN ACCORDANCE WITH THE TOWN OF EASTON ZONING ORDINANCE.

NOTE: THE LAYOUT AS SHOWN HEREON IS CONCEPTUAL ONLY AND NOT INTENDED TO BE UTILIZED FOR DESIGN OR CONSTRUCTION PURPOSES.



APPROVED:

PLANS ARE ISSUED FOR REVIEW ONLY

TOWN OF EASTON - TOWN PLANNER DATE

APPROVED:

PLANS ARE NOT APPROVED FOR CONSTRUCTION

EASTON TOWN ENGINEER DATE

REVISIONS TO APPROVED PLANS			
No.	DATE	DESCRIPTION	BY

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SEAL
STATE OF MARYLAND
JAMES H. LANE
Professional Engineer
4-26-24
DATE

ILLUSTRATIVE SITE PLAN
ON THE LANDS OF NAI SATURN EASTERN, LLC
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TALBOT COUNTY, MARYLAND
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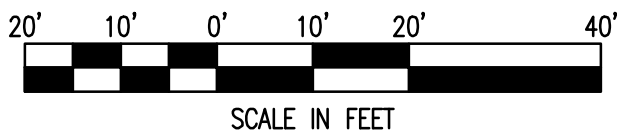
ISSUED/REVISED FOR: DATE: BY:
ESDR 04/03/24 BCE
PC 04/26/24 BCE

SHEET No. 4 OF 6
SCALE: AS NOTED
JOB No. 240014
FILE No. B412

Date: 04/29/2024 - 8:56am User: jcorrell Project Manager: BCE
Drawing Path: C:\web\AcPublish\11068\CSK-PUD-PLTS-240014.dwg | 5-SWM
XREF File(s): VLD-BASE-240014/2024-03-18-CAR/CSF-SRCE-240014/CSK-BASE-2436-BASE-240014/CBS-BASE-2436-240014/PAR-BASE-240014/VSF-BASE-240014/XRN-PUD-BASE-240014/LLP-PUD-BASE-240014

SWM QUANTITY SUMMARY CHART													
POI	DA (ACRES)	IMPERVIOUS (ACRES)	RCN	Tc (MINUTES)	PRE 2 YEAR	POST 2 YEAR	WSE	PRE 10 YEAR	POST 10 YEAR	WSE	PRE 100 YEAR	POST 100 YEAR	WSE
1	1.50	0.04	-	2.9	7.06	3.87	-	11.15	6.93	-	-	-	-
2	0.06	0.01	-	1.3	0.33	0.15	-	0.53	0.30	-	-	-	-

ESD SUMMARY CHART													
DRAINAGE AREA	TYPE OF ESD PRACTICE	TYPE OF ESD PRACTICE (STRUCTURE NAME)	ON-SITE OR OFF-SITE STRUCTURE	RUNOFF CURVE NUMBER (RCN) WEIGHTED	MARYLAND GRID COORDINATE NAD 83 METERS NORTHING	MARYLAND GRID COORDINATE NAD 83 METERS EASTING	ESD PRACTICE TOTAL DRAINAGE AREA (ACRES)	ESD PRACTICE IMPERVIOUS DRAINAGE AREA (ACRES)	SURFACE AREA OF ESD PRACTICE (ACRES)	TARGET PE (IN)	ACTUAL PE (IN)	TARGET ESDv (FT ³)	ACTUAL ESDv (FT ³)
OVERALL	-	BAYFILTER 522	ON-SITE	-	-	-	1.52	1.50	-	1.0	1.0	952	1,250



NAD 83 (2011)
COORDINATE SYSTEM

APPROVED:

PLANS ARE ISSUED FOR REVIEW ONLY

TOWN OF EASTON - TOWN PLANNER DATE

APPROVED:

PLANS ARE NOT APPROVED FOR CONSTRUCTION

EASTON TOWN ENGINEER DATE

REVISIONS TO APPROVED PLANS

No.	DATE	DESCRIPTION	BY

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.

MISS UTILITY

BEFORE YOU DIG CALL 1-800-441-8355 OR 811 PROTECT YOURSELF, GIVE TWO WORKING DAYS NOTICE

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

E-mail: general@laneinc.com

117 Bay St. Easton, MD 21601 (410) 822-8003

15 Washington St. Centreville, 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 engineer under the laws of the State of Maryland. License No. 45188 - Expiration Date: 12/28/2025

SEAL

STATE OF MARYLAND

ENGINEER

4-26-24

DATE

CONCEPTUAL SWM PLAN

ON THE LANDS OF NAI SATURN EASTERN, LLC

IN THE TOWN OF EASTON, WARD DISTRICT 1 TALBOT COUNTY, MARYLAND TAX MAP 104 TAX PARCEL 612

ISSUED/REVISED FOR: ESDR PC

DATE: 04/03/24 BCE

BY: 04/26/24 BCE

SHEET No. 5 OF 6

SCALE: AS NOTED

JOB No. 240014

FILE No. B412



20' 10' 0' 10' 20' 40'

SCALE IN FEET

39

EXHIBIT “B” TO ORDINANCE NO. 827

IN THE MATTER OF	:	BEFORE THE
	:	
THE APPLICATION OF	:	EASTON TOWN COUNCIL
	:	
NAI SATURN EASTERN, LLC	:	
	:	
AND	:	
	:	
MILLER DEVELOPMENT CORP.	:	

FINDINGS OF FACT

During meetings of the Easton Town Council held on June 17, July 1 and 15, and August 5, 2024, public hearings were held on the application of NAI Saturn Eastern, LLC and Miller Development Corp. (collectively, the “Applicant” and/or “Developer”) to establish a planned unit development (“PUD”) in the Town of Easton to authorize the redevelopment of the former Safeway retail location as 33 residential units. Specifically, the Applicant proposes to construct 9 single-family residences and 24 townhomes. The PUD is located at the corner of Washington and Bay Streets, is addressed as 139 N. Washington Street and is Parcel 612 on Talbot County Tax Map 104 (the “Property”). The Property is owned by NAI Saturn Eastern, LLC.

The Property and the proposed PUD are more particularly shown on plans entitled “PUD SKETCH PLAN FOR 139 NORTH WASHINGTON”, prepared by Lane Engineering, LLC, last revised April 26, 2024, and on architectural plans and renderings entitled “139 N. WASHINGTON STREET” prepared by Maurice Walters Architect dated June 17, 2024 (collectively, the “PUD Plan”), which are attached to Ordinance 827 as Exhibit A.

A. The PUD Application and the Public Hearing.

The Property is 1.522 acres more or less and is currently zoned Central Business Commercial District (CB) and is located in the Historic District under the Zoning Code of the Town of Easton. The Property is located on the southwest corner of the North Washington Street and Bay Street intersection. The Property is bounded on the north by Bay Street, the west by North West Street and the east by North Washington Street. St. Mark’s Village, a residential community, is located one block west of the Property. Single-family residences are also located one block east of the Property, and residential uses extend in an easterly direction. The remainder of the area surrounding the Property is occupied by various public, governmental and commercial uses. The Property was

previously a Safeway grocery store. The Safeway grocery store closed in 2017, and the Property has been vacant since then.

The Applicant is requesting permission to redevelop the vacant retail property with 9 single-family residences and 24 townhomes as depicted by the PUD Plan and materials submitted by Applicant in this matter. The Planning and Zoning Commission (“Planning Commission”) reviewed the request at its May 16, 2024 meeting and found the proposed PUD to be consistent with the Comprehensive Plan and recommended approval of the PUD to the Town Council. The Planning Commission also reviewed and approved the amended sketch plan. The Historic District Commission reviewed the proposed architectural and landscape design of the PUD application at its May 13, 2024 meeting and approved demolition of the non-contributing vacant retail building and construction of the proposed project. A Certificate of Appropriateness was issued to the Applicant on May 29, 2024.

The Applicant was represented by Ryan D. Showalter of McAllister, DeTar, Showalter & Walker LLC, Brett Ewing, AICP and Jarret Beyer of Lane Engineering, LLC, Michael Lenhart of Lenhart Traffic Consulting, Inc., and Robert Miller, President of Miller Development, who presented both testimonial and documentary evidence in support of the application. Following the close of the public hearing, during its regularly scheduled meeting on August 5, 2024, the Town Council developed a consensus concerning the application. The Council instructed the Town Attorney to prepare findings of fact reflecting these opinions and comments. In so doing, the Town Attorney has reviewed the evidence presented to the Council solely in the context of this application in order to set out the basis for the Council's decision.

B. Legal Background.

The Zoning Code of the Town of Easton (the “Zoning Code”) establishes the Planned Unit Development (PUD) Zoning District for “carefully planned residential, mixed use and certain commercial developments at appropriate locations” in Easton.

The standards and regulations for PUD districts are found in Article VII of the Zoning Code. Section 28-701.A of the Zoning Code explains that the PUD regulations are intended:

. . . to allow all aspects of a PUD District to be subject to public review and control by the Town with specific provisions to be made on a case-by-case basis for adequate open space, architectural appearance, the height, bulk and location of buildings, required public facilities, and a variety of housing types, densities, and/or compatible commercial or industrial uses as a part of a detailed development plan.

Section 28-701 sets out various development standards and procedures and, finally, establishes the standards by which PUD applications are reviewed by the Town Council. Section 28-701.C sets forth the uses that are permitted in a PUD District. Specifically, Section 28-701.C(1) provides that “Residential uses of all types” are permitted in a PUD District. Section 28-701.G articulates eight specific development standards and a chart with varying standards for minimum size, maximum size, maximum residential density, and minimum open space requirement depending on the type of PUD being requested. In this case, the PUD-Infill is being proposed.

The PUD application procedure is described by Section 28-701.H. Upon receipt of a written recommendation by the Planning Commission, the Council shall conduct a public hearing on the application. The Council shall consider, but is not bound by, the recommendation of the Commission. The Zoning Code establishes nine standards that must be met as precondition to granting an application. If the Council affirmatively finds that all preconditions have been met, the Council is then authorized but not required to grant the application. In making its decision, the Council:

“may consider, in addition to the factors outlined above [i.e., the criteria set out in Section 28-701.H(3)A], other factors it deems appropriate including but not limited to the degree to which the proposed development:

1. helps accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs;
2. promotes health, safety, morals, order, convenience, prosperity, and general welfare; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provisions for light and air, conservation of natural resources, the prevention of environmental pollution, the promotion of the healthful and convenient distribution of population;
3. exemplifies good civic design and arrangement and the stewardship of the Chesapeake Bay and the land as a universal ethic;
4. encourages the conservation of resources, including a reduction in resource consumption;
5. is located in a location suitable for its given existing and reasonably foreseeable development; and
6. encourages appropriate and sustainable economic growth.”

These six enumerated standards are paraphrases of the statement of intent of the Zoning Code found in Section 28-103. In short, the Zoning Code sets out a two-step

decision-making process: first, the Council must determine whether or not an application satisfies certain minimum criteria and, if it does, then the Council considers whether to grant or deny the application based upon relevant factors including the degree to which the application satisfies the standards enunciated by the General Assembly as goals for land use planning in this State.

*C. Does the Proposed Development Meet the Minimum Criteria
Set Out in the Easton Zoning Code for PUD Development?*

As required by Section 28-701.H(3)A of the Zoning Code, the Town Council makes the following findings of fact with regard to the application:

1. The Town Council finds that the property was properly posted and that adequate legal notice of the public hearing was published in the Easton Star-Democrat.

2. The Town Council finds that the proposed development conforms to applicable standards set forth in this Zoning Code for planned unit developments. In particular, the Town Council finds that the development standards set forth in Section 28-701.G of the Zoning Code are satisfied as follows:

- (1) The land comprising the Property is in one ownership. Specifically, the Property is owned by NAI Saturn Eastern, LLC. The Applicant is Miller Development Corp.
- (2) The site encompasses 1.522 acres and would have direct driveway access to Bay Street and North West Street, plus pedestrian access between North West Street and North Washington Street. The planned layout and proposed site design provide for a functionally designed project. The Property is of a configuration suitable for the development proposed. The size and configuration of the Property and the proposed site plan are suitable to accommodate the 33 residential units in a manner consistent with applicable Town design guidelines and requirements.
- (3) Public water and sewer systems are available to the Property for service of the Project. The Applicant will provide the utility extensions that are necessary to connect the Project to Town services and will work with Easton Utilities to ensure that all permits and approvals are granted.
- (4) The Property is adjacent to adequate transportation facilities capable of serving existing traffic and that is expected to be generated by the proposed development. The PUD site has frontage on West Street and Washington Street (Town streets) and Bay Street (a State highway). Redevelopment of the Property will eliminate an existing entrance onto Washington Street. The two points of ingress and egress for the Property

will be generally in the same locations as the existing entrance from Bay Street and the existing loading dock access from West Street. A Traffic Impact Study ("TIS") was conducted by Lenhart Traffic Consulting, Inc. in April, 2024. The TIS demonstrates that all intersections of interest near the Project will continue to operate at a Level of Service (LOS) of "D" or better after the Project is completed. The TIS confirms that the trip generation resulting from redevelopment of the Property would be lower than trip generation that could result from re-occupancy of the vacant retail building existing on the Property. Accordingly, the TIS confirms that the project will not overburden the intersections or roadways in the area.

- (5) The owners or developers must begin construction of the development within three (3) years after final approval of the PUD amendment sought. If there is no action on the part of the applicant at any point in the process for a period of three (3) years, the zoning shall revert to its previous classification unless a time extension is requested and granted by the Planning Commission.
- (6) The setback requirements are as shown on Exhibit A. The lot coverage, height, and density requirements are as shown on the PUD Plan and included in the table below for convenience:

ZONING REQUIREMENTS

	<u>CB</u>	<u>PUD INFILL</u>	<u>PROPOSED PUD</u>
MINIMUM LOT SIZE	5,000 SF	N/A	1,159 SF±
MAXIMUM LOT SIZE	N/A	5 ACRES	4,934 SF±
MAXIMUM BUILDING HEIGHT	60'	N/A	42'±
*MAXIMUM LOT COVERAGE	90%	N/A	N/A
*EXISTING LOT COVERAGE	34%	-	-
*PROPOSED LOT COVERAGE	-	-	41%
*(BUILDINGS & STRUCTURES)			
MAXIMUM DENSITY	<u>SINGLE FAMILY</u>	60 DWELLING UNITS/ACRE	22 DWELLING UNITS/ACRE
	7 DWELLING UNITS/ACRE	(91 DWELLING UNITS TOTAL)	(33 DWELLING UNITS TOTAL)
	(10 DWELLING UNITS TOTAL)		
	<u>MIDDLE HOUSING</u>		
	9 DWELLING UNITS/ACRE	BUILDING SETBACK LOCATIONS ARE SHOWN ON EXHIBIT "A", SHEET 6 OF 6.	
	(13 DWELLING UNITS TOTAL)		

These requirements are consistent with generally applicable Town standards. The minimum lot frontage requirement of 30 feet for the CB District is waived for the townhome lots, some of which will front on the private internal drives, rather than a Town street.

PUD-Infill projects are required to provide open space that is deemed adequate by the Town Council, with landscaping provided to enhance the

project and advance the degree to which the infill project blends in with surrounding properties. The PUD Plan proposes a landscaped pedestrian mews that will provide a new public pedestrian connection between North Washington Street and North West Street. The PUD Plan and architectural renderings depict substantial landscaping and pedestrian site amenities, such as lights and benches that will provide a community amenity and greater pedestrian connectivity than currently exists. Additionally, the Applicant is required to pay a fee-in-lieu contribution for open space land pursuant to the Town's subdivision regulations, and the PUD will be subject to the Town's impact fees, a significant portion of which is dedicated to parks and recreation improvements. Excepting the public library, Courthouse lawn and Thompson Park, the proposed redevelopment of the site would create more publicly-accessible open space on the Property than exists on nearly every other property within several blocks in Easton's downtown core. Accordingly, the Town Council finds that the PUD Plan provides adequate open space.

- (7) Within the CB Zoning District, no off-street parking is required for residential uses. The adequacy of parking relative to the proposed use of the Property is evaluated during the site plan review process. The PUD Plan proposes a total of 67 parking spaces, including garage parking spaces—slightly more than two parking spaces per dwelling unit, which complies with the Town's most restrictive parking standard for residential uses in any other zoning district. Therefore, the proposal exceeds the Town's requirements for parking.
- (8) The off-street parking requirements for major retail or shopping center use are not applicable.
- (9) The property is 1.522 acres in size which complies with the PUD-Infill maximum size requirement.
- (10) Since the property is a PUD-Infill, there is no minimum size applicable.
- (11) The proposed density is 21.68 dwelling units per acre, which exceeds the otherwise-applicable residential densities in the CB District (7 units per acre for single-family; 12 units per acre for townhomes). The maximum permissible density in the PUD-Infill is 60 units per acre, or 91 units based on the size of the Property. The proposed development of 9 single-family homes and 24 townhomes represents approximately one-third of the maximum density permitted by the PUD-Infill sub district.

The Property is well-suited for higher-density development to create a tiered development scheme. It is located within easily walkable distances

from other residential areas, public parks and the library, restaurants, retail and the Avalon Theater. Approval of the requested density is consistent with the goals of the Comprehensive Plan and results in provision of housing that the Town of Easton is seeking for its current and future residents. This has been achieved through creating a sense of place; utilizing existing infrastructure efficiently; producing a pedestrian-friendly neighborhood with connectivity and accommodating transit to Washington Street, Bay Street and West Street.

- (12) The PUD is compliant with the PUD-infill open space standard as addressed above in (6).

In summary, as is more specifically set forth above, the Town Council finds that the proposed PUD complies with applicable Development Standards in the Zoning Code.

3. By letter dated May 24, 2024, the Easton Planning Commission confirmed the Project's consistency with the Comprehensive Plan and made a favorable recommendation to the Town Council for approval of the PUD Plan. The Town Council concurs with the recommendations submitted by the Planning Commission in conjunction with the application.

4. Similarly, by actions taken during its May 13, 2024 meeting and confirmed by a Certificate of Appropriateness issued May 29, 2024, the Historic District Commission unanimously approved demolition of the former Safeway building and construction of the Project as depicted by the PUD Plan.

5. The proposed PUD development is superior to or more innovative than conventional development. The PUD will increase residential occupancy of Easton's downtown, providing coordinated and harmonious development of the Town and its environs in accordance with present and future needs. The location proposed is suitable for residential use, considering its proximity to many public uses and amenities, restaurants, retail opportunities and offices. Redevelopment of the vacant retail site, which is nearly entirely impervious without any stormwater management, will increase open space, enhance pedestrian connectivity, and provide substantial environmental benefit by managing the 10-year stormwater discharges to pre-development 2-year storm conditions. The PUD will provide these greater public benefits without adding probably significant adverse impacts to public health, safety or the environment. The Town Council finds, and agrees with the Town Planning Commission's and Town Historic District's determinations and recommendations, that the proposed site, architectural and landscape design exemplify good civic design and arrangement.

6. Based upon the Historic District Commission's approval of the architectural design, recommendation of the Planning Commission and information contained within the

record, the Council finds that the proposed PUD amendment conforms to the Town's Comprehensive Plan.

The Plan is intended to serve as the guide for land use decisions of the Town and articulates many broad policy issues and objectives intended to apply on a town-scale. The Plan has an entire chapter devoted to Housing. The Plan recognizes the problems in the housing market in Easton as housing cost, housing quality, and housing availability. (Plan p. 133).

Finally, at the end of the Housing Chapter in the Plan, the Town establishes Housing Goals and Objectives. Among them are to “Establish design standards and require physical distribution of different housing types that provide visual interest”; “Achieve a density that creates a sense of place, uses infrastructure efficiently, produces pedestrian-friendly neighborhoods and accommodates plans for transit.” (Plan p. 140).

In addition, in the Land Use Chapter of the Comprehensive Plan, an expressed goal is slowing the demand for land by increasing the density of future residential areas. (Plan p. 45)

This Property is also part of the Downtown Easton Master Plan for Infill Development which is attached to the Comprehensive Plan. As noted in the Town of Easton Planning and Zoning staff report, the project is consistent with the Downtown Easton Master Plan for Infill Development.

The Council believes that the proposed PUD advances the goals and conforms with the Plan.

7. The proposed PUD, in conjunction with existing and reasonably anticipated development in the neighborhood surrounding the site for the proposed PUD amendment, will not interfere with the adequate and orderly provision of public services to the area. Adequate water and sewer services to serve the proposed PUD exist and are within relatively close proximity to the Property. The Applicant will provide the utility extension that is necessary to connect the PUD to Town services. The Town's wastewater treatment plant has adequate capacity to serve the PUD. The Property currently has a “S1/W1” classification in the Talbot County Comprehensive Water and Sewer Plan. For trash and recycling collection, the Applicant proposes to use tipper cans that will be stored in garages. The proposed onsite roads are private, and therefore, trash and recycling collection will also be private.

8. The Town Council finds that the proposed PUD will not cause unacceptable traffic congestion or hazards either in or near the site for the proposed PUD development or elsewhere in the Town or Talbot County. The access to the Property will be from Bay Street and West Street, using existing points of access. Vehicular access to North Washington Street will be terminated, but the Project will establish a new pedestrian connection between North Washington Street and North West Street. The Property is walkable to the downtown

and many public uses and amenities, restaurants, retail opportunities and offices which will hopefully eliminate traffic trips that would occur at other locations that are farther from downtown.

9. The record contains no indication that there are any features of ecological, historical, or cultural significance on the Property, and the Council so finds. Ecologically, stormwater management techniques and practices that comply with State and local regulations and protect sensitive, downstream resources are proposed. The current structure is non-contributing, and the Historic District Commission approved the demolition of the existing vacant structure and the construction of the proposed residential units.

10. The Town Council finds that the proposed PUD amendment is compatible with existing development in the surrounding neighborhood and with development reasonably anticipated to occur in the neighborhood in terms of size, scale, design, and appearance. The surrounding developments are principally commercial, with multifamily residential located approximately one block to the west and single-family residential beginning and extending from approximately one block to the east. Establishment of higher density residential uses in the core of the downtown is compatible with and complementary to existing uses in the vicinity. The size, scale, design and appearance of the proposed development were thoughtfully balanced to provide consistency with the streetscape along North Washington Street and North West Street, with building heights consistent with other downtown structures. The use of porches, rooftop patios, alternative building orientation, and other design elements further help to maintain compatibility with the surrounding neighborhood. Landscaping and privacy fencing are proposed around the perimeter of the Property to help soften the impact on adjoining properties.

11. The proposed PUD amendment will not adversely affect the value of property in the neighborhood surrounding the site. There is a significant demand for residential units in the Town of Easton. The values for Easton real estate have been escalating.

*D. Should the Town Council Exercise Its Legislative Discretion To
Grant The Application?*

The Council finds that the Applicant has met the minimum criteria for granting a PUD amendment application. The Council has further concluded that it is appropriate for it to exercise its legislative discretion to grant the application.

The Council finds that the proposed PUD amendment helps accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs and is located in a location suitable for its given existing and reasonably foreseeable development.

The Council further finds that the PUD is located in a location suitable for its given existing and reasonably foreseeable development and encourages appropriate and sustainable

economic growth. The demand for housing in Easton outweighs the current supply. The PUD will enhance housing opportunities in the Town of Easton.

Based on the foregoing, the Town Council finds approval of the PUD amendment to be in the public interest, subject to the conditions set forth below.

E. Conditions.

The following conditions are binding on the Applicant and any successor developer(s) of the land located within this PUD district:

1. The Applicant shall contribute \$10,000 per unit to the Town's Affordable Housing fund by paying \$5,000 per unit at the time of issuance of a building permit for such unit and an additional \$5,000 per unit at the time of issuance of an occupancy certificate for such unit.
2. The parking areas and streets located within the PUD District shall be privately maintained by a homeowners' association established for the community, which shall also provide private trash collection for all residences of the PUD District. The covenants and restrictions for the homeowners' association shall contain provisions, in a form acceptable to the Town Attorney, providing notice to each property owner of the private trash collection.
3. The architectural elevations of the proposed homes shall remain generally consistent with those presented at the Town Council's Public Hearing or the Applicant shall return to the Planning and Zoning Commission and Historic District Commission for architectural approval from both Boards.

VOTING TO GRANT THE APPLICATION:

Maureen Curry

Don Abbatiello

David Montgomery

Rev. Elmer Davis

Frank Gunsallus, President

ORDINANCE NO. 827

AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE APPLICATION OF NAI SATURN EASTERN, LLC AND MILLER DEVELOPMENT CORP. FOR A PLANNED UNIT DEVELOPMENT UNDER THE PROVISIONS OF THE EASTON ZONING CODE

INTRODUCED BY _____

WHEREAS, the Town of Easton is authorized by the Land Use Article of the Maryland Annotated Code (the “Code”) to enact and administer a zoning code, which zoning code is Chapter 28 of the Easton Town Code; and

WHEREAS, the Town is authorized by Section 4-201 *et seq.* of the Land Use Article of the Code to divide land within the municipal boundaries into zoning districts in a manner it deems best suited to execute the purposes of the Land Use Article; and

WHEREAS, Section 28-701 of the Easton Zoning Code authorizes the Easton Town Council to approve, deny and amend Planned Unit Development (“PUD”) zoning districts in order to encourage the development of land in certain areas of the Town according to a total development concept incorporating a detailed development plan; and

WHEREAS, NAI Saturn Eastern, LLC and Miller Development Corp. submitted an application for a PUD as described in the Town Council’s findings of fact supporting this Ordinance and shown in detail on the plans referenced and attached hereto as Exhibit “A” (collectively, the “PUD Plan”). The PUD Plan is attached hereto as Exhibit “A” and the Findings of Fact are attached hereto as Exhibit “B”.

WHEREAS, the Easton Town Council held a duly noticed public hearing regarding the PUD application and this Ordinance on June 17, July 1, July 15, and August 5, 2024; and

WHEREAS, for the reasons expressed in the findings of fact of the Town Council, which are attached to this Ordinance as Exhibit “B”, the Town Council concludes that the request for a PUD should be granted.

NOW, THEREFORE, the Town of Easton hereby ordains:

Section 1. The PUD Plan attached hereto as Exhibit A and the Findings of Fact attached hereto as Exhibit “B” are hereby incorporated into this Ordinance by reference.

Section 2. The application of NAI Saturn Eastern, LLC and Miller Development Corp. for a PUD as depicted by Exhibit “A” and described by Exhibit “B” is hereby approved subject to the conditions set forth in Exhibit “B”.

Section 3. Severability. The Easton Town Council intends that, if a court of competent jurisdiction issues a final decision holding that any part of this ordinance is invalid, the remaining provisions hereof remain in full force and effect.

Section 4. In accordance with Article II, Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor’s veto.

Curry	-
Abbatiello	-
Montgomery	-
Davis	-
Gunsallus	-

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of _____, 2024.

Frank Gunsallus, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2024.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Megan J. M. Cook, Mayor

EFFECTIVE DATE: _____, 2024

EXHIBIT "A"

The following materials are referred to collectively as the “PUD Plan”:

1. ““PUD SKETCH PLAN FOR 139 NORTH WASHINGTON”, prepared by Lane Engineering, LLC, last revised April 26, 2024; and
2. Architectural renderings entitled “139 N. WASHINGTON STREET” prepared by Maurice Walters Architect dated June 17, 2024

COPIES ARE ON FILE AT THE TOWN OFFICE

RESOLUTION NO. 6195

A RESOLUTION OF THE TOWN OF EASTON AMENDING THE TOWN OF
EASTON, MD DEFINED CONTRIBUTION 401(a) RETIREMENT PLAN

INTRODUCED BY: _____

WHEREAS, the Town of Easton (the “Town”) has a 401(a) defined contribution retirement plan for its employees (the “Plan”);

WHEREAS, the Town of Easton wishes to adopt amendments to the Plan as are more particularly set forth in the attachments hereto.

NOW, THEREFORE, the Town of Easton hereby resolves as follows:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Resolution.

Section 2. The attached documents amending the Plan are hereby approved and adopted by the Town.

Section 3. The Interim Town Manager, Alan Lowrey, and the Finance Officer, Carol Callahan are authorized to execute the documents necessary to effectuate the amendments to the Plan as are attached hereto.

Section 4. All actions of the Trustees related to these amendments are hereby ratified and confirmed.

Section 5. This Resolution shall become effective upon approval by the Mayor after adoption by the Town Council.

Curry -
Abbatiello -
Montgomery -
Davis -
Gunsallus -

I hereby certify that the above Resolution was passed by a ye and nay vote of the Council this _____ day of _____, 2024.

Frank Gunsallus, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2024.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Megan J. M. Cook, Mayor

EFFECTIVE DATE: _____, 2024