



**Town of Easton Planning Commission
Decision Summary**

Thursday, July 18, 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
Victoria McAndrews
William Ryall
Michael Ports, 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. June 20, 2024 - The Commission noted the following correction to the draft decision summary:

i. Line 50: Add: Commissioner Ports to Roll Call Vote of Decision Summary Review.

Commissioner Ryall moved to approve the June 20, 2024 Decision Summary with amendments. Vice Chairperson Toussaint seconded the motion.

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

3. Old Business — None

55
56
57 **4. New Business**
58

59 **a. File No.: 2024 - 1231**

60 **Applicant: Lane Engineering, LLC**

61 **Location:** 404 & 406 Marvel Court, Easton, MD 21601

62 Tax Map 0105, Grid 0000, Parcel 2992D, Lot 4 & 5

63 **Zoning:** CG

64 **Request:** The applicant is seeking site plan approval for the redevelopment
65 of the existing lots 4 & 5 to include a two-story 8,136 square foot expansion of
66 the existing medical facility with associated parking, stormwater management,
67 and other site improvements. Considering that the site is located on a previously
68 developed area covered by impervious surface and is located within the priority
69 funding area, the applicant is also seeking an exemption of forest conservation
70 requirements from Article III of the Town's Forest Conservation Ordinance
71 Section 31-3.2.0.
72

73 Staff recommends the following condition:
74

- 75 1. The applicant is required to address all Easton Staff Development Review
76 (ESDR) comments.
77

78 **Staff Presentation:**

79 Joseph Mayer, Plan Reviewer

80 Lynn B. Thomas, Town Planner

81 Rick Van Emburgh, Town Engineer
82

83 **Applicant Presentation:**

84 Ryan Showalter, Esq.

85 Keith Fisher, Fisher Architecture
86

87 **Public Comment — None**

88 **Public Comment Written — None**
89

90 **Commissioner McAndrews moved to approve the site plan subject to the following**
91 **condition:**
92

- 93 1. **The applicant shall address all outstanding Easton Staff Development**
94 **Review (ESDR) comments.**
95

96 **Commissioner Ryall seconded the motion.**
97

98 Vote 5 - 0

99 FOR: 5 - Dindinger, Toussaint, Klein, McAndrews, Ryall

100 AGAINST: 0

ABSTAIN: 0
ABSENT: 0

b. File No.: 2024 - 1210

Applicant: ADBM Route 50, LLC

Location: 9719 Ocean Gateway, Easton, MD 21601
Tax Map 0025, Grid 0006, Parcel 0013

Zoning: CG

Request: The applicant is seeking site plan approval for the construction of a two-story building that includes a 10,000 square foot (SF) automotive sales/showroom, a 4,756 square foot (SF) warehouse, and a 4,920 square foot (SF) garage with associated stormwater management improvements. The applicant is also requesting a waiver of the overall landscaping canopy, parking lot trees, and vegetative buffer requirements.

Staff recommend the following conditions:

1. The applicant is required to address any remaining Easton Staff Development Review (ESDR) comments in conjunction with the submission of the Development Site Plan.
2. The proposed canopy trees are to be a larger caliper greater than 2"; and the larger shrubs are to be greater than 7' to enhance the screening along the adjacent residential properties.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Brian Fitzgerald, Rauch Inc.

Virginia Richardson, Rauch Inc.

Chris Schaffner, DHW Holdings, LLC

Public Comment — None

Public Comment Written — None

Commissioner Ryall moved to approve the site plan subject to the following conditions:

1. The applicant shall address all outstanding Easton Staff Development Review (ESDR) comments in conjunction with the submission of the Development Site Plan.
2. The proposed canopy trees shall be a caliper greater than 2"; and the larger shrubs shall be greater than 7' to enhance screening along the adjacent

residential properties.

3. The applicant shall provide additional plantings and grasses along the US 50 frontage subject to staff review.

Commissioner Klein seconded the motion.

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

5. Discussion Items

- a. Potential Revisions to the Zoning and Subdivision Text Amendments: Seafood Processing — In response to recent concerns and other public complaints associated with odor, the Town Council has begun pursuing zoning options to address odor control measures in light industrial use areas with particular emphasis on seafood processing. Prior to a Council workshop on the issue, Staff has prepared a memorandum of potential seafood processing provisions to the Zoning Ordinance which include recommended supplemental standards to address odor control measures and operational requirements; amended setback requirements for light industrial business from residential uses; and to potentially create new use definitions for Seafood Processing.

The Commission generally favored the creation of broader odor control language in the current Development Standards of the BC - Business Commercial District in which odor mitigation measures would apply to operations in close proximity to residentially zoned properties. The Commission also favored operational setback requirements applicable to light industrial operations within a certain number of feet of any parcel with a residential zoning classification, Planned Unit Development (PUD) or the Planned Redevelopment Overlay District (PR Overlay).

The Commission revised the definition of *Industry, Light* to include basic industrial processing; and created a new definition for *Seafood Processing* that is specifically excluded from the listed uses in *Industry, Light*. Additional Supplemental Standards for Seafood Processing were added to the Supplemental Standards for Industrial Uses in Article X, Section 28-1007.3.A.10 including: language to the treatment and storage of by-products; and additional provisions specifying compliance with these supplemental standards. The Commission will continue to develop these provisions and additional zoning options in subsequent meetings.

b. Potential Revisions to the Zoning and Subdivision Text Amendments: March 2024 Follow Up — At their March 21, 2024 meeting, the Commission provided preliminary feedback and comments for changes to the following proposed Amendments to the Zoning Code:

- i. Donation Centers
- ii. Single Family Home Criteria
- iii. Revised Internal Illumination Standards for Signage
- iv. Site Triangle Distance
- v. Minimum Parking Space Requirements
- vi. Parking Space Dimensions
- vii. Article 12: Non-conformities
- viii. Fuel Price Regulations for Freestanding Signs
- ix. Driveway Materials (Impervious Surfaces)
- x. Corrections to the Zoning Map
- xi. MXW Standards
- xii. Food Trucks
- xiii. Parking Standards
- xiv. Sheds
- xv. Swimming Pools and Patios
- xvi. Restaurant Use Types
- xvii. Removal of Parking Districts and “Tree of Heaven” language

Staff presented a follow-up proposal of these minor Amendments with the applicable changes for the Commission’s consideration. The Commission made revisions to the definition for *Sheds* with language that excludes portable storage units; and included an additional supplemental standard for the maximum footprint of sheds. Minor revisions were also made to the definitions for *Swimming Pools* and *Patios*. The Commission indicated that they would like to see the removal of the language for “Tree of Heaven” as an appropriate street tree type, specifying the species on the list of inappropriate species to include Black Locust and Honey Locust.

Minor revisions were recommended to the language for parking standards, parking space dimensions, and parking waiver provisions in *Restaurant Use* types. The Commission also revisited the minimum standards of the parking space requirements, and suggested the deletion of the maximum parking limits in *Missing Middle Housing* types, and an additional parking standard for *Attached Single Family* units.

The Commission favored the proposed map corrections in items *a* through *e*; and favored the proposed time frame for non-conforming abandonment from six (6) months to 12 consecutive months (1 year). Clarifying language was added for the surface area frontage for *Retail Uses* in the MXW window and door placement

standards, and for the MXW Leed standard.

Revisions to the Amendments regarding Sign Regulations (including Internal Illumination and Freestanding Signs), Donation Centers, Single Family Homes, Food Trucks, Dust Free Materials, and other Parking Standards and Setback requirements are anticipated to be reviewed and discussed in further detail at the Commission's August meeting.

- c. Continued discussion of the Comprehensive Plan Update — Mr. Lynn Thomas briefly summarized the status of the chapters to be reviewed and revised in the ongoing effort to update the current Comprehensive Plan. The Commission has previously reviewed and provided comments for draft versions of the *Introduction, Background Chapter, Land Use Chapter, and the Community Character Chapter*; to which those revisions and comments have been applied. Six (6) additional chapters have been drafted by staff including: *Municipal Growth, Historic Preservation, Sensitive Areas, Water Resources, Parks, Rec & Open Space, and Sustainability*; and will be formally presented to the Commission at a subsequent meeting. The Commission recommended the inclusion of applicable topics such as climate change, walkability, and bird collision to the *Sustainability Chapter* of the draft. A draft version of the *Housing Chapter* shall be significantly informed by the recommendations and findings of the Attainable Housing Task Force. Staff anticipates that draft versions of the remaining chapters shall be completed by the end of August, where they will subsequently be reviewed and approved by the Planning Commission prior to public review and Council adaptation.

- 6. Adjournment** — Commissioner Ryall moved to adjourn. Chairperson Dindinger seconded the motion. The meeting was adjourned at 4:01 p.m.