



**Town of Easton Planning Commission
Final Decision Summary**

Thursday, September 19, 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:

Philip Toussaint, Chairperson
Michael Ports, Vice Chairperson
Tom Klein

Absent:

Commission Members:

Victoria McAndrews
William Ryall

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 Toussaint called the meeting to order at 1:00 pm.

2. Decision Summary Review —

a. Chairperson Toussaint moved to approve the July 18, 2024 Decision Summary. Commissioner Klein seconded the motion.

Vote 3 - 0 - 2

FOR: 3 - Toussaint, Ports, Klein

AGAINST: 0

ABSTAIN: 0

ABSENT: 2 - McAndrews, Ryall

b. Chairperson Toussaint moved to approve the August 15, 2024 Decision Summary. Commissioner Klein seconded the motion.

Vote 3 - 0 - 2

FOR: 3 - Toussaint, Ports, Klein

AGAINST: 0
ABSTAIN: 0
ABSENT: 2 - McAndrews, Ryall

3. Old Business — None

- 4. New Business —** Chairperson Toussaint addressed the Applicants, explaining that although the presence of three out of five Members is sufficient to establish a quorum, any motion to pass requires a majority of the Commission to vote in unanimous agreement as per the Planning Commission Bylaws. In such instances, the Commission has historically offered all Applicants the choice to proceed, or to continue their application to a future meeting with the presence of a full Board. The decision to postpone must be made prior to the Commission deliberating or voting on the application. All Applicants agreed to proceed with their applications.

a. File No.: 2024 - 1259

Applicant: Somerset Well Drilling Co., Inc.

Location: 28580 Mary's Court, Easton, MD 21601
Tax Map 0025, Parcel 0046, Lot 20

Current Zoning

District: A-1

Proposed Zoning

District: BC

Request: The Applicant is requesting a recommendation from the Planning Commission (Commission) to the Town Council for the zoning reclassification of 8.348 acres of property located on the south side of Goldsborough Neck Road, also known as 28580 Mary's Court, Easton, Maryland, Tax Map 0025, Parcel 0046, Lot 20 from Agricultural zoning district (A-1) to Business Commercial zoning district (BC). The Applicant is seeking to develop two (2) commercial buildings with associated facility improvements to the property. The proposed rezoning will allow the Applicant to develop the property pursuant to the Development Plans.

Background: On January 2, 2024 a growth allocation request was adopted by the Town Council (*Ordinance No. 807*); and on April 23, 2024, the Talbot County Council adopted *Bill No. 1551*, granting a supplemental growth allocation to the Town. On July 29, 2024 the Critical Area Commission received the Town's request to reclassify the 8.348 acres of land via growth allocation from Resource Conservation Area (RCA) to Intensely Developed Area (IDA). The Critical Area Commission will make an amendment or refinement determination subsequent to the outcome of the Town's recommendation of the zoning reclassification.

Staff recommends the following condition:

- 102 1. The Planning Commission’s recommendation to the Town Council for the
103 support of the Zoning Amendment request is contingent on the Critical
104 Area Commission’s review and approval of the supplemental growth
105 allocation request.
106 2. The conceptual site plan submitted with the zoning amendment
107 application is conceptual in nature and was assessed by staff for
108 conformance to § 28-401.8.E and § 28-401.8.F of the Town Code.
109 Approval of the supplemental growth allocation shall not infer Town of
110 Easton site plan approval. Prior to any lot consolidation or site plan
111 approval of Lots 16 and 20, the proposed development will be evaluated
112 by the applicable reviewing agencies for conformance to all applicable
113 Zoning; Subdivision; Forest Conservation; Stormwater Management;
114 Erosion and Sediment Control; and other applicable regulations. Such
115 review may result in modifications to the conceptual site plan.
116

117 **Staff Presentation:**

118 Joseph Mayer, Plan Reviewer

119 Miguel Salinas, Director of Planning and Zoning

120 Sharon Van Emburgh, *Esq.* Town Attorney
121

122 **Applicant Presentation:**

123 Brendan Mullaney, *Esq.* McAllister, De Tar, Showalter & Walker, LLC.
124

125 **Public Comment** — None

126 **Public Comment Written** — None
127

128 **Chairperson Toussaint moved to forward a positive recommendation to the Town**
129 **Council for their approval of the zoning reclassification of 28580 Mary’s Court Lot**
130 **20 to Business Commercial with the following determinations:**
131

- 132 1. The proposed reclassification is consistent with the purpose and intent of the
133 Town of Easton Comprehensive Plan (2010).
134
135 2. The Commission has found that there have been “changes in the character of
136 the neighborhood” that necessitate the rezoning of the property; including
137 the allocation of a Stormwater Management Facility to the property, and the
138 granting of growth allocation to reclassify the Critical Area from Resource
139 Conservation Area (RCA) to Intensely Developed Area (IDA). The request is
140 contingent on the Critical Area Commission’s review and approval of the
141 Supplemental Growth Allocation request.
142

143 **Vice Chairperson Ports seconded the motion.**
144

145 Vote 3 - 0 - 2

146 FOR: 3 - Toussaint, Ports, Klein

147 AGAINST: 0

ABSTAIN: 0
ABSENT: 2 - McAndrews, Ryall

b. File No.: 2024 - 1199
Applicant: Rauch Inc
Location: 1180 S. Washington Street, Easton, MD 21601
Tax Map 0108, Grid 0000, Parcel 2677
Zoning: R-10A
Request: The request for Sketch Site Plan approval for the construction of a 6,119 square foot addition has been withdrawn from the September 19, 2024 Planning Commission agenda.

c. File No.: 2024 - 1261
Applicant: Rauch Inc.
Location: 410 Needwood Avenue, Easton, MD 21601
Tax Map 0105, Grid 00EA, Parcel 2226
Zoning: BC
Request: The Applicant is seeking Sketch Site Plan approval for the construction of sixteen (16) 3-story townhomes, and twelve (12) 2-story townhomes with associated parking, stormwater management and landscaping. Other site improvements include the demolition of the existing abandoned silos, storage buildings, and a gravel road on the property; and the installation of a split-rail fence in the bufferyard along the Town's "Rails-to-Trails" path system. The Applicant is also seeking a landscape and buffering waiver from Chapter 28-1017.E.5(c)1-3 of the Zoning Code.

Staff Presentation:

Joseph Mayer, Plan Reviewer
Lynn Thomas, Town Planner
Miguel Salinas, Director of Planning and Zoning
Rick Van Emburgh, Town Engineer

Applicant Presentation:

Zachary A. Smith, *Esq.* Armistead, Lee, Rust & Wright. P.A.
Virginia Richardson, Rauch Inc.
Ross Benincasa, Chesapeake Community Development

Public Comment:

Maury Schlesinger, 304 Winton Avenue
Peter Maloney, 301 S. Aurora Street
Steve Geraci, 312 Winton Avenue
Douglass Kerr, 211 Winton Avenue
Christine Dayton, Christine M. Dayton Architect, P.A.
Matthew Cartwood, 311 Needwood Avenue

Sean Nuthall, 310 S. Aurora Street

Public Comment Written:

Maury Schlesinger, 304 Winton Avenue

Megan Fillippo

Sarah Hilderbrand

Chairperson Toussaint moved to table the application pending the submission of a Traffic Impact Study, and the submission of a revised site plan exhibiting the removal of the proposed western facing fence. Vice Chairperson Ports seconded the motion.

Vote 3 - 0 - 2

FOR: 3 - Toussaint, Ports, Klein

AGAINST: 0

ABSTAIN: 0

ABSENT: 2 - McAndrews, Ryall

d. File No.: 2024 - 1264

Applicant: Lane Engineering, LLC

Location: 106 Talbot Lane, Easton, MD 21601

Tax Map 0105, Grid 00EA, Parcels 1948, 1949, 1950 & 1952

Zoning: R-7A

Request: The Applicant is seeking Sketch Site Plan approval for the renovation of the existing structure to be converted to an art museum annex with office space, art storage, and associated stormwater management facilities. The Applicant is also seeking a landscaping waiver (§1014.6.F), a bufferyard waiver (§1014.7.E) and a parking waiver (§1001.3.C) from the Zoning Code. This request also includes a revision to abandon the lot lines between Parcels 1948, 1949, 1950 & 1952 to create a revised Parcel 1948.

Background: On October 20, 2022, the Planning Commission unanimously approved *application 2022 - 0779* for a parking waiver of three (3) spaces on the subject property with the condition of adding an additional fourth bicycle rack. On November 15, 2022, the Board of Zoning Appeals unanimously approved Special Exception *application SE-836* for the use of a museum within the existing property with the condition that all screening requirements are met. On April 8, 2024, the Applicant received a Certificate of Appropriateness from the Historic District Commission (*application 2024 - 1172*) for the construction of the annex with the condition that minor revisions to the proposed site and structure that are consistent with the Historic District Guidelines may be administratively approved by staff after consultation with the Chair of the Commission.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Lynn Thomas, Town Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Alec Chosta, Lane Engineering

John Hutchison, Hutchison Architecture

Jennifer Chrzanowski, Interim Director Academy Art Museum

Public Comment — None

Public Comment Written — None

Commissioner Ports moved to approve the Sketch Site Plan as submitted.

Commissioner Klein seconded the motion.

Vote 3 - 0 - 2

FOR: 3 - Toussaint, Ports, Klein

AGAINST: 0

ABSTAIN: 0

ABSENT: 2 - McAndrews, Ryall

e. File No.: 2024 - 1260

Applicant: Lane Engineering, LLC

Location: 350 N. Washington Street, Easton, MD 21601

Tax Map 0103, Grid 00EA, Parcels 0513 & 0514

Zoning: CB

Request: The Applicant is seeking Sketch Site Plan approval for the development of a two-story 16 unit Multi-Family residential building with associated parking, stormwater management and other site improvements. The Applicant is also seeking a property line adjustment to remove the property lines between Parel 0513 and 0514 to create a revised Parcel 0513.

Background: On September 17, 2024 the Board of Zoning Appeals unanimously approved Special Exception *application SE - 1267* for the use of a Multifamily Apartment Complex* in the CB - Commercial Business zoning district subject to the condition that the Applicant shall submit a photometric plan for staff approval during the building permit review process; and the condition that construction shall begin or shall be completed, or both within three (3) years after the date that the Special Exception is granted.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Rick Van Emburgh, Town Engineer

Applicant Presentation:

Brendan Mullaney, Esq. McAllister, De Tar, Showalter & Walker, LLC.
Brett Ewing, Lane Engineering
Alec Chosta, Lane Engineering,
Michael Leinhart, Lenhart Traffic Consulting
Lauren White, Fisher Architecture

Public Comment:

Kevan Full, 510 Diamond Street
Sheila Lawson, 418 N. Washington Street
Kathy Mothershead, 342 N. Washington Street

Public Comment Written:

Kathy Mothershead, 342 N. Washington Street
Sheila Lawson 418 N. Washington Street
Lyndy Galan, 10 Sycamore Avenue
Barb Jefferson
John Perkinson
Sam Plaskon
Sharen and James Apple, 503 Hazelwood Drive
Lia Plaskon
Lauren Rosales, 612 Hardin Street
Colby Ball
Ruth Jensen
George Fold, 347 N. Washington Street
Thomas and Tammy Hickey, 110 Sycamore Avenue
Peggy J. Ford
Maureen Curry
Nicholas Ewing
Carolyn A. Lane, Ashby Commons
Patty Crankshaw-Quimby, 203 Willis Avenue
Marcella Leach
Talbot Thrive

The Applicant presented a revised site plan (*Applicant Exhibit B*) with the following amendments: 1) the elimination one (1) parking space at the corner of North Washington street; and 2) the addition of a 12' x 45' vehicle loading area onto Aurora Park Alley.

Chairperson Toussaint moved to approve the amended Sketch Site Plan subject to the following condition:

- 1. The Applicant shall explore adjustments to the gable roof line to be approved by staff and Commission Members, if needed, to satisfy the appearance of the east and west roof line elevations.**

Vice Chairperson Ports seconded the motion.

Vote 3 - 0 - 2

FOR: 3 - Toussaint, Ports, Klein

AGAINST: 0

ABSTAIN: 0

ABSENT: 2 - McAndrews, Ryall

5. Discussion Items

- a. Potential Revisions to the Zoning and Subdivision Text Amendments - Seafood Processing — The Town Council has asked the Commission to provide recommendations pursuant to odor control measures in light industrial use areas with a particular emphasis on seafood processing. During their August meeting, the Commission struck the proposed enhanced operational setbacks in the BC - Business Commercial Development Standards, and refined the language in the odor control technology standards to include vehicles and storage uses. With consideration to the Commission's ongoing discussion, Staff has presented a final proposal of seafood processing Zoning Code amendments for recommendation to the Council.

The Commission favored the amended definition of *Industry, light* as presented, with clear indication that seafood processing does not qualify as this use. The Commission also supported the new *Seafood Processing* use and definition as presented, and supported the established Supplemental Standards for treatment, storage, and odor control measures with minor revisions to its language. The Commission supported the amendment to the Table of Permissible Uses as presented which outright permits Seafood Processing in the Industrial (I) Zoning District, and is permitted by Special Exception in the BC - Business Commercial Zoning District subject to compliance with the added Supplemental Standards. Additionally, the language regarding odor control technology was included into the minimum Development Standards for the BC Zoning District.

Staff Presentation:

Lynn B. Thomas, Town Planner

Sharon Van Emburgh, *Esq.* Town Attorney

Public Comment:

Susan Russell 229 S. Aurora Street

Glenn Klakring, 225 S. Aurora Street

Peter Maloney, 301 S. Aurora Street

Douglas Kerr, 211 E. Earle Avenue

Nelsa Klakring, 225 S. Aurora Street

Vice Chairperson Ports moved to forward a positive recommendation of the seafood processing amendments to the Town Council for their approval.

374 **Commissioner Klein seconded the motion.**

375
376 Vote 3 - 0 - 2

377 FOR: 3 - Toussaint, Ports, Klein

378 AGAINST: 0

379 ABSTAIN: 0

380 ABSENT: 2 - McAndrews, Ryall

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382
383 **b.** Potential Revisions to the Zoning and Subdivision Text Amendments - March
384 2024 Follow Up — the Commission continued their discussion pursuant to
385 potential Amendments to the Zoning Code to a subsequent meeting.

386
387 **c.** Update on the Draft Inclusionary Zoning Ordinance — Mr. Miguel Salinas
388 provided an update on the ongoing efforts of the Attainable Housing Task Force
389 to introduce an Inclusionary Zoning Ordinance. The task force is anticipated to
390 prepare a final housing strategy at their October 10, 2024 meeting. This will
391 inform and provide recommended strategies for the draft Ordinance for the
392 Commission's consideration to the *Housing* Chapter of the Comprehensive Plan.

393
394 **d.** Follow up Discussion on the August 22, 2024 Urban3 Presentation — Mr. Salinas
395 provided feedback on the Urban3 Presentation held by economic development
396 consultant Joseph Minicozzi. The Commission discussed the findings exhibited in
397 the presentation, and how they could be strategically incorporated for better land
398 use and planning.

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400
401 **6. Adjournment** — Commissioner Klein moved to adjourn. Chairperson Toussaint
402 seconded the motion. The meeting was adjourned at 4:53 p.m.