



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

Thursday, October 17, 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
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
Sierra Clem, Engineering Technician
Samantha Smith, Administrative Specialist

1. Call to Order — Chairperson Toussaint called the meeting to order at 1:00 pm.

2. Decision Summary Review —

a. September 19, 2024 - The Commission noted the following corrections to the draft decision summary:

- i. Addition of missing comma to roll call votes
- ii. Item 4: Revise description to reflect verbatim language.

Commissioner Klein moved to approve the September 19, 2024 Decision Summary with amendments. Chairperson Toussaint seconded the motion.

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

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54 **3. Old Business**
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- 56 **a. File No.:** **2021 - 0473**
57 **Applicant:** **Armistead, Lee, Rust & Wright, P.A.**
58 **% Zachary A. Smith, Esq.**
59 **Location:** 29659 Matthewstown Road, Easton, MD 21601
60 Tax Map 0026, Grid 0020, Parcel 0045
61 **Zoning:** PUD with a base zoning district of A-1
62 **Request:** The Applicant is seeking architectural approval for the addition of
63 six (6) proposed house models pursuant to a previously approved Planned Unit
64 Development (PUD) site plan for the development of the Gannon Range
65 Community (Ordinance No. 773).
66

67 **Background:** On February 21, 2022, the Town Council approved Ordinance No.
68 773, granting the application for a PUD under the provisions of the Easton Zoning
69 Ordinance, effective March 13, 2022. Condition No. 7 in Section E of the Finding
70 of Fact stipulates that the Applicant should provide a greater variation of
71 architectural styles than what was provided in the PUD application to which shall
72 be subject to the approval of the Easton Planning and Zoning Commission.
73

74 On February 5, 2024, the Town Council approved Ordinance No. 803, revising
75 the language of Chapter 28 which governs that a PUD approval shall now lapse at
76 three (3) years if no action is taken by the owner or developer to start or cease
77 construction between phases. On February 15, 2024, the Town of Easton Planning
78 Commission reviewed an extension request for the previously approved PUD for
79 the development of a mixed-use subdivision pursuant to Ordinance No. 773. The
80 Commission voted unanimously to grant the PUD extension through December
81 31, 2024.
82

83 **Staff Presentation:**

84 Joseph Mayer, Plan Reviewer
85 Lynn Thomas, Town Planner
86 Miguel Salinas, Director of Planning and Zoning
87 Sharon Van Emburgh, Esq. Town Attorney
88 Rick Van Emburgh, Town Engineer
89

90 **Applicant Presentation:**

91 Zachary A. Smith, Esq. Armistead, Lee, Rust & Wright. P.A.
92 Jay Heilman III, D.R. Horton
93

94 **Public Comment** — None

95 **Public Comment Written** — None
96

Commissioner Ryall moved to table the application pending the submission of additional architectural products that provide a greater variety in the home design including side-load garages, driveway options, and an enhanced variation of architectural styles. Commissioner McAndrews seconded the motion.

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

b. 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.

Background: On September 19, 2024 the Town of Easton Planning Commission voted 3 - 0 to table the application pending the submission of a Traffic Impact Analysis, and the submission of a revised site plan exhibiting the removal of the proposed western facing fence. The Applicant has now returned with a site plan that instead reflects a split-rail fence along the western side of the property, and the addition of a walking trail through the site that connects South Higgins Street and the "Rails-to-Trails" path system. The requested Traffic Impact Study was submitted to the Engineering Department on October 9, 2024. In the staff report dated October 16, 2024, the Engineering Department deemed the Traffic Impact Analysis as acceptable.

Staff recommends the following condition:

1. The Traffic Impact Study (TIS) shall be approved by the Town Engineer with the study demonstrating that the project will operate at an adequate Level of Service.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

143 **Applicant Presentation:**

144 Ross Bennecia, Chesapeake Community Development
145 Zachary A. Smith, *Esq.* Armistead, Lee, Rust & Wright. P.A.
146 Virginia Richardson, Rauch Inc.
147 Nick Driban, Lenhart Traffic Consulting, Inc.
148

149 **Public Comment:**

150 Matthew Carberry
151 Maureen Nuttle, 310 S. Aurora Street
152 Joan Leanos, 634 Dover Road
153 Thomas Ledvina, 7585 Pollys Hill Lane
154 Maury Schlesinger, 304 Winton Avenue
155

156 **Public Comment Written:**

157 Michelle Maclay
158 Thomas Ledvina, 7585 Pollys Hill Lane
159 Maury Schlesinger, 304 Winton Avenue
160

161 **Vice Chairperson Ports moved to approve the revised Sketch Site Plan subject to**
162 **the following conditions:**
163

- 164 1. **The Traffic Impact Study (TIS) shall be approved by the Town Engineer**
165 **with the study demonstrating that the project will operate at an adequate**
166 **Level of Service.**
167
168 2. **The Applicant shall utilize Maryland Avenue as ingress and egress access for**
169 **all construction purposes.**
170
171 3. **The Applicant shall provide additional landscape screening for all HVAC**
172 **and utility units.**
173

174 **Chairperson Toussaint seconded the motion.**
175

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

183 **4. New Business — None**
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186 **5. Recess —** Chairperson Toussaint called for a brief recess at 3:00 p.m. The meeting was
187 called to Order at 3:10 p.m.
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190 **6. Discussion Items**
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192 **a.** The Commission held a brief discussion regarding ongoing traffic concerns, and
193 considered strategic traffic control measures to improve traffic within different
194 zoning districts in the Town. Mr. Rick Van Emburgh advised that an upcoming
195 Townwide traffic study to be conducted will also take into consideration the
196 future development of these areas. The Town of Easton Engineering Department
197 is anticipated to host an informational meeting for the upcoming traffic study.
198 Further details for the kickoff event will be published at a later time.
199

200 **b.** Continued discussion of the Zoning and Subdivision Text Amendments — At
201 their May 16, 2024 meeting, the Commission began to revise the following
202 proposed Amendments to the Zoning Code:
203

- 204 i. Donation Centers
205 ii. Single Family Home Criteria
206 iii. Revised Internal Illumination Standards for Signage
207 iv. Site Triangle Distance
208 v. Minimum Parking Space Requirements
209 vi. Parking Space Dimensions
210 vii. Article 12: Non-conformities
211 viii. Fuel Price Regulations for Freestanding Signs
212 ix. Driveway Materials (Impervious Surfaces)
213 x. Corrections to the Zoning Map
214 xi. MXW Standards
215 xii. Food Trucks
216 xiii. Parking Standards
217 xiv. Sheds
218 xv. Swimming Pools and Patios
219 xvi. Restaurant Use Types
220 vii. Removal of Parking Districts and “Tree of Heaven” language
221

222 At their August meeting, the Commission finalized the language for all signage
223 regulations including fuel price regulations on freestanding signs. The
224 Commission expanded the definitions for Donation Bins and Donation Centers,
225 and an in depth discussion was held as to the appropriate placement for the
226 Supplemental Standards for Single Family Detached homes. The Commission
227 continued their deliberation into the remaining Zoning Code Amendments to be
228 revised.
229

230 In their review of acceptable driveway and parking materials in Section 28-
231 1001.2, the Commission favored language that detailed a specific breakdown of
232 material types, and where the material types may be permitted. In the language for
233 semi-pervious materials for residential driveways, the Commission struck the
234 language for parking spaces that exceeded the maximum parking requirement

subject to an approved Parking Waiver.

The Commission favored expanding the circumstances in which Mobile Food Uses are permitted. This included allowing them in the CG Zoning District and removing the requirement that the Mobile Food Use maintain a connection (use and ownership) with the property on which it is located. The Commission also indicated that they wished to continue to allow Mobile Food Uses that are associated with a special event; and any approval, extension or renewal of a permit on a long-term basis (more than five years) shall require Planning Commission approval. The Commission sought feedback from the Town of Easton Health Department and the Easton Economic Development Corporation in determining potential impacts for permanent Mobile Food Uses.

The Commission favored the clarifying language for exceptions to setback requirements as presented, and the proposed Subdivision Amendment language in Section 28-1006 as presented. The parking standard language for single-family detached houses was expanded in Section 28-1001.2.J to include optional off-street parking requirements; and clarifying language was added to Section 28-1001.2.D to specify street types onto which parked vehicles could and could not back directly into. The Commission is anticipated to review a final draft of the proposed revisions at their November 21, 2024 meeting, and to make a formal recommendation of the potential Subdivision and Zoning Code Amendments to the Town Council.

- c. Continued discussion of the Comprehensive Plan Update — Mr. Miguel Salinas provided an update on the ongoing efforts to update the current Comprehensive Plan. An initial draft of Six (6) chapters of the Plan including: *Municipal Growth, Historic Preservation, Sensitive Areas, Water Resources, Parks, Rec & Open Space, and Sustainability* will be forwarded to the Commission for internal review. Draft versions of the *Housing* chapter and the *Implementation* chapter are anticipated to be reviewed by the Commission at a subsequent meeting.
- d. Announcements — Mr. Salinas shared a few related announcements and project updates. Mr. Salinas provided an update on the ongoing efforts of the Attainable Housing Task Force to introduce an Inclusionary Zoning Ordinance. At their October 10, 2024 meeting, the task force organized their final strategies for the draft Ordinance, and will provide a formal recommendation of these strategies to the Commission for their review. Mr. Salinas also provided an update on the ongoing efforts to revitalize the East End Small Area Plan. The East End Small Area Project is an effort to update the existing East End Housing and Neighborhood Revitalization Plan approved by the Town of Easton in September 1997. A 5-day design Charrette will be held at the Easton Church of God - Family Life Center at 1009 N. Washington Street from October 24th through October 28th in a collaborative effort to generate ideas, solve problems, and develop creative solutions and improvements to be included in the East End Small Area Plan.

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- 6. Adjournment** — Chairperson Toussaint moved to adjourn. Vice Chairperson Ports seconded the motion. The meeting was adjourned at 4:33 p.m.