



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

Thursday, February 20, 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](http://eastonmd.gov)
 [\(eastonmd.gov\)](http://eastonmd.gov)

Attendance:

Commission Members:

Philip Toussaint, Chairperson
Michael Ports, Vice Chairperson
Tom Klein
Victoria McAndrews
William Ryall
Laurie Forster, Alternate

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas AICP, Town Planner
Joseph Mayer, Plan Reviewer
Nicholas Johnson AICP, 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 —

**Commissioner Ryall moved to approve the December 19, 2024 Decision Summary.
Vice Chairperson Ports seconded the motion.**

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

3. Old Business — None

4. New Business

a. File No.: 2025 - 1372

Applicant: Shore Health System Inc.
% Ryan D. Showalter, *Esq.*
Location: 10028 Ocean Gateway, Easton, MD 21601
Tax Map 0017, Grid 0018, Parcel 0038
Zoning: GI
Request: The Applicant is seeking approval for the relocation of the existing monument sign of the Talbot County Community Center (TCCC) in connection with the reconfiguration of the TCCC entrance.

Staff Presentation:
Joseph Mayer, Plan Reviewer
Lynn Thomas, Town Planner
Sharon Van Emburgh, Esq. Town Attorney

Applicant Presentation:
Ryan D. Showalter, *Esq.*
Patrick W. Thomas, *Esq.*

Public Comment — None
Public Comment Written — None

**Commissioner Ryall moved to approve the signage request as submitted.
Commissioner Klein seconded the motion.**

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

- b. File No.: 2025 - 1370**
Applicant: Easton Crossing LLC
% Gavin Daniels
Location: 505 Brookletts Avenue, Easton, MD 21601
Tax Map 0104, Grid 00EA, Parcels 1823, 1826 & 1833
Zoning: BC with a PRD Overlay
Request: The Applicant is seeking site plan approval for the construction of mixed commercial and residential buildings, consisting of 123 multi-family units with associated site improvements including the demolition of the existing abandoned silos, storage buildings and a gravel road on the property, associated parking and stormwater management facilities. The Applicant is also seeking a supplemental waiver from the landscaping and bufferyard requirements of Section 28-1014.7.E.3(a) & (b)1 and Section 28-1014.7.E.5.(a) through (c) of the Zoning Code.

Staff recommend the following conditions:

1. The Applicant is to address all remaining Easton Staff Development Review comments.
2. Please obtain approval from the Maryland Department of Transportation, Office of Rail & Intermodal Freight prior to Development Site Plan approval. The following conditions below are relevant to the railroad corridor:
 - a. Presently, TOE has the ability to make improvements to the railroad corridor for trail development, but any final design for improvements on the corridor property are subject to MTA engineering review under the MDOT trail use agreement.
 - i. The applicant avoid the installation of permanent surface structures on the corridor*
 - ii. Features should be confined to one property or the other, and the applicant shall not place any physical features or structures which sit on the property line itself, IE, a sidewalk which is partially on each property. The use of surfaces and lines for sidewalks specifically could be used to achieve this purpose, as long as it's clear which segments are on which parcel.
 - b. The installation of utility crossings of the corridor require a property agreement with the MTA and will be subject to the terms of that agreement.**
 - c. The use of the overhead gantry on the site requires the assignment of the existing property agreement to the applicant under terms provided by MTA, the creation of a new agreement, or the removal of the structure.

* “Permanent” meaning structures which would cause practical issues to surrounding infrastructure if they were to be removed to facilitate the return of railroad operations, IE utility access, buildings, or emergency access to buildings.

** To be determined between MDOT and the Town whether the utility agreements will be with the town, or the applicant.

Staff Presentation:

Joseph Mayer, Plan Reviewer

Lynn Thomas, Town Planner

Miguel Salinas, Director of Planning and Zoning

Sharon Van Emburgh, Esq. Town Attorney

Rick Van Emburgh, Town Engineer

Applicant Presentation:

Ross Benincasa, Chesapeake Community Development
Virginia Richardson, RAUCH Inc.
Brian Fitzgerald, RAUCH Inc.
Zachary A. Smith, *Esq.*

Public Comment:

Lynn Mielke, 28415 Pinehurst Road
Julie Lowe, Talbot Interfaith Shelter
Eric Vance, 210 Brookletts Avenue
Joseph Minarick, East End Neighborhood Association
Maury Schlesinger, 304 Winton Avenue
Tom Ledvina, 7585 Polly's Hill Lane

Public Comment Written:

Maury Schlesinger, 304 Winton Avenue
Tom Ledvina, 7585 Polly's Hill Lane
Carolyn Jaffe
Bob Porter

Vice Chairperson Ports moved to approve the sketch site plan and waiver requests for Buildings #411, Building #505, Building #507 and Building #509 subject to the following conditions:

- 1. The Applicant shall return to receive sketch site plan approval for Building #409. The Commission requests that the Applicant consider the architectural and design compatibility of Building 409 with the adjacent Hill Neighborhood.**
- 2. The Commission has requested a site design with components that incorporate bird building collision features.**
- 3. The Applicant shall address all remaining Easton Staff Development Review (ESDR) comments.**
- 4. The Applicant shall obtain approval from the Maryland Department of Transportation, Office of Rail & Intermodal Freight prior to Development Site Plan approval. The following conditions below are relevant to the railroad corridor:**
 - a. The Town of Easton has the ability to make improvements to the railroad corridor for trail development, but any final design for improvements on the corridor property are subject to MTA engineering review under the MDOT trail use agreement.**

- i. **The Applicant shall avoid the installation of permanent surface structures on the corridor***
 - ii. **Features should be confined to one property or the other, and the Applicant shall not place any physical features or structures which sit on the property line itself, i.e., a sidewalk which is partially on each property. The use of surfaces and lines for sidewalks specifically could be used to achieve this purpose, as long as it's clear which segments are on which parcel.**
- b. **The installation of utility crossings of the corridor require a property agreement with the MTA and will be subject to the terms of that agreement****
 - c. **The use of the overhead gantry on the site requires the assignment of the existing property agreement to the Applicant under terms provided by MTA, the creation of a new agreement, or the removal of the structure.**

* “Permanent” meaning structures which would cause practical issues to surrounding infrastructure if they were to be removed to facilitate the return of railroad operations, i.e., utility access, buildings, or emergency access to buildings.

** To be determined between MDOT and the Town whether the utility agreements will be with the town, or the Applicant.

Commissioner Ryall seconded the motion.

<u>Vote</u>	<u>4 - 0 - 1</u>
FOR:	4 - Toussaint, Ports, McAndrews, Ryall
AGAINST:	1 - Klein
ABSTAIN:	0
ABSENT:	0

- c. **File No.: 2025 - 1371**
Applicant: Town of Easton
Location: 801 Port Street, Easton, MD 21601
Tax Map 0034, Parcel 0171
Zoning: MXW
Request: The Applicant is seeking sketch site plan approval for the construction of a new boat ramp and public restroom with associated parking, stormwater management and landscaping on the existing Town of Easton Point Park. The Applicant is also seeking a landscape and buffering waiver from Section 28-1001.3.L of the Zoning Code, and a setback waiver from Section 28-312.5 (E) of the Zoning Code.

Staff recommend the following condition:

1. The Applicant will coordinate with the Town of Easton and the Critical Area Commission to submit a Buffer Management Plan prior to development site plan approval.

Staff Presentation:

Joseph Mayer, Plan Reviewer
Sharon Van Emburgh, *Esq.* Town Attorney

Applicant Presentation:

Rick Van Emburgh, Town Engineer

Public Comment — None

Public Comment Written — None

Commissioner Klein moved to approve the sketch site plan and waiver requests subject to the following condition:

1. **The Applicant shall coordinate with the Town of Easton and the Critical Area Commission to submit a Buffer Management Plan prior to development site plan approval.**

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

5. Discussion Items

- a. Design review and approval of the graphics and mechanical equipment screening on a previously approved kitchen facility on the existing property located at 625 Dover Road (Rise Up Coffee Roasters) —

At their October 19, 2023 meeting, the Commission reviewed an amendment to a previously approved Planned Unit Development (application 2023 - 0870) for the addition of an 8' x 12' walk-in cooler to the existing kitchen unit, and the addition of a 12' x 24' storage shed to the existing property. The Commission moved via a 5-0 vote to approve the application and to forward a favorable recommendation to the Town Council subject to a condition that the applicant shall return to the Planning Commission to review and/or determine if a redesign of the graphics

and/or additional screening of mechanical components is necessary. On December 21, 2023 the Commission moved via a 5-0 vote to continue the request for design review and approval of the kitchen facility with a request for the applicant to return with enhanced renderings and elevations of the additional structure, where an evaluation regarding the necessity of the mechanical equipment screenings would be determined at that time.

Mr. Zachary A. Smith *Esq.* and Mr. Ozzie Jimenez were in attendance on behalf of Rise Up Coffee Roasters to present a new design pursuant to Commission’s approval of the graphics and mechanical equipment screening. Mr. Smith described the modified features of the design; noting that the secondary structure will not contain mechanical equipment. Mr. Smith remarked on the positive feedback received from the public on the design of the existing container, and how the proposed graphics for the secondary container incorporate familiar elements of Rise Up's branding. Staff clarified that the PUD regulations would classify the proposed graphics as signage.

Vice Chairperson Ports moved to approve the graphics of the secondary structure as submitted. Commissioner Ryall seconded the motion

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

- b. Pattern Books and Design Guidelines: A discussion with Jay Corvan on developing and incorporating a pattern book for development — The discussion on pattern books and design guidelines was withdrawn from the February 20, 2025 Planning Commission agenda, and will be rescheduled for a subsequent meeting.
- c. Planned Redevelopment (PR) Overlay District revisions — Pursuant to the Town’s ongoing discussion regarding growth and the future annexation of properties (for the purpose of residential development), the Town Council will hold a workshop on March 3, 2025 to discuss the intended use for the Planned Redevelopment (PR) Overlay District, and alternative options to improve or remove the overlay district. In the workshop, Planning and Zoning staff will present the Council with options to revise the PR District such as imposing limits on what type of relief can be requested (anything beyond the threshold could only be considered pursuant to a PUD application with a Council Hearing and action) or to rescind the PR Overlay altogether. The Commission explored additional mechanisms to extend the Council’s oversight with the suggested appointment of a liaison, or member of the Town Council as a voting or non-voting ex-officio member of the Commission.

6. Election of 2025 Officers —

Michael Ports nominated Philip Toussaint as Chairperson. Tom Klein seconded the nomination. Philip Toussaint accepted the nomination.

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

Tom Klein nominated Michael Ports as Vice Chairperson. Philip Toussaint seconded the nomination. Michael Ports accepted the nomination.

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

Tom Klein nominated William Ryall as Chair Pro Tem. Michael Ports seconded the nomination. William Ryall accepted the nomination.

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

7. Adjournment — Vice Chairperson Ports moved to adjourn. Commissioner Ryall seconded the motion. The meeting was adjourned at 4:35 p.m.