



Planning Commission MEETING MINUTES

Thursday, October 21, 2021 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Members Present:

Mr. Paul Weber - Chairman, Ms. Jennifer Dindinger - Vice Chairperson, Ms. Victoria McAndrews, Mr. Talbot Bone and Mr. William Ryall

Staff Present:

Mr. Lynn Thomas - Town Planner, Ms. Katie Reedy - Director of Site Development, Mr. William Chapman - Assistant Town Attorney, Mr. Joseph Mayer - Plan Reviewer, Mr. Casey Ortiz - Planner 1

Staff Absent:

Ms. Sharon Van Emburgh - Town Attorney and Mr. Rick Van Emburgh - Town Engineer

At 01:00 PM, Chairperson Weber called the meeting to order.

Approval of Minutes.

Approval of Revised Minutes of previous meeting: 2021-08-19 Meeting Minutes.

Upon motion by Mr. Bone and seconded by Ms. Dindinger, Vice Chairperson, the Commission voted to approve the revised August 19, 2021 minutes with corrections.

Approval of Minutes of previous meeting: 2021-09-16 Meeting Minutes.

Upon motion by Mr. Ryall and seconded by Mr. Bone, the Commission voted to approve September 16, 2021 minutes with corrections.

Prior to the commencement of new business, the Commission discussed the morning Workshop Meeting on October 21, 2021 which dealt with revisions to the Zoning Ordinance presented to the Town Council. There were seven issues, six of which were resolved at the workshop. Those items were: Apiary Use, arts related uses within the Arts & Entertainment District, Zoning Map concerning 2 three parcels at the corner of Aurora Street and North Washington Street, request at 622 Dover Road to be changed to the CB District, supplemental standards associated with the uses of craft beverage manufacturing and brew hubs and middle housing definition. Mr. Will Chapman, the Assistant Town Attorney, provided suggested language for the definition of recovery residence. Mr. Thomas added that the proposed changes included revised definitions for recovery houses and a proposed revision to the definition of single family detached dwelling to include recovery houses. Both are a result of the Town Attorney working with an Attorney for one of the Recovery Houses in Easton.

Upon motion by Ms. McAndrews and second by Ms. Dindinger, Vice Chairperson, the Commission voted to approve the revisions as recommended by Staff and advise the Town Council to do the same.

Old Business

None.

New Business

Applicant:

Brock Parker - Parker & Associates, Inc.

Owner:

Nistazos Holdings LLC

Location:

8461 Ocean Gateway - Dunkin' Donuts

Nature of Request: Supplemental Waiver Request for fewer parking spaces.

The applicant, Mr. Brock Parker from Parker & Associates, Inc. was present via Zoom to represent the owner, Nistazos Holdings, LLC. Due to technical difficulties with Zoom, the applicant will apply for the next scheduled Planning Commission Meeting on November 18, 2021.

Applicant: Scott Shust - JTS Architects
Owner: NLA Easton, LLC c/o Andrew Goodman
Location: 220 Marlboro Avenue
Nature of Request: Supplemental Waiver Request for fewer parking spaces.

Mr. Andrew Goodman, GMX Real Estate Group, LLC was present to represent the applicant, Scott Shust, JTS Architects. Mr. Goodman discussed the various tenants at 220 Marlboro Avenue; Verizon is a returning Tenant with a new lease, Sleep Number is at the end-cap of the building closest to Easton Parkway, there's an in-board unit to be leased, UBreakiFix, and there's a pending lease for Tropical Smoothie that's the opposite end-cap of the building facing the site's entrance. Tropical Smoothie requires a drive-thru, resulting in a reduction of parking spaces and would require a Parking Waiver Request. The Applicant is now proposing 46 parking spaces. The site requires 52.2 parking spaces. Therefore, they are asking for 7 parking spaces to be reduced. Mr. Goodman summarized the study by Ms. Claire McLane, Land Development Consulting Regulatory Process Management, and clarified that the proposed 46 parking spaces meet the demand for the parking spaces at the site.

Mr. Weber called attention to the Town's staff comments in regards to stacking thru the drive-thru lane. Mr. Mayer commented on the possible backup at the entrance of the drive-thru. Mr. Goodman stated that the stacking requirement meets the Town's code and, prior to submission, they consulted with Tropical Smoothie about stacking demand. They could work with the staff and possibly look at the angle of the geometrical position of the drive-thru.

Ms. McAndrews questioned how the stacking would occur because the location looked awkward. Ms. Dindinger was concerned about the adjacent ingress/egress aisle at the drive-thru location and recommended making that portion of the lane one way, directing the drive-thru to circle around the building to exit out of the site. Mr. Bone was concerned that the stacking would be more than just five cars and suggested they look at another way to bring the cars in so that the stacking doesn't interfere with the traffic that's going to Acme or Dunkin' Donuts. Mr. Weber questioned how far the fifth car was in the lane of traffic. Mr. Goodman suggested providing carryout customer stalls close to the store for mobile orders. He did confirm that they cannot encroach on the adjacent property owners.

Ms. Dindinger noted that there would be a special exception for the restaurant. Mr. Weber suggested posting a sign to not block the access lane. Ms. Reedy suggested an auto-turn analysis for the last space on the stacking line. It was also suggested by Mr. Mayer, for the applicant to look at adding curb & gutter along the drive-thru lane.

Upon motion by Mr. Bone and seconded by Ms. Dindinger, Vice Chairperson, the Commission voted for the applicant to re-look at the stacking process and come back when they have a better solution to handle more cars without any conflict.

Discussion Item

Applicant: Ryan D. Showalter
Owner: 5001 SHR, L.C.
Location: Oxford Road
Nature of Request: Discuss proposed residential PUD Subdivision with 109 Single Family Units, 138 Villa Townhomes, 192 Workforce Housing Units (439 Total Units), 23.6 Ac. Community Park Area, 13 Ac. Maintained Forest Area, 2.5 Ac. Buffer yards, 21.3 Ac. Public Open Space, 16.6 Ac., Private Open Space and 5.42 Ac. Commercial Area.

Mr. Ryan Showalter, Esq. from McAllister, DeTar, Showalter & Walker and the owner, Mr. Kevin Sills, from 5001 SHR, L.C. were present to discuss Poplar Hill - Site Plan, PUD, as a discussion item only. This is a proposed mixed use PUD subdivision with 109 Single Family Units, 138 Villa Townhomes, 192 Workforce Housing Units (439 Total Units), 23.6 Ac. Community Park Area, 13 Ac. Maintained Forest Area, 2.5 Ac. Buffer yards, 21.3 Ac. Public Open Space, 16.6 Ac. Private Open Space and a 5.42 Ac. Commercial Area. The site ultimately requires Growth Allocation in order to develop any of the portions within the Chesapeake Bay Critical Area. Growth Allocation is typically granted on a site-specific and project-specific basis.

Mr. Weber inquired about workplace housing within the townhouse villas. Mr. Showalter stated the applicant is looking at different townhouse sizes to fit various market points for a range of incomes. Mr. Sills is currently working on a market study for the apartments and are intended to be market rate rental units for one to three bedroom units. They are trying to meet the needs for a middle-income apartment with an estimated price point for rentals of \$1,200 to \$1,500. Currently, they do not have a price point for townhomes or single-family homes.

Mr. Weber discussed concerns about the traffic study and the site's entrances. Mr Showalter stated that a Traffic Study was prepared and will be formally submitted with the full application before the Planning Commission. This study includes existing conditions, plus regional growth, plus background conditions from approved, but not yet built, units are added to the traffic study for level of service. Mr. Showalter added that the town asked for a signal warrant analysis from the state for the south end of the site and, at the north end of the site, the entrance was placed farthest west from the existing adjacent subdivisions. In addition, there's no entrance to the commercial site along Route 322. Mr. Bone mentioned the need for connectivity between the adjacent parcel facing the west side of the site for future development. Mr. Ryall commented on the ability to have pedestrian walkways accessing the town.

Mr. Showalter discussed the Growth Allocation. A portion of the property is within the Critical Area, designated RCA Areas. Since the townhomes and single-family lots can't meet the 15% lot coverage limits for LDA, Growth Allocation would need to become designated as IDA. He also elaborated on the Open Space Areas and Stormwater Management Areas. In summary, Growth Allocation is needed to move the project forward.

Mr. Showalter added that the infrastructure would initially be built first with the park and the apartments, townhomes and single-family units would be available as market demands. Ms. McAndrews questions the spatial distance between Oxford Road and the visibility of seeing the top stories of the apartments. Mr. Bone commented on the need for traffic calming measures along Oxford Road. Ms. Dindinger discussed the management of HOA involvement in regards to community amenities and site buffering.

Applicant:	Zach Smith - Armistead, Lee, Rust & Wright, P.A.
Owner:	Char-Min Enterprises LLC & Keith A Parks ETAL
Location:	Dutchman's Lane, Parcels 32 & 58
Nature of Request:	Discuss the possible annexation of two (2) parcels located off of Dutchman's Lane that are shown as Parcels 32 and 58 on Talbot County Tax Map 43. The properties consist of undeveloped land currently located just outside of the Town of Easton, but within the Town's planned " growth area" as defined by the 2010 Comprehensive Plan, and are specifically slated for residential development. The current Plan shows parcel 32 as a Priority 2 Growth Area and Parcel 58 as a Priority 3 Growth Area.

Mr. Zach Smith from Armistead, Lee, Rust, Wright, P.A. was present with the owner, Steve Parks, to discuss the possible annexation of two (2) parcels located off of Dutchman's Lane that are shown as Parcels 32 and 58 on Talbot County Tax Map 43. The properties consist of undeveloped land currently located just outside of the Town of Easton, but within the Town's planned " growth area" as defined by the 2010 Comprehensive Plan, and are specifically slated for residential development. The current Plan shows parcel 32 as a Priority 2 Growth Area and Parcel 58 as a Priority 3 Growth Area. This is a discussion item to consider changing the two parcels into Priority 1 Growth Areas.

Ms. McAndrews inquired about the history of the two tracts of land and their surrounding county parcels. Mr. Weber can see the need for converting parcel 32 to Priority 1 because it's

enclosed on three sides of the property. He questioned whether it would impact any similar Priority 3 parcels change to Priority 1. Mr. Parks elaborated on the history of the parcels and the demarcation of the tract boundaries. Mr. Ryall has no issues with the site. He does have concerns about the towns' growth. Ms. Dindinger stated that other Priority 3 sites should be changed prior to parcel 58, a wooded lot. Mr. Weber added that if the town wants to continue a modest growth rate, then the town may have to consider the need to change Priority 2 & 3 areas. Mr. Bone questioned if this is the right parcel to change from Priority 2 to Priority 1, and that's what the Comprehensive Plan process is all about.

Mr. Smith summarized to the extent that the Planning Commission doesn't favor looking at this individually, the applicant will participate in that process. He continued that we are reaching an end of available lots soon. He thinks there is a demand today and would like to move forward.

Workshop discussion concerning Subdivision Regulations.

The workshop concerning Subdivision Regulations was removed for discussion.

Adjournment

The meeting ended at 3:21 PM.