

MINUTES OF THE
May 17, 2012 Meeting of the
Easton Planning & Zoning Commission

Members Present: John Atwood, Chairman, and members, Debbie Renshaw, Steve Periconi, Tom Moore and Mrs. Cheezum.

Members Absent:

Staff Present: Lynn Thomas, Town Planner, Zach Smith, Current Planner, and Stacie Rice, Planning Secretary.

Mr. Atwood called the meeting of the Planning & Zoning Commission to order at 1:00 p.m. The first order of business was the approval of the minutes of the Commission's March 15, 2012 meeting. Upon motion of Mr. Moore seconded by Mr. Periconi the Commission voted 5-0 to approve the minutes.

The first item was from staff regarding a parking waiver request for 8073 Ocean Gateway (proposed **Giuffrida's Restaurant**). Mr. Thomas explained the applicant is requesting a parking waiver for a building owned by George Hocker next to Taco Bell/KFC. The prospective tenant, Giuffrida's who currently operate at 810 Dover Road for several years have to vacate the current location. Mr. Thomas explained a sit down restaurant in a 2,500 square foot building requires 50 off street parking spaces. There are 13 off street spaces provided. Lenny with Giuffrida's explained they are not adding any additional tables and the majority of their business is carry-out. A representative for the owner of Taco Bell/KFC stated they are not in favor of overflow parking in their lot and feels it would be a liability issue. Upon motion of Mr. Periconi, seconded by Mr. Moore the Commission voted 4-1 to deny the parking waiver request as there is not enough parking on the proposed site.

The first item on the agenda was the **Spring Annexation**. The request is for annexation of property south of Route 331, west of Chilcutt Road. The request involves two properties, located west of and adjacent to Chilcutt Road and east of the Clifton Industrial Park and the current Town Boundary. The two parcels are collectively owned by Rodney and Linda Spring and together comprise 17.170 acres of land. Mr. Showalter explained the 2010 Comprehensive Plan indicates that the properties are a Priority 1 (Boundary Refinement) Area and are recommended as "Industrial" for future land use. The Annexation Application requests I-1 zoning for the subject properties. They are currently zoned Light Industrial under Talbot County's Zoning Ordinance. Mr. Showalter stated that Mr. Spring will continue to use the property for his commercial business. Upon motion of Mr. Periconi, seconded by Mrs. Cheezum the Commission voted 5-0 to approve the annexation request finding it consistent with the Comprehensive Plan with proposed Zoning of I1.

The next item was **114 Bay Street** requesting a 2 year site plan extension. Mr. Stagg explained the owner is not ready to construct the building at this time and therefore requests the extension. Upon motion of Mrs. Cheezum, seconded by Mr. Moore the Commission voted 5-0 to approve a 2 year extension.

The next item was from staff concerning **Ordinance 606**. Mr. Thomas explained to the Commission that in the last couple of month the Commission forwarded a recommendation to the Town Council to adopt the standards for two new Zoning districts as called for the Comprehensive Plan, the Business Commercial and the Industrial Zoning districts. The Town Council held a Public Hearing on this and approved them. They have been adopted and are now effective. You might also recall that the recent McNeal Annexation proposed to assign the new

BC zoning classification to the McNeal properties upon their annexation into the Town. In an effort to avoid any controversy down the road relative to this issue, the applicant's agent went before the Talbot County Planning Commission and Council to ascertain whether a zoning waiver from the so-called five year rule would be required for the subject properties and if the County so determined that it was necessary, to obtain said waiver. Mr. Thomas stated that during during the County Council's deliberation of the issue, it was pointed out that the new BC potentially allows for Fast Food Restaurants (possible via Special Exception). Some members of the Council were concerned about this possibility, particularly with regards to the subject property fronting directly on Route 50. They apparently feel that given this frontage and perhaps with development pressure from the relocation of the Hospital "next door" to the McNeal properties, fast food restaurants may well in fact seek these properties and that is something they do not want to see happen. To that end they requested that we (the Town) introduce legislation to prohibit this use in the new BC zoning district. Upon motion of Mr. Moore, seconded by Mr. Periconi the Commission voted 4-1 (Atwood against) to **prohibit**

The next item was a discussion of requested amendments relative to **Poplar Hill Farm** property (Map: 42 Parcel 57). Mr. Thomas explained that Shore Health System is in the process of planning and review for the proposed new regional health care facility. At this time the new hospital is still under the ownership of Talbot County. While working on the tasks associated with the transfer of the property to Shore Health Systems, it was discovered that a portion of the lands proposed to be transferred is in fact subject to a State of Maryland Project Open Space Easement and as such is precluded from development. Mr. Showalter stated that in order to have the easement lifted a suitable substitute property or properties must be found. Mr. Showalter stated that one of the possible solutions they have come up with is to have Shore Health Systems transfer a portion of the Oxford Road property that was formerly thought to be the future home of the hospital, to Talbot County and have them substitute this property for the one off of Longwoods Road where the hospital is now proposing to build. They would transfer the Open Space easement to this newly created parcel. Mr. Thomas explained to make such a transfer occur we must amend the Comprehensive Plan to make it clear that a park/open space at this location is appropriate and so planned by the Town and to clarify how the remaining SHS-owned portion of the site might be developed in light of the fact that it will obviously not be a new hospital.

There being no further business the meeting was adjourned at 2:30 p.m. by motion of Mr. Periconi, seconded by Moore.

Respectfully submitted,

Stacie S. Rice
Planning Secretary