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MINUTES OF THE
December 18, 2014 Meeting of the
Easton Planning & Zoning Commission

6 Members Present: Dick Tettelbaum, Chairman, and members, Debbie Renshaw, Don
7 Hilderbrandt, John Atwood and Terry Dell.

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9 Members Absent:

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11 Staff Present: Lynn Thomas, Town Planner, Brett Ewing, Current Planner and Stacie Rice,
12 Planning Secretary.

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14 Mr. Tettelbaum called the meeting of the Planning & Zoning Commission to order at
15 1:00 p.m.

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17 The first item of business was the approval of the August, October and November
18 Planning Commission minutes. Upon motion of Mr. Dell, seconded by Mr. Atwood the
19 Commission voted 5-0 to approve the minutes as prepared.

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21 The first item on the agenda was **Aphena Pharma Solutions Maryland, LLC.**
22 Property is located on Industrial Park Drive (Tax Map 34, Parcel 200). Mr. Thomas
23 explained that the subject property consists of two parcels located in Clifton Industrial
24 Park, owned by Aphena Pharma Solutions. Mr. Thomas explained that Clifton Industrial
25 Park has been developed for a number of years. It was largely improved under County
26 jurisdiction prior to being annexed into the Town in 2007. Initially, the entire park,
27 including the subject property, were annexed. Shortly, thereafter, the subject property and
28 those directly across Industrial Park Drive (Celeste), asked to be jettisoned and that
29 request was approved. After a number of changes to the Town's tax structure, as well as
30 the need by the applicant for the Town's water service, the applicant wishes to return to
31 Town. Mr. Thomas stated that the 2010 Comprehensive Plan indicates that the properties
32 are a Priority 1 (Boundary Refinement) Area and are recommended as "Industrial" for
33 future land use. Upon motion of Ms. Renshaw, seconded by Mr. Atwood the Commission
34 voted 5-0 to approve the annexation as submitted finding it consistent with the
35 Comprehensive Plan with the zoning classification of I1 (Industrial).

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37 The next item was from staff concerning the proposed **Zoning Ordinance**
38 **Amendments.** Mr. Thomas explained he is before the Commission with a list of annual
39 ordinance amendments.

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41 Mr. Thomas explained the first item is **Charitable Donation Boxes.** Mr. Thomas
42 explained he has been asked to discuss clothing donation boxes. There is concern that they
43 are proliferating throughout Town and aren't aesthetically pleasing structures. The Staff
44 has noticed more and more of these (and some that are not for clothing but other items
45 such as books. The Staff stated they could list said boxes in the table of permissible uses
46 and specify where they are permitted. The Commission felt at this time the donation boxes
47 weren't a major issue. The Commission asked the Staff to look into who maintains the
48 existing recycle bins in Marlboro Plaza Shopping Center and if they would be open to
49 screening said bins.

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2 The second item was **solar panels**. Mr. Thomas explained that the Ordinance
3 already regulates this use, but only in the realm of such panels being roof mounted and to
4 supply energy to an individual home or business as essentially an accessory structure in
5 the A-1, R-7A, R-10A, R-10M and G/I zoning districts. Mr. Thomas explained that a couple
6 of years ago the Town had a request for a larger version of this to install a ground mounted
7 array of solar panels at the Talbot Community Center. The accessory version of this use
8 was permitted in that Zoning District and thus the applicant successfully utilized that
9 provision with a variance to permit the ground mounted solar array.

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11 Recently, the Town received a request to install something akin to what is at the
12 Community Center in a commercial district where the currently listed use is not permitted.
13 Mr. Thomas has had discussions with one or two individuals about the possibility of
14 installing an even larger field of such panels some time down the road for energy
15 generation at a larger scale. This scale of the use of solar panels goes beyond what is
16 currently contemplated by the Ordinance and as such. He suggested either amending the
17 existing language that we have, or distinguish and differentiate between the two. He also
18 suggested the Town leave the standards that we currently have in place, although he sees
19 no reason to prohibit such accessory panels anywhere in Town and thus, thinks we should
20 consider amending the Table of Permissible Uses to add them as a permitted Accessory Use
21 in the Commercial and Industrial Districts (they are currently permitted as an Accessory
22 Use in all residential districts plus the Government/Institutional District). The language
23 requires them to be located on roofs. The Commission wasn't sure that makes sense in
24 every instance. Mr. Thomas suggested adding a new use referring to the larger scale
25 collection of solar panels. Due to potential issues relative to glare, proximity to neighboring
26 properties, aesthetics, etc., that this version of the use be permitted via Special Exception.
27 We could simply distinguish between roof-mounted solar panels, which would continue to
28 be permitted as an Accessory Use, and ground-based solar panels, which could be
29 permitted as a Special Exception. The Commission asked the Staff to draft an Ordinance
30 pertaining to solar panels for the I1 and Commercial Zoning Districts. They preferred
31 language on the ground mounted panels. At this time the Commission did not want to
32 address residential solar panels.

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34 The third item discussed was **crematoriums**. Mr. Thomas explained that Mr.
35 Ewing recently received an inquiry concerning the Town's regulation of crematoriums.
36 Someone is interested in opening one in the Town of Easton and wanted to know where it
37 might be permitted. This particular use is not included in the Table of Permissible Uses.
38 Mr. Thomas explained that in such instances, the Town Planner is instructed to make a
39 determination as to which use in the Table the proposed use is most similar to, and to allow
40 the proposed use to proceed as a Special Exception in any zoning district in which the
41 similar use is permitted (either outright or via Special Exception). Mr. Ewing stated that if
42 the Commission should agree to add this use, this will be a simple amendment process. He
43 suggested we add a definition, add the use to the Table and indicate where and under what
44 process (i.e. either P or SE) it is permitted, and add supplemental standards if any make
45 sense for this use.

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47 Another related use, a columbarium has been brought to the Staff's attention as well. A
48 crematorium is a facility where cremations occur and a columbarium is a place where
49 remains can be placed, similar to a cemetery in many respects. This latter request was
50 merely a question so there may not be the same urgency as for the first issue, but the Staff
51 suggested the Commission address both. The Staff feels a columbarium is similar enough
52 to a cemetery that we could allow them in the same manner that we do that use. The
53 crematorium seems to be of a different nature. Mr. Ewing suggested to make it an outright
54 permitted use in all non-residential zoning districts.

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The Commission felt as though both uses were appropriate. The Commission asked the Staff to draft language for the crematorium for their review and add the use to the Table of Permissible Uses.

The next items discussed was from staff regarding **Planned Unit Development Options**. Mr. Thomas had left the Planning Commission meeting to attend another meeting, but Mr. Ewing explained that at the November meeting the Commission and Staff discussed the Planned Unit Development (PUD) in Easton and whether it should remain part of the Zoning Ordinance and any issues the Commission has with both the PUD as a development tool as well as the PUD process. Mr. Thomas got a sense that the Commission, in general, felt there is still a place for the PUD in Easton but to be more truly effective, some revisions ought to be considered. Mr. Ewing stated there needs to be a stronger, more direct linkage between the PUD and the Comprehensive Plan. Another message the Staff heard at the November meeting is that our current review process is flawed in at least one aspect and that is the Commission's role in it. Specifically, the Commission indicated they think their role ought to be more than merely evaluating whether or not the proposed application is consistent with the Comprehensive Plan.

The Commission would prefer to modify the Zoning Ordinance, Article VIII *PUD*, subsection H. (2) and (3) to place the review criteria currently specified in section (3) to the Planning Commission's authority. The Mayor and Town Council would still retain the ultimate authority to approve or deny an application but only based upon PC's findings.

There being no further business the meeting was adjourned at 2:40 p.m. by motion of Mr. Dell seconded by Mr. Hilderbrandt,

Respectfully submitted,

Stacie S. Rice
Planning Secretary