

**Board of Zoning Appeals
Town of Easton
Tuesday, April 21, 2015**

OPEN SESSION MINUTES

MEETING CALLED TO ORDER

Mr. Cotter called the regularly scheduled meeting to order at 9:00 a.m. Tuesday, April 21, 2015 in the Town Council Chambers in the Town Office Building.

In attendance were:

Board of Zoning Appeals Members:	Peter Cotter, Chairman, Gary Molchan, and Charles Fitzgerald.
Staff:	Stacie Rice.

The Board voted unanimously to approve the December 12, 2014 and March 10, 2015 minutes.

NEW BUSINESS:

BOZA Case No. SE-768 – 406 Marvel Court

Brynja Booth with Cowdrey Thompson and Jennifer Walter with 406 Marvel Court & Tidewater Physical Therapy were present at the meeting regarding property located at 406 Marvel Court Easton, MD. The owner of the property is 406 Marvel Court, LLC. Ms. Booth explained she is seeking a Special Exception to construct an array of ground mounted solar panels in the CG zoning district. Mrs. Booth explained the solar panels would be used to generate electricity on-site for the benefit of the tenant, Tidewater Physical Therapy, which operates its physical therapy business from the location. The property is a large parcel consisting of 45,986 square feet, and is improved with a medical office building, which is 5,950 square feet. The property is surrounded by and adjacent to other medical offices. At the request of the applicant, on March 3, 2015, the Town Council adopted Ordinance No. 648, a Zoning Ordinance text amendment, which authorized ground mounted solar panels by special exception in the CG district. They are proposing to construct approximately 300 ground mounted solar panels along the eastern side yard. The panels will be located approximately 14 feet from the property line. The applicant is proposing to erect a fence along the perimeter, approximately 3 feet from the property (chain-link). The applicant proposes to have existing landscaping remain between the solar array and the public street Marvel Court. They propose to remove all trees and shrubs along the eastern boundary of the property.

Ms. Booth addressed the criteria as set out in Article XIII, Section 1303.5 B 6 provisions for granting a Special Exception.

Upon consideration of all the evidence and testimony presented at the meeting, Mr. Cotter made a motion to approve the Applicant's request for a Special Exception conditioned on the applicant planting shrubs and ground cover plantings along the eastern and southern (between Marvel Court and solar array) property lines. Motion seconded by Mr. Molchan and carried on a vote of 3-0.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:35 a.m.

Submitted by

Date