



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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DIRECTOR OF ADMINISTRATION

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## MINUTES

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The Salisbury-Wicomico Planning and Zoning Commission met in regular session on January 16, 2020, in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

### COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman

Scott Rogers

Mandel Copeland

James McNaughton

Jack Heath

Jim Thomas

### PLANNING STAFF:

Anne Roane, Infrastructure and Development Dept.

Henry Eure, Infrastructure and Development Dept.

Brian Wilkins, Infrastructure and Development Dept.

Keith Hall, Deputy Director, Wicomico County Planning, Zoning, and Community Development

Amanda Rodriguez, Recording Secretary

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The meeting was called to order at 1:30 p.m. by Mr. Dashiell, Chairman.

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**MINUTES:** The minutes from the December 19<sup>th</sup> meeting were brought forward for approval. Upon a motion by Mr. Rogers, seconded by Dr. McNaughton, and duly carried, the minutes from the December 19, 2019 meeting were **APPROVED** as written. Mr. Heath and Mr. Thomas abstained from the vote as they were absent from the meeting in question.

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**AMENDED CONDOMINIUM DOCUMENTS - Westwood Business Center  
Condominium – 1770-74 Westwood Drive – Westwood Commerce Park PDD #2 -  
M-28, G-18, P-263 (A. Roane)**

\*\*\* Before hearing this agenda item, Mr. Rogers recused himself from this matter.\*\*\*

Ms. Anne Roane, as well as the property owner and <sup>Gil</sup>~~Glen~~ Allen, attorney for the applicant, came forward. Ms. Roane presented the Staff Report and stated the applicant is seeing approval of amended Condominium Documents for the Westwood Business Center. Staff recommends approval as submitted.

Mr. Allen gave a brief history of the property, noting that Lot B3 was always intended to be part of the development. The applicants have no proposed construction on site yet, but are ready to acquire lot B3.

Mr. Dashiell stated that there has been a history with the Planning Commission of approvals for the expansion of this project throughout the years. There were no further comments or questions.

Upon a motion by Mr. Thomas, seconded by Mr. Heath, and duly carried, the Commission granted conditional approval of the amended Condominium Documents pending the City Solicitor's review.

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**PALEO CHANNEL/WELLHEAD PROTECTION SITE PLAN APPROVAL -  
Burnish Beer Company – Wade Rentals, LLC – 2305 Northwood Drive – Light  
Industrial District – M-101, G- 14, P-5459 - #19-016 (B. Wilkins)**

Mr. Brian Wilkins, Taylor Wade, Jeff Harmon, civil engineer for Becker Morgan, and Alex Fisher, attorney for Mr. Wade, came forward. Mr. Wilkins presented the Staff Report and stated the applicants are seeking approval of the Site Plan for Burnish Beer Company. The proposed site plan includes a restaurant, brewery, and outdoor beer garden.

Staff recommends approval with the following 5 conditions:

1. The site shall be developed in accordance with the approved Site Plan and all requirements of the Salisbury Municipal Code. Minor adjustments may be approved by the Department of Infrastructure & Development.
2. Provide sign details and elevation plans for Planning Commission approval prior to installation of any signage.
3. Site work and Stormwater Management shall be subject to further review and approval by DID.

4. Approval of the Salisbury Fire Marshal.
5. Forest Conservation shall be subject to review and approval by the Wicomico County Planning & Zoning Department if required.

Mr. Wilkins stated that the site was approved for this project by the Salisbury Board of Zoning Appeals on June 6, 2019.

Mr. Fisher further explained the site concept plan, detailing the exact location of the proposed outdoor beer garden. Mr. Harmon noted that this project was actually a less intensive use than the current Industrial use, which could only have a positive impact on the Paleochannel district.

Mr. Thomas asked if there would be any additions to the existing structure. Mr. Harmon responded that there would be no additions to the building just outdoor improvements.

Mr. Rogers inquired about the use of the shipping container that was shown in the site plan. Mr. Fisher stated the shipping container would serve as an outdoor bar, but would be locked up during the winter months when the outdoor patio would not be in use.

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton, and duly carried, the Commission approved the Site Plan subject to the 5 conditions.

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**REVISED COMPREHENSIVE DEVELOPMENT PLAN AND WELLHEAD PROTECTION SITE PLAN - Oak Ridge Baptist Church – 361 Tilghman Road – Reg. Comm. District – M-110, G-17, P-4491, L-1AA - #19-028 (H. Eure)**

\*\*\* Before hearing this agenda item, Mr. Rogers recused himself from this matter.\*\*\*

Mr. Henry Eure, Mark Reynolds, Executive Pastor of Oak Ridge, and Steve Fuller, of Solutions IPEM, LLC, came forward. Mr. Eure presented the Staff Report and stated the applicant was requesting approval of the Revised Comprehensive Development Plan and Wellhead Protection Site Plan to add a 24,511 sq. ft. sanctuary addition. The applicants also are requesting a waiver from the requirement for a Community Impact Statement, as the church is already existing.

Staff recommends approval with the following 4 conditions:

1. The site shall be developed in accordance with the Final Comprehensive Development Plan. Minor plan adjustments may be approved by the Salisbury Department of Infrastructure and Development.

2. Areas not proposed for development at this time shall be maintained in grass until the time of future development.
3. If additional signage is proposed, a sign plan shall be approved by the Salisbury Planning Commission prior to installation of such signs.
4. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.

Mr. Eure noted that the submitted site plan shows the proposed addition, plus another 7,251 sq. ft. addition. Nothing for the smaller addition is being proposed for the Commission's approval at this time.

Mr. Eure stated the proposed 914- seat sanctuary would also include rooms for daily operations. They have also submitted a new landscaping plan and logo. The completion date is expected to be some time during Summer 2021.

Mr. Fuller explained the Church has already received Stormwater approval with comments. Mr. Thomas asked about the strain the addition would have on the existing bio-retention pond. Mr. Fuller replied that there were Stormwater improvements that would be made per the comments on the plan submitted.

Chairman Dashiell asked about the Forest Conservation requirement on this site. Mr. Fuller responded that the entire site previously met Forest Conservation requirements, and City staff did not have further comments.

Upon a motion by Mr. Thomas, seconded by Mr. Heath, and duly carried, the Commission approved the Site Plan subject to the 4 conditions listed, and granted a waiver on the requirement for a Community Impact Statement.

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**PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN - Villa's at Aydelotte Farms – Still Meadow Blvd. – The Villages at Aydelotte Farm PRD #7 – M-38 & 29, G-6 & 24, P-219 & 312 - #19-043 (H. Eure)**

Mr. Henry Eure, Brock Parker of Parker and Associates, and Stanley Markofsky, owner of Aydelotte Farms, came forward. Mr. Eure presented the Staff Report and stated the applicant is seeking approval for a Preliminary Comprehensive Development Plan for the construction of 97 duplex units and 7 townhouse units.

Staff recommends approval with the following 3 conditions:

1. The site shall be developed in accordance with a Final Comprehensive Development Plan Approval that meets all code requirements. Minor plan adjustments may be approved

by the Salisbury Department of Infrastructure and Development. Detailed building elevations, landscaping and lighting plan shall be incorporated in the Final Comprehensive Plan.

2. Areas not proposed for development at this time shall be maintained in grass until the time of future development.
3. This approval is subject to further review and approval by the Salisbury Department of Infrastructure and Development and the Salisbury Fire Department.

Mr. Eure added that this property will have eight five-bay garages as well as additional parking spaces for the residential area. The streets will be narrowed to allow on-street parking. All refuse disposal will be private as there will not be dumpsters on site. There is also a community pool proposed on site. Mr. Eure explained that the applicant is conceptualizing a rental unit that feels like home.

Mr. Heath asked if the pool would be salt water or chlorine treated, as it would require additional hazard review for the storage of chemicals. Mr. Markofsky answered that the last project was a standard chlorine, but was serviced by an outside contractor so there would be no chemical storage.

Mr. Eure noted that the applicant also requests a waiver for the requirement of a Community Impact Statement, as there are already existing townhomes on site, and a waiver for the Financial Capability Statement since there has already been significant progress on this development in the past.

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton, and duly carried, the Commission granted approval with the 3 conditions as well as granted the waivers for the Community Impact Statement and the Financial Capability Statement.

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**PRELIMINARY CERTIFICATE OF DESIGN AND SITE PLAN APPROVAL - The Ross-Chamber Building – Nicholas Simpson/First Move Properties, LLC - 144 E. Main Street – Central Business District – M-107, G-15, P-858 -#19-042 (A. Roane)**

Mr. Henry Eure, Jeff Harmon of Becker Morgan, Nick Simpson and Mike Sullivan of Simpson Building Enterprises, came forward. Mr. Eure presented the Staff Report and stated the applicants are seeking a Preliminary Certificate of Design and Site Plan Approval for the Ross Apartment Complex Building #2, to be located at 144 E. Main Street.

Staff recommends approval with the following 9 conditions:

1. This site shall be developed in accordance with the approved Site Plan and all requirements of the Salisbury Municipal Code. Minor plan

- adjustments that do not conflict with the Chesapeake Bay Critical Area requirements may be approved by the Director of the Department of Infrastructure and Development;
2. The Applicant must obtain a density variance from the Board of Zoning Appeals (scheduled for 2/6/2020);
  3. The Applicant must obtain approval from the Historic District Commission;
  4. The Applicant must obtain a Chesapeake Bay Critical Area Certificate of Compliance – to be issued by the Planning Office – prior to any disturbance of lands within the CBCA;
  5. City Fire Marshal approval (plans have been submitted);
  6. Address concerns of the Wicomico County Board of Education (plans have been submitted);
  7. Provide east-west cross-section with limits from the east side of Baptist St to 130 East Main to provide a visual representation of raising the finish floor elevation to address flood plain requirements;
  8. Exterior signage shall be subject to Planning Commission review and approval and;
  9. The project is subject to further review and approval by the City Department of Infrastructure and Development.

The Commission held a brief discussion over the outstanding requirements, but noted how there was much to be addressed before the Final approval could be granted.

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission granted Preliminary Approval with the 9 conditions as submitted.

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#### **STAFF COMMENTS:**

Mr. Hall notified the Commissioners of an upcoming training opportunity to be held at Salisbury University on February 21, 2020. It is hosted by the Maryland Planning Commissioners Association and registration is free. There will be seminars regarding board membership, ethics, regional planning, and housing.

The Commission asked Staff about the status of a County Council appointment to fill Mr. Kilmer's seat. Staff vowed to keep the Commission members updated on the selection progress.

The next Commission meeting would be February 20<sup>th</sup>.

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There being no further business, the Commission meeting was adjourned at 3:15 p.m. by Mr. Dashiell.

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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development Office.

  
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Charles "Chip" Dashiell, Chairman

  
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Lori A. Carter, Director

  
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Amanda Rodriguez, Recording Secretary