



Talbot County Planning Commission
Final Decision Summary
Wednesday, April 5, 2023 at 9:00 a.m.
Bradley Meeting Room
11 N. Washington Street, Easton

Archived audio of the meeting is available at:

[Talbot County Meeting Videos - Talbot County, Maryland](https://www.talbotcountymd.gov/Meeting-Videos)
(talbotcountymd.gov)

Attendance:

Commission Members:

Phillip “Chip” Councill, Chairman
Michael Strannahan, Vice Chairman
William Boicourt
Paul Spies
James Corson

Staff:

Brennan Tarleton, Planning Officer
Bryce Yelton, Planner II
Elisa Deflaux, Planner II
Mike Mertaugh, Assistant County Engineer
Andy Meehan, Commission Attorney
Jennifer Collins, Administrative Assistant

1. **Call to Order**—Commissioner Councill called the meeting to order at 9:00 am.
2. **Decision Summary Review**

Commissioner Boicourt moved to approve the March 1, 2023 Decision Summary as presented. Commissioner Corson seconded the motion.

Vote 5-0

FOR: 5- Councill, Boicourt, Spies, Corson, Strannahan

AGAINST: 0

ABSTAIN: 0

ABSENT: 0

3. **Old Business**

a. Applicant: Marc Duffy-

File No: SP636 / SP-22-13

Agent: Chris Waters, Davis Bowen and Friedel

**Request: Major Site Plan—Construction of driveway and equipment to support the operation of an aquaculture oyster farm
Waiver – Alternate Landscape Plan**

Location: 8311 Diamondback Cove Rd, Easton, MD 21601

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Tax Map 33, Grid 08, Parcel 081

Zoning: RC/CAO

The applicant is seeking Planning Commission approval of a Major Site Plan to occupy 3,159 square feet of total permanent disturbance area, both inside and outside of the 200 foot shoreline development buffer (Buffer) to install a 6’ wide cart path, one 6’ x 6’ setting tanks, a 5’ x 5’ pump house, a 5’ x 12’ nursery, 5’ X 9’ oyster shell storage area, and 20’ X 10’ storage shed to operate an oyster aquaculture operation under the land use of *Aquaculture (Wholesale)* consistent with §190-26.17 of the Talbot County Code. Staff recommends the following conditions;

1. The applicant shall comply with and address all outstanding issues and TAC comments from the February 8, 2023, meeting.
2. The applicant shall take all of the required steps and acquire all necessary approvals, including any additional waivers necessary, required for a Site Plan and Landscaping Plan as spelled out in the Talbot County Code.
3. The applicant will obtain all State Permits from Maryland Department of the Environment and Department of Natural Resources, as required to commence the oyster aquaculture use prior to issuance of any building permits associated with the aquaculture wholesale use.

Staff Presentation:

Elisa Deflaux, Planner II

Applicant Presentation:

Marc Duffy
Chris Waters, Davis Bowen and Friedel

Public Comment:

Michael Borner

Commissioner Spies moved that the Planning Commission approve the Major Site Plan SP-22-13 for Marc Duffy. Located at 8311 Diamondback Cove Rd, Easton MD 21601; subject to staff conditions and the addition of a (12) twelve week duration to the site plan. Commissioner Corson seconded the motion.

<u>Vote</u>	<u>4-1</u>
FOR:	4- Councill, Boicourt, Spies, Corson
AGAINST:	1- Strannahan
ABSTAIN:	0
ABSENT:	0

4. New Business

100 **a. Applicant:** **Spurry Family Partnership**
 101 **Agent:** Bruce C. Armistead, Armistead, Lee, Rust & Wright, P.A.
 102 **File No.:** **SPEX-23-3**
 103 **Request:** Modification to an existing special exception to allow
 104 a. 36' by 72' storage facility
 105 b. 36' by 44' covered open air outdoor seating area
 106 **Location:** 23713 St. Michaels Rd, MD 21663
 107 Tax Map 22, Parcel 02
 108 **Zoning:** RC/CAO
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110 The applicant is seeking a recommendation to the Board of Appeals by the Planning
 111 Commission for a modification to an existing Special Exception to add a 36' x 44' roofed
 112 open air outdoor seating area (1408 square feet) associated with the legal nonconforming
 113 restaurant use, Restaurants, bars and nightclubs with no outdoor events, §29.4., and a 36'
 114 x 72 storage structure (2,592 square feet) as an accessory to the seafood processing facility
 115 Marine Uses, § 25.2F, Fisheries Activities Use.
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- 117 1. The applicant shall take all of the required steps and acquire all necessary approvals,
 118 including any additional waivers necessary, required for a Site Plan and Landscaping
 119 Plan as spelled out in the Talbot County Code
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- 121 2. The applicant will need to obtain a variance of the 150-foot supplemental setback for
 122 deck and storage building from the Board of Appeals.
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- 124 3. The applicant shall make an application to the Office of Permits and Inspections, and
 125 follow all rules, procedures, and construction timelines as outlined regarding new
 126 construction
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128 **Staff Presentation:**
 129 Elisa Deflaux, Planner II
 130

131 **Applicant Presentation:**
 132 Bruce C. Armistead, Armistead, Lee, Rust & Wright, P.A.
 133 Joe Spurry
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135 **Public Comment:** None
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137 **Commissioner Strannahan moved that the Planning Commission recommend to the**
 138 **Board of Appeals approval of Special Exception SPEX-23-3 for Spurry Family**
 139 **Partnership located at 23713 St. Michaels Rd, MD 21663; subject to staff conditions.**
 140 **Commissioner Boicourt seconded the motion.**
 141

142 **Vote** **5-0**
 143 **FOR:** **5- Councill, Boicourt, Spies, Corson, Strannahan**
 144 **AGAINST:** **0**
 145 **ABSTAIN:** **0**

146 **ABSENT: 0**

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b. Applicant: Steve and Pam Masterman

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Agent: Lars Erickson, East Bay Plans LLC

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File No.: MCAV-23-4

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Request: Minor Variance- Construction of addition

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Location: 23758 Mt Pleasant Landing Circle, St. Michaels, MD 21663

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Tax Map 22, Parcel 320; Lot 18

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Zoning: RR/CAO

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The applicant is seeking Planning Commission recommendation of approval for a Minor Variance of the 100’ Shoreline Development Buffer (Buffer) for multiple improvements (1) to construct a 132 sq. ft. main bathroom addition to the existing house that will be 60.3’ from the Mean High Water Line (MHWL). (2) For replacement of an existing impervious deck with a pervious deck, to include an expanded area of 211 sq. ft. that will be 73.3’ from the MHWL. (3) A 75 sq. ft. sunroom addition to be located over an area of existing decking that will be 89.4’ from MHWL. The proposed additions create a net decrease in lot coverage of 97 sq. ft. (132 additional – 229 removed) in the Buffer, staff recommends the following conditions.

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1. The applicant shall make an application to the Office of Permits and Inspections, and follow all rules, procedures, and construction timelines as outlined regarding new construction.
2. The applicant shall commence construction of the proposed improvements within eighteen (18) months from the date of the Planning Office’s “Notice to Proceed”.

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Staff Presentation:

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Bryce Yelton, Planner II

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Applicant Presentation:

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Lars Erickson, East Bay Plans LLC

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Steve and Pam Masterman

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Public Comment: None

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Commissioner Corson moved that the Planning Commission recommend approval of the Minor Variance MCAV-23-4 for Steve and Pam Masterman. Located at 23758 Mt Pleasant Landing Circle, St. Michaels, MD 21663; subject to staff conditions. Commissioner Boicourt seconded the motion.

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Vote 5-0

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FOR: 5- Councill, Boicourt, Spies, Corson, Strannahan

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AGAINST: 0

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ABSTAIN: 0

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ABSENT: 0

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c. Applicant: 25876 Royal Oak LLC

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193 **Agent:** Lane Engineering, LLC
194 **File No.:** **SUB-23-2**
195 **Request:** Major Subdivision- Sketch Plan
196 Waiver – Alternate Landscape Plan
197 **Location:** 7048 Thorneton Road, Easton, Maryland
198 Tax Map 40, Parcel 179
199 **Zoning:** VH
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201 The applicant is seeking Planning Commission approval of a Major Subdivision - Sketch Plan
202 to subdivide Tax Parcel 179, Deed Parcels A & E an approximately 7.561 Acre parcel into 7
203 residential building lots and create a private road accessed from Moores Road, staff
204 recommends the following conditions
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- 206 1. The applicant shall comply with and address all outstanding issues and comments from
207 the March 8, 2023 TAC meeting prior to Preliminary Plat Submittal.
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- 209 2. The Historic Preservation Commission shall review the proposed subdivision and provide
210 written comments before preliminary plat submittal.
211
- 212 3. The applicant shall provide a comprehensive study that addresses the requirements of §
213 190- 104B.4 for staffs review at the following TAC meeting.
214

215 **Staff Presentation:**

216 Bryce Yelton, Planner II
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218 **Applicant Presentation:**

219 Brett Ewing, Lane Engineering, LLC
220 Andy Warner
221

222 **Public Comment:** None
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224 **Commissioner Strannahan moved that the Planning Commission approve the**
225 **Sketch Major Subdivision SUB-23-2 and street light waiver located at 7048**
226 **Thorneton Road, Easton, Maryland 21662 ; subject to staff conditions.**
227 **Commissioner Boicourt seconded the motion.**
228

229 **Vote** **5-0**

230 **FOR:** **5- Councill, Boicourt, Spies, Corson, Strannahan**

231 **AGAINST:** **0**

232 **ABSTAIN:** **0**

233 **ABSENT:** **0**
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235 **d. Applicant:** **Little Valentine Solar Farm**

236 **Agent:** Lane Engineering, LLC

237 **File No.:** **SP-23-1**

238 **Request:** Major Site Plan to install a Large Scale Solar Energy System

239 Waiver- Setbacks reduction of the supplemental standard of 150'
240 from property lines and Screening/Landscaping Perimeter Yard
241 **Location:** 12216 Cordova Road, Cordova, Maryland
242 Tax Map 5, Parcel 38 & 113
243 **Zoning:** VM
244

245 The applicant is seeking Major Site Plan approval from the Planning Commission for the
246 construction of a 2 Megawatt (MW) Large-scale Solar Energy System (SES) with associated
247 equipment and security fencing, staff recommends the following conditions
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- 249 1. The applicant shall make application to, and follow all the rules, procedures and
250 constructions timelines as outlined by the Office of Permits and Inspections regarding the
251 new construction.
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253 **Staff Presentation:**

254 Elisa Deflaux, Planner II
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256 **Applicant Presentation:**

257 Brent Ewing, Lane Engineering, LLC
258 John Forgash
259 Marcy Barron Williams
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261 **Public Comment:**

262 Lisa Ghezzi
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264 **Commissioner Spies moved that the Planning Commission approve the Major Site**
265 **Plan #SP-23-1 for Little Valentine Solar Farm. Located at 12216 Cordova Road,**
266 **Cordova, Maryland with the changes discussed regarding the fencing location,**
267 **material and color and subject to a third-party review and evaluation of the**
268 **decommissioning plan, together with the requirement that this plan be presented to**
269 **the Planning Commission for their review and approval. Commissioner Boicourt**
270 **seconded the motion.**
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272 **Vote 5-0**

273 **FOR: 5- Councill, Boicourt, Spies, Corson, Strannahan**

274 **AGAINST: 0**

275 **ABSTAIN: 0**

276 **ABSENT: 0**
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278 **Commissioner Boicourt moved that the Planning Commission approve the setback**
279 **waivers associated with Major Site Plan #SP-23-1 for Little Valentine Solar Farm.**
280 **Located at 12216 Cordova Road, Cordova, Maryland. Commissioner Strannahan**
281 **seconded the motion.**
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283 **Vote 5-0**

284 **FOR: 5- Councill, Boicourt, Spies, Corson, Strannahan**

285 **AGAINST: 0**
286 **ABSTAIN: 0**
287 **ABSENT: 0**

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- e. Applicant: Talbot County**
- Request:** Resolution 338 – A resolution to amend the Talbot County Comprehensive Water and Sewer Plan (CWSP) for consistency with discharge permit No. 19-DP-3460, issued by the Maryland Department of the Environment on October 27, 2022 and to require that any future expansion of the new Lakeside waste water treatment plant shall require an amendment to the CWSP

297 **Commissioner Strannahan moved that the Planning Commission table Resolution**
298 **338. Commissioner Spies seconded the motion.**

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Vote **5-0**
FOR: **5- Councill, Boicourt, Spies, Corson, Strannahan**
AGAINST: 0
ABSTAIN: 0
ABSENT: 0

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- f. Applicant: Talbot County**
- Request:** Resolution 339 – A resolution to amend the Talbot County Comprehensive Water and Sewer Plan to reclassify and remap certain real properties in and around the villages of Bar Neck and Faribank from Unporgrammed to “S-1” immediate priority status for sewer service from the Region V (Tilghman) wastewater system

314 **Public Comment:** Tim Watson

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Commissioner Boicourt moved that the Planning Commission table Resolution 338.
Commissioner Corson seconded the motion.

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Vote **5-0**
FOR: **5- Councill, Boicourt, Spies, Corson, Strannahan**
AGAINST: 0
ABSTAIN: 0
ABSENT: 0

325 **5. Discussion Items-**

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6. Staff Matters –None

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7. Work Sessions –None

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- 331 **8. Commission Matters**– The Poplar Hill growth allocation will appear on a future
332 Planning Commission agenda.
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334 **9. Adjournment**– Commissioner Councill adjourned the meeting at 10:45 am.