



Talbot County Planning Commission
Final Decision Summary
Wednesday, December 7, 2022 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” Cuccell, Chairman
Michael Strannahan, Vice Chairman
William Boicourt
Paul Spies
James Corson

Staff:

Brennan Tarleton, Planning Officer
Elisa Deflaux, Planner II
Bryce Yelton, Planner II
Andy Meehan, Commission Attorney

1. Call to Order—Commissioner Cuccell called the meeting to order at 9:00 am.

2. Decision Summary Review

a. September 26, 2022

Commissioner Boicourt moved to approve the September 26, 2022. Commissioner Spies seconded the motion.

Vote 4-0-1

FOR: 4- Cuccell, Boicourt, Spies, Strannahan

AGAINST: 0

ABSTAIN: 1- Corson

ABSENT: 0

b. October 5, 2022

Commissioner Strannahan moved to approve the October 5, 2022. Commissioner Boicourt seconded the motion.

Vote 4-0-1

FOR: 4- Cuccell, Boicourt, Spies, Strannahan

52 **AGAINST: 0**
53 **ABSTAIN: 1- Corson**
54 **ABSENT: 0**
55

- 56 c. November 2, 2022- The Commission noted the following correction to the draft
57 decision summary:
58 a. Line 214-216; remove condition (2) two included in the staff report
59 recommended conditions.
60

61 **Commissioner Spies moved to approve the November 2, 2022 as amended.**
62 **Commissioner Boicourt seconded the motion.**
63

64 **Vote** 3-0-2
65 **FOR:** 3- Councill, Boicourt, Spies
66 **AGAINST:** 0
67 **ABSTAIN:** 2- Corson, Strannahan
68 **ABSENT:** 0
69

70 **3. Old Business**
71

- 72 a. **Applicant:** Marc Duffy-Postponed
73 **File No:** SP636
74 **Agent:** Chris Waters, Davis Bowen and Friedel
75 **Request:** Major Site Plan—Construction of driveway and equipment to
76 support the operation of an aquaculture oyster farm
77 Waiver – Alternate Landscape Plan
78 **Location:** 8311 Diamondback Cove Rd, Easton, MD 21601
79 Tax Map 33, Grid 08, Parcel 081
80 **Zoning:** RC/CAO
81
- 82 b. **Applicant:** Timothy S. Hogan, Et Al
83 **Agent:** Tim Marshall, Rauch Inc.
84 **File No.:** SUB-22-1
85 **Request:** Revised Sketch Plan
86 **Location:** 9170 Hunting Creek Lane, Easton, MD 21601
87 Tax Map 24, Grid 08, Parcel 6
88 **Zoning:** RC/WRC
89

90 The applicant is seeking Planning Commission approval of a Small-Scale Subdivision –
91 Sketch Plan to (1) Revise the lot lines between Tax Parcel 6 Lots 2 and Tax Parcel 6 Lot
92 4 to establish a pipe stem for road frontage for proposed Lot 5 and (2) Subdivide Lot 1 to
93 create an additional waterfront buildable lot (Lot 5) to be comprised of approximately
94 19.262 acres and (3) Convert the dwelling on lot 2 to an Ag structure for the purpose of
95 assigning the Critical Area (CA) development right for the creation of proposed lot 5.
96

- 97 1. The applicant shall make an application to the Office of Permits and Inspections for the

98 conversion of the existing dwelling within the Critical Area portion of lot 2 before the
99 final recordation of this subdivision plat.

- 100
- 101 2. The applicants shall record the County’s prepared Non-conversion agreement before
102 submitting for final subdivision plat approval.
- 103
- 104 3. The applicant shall address all TAC comments from the November 9, 2022 meeting,
105 including all comments provided by the Critical Area Commission, prior to Preliminary
106 Plat Submittal

107

108 **Staff Presentation:**

109 Bryce Yelton, Planner II

110

111 **Applicant Presentation:**

112 Ryan Showalter, McAllister, Detar Showalter & Walker

113 Tim Marshall, Rauch Inc.

114

115 **Public Comment:** None

116

117 **Commissioner Boicourt moved that the Planning Commission approval of the**
118 **Sketch Subdivision Plan #SUB-22-1 for Timothy S. Hogan, Et Al, located at 9170**
119 **Hunting Creek Lane, Easton, MD 21601; subject to the applicant seeking a variance**
120 **for the existing structures on Lot 2 for purposes of establishing a private road for**
121 **access to lots 4 and 5, reconfiguration of lots 4 and 5 to be a maximum of five (5)**
122 **acres each and additional staff conditions. Commissioner Strannahan seconded the**
123 **motion.**

124

125 **Vote** 5-0

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

127 **AGAINST:** 0

128 **ABSTAIN:** 0

129 **ABSENT:** 0

130

131 **4. New Business**

- 132
- 133 a. **Applicant:** Maren Hesla
- 134 **Agent:** Lars Erickson, East Bay Plans LLC
- 135 **File No.:** MCAV-22-9
- 136 **Request:** Minor Variance
- 137 **Location:** 5691 Pirates Cove Rd, Oxford MD 21654
- 138 Tax Map 47, Grid 12, Parcel 42
- 139 **Zoning:** RC/CAO

140

141 The applicant is seeking Planning Commission recommendation of approval for a Minor
142 Variance of the 100’ Shoreline Development Buffer (Buffer) to add a side entrance, mud
143 room and powder room addition to an existing residence located 30’ from the Mean High

144 Water Line (MHWL). The location of the proposed addition is approximately 89 feet from
145 the MHWL at its closest point, and creates 219 square feet of new lot coverage. The
146 applicant is reducing the total new lot coverage of 219 square feet by 44 square feet with
147 the removal of an existing porch bringing the actual new net lot coverage to 157 square
148 feet. Should the Planning Commission recommend approval of the Minor Variance, staff
149 recommends the following conditions:

- 150
- 151 1. The applicant shall make an application to the Office of Permits and Inspections, for an
152 after the fact permit to remedy the active violation prior to submittal of any permits being
153 submitted for improvements related to this Minor Critical Area Variance application.
 - 154 2. The applicant shall make an application to the Office of Permits and Inspections, and
155 follow all rules, procedures, and construction timelines as outlined regarding new
156 construction.
 - 157 3. The applicant shall commence construction of the proposed improvements within eighteen
158 (18) months from the date of the Planning Office’s “Notice to Proceed”.

159
160 **Staff Presentation:**
161 Elisa Deflaux, Planner II

162
163 **Applicant Presentation:**
164 Lars Erickson, East Bay Constructions Services LLC
165 Maren Hesla

166
167 **Public Comment:** None

168
169 **Commissioner Strannahan moved that the Planning Commission recommend to the**
170 **Planning Officer approval of Minor Variance #MCAV-22-9 for Maren Hesla,**
171 **located at 5691 Pirates Cove Rd, Oxford MD 21654; subject to staff conditions.**
172 **Commissioner Spies seconded the motion.**

173
174 **Vote** 5-0
175 **FOR:** 5- Councill, Boicourt, Spies, Strannahan, Corson
176 **AGAINST:** 0
177 **ABSTAIN:** 0
178 **ABSENT:** 0

179
180 b. **Applicant:** Spurry Family Partnership c/o Joe Spurry
181 **Agent:** Sean Callahan, Lane Engineering LLC.
182 **File No.:** SP-22-7
183 **Request:** Major Site Plan for a storage building for the Fisheries Activities
184 Use and outdoor deck seating associated with the existing
185 Restaurant
186 Waiver – Alternate Landscape Plan and Parking
187 **Location:** 23713 St. Michaels Rd, McDaniel MD 21647
188 Tax Map 22, Grid 05, Parcel 2

189 **Zoning:** RC/CAO

190

191 The applicant is seeking Planning Commission approval of a Major Site Plan to construct
192 a 2,592 square foot storage building with porch and deck as an accessory to the *Marine*
193 *Uses, § 25.2F, Fisheries Activities Use*, for the existing seafood packing house and add
194 1,408 square foot rooved outdoor seating area associated with the existing
195 nonconforming restaurant use, *Restaurants, bars and nightclubs with no outdoor events,*
196 *§29.4.* Staff recommends the following condition:

197

198 1. The applicant shall comply with and address all outstanding issues and TAC comments
199 from the November 30, 2022 meeting.

200

201 2. The applicant shall take all of the required steps and acquire all necessary approvals,
202 including any additional waivers necessary, required for a Site Plan and Landscaping
203 Plan as spelled out in the Talbot County Code.

204

205 3. The applicant shall apply for and obtain all necessary special exception and variance
206 approvals associated with these proposed improvements.

207

208 **Staff Presentation:**

209 Elisa Deflaux, Planner II

210

211 **Applicant Presentation:**

212 Sean Callahan, Lane Engineering Inc.

213 Bruce Armistead, Armistead, LEE, Rust & Wright, P.A

214

215 **Public Comment:** None

216

217 **Commissioner Boicourt moved that the Planning Commission approve the Waiver –**
218 **Alternate Landscape Plan and Parking Plan #WAV-22-7 for Spurry Family**
219 **Partnership c/o Joe Spurry , located at 23713 St. Michaels Rd, McDaniel MD**
220 **21647; subject to staff conditions. Commissioner Spies seconded the motion.**

221

222 **Vote 5-0**

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

224 **AGAINST: 0**

225 **ABSTAIN: 0**

226 **ABSENT: 0**

227

228 **Commissioner Strannahan moved that the Planning approve the Major Site Plan**
229 **#SP-22-7 for Spurry Family Partnership c/o Joe Spurry, located at 23713 St.**
230 **Michaels Rd, McDaniel MD 21647; subject to staff conditions. Commissioner**
231 **Boicourt seconded the motion.**

232

233 **Vote 5-0**

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

235 **AGAINST: 0**
236 **ABSTAIN: 0**
237 **ABSENT: 0**

238
239 c. **Applicant:** Nagel Farm Service II, LLC
240 **Agent:** Sean Callahan, Lane Engineering, LLC.
241 **File No.:** SP-22-6
242 **Request:** Major Site Plan to expand an existing Grain Processing, Drying
243 and Storage use
244 **Location:** 11761 Cordova Road, Cordova, Maryland 21625
245 Tax Map 11, Grid 12, Parcel 47
246 **Zoning:** VM
247

248 The applicant is seeking Planning Commission approval of a Major Site Plan to
249 construct one 134 ft. 2.7 in. by 90 feet in diameter grain storage tank to provide
250 supplemental grain storage for the existing *Grain Processing, Drying, and Storage*
251 (*wholesale commercial*) Use, in the VM (Village Mixed) zoning district. Staff
252 recommends the following condition:
253

- 254 1. The applicant shall make an application to the Office of Permits and Inspections, and
255 follow all rules, procedures, and construction timelines as outlined regarding new
256 construction.
- 257 2. The applicant will need to obtain a height variance and a special exception for the
258 proposed grain storage tank from the Board of Appeals.

259
260 **Staff Presentation:**
261 Elisa Deflaux, Planner II
262

263 **Applicant Presentation:**
264 Zachary Smith, Armistead, Lee, Rust & Wright, P.A
265 Sean Callahan, Lane Engineering, LLC.
266

267 **Public Comment:** None
268

269 **Commissioner Spies moved that the Planning Commission approve Major Site Plan**
270 **#SP-22-6 for Nagel Farm Service II, LLC, located at 11761 Cordova Road, Cordova,**
271 **Maryland 21625; subject to staff conditions. Commissioner Boicourt seconded the**
272 **motion.**

273
274 **Vote** 5-0
275 **FOR:** 5- Councill, Boicourt, Spies, Strannahan, Corson
276 **AGAINST:** 0
277 **ABSTAIN:** 0
278 **ABSENT:** 0
279

280 d. **Applicant:** Crown Castle
281 **Agent:** Bryce Pickens, Crown Castle
282 **File No.:** SP-22-9
283 **Request:** Major Site Plan to construct a 199’ monopole cellular tower with
284 associated equipment cabinets and fence on a 10,000 leased area
285 Waiver- Alternate Landing Plan – Buffering and Screening
286 required by Section 190-32.3.B.10
287 **Location:** 31057 Skipton Cordova Rd, Cordova MD 21625
288 Tax Map 11, Grid 11, Parcel 18, Lot 1
289 **Zoning:** AC
290

291 The applicant is seeking Planning Commission approval of a Major Site Plan to build a
292 199’ monopole wireless telecommunications tower and 75’ x 75’ equipment compound
293 on the site. The applicant is also seeking a waiver from the landscaping requirements on
294 site. Staff recommends the following condition:
295

- 296 1. The applicant shall comply with and address all outstanding issues and TAC comments
297 from the November 30, 2022 meeting.
298
- 299 2. The applicant shall be required to obtain a Special Exception for the Wireless
300 Communication Tower prior to official building permit application to the office of
301 Permits and Inspections.
302
- 303 3. The applicant shall make an application to the Office of Permits and Inspections, and
304 follow all rules, procedures, and construction timelines as outlined regarding new
305 construction.
306
- 307 4. The applicant shall include all applicable information and financial surety in their
308 application to the Office of Permits and Inspections in accordance with the Code section
309 § 190-32.3.
310
- 311 5. The applicant shall provide the Department of Planning and Zoning a revised Forest
312 Stand Delineation that addresses the afforestation requirement on site.
313

314 **Staff Presentation:**
315 Bryce Yelton, Planner II
316

317 **Applicant Presentation:**
318 Bryce Pickens, Crown Castle
319 Ed Donohue
320

321 **Public Comment:**
322 Dr. Kari Clow, Chapel District Elementary School
323

324 Commissioner Spies moved that the Planning Commission approve Major Site Plan
325 #SP-22-9 for Crown Castle, located at 31057 Skipton Cordova Rd, Cordova MD
326 21625; subject to staff conditions. Commissioner Boicourt seconded the motion.
327

328 **Vote** 5-0
329 **FOR:** 5- Councill, Boicourt, Spies, Strannahan, Corson
330 **AGAINST:** 0
331 **ABSTAIN:** 0
332 **ABSENT:** 0
333

334 Commissioner Strannahan moved that the Planning Commission approve the
335 Waiver –Landscaping #WAV-22-9 for Crown Castle, located at 31057 Skipton
336 Cordova Rd, Cordova MD 21625; subject to staff conditions. Commissioner
337 Boicourt seconded the motion.
338

339 **Vote** 5-0
340 **FOR:** 5- Councill, Boicourt, Spies, Strannahan, Corson
341 **AGAINST:** 0
342 **ABSTAIN:** 0
343 **ABSENT:** 0
344

345 **e. Applicant:** **Thomas R. Cohee**
346 **Agent:** Brendan Mullaney, McAllister, Detar, Showalter and
347 Walker, LLC
348 **File No.:** CC-22-2
349 **Request:** The applicant is seeking a recommendation from the Planning
350 Commission to the County Council for the granting of
351 supplemental growth allocation for the purpose of reclassifying
352 approximately 8.348 acres of lands located in the Critical Area,
353 designated as Resource Conservation Area (RCA) to be
354 reclassified as Intensely Developed Area (IDA).
355 **Location:** Mary’s Court, Easton, MD 21601
356 Tax Map 25, Grid 22, Parcel 46, Lots: 16 and 20
357 **Zoning:** A-1/BC
358

359 Staff supports a positive recommendation from the Planning Commission to the County
360 Council for approval of the supplemental growth allocation, with no additional conditions
361

362 **Staff Presentation:**
363 Brennan Tarleton, Planning Officer
364

365 **Applicant Presentation:**
366 Brendan Mullaney, McAllister, Detar Showalter & Walker
367

368 **Public Comment:** None
369

370 Commissioner Spies moved that the Planning Commission recommend to the
371 County Council approval of supplemental growth allocation # CC-22-2 for Thomas
372 Cohee located at Mary’s Court, Easton, MD 2160, Tax Map 25, Grid 22, Parcel 46,
373 Lots: 16 and 20; subject to staff conditions. The Planning Commission also
374 recommends that the County Council explore and consider the inclusion of policies
375 on growth allocation in the future comprehensive plan. Commissioner Corson
376 seconded the motion.

377
378 **Vote** 5-0
379 **FOR:** 5- Councill, Boicourt, Spies, Strannahan, Corson
380 **AGAINST:** 0
381 **ABSTAIN:** 0
382 **ABSENT:** 0

383
384 f. **Applicant:** Ryan Showalter, Mc Allister, DeTar, Showalter and Walker
385 **File No.:** TEXT-3
386 **Request:** A Bill to amend the Talbot County Code Sections 190-15 “Critical
387 Area Overlay District”, 190-31 “Marine Uses, 190-33 “Accessory
388 uses”, and 190-78 “Terms defined” regarding erosions control
389 measures, piers and riparian structures

390
391 The text amendment application proposes several modifications to the current language
392 within § 190-15, § 190-31, § 190-33, § 190-50, § 190-58.2 and § 190-78 for piers and
393 riparian structures

394
395 **Staff Presentation:**
396 Brennan Tarleton, Planning Officer

397
398 **Applicant Presentation:**
399 Ryan Showalter, McAllister, Detar Showalter & Walker
400 Chris Moore, Weems Brothers, Inc

401
402 **Public Comment:**
403 Bruce Armistead, Armistead, LEE, Rust & Wright, P.A
404 Mark Hill, Bailey Marine Construction

405
406 **Planning Commission discussed the proposed language in depth and provided**
407 **several revisions and suggestions. No vote or motion was made on this application.**
408 **The applicant was directed to make the revisions discussed during this meeting and**
409 **return at a future Planning Commission meeting for continued discussion and**
410 **consideration.**

411
412 **5. Discussion Items**

413
414 **6. Staff Matters**

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7. Work Sessions

- a. Joint work session with the Public Works Advisory Board on December 7, 2022 at 1:00 p.m. in the Bradley meeting Room to discuss goals and objectives, scope of work and information collected from the recent meetings with the Town’s for the Comprehensive Water and Sewer Plan Update.

8. Commission Matters

- 9. Adjournment**– Commissioner Councill adjourned the meeting at 12:10 pm.