



**Talbot County Planning Commission
Final Decision Summary**

Wednesday, June 2, 2021 at 9:00 a.m.
Virtual Meeting

Archived audio and video stream of the meeting is available at:

<http://www.talbotcountymd.gov/index.php?page=minutes-3>

Attendance:

Commission Members:

Phillip “Chip” Councill, Chairman
William Boicourt, Vice Chairman
Michael Strannahan
Lisa Ghezzi
Paul Spies

Staff:

Miguel Salinas, Planning Officer
Brennan Tarleton, Assistant Planning Officer
Elisa Deflaux, Planner II
Maria Brophy, Planner II
Ray Clarke, County Engineer
Martin Sokolich, Planner III

1. Call to Order—Commissioner Councill called the meeting to order at 9: 00 a.m.

2. Decision Summary Review—

Location on video recording - 22 seconds

March 3, 2021—The Commission noted the following corrections to the draft decision summary:

a. Line 162- Correct to “conform”

Commissioner Strannahan moved to approve the Decision Summary, with amendments. Commissioner Spies seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Councill, Boicourt, Ghezzi, Spies, Strannahan
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

April 7, 2021

Commissioner Boicourt moved to approve the Decision Summary. Commissioner Strannahan seconded the motion.

<u>Vote</u>	<u>5-0</u>
FOR:	5- Councill, Boicourt, Ghezzi, Spies, Strannahan

54 AGAINST: 0
55 ABSTAIN: 0
56 ABSENT: 0

57
58 May 5, 2021

59 **Commissioner Ghezzi moved to approve the Decision Summary. Commissioner**
60 **Strannahan seconded the motion.**

61
62 Vote 5-0
63 FOR: 5- Councell, Boicourt, Ghezzi, Spies, Strannahan
64 AGAINST: 0
65 ABSTAIN: 0
66 ABSENT: 0

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68 **3. Old Business - None**
69 **Location on video recording - 5 minutes 5 seconds**

70
71 **4. New Business**

72
73 **a. Applicant:** Ed Hale, Sr.

74
75 **File No.:** M1172

76 **Agent:** Sean Callahan, Lane Engineering, LLC

77 **Request:** Sketch – Major Subdivision
78 Sketch – Major Revision

79 **Location:** 9170 Hunting Creek Rd, Easton MD 21601

80 **Zoning:** Map 24, Grid 8, Parcel 6, Lots 1, 3 and proposed Lot 4
81 Zones: RC/WRC/CAO

82 **Location on video recording - 5 minutes 13 seconds**

83
84 The applicant is seeking Planning Commission approval of a Major Subdivision and
85 Revision Plat - Sketch Plan to: (1) revise the lot lines between Tax Parcel 6, Lots 1 and 3
86 to enlarge Lot 3 and establish it as a waterfront building lot; (2) subdivide Lot 1 to create
87 Lot 4 as an additional waterfront building lot; (3) and to relocate portions of the
88 reservation of development rights and reserved land areas to allow for riparian access for
89 Revised Lot 3 and Proposed Lot 4. Staff recommends the following conditions:

- 90
91 1. The applicant shall take all of the required steps and acquire all necessary approvals,
92 including any waivers, required for a Major Revision Plat as spelled out in the *Talbot*
93 *County Code*.
94 2. The applicant shall comply with and address all outstanding issues and comments from
95 the May 12, 2021 TAC meeting, including all comments provided by the Critical Area
96 Commission, prior to Preliminary Plat Submittal.

97
98 **Staff Presentation:**

99 Elisa Deflaux, Planner II

100 **Applicant Presentation:**
101 Sean Callahan, Lane Engineering, LLC

102
103 **Public Comment:**
104 None

105
106 **Commissioner Spies moved that the Planning Commission approve # M1172 Major**
107 **Subdivision & Revision Plat – Sketch Plan for Edwin F. Hale, Sr. subject to staff**
108 **conditions. Commissioner Boicourt seconded the motion.**

109
110

<u>Vote</u>	5-0
FOR:	5- Councill, Boicourt, Ghezzi, Spies, Strannahan
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

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116 **b. Applicant:** Catherine Murphy and C. White, Trustee
117 **File No.:** M1171
118 **Agent:** Sean Callahan, Lane Engineering, LLC
119 **Request:** Sketch – Major Subdivision
120 Sketch – Major Revision
121 **Location:** 27414 Ferry Bridge Rd, Easton MD 21601
122 **Zoning:** Map 24, Grid 17, Parcel 112, Zone: RC
123 Map 24, Grid 17, Parcel 205, Lot 1, Zone: RC

124 **Location on video recording - 37 minutes 38 seconds**

125
126 The applicant is seeking Planning Commission approval of a Major Subdivision and
127 Revision Plat - Sketch Plan to: (1) subdivide Tax Parcel 112 to create an additional
128 residential building lot; (2) revise lot lines between Tax Parcel 112 and Tax Parcel 205,
129 Lot 1; (3) expand portions of the existing 50' wide private road right-of-way, Ferry
130 Bridge Road, to be a fee simple road parcel; and (4) abandon the Reservation of
131 Development Rights Area on Tax Parcel 112 conveyed to Talbot County containing
132 17.91 acres. Staff recommends the following conditions:

- 133
134 1. The applicant shall take all of the required steps and acquire all necessary approvals,
135 including any waivers, required for a Major Subdivision and Revision Plat as spelled
136 out in the *Talbot County Code*.
137 2. The applicant shall comply with and address all outstanding issues and comments from
138 the May 12, 2021 TAC meeting, including all comments provided by the Critical Area
139 Commission, prior to Preliminary Plat submittal.

140
141 **Staff Presentation:**
142 Maria Brophy, Planner II
143 Brennan Tarleton. Assistant Planning Officer

144
145

146 **Applicant Presentation:**
147 Sean Callahan, Lane Engineering, LLC, Bruce Armstead, Armistead, Lee, Rust & Wright,
148 P.A

149
150 **Public Comment:**
151 None

152
153 **Commissioner Ghezzi moved that the Planning Commission approve # M1171**
154 **Major Subdivision and Revision Plat – Sketch Plan for Catherine Murphy and**
155 **Clarissa White, Trustee subject to staff conditions. Commissioner Spies seconded**
156 **the motion.**

157
158

Vote	5-0
FOR:	5 – Councill, Boicourt, Ghezzi, Spies, Strannahan
AGAINST:	0 -
ABSTAIN:	0
ABSENT:	0

163
164 **c. Applicant:** 6136 TIR, LLC
165 **File No.:** MV45
166 **Agent:** Zach Smith; Armistead, Lee, Rust & Wright, P.A.
167 **Request:** Recommendation to the Planning Officer for a minor variance to
168 permit the construction of a second-story deck in the Modified
169 Buffer Area for outdoor dining
170 **Location:** 6136 Tilghman Island Road, Tilghman, MD 21671
171 **Zoning:** Map 44A, Parcel 197

172 **Location on video recording – 1 hour, 5 minutes**

173
174 The applicant is seeking Planning Commission recommendation of approval for a Minor
175 Variance to construct a 626 square foot second story deck over an existing concrete patio.
176 The second story deck will be 30 feet at its closest point to Knapps Narrows. The
177 property is located within Modified Buffer Area (MBA) # 25, which has an established
178 50-foot setback. Staff recommends the following conditions:

- 179
180 1. Should the Planning Director approve the requested minor variance, the applicant shall
181 be required to obtain Planning Commission approval for the Major Site Plan for the
182 proposed deck addition.
183 2. The applicant shall make an application to the Office of Permits and Inspections, and
184 follow all rules, procedures, and construction timelines as outlined regarding new
185 construction.
186 3. The applicant shall commence construction of the proposed improvements within
187 eighteen (18) months from the date of the Planning Office’s “Notice to Proceed”.

188
189 **Staff Presentation:**
190 Elisa Deflaux, Planner II

191

192 **Applicant Presentation:**
193 Zach Smith; Armistead, Lee, Rust & Wright, P.A
194 Sean Callahan, Lane Engineering
195

196 **Public Comment:**
197 1. Leslie Stein, Talbot County Resident - spoke in favor of application
198

199 **Commissioner Boicourt recommended that the Planning officer approve the Minor**
200 **Variance # MV45 for 6136 TIR, LLC at 6136 Tilghman Island Road subject to staff**
201 **conditions. Commissioner Strannahan seconded the motion.**
202

203	<u>Vote</u>	5-0
204	FOR:	5 – Councill, Boicourt, Ghezzi, Spies, Strannahan
205	AGAINST:	0
206	ABSTAIN:	0
207	ABSENT:	0
208		

209 **d. Applicant:** 6136 TIR, LLC
210 **File No:** SP632
211 **Agent:** Zach Smith; Armistead, Lee, Rust & Wright, P.A.
212 **Request:** Major Site Plan to add a second-story outdoor deck to an existing
213 restaurant
214 **Location:** 6136 Tilghman Island Road, Tilghman, MD 21671
215 **Zoning:** Map 44A, Parcel 197

216 **Location on video recording – 1 hour, 16 minutes**
217

218 The applicant is seeking Planning Commission approval of a Major Site Plan to construct
219 a 626 square foot second story deck over an existing concrete patio on the north side of
220 the Characters Bridge Restaurant. The applicant has requested the following waivers
221 associated with the site plan:

- 222 1. §190-40.5 – Minimum landscaping requirements (Alternate Landscaping Plan)
223 2. §190-41.6 – Bicycle parking
224
- 225 1. The applicant shall comply with and address all outstanding issues and TAC comments
226 from the April 14, 2021 meeting.
 - 227 2. The applicant shall be required to obtain a minor variance for the proposed deck
228 addition prior to official submittal of a building permit application to the Office of
229 Permits and Inspections.
 - 230 3. The applicant shall make an application to the Office of Permits and Inspections, and
231 follow all rules, procedures, and construction timelines as outlined regarding new
232 construction.
 - 233 4. The applicant shall take all of the required steps and acquire all necessary approvals,
234 including any additional waivers necessary, required for a Site Plan and Landscaping
235 Plan as spelled out in the Talbot County Code
236
237

238 **Staff Presentation:**
239 Elisa Deflaux, Planner II

241 **Applicant Presentation:**
242 Zach Smith; Armistead, Lee, Rust & Wright, P.A.
243 Sean Callahan, Lane Engineering

245 **Public Comment:**
246 None

248 **Commissioner Spies moved that the Planning Commission approve #SP632 Major**
249 **Site Plan for 6136 TIR, LLC and landscaping waiver, subject to the Conditions of**
250 **Approval and staff conditions. Commissioner Ghezzi seconded the motion.**

251		
252	<u>Vote</u>	<u>5-0</u>
253	FOR:	5– Councill, Boicourt, Ghezzi, Spies, Strannahan
254	AGAINST:	0
255	ABSTAIN:	0
256	ABSENT:	0

257
258 **e. Applicant:** Department of Planning and Zoning
259 **File No.:** Martin Sokolich, Planner III
260 **Requests:** Recommendation to the County Council
261 **Project:** Maryland Agricultural Land Preservation Foundation (MALPF)
262 easement applications for fiscal year 2022

263 **Location on video recording – 1 hour, 38 minutes**

264
265 **Staff Presentation:** Martin Sokolich, Planner III
266 The Department is seeking Planning Commission recommendation to the County Council
267 to approve the list of farm properties for submittal to the Maryland Agricultural Land
268 Preservation Foundation (MALPF) for FY 22 easement purchase consideration. MALPF
269 receives State funding by a combination of general revenue funds and a portion of the real
270 estate transfer tax fees retained by Talbot County. MALPF received full State funding in
271 their FY 21 fiscal year budget to fund the previous round (CY 20) of applications. They
272 are now accepting up to twelve (12) applications from each county that will be funded in
273 their FY 22 budget. Commissioner Spies stated that two properties on the Highest Ranked
274 FY 22 chart provided to the Commission had the same map and parcel numbers. Mr.
275 Sokolich confirmed that was an error that would be corrected.
276 Commissioner Councill noted that he would refrain from the vote on this application.
277 Commissioner Boicourt will lead the discussion for this application.

278
279 **Public Comment:**
280 None

281
282 **Commissioner Strannahan moved that the Planning Commission recommend to the**
283 **County Council approval of the list of farm properties for submittal to the Maryland**

284 **Agricultural Land Preservation Foundation (MALPF) for FY 22 easement**
285 **purchase consideration; subject to corrections discussed by Commissioners and staff**
286 **conditions. Commissioner Ghezzi seconded the motion.**
287

288 Vote 4-0
289 FOR: 4– Boicourt, Ghezzi, Spies, Strannahan
290 AGAINST: 0
291 ABSTAIN: 0
292 ABSENT: 0
293

294 **f. Applicant:** Talbot County
295 **File No.:** 299
296 **Requests:** Consideration of consistency with the Talbot County
297 Comprehensive Plan
298 **Project:** Resolution 299 proposes to amend the Talbot County
299 Comprehensive Water and Sewer Plan to classify and remap real
300 property owned by Talbot County, Maryland located on St.
301 Michaels Road (Maryland Route 33), Easton, Maryland 21601 and
302 shown on Talbot County Tax Map No. 34, Grid 2 as Parcel 11
303 from “Un-programmed” to “S-1” immediate priority status
304 (*Repurposing Center*).

305 **Location on video recording – 1 hour, 37 minutes**
306

307 The Resolution proposes to amend the Talbot County Comprehensive Water and Sewer
308 Plan to classify and remap real property owned by Talbot County, Maryland located on
309 St. Michaels Road (Maryland State Highway 33), Easton, Maryland 21601 and shown on
310 Talbot County Tax Map No. 34, Grid 2 as Parcel 11 (Property) from “Unprogrammed” to
311 “S-1” immediate priority status (Repurposing Center). The County Council is the owner
312 of the property along Maryland State Highway 33 consisting of 104.7 acres of land. The
313 Property was acquired by the County in 1986 for the disposal of dredged material. The
314 County has initiated efforts to create the Talbot County Repurposing Facility on the
315 Property for the recycling of road materials, concrete from construction debris, wood
316 debris from fallen and diseased trees, and brush associated with storm events. The
317 extension of sewer to the Property will connect to the Region II Wastewater Treatment
318 Plant and the County Engineer evaluated and confirmed the feasibility of extending
319 public sewer to the Property. Resolution 299 states that the connection to the force main
320 will not be used to accommodate further subdivision of the Property and no sewer service
321 will be available beyond the existing Property to be served.
322

323 Staff clarified that the Planning Commissioners is charged with finding consistency with
324 the Comprehensive Plan and that consideration is not based solely on costs.
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326 **Staff Presentation:**
327 Miguel Salinas, Planning Officer
328 Ray Clarke, County Engineer
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Comments from Public:

- 1. Thomas T. Alspach, Talbot County resident; spoke on the matter and letter received 06-01-2021 - not in favor of the resolution
- 2. Susan duPont, Talbot County resident; letter received 05-31-2021 - not in favor of the resolution

Commissioner Ghezzi moved that the Planning Commission certify that Resolution 299 is not consistent with the 2016 Talbot Comprehensive Plan and the seven relevant standards in accordance with Environment Article § 9-506(a)(1) of the Maryland Annotated Code. Commissioner Boicourt seconded the motion.

<u>Vote</u>	5-0
FOR:	5 – Councell, Boicourt, Ghezzi, Spies, Strannahan
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- g. Applicant:** Talbot County
- Res. No.:** 300
- Request:** Consideration of consistency with the Talbot County Comprehensive Plan
- Project:** Resolution 300 proposes to amend the Talbot County Comprehensive Water and Sewer Plan to reclassify and remap: 1) commercial real property located on Ocean Gateway and Marina Drive, Trappe, Maryland 21673 and shown on Talbot County Tax Map No. 62 as Parcels 13, 21, 42, 43, and 80 from “Un-programmed” to “S-1” immediate priority status; and 2) residential real property located on Ocean Ferry Point Drive, Trappe, Maryland 21673 and shown on Talbot County Tax Map No. 62 as Parcels 1 through 19 from “Un-programmed” to “S-2” future planned sewer service in 3 to 5 years (*Ferry Point*).

Location on video recording – 3 hour, 01 minutes

The applicant is seeking Planning Commission consideration of Resolution 300 (Resolution) consistency with the Talbot County’s 2016 Comprehensive Plan. The amendment from “Un-programmed” to “S-1” will facilitate immediate priority status of sewer service to the Commercial Properties. The amendment of the Ferry Point Subdivision from “Un-programmed” to “S-2” plans for the extension of sewer service to homes within three to five years. Resolution 300 does not propose sewer service to any area beyond the Commercial Properties and Ferry Point Subdivision parcels referenced herein.

Staff Presentation:
Miguel Salinas, Planning Officer

376 Ray Clarke, County Engineer

377 **Comments from Public:**

378 1. Bill Anderson, Chairman, Public Works Advisory Board (PWAB) - PWAB
379 recommended that the residential lots remain “un-programmed” and not “S-2”.

380
381 **Commissioner Strannahan moved that the Planning Commission certify that**
382 **Resolution 300 is consistent with the 2016 Talbot Comprehensive Plan and the seven**
383 **relevant standards in accordance with Environment Article § 9-506(a)(1) of the**
384 **Maryland Annotated Code; with encouragement for consideration of Public Works**
385 **Advisory Board’s recommendations. Commissioner Spies seconded the motion.**

386		
387	<u>Vote</u>	5-0
388	FOR:	5– Councill, Boicourt, Ghezzi, Spies, Strannahan
389	AGAINST:	0
390	ABSTAIN:	0
391	ABSENT:	0

392

393 **h. Applicant:** Talbot County

394 **Res. No.:** 301

395 **Request:** Consideration of consistency with the Talbot County

396 Comprehensive Plan

397 **Project:** Resolution 301 proposes to amend the Talbot County

398 Comprehensive Water and Sewer Plan to approve a capital project

399 for the improvements associated with the wastewater treatment

400 system on Rustling Oaks Drive, Wye Mills, Maryland shown on

401 Talbot County Tax Map 1, Grid 23 as Parcel 98 (*Preserve at Wye*

402 *Mills*).

403 **Location on video recording – 3 hour, 25 minutes**

404

405 The applicant is seeking Planning Commission Consideration of Resolution 301

406 (Resolution) consistency with the Talbot County’s 2016 Comprehensive Plan. The

407 Resolution requires the HOA and the owners of the residential lots in the Preserve at Wye

408 Mills to convey the System to Talbot County who will create a new, independent

409 Sanitary District. The proposed System will be designed to ENR standards at 10,000

410 GPD for two parallel treatment units or the System will be certified that adequate

411 treatment can be obtained with less than 50% of its capacity being utilized. The System

412 will also be limited to serving the approved residential lots in the Preserve at Wye Mills.

413 In addition, in consultation with MDE and the Maryland Department of Planning, any

414 remaining wastewater capacity will be identified for possible use to serve lots within the

415 Village of Wye Mills.

416

417 **Staff Presentation:**

418 Miguel Salinas, Planning Officer

419 Ray Clarke, County Engineer

420
421 **Comments from Public:**

422 None
423 It was noted that the Public Works Advisory Board (PWAB) recommended (5-0) the
424 Talbot County Council table 301 until the Preliminary Engineering Report is completed.
425 The PWAB raised concerns in proceeding with amending the Comprehensive Water and
426 Sewerage Plan under Resolution 301 until the Preliminary Engineering Report (PER) has
427 been completed. The PWAB also recommended that the County should not allow any
428 more building of residential structures or improvements to houses that would impact the
429 wastewater treatment plant until the issues of the wastewater treatment plant have been
430 resolved.

431
432 Commissioner Councill noted for the record that he is a neighboring land owner, but has
433 nothing financially to gain from the application.
434

435 **Commissioner Strannahan moved that the Planning Commission certify that**
436 **Resolution 301 is consistent with the 2016 Talbot Comprehensive Plan and the**
437 **seven relevant standards in accordance with Environment Article § 9-506(a)(1)**
438 **of the Maryland Annotated Code.; with encouragement for consideration of Public**
439 **Works Advisory Board’s recommendations. Commissioner Spies seconded the**
440 **motion.**

441
442

Vote	5-0
FOR:	5– Councill, Boicourt, Ghezzi, Spies, Strannahan
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

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448 **i. Applicant:** Talbot County
449 **Request:** Review and motion finding the 2020-30 Solid Waste Management
450 Plan being consistent with the Talbot County Comprehensive Plan
451 as presented in the Resolution introduced by the County Council
452 **Project:** § 9-503 of the Environmental Article requires counties to have a
453 county plan that covers at least a 10-year period that deals with
454 solid waste disposal systems, solid waste acceptance facilities, and
455 the systematic collection and disposal of solid waste, including
456 litter. As per COMAR 26.03.03, Talbot County has drafted a ten-
457 year 2020-30 Solid Waste Management Plan to provide current
458 information concerning solid waste management issues and
459 identifies current needs, objectives and strategies relative to the
460 solid waste management program in Talbot County.

461 **Location on video recording – 3 hour, 40 minutes**

462
463 **Staff Presentation:**
464 Brennan Tarleton, Assistant Planning Officer
465 Ray Clarke, County Engineer

466
467 **Public Comment:** None

468 **Commissioner Boicourt moved that the Planning Commission certify that Resolution**
469 **301 is consistent with the 2016 Talbot Comprehensive Plan and the seven relevant**
470 **standards in accordance with Environment Article § 9-506(a)(1) of the Maryland**
471 **Annotated Code. Commissioner Strannahan seconded the motion.**

472

473	<u>Vote</u>	5-0
474	FOR:	0– Councill, Boicourt, Ghezzi, Spies, Strannahan
475	AGAINST:	5
476	ABSTAIN:	0
477	ABSENT:	0

478

479 **5. Discussion Items-**

480 **Location on video recording – 3 hour, 49 minutes**

481
482 Planning Commission Meetings will be returning to the Bradley Room in July 2021.
483 The County Council also decided to return to the Bradley Room with a maximum of
484 thirty people, on a first-come basis. Staff will track and update the Commission on
485 any changes in restrictions.

486
487 **6. Staff Matters –**

488 **Location on video recording – 3 hour, 51 minutes**

489
490 Maria Brophy, Planner II, is leaving her employment with Talbot County. The job
491 opening has been posted. Staff and Planning Commission wish Maria the best of luck and
492 a bright future.

493
494 **7. Work Sessions-**

495 **Location on video recording – 3 hour, 52 minutes**

496
497 Commissioner Councill requested a work session with Planning Commission and Public
498 Works Advisory Board to discuss the comprehensive water and sewer plan. Miguel
499 Salinas will work with Ray Clarke on getting that scheduled.

500
501 **8. Commission Matters**

502 **Location on video recording – 3 hour, 54 minutes**

503
504 Discussion between staff and Commissioners on Decision Summaries occurred. Staff will
505 continue to use the concise version of the Decision Summary as outlines in the April and
506 May 2021 summaries. The time of discussions relative to the audio or video recording
507 will be added and statements made by the Commissioners beginning with, “I would like
508 it noted for the record” will also be added.

509
510 **9. Adjournment**– Commissioner Councill adjourned the meeting at 1:26 p.m.
511