



Talbot County Planning Commission
Final Decision Summary
Wednesday, March 1, 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” Cuncell, Chairman
Michael Strannahan, Vice Chairman
William Boicourt
Paul Spies
James Corson

Staff:

Brennan Tarleton, Planning Officer
Bryce Yelton, Planner II
Andy Meehan, Commission Attorney
Jennifer Collins, Administrative Assistant

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

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

Vote 4-0-1

FOR: 4- Cuncell, Boicourt, Spies, Corson

AGAINST: 0

ABSTAIN: 1- Strannahan (absent in February)

ABSENT: 0

3. **Old Business**

a. Applicant: Marc Duffy-Postponed to April 5, 2023

File No: SP636

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

52 Tax Map 33, Grid 08, Parcel 081
53 **Zoning:** RC/CAO
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55 **4. New Business**
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57 **a. Applicant:** Crown Castle
58 **Agent:** Edward L. Donohue, Donohue, Themak and Miller, PLC
59 **File No.:** SPEX-23-1
60 **Request:** Special Exception to allow for the installation of a monopole
61 including a lightning rod for total height of 199' and a 75' x 75'
62 fenced equipment compound.
63 **Location:** 10660 Old Cordova Rd, Cordova, MD 21625
64 Tax Map 11, Parcel 18; Lot 1
65 **Zoning:** AC
66

67 The applicant is seeking a recommendation from the Planning Commission approval to the
68 Board of Appeals for Special Exception approval to construct a 199' monopole wireless
69 telecommunications tower and 75'x 75' equipment compound on the site, staff recommends
70 the following conditions
71

- 72 1. The applicant shall make an application to the Office of Permits and Inspections, and
73 follow all rules, procedures, and construction timelines as outlined regarding new
74 construction.
75
- 76 2. The applicant shall commence construction of the proposed improvements within
77 eighteen (18) months of the date of the Board of Appeals approval.
78
- 79 3. The applicant shall include all applicable information and financial surety in their
80 application to the Office of Permits and Inspections in accordance with the Code section
81 § 190-32.3.
82

83 **Staff Presentation:**
84 Bryce Yelton, Planner II
85

86 **Applicant Presentation:**
87 Ed Donohue, Donohue, Themak and Miller, PLC
88 Bryce Pickings, Crown Castle
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90 **Public Comment:** None
91

92 **Commissioner Strannahan moved that the Planning Commission recommend to the**
93 **Board of Appeals approval of Special Exception SPEX-23-1 for Crown Castle**
94 **located at 10660 Old Cordova Rd, Cordova, MD 21625; subject to staff conditions.**
95 **Commissioner Boicourt seconded the motion.**
96

97 **Vote 5-0**

98 **FOR:** **5- Councill, Boicourt, Spies, Corson, Strannahan**
99 **AGAINST:** **0**
100 **ABSTAIN:** **0**
101 **ABSENT:** **0**

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103 **b. Applicant:** **Nagel Farm Service**
104 **Agent:** Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A
105 **File No.:** **SPEX-23-2**
106 **Request:** Modification to a special exception to permit the expansion of an
107 existing grain processing, drying and storage use to permit two
108 grain storage tanks
109 **Location:** 14209 Old Wye Mills Rd, Wye Mills, MD 21679
110 **Zoning:** VH

111
112 The applicant is seeking Planning Commission recommendation of approval to the Board of
113 Appeals to construct one 134 ft. 2 ¾ inches tall by 105 feet in diameter grain storage tank and
114 a 60' x 100' shop/shed building with gravel access drives. The applicant is also seeking an
115 “after the fact” approval for an existing 115.5 ft. tall x 90 feet in diameter grain storage tank
116 and the 4.96-acre temporary grain storage area. The improvements are to provide supplemental
117 grain storage and accessory support structures for the existing *Grain Processing, Drying, and*
118 *Storage (wholesale commercial)* use, in the VH (Village Hamlet) zoning district, staff
119 recommends the following conditions

- 120
121 1. The applicant shall take all of the required steps and acquire all necessary approvals,
122 including any additional waivers necessary, required for a Site Plan and Landscaping
123 Plan as spelled out in the Talbot County Code.
124
125 2. The applicant shall obtain a height variance and a special exception for the existing
126 storage tank, the proposed grain storage tank, and proposed shop building from the Board
127 of Appeals
128
129 3. The applicant shall make an application to the Office of Permits and Inspections, and
130 follow all rules, procedures, and construction timelines as outlined regarding new
131 construction.

132
133 **Staff Presentation:**
134 Bryce Yelton, Planner II

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136 **Applicant Presentation:**
137 Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A

138
139 **Public Comment:** None

140
141 **Commissioner Spies moved that the Planning Commission recommend to the Board**
142 **of Appeals approval of Special Exception SPEX-23-2 for Nagel Farm located at**
143 **14209 Old Wye Mills Rd, Wye Mills, MD 21679; subject to staff conditions.**
144 **Commissioner Strannahan seconded the motion.**

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

- c. Applicant:** Marzio & Roanna De Spirito
- Agent:** Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A
- File No.:** MCAV-23-2
- Request:** Minor Variance- Construction of a two-story addition
- Location:** 9001 St. Michaels Road, St. Michaels MD 21663
Tax Map 23, Grid 18
- Zoning:** RC

The applicant is seeking Planning Commission recommendation of approval for a Minor Variance of the 100’ Shoreline Development Buffer (Buffer) to renovate and construct a two-story addition onto the existing dwelling located approximately 64 feet from the Mean High Water Line (MHWL). There is no net increase in overall lot coverage within the Critical Area; staff recommends the following conditions

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”.

Staff Presentation:
Bryce Yelton, Planner II

Applicant Presentation:
Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A
Roanna DeSpirito

Public Comment: None

Commissioner Spies moved that the Planning Commission recommend to the Planning Officer approval of Minor Variance # MCAV-23-2 for Marzio & Roanna De Spirito at 9001 St. Michaels Road, St. Michaels MD 21663; subject to staff conditions. Commissioner Corson seconded the motion.

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

191 **ABSENT: 0**

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193

d. Applicant: Jerry Davis

194

Agent: Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A

195

File No.: TEXT-2

196

Request: A Bill to amend the Talbot County Code Section 190-8.3

197

"Expansion and major modification of nonconforming uses."

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The text amendment application proposes to amend section §190-48.3 “nonconforming uses” to allow for the expansion of structures utilized for nonconforming uses limited to no greater than 20% of the gross floor area of the nonconforming use, or 3, 000 square feet, whichever is greater; provided, however, that under no circumstances shall any such expansion exceed 100% of the gross floor area of the nonconforming use pursuant to special exception approval. Within the RC District, the cumulative result of multiple expansions must comply with this standard and the lot coverage limits for the entire site. Any request beyond this limit, must seek growth allocation

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Staff Presentation:

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Bryce Yelton, Planner II

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Applicant Presentation:

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Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A

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Public Comment: None

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Commissioner Corson moved that the Planning Commission recommend to the County Council approval of Expansion and Major modification of nonconforming uses text amendment # TEXT-2; based on consistency with the Comprehensive Plan and subject to staff conditions. Commissioner Boicourt seconded the motion.

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220

Vote 5-0

221

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

222

AGAINST: 0

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ABSTAIN: 0

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ABSENT: 0

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226

e. Applicant: Tyler Carr

227

Agent: Ebie Fink, Fink, Whitten and Associates

228

File No.: REV-22-18

229

Request: Major Revision Plat- Preliminary Plan

230

Location: 22973 Twin Pines Rd, Bozman MD 21612

231

Tax Map 31, Parcel 93; Lot 1 ,2 and 3

232

Zoning: RC

233

234

The applicant is requesting Major Revision Plat – Preliminary Plan approval for the purpose of reconfiguring 3 existing lots of record as well as abandoning a private road

235

236

237 right-of-way recorded and identified as “Winterbottom Lane”; staff recommends the
238 following conditions

- 239
- 240 1. The applicant shall take all of the required steps and acquire all necessary approvals,
241 including any waivers, required for a Major Revision Plat as spelled out in the *Talbot*
242 *County Code*.
 - 243
 - 244 2. The applicant shall comply with and address all outstanding issues and TAC comments
245 from the February 8, 2023 meeting.
 - 246

247 **Staff Presentation:**
248 Bryce Yelton, Planner II

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250 **Applicant Presentation:** None

251
252 **Public Comment:** None

253
254 **Commissioner Corson moved that the Planning Commission approve Major**
255 **Revision Plat- Preliminary and Final Plan # REV-22-18 for Tyler Carr at 22973**
256 **Twin Pines Rd, Bozman MD 21612; subject to staff conditions. Commissioner**
257 **Boicourt seconded the motion.**

258

259 Vote	5-0
260 FOR:	5- Councill, Boicourt, Spies, Corson, Strannahan
261 AGAINST:	0
262 ABSTAIN:	0
263 ABSENT:	0

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266 **f. Applicant:** **Eric and Marianne Mann**
267 **Agent:** Lars, Erickson
268 **File No.:** **MCAV-23-1**
269 **Request:** Minor Critical Area Variance- Construction of garage with second
270 floor bedroom addition
271 **Location:** 9793 Pintail Place, St Michaels, MD 21663
272 Tax Map 01, Parcel 07
273 **Zoning:** RR

274
275 The applicant is seeking Planning Commission recommendation of approval for a Minor
276 Variance of the 100’ Shoreline Development Buffer (Buffer) to add a 16’ x 24’ addition
277 with a 4’ x 16’ bump out addition, and a 4’ x 6’ landing at the rear entrance totaling 472
278 square feet of new lot coverage. The existing residence is located 52.5’ from the Mean
279 High Water Line (MHWL). The location of the proposed additions are approximately 55
280 feet from the MHWL at its closest point. In addition, the applicant is proposing to swap
281 112 square feet of new driveway area to serve the new garage addition with 266 square feet
282 of existing nonconforming driveway area in the Buffer. The applicant is reducing the total

283 overall new lot coverage of 584 square feet by removing 628 square feet of existing
284 nonconforming lot coverage bringing the actual new net lot coverage to -44 square feet,
285 staff recommends the following conditions

- 286
- 287 1. The applicant shall make an application to the Office of Permits and Inspections, and
288 follow all rules, procedures, and construction timelines as outlined regarding new
289 construction.
 - 290
 - 291 2. The applicant shall comply with and address all Critical Area comments and standards,
292 including the completion of a Buffer Management Plan that complies with requirements
293 of the Critical Area law.
 - 294
 - 295 3. The applicant shall commence construction of the proposed improvements within eighteen
296 (18) months from the date of the Planning Office’s “Notice to Proceed”.
297

298 **Staff Presentation:**
299 Bryce Yelton, Planner II

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301 **Applicant Presentation:**
302 Lars Erickson

303
304 **Public Comment:** None

305
306 **Commissioner Strannahan moved that the Planning Commission recommend to the**
307 **Planning Officer approval of Minor Variance # MCAV-23-1 for Eric and Marianne**
308 **Mann at 9793 Pintail Place, St. Michaels, Maryland 21663; subject to staff**
309 **conditions. Commissioner Corson seconded the motion.**

310
311 **Vote** **5-0**
312 **FOR:** **5- Councill, Boicourt, Spies, Corson, Strannahan**
313 **AGAINST:** **0**
314 **ABSTAIN:** **0**
315 **ABSENT:** **0**

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317 **4. Discussion Items-** Staff working with the Department of Planning and Zoning of the
318 Town of Easton for the purposed of scheduling a joint hearing with the county and Town
319 Planning Commissions for the Poplar Hill Supplemental Growth Allocation application.
320 Possible dates are April 3, 4, and 6th. Final, time and location to be determined.

321
322 **5. Staff Matters** –None

323
324 **6. Work Sessions** –None

325
326 **7. Commission Matters**–None

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328 **8. Adjournment**– Commissioner Councill adjourned the meeting at 9:48 am.