
MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on October 21, 2010 in the Council Chambers of the Government Office Building, Room 301, with the following persons in attendance:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
James W. Magill
Gail Bartkovich
Glen Robinson (Absent)
Scott Rogers
Gary Comegys (Absent)
Jacob Day

CITY/COUNTY OFFICIALS:

Ed Baker, County Attorney

PLANNING STAFF:

Jack Lenox, Director
Gloria Smith, Planner
Robin Ayele, Planner
Dave Church, Planner
Beverly Tull, Recording Secretary



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

**Minutes:**

Upon a motion by Mrs. Bartkovich, seconded by Mr. Magill, and duly carried, the Commission **APPROVED** the minutes of the September 16, 2010 meeting with a correction on Page 3.

**CITY/COUNTY SUBDIVISION PLATS:****Cotton Patch – Extension – 96 Lots – Pemberton Drive – M-37, G-17, P-145.**

Mr. Steve Fuller came forward. Mrs. Gloria Smith presented the Staff Report. The applicants request a one-year extension of time for recording of the approved Final Plat for Cotton Patch (formerly Ponds at Pemberton) subdivision.

Mrs. Bartkovich stated that she wished Mr. Fuller luck with the new stormwater regulations. Mr. Fuller responded that this subdivision fell under the emergency legislation waiver and would be grandfathered in under the old regulations.

Upon a motion by Mr. Magill, seconded by Mr. Rogers, and duly carried, the Commission **GRANTED** a one-year extension to the Final Plat for Cotton Patch. **This extension will expire on October 24, 2011.**



Essex Ridge, Sec. 7 – Extension – 57 Lots – Carioca Road – M-21; G-12; P-57, 77, 111, 114.

Mr. Brock Parker came forward. Mrs. Gloria Smith presented the Staff Report. The applicants received Preliminary Plat approval for a proposed subdivision of 57 lots from this 497.34 acre tract with a density of one unit per 8.73 acres in October 2008. All lots will front and have access on new interior streets and Carioca Road will be extended to serve as alternate access to the development. The average lot size is approximately $\frac{3}{4}$ acre and contiguous open space of 252.95 acres would be provided. The applicants are requesting a one-year extension of time to submit the Final Plat for Section 7. In addition to the residential housing market and economic climate, the applicants noted that the adoption of the new Stormwater Management Regulations is requiring some significant modifications to the plat for Essex Ridge, Section 7.

Mr. John Groutt, representing WET, stated that he saw no reason for an extension when this project could come back in again under the new regulations. Essex Ridge lies in an agricultural area that is very sandy. The proposed area for the subdivision is a very beautiful spot. The regulations state that the area in the A-1 district should be thought out very carefully. Mr. Groutt requested that the Commission deny the extension and let the developer come in and meet all the new regulations. Mr. Groutt then requested what section of the Code addressed the criteria for an extension. Mr. Lenox responded that the extension guidelines were located in the Subdivision Regulations and not the Zoning Code.

Mr. Parker stated that the project is an extension of the existing Essex Ridge subdivision. The reason for the extension is to preserve what has been spent to perc, do the topo, and redesign the project. There will have to be additional perc tests done. Mr. Turner doesn't wish to lose the money that he has already put into the project and have to come back with a brand new project.

Mrs. Bartkovich stated that Essex Ridge began before the current regulations were in place.

Mrs. Bartkovich questioned if the new stormwater regulations would make a significant change to the plan. Mr. Parker replied that there are ridges

on the property so the roads can't be moved. The plan will remain pretty much as it is designed.

Mrs. Bartkovich questioned if the project would comply with the new stormwater regulations. Mr. Parker responded in the affirmative.

Upon a motion by Mr. Magill, seconded by Mr. Rogers, and duly carried, the Commission **GRANTED** a one-year extension to the Preliminary Plat for Essex Ridge, Section 7. **This extension will expire on October 22, 2011.**



DRAFT COUNTY COMPREHENSIVE PLAN DISCUSSION AND WORK SCHEDULE:

Mr. Lenox, Mrs. Ayele, and Mr. Church came forward. Mr. Lenox stated that they were available for discussion on the document since there was an abbreviated agenda. Mr. Lenox stated that they also needed to discuss a schedule based on how the Commission and the County Council might want to proceed. The City Comprehensive Plan has been adopted. The County WRE was adopted last fall and is included in the Draft Comprehensive Plan. This process has been on-going for a couple years. There had been three (3) workshops held two years ago in the East, West Ag districts as well as in the Metro Core. The document is a compilation of multiple plans. The County Council adopted the County Water and Sewer Plan earlier this week.

Mr. Lenox explained that the document had been set up to make it easy to find what you were looking for as well as including a couple sections that were not required by the State. The Plan looks at the County comprehensively and also looks at how it relates to the cities and towns. In 2000, the Census showed that 39 percent of the County population lived in the cities or the towns. The 2030 projections indicate that 50 percent of the population will live in the cities or the towns. The 1998 Comprehensive Plan gave a vision and now the new plan is trying to provide a direction and implementation process for the Plan. Chapter 14 contains the Plan Implementation which will not have anything that the Commission has not already seen. He stated that the Commission had directed Staff to use the 2000 Zoning Map in previous work sessions to represent land use categories. Mr. Lenox questioned when the Commission might feel comfortable starting the 60 day review process.

Mrs. Bartkovich stated that the Council does not expect to see the Comprehensive Plan before the spring. December 7th will be the first meeting for the new County Council and they'll have to elect a new President and Vice President. She added that the County Council will have to hold a public hearing on the Comprehensive Plan. She stated that she has told people that they can email their comments to her or to Mr. Lenox and that the comments would be circulated to the Commission members.

Mr. Lenox noted that the outreach for the City Comprehensive Plan got to the point that no one showed up for the public hearing at the City Council level. He added that he knew that there would be people at the County public hearing.

Mr. Lenox explained that the Sensitive Areas section contains the hot issues.

The chapter on Agriculture was important to Wicomico County and is part of the working landscape that the County wants to thrive. He added that this is not a priority preservation element. There will have to be specific density provisions if the County is to ever have a certified priority preservation area again.

Mr. Day questioned if any work had been done to write out the priority preservation area before certification was taken away from the County. Mr. Lenox responded that MDP stated that the 1:3 cluster didn't go far enough and based on that MALPF didn't recertify Wicomico County. Mr. Day questioned what work was done. Mr. Lenox stated that the work of the Commission on clusters didn't get passed by the Council. He added that PPA could be regulatory but it would be very controversial.

Mr. Lenox stated that the land use could be viewed as a summary chapter. There is a new land use map. Some of the definitions have been worked on. LB-1 is now defined as mixed use non residential and would include areas such as the area across from Westwood Commerce Park where the Westside Collector Road comes out and areas on the east side near Wor Wic.

Mr. Lenox explained that Mr. Church was handing out a new map with a correction in the Hebron area. On the new map, Waller Landing is now shown as a comment area. The land is within the municipal boundaries that are contrary to the County Comprehensive Plan. The area is not consistent with the County Plan. Mr. Day questioned if this was merely a change to the map. Mr. Lenox responded in the affirmative.

Mr. Lenox stated that the 1998 Comprehensive Plan included growth areas but wasn't a good interactive process.

Mr. Lenox questioned Mr. Church if there was a way for the general public to zoom in on the maps on the internet. Mr. Church responded that he wasn't sure but the Staff could provide larger maps to the Commission if they so desired.

Mr. Lenox stated that a lot of the Transportation Chapter of the County Comprehensive Plan has been seen already because it is part of the City Comprehensive Plan.

The Community Facility Chapter is mainly an inventory list of what is available in the County.

The Economic Development and Public Facilities Chapter will include a lot of references to SU.

Mrs. Ayele discussed the Historic Chapter and stated that there were three (3) main goals. She added that there is a rich history of historic places so there is an inventory included of places and structures. The cemetery inventory is also included.

Mr. Lenox mentioned that agro-tourism is mentioned in the Ag Chapter and is very popular right now. Mr. Magill stated that Tifton, GA has built a small community for agro-tourism and that Wicomico County might want to look into that as well.

Mrs. Ayele discussed the Housing and Community Development Chapter. This Chapter discusses revitalization of neighborhoods and affordable housing. Workforce housing is also a new element which allows the County to tap into grant funds. Elderly housing is also addressed in this Chapter. There is also a section on student housing since there is limited housing on campus. The substandard housing issue is also addressed in the Comprehensive Plan. Other agencies such as Salisbury Neighborhood Housing and Habitat for Humanity are discussed in this section as well. The new green housing initiatives are also mentioned.

Mrs. Ayele discussed the Economic Development Chapter. There is a need to support the industrial parks and other areas such as the North Prong. There is also a need to tie transportation into tourism. Mr. Lenox added that the movement of freight has been addressed and that currently there is a study being done with the State of Delaware about moving freight.

Mr. Lenox stated that the Mineral Resources Chapter was a requirement and has been included.

Mr. Lenox stated that the Plan Implementation Chapter shouldn't offer any surprises. When the new Census data becomes available it will be updated in the Comprehensive Plan.

Mr. Lenox noted that a comment form will be added on the internet for people to send in their comments. He questioned how the Commission wished to proceed.

Mr. Day questioned Mr. Lenox on how the public sessions held with KCI in 2008 were done. Mr. Lenox offered to supply the minutes from those sessions. Mr. Day stated that he was really interested in the formats that were used in the 2008 meetings.

Mr. Lenox stated that there was a survey and a SWAT analysis was done with the Commission members.

Mr. Dashiell questioned if the Commission was required to just have one (1) public hearing. Mr. Lenox responded that the Commission was required to have one (1) public hearing. Mr. Dashiell questioned if it was advisable to have more than one (1) public hearing. Mr. Lenox responded that there needed to be meetings throughout the review process. Mrs. Bartkovich commented that the Commission held one (1) public hearing in the evening for the City Comprehensive Plan and questioned if the same should be done for this Plan. Mr. Lenox responded in the affirmative.

Mr. Day stated that public hearings on the Comprehensive Plan tend to rehash things that people are entrenched in. He stated that he believed that multiple public meetings might be the better approach with one (1) public hearing at the end. He questioned if there had ever been meetings on certain chapters or if it was a regional meeting. Mr. Lenox responded that in the past it has been the entire document and the maps at the meetings. Mr. Baker added that something like that was done in 2004 with the Zoning Code.

Mr. Dashiell questioned Mr. Day if he wanted to go to the municipalities to have meetings. Mr. Day suggested going to the same places as the meetings were held in the past such as Wor Wic and Rockawalkin Community Center. Mr. Lenox questioned if these meetings would be on the entire plan. Mrs. Bartkovich responded in the affirmative. Mr. Dashiell questioned how the meetings would be broken down. Mr. Lenox responded that there would be an East, West, and Central meeting and they would run like a workshop. Mr. Day stated that if a regional meeting was held and the gentle approach was taken then it would be most beneficial to set aside at least 30 minutes for input and discussion.

Mr. Magill questioned if the public hearing format was defined. Mr. Lenox responded that the hearing must be advertised and there has to be a 60 day review period.

Mr. Dashiell suggested doing the workshops in January.

Mr. Lenox stated that if the Commission was talking about getting things started that the meetings could be done in three (3) consecutive weeks and the Plan can go out for public comments.

Mrs. Bartkovich questioned if Mr. Fineran had put the plan on the web. Mr. Lenox responded in the affirmative, explaining that it is listed under the what's new section with a link to the Planning Department section.

Mrs. Bartkovich stated that once the Comprehensive Plan is completed that the Zoning Code will need to be updated. Mr. Lenox responded that the City Zoning Code will need to be completely redone first because they are working off a 1983 Zoning Code so the process must start all over.



There being no further business, the Commission meeting was adjourned at 3:00 p.m. by Mr. Dashiell.



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.

Charles "Chip" Dashiell, Chairman

John F. Lenox, Director

Beverly Tull, Recording Secretary