City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
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MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on August 20, 2015 in Room 301, Council Chambers of the Government Office Building, with the following persons in attendance:

COMMISSION MEMBERS:
Charles "Chip" Dashiell, Chairman
James W. Magill, Vice Chairman (Absent)
Scott Rogers
Tim Spies
Marc Kilmer
Newell Quinton
James McNaughton

CITY/COUNTY OFFICIALS:
Brian Wilkins, Salisbury Public Works Department
Rachel Harris, Assistant County Attorney
Marilyn Williams, Land Development Coordinator

PLANNING STAFF:
Jack Lenox, Director
Gloria Smith, 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 Mr. Spies, seconded by Mr. Quinton, and duly carried, the Commission **APPROVED** the minutes of the July 16, 2015 meeting as corrected.

Mr. Kilmer abstained from the vote due to not being present for the entire meeting.

Mr. Lenox introduced Ms. Marilyn Williams as the newest member of the Planning Department. Ms. Williams will be filling the position previously held by Mrs. Phillips. Ms. Williams is a Wicomico County resident who brings has considerable surveying and engineering background. Mr. Dashiell welcomed Ms. Williams on behalf of the Commission.

#SP-1204-15B **SIGN PLAN AMENDMENT – Uptown Cheapskate/Kid to Kid – 2630 N. Salisbury Blvd., represented by Phillips Signs – General Commercial District – M-29; G-5; P-54.**

Mr. Gary Spence came forward. Mrs. Gloria Smith presented the Staff Report. Phillips Signs has submitted a request for Wall Signage approval for Building A under construction in Salisbury Plaza shopping center at 2630 N. Salisbury Boulevard. Uptown Cheapskate and Kid to Kid will be the tenants occupying this building.

Mr. Dashiell questioned if the Commission were to adopt the recommendation if it would include the color black. Mrs. Smith responded that adopting the recommendation should be sufficient but the Commission could include the color black specifically in the motion.

Mr. Spence noted that the building sits back off the road so the Kid to Kid sign is slightly larger for visibility.

Dr. McNaughton questioned if the color white was included in the sign plan since it is on all the signs. Mrs. Smith responded in the affirmative. Mr. Spies questioned if black and white need to be included in the recommendation or are they included in every sign plan color palette. Mr. Spence noted that all signs start as white and the colors are added.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** the Revised Sign Plan for Uptown Cheapskate and Kid to Kid in the Salisbury Plaza, including the wall signs and ground sign panels, as submitted.

#SP-0210-15E **SITE PLAN AMENDMENT – Verizon Wireless Equipment Compound – The Fountains – Country Inn & Suites – 1804 Sweetbay Drive – M-110; G-6; P-4487; L-2A.**

Mr. Bernadzikowski came forward. Mrs. Gloria Smith presented the Staff Report. Verizon Wireless has submitted a Revised Comprehensive Development Plan for an equipment compound on Lot 2A of The Fountains Planned Business Center. The submission package included the Revised Site Plan, a Site Details Plan and an Owner's Authorization letter.

Mr. Bernadzikowski explained that he had visited the site to verify the parking calculations. Normally, Verizon would put the equipment on the roof, however, there is no roof access on this building. The reduction of one (1) parking space is not an issue. There is an informal shared parking agreement between the hotel and the conference center.

Mr. Spies questioned if the Commission could offer a waiver on the height of the fence around the equipment shed. Mr. Bernadzikowski stated that he believed Verizon would be agreeable. Mr. Spies offered as a condition of approval that the fence height around the equipment shed be increased to 12 ft. to hide the top of the building and offer added security. Mr. Rogers questioned if the fence was 12 ft. tall. Mr. Bernadzikowski responded in the affirmative, explaining that normally the fence is 7 ft. to 8 ft. in height.

Dr. McNaughton questioned the color of the fence. Mr. Bernadzikowski responded that the fence is board on board and that the color of the fence was being coordinated with the property owners.

Upon a motion by Mr. Rogers, seconded by Mr. Spies, and duly carried, the Commission **APPROVED** the Revised Comprehensive Development Plan for a Verizon Wireless at the Country Inn and Suites Hotel at The Fountains Planned Business Center, and subject to the following Conditions of Approval:

CONDITIONS:

1. This site shall be developed in accordance with the approved Revised Comprehensive Development Plan that complies with all Code requirements. Minor Plan adjustments may be approved jointly by the Directors of the Building, Permits and Inspections and the Planning and Zoning Departments.
2. Subject to further review and approval by the Salisbury Public Works Department, if required.
3. The fence around the storage building shall be 12 ft. in height.

August

ADMINISTRATIVE MATTER – FINDINGS OF FACT - Morgan's Ridge- Resubdivision –Morgan's Ridge Drive – M-21; G-12; P-70.

Mr. Jack Lenox presented the Findings of Fact for the Morgan's Ridge Resubdivision denial. He explained that the minutes reflect back on the last two (2) months of discussion regarding Morgan's Ridge resubdivision plat. The Findings of Fact have been drafted to explain the Staff's logic on their reasons for denying the resubdivision plat. Mr. Lenox stated that Staff's recommendation is to adopt the Findings of Fact that were presented at the table.

Upon a motion by Mr. Rogers, seconded by Mr. Quinton, and duly carried, the Commission **ADOPTED** the Findings of Fact for denial of the Morgan's Ridge resubdivision plat as presented at the meeting.

Mr. Kilmer questioned for clarification purposes what happens in the event of an appeal. Mr. Lenox explained that the appeal would go to the Wicomico County Board of Appeals as an appeal of the Planning Commission's decision. If the Board were to uphold the Commission's decision, the next level of appeal would be Circuit Court. He added that there is existing litigation pending in Circuit Court regarding Morgan's Ridge.

August

There being no further business, the Commission meeting was adjourned at 2:00 p.m. by Mr. Dashiell.

August

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 R. Tull, Recording Secretary