
MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on June 18, 2009 in the Council Chambers of the Government Office Building, Room 301, with the following persons in attendance:

COMMISSION MEMBERS:

Corinne Les Callette, Chairman
Donald B. Bounds, Vice Chairman
Gail Bartkovich
James W. Magill
Glen Robinson
Scott Rogers
Gary Comegys

CITY/COUNTY OFFICIALS:

Ed Baker, County Attorney
Maureen Lanigan, Assistant County Attorney
Henry Eure, Building, Permits, and Inspections Department
Gary Hales, Salisbury Public Works Department
Mary Phillips, County Department of Public Works
Jim Ireton, Mayor
Paul Wilber, City Solicitor
Joseph Andrews, Acting Lt., Salisbury Fire Department

PLANNING STAFF:

Gloria Smith, Planner
Clark Meadows, Zoning Administrator
Beverly Tull, Recording Secretary



The meeting was called to order at 1:35 p.m. by Mrs. Les Callette, Chairman.



Mrs. Les Callette explained that Mr. Lenox's wife had passed away suddenly and that visitation would be held on Friday, June 19, 2009 at 10 a.m. with a service following at 11 a.m. at the Holloway's Funeral Home in Salisbury, Maryland. She requested a moment of silence in memory of Mrs. Sam Lenox.



Minutes:

Upon a motion by Mr. Bounds, seconded by Mr. Magill, and duly carried, the Commission **APPROVED** the minutes of the May 14, 2009 minutes with the correction on page 8.



#SP-0611-09A FINAL DEVELOPMENT PLAN, PHASE I – VILLAGE AT SALISBURY LAKE PRD #11 – EXTENSION OF TIME TO SUBMIT REVISIONS – Salisbury Mall Associates, LLC – M-109, P-2520, Lot – 1.

Mr. Mike Dzaman and Mr. Jon Natelson came forward. Mrs. Gloria Smith presented the Staff Report. On March 19, 2009, the Commission received a Final Comprehensive Development Plan for Phase I of the Village at Salisbury Lake PRD #11. Due to a number of inconsistencies in the Plan and an extensive list of Public Works comments, the Commission Tabled the request for 60 days until the May Commission meeting. On May 14, 2009, the applicants requested "that this matter be postponed for one year, or for such other period that the Commission deems reasonable." After extensive discussion, the Commission Tabled the request for a month to allow the City Solicitor to research and prepare an opinion on the request.

- Mr. Wilber explained that the Commission had three options:
- ✓ Act on the Revised Final Comprehensive Development Plan Staff Report for Phase I that was at each members seat at this meeting
 - ✓ Grant an extension for a defined period of time
 - ✓ Deny the extension request which would put the developer's back at the preliminary development plan stage and would require the Commission to review Plans that they've already seen

Mr. Natelson stated that they had updated the plan that was previously submitted. The comments from Public Works that could be addressed have been addressed. He discussed the changes to the plan. The conditions listed in the Staff Report are acceptable as well as any conditions that Planning and Zoning or Public Works want to add down the road. Mr. Natelson stated that it would be optimal if the Commission could consider the plan presented to them at the table.

Mr. Dzaman stated that they believed that the best solution was to revise the plan. The driveways have been aligned and the entrance approach softened. He discussed the entrance features. Mr. Dzaman added that the cashier must have the gas pumps visible to them from inside the convenience store per State regulations. He added that they had pushed the entrance on Beaglin Park Drive to the north and increased the parking width.

Mr. Magill stated that he disagreed with the point that the building couldn't be readjusted to have the gas pumps at the rear of the building.

Mr. Comegys stated that he was concerned about the right-in/right-out onto Beaglin Park Drive and that there needed to be a physical barrier to separate the traffic and prohibit a left hand turn on to Beaglin Park Drive going towards the north. He stated that the sidewalks were part of the greenway and needed to be 8 ft. to 10 ft. in width to conform to the existing greenway. A landscape buffer along Glen Avenue is needed as well as landscaping all sides of the proposed convenience store property.

Mrs. Bartkovich questioned the plan not having any street lighting. She also questioned the deceleration lane on Beaglin Park Drive. Mr. Dzaman stated that they would conduct a Traffic Impact Study at the construction plan submission which was agreed to with Mr. Lenox in a phone conversation.

Mr. Bounds stated that it was hard to offer an approval on a plan with 14 conditions. He stated that he would like to see a 60 to 90 day extension given for the applicants to fine tune the remaining conditions.

Mrs. Les Callette stated that the applicants had been given since March to address the Public Works comments and were given 60 days to address the comments and still have not done so. She stated that the Commission may be inclined to give them an additional 60 to 90 days to submit a completed plat and give Staff the appropriate time to do a review. Mr. Comegys stated that he liked the suggestion about giving the extra time to submit a completed plat but suggested giving them 60 days to resubmit and then the Staff having 30 days to do their review for the Commission to see. He added that the Commission needed time to discuss any issues that there are.

Mr. Natelson questioned if the Commission was going to require a concrete structure to control the entry. Mr. Comegys responded that they needed a physical barrier such as a center median on Beaglin Park Drive. Mr. Natelson stated that it was possible to do a structure that people couldn't drive over. Mr. Comegys replied that he didn't want something that could cause injury.

Mrs. Les Callette suggested moving the gas pumps to the rear of the building. Mr. Comegys added that moving the gas pumps to the rear of the building would alleviate some of the lighting from the residential area.

Mr. Rogers suggested treating both sides of the building as the front of the building and move the gas pumps to the rear. There was considerable discussion by Commission members regarding the rotation of the building and the placement of the pump island.

Mr. Dzaman stated that they had tried to move the pumps to the rear of the building but that makes the property unmarketable. If the pumps are moved to the rear then they will be internal to the Villages at Salisbury Lake.

Mrs. Bartkovich stated that the sidewalks should be set off the road with a grassy area so that it blends with the existing sidewalks.

Mrs. Les Callette questioned the comment about a conversation with Mr. Lenox regarding the Traffic Impact Study. Mr. Dzaman stated that they weren't planning on submitting the plan so after the conference call with Mr. Lenox during the last week of May they decided to submit a revised plan. He questioned if they could do the Traffic Impact Analysis at the construction plan phase. Mrs. Les Callette questioned if they were given 60 days, could the plan be submitted with the conditions being addressed. Mr. Dzaman responded in the affirmative. Mrs. Bartkovich stated that her concern was that school was out and the traffic analysis wouldn't be accurate. Mr. Comegys stated that he believed that the traffic analysis numbers already existed.

Mr. Magill stated that The Traffic Group may have the traffic analysis numbers because they've done a lot of work in this area.

Mrs. Les Callette questioned where the berm would be located and how high it would be. Mr. Dzaman responded that the berm would be approximately 3 ½ ft. high plus the landscaping on the top. Mrs. Les Callette questioned if there would be shrubbery on top of the berm. Mr. Dzaman stated that there was a chart on the landscaping plan with the materials listed. Some of the materials will be green while others will be colored. Mrs. Les Callette stated that the neighbors had requested the berm so that they couldn't see into the development. Mr. Dzaman stated that there was a safety concern so people need to be able to see over the berm. Mrs. Les Callette stated that the berm shouldn't have low shrubbery on it. Mr. Natelson added that there would be a combination on the berm of low and high shrubbery. Mrs. Les Callette questioned if the berm would be undulating. Mrs. Smith responded in the affirmative.

Mrs. Les Callette questioned Mr. Wilber what the Commission's rights would be if the applicants were to submit a plat that didn't address the conditions properly. Mr. Wilber responded that the Commission would be in the same position that they are at this meeting if a plan is submitted that doesn't address the conditions. Mrs. Les Callette questioned Mr. Wilber if the Commission had the right to grant another extension if something wasn't correct. Mr. Wilber responded in the affirmative.

Mr. Comegys stated that there had been a lot of discussion about the building layout and questioned if the developer could email in a possible location layout to allow some dialogue with the Staff and Commission and allow the Commission to respond through the Staff. Mr. Rogers added that he would like to know what is coming so that we don't have to go through this again at the next meeting.

Discussion followed on how the Commission could see the plan prior to the meeting discussion.

Mr. Gary Hales stated that this project would dump into the Parkside pump station so a sewer study would be needed. Mr. Natelson noted that there were a few Public Works conditions that could be noted on the plan and remain a condition of approval as well. Mr. Hales stated that they couldn't get a building permit without the sewer study being completed. He added that the greenway plan calls for asphalt and specific standards that would have to be met.

Mrs. Les Callette questioned if the sewer analysis was needed for the final plan. Mr. Hales responded that the Commission could approve the plan without the sewer analysis because the building permit wouldn't be issued until the analysis was done and any upgrades were completed to the Parkside pump station.

Upon a motion by Mr. Bounds, seconded by Mr. Magill, and duly carried, the Commission **GRANTED** a 60 day extension of time for submission of a complete Comprehensive Development Plan for Phase I that addresses the following Conditions of Approval:

CONDITIONS:

1. This extension is subject to submittal of revised plans and further review by the Salisbury Planning Department and the Salisbury Public Works Department for the September 2009 Commission meeting and any additional Conditions as may be necessary following these reviews.
2. This Phase I development is subject to the Conditions of Approval imposed on the Preliminary Development Plan approval for the Villages at Salisbury Lake PRD #11.
3. All drawings in future submittals must be to scale.
4. The area east of St. Albans Drive is new development, subject to water quality and water quantity management. Site runoff on to Glen Avenue and/or Beaglin Park Drive shall not be permitted.
5. Any plantings within City ROW's or easements must conform to the City street tree policy.
6. A 10-foot City of Salisbury utility easement, deeded to the City, must be shown on the plan as "City of Salisbury Utility Easement". A utility easement plat and deed must be submitted to the City for processing prior to final approval of the plan. The City of Salisbury Utility Easements shall be reserved for future use by the City at no cost to the City for road widening, City utility installation, sidewalks, drainage or other such public use, which may be determined by the Director of Public Works. All such easement areas shall be clearly shown with accompanying explanatory notes on the plat and maintained by individual lot owners or the owner's association. Perpendicular crossing will be allowed.
7. A sewer analysis will be required to determine the effect of the proposed project on the down stream sewer. The analysis must extend from the project to the Glen Avenue lift station and evaluate the hydraulic conditions of the gravity sewer, lift station and associated force main. The Developer may be responsible for upgrading any utility impacted by the project. It is recommended that some or all sanitary sewer flows be collected and directed to the existing 10" sanitary sewer in Mount Hermon Road subject to the downstream sewer analysis required above. The analysis must extend from the site through the lift station to the downstream 15" gravity sewer. SPW reserves the right to extend the analysis if it shows surcharging occurring at the connection to the 15" gravity main.
8. Sidewalks will be required to be installed for the full project frontage along Glen Avenue and Beaglin Park Drive with the width accommodating the requirements of the hiker/biker trail and the greenway. Existing, deteriorated sidewalks will be required to be removed and replaced.
9. Street lights will be required along the Glen Avenue frontage.

10. Road repaving shall be per City Resolution 1312 on Glen Avenue and Beaglin Park Drive. Developers and all other parties who perform utility cuts or other disturbances of the street bed will repave the entire width of the roadway for the length of the disturbance, regardless of the number of cuts using 1 ½-inch hot mix asphalt surface course in accordance with the current City Standard. Hot mix asphalt base course in accordance with the current City Standard and compacted graded aggregate subbase in accordance with the current City Standard shall be placed over each trench per Standard No. 400.35. Intersection repaving shall extend, at a minimum, to the points of tangency of the curb returns at the furthest limits of the intersection. At the discretion of SPW, additional repaving or roadway reconstruction to the applicable City standard may be required beyond the limits described above if the additional work is necessary to restore the street surface to an acceptable condition or to limit the number of pavement joints.
11. Relocate the entrance on Glen Avenue to be aligned directly across from Emory Court.
12. The entrance on Beaglin Park Drive must be located a minimum of 200' from Glen Avenue.
13. The entrance on Beaglin Park Drive must be limited to a right-in, right-out only. There shall be right-in/right-out positive channelization of the north and south bound traffic on Beaglin Park Drive
14. Provide a dedicated traffic impact analysis for this project, include a warrant analysis for a deceleration lane on Beaglin Park Drive.
15. There shall be landscape screening along Glen Avenue to screen headlights and the dumpster area.
16. The Glen Avenue elevation of the building shall be modified to be aesthetically pleasing and/or have a building front appearance.

This completed plat shall be reviewed at the September 2009 Planning Commission meeting with no further extension of time being granted.



#SP-9013-05B SIGN PLAN – Pole Banners – Continued from May 14, 2009 Meeting – Eastfields, LLC – Aydelotte Farm PRD #7.

Mr. Kirk Kinnamon came forward. Mrs. Gloria Smith presented the Staff Report. At the May 14, 2009 Commission meeting, the applicants submitted two requests for signage for Aydelotte Farm PRD #7 (The Villages at Aydelotte Farm). The Commission approved the installation of the brick entrance sign structures. The

Commission Continued the discussion regarding the use of pole banners so that the applicant's could submit additional information regarding the number and colors/design of the banners.

Mr. Kinnamon stated that they had softened the colors to more earthy tones and spread out the banners every 200 to 220 ft. The banners proposed for The Preserve have been removed but two (2) remain in the common area on Middleneck Drive.

Mr. Comegys stated that he had recently been in Middletown, Maryland and seen the banners in a Ryan Homes subdivision and they looked attractive.

Mr. Kinnamon stated that the banners play in with other things that the City of Salisbury and Salisbury University are doing. He added that the banners would not be permanent. Mr. Rogers stated that the Commission should set a time limit for the banners. Mr. Kinnamon stated that one and a half (1 ½) to two (2) years would be an optimal time limit with the option of the Commission reviewing the banners at the end of the limit if needed. Mrs. Les Callette questioned Mr. Rogers regarding his suggested time limit. Mr. Rogers suggested a two (2) year time limit.

Upon a motion by Mr. Bounds, seconded by Mrs. Bartkovich, and duly carried, the Commission **APPROVED** the 16 proposed banners to be installed for a period of two (2) years. At the end of that time, the banners shall be removed or continued use reviewed and approved by the Salisbury Planning Commission.

Mr. Magill opposed the motion.



#SP-0904

CONCEPT SITE PLAN – Windsor Development, LLC – Westwood Drive – Westwood Commerce Park PDD #2 – M-28, P-263, G-18, L-1E & 2E.

Mr. Matt Drew and Mr. Brad Gillis came forward. Mrs. Gloria Smith presented the Staff Report. The applicants have submitted a Concept Site Plan for construction of four buildings on these two lots for office/warehouse use. Materials submitted included the Concept Site Plan, Landscaping Plan and Building Elevations.

Mr. Drew stated that the stormwater management was designed for this entire site. Office and warehouse uses were planned for this site. The interior spaces could have either common or individual dock spaces.

Mr. Comegys stated that he liked the plan but had a concern about the excess parking. He questioned if the parking could be done in phases. Mr. Gillis responded that the plan shows the worst case scenario with the parking. Mr. Comegys stated that he didn't want to see excess amounts of asphalt.

Mr. Magill suggested reducing the amount of parking along Naylor Mill Road, moving the building forward, and moving the parking away from Naylor Mill Road with additional foundation landscaping.

Mr. Rogers questioned if there was a wall between Building A and Building C. Mr. Drew responded that there was a screen wall and that landscaping could be added.

Mr. Gillis added that the City of Salisbury was the owner of the easement so they were working with Public Works on that.

Upon a motion by Mr. Bounds, seconded by Mrs. Bartkovich, and duly carried, the Commission **APPROVED** the Site Plan for Windsor Development, LLC, subject to the following Conditions of Approval:

CONDITIONS:

1. The site shall be developed in accordance with the approved Site Plan.
2. Revision of the building placement and parking layout shall require review and approval by the Salisbury Planning Commission.
3. Subject to further review and approval by the Salisbury Public Works Department, if required.



#SP-0903

PUBLIC HEARING – TEXT AMENDMENT – SALISBURY MUNICIPAL CODE – To add Assisted Living Facilities to the Regional Commercial District.

Mrs. Les Callette read the ad and explained the public hearing procedure. Mrs. Beverly Tull administered the oath for all the public hearings.

Mr. John Davis, Mr. Steven Boyd, and Mr. Mark Hughes came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. Mr. John A. Davis and BarRob Realty, LLC has submitted a request to amend the text of the Salisbury Municipal Code. Specifically the applicants have requested an amendment to the text of the Regional Commercial District to permit Assisted Living Facilities in the district. In accordance with the requirements of Section 17.228 of the Salisbury Municipal Code, the Planning Commission must hold a Public Hearing on proposed Text Amendments to the Code. The Commission must forward a recommendation (within six months) to the City Council. The City Council must also hold a public hearing before granting final approval to Code text amendments (by Ordinance).

Mr. Davis noted that they wanted to use Lot 7 for an assisted living facility. Mr. Hughes and Mr. Boyd own other assisted living facilities. There is a need for assisted living in this area.

Mr. Boyd stated that they had been in the business for seven (7) years and have three (3) homes on the Eastern Shore. He stated that they were in good standing with the Department of Aging. They are approved for the Medicare waiver program. There is some independence to the people. Meals are provided, laundry is done and personal care is maintained. This development would cater to the aged. The building is one-story and that is a great advantage to the aged.

Mrs. Les Callette questioned at what point they wouldn't be able to care for a resident. Mr. Boyd responded that they have certifications for three (3) levels of care and also offer physical therapy, occupational therapy, and hospice is available. There is also 24 hour registered nursing coverage. The patients are able to stay until the end if they so choose.

Mr. Magill questioned the difference between the levels. Mr. Boyd explained the levels as follows:

- Level 1: patients need very little assistance and are ambulatory
- Level 2: patients need assistance with medications and bathing
- Level 3: patients need fairly extensive care and are borderline needing a nursing home

Mr. Hughes stated that they have talked to the State and were directed to this area to set up a new assisted living facility.

Mr. Bounds questioned the number of rooms. Mr. Davis responded that there would be 10 single rooms, 15 double rooms, a commercial kitchen facility, a laundry room, bathing areas, and an open space area.

Mrs. Les Callette questioned if each of the rooms would have individual bathrooms. Mr. Boyd responded that there would be private bathrooms as well as two (2) specialty bathrooms.

Mrs. Bartkovich questioned if there would be an area outside for the residents. Mr. Davis responded that there was excessive parking that wasn't needed for the assisted living facility so it could be reduced and landscaping installed.

Mr. Comegys questioned why this wouldn't be by special exception since hospitals or medical centers over 5,000 sq. ft. were by special exception. Mr. Davis responded that since the Code allows for hotels, restaurants, and medical facilities, it seemed logical to think it fits in with the other facilities. Mr. Comegys stated that this would be more permanent residential setting where the others are in and out. He added that he wasn't thinking of this project but in more of a general sense. Mrs. Smith stated that the regional commercial district also dates back to 1983 and that there wouldn't be the traffic demand with this facility that you would see with a medical center or a hospital.

Mr. Wilber stated that the Commission would see this as a Comprehensive Development Plan if it wasn't made by special exception. Mrs. Smith stated that there was an approved comprehensive development plan for the building that sits on this site so unless there were major changes it may not come back before the Commission.

Mr. Hughes stated that the home in Bel Air has one (1) parking space per ten (10) residents.

Mrs. Les Callette questioned if this was the lot at the end. Mr. Davis responded that this was the lot at the end on the left hand side. He added that Gillis had a medical office across the street.

Upon a motion by Mr. Bounds, seconded by Mr. Magill, and duly carried, the Commission forwarded a **FAVORABLE** recommendation to the Mayor and City Council for approval of the requested Text Amendment as follows:

**AMEND SECTION 17.40.020 - REGIONAL COMMERCIAL DISTRICT -
TO ADD:**

M. – CARE HOME.



#WP-0903 PUBLIC HEARING – TEXT AMENDMENT – WICOMICO COUNTY CODE – To Add Privately-owned Outdoor Recreational Facilities in the A-1 Agricultural-Rural District.

Mrs. Les Callette read the ad and explained the public hearing procedure.

Mr. Jeff Badger, Mr. Morgan Hazel, Mr. Eddie Porter, and Dr. Michael Tilghman came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. Mr. Jeff Badger has submitted an application on behalf of Michael Tilghman and Morgan Hazel to amend the Table of Permitted Uses, Section 225-67, in the Wicomico County Code. The applicants propose an amendment to include privately-owned Indoor as well as outdoor recreational facilities by Special Exception in the A-1 Agricultural-Rural District.

Mr. Badger stated that the text amendment was for an aquatic center that would include an Olympic-size swimming pool. The closest one (1) is at the Naval Academy. He stated that they had recognized that the original idea may have been too broad to put in the Code so they suggested adding it to the Table of Permitted Uses on Page 104 under Privately owned outdoor recreational facilities with the full definition listed. He suggested that the aquatic centers be specifically listed by special exception and also be defined. He stated that he had shared the definition with Mr. Baker and Mrs. Smith and distributed the definition to the Commission. Mr. Badger stated that this specific use would not likely show up anywhere else in the County. He stated that the concerns over the impacts would be handled at the Board of Appeals. Mr. Badger added that this would be an appropriate addition to the Zoning Code.

Mr. Hazel stated that they were excited about the project. The college pools are busy in use by the students so they see this as a benefit to the area.

Mr. Magill questioned how much traffic would be anticipated. Mr. Badger responded that they hadn't figured out the traffic impact yet. Mr. Magill questioned the zoning for a water park. Mr. Badger responded that the definition would fall under the indoor/outdoor pools. Mr. Magill questioned if this project could be construed to be expanded to rides. Mr. Hazel responded that the aquatic center may have slides or soft rivers but no carnival rides. Mr. Magill questioned the access to the properties to the East. Mr. Hazel responded that they were working with SHA for access to the properties to the East.

Mrs. Bartkovich questioned if there were any concerns regarding the above ground tanks at the Royal Farm Store at White Lowe Road. Mr. Hazel responded that the above ground tanks are very secure.

Mr. Comegys stated that he agreed with including the specific language in the Code.

Mrs. Les Callette questioned Mr. Baker if he had sufficient time to look at the proposed definition from Mr. Badger. Mr. Baker responded in the affirmative, adding that it would be better to add the definition to the Zoning Code.

Mr. Barry Johansson, WET, stated that they were in favor of what was being proposed but had concerns over the location. He stated that the ag land should be protected. He questioned the affect of this project on the ecosystem on Quantico Creek. There is not adequate infrastructure. Mr. Johansson added that WET would prefer to see a different site for this located inside the Metro Core where the infrastructure currently exists. He added that he would like to see a detailed report from the Planning and Zoning Staff regarding the environmental issues.

Mr. Bounds stated that the detailed report would be done at the Board of Appeals level as this was for a Text Amendment to the Zoning Code.

Upon a motion by Mrs. Bartkovich, seconded by Mr. Bounds, and duly carried, the Commission **FAVORABLE** recommendation to the Wicomico County Council for the following:

AMEND SECTION 225-67 – TABLE OF USES PERMITTED TO ADD:

Aquatic Center - As a permitted use by Special Exception (SE) in the A-1 Agricultural-Rural District.

AND

AMEND SECTION 225-25 – DEFINITIONS OF BASIC TERMS TO ADD:

Aquatic Center – A recreational center with indoor and/or outdoor swimming pools and water-based recreational facilities, together with usual accessory uses such as locker rooms, fitness and exercise areas, café and refreshment facilities, and administrative areas to support operations.



#WP-0904 PUBLIC HEARING – SPECIAL EXCEPTION AND SITE PLAN APPROVAL – Delmarva Power Sports – Beaver Run Drive – Motorcycle and ATV Sales – Lt. Bus. And Institutional District.

Mrs. Les Callette read the ad and explained the public hearing procedure.

Mr. Ron Morgan and Mr. Chuck Vane came forward. Mrs. Gloria Smith presented and entered the Staff Report and all accompanying documentation into the record. Becker Morgan Group has submitted an application for a Special Exception and a Site Plan, on behalf of Delmarva Power Sports for construction of a 20,000 sq. ft. Motorcycle and ATV sales facility on this site.

Mr. Morgan stated that they concurred with the Staff Report with the exception of a few small items. He requested to keep the landscaping to 12 inches in diameter for the retention area to get the Route 50 visibility. He requested four (4) 50 sq. ft. wall signs because the building is bigger than the other buildings in Beaver Run and the three (3) franchises require signage.

Mr. Magill questioned if the parking quantity was realistic. Mr. Morgan responded that the parking was excessive. He explained that Mr. Vane was the purchaser of the property and that they planned for the worst case scenario but would like the area at the northerly side of the property left in grass. Mr. Vane added that he would be comfortable with 50 to 60 spaces. Mr. Bounds added that they would need the area for parking if the property was ever sold.

Mr. Morgan stated that half the property was being left in forest.

Mr. Magill questioned Mrs. Smith if there was any avenue to reduce the parking. Mr. Baker stated that a variance would be needed but would be well received as long as the parking area was still set aside.

Mr. Rogers stated that the signage was tasteful so he would be inclined to give it his blessing to try to get it approved. Mr. Bounds questioned where the signage would go. Mrs. Smith responded that Mr. Meadows stated that the signage would need to go to the Board of Appeals. Mr. Baker suggested making a recommendation to the Board of Appeals to reduce the parking and allow the signage. Mr. Morgan requested some sort of endorsement to the Board of Appeals for the signage since the three (3) franchises all require some signage.

Mrs. Les Callette questioned if there would be outdoor storage. Mr. Vane responded that the merchandise would be outside during the day on display but would be put inside at night. There will also be gates for security purposes.

Mrs. Les Callette stated that Mr. Morgan had requested to change the plant materials from six (6) inches to 12 inches. Mrs. Smith stated that she didn't believe that Mr. Sharp would have a problem with the request. Mr. Morgan added that they wanted to thin out the small trees and leave the larger ones.

Upon a motion by Mr. Bounds, seconded by Mr. Magill, and duly carried, the Commission **APPROVED** the Special Exception and Site Plan for Delmarva Power Sports in Beaver Run Business Center – Lot #16AA and also adopted the Staff Findings in Section IV of the Staff Report, subject to the following Conditions of Approval:

CONDITIONS:

1. The site shall be developed in accordance with the approved Site and Landscaping Plan.
2. All plant materials larger than twelve (12) inches in diameter shall be retained along the Route 50 frontage of the site.
3. This development is subject to any applicable Conditions of Approval imposed by the Wicomico Board of Appeals in 1988 or 1994.
4. Subject to further review and approval, if required, by the Wicomico County Public Works Department.

The Commission forwarded the following recommendations to the Board of Appeals:

1. A favorable recommendation for approval of four (4) wall signs 50 sq. ft. in surface area each based on the size of the building and the size/length of the site.
2. A favorable recommendation for a reduction in the paved parking area with area reserved for future paved parking if and when needed.



COUNTY SUBDIVISION PLATS:

Raymond Parsons – Preliminary/Final – 1 Lot – Melson Road – M-21; G-4; P-11.

Mr. Raymond Parsons came forward. Mrs. Gloria Smith presented the Staff Report. The applicants propose subdivision of 1 lot from this 10.97 acre tract. The lot and the remnant will front on Melson Road.

Mrs. Smith noted that this was the growth area for the Town of Delmar.

Upon a motion by Mr. Bounds, seconded by Mr. Magill, and duly carried, the Commission **APPROVED** the Preliminary/Final Subdivision Plat for Raymond Parsons, subject to the following Conditions of Approval:

CONDITIONS:

1. The Final Plat shall comply with all requirements of the County Subdivision Regulations.
2. Health Department approval is required prior to the recordation of the Final Plat.
3. The Final Plat shall comply with all requirements of the Forest Conservation Program.
4. Adequate drainage and maintenance easements for any existing ditches shall be required.
5. A road widening dedication to 30 ft. from the center line of the existing right-of-way is required.
6. This approval is subject to further review and approval by the County Department of Public Works.



Mr. Baker introduced Ms. Stephanie Ramey as his intern for the next six (6) weeks.



There being no further business, the Commission meeting was adjourned at 4:36 p.m. by Mrs. Les Callette.



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.

Donald Bounds, Vice Chairman

John F. Lenox, Director

Beverly Tull, Recording Secretary