



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on November 20, 2014 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
Gail Bartkovich
Scott Rogers
Tim Spies
Newell Quinton
James McNaughton

CITY/COUNTY OFFICIALS:

Henry Eure, City Building, Permits, and Inspections Department
Brian Wilkins, City Public Works Department

PLANNING STAFF:

Jack Lenox, Director
Gloria Smith, Planner
Beverly Tull, Recording Secretary



The meeting was called to order at 1:31 p.m. by Mr. Dashiell, Chairman.



Mr. Dashiell introduced Mr. Brian Wilkins as the new Planning Commission representative from Salisbury Public Works.



Mr. Dashiell announced that this would be Mrs. Bartkovich's last Planning Commission meeting. He thanked her for her 12 years of service on the County Council and her 8 years of service to the Planning Commission. He wished her well on her future endeavors and hoped that she would come in to visit. Mrs. Bartkovich stated that it had been a pleasure and an honor to serve and thanked everyone. She added that she has really enjoyed her time on the Planning Commission.



Mr. Spies introduced Mr. Theo Williams as the new Program Coordinator for the Salisbury Wicomico Youth Civics Council.



Minutes:

Upon a motion by Mrs. Bartkovich, seconded by Mr. Magill, and duly carried, the Commission **APPROVED** the minutes of the October 16, 2014 meeting as submitted.

Mr. Dashiell, Mr. Spies, and Dr. McNaughton abstained from the vote due to their absence at the meeting.



**#SP-9105-140 REVISED LANDSCAPING PLAN – South Salisbury Plaza – 800 south Salisbury Blvd.
– Gen. Commercial District – M-115; G-2; P-469.**

Mr. Bart Miller and Mr. Brent Miller came forward. Mrs. Gloria Smith presented and entered the Staff Report. For safety reasons, the required landscaping/screening strip along Waverly Drive has been modified for the South Salisbury Plaza shopping center. A considerable portion of the under-story plantings and tree limbs have been removed. The applicant was notified by the City's Department of Building, Permits, and Inspections, by letter dated September 28, 2014, that the removal and pruning of the landscaping was a violation of the Code and of the 1991 approvals for this shopping center. He was advised that a Revised Landscaping Plan was to be submitted for Planning Commission review and consideration. On October 21, 2014, the applicant submitted notification (by electronic mail) that he wished to schedule a meeting with the Commission to discuss the landscaping and keep it in its current condition. No Plan was provided to document what landscaping species remain or the number of plantings that remain from the original plan approved in 1991.

Mr. Bart Miller explained that the pruning was done for safety reasons. Mr. Bill Athes contacted Chief Duncan regarding people hiding and living in the bushes. Mr. Bart Miller stated that he was instructed by Mr. Athes to take care of pruning the landscaping berm to increase the safety of the shopping center.

Mr. Brent Miller stated that the landscaping berm had not been well maintained. The berm was severely overgrown and was overdue in being cleaned up. This was all brought on by a phone call. Mr. Brent Miller stated that they didn't want to do the work as it was very costly. The pruning of the berm doesn't increase the value of the property. Mr. Bart Miller is on site daily and has had many issues with the property. The pruning of the landscaping berm has created a safer environment for the employees, for pedestrians, and for traffic. Mr. Brent Miller requested that the Commission consider allowing the pruning to remain and it would grow back in the spring but be kept maintained this time.

Mr. Spies stated that his berm has been in very bad shape for quite some time. There needs to be a way to prohibit people from crossing over the berm. Mr. Spies questioned if a fence had been considered as screening and a sound barrier. He further suggested some type of foliage would be acceptable to keep a berm in place to screen the neighborhood.

Mr. Brent Miller stated that the trees out front were trimmed back over a year ago and have grown back in. The trees that have been cut on the landscaping berm will start growing back in the spring. Mr. Bart Miller stated that the holly trees are already sprouting. Mr. Spies suggested a dense foliage with 10 ft. height for sound and screening on the berm. Mr. Bart Miller added that the research he had done showed that you needed a 15 yard minimum to reduce sound so he thought plantings would be more of a visual barrier than a sound barrier. Mr. Spies stated that he didn't know of many complaints about sound from the shopping center. He

further questioned if they had considered putting in a pedestrian walkway through the berm. Mr. Bart Miller stated that there are already two (2) areas that have been naturally made as walkways through the berm. Mr. Brent Miller stated that they were trying to promote people to use the crosswalks at the intersections versus jaywalking.

Dr. McNaughton discussed the bicycle danger in that area and the issues that he personally had experienced. Mr. Bart Miller stated that there are only three (3) street lights on that section of the street so it is not well lit.

Mr. Brent Miller discussed the amount of funds that have been spent on security in the last year. Mr. Bart Miller stated that they had received complaints from the PRMC employees about people hiding in the bushes and they had requested increased security measures.

Mr. Rogers questioned how they were going to address the dumpster screening. Mr. Bart Miller responded that he hadn't thought about it. Mr. Eure stated that the landscaping had provided screening on three (3) sides. Mr. Bart Miller stated that he personally patrols the parking lot on a daily basis and there isn't a lot of trash laying around. He offered to plant hollies around the dumpsters so there wouldn't be a safety issue.

Dr. McNaughton questioned if Mr. Bart Miller objected to the idea of letting the undergrowth grow back. Mr. Bart Miller responded in the negative, adding that they intended to let it grown but would keep it better maintained.

Mr. Theo Williams stated that he lives in the area and is a bicyclist. He discussed how the berm had been so overgrown that when he was riding on the bike path that he would have to veer into the vehicle traffic to not get hit by the overgrowth. Mr. Williams stated that he supported the pruning because the berm no longer cuts into the bike path.

Mr. Spies stated that there are regulations that require the tree branches to be pruned 8 ft. high over sidewalks and 14 ft. over streets.

Mr. Magill stated that conifers do not send out new growth once they have been cut back. He suggested planting minor shrubs to give a barrier.

Mr. Spies stated that hollies are not pedestrian friendly and could be kept cut back to provide a barrier.

Mrs. Bartkovich stated that the residents should not have to look at the dumpsters and suggested that the applicants be given the chance to come back to the Commission with ideas on how to fix the berm.

Mr. Bart Miller proposed planting holly trees around the dumpsters.

Mr. Dashiell stated that a revised landscaping plan would be helpful for the Commission to review and approve as the previous restrictions were not kept up.

Mr. Magill suggested major trees be considered around the dumpsters and minor shrubs be considered for the remainder of the berm.

Dr. McNaughton added that the bike riders should be taken into consideration.

Mr. Spies questioned if there was a grease receptacle as part of the dumpsters and if there was that he would like to see them enclosed. He added that the dumpster behind Red Door is not always kept up. He added that the landscapers were aggressive in their pruning.

Mrs. Bartkovich questioned if a plan could be submitted for the December meeting. Mr. Bart Miller stated that he wanted to have the plantings done by then. Mr. Dashiell stated that the Commission needed to see a plan to review and approve before plantings were done.

Mr. Bart Miller stated that he will submit a landscaping plan next week before the Thanksgiving holiday.

Dr. McNaughton questioned if the plantings could be done before the next meeting since it is planting season. Mr. Bart Miller questioned if they could plant holly trees now.

Mr. Dashiell stated that it was best to submit a landscaping plan and get it approved before anything was planted.

Upon a motion by Mr. Magill, seconded by Mr. Spies, and duly carried, the Commission **TABLED** the Revised Landscaping Plan for South Salisbury Plaza until a new Landscaping Plan could be submitted for review and approval.



#SP-1306

SIGN PLAN – Family Dollar – Snow Hill Rd. & Stanley Court – M-48; G-4; P-748; L-1

Mr. Richard Paxton came forward. Mrs. Gloria Smith presented the Staff Report. Kent Signs has submitted permit applications to the City's Department of Building, Permits, and Inspections for the wall signs and ground sign to be installed on the Family Dollar store approved for construction on Snow Hill Road. At the time of Comprehensive Development Plan approval in September 2013, the Commission required submission of a Sign Plan prior to any sign installation on the site.

Mrs. Bartkovich questioned if the ground sign would have the logo on it. Mr. Paxton responded in the negative, explaining that it would only have the verbiage on it.

Upon a motion by Mr. Magill, seconded by Dr. McNaughton, and duly carried, the Commission **APPROVED** the Sign Plan for Family Dollar, as submitted.



#SP-9210-14F REVISED SIGN PLAN – Apple Drug – Pecan Square shopping center – Nanticoke Road – Neighborhood Business District – M-37; G-18; P-415.

Mr. Gary Spence and Mr. Jeff Scher came forward. Mrs. Gloria Smith presented the Staff Report. Gary Spence of Phillips Signs has submitted a request for two signs for Apple Discount Drugs.

Mr. Magill questioned if they were relocating the Pemberton Drive store to Pecan Square. Mr. Scher responded in the affirmative.

Upon a motion by Mr. Magill, seconded by Mr. Spies, and duly carried, the Commission **APPROVED** the proposed Revised Sign Plan for Apple Drug in the Pecan Square shopping center, as submitted.



#SP-1204-14A SIGN PLAN APPROVAL – Wall Signs – Mattress Warehouse – Reconsideration of letter size – 2630 N. Salisbury Blvd. (Salisbury Plaza) – Gen. Commercial District – M-29; G-5; P-54.

Mr. Peter Waldron came forward. Mrs. Gloria Smith presented the Staff Report. GableSigns submitted a request for Wall Signage approval for the building under construction in Salisbury Plaza shopping center at 2630 N. Salisbury Boulevard. Mattress Warehouse will occupy this building in early November. Section 17.212.080 requires Commission review and approval of a Sign Plan for a shopping center.

Mr. Waldron stated that this is a competitive Maryland-based business and that the signage is critical. He explained that they would have never done this store with 2 ft. tall letters. He requested that the sign be consistent with 2.5 ft. tall letters at their other store.

Mr. Rogers stated that the east elevation looks crowded and that smaller letters might improve the aesthetics.

Mr. Waldron stated that linear signs are more effective than the stacked signs. He added that 2.5 ft. tall letters on both sides of the building are ideal. He offered to resubmit a drawing with 2.5 ft. letters if needed adding that they hoped to take occupancy of the building soon.

Dr. McNaughton questioned if the letters were raised. Mr. Waldron responded that they are raised, channel letters.

Mr. Dashiell questioned if the Commission was comfortable just seeing the sign on the building. Mr. Waldron reiterated that he wanted 30 inch letters on both sides. Mr. Rogers stated that he was comfortable with that.

Upon a motion by Mr. Magill, seconded by Mr. Rogers, and duly carried, the Commission **APPROVED** the wall signs for Mattress Warehouse with 2.5 ft. letters.



#SP-9911-14G REVISED SIGN PLAN – Efactor Vape – Avalon Plaza – 8249A Dickerson Lane – General Commercial District – M-20 & 29; G-24; P-179.

Mr. John Selby came forward. Mrs. Gloria Smith presented the Staff Report. Mr. John Selby has submitted a request for a revision to the approved Sign Plan for Avalon Plaza shopping center. The requested revision is to permit the color Grey for the logo of the sign for Efactor Vape.

Mr. Selby stated that grey seems to be the new sign color and in this case he was assuming the grey represented smoke. He explained that the Code permits for 50 percent of the sign band height and this sign slightly exceeds that percentage. He requested the Commission approve the sign as submitted.

Mrs. Bartkovich stated that the sign didn't look offensive. Mr. Dashiell added that the sign didn't look overly large either.

Mrs. Bartkovich questioned if the tenant was taking the entire building. Mr. Selby responded in the affirmative, explaining that the remainder of the building would be used for their corporate office. Mrs. Bartkovich questioned if they would need another sign approved. Mr. Selby responded that the most they would probably do would be to letter the door. Mr. Eure stated that they would not need approval to letter the door.

Upon a motion by Mr. Magill, seconded by Mr. Quinton, and duly carried, the Commission **APPROVED** the Revised Sign Plan for Avalon Plaza to include the color Grey as submitted.



There being no further business, the Commission meeting was adjourned at 2:39 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 R. Tull, Recording Secretary