

PLANNING COMMISSION
MAY 15, 2013

Chairman Chris Cerino called the workshop session to order at 6:30 p.m. In attendance were Commission members Christine Betley, Jeffrey Grotsky, Jane Richman, Paul Showalter, Gil Watson and Trena Williamson, Kees de Mooy, Zoning Administrator, Andrew Meehan, Esquire, Jennifer Mulligan, Stenographer and guests.

Mr. Cerino stated that the Commission would focus on the Transportation Element (pages 83- 90).

Mr. Cerino stated that the fourth paragraph on page 83 should be changed to reflect that there was only one marina, owned by the Town. The dinghy dock plan for the Wilmer Park was installed at the foot of Cannon Street. Ms. Williamson stated that the kayak/canoe launch at the Wilmer Park should be added. The last sentence in the paragraph should be eliminated.

Ms. Betley stated that on page 83, the second paragraph should be removed entirely and the third paragraph should be incorporated into the first paragraph.

Mr. de Mooy stated that he would like to add that when the Town was founded it was river-oriented, as it was an important fact and adds historic perspective.

Mr. Watson stated that it should be noted that the marina was due for considerable improvement including dredging and expansion of slips.

Mr. Cerino stated that under "New Parkway Bypass" on pages 83 and 84 the quotes could be condensed into one paragraph and the negative impacts could be condensed into one or two sentences. The legal aspect could be eliminated. The "No. 1 transportation priority" should be "a remaining priority".

"New Parkway" on page 84 will be stricken entirely.

Mr. Cerino stated that under "Gateways" (page 84), it should be updated that there is a planned landscaped round-a-bout at the intersection of Rt. 291 and High Street.

Mr. Cerino stated that Bridge Bypass, Parkway and Gateway Redevelopment on page 84 should only show a couple sentences about the gateways. The rest can be removed.

Mr. Gatto stated that "Bicycles" on page 84 and 85 should only include the first sentence, perhaps including it with the section on "Trails". Mr. Grotsky stated that he would like to see language including full ADA accessibility throughout Town.

Ms. Williamson stated that under "Public Transportation", there was DCT (Delmarva Community Transit), County Ride and USTAR. MUST was no longer in existence and the Rock Hall Trolley does not come into Chestertown any more.

Mr. Cerino read over the "Parking" section (pages 85 and 86). Mr. Grotsky stated that the entire paragraph dealing with a parking structure should be removed. Mr. Cerino stated that he liked the language about not wanting "seas of asphalt". Mr. de Mooy stated that stormwater requirements were pushing improvements to large impervious parking lots.

Ms. Williamson stated that for the "Street Design Guidelines" she thought that they should use the first and last paragraph. Mr. Watson suggested losing the entire section. Ms. Betley stated that it might be a good area to include sidewalks.

Mr. Watson stated that Transportation Demand Management should be removed altogether.

The Commission discussed the map on page 88, noting that was a good place to show the gateways.

Mr. Cerino stated that at the next meeting the Commission would go over "Public Facilities", pages 93 to 97. Mr. de Mooy stated that he would also prepare a draft of the section that was reviewed this evening and forward it to the Commission prior to the next meeting.

Ms. Kuiper, 2nd Ward Councilperson, was present and stated that she wanted to bring up the issue of roadside stand permits. She said that there was one farmer who brought in a wagon and sold produce at The Freeze. There was an anonymous call made to the police department indicating that the farmer did not have a permit to operate. At this point, a permit was not required. She asked if seasonal permitting should be necessary for this type of activity.

The Commission discussed the different types of permits that would be included in a seasonal permit such as lemonade stands, BBQ dinners and Christmas trees.

Ms. Kuiper stated that this individual has the permission of the property owner to sell their produce. Ms. Kuiper stated that she was asking the question as to whether the produce stand needs official approval or not.

Ms. Betley stated that she would rather not issue a permit until there is an issue of a proliferation of this type of activity. The Commission agreed.

Mr. de Mooy stated that he was concerned that operating a vegetable stand seven (7) days a week creates a second use on the property.

Mr. Grotsky stated that one anonymous phone call did not warrant an entire permitting process. The Commission agreed.

Mr. Cerino stated that the Commission would meet at 6:30 p.m. on Wednesday, June 19, 2013 for a workshop session before the regular meeting.

Mr. Cerino called the regular meeting to order at 7:30 p.m.

MINUTES OF PLANNING COMMISSION MEETINGS

Mr. Cerino asked for a motion to ratify the approval of the minutes of the February 20, 2013 meeting. Mr. de Mooy stated that there was a workshop in March and the formal minutes were only approved by email to date. **Mr. Grotsky moved to ratify the approval of the February 20, 2013 minutes as submitted, was seconded by Mr. Showalter and carried unanimously.**

Mr. Cerino asked if there were any additions or corrections to the minutes of the meeting of April 17, 2013. **Ms. Betley moved to accept the minutes as presented, was seconded by Mr. Showalter and carried unanimously.**

LOT LINE ADJUSTMENT – DON R. MOORE – 200 N. WATER STREET

Mr. de Mooy explained the details of the lot line adjustment and easement in place for adjacent property owners. All property owners were in agreement to the easement and lot line adjustment. **Ms. Betley moved to approve the lot line adjustment for 200 N. Water Street as presented, was seconded by Mr. Grotsky and carried unanimously.**

SULTANA PROJECTS, INC. 200-204 S. CROSS STREET

Mr. Drew McMullen was present for the application. Mr. Cerino recused himself from the application as he is an employee of Sultana.

Mr. McMullen stated that Sultana, Inc. was moving forward with the plans discussed at the last meeting and were trying to resolve the issue of a parking waiver and the uses for 204 S. Cross Street. He said that he did not think it was specifically envisioned in the zoning, but it was not specifically prohibited either.

Mr. McMullen stated that he would like to work out the issues with the Planning Commission before the Sultana went before the Zoning Board of Appeals.

Mr. de Mooy stated that he wrote a zoning opinion letter dated May 14, 2013 which included a parking study. He said that there were a couple of uses at the property, wetlands and classroom, which are not specifically listed in the permitted uses for C-2 (Downtown Commercial), but that the primary use, office, is specifically listed. Mr. de Mooy reviewed the letter.

Mr. de Mooy stated that his interpretation was that the proposed use of a classroom and wet lab fell under the “arts facilities” listed under section 170-42B(2). Mr. Watson stated

that he thought the application fell within the parameters of the types of activities the Town envisioned.

Mr. de Mooy stated that the parking requirements would go to the Board of Appeals. He reviewed a parking analysis prepared for the property.

Mr. de Mooy stated that there were twenty-five (25) required spaces and nine (9) planned spaces, leaving Sultana, Inc. sixteen (16) spaces short. He said that there was a provision where if the parking was not available on site, but there was sufficient parking within 350' around the parcel the Commission can give a positive recommendation to the Board of Appeals. Mr. Watson stated that there was plenty of parking within a short walk, as the analysis showed, with at least one hundred twenty (120) parking spaces.

Mr. Grotsky moved for a positive recommendation for a parking variance to the Zoning Board of Appeals, was seconded by Ms. Betley and carried unanimously.

There being no further business, **Mr. Grotsky moved to adjourn the meeting at 8:10 p.m., was seconded by Mr. Showalter and carried unanimously.**

Submitted by:


Jennifer Mulligan
Stenographer

Approved by:

Chris Cerino
Chair