



County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

AGENDA

July 6, 2023

1:30 p.m.

Members of the public are welcome to attend meetings in person or via conference call.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **843 284 480#**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment.

PUBLIC HEARING

23-40 Sandra Donnelly – Zoning Text Amendment.....Rec to CCs
Include “Seasonal Outdoor Retreat” as a special exception in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) zoning districts.

APPLICATIONS FOR REVIEW

23-32 Choptank Electric Cooperative Inc. – Major Site Plan (Concept).....PC Review
Map 16, Parcel 61 – First Election District – Employment Center (EC)

22-53 Gillespie Precast, LLC – Major Site Plan (Concept).....PC Review
27030 Morgnec Road – Second Election District – Industrial (I) and Industrial Critical Area -- LDA (ICA-LDA)

23-39 Kent Manor Grain, LLC – Variance – Front, Rear, and Side Yard Setbacks.....Rec to BOA
Map 14, Parcel 75 – Second Election District – Agricultural Zoning District (AZD)

GENERAL DISCUSSION

MINUTES – May 4, 2023

STAFF REPORTS

ADJOURN

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Planning Commission meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chairman. Meetings are subject to audio and video recordings.

All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.



TO: Kent County Planning Commission
FROM: Carla Gerber, Deputy Director
MEETING: July 6, 2023
SUBJECT: Sandra Donnelly
Zoning Text Amendment – To add “seasonal outdoor retreat” as a special exception in AZD, RC, RR, CR, and V

Executive Summary

Request by Applicant

Sandra Donnelly proposes to add “seasonal outdoor retreat” as a special exception use in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) districts.

Public Process

Per Article XII, Section 6 of the Kent County *Land Use Ordinance* the Planning Commission shall review a proposed amendment, supplement, or change to the *Land Use Ordinance* and make recommendations to the County Commissioners.

Summary of Staff Report

The proposed amendment would add a new use to the Land Use Ordinance.

The Kent County Comprehensive Plan recognizes the importance of providing for more diversity in the size, number, and types of businesses by promoting the development of small, locally owned businesses, as well as enhancing and expanding locally based tourism that is rooted in the unique natural, cultural and historic features and qualities of Kent County.

Staff is recommending amendments to the proposed zoning text amendment.

Recommendation

Staff recommends sending a favorable recommendation of the zoning text amendment to the Kent County Commissioners as amended to delete Village as one of the permitted districts.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: Sandra Donnelly
Zoning Text Amendment – To add “seasonal outdoor retreat” as a special exception in AZD, RC, RR, CR, and V
DATE: June 27, 2023

DESCRIPTION OF PROPOSAL

Sandra Donnelly has submitted an application to add “seasonal outdoor retreat” as a special exception use in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) districts.

To add to Article V, Sections 1.3, 3.3, 4.3, 6.3, and 7.3, Special Exceptions:

Seasonal Outdoor Retreat

To add to Article VII, Section 7:

- 54.5 Seasonal Outdoor Retreat in AZD, RC, RR, CR, and V provided:
- a. The number of cabin, cottage, or pod units provided on the site is limited to fifteen excluding resident management quarters.
 - b. Dining services may be provided only to patrons.
 - c. The site has access to a public road. This access must be capable of supporting the passage of emergency vehicles. The Board may require improvements to existing access roads.
 - d. There shall be sufficient acreage for the proposed use and activities.
 - e. Adequate landscaping shall be provided to screen all parking areas from adjoining residential properties. Landscaping or screening proposed shall be shown on a site plan as required by this Ordinance.

To add to Article XI, Definitions, Section 2:

- 281.5 Seasonal Outdoor Retreat - A lot, tract, or parcel of land containing up to fifteen cabins, cottages, or pods, designed for and utilized for seasonal, periodic, transient occupancy and not as a permanent residence, which may contain outdoor recreational accommodations, and which may contain dining facilities for guests, and a central bath house facility.

APPLICABLE LAW

Article XII, Section 6 of the *Kent County Land Use Ordinance* establishes the standards for the review and approval of a zoning text amendment as follows.

1. The County Commissioners may amend, supplement, or change the boundaries of the districts or the regulations of this Ordinance. Any amendment may be initiated by a resolution of the County Commissioners, the motion of the Planning Commission, or petition of any property owner using forms specified by the Planning Commission.
2. The application for an amendment to the text of the Ordinance shall, at a minimum, state in particular the article section, and paragraph sought to be amended. The application shall contain the language of the proposed amendment and shall recite the reasons for the proposed change in text.

...

4. Before taking any action on any proposed amendment, supplement, or change, the County Commissioners shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the County Commissioners. The Planning Commission may request any pertinent data and information as it deems necessary. In its recommendation, the Planning Commission shall address:

- a) The public need for the proposed amendment; and
- b) The extent to which the proposed amendment complies with or deviates from the Comprehensive Plan and the Critical Area Law.
- c) When reviewing an amendment to the zoning map, the Planning Commission shall address the suitability of the property in question for the uses permitted under the proposed zoning. The Planning Commission shall not recommend the adoption of the amendment unless it finds that the adoption of the amendment is in the public interest and not solely for the interest of the applicant. Failure of the Planning Commission to report to the County Commissioners within 60 days after its first meeting after the proposal was referred to them, shall be deemed approval.

COMPREHENSIVE PLAN

The proposed text amendment is consistent with multiple goals and strategies within the Kent County Comprehensive Plan.

- Expand and provide more diversity in the size, number, and type of businesses – promote development of small locally owned businesses
- Enhance and expand locally based tourism that is rooted in the unique natural, cultural and historic features and qualities of Kent County – promote and expand facilities, services, and activities that support natural resource-based economic development

STAFF COMMENTS

The Planning Commission will consider the public need for the amendment and consistency with the Comprehensive Plan and Land Use Ordinance.

A suggested public need for the amendment is to encourage development of local businesses that support natural-resource based economic activity.

The County has a variety of lodging uses from bed and breakfasts with no more than three guest rooms up to conference centers and resorts with a maximum of 225 guest rooms. However, these lodging uses are based on having a main facility for guests and do not predominately consist of individual units for guests. The seasonal outdoor retreat is envisioned as individual units. Dining services may be provided or just the facilities for guests to prepare their own meals. A central bath house may also be provided instead of individual bathrooms in each unit. The proposed definition also intends to limit the use to seasonal occupancy.

Special exception uses are allowed and presumed to be compatible with other permitted uses in a zoning district; however, a review process is required to evaluate whether the particular use proposed at a particular location would have any adverse effects above and beyond those inherently associated with such a use irrespective of its location within the zoning district and to ensure that development complies with the Comprehensive Plan, the Land Use Ordinance and various agency requirements, thereby promoting the health, safety, and general welfare of Kent County's residents.

Staff recommends that the Village district not be included as a potential location for the proposed use.

STAFF RECOMMENDATION

Staff recommends sending a favorable recommendation of the zoning text amendment to the Kent County Commissioners as amended to delete Village as one of the permitted districts.

**APPLICATION FOR TEXT AMENDMENT TO THE
KENT COUNTY LAND USE ORDINANCE
KENT COUNTY, MARYLAND**

Kent County Department of Planning, Housing and Zoning
Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7475 (phone) • 410-810-2932 (fax)

Pursuant to Article XII, "Administrative Procedures" Section 6, "Amendments", of the Kent County Land Use Ordinance, I/We **Sandra Donnelly**
Applicant's Name

of **c/o Lance Young, 110 N. Cross St., Chestertown, MD 21620**
Address

410-810-1381
Telephone Number

hereby petition the Kent County Commissioners to amend the Land Use Ordinance of Kent County, Maryland, as follows: **Please see attached text amendments of the Kent County Land Ordinance, to add "Seasonal Outdoor Retreat" as a Special Exception use in the AZD, RC, RR, CR, and V Districts.**_____

The purpose of the proposed amendment is to permit: Seasonal Outdoor Retreats, which are not currently permitted by the Ordinance under any other permitted or special exception use.

Sandra Donnelly

Applicant's Signature

5-24-83

Date

Please Note: The application for an amendment to the text of this Ordinance shall, at a minimum state in particular, the Article, Section, and paragraph sought to be amended. The application shall contain the language of the proposed amendment.

Instructions: The Land Use Ordinance requires that five (5) copies for Zoning Text Amendment be submitted to the Executive Assistant to the County Commissioners accompanied by \$500.00 filing fee, payable to the County Commissioners of Kent County.

For Office Use Only:

File Number _____
Date Filed _____
Date Referred to Planning Commission _____
Date Recommend. Rec'd from Plan. Comm. _____
County Comm. Public Hearing Date _____
County Commissioners Action _____
Date of Action _____
Property Posted _____

Article VII (Special Exceptions)

Seasonal Outdoor Retreat in AZD, RC, RR, CR, and V provided:

- a. The number of cabin, cottage, or pod units provided on the site is limited to fifteen excluding resident management quarters.
- b. Dining services may be provided only to patrons.
- c. The site has access to a public road. This access must be capable of supporting the passage of emergency vehicles. The Board may require improvements to existing access roads.
- d. There shall be sufficient acreage for the proposed use and activities.
- e. Adequate landscaping shall be provided to screen all parking areas from adjoining residential properties. Landscaping or screening proposed shall be shown on a site plan as required by this Ordinance.

Article V

Add "*Seasonal Outdoor Retreat*" to Special Exceptions in: Section 1 (AZD), Section 3 (RC), Section 4 (RR), Section 6 (CR), and Section 7 (V).

Article XI (Definitions)

SEASONAL OUTDOOR RETREAT

A lot, tract, or parcel of land containing up to fifteen cabins, cottages, or pods, designed for and utilized for seasonal, periodic, transient occupancy and not as a permanent residence, which may contain outdoor recreational accommodations, and which may contain dining facilities for guests, and a central bath house facility.

To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: July 6, 2023
Subject: Choptank Electric Cooperative
Concept Site Plan Review – Expansion of Electrical Substation

Executive Summary

REQUEST BY THE APPLICANT

Choptank Electric Cooperative is requesting concept site plan review to expand an existing utility substation, which is to include a new 30-foot by 12-foot control building, new transformer, substation structure, and substation regulators.

PUBLIC PROCESS

Per Article VI, Section 5.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and approve major site plans.

SUMMARY OF THE STAFF REPORT

Choptank Electric Cooperative is requesting concept site plan review to expand an existing utility substation. There is to be an addition of 38,756 square feet of gravel to the area. There is one existing entryway, and two additional entrances are proposed. The expansion will allow for conversion from a transmission breaker station to an electric step-down station to reduce voltage to provide power delivery to members of the Choptank Electric Cooperative. The 4.22-acre property is located along Massey Rd (MD State Highway 299), just north of Massey, in the First Election District and is zoned Economic Center (EC).

The applicant is requesting that the 100-foot front setback be reduced so that the substation equipment may be reconfigured to increase the spacing between energized equipment for safety as well as ease of operation. Two additional entryways that will be near each other are proposed, and staff recommends that the Planning Commission waive the restriction against such construction as the proposed configuration will increase safety and ease of maintenance and operations and will not adversely impact adjacent or neighboring properties. The proposed expansion will responsibly scale electric distribution to help meet the current and future energy needs of the County, and it is consistent with the objectives of the Comprehensive Plan.

STAFF RECOMMENDATION

In order to receive preliminary site plan approval, the applicant must address and/or submit the following outstanding items:

- Citizen Participation Plan Report
- Preliminary sediment and erosion control and stormwater management plans
- Front, side, and rear elevations of all proposed structures
- Official submission of plans to MDOT/SHA for review
- Details on signs and lighting
- Revised landscape screening

At this meeting, the Planning Commission should consider the following:

- The request for a reduced front yard setback
- Waiving the restrictions on proximate entryways

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: #23-32 – Choptank Electric Cooperative
Concept Site Plan Review – Concept Site Plan Review – Expansion of Electrical Substation
DATE: June 30, 2023

DESCRIPTION OF PROPOSAL

Choptank Electric Cooperative is requesting concept site plan review to expand an existing utility substation, which is to include a new 30-foot by 12-foot control building, new transformer, substation structure, and substation regulators. There is to be an addition of 38,756 square feet of gravel to the area. There is one existing entryway, and two additional entrances are proposed. The expansion will allow for conversion from a transmission breaker station to an electric step-down station to reduce voltage to provide power delivery to members of the Choptank Electric Cooperative. The 4.22-acre property is located along Massey Rd (MD State Highway 299), just north of the Village of Massey, in the First Election District and is zoned Economic Center (EC).

RELEVANT ISSUES

I. Permitted Uses and Density, Height, Width, Bulk, and Fence Requirements

- A. *Applicable Laws:* Article V, Section 14.2 of the *Kent County Land Use Ordinance* establishes public utility buildings, structures, water treatment plants, and transmission lines as permitted uses and structures in the Employment Center.

Article V, Section 14.5 of the *Kent County Land Use Ordinance* establishes that the minimum front yard setback on non-primary roads in the Employment Center is as approved during subdivision review. The setback for primary roads is 100 feet.

B. *Staff and TAC Comments:*

- The applicant proposes to expand an existing utility substation.
- The parcel is not on a primary road.
- The June 1989 subdivision, in which this parcel was created, did not establish a front yard setback, and the default setback requirement is 100 feet. The applicant is requesting that the 100-foot setback be reduced to 60 feet so that the substation equipment may be reconfigured to increase the spacing between energized equipment for safety as well as ease of operation.
- Staff recommends that the applicant submit an application for a lot line adjustment to establish a setback specific to this parcel.

II. Employment Center District Performance Standards

- A. *Applicable Law:* Article V, Section 14.6 of the *Kent County Land Use Ordinance* establishes the performance standards within the Employment Center District. These performance standards address noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference, smoke and particulate matter, toxic matter, and odorous matter limitations with compliance certified in an engineer's report.
- B. *Staff and TAC Comments:* The applicant has addressed the performance standards and has submitted a Certified Engineer's Report.

III. Employment Center District General Standards

- A. *Applicable Law:* Article V, Section 14.7 of the *Kent County Land Use Ordinance* establishes the general standards within the Employment Center District. These include a statement as to the materials associated with the process, identification of chemical and solids to be discharged into the sewage system, expected traffic, hours of operation, and depiction of all proposed structures.

The use shall not create highway hazards and visual clutter in so far as practicable. Any use in an employment center district shall have access at least 3,000 feet from any highway strip (two or more access points within 3,000 feet of each other), in so far as possible. The Planning Commission may waive this requirement when the Commission finds all of the following:

- i. The proposal complies with the spirit and intent of the Land Use Ordinance and the Comprehensive Plan.
 - ii. That the waiver will not cause a substantial detriment to adjacent or neighboring property.
 - iii. That the waiver will not create a safety hazard or increase traffic congestion.
 - iv. The waiver is the minimum necessary to relieve a practical difficulty and is not sought for reasons of convenience, profit or caprice.
- B. *Staff and TAC Comments:*
- The applicant has provided comment that there will be no waste or by-products created during operation, that no chemical or solids will be generated or discharged, that the property is an unmanned controlled access site and that very little traffic will be generated when it becomes operational, and that the hours of operation will be 24 hours a day each day of the year.
 - The applicant has provided comment that the two proposed additional entrances along with the existing entrance are necessary for construction, maintenance, and operation of the electric substation. Staff recommends that the Planning Commission waive the requirement that the use established shall not create or be a continuation of highway “strip” development with multiple access points.

IV. Employment Center District Environmental Standards

- A. *Applicable Law:* Article V, Section 14.8 of the *Kent County Land Use Ordinance* establishes the Employment Center District Environmental Standards which include agriculture, anadromous fish, forest conservation, natural heritage areas, nontidal wetlands, stream protection corridor, stormwater management, threatened and endangered species, and water quality standards.

- B. *Staff and TAC Comments:*
- A parcel with less than 15% of its net tract area in forest cover shall be afforested to 15% of its net tract area. The property has no existing forest or woodlands. Because of safety and maintenance risks around overhead electric circuits, on-site afforestation is not possible. The applicant agrees to pay a fee-in-lieu at a rate of \$0.305 per square foot to the Forest Conservation Fund.
 - Development or redevelopment of land for commercial use shall provide for appropriate stormwater management measures that control or manage such developments. The applicant has included in the site plan conceptual proposed grades, erosion and sediment control measures, and stormwater best management practices (BMP), which will be further detailed for preliminary and final review.

IV. Employment Center Design Standards

- A. *Applicable Law:* Article V, Section 14.9 of the *Kent County Land Use Ordinance* establishes the Employment Center Design Standards which address site access, on-site circulation, floodplain, landscaping, screening, lighting, site planning, and subdivision.
- B. *Staff and TAC Comments:*
- Access shall be consolidated whenever possible. There is one existing entrance. Two additional entrances into the expanded portion are proposed.
 - Sites shall be designed to prevent awkward or dangerous flow. The applicant is requesting that the front yard setback be reduced so that the configuration of the proposed structures may be arranged to increase safety and ease of operations.
 - The front yard shall be landscaped and shall be maintained in a neat and attractive condition. The applicant proposes to install a row of 5- to 6-foot-tall Leyland cypress trees spaced 8 feet apart on the exterior of the fencing of the new development as screening. Leyland cypress trees are not native to Maryland, and staff recommends that an alternative evergreen, such as the eastern red cedar, be installed.

V. Site Plan Review

- A. *Applicable Law:* Article VI, Section 5 of the *Kent County Land Use Ordinance* outlines the procedures and requirements for site plan review. Site Development Plans are required to ensure that new development complies with the Comprehensive Plan, Land Use Ordinance, Village Master Plans and other agency requirements, thereby promoting the health, safety, and general welfare of Kent County residents.

At each stage of review the Planning Commission shall review the site plan and supporting documents taking into consideration the reasonable fulfillment of the following objectives:

- a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan
- b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
- c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
- d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
- e. Reasonable demands placed on public services and infrastructure.
- f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
- g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
- h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
- i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.

- j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
- k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and natural landscape.

B. *Staff and TAC Comments:*

- The proposal is consistent with the Comprehensive Plan and conforms with all applicable rules and regulations.
- Areas for vehicular flow appear to be adequate for the use proposed.
- Demands on public services and infrastructure are reasonable, and there will be no undue disturbance by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, or stormwater runoff.
- No sewage or refuse disposal is proposed, and protection from pollution of surface and groundwater is proposed through stormwater management.
- No vegetation is proposed to be removed, and vegetated perimeter screening is proposed.

STAFF RECOMMENDATION

In order to receive preliminary site plan approval, the applicant must address and/or submit the following outstanding items:

- Citizen Participation Plan Report
- Preliminary sediment and erosion control and stormwater management plans
- Front, side, and rear elevations of all proposed structures
- Official submission of plans to MDOT/SHA for review
- Details on signs and lighting
- Revised landscape screening

At this meeting, the Planning Commission should consider the following:

- The request for a reduced front yard setback
- Waiving the restrictions on proximate entryways

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

SITE PLAN APPLICATION

\$225 to Kent Co. Commissioners

File Number: _____ Amount Paid: \$50 to Health Dept. Date: 4-17-2023

Project Name: Choptank Electric Cooperative - Massey 69kV Substation

District: 1st Map: 16 Parcel: 23 & 61 Lot Size: 4.221 Ac. Deed Ref: 293/320 & 88/427 Zoning: EC

LOCATION: 12305 Massey Rd., Massey, MD 21650

PROPOSED USE: Electric Utility (Transmission to Distribution) Step-down Substation

OWNER OF LAND:

Name: Choptank Electric Cooperative, Inc. Telephone: 877-892-0001

Address: 10384 River Rd., Denton, MD 21629 Email: nathans@choptankelectric.coop

APPLICANT:

Name: Michael Noh (of RGrid Power PLLC) on the behalf of Choptank EC Telephone: 984-202-9812

Address: 501 N. Main Street, Wake Forest NC 27587 Email: mnoh@rgridpower.com

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: Bob Beadle, PE (RGrid Power PLLC) Telephone: 919-801-5859

Address: 501 N. Main Street, Wake Forest NC 27587 Email: rbeadle@rgridpower.com

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: mnoh@rgridpower.com

Water Supply: Public System On lot system N/A (none planned for project site)

Sewerage: Public System On lot system N/A (none planned for project site)

TELEPHONE SERVICED BY: N/A (non planned for this project site)

ELECTRIC SERVICED BY: Choptank Electric Cooperative Inc.

NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.



4/17/2023

Signature of Applicant (MICHAEL NOH)

Date

Concept Plan Approving Authority: _____ Date _____

Preliminary Approving Authority: _____ Date _____

Final Approving Authority: _____ Date _____

Choptank Electric Cooperative - Massey 69kV Electric Substation
Project Narrative & Summary for Kent Co. MD Conceptual Review

(June 21, 2023)

Introduction: Choptank Electric Cooperative is a not-for-profit, member owned, electric distribution cooperative that serves residential, commercial, and industrial members in Kent County Maryland.

The proposed Massey 69kV Substation project is an expansion of an existing Choptank Electric Cooperative transmission breaker station that connects to an existing Delaware Power & Light Company (DP&L) overhead transmission line. This site expansion and conversion to an electric substation site will allow for the step-down of high-voltage transmission to lower-voltage distribution to serve the needs of the community.

Owner: Choptank Electric Cooperative - 10384 River Rd., Denton, MD 21629

Owner's Engineer: RGrid Power PLLC. - 501 N. Main St., Wake Forest, NC 27587

Project Site Street Address: Massey Breaker Station - 12395 Massey Rd., Massey, MD 21650

Zoning Classification: (EC) Employment Center

Current & Proposed Use of Property: The property is currently being utilized as an electric transmission breaker station where Choptank Electric Cooperative taps Delaware Power & Light Company's overhead transmission circuit to feed its own transmission assets. The proposed site use is for conversion to an electric step-down station where transmission voltage is reduced to distribution voltage and to provide a power delivery point for its members.

(Article V, Sec. 14.7, #1):

- a) This substation will be constructed of concrete, steel, aluminum, and various polymer or ceramic bushings and insulators. Conductors will be aluminum and copper. There will be no waste or by-products created during the operation of this proposed substation. (See Certified Engineer's Report)
- b) No chemicals or solids will be generated or discharged.
- c) Very little traffic is expected at this substation once it is operational. Weekly traffic by Choptank Electric Cooperative employees or their subcontractors will be the norm. This is an unmanned controlled access site and will be locked and secured when no one is in attendance.
- d) The proposed hours of operation is 24 hours a day 365 days a year
- e) See Conceptual Plan drawings and Certified Engineer's Report for design graphic and narrative.

Forest Conservation Approach: There is no existing forest or woodlands on this property nor are there plans for afforestation due to safety and maintenance risks around overhead electric circuits. Choptank agrees to pay the fee-in-lieu at a rate of 30.5 cents per square foot.

Viewshed & Conservation Analysis: The proposed site resides on very gradual existing topography that is predominantly less than (1%) grades. The site is immediately adjacent to an existing DP&L overhead transmission line easement that encumbers the property and is along the road frontage of State Route 299, Massey Road, it is otherwise surrounded by agricultural fields. The viewshed comprises of mostly large-scale agricultural operations in all directions and one residential parcel that is on the opposite side of Massey Rd. from the site.

A proposed visual screening hedgerow of Leyland Cypress trees is planned for the proposed substation site, that when mature will block the view to the residential parcel across the street from the site. The proposed visual screening vegetation will be maintained by Choptank Electric to match the height of the proposed (8') tall substation security fence. The Leyland cypress trees will be installed at a planted height of (5'-6') and spaced (8') apart to allow the branches to fill in gaps in between plantings. Visual screening trees will not be placed where maintenance of the planted screening will create safety hazards due to proximity to existing and proposed overhead power lines.

To maximize conservation efforts, the planned substation has been designed to impact the very least amount of land within the fenced area based on required vehicle turning radii and electrical equipment spacing requirements. Proposed grading is minimized outside of the proposed fence line to just what is necessary to divert off-site stormwater runoff away from the proposed site and to isolate and direct runoff from the proposed gravel footprint into a planned permanent stormwater infiltration BMP that will be used as a temporary sediment trap during the construction phase.

Kent Co. Comprehensive Plan: This project will directly affect and enhance the State's Comprehensive Plan by responsibly scaling and bringing electric distribution to meet the current and future needs of the County's residents, businesses, and industries in a way that is compatible with the tenants of the Plan and promote economic growth by providing a power supply to future industries and residents.

This project has been designed to impact the least amount of area necessary to build and operate and electric substation of this type by placing it immediately adjacent to its power source, the existing DP&L electric overhead transmission line, instead of installing a transmission tap circuit several hundred feet or miles in length that would impact more land, to a proposed substation site further away. The proposed grading and project footprint has been minimized to work with the existing contour of the land and to mitigate stormwater discharges to the maximum extents practicable and maintain safe operating distances for electrical substation equipment.

Water & Sewer Service: None Planned. This is an unmanned electric utility facility.

Ownership & Maintenance Statement: This facility will be owned and maintained by Choptank Electric Cooperative.

Exceptions & Stormwater Mitigation Variance Requests for this Project:

1. **Stormwater Mitigation Variance Request:** Due to the arrangement of the electric substation facilities needing to be tied in with the existing breaker station site and equipment, the extent of proposed grading to convey stormwater runoff to a suitable off-site location is limited by existing topography, property boundary, DP&L easement, and most importantly the need to match the existing grade of the existing gravel yard of the breaker station for vehicular accommodations.

The maximum grade requirement of (4% or less) for the vehicles needed to operate within this facility, drive the grading design as shown on the conceptual plan. There is no practical way to slope the site to the north towards the unused portion of the property without creating grades well in excess of (4%) within the gravel yard to an offsite stormwater BMP capable of meeting the required stormwater criteria for water treatment, storage volumes, removal of total suspended solids and phosphorus removal.

In lieu of these design constraints, we have proposed an infiltration type stormwater BMP towards the rear of the site in this conceptual plan to mitigate the stormwater criteria mentioned above to the maximum extents practicable. There is not enough grade change on the property to facilitate an emergency spillway on the proposed stormwater infiltration BMP or temporary sediment trap. During the construction phase of this project, the area reserved for the infiltration BMP will be used as a temporary sediment trap/erosion & sediment control measure. The temporary sediment trap will be dewatered by mechanical pump-out through filtration bags to an area slightly downslope of the BMP within the DP&L easement on the Choptank Electric Cooperative parcel.

Choptank Electric Cooperative agrees to pay fees for stormwater criteria offsets not met by the planned stormwater design measures. *Final sizing, calculations and details of the proposed stormwater infiltration BMP will be prepared upon the County's acceptance of these design limitations or negotiation with Kent County governance. The infiltration basin shown on these drawings is conceptual. *

2. **Front Setback Penetration Request:** Choptank Electric Cooperative would like to request or negotiate a (60' front setback) in place of the required (100' front setback) to increase spacing between the electrical substation equipment for safety reasons. If granted, the proposed substation equipment shown within the substation fence will be reconfigured

and will penetrate no more than (40') into the (100' front setback). The conceptual plan currently shows the substation equipment arranged in a non-standard configuration and at minimum equipment spacing to abide by the existing (100' setback). The purpose of this request is primarily for safety by increasing the spacing between energized equipment and secondly to configure the substation in a more workable arrangement for ease of operation.

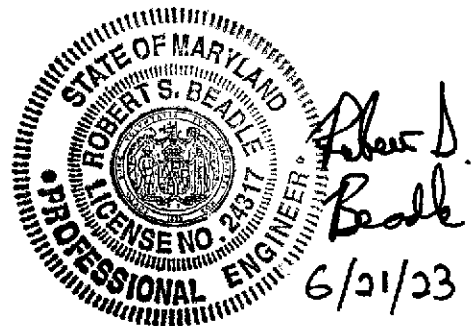
3. **Necessity for Dual Driveways (Article V, Sec. 14.7, #3):** Dual driveways are required for this project site due to the size of vehicles that will be needed to construct, maintain, and operate an electric substation. The substation equipment will require ingress/egress for semi-trucks with (53') lowboy trailers and wheeled cranes. These large vehicles will be operated and staged at the same instance such as a crane and a semi-truck at the same time. The dual driveways allow these vehicles to position themselves on either side of the substation equipment as required and would not be able to do so with just a single driveway. In an emergency such as a large transformer failure, a mobile transformer mounted on a semi-truck trailer will be required to back into the substation and connect to the infrastructure to temporarily restore power. Choptank Electric Cooperative understands that they will have to seek final permits and approvals through MDOT/SHA.

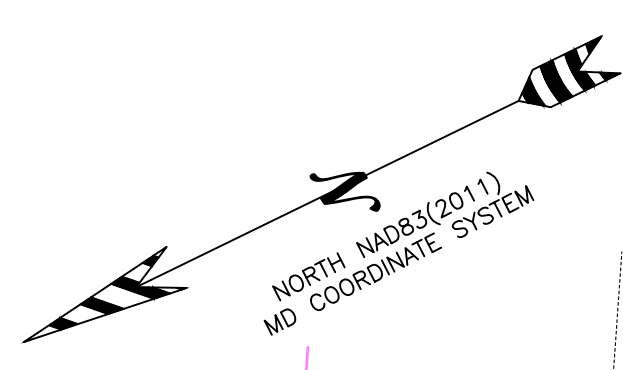
Conceptual Plan Site Areas & Measurements:

- Total Choptank Property Area: **4.22 Acres**
- Existing Impervious Surface (Gravel): 38,337.82 sft. or **0.88 acres**
- Proposed Additional Impervious Surface (Gravel): 38,755.94 sft. or **0.89 acres**
- Total Combined Impervious Surface (Gravel): 77,093.76 sft. or **1.77 acres**
- Limits of Disturbance (as revised): 77,828.95 sft. or **1.79 acres**
- Total Post-Developed Fenced Area: 72,037.50 sft. or **1.65 acres**

Certified Engineer's Report: Choptank EC Massey 69kV Substation

- 1.) Proposed Operation: This project is an expansion of the existing Massey Breaker Station and will include additional substation equipment such as a 69kV to 12kV step down transformer, a smaller 25kV to 12kV transformer, a 69kV circuit breaker, buswork, and various 25kV or 12kV reclosers and switches used to protect outgoing load from the station. This substation is intended to be in service at all times unless an outage is taking place or maintenance activity requires an equipment outage.
- 2.) Machines, Processes, and Products: None. This substation does not have any generation or rotating machinery on site.
- 3.) Expected Levels of Discharge or Emissions: None. No onsite generation is present.
- 4.) Electrical Impulses, Vibrations, and Noise Under Normal Operations: An electrical substation is not intended to have any electrical impulses except under some type of rare fault condition caused by equipment failure or natural phenomena such as lightning. The protective devices in the station, such as surge arrestors, breakers, or reclosers are designed to prevent an electrical impulse from cascading down past the substation. There would be a very small amount of EMF associated with the equipment in the station, but the level typically falls off rapidly to negligible levels at the edge of the substation. Due to the absence of any rotating machinery, this substation would not have any vibration. According to data published by the transformer manufacturer, the guarantee point for noise on the larger transformer is 72 dba. This is an absolute maximum value, and the typical range of noise would likely be at a much lower level.
- 5.) Specifications or Treatment Methods: Both transformers will have oil containment consisting of a concrete basin around the outside of the transformer pad that drains into a secondary containment tank. The basin is sized to capture the entire volume of oil within the transformer. The tank will also be able to sense the specific gravity of any liquid coming from the basin, and anything other than rainwater (such as transformer oil) would be immediately contained within the tank. The tank will be sized to handle the entire oil volume of the larger transformer.
The presence of vegetative screening around the front of the substation would also further reduce any impact from noise.





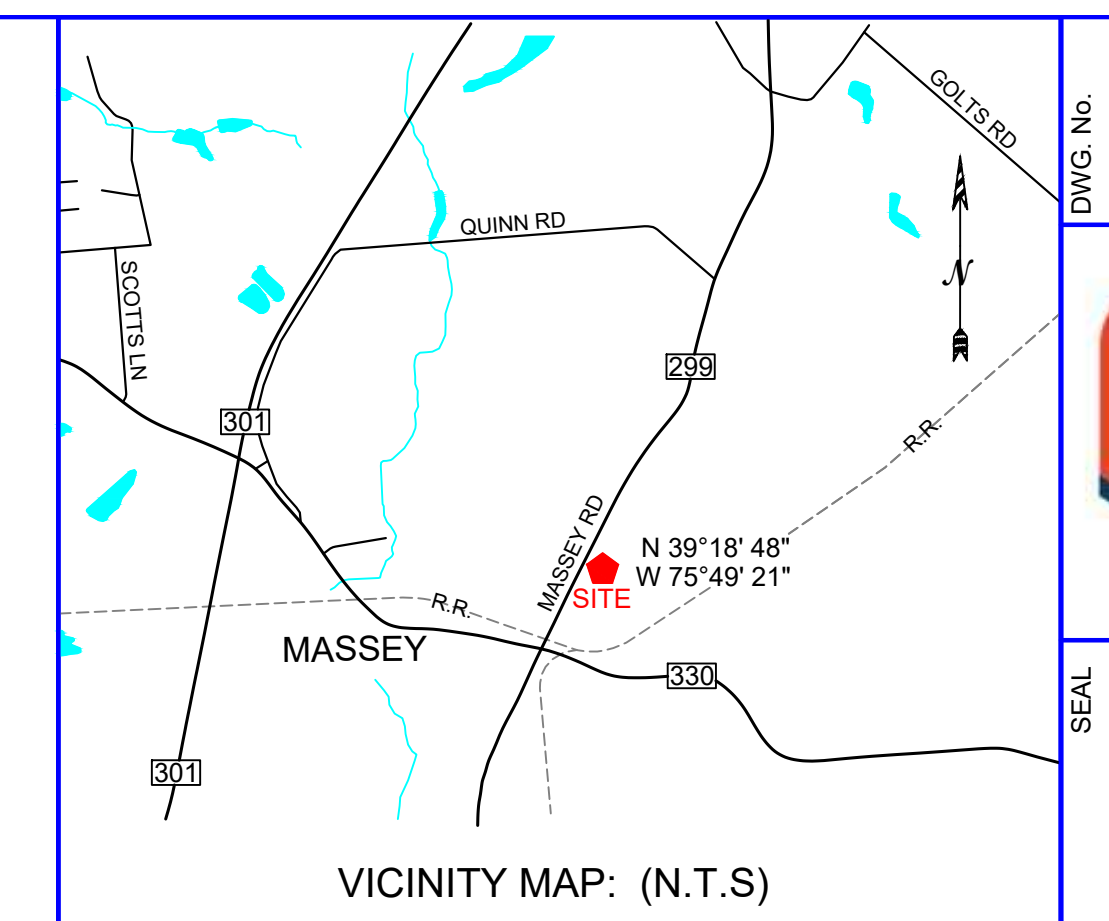
(PROPOSED) TEMPORARY SEDIMENT TRAP TO BE CONVERTED TO PERMANENT INFILTRATION BMP AFTER SITE STABILIZATION
 NOTE: DUE TO EXISTING SUB-1% GRADES ONSITE, DEWATERING THE TEMPORARY SEDIMENT TRAP WILL BE PERFORMED BY MECHANICAL PUMPING W/ FILTER ATTACHMENTS

OWNER: ISE AMERICA INC.
 DISTRICT: 01 ACCT. No.: 011529
 DEED REF: 88/427
 PLAT REF: SLK6/0091
 CURRENT USE: AGRICULTURAL FIELD

CONCEPTUAL EROSION & SEDIMENT CONTROL / STORMWATER BMP
 (PROPOSED) TEMPORARY SEDIMENT TRAP TO BE CONVERTED TO PERMANENT INFILTRATION BMP AFTER SITE STABILIZATION
 NOTE: DUE TO EXISTING SUB-1% GRADES ONSITE, DEWATERING THE TEMPORARY SEDIMENT TRAP WILL BE PERFORMED BY MECHANICAL PUMPING W/ FILTER ATTACHMENTS

OWNER: CHOPTANK ELECTRIC COOPERATIVE
 DEED REF: 293/320
 PLAT REF: SLK6/119
 183877.147 SF±
 4.221 AC±

OWNER: LESTER C JONES & SONS INC.
 DISTRICT: 01 ACCT. No.: 004891
 DEED REF: 1076/208
 PLAT REF: 1/350
 CURRENT USE: AGRICULTURAL FIELD

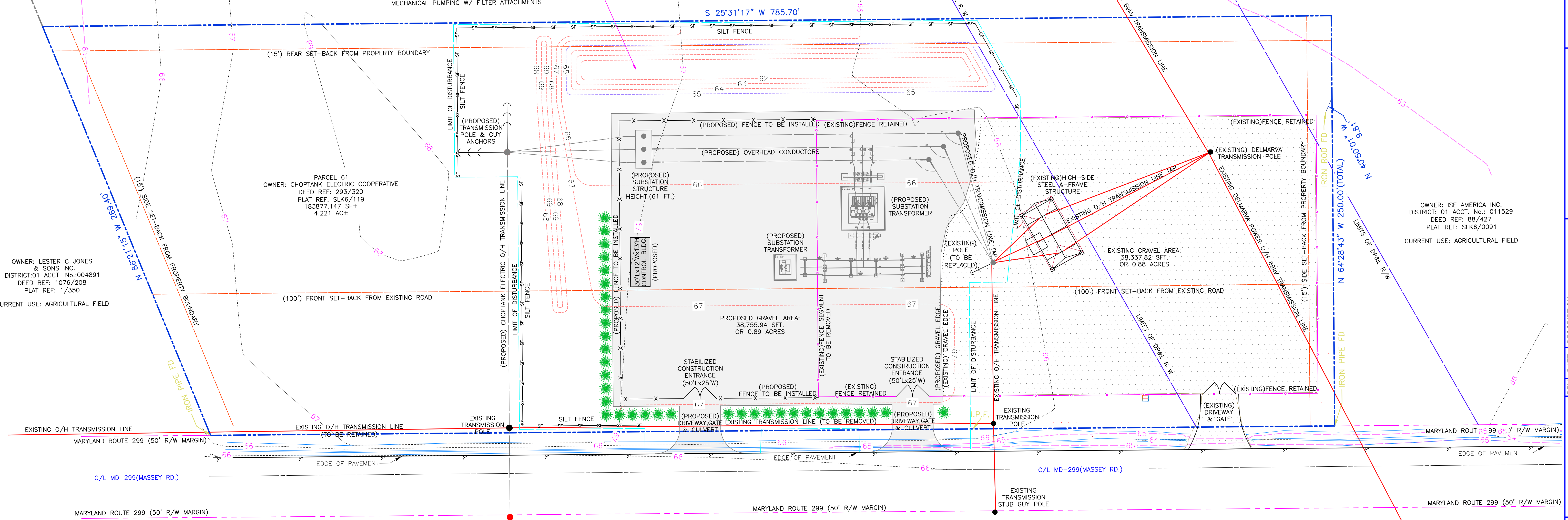


DWG. No. CP1

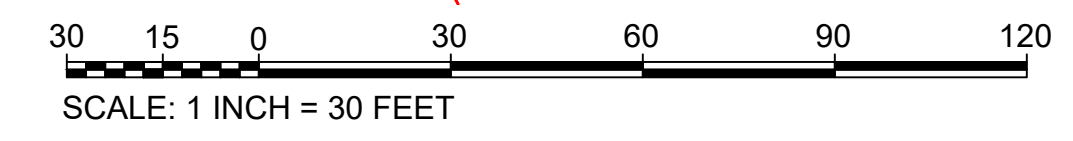
 GRID POWER PLLC
 10384 RIVER ROAD
 501 N. MAIN STREET
 WAKE FOREST, NC 27787
 (919) 605-3984

PRELIMINARY

Choptank Electric Cooperative
 A TruSource Energy Cooperative
 CHOPTANK ELECTRIC COOPERATIVE
 10384 RIVER ROAD
 DENTON, MARYLAND 21629
 (877) 892-0081



OWNER: ISE AMERICA INC.
 DISTRICT: 01 ACCT. No.: 011529
 DEED REF: 88/427
 PLAT REF: SLK6/0091
 CURRENT USE: AGRICULTURAL FIELD



SITE NOTES:

- OWNER: CHOPTANK ELECTRIC COOPERATIVE
 DENTON HEADQUARTERS
 10384 RIVER ROAD
 DENTON, MD 21629
- SITE 911 ADDRESS: MASSEY BREAKER STATION
 12305 MASSEY ROAD
 MASSEY, MD 21650
- ZONING CLASSIFICATION: EC (EMPLOYMENT CENTER)
- PROPERTY BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY LANE ENGINEERING LLC.
 OF 354 PENNSYLVANIA AVE., CENTERTVILLE, MD 21617 ON 1/06/2023
- PLAT INFORMATION:
 - PLAT TITLE: LOT LINE ADJUSTMENT PLAT ON THE LANDS OF ISE AMERICA, INC. & CHOPTANK ELECTRIC COOPERATIVE INC. IN THE FIRST ELECTION DISTRICT KENT COUNTY, MARYLAND - TAX MAP 16, GRID 4D PARCELS 23 & 61
 - SEALED BY REGISTERED PROPERTY LINE SURVEYOR: JEFFERSON EWELL HUBBARD, MD REGISTRATION No. 363, SEAL DATE: 10-14-2022
 - APPROVED BY KENT COUNTY DIRECTOR OF PLANNING: WILLIAM A. MACKAY ON 11-18-2022
 - APPROVED BY KENT COUNTY HEALTH DEPT. APPROVING AUTHORITY: ERICA H. HERCHER ON 11-18-2022
 - SLK 6/119
- THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL FLOOD. THE PROPERTY IS MAPPED IN THE "X" FLOOD ZONE(S) AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 240045, MAP NO. 24029C0215D FOR KENT COUNTY, MARYLAND, EFFECTIVE DATE JUNE 9, 2014. FLOOD ZONE LEGEND: (ZONE X) - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD
- THIS SITE WILL NOT REQUIRE ANY TREE-REMOVAL OR DE-FORESTATION FOR CONSTRUCTION AND DEVELOPMENT. ASIDE FROM THE EXISTING FENCED CHOPTANK ELECTRIC COOPERATIVE BREAKER STATION, THE UNDEVELOPED PORTION OF THIS 4.22 ACRE PROPERTY WAS RECENTLY BEING USED FOR AGRICULTURAL PURPOSES AND CONSISTS OF EITHER PLANTED OR FALLOW CROP FIELDS.

CONCEPTUAL PLAN NOTES:

- TOTAL PROPERTY AREA: (4.22 ACRES)
- PROPOSED LIMIT OF DISTURBANCE AREA: 77,828.95 SFT. OR (1.79 ACRES)
- PROPOSED ADDITIONAL GRAVEL SURFACE AREA: 38,755.94 SFT. OR (0.89 ACRES)
- EXISTING GRAVEL SURFACE AREA: 38,337.82 SFT. OR (0.88 ACRES)
- TOTAL POST-DEVELOPMENT GRAVEL SURFACE AREA: 77,093.76 SFT. OR (1.77 ACRES)
- THERE ARE NO PLANNED SANITARY SEWER OR POTABLE WATER INSTALLATIONS FOR THIS ELECTRIC UTILITY FACILITY.
- SECURITY LIGHTING IS PLANNED FOR THIS ELECTRIC UTILITY FACILITY.
- ALL PERMANENT EXISTING AND PROPOSED SECURITY FENCE FOR THIS FACILITY WILL BE EIGHT FEET (8') IN HEIGHT CONSISTING OF SEVEN FEET (7') OF CHAIN-LINK MESH, TOPPED WITH ONE FOOT (1') OF 3-STRAND BARBED WIRE.
- TOTAL POST-DEVELOPMENT FENCE DIMENSIONS: (425'L x 169.5'W x 8'H)
 TOTAL POST-DEVELOPMENT FENCED AREA: (72,037.5 SFT. OR 1.65 ACRES)
- THIS IS AN UNMANNED, CONTROLLED ACCESS FACILITY AND WILL EXPERIENCE INFREQUENT TRAFFIC BY CHOPTANK ELECTRIC COOPERATIVE EMPLOYEES AND THEIR CONTRACTORS. THERE ARE NO PUBLIC FACILITIES OR THOROUGHFARES PLANNED FOR THIS SITE.
- THE (30'L x 12'W x 13'H) CONTROL BUILDING WILL BE UNMANNED AND WILL BE USED TO HOUSE ELECTRICAL UTILITY AND COMMUNICATION CONTROL AND MONITORING EQUIPMENT.
- CONCEPTUAL PROPOSED GRADES, EROSION & SEDIMENT CONTROL MEASURES, AND STORMWATER BMP'S SHOWN WILL BE FURTHER DEFINED AND DETAILED ONCE THE CONCEPTUAL PLAN HAS BEEN APPROVED TO MOVE FORWARD

LEGEND:

- MARYLAND ROUTE 299 (50' R/W MARGIN)
- MARYLAND ROUTE 299 (CENTERLINE)
- MARYLAND ROUTE 299 (PAVEMENT EDGE)
- CHOPTANK ELECTRIC COOPERATIVE PROPERTY BOUNDARY
- ADJOINER PROPERTY LINE
- DELMARVA POWER & LIGHT (150' WIDE) EASEMENT MARGIN
- PROPERTY SETBACK LINES FOR ZONE: (EC)
- EXISTING MAJOR ELEVATION CONTOURS
- EXISTING MINOR ELEVATION CONTOURS
- PROPOSED MAJOR ELEVATION CONTOURS
- PROPOSED MINOR ELEVATION CONTOURS
- EXISTING CHOPTANK ELECTRIC COOP. (8FT.) FENCE
- PROPOSED CHOPTANK ELECTRIC COOP. (8FT.) FENCE
- EXISTING OVERHEAD TRANSMISSION LINES
- PROPOSED OVERHEAD TRANSMISSION & DISTRIBUTION LINES (TO BE INSTALLED)
- SILT FENCE
- PROPOSED LIMITS OF DISTURBANCE
- (EXISTING) ELECTRIC UTILITY POLE
- (PROPOSED) ELECTRIC UTILITY POLE
- LEYLAND CYPRESS (5'-6" TALL) VISUAL / VEGETATIVE SCREENING PLANTED 8 FT. APART FOR HEDGE
- EXISTING GRAVEL AREA (TO BE RETAINED)
- PROPOSED NEW GRAVEL AREA (TO BE INSTALLED)

REV.	DATE	DESCRIPTION

CLIENT PROJ. REF. No.: RGRID POWER PLLC
 PROJ. No.: 06202023
 DATE: 06/20/2023
 SCALE: (1"=30')
 DWN BY: MSN
 CKD BY: RSB
 APPVD BY: PJR

CHOPTANK ELECTRIC COOPERATIVE
 DENTON, MARYLAND
 CHOPTANK ELECTRIC COOPERATIVE - MASSEY 69KV SUBSTATION
 CONCEPTUAL PLAN FOR KENT COUNTY PLANNING DEPARTMENT REVIEW
MASSEY 69KV SUBSTATION
 CONCEPTUAL PLAN (REVISION-1)

DWG. No. CP1

To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: July 6, 2023
Subject: Gillespie Precast, LLC/Morgan Creek Land Holdings, LLC
Concept Site Plan Review – Storage Yard Expansion and Concrete Manufacturing

Executive Summary

REQUEST BY THE APPLICANT

Gillespie Precast, LLC/Morgan Creek Land Holdings, LLC is requesting concept site plan review for expansion of its contractor’s storage yard from 5.38 acres to 13.36 acres; to construct two 200-foot by 81-foot concrete manufacturing plants, in separate phases; to construct an 80-foot by 200-foot storage building; to install aggregate bins and ramp and a crushed concrete pile; and to construct a new MDOT SHA entrance on to MD Route 291.

PUBLIC PROCESS

Per Article VI, Section 5.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and approve major site plans.

SUMMARY OF THE STAFF REPORT

Located on the north side of Maryland Route 291 (Morgnec Road), the 190.633-acre property is zoned Industrial (I), Industrial Critical Area-LDA (ICA-LDA), and Resource Conservation District (RCD). In 2018, a change of use for a contractor’s yard and manufacturing of concrete and ceramics was granted by the Planning Commission. In March 2023, the Planning Commission granted preliminary site plan approval to the applicant for the expansion of the contractor’s storage yard and the construction of a 60-foot by 80-foot equipment storage building. The application has been revised to include a larger equipment storage building, the concrete manufacturing plants, the aggregate bins and ramp, and the crushed concrete pile. The proposed storage yard expansion and associated stormwater management facility will be in the I and ICA-LDA districts. The proposed concrete manufacturing plants, storage building, and aggregate bins and ramp will be only within the Industrial district.

As more than 50% of the property is within the Critical Area, the proposed activity is exempt from Forest Conservation requirements per Article VI, Section 8.2.10. At the request of Staff, the applicant has agreed to mitigate 15% of disturbance in the Industrial district through a combination of landscaping, screening, forest conservation, and afforestation.

STAFF RECOMMENDATION

Staff recommends a combined preliminary and final site plan review. In order to receive final site plan approval, the applicant must address and/or submit the following outstanding items:

- A certified engineer’s report addressing industrial performance standards inclusive of the newly proposed structures.
- An updated narrative in accordance with the procedures and standards for major site plan review as established in Article VI, Section 5.4.B of the Kent County Land Use Ordinance.
- Front, side, and rear elevations of the proposed equipment storage building and the concrete manufacturing plants, including lighting.

- The proposed new private well and the required parking to accommodate Phase 1 and Phase 2 of the development are to be included in the site plan.
- MDOT SHA approval for the proposed access.
- An updated Citizen Participation Report.
- Approval of erosion and sediment control and stormwater management plans.
- Submission of all required sureties for stormwater management, sediment and erosion control, and landscaping.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: #22-53 – Gillespie Precast, LLC/Morgan Creek Land Holdings, LLC
Concept Site Plan Review – Storage Yard Expansion and Concrete Manufacturing
DATE: June 29, 2023

DESCRIPTION OF PROPOSAL

Gillespie Precast, LLC/Morgan Creek Land Holdings, LLC is requesting concept site plan review for expansion of its contractor's storage yard from approximately 5 acres to 13.5 acres; to construct two 200-foot by 81-foot concrete manufacturing plants, in separate phases; to construct an 80-foot by 200-foot storage building; to install aggregate bins and ramp and a crushed concrete pile; and to construct a new MDOT SHA entrance on to MD Route 291.

Located on the north side of Maryland Route 291 (Morgnec Road), the 190.633-acre property is zoned Industrial (I), Industrial Critical Area – LDA (ICA-LDA), and Resource Conservation District (RCD). In 2018, a change of use for a contractor's yard and manufacturing of concrete and ceramics was granted by the Planning Commission. In March 2023, the Planning Commission granted preliminary site plan approval to the applicant for the expansion of the contractor's storage yard and the construction of a 60-foot by 80-foot equipment storage building. The application has been revised to include a larger equipment storage building, the concrete manufacturing plants, the aggregate bins and ramp, and the crushed concrete pile. The proposed storage yard expansion and associated stormwater management facility will be in the I and ICA-LDA districts. The proposed concrete manufacturing plants, storage building, and aggregate bins and ramp will be only within the Industrial district. Of the two approved septic reserve areas on the parcel, one within the footprint of the proposed expansion is to be abandoned. The other will remain available for use with the proposed development.

As more than 50% of the property is within the Critical Area, the proposed activity is exempt from Forest Conservation requirements per Article VI, Section 8.2.10. At the request of Staff, the applicant has agreed to mitigate 15% of disturbance in the Industrial district through a combination of landscaping, screening, forest conservation, and afforestation.

RELEVANT ISSUES

I. Permitted Uses and Density, Height, Width, Bulk, and Fence Requirements

- A. *Applicable Laws:* Article V, Sections 15.2 (Industrial) and 16.2 (Industrial Critical Area – LDA) of the *Kent County Land Use Ordinance* permits manufacture of concrete and ceramic products provided such use is at least 400 feet from any residential district and contractor's yards in the Industrial District and the Industrial Critical Area District – LDA. In the ICA-LDA outdoor storage of materials is prohibited unless otherwise approved by the Planning Commission.
- B. Article V, Sections 15.5 and 16.4 of the *Kent County Land Use Ordinance* establishes the density, height, width, bulk, and fence requirements for the Industrial District Industrial Critical Area District.
- C. *Staff and TAC Comments:* The proposed use is permitted, and the applicant property is more than 400 feet from any residential district. The proposed storage structure and concrete manufacturing plants meet the minimum setback requirements and height limitations. No outdoor storage in the

ICA-LDA is proposed.

II. Industrial Performance Standards

- A. *Applicable Law:* Article V, Sections 15.6 and 16.5 of the *Kent County Land Use Ordinance* establish the performance standards for industrial activity. These performance standards address noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference, smoke and particulate matter, toxic matter, and odorous matter limitations with compliance certified in an engineer's report.
- B. *Staff and TAC Comments:* A certified engineer's report addressing industrial performance standards for the proposed storage yard expansion and equipment storage building was previously submitted. An updated report inclusive of the newly proposed structures is required.

III. Industrial Environmental Standards

- A. *Applicable Law:* Article V, Sections 15.8 and 16.7 of the *Kent County Land Use Ordinance* establish the Industrial Environmental Standards which include agriculture, anadromous fish, forest conservation, natural heritage areas, nontidal wetlands, stream protection corridor, stormwater management, threatened and endangered species, and water quality standards. Additional standards in the ICA include buffer, modified buffer, forest management, forest interior dwelling birds, habitat, impervious surfaces, slopes, threatened and endangered species, timber harvest, and wildlife corridors.
- B. *Staff and TAC Comments:*
 - Industrial (I)
 - Per Article VI, Section 8.2.10 of the Land Use Ordinance, the proposed activity is exempt from Forest Conservation requirements as more than 50% of the property is within the Critical Area.
 - The applicant proposes to mitigate an area equal to 15% of the limit of disturbance in the Industrial district through a combination of landscape screening, forest conservation, and afforestation for a total of 2.78 acres.
 - A stormwater management plan for the expansion of the contractor's yard was previously submitted for review and is included with this application.
 - Maryland's Environmental Resource and Land Information Network (MERLIN), indicates that there are no threatened or endangered species in the vicinity of the proposed activity.
 - Industrial Critical Area (ICA)
 - No development in the buffer is proposed.
 - No vegetation is proposed to be removed, and no increase in lot coverage is proposed.
 - Maryland's Environmental Resource and Land Information Network (MERLIN), indicates that there are no threatened or endangered species in the vicinity of the proposed activity, and there are no Habitat Protection Areas or Wildlife Corridors that will be affected.

IV. Design Standards

- A. *Applicable Law:* Article V, Sections 15.9 and 16.8 of the *Kent County Land Use Ordinance* establishes the Industrial Design Standards which address site access, on-site circulation, floodplain, landscaping, screening, lighting, site planning, and subdivision. Screening is required

to protect adjoining properties and roadways from noise, glare, and uses which are visually incompatible with neighboring land uses. Lighting on the site should be sufficient to provide for the safety and security of the business, its employees, and its customers while avoiding glare onto adjacent properties and adjacent roadways and not interfere with traffic or create a safety hazard.

15.9.1(c) and 16.8.B.1(c): Site Access: Only one direct approach onto a primary road from an individual parcel of record as of August 1, 1989 shall be permitted unless the Planning Commission, or where applicable the Planning Director, finds one of the following:

- i. An additional entrance is significantly beneficial to the safety and operation of the highway.
- ii. One entrance is a safety hazard or increases traffic congestion.
- iii. The property is bisected by steep slopes, bodies of water, or other topographic feature so as to render some portion of the property inaccessible without additional road access.

15.9.2(d) and 16.8.B.2(d): On-site Circulation: Safe, convenient, and centralized handicap parking shall be provided.

Article VI, Section 1 of the *Kent County Land Use Ordinance* establishes that industrial uses and warehousing requires a minimum of one parking space per two employees in principal shift.

B. Staff and TAC Comments:

- An additional access point from Maryland Route 291 is proposed. Plans for the proposed access have been submitted to MDOT SHA District 2 for review.
- The Planning Commission shall make a decision on whether to approve the proposed second access.
- Adequate spacing is provided to ensure on-site circulation for the proposed use.
- For Phase 1 development, 10 parking spaces are proposed. Handicap parking is not currently proposed.
- A landscaping, forest conservation, and afforestation plan has been submitted for review. The plan provides for adequate screening for adjoining properties and the roadway to protect from noise and glare. Additionally, the plan mitigates for 15% of the limits of disturbance in the Industrial District.

V. Site Plan Review

- A. *Comprehensive Plan*: "Strategy: Retain and promote existing businesses and assist in their growth" (Page 8)
- B. *Applicable Law*: Article VI, Section 5 of the Kent County Land Use Ordinance outlines the procedures and requirements for site plan review. Site Development Plans are required to ensure that new development complies with the Comprehensive Plan, Land Use Ordinance, Village Master Plans and other agency requirements, thereby promoting the health, safety, and general welfare of Kent County residents.

At each stage of review the Planning Commission shall review the site plan and supporting documents taking into consideration the reasonable fulfillment of the following objectives:

- a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan
- b. Conformance with the provisions of all applicable rules and regulations of county,

- state, and federal agencies.
- c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
 - d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
 - e. Reasonable demands placed on public services and infrastructure.
 - f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
 - g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
 - h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
 - i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
 - j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
 - k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and natural landscape.

C. *Staff and TAC Comments:*

- The proposal is consistent with the Comprehensive Plan.
- A narrative was previously submitted with the proposed storage yard expansion and 60-foot by 80-foot equipment storage building. The applicant is aware that an updated narrative that considers the proposed larger equipment storage building, concrete manufacturing plants, aggregate bins and ramp, and crushed concrete pile is needed.
- Areas for vehicular flow appear to be adequate for the use proposed.
- Demands on public services and infrastructure are reasonable.
- No sewage or refuse disposal is proposed, and protection from pollution of surface and groundwater is proposed through stormwater management.
- Except for the limited removal of trees for the proposed access, no other vegetation is proposed to be removed.
- The proposed use will be conducted on a large property surrounded by active farmland. The development will be integrated into the existing landscape through landscaping and an afforested strip on the eastern boundary of the property.

STAFF RECOMMENDATION

The applicant has requested that preliminary and final review be combined. Staff supports this request. In order to receive final site plan approval, the applicant must address and/or submit the following outstanding items:

- A certified engineer's report addressing industrial performance standards inclusive of the newly proposed structures.
- An updated narrative in accordance with the procedures and standards for major site plan review as established in Article VI, Section 5.4.B of the Kent County Land Use Ordinance.
- Front, side, and rear elevations of the proposed equipment storage building and the concrete manufacturing plants, including lighting.

- The proposed new private well and the required parking to accommodate Phase 1 and Phase 2 of the development are to be included in the site plan.
- MDOT SHA approval for the proposed access.
- An updated Citizen Participation Report.
- Approval of erosion and sediment control and stormwater management plans.
- Submission of all required sureties for stormwater management, sediment and erosion control, and landscaping.



Davis, Moore, Shearon & Associates, LLC

May 25, 2023

Mr. Mark Carper
Kent County Department of Planning & Zoning
400 High Street
Chestertown, Maryland 21620

**RE: REVISED COMBINED CONCEPT AND PRELIMINARY PLAN FOR A
PROPOSED GILLESPIE PRECAST, LLC STORAGE YARD ON THE LANDS
OF MORGAN CREEK LAND HOLDINGS, LLC
KENT COUNTY TAX MAP 38, PARCEL 1
DMS & ASSOCIATES JOB #2022019**

Dear Mark,

As you will recall, the above referenced project was reviewed by the Planning Commission at their March 2, 2023 meeting where it received a unanimous approval. Since that time, the owner has modified their proposed use of the property to include a new precast concrete production plant, new material storage bins, an enlarged storage building, and the previously reviewed and approved finished-product storage yard. The footprint of the overall project has not changed, just the proposed components within it.

Attached please find two copies of revised plans for your review. Based on the changes the project will need to return to TAC and the Planning Commission to once again seek a combined concept and preliminary approval.

Please process this information for review at the June 14th TAC meeting. If you have questions or need additional information please feel free to contact me at 443-262-9130.

Sincerely,

DMS & Associates, LLC

A handwritten signature in blue ink, appearing to read "K. Shearon".

Kevin J. Shearon, P.E., LEED AP

Enclosures

pc: Mr. Andrew Gillespie, Gillespie Precast, LLC (via email)

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7475 (phone) • 410-810-2932 (fax)

SITE PLAN APPLICATION

File Number: _____ **Amount Paid:** _____ **Date:** 5/25/2023

Project Name: Morgan Creek Land Holdings, LLC Storage Yard Expansion

District: 2nd Map: 38 Parcel: 1 Lot Size: 190.6 ac. Deed Ref: 723/419 Zoning: I/ICA

LOCATION: 27030 Morgnec Road, Chestertown, Maryland 21620

PROPOSED USE: Manufacturing of Concrete, Storage Building, and Storage Yard

OWNER OF LAND:

Name: Morgan Creek Land Holdings, LLC Telephone: 410-778-0940

Address: P.O. Box 450, Chestertown, MD 21620 Email: agillespie@gillespieprecast.com

APPLICANT:

Name: (same as owner) Telephone: _____

Address: _____ Email: _____

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: DMS & Associates c/o Kevin Shearon Telephone: 443-262-9130

Address: P.O. Box 80, Centreville, MD 21617 Email: kjs@dmsandassociates.com

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: kjs@dmsandassociates.com


Water Supply: Public System On lot system

Sewerage: Public System On lot system

TELEPHONE SERVICED BY: n/a

ELECTRIC SERVICED BY: Delmarva Power

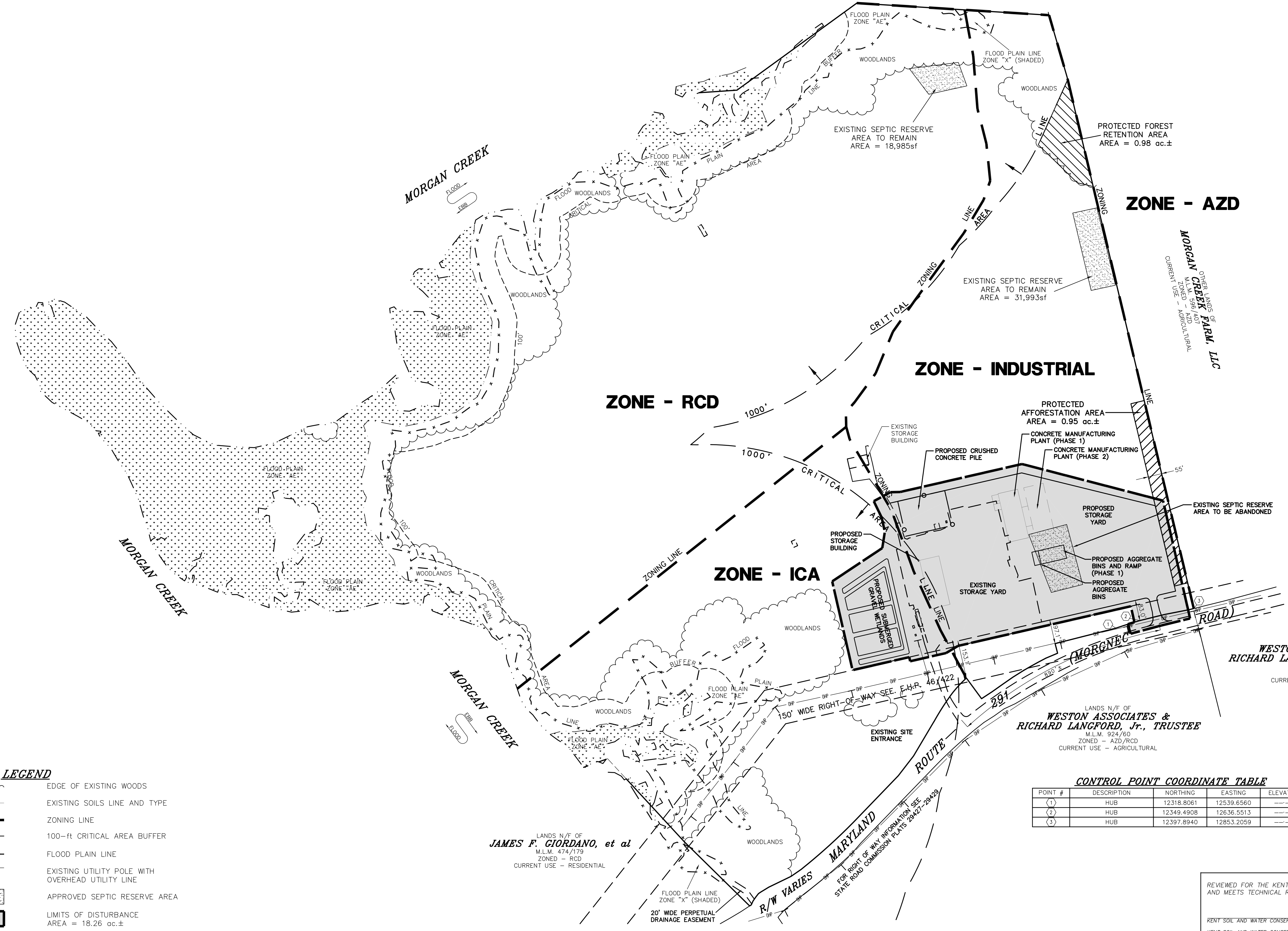
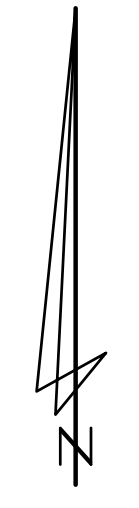
NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.

 _____ 5/25/23
Signature of Applicant **Date**

Concept Plan Approving Authority: _____ Date: _____

Preliminary Approving Authority: _____ Date: _____

Final Approving Authority: _____ Date: _____



LEGEND

	EDGE OF EXISTING WOODS
	EXISTING SOILS LINE AND TYPE
	ZONING LINE
	100-ft CRITICAL AREA BUFFER
	FLOOD PLAIN LINE
	EXISTING UTILITY POLE WITH OVERHEAD UTILITY LINE
	APPROVED SEPTIC RESERVE AREA
	LIMITS OF DISTURBANCE AREA = 18.26 ac.±

LANDS N/F OF
JAMES F. GIORDANO, et al
M.L.M. 474/173
ZONED - RCD
CURRENT USE - RESIDENTIAL

LANDS N/F OF
WESTON ASSOCIATES & RICHARD LANGFORD, Jr., TRUSTEE
M.L.M. 924/60
ZONED - AZD/RCD
CURRENT USE - AGRICULTURAL

LANDS N/F OF
WESTON ASSOCIATES & RICHARD LANGFORD, Jr., TRUSTEE
M.L.M. 866/138
ZONED - AZD
CURRENT USE - AGRICULTURAL

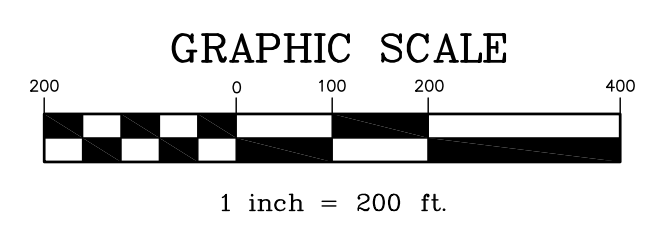
CONTROL POINT COORDINATE TABLE

POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
①	HUB	12318.8061	12539.6560	---
②	HUB	12349.4908	12636.5513	---
③	HUB	12397.8940	12853.2059	---

REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

KENT SOIL AND WATER CONSERVATION DISTRICT _____ DATE _____

KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE JURISDICTION OF THE STATE OF MARYLAND, LICENSE No. 2004690, EXPIRES 09/30/2025, EXPIRES DATE: 9-2-23

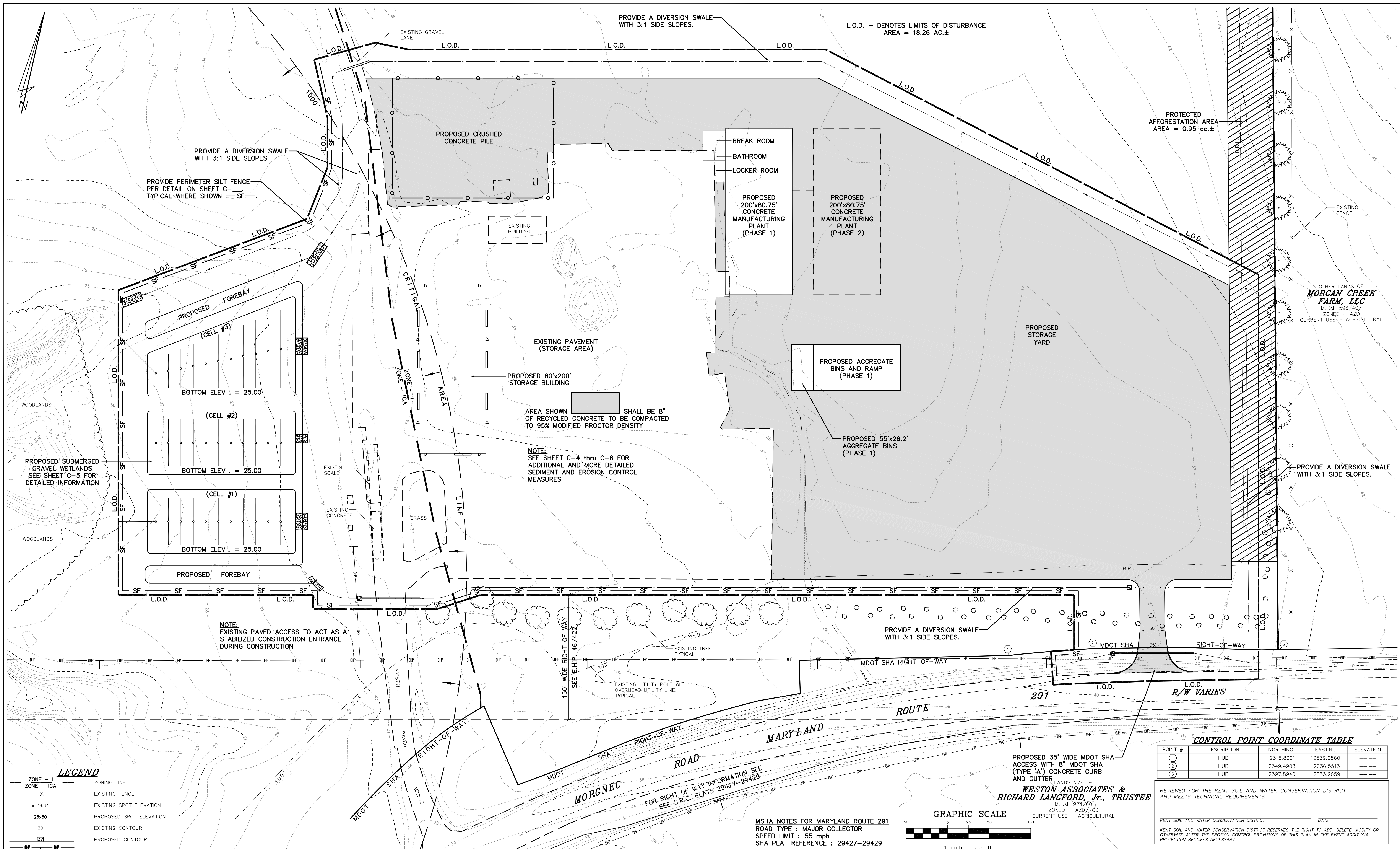
STATE OF MARYLAND
ENGINEERING BOARD
DATE: MAY 30, 2023
SEAL

DAVIS, MOORE, SHEARON & ASSOCIATES, LLC
ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING
P.O. BOX 80
CENTREVILLE, MARYLAND 21617
PHONE: 1-443-262-9130
FAX: 1-443-262-9148

DATE	REVISION

PRELIMINARY OVERALL SITE PLAN
ON THE LANDS OF
MORGAN CREEK LAND HOLDINGS, LLC
NEAR THE TOWN OF CHESTERTOWN
TAX MAP - 38, GRID - 18, PARCEL - 1
SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND

DATE	SCALE
MAY '23	1" = 200'
JOB No. 2022019	DRAWN BY WJM
FOLDER Ref. 38-2022019	DESIGNED BY KJS
SHEET No. - C-2	
CADD FILE - 22019C02	



LEGEND

---	ZONE - I	ZONING LINE
-X-	ZONE - ICA	EXISTING FENCE
x 39.64		EXISTING SPOT ELEVATION
26x50		PROPOSED SPOT ELEVATION
---		EXISTING CONTOUR
---		PROPOSED CONTOUR
---		EXISTING UTILITY POLE LINE
---		OVERHEAD UTILITY LINE
---		EDGE OF EXISTING TREES
---		EXISTING TREE
---		STONE WEIR
---		RIPRAP OUTLET/INFLOW PROTECTION
---		PERIMETER SILT FENCE
---		LIMITS OF DISTURBANCE

NOTE: EXISTING PAVED ACCESS TO ACT AS A STABILIZED CONSTRUCTION ENTRANCE DURING CONSTRUCTION

NOTE: FOLLOWING INITIAL DISTURBANCE, PERMANENT OR TEMPORARY, STABILIZATION SHALL BE COMPLETED WITHIN 3 CALENDAR DAYS ON ALL PERIMETER CONTROLS AND SLOPES GREATER THAN 3:1 AND 7 DAYS ON ALL OTHER DISTURBED AREAS ON THE SITE.

NOTE: ALL SEDIMENT AND EROSION CONTROL WILL BE STRICTLY ENFORCED

CONTROL POINT COORDINATE TABLE

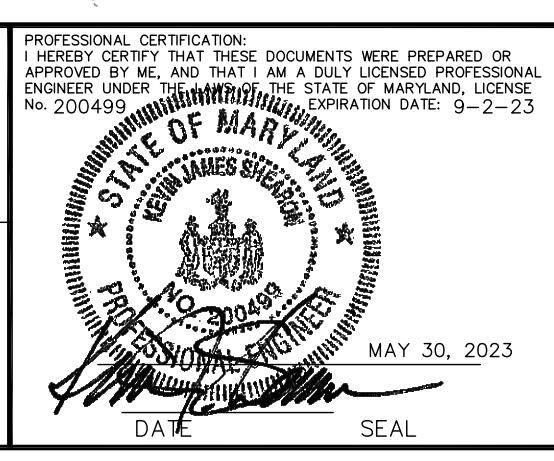
POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
(1)	HUB	12318.8061	12539.6560	---
(2)	HUB	12349.4908	12636.5513	---
(3)	HUB	12397.8940	12853.2059	---

REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

KENT SOIL AND WATER CONSERVATION DISTRICT _____ DATE _____

KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

KENT COUNTY DEPARTMENT OF PLANNING AND ZONING	KENT COUNTY DEPARTMENT OF PUBLIC WORKS
KENT COUNTY HEALTH DEPARTMENT	



DAVIS, MOORE, SHEARON & ASSOCIATES, LLC

ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING

P.O. BOX 80
CENTREVILLE, MARYLAND 21617
PHONE : 1-443-262-9130
FAX : 1-443-262-9148

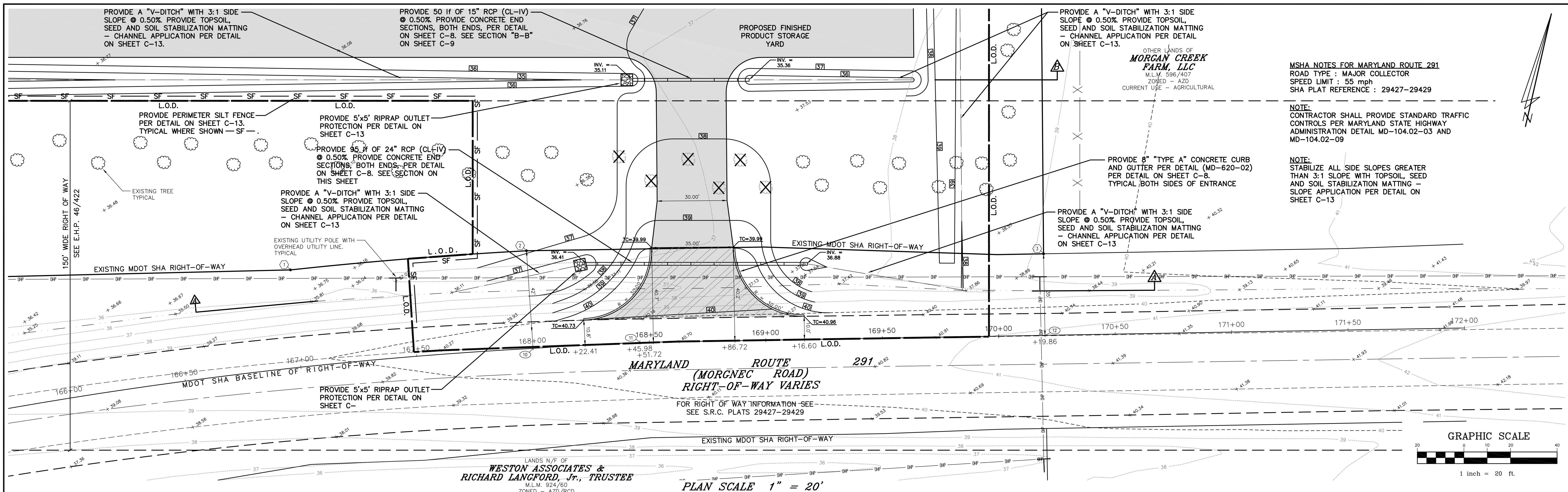
DATE	REVISION

SITE AND SEDIMENT & EROSION CONTROL PLAN

ON THE LANDS OF
MORGAN CREEK LAND HOLDINGS, LLC
NEAR THE TOWN OF CHESTERTOWN

TAX MAP - 38, GRID - 18, PARCEL - 1
SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND

DATE	SCALE
MAY '23	1" = 50'
JOB No.	DRAWN BY
2022019	WJM
FOLDER Ref.	DESIGNED BY
38-2022019	KJS
SHEET No. - C-3	
CADD FILE - 22019C03	



MSHA NOTES FOR MARYLAND ROUTE 291
 ROAD TYPE : MAJOR COLLECTOR
 SPEED LIMIT : 55 mph
 SHA PLAT REFERENCE : 29427-29429

NOTE:
 CONTRACTOR SHALL PROVIDE STANDARD TRAFFIC CONTROLS PER MARYLAND STATE HIGHWAY ADMINISTRATION DETAIL MD-104.02-03 AND MD-104.02-09

NOTE:
 STABILIZE ALL SIDE SLOPES GREATER THAN 3:1 SLOPE WITH TOPSOIL, SEED AND SOIL STABILIZATION MATTING - SLOPE APPLICATION PER DETAIL ON SHEET C-13

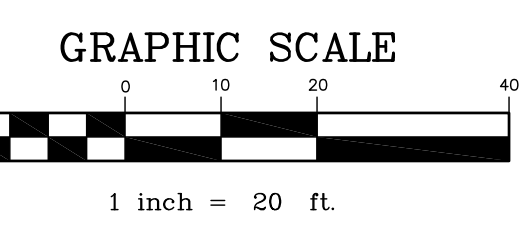
OTHER LANDS OF
MORGAN CREEK FARM, LLC
 M.L.M. 596/407
 ZONED - AZD
 CURRENT USE - AGRICULTURAL

PROVIDE 8" "TYPE A" CONCRETE CURB AND GUTTER PER DETAIL (MD-620-02) PER DETAIL ON SHEET C-8.

PROVIDE A "V-DITCH" WITH 3:1 SIDE SLOPE @ 0.50% PROVIDE TOPSOIL, SEED AND SOIL STABILIZATION MATTING - CHANNEL APPLICATION PER DETAIL ON SHEET C-13

MARYLAND ROUTE 291 (MORGNEC ROAD) RIGHT-OF-WAY VARIES

FOR RIGHT OF WAY INFORMATION SEE S.R.C. PLATS 29427-29429



LEGEND

- x 39.82 EXISTING SPOT ELEVATION
- 26x50 PROPOSED SPOT ELEVATION
- - - - - 38 EXISTING CONTOUR
- 157 PROPOSED CONTOUR
- x EXISTING FENCE
- |--- OVERHEAD UTILITY LINE
- |--- OVERHEAD UTILITY LINE
- |--- EDGE OF EXISTING TREES
- EXISTING TREE
- ⊗ EXISTING TREE TO BE REMOVED
- ⊗ RIPRAP OUTLET/INFLOW PROTECTION
- |--- PERIMETER SILT FENCE
- |--- LIMITS OF DISTURBANCE

PAVEMENT SHOWN (MSHA SECTION) SHALL BE 8" BITUMINOUS CONCRETE (2" SUPERPAVE ASPHALT MIX 9.5mm FOR SURFACE, PG64S-22, LEVEL 2 ON 6" SUPERPAVE ASPHALT MIX 19.0mm FOR BASE, PG64S-22, LEVEL 2, ON 12" OF CR-6 ON COMPACTED SUBGRADE. SUBGRADE AND CR-6 ARE TO BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY. 504.03.04 TACK COAT. ENSURE THE SURFACE IS DRY AND THOROUGHLY CLEANED BY POWER BROOM AND/OR AIR BLOWING PRIOR TO APPLICATION. APPLY THE TACK COAT BY UNIFORMLY COVERING THE ENTIRE SURFACE TO BE PAVED USING AN APPLICATION RATE OF 0.4 TO 0.10 gal/yd² OR AS DIRECTED BY THE CONTACT DOCUMENTS. ALLOW THE TACK COAT TIME TO THOROUGHLY BREAK AND SET.

AREA SHOWN SHALL BE 8" OF RECYCLED CONCRETE TO BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY

LANDS N/E OF
WESTON ASSOCIATES & RICHARD LANGFORD, Jr., TRUSTEE
 M.L.M. 924/60
 ZONED - AZD/RCD
 CURRENT USE - AGRICULTURAL

CONTROL POINT COORDINATE TABLE

POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
(1)	HUB	12318.8061	12539.6560	---
(2)	HUB	12349.4908	12636.5513	---
(3)	HUB	12397.8940	12853.2059	---

BASELINE COORDINATE TABLE

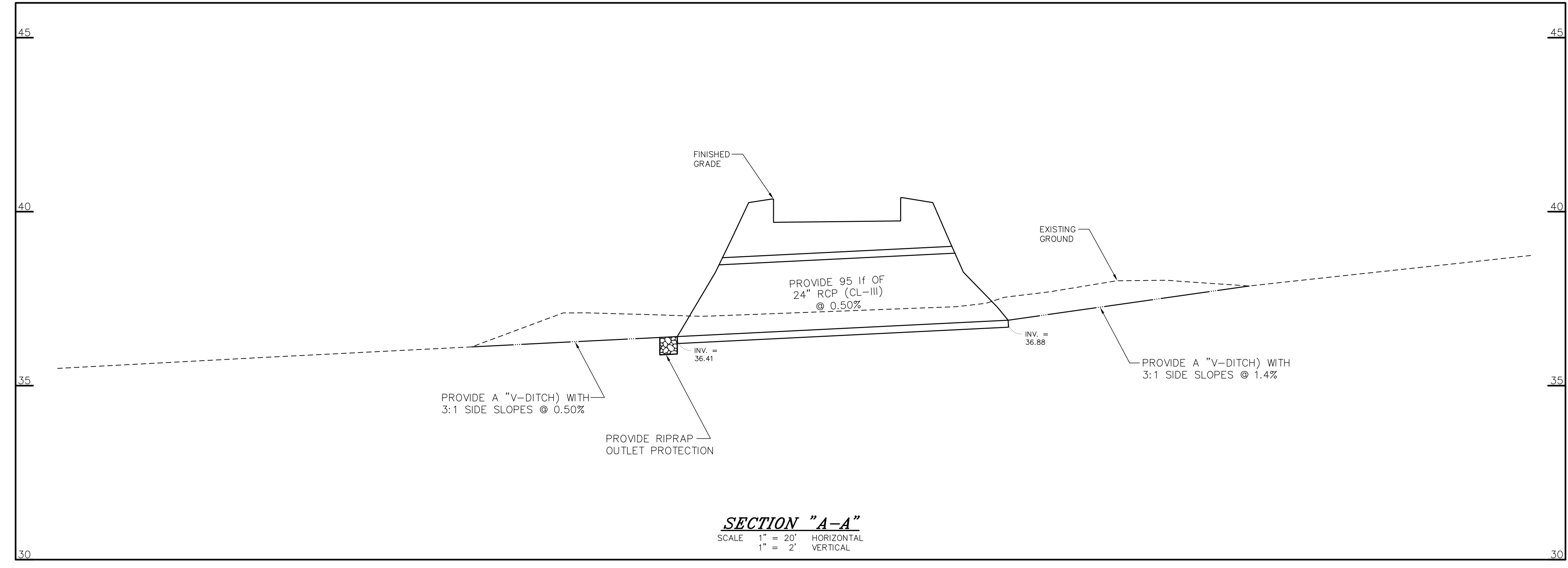
POINT #	DESCRIPTION	NORTHING	EASTING
(11)	Sta. 168+00.00	12309.2829	12648.7013
(12)	Sta. 168+45.98	12322.0521	12692.8715
(13)	Sta. 170+19.86	12363.9240	12861.6342

PLAN SCALE 1" = 20'

L.O.D. - DENOTES LIMITS OF DISTURBANCE

NOTE:
 FOLLOWING INITIAL DISTURBANCE, PERMANENT OR TEMPORARY, STABILIZATION SHALL BE COMPLETED WITHIN 3 CALENDAR DAYS ON ALL PERIMETER CONTROLS AND SLOPES GREATER THAN 3:1 AND 7 DAYS ON ALL OTHER DISTURBED AREAS ON THE SITE.

NOTE:
 ALL SEDIMENT AND EROSION CONTROL WILL BE STRICTLY ENFORCED



SECTION "A-A"
 SCALE 1" = 20' HORIZONTAL
 1" = 2' VERTICAL

REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS
 KENT SOIL AND WATER CONSERVATION DISTRICT _____ DATE _____
 KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

KENT COUNTY DEPARTMENT OF PLANNING AND ZONING
 KENT COUNTY DEPARTMENT OF PUBLIC WORKS
 KENT COUNTY HEALTH DEPARTMENT

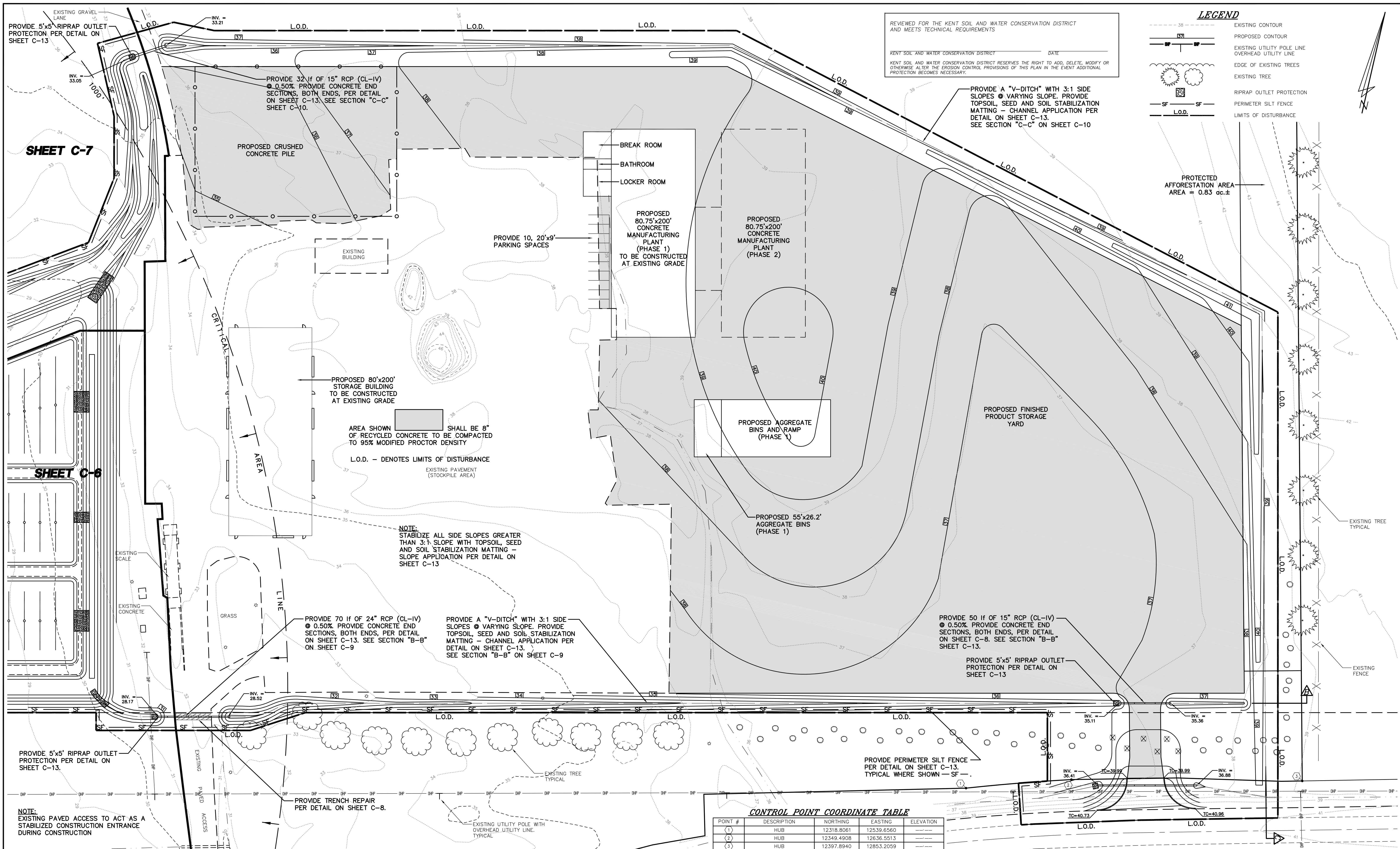
PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE JURISDICTION OF THE STATE OF MARYLAND, LICENSE NO. 2004650, AND MY EXPIRATION DATE IS 9-2-23

DAVIS, MOORE, SHEARON & ASSOCIATES, LLC
 ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING
 P.O. BOX 80
 CENTREVILLE, MARYLAND 21617
 PHONE : 1-443-262-9130
 FAX : 1-443-262-9148

DATE	REVISION

MDOT SHA ROAD IMPROVEMENTS PLAN
 FOR
MARYLAND ROUTE 291 (MORGNEC ROAD)
 NEAR THE TOWN OF CHESTERTOWN
 TAX MAP - 38, GRID - 18, PARCEL - 1
 SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND

DATE	SCALE
MAY '23	1" = 20'
JOB No. 2022019	DRAWN BY WJM
FOLDER Ref. 38-2022019	DESIGNED BY KJS
SHEET No. - C-4	
CADD FILE - 22019C04	



REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

KENT SOIL AND WATER CONSERVATION DISTRICT DATE

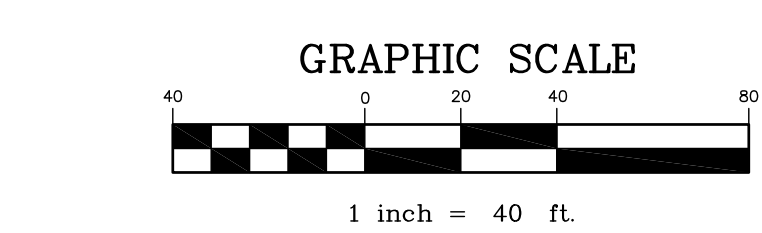
KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING UTILITY POLE LINE
- OVERHEAD UTILITY LINE
- EDGE OF EXISTING TREES
- EXISTING TREE
- RIPRAP OUTLET PROTECTION
- PERIMETER SILT FENCE
- LIMITS OF DISTURBANCE

SHEET C-7

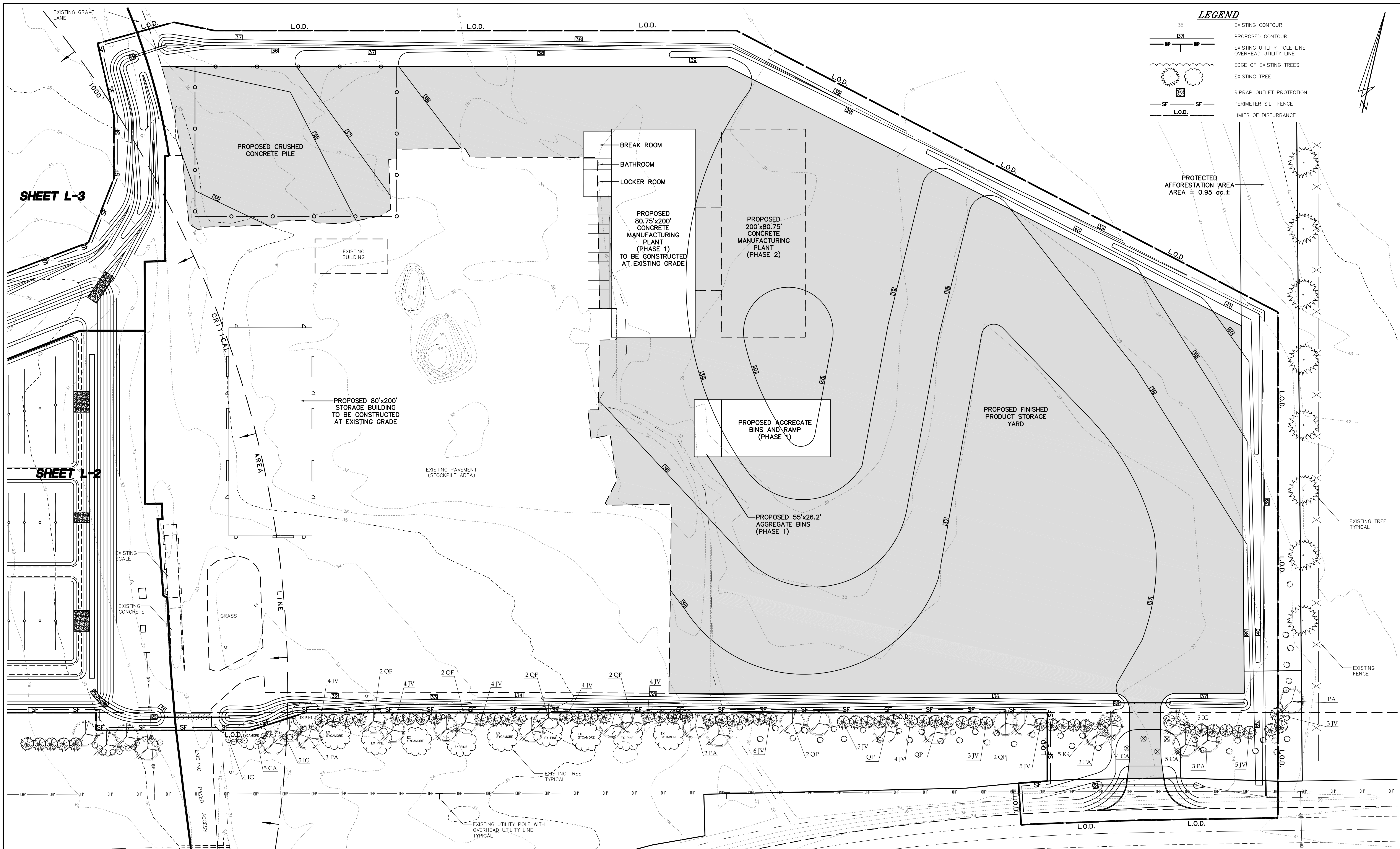
SHEET C-6



CONTROL POINT COORDINATE TABLE

POINT #	DESCRIPTION	NORTHING	EASTING	ELEVATION
(1)	HUB	12318.8061	12539.6560	
(2)	HUB	12349.4908	12636.5513	
(3)	HUB	12397.8940	12853.2059	

KENT COUNTY DEPARTMENT OF PLANNING AND ZONING	KENT COUNTY DEPARTMENT OF PUBLIC WORKS	KENT COUNTY HEALTH DEPARTMENT	<p>PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE JURISDICTION OF THE STATE OF MARYLAND, LICENSE NO. 2004690. MY EXPIRATION DATE: 9-2-23</p> <p>DAVIS, MOORE, SHEARON & ASSOCIATES, LLC ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING P.O. BOX 80 CENTREVILLE, MARYLAND 21617 PHONE : 1-443-262-9130 FAX : 1-443-262-9148</p>	<p>DATE</p> <p>REVISION</p>	<p>SITE, GRADING, STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL PLAN</p> <p>ON THE LANDS OF MORGAN CREEK LAND HOLDINGS, LLC NEAR THE TOWN OF CHESTERTOWN TAX MAP - 38, GRID - 18, PARCEL - 1 SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND</p>	<p>DATE: MAY '23</p> <p>SCALE: 1" = 40'</p> <p>JOB No.: 2022019</p> <p>FOLDER Ref.: 38-2022019</p> <p>SHEET No.: C-5</p> <p>CADD FILE - 22019C05</p>
---	--	-------------------------------	--	-----------------------------	--	--

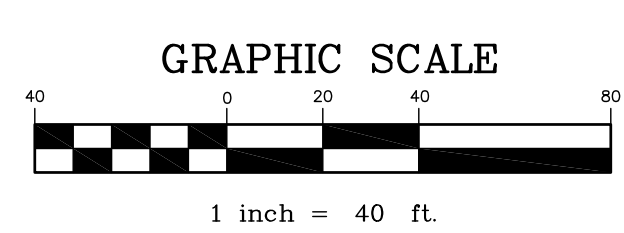


LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING UTILITY POLE LINE OVERHEAD UTILITY LINE
- EDGE OF EXISTING TREES
- EXISTING TREE
- RIPRAP OUTLET PROTECTION
- PERIMETER SILT FENCE
- LIMITS OF DISTURBANCE

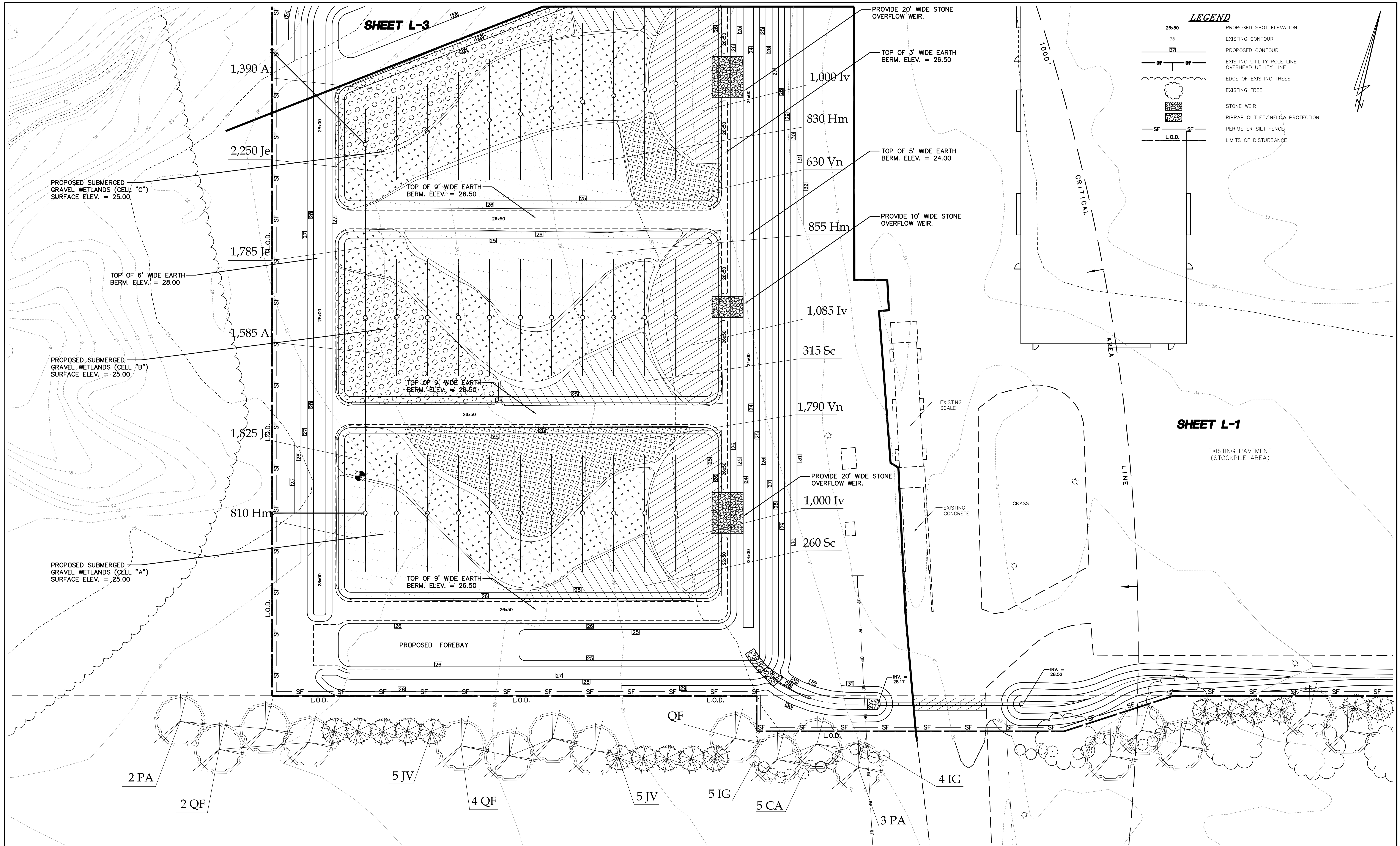
SHEET L-3

SHEET L-2



Copyright © 2023, by DMS & ASSOCIATES, LLC

<p>KENT COUNTY DEPARTMENT OF PLANNING AND ZONING</p> <p>KENT COUNTY DEPARTMENT OF PUBLIC WORKS</p> <p>KENT COUNTY HEALTH DEPARTMENT</p>	<p>MAY 30, 2023 DATE</p>	<p>DAVIS, MOORE, SHEARON & ASSOCIATES, LLC</p> <p>P.O. BOX 80 CENTREVILLE, MARYLAND 21617</p> <p>HUSTEAD Landscape Architecture, LLC</p> <p>120 Bay Meadows Lane Stevensville, MD. 21666 Phone : 443.988.2294 E-mail: vhustead@Husteadla.com Web: www.Husteadla.com</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	DATE	REVISION																					<p>PRELIMINARY LANDSCAPE PLAN</p> <p>ON THE LANDS OF</p> <p>MORGAN CREEK LAND HOLDINGS, LLC</p> <p>NEAR THE TOWN OF CHESTERTOWN</p> <p>TAX MAP - 38, GRID - 18, PARCEL - 1</p> <p>SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>SCALE</th> </tr> </thead> <tbody> <tr> <td>MAY '23</td> <td>1" = 40'</td> </tr> <tr> <td>JOB No. 2022019</td> <td>DRAWN BY WJM</td> </tr> <tr> <td>FOLDER Ref 38-2022019</td> <td>DESIGNED BY KJS</td> </tr> <tr> <td colspan="2">SHEET No. - L-1</td> </tr> <tr> <td colspan="2">CADD FILE - 22019L-1</td> </tr> </tbody> </table>	DATE	SCALE	MAY '23	1" = 40'	JOB No. 2022019	DRAWN BY WJM	FOLDER Ref 38-2022019	DESIGNED BY KJS	SHEET No. - L-1		CADD FILE - 22019L-1	
DATE	REVISION																																						
DATE	SCALE																																						
MAY '23	1" = 40'																																						
JOB No. 2022019	DRAWN BY WJM																																						
FOLDER Ref 38-2022019	DESIGNED BY KJS																																						
SHEET No. - L-1																																							
CADD FILE - 22019L-1																																							

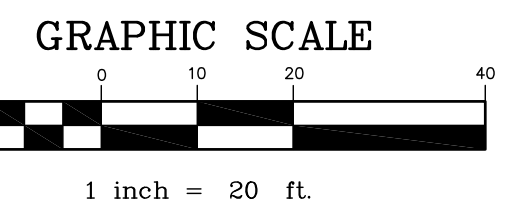


LEGEND

- 26x50 PROPOSED SPOT ELEVATION
- 35- EXISTING CONTOUR
- 37- PROPOSED CONTOUR
- OP-OH EXISTING UTILITY POLE LINE OVERHEAD UTILITY LINE
- EDGE OF EXISTING TREES
- EXISTING TREE
- STONE WEIR
- RIPRAP OUTLET/INFLOW PROTECTION
- SF PERIMETER SILT FENCE
- L.O.D. LIMITS OF DISTURBANCE

SHEET L-1

EXISTING PAVEMENT (STOCKPILE AREA)



KENT COUNTY DEPARTMENT OF PLANNING AND ZONING KENT COUNTY DEPARTMENT OF PUBLIC WORKS KENT COUNTY HEALTH DEPARTMENT		DAVIS, MOORE, SHEARON & ASSOCIATES, LLC P.O. BOX 80 CENTREVILLE, MARYLAND 21617 HUSTEAD Landscape Architecture, LLC 120 Bay Meadows Lane Stevensville, MD. 21666 Phone : 443.988.2294 E-mail: Vhustead@Husteadla.com Web: www.Husteadla.com	DATE	REVISION	PRELIMINARY LANDSCAPE PLAN ON THE LANDS OF MORGAN CREEK LAND HOLDINGS, LLC NEAR THE TOWN OF CHESTERTOWN TAX MAP - 38, GRID - 18, PARCEL - 1 SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND	DATE	SCALE
						MAY '23	1" = 20'
						JOB No.	DRAWN BY
						2022019	WJM
						FOLDER Ref.	DESIGNED BY
						38-2022019	KJS
						SHEET No. - L-2	
						CADD FILE - 22019L02	



To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Meeting: July 6, 2023
Subject: Kent Manor Grain, LLC
23-39: Setback Variance

Executive Summary

Request by the Applicant

Gary Miller of Kent Manor Grain, LLC, is requesting variances of 353 feet from the front yard setback, 200 feet from the side yard setback, and 310 feet from the rear yard setback in order to construct a 152-foot by 75-foot waste management structure.

Public Process

Per Article IX, Section 2.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and make a recommendation to the Board of Appeals for variances. The Board of Appeals may authorize variances from the yard requirements so as to relieve practical difficulties or other injustices arising out of the strict application of the provisions of this Ordinance.

Summary of the Staff Report

The proposed waste management structure will be located on a 20-acre parcel in the center of the larger farm. The parcel was originally created to separate the commercial grain drying operation from the remainder of the farm in preparation for creating an agricultural preservation district in 1991. Although an easement was never placed on the property, the family has kept the commercial part of the operation separate. The Millers have used the proposed building site for temporary storage of manure. The proposed building is considered an agricultural best management practice and will allow for better management of manure storage throughout the year.

The proposed structure will not cause substantial detriment to neighboring properties or change the character of the district. The closest dwellings not owned by the Miller family are over 1,500 feet from the proposed building. The closest church or public building is over 4,000 feet away. The request is consistent with the Comprehensive Plan, which promotes Kent County as an agriculturally friendly county and promotes the use of best management practices. The practical difficulty is due to the size and shape of the parcel.

Staff Recommendation

Staff recommends forwarding a favorable recommendation to the Board of Appeals for approval of the setback variance.

PRELIMINARY STAFF REPORT

To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Subject: Kent Manor Grain LLC
23-39: Setback Variance
Date: June 29, 2023

Description of Proposal

Gary Miller of Kent Manor Grain, LLC, is requesting a variance of the setback requirements to enable construction of a waste management structure on a 20-acre parcel located on Augustine Herman Highway in the Second Election District. The 152-foot by 75-foot building will be 247 feet from the front property line, 400 feet from the east side property line, and 290 feet from the rear property line. It will be used for the storage of manure prior to application according to an approved nutrient management plan. The farm is zoned "AZD," Agricultural Zoning District. The parcel is improved with other agricultural buildings. The surrounding farm is also owned by Kent Manor Grain, LLC.

History

In 1991, C. Edward Miller separated his commercial grain-drying operation, which is in the center of the farm, from the remainder prior to establishing an Agricultural Land Preservation District. He was concerned about potential conflicts over the interpretation of the Maryland Agricultural Land Preservation Foundation's regulations regarding commercial operations. However, in order for the subdivision to be approved, he needed variances for several buildings on the remainder and for the grain tanks on the proposed parcel. The variances were granted upon finding that the proposed "use of his property for agricultural preservation purposes causes him to suffer a practical difficulty." A MALPF easement was never placed on the farm, and the district "expired" in 2012 when the State dropped the requirement for districts. In 2016, the 3.188-acre parcel was increased to 20 acres through a lot line adjustment.

Relevant Issues

- I. Yard Requirements
 - A. Applicable Law: Article V, Section 1.4.A.10.5 of the Kent County Land Use Ordinance requires a 600-foot setback from all property lines for waste management structures.
 - B. Staff Comments: Variances of 353 feet, 200 feet, and 310 feet are needed.
- II. Variance
 - A. Applicable Law: Article IX, Section 2.2 of the Land Use Ordinance authorizes the Board of Appeals to grant variances of the yard requirements so as to relieve practical difficulties or other injustices arising out of the strict application of the provisions of this Ordinance. Such granting of a *variance* shall comply, as nearly as possible, in every respect to the spirit, intent, and purpose of this Ordinance; it being the purpose of this provision to authorize the granting of variation only for reasons of demonstrable practical difficulties as distinguished from variations sought for purposes or reasons of convenience, profit, or caprice.

In order to grant a *variance*, the Board of Appeals must find all of the following:

- a. That the *variance* will not cause a substantial detriment to adjacent or neighboring property.
 - b. That the *variance* will not change the character of the neighborhood or district.
 - c. That the *variance* is consistent with the *Comprehensive Plan* and the general intent of this Ordinance.
 - d. That the practical difficulty or other injustice was caused by the following:
 - i. Some unusual characteristic of size or shape of the property.
 - ii. Extraordinary topographical or other condition of the property.
 - iii. The use or *development* of property immediately adjacent to the property, except that this criterion shall not apply in the Critical Area.
 - e. That the practical difficulty or other injustice was not caused by the applicants' own actions.
- B. Staff Comments: The variances will not cause substantial detriment to neighboring properties or change the character of the district. The closest dwellings not owned by the Miller family are over 1,500 feet from the proposed building. The closest church or public building is over 4,000 feet away. The request is consistent with the Comprehensive Plan, which promotes Kent County as an agriculturally friendly county and promotes the use of best management practices.

The practical difficulty is due to the size and shape of the parcel. The original 3.188-acre parcel was determined to be the most suitable lot configuration. The 1991 Board of Appeals decision notes:

[T]hat although it would have been easier to parcel out one piece of property from the road, that would have created a "zoning nightmare" with the residential units, existing farm structures, and the commercial operation; that Health Department regulations required that the subdivided parcel be at least three acres; that no animals are kept in the Applicant's cow barn; that agricultural preservation is a goal of the Comprehensive Plan; that the Planning Office tried to find the path of least resistance and this is what they proposed;...that this proposal would comply with the Agricultural Preservation requirements and the spirit of the Zoning Ordinance.

In 2016, the parcel was increased to 20 acres in order to meet the definition of a farm which allows for agricultural structures as accessory to a farm. The Millers have used the location of the proposed building for short-term storage of manure. The construction of a waste management structure is considered a best management practice and will allow for better management of manure storage throughout the year.

- C. Staff recommends forwarding a favorable recommendation to the Board of Appeals for approval of the setback variance.

BOARD OF APPEALS APPLICATION

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

IN THE MATTER OF THE APPLICATION OF:

(Name, Address and Telephone Number of Applicant)

Kent Manor Grain LLC
12797 Augustine Herman Hwy.
Kennedyville, MD 21645
410-348-5688

Email: the4msfarm@gmail.com

For Office Use Only:

Case Number/Date Filed: _____
Filed by: _____
Applicant: _____
Planning Commission: _____
Date of Hearing: _____
Parties Notified: _____
Notice in Paper: _____
Property Posted: _____

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: the4msfarm@gmail.com

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article IX Section 2.

of the Kent County Zoning Ordinance, as amended, request is hereby made for:

_____ Appealing Decision of Kent County Zoning Administrator Variance
_____ Special Exception _____ Non-conforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) S/S Harmony Corner - Loust Grove NE of Kennedyville

In the 02 Election District of Kent County.

Size of lot or parcel of Land: 20 acres
Map: 0014 Parcel: 0075 Lot #: _____ Deed Ref: 898/161

List buildings already on property: Shop, Straw Barn, Machine Shed, Machine Shed, 3 grain bins, pesticide barn and sale house.

If subdivision, indicate lot and block number: _____

If there is a homeowner's association, give name and address of association: _____

PRESENT ZONING OF PROPERTY: AZD

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) We would like to build a barn to store chicken manure to keep the manure out of weather and prevent excess runoff.

If appealing decision of Zoning Administrator, list date of their decision: _____

Present owner(s) of property: Kent Manor Grain LLC Telephone: 410-348-5688

If Applicant is not owner, please indicate your interest in this property: _____

Has property involved ever been subject to a previous application? _____

If so, please give Application Number and Date: _____

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.

List all property measurements and dimensions of any buildings already on the property.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: Kent Manor Farm LLC

Owner(s) on the South: SAME

Owner(s) to the East: SAME

Owner(s) to the West: SAME

Homeowners Association, name and address, if applicable: _____

BY SIGNING THIS APPLICATION, I GRANT MEMBERS AND ALTERNATE OF THE BOARD OF ZONING APPEALS THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION OR APPEAL.

Kent Grain L.L.C by Gary Lee Miller
Signature of Owner/Applicant/Agent or Attorney

5/25/23
Date

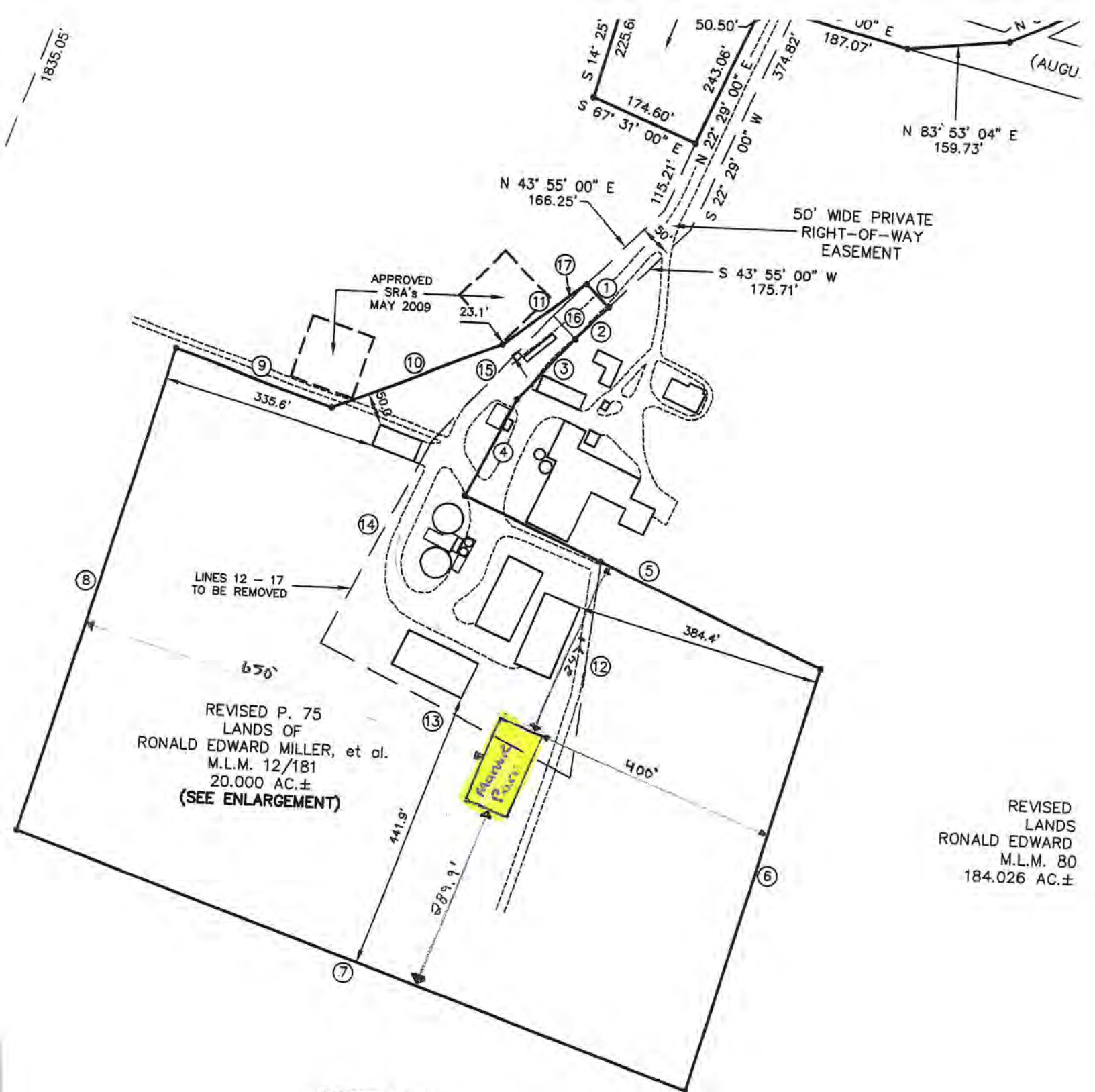
Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the **County Commissioners of Kent County**. If you have any questions, please contact the Clerk at 410-778-7467.

NOTICE: Neither the Board of Appeals nor the Planning Office is required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.

Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.

We believe that this variance will not cause any hardships or substantial detriment to the adjacent neighboring property because the members of Kent Manor Grain LLC are the same members of Kent Manor Farm LLC. The variance will not cause a change in the character of the neighborhood district because manure is already being stockpiled outside this barn will just help inclose it. This variance is consistent with the Comprehensive Plan and follows the general intent of this ordinance.

Gay Joe Miller



REVISED P. 75
LANDS OF
RONALD EDWARD MILLER, et al.
M.L.M. 12/181
20.000 AC.±
(SEE ENLARGEMENT)

REVISED
LANDS
RONALD EDWARD
M.L.M. 80
184.026 AC.±

**REVISED PARCEL 75
COURSES & DISTANCES**

LINE	BEARING	DISTANCE
1	S 46° 05' 00" E	50.00'
2	S 43° 55' 00" W	72.18'
3	S 41° 52' 35" W	130.00'
4	S 26° 00' 00" W	170.93'
5	S 66° 25' 00" E	616.77'
6	S 15° 04' 43" W	689.79'
7	N 71° 04' 52" W	1117.46'
8	N 15° 42' 35" E	789.89'
9	S 71° 33' 15" E	259.04'
10	N 67° 13' 43" E	282.65'
11	N 51° 48' 30" E	161.36'

**PARCEL 75
LINES TO BE REMOVED
COURSES & DISTANCES**

12	S 05° 28' 00" W	257.84'
13	N 64° 05' 20" W	440.96'
14	N 25° 54' 40" E	360.00'
15	N 41° 52' 35" E	269.87'
16	S 46° 05' 00" E	50.00'
17	N 43° 55' 00" E	72.18'

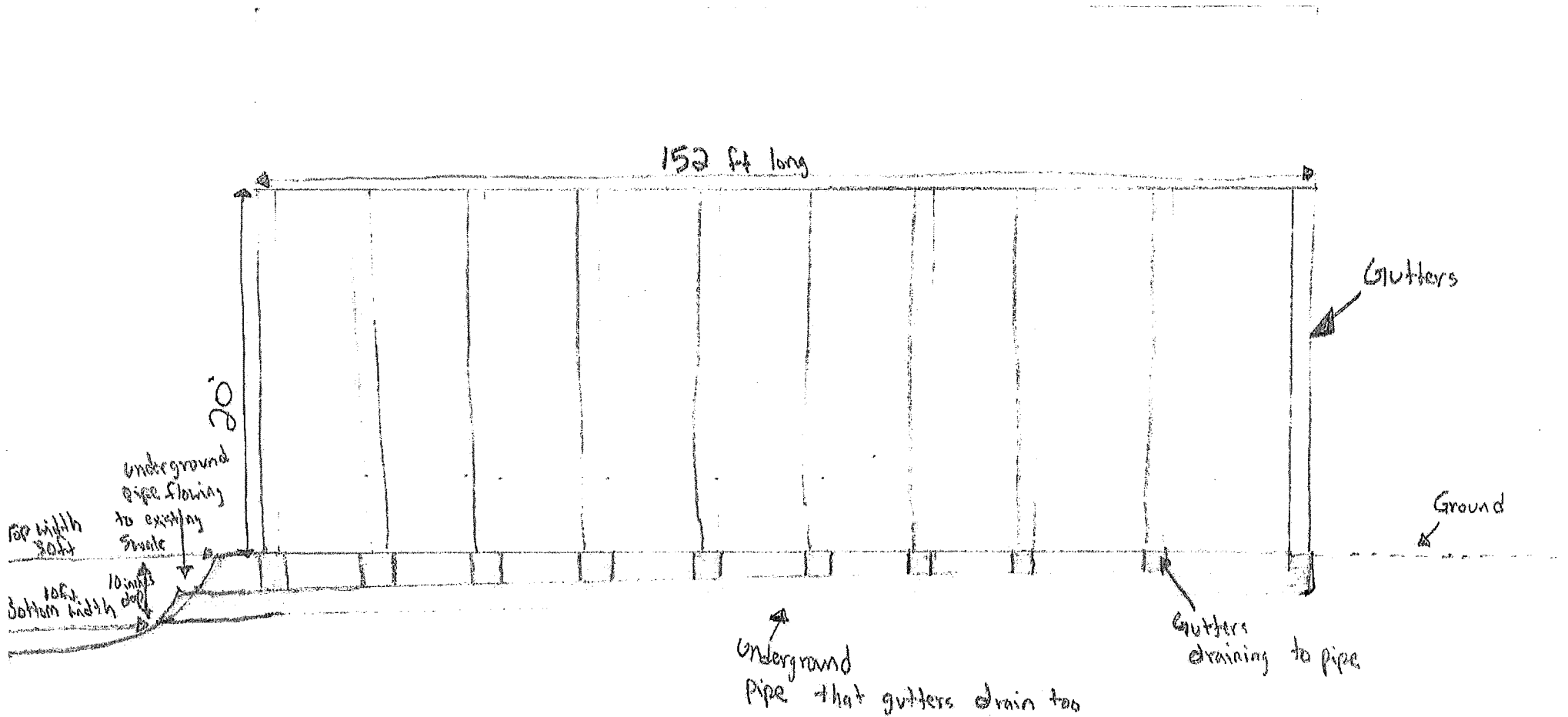
Kent Manor Grain, LLC

Manure Structure

150' X 75'

Gutter installation is being performed by Gede Insulation

West Side View



Kent Manor Grain, LLC

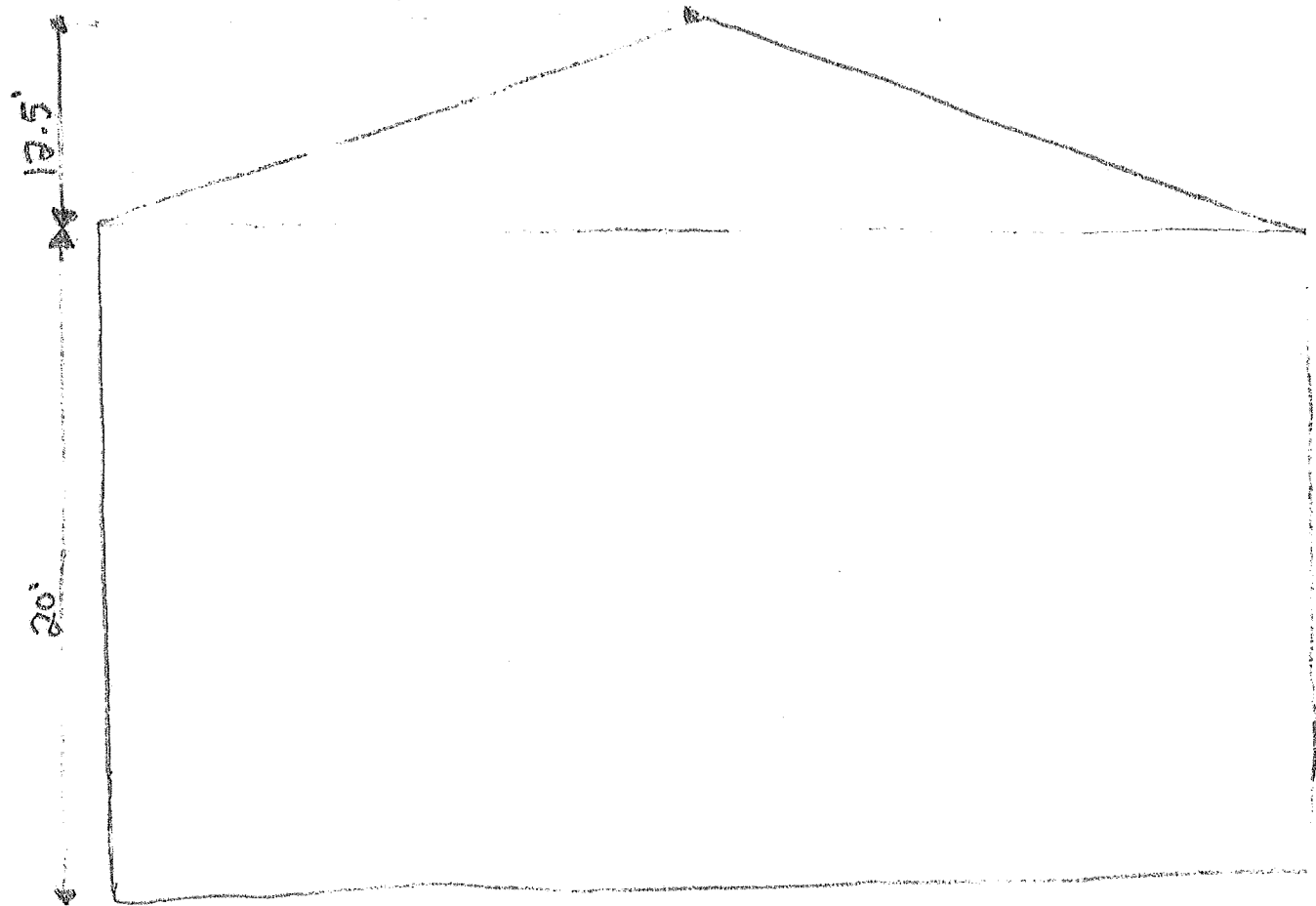
Manure Structure

152' x 75'

Roof Plan

Length of sides of
Roof : 37.5 ft.

Angle of Roof : 3.75 pitch



MINUTES

May 4, 2023

1:30 p.m.

An official recording of the Kent County Planning Commission meeting is available for viewing in its entirety on the County's YouTube channel: Kent County Government (<https://www.youtube.com/watch?v=6pXl2Smx4Vc>).

The Kent County Planning Commission met in regular session on Thursday, May 4, 2023, at 1:30 p.m. in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. The following members were in attendance: Chair F. Joseph Hickman, Vice Chair Paul Ruge, William Sutton, Ray Strong, Paula Reeder, and William Crowding. Cynthia L. McCann, Esquire, Planning Commission Attorney, was in attendance. Staff in attendance were William Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Mark Carper, LEED Green Associate, Associate Planner; and Campbell Safian, Planning Specialist.

Other Kent County staff: Jamie Williams, CECD, Economic Development Director (remote); and Dawson Hunter, Housing and Transportation Coordinator (remote).

Chair Hickman called the meeting to order at 1:30 p.m.

MINUTES

Mr. Sutton moved to approve the minutes of April 6, 2023, as amended. Mr. Strong seconded the motion. The motion passed 5-1.

APPLICATIONS FOR REVIEW

23-10 Gillespie Precast LLC – Major Site Plan (Final)

Map 37, Parcel 490 – Fourth Election District – Industrial (I) & Industrial Critical Area -- LDA (ICA-LDA)

Gillespie Precast, LLC is requesting final site plan review for a 6.22-acre expansion of its finished product storage yard, to construct a 16,000 square foot storage building, and to construct a new entrance on to Maryland Route 291.

Mr. Carper presented the staff report, recommending approval with conditions.

The Planning Commission heard from Kevin Shearon with DMS & Associates, LLC, on behalf of Gillespie Precast, LLC, and James Gillespie, principal of Gillespie Precast, LLC.

Mr. Shearon reported that substantive changes have not been made to the site plan following the March 2, 2023, concept and preliminary review, except additional engineering measures. The applicant has received verbal approval of the sediment and erosion control plans. MDOT State Highway Administration (SHA) has provided the applicant with technical comments on the proposed entrance to Maryland Route 291. MDOT SHA did not indicate opposition to the proposed entrance in their comments.

Adopted on [version for review]

Ms. Reeder moved to grant final approval conditioned upon Gillespie's submission of all required sureties for stormwater management, sediment and erosion control, and landscaping; approval of the stormwater and sediment and erosion control plans; final MDOT SHA approval for the proposed access design; and submission of an updated landscaping plan satisfactory to the Planning Commission.

Mr. Strong seconded the motion, and the motion passed unanimously, 6-0.

*23-27 County Commissioners of Kent County – Zoning Text Amendment – Height of Industrial Structures
Recommendation to the County Commissioners*

On March 14, 2023, the County Commissioners adopted a Resolution to consider a zoning text amendment to update Article V. District Regulations, Section 11. Commercial District, § 11.5 Density, Area, Height, Width, and Yard Requirements, by adding a new provision to regulate the height of industrial structures in general and by adding a new provision to regulate the permitted height of industrial structures in the 301 Corridor; to update Article V. District Regulations, Section 14. Employment Center District, § 14.5 Density, Height, Width, Bulk, and Fence Requirements, by adding a new provision to regulate the permitted height of industrial structures in the 301 Corridor; and, to update Article V. District Regulations, Section 15. Industrial District, § 15.5 Density, Height, Width, and Fence Requirements, by adding a new provision to regulate the permitted height of industrial structures in the 301 Corridor.

Staff recommends sending a favorable recommendation to the Board of County Commissioners on the proposed zoning text amendment and a favorable recommendation related to the proposed definition for the 301 Corridor.

The proposed definition for the Route 301 Corridor is "one of two growth areas in Kent County identified by the Comprehensive Plan, which includes land adjacent to and one mile east and one mile west of the nine-mile-long section of U.S. Route 301, as it passes from north to south through Kent County, Maryland, and adding those five properties zoned Employment Center and Industrial, which are located along MD 299 in Massey."

The following members of the public spoke in support of the Zoning Text Amendment: Chip MacLeod, Esquire, and Thomas Mason.

The following members of the public spoke in opposition to the Zoning Text Amendment: Cindy Anderton (remote), Elizabeth Watson, Cynthia Saunders, Melinda Bookwalter, Catherine Durham, John Lysinger, Michael Kent, Janet Christensen-Lewis, Patricia Langenfelder, Judy Gifford, and Wendy Costa.

Ms. Reeder moved that the Planning Commission vote in favor of the requested text amendment as recommended by staff, finding that it is entirely consistent with the Comprehensive Plan and is fulfilling the County's commitment to pursuing goal number two for land use. The zoning text amendment is a request from the Commissioners who have considered the public need. Approval is recommended because the proposal is consistent with the current evolution of requirements for different structures that are contemplated for the Industrial, Commercial and Employment Center zones, concentrated along the Route 301 Corridor.

The motion failed for lack of a second.

Mr. Crowding moved to send an unfavorable recommendation to the County Commissioners for the proposed zoning text amendment. The proposal is consistent with the Comprehensive Plan and Maryland Critical Area law,

however, it does not meet the public need requirement. The gains to the public of Kent County are significantly outweighed by the reasonable and foreseeable detriments.

Mr. Crowding amended his motion, recommending the County Commissioners introduce a zoning text amendment that allows for a special exception to surpass the maximum allowable height in the Industrial, Commercial, and Employment Center zoning districts.

Mr. Strong seconded the motion, and the motion passed, 5-1.

STAFF REPORTS

Chair Hickman asked what the process entails for property owners who wish to request a zoning change for their property.

Mr. Mackey noted that property owners may complete a form to file the request for a map amendment and zoning change. Property owners should include in the submission a narrative explaining the reason why the zoning change is requested.

GENERAL DISCUSSION

Discussion ensued regarding the site plan review process; circumstances in which it may be appropriate to combine the concept and preliminary review, and circumstances in which the three phases of review should remain separate.

Major Site Plans that are detailed or subject to traffic studies should be reviewed by the Planning Commission in three phases.

ADJOURN

Mr. Ruge moved to adjourn the meeting. Mr. Sutton seconded. The meeting adjourned at approximately 4:18 pm.

Francis J. Hickman, Chair

/s/ Campbell Safian
Campbell Safian, Planning Specialist