

MINUTES

October 6, 2022

1:30 p.m.

The Kent County Planning Commission met in regular session on Thursday, October 6, 2022, at 1:30 p.m. in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. It was a hybrid meeting, and the following members were in attendance: Chair F. Joseph Hickman, Vice Chair Paul Ruge, William Sutton, Ray Strong, James Saunders, and County Commissioner P. Thomas Mason. 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.

Members of the public in attendance included Richard Keaveney, Executive Director of the Animal Care Shelter of Kent County; and Brian Wood, KRM Construction.

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

MINUTES

Chair Hickman requested that "mediate" be changed to "mitigate" in the 5th paragraph of page 2 of the September 1 minutes. The sentence will read as follows, "Chair Hickman asked about what steps can be taken to mitigate glare for surrounding properties."

Chair Hickman moved to accept the minutes of September 1, 2022, with the correction. Mr. Ruge seconded the motion. The motion passed with all in favor.

APPLICATIONS FOR REVIEW

22-65 Massey Aero, LLC (Robert Dierker) – Site Plan Amendment
33541 Maryland Line Road, Massey – First Election District – Agricultural Zoning District (AZD)

On advice by counsel, Chair Hickman deferred the application to the November 3 Planning Commission meeting.

22-69 Animal Care Shelter of Kent County – Site Plan Amendment
10168 Worton Road, Chestertown – Third Election District – Industrial (I)

The applicant is requesting an amendment to an approved final site plan to eliminate the proposed cat silo, the proposed enrichment building, and a portion of the proposed concrete sidewalk in order to construct a 30-foot by 46-foot pole building along with five feet of concrete walkway. According to the applicant, the proposed building is to be architecturally and aesthetically tied to the main structure. The five-acre property is located at 10168 Worton Road, Chestertown, MD in the Third Election District and is zoned Industrial (I). The surrounding area is characterized by agricultural land and residential uses.

Mr. Mackey presented the staff report, recommending that the Planning Commission not approve the submitted amendment to the final site plan. Staff further recommends that the applicant offer a revised design of the replacement structure that is in keeping with the original character and quality of the proposed buildings.

The Chair swore in Mr. Richard Keaveney, Executive Director of the Animal Care Shelter of Kent County, and Mr. Brian Wood, KRM Construction.

Mr. Keaveney and Mr. Wood presented their case as to the need for the site plan amendment. Mr. Wood stated that the round cat silo fit in with the community; however, it came at a very high price. A significant cost that KRM Construction needed to cut was the cat silo, in order for the project to fit into the budget. Mr. Wood is of the opinion that the proposed pole building, which will replace the cat silo, fits in aesthetically with the Animal Care Shelter's surroundings. The cat silo provided 416 square feet of usable space and the pole building will provide 1,300 square feet of usable space, at one-third of the cost. Mr. Wood stated that the cat silo's proposed exterior structure was red, metal 29-gauge steel and the proposed exterior structure of the pole building is red, metal 29-gauge steel.

Mr. Keaveney stated that the enrichment building was going to cost \$350,000. The Animal Care Shelter was able to move all of the services which were going to be in the enrichment building, into the main building. The cat silo's sole purpose was to house barn cats. The proposed pole building will provide additional square footage of multi-purpose space separate from the barn cat's space. The pole building will have black windows to match the main building that have black, aluminum windows.

Chair Hickman asked for details about the inside of the pole building, and what the foundation will be made of.

Mr. Keaveney responded that the foundation will be a poured concrete slab, and hay will cover the floor in the barn cat area of the pole building. The rest of the building will be for storage.

Commissioner Mason asked what the original purpose of the cat silo was.

Mr. Keaveney explained that the cat silo was put into the plan for visual purposes to fit in with the surrounding Worton community. The major site plan was approved by the Planning Commission before the Animal Care Shelter received bids and estimates on the construction costs.

Commissioner Mason spoke in disagreement with the applicant's \$225,000 cost estimate to build the cat silo as designed.

Mr. Wood responded, stating that the cost of steel has been driving the price of the silo upwards. Most conventional agricultural silos do not include structural steel.

Mr. Saunders opined that the pole building will blend in better with the Animal Care Shelter's main building as well as the surrounding Worton community.

Chair Hickman asked Mr. Mackey whether the staff's recommendation has changed after hearing the applicant's testimony.

Mr. Mackey stated that when the Site Plan Amendment application was received, the drawings of the pole building did not include color or additional information to describe its design. Mr. Mackey believes that the Animal Care Shelter is an important facility in the community and wanted the Planning Commission to hear the applicant's proposal instead of the Site Plan Amendment approval being an internal decision made by staff.

Ms. McCann asked for further information on what the pole building will be used for in addition to housing the barn cats.

Mr. Keaveney noted that 400 square feet of the 1,100 square feet will be for the barn cats. The rest of the available space will be for storage, and a walk-in freezer for dead animals, which will be a collection facility for the veterinarian community. The pole building can also serve as an indoor space for outdoor events that are impacted by inclement weather.

Chair Hickman moved to approve the amendment to the Final Site Plan of the Animal Care Shelter of Kent County, also known as the Humane Society of Kent County Inc., for the removal of the proposed cat silo and the proposed enrichment building to construct a 30-foot by 46-foot pole building with five feet of concrete walkway, per the plans submitted by the applicant. The Planning Commission is granted authority to review and approve Major Site Plans under Article VI, Section 5.2 of the Kent County Land Use Ordinance. We feel that this amendment is still in character with the original plan that was submitted in April 2021. We feel that the proposed pole building is still an attractive feature and compliments the original main building.

The motion was seconded by Mr. Sutton, and the motion passed unanimously, 4-0.

GENERAL DISCUSSION

STAFF REPORTS

Mr. Mackey reported on the Town of Millington charrette hosted by the Millington Crossing Associates on October 25-27, which would address the 2018 Kent County Comprehensive Plan which designated the area surrounding the Millington interchange of U.S. Route 301 & MD 291 as a Growth Area. A group of cooperating property owners surrounding the Millington interchange have been working together, in collaboration with Kent County and the Town of Millington, to lay the groundwork for a coordinated master plan for the Millington Growth Area.

Ms. McCann is coordinating with staff on a motions training for December.

Ms. McCann mentioned the upcoming Planning Commissioners Association conference in the City of Frederick on October 25-26.

ADJOURN

Mr. Sutton moved to adjourn. Mr. Ruge seconded. The meeting adjourned at approximately 2:21 pm.

Francis J. Hickman, Chair

/s/ Campbell Safian
Campbell Safian, Planning Specialist