

MINUTES

The Kent County Planning Commission met in regular session on Thursday, June 6, 2019, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members in attendance: Elizabeth Morris, Chairman; William Sutton, Vice Chairman; James Saunders; William Crowding; Joe Hickman; Kim Kohl, and Commissioner P. Thomas Mason. Staff in attendance were: Carla Gerber, GIS Specialist; Robert Tracey, Community Planner; G. Mitchell Mowell, Planning Commission Attorney; and Tonya Thomas, Secretary.

Ms. Morris called the meeting to order at 1:30 pm.

MINUTES

The minutes of May 2, 2019, meeting, were approved as presented.

APPLICATIONS FOR REVIEW:

#18-41: Brickyard Land Holding, LLC (Gillespie Precast, LLC) – requesting an amended concept/preliminary, and final site plan approval to construct an 17,371 square foot addition to an existing precast production building. The resulting building will be 57,670 square feet. The property, located at 523 Morgnec Road just outside of the Town of Chestertown, consists of Parcels 26 (tracts 1, 2, and 3), 161, and 490. The combined site area totals 68.849 acres and is in the Fourth Election District. The proposed construction will occur on Parcel 161.

Present and duly sworn in were; Andrew Gillespie, applicant; Kevin Shearon; DMS & Associates; and Ms. Gerber, GIS Specialist.

Ms. Gerber gave an overview of the application and cited all applicable laws of the *Kent County Land Use Ordinance* to include Article V, Section 15.2 which establishes a site plan requirement for all permitted principal uses and structures; Article V, Section 15.5 establishes the Density, Height, Width, Bulk, and Fence Requirements; Article V, Section 15.6 establishes the Industrial Performance Standards; Article V, Section 15.7 establishes the Industrial General Standards; Article V, Section 15.8 which establishes the Industrial Environmental Standards to include the Forest Conservation and Stormwater Management standards; Article VI, Section 8 which sets forth the provisions for Forest Conservation; Article V, Section 15.9 which establishes the Industrial District General Design Standards; Article VI, Section 1.3 which establishes the parking standards for industrial uses; and Article VI, Section 5 establishes the procedures and requirements for site plan review.

Ms. Gerber further noted there are three zoning districts on this property that include Industrial, Industrial Critical Area, and Commercial. The proposed building addition is located entirely within the Industrial District. The site is improved by an existing concrete precast plant, associated outside storage, raw material storage bins, and office space which are all located within the Industrial District. She also outlined the history of project approvals onsite to date.

Mr. Shearon stated the applicants had originally planned to construct a new stand-alone building, however, after research and analyzing production and flow it made sense to add on to the existing building instead of constructing a new building. Mr. Shearon stated there was second Citizen Participation Plan letter mailed to the adjacent property owners which received no comments. As requested by the Planning Commission, the applicants have added a variety of large shrubs to supplement the evergreens that exist.

After some discussion and consideration of the testimony and all applicable laws, Mr. Hickman made a motion to approve the final site plan contingent upon recording the Forest Conservation Declarations. The Planning Commission cited the following findings of facts:

- The proposal is consistent with many comprehensive goals and strategies relative to retention and promotion of existing businesses and the implementation of best redevelopment practices.
- The building will be located more than 600 feet from the closest residential district boundary and meets other bulk requirements.
- Architectural renderings have been provided. The addition will match the existing building.
- The applicant has adequately addressed the performance standards and has submitted a certified engineer's report.
- The performance standards narrative addresses raw materials, waste products, and other by-products. The narrative also notes that the production (including all welding) will continue to be done inside an insulated building.
- With respect to traffic, the applicant has noted that traffic patterns will not be altered by the construction of this building.
- Hours of operation remain unchanged and are generally between 7am and 5 pm.
- No additional signage is proposed.
- Lighting will be dark sky compatible.
- The finished product storage yard will continue to serve as the loading/unloading area.
- Ten parking spaces have been provided adjacent to the existing concrete production building.
- A Forest Conservation Plan has been submitted and the provision will be met onsite by providing 0.25-acres of afforestation to meet the 15% requirement, based on the 1.64-acre net tract area affiliated with the project.
- Sediment and erosion control and stormwater management plans have been approved. No sureties are required. The existing stormwater management pond has sufficient capacity and total land disturbance does not meet the threshold for requiring a bond.
- Site access will be unaltered by this construction.
- The applicant has noted that this area is removed from any interaction with the public; such as all vehicular and pedestrian movements will be governed by the Company in strict compliance with workplace safety.
- The Health Department has approved this application.
- Public water and sewer are provided by the Town of Chestertown. The Town will review this project upon submittal of a building permit application.
- The applicant did not receive any response to a Citizen Participation letter that was mailed to surrounding property owners.
- As requested by the Planning Commission, additional landscaping has been provided along Morgnec Road to enhance the landscaping installed as part of plans approved in 2017. All appropriate sureties have been submitted.

Ms. Kohl seconded the motion, and the motion passed unanimously.

Annual Report: The report is required by the Land Use Article, and it is an opportunity to highlight the Department's achievements, identify development trends, and assess the planning and development process during calendar year 2018.

Ms. Gerber stated the information in the report has been steady and consistent over the past five or six years.

After some discussion and consideration, Ms. Kohl made a motion to adopt the Annual Report as presented with the corrections mentioned to pages 1, 8, and 10 and to file a copy with the County Commissioners.

Mr. Sutton seconded the motion, and the motion passed unanimously.

Staff Reports

Carla Gerber:

- Ms. Gerber stated the Planning office has been busy the past month getting the annual report done.
- Ms. Gerber has been working on various MALPF easement applications.
- Ms. Gerber introduced the new Community Planner, Robert Tracey. Ms. Gerber stated Mr. Tracey dove right in and helped complete the annual report.

Mitch Mowell:

- Mr. Mowell stated there is a zoning enforcement case scheduled for June 7th in the District Court regarding a landowner in Chesapeake Landing for junk and debris. The landowner has ultimately cleaned up the property and the case will be dismissed.

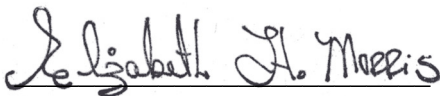
Robert Tracey:

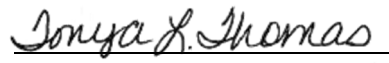
- Mr. Tracey stated he was very excited to be in Kent County.

General Discussion:

Mr. Crowding suggested the Planning Commission meet with the County Commissioners to discuss the fees charged for large solar array projects. Mr. Mowell pointed out that raising the fee may result in the loss of cooperation from applicants during the hearing process with the PSC. In the end, it was decided that the Planning Department should survey other counties to assess their fees for large solar projects.

There being no further business for the good of the organization, the meeting was adjourned at 1:59p.m.


Elizabeth Morris, Chairman


Tonya L. Thomas, Clerk