

## **MINUTES**

April 4, 2024

1:30 p.m.

*Video recordings of the Kent County Planning Commission meeting are available online for viewing on the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.*

The Kent County Planning Commission met in regular session on Tuesday, April 4, 2024, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Members of the public were invited to attend in person or via conference call.

The following members were in attendance: Vice Chair Paul Ruge, Sean Jones, Paula Reeder and William Crowding. Planning Commission Attorney Cynthia L. McCann, Esquire was present. Staff in attendance included William Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Mark Carper, LEED Green Associate, Associate Planner; Rob Tracey, AICP, Associate Planner; Beth Grieb, Office Manager, and serving as Acting Clerk; and Tyler Arnold, GIS Coordinator.

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

### **MINUTES**

Ms. Reeder moved to approve the minutes from the March 7, 2024, meeting with a minor correction to reflect that Mr. Crowding was absent from that meeting. Mr. Jones seconded the motion, and it passed unanimously.

### **CLOSED SESSION SUMMARY**

At 1:34 p.m., a motion was made by Paula Reeder, seconded by Sean Jones, and carried unanimously to go into a closed session. Members who voted to meet in closed session: Paula Reeder, Sean Jones, Paul Ruge, and William Crowding. The meeting was closed pursuant to the Annotated Code of Maryland, General Provisions Article, § 3-305 (b)(7) “[t]o consult with counsel to obtain legal advice.”

Planning Commission Vice-Chair Paul Ruge, and Planning Commission members Sean Jones, Paula Reader, and Bill Crowding were in attendance. William Mackey, AICP, DPHZ Director, and Carla Gerber, AICP, DPHZ Deputy Director, Robert Tracey, AICP Community Planner, Beth Grieb, Acting Clerk, and Cynthia L. McCann, Planning Commission Attorney, were also in attendance. The topic discussed: legal advice concerning a question about ethics posed by a member of the Planning Commission. Reason for closing: the advice of counsel is confidential and certain details should be shielded. Ms. McCann responded to the question posed and offered legal advice. The Planning Commission took no action in the closed session.

At 1:45 p.m., the Planning Commission reconvened in open session.

**APPLICATIONS FOR REVIEW**

**Ag Preservation District Applications**

The Commission reviewed five Agricultural Preservation Districts applications and made recommendations to the Board of County Commissioners:

<b>ALP Number</b>	<b>Name</b>	<b>Location</b>
#23-01	BGM Farms, LLC	33824 Bradford Johnson Road, Golts
#23-02	E & D Land Holdings, LLC	29243 River Rd, Millington
#23-03A	Bloomfield Ventures, LLC	11791 Blacks Station Rd, Kennedyville
#23-03B	Bloomfield Ventures, LLC	11720 Locust Grove Rd, Kennedyville
#23-04	Harmony Woods Farm, LLC	12655 Augustine Herman Highway, Kennedyville

- #23-01 BGM Farms, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted 3-1 to send a favorable recommendation.
- #23-02 E & D Land Holdings, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted to send a favorable recommendation with three in favor and one abstention.
- #23-03A Bloomfield Ventures, LLC: Mr. Jones moved, and Mr. Crowding seconded. The Commission voted unanimously to send a favorable recommendation.
- #23-03B Bloomfield Ventures, LLC: Mr. Jones moved, and Mr. Crowding seconded. The Commission voted unanimously to send a favorable recommendation.
- #23-04 Harmony Woods Farm, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted 3-1 to send a favorable recommendation.

**24-12 Delmarva Power and Light Co. of MD -- Site Plan Review (Concept)**

The applicant presented plans for substation upgrades including new opaque enclosure, reconfiguring equipment, consolidating driveways, replacing fencing, and modifying landscaping. The Commission provided feedback regarding landscaping, fencing, circulation, and safety, specifically requesting taller trees so they would appear to be mature more quickly. No vote was taken since this was a concept plan.

**23-67 Brickyard Land Holdings/Gillespie Precast -- Office Addition -- Major Site Plan (Prelim. & Final)**

The Commission voted unanimously to grant combined preliminary and final site plan approval for a 7,296 square foot, two-story office addition, with conditions related to stormwater, sediment control, utility connections, and bicycle parking requirements.

Mr. Crowding moved and Ms. Reeder seconded as follows:

“I make a motion that we grant preliminary and final site plan for Brickyard Land Holdings LLC to construct a two-story 7,290 square foot addition to the rear of an existing structure. We find that the proposal is consistent with the Comprehensive Plan. The proposal conforms with the provisions of applicable rules and regulations. We've determined the area of vehicular flow appears to be adequate for the use proposed. Demands on public services and infrastructure appear to be reasonable. Standard waste from the office will discharge into the Chestertown

sewage system, and we are awaiting the review from the utility connections for utility connections from the town of Chestertown. Soil and stormwater management plans have been submitted, however, not approved. A citizens participation report has been submitted along with a sample copy of the letter that was mailed to adjacent property owners, and no responses were received. With the condition that complete review by the Chestertown utilities for connection to the public water and wastewater, approval of the soil and erosion control, stormwater management plans and submission of all required securities for stormwater management, sediment and erosion control and that we also waive the requirement for bicycle parking."

**24-14 ESSD-M, Inc./Camp Fairlee -- Sensory Cabins -- Major Site Plan (Concept)**

The applicant presented a concept plan for a 2,100 square foot sensory cabin, access lane, and walkway to serve campers with sensory sensitivities. The project is part of a master plan including additional cabins and a laundry facility. The Commission was generally supportive of the project and provided input on items needed for preliminary site plan review. No vote was taken.

**23-68 KNR -- Convenience Store/Deli -- Major Site Plan (Concept)**

The applicant presented a concept plan for a 2,960 square foot convenience store and deli with 15 parking spaces on a constrained site. The Commission expressed concerns and provided extensive feedback regarding site circulation, parking lot design, pedestrian and vehicle safety, landscaping, and screening. The applicant and the applicant's representative responded with information about railroad-imposed restrictions. No vote was taken.

**GENERAL DISCUSSION**

Map Change Requests process for review by Planning Commission

Staff provided an update on the Map Change Requests special meeting scheduled for April 11, including information to be provided to applicants and preparations being made. The Commission requested additional information to assist their review, including data on acreages of specific zoning districts and maps showing current conditions.

**STAFF REPORTS**

There were no staff reports at this time.

**ADJOURN**

Mr. Crowding made a motion to adjourn. Ms. Reeder seconded. The meeting adjourned at approximately 4 p.m.

/s/ Paul Ruge  
Paul Ruge, Vice Chair

/s/ Bill Mackey  
William Mackey, AICP, Director

*Please note that 95% of this document was created by Claude 3 from Anthropic, utilizing a transcript created by Microsoft Teams. The DPHZ team then reviewed the document prior to its distribution to the Planning Commission.*