



**MINUTES OF
THE PLANNING AND ZONING COMMISSION
FEBRUARY 8, 2017**

I. Chairman Jeff LaBar called the meeting to order at 7:05 p.m. In attendance were Commission members, Charles Fink, Nancy Feuerle, Robert Gray, Cynthia Greengold, and Megan Reiser. Commission member Jeffrey Foltz was absent. Also in attendance were the Planning and Zoning Administrator, Christopher Jakubiak, and Secretary, Fran Addicott.

II. APPROVAL OF THE FEBRUARY 8, 2017 PLANNING AND ZONING AGENDA AS WRITTEN.

MOTION: Mrs. Feuerle moved to approve the February 8, 2017 Planning and Zoning Agenda as written. Mr. Gray seconded, all in favor.

III. APPROVAL OF THE JANUARY 11, 2017 PLANNING AND ZONING MEETING MINUTES.

MOTION: Mrs. Feuerle moved to approved the January 11, 2017 Planning and Zoning minutes. Mrs. Reiser, seconded. Ayes, Mrs. Feuerle, Mr. Fink, and Mrs. Reiser. Mrs. Greengold and Mr. Gray abstained.

Chairman LaBar introduced the three new Planning Commission members. Cynthia Greengold, Robert Gray and Charles Fink.

IV. REQUEST TO PLANNING COMMISSION TO EXTEND THE SITE PLAN APPROVAL FOR HARBOR VISTA SOUTH, ROD & REEL PROPERTIES, AT THE NORTHWEST QUADRANT OF HARBOR ROAD AND BAYSIDE ROAD.

The Applicant/Owner of the Rod & Reel, Inc. Attorney, Eric Blitz was present to request a one- year extension of the preliminary site plan approval for the Harbor Vista South and the Rod & Rod redevelopment project. The Zoning Ordinance (290-23D) states that the preliminary plans or site plans expire after a year if you don't obtain a building permit within that time period.

1. Mr. Blitz stated that on behalf of the Applicant/Owner Rod & Reel, Inc he is requesting a one-year extension of the preliminary site plan approval for the Chesapeake Beach Resort & Spa; Rod & Reel, Inc. that was granted by the Planning Commission on March 9, 2016. The Applicant has been working diligently to design and permit the redevelopment project and had hoped to begin construction of the parking facility in September 2016, however, the permitting process was delayed due to the State Highway, the Maryland Department of Environment, and the Army Corps of Engineers.

2. On behalf of the Applicant/Owner Rod & Reel, Inc. he is also requesting a one-year extension of the preliminary site plan approval for the Harbor Vista South Apartment project that was granted by the Planning and Zoning Commission on or about February 10, 2016. The construction necessary for the development of the Harbor Vista South has been delayed because they cannot proceed until they know the schedule for the Rod & Reel construction. They hope to finalize the process and come back to the Planning Commission for final site plan approval in the near future.

MOTION: Mrs. Greengold moved to approve the one-year extension of the site plan for the Harbor Vista South and the Rod & Reel, Inc. projects. Mrs. Feuerle seconded, all in favor.

V. SITE PLAN REVIEW BAYSIDE BAPTIST CHURCH. A PERMANENT CLASSROOM BUILDING AT 3009 E. CHESAPEAKE BEACH ROAD.

Senior Pastor Glen Swanson from Bayside Baptist Church was present with Project Manager Frank Collinson from Advanced Surveys, Inc. to propose a site plan to construct a 4,800 square foot steel classroom and recreational building as an accessory to the Church at 3009 Chesapeake Beach Road along with an additional parking area.

The Planning Commission asked questions about the set-back requirements for parking, tree clearing, storm water management, landscaping, lighting and fencing. Frank Collinson from Advanced Surveys Inc. was present to address those questions.

The Planning Commission agreed that the following conditions would have to be met before final approval of the Site Plan.

1. The site plan to be revised to show planting of additional trees between the parking lot and the fence, in the area of the two parking lots and around where the parking lot gets closer to Lot 15, to create a greater buffer.
2. The site plan to be revised to show planting of trees and other vegetation in the front of the building so that the façade of the building is partially screens from view from the vantage point of Chesapeake Beach Road and to remove impervious surface area on the outside of the turning radius the parking lot driveway near the new building, and to show additional plantings in the rear of the building for screening purposes.
3. The site plan to be revised to show the use of "dark sky friendly" light fixtures that prevent light trespass off the property.
4. The Applicant will need to address storm water management and sediment and erosion control before the final approval is given, as these matters will require approval from the County and Soil Conservation Service.

MOTION: Mrs. Greengold moved to approve the preliminary Site Plan for Bayside Baptist Church with the conditions listed above. Mrs. Feuerle seconded, all in favor.

VI. REVIEW OF THE CRITICAL AREA COMMISSION'S RECOMMENDED REDRAWN CRITICAL AREA DISTRICT MAP AND CONSIDERATION OF TRANSMITTING A RECOMMENDATION TO THE MAYOR AND TOWN COUNCIL.

The Critical Area Commission has been required by statute to update the Critical Area boundary. Mr. Jakubiak described how the Town's Critical Area is defined, the reasons the map is being changed (which relates mainly to the need to keep current with the natural changes in mean high tide levels which are key feature in the drawing of the 1,000-ft boundary), and the types and levels of regulation that relate to each of the three designated Critical Area zones: RCA, LDA, and IDA.

He noted that the Critical Area Commission has initiated a map amendment and supplied its map to the Town for approval, which then must be formally approved by the Critical Area Commission before it becomes official. He summarized his Staff Report and noted that the Critical Area Commission had held a public hearing in 2014 on the map after notifying all property owners who were affected by the proposed change in the boundary. He indicated that the Planning Commission is being asked to consider the CAC's new map and transmit it to the Mayor and Town Council which must ultimately act on that map.

Using two maps supplied by the Critical Area Commission, he highlighted the areas in Town where changes were proposed. He focused on where the Critical Area Commission had proposed to extend the boundary and assign the RCA zone to newly added Critical Area properties already developed in low density residential use in the neighborhood of 11th, 12th and "F" Streets.

Mr. Jakubiak informed the Planning Commission that the Critical Area Commission staff had responded to a number of concerns he had with their mapping by making a change to classify five to six of the newly added Critical Area properties as IDA rather than RCA as they had first drawn. However, he pointed out that not all of the newly assigned RCA properties had been changed by the Commission staff to IDA.

Mr. LaBar inquired several times about whether the Critical Area Commission had informed the property owners and Mr. Jakubiak replied that the Commission staff told him that yes they informed the property owners by letter and invited them to the public hearing. The Commissioners ask if any property owners provided comments to the Critical Area Commission and Mr. Jakubiak replied that the Commission staff told him that no comments were made except by persons where changes to the Town's "Exempt Area" came about by enlarging the boundary in places.

Mr. Jakubiak recommended that the Planning Commission transmit the Critical Area Commission's new Critical Area Map, with the change to the Critical Area that the Commission staff had recently made as he had described. That change would revise the

Critical Area Commission's initial designation of the approximately six properties from RCA to IDA since they were already in residential use, and adjacent to a larger existing IDA.

MOTION: Mrs. Feuerle made a motion to transmit the Critical Area Map (tc 2011) as refined by the discussion (as noted above) to the Mayor and Town Council with a recommendation that they approve the map. Mrs. Reiser seconded, all in favor.

VII. SIGN DISCUSSION

Mr. Jakubiak started out by saying that a US Supreme Court made a decision in 2015 that states when Municipalities regulate signage they have to insure it is content neutral.

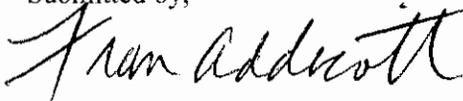
Mr. Jakubiak showed a presentation of the different types of signs that are in the Town.

VIII. PUBLIC COMMENT

Eric Blitz spoke on behalf of the Rod N Reel's signs.

There being no further business, the meeting adjourned at 9:00 pm on a motion made by Mrs. Greengold, seconded by Mrs. Feuerle, all in favor.

Submitted by,

A handwritten signature in cursive script that reads "Fran Addicott". The signature is written in black ink and is positioned above the printed name of the signatory.

Fran Addicott, Secretary