

**Worcester County Planning Commission  
Meeting Minutes**

**Meeting Date:** October 5, 2017

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Room 1102

**Attendance:**

**Planning Commission**

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Betty Smith

Jerry Barbierrri

Rick Wells

**Staff**

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

Maureen Howarth, County Attorney

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, September 7, 2017**— As the first item of business, the Planning Commission reviewed the minutes of the September 7, 2017 meeting. Following the discussion it was moved by Mr. Barbierrri, seconded by Ms. Ott and carried unanimously to approve the minutes as submitted.

**B. Board of Zoning Appeals agenda, October 12, 2017** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for October 12, 2017. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

**III. § ZS 1-325 Site Plan Review – Waiver Request, Park Place Plaza**

As the next item of business, the Planning Commission reviewed a waiver request to the requirement for features within a community space at building A, located on the southerly side of US Route 50, west of Elm Street, Tax Map 27, Parcel 146, Tax District 10, C-2 General Commercial District. The initial request was to waive a kiosk (bulletin board) feature. Mr. Ferrante was present and provided photographs of the space to the board. He stated that the design feature was not functional or practical where it was proposed, and that it would create circulation issues. The photographs show an exterior staircase that was not illustrated on the approved site plan, therefore reducing the size of the community space. In addition, Mr. Ferrante asked that the Planning Commission also waive the proposed picnic table that was shown on the plan. Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Smith, and carried unanimously to grant the waivers as requested.

**IV. § ZS 1-325 Site Plan Review – Candy Kitchen**

As the next item of business, the Planning Commission reviewed a site plan for the proposed Candy Kitchen development, consisting of 4,483 square foot retail and coffee shop building, Tax Map 27, Parcel 704, Land Unit 4, C-2 General Commercial District, located on the northerly side of US Route 50 (Ocean Gateway), west of Inlet Isle Lane. Hugh Cropper, IV, Esquire, Jeff Schoellkopf, architect, Bob Hand, land planner, and Bruce Leiner, owner of Candy Kitchen. Mr.

Cropper explained that the development has the ability to purchase two additional EDU's to satisfy the requirements of the Department of Environmental Programs. He is also addressing the request for the waiver to the pedestrian bridge from the State Highway Administration (SHA) right-of-way into the site. As he explained, strict compliance to the Design Guidelines and Standards would require that a sidewalk be provided along the right-of-way, but within the subject property. Since there is an existing sidewalk within the right-of-way of US Route 50 (Ocean Gateway), the Planning Commission has seen fit to waive this requirement for the other developments within the Seaside Village PCD. However, he stated that the bridge to connect the walkway to the site would have to be engineered to SHA standards, and it would be so intense, it wouldn't be feasible.

Next, Mr. Schoellkopf addressed the architectural waivers that were being requested. He submitted a letter dated October 4, 2017 that outlined those items as well. The lot size is limited in nature, and therefore they cannot really fit more than two or three tenants on the site. As a result, they cannot meet some of the elements of the Design Guidelines and Standards which could be achieved with a larger building. The design was developed to provide Candy Kitchen with some individual identity while still achieving a consistency throughout the development. The design is a contemporary interpretation of the Seaside Architectural tradition. He noted that they have toned down the typical bright color schemes of the Candy Kitchen brand, and while still having some softer color bands at the base of the building and under the awnings, as well as the awnings themselves.

Mr. Hand addressed the site related waiver items. He noted that the patio area is approximately half of what is typically required, because this is a smaller building (approximately half of what is traditionally required to meet the Design Guidelines and Standards). There is also limited area to provide for additional foundation plantings. Overall, he felt that the design meets the intent of the document, even though there were a number of individual waivers requested.

Mr. Cropper summed up by asking for waivers to items 1 thru 5 of the Planning Commission considerations based on the discussion as presented. Mr. Knerr asked why they were deviating from the traditional Seaside Architectural tradition. Mr. Schoellkopf stated that this is a more contemporary look for Candy Kitchen, and that the design of the coffee shop portion was intended to attract a younger market. Mr. Knerr stated that he had no issue with the design of the building itself, but noted that it did not fully fit into the commercial and residential design that is Seaside Village overall, which is more traditional in nature. Mr. Barbierri voiced his concerns over the anticipated delivery of products by highway vehicles. Mr. Hand stated that if there were such deliveries, they would have to park in the cartway like the other uses do. Mr. Barbierri noted that the code was changed after those site plans were approved to give the Planning Commission more authority to make the call, rather than simply basing it on the size of the establishment. The Planning Commission then went item by item through the Planning Commission considerations.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierri, and carried unanimously to make the following considerations on the requested waivers:

1. The Planning Commission determined per Consideration No. 1 that a loading space was not necessary for this location based on the size of the units and the anticipated hours of delivery.
2. The Planning Commission granted a waiver to Items 2 thru 5.

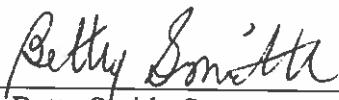
In addition, a motion was made by Mr. Knerr, seconded by Ms. Smith, and carried unanimously to approve the site plan as presented subject to the Code Requirements letter.

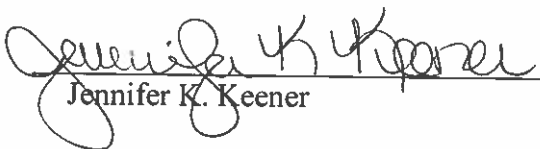
**V. Text Amendment**

As the next item of business, the Planning Commission reviewed a text amendment for Self-Storage Centers in the C-2 General Commercial District. Hugh Cropper, IV, Esquire and John Salm, applicant, were present for the discussion. Mr. Cropper noted that the current square footage limitation that is currently in place for C-2 zoned properties is inconsistent with pre-existing developments as a result of the 2009 Zoning Code changes. He felt that it was probably an oversight not to include self-storage with allowance for an increase in square footage for the warehousing use. He noted that staff not only supports the amendment, but they recommended that the use be made a principal permitted use instead of a special exception. Based on that recommendation, he would like to adopt the staff's amendment.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Ms. Smith, and carried unanimously to forward a favorable recommendation to the Worcester County Commissioners.

**VI. Adjourn** – The Planning Commission adjourned at 1:50 P.M.

  
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Betty Smith, Secretary

  
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Jennifer K. Keener