

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – December 7, 2023**

Meeting Date: December 7, 2023

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Rick Wells, Vice Chair
Mary Knight, Secretary
Ken Church
Marlene Ott
Phyllis Wimbrow

Staff

Kristen Tremblay, Zoning Administrator
Stu White, DRP Specialist
Paul Renshaw, Zoning Inspector
Bob Mitchell, Director, DEP

I. Call to Order

II. Administrative Matters

A. Review and approval of amended minutes, October 5, 2023

As the first item of business, the Planning Commission reviewed the amended minutes of the October 5, 2023 meeting.

Following the review, a motion was made by Ms. Ott to approve the minutes as written, Ms. Wimbrow seconded the motion, and the motion carried unanimously.

B. Review and approval of amended minutes, November 2, 2023

As the next item of business, the Planning Commission reviewed the minutes of the November 2, 2023 meeting.

Following the review, a motion was made by Ms. Wimbrow to approve the minutes as written, Ms. Ott seconded the motion, and it carried unanimously with Mr. Barbierri abstaining.

C. Board of Zoning Appeals Agendas, December 14, 2023

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for December 14, 2023. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

Mr. Barbierri commented on Case 23-75, on the lands of Thomas Laird, Sr., requesting after-the-fact variances to the right side yard setback from 3 feet to 1.79 feet (encroaches 1.21 feet)

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for an existing mobile home, to the rear yard setback from 5 feet to 2.05 feet (encroaches 2.95 feet) for a landing and steps and to the front yard setback from 10 feet to 6.43 (encroaches 3.57 feet) for an existing open deck in a Campground Subdivision and Case 23-79, on the lands of Bali Hi Park, Inc, on the application of Sandra Sale, requesting an after-the-fact variance to the front yard setback from 10 feet to 8.6 feet (encroaches 1.4 feet) for an existing RV, in a Co-operative Campground. He stated that in the 1980's, extensive work was performed to verify that proper setbacks were maintained in campgrounds mainly for fire safety. He expressed concern that these cases conflict with the work that was done to ensure that the setbacks are met.

Ms. Wimbrow commented on Case 23-81, on the lands of Russell Properties LLC, on the application of Kristina Watkowski, requesting two (2) variances to the front yard setback off of Wilson Ave, one from 25 feet to 21.07 feet (to encroach 3.93 feet) for a proposed accessory apartment and the other from 25 feet to 4.24 feet (to encroach 20.76 feet) for a proposed 3rd floor cantilever on the west end of the existing house, a variance to the front yard setback from Madison Ave. from 30 feet to 16.11 feet (to encroach 13.89 feet) for a proposed cantilever on the east side of the house and a variance to the side yard setback of 6 feet to 4 feet (to encroach 2 feet) for the same east side cantilever. She stated that she felt that the request was excessive. Hugh Cropper, IV explained that the building envelope on the subject lot was very restrictive since it is a corner lot with two (2) front yard setbacks.

Ms. Ott questioned how many boat slips are proposed for Case 23-82, on the lands of River Run Development, on the application of Hugh Cropper, IV, requesting a modification to add boat slips to an existing community pier extending beyond 125 feet channelward. Mr. Cropper explained that no new dock would be added. He further explained that the nine (9) existing slips would simply be mirrored by nine (9) more on the other side of the existing dock. He also stated that a Maryland Department of the Environment permit has already been obtained for the project.

D. Technical Review Committee Agenda, December 13, 2023

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for November 8, 2023. Mr. White was present for the review to answer questions and address any concerns of the Planning Commission.

No comments were forwarded to the Committee.

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III. The Elms – Minor Residential Planned Community (RPC) site plan review

As the next item of business, the Planning Committee reviewed the site plan for a twenty-lot minor RPC which had previously been reviewed and approved as a nineteen-lot RPC on November 2, 2023. The development was formerly named “4 Seasons.” Ms. Tremblay explained that the project has twenty EDU’s available, therefore the developer reconfigured the site plan to allow for one (1) more lot than what was previously approved (19). Mr. Cropper added that the original design was for 44 lots, but the lack of EDU availability in the foreseeable future dictated the current proposal.

Following the discussion, a motion was made by Ms. Ott to make a favorable recommendation with the total number of units to be twenty. Mr. Wells seconded the motion and it carried unanimously.

IV. Delmarva Aces – Major site plan review

As the next item of business, the Planning Commission reviewed a site plan modification to include a 2,280 square foot second floor in a 9,920 indoor recreational building currently under construction. Located at the southeastern corner of the intersection of US Rte. 113 (Worcester Highway) and Hammond Road, Bishopville, MD. Hugh Cropper, IV and David Whigham, and Rick Schoellkopf were present for the review.

Mr. Cropper opened by presenting background information on the project. He explained that the original proposal consisted of a 9,920 square foot athletic training facility which was reviewed administratively as a minor site plan, which did not have to comply with the Worcester County Design Guidelines and Standards. He stated that an error in design had been made and that it did not account for storage of equipment and materials. Mr. Cropper offered that without altering the footprint of the building, a 2,280 square foot second floor could be utilized for storage. This put the total square footage of floorspace over the 10,000 square foot threshold for a major site plan requiring Planning Commission review.

He further stated that the building has a specialized use to which he felt that the Design Guidelines do not apply. He explained that having windows in a baseball training facility is not realistic. Mr. Cropper compared this to a movie theater or a bathhouse which cannot have windows either. He offered to add a wraparound porch for aesthetic appeal as well as serving as a community area with benches. He then asked for waivers from the rest of the items contained in the staff report. He further explained that due to site restrictions, there is no other place to put a storage building. He stated that the lot has a large setback from MD Rt. 113, has Forestry requirements, and non-tidal wetlands which prevent an accessory storage building from being an option. Mr. Cropper then asked Mr. Whigham to explain his business to the Planning Commission.

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Mr. Whigham stated that they are a non-profit organization and that they have put almost 220 kids in college baseball since 2014. He explained that it is a big after school spot for kids to train. He said that they got their start in their original location on Gray's Corner Road with the goal of owning their own facility. Mr. Whigham explained that he got the project originally approved and decided to move forward with it while acting as the general contractor. He stated that he added the second floor without consideration for possible problems.

Mr. Church asked for clarification about the square footage calculation. Ms. Wimbrow stated that even though the footprint of the building didn't change, the gross square footage increased when the second floor was added.

Mr. Barbierri asked Mr. Whigham when they were planning to open. Mr. Whigham replied that they had opened on Saturday, December 2nd. Mr. Cropper added that it did not open in violation as the unpermitted second floor had been sealed off.

Mr. Barbierri asked how long it would take to get the architectural drawings for the proposed porch addition. Mr. Shoellkopf replied that he could have the drawings done by the following day. Mr. Cropper provided a photo of an example of a pole building with a wraparound porch.

Ms. Knight asked the age range for the children that are in the program. Mr. Whigham replied that he played in Australia and brought back their philosophy for training players. He added that participants range from 4 to 65 years old.


Mr. Barbierri asked the Commission members if they would like to wait until the January meeting to review the revised architectural renderings before moving on to the requests for waivers. It was agreed that it was not necessary on the condition that the proposed porch be extended to cover both side windows, at the request of Ms. Wimbrow.

Mr. Cropper asked for approval of all the requested waivers as a collective instead of individually.

Following the discussion, a motion was made by Ms. Knight, seconded by Mr. Church, and carried unanimously to approve the site plan granting the requested waivers to the Design Guidelines and Standards for Commercial Uses with the condition of extending the proposed porch to cover both side windows as requested.

- V. **Adjourn** – A motion to adjourn was made by Ms. Knight and seconded by Ms. Ott.

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Mary Knight, Secretary



Stuart White, DRP Specialist