

**WORCESTER COUNTY PLANNING COMMISSION
AGENDA**

Worcester County Government Center, Room 1102, One West Market Street, Snow Hill,
Maryland 21863

Although the Government Center remains closed to the public, this meeting will be held in-person. Masks will be required for all in attendance and social distancing regulations will be enforced.

Thursday, September 3, 2020

Est. Time

- | | | |
|-----------|------|---|
| 1:00 P.M. | I. | Call to Order |
| 1:00 P.M. | II. | Administrative Matters |
| | A. | Review and approval of minutes –August 6, 2020 |
| | B. | Board of Zoning Appeals agendas –September 10, 2020 |
| 1:00 P.M. | III. | Proposed Access Gate on Approved Private Road |
| | A. | Estates at Inlet Isle, Tax May 27, Parcel 573, on the application of Mark S. Cropper, Esquire; |
| | IV. | Map Amendment |
| 1:15 P.M. | A. | Case No. 426 – 1.74 acres on the westerly side of MD Route 611 (Stephen Decatur Highway), south of Snug Harbor Road, Berlin, A-2 Agricultural District to C-2 General Commercial District, David Lane and Susun Rowe Lane, owners, and Mark S. Cropper, Esquire, attorney |
| 1:25 P.M. | B. | Case No. 428- 2.88 acres on the southerly side of St. Martin’s Neck Road, east of Aramis Lane, Bishopville, E-1 Estate District to A-2 Agricultural District, YK Enterprise, LLC, owner, and Mark S. Cropper, Esquire, attorney |
| 1:35 P.M. | V. | Miscellaneous |
| 1:35 P.M. | VI. | Adjourn |

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: August 6, 2020

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jay Knerr, Chair

Marlene Ott

Rick Wells, Vice Chair

Betty Smith

Brooks Clayville

Jerry Barbierri, Secretary

Mike Diffendal

Staff

Roscoe Leslie, County Attorney

Ed Tudor, Director

Phyllis Wimbrow, Deputy Director

Jennifer Keener, Deputy Director Emeritus

Jessica Edwards, Customer Service Representative

Robert Mitchell, Director of Environmental Programs

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, July 2, 2020— As the next item of business, the Planning Commission reviewed the minutes of the July 2, 2020 meeting. Following the discussion, it was moved by Ms. Ott and seconded by Ms. Smith, with Mr. Barbierri and Mr. Diffendal abstaining. The motion was carried unanimously by the remainder of the Board to approve the minutes as submitted.

B. Board of Zoning Appeals agenda, August 13, 2020— As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals hearing scheduled for August 13, 2020. 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

As the next item of business, the Planning Commission reviewed a Step II site plan associated with Shady Side Village Residential Planned Community (RPC), for a proposed 37-unit townhouse development, located on the south side of MD Route 707 (Old Bridge Road), west of Greenridge Lane; Tax Map 26, Parcel 157, District 10, R-4 General Residential District. Hugh Cropper, attorney, Kathleen Clark, property owner, Keith Iott, engineer, and Laura Stickley were present for the review.

Mr. Cropper explained that the Step 1 Plan had previously been reviewed by the Planning Commission and County Commissioners. Mr. Cropper noted the project has one point of access, located on Old Bridge Road. The property has a density of 7.7 units per acre.

Mr. Cropper continued to explain that the project exceeds the open space requirement with 1.81 acres of the total open space in a natural state (uplands and wetlands). The 100-foot Critical Area Buffer is to be preserved and the proposed rear yard setback has been modified to match. The property is located within the Existing Developed Area (EDA) land use category of the Comprehensive Plan, which calls for infill of existing development. This is consistent with the underlying zoning designation.

Mr. Cropper testified a request for a new RPC road standard, proposed by this applicant, will be reviewed by the Planning Commission and County Commissioners in the near future. In the event the requested standard is adopted, the internal roads will be constructed to that standard.

In respect to the required recreation areas, Mr. Cropper urged the board to allow the property owner to work through the implementation details with staff. He noted the passive recreation areas will be built out at the start of the project. Mr. Iott explained that the recreation areas will include a circuit training course, badminton, corn hole and tot-lot.

Mr. Barbierri asked for clarification on the proposed traffic flow within the development as the road has two dead-ends. Mr. Iott explained the dead-end area is approximately 75 feet in length which should allow for delivery trucks to turn around comfortably. Mr. Iott continued to explain that the Worcester County Fire Marshal's Office and the Department of Public Works have no concerns. In the event the adjoining parcels are developed, this dead end could be extended to create an interparcel connector should the adjoining properties be developed in the future.

Mr. Knerr reminded the Board that as part of review, the Planning Commission must determine the setbacks for the community. Mr. Cropper testified that the setbacks noted the staff report are being requested.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Mr. Diffendal, and carried unanimously to approve the Step II Master Plan subject to the code requirements and the following conditions:

1. The Planning Commission adopted the Technical Review Committee Report as their justification of the seven findings as defined therein;
2. The Planning Commission approved the lot requirements as shown in the table below as part of the Step II approval:

Lot Requirement	Proposed
Front Yard Setback	75 feet (from center of road right-of-way)
Side Yard Setback	15 feet
Rear Yard Setback	100 feet

3. The applicant will also comply with Items 6 per the TRC Report; relative to interior roads

IV. Text Amendment

As the next item of business, the Planning Commission reviewed a text amendment request associated with the proposed addition of a Casino Entertainment District overlay district within the Zoning and Subdivision Control Article, and to establish such use as a permitted use in the A-2 Agricultural District. Mr. Joseph E. Moore, Esquire, attorney, and Bobbi Sample, General Manager of Ocean Downs, were present for the review.

Mr. Moore began his testimony by expressing that Ocean Downs has been an existing horse racing track for a substantial number of years. As expressed in the Staff Report, the casino operation continues to grow and is no longer a secondary use on-site. The proposed text amendment would allow an overlay district to fully recognize the economic driver, which is the casino. If adopted, the text amendment would not affect the overall zoning of the property. Each new facility or changes to the facilities would need to be reviewed under the site plan review process. Mr. Moore further expressed that the intent of this amendment is not to eliminate the existing horse racing establishment, but to allow the casino to flourish independently of that operation.

Mr. Diffendal asked Mr. Moore to explain the inconsistency in the request in respect to acreage. Mr. Moore's Exhibit A, notes the minimum lot area for the overlay district would be 90 acres; however, the drafted bill notes the minimum lot area would be 50 acres. Mr. Moore explained that he had suggested the 90-acre minimum and staff recommended 50 acres to be consistent with the underlying zoning. Mr. Moore has no objections to the change.

Mr. Barbierri requested clarification on the height requirements expressed in Mr. Moore's request. Mr. Moore explained that his initial request would require that an increase over the maximum permitted height would be reviewed by the Board of Zoning Appeals as a special exception. The proposed bill, as amended by staff, would give the Planning Commission the authority to approve an increase above the maximum permitted height or stories as part of their comprehensive review. Mr. Moore expressed that he agrees with the changes reflected in the proposed bill.

Mr. Clayville noted that he is not opposed to the text amendment but wanted to ensure this is not intended to end the live horse racing. Ms. Sample explained that there are no plans to end the racing. The racetrack enhances their casino and as a part of Churchill Downs racing is still integral to their operation. Mr. Clayville also questioned if state prohibitions were still in place relative to hotels. Mr. Moore indicated that he could supply copies of the legislative bills to the board upon request, but it essentially states that no hotel could be built on-site if the hotelier has a financial or legal connection with the casino; however, a hotelier without those connections could construct a hotel on premise. Mr. Moore continued to state that regardless of what the overlay district allows, state law would prevail.

Mr. Knerr asked if the Ocean City Hotel Motel Restaurant Association had been approached about this request. Mr. Moore stated that association had not been approached regarding the proposal. Mr. Moore feels that Ocean Downs is an economic driver and hopes that the association knows Ocean Downs has no intention of building a hotel at this time. Mr. Moore

further explained that the hotels are a permitted use in the C-2 Zoning district; therefore, a hotel could be built by right on the lands located across Racetrack Road.

Mr. Moore went on to explain that the next step for the proposed text amendment will be a public hearing with the County Commissioners.

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

V. Adjourn – The Planning Commission adjourned at 1:21 P.M.

Jerry Barbierri, Secretary

Jessica Edwards

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS**

AGENDA

THURSDAY, SEPTEMBER 10, 2020

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Masks and social distancing will be required.

5:30 p.m.

Presentation by Ms. Emily Vainieri, Assistant Attorney General, representing the Maryland Critical Area Commission on the law of Critical Area variance standards.

6:30 p.m.

Case No. 20-38, on the lands of William & Kristin Edmunds, requesting an after-the-fact variance to the Atlantic Coastal Bays Critical Area Ordinance for an encroachment into the 100 foot buffer for a previously installed concrete patio and retaining wall in the R-1, Rural Residential District, pursuant to Zoning Code Section ZS 1-116(m)(1) and Natural Resources Section NR 3-104(c)(4) located at 12442 Collins Road, approximately .36 miles north of South Piney Point Road, Tax Map 9, Parcel 298, in the Fifth Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 20-43, on the application of Mark Cropper, Esq., on the lands of OC Lucky LLC, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 174 feet for a proposed 3 foot by 274 foot walkway over tidal wetlands, a variance to exceed the allowable 125 feet channel-ward extension of a waterfront structure by 51' for a proposed pier and platform extending 176 feet channel-ward and a special exception to allow a boundary line adjustment in the RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-116(n)(2), ZS 1-215(c)(3) and Natural Resources Sections NR 2-102(e)(1) and NR 3-125(b)(1), located at 13014 Riggins Ridge Road, approximately 315 feet south west of Center Drive, Tax Map 27, Parcel 570, Lot 33A, in the Tenth Tax District of Worcester County, Maryland.

ADMINISTRATIVE MATTERS

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

Governor Larry Hogan has issued an Executive Order that limits public gatherings to no more than 10 persons in a further effort to reduce the spread of the COVID-19 virus. Additionally, effective Thursday, March 19, 2020, the Worcester County Government Center is closed to the public. Therefore, the Technical Review Committee will suspend all in-person meetings for the time being.

To facilitate the review of current projects, county staff will be holding a teleconference that will be open to the public during the regularly scheduled meeting time.

****Please review the attached page following the agenda that outlines the call number and procedures for the meeting****

Wednesday, September 9, 2020

Est. Time

- | | | |
|-----------|-----|---|
| 1:00 P.M. | I. | Call to Order |
| | II. | § ZS 1-325 Site Plan Review |
| 1:00 P.M. | A. | Salt Grass Point Farms Mini Storage – Proposed construction of seven buildings containing 75,919 square feet of mini storage and associated office, associated with a proposed two lot subdivision, located at on the easterly side of Stephen Decatur Highway (MD Route 611), approximately 410 feet south of Snug Harbor Road, Tax Map 33, Parcels 136, District 10, C-2 General Commercial District, Salt Grass Farms LLC., owner / R.D. Hand & Associates; applicant & planner; |
| 1:05 P.M. | B. | Salt Life Park – Proposed expansion of a manufactured home park including 34 lots and associated open space, located on the southerly side of Old Bridge Road (MD Route 707), approximately 435 feet east of Greenridge Lane Road, Tax Map 26, Parcels 191 and 193, District 10, R-4 General Residential District, Mark Odachowski, owner/ R.D. Hand & Associates; applicant & planner |
| 1:10 P.M. | IV. | Adjourn |

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: September 3, 2020

PURPOSE: Request for Private Access Gate

DEVELOPMENT: Estates at Inlet Isle, Inlet Isle Lane, West Ocean City

LOCATION: Tax Map 27, Parcels 227 and 573, Tax District 10, C-2 General Commercial and R-3 Multi-Family Residential Districts, located on Inlet Isle Lane, east of Marina View Lane

BACKGROUND: The Worcester County Commissioners adopted Resolution No. 10-3 in 2010 which specified the standards that a private gate must meet in order to be permitted. Such gate may only be proposed on an approved private road. A copy of this resolution is attached for your review.

REQUEST: A request has been filed by Homer's Hideaway, LLC, the developer of the Estates at Inlet Isle subdivision ("Estates"), to install a private access gate that will limit access to the residential lots as shown on the attached plans. Inlet Isle Lane is an approved private road that extends from US Route 50 on the westerly end to the cul-de-sac within the Estates, all of which were developed by the same parent company, Homers Hideaway, LLC. On May 20, 2003, the Worcester County Commissioners approved Shantytown Lane, now known as Inlet Isle Lane, as an approved private road to be maintained by the homeowner's association per Resolution 03-19.

Upon receipt of the package containing the applicant's response to the standards, I forwarded the information to the various agencies for comment, including the Department of Emergency Services, Fire Marshal's Office, Department of Public Works, State Highway Administration, police and fire departments, Worcester County Board of Education, Department of Environmental Programs and the United States Postal Service.

Comments were received from the Department of Emergency Services and the Ocean City Fire Department, which are attached to this report. Staff also received verbal comments from the Worcester County Fire Marshal's Office.

PLANNING COMMISSION CONSIDERATIONS: The Worcester County Planning Commission is empowered to review and approve private access gates subject to the standards contained in Resolution 10-3. The Planning Commission shall review the staff findings for each item of the resolution as detailed below. They shall decide as to the sufficiency of compliance with the applicable standards. The applicant will be required to make any modifications necessary to comply with the staff or Planning Commission's requirements as applicable and submit revised plans for staff review in association with the building permit application.

STAFF FINDINGS:

- 1. Prior to construction a permit shall be obtained from the Department of Development, Review and Permitting. This item lists the submission documents.**

Comments: A building permit application and permit fee were submitted with the initial package. The required submission documents were also submitted, and distributed to the appropriate agencies for review and approval before the processing of the building permit application.

- 2. Public safety vehicles shall not be required to pass through more than one gate to access any part of a subdivision or development.**

Comments: The proposed access gate is the only one that will need to be accessed to reach the Estates subdivision. Therefore, staff finds that this comment has been adequately addressed.

- 3. Stopping locations (including but not limited to keypads, key switches, bar-code readers, guard houses, etc.) shall be set back no less than fifty feet from the right-of-way line of any cross street or road. This distance may be required to be increased to one hundred feet upon recommendation by either the State Highway or County Roads Departments where traffic volumes for the proposed subdivision or development so warrant.**

Comments: The gate is proposed to be accessed via a keypad located to the west of the commercial entrance of the Ocean City Fishing Center and Micky Fins restaurant. The gate itself is proposed to be located over 900 feet from the intersection with US Route 50, with the keypad located approximately 755 feet away. The closest internal driveway (Marina View Lane) is approximately 365 feet west of the keypad. Therefore, staff finds that this comment has been adequately addressed.

- 4. The design of the gated entrance area shall provide an adequate area to turn around a vehicle of such size as determined by the Planning Commission without interfering with or blocking other traffic.**

Comments: The turn around area is labeled on the site plan as the "bail-out route". If a vehicle is unable to gain access to the subdivision, or is required to turn around, they must enter through the commercial entrance of the Ocean City Fishing Center and Micky Fins restaurant, and travel through the parking lot to reach the westerly entrance to Inlet Isle Lane. There is stacking room for approximately one to two vehicles (depending on size) between the proposed gate the easterly entrance to the commercial businesses.

Staff has some concerns that the location of the keypad may cause traffic backups along Inlet Isle Lane during times of high occupancy of the marina and restaurant

when guests are stopping to call in to a resident and requesting access. During the winter months, the boat storage use has been known to block the area proposed to be designated as the "bail-out route". The developer will need to ensure that the winter activities do not interfere with any such access. The applicant should be prepared to further elaborate on this method of turn-around. Overall, the Planning Commission will need to determine if they find this route acceptable.

5. Emergency vehicles shall have sufficient space to maneuver safely in the entrance area as determined by the Office of the Fire Marshal.

Comments: The Fire Marshal's Office did not provide comments on this matter at this time. Compliance with this requirement shall be verified during permit review.

6. An overhead clearance of not less than thirteen feet six inches and a clear opening width of not less than twelve feet shall be maintained at any gate or entrance structure.

Comments: There is adequate overhead clearance in this area, with no structural or landscape obstructions. With respect to the opening requirements, the proposed gate will have arm lengths of a maximum of eight feet, with twelve feet on each side for clearance. This width will be achieved by modifying the existing rolled curb and expanding the pavement area on each side of the roadway. As an approved private road, the improvements must be built to the County Road specifications as approved by the County Commissioners in Resolution 03-19, to be approved by the Department of Public Works, County Roads Division at the time of permitting and inspection.

7. An emergency contact phone number shall be posted in a conspicuous location at each gate for an individual or company available 24-hours a day, seven days per week, in the event of a malfunction of the gate or to provide for alternative means of access for authorized residents or visitors.

Comments: The applicant agrees to provide this information, which will be verified at the time of inspection of the gate, prior to the issuance of a Certificate of Use and Occupancy. No further action is needed from the Planning Commission on this item.

8. All gates shall be designed in such a manner to fail in the open position in the event of a power failure or failure of the electronic gate control. In addition to the provisions for electrical component failure, all gates shall provide a means for opening of the gate by manual force (commonly referred to as "breakaway") in the event of a mechanical failure.

Comments: The specifications provided on sheet 10 of the applicant's packet lists a breakaway arm as a feature of this particular gate.

9. **All gates shall be provided with redundant systems providing for not less than two means of access by emergency personnel that do not require exiting the emergency or responder's vehicle. At least one of the systems shall be a "Siren Activated" system that will automatically open the gate upon approach of an emergency vehicle operating in the "yelp" mode. Redundant systems may include but are not limited to strobe light sensors, wireless transmitters, or any other means acceptable to the local Fire and Emergency Medical Service Departments which provides for access by first responders both in emergency or private vehicles.**

Comments: The proposal provided on page 9 of the applicant's packet lists the provision for one siren operated sensor, and sixteen visor transmitters. The Ocean City Fire Department has provided comments (copy attached) requesting that the county ensures this item will be verified at the time of permitting with the Worcester County Fire Marshal's Office. Matt Owens, Worcester County Chief Deputy Fire Marshal, echoed those statements made by Chief Bowers.

10. **Access codes shall be provided to the County upon final inspection for dissemination to various agencies for use in performing inspections and tasks associated with but not limited to property addressing and verification, emergency functions such as post disaster damage assessment, building and zoning inspections, nuisance conditions, stray and rabid animal control, etc.**

Comments: The applicant agrees to provide this information, which will be verified at the time of inspection of the gate, prior to the issuance of a Certificate of Use and Occupancy. No further action is needed from the Planning Commission on this item.

11. **No access gate shall be placed in service until appropriate final inspections have been conducted and a certificate of use and or occupancy has been issued by the Department. Each final inspection shall verify that all permit requirements have been met and shall also include a performance test administered by the Office of the Fire Marshal to insure the proper operation of the gate and accessibility for emergency personnel. The Fire Marshal's Office may also conduct random or periodic inspections at any reasonable time to insure continued proper operation of any access gate described herein. Any gate found to not meet the performance standards prescribed for its installation and operation or be in a state of disrepair shall be immediately removed from service and placed in the full position. Gate may thereafter only be placed back in service after all repairs are made and the installation has successfully passed the necessary performance test.**

Comments: The applicant agrees to these requirements. No further action is needed from the Planning Commission on this item.

- 12. Where access gates are proposed for new developments or subdivisions, the homeowners association documents shall contain language, as approved by the County Attorney, that acknowledges the following:**
- a. The use of the access gates may extend emergency response times for fire, ambulance and law enforcement personnel.**
 - b. The use of the access gate precludes routine patrols by law enforcement agencies.**
 - c. The use of the access gates may prevent or extend the delivery of other governmental functions as described in number 10 above.**

Comments: The Estates is not a new development or subdivision. No further action is needed from the Planning Commission on this item.

- 13. When access gates are proposed to be added to a private road in an existing subdivision, the building permit application for the access gate shall be accompanied by a petition, in a form acceptable to the County Attorney, signed by not less than eighty percent of the property owners in the subdivision or development that states their agreement with the proposed gate installation and acknowledges the statements contained in Item 12 above.**

Comments: The homeowners of the Estates subdivision have each signed a form that lists the statements contained in Item 12, acknowledging their agreement and support for the gate. The petition forms were reviewed by staff and the County Attorney and found to be acceptable. Over eighty percent of the lot owners within the Estates signed the petition. No further action is needed from the Planning Commission on this item.

- 14. The County Commissioners, their employees or agents shall have the right but not necessarily the responsibility, in an emergency situation as determined by the County Commissioners, to enter upon any subdivision or development to disable, remove, open or modify any device or gate that impedes or controls vehicle access at the sole expense of the homeowners association or other responsible party. The property owner, homeowners association and its officers, corporation or individual in control or responsible for the private road shall be responsible and liable for any violations of the provisions contained herein.**

Comments: The applicant agrees to these requirements. No further action is needed from the Planning Commission on this item.

PROPERTY OWNER: Homers Hideaway, LLC, 11900 Tech Road, Silver Spring,
MD 20904

ATTORNEY: Ayres, Jenkins, Gordy & Almand, P.A., c/o Mark S. Cropper, Esquire,
6200 Coastal Highway, Suite 200, Ocean City, MD 21842

CONSULTANT: Vista Design, Inc., 11634 Worcester Highway, Showell, MD 21862

PREPARED BY: Jennifer K. Keener, AICP, Deputy Director

RESOLUTION NO. 10 - 3

**CONSTRUCTION STANDARDS FOR ACCESS GATES
ON APPROVED PRIVATE ROADS
IN WORCESTER COUNTY, MARYLAND**

WHEREAS, Section PW 1-206 of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland provides that the County Commissioners shall, from time to time, adopt construction standards by resolution providing for the construction, reconstruction, maintenance and repair of county roads and other public roads within Worcester County, Maryland; and

WHEREAS, the County Commissioners adopted a resolution on November 5, 1991 adopting construction and maintenance standards for county roads; and

WHEREAS, the County Commissioners have determined it necessary and appropriate to amend said standards by the addition of specific standards for security or access gates proposed or installed on any approved private road in Worcester County.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following standards are hereby adopted for security or access gates proposed or installed on any approved private road in Worcester County, Maryland:

WORCESTER COUNTY ACCESS GATE STANDARDS

All security or access gates proposed or installed on any approved private road shall meet the following standards:

1. Prior to construction a permit shall be obtained from the Department of Development Review and Permitting or its successor. Each permit application shall, in addition to any other documentation required for a construction permit, contain the following:
 - a. Sufficient documentation necessary to demonstrate that the proposed design and operation of the gate has satisfied the requirements of local law enforcement agencies, local Fire and Emergency Medical Service (EMS) Departments, the Board of Education with regard to school bus access, and the United States Postal Service where individual home mail delivery is provided.
 - b. A maintenance plan that provides a schedule for periodic maintenance and certification of the proper operation of the entrance gate and designation of the individual or company responsible for the maintenance and certification.
2. Public safety vehicles shall not be required to pass through more than one gate to access any part of a subdivision or development.
3. Stopping locations (including but not limited to keypads, card-readers, key switches, bar-code readers, guard houses, etc.) shall be set back no less than fifty feet from the right-of-way line of any cross street or road. This distance may be required to be increased to one hundred feet upon recommendation by either the State Highway or County Roads Departments where traffic volumes for the proposed subdivision or development so warrant.
4. The design of the gated entrance area shall provide an adequate area to turn around a vehicle of such size as determined by the Planning Commission without interfering with or blocking other traffic.

5. Emergency vehicles shall have sufficient space to maneuver safely in the entrance area as determined by the Office of the Fire Marshal.
6. An overhead clearance of not less than thirteen feet six inches and a clear opening width of not less than twelve feet shall be maintained at any gate or entrance structure.
7. An emergency contact phone number shall be posted in a conspicuous location at each gate for an individual or company available twenty-four hours per day, seven days per week, in the event of a malfunction of the gate or to provide for alternative means of access for authorized residents or visitors.
8. All gates shall be designed in such a manner to fail in the open position in the event of a power failure or failure of the electronic gate control. In addition to the provisions for electrical component failure all gates shall provide a means for opening of the gate by manual force (commonly referred to as "breakaway") in the event of a mechanical failure.
9. All gates shall be provided with redundant systems providing for not less than two means of access by emergency personnel that do not require exiting the emergency or responder's vehicle. At least one of the systems shall be a "Siren Activated" system that will automatically open the gate upon approach of an emergency vehicle operating in the "yelp" mode. Redundant systems may include but are not limited to strobe light sensors, wireless transmitters, or any other means acceptable to the local Fire and Emergency Medical Service Departments which provides for access by first responders both in emergency or private vehicles.
10. Access codes shall be provided to the County upon final inspection for dissemination to various agencies for use in performing inspections and tasks associated with but not limited to property addressing and verification, emergency functions such as post disaster damage assessment, building and zoning inspections, nuisance conditions, stray and rabid animal control etc.
11. No access gate shall be placed in service until appropriate final inspections have been conducted and a certificate of use and or occupancy has been issued by the Department. Each final inspection shall verify that all permit requirements have been met and shall also include a performance test administered by the Office of the Fire Marshal to insure the proper operation of the gate and accessibility for emergency personnel. The Fire Marshal's office may also conduct random or periodic inspections at any reasonable time to insure continued proper operation of any access gate described herein. Any gate found to not meet the performance standards prescribed for its installation and operation or be in a state of disrepair shall be immediately removed from service and placed in the full open position. Gates may thereafter only be placed back in service after all repairs are made and the installation has successfully passed the necessary performance test.
12. Where access gates are proposed for new developments or subdivisions the homeowners association documents shall contain language, as approved by the County Attorney, that acknowledges the following:
 - a. The use of the access gates may extend emergency response times for fire, ambulance and law enforcement personnel.
 - b. The use of the access gates precludes routine patrols by law enforcement agencies.
 - c. The use of the access gates may prevent or extend the delivery of other governmental functions as described in number ten above.

13. When access gates are proposed to be added to a private road in an existing subdivision the building permit application for the access gates shall be accompanied by a petition, in a form acceptable to the County Attorney, signed by not less than eighty percent of the property owners in the subdivision or development that states their agreement with the proposed gate installation and acknowledges the statements contained in Item 12 above.
14. The County Commissioners, their employees or agents shall have the right but not necessarily the responsibility, in an emergency situation as determined by the County Commissioners, to enter upon any subdivision or development to disable, remove, open or modify any device or gate that impedes or controls vehicle access at the sole expense of the homeowners association or other responsible party. The property owner, homeowners association and its officers, corporation or individual in control or responsible for the private road shall be responsible and liable for any violations of the provisions contained herein.

AND, BE IT FURTHER RESOLVED that this Resolution shall not apply to any entrance gate lawfully approved prior to the adoption of this Resolution.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

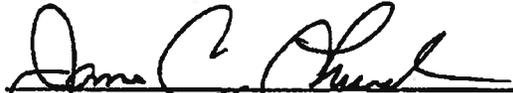
PASSED AND ADOPTED this 19th day of January 2010.

ATTEST:



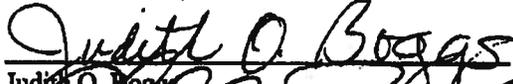
Gerald T. Mason
Chief Administrative Officer

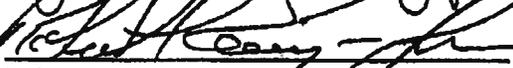
WORCESTER COUNTY COMMISSIONERS


James C. Church, President

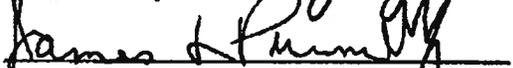
Absent

Linda C. Busick, Vice President


Judith O. Boggs


Robert L. Cowger, Jr.


Louise L. Gulyas


James L. Purnell, Jr.


Virgil L. Shockley



Volunteer & Career - United to Serve

Richard R. Bowers, Jr.	Chris Shaffer	Maurice Cropper	Joshua Bunting
Fire Chief Town of Ocean City	Deputy Chief Career Division	Deputy Chief Volunteer Division	Deputy Chief Fire Marshal Division

July 28, 2020

Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill, MD. 28163

Attn: Jennifer K. Keener, AICP, Deputy Director

RE: Estates at Inlet Isle – Private Access Gate

Dear Deputy Director Keener:

I am responding to Worcester County Commissioners adopted Resolution No.10-3 for a proposed private access gate on an approved private road located at Inlet Isle Lane West Ocean City.

After careful review and with consultation with our Fire Marshal's Office and the Worcester County Fire Marshal's Office our request is to make sure there are two means of emergency access to the gate, one of which needs to be siren activated. The second type of required transmitter is a push button type of activator (similar to a garage door opener) which can be kept in the response apparatus and or can be kept in a Knox Box installed at the gate. This can be discussed and finalized when the plans are in final review and approval with the Worcester County Fire Marshal's Office.

I appreciate the opportunity to review and comment on the matter. Thank you.

Respectfully,

Richard J. Bowers, Jr.,
Fire Chief

Cc: DC J. Bunting, OCFD FMO
Jeff McMahon, Fire Marshal, Worcester County

Ocean City Fire Department

1409 Philadelphia Ave, Ocean City, MD 21842

http://oceancitymd.gov/Fire_Department/

Jennifer Keener

From: Billy Birch
Sent: Wednesday, July 8, 2020 10:41 AM
To: Jennifer Keener
Subject: RE: Request for Comment - Access Gate for Estates at Inlet Isle

Jennifer,

I am good with this. I have no comments.

Respectfully,

Billy Birch
Emergency Management Director
Worcester County Department of Emergency Services



Government Center
One W. Market Street, Room 1002
Snow Hill, MD 21863-1193
Office: 410-632-3080 Ext# 1914
Cell: 443-783-0066
Personal Cell: 443-754-4078
bbirch@co.worcester.md.us

From: Jennifer Keener
Sent: Tuesday, June 30, 2020 12:54 PM
Subject: RE: Request for Comment - Access Gate for Estates at Inlet Isle

Good afternoon,

Due to the size of the files, this document had to be sent under separate cover. Attached is Resolution No. 10-3 establishing the standards for Access Gates on Approved Private Roads.

Sincerely,

Jennifer

Jennifer K. Keener, AICP
Deputy Director
One West Market Street, Room 1201
Snow Hill, MD 21863
(410) 632-1200, extension 1123

Worcester County Access Gate Standards

Estates at Inlet Isle

All security or access gates proposed or installed on any approved private road shall meet the following standards:

✓	<p>1. Prior to construction a permit shall be obtained from the Department of Development Review and Permitting or its successor. Each permit application shall, in addition to any other documentation required for a construction permit, contain the following:</p> <p>a. Sufficient documentation necessary to demonstrate that the proposed design and operation of the gate has satisfied the requirements of local law enforcement agencies, local Fire and Emergency Medical Service (EMS) Departments, the Board of Education with regard to school bus access, and the United States Postal Service where individual home mail delivery is provided.</p> <p>The proposed system (Pages 9-14) is similar to that approved and installed in other communities, such as Assateague Point.</p>
✓	<p>b. A maintenance plan that provides a schedule for periodic maintenance and certification of the proper operation of the entrance gate and designation of the individual or company responsible for the maintenance and certification.</p> <p>See Page 4 "Maintenance Agreement" from Hancock Gate Operator Systems.</p>
✓	<p>2. Public safety vehicles shall not be required to pass through more than one gate to access any part of a subdivision or development.</p> <p>See Page 6 for a rendering of a single-gate entry. An enlarged copy is attached for legibility.</p>
✓	<p>3. Stopping locations (including but not limited to keypads, card-readers, key switches, bar-code readers, guard houses, etc.) shall be set back no less than fifty feet from the right-of-way line of any cross street or road. This distance may be required to be increased to one hundred feet upon recommendation by either the State Highway or County Roads Departments where traffic volumes for the proposed subdivision or development so warrant.</p> <p>See rendering on Page 5. Enlarged copies are attached for ease of legibility.</p>
✓	<p>4. The design of the gated entrance area shall provide an adequate area to turn around a vehicle of such size as determined by the Planning Commission without interfering with or blocking other traffic.</p> <p>See Page 8 for an enlargement of "Bail Out Plan"</p>
✓	<p>5. Emergency vehicles shall have sufficient space to maneuver safely in the entrance area as determined by the Office of the Fire Marshal.</p> <p>See response to #4 above.</p>
✓	<p>6. An overhead clearance of not less than thirteen feet six inches and a clear opening width of not less than twelve feet shall be maintained at any gate or entrance structure.</p> <p>There will be no overhead structure.</p>
✓	<p>7. An emergency contact phone number shall be posted in a conspicuous location at each gate for an individual or company available twenty-four hours per day, seven days per week, in the event of a malfunction of the gate or to provide for alternative means of access for authorized residents or visitors.</p> <p>Agreed.</p>
✓	<p>8. All gates shall be designed in such a manner to fail in the open position in the event of a power failure or failure of the electronic gate control. In addition to the provisions for electrical component failure all gates shall provide a means for opening of the gate by manual force (commonly referred to as "breakaway") in the event of a mechanical failure.</p> <p>See Page 10 for specifications of the proposed system that includes a breakaway arm.</p>

	<p>9. All gates shall be provided with redundant systems providing for not less than two means of access by emergency personnel that do not require exiting the emergency or responder's vehicle. At least one of the systems shall be a "Siren Activated" system that will automatically open the gate upon approach of an emergency vehicle operating in the "yelp" mode. Redundant systems may include but are not limited to strobe light sensors, wireless transmitters, or any other means acceptable to the local Fire and Emergency Medical Service Departments which provides for access by first responders both in emergency or private vehicles.</p> <p>Agreed. See Page 9 "Proposal", which includes (1) Siren Operated Sensor and (16) visor transmitters.</p>
	<p>10. Access codes shall be provided to the County upon final inspection for dissemination to various agencies for use in performing inspections and tasks associated with but not limited to property addressing and verification, emergency functions such as post disaster damage assessment, building and zoning inspections, nuisance conditions, stray and rabid animal control etc.</p> <p>Agreed.</p>
	<p>11. No access gate shall be placed in service until appropriate final inspections have been conducted and a certificate of use and or occupancy has been issued by the Department. Each final inspection shall verify that all permit requirements have been met and shall also include a performance test administered by the Office of the Fire Marshal to insure the proper operation of the gate and accessibility for emergency personnel. The Fire Marshal's office may also conduct random or periodic inspections at any reasonable time to insure continued proper operation of any access gate described herein. Any gate found to not meet the performance standards prescribed for its installation and operation or be in a state of disrepair shall be immediately removed from service and placed in the full open position. Gates may thereafter only be placed back in service after all repairs are made and the installation has successfully passed the necessary performance test.</p> <p>Agreed.</p>
	<p>12. Where access gates are proposed for new developments or subdivisions the homeowners association documents shall contain language, as approved by the County Attorney, that acknowledges the following</p> <ul style="list-style-type: none">a. The use of the access gates may extend emergency response times for fire, ambulance and law enforcement personnel.b. The use of the access gates precludes routine patrols by law enforcement agencies.c. The use of the access gates may prevent or extend the delivery of other governmental functions as described in number ten above. <p>See the response to #13 below.</p>
	<p>13. When access gates are proposed to be added to a private road in an existing subdivision the building permit application for the access gates shall be accompanied by a petition, in a form acceptable to the County Attorney, signed by not less than eighty percent of the property owners in the subdivision or development that states their agreement with the proposed gate installation and acknowledges the statements contained in Item 12 above.</p> <p>See attached petitions.</p>



14. The County Commissioners, their employees or agents shall have the right but not necessarily the responsibility, in an emergency situation as determined by the County Commissioners, to enter upon any subdivision or development to disable, remove, open or modify any device or gate that impedes or controls vehicle access at the sole expense of the homeowners association or other responsible party. The property owner, homeowners association and its officers, corporation or individual in control or responsible for the private road shall be responsible and liable for any violations of the provisions contained herein.

Agreed.

HANCOCK GATE OPERATOR SYSTEMS

6464 CHERRY WALK ROAD

HEBRON, MD. 21830

Phone (410) 334-6642

Fax (410) 334-6679

~Maintenance Agreement~

HANCOCK GATE OPERATOR SYSTEM'S INC. Agrees to service and maintain all gate operators and access controls at specified intervals indicated below. All service will be performed on a time and material basis at a rate of \$95.00/hr. for labor plus materials. General service visits will average (2) Hrs. \$190.00

Initial Interval Below:

_____ Monthly

_____ Every Two (2) Months

_____ Quarterly

_____ Semi-Annually

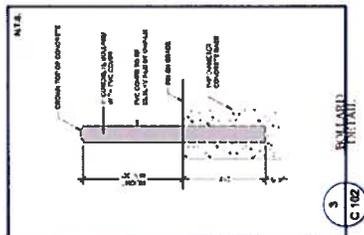
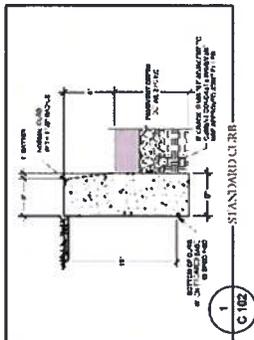
_____ Annually

Company/Development

Name: _____ Homer's Hideaway, LLC

Customer Signature: _____

Date: _____



NOTE: The contractor shall be responsible for obtaining all necessary permits for this project. The contractor shall be responsible for obtaining all necessary permits for this project. The contractor shall be responsible for obtaining all necessary permits for this project.

WISTA DESIGN INC.
 Engineers • Architects • Surveyors • Landscape Architects
 1111 W. Main Street, Suite 200
 Worcester, MA 01602

**THE ESTATES AT INLET ISLE
 ENTRANCE GATE**

SITTING PLAN DETAILS

PROJECT DATA
 Project No. 18-110
 Date: 08/11/2019
 Scale: NTS

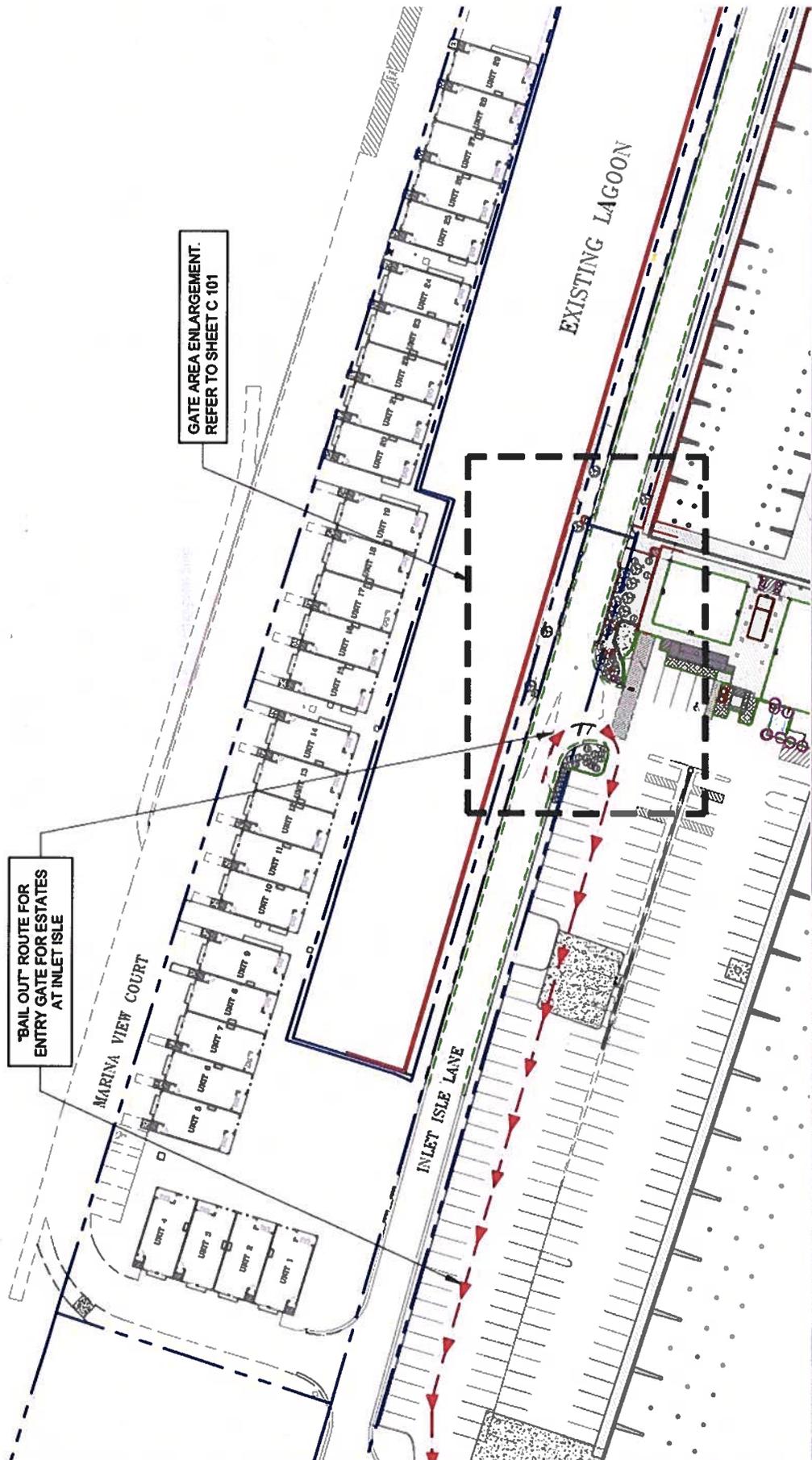
REVISIONS



18-110
 CI: 08.1120.dwg
 C 102

ESTATES AT INLET ISLE

WORCESTER COUNTY, MARYLAND



F
R
O
M

Hancock Gate Operator System's Inc.
 6464 CherryWalk Rd.
 Hebron, MD 21830

PROPOSAL

Page No. 1
 of 1 Pages

PROPOSAL SUBMITTED TO:		PHONE 410-352-3874	DATE 01-23-20
NAME Brian Zollinger	JOB NAME Sunset Marina		
STREET	STREET		
CITY	CITY Ocean City	STATE MD	
STATE			

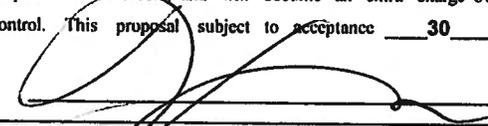
We hereby submit specifications and estimate for:

- Installation Of (2) Mega-Arm Tower Barrier Gate Operators.
- Installation Of (2) 12' Aluminum Reflective Arms.
- Installation Of (2) Tower Heaters.
- Installation Of (1) Elite EL2000 Telephone Entry System With Initial Programming.
- Installation Of (1) Gooseneck Pedestal.
- Installation Of (1) Safety Loop With Detector.
- Installation Of (1) Free-Exit Loop With Detector.
- Installation Of (1) Monitored Thru-Beam Photo Eye Set.
- Installation Of (1) Siren Operated Sensor.
- Installation Of (16) Visor Transmitters.
- Installation Of (2) 4" Bollards With PVC Sleeves.
- High Voltage Feeds To Operator's Provided By Other Contractor Source. (2) (120 Volt / 20 Amp)
- Verizon Interface And Dedicated Analog Phone Line Feed To T.E.S. Provided By Other Contractor Source.

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sum of Eighteen Thousand One Hundred Forty dollars (\$ 18140.00) with payment to be made as follows:

50% Deposit / Balance Due Upon Completion

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the agreements contingent upon strikes, accident or delays beyond our control. This proposal subject to acceptance 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature 

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED:

DATE 01-23-20 Signature _____

Signature _____

©E-2 Contractors Forms Form No. EZ 110

MAS/MAST

HIGH-TRAFFIC, HIGH-SPEED DC BARRIER GATE OPERATOR



**Ultra-Reliable, Durable,
Superior Performance**

LiftMaster® high-traffic, high-speed DC powered barrier gate operators with Battery Backup keep traffic flowing and provide easy in and out access 24 hours a day. Rated for 10,000 cycles per day with an opening time of only 0.9 seconds and constructed of corrosion resistant aluminum alloy, the Mega Arm Sprint / Mega Arm Sprint Tower are the ideal choice for high-traffic Parking applications. The product's Security+ 2.0® radio technology provides unparalleled reliability and quick, secure access.

Performance

- **Battery Backup** safeguards your property by providing up to up to 900 cycles* when the power is down.
- **Breakaway Arm** can be easily reinstalled if arm is hit, quickly restoring traffic control.
- **Continuous Duty DC Motor** is powerful and features soft starting and stopping for quiet, efficient operation.
- **Heavy-Duty Drive System with Commercial Gearbox** provides reliable, continuous operation.
- **Magnetic Limit Sensors** have no moving parts and are designed for high-cycle applications, so there's less wear and tear and you're assured dependable operation day-in and day-out.
- **Sequenced Access Management** provides control between barrier and slide/swing gate operators to maximize traffic flow.
- **K1 Relay** provides output signals to activate other accessories or operators during open/close cycles.

Safety and Security

- **Security+ 2.0 Patented Multi-Frequency Secure Radio Technology** virtually eliminates interference and gives you quick and secure access with enhanced range and performance.
- **Fire Department Compliant** selectable settings allow gate to auto open upon loss of AC power or battery depletion.
- **Anti-Tailgate Feature** prevents unauthorized access to your property.
- **Built-in Surge Suppression** protects against high-voltage spikes and surges.

*Basic set up with remote controls programmed with a 8 ft. Barrier Arm. Does not include power draw from added accessories. LiftMaster low power draw accessories recommended to extend cycles on Battery Backup.

Optional Accessories:



1-Button Encrypted DIP Switch Remote Control (811LM)
Cost effective solution with Security+ 2.0 for applications requiring a large number of remote controls for a common entrance.



2-Button and 4-Button Learning Remote Controls (892LT/894LT)
Independent button programming with Security+ 2.0. Also compatible with Security+® 315MHz and 390MHz frequencies. Can clone existing DIP Switch Remote Controls.



Commercial Access Control Receiver (STAR1000)
Stand alone commercial receiver with Security+ 2.0 provides enhanced range and reliability. Holds up to 1,000 remote controls.



LiftMaster Loop Detector (LD7LP)
Automatic sensitivity settings for easy vehicle detection. Power efficient design ideal for battery backup.



Retro-Reflective Photo Eye (RETROAB)
Safeguards your property. Single-sided means no expensive trenching or wiring.

MAS/MAST

HIGH-TRAFFIC, HIGH-SPEED DC BARRIER GATE OPERATOR

FEATURES

DUAL-GATE OPERATION

Works in conjunction with another barrier gate operator.

BUILT-IN 110V CONVENIENCE OUTLET

Simplifies adding/powering up accessory devices. Save the expense of having to add an extra outlet.

UNIVERSAL CONTROLLER WITH 8 INPUTS

Allows for the connection of a full range of optional external devices.

RIGHT- OR LEFT-HANDED OPERATION

Provides flexibility to fit your application and ease of installation.

SLIP CLUTCH OPTION

Allows arm to be manually pushed open without damaging the shear pin. Arm automatically resets to normal closed position upon receiving activation.

850LM RADIO RECEIVER INCLUDED

Stores up to 90 remote controls.

WARRANTY

Two years parts.
Ten years frame.

SPECIFICATIONS

OPERATOR SPEED

0.9 seconds to open or close

POWER

120V / 220V applications

ACCESSORY POWER

24VDC 500 mA

OPERATOR WEIGHT (without arm)

MASDCBB3 – 89 lbs.

MASTDCBB3 – 113 lbs.

UL LISTED

UL 325 & UL 991 – Class I, II, III, IV

CONSTRUCTION

GEAR REDUCTION

60:1 reducer in synthetic oil bath

MOTOR

1/2 HP equivalent

Continuous-duty 24VDC / 800 RPM

CHASSIS

Powder coated 1/4 in. aluminum alloy

COVER

MAS – UV-resistant polyethylene

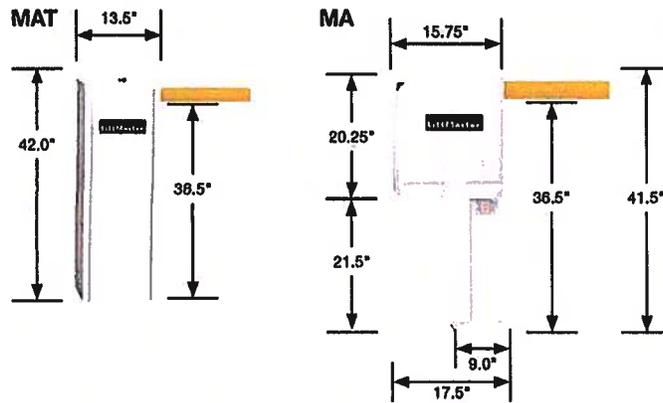
MAST – Full aluminum cabinet

RECOMMENDED CAPACITIES

HP	MAX. ARM LENGTH (ft.)	CYCLES/DAY
1/2	8 ft. aluminum arm with optional yellow padding	10,000

LiftMaster® gate operators comply with UL 325 standards. External entrapment devices must be added to meet UL 325 standards. Your installer will recommend suitable entrapment devices such as photoelectric sensors or edge sensors.

DIMENSIONS



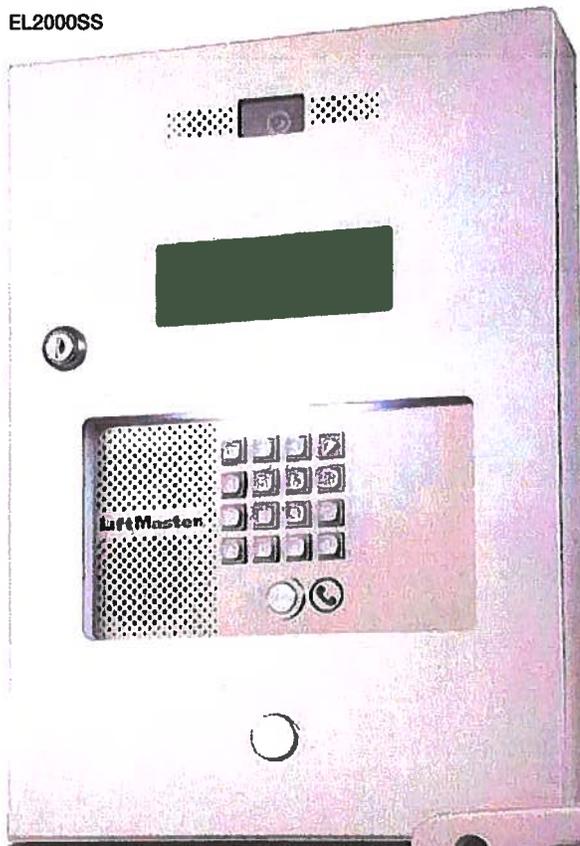
ADDITIONAL ARM ACCESSORIES**

White Arm with:		
	White Only	Yellow Padding
Arm Length	Aluminum Arm	Aluminum Arm
8 ft.	SP8TUBE SP8* (6 ft. 3/4 in. Installed)	SP8* (6 ft. 3/4 in. Installed)

**All Arms shipped as single piece. Installer cuts down to meet site requirements.

EL2000SS and EL25: Enhanced Versatility with a Bold New Look

EL2000SS



ENTRY CODES

Allow for 2,000 4-digit codes to be programmed. The codes can be split up any way you choose; 500 directory codes, 1,000 card codes, 500 entry codes for example; up to 2,000 in total. The codes can be time-restricted and/or use-restricted

Up to Four Wiegand Inputs, if using optional plug-in module, for use with card readers, keypads or PPWR radio receiver

Programmable Relays provide four assignable built-in relays

Call Forwarding and Do Not Disturb schedules can be programmed for every resident

Recessed, Lighted, ADA-Compliant Keypad makes entering your PIN easy and convenient

Call Waiting allows the resident to answer a call from the gate or door while on another call

Auto Sensor input automatically dials the residence or can activate relays

EL2000SS ADDITIONAL FEATURES:

- **5-Inch Backlit LCD Display** clearly displays up to 4 lines with 20 characters per line
- **Illuminated Call Button** is easy to see and use
- **Rugged Brushed Stainless Steel Faceplate** with stainless steel powder-coated paint-finished enclosure

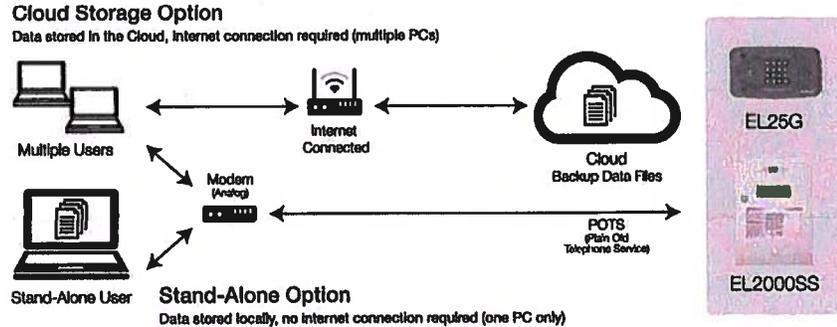


EL25

Versa XS 4.0 Software

The Access Control Management for the EL2000SS and EL25 with New User Interface

Versa XS 4.0 Software allows access control management for the **EL2000SS** and **EL25** with remote programming capabilities for multiple users. This system utilizes Cloud storage, and enables users to latch/unlatch doors via software, eliminating the need to call an installer to program. Versa XS 4.0 Software can be downloaded for free at LiftMaster.com/SoftwareDownload.



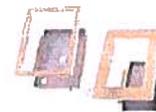
Add to Your System



EL25/EL2000 Wiegand Module (WOMODKT)
Supports two Wiegand-compatible remote control access devices.



Pedestal Mounting Kit (EL2000SSPKT)
Pedestal mounting kit compatible with model EL2000SS only. The kit allows you to mount an EL2000SS unit onto a standard gooseneck pedestal. Kit includes a mounting plate with gasket and hardware.



Trim Kits (EL2000SSTKN, EL2000SSTKW)
Compatible with model EL2000SS only. Kit includes a bezel, housing, mounting brackets and hardware. EL2000SSTKN retrofits to Dial Code, Infinity S/M. EL2000SSTKW retrofits to Infinity L and ICON 26.



Passport Receiver (PPWR)
Security+ 2.0® receiver compatible with LiftMaster® Access Control solutions. Supports standard Wiegand protocol in two operational modes: Pass-Thru and Advanced (WOMODKT required).



Passport MAX and Passport Lite Remote Controls (PPV3M, PPK3PHM, PPLK1-X)
LiftMaster remote controls with unique credentialed ID can be used with an access control system. Remote controls are available in three models: visor, keychain and keychain with proximity sensor. Visit LiftMaster.com to view all models.



Single Entry Access Control Keypad and Proximity Reader (KPR2000)
A secure and vandal-resistant controller. This keypad and proximity card reader is simple to install and looks great.



Pedestals (PED42, PED64)
42 in. pad mount (2 x 2 in.) and 64 in. in-ground (2 x 2 in.) square black powder-coated pedestal. (When used with the EL2000SS, it requires the EL2000SSPKT.)



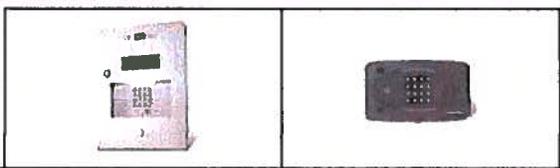
Combo Keypad / Card Reader Wiegand Output (LMPPK)
125 kHz wall switch keypad proximity reader. Sealed for indoor or outdoor use.



ProxCard II® 1326 Clamshell 26-Bit Card (LMPC2-ST)

Telephone Entry/Access Control System

EL2000SS EL25

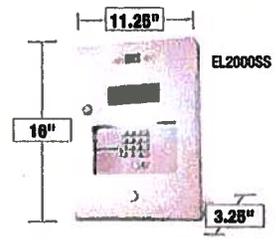


FEATURE	EL2000SS	EL25G/EL25N/EL25S
SYSTEM FEATURES		
Event History	4,000	
Max. Directory Capacity	2,000	
Voice Communication	POTS/Filtered DSL	
Data Connectivity	Dial-up modem/Direct connect/Keypad	
Anti-Passback	Yes	
Holiday Programming	Yes	
Time Zone Feature	62 programmable time zones with three segments each	
Unlock Schedule	Yes	
BASIC INPUT/OUTPUT		
Max. Number of Gates/Doors of Control	4	
Wiegand Inputs	Up to 4 Wiegand inputs, with 2 (optional) plug-in modules (WOMODKT)	
Additional Gate/Door Expansion	Shared telephone line for 7 units	
PANEL		
Display Type	5" LCD screen; 4 display lines, 20 characters per line	
Color	Stainless steel	EL25G grey EL25N nickel EL25S silver
Postal Lock	Built-in	
Camera Ready	Yes	
Mounting Options	Surface/Flush/Gooseneck	Surface/Gooseneck (landscape or portrait)
Power Supply	120 VAC to 16 VDC transformer (included)	
Temperature Specifications	-4°F to 149°F (-20°C to 65°C)	
Warranty	2 Years	
VERSAXS 4.0 SOFTWARE SPECIFICATIONS		
Operating System Compatibility	Windows 10, 8.1, 8 and 7 (32 bit and 64 bit), Vista (32 bit), XP Home (32 bit), and XP Professional SP3 (32 bit). Not compatible with Apple iOS systems	
Cloud File Storage	FREE Cloud storage for reliable data sharing and backups	

ADDITIONAL ACCESSORIES

EL2000 LCD Display Heater (ELHTRKT)
Allows the EL2000 LCD display to maintain normal operation to approximately -20°F.

DVR-Compatible Low-Lux Color Camera Kit (EL2000DVRCAMKT, EL25DVRCAMKT)
Optional color low-lux camera, compatible with DVR.



Recommended Adapters:
Modem Adapter (USB-MODEM) A USB to dial up modem adapter is required to program the system via phone line (from either a remote call or the system's direct line).

USB to Serial RS232 Adapter A USB to serial adapter is required to program the system with a computer via the serial port for real time monitoring of transactions. When selecting a USB to serial adapter, make sure that it is compatible with your operating system and avoid adapters with low cost processor chips. Recommended: Sabrent CB-DB9P.

Sales Support: 800.282.6225
Technical Support Center: 800.528.2806
LiftMasterDealer.custhelp.com/app/ask

For Support Tools and Videos visit
LiftMasterTraining.com

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300 Windsor Drive, Oak Brook, IL 60523
LiftMaster.com
LMTBRE205 4/17

CGI IS AN ISO9001 REGISTERED COMPANY

CGI reserves the right to make design or specification changes without notice.



ESTATES AT INLET ISLE

WORCESTER COUNTY, MARYLAND

SITE DATA

CLIENT
 HOBBS HOLDING, L.L.C.
 11800 TROEN ROAD
 SILVER SPRING, MARYLAND 20904
 PH: 410-321-8800

CONSULTANT

VISTA DESIGN, INC.
 11800 TROEN ROAD
 SILVER SPRING, MARYLAND 20904
 PH: 410-321-8800

SITE INFORMATION

TAX MAP 0027
PARCEL 0027
LOT 2 & 3
OWNER HOBBS HOLDING, L.L.C.
GENERAL COMMERCIAL DISTRICT
FRONT SETBACK 35 FT
REAR SETBACK 35 FT
REAR SETBACK 35 FT
REAR SETBACK 35 FT

WETLANDS

NO WETLANDS HAVE BEEN DELINEATED WITHIN THE LIMITS OF DISTURBANCE.

CRITICAL AREA

WORCESTER COUNTY ATLANTIC COASTAL BAY CRITICAL AREA LAW THIS CRITICAL AREA AND ALL PROPOSED CONSTRUCTION ACTIVITIES MUST BE IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 LAND AND WATER RESOURCES, SUBTITLE 1 PUBLIC CRITICAL AREA OF THE WORCESTER COUNTY CODE OR PROPOSED DEVELOPMENT ACTIVITIES.

FLOOD ZONE

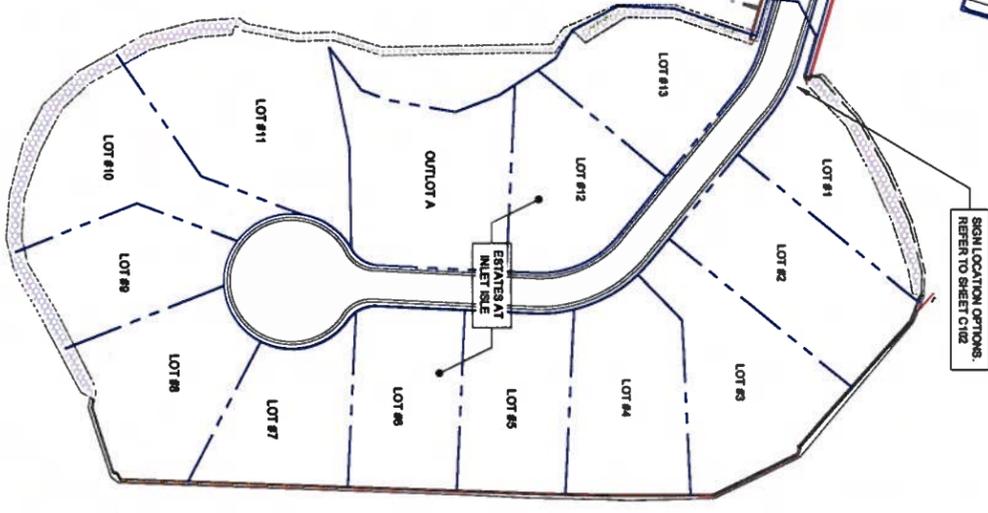
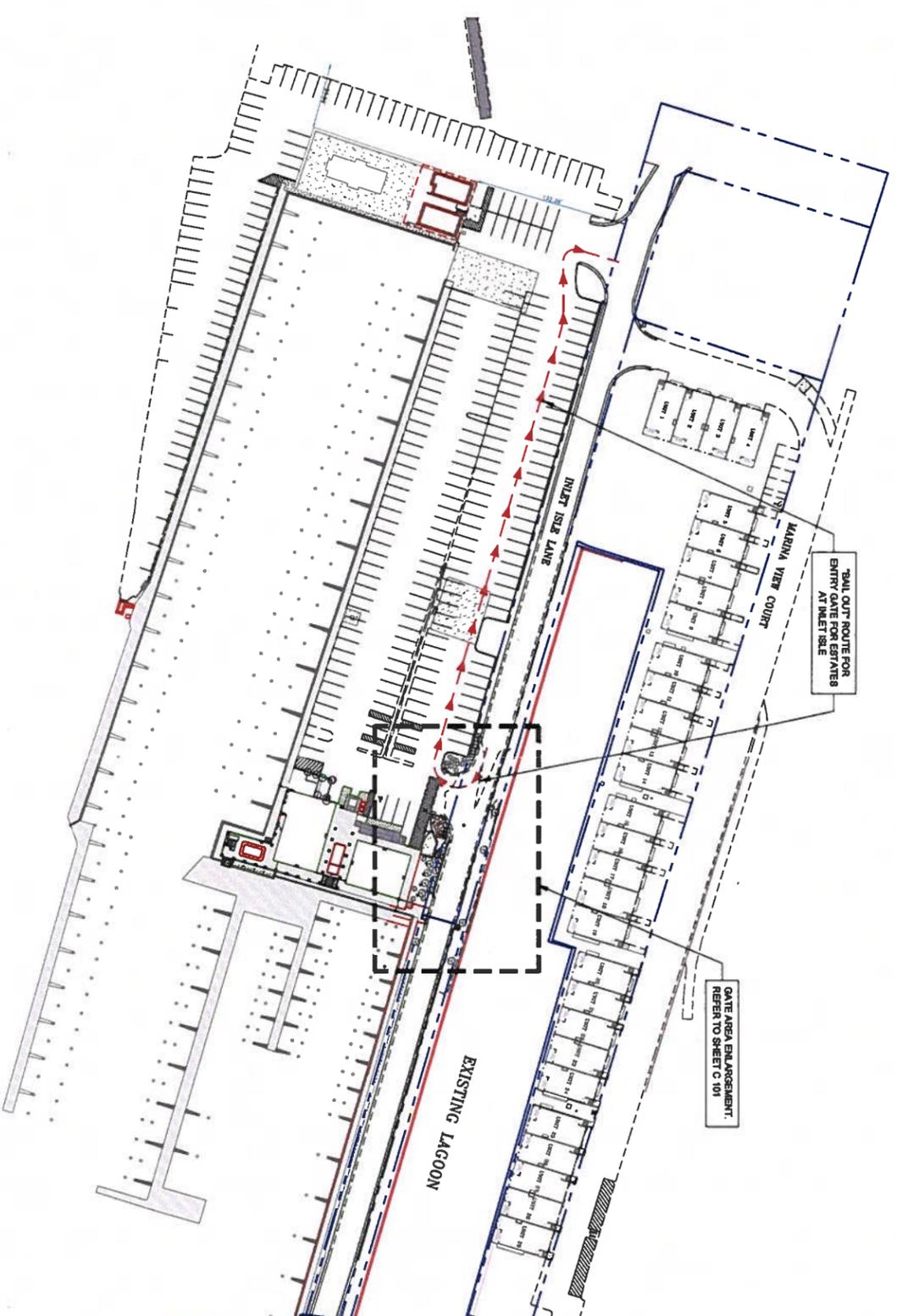
THE PROPERTY IS LOCATED IN FLOOD ZONE AS WITH A BASE FLOOD ELEVATION OF 8 FEET AS SHOWN ON THE FEMERAL EMERGENCY MANAGEMENT AGENCY CONSULTANT PANEL, SHORTLY SPECIFIC DATE 07/02/01.

PROJECT NARRATIVE

THE INTENT OF THIS PROJECT IS TO PROVIDE AN ENTRY GATE FOR THE OWNERS OF RESIDENCES AT THE PROJECT FOR WALKING. THE ENTRY GATE WILL BE CUT ROUTE AS SHOWN ON THIS SHEET. THE ENTRY GATE WILL BE THROUGH THE EXISTING PARKING LOT FOR THE FISHING CENTER AND BERRY PARK.

GENERAL NOTES

1. ALL WORK REQUIRED BY THESE DOCUMENTS DRAWINGS AND SPECIFICATIONS SHALL BE NEW UNLESS OTHERWISE NOTED AND IS INCLUDED IN THE GENERAL WORK.
2. THE CONTRACTOR SHALL EXAMINE A COPY OF SAID PLANS AND VERIFY THE WORK IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLANS AND ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL COMPLY TO THESE DRAWINGS AND SPECIFICATIONS AND TO ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES AND REGULATIONS.
3. ANY DISCREPANCIES BETWEEN THE INFORMATION PROVIDED ON THESE PLANS AND THE EXISTING SITE CONDITIONS SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BY THE CONTRACTOR.
4. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY TO THE ARCHITECT THE STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY TO THE ARCHITECT THE STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS.
5. THE CONTRACTOR SHALL VERIFY ALL ELEVATIONS FROM TO CONSTRUCTION.
6. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY TO THE ARCHITECT THE STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS.
7. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY TO THE ARCHITECT THE STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS.
8. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS. THE CONTRACTOR SHALL VERIFY TO THE ARCHITECT THE STAKEOUT OF THE LINE AND NO SPERMALTING OR CONSTRUCTION ON THESE DRAWINGS.
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14. THERE ARE NO STEEP SLOPES WITHIN THE LIMITS OF DISTURBANCE.
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VISTA DESIGN, INC.
 Engineers • Architects • Surveyors • Landscape Architects •
 Land Planning Consultants
 11800 TROEN ROAD, SILVER SPRING, MD 20904
 PH: 410-321-8800

THE ESTATES AT INLET ISLE ENTRANCE GATE

COVER SHEET & BAIL OUT PLAN

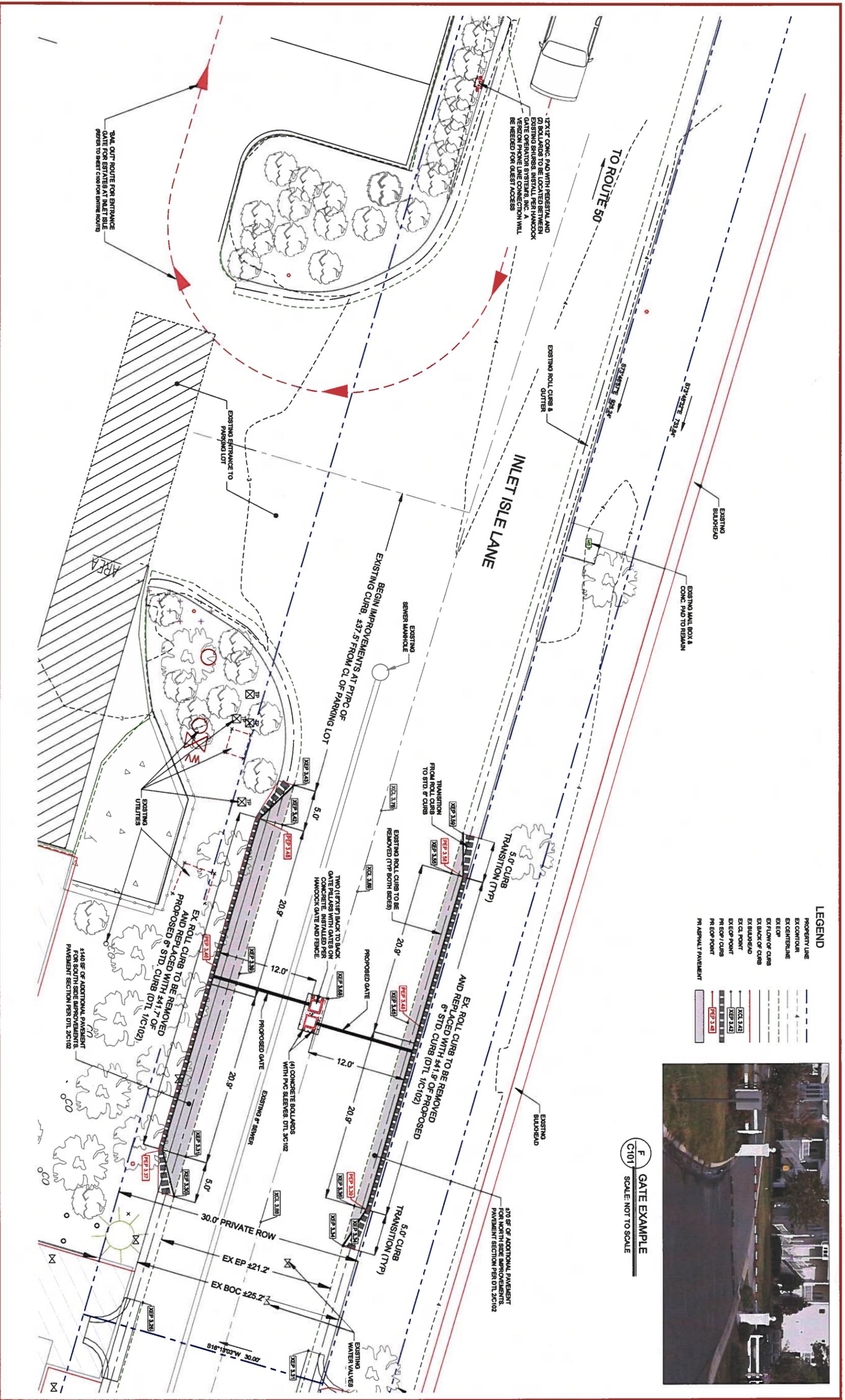
PROJECT DATA

Project No.	18-110
Project Name	CE 061120.dwg
Project Date	06/19/20
Project Scale	1" = 60'

REVISIONS

No.	Description	Date

Project No. 18-110
Project Name CE 061120.dwg
Project Date 06/19/20
Project Scale 1" = 60'



LEGEND

- PROPERTY LINE
- EX. CONTOUR
- EX. CENTERLINE
- EX. EOP
- EX. FLOW OF CURB
- EX. BACK OF CURB
- EX. BULBHEAD
- EX. CL. POINT
- EX. EOP POINT
- PR. EOP / CURB
- PR. EOP POINT
- PR. ASPHALT PAVEMENT



F GATE EXAMPLE
C101 SCALE: NOT TO SCALE

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Tel: 410-325-5877 • www.vistadesign.com

THE ESTATES AT INLET ISLE ENTRANCE GATE
SITE PLAN

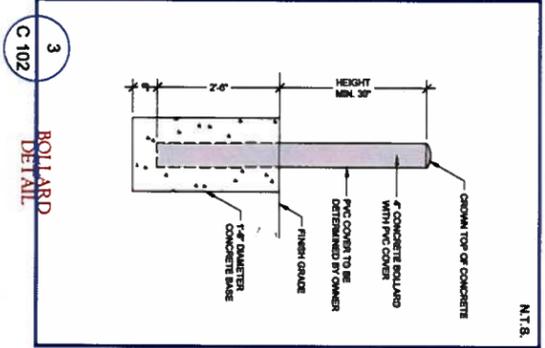
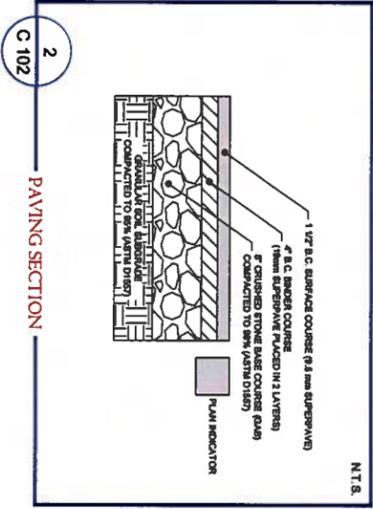
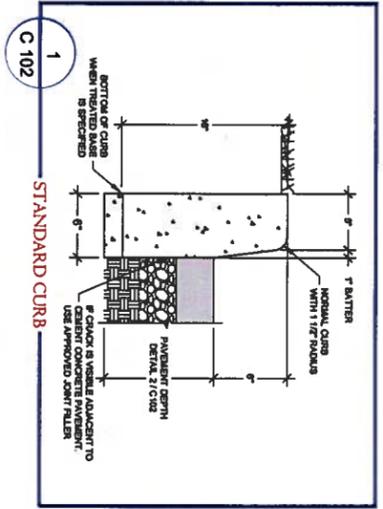
PROJECT DATA

File Name	18-110
Project	227 East 1st St
Site Name	
Drawn By	CE
Checked By	SM
Date	06/19/20
Scale	1" = 5'

REVISIONS

Rev	Description

Project No: **18-110**
File Name: **CE 061120.dwg**
Drawing No: **C 101**



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NOTE: This drawing does not include necessary components for construction safety. All construction must be done in compliance with the occupational safety and health act of 1970 and all state and regulations deemed appropriate.

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THE ESTATES AT INLET ISLE ENTRANCE GATE

SITE PLAN DETAILS

PROJECT DATA

Title/Type	Dr	Sheet	107	Scale	1/4\"/>
Year/Client/Job	2019	18-110			
Drawn By	EE	Checked By	SJS	Date	06/19/20

Scale: **NTS**

REVISIONS

No.	Description	Date

Project No: **18-110**
 File Name: **CE 061120.dwg**
 Sheet No: **C 102**

STAFF REPORT

REZONING CASE NO. 426

PROPERTY OWNERS: David Lane and Susun Rowe Lane
8621 Stephen Decatur Highway
Berlin, MD 21811

ATTORNEY: Mark S. Cropper, Esquire
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

TAX MAP/PARCEL INFO: Tax Map 33, Parcel 341 – Tax District 10

SIZE: The petitioned area is 1.74 acres in size.

LOCATION: The petitioned area is located on the westerly side of MD Route 611 (Stephen Decatur Highway), south of Snug Harbor Road, in Berlin.

CURRENT USE OF PETITIONED AREA: The property is developed with an 1,850 square foot building for a contractor shop (sign shop – 1,200 square feet) with office and retail space (650 square feet) known as Sun Signs.

CURRENT ZONING CLASSIFICATION: A-2 Agricultural District

REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District

APPLICANT'S BASIS FOR REZONING: The application indicates that there has been both a change in the character of the neighborhood since the last zoning of the property, and also that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960s, the parcel was given an A-1 Agricultural District zoning classification. This classification was retained in the 1978 comprehensive rezoning. In 1988, the property was rezoned to B-2 General Business District by virtue of Rezoning Case No. 253. The commercial classification was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning, the petitioned area was changed to the A-2 Agricultural District.

SURROUNDING ZONING: The properties to the north, south and west are all zoned A-2 Agricultural District. The property to the east on the opposite side of MD Route 611 (Stephen Decatur Highway) is zoned C-2 General Commercial District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Existing Developed Area (EDA) Land Use Category. With regard to the Existing Developed Area Land Use Category, the Comprehensive Plan states the following:

“This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted.

Surrounding areas have been mapped with one of the other land use designations as appropriate and should not be considered for rezonings by virtue of their proximity to an EDA. Further, the EDAs are anticipated to remain as mapped at least until the next plan review period. This will provide for orderly infill development within EDAs and new community-scale growth in the growth areas.

Not designated as growth areas, these areas should be limited to infill development. Density, height, bulk, and site design standards should also be consistent with the EDA’s existing character.” (Pages 13, 14)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

3. Maintain the character of the county’s existing population centers
4. Provide for appropriate residential, commercial, institutional, and industrial uses
5. Locate new development in or near existing population centers and within planned growth centers
6. Infill existing population centers without overwhelming their existing character
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
10. Locate employment centers close to the potential labor force
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads
17. Discourage highway strip development to maintain roadway capacity, safety, and character

(Pages 12, 13)

Also in Chapter 2- Land Use, under the heading Commercial Land Supply, the Comprehensive Plan states:

“Based on industry standards for the relationship of commercial land to market size, an excessive amount of commercial zoning exists in Worcester County. Discounting half the vacant land in this category as unbuildable, the remaining land if developed would have the capacity to serve a population of over 2 million people; the county’s peak seasonal population is less than 25 percent of this number.” (Page 24)

The land use analysis in Chapter 2 by subwatershed states the following:

“MD 611 provides adequate access, but it can be congested in summer. MD 611 LOS [Level of Service] is nearing the “impacted” category. The entire subwatershed other than its West Ocean City (northern) portion should not be further developed due to its traffic, environmental sensitivity, and high storm hazard vulnerability characteristics along with its value as a gateway to the parks.” (Page 28)

Chapter 4 - Economy also includes objectives related to Commercial Services. They are as follows:

1. Locate commercial and service centers in major communities; existing towns should serve as commercial and service centers.
2. Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
4. Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.
5. Locate commercial uses so they have arterial roadway access and are designed to be visually and functionally integrated into the community.

(Page 60)

In the same chapter, under the heading Commercial Facilities, the Comprehensive Plan states:

“Retailing is one of the largest employers in the county and is a significant contributor to the economy. Currently, designated commercial lands far outstrip the potential demand for such lands. When half of these lands are assumed to be undevelopable (wetlands and other constraints), the potential commercial uses can serve an additional population of over two million persons. The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result.” (Page 62)

In Chapter 6 – Public Infrastructure, the Comprehensive Plan provides the following objectives:

1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence

2. Permit development to occur only as rapidly as services can be provided
3. Ensure adequate public facilities are available to new development
4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demand it creates

(Page 70)

In Chapter 7 – Transportation, the Comprehensive Plan states the following:

“Worcester’s roadways experience morning and evening commuter peaks, however, they are dwarfed by summer resort traffic. Summer traffic peaks on Friday evening, Saturday, and Sunday afternoon. Weekend travel clusters on Friday and Sunday evenings with longer-term check-ins/outs peaking on Saturday. Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

“Average daily traffic on MD 611 has increased 163 percent since 1990. MD 611 traffic volume and level of service should be monitored to avoid affecting this roadway. Development along the MD 611 corridor should be kept to infill for the planning period.” (Page 80)

“Commercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintain road capacity. The current amount and location of commercially zoned land pose problems for the road system, particularly for US 50.” (Page 82)

With regard to MD Route 611 specifically, this chapter notes that this roadway is classified as a two-lane secondary highway/major collector highway. It cites the following policies, projects and recommendations this corridor:

- Conduct scenic and transportation corridor planning to continue this road’s rural and coastal character particularly from MD 376 to Assateague Island.
- Study need for and implement capacity improvements from MD 376 to US 50.
- Provide for interparcel connectors, service roads and other access controls.
- Growth along the mid and southern portion of the corridor should be limited due to the sensitivity of nearby lands and the limited capacity of the area’s road system.
- Plan for widening and intersection improvements of the corridor’s northern end.

(Page 85)

In the same chapter, under the heading General Recommendations – Roadways, the Comprehensive Plan lists the following recommendations:

1. Acceptable Levels of Service—It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. Impacted Roads--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
5. Impacted Intersections--Upgrade intersections that have fallen below a LOS C

(Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property is served by private well and septic, with a designation of a Sewer Service Category of S-1 (Immediate to two-year timeframe) in the Master Water and Sewerage Plan. He states that the property has been designated one (1) sewer EDU from the Landings Sanitary Service Area as this parcel is part of the existing developed properties in the Lewis Road area. Before receiving service, they would need to obtain an approved connection from the Department of Public Works. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

- Mu – Mullica-Berryland complex, severe limitations to on-site wastewater disposal
- FadA – Fallsington sandy loams, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Berlin Volunteer Fire Company substation, located approximately one minute away, 0.4 miles to the south of the petitioned area on MD Route 611 (Stephen Decatur Highway). No comments were received from the Berlin Fire Company with regard to this review. In addition, fire and ambulance service will also be available from the Ocean City Fire Company, which is located approximately eight minutes away, 3.7 miles north of the petitioned area on Keyser Point Road. No comments were received from the Ocean City Fire Company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff’s Office in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff’s Office.

2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?



Worcester County

Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell 
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 426
Worcester County Tax Map 33, Parcel 341
Reclassify approximately 1.74 Total Acres of
A-2 Agricultural District to C-2 General Commercial District

Date: 8/14/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009, and argues a substantial change in the character of the neighborhood has occurred as well. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. The property has an existing developed land use designation in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*). This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. The *Comprehensive Plan* also says that appropriate zoning providing for densities and uses consistent with this character should be instituted. Existing Developed areas were anticipated in *Comprehensive Plan* to remain as mapped at least until the next plan review period to provide for orderly infill development.

Citizens and Government Working Together

2. *The Comprehensive Plan* goes on to say that these areas are not designated as growth areas, these areas should be limited to infill and that Density, height, bulk, and site design standards should also be consistent with the EDA's existing character. These are all items that should be considered and discussed by the applicant.
3. The existing structure on the property is served by private well and septic at the present time. The subject property has a designation of a Sewer and Water Service Category of S-1 and (Immediate to two-year timeframe) in the *Master Water and Sewerage Plan*. They have been designated one (1) sewer EDU from the Landings Sanitary Service Area as this parcel is part of the existing developed properties in the Lewis Road area. The owner would need to secure a DPW-approved connection to the Landings wastewater plant to receive service.
4. This rezoning is located outside the Atlantic Coastal Bays Critical Area (ACB CA) and will be subject to the Forest Conservation Law. The parcel included is the proposed rezoning has not be subject to the Forest Conservation Law. This is due to all permitted construction having occurred prior to the implementation of the Law. A change from A-2 (agricultural district) to C-2 (general commercial) would change the afforestation/reforestation thresholds when/if property is further developed to the point that compliance with the Forest Conservation Law is required. The afforestation threshold will change from 20 percent to 15 percent and the reforestation threshold will change from 50 percent to 15 percent. This means, if compliance is required, the applicant would need to afforest/reforest a lesser percentage if the rezoning request is granted.

If you have any questions on these comments, please do not hesitate to contact me.

Citizens and Government Working Together



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

M E M O R A N D U M

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: July 14, 2020
RE: Rezoning Case No. 426, 427, and 428

.....

Upon review of the above referenced rezoning case, I offer the following comments:

* **Rezoning Case 426:** No comments at this time.

Rezoning Case 427: This is a congested intersection with no traffic light.

Rezoning Case 428: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll
\\wfile2\users\llawrence\Rezoning\Rezoning Case 426.427.428.doc

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

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FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Rezoning
Case No. 4260

Jennifer Keener

From: April Mariner
Sent: Friday, July 10, 2020 11:31 AM
To: Jennifer Keener
Subject: FW: Rezoning Cases

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Friday, July 10, 2020 11:28 AM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning Cases

Hi April,

Thanks for the update on personnel. I may retire this year as well although I haven't committed to it yet. I have reviewed these three cases and on behalf of the Maryland Forest Service have no comments to make.



Rob Clarke
Forester
Maryland Forest Service
Department of Natural Resources
10990 Market Lane
Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
(410) 651-2004 (O)
(443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Fri, Jul 10, 2020 at 9:45 AM April Mariner <amariner@co.worcester.md.us> wrote:

Good Morning Rob, I hope this email finds you safe and well. I am attaching three new Rezoning Cases for comment. Additionally, in case you didn't already know, Phyllis Wimbrow is retiring in September and Jennifer Keener

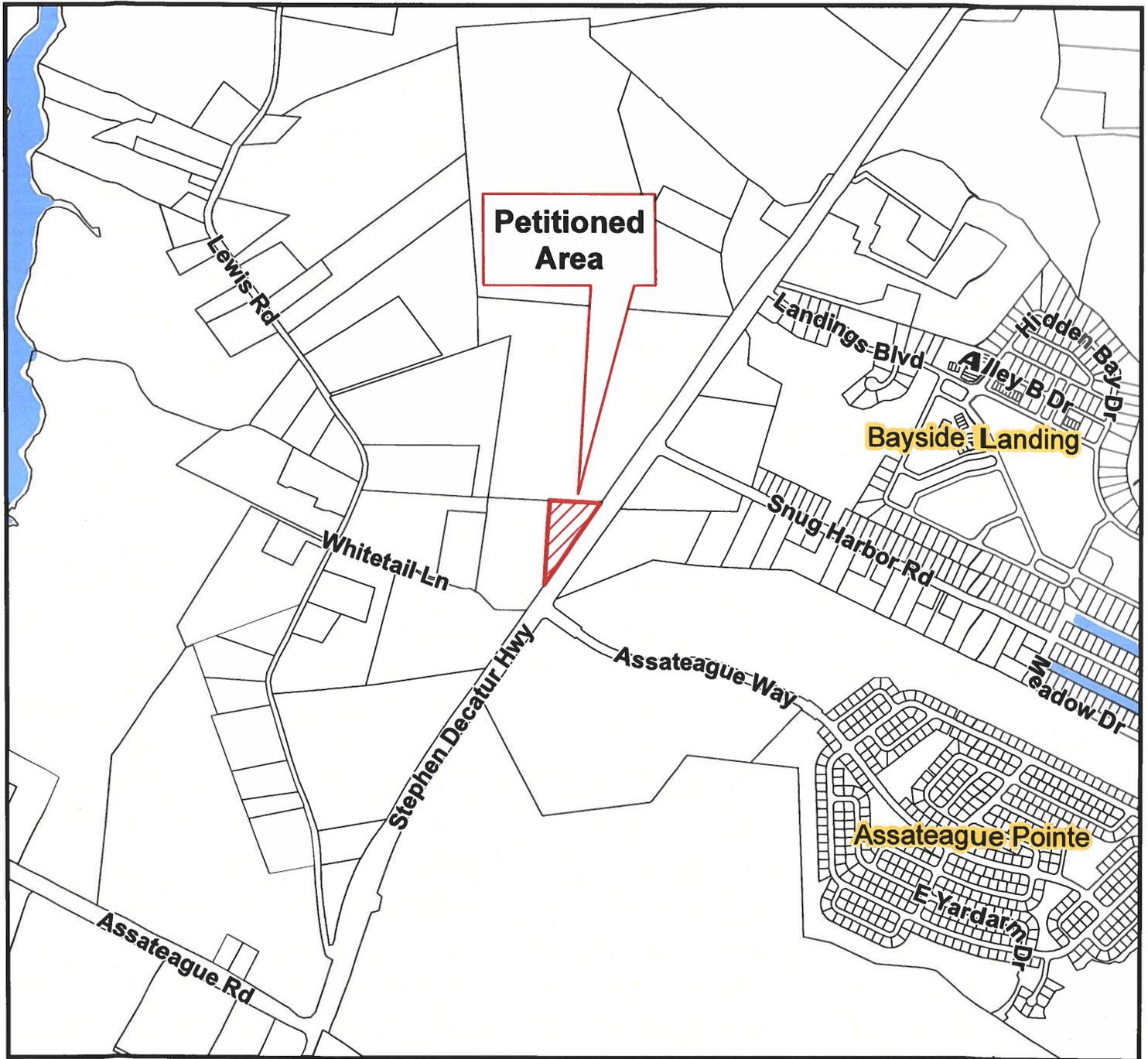


WORCESTER COUNTY, MARYLAND

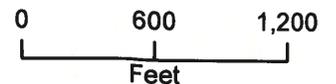


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK



WORCESTER COUNTY, MARYLAND

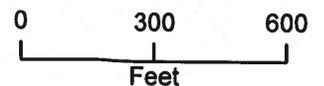


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2019 Aerial Imagery

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Drawn By: KLH

Reviewed By: JKK

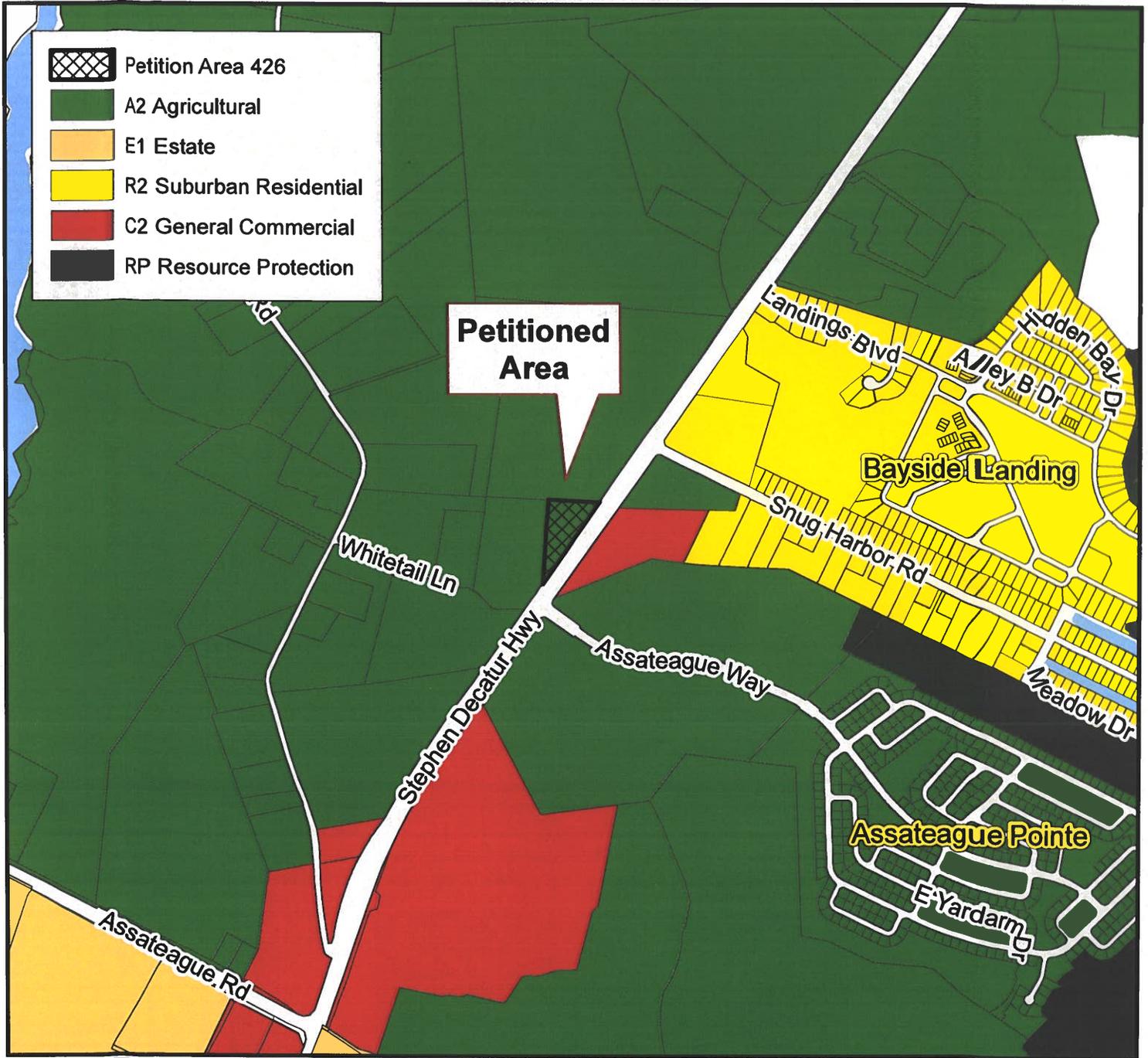


WORCESTER COUNTY, MARYLAND

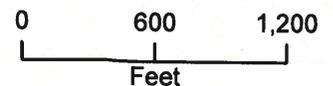


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2009 Zoning Map

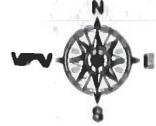
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

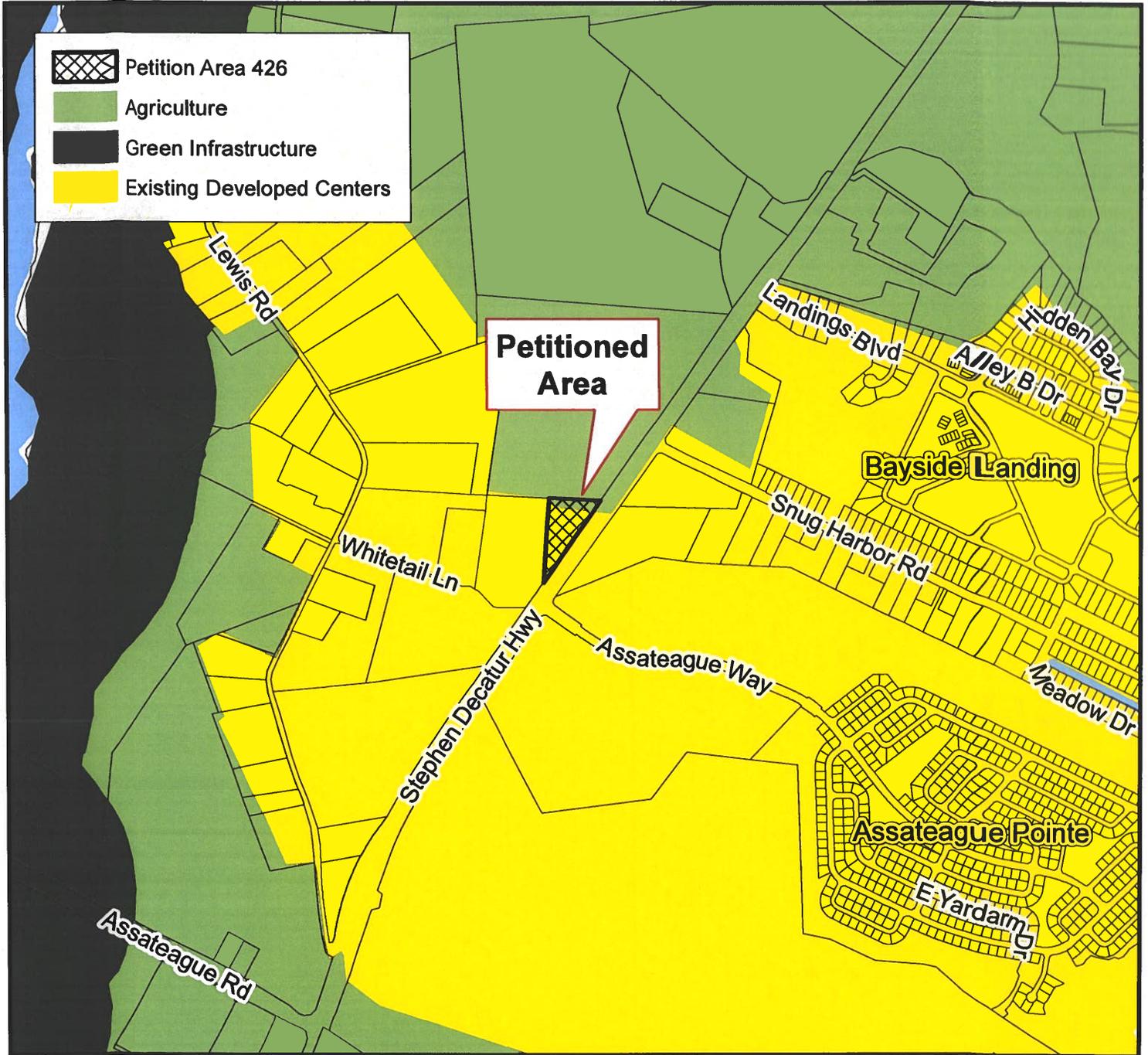


WORCESTER COUNTY, MARYLAND

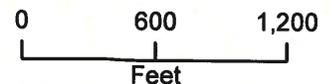


REZONING CASE NO. 426
 A-2 Agricultural District to C-2 General Commercial District
 Tax Map: 33, Parcel 341

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2006 Land Use Plan Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

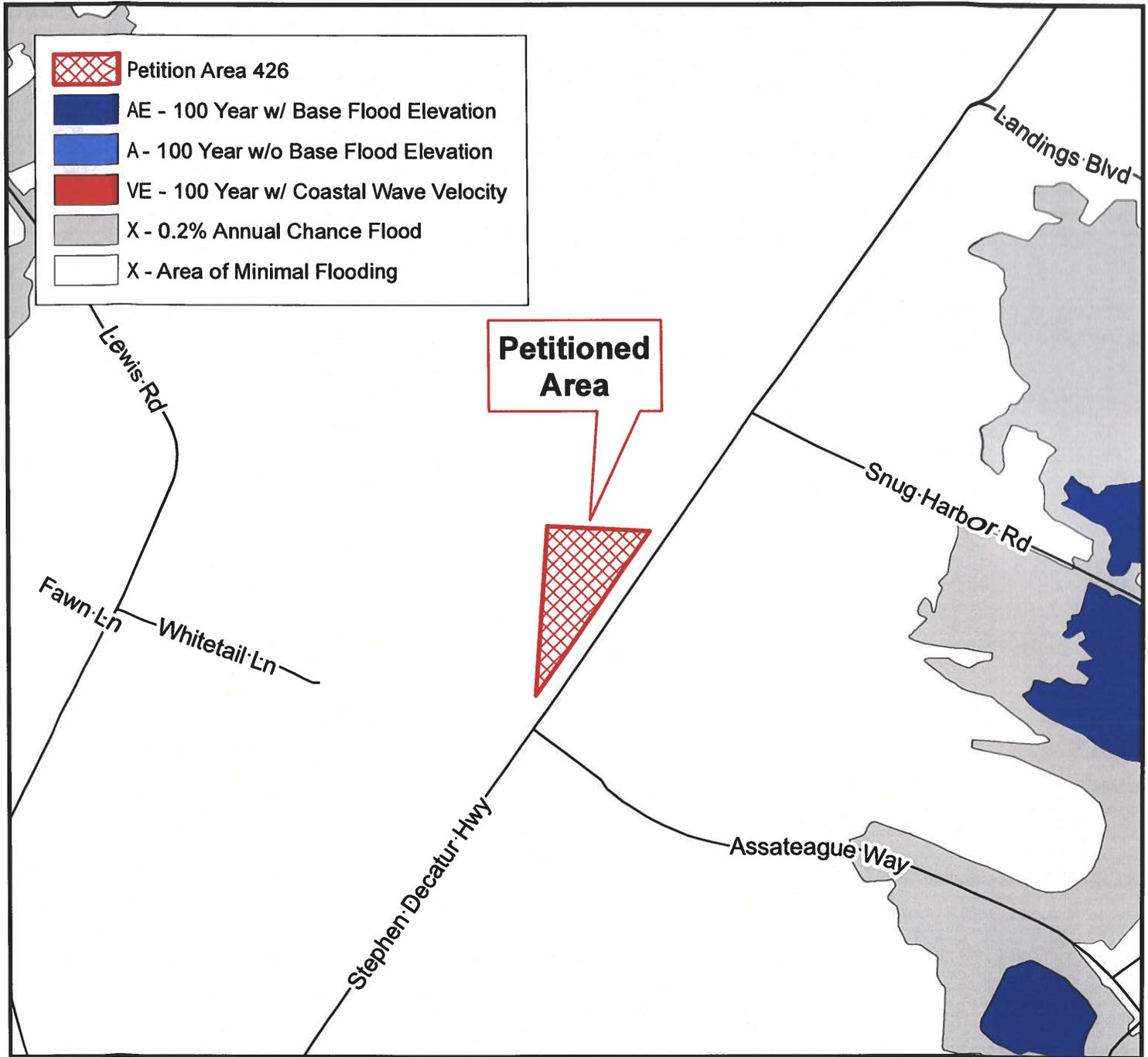


WORCESTER COUNTY, MARYLAND

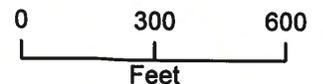


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

FLOOD PLAIN MAP

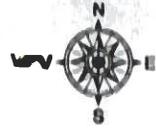


DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



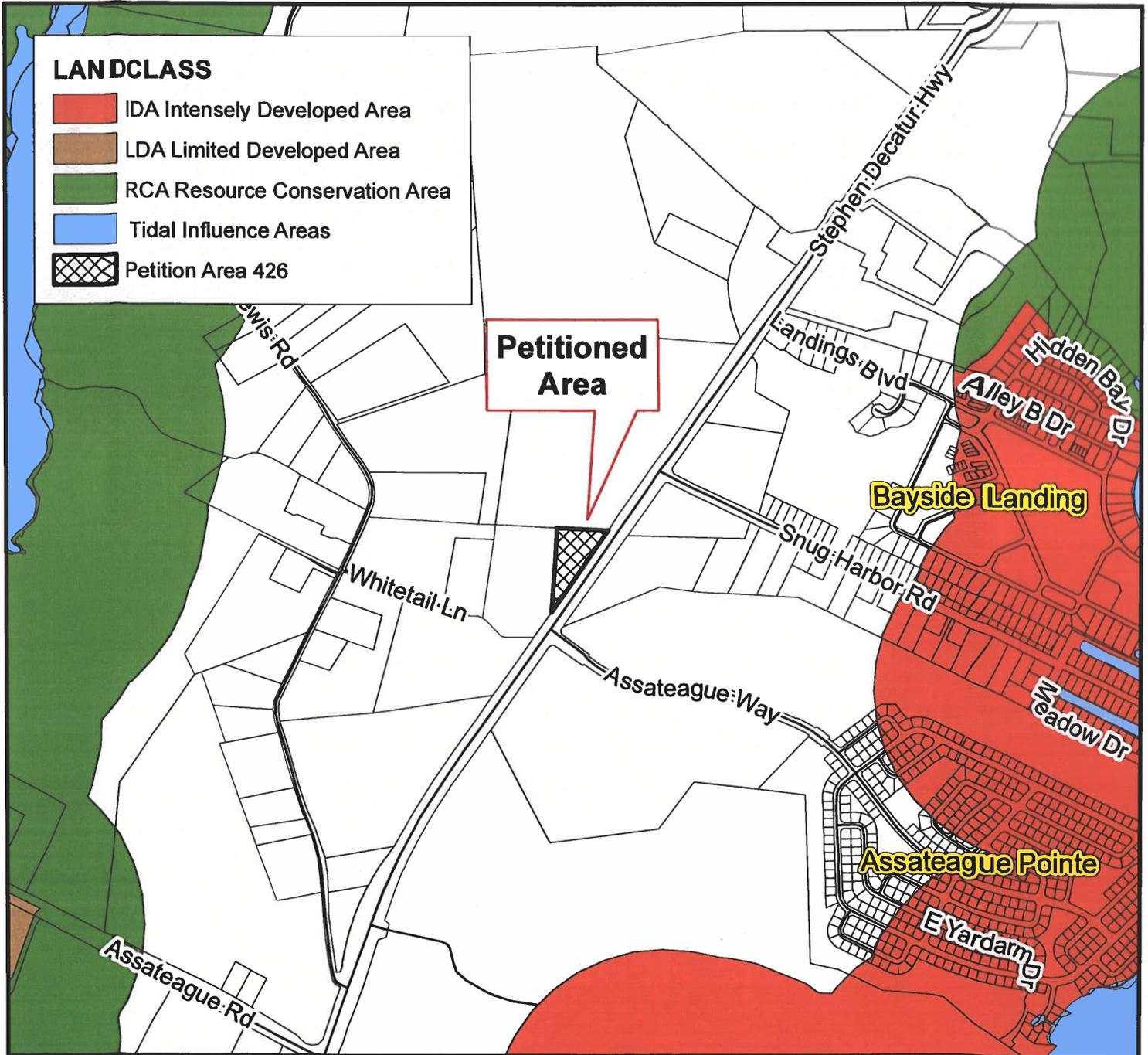


WORCESTER COUNTY, MARYLAND

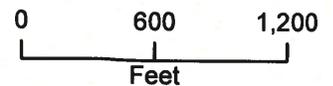


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - Atlantic Coastal Bay Critical Area Program

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

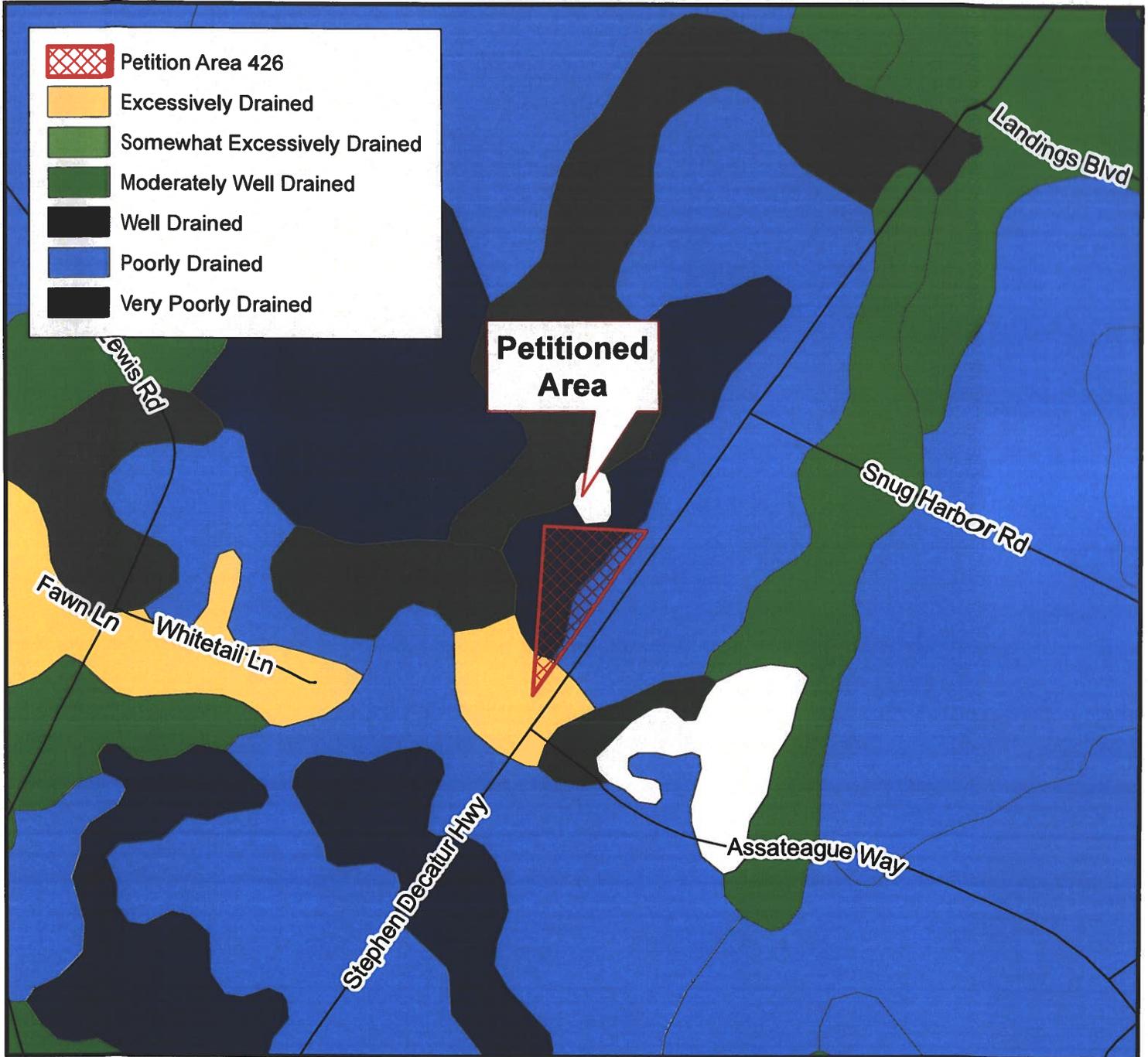


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020

Source: Worcester County GIS Data Layers - 2007 Soil Survey

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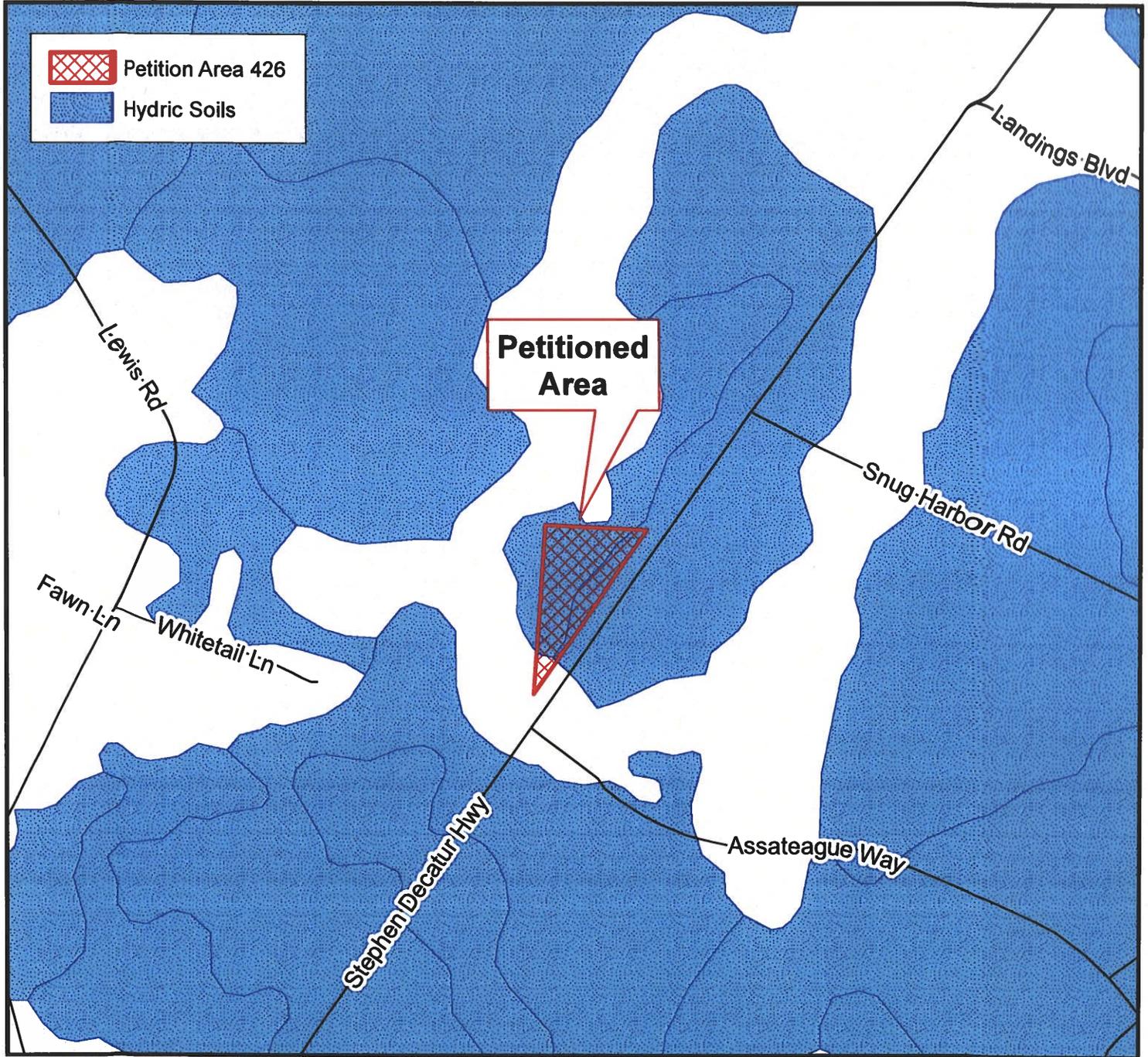


WORCESTER COUNTY, MARYLAND

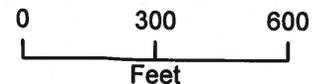


REZONING CASE NO. 426
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 33, Parcel 341

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2007 Soil Survey

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Drawn By: KLH

Reviewed By: JKK

STAFF REPORT

REZONING CASE NO. 428

PROPERTY OWNERS: YK Enterprise, LLC
10507 Hotel Road
Bishopville, MD 21813

ATTORNEY: Mark S. Cropper, Esquire
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

TAX MAP/PARCEL INFO: Tax Map 10, Parcel 167 – Tax District 05

SIZE: The petitioned area is 2.88 acres in size.

LOCATION: The petitioned area is located on the southerly side of St. Martin's Neck Road, east of Aramis Lane, in Bishopville.

CURRENT USE OF PETITIONED AREA: The property is developed with an existing single-family dwelling and a pole barn that was approved for residential storage only.

CURRENT ZONING CLASSIFICATION: E-1 Estate District

REQUESTED ZONING CLASSIFICATION: A-2 Agricultural District

APPLICANT'S BASIS FOR REZONING: The application indicates that there has been a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960s, the parcel was given an A-1 Agricultural District zoning classification. This classification was retained in the 1978 comprehensive rezoning. In 1992, the property was rezoned to E-1 Estate District by virtue of the comprehensive rezoning, when the E-1 District was first established. During the 2009 comprehensive rezoning, the petitioned area retained the E-1 Estate District classification.

SURROUNDING ZONING: The St. Martins Neck Road corridor in the immediate vicinity of the petitioned area is divided by E-1 Estate District on the southerly side, where the subject property is located, and A-1 Agricultural District to the northerly side of the road.

COMPREHENSIVE PLAN:

According to Chapter 2 – Lane Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Agriculture Land Use Category. With regard to the Agriculture Use Category, the Comprehensive Plan states the following:

“The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county’s way of life. Agriculture faces challenges from international commodity prices, local development pressure, and the aging farm population to name a few. The county must do all it can to preserve farming as a viable industry.

This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses. Dust, odor, chemical applications, noise, and extended hours of operation create conflicts with incompatible uses.

Residential and other conflicting land uses although permitted are discouraged. Only minor subdivisions of five lots or less are permitted. This restriction has been the strongest component of the county’s agricultural preservation strategy, and it should be maintained as is. Also as a general policy, the practice of not rezoning agricultural land for other uses should continue.” (Page 18)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions
4. Provide for appropriate residential, commercial, institutional, and industrial uses
5. Locate new development in or near existing population centers and within planned growth centers
6. Infill existing population centers without overwhelming their existing character
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
19. Limit rural development to uses compatible with agriculture and forestry

(Pages 12, 13)

Also in Chapter 2- Land Use, under the heading General Land Use Recommendations, the Comprehensive Plan states:

“*Large-lot Zoning*—Delete the Estate land use category and associated zoning district. Designed as a transition zone between urban/suburban development and the rural landscape, this category has:

- Consumed excessive amounts of land per housing unit, taking working farms out of production
- Been overtaken by the requirements of the Coastal Bays Critical Area Program, and
- Failed to achieve truly clustered open space development.

Large lot zoning is incompatible with this plan's approach to new growth. Extensive areas of large lots result in sprawl, which is expensive to serve, damaging to water quality and wildlife, and incompatible with increased mass transit service." (Pages 20, 21)

Chapter 4 - Economy also includes objectives related to Agriculture and Forestry. They are as follows:

1. Work to preserve farming and increase its economic viability.
3. Reduce farm area fragmentation through agricultural zoning permitting only minor subdivisions (five or less lots), the state's agricultural preservation program, the Rural Legacy program and explore the use of a transfer of development rights and other preservation mechanisms.
4. Continue the "right-to-farm" law.
6. Review permitted land uses in agricultural zone to ensure compatibility with agriculture as a quasi-industrial use. Adjust requirements to prevent inappropriate uses from developing in agricultural areas.

(Pages 59, 60)

In Chapter 6 – Public Infrastructure, the Comprehensive Plan provides the following objectives:

1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence
2. Permit development to occur only as rapidly as services can be provided
3. Ensure adequate public facilities are available to new development
4. Require new development to "pay its way" by providing adequate public facilities to meet the infrastructure demand it creates

(Page 70)

In Chapter 7 – Transportation, the Comprehensive Plan states the following:

"Worcester's roadways experience morning and evening commuter peaks, however, they are dwarfed by summer resort traffic. Summer traffic peaks on Friday evening, Saturday, and Sunday afternoon. Weekend travel clusters on Friday and Sunday evenings with longer-term check-ins/outs peaking on Saturday. Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90." (Page 79)

With regard to St. Martins Neck Road specifically, this chapter notes that this roadway is classified as a two-lane secondary highway/minor collector highway.

"MD 368 St Martin Neck Road (Two Lane County Road/Minor Collector Highway) This minor collector links MD 90 at its south end to MD 367 Bishopville Road and provides a

secondary link from Ocean City to US 113, northeastern Worcester and the Delaware beaches. This roadway's current configuration should be adequate for the planning period." (Page 86)

In the same chapter, under the heading General Recommendations – Roadways, the Comprehensive Plan lists the following recommendations:

1. **Acceptable Levels of Service**—It is this plan's policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
3. **Traffic studies**--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. **Impacted Roads**--Roads that regularly have LOS D or below during weekly peaks are considered "impacted." Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
13. **Road Widening**--Adequate right-of-way should be dedicated for roads anticipated for widening during the development review process.

(Pages 87, 88)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property is served by private well and septic, with a designation of a Sewer and Water Service Category of S-6 and W-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that a replacement system is necessary for new uses along with the designation of a sewage reserve area on the property that does not conflict with proposed structures and construction. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

- WddB – Woodstown sandy loam, severe limitations to on-site wastewater disposal
- HbB – Hambrook sandy loam, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Bishopville Volunteer Fire Company, located approximately eight minutes away, 4 miles to the northwest of the petitioned area on MD Route 367 (Bishopville Road). In addition, Bishopville VFD has a substation on St. Martin's Neck Road, which is located approximately one minute away, 0.6 miles west of the petitioned area. No comments were received from the Bishopville Fire Company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately twenty minutes away, and the Worcester County

Sheriff's Office in Snow Hill, approximately forty minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

ROADWAYS AND TRANSPORTATION: This parcel has road frontage on St. Martins Neck Road, a County-owned and -maintained roadway with a fifty-foot right-of-way in the area of the subject property. Overall, the roadway width varies anywhere from thirty feet to sixty feet along the right-of-way. St. Martins Neck Road is designated in the Comprehensive Plan as a two-lane County Road/ minor collector highway as a result of the linkages it provides between MD Route 367 (Bishopville Road) and MD Route 90 (Ocean City Expressway), and the increase in traffic volumes due to the use of the road as a "short-cut" to local beaches. Frank Adkins, Worcester County Roads Superintendent, stated in his response memo (attached) that he had no comments on the requested rezoning at this time. No comments were received from the Maryland Department of Transportation, State Highway Administration's (MDOT SHA) District 1 office.

SCHOOLS: The petitioned area is within Zone 1 of the Worcester County Public School Zones and is served by the following schools: Showell Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is not located within the boundaries of the Critical Area, and will be subject to the Forest Conservation Law if the property is further developed to the point that compliance is required.

FLOOD ZONE: The FIRM map (24047C0045H, effective July 16, 2015) indicates that this property is located in Zone X (Area of Minimal Flood Hazard).

PRIORITY FUNDING AREA: The petitioned area is not within a Priority Funding Area.

INCORPORATED TOWNS: This site is located approximately five miles northwest of the corporate limits of Ocean City.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Rob Clarke, DNR Forester: No comments to make on behalf of the Maryland Forest Service.

!!**IMPORTANT**!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?



Worcester County
Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell 
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 428
Worcester County Tax Map 10, Parcel 167
Reclassify approximately 2.88 Total Acres of
E-1 Estate District to A-2 Agricultural District

Date: 8/14/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. The property has an agricultural land use designation in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*). This category identifies This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained. for agricultural uses. Dust, odor, chemical applications, noise, and extended hours of operation create conflicts with incompatible uses.
2. The existing structure on the property is served by private well and septic at the present time. The subject property has a designation of a Sewer and Water Service Category of S-6/W-6 and (No Planned Service) in the *Master Water and Sewerage Plan*. The existing

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system is very old and replacement is necessary for new uses with a designation of sewage reserve area on the property that does not conflict with proposed structures and construction.

3. This rezoning is located outside the Atlantic Coastal Bays Critical Area (ACB-CA) and will be subject to the Forest Conservation Law. The parcel included is the proposed rezoning has not be subject to the Forest Conservation Law; however, any project requiring disturbance of 5,000 square feet or greater, will require compliance with the Worcester County Forest Conservation Law. A change from E-1 (Estate district) to A-2(Agricultural district) would change the afforestation/reforestation thresholds when/if property is further developed to the point that compliance with the Forest Conservation Law is required. The afforestation threshold will remain the same at 20 percent and the reforestation threshold will change from 25 percent to 50 percent. This means, if compliance is required, the applicant would need to afforest/reforest a greater percentage if the rezoning request is granted.

If you have any questions on these comments, please do not hesitate to contact me.

Citizens and Government Working Together



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

MEMORANDUM

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: July 14, 2020
RE: Rezoning Case No. 426, 427, and 428

.....

Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 426: No comments at this time.

Rezoning Case 427: This is a congested intersection with no traffic light.

Rezoning Case 428: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/lj
\\wfile2\users\llawrence\Rezoning\Rezoning Case 426.427.428.doc

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Rezoning
Case No 2728

Jennifer Keener

From: April Mariner
Sent: Friday, July 10, 2020 11:31 AM
To: Jennifer Keener
Subject: FW: Rezoning Cases

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Friday, July 10, 2020 11:28 AM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning Cases

Hi April,

Thanks for the update on personnel. I may retire this year as well although I haven't committed to it yet. I have reviewed these three cases and on behalf of the Maryland Forest Service have no comments to make.



Rob Clarke
Forester
Maryland Forest Service
Department of Natural Resources
10990 Market Lane
Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
(410) 651-2004 (O)
(443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Fri, Jul 10, 2020 at 9:45 AM April Mariner <amariner@co.worcester.md.us> wrote:

Good Morning Rob, I hope this email finds you safe and well. I am attaching three new Rezoning Cases for comment. Additionally, in case you didn't already know, Phyllis Wimbrow is retiring in September and Jennifer Keener

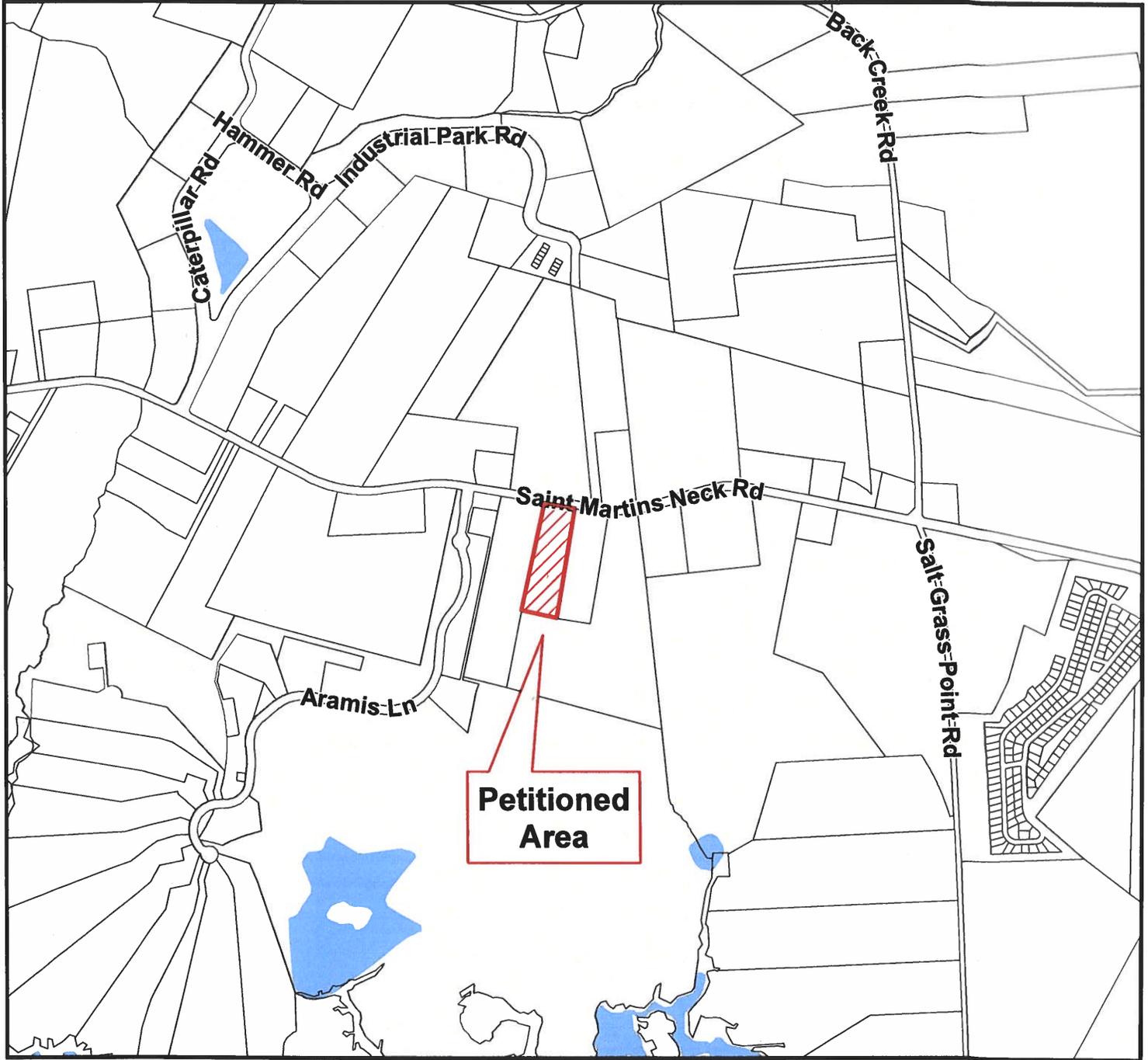


WORCESTER COUNTY, MARYLAND

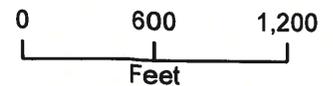


REZONING CASE NO. 428
E-1 Estate District to A-2 Agricultural District
Tax Map: 10, Parcel 167

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers

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Drawn By: KLH

Reviewed By: JKK



WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 428
E-1 Estate District to A-2 Agricultural District
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AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020

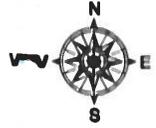
Source: Worcester County GIS Data Layers - 2007 Soil Survey

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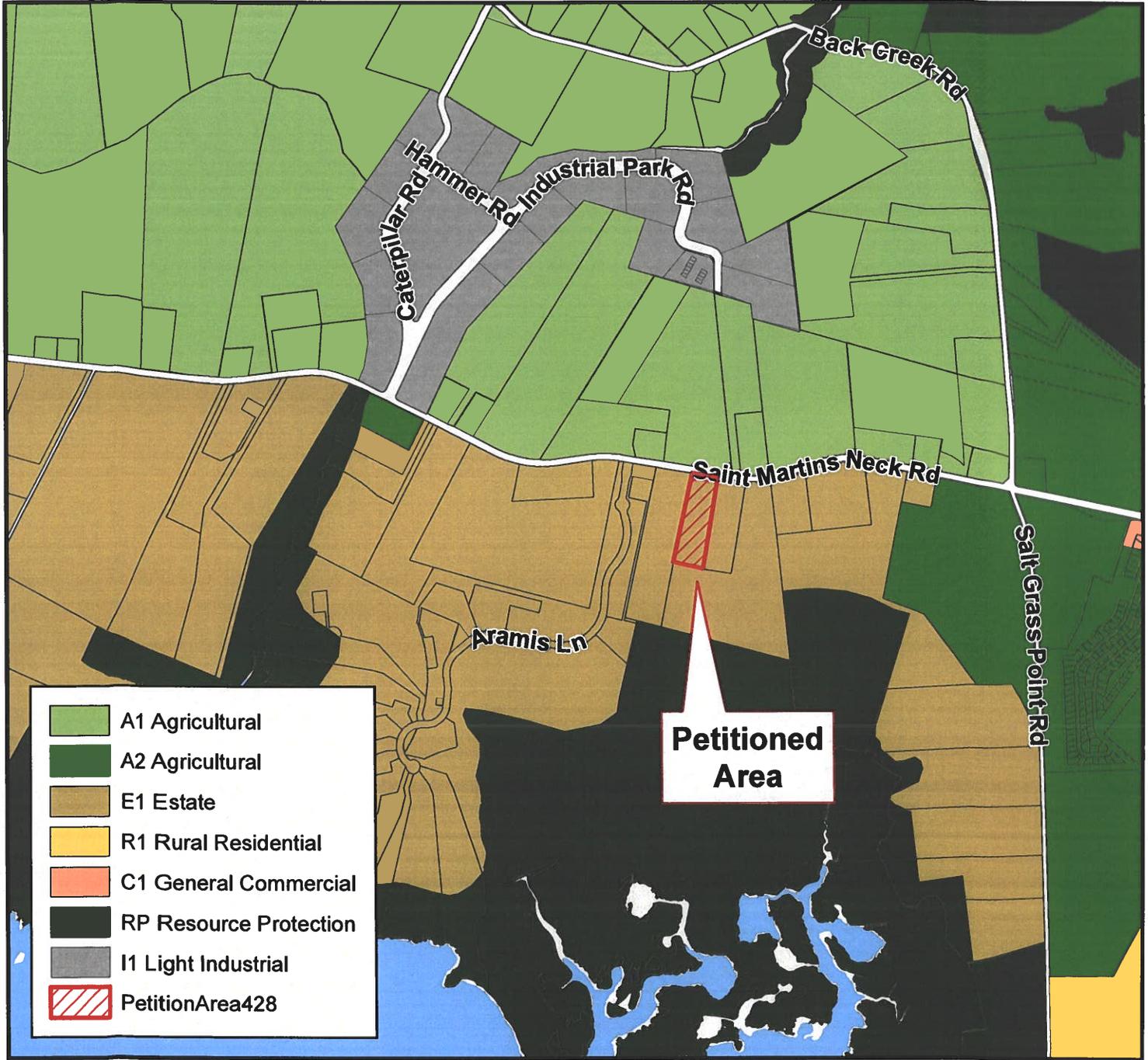


WORCESTER COUNTY, MARYLAND

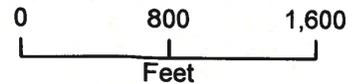


REZONING CASE NO. 428
E-1 Estate District to A-2 Agricultural District
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ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2009 Official Zoning Map

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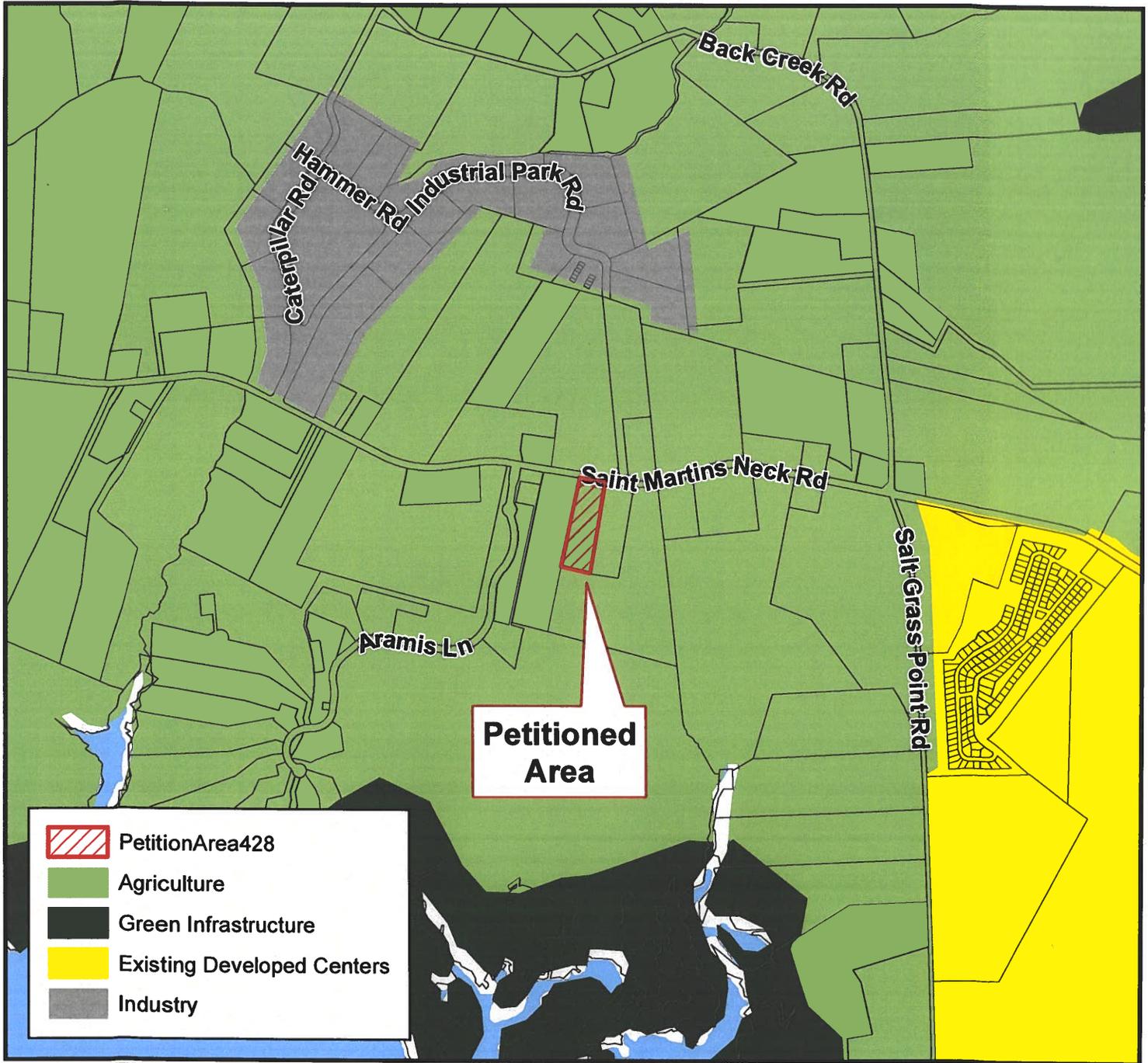


WORCESTER COUNTY, MARYLAND

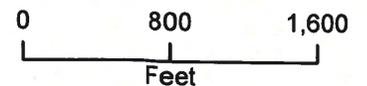


REZONING CASE NO. 428
E-1 Estate District to A-2 Agricultural District
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LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2006 Official Land Use Map

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Drawn By: KLH Reviewed By: JKK

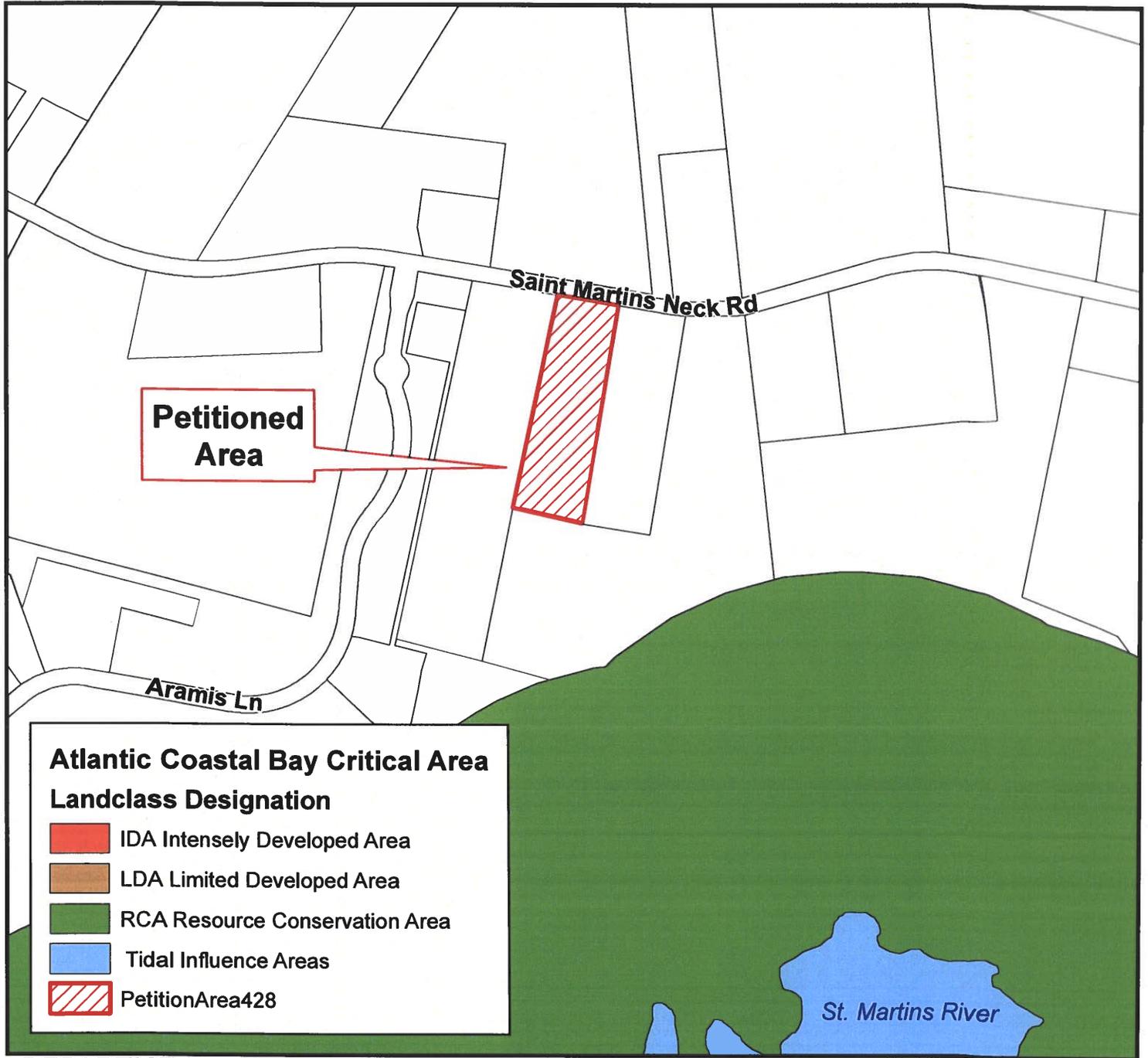


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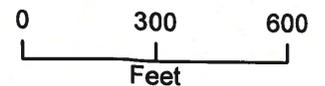


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CRITICAL AREA MAP



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Source: Worcester County GIS Data Layers - Atlantic Coastal Bays Critical Area Map

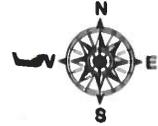
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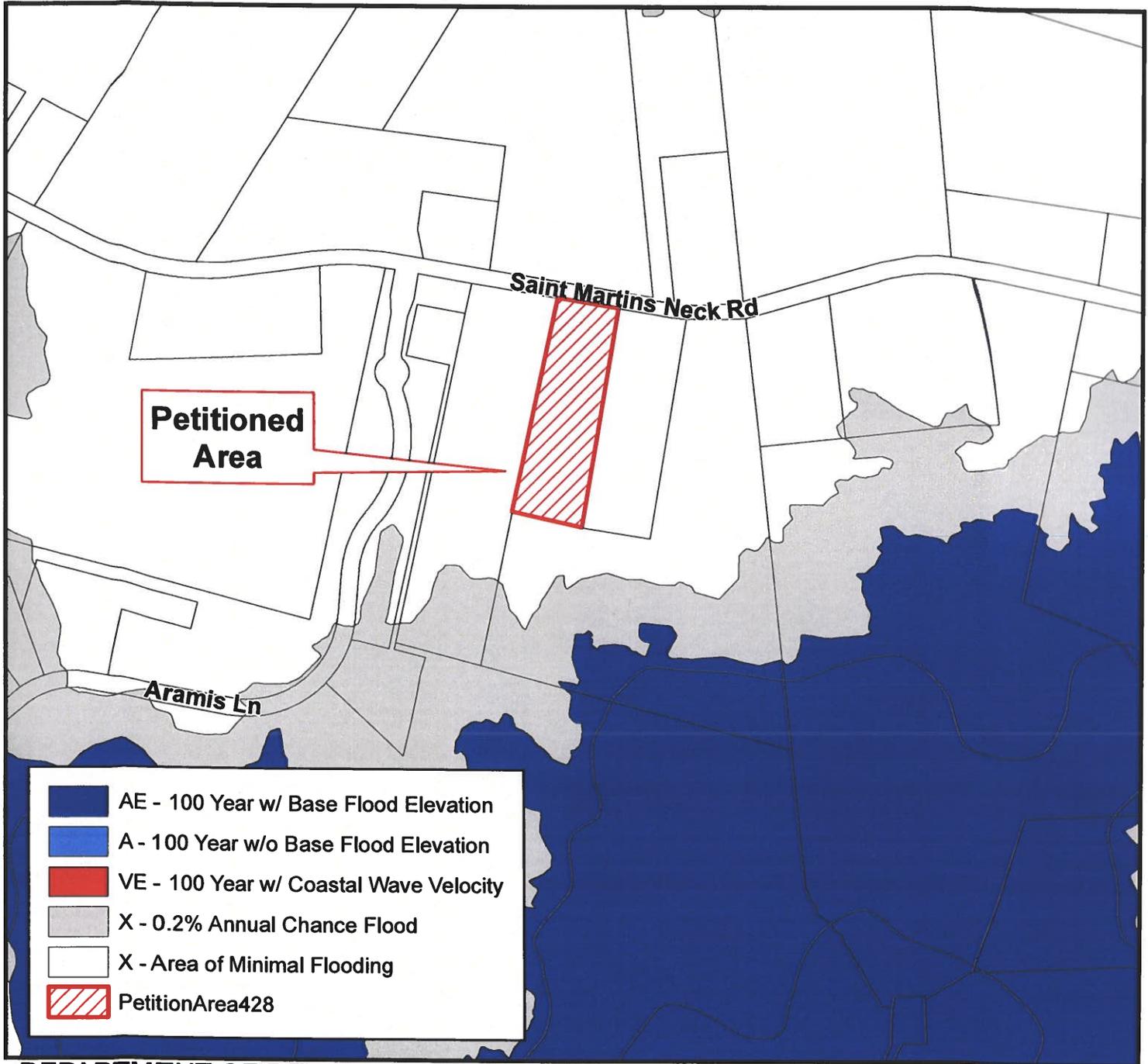


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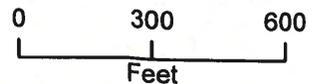


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FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared July 2020



Source: Worcester County GIS Data Layers - 2015 FEMA Flood Insurance Rate Maps

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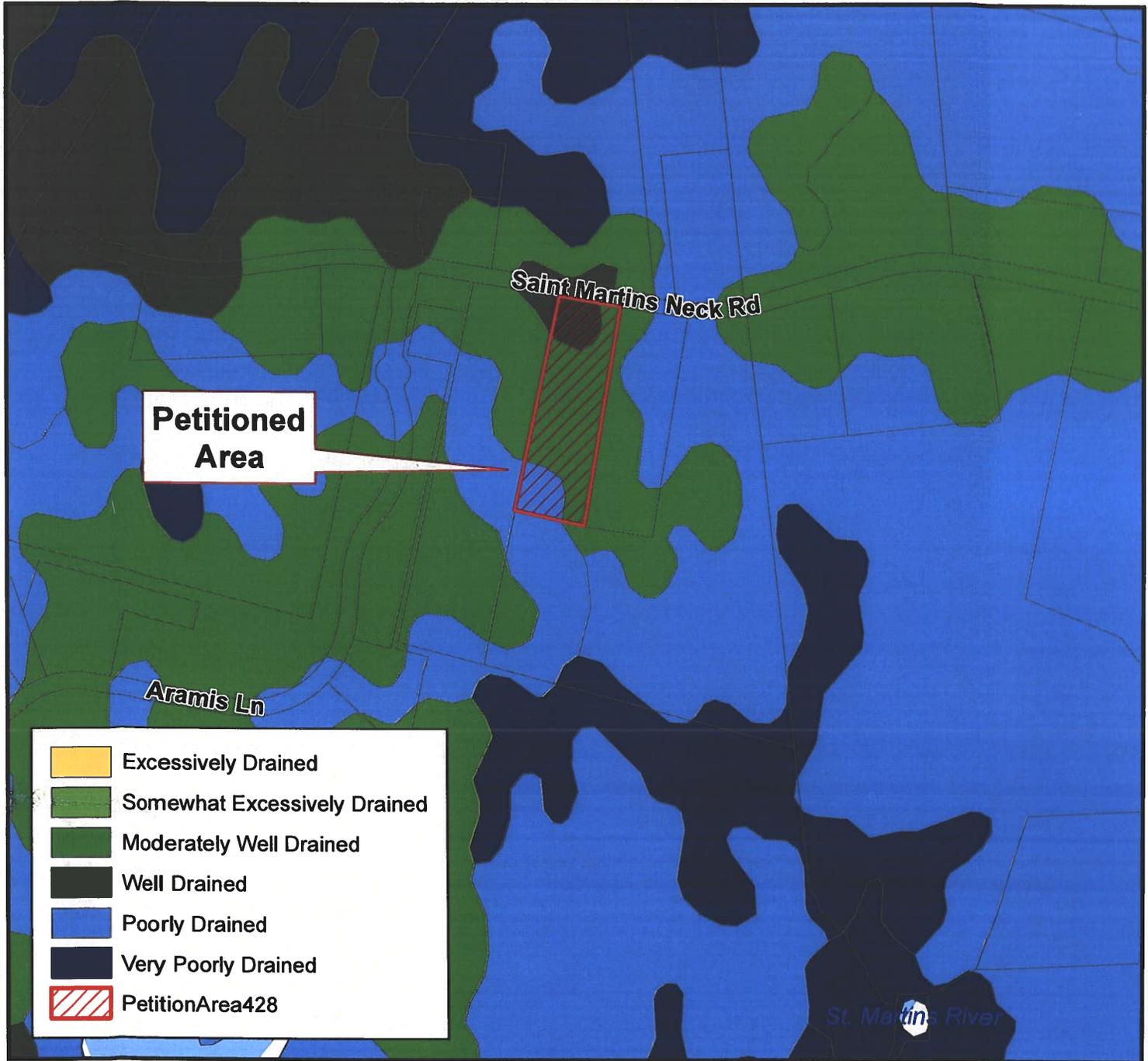


WORCESTER COUNTY, MARYLAND

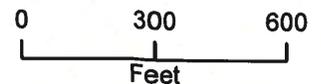


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SOIL MAP



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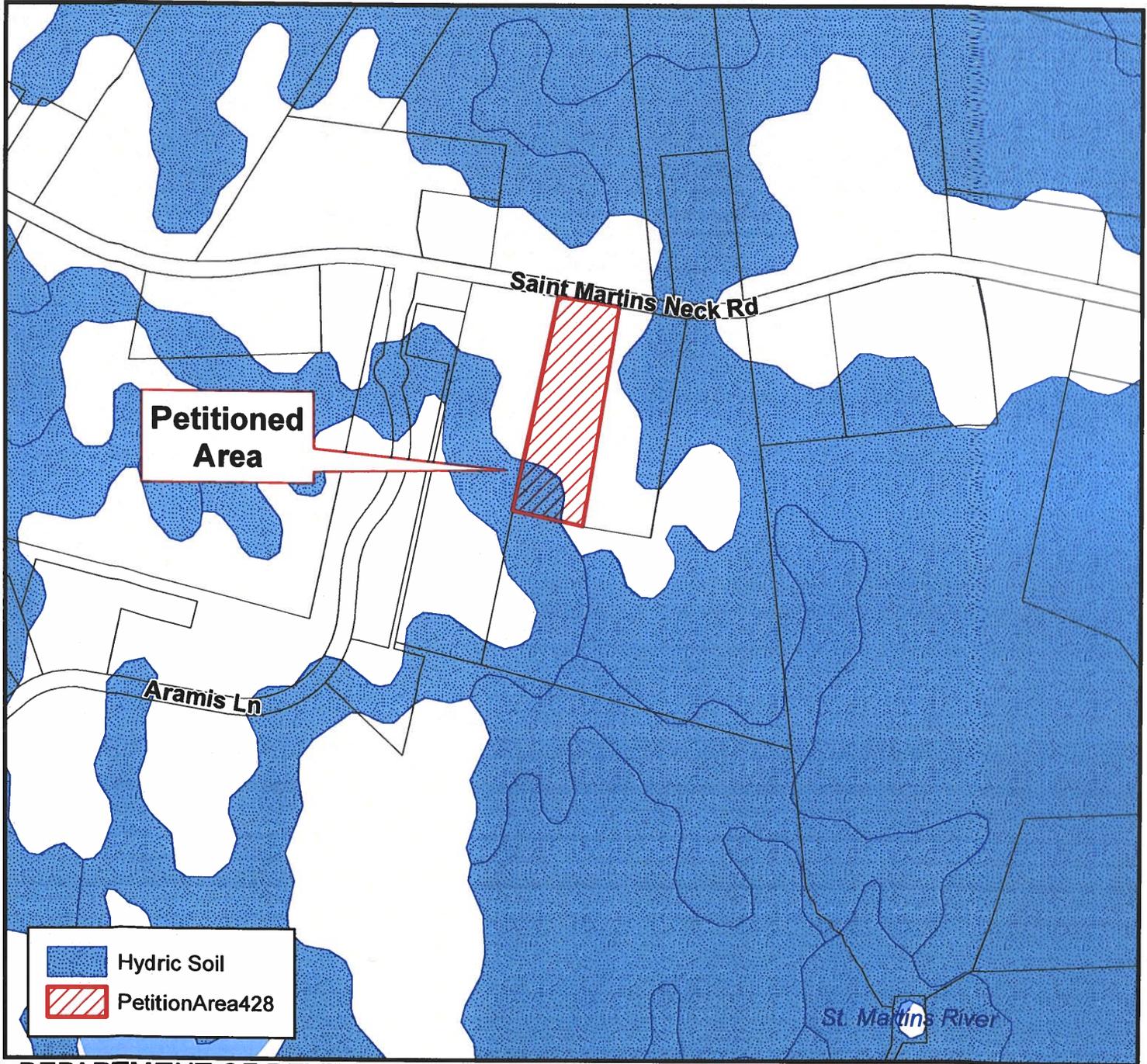


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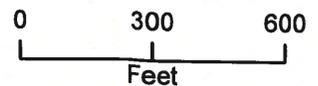


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