

**WORCESTER COUNTY PLANNING COMMISSION AGENDA**

**Thursday November 2, 2023**

**Worcester County Government Center, Room 1102, One West Market St.  
Snow Hill, Maryland 21863**

**I. Call to Order (1:00 p.m.)**

**II. Administrative Matters**

**A. Review and Approval of Revised Minutes – September 7, 2023**

**B. Review and Approval of Minutes – October 5, 2023**

**C. Board of Zoning Appeals Agenda – November 9, 2023**

**D. Technical Review Committee Agenda – November 8, 2023**

**III. 4 Seasons Townhome Community – Residential Planned Community - Step I Concept Plan**

Proposed construction of 44 townhome units. Located on the eastern side of MD Route 611 (Stephen Decatur Highway) approximately 450 feet south from the intersection with Sunset Avenue, Tax Map 26, Parcel 445, Lot 1B, Parcel 445, Lot 2A, & Parcel 443, Lot E1, Tax District 10, R-4 General Residential District, Ocean 8 Group, LLC, owner / Vista Design, Inc. engineer.

**IV. RLG – Major site plan review**

Proposed construction of a new 13,600 sq. ft. boat construction building, create contractor storage and material laydown areas and construct the associated support infrastructure of roads, well, septic, drainage and stormwater management components. Located at 13053 Old Stage Road, on the westerly side of Old Stage Road, approximately 430 feet south of Hammond Road, Tax Map 9, Parcel 59, Tax District 05, I-1 Light Industrial District, RLG Properties, LLC, owner / Vista Design, Inc., engineer.

**V. Ewell Roadside Stand – Administrative Waiver Site Plan Review Code Requirement Waiver Request**

1920 square foot building to be used for a roadside stand with incidental meat sales. Located at 9115 Croppers Island Road, at the northeastern intersection of Croppers Island Road and MD Rt. 113, Tax Map 40, Parcel 93, Tax District 04, A-1 Agricultural District, Robert Ewell, owner.

**VI. Miscellaneous**

**VII. Adjournment**

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

**Meeting Date:** September 7, 2023

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

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

**Attendance:**

**Planning Commission**

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

**Staff**

Jennifer Keener, Director, DDRP  
Matthew Laick, Deputy Director, DDRP  
Kristen Tremblay, Zoning Administrator  
Stu White, DRP Specialist  
Cathy Zirkle, DRP Specialist  
Roscoe Leslie, County Attorney

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, August 3 2023**

As the first item of business, the Planning Commission reviewed the minutes of the August 3, 2023 meeting.

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

**B. Board of Zoning Appeals Agendas, September 14, 2023**

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

No comments were forwarded to the Board.

**C. Technical Review Committee Agenda, September 13, 2023**

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for September 13, 2023. Mr. White was present for the review to answer questions and address concerns of the Planning Commission.

No comments were forwarded to the Committee.

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**III. §ZS 1-315 Residential Planned Communities (RPC)**

**A. Refuge at Windmill Creek – Preliminary Plat Review**

As the next item of business, the Planning Commission reviewed the preliminary plat for Refuge at Windmill Creek RPC, proposed construction of 90 single family homes located on the northwest side of Beauchamp Road, north of Racetrack Road (MD Route 589), Tax Map 15, Parcels 127 & 259, Tax District 03, R-1 Rural Residential District & RP Resource Protection District. Kristina Watkowski and Ronnie Carpenter were present for the review. Ms. Watkowski presented the project and stated that all Staff comments from the Technical Review Committee (TRC) review of the preliminary plat had been addressed and that there are no outstanding issues remaining. Mr. Barbierrri questioned if the road would be a private lane or would be turned over to the County to which Ms. Watkowski responded that it would be a private lane. Ms. Ott questioned how they are handling any potential stormwater issues coming across from Ocean Pines beneath Beauchamp Road. Mr. Carpenter responded that they have been working with Ocean Pines to resolve any drainage issues that they have and further stated that they are picking up a small amount of drainage from the roadside area but not a tremendous amount that's flowing over naturally to pick up and accept. Ms. Ott stated that she had been made aware that it has been an issue for over thirty years because the drainage must flow naturally to Windmill Creek and over to the St. Martins River. She expressed concern because of the amount of flooding that occurs in the Beacon Hill Road and Pinehurst Road areas. Mr. Carpenter responded that there were various possible solutions to the problem, and they made a good faith effort to work with Ocean Pines to address any issues.

Following the discussion, a motion was made by Ms. Knight, seconded by Ms. Ott, and carried unanimously to approve the preliminary plat as submitted.

**B. Triple Crown Phase II – Preliminary Plat Review**

As the next item of business, the Planning Commission reviewed the preliminary plat for Phase II of Triple Crown RPC, proposed construction of 30 Single Family Units, located west of Preakness Drive, east of Racetrack Road, Tax Map 21, Parcel 322, Tax District 3, R-1 Rural Residential District. Mark Cropper, Greg Wilkins, and Greg Steen were present for the review. Mr. Wilkins presented the project to the Planning commission. He stated that all Staff comments from the TRC review of the preliminary plat had been addressed and that there are no outstanding issues remaining. Mr. Barbierrri questioned if the active open space requirement had been addressed. Ms. Tremblay stated that the active open space amenity needs to be identified or a bond established for the construction of a future proposal. Mr. Steen responded that he would identify the amenity, obtain a cost estimate, and bond the construction costs with the County.

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Following the discussion, a motion was made by Mr. Wells, seconded by Ms. Smith, and carried unanimously to approve the preliminary plat with the condition of bonding the active open space amenity.

**IV. §ZS 1-325 Site Plan Review**

**Coastal Square Shopping Center**

As the next item of business, the Planning Commission reviewed the site plan for Coastal Square Shopping Center, a proposed regional shopping center with 120,561 square feet of leasable floor space and seven proposed out-lots along the Route 50 frontage. Located on the southern side of US Route 50 (Ocean Gateway) at the intersection with MD Route 589 (Racetrack Road), Tax Map 26, Parcels 299 & 320, Tax District 3, C-3 Highway Commercial District. Mark Cropper and Jeff Harman were present for the review. Mr. Cropper introduced the project and stated that the site plan being reviewed was strictly commercial and that there was no residential development included with this project. Mr. Harman stated that the project has been altered from the initial sketch plan that was previously reviewed by the Planning Commission because of the recent passing of a Text Amendment which allows residential use in the C-3 Zoning District. The proposed shopping center is approximately half the size of the sketch plan submittal and consists of one anchor store and multiple strip units. He explained that they are currently working with State Highway Administration (SHA) with respect to the entrance requirements and will be dedicating the extension of Samuel Bowen Boulevard to the County. He added that there will be a roundabout at the intersection of Racetrack Road and Samuel Bowen Boulevard at the request of SHA to allow for smoother traffic flow in and around the center. Ms. Wimbrow asked if the County agreed to accept the dedication of the Samuel Bowen Boulevard. Mr. Harman responded that he was in discussion with County officials regarding the matter. The County would be responsible for the extension and roundabout and that the lane south of the roundabout would be private.

Following the discussion, a motion was made by Ms. Knight, seconded by Ms. Ott, and carried unanimously to approve the Coastal Square Shopping Center site plan.

**V. Text Amendment**

As the next item of business, the Planning Commission reviewed a request for a text amendment to allow Single-family or Multi-family Dwelling Units in the C-2 General Commercial District. Kristina Watkowski and Keith Iott were present for the request. Ms. Watkowski explained the current text of the zoning code. Emplacing that there would not be any increasing with the housing units allowed. She explained that processes will remain in place since this is a special exception. Ms. Watkowski called Mr. Keith Iott who is a professional Architect and Engineer. He gave his background and that he does primary private

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work and does land plans as part of his firm. Ms. Watkowski passed out a zoning map of the area and they explained that some parcels would be perfect for this text amendment since the lot is a deep lot and is surrounded by residential. The area also supports a walkable community. Mr. Iott believes that this is a reasonable modification.

The planning Commission held a discussion on open space requirements. It was decided that this text amendment would have open space requirements identical to the recent C-3 Text Amendment which states, that at least sixty-five percent (65%) or more of the net lot area for a given parcel be developed with a commercial use or structure permitted in the C-3 District, a minimum of 15% open space based upon the net lot area of the single-family and multi-family dwelling use.

Discussion occurred around the definition of the meaning of Open Space whether it was Passive, Active, or natural Open Space such as forest conservation easements. Mr. Mitchel stated that they have allowed forest conservation easements to be used as open space for a property in Snow Hill, but Mr. Mitchel would discourage the use of it. Mrs. Keener stated the definition of Open Space from the Zoning code and Mrs. Wimbrow stated that it would meet the definition per the code.

Mrs. Wimbrow brought up a concern about the potential of the housing component being built before the commercial portion. Mrs. Keener stated that the residential calculation is based on the established commercial use.

Following the discussion, a motion was made by Mrs. Wimbrow to provide a favorable recommendation on the text amendment, provided that it include 65%/35% a minimum of 15% of the 35% as Open Space dedicated to residential uses as open space. Ms. Knight seconded the motion, and the motion carried unanimously.

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

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Mary Knight, Secretary

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Stuart White, DRP Specialist

**WORCESTER COUNTY PLANNING COMMISSION  
MEETING MINUTES – October 5, 2023**

**Meeting Date:** October 5, 2023

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

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

**Attendance:**

**Planning Commission**

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

**Staff**

Jennifer Keener, Director, DDRP  
Matthew Laick, Deputy Director, DDRP  
Kristen Tremblay, Zoning Administrator  
Stu White, DRP Specialist  
Cathy Zirkle, DRP Specialist  
Bob Mitchell, Director, DEP  
Dave Bradford, Deputy Director, DEP  
Joy Birch, Natural Resources Planner, DEP  
Roscoe Leslie, County Attorney

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, September 7, 2023**

As the first item of business, the Planning Commission reviewed the minutes of the September 7, 2023 meeting.

Ms. Ott noted that there were comments made during the Refuge at Windmill Creek review that were not included in the minutes and asked to amend the minutes to include them. Following the review, a motion was made by Ms. Ott to approve the minutes with the amendments, Mr. Church seconded the motion, and the motion carried unanimously.

**B. Board of Zoning Appeals Agendas, October 12, 2023**

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for October 12, 2023. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

No comments were forwarded to the Board.

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**C. Technical Review Committee Agenda, October 11, 2023**

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for October 11, 2023. Mr. White was present for the review to answer questions and address any concerns of the Planning Commission.

No comments were forwarded to the Committee.

**III. Sea Squared – Minor Site Plan Code Requirements Waiver Request**

As the next item of business, the Planning Commission reviewed a request for waivers for Sea Squared, a proposed 9,600 square foot, single story warehouse building for marine storage and an outdoor boat storage area. Located at 11206 Five-L Drive, approximately 950 feet south of the eastern intersection of Five-L Drive and Cathell Road, Tax Map 21, Parcel 267, Lot 7, Tax District 03, A-2 Agricultural District. Hugh Cropper IV, Melissa Clemens, and Ron Croker were present for the review. Mr. Cropper presented the project.

Mr. Cropper stated that the project received Special Exception approval from the Board of Zoning Appeals (BZA) for the proposed use of a boat storage facility in the A-2 Agricultural Zoning District and the site plan received preliminary approval from the Technical Review Committee (TRC).

Mr. Cropper explained that the Zoning Code requires that the travelway to the proposed facility be constructed of a hard surface such as concrete. He asked that this requirement be waived and stated that it would only create more impervious surface to the property and would be subject to damage from the equipment and trailer traffic. He stated they wish to instead have a stabilized stone driveway comprised of a gravel base with washed stone on the surface. Mr. Croker presented material samples to the Planning Commission members for reference and described how the proposed materials would create no dust. Mr. Cropper added that the road would seldom be used outside of the Spring and Fall.

Mr. Cropper then stated that a condition of the BZA approval is the requirement of a one-hundred-foot vegetated setback between the proposed storage facility and the property border with the Pennington Commons subdivision, which was later described as a one-hundred-foot vegetated buffer in the subsequent BZA hearing Opinion letter. He stated that he felt that the terminology of “buffer” was made in error and does not feel that the area should be treated the same as a landscape buffer that you would typically see in a residential subdivision, requiring certain species of plants, mulch, and irrigation. He stated that he felt that was not what the residents of Pennington Commons were seeking or what was intended. Mr. Cropper stated that the intention was to plant trees and let them grow in addition with the existing trees on the

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site. He added that approximately half of the property is wooded and would not be bothered. Ms. Wimbrow questioned if the site plan illustrated existing or proposed conditions. Mr. Cropper explained that it illustrates the existing tree line along with proposed green-giant arborvitae plantings. Ms. Wimbrow added that she was looking for clarification that the site plan illustrates what is proposed or what is required. Ms. Keener clarified that the site plan is acceptable to the BZA's conditions and that the Planning Commission is not considering the Board's interpretation of the plan. She further clarified that the Planning Commission is reviewing whether irrigation would have to be provided to which Mr. Cropper responded that they are seeking a waiver from the requirement. Ms. Wimbrow added that the landscaping would have to be bonded for survival.

Ms. Wimbrow then asked, with regards to the driveway surface requirement, if pavement was required. Ms. Tremblay then read the Zoning Code section which defines the requirements for vehicular travelways and parking areas. Mr. Croker added that the existing driveway and employee parking area already meet the Code requirements and that the driveway to the proposed building would only be used by employees. Ms. Wimbrow added that she agreed with Mr. Cropper's assessment that having a pervious driveway is advantageous with regards to stormwater management.

Following the discussion, a motion was made by Ms. Wimbrow, seconded by Ms. Ott, and carried unanimously to grant the waivers from the hard surface requirement for the driveway and the requirement for an automatic irrigation system for the one-hundred-foot landscape buffer plantings.

**IV. Rezoning**

Case 443

As the next item of business, the Planning Commission Hugh Cropper, IV, applicant's attorney, Greg Wilkins, Linda Ayres, and Chris McCabe were present for the review. Linda Ayres started by describing the history of the property and surrounding area. The property has been in the family since the 19<sup>th</sup> century. Mrs. Ayres stated that she was shocked by the changes in the neighborhood as she rode by the property. She described how there was no true farmland, and that the area was mostly developed by churches, schools, gas stations, housing, and farm stands. Mrs. Ayres also described how the family has a history of preserving farmland in Worcester County. Mrs. Ayres also stated that Mr. Littleton has farmed the land for decades. He wrote to her stating that he could no longer farm the land and make money off it. She stated that the traffic makes it difficult for combines and other farm equipment to access the property as well as problems with wildlife eating the crops.

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Mr. Cropper asked that the Planning Commission ignore the submitted definition of the neighborhood that was included in his submittal, as he would like to redefine it. Mr. Cropper called Greg Wilkins Professional Land Surveyor for 13 years and has been in the surveying business for 35 years generating site plans and working with the Comprehensive Plan

Mr. Cropper submitted Applicant's Exhibit #1, an excerpt from page 17 of the Comprehensive Plan that talks about commercial centers. The applicants are asking to rezone for two acres next to the existing convenience store as commercial and the rest as an upgrade from A-1 to A-2. Mr. Cropper described the different types of Community Centers that serve 3,000 or more within a 10-to-20-minute travel time and used this definition to define the neighborhood. Mr. Cropper tried to define a narrow neighborhood but stated that did not work due to the cohesive neighborhood of Ocean Pines. Mr. Wilkins believes that the neighborhood is defined by a circle, and concurred it is consistent with the Comprehensive Plan. The subject property is centered in the redefined neighborhood.

Mr. Cropper described the surrounding zoning and how there is like a peninsula of A-1 zoning with A-2 zoning just to the south and stated that there is no reason why it shouldn't be A-2 and that there is more farmland (Crop Land) in the A-2 than the A-1 area. He further stated that there have been substantial and material changes since the November 3, 2009, rezoning. The first being the Tidal Health campus across the street. He stated that the property had to obtain several special exceptions to develop it, as it is zoned C-1, and they developed several large establishments on the property.

Mr. Cropper explained that the second change in the neighborhood was the expansion of the casino, which applied for and received Water & Sewer Plan amendments and an expansion of the Ocean Pines sewer. Planning Commission and County Commissioners approved a Casino Overlay District text amendment which essentially changed the zoning of the property. He argued that this defines a substantial change to the neighborhood. Subsequently, Crabs to Go received a Water & Sewer amendment to connect to County Sewer which created another change to the neighborhood.

Mr. Cropper submitted Applicant's Exhibit No. 2, the County Commissioners Findings of Fact from Rezoning Case No. 392. The Planning Commission and County Commissioners found based on a smaller neighborhood that there was a change in the character of the neighborhood and rezoned the property from Agricultural to Commercial. The case was appealed to the Court of Special Appeals, submitted as Applicant's Exhibit No. 3, opinion from the Court of Special Appeals. Mr. Cropper mentions Bob Mitchell's comments about the properties being growth areas or EDA under the Comprehensive Plan. The Court of Special Appeals was not concerned about the underlying land use designation. He stated that the AGH complex added

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the traffic light and has made significant road improvements. Mr. Cropper defined this as the fifth change in the character of the neighborhood.

Mr. Cropper submitted Applicant's Exhibit No. 4, which was the County Commissioners Finding of Fact and Resolution Rezoning Case No. 396, and Applicant's Exhibit No. 5, Resolution 19-2, requiring service area expansions and a Water & Sewer Plan Amendment. Mr. Mark Cropper represented a group of clients who owned the properties across from the casino and they were rezoned from A-1 and E-1 to C-1 and C-2. He stated that was a sectional rezoning that was a significant change in the character of the neighborhood.

Chris McCabe, owner of Coastal Compliance Solutions, submitted Applicant's Exhibit No. 6 which was the County Commissioners Finding of Fact for Rezoning Case 403. The property was rezoned from A-1 and E-1 to R-1 on Beauchamp Road and is part of the neighborhood and a substantial change in the neighborhood. The property owner now has 90 single-family lots under construction and obtained Water & Sewer amendment to purchase service from River Run. Mr. McCabe reviewed subject property from an environmental perspective. The land is generally upland and suitable for development with the woods having some non-tidal wetlands dispersed. The entire area will be converted farmland with plenty of uplands. It has limited on-site septic capacity, but that is theoretical as Mr. McCabe is not a soil scientist. The property is constrained by wastewater disposal. In his opinion, the changes previously outlined are a substantial change in the character of neighborhood, Mr. McCabe agrees with Ms. Ayres that it is a bad location for farm equipment.

Mr. Cropper submitted applicant's exhibit No. 7, an email from Maryland Department of Transportation (MDOT) State Highway Administration (SHA) showing that they have no objection to the rezoning and that SHA would require road improvements if it were ever developed. Mr. Cropper admitted that there are traffic problems on Rt. 589, but that the potential traffic generated from this project would be mitigated by road improvements required by SHA. He further stated that traffic generated from this property would be a drop in the bucket to the current Rt. 589 traffic.

Mr. Cropper submitted applicant's exhibit No. 8A and 8B, the complete A-1 and A-2 statutes. He described that the permitted uses in both the A-1 and A-2 are nearly identical. There are two more permitted uses in the A-2, under the Special Exceptions there are 8 more in the A2 than in the A-1. He suggested that in every other respect, both districts are the same. From a traffic perspective there is no difference from A-1. Mr. Cropper listed Special Exception uses in the A-1 District and suggested that only difference is that the A-2 allows golf courses, campgrounds, contractors shops and storage facilities. He stated that the two acres next to the existing convenience store as Commercial part would allow more uses.

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In conclusion, if the Comprehensive Plan designates this as agriculture, Mr. Cropper disagrees with staff and believes that the adjoining commercial zoning area touches this property, and that it should be part of the commercial intersection. Mr. Cropper feels that the requested 2 acres of C-2 is consistent with the Comprehensive Plan as it adjoins the existing gas station property. This is an isolated piece of property that has been left behind because of the change in the character of the neighborhood. Mr. Cropper's Opinion is that entire section of the A-1 peninsula should be A-2, but he is only asking for the subject property.

Mr. Barbierri inquired about the traffic circle that was proposed to be included in the last rezoning. Mr. Cropper said SHA proposed a roundabout, designed it, and put it to a public comment period with Ocean Pines Association. He stated that it received so many negative comments that they decided to table it. Sewer capacity was also brought up and Mr. Cropper stated that sewer will be handled on site.

A question was asked about the proposed commercial area. Mr. Cropper provided an aerial photograph illustrating the proposed 2.0-acre area. He stated that he will have Greg Wilkins prepare a survey illustrating it.

Mr. Wells stated that he was very concerned about traffic issues in this area and that a better solution could be a roundabout or other resolutions. He stated that it's not what the property is used for, it's what the traffic is doing to it. He further stated that something can be done with the property now, but it will still require entrances and it is not safe. Mr. Wells does not think the rezoning will make traffic worse though.

Mrs. Wimbrow is in full agreement with Rick about the traffic and feels that we need to deal with the issues first before granting a rezoning. Read code reference ZS1-113(c)(3) aloud. She said "personally, that's where we need to put our foot down." She stated that she disagreed with the sectional rezoning across from the casino and feels she cannot vote for this.

Mr. Barbierri states that he is hearing from people "What is the Planning Commission approving now for Rt. 589 to worsen the traffic conditions?" Mr. Barbierri states that until they had a definitive plan for Rt. 589, he felt they would be doing an injustice to approve any additional commercial rezonings in that area of Rt. 589.

Mrs. Knight asked if the Planning Commission was overstepping SHA's authority and questioned who has the final say on traffic.

Mrs. Wimbrow stated that it is the Planning Commission's responsibility for land uses.

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Motion made for a Favorable recommendation by Mrs. Knight, fails for lack of second.

Motion made for a unfavorable recommendation by Mrs. Wimbrow, seconded by Mr. Wells,  
Motion passed 6 to 1 with Mrs. Knight in opposition.

**V. Atlantic Coastal Bays Critical Area – Growth Allocation Request**

As the next item of business, the Planning Commission reviewed an application associated with an Atlantic Coastal Bays Critical Area Growth Allocation. The subject property for this request is identified as Tax Map 40, Parcel 93 and 241, which is located within the boundaries of the Atlantic Coastal Bays Critical Area Program (ACBCA), specifically within the Resource Conservation Area (RCA) designation. According to the Exhibits provided, a small area of the requested Growth Allocation is within the lot boundaries of Tax Map 40, Parcel 93 and 241. According to the Growth Allocation request, 33.46 acres within RCA is proposed to be reclassified as Limited Development Area (LDA). David Bradford, Deputy Director, and Katherine Munson, Planner V, prepared the staff report submitted to the Planning Commission. Mark Cropper, Attorney, presented on behalf of the Applicant, Bob Ewell.

Mr. Cropper made an opening presentation to the Commission and explained the history of the development of the campground, including its prior use as a surface mine and finished with the zoning history of the property as well. He explained in detail about the uses permitted in A1 and A2 zoning categories and how the existing campground was in existence before the A2 category was adopted by the county. He detailed how he believed under the current code expansion of existing non-conforming uses can be accomplished, reviewed special exceptions vs a variance and a rezoning in addressing inconsistencies with existing non-conformities, and finished with his summary of peculiarities with respect to the history of the property and how they could proceed in the future with any additions to the existing campground. In a request from the Commission Chair for comments, Robert Mitchell, Director of Environmental Programs, explained a portion of Environmental Programs comments regarding conformance with the Comprehensive Plan. Mr. Mitchell said that the Department didn't ignore literal inconsistencies with The Plan, but acknowledged that the existing campground was granted a special exception in January of 2008 by the Worcester County Board of Zoning Appeals to expand the existing campground for the initial expansion and a variance was also granted to reduce the required setback to a residential district. Mr. Cropper presented a vigorous response detailing his arguments that the application was in conformance with The Plan and emphasized the historical approvals in that presentation which was well received by the Planning Commission members.

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Mr. Cropper reviewed and concurred with staff's findings on their report, save the aforementioned Comprehensive Plan comments, and asked that it be incorporated along with the comments from the state Critical Area Commission. He introduced James Cook from Rauch Incorporated to review their critical area report for the application and detailed the history for the property, which presently contains an active campground, support buildings, and an onsite sewage disposal system with advanced treatment within its boundaries. Mr. Cook and Mr. Cropper explained these existing uses on the property, located with the Critical Area boundary, were approved prior to the implementation of the Atlantic Coastal Bays Critical Area Law, and per §NR 3- 108(c)(4), and how they may remain in use.

They also reviewed this proposal for reclassification of 33.46 acres of RCA to LDA, resulting in the proposed use of 33.46 acres of Growth Allocation. The applicant is proposing to expand the current campground within this area and include 62 new campsites. Presently, this proposed commercial use and expansion is not permissible within the RCA designation without the acquisition of a Growth Allocation aware. As noted under §NR 3- 108(c)(5), "new commercial, industrial, and institutional uses shall not be permitted in the Resource Conservation Areas." Hence, Environmental Programs noted that is why they are here with this growth allocation application.

Mr. Cropper closed with a request for the approval of the Growth Allocation, noting that there is ample Growth Allocation remaining for the Atlantic Coastal Bays Critical Area. In response to a concern expressed by Ms. Wimbrow, Mr. Bradford replied that the comment made regarding half of the growth allocation acreage was already awarded was not correct. He specified that there were 369 acres of remaining growth allocation acreage available for utilization. Many of the interim period projects, which occurred during the establishment of the Critical Area Law, used a portion of our total allocation which may make it appear that more acres had been used. He also stated that the utilization of some of the growth allocation acres for this project would be a good fit, as it was expanding upon an existing campground use rather than the construction of a new campground in another area of the county.

Following the discussion, a motion was made by Ms. Knight, seconded by Mr. Church, to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners. The vote was unanimous.

**VI. Maryland Coastal Bays Program – Comprehensive Conservation and Management Plan (CCMP) discussion**

As the next item of business, the Planning Commission met with Kevin Smith, Executive Director, Maryland Coastal Bays Program (MCBP), Steve Taylor, President, MCBP Board, and Nancy Zeller, Vice President, MCBP Board. Kevin Smith explained that MCBP is a non-

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profit mainly funded through the EPA’s National Estuary Program that has been working for over two decades to restore Maryland’s coastal bays. They mentioned that Katherine Munson, a county employee, is a Board member, demonstrating the close working relationship the Coastal Bays Program has with the county. The MCBP is preparing an updated Comprehensive Conservation Management Plan (CCMP), the blueprint for restoration and preservation of the bays. MCBP wanted to communicate the connections between the CCMP and the Comprehensive Plan with the Planning Commission as they are about to prepare the Comprehensive Plan. Kevin Smith noted the 2006 Comprehensive Plan is an excellent document that reflects the goals of the CCMP.

Steve Taylor referred to a letter dated August 10, 2023, from Kevin Smith and himself to the Planning Commission. He addressed the negative effects of impervious surface on water quality, nutrient impairment of the bays and impacts of septic systems, sea level rise, flooding and shoreline impacts, and the need for landscape level stormwater management. Nancy Zeller noted that she is an officer of her community association and also volunteers as an educator at Assateague State Park. She said she speaks to many people, both residents and visitors, in these capacities, and feels she speaks for their interests/concerns about impacts to the bays. She addressed innovative ditch management, greenways, land protection, and farmland preservation. She noted that the Land Preservation and Recreation Plan and Priority Preservation Area element are excellent guiding documents.

Steve Taylor stated that during the development of the 2006 Comprehensive Plan, MCBP provided support to the county with outreach, including funding for community sessions with outside experts, and a public lecture series. He stated the program is willing to provide this support again.

Kevin Smith concluded by stating that MCBP has enjoyed a long-time strong partnership with Worcester County and looks forward to continuing to work with the county towards shared goals.

**VII. Adjourn** – A motion to adjourn was made by Ms. Ott and seconded by Mr. Wells.

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Mary Knight, Secretary

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Stuart White, DRP Specialist

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

*THURSDAY NOVEMBER 9, 2023*

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.

**6:30 p.m.**

**Case No. 23-73**, on the lands of Tammy Adkins, requesting a special exception to allow a 6-foot-tall fence in a front yard setback, pursuant to Zoning Code §§ ZS 1-116(c)(3), & ZS 1-305(k)(3) located at 13232 Muskrattown Road, Tax Map 4, Parcel 47, Lot 1, Tax District 5, Worcester County, Maryland.

**6:35 p.m.**

**Case No. 23-74**, on the lands of Steve Novak, requesting an after-the-fact variance to the right side yard setback from 20 feet to 9.8 feet (to encroach 10.2 feet) for existing sheds and an after-the-fact variance to the right side yard setback from 20 feet to 14.8 feet (to encroach 5.2 feet) for an existing garage in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-201(b)(5) and ZS 1-305, located at 2030 Wildwood Trail, Tax Map 61, Parcel 41, Lot 15, Tax District 7, Worcester County, Maryland.

**6:40 p.m.**

**Re-advertisement of Case No. 23-55**, on the lands of Janet & Daniel Trimper, IV Revocable Trust, on the application of Mark Cropper, requesting a variance to reduce the Atlantic Coastal Bays Critical Area Buffer Management Area from 50 feet to 39.6 feet (to encroach 10.4 feet) and a variance to increase the 30 percent allowable forest clearing to 33.7 percent associated with a construction of a single family dwelling, Pursuant to Natural Resources Code §§ NR 3-104 (c)(4), NR 3-111 and NR 3-107(c)(4) and Zoning Code §§ ZS 1-116(m), located at 11031 Piney Island Drive, Tax Map 15, Parcel 90, Lot 19, Tax District 5, Worcester County, MD.

**Administrative Matters**

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE  
AGENDA**

**Wednesday, November 8, 2023, at 1:00 p.m.**

**Worcester County Government Center, Room 1102, One West Market St. Snow Hill,  
Maryland 21863**

I. **Call to Order**

II. **Lands of Mohamed Ramadan – Minor Site Plan Review**

Proposed construction of a 2,500 square foot mosque building containing a 1,745 square foot prayer center, an office space, and warming kitchen. Located at 12262 Eagles Nest Road, Tax Map 33, Parcel 118, Tax District 10, A-2 Agricultural District, Mohamed Ramadan, owner / Frank Lynch, Jr., surveyor.

III. **611 Holdings II – Minor Site Plan Review**

Proposed construction of a 35 space Electric Vehicle Charging Station. Located between Sinepuxent Road and Stephen Decatur Highway (MD Rte. 611), across from the intersection with Mystic Harbour Boulevard, Tax Map 26, Parcel 211, Tax District 10, C-1 Neighborhood Commercial District, 611 Holdings II, LLC, owner / Vista Design, Inc., architect.

IV. **Adjourn**

**TECHNICAL REVIEW COMMITTEE**

**REPORT**

**4 SEASONS TOWNHOMES (NAME TO BE CHANGED)**

**RESIDENTIAL PLANNED COMMUNITY**

**STEP I**

**October 27, 2023**

## GENERAL INFORMATION:

**Date of TRC Review:** October 10, 2018

**Approval requested:** Step I Residential Planned Community – Establishment of the RPC Floating Zone – 4 Seasons\* Townhome Community (**\*Name must be changed due to similarity with other projects of the same name within the County**)

**Project Description:** Proposed construction of 44 townhouse units.

**Location:** Located on the eastern side of MD Route 611 (Stephen Decatur Highway) approximately 450 feet south from the intersection with Sunset Avenue, Tax Map 26, Parcel 445 Lot 1B & 2A, and Parcel 443 Lot E1, Tax District 10, R-4 General Residential District.

**Owner:** Ocean 8 Group, LLC c/o Tauhid Islam  
9804 Winding Trail Drive  
Ocean City, MD 21842

**Land Planner:** Vista Design, Inc.  
11634 Worcester Highway  
Showell, MD 21862

**Existing Conditions:** **\*It should be noted that there are only 20 available EDU's for the project, which if built to the designed site plan, would require an additional 24 EDU's. More discussion of this matter is contained within the body of this document.**

Comprised of three (3) parcels, with a combined acreage of approximately 6.42 acres (interior property lines are proposed to be abandoned). The applicant, Ocean 8 Group, is proposing a total of 44 townhome units on parcels zoned R-4 General Residential. The parcels were recently rezoned to this classification per County resolution # 23-15 on June 20, 2023 from R-1 Rural Residential. The site is comprised entirely of uplands with no tidal or non-tidal wetlands identified. The property is primarily cleared of all vegetation, and the clearing of remaining forest has been limited to 0.08 Acres for the installation of a suitable outfall needed to meet current Maryland Department of the Environment and Critical Area stormwater management regulations per the narrative provided by Vista for the project. Existing vegetation is located adjacent to Fisherman's Drive. Additional vegetation will be required to meet any Critical Area requirements. Further, the project is not located within a floodplain.

According to the applicants, the site has been used previously as a staging area for other projects.

The project is adjacent to the Green Turtle restaurant to the north, Mystic Harbour to the south and the Mystic Harbour wastewater facility to the east. The narrative provided by Vista indicates that no tidal or non-tidal wetlands have been identified by Coastal Compliance Solutions or the Maryland Department of the Environment (MDE), however there is an existing stormwater facility located near the eastern side of the project. The applicants have indicated that the existing stormwater facilities will be updated to meet the current MDE, Critical Area, and Stormwater Requirements.

**Proposed Project:** The 4 Seasons Townhome Community (Name to change, hereafter referred to as ‘unnamed’) RPC as shown on the Step I plan is proposed to be a fee-simple townhouse residential development comprised of a total of 44 residential units. Proposed open space totals approximately 3.10 acres. Within this total, 0.20 acres of active recreation and 0.40 acres of passive recreation are proposed. The Step I plan indicates that there will be two (2) point of access to the project from Maryland Route 611 (Stephen Decatur Highway) – one of which would utilize the existing entrance currently being used by the Green Turtle Restaurant and situated on the applicant’s property according to the site plan.

**COMMENTS RELATIVE TO COMPLIANCE WITH BASIC RPC REQUIREMENTS:**

**Zoning:** A development is required to meet the major RPC standards when consisting of greater than 20 proposed units. RPC’s are permitted in the R-4 General Residential District.

**Permitted Uses:** In that the proposed RPC is comprised of townhouses, it complies with the RPC regulations relative to permitted uses.

**Density:** In the R-4 District, a maximum of eight (8) units per net acre are allowed. A The total permitted density for the parcels total acreage is 51 units, and the applicant is proposing 44 units. Thus, the proposed density is approximately 6.85 units per acre.

**Minimum requirement of 30% for common use open space and recreational areas:** Given the project’s acreage of 6.42 acres, a total of 1.93 acres is required to be provided for open space. A total of 3.10 acres of the site’s acreage is proposed to be set aside in open space including stormwater management. Open space is required to have a certain amount of active and passive recreational features, as well as lands preserved in their natural state. The breakdown is required as follows:

- **Minimum of 50% of required open space shall be retained in its natural state:** The project is proposing to provide 0.96 acres of the total open space in a natural state. A minimum of 0.96 acres is required; therefore this requirement has been met.
- **Minimum of 10% of required open space shall be for active recreation:** The project is proposing to provide 0.20 (11%) of the total required open space in active recreation. A minimum of 10% is required; therefore this requirement has

been met. Active recreation is defined as uses, areas or activities that are oriented towards potential competition and involving special equipment.

- The site plan shows the active recreation area in the northeastern most corner of the property. No equipment has been identified on the site plan to meet this standard. This will need to be provided prior to the submission of a preliminary plat or Step II master plan. Access to the active open space should also be shown. However, the proposed location of the active open space is not in close proximity to the units within the areas designed for both passive open space and stormwater facilities. Staff requests that site designers contemplate moving the active open space to the location directly south of the Green Turtle if possible, with appropriate measures included to protect children from accessing Stephen Decatur and the Green Turtle property during play such as fencing if children's play areas are anticipated.
- **Minimum of 20% of required open space shall be for passive recreation:** The project is proposing to provide 0.40 acres (21%) of the total open space in passive recreation. A minimum of 20% is required; therefore this requirement has been met. Passive recreation is defined as uses, areas or activities oriented to noncompetitive activities which typically require no special equipment

## **FINDINGS AND RECOMMENDATIONS OF THE TECHNICAL REVIEW COMMITTEE:**

### **1. The relationship of the RPC with the Comprehensive Plan, zoning regulations, and other established policy guidelines:**

The subject property is currently in the "Existing Developed Areas" land use category of the Comprehensive Plan. The EDA category recognizes the importance of maintaining the neighborhood character, and strongly encourages mixed used developments.

The Comprehensive Plan encourages the use of low impact development and cluster techniques to reduce overall impervious surface and maintain wildlife habitat.

Relative to consistency with the zoning regulations, the Technical Review Committee finds that the project site is zoned R-4 General Residential with the R-4 District being a zoning classification in which residential planned communities are permitted. It also finds that the project as proposed complies with those requirements cited in §ZS 1-315 relative to maximum density, maximum limitation for residential uses, minimum requirement for common use open space and recreational areas, and types of permitted uses. Furthermore, the Technical Review Committee finds that the submittals relative to the proposed project comply with the requirements cited in §ZS 1-315(k)(2)A1.

The Technical Review Committee reminds the Planning Commission that for individual structures, there shall be no minimum lot area, setback, bulk, lot width,

or road frontage requirements. Such standards shall be approved by the Planning Commission during the Step II (Master Plan) review.

**2. The general location of the site and its relationship to existing land uses in the immediate vicinity:**

The subject properties are located on the easterly side of MD Route 611 (Stephen Decatur Highway), just north of the Mystic Harbor Subdivision. The Technical Review Committee finds that this area can best be characterized as a mix of residential and commercial land uses. The neighboring developments of Whispering Woods, Mystic Harbor, Deer Point, and Ocean Reef all consist of primarily single-family dwellings. While this development will consist of blocks of townhouse multi-family buildings, the development is situated more towards Stephen Decatur. The R-4 General Residential District encourages infill development and higher densities to encourage traditional neighborhood development while still utilizing conservation features in its design. Additionally, this district is intended to accommodate the most diverse housing types and range of affordability.

Relative to the commercial uses, there are many commercial developments along MD Route 611 (Stephen Decatur Highway) to serve the needs of this development. The proposal does not include a commercial component; however the Technical Review Committee finds that the proposed use as a townhouse development is consistent with existing land uses in the vicinity.

A ‘visual buffer’ is proposed along the southernmost property lines which abut the Mystic Harbor subdivision. **Further information regarding this ‘buffer’ will need to be provided as part of the Step II master plan submission.**

**3. The availability and adequacy of public facilities, services, and utilities to meet the needs of the RPC and the long-term implications the project would have on subsequent local development patterns and demand for public facilities and services:**

The Technical Review Committee finds that the properties proposed to be developed into the “Unnamed” RPC are presently zoned R-4 General Residential District. The surrounding developed lands are similarly zoned for residential (R-1 Rural Residential) and commercial uses (C-2 General Commercial). According to the R-4 General Residential District zoning classification, townhouse residential development at a density of eight (8) dwelling units per net acre is permitted by zoning. Furthermore, residential planned communities of the same density are permitted by that zoning district. Thus, the proposed density of 6.85 dwelling units per acre is allowable under the zoning ordinance. The townhouse dwelling units are consistent with the surrounding residential and commercial developments located within this area.

Therefore, the Technical Review Committee concludes that the proposed “Unnamed” RPC will not have an adverse long-term implication on development patterns in the area.

The applicants have indicated that fee simple lots will be proposed for the townhouse development.

All private roads within the development shall be constructed to one of the RPC road standards and must be reviewed and approved by the County Roads Division of the Department of Public Works. Should the applicant propose approved private roads, they should include the RPC Approved Private Road Standard WO 200-06 on future plans. Approved private roads will require review and approval by the County Commissioners under the provisions of §ZS 1-123 ‘Approved Private Roads.’ The applicant should ensure that the preliminary layout of the travelways as shown on the plan will be able to accommodate one of the road standards.

**The Planning Commission and applicants should be made aware that if ‘short-term’ rentals are to be pursued (any rental less than 28 days in duration), an additional parking space will be required. ‘long-term’ rentals do not have this requirement, although additional parking spaces for resident use is strongly encouraged to be included in the Step II master plan as none are shown currently.**

Relative to certain public facilities, according to the applicants’ written narrative, the developer is requesting that the townhouse units be served by public water and sewer via connection to the Mystic Harbour service area. The applicants have acknowledged that there is a total of 20 EDU’s of public water and sewer capacity available currently and that they will be requesting an additional 24 EDU’s as they become available. **Further, staff has encouraged the applicants to consider a basic subdivision action for a total of 20 townhome units for the available 20 EDU’s in the meantime while the RPC for the entire development is pursued.**

In consideration of their review, the Technical Review Committee finds that there will be no negative impacts to public facilities and services resulting from the proposed RPC, provided that the property owner is able to acquire sufficient additional EDUs from the Mystic Harbor Sanitary District to serve any proposed use(s) on the petitioned area. At the current time however, only 20 units are able to be developed with the current 20 EDU’s available.

**4. The consistency of the RPC with the general design standards as contained in Subsections (j)(1) through (j)(5):**

Relative to the protection of key environmental features, the Technical Review Committee finds that the open space provided exceeds or meets the minimum

required under the RPC regulations. The project is also subject to the Worcester County Forest Conservation Law and Forest Conservation Plan (FCP) #97-20. According to Dave Mathers, Natural Resources Planner, the property has met compliance with the Worcester County Forest Conservation Law through the establishment of on-site Forest Conservation Easement, however according to the plan provided, the FCP will require an amendment. The narrative provided by the applicants indicate that approximately 65% of the existing vegetation on-site is proposed to remain. Clearing of the existing vegetation is proposed to be limited to 0.08 acres for the installation of a suitable outfall needed to meet current MDE, Critical Area and stormwater management regulations.

Further, the project is located within the Atlantic Coastal Bays Critical Area (ACBCA) program boundary and is designated Intensely Developed Area (IDA) and non-waterfront. A Critical Area Report as defined within §NR2-109(d)(2) will need to be provided. Additionally, Joy S. Birch, Natural Resources Specialist III stated in her Technical Review Committee staff report that all items required within a Critical Area site plan (§NR3-109(d)(1) will need to be provided if not done so already including, but not limited to: identifying Habitat Protection areas, locating (of stating the lack there of) tributary streams and associated buffers, tidal wetlands, soils, lot coverage calculations, limits of disturbance, proposed clearing, etc. Documents proving the 10 % pollution reduction requirements will also need to be submitted along with documentation that the 15% afforestation requirement will be accomplished.

Relative to the general layout and clustering of the development, the Technical Review Committee finds that the proposed RPC consists of clustered townhouse buildings, minimizing land impacts, while maximizing contiguous open spaces.

The traffic circulation patterns promote connectivity within the proposed development, and limit access to the public road system to two commercial entrances that will be designed to meet the State Highway Administration (SHA) standards. Subsection (j)(4) of the design standards encourage limiting the number of dead-end streets. This development will have two dead-end stubs. The Fire Marshal's Office has stated in their comments letter that the turning radius shall meet the most restrictive fire apparatus turning radius which is 33 feet inside and 55 feet outside. Approved turnarounds or cul-de-sacs shall be provided on roadways exceeding 150 feet in length.

No traffic study was submitted along with this application. The Planning Commission "may require such additional copies, information, studies, surveys, impact statements or other data, including third-party verification or additional studies as it may deem necessary and appropriate at any stage of the [subdivision] process, at the applicant's expense" – §ZS2-401(d) (A subdivision will be required if the RPC is approved).

**If the Planning Commission wishes to have a traffic impact study for the corridor prepared prior to its review of the Step II master plan, staff encourages it to request this during its meeting so that it can be completed before its Step II review.**

Consideration has been given to sidewalks for pedestrian access throughout the development which will promote walkability.

Overall, the Technical Review Committee finds that the RPC has demonstrated consistency with the general design standards contained in §ZS 1-315(j)(1) through (j)(5).

**5. The relationship of the RPC's proposed construction schedule, including any phasing, and the demand for and timely provision of public facilities, services and utilities necessary to serve the project:**

Within the narrative, the applicant states that the property has a total of 20 existing EDU's of public water and sewer capacity within the Mystic Harbour Sanitary Service Area. Additional EDU's will need to be acquired to provide service for the remainder of the proposed development. The project is proposed to be phased in order to utilize the existing EDU's and complete the project when additional EDU's become available. Both water and sewer infrastructure are already located within the project boundary. Construction of these facilities will be undertaken by the Owner and dedicated to Worcester County when completed.

The proposed phasing will consist of 19-20 initial units developed to utilize the existing EDU's and phase 2 may begin when additional EDU's have been acquired. The narrative also states that following final approval, the water and wastewater improvements will be owned and operated by the County and that the roads will be owned and maintained by the Homeowners Association. All construction costs are to be borne by the Owner. **The applicant is responsible for tracking deadlines and expirations of any and all RPC related approvals for Phase 2.**

The narrative provided states that electrical, telephone, cable and gas services are available and located primarily within an existing utility easement that runs parallel to MD Route 611.

**It is unclear as to when all improvements including active space, private roads and all applicable stormwater management will be installed. It is recommended that the Planning Commission condition its decision with the requirement for all improvements, including active space, be developed during Phase I to ensure that residents are able to use these facilities while the Owner waits for the availability of additional EDU's for Phase II.**

The Technical Review Committee finds that if all EDU's are able to be acquired and a concrete timeline for when improvements will be provided prior to any subdivision action including preliminary plat, the project would meet this metric.

**6. The capacity of the existing road network to provide suitable vehicular access for the RPC, the appropriateness of any existing or proposed improvements to the transportation network, the adequacy of the pedestrian and bicycle circulation, and the proposed means of connectivity of the project to surrounding residential, commercial and recreational development and uses:**

Connectivity to main transportation networks are another feature of the proposed development that are consistent with the Comprehensive Plan. Access will be via two (2) commercial entrances onto MD Route 611 (Stephen Decatur Highway) for the residential uses. The northernmost entrance is an existing entrance/access easement which serves the Green Turtle restaurant and is not proposed for any additional improvements. An inter-parcel connector is provided via the internal subdivision roads of Mystic Harbour and an inter-parcel connector is addressed by function of the access easement to the Green Turle. The private roads are proposed to be constructed in accordance with Worcester County Road Standards and dedicated to the Homeowners Association. **For Step II, the site plan will need to indicate that the roads are proposed to be private.**

The southernmost entrance will need to be reviewed and approved by the Maryland Department of Transportation State Highway Administration (MDOT SHA).

Relative to the adequacy of pedestrian and bicycle circulation, consideration has been given to sidewalks for pedestrian access within the development which will promote walkability. No bike racking is proposed, but is encouraged along the frontage of MD Route 611.

The Technical Review Committee finds that the access points to MD Route 611 (Stephen Decatur Highway) will not have a significantly adverse impact on traffic patterns in the area, provided they meet all standards. The committee also concludes that the State Highway Administration will need to ensure that all entrance design requirements are being met.

**7. The relationship of the proposed method of wastewater disposal and provision of potable water service with the goals, objectives and recommendations of the Comprehensive Plan, Comprehensive Water and Sewer Plan, and other established policy guidelines:**

The Comprehensive Plan notes that “[s]ewer service...is one of the county’s most powerful growth management tools” (Chapter 6). The Water and Wastewater Division of the Department of Public Works has noted in their TRC comments

that fire hydrants and valves for the water main will need to be shown on Step II Master Plan Site Plans. Further, the Department of Public works has requested a detail showing connection to the water meter to 16" Water Main (Transite), the existing water main size to the drawings, existing storm drainage along the front of the property and a profile view of all proposed water and sewer utilities to be installed.

As mentioned several times throughout this report and as found in the Technical Review Committee staff comment letters, there is only availability for 20 EDU's. As proposed, the development would need an additional 24 EDU's in order to be realized. If these later become available, then the project would be in alignment with this standard of the Residential Planned Community provisions.

**\*Comments from the individual members of the Technical Review Committee are attached.**

It should be noted that many of the comments submitted by various TRC members pertain to Step II and III of the review process at which time site plans and subdivision plats would be submitted, or to the permit submittals.

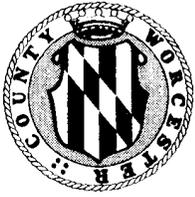
**Procedure:** The Planning Commission shall make findings of fact relative to the application and its consistency with the Comprehensive Plan, the terms of the *Zoning and Subdivision Control Article*, and all other applicable laws and regulations. The seven (7) findings of the Technical Review Committee above must also be addressed by the Planning Commission in their report to the Worcester County Commissioners.

The Planning Commission shall make a recommendation (favorable or unfavorable) relative to the application which may address the items outlined in the Technical Review Committee Report or other items as appropriate. If there is any additional information or documentation that a member of the Planning Commission wishes to review in order to formulate a recommendation, please notify staff immediately so that it can be provided for the meeting, including but not limited to a traffic impact study.

**TECHNICAL REVIEW COMMITTEE**

**COMMENTS**

**OCTOBER 11, 2023 REVIEW**



## WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE

Department of Development Review & Permitting  
Worcester County Government Center  
1 W. Market St., Room 1201  
Snow Hill, Maryland 21863  
410-632-1200, Ext. 1151  
pmiller@co.worcester.md.us

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Project: 4 Seasons Townhome Community

Date: 10/11/2023

Tax Map: 26 Parcel: 445; 443 Section:        Lot: 1B; 2A; E1

### STANDARD COMMENTS

1. Items listed in this review are **not** required for Technical Review Committee approval.
2. Provide complete code review. List type of construction, use groups, height and area, occupant loads, live, dead and other structural loads.
3. Soils report required at time of building permit application.
4. Compaction reports due at all footings and slab inspections as well as any site work and structural fill.
5. Complete sealed architectural, structural, mechanical, plumbing and electrical plans are required.
6. Provide information for wind, snow, floor, roof and seismic loads.
7. Special inspections (Third party) required per IBC Chapter 17 for steel, concrete, masonry, wood, prepared fill, foundations and structural observations.
8. Provide plan for owner's special inspection program, list inspections and inspection agencies.
9. A Maryland Registered Architect must seal plans. This architect or architectural firm will be considered the architect of record.
10. A pre-construction meeting will be required before any work starts.
11. Provide complete accessibility code requirements and details.
12. List on construction documents all deferred submittals.
13. Truss and other shop drawings will be required prior to installation. Design professional in responsible charge shall review and approve all shop drawings.
14. Please provide your design professional with a copy of these comments.

## Site specific comments: Townhomes

1. Current Codes: 2018 International Building Code  
2018 International Energy Conservation Code  
2018 International Mechanical Code  
2017 NEC  
Maryland Accessibility Code (MAC)  
2010 ADA Standards for Accessible Designs

**Maryland Codes Administration has adopted the 2021 edition of the International Codes. Local jurisdictions will have until 5/29/2024 to adopt the 2021 I-codes.**

2. Wind Design: 127 MPH (assumed); Risk category II; Exposure "C"
3. Complete sealed architectural, structural, mechanical, plumbing and electrical plans are required.
4. The overall building height is to be clearly indicated on the construction documents. Maximum 45 feet building height permitted for townhomes, an as-built height certification may be required prior to framing inspection.
5. Townhomes to be signed and sealed by Maryland registered Architect.
6. Soils report and compaction testing required for all building pads, townhome sites and parking areas. Soils report to be submitted with building permit application.

**There is not enough information provided at this time to provide additional comments.**



## Worcester County

Department of Environmental Programs  
Natural Resources Division

### Memorandum

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**To:** Technical Review Committee

**From:** Joy S. Birch, Natural Resources Specialist III 

**Subject:** October 11, 2023 – Technical Review Committee Meeting

**Date:** October 6, 2023

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**4 Seasons Townhome Community – Residential Planned Community – Step I Concept Plan**  
**- Proposed construction of 44 townhome units. Located on the eastern side of MD Route 611 (Stephen Decatur Highway) approximately 450 feet south from the intersection with Sunset Avenue, Tax Map 26 Parcel 445 Lot 1B & 2A and Parcel 443, Lot E1, Tax District 10, R-4 General Residential District, Ocean 8 Group, LLC, owner / Vista Design, inc., engineer.**

#### **Critical Area:**

This project is located in the Atlantic Coastal Bays Critical Area (ACBCA) program boundary designated Intensely Developed Area (IDA) and is non-waterfront. Please see following comments:

1. Ensure all items required within a Critical Area site plan NR 3-109(d)(1) have been provided. This includes, but is not limited to, identifying Habitat Protection areas, locating (or stating the lack there of) tributary streams and associated buffers, tidal wetlands, soils, lot coverage calculations, limits of disturbance, proposed clearing, etc.
2. Provide us with a Critical Area Report as defined within NR 3-109(d)(2).
3. Provide documents that the site will meet the 10 percent pollution reduction requirements. The Department can provide you with a copy of the worksheet if needed.

**Citizens and Government Working Together**

4. Illustrate and/or provide documentation that the 15 percent afforestation requirement will be accomplished. If plantings are to be completed to achieve the 15 percent afforestation requirement, a Critical Area planting bond (and calculations) will be required.
5. This project meets the requirement for the Maryland Critical Area Commission Project Notification parameters, therefore provide additional copies of the plan, Critical Area Report, 10 percent rule compliance details, and all other pertinent documents when submitted, will be forwarded to Commission Staff for review and comment.
6. Please submit the Critical Area review fee of \$360.50. Additional review fees will be collected at each step of the RPC process.

**Storm Water Management & Erosion and Sediment Control:**

**Storm Water Management & Erosion and Sediment Control:**

Stormwater Management Concept Plan approval has been received.

**General Provisions:**

- All Erosion and Sediment controls should comply with the 2011 Maryland Standards and Specifications for Erosion and Sediment Control.
- All Storm water Management practices shall be designed to meet the requirements of the 2007 Maryland Storm water Management Act.
- All projects over one (1) acre shall be required to file for a General Permit / Notice of Intent (NOI) for construction activity through Maryland Department of Environment. This is mandated through the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES). Any permits to be issued by Worcester County for disturbance that exceeds one acre will not be issued without NOI authorization being obtained prior to.

cc: File;  
David Bradford, Deputy Director (via email);  
Stuart White, DRP (via email).



GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1302  
SNOW HILL, MARYLAND 21863-1294  
TEL: 410-632-5666  
FAD: 410-632-5664

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## TECHNICAL REVIEW COMMITTEE COMMENTS

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**PROJECT: 4 Seasons Townhome Community      TRC #: 2023653**  
**LOCATION: Tax Map 26; Parcel 445; Lot 1B & 2A; Parcel 443; Lot E1**  
**CONTACT: Ocean 8 Group LLC c/o Tauhid Islam**  
**MEETING DATE: October 11, 2023                      COMMENTS BY: Matthew Owens**  
**Fire Marshal**

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As you requested, this office has reviewed plans for the above project. Construction shall be in accordance with applicable Worcester County and State of Maryland fire codes. This review is based upon information contained in the submitted TRC plans only, and does not cover unsatisfactory conditions resulting from errors, omissions, or failure to clearly indicate conditions. A full plan review by this office is required prior to the issuance of a building permit. The following comments are noted from a fire protection and life safety standpoint.

### Scope of Project

The proposed construction of a Residential Planned Community Step 1 Concept Plan (proposed construction of 44 townhouse units).

### General Comments

1. A water supply for fire protection shall be identified indicating the following:
  - a. Water Source
  - b. Engineering study for reliability of water source
  - c. Size (in gallons) of water source
  - d. Replenishment of water supply
  - e. Diameter of in ground pipe
  - f. Number of hydrants
  - g. Location of hydrants
  - h. Roadway width and surface types
  - i. Distance from hydrant to roadway
2. If public water source, approved plans by the public works department.
3. Water source plans must be approved prior to recording of plat.

4. Fire hydrants shall be located within 3 ft. of curb line. Placement of fire hydrants shall be coordinated with this office prior to installation.
5. Obstructions shall not be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately visible and accessible.
6. All underground water mains and hydrants **shall be installed, completed, and in service** prior to construction work or as soon as combustible material accumulates, which ever comes first. A stop work order will be issued if fire hydrants are not in service prior to construction work start.
7. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 13 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project. Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.
8. Coordinate 9-1-1 addressing with Worcester County Department of Emergency Services (410) 632-1311.

### **Specific Comments**

1. The proposed townhomes shall be protected by an automatic sprinkler system. Plans shall be submitted and approved by this office prior to the installation of such system.
2. The turning radius shall meet the most restrictive fire apparatus turning radius which is 33 feet inside and 55 feet outside. Approved turnarounds or cul-de-sacs shall be provided on roadways exceeding 150 ft. in length.
3. All fire hydrant locations shall be approved by this office.
4. A complete set of building plans shall be submitted and approved prior to start of construction.
5. No further comments at this time.



**Worcester County**  
Department of Environmental Programs  
Natural Resources Division

## Memorandum

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**To:** Technical Review Committee

**From:** David Mathers, Natural Resources Planner 

**Subject:** Forest Conservation Review

**Date:** September 22, 2023

**Date of Meeting:** October 11, 2023

**Project:** 4 Seasons Townhome Community

**Location:** Stephen Decatur Hwy; Tax Map: 26; Parcel: 445, Lot 1B, Parcel 445, Lot 2A & Parcel 443, Lot E1

**Owner/Developer:** Ocean 8 Group, LLC

**Engineer:** Vista Design, Inc.

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**This project is subject to the Worcester County Forest Conservation Law.** This property is subject to Forest Conservation Plan (FCP) #97-20. This property has met compliance with the Worcester County Forest Conservation Law through the establishment of on-site Forest Conservation easement, however, according to the plan provided the FCP will require an amendment. This amended FCP must be approved prior to the project being reviewed by the Planning Commission. A review fee of \$150.00 will be charged at each RPC step review.

**Citizens and Government Working Together**



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1306  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1220 / FAX: 410.632.2012

LAND PRESERVATION PROGRAMS  
STORMWATER MANAGEMENT  
SEDIMENT AND EROSION CONTROL  
SHORELINE CONSTRUCTION  
AGRICULTURAL PRESERVATION  
ADVISORY BOARD

WELL & SEPTIC  
WATER & SEWER PLANNING  
PLUMBING & GAS  
CRITICAL AREAS  
FOREST CONSERVATION  
COMMUNITY HYGIENE

## MEMORANDUM

**DATE:** January 17, 2023  
**TO:** Applicant  
**FROM:** David M. Bradford, Deputy Director *DMB*  
**SUBJECT:** Stormwater/Sediment Erosion Control Plan/Permit

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Please note, if a Stormwater plan is approved by this office and does not include phasing, the corresponding permit can only receive Stormwater Final approval once all improvements are completed and the entire site is stabilized. This includes properties which have multiple Building or Zoning permits associated with the Stormwater plans. If a Stormwater Bond is required per the permit, the bond will only be released once a Stormwater Final approval takes place.

Additionally, if pervious pavement (i.e. asphalt, concrete) is proposed as a Stormwater Best Management Practice (BMP), an engineer will be required to ensure that this BMP is installed per the approved plan and the correct sequence is detailed on approved plans. Furthermore, all site disturbance must be stabilized prior to beginning the BMP installation process to avoid any contamination or performance issues. If components of the BMP become contaminated, excavation may be required. A detail/schematic must be site specific and reflect how associated sub drains are connected to piping and also illustrate all material being used in subgrade when using this BMP.

If you have any questions, please feel free to contact the Deputy Director, David Bradford, at (410) 632-1220, ext. 1143.

**WORCESTER COUNTY  
DEPARTMENT OF PUBLIC WORKS  
INTEROFFICE MEMORANDUM**

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**TO:** Stuart White, DRP Specialist  
Development Review and Permitting

**FROM:** Christopher S. Clasing, P.E., Deputy Director

**DATE:** October 6, 2023

**SUBJECT:** TRC Meeting – October 2023 – Roads and Water/Wastewater Comments

---

- I Refuge at Windmill Creek – Construction Plan Review
- a) Road bonds have been acquired, note on plans that the roadways will be approved private roads and maintained by someone other than Worcester County Roads Division.
  - b) No comments from the Water/Wastewater Division
- II Triple Crown Estates – Construction Plan Review
- a) No comments from the Roads Division at this time.
  - b) Pending easement is to be submitted to the Water/Wastewater Division.
- III 4 Seasons Townhome Community
- a) Denote on plans that the roadways will be private roads.
  - b) Please show all fire hydrants and valves for the water main.
  - c) Please use as-built drawing available at Ocean Pines WWTP upon request.
  - d) Please add a detail showing connection of water meter to 16" Water Main (Transite).
  - e) Please add existing water main size to the existing drawings.
  - f) Please include the existing storm drain along the frontage of the property as it is used for the backwash outfall.
  - g) Please provide a profile view of all proposed water and sewer utilities to be installed.
- IV Cathell, LLC – Minor Site Plan Review
- a) No comments from Public Works at this time.
- V RLG - Major Site Plan Review
- a) No comments from Public Works at this time.
- VI Beach Bum West-O – Minor Site Plan Review
- a) No comments from Public Works at this time.

cc: Kevin Lynch, Roads Superintendent  
Tony Fascelli, W/WW Superintendent



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1306  
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If you have any questions, please feel free to contact the Deputy Director, David Bradford, at (410) 632-1220, ext. 1143.



## Worcester County

Department of Environmental Programs  
Environmental Programs Division

### Memorandum

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**To:** Technical Review Committee (TRC) for an October 11, 2023 Meeting

**From:** Environmental Programs Staff

**Subject:** **RPC Site Plan Submission: 4 Seasons Townhome Community – Residential Planned Community (RPC) Step I Concept Plan; proposed construction of 44 townhome units.**

**Date:** October 5, 2023

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Environmental Programs comments are based on the plans submitted. These comments are subject to change every time a change is made to the plans that affect water and/or sewage for this site.

1. Environmental Programs requires a \$60 fee for any Technical Review Committee projects submitted on public water & sewer. This fee will need to be submitted prior to Signature Approval being given on this project.
2. Please note the source of public water & sewer on the site plan. This would be the Mystic Harbour Sanitary Service Area for both water & sewer.
3. An application and deposit must be presented to Ms. Barbara Hitch, Enterprise Fund Controller, who begins the processing for a Mystic Sewer allocation to be reviewed by the County Commissioners for approval. Any use of Mystic Harbour sewer will require that a corresponding amount of Mystic Harbour water capacity also be purchased and installed under a metered connection. **Please note, however, there are currently no available Mystic EDUs for allocation.**
4. Commercial plumbing plans and permits are needed. A commercial plumbing plan review will need to be completed on the property. The fee associated with the commercial plumbing plans is \$225.
5. Plumbing Code is the 2018 International Plumbing Code (IPC) Illustrated (National). The Gas Code is the 2018 International Fuel Gas Code (IFGC), for natural gas.

**Citizens and Government Working Together**



# VISTA

DESIGN, INC.

**4 SEASONS TOWNHOME  
COMMUNITY  
RESIDENTIAL PLANNED COMMUNITY  
STEP I - CONCEPT**

OCEAN EIGHT GROUP, LLC  
TAX MAP 26  
PARCEL 445, LOT 1B; PARCEL 445, LOT 2A; PARCEL 432, LOT E1  
TENTH TAX DISTRICT  
WORCESTER COUNTY, MARYLAND

*Submitted by:*

Vista Design, Inc.  
11634 Worcester Highway  
Showell, Maryland 21862  
Phone: (410) 352-3874  
[www.vistadesigninc.com](http://www.vistadesigninc.com)

## **Introduction**

The proposed Residential Planned Community (RPC) is in West Ocean City on Maryland Route 611. The proposed development consists of the three parcels listed below under "Land Use" and is comprised of ±6.42 acres. The project is adjacent to the Green Turtle to the north, Mystic Harbour to the south and Mystic Harbor wastewater facility to the east. There are two (2) existing entrances to the site from Md Route 611 and both will be used to access the property. The most northern entrance on Parcel 445, Lot 1B is an existing entrance / access easement serving The Green Turtle.

The property has 20 EDU's of public water and sewer capacity within the Mystic Harbour Sanitary Service Area. Additional EDU's will need to be acquired for complete build out of the project. The project will consist of two (2) phases. Phase 1 will consist of 19 – 20 units to utilize the existing 20 EDU's and Phase 2 will begin once additional EDU's have been acquired.

The 4 Seasons Townhome Community is located within the Atlantic Coastal Bays Critical Area program boundary and with the designation of Intensely Development Area (IDA). The property is non-waterfront, and all proposed activities will meet the requirements of Title 3 (Land and Water Resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Laws.

Following final approval, the water and wastewater improvements will be owned and operated by Worcester County and the roads will be owned and maintained by the Homeowners Association. All construction costs will be borne by the Owner.

Although this site does not include any tidal or non-tidal wetlands, as determined by MDE and Coastal Compliance Solutions, there is an existing stormwater management facility located towards the east end of the site. The existing stormwater facility will be updated to meet current MDE / Critical Area stormwater requirements. The portion of the project site closest to MD Route 611 is fairly clear and has been used for staging areas for different projects. This area is where most of the proposed townhome development will occur. Most of the existing vegetation on site is located adjacent to Fishermans Drive within Mystic Harbor. Disturbance of the existing vegetation will be limited to the area (±0.08 Acres) needed to install an adequate outfall for the updated stormwater management facility.

The maximum density under the R-4, General Residential Zoning District is 8 Units per Acre or 51 Units. The 4 Seasons Townhome Community development proposes 44 Townhomes or 6.85 Units per Acre. With 44 proposed Townhomes, the plan will need to be developed as a Major Site Plan under the Residential Planned Community (RPC).

Conceptual approval of the stormwater management measures for the proposed development has been obtained and meets the requirements for Environmental Site Design (ESD) of the Maryland Department of the Environment. Proposed stormwater management areas have been provided on the enclosed plans.

This written statement in support of the RPC will discuss the project's conformance with the goals, objectives and recommendations of the Comprehensive Development Plan of Worcester County, Maryland, compliance with the established development policy regulations, specifically in relation to the Land Use, Natural Resources, Economy, Housing, Public Infrastructure and Transportation areas contained within the plan.

## **Land Use**

The site area of ±6.42 Acres consists of three parcels, Parcel 445, Lot 1B & Lot 2A and Parcel 432, Lot E1. All three parcels are currently zoned R-4, General Residential District. Parcel 445, Lot 1B was rezoned to R-4 General Residential District, per Zoning Reclassification Resolution No. 23-15 on June 20, 2023. The property is located within the Atlantic Coastal Bays Critical Area program boundary and with the designation of Intensely Development Area (IDA) and is in the designated Existing Developed Areas of Worcester County Approved Land Use Plan.

In the Land Use objectives listed in Chapter Two of the Comprehensive Plan, five criteria are applied to infill in Existing Developed Areas to determine their suitability under the Plan. The five criteria are as follows:

1. ***To Limit Environmental Damage.*** As noted previously, the property is within the Atlantic Coastal Bays Critical Area (IDA) and will provide the required plantings for lot coverage within the Critical Area to adhere to the Worcester County Law. Additionally, the site has been designed to limit the proposed development from impacting the existing stormwater management facility and to retain ±65% of the existing vegetation.
2. ***To reduce land consumption outside existing communities.*** The design of the proposed development preserves existing drainage patterns and environmentally sensitive areas while protecting existing forest through forest conservation and site design that limits the clearing of trees. The development of Townhomes on this property under the R-4 Zoning District is of a higher allowable density but relates well to the adjacent Mystic Harbour Subdivision. The density has been reduced by approximately ±1.15 Acres per unit. In addition, the required common open space for the project site is ±1.93 Acres and the proposed common open space is ±3.10 Acres.
3. ***To minimize impacts on natural, economic, and social resources.*** The project's impacts on natural resources have been discussed above. The proposed townhome community is anticipated to benefit the local and state economies in many ways, including:
  - a. The installation of public sewer facilities will assist in reducing the nutrient loadings of the Atlantic Coastal Bay, which will result in improved quality and therefore increased enjoyment by both locals and vacationers.
  - b. The development is anticipated to increase the tax base of Worcester County.
4. ***To efficiently provide adequate public facilities and services.*** The property has a total of 20 existing EDU's within the Mystic Harbour Sanitary Service Area. Additional EDU's will need to be acquired for ultimate build out of the proposed development. The project will be phased in order to utilize the existing EDU's and to complete the project when additional EDU's become available. Construction of the facilities will be undertaken by the Owner and dedicated to Worcester County when completed. There are two (2) existing entrances to the site from Maryland Route 611 and both will be used to access the property. Electrical, telephone, cable and gas services are available and located primarily within an existing utility easement that runs parallel to MD Route 611.

- 5. To minimize the adverse impacts on existing communities and to foster a cooperative approach to land use planning and development.** This project uses the existing and future availability of water & sewer service as mentioned in #3a above. The proposed townhome community has been designed to limit environmental impacts and to reduce other impacts such as extensive road systems, traffic impacts and sprawl beyond suitable infill areas.

In summary, this project meets the goals of the Comprehensive Plan for Land Use planning and will produce a well-planned addition to the existing neighborhood community while preserving existing drainage patterns and environmental features.

### **Natural Resources**

The conceptual design developed provides protection and enhances the natural resources on this property. Clearing of the existing forest has been limited to 0.08 Acres for installation of a suitable outfall needed to meet current MDE and Critical Area stormwater management regulations. Additional landscaping will be provided to meet additional Critical Area requirements. Conceptual approval of the stormwater management measures for the proposed development has been obtained and meet the requirements for Environmental Site Design (ESD) of the Maryland Department of the Environment. Proposed stormwater management areas have been provided on the enclosed plans.

### **Economy**

The 4 Season Townhome Community will provide positive benefits to the County's economy. The addition of newly built townhomes will help meet the needs of the competitive housing market, while increasing the local tax base. Additional housing in this area provides additional employment opportunities and reduced commuting times given its location in West Ocean City and to Ocean City.

### **Housing**

The 4 Season Townhome Community provides housing options that are permitted in the R-4, General Residential District and is below the maximum allowable density by  $\pm 1.15$  Acres per unit. The development of townhomes is consistent with the mix of single family (Mystic Harbour) and multi-family (Sunset Village & Lennar at Sea Oaks Village) housing types currently within the neighborhood.

### **Public Infrastructure**

The property has a total of 20 existing EDU's of public water and sewer capacity within the Mystic Harbour Sanitary Service Area. Additional EDU's will need to be acquired to provide service for the remainder of the proposed development. The project will be phased in order to utilize the existing EDU's and complete the project when additional EDU's become available. Both water and sewer infrastructure are already located within the project boundary. Construction of these facilities will be undertaken by the Owner and dedicated to Worcester County when completed.

### **Transportation**

There are two (2) existing entrances to the site from Md Route 611 both will be used to access the property. The existing entrance to the south will need to be reviewed and approved by the Maryland Department of Transportation (MDOT SHA). The existing entrance to the north currently serves the Green Turtle and will remain with no proposed improvements. There is an existing access easement on Parcel 455, Lot 1B to allow access to the Green Turtle. An inter-parcel connection is provided via the internal subdivision roads of Mystic Harbor. The internal townhome community roads will be built in

accordance with the Worcester County Road Standards and dedicated to the Homeowner's association. All construction costs will be borne by the Owner.

### **Implementation**

This RPC must be reviewed and approved through the process specified in the Worcester County Code, Chapter ZS 1-315 and the County's process for RPC approval. Should the necessary approvals explained herein be received, the project will then proceed through the County subdivision process, which will include the preparation of all final design and construction documents, including plats, road, water, sewer, stormwater, sediment and erosion control, landscaping and other plans required for permitting and construction of the development. These plans will then be submitted to the Planning Commission for approval. Bonds will be posted by the Owner and a Building Permit obtained. Construction will then begin, with all costs borne by the Owner. Upon completion and final inspections, the plats will be recorded, and public infrastructure elements dedicated to Worcester County.

SITE DATA

OWNER
Ocean Eight Group, LLC
9804 Winding Trail Dr.
Berlin, MD 21811
Contact: Mr. Taha'id Islam
Ph: 443-373-1789
Email: islam.taha'id@cloud.com

CONSULTANT
Vista Design, Inc.
Contact: Steve Engel, R.L.A.
11634 Worcester Highway
Shovel, Maryland 21862
Phone: (410) 352-3874
Fax: (410) 352-3875

CIVIL SHEET INDEX
Sheet C 100 Cover Sheet
Sheet C 101 Existing Conditions
Sheet C 102 Concept Plan

SITE INFORMATION

Tax Map 0026
Parcels Zoning
0445 Lot 1B R-4 General Residential District
0445 Lot 2A R-4 General Residential District
0432 Lot E1 R-4 General Residential District

Parcel 0445 Lot 1B was Rezoned to, R-4 General Residential District, per Zoning Reclassification Resolution No. 23-15 on June 20, 2023.

Existing Land Use Vacant Lands
Proposed Land Use 44 Townhouse Units
Major Residential Planned Community (RPC)

Site Area
Parcel 0445, Lot 1B ±3.29 Ac
Parcel 0445, Lot 2A ±2.50 Ac
Parcel 0432, Lot E1 ±0.63 Ac
Total ±6.42 Ac

Max Allowable Density 51 Units (8 Units per Acre)
Proposed Density 44 Units (6.85 Units per Acre)
Max Stg. Height 4 Stories or 45'

Interior Units Min 18'
End Units Min 24'

Site Setbacks
Front 50' (Along MD Route 611)
15' (Along Fishermans Drive)
Side Rear 8' (Each)
Unit Setbacks
Front 20'
Sides 5'
Rear 10'

OPEN SPACE

Required
Common Open Space ±1.93 Ac (30% of Total Site Area)
Natural Open Space ±0.96 Ac (50% of Common Open Space)
Passive Open Space ±0.39 Ac (20% of Common Open Space)
Active Open Space ±0.19 Ac (10% of Common Open Space)

Provided
Common Open Space ±3.10 Ac
Natural Open Space ±0.96 Ac (50%)
Passive Open Space ±0.40 Ac (21%)
Active Open Space ±0.20 Ac (11%)

WATER & SEWER PROVIDER

Mystic Harbour Sanitary Service Area
Required
One (1) EDU / Unit = 44 EDUs
Existing
Twenty (20) EDUs of water and sewer allocated from the Mystic Harbour Sanitary Service Area To Be Attained
Twenty-four (24) EDUs to be acquired

NON-TIDAL WETLANDS

Per an onsite visit and investigation by Coastal Compliance Solutions, Inc. there are no Tidal or Non-Tidal Wetlands within the project boundary.

FLOOD ZONE

This property is Located Within Flood Zone X Per FEMA Map # 24047C080H, Dated July 16, 2015

WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA LAW

This property is located in the Atlantic Coastal Bays Critical Area (ACBCA) program boundary designated Intensely Development Area (IDA) and is non-waterfront. Any and all proposed activities must meet the requirements of Title 3 (Land and Water Resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Laws, as from time to time amended, in effect at the time of the proposed development activities.

PROPOSED LAND USE

SITE AREA
Area within the Critical Area (IDA) ±6.42 Ac
Limits of Disturbance ±4.45 Ac

EXISTING LAND USE
Existing Impervious (Asphalt/Gravel) ±0.26 Ac
Vegetation ±0.23 Ac
Grass / Open Space ±5.92 Ac
TOTAL EXISTING ±6.42 Ac

PROPOSED LAND USE
Townhomes Lots, Driveways & Decks ±1.63 Ac
Asphalt Drives, Curb & Sidewalks ±0.92 Ac
Grass / Open Space ±3.87 Ac
TOTAL PROPOSED ±6.42 Ac

TOTAL PROPOSED IMPERVIOUS ±2.55 Ac

OFF STREET PARKING REQUIREMENTS

REQUIRED
Townhomes 2 per Unit (min) 2.5 per Unit (max)
44 Units 88 Spaces (min) 110 Spaces (max)

PROPOSED
(2) Garage Spaces per Unit 88 Spaces
TOTAL 88 Spaces

1. Zero (0) Bicycle Racks (Units have garages)

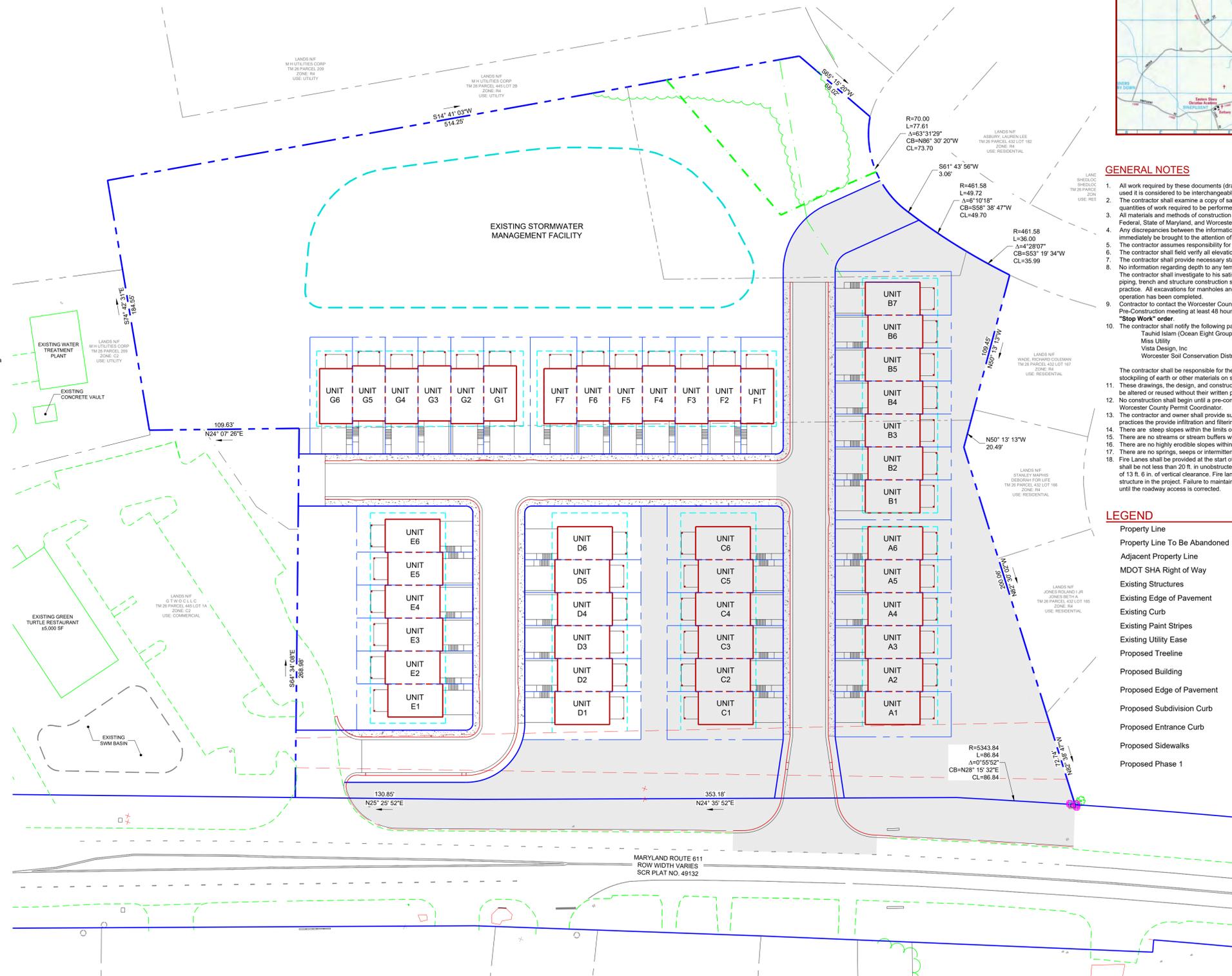
FOREST CONSERVATION STATEMENT

This site is subject to the Worcester County Forest Conservation Law. This site is subject to Forest Conservation Plan No. 97-20. This site has been subject to a regulated activity under the Worcester County Forest Conservation Law. Any future approval of this site for a regulated activity shall be subject to the County Forest Conservation Law. A Forest Conservation Easement Plat has been approved and is on file with the Department of Environmental Programs. A Short Term Management Plan and Perpetual Protective Agreement, Deed of Forest Conservation Easement, Worcester County, Maryland, will be recorded simultaneously with this plan in the Land Records of Worcester County, Maryland.

STORMWATER MANAGEMENT NARRATIVE

This project proposes to meet Stormwater Management requirements via expansion of the existing Stormwater Management Pond located on the property. The subject property is located in the Sinepuxent Bay Watershed, Watershed No. 02130104

4 SEASONS TOWNHOME COMMUNITY
RESIDENTIAL PLANNED COMMUNITY - STEP I
WEST OCEAN CITY, MARYLAND



GENERAL NOTES

- 1. All work required by these documents (drawings and specifications) shall be new. Wherever the word "proposed" is used it is considered to be interchangeable with the word "new" and is included in the required work.
2. The contractor shall examine a copy of said plan(s) and visit the site in order to determine, to his/her satisfaction the quantities of work required to be performed.
3. All materials and methods of construction shall conform to these drawings and specifications and to all applicable Federal, State of Maryland, and Worcester County requirements.
4. Any discrepancies between the information provided on these plans and the existing site conditions shall immediately be brought to the attention of the owner and engineer.
5. The contractor assumes responsibility for any deviations from the drawings and specifications.
6. The contractor shall field verify all elevations and pipe inverts prior to construction.
7. The contractor shall provide necessary stakeout of the line and grade for the construction.
8. No information regarding depth to any temporary of permanent ground water table is provided on these drawings. The contractor shall investigate to his satisfaction the site conditions regarding depth to ground water. Generally, piping, trench and structure construction shall be executed in a de-watered state, consistent with good construction practice. All excavations for manholes and other chambers shall be continually de-watered until the back-fill operation has been completed.
9. Contractor to contact the Worcester County Department of Environmental Programs at 410-632-1220 to schedule a Pre-Construction meeting at least 48 hours prior to commencing any site work. Failure to do so may result in a "Stop Work" order.
10. The contractor shall notify the following parties, three (3) days prior to beginning any work shown on these drawings:
Taha'id Islam (Ocean Eight Group, LLC) 443-373-1789
Miss Utility 1-800-282-4655
Vista Design, Inc 410-352-3874
Worcester Soil Conservation District 410-632-3464 ext. 3
The contractor shall be responsible for the means and methods resulting from any earth moving and/or temporary stockpiling of earth or other materials on site.
11. These drawings, the design, and construction features disclosed are proprietary to Vista Design, Inc. and shall not be altered or reused without their written permission. Copyright, latest date here on.
12. No construction shall begin until a pre-construction meeting is held between the contractor, owner, engineer & the Worcester County Permit Coordinator.
13. The contractor and owner shall provide supervision and certification of all construction of Stormwater Management practices the provide infiltration and filtering, by a Professional Engineer duly licensed in the State of Maryland.
14. There are steep slopes within the limits of disturbance.
15. There are no streams or stream buffers within the limits of disturbance.
16. There are no highly erodible slopes within the limits of disturbance.
17. There are no springs, seeps or intermittent streams within the limits of disturbance.
18. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 13 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project. Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.

LEGEND

- Property Line
Property Line To Be Abandoned
Adjacent Property Line
MDOT SHA Right of Way
Existing Structures
Existing Edge of Pavement
Existing Curb
Existing Paint Stripes
Existing Utility Easement
Proposed Treeline
Proposed Building
Proposed Edge of Pavement
Proposed Subdivision Curb
Proposed Entrance Curb
Proposed Sidewalks
Proposed Phase 1

NOTE: This drawing, specifications, and work produced by Vista Design, Inc. (VDI) for this project are instruments of service for this project only, and remains the copyrighted property of VDI. Reuse or reproduction of any of the instruments of service of VDI by the Client or assignees without the written permission of VDI will be at the Client's risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

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 rules and regulations thereto apparent.



VICINITY MAP
NOT TO SCALE

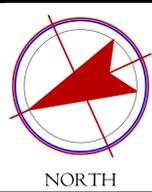


Table with 2 columns: REVISIONS, PROJECT DATA. Includes project name, location, date, and scale.

PROJECT DATA
Project No.: 21-104
File Name: RPC\_Sep1\_091226.dwg
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND
Date: 09/15/23
Scale: 1" = 40'

COVER SHEET
RESIDENTIAL PLANNED
COMMUNITY - STEP I

4 SEASONS
TOWNHOME COMMUNITY
WEST OCEAN CITY, MD
OCEAN 8 GROUP, LLC

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Shovel, MD 21862
Ph: 410-352-3874 • Fax: 410-352-3875 • www.vistadesign.com

**LEGEND**

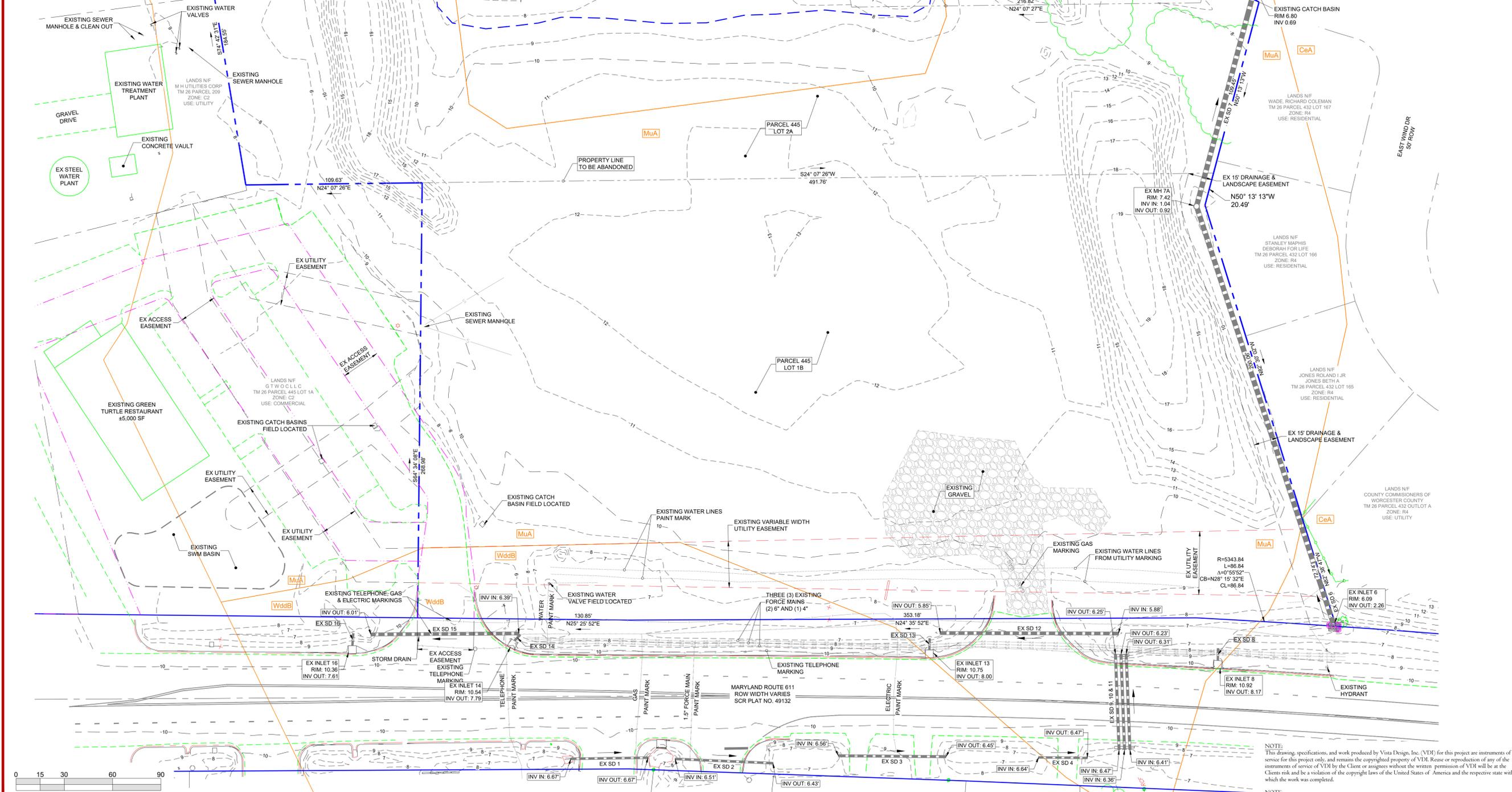
- Property Line
- Property Line To Be Abandoned
- Adjacent Property Line
- MDOT SHA Right of Way
- Existing Structures
- Existing Edge of Pavement
- Existing Curb
- Existing Paint Stripes
- Existing 1x Contour
- Existing 5x Contour
- Existing Treeline
- Existing Water
- Existing Force Main
- Existing Gas
- Existing Telephone (Underground)
- Existing Electric (Underground)
- Soils Boundary
- Existing Storm Drain
- Existing Access Easement
- Existing Utility Easement
- Existing Drainage & Landscape Easement

**SOILS**

SOIL TYPE	SOIL DESCRIPTION	HYDROLOGIC SOIL GROUP RATING	PERCENT OF SITE
WdB	WOODSTOWN SANDY LOAM, 2 TO 5 PERCENT SLOPES NORTHERN TIDEWATER AREA	C	90.4%
CeA	CEDARTOWN-ROSEDALE COMPLEX, 0 TO 2 PERCENT SLOPES	A	6.2%
MuA	MULLICA-BERRYLAND COMPLEX, 0 TO 2 PERCENT SLOPES	A/D	3.4%
W	WATER		15.3%

**AREA TABLE**

DESCRIPTION	AREA (AC)
ASPHALT / GRAVEL	0.26
POND	0.63
VEGETATION	0.23
GRASS / OPEN SPACE	5.29
TOTAL SITE	6.42



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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 rules and regulations thereto apparent.

REVISIONS

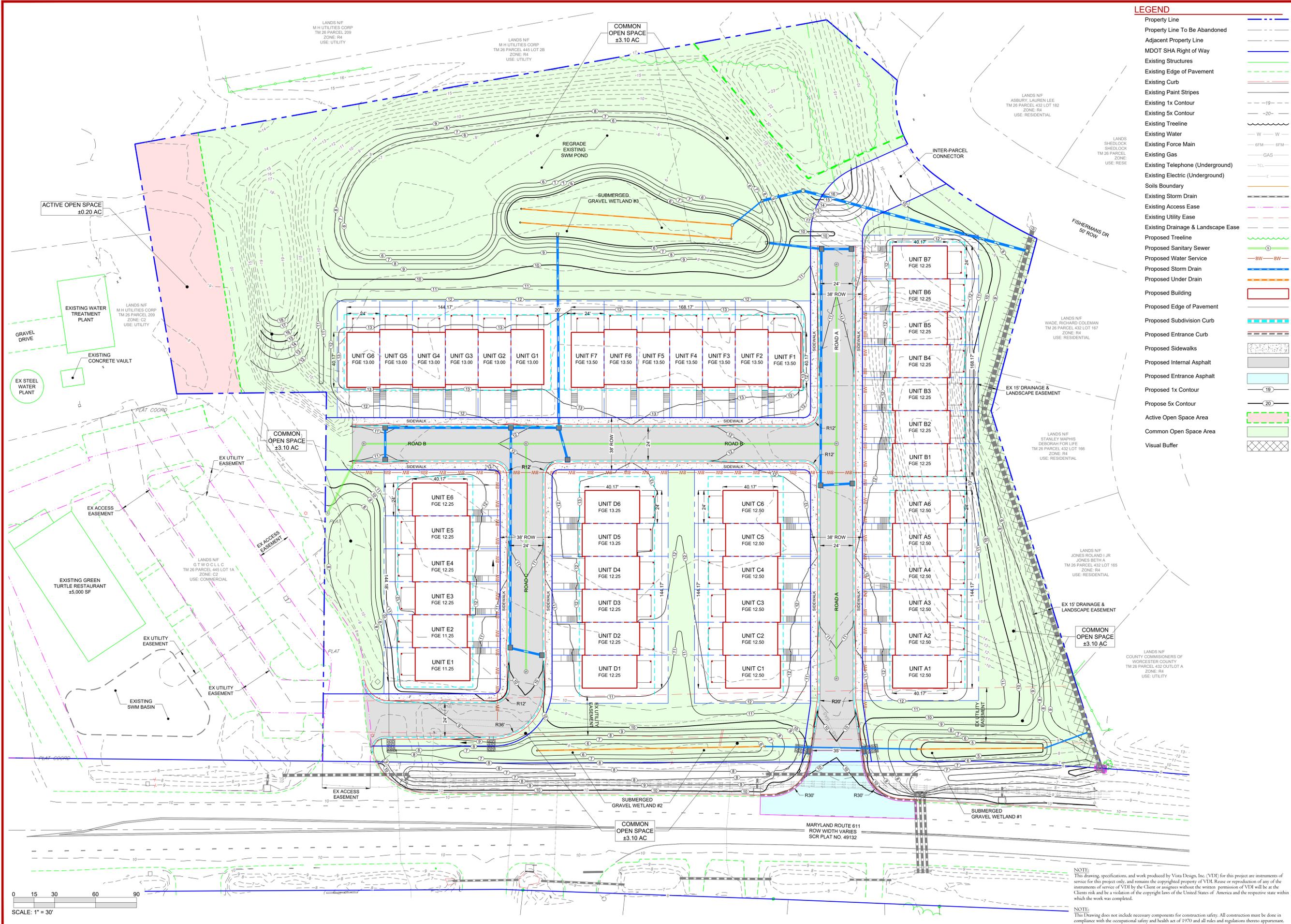
PROJECT DATA

Project No.: 22-104  
 File Name: RICA\_Sep11\_091223.dwg  
 WEST OCEAN CITY  
 WORCESTER COUNTY, MARYLAND  
 Date: 09/15/23  
 Scale: 1" = 30'

**EXISTING CONDITIONS**  
 RESIDENTIAL PLANNED  
 COMMUNITY - STEP I

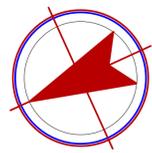
**4 SEASONS**  
 TOWNHOME COMMUNITY  
 WEST OCEAN CITY, MD  
 OCEAN 8 GROUP, LLC

**VISTA DESIGN, INC.**  
 Engineers • Architects • Surveyors • Landscape Architects  
 Land Planning Consultants • GIS Services  
 11624 Worcester Hwy, Shovell, MD 21802  
 PH: 410.352.3874 • Fax: 410.352.3875 • www.vistadesign.com



**LEGEND**

- Property Line To Be Abandoned
- Adjacent Property Line
- MDOT SHA Right of Way
- Existing Structures
- Existing Edge of Pavement
- Existing Curb
- Existing Paint Stripes
- Existing 1x Contour
- Existing 5x Contour
- Existing Treeline
- Existing Water
- Existing Force Main
- Existing Gas
- Existing Telephone (Underground)
- Existing Electric (Underground)
- Soils Boundary
- Existing Storm Drain
- Existing Access Easement
- Existing Drainage & Landscape Easement
- Proposed Treeline
- Proposed Sanitary Sewer
- Proposed Water Service
- Proposed Storm Drain
- Proposed Under Drain
- Proposed Building
- Proposed Edge of Pavement
- Proposed Subdivision Curb
- Proposed Entrance Curb
- Proposed Sidewalks
- Proposed Internal Asphalt
- Proposed Entrance Asphalt
- Proposed 1x Contour
- Propose 5x Contour
- Active Open Space Area
- Common Open Space Area
- Visual Buffer



NORTH

**REVISIONS**

No.	Description

**PROJECT DATA**

Project No.: 22-104  
 File Name: RPC\_Sep1 (091225).dwg  
 WEST OCEAN CITY  
 WORCESTER COUNTY, MARYLAND  
 Date: 09/15/23  
 Scale: 1" = 30'

**CONCEPT PLAN  
 RESIDENTIAL PLANNED  
 COMMUNITY - STEP 1**

**4 SEASONS  
 TOWNHOME COMMUNITY  
 WEST OCEAN CITY, MD  
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 DESIGN, INC.**  
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 11634 Worcester Hwy, Shovel, MD 21862  
 Ph: 410-352-3874 • Fax: 410-352-3875 • www.vistadesign.com



**NOTE:**  
 This drawing, specifications, and work produced by Vista Design, Inc. (VDI) for this project are instruments of service for this project only, and remains the copyrighted property of VDI. Reuse or reproduction of any of the instruments of service of VDI by the Client or assignees without the written permission of VDI will be at the Client's risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

**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 rules and regulations thereto apparent.



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1200 / FAX: 410.632.3008  
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE

October 11, 2023

**Project:**      **4 Seasons Townhome Community – Residential Planned Community – Step 1**  
Concept Plan. Proposed construction of 44 townhouse units. Located on the eastern side of MD Route 611 (Stephen Decatur Highway) approximately 450 feet south from the intersection with Sunset Avenue, Tax Map 26, Parcel 445, Lot 1B, Parcel 445, Lot 2A and Parcel 443, Lot E1, Tax District 10, R-4 General Residential District, Ocean 8 Group, LLC, owner/Vista Design, Inc. engineer.

**Prepared by:** Kristen M. Tremblay, AICP, Zoning Administrator

**Contact:**      [ktremblay@co.worcester.md.us](mailto:ktremblay@co.worcester.md.us) or (410) 632-1200

#### **GENERAL PROCEDURE:**

The Technical Review Committee shall review the application and meet with the applicants to provide comments for correction or discussion. The applicants are responsible for submitting 10 hardcopies of a revised Step I plan, 1 digital version and a narrative that addresses the Technical Review Committee's concerns. Following the meeting, the Technical Review Committee shall prepare a report to be forwarded to the Planning Commission for review within 90 days after the receipt of the revised plan.

The Planning Commission shall make seven (7) findings of fact relative to the application and its consistency with the Comprehensive Plan, the terms of the Zoning and Subdivision Control Article, and all other applicable laws and regulations. The seven (7) findings of the Technical Review Committee must also be addressed by the Planning Commission in their report to the County Commissioners. The Planning Commission shall make a recommendation (favorable or unfavorable) relative to the application which may address the items outlined in the Technical Review Committee Report or other items as appropriate within 90 days.

The County Commissioners shall review the application and the Technical Review Committee Report, the Planning Commission's findings, and hold a public hearing within 90 days of the receipt of the Planning Commission's recommendation. Notice of the public hearing shall have the same procedural formalities as a map amendment. Failure of the County Commissioners to

reach a formal decision to approve or disapprove the application within six (6) months of the public hearing shall constitute a denial. Any approval by the County Commissioners must be unconditionally accepted as approved in writing within 90 days.

Step I approval shall be valid for one (1) year and shall automatically terminate if the Step II approval has not been obtained. The County Commissioners may grant a maximum of one (1) additional year, provided the request is made a minimum of 60 days in advance of the expiration of the Step I approval and granted prior to the expiration.

Any questions relative to the review process should be directed to Kristen M. Tremblay at (410) 632-1200.

**Project Specific Comments:** This project is subject to, but not limited to, the following sections of the Zoning and Subdivision Control Article:

§ZS1-210	R-4 General Residential District
§ZS1-305	Lot Requirements Generally
§ZS1-306	Access to Structures
§ZS1-315	RPC Residential Planned Communities
§ZS1-319	Access and Traffic Circulation Requirements
§ZS1-320	Off-Street Parking Areas
§ZS1-321	Off Street Loading Spaces
§ZS1-322	Landscaping and Buffering Requirements
§ZS1-323	Exterior Lighting
§ZS1-324	Signs
§ZS1-325	Site Plan Review
§ZS1-326	Classification of Highways
§ZS1-327	Additional Setbacks from Drainage Ditches and Stormwater Management Facilities

1. **The name of the development is too similar to other developments within the County and needs to be distinctive for emergency services. Please come up with several other names for consideration and provide to staff for vetting.**
2. Please provide a narrative that addresses the seven (7) items required by ZS1-315(k)(2)A(1)(ix)(a-g) also found on the following page. This will need to be provided upon the due date for Planning Commission materials submission for the next available meeting once all Technical Review Committee comments have been addressed. <https://ecode360.com/14020765>

3. Please discuss with Environmental Programs the current and future availability of EDU's. Also, note that developments with less than 20 units do not require RPC approvals. In the event that 20 units or less are proposed as a basic subdivision action, this does not prevent future applications for additional units as part of a RPC or other applicable code sections that are in effect at the time of application.
4. Please show percentages of the open space requirements on the Title Sheet as follows below for the Step 2 review. <https://ecode360.com/14020711>  
*“Requirements for open space shall be as follows:  
A minimum of fifty percent of the required open space must be retained in its natural state and not used to satisfy the requirements for passive or active recreation. No more than fifty percent of this area may be private wetlands.  
(i) A minimum of ten percent of the required open space must be for active recreation.  
(ii) A minimum of twenty percent of the required open space must be for passive recreation.  
(iii) All open space and areas for active and passive recreation required by Subsection (d)(2)B5 hereof shall be dedicated, developed and perpetually protected to satisfy the requirements as contained herein.” – §ZS1-315(d)(2)(5).*
5. Please indicate what types of equipment or facilities are proposed for the active open space requirement and when they are proposed for implementation if phasing is contemplated for the Step 2 review.
6. An appropriate turnaround or connection should be considered for the northwestern terminus for emergency services access. Cul-de-sacs are not encouraged. ZS§2-502. <https://ecode360.com/14027728>
  - a. *“(7) Culs-de-sac and dead-end streets.
    - i. A. The use of culs-de-sac or dead-end streets shall be limited. However, where no other alternative is available due to natural features, the unique configuration of the property, or other physical conditions beyond the applicant's control, culs-de-sac and dead-end streets may be used upon the approval of the Planning Commission. Such culs-de-sac and dead-end streets shall be designed in accordance with the Worcester County Development Standards.
    - ii. B. Dead-end streets shall terminate in a cul-de-sac or other appropriate vehicular turnaround as approved by the Planning Commission and in accordance with the Worcester County Development Standards.
    - iii. C. No cul-de-sac or dead-end street shall exceed seven hundred fifty feet in length. The Planning Commission may waive this requirement where such waiver would serve to minimize environmental impacts to the project as a whole.
    - iv. D. No cul-de-sac or dead-end street shall serve more than twenty lots or dwelling units. The Planning Commission may waive this requirement where such waiver would serve to minimize environmental impacts to the project as a whole.*

- v. *E. The cul-de-sac or dead-end street shall be laid out to intersect as nearly as possible at right angles to the collector street. Where not intersecting at right angles, such angle shall not be less than eighty degrees.*
  - vi. *F. The minimum length of the tangent section of a cul-de-sac or dead-end street adjacent to its intersection with the collector street shall be fifty feet.*
  - vii. *G. When a cul-de-sac or dead-end street is extended, the area of the temporary turnaround shall be reconstructed by the applicant as necessary to provide a typical roadway section meeting current standards.”*
7. Generally, the process shall be as follows:
- a. Step 1 RPC Concept plan review to be conducted by the Technical Review Committee (TRC), Planning Commission and County Commissioners. Step 2 RPC Master Plan to be conducted by the TRC and Planning Commission. Step 3 Subdivision review – Preliminary plat to be reviewed by the TRC and Planning Commission. Construction Plans to be reviewed by TRC and Planning Commission. Final Plat to be reviewed by TRC and Planning Commission (as applicable). **\*Estimated review time from Step 1 submission to final plat approval is 9-12 months.**

**\*A written statement addressing the following must be included in submission materials for the Planning Commission’s review:**

- a. The residential planned community's conformance with the goals, objectives and recommendations of the Comprehensive Plan, compliance with the zoning regulations and other established development policy guidelines, and with the Comprehensive Plan, zoning regulations, development policy guidelines and annexation policies of any municipality within one mile of the proposed project's boundaries.
- b. The general location of the site, a description of existing and anticipated land use in the immediate vicinity and the residential planned community's compatibility with those land uses.
- c. The availability and adequacy of public facilities, services and utilities to meet the needs of the residential planned community and the long-term implications the project would have on subsequent local development patterns and demand for public facilities and services.
- d. The consistency of the residential planned community with the general design standards as contained in Subsections (j)(1) through (j)(5) hereof.
- e. The relationship of the residential planned community's proposed construction schedule, including any phasing, and the demand for and timely provision of public facilities, services and utilities necessary to serve the project.
- f. The capacity of the existing road network to provide suitable vehicular access for the residential planned community, the appropriateness of any existing or proposed

improvements to the transportation network, the adequacy of the pedestrian and bicycle circulation, and the proposed means of connectivity of the project to surrounding residential, commercial and recreational development and uses.

- g. The relationship of the proposed method of wastewater disposal and provision of potable water service with the goals, objectives and recommendations of the Comprehensive Plan, Comprehensive Water and Sewer Plan, and other established policy guidelines.

## WORCESTER COUNTY PLANNING COMMISSION

**MEETING DATE:** November 2, 2023

**PURPOSE:** Major Site Plan Review

**DEVELOPMENT:** RLG

**PROJECT:** Proposed construction of a new 13,600 sq. ft. boat construction building, create contractor storage and material laydown areas and construct the associated support infrastructure of roads, well, septic, drainage and stormwater management components.

**LOCATION:** Located at 13053 Old Stage Road, on the westerly side of Old Stage Road, approximately 430 feet south of Hammond Road

**ZONING DESIGNATION:** I-1 Light Industrial.

**BACKGROUND:** The property currently has three (3) commercial buildings used for boat fabrication, maintenance, and storage, and a business office.

The initial site plan went before the Technical Review Committee (TRC) on October 11, 2023 and received a favorable recommendation to proceed to the Planning Commission for review with the condition of making minor changes to meet all Code requirements.

**SIGNS:** Any signage shall meet the requirements of §ZS 1-324 and Section 14 of the *Design Guidelines and Standards for Commercial Uses* and shall be reviewed at permitting stage for compliance.

**PARKING:** Per §ZS 1-320, a minimum of fourteen (14) spaces and a maximum of nineteen (19) spaces are required. There are 14 spaces proposed on the site plan meeting the minimum requirements.

Parking spaces shall be demarcated with painted stripes and parking bumpers where shown. Handicap accessible parking spaces have been provided as required under the Maryland Accessibility Code. Also, all handicap accessible signs shall be posted a minimum of 84" from grade to the bottom of the reserved sign. All handicap spaces shall also be a minimum of 20' in depth, and where required, depressed curbing will need to be provided.

**LOADING SPACES:** To the south of the proposed building there are eighteen tractor trailer spaces available for loading and unloading.

**TRAFFIC CIRCULATION:** Access to the site is along an existing asphalt driveway with the entrance located on Old Stage Road. Either left-in or right-in options are available. The travelways and parking area adjacent and around the proposed building are shown as gravel on the site plan. However, the enclosed response letter from the designer indicates that these areas will be constructed of a hard and durable surface. This can be verified on a revised site plan submittal prior to final signature approval.

**PEDESTRIAN AND BICYCLE CONNECTIVITY:** §ZS 1-320 requires one (1) rack for each 100 parking spaces or portion thereof. There are no bike racks proposed for this project. The Planning Commission may grant a waiver for this requirement.

**REFUSE REMOVAL:** A dumpster or refuse collection container is not proposed in this area of the overall site.

**LANDSCAPING:** The proposed building is surrounded by forest and is not visible from US Rt. 113, Hammond Road, or Old Stage Road. The owner is seeking waivers from landscaping and irrigation requirements. See attachment for details.

**FOREST CONSERVATION LAW:** This property is not subject to Forest Conservation Law.

**STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL:** This project has obtained Stormwater Site Development approval. Final Plan approval must be provided prior to project receiving signature plan approval.

**CRITICAL AREA LAW:** This property is located outside of the Atlantic Coastal Bays Critical Area (ACBCA) program boundary.

**WATER SUPPLY AND WASTEWATER SERVICES:** This project is served by on-site well and septic. The owners have previously signed an under-design letter for the current septic system and the replacement system will consider state recommended flow for the proposed construction in the design of any future replacement drain field for this facility. Written confirmation will be required from Environmental Programs that

**ARCHITECTURAL JUSTIFICATION:** The building elevations have been designed and reviewed under the *Design Guidelines and Standards for Commercial Uses*. This development is located within the Agricultural tradition.

The items requiring a waiver from the Planning Commission have been itemized below under "Planning Commission Considerations." The applicant is required to justify their waiver request based upon the criteria outlined in Section 2(b) of the *Design Guidelines and Standards*.

**PROPERTY OWNER:** RLG Property, LLC

**APPLICANT:** Vista Design, Inc.

**ENGINEER:** Vista Design, Inc.

**PREPARED BY:** Stuart White, DRP Specialist

## PLANNING COMMISSION CONSIDERATIONS – DESIGN GUIDELINES

### Design Guidelines: Waivers Requested

Sec 9	Materials
Sec 10	Public Facades
Sec 11	Entrances
Sec 13	Details
Sec 16	Pedestrian & Bicycle Circulations
Sec 18	Exterior Lighting
Sec 19	Community Features & Spaces
Sec 20	Outdoor, Service and Utility Areas

The sections listed above contain multiple requirements intended for buildings proposed for public access and are not relevant to the intended use for this building. See attachment for details.

October 12, 2023

Ms. Jennifer Keener, Director  
Worcester County – Development Review and Planning  
One West Market Street, Room 1201  
Snow Hill, MD 21863

**Re: RLG Properties -- Bishopville Industrial Complex  
Waiver Request of Various Design Guidelines**

Dear Ms. Keener,

On behalf of our client, RLG Properties, Inc. please accept this letter as our request for waivers of various sections of the Worcester County Design Guidelines (as adopted January 17, 2017) and Worcester County Code. RGL Properties, Inc. is proposing construction of a new 13,600 square foot boat construction building, contractor storage / material laydown areas and associated infrastructure including travel aisles, water distribution, sewage conveyance to an existing onsite septic system, and SWM components on their 58.21 acre, I-1 (Light Industrial District) zoned property located at 13053 Old Stage Road, Bishopville. All proposed improvements are located well internal to the property and will be surrounded by a retained forest buffer of over 250 feet to the nearest property line. As a result, proposed improvements, including the proposed new building, will not be visible from neighboring properties or public rights of way.

The specific waivers being requested to support the expansion of our client's property includes:

1. **Section 9(b)(3)(A) - "Exterior wall or trim materials shall not include ... (A) Smooth faced concrete block":**
  - a. Due to the industrial nature of the proposed building, ease of construction, fire protection and adaptability are critical to its long-term efficacy. In addition, all other existing industrial buildings on the property were constructed of concrete CMU blocks. Therefore, we hereby request a waiver to permit the use of standardized CMU blocks as an exterior wall finish for the proposed new industrial building.
2. **Section 10(b)(1) - Public facades**
  - a. We request a waiver from this entire section as it is intended to ensure citizens are provided with aesthetically pleasing buildings in public settings. This request is based upon the fact that the proposed industrial building does not satisfy the conditions of Section 10(b)(2)(A) which indicates that "Any building façade located less than seventy-five feet from a property line shall be considered a public façade and shall comply with the requirements of subsection (1) above for public facades." Given that no portion of the proposed new industrial building is within 75-feet of a property line and is essentially hidden from public view by over 250-feet of preserved dense woods in all directions, we suggest that Section 10(b)(1) is not applicable to this project.

3. **Section 10(b)(2)(B) – “All mechanical or utility equipment and other utility areas placed along any façade, including those at the side or rear of a structure, shall be screened from view with materials in keeping with the façade or landscaping and shall not impede vehicular or pedestrian traffic.”**
  - a. Given the industrial nature of site, the proposed building may include mechanical and/or utility equipment along its perimeter that is positioned where mechanically necessary and which may be visible to other onsite areas. However, given the over 250-foot densely wooded buffer to any property line that is to remain undisturbed, any mechanicals or utility equipment will not be visible to adjacent properties or the general public. Therefore, due to the building’s proposed location, we suggest that this section is not applicable to this project.
4. **Section 13(b)(1) – Design Guidelines and standards – “Building facades must include a repeating pattern that shall include at least two of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at least every thirty feet, either horizontally or vertically.”**
  - a. Given the industrial nature of the site, and the fact the proposed building will be screened from view by any adjacent property owner or the public by over 250-feet of dense preserved forest, costs to incorporate color, texture, and/or material changes into the proposed building seems superfluous. To incorporate needed structural elements and various building access, the proposed building will incorporate changes in plane through the introduction of structural and visual components including exterior buttresses.
5. **Section 16 - Pedestrian and bicycle circulation**
  - a. This Section sets forth public accommodation requirements for neighborhoods and commercial sites related to pedestrian and bicyclist access and internal site circulation.
  - b. Given the industrial nature of this site, access to the general public is not permitted for safety purposes. Therefore, we request a waiver from the entirety of Section 16 to avoid situations where pedestrians or bicyclists could misinterpret the private industrial nature of the site and seek unauthorized access leading to increased, unnecessary hazards and/or increased liability to our client.
6. **Section 18(b)(5) – Exterior Lighting – “Wall packs shall be used as special purpose building security lights only. Wall packs may not be used as accent or general building/site lighting. They shall be fully shielded and direct light downward only and shall be equipped with true cut-off type bulbs. Spillover of light and glare from wallpacks shall not be visible at any property line. Lumen output should be two thousand or less.”**
  - a. We request a waiver to permit the use of wall pack lighting as it is the most efficient way to illuminate areas around an industrial building. The proposed building has been positioned within the 58± acre parcel such that it will not be visible to surrounding properties or the public ROW’s due to the dense forest being preserved. In addition, any wall pack lighting will be designed such that it is not visible from surrounding properties.
7. **Section 19 - Community features and spaces**
  - a. This Section requires that all sites be developed in an attractive and inviting manner, with amenities that reflect the character of the County.
  - b. Due to the industrial nature of this site, access to the general public is not permitted for safety reasons. In addition, the proposed building and associated infrastructure have been located

such that it is not visible to adjoining property owners or public ROW's. Therefore, we suggest this Section is not applicable to this property.

8. **Section 20(b)(1) – “Service areas for loading docks, truck and/or trailer parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, recycling and other service functions should be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are contained and out of view from adjacent properties and public streets. These service areas should not be visible from adjacent rights-of-way or properties. They should be within enclosed buildings or screened from view by a wall a minimum of eight feet in height and extending the entire length of the service area. This building or wall should be constructed of the same material as that utilized to construct the primary building(s) on the site. Continuous, linear service drives and loading areas are discouraged.”**
  - a. As currently proposed, the new building and contractor lay down / storage areas have been positioned within the site boundaries such that they are screened from adjoining properties and public ROW's by the retention of dense forested areas. As such, we feel the intent of this Section has been satisfied, and hereby request a waiver to the Section's requirement for an 8' walled enclosure of loading and utility areas.
9. **Section 20(b)(6) – “The parking or storage of trucks, trailers or shipping containers is prohibited. Trucks or trailers should be in an active state of loading or unloading. Accessory outdoor storage cannot occur within trucks or trailers. Accessory, temporary outdoor storage of retail goods in containers may be considered in limited applications provided all requirements of the Zoning and Subdivision Control Article and other pertinent regulations are met.”**
  - a. We request a waiver to allow the parking and storage of trucks, trailers and shipping containers within the internal areas of the proposed site shown and labeled on the plan as contractor laydown and storage areas. The location of the storage containers and storage yards are already proposed to be screened by the proposed building, as well as the preservation of existing mature forested areas such that they will not be visible from the neighboring property lines or public rights of way.

In addition, we request a waiver of the following subsections of Worcester County Code Section ZS 1-322.

10. **Section ZS 1-322(b)(7) – “Each landscaped area must be readily accessible to a water supply. Unless xeriscaping plant material and technologies are employed, all landscaped areas shall provide an automatic irrigation system with rain sensors. Drip irrigation systems are preferred. If an automatic system is not feasible, the Planning Commission at its discretion may approve an alternate watering system to maintain the plant material.”**
  - a. Given the industrial nature of the site, and the fact that the areas proposed for the new building and contractor lay down / storage areas will be screened by vast areas of preserved forest, any landscaping that may be planted to satisfy Code requirements will only be seen by the property owner. Therefore, we request the owner be permitted to use hose bibs in lieu of an automatic irrigation system. The plan currently proposes hose bibs along the building for exterior access to water that would be utilized to water any required landscaping.

**11. Section ZS 1-322(f) – “Landscaping shall be provided in all parking areas which serve more than five vehicles in accordance with...” code provisions listed in subsections 1 thru 5.**

- a. Given the industrial nature of this site, and the fact that the proposed building and contractor lay down / storage areas have been nestled within preserved forested wetlands, we request a waiver from this requirement for ornamental tree, shrub and grass plantings within the new parking areas proposed adjacent to the building as they could easily become damaged due to normal industrial activities.

Thank you in advance for your consideration of these waiver requests. Should you have any questions or require additional information regarding this letter or the overall project, please do not hesitate to contact me.

Sincerely,

**Vista Design Inc.**

A handwritten signature in blue ink that reads "Richard Polk". The signature is written in a cursive, flowing style.

Richard Polk, PE

# VISTA

DESIGN, INC.

Engineers • Architects • Surveyors • Landscape Architects • Land Planning Consultants • GIS Services

October 12, 2023

Mr. Stuart White  
DRP Specialist II

Worcester County Department of Development Review & Permitting  
One West Market Street, Room 1201  
Snow Hill, MD 21863

Project:	RLG – Major Site Plan	
Subject:	RESPONSE TO TRC COMMENTS	
Date of Comments Received:	October 10, 2023	File: TRC Comment Response.doc

In response to comments received during the Technical Review Committee Meeting on October 11, 2023, please accept the following responses to RLG Property Improvements to Bishopville Industrial Complex:

Comment	Response to Comments
	<b>Technical Review Committee Review Comments</b>
	<b>General Requirements</b>
1.	<p><b>In order to obtain a Building Permit, the applicant must submit the following to the Department:</b></p> <ul style="list-style-type: none"> <li>a) <b>A complete Building Permit Application along with the initial fee of \$275 made payable to “Worcester County.”</b></li> <li>b) <b>Four (4) sets of complete construction plans (footing, foundation, framing, floor plan and building elevations (front, rear and sides)). The construction plans must be sealed by an architect and prepared in accordance with the applicable International Building Code, Energy Code, and ADA Code.</b></li> <li>c) <b>Four (4) site plan sets as approved by the Technical Review Committee.</b></li> </ul>
	<ul style="list-style-type: none"> <li>a) <i>Noted, the fee will be paid at application.</i></li> <li>b) <i>Noted, 4 sets of construction plans will be submitted and signed/sealed by the applicable design professionals.</i></li> <li>c) <i>At submission of the building permit, 4 approved TRC sets of the site plan will be included.</i></li> </ul>
2.	<p><b>Once the permit is issued, the applicant must coordinate all necessary inspections with the respective Building/Housing/Zoning Inspector. The Department requires 24-hour notice for all inspections. The inspector may require special or additional inspections as needed.</b></p>
	<p><i>Noted, the department and the inspector will be notified and coordination performed to assure compliance.</i></p>
3.	<p><b>In order to obtain a Certificate of Use and Occupancy, all of the necessary inspections must be completed and approved by the various inspections’ agencies (building, zoning, plumbing, electrical, water, sewage, health, roads, etc.). Two (2) sets of As-Builts (illustrating all lighting, landscaping, parking, signs etc.) must be submitted at least one (1) week prior to the anticipated occupancy of the building, structure, or use of land. Please note that it is unlawful to occupy a structure (employees or patrons) without the benefit of a Certificate of Use and Occupancy.</b></p>
	<p><i>Noted, As-Builts will be submitted and Certificate of Use and Occupancy received prior to occupying the proposed space.</i></p>

	<b>Project Specific Comments</b>
	<b>*This project is also subject to the Design Guidelines and Standards for Commercial Uses</b>
	According to §ZS 1-320(f)(1), all parking areas and vehicular travelways shall be constructed of materials that provide a hard and durable surface that precludes or limits particulate air pollution. This requirement may be requested to be waived by the Planning Commission.
1.	<i>“(1) All parking areas and vehicular travelways shall be constructed of materials that provide a hard and durable surface that precludes or limits particulate air pollution. Concrete, asphalt, tar and chip, brick, and interlocking paving blocks or stones, including those semi-pervious systems that retain space for vegetation, are acceptable paving materials. Other paving materials and systems, including gravel, stone, stone dust and crushed oyster or clam shells may be permitted by the Planning Commission where these parking areas are supplied and maintained with a binding agent to stabilize the surface and prevent dust. All parking spaces and associated vehicular travelways provided above the minimum parking requirements established herein shall be constructed with a pervious paving system with not less than a twelve-percent void rate as certified by a licensed design professional and approved by the Department.” ZS§1-320(f)(1).</i>
	<i>The travelways and parking areas adjacent to the proposed boat construction building will be a hard asphalt surface. A waiver will not be requested from the Planning Commission at this time.</i>
	<b>Other Agency Approvals</b>
1.	<b>Information relative to the water and wastewater facilities are required to be provided on the plans per §ZS 1-325(e)(3)(O&amp;P). Written confirmation that the water and sewer requirements have been met will be required to be provided from the Department of Environmental Programs and the Department of Public Works prior to the Department granting signature approval.</b>
	Noted, written approvals from Department of Environmental Programs and the Department of Public Works will be provided prior to final submission.
2.	<b>Written confirmation will also be required from the Department of Environmental Programs Natural Resources Division relative to Critical Area and Stormwater Management requirements prior to the Department granting signature approval.</b>
	<i>Noted, approval from Department of Environmental Programs Natural Resources Division for Stormwater Management will be provided prior to final submission. The site is not within the Critical Area and is therefore not applicable.</i>
3.	<b>Written confirmation of approval from the County Roads Division and/or State Highway Administration regarding the existing, proposed, or modified commercial entrances on all parcels shall be provided to the Department prior to granting signature approval.</b>
	<i>Noted, approval from County Roads Division will be obtained if any modification is proposed for the existing commercial entrance and will be provided prior to final submission. No new entrances or modifications to the existing commercial entrance are proposed at this time.</i>
	<b>Standard Comments</b>
1.	<b>Items listed in this review are not required for Technical Review Committee approval.</b>
	<i>Noted.</i>

2.	<b>Provide complete code review. List type of construction, use groups, height and area, occupant loads, live, dead, and other structural loads.</b>
	<i>The requested information of the building will be provided in future submittals.</i>
3.	<b>Soils report required at time of building permit application.</b>
	<i>A soil report from a geotechnical engineer will be provided with the building permit application.</i>
4.	<b>Compaction reports due at all footings and slab inspections as well as any site work and structural fill.</b>
	<i>Compaction reports will be submitted for review during on-site inspections.</i>
5.	<b>Complete sealed architectural, structural, mechanical, plumbing, and electrical plans are required.</b>
	<i>Noted, at final submission, plans will be signed and sealed by the applicable design professional.</i>
6.	<b>Provide information for wind, snow, floor, roof, and seismic loads.</b>
	<i>The requested information of the building will be provided in future submittals.</i>
7.	<b>Special inspections (Third party) required per IBC Chapter 17 for steel, concrete, masonry, wood, prepared fill, foundations, and structural observations.</b>
	<i>A copy of the special inspections by a third party will be placed on the plans in the form of a note.</i>
8.	<b>Provide plan for owner's special inspection program, list inspections and inspection agencies.</b>
	<i>Please provide a copy of this list to be incorporated on the final plan set.</i>
9.	<b>A Maryland Registered Architect must seal plans. This architect or architectural firm will be considered the architect of record.</b>
	<i>Noted, final building plans will signed by a Maryland Registered Architect.</i>
10.	<b>A pre-construction meeting will be required before any work starts.</b>
	<i>Noted, the requirement for a pre-construction meeting is noted in the general notes on the cover sheet</i>
11.	<b>Provide complete accessibility code requirements and details.</b>
	<i>Noted, the code and details will be provided.</i>
12.	<b>List on construction documents all deferred submittals.</b>
	<i>Noted, a list of required submittals will be provided on the construction plans.</i>
13.	<b>Truss and other shop drawings will be required prior to installation. The design professional in responsible charge shall review and approve all shop drawings.</b>
	<i>Noted, a design professional will review and approve shop drawings.</i>
14.	<b>Please provide your design professional with a copy of these comments.</b>
	<i>The design professionals will have a copy of the comments for reference.</i>

	Site Specific Comments
1.	<p><b>Current Codes:</b>  <b>2018 International Building Code</b>  <b>2018 International Residential Code</b>  <b>2018 International Energy Conservation Code 2018 International Mechanical Code</b>  <b>2017 NEC</b>  <b>Maryland Accessibility Code</b>  <b>2010 ADA Standards for Accessible Design</b>  <b>Maryland Codes Administration has adopted the 2021 edition of the International Codes. Local jurisdictions will have until 5/29/2024 to adopt the 2021 I-codes.</b></p> <p><i>Noted, applicable codes will be applied to the design.</i></p>
2.	<p><b>Wind Design: 123 MPH (assumed); Risk category II; Exposure "C"</b></p> <p><i>Noted.</i></p>
3.	<p><b>Complete sealed architectural including an egress plan with occupant load, structural, mechanical, plumbing and electrical plans are required</b></p> <p><i>Noted, at final submission, plans will be signed and sealed by the design professional.</i></p>
4.	<p><b>ADA: Provide all details and specifications per 2010 ADA design standards.</b></p> <p><i>Noted, ADA details and specifications will be provided in future construction plan submissions.</i></p>
5.	<p><b>Provide an accessible route from parking to the building entrance.</b></p> <p><i>An accessible route will be provided from the parking lot to the building entrance.</i></p>
6.	<p><b>Provide all information per section C103.2: "Information on construction documents of 2018 IECC".</b></p> <p><i>Information from the section of the code will be provided on the plan set in future submittals.</i></p>
7.	<p><b>Provide an Energy Compliance Report for mechanical equipment, building envelope and a lighting plan with wattage report.</b></p> <p><i>Noted, a report will be provide in future submissions.</i></p>
8.	<p><b>Soils report at time of permit application.</b></p> <p><i>A soil report from a geotechnical engineer will be provided with the building permit application.</i></p>
9.	<p><b>Drinking fountains (ADA)</b></p> <p><i>If drinking fountains are proposed in future plans, the fountains will be assessed by a design professional and designed per the code.</i></p>
10.	<p><b>Various construction details of building components: all finishes; wall sections; roof sections; ceiling details (shop area and office area).</b></p> <p><i>Materials will be identified and details provided for exterior building components.</i></p>
11.	<p><b>Plans and specifications for fire suppression tank.</b></p> <p><i>Plans and specifications will be provided with future submissions.</i></p>

	<b>Environmental Programs Staff Comments</b>
<b>1.</b>	<b>Environmental Programs requires a \$150 fee for any Technical Review Committee projects submitted on private water &amp; sewer. This fee will need to be submitted prior to Signature Approval being given on this project.</b>
	<i>At the TRC hearing, Environmental Programs stated that they received payment for the TRC review fee. The fee of \$100 was paid at submission for a site with private well and septic.</i>
<b>2.</b>	<b>A plumbing permit will be required. A septic permit for the tank which includes the force main will also need to be obtained. A state licensed septic contractor will need to perform this installation.</b>
	<i>A permit will be obtained prior to installation by a state licensed septic contractor.</i>
<b>3.</b>	<b>Regarding the nature of the manufacturing at this complex, the laydown areas of course will not be assessed for flow but the wastewater flows for the proposed new building will have to be considered when the current system fails.</b>
	<i>Noted, wastewater flows of the proposed building will be considered for the current on-site septic system.</i>
<b>4.</b>	<b>The flow chart on Page 4 of the site plan will have to be revised to reflect the following addition to the footnote: While proposed flows are estimated for the employees only, there are suggested nonresidential flows for onsite sewage that need to be considered in the replacement of the existing system when it fails. The owners have previously signed and under-design letter for the current septic system and the replacement system will consider state recommended flow for the proposed construction in the design of any future replacement drain field for the this facility.</b>
	<i>The note has been added to Sheets 2 (note #3) and 4 (note #2) of the plan set.</i>
<b>5.</b>	<b>Plumbing Code is the 2018 International Plumbing Code (IPC) Illustrated (National). The Gas Code is the 2018 International Fuel Gas Code (IFGC), for natural gas.</b>
	<i>Noted.</i>
	<b>Worcester County Fire Marshall Police Staff Comments – Matthew Owens</b>
	<b>General Comments</b>
<b>1.</b>	<b>A water supply for fire protection shall be identified indicating the following:</b> a. Water Source b. Engineering study for reliability of water source c. Size (in gallons) of water source d. Replenishment of water supply e. Diameter of in ground pipe f. Number of hydrants g. Location of hydrants h. Roadway width and surface types i. Distance from hydrant to roadway
	<i>Noted, the listed information will be identified on the plan set in future submissions.</i>
<b>2.</b>	<b>If public water source, approved plans by the public works department.</b>
	<i>The project proposes to utilize private wells for potable water usage.</i>



<b>Worcester County Forest Conservation &amp; Stormwater Management Review – David Mathers</b>	
<b>General Comments</b>	
1.	<b>This project is not subject to the Worcester County Forest Conservation Law.</b> <i>Noted.</i>
2.	<b>This project is subject to the Worcester County Stormwater Ordinance. This project has obtained Stormwater Concept Plan approval. Site Development approval is required before this project proceeds to Planning Commission. Final Plan approval must be received prior to this project receiving signature plan approval.</b> <i>Noted.</i>
3.	<b>All projects over one acres shall be required to file for a General Permit/Notice of Intent (NOI) for construction activity through Maryland Department of the Environment.</b> <i>An NOI will be applied for if this project's disturbance remains greater than 1 acre.</i>
<b>Worcester County Stormwater/Sediment Erosion Control Plan/Permit – David Bradford</b>	
<b>General Comments</b>	
1.	<b>Please note, if a Stormwater plan is approved by this office and does not include phasing, the corresponding permit can only receive Stormwater Final approval once all improvements are completed and the entire site is stabilized. This includes properties which have multiple Building or Zoning permits associated with the Stormwater plans. If a Stormwater Bond is required per the permit, the bond will only be released once a Stormwater Final approval takes place.</b> <i>Noted.</i>

Should you have any questions about any of our responses, please don't hesitate to call.

Sincerely,

**Vista Design, Inc.**



Eric Jones

## WORCESTER COUNTY PLANNING COMMISSION

**MEETING DATE:** November 2, 2023

**PURPOSE:** Code requirements waiver requests

**DEVELOPMENT:** Ewell Roadside Stand

**PROJECT:** Proposed 1,920 square foot square foot building to be used for a roadside stand with incidental meat sales.

**LOCATION:** Located at 9115 Croppers Island Road, at the northeastern intersection of Croppers Island Road and MD Rt. 113.

**ZONING DESIGNATION:** A-1 Agricultural

**BACKGROUND:** The 223-acre property is currently unimproved and consists of tilled farmland and forest areas including a portion in a forest conservation easement. A site plan was reviewed and approved on October 25, 2022 through the Administrative Waiver process for a roadside stand with incidental meat sales. The site plan indicated an asphalt entrance and parking area. A building permit to construct the structure was issued on 10/28/2022. Construction commenced and continues currently with the expectation of a conclusion soon.

**PARKING AND TRAFFIC CIRCULATION:** The site is accessed from Cropper's Island Road, approximately 250 feet east of the intersection with MD Rt. 113. A temporary gravel driveway and parking area have been installed.

### **PLANNING COMMISSION CONSIDERATIONS:**

- According to §ZS 1-320(f)(1), all parking areas and vehicular travelways shall be constructed of materials that provide a hard and durable surface that precludes or limits particulate air pollution.

Mr. Ewell is requesting a waiver of this requirement with the intention of paving the driveway and parking area once the gravel stabilizes, within one to three years. The proposed ADA accessible parking area will be constructed of a hard, durable surface. County Roads Division strongly recommends installing a minimum ten-foot-deep paved entranceway to prevent gravel from escaping and collecting in the roadway.

**OWNER:** Robert and Julia Ewell

**PREPARED BY:** Stuart White, DRP Specialist

