

**WORCESTER COUNTY PLANNING COMMISSION AGENDA**

**Thursday, June 4, 2026**

**Worcester County Government Center**

**One West Market St., Room 1102**

**Snow Hill, Maryland 21863**

The public is invited to view this meeting live: <https://worcestercountymd.swagit.com/live>

**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

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

**II. Administrative Matters**

A. Planning Commission Meeting Minutes – May 7, 2026

B. Board of Zoning Appeals Agenda – June 11, 2026

C. Technical Review Committee Agenda – June 10, 2026

**III. Site Plan Review**

**A. TPE MD WO73 Solar – Major Site Plan Review**

Proposed utility-scale solar project. Located on the westerly side of Old Ocean City Road, Berlin, MD 21811. Tax Map 25, Parcel 3, Tax District 3, R-2 Residential District. Bathtap LLC, owner / Kimley-Horn and Associates, Inc., engineer.

**IV. Map Amendments**

**Amended Rezoning Case No. 452** – 1.66 acres from A-2 Agricultural District to C-1 Neighborhood Commercial District. Located between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD across from Airport Road. Tax Map 26, Parcel 340, Tax District 10. KASA Holdings, LLC, Property Owner, and Hugh Cropper, IV, attorney.

**V. Critical Area Mapping Update**

**VI. Miscellaneous**

**VII. Adjournment**

**WORCESTER COUNTY PLANNING COMMISSION  
MEETING MINUTES – May 7, 2026**

**Meeting Date:** May 7, 2026

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

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

**Attendance:**

**Planning Commission**

Jerry Barbierri, Chair  
Phyllis Wimbrow, Vice Chair  
Marlene Ott  
Kathy Drew  
Mary Knight  
Teresa Purnell-Milbourne

**Staff**

Jennifer Keener, Director, DRP  
Ben Zito, DRP Specialist, DRP  
Cathy Zirkle, Customer Service Manager, DRP  
Robert Mitchell, Director, Environmental Programs  
Roscoe Leslie, County Attorney, Administration

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, April 2, 2026.**

As the first item of business, the Planning Commission reviewed the minutes of the April 2, 2026, meeting.

**Following the review, a motion was made by Mrs. Ott to approve the minutes as written. Mr. French seconded the motion, and the motion passed with no opposition. Mrs. Knight and Mrs. Drew abstained from the vote.**

**B. Board of Appeals Agenda, May 20, 2026.**

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for May 20, 2026. Mrs. Keener 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, May 13, 2026.**

The May 13, 2026 Technical Review Committee meeting was cancelled, as there were no items for review. No comments were forwarded to the Committee.

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**III. Miscellaneous – 10702 Assateague Road Minor Site Plan Waivers**

Mr. Brian Zollinger, Mr. Mark Cropper, Mr. Shane Pollin, and Mr. Will Combs approached the table.

Mr. Zollinger presented an overview of the site plan for a coffee shop with a drive-through and a retail/office building. Mr. Zollinger and Mr. Cropper provided an overview of the requested site plan waivers, which were the following:

- 1) §ZS1-319(c)(2) to permit the proposed entrance within 200 feet of the intersection with Assateague Road.
- 2) §ZS1-320(f)(1) to allow the use of compacted clam shells for a portion of the travelway and parking areas.
- 3) §ZS1-322(e)(5)B.1 to waive the requirement for a landscaped buffer adjacent to the RP-zoned property, pursuant to §ZS1-322(e)(8).
- 4) §ZS1-322(b)(7) to allow for a manual irrigation system for the required landscaping.

Following a discussion, a motion was made by Mrs. Drew to approve the four (4) site plan waivers listed above. The motion was seconded by Mrs. Knight, and the motion was approved with no opposition.

**IV. Site Plan Review**

**A. Major Site Plan Review – George Island Solar**

Mr. Christopher Martin and Mr. Greg Warner approached the table. Mr. Martin provided an overview of the project, which was a 2 MW AC community solar energy system. The site plan also featured a 26' wide landscape buffer surrounding the entire property.

Mr. Martin also stated that the project was seeking a waiver from the Planning Commission for an automatic irrigation system as required by §ZS1-322(b)(7) of the code. Mr. Martin and Mr. Warner clarified that water trucks will be used to manually maintain the landscaping.

Following a discussion, a motion was made by Mrs. Wimbrow to approve the site plan and to grant a waiver to the automatic landscaping irrigation requirement, contingent upon an updated decommissioning plan as required in the Code Requirements Letter. The motion was seconded by Mrs. Drew, and the motion was approved with no opposition.

**B. Major Site Plan Review – Sunset Marine Park Buildings 1 and 2**

Mr. Steve Engel, Mr. Chris Ferger, Mr. Mark Cropper, and Mr. Alex Cederbaum approached the table.

Mr. Engel provided an overview of the site plan that was previously approved by the Planning Commission, as well as the new site plan that was on the agenda for today's meeting. The

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original site plan completed by George, Miles, and Buhr, LLC (GMB) proposed a 23,775-sf. watercraft service building, as well as associated parking spaces, landscaping, stormwater management facilities, and other site improvements. The site plan was also designed to accommodate future development on the property.

Mr. Engel stated that his proposed site plan seeks to build out the areas that were planned for future development. Building 1 is proposed to be a heavy equipment service building while Building 2 will be a boat service building. Mr. Engel stated that he was seeking three (3) site plan waivers from the Planning Commission for the following:

- 1) §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, such as asphalt or tar and chip.
- 2) §ZS1-322(b)(7): All landscaped areas are required to be readily accessible to a water supply and to have an automatic irrigation system with rain sensors.
- 3) §ZS1-210(b)(4)(B) and §ZS1-322(e)(2): Landscape buffering from adjoining properties is required for the proposed outdoor temporary boat/vehicle storage areas near Building 2. The applicants are requesting a waiver from the Planning Commission for this requirement pursuant to §ZS1-322(e)(8).

Mr. Chris Ferger stated that the project was also seeking various site plan and building waivers as required by the *Design Guidelines and Standards for Commercial Uses*, and Mr. Ferger provided an overview of those waivers.

Following a discussion, a motion was made by Mrs. Knight for the following:

- 1) To approve the site plan.
- 2) To grant the three (3) site plan waivers as outlined in the Staff Report.
- 3) To grant all the waivers as required by the *Design Guidelines and Standards for Commercial Uses* that were outlined in the Staff Report.

The motion was seconded by Mrs. Drew, and the motion was approved with no opposition.

- V. **Map Amendment - Rezoning Case No. 453** – 14.72 acres from R-2 Suburban Residential District to R-3 Multi-family Residential District. Located north of MD Route 589 (Racetrack Road), west of Ocean Parkway (North Gate), Berlin, MD. Tax Map 15, Parcels 130 and 191, Tax District 03. Ocean Pines Plaza Partnership & James B. Vito Revocable Trust c/o Allen Rabineau, Property Owner, and Hugh Cropper, IV, attorney.

Applicants: Hugh Cropper, IV, attorney; Chris McCabe, environmental consultant, Coastal Compliance Solutions, LLC; Steve Engel, landscape architect, Vista Design, Inc.; Carl

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Wilson, engineer, The Traffic Group. Present but not testifying was a representative from NVR (Ryan) Homes, who has a contract for the property.

Mr. Cropper provided an overview of the request to change the zoning of the property from R-2 Suburban Residential District to R-3 Multi-family Residential District on 14.72 acres. The main difference in the zoning categories is the density limits, as any Residential Planned Community development over 20 dwelling units would allow the types of structures permitted in the R-4 General Residential District (single-family dwellings, duplexes, townhouses and multi-family buildings). Mr. Cropper asserted that a townhouse community is suited for this property, and that it is not worth the infrastructure costs to construct 60 dwelling units as opposed to 87 dwelling units. He alleged that R-2 District density would be considered sprawl development. Furthermore, Mr. Cropper referenced the State of Maryland's former Smart Growth principles, which encourage clustering and concentration of development where the infrastructure is located. He stated that this development would be smart growth, providing housing near employment centers, and is supported by the current (2006) comprehensive plan. The property is located within the Existing Developed Area (EDA) land use classification, which provides for concentrations of development within the unincorporated areas. He stated that this project would be consistent with smart growth, the current comprehensive plan, and the draft comprehensive plan.

Applicant's Exhibit No. 1 was submitted as the applicant's defined neighborhood. Mr. Cropper stated that he is not alleging a mistake in the zoning, only a substantial change in the character of the defined neighborhood since the 2009 comprehensive rezoning. He said that if the applicant proves that there has been a change in the character of the neighborhood, then the applicant must then prove that the proposed zoning is more consistent with the terms and objectives of the comprehensive plan. Mr. Cropper noted that he had two recent rezoning cases (one of which was in the Town of Ocean City) where the Planning Commission amended the defined neighborhood. In his opinion, the defined neighborhood consists of a fairly homogenous residential neighborhood with some supporting commercial uses. Ocean Pines is a predominantly single-family subdivision that is zoned R-2 District. He stated that he purposely excluded the Riddle Farm subdivision as it is a more isolated neighborhood. Within the defined neighborhood, the only agricultural zoning is the Ocean Downs Casino, which has the Casino Entertainment District overlay zone to include more commercialized uses (staff note: the overlay district has not been requested nor approved to date). In summary, Mr. Cropper noted that this development needs to be townhouses, as it is not a good spot for single-family homes. Townhouses will generate less traffic, as Mr. Wilson will attest to, and though it isn't the most walkable except for internal amenities, there is the potential to get to the nearby convenience store, churches and schools.

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Mr. Steve Engel, landscape architect, Vista Design, Inc., testified in support of the rezoning request and acknowledged that there were up to twenty-five referenced changes to the character of the neighborhood as outlined in the summary of Mr. Cropper's findings of fact, submitted as Applicant's Exhibit No. 2. Pertinent points to the testimony included the medical office complex to the south of the North Gate zoned C-1 Neighborhood Commercial District. Rezoning Case No. 447 was approved for the property known as Racetrack Village on MD Route 589 north of the outpatient medical facility, which started as A-1 Agricultural District in 2009, was rezoned to C-2 General Commercial District, and then downzoned recently to R-3 Multi-family Residential District. There was a sectional rezoning to C-2 District, recent changes in the 2006 Comprehensive Plan's Land Use Map in 2024 and amendments to the water and sewer plan. Additionally, the Department of Public Works (DPW) has developed a master sewer infrastructure plan for the MD Route 589 corridor, and they are currently working with DPW and the Department of Environmental Programs. Mr. Engel explained that the master plan requires certain sized sewer pipes, installation of pump stations, and other improvements to be installed. Mr. Cropper noted that while sewer cannot solely be considered as a change, it does affect other changes in the neighborhood. Other changes include a traffic light at the casino, Critical Area growth allocations, rezonings, water and sewer extensions among others.

Should the Planning Commission agree with the definition of the neighborhood as presented, Mr. Engel concurred that this rezoning and the development project represents smart growth and is more consistent with comprehensive plan. It will provide infill development, a transition between commercial and residential uses, and the lower residential density single-family uses in Ocean Pines. Mr. Engel confirmed that the R-2 District permits four dwelling units per acre, while the R-3 District permits six dwelling units per acre. As previously mentioned, the only difference with a Residential Planned Community is the density, which would add 27 or 28 dwelling units to the project. While the proposed use of the property is not relevant in a rezoning request, Mr. Cropper noted that proposing an R-3 District designation would limit the uses to predominantly residential. If the zoning were to be C-2 General Commercial District, they could do a variety of uses.

Submitted as Applicant's Exhibit No. 3 was a conceptual rendering of what an R-3 District townhouse development would look like on the petitioned area. It would include townhouses, active recreational areas and still contain a lot of open space. At the rear of the property are non-tidal wetlands, and the applicant is proposing a 100' buffer to the Ocean Pines subdivision. As with Rezoning Case No. 447, the applicant would proffer the buffer as a condition of the rezoning approval. Without the buffer, someone could build right up to the standard setback line. Mr. Engel concurred that this proposal results in less sprawl than a development with only 60 units. Additionally, he found that the petitioned area was close to

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commercial areas and employment centers. Mr. Engel identified the location of the petitioned area on the tax map. He testified that in his opinion, when comparing 60 single-family dwellings to 87 townhouse units, the single-family dwellings always generate more traffic. Single-family dwellings generally result in 10 trips per day, while townhouses result in roughly 6 trips per day. Mr. Cropper stated that he has worked on a townhouse project behind the Acme in the Town of Ocean City. That project contains 116 units on 6.6 acres, resulting in a density of 18 units per acre. Additionally, they were able to accommodate landscaping, wide drive aisles, and recreational areas.

Mr. Carl Wilson, licensed professional engineer and traffic operations engineer, The Traffic Group, testified. He has worked on other projects in Worcester County, including along MD Route 589. Mr. Cropper noted that he and Mr. Wilson have driven through the surrounding properties as part of this request. He had previously performed a full-blown traffic study at the TidalHealth Atlantic facility on MD Route 589. His predecessor at The Traffic Group, Betty Tustin, performed another prior to that. Mr. Wilson stated that the traffic of 87 townhouses compared to 58 single-family dwellings would be less due to the characteristics of the dwelling types and family composition. Submitted as Applicant's Exhibit No. 4 was a one-page Trip Generation Rates Report comparing the land uses. The report finds that:

- Peak AM trips: 44 trips (58 single-family units) and 36 trips (87 townhouse units)
- Peak PM trips: 58 trips (58 single-family units) and 42 trips (87 townhouse units)
- Saturday peak trips: 63 trips (58 single-family units) and 41 trips (87 townhouse units)
- Overall, 87 townhouse units would result in 163 fewer trips per day than 58 single-family units.

Mr. Wilson testified that a standard 87-unit townhouse development is a well-studied formula, and they expect it to be accurate, by the book per the definition. The proposed entrance on MD Route 589 will be remote enough so that stacking won't be an issue. Maryland Department of Transportation, State Highway Administration (MDOT SHA) will require any road improvements that they think necessary, as well as an access management permit. While Mr. Cropper noted that traffic on MD Route 589 is worse in the summer, Mr. Wilson indicated that a townhouse development will have year-round traffic consistency, unlike a commercial development. Based on his other work, review of the concept plan, and the surrounding area, Mr. Wilson stated that he can render his opinion with reasonable certainty.

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Mr. Chris McCabe, environmental consultant, Coastal Compliance Solutions, LLC, conducted the field delineation of the non-tidal wetlands on the property. The wetlands have been confirmed by Maryland Department of the Environment (MDE). Two non-tidal wetlands and the associated buffers are shown on the conceptual plan. No impacts are proposed. Mr. Cropper stated that the design would be better than having a shed six feet from the property line. It was reiterated that the 100' buffer would be proffered as a condition of approval.

Mr. Engel discussed limitations on interparcel connectors due to the large pond at the North Gate, the development of the lots within Ocean Pines, and the Pavilions commercial facility to the north.

Submitted as Applicant's Exhibit No. 5 was information obtained from the proposed Comprehensive Plan. Mr. Cropper acknowledged that it is not final and has not been adopted. However, several of the action items are found in the current plan. He finds that this project will not overwhelm the character of the neighborhood, which is listed as an action item in the draft plan. Furthermore, he noted that there were no site constraints except the non-tidal wetlands in the rear.

Mr. Cropper asked Mr. Bob Mitchell, Director, Department of Environmental Programs about the EDU capacity. While there is no guarantee that they can be obtained, Mr. Mitchell noted that there is a pretty good possibility that they could obtain the 87 EDUs from the Ocean Pines service area. Mr. Cropper noted that infrastructure costs would be paid by the developer (pay-as-you-go).

Upon a question by staff relating to the proffered 100' buffer to the Ocean Pines lots, Mr. Cropper confirmed that it was intended to apply only to the dwellings and not any active or passive recreational areas (a conceptual playground is illustrated in the buffer area).

The Planning Commission members discussed the applicant's defined neighborhood, and whether the properties on the opposite side of the petitioned area (zoned A-1 Agricultural District) should be included. Mr. Cropper noted that he did not include them due to the A-1 District zoning. He said that neighborhoods have an edge; the middle of the neighborhood is the center of Ocean Pines, and it grows outward. He acknowledges that the Planning Commission may draw the line where they see fit.

Mr. Leslie stated that first, they need to define the neighborhood, but a change in the character of the neighborhood does not compel a rezoning, but if they do wish to rezone, then the Planning Commission would need to find it consistent with the comprehensive plan. Mrs.

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Wimbrow drew a proposed boundary to represent her suggested definition of the neighborhood. Mrs. Drew wasn't fully on board with the inclusion of the A-1 District properties, as she didn't want them to be considered for future development. Mrs. Wimbrow concurred. Mr. Leslie reiterated that you establish the neighborhood and then analyze the changes within that boundary to determine whether a rezoning is warranted. A motion was made by Mrs. Wimbrow relative to the revised neighborhood as drawn by Mrs. Wimbrow. The motion was seconded by Mrs. Knight and carried unanimously.

The Planning Commission reviewed and commented upon each of the findings, incorporating Mr. Cropper's findings into the record. Following the discussion, a motion was made by Mrs. Wimbrow, seconded by Mrs. Drew, and carried 4 to 2, with Mr. Barbierrri and Mrs. Ott opposed, to find the proposed amendment to rezone the petitioned area from R-2 Suburban Residential District to R-3 Multi-family Residential District consistent with the Comprehensive Plan based on a change in the character of the neighborhood (as redefined by the Planning Commission), and forward a **favorable recommendation** to the Worcester County Commissioners.

**VI. Adjourn**

**On a motion made by Mrs. Wimbrow and seconded by Mrs. Knight, the Planning Commission adjourned.**

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Mary Knight, Secretary

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Ben Zito, DRP Specialist

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

*THURSDAY JUNE 11, 2026*

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. Audio and video recording will take place during this public hearing.

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>

**6:30 p.m.**

**Case No. 26-34**, on the lands of Rental AA Homes LLC, on the application of Qin Zheng, requesting an after-the-fact variance to the side yard setback from 9.99 feet to 5.90 feet (to encroach 4.09 feet) for an existing residential accessory building in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-122(c)(1)A, ZS 1-205(d)(1) and ZS 1-305, located at 11328 Gum Point Road, Tax Map 21, Parcel 24, Tax District 3, Worcester County, Maryland.

**6:35 p.m.**

**Case No. 26-29**, on the lands of Tina and Charles Niemeyer, Jr., requesting a variance to the side yard setback from 7 feet to 0 feet (to encroach 7 feet) for an existing residence with a proposed attached gazebo in a campground subdivision in the A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18), ZS 1-318(d)(1)B and ZS 1-305 located at 235 White Pine Lane, Tax Map 16, Parcel 90, Lot 235, Tax District 3, Worcester County, Maryland.

**6:40 p.m.**

**Case No. 26-33**, on the lands of Joyce and Michael Galello, requesting a variance to the rear yard setback from 30 feet to 27.3 feet (to encroach 2.7 feet) for a proposed residence in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305 located at 1103 Stones Run, Tax Map 16, Parcel 108, Section 18, Lot II-12, Tax District 3, Worcester County, Maryland.

**6:45 p.m.**

**Case No. 26-32**, on the lands of Coastal LLC, on the application of Zev Sibony, requesting two (2) variances, (1) to the front yard setback requirement from Keyser Point Road from 55 feet to 14.5 feet (to encroach 40.5 feet), and (2) to the front yard setback requirement from Ocean Gateway from 100 feet to 79 feet (to encroach 21 feet) for a proposed outside dining area; and a special exception for a 5 foot high fence within the front yard adjacent to both Keyser Point Road and Ocean Gateway in the C-2 General Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-210(b)(2) and ZS 1-305, located at 12513 Ocean Gateway, Tax Map 26, Parcel 255, Block 1, Lot 1, Tax District 10, Worcester County, Maryland.

**6:50 p.m.**

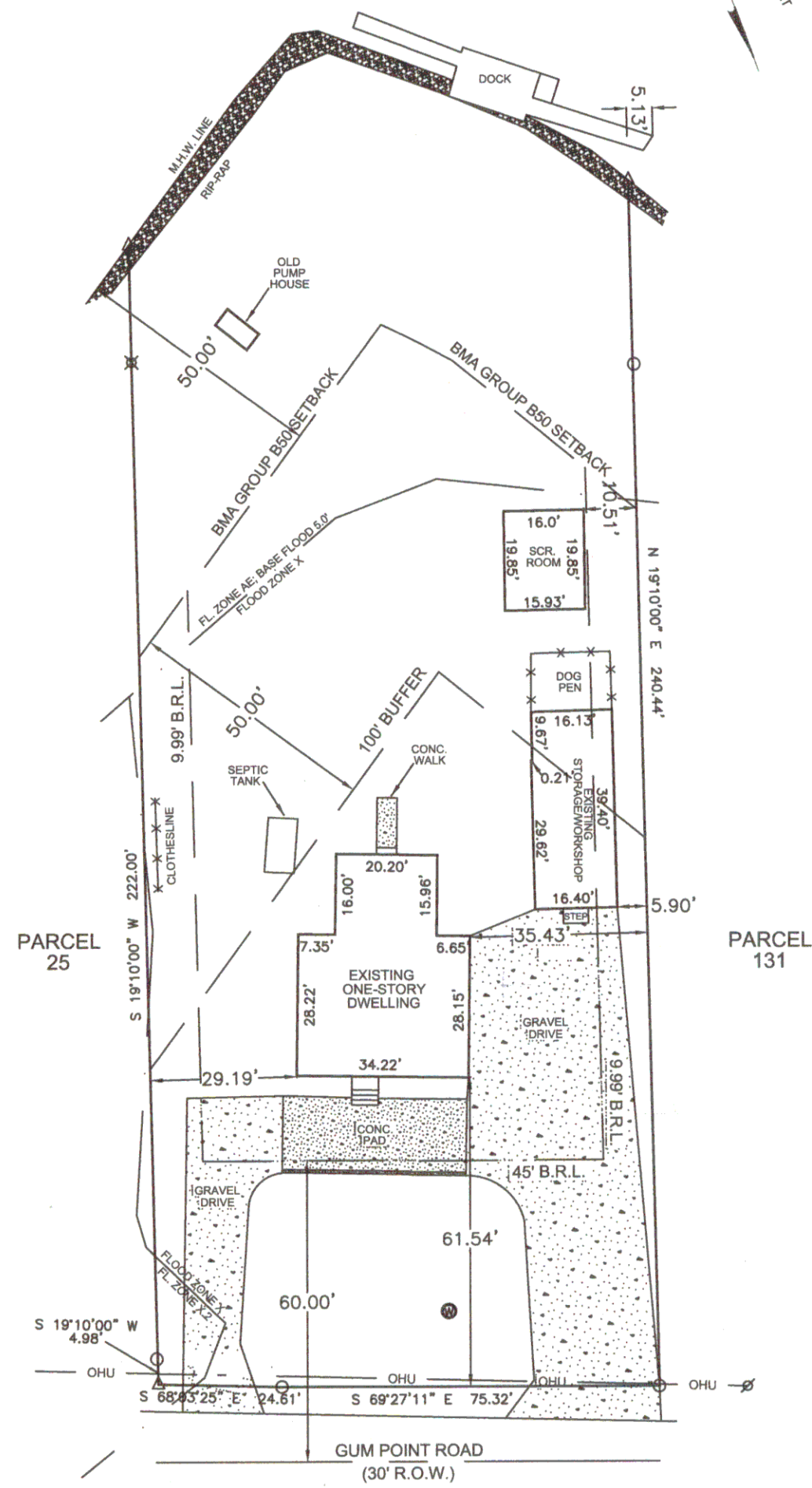
**Case No. 26-31**, on the lands of the Julie M. Smith and Damon M. Smith Revocable Trust, on the application of Mark Spencer Cropper, requesting a variance to extend a pier and platform in excess of 125 feet by 92 feet for a total distance of 217 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(2), located at 13022 Riggins Ridge Road, Tax Map 27, Parcel 570, Block 6, Lot 28B, Tax District 10, Worcester County, Maryland.

### **Administrative Matters**

#### **IMPORTANT NOTICE**

**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

TURVILLE CREEK



**BOUNDARY SURVEY  
WITH  
LOCATION OF IMPROVEMENTS**  
HOUSE NO. 11328

**EXISTING COVERAGE**

HOUSE/LNDG./STEPS = 1,325.3 SQ. FT.±  
STORAGE/WORKSHOP/STEP = 657.1 SQ. FT.±  
DOG PEN = 185.4 SQ. FT.±  
SCREEN ROOM = 317.0 SQ. FT.±  
PUMP HOUSE = 31.9 SQ. FT.±  
CONC DRIVE/CONC. WALK = 588.7 SQ. FT.±  
GRAVEL DRIVE = 3,481.4 SQ. FT.±  
TOTAL = 6,586.8 SQ. FT.±

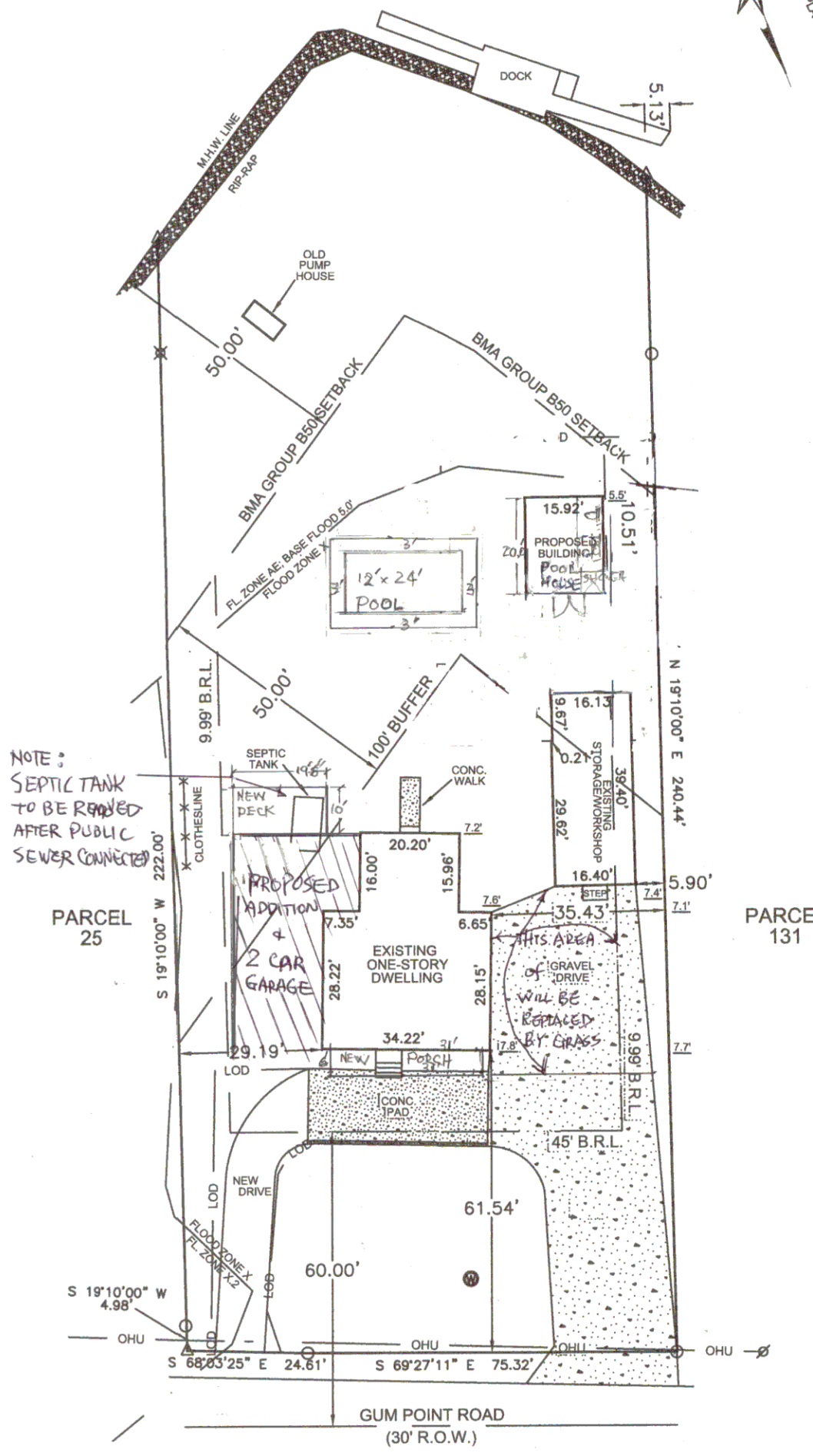
EXISTING COVERAGE INSIDE BMA GROUP B50 SETBACK = 31.9 SQ. FT.±

EXISTING COVERAGE OUTSIDE 100' BUFFER = 5,049.1 SQ. FT.±

**LEGEND**

- FOUND IRON PIPE
- ⊗ FOUND AXLE
- △ UNMARKED POINT
- WELL
- OHU — OVERHEAD UTILITY
- LOD — LIMIT OF DISTURBANCE
- ⊔ EXISTING ELEV.; NAVD 88

TURVILLE CREEK



NOTE:  
SEPTIC TANK  
TO BE REMOVED  
AFTER PUBLIC  
SEWER CONNECTED

**PROPOSED SITE PLAN**  
HOUSE NO. 11328

**PROPOSED & EXISTING COVERAGE**

HOUSE/LNDG./STEPS = 1,325.3 SQ. FT.±  
STORAGE/WORKSHOP/STEP = 483.9 SQ. FT.±  
PUMP HOUSE = 31.9 SQ. FT.±  
CONC. DRIVE/CONC. WALK = 588.7 SQ. FT.±  
GRAVEL DRIVE = 2,127.9 SQ. FT.±  
PROPOSED BUILDING/LNDG./STEPS/POOL/Pool House = 2,199.78 SF±  
TOTAL = 6,757.8 SQ. FT.±

EXISTING & PROPOSED COVERAGE INSIDE BMA GROUP B50 SETBACK = 31.9 SQ. FT.±

EXISTING & PROPOSED COVERAGE OUTSIDE 100' BUFFER = 1,532 SQ. FT.±

THIS SITE PLAN REPRESENTS A 3.6 SQ. FT. REDUCTION IN COVERAGE.

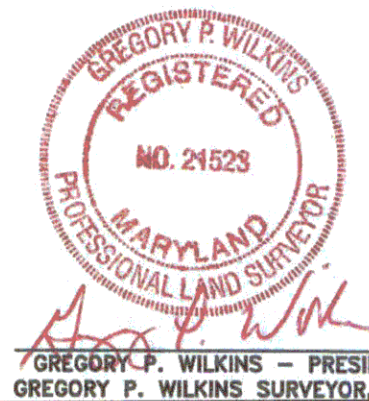
**PROPOSED SITE PLAN**

HOUSE NO. 11328

THIRD TAX DISTRICT  
WORCESTER COUNTY, MARYLAND  
TAX MAP 21, PARCEL 24  
LOT AREA = 25,500.6 SQ. FT.±  
DISTURBED AREA = 3,291.8 SQ. FT.±  
CURRENTLY ZONED: R-1  
ZONING SETBACKS: FRONT = 60' FROM C/L R.O.W. ROAD  
SIDES = 9.99' EACH, REAR = 50'  
FLOOD ZONE X, X.2, AE; BASE FL. EL. 5.0' NAVD 88  
DEED REFERENCE: 8974/140  
PLAT REFERENCE: S.V.H. 161/41

NOTE:  
THIS LOT LIES IN THE ATLANTIC COASTAL BAYS CRITICAL AREA  
AND IS CLASSIFIED AS AN LIMITED DEVELOPMENT AREA, (LDA),  
AND IS IN BUFFER MANAGEMENT AREA GROUP B50.  
ALLOWABLE IMPERVIOUS AREA = 5,445.0 SQ. FT.

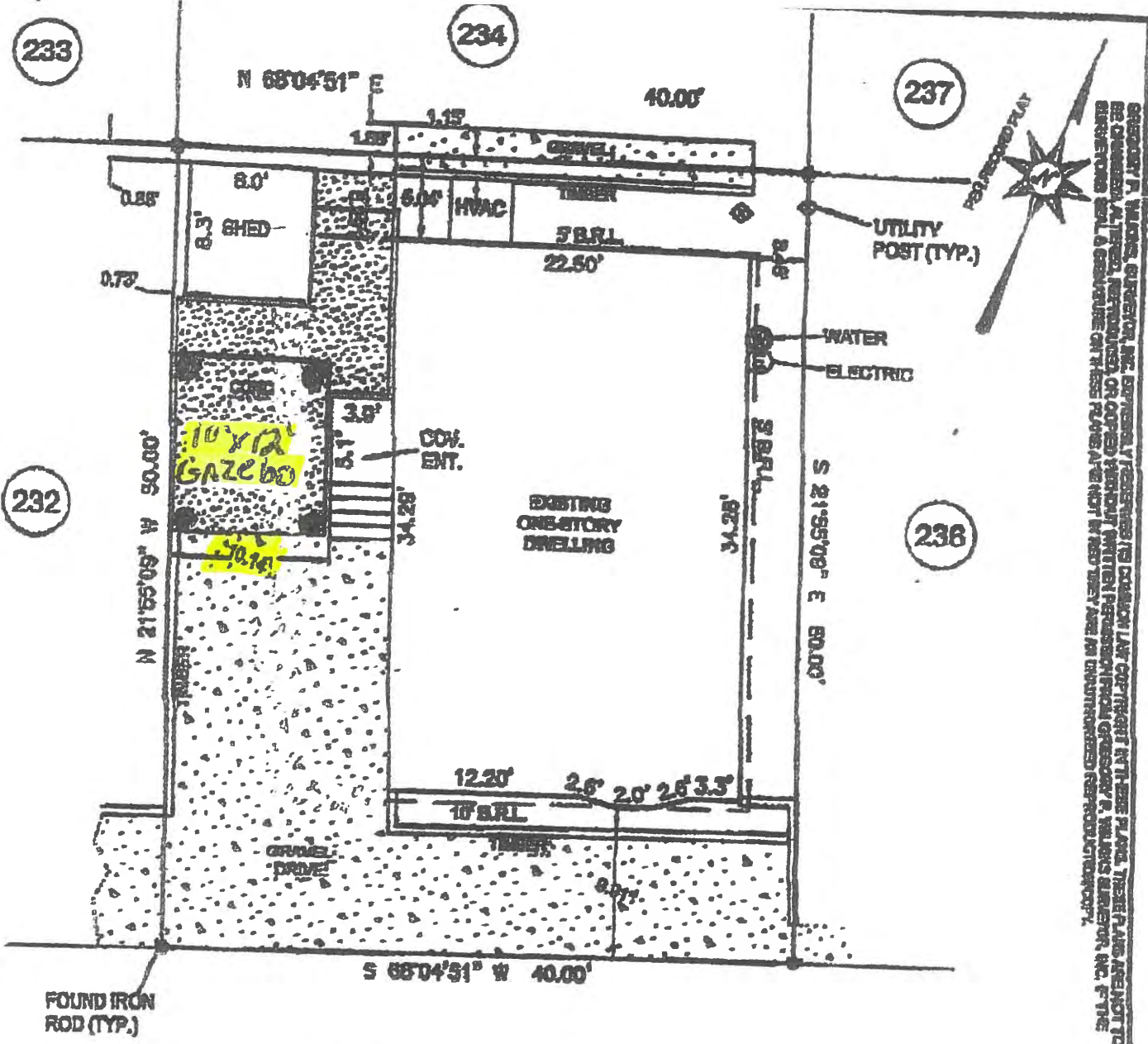
PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED BY ME OR UNDER MY RESPONSIBLE  
CHARGE, AND THAT I AM A DULY LICENSED  
PROFESSIONAL LAND SURVEYOR UNDER THE LAWS  
OF THE STATE OF MARYLAND LICENSE NO. 21523,  
EXPIRATION DATE 07-13-2027.



**GREGORY P. WILKINS  
SURVEYOR, INC.**  
12626 OLD BRIDGE ROAD  
OCEAN CITY, MD 21842  
(410)213-0222

SCALE: 1" = 30' DATE: 9/18/2025  
DRAWN BY: GPW8 JOB NO.: 9228





GREGORY P. WILKINS, SURVEYOR, INC. EXPRESSLY REPRESENTS ITS COMPUTER AID SOFTWARE WITH THESE PLANS. THESE PLANS AGREE TO BE OBSERVED AS FIELD MEASUREMENTS OR COPIED FROM THE ORIGINAL DRAWING PERMITTED BY GREGORY P. WILKINS SURVEYOR, INC. IF THE SURVEYOR SHALL A SIGNATURE ON THESE PLANS AND NOT IN ANY OTHER MANNER OR UNAUTHORIZED REPRODUCTION.

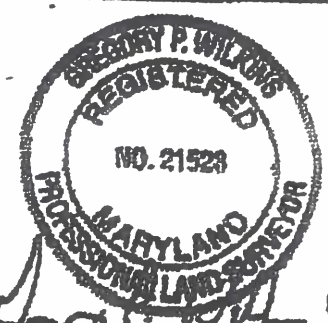
**WHITE PINE LANE**  
(20' R.O.W.)

**BOUNDARY SURVEY  
WITH  
LOCATION OF IMPROVEMENTS**

HOUSE NO. 235  
 LOT 235 - PHASE 2  
 WHITE HORSE PARK RECREATIONAL VEHICLE DEVELOPMENT  
 THIRD TAX DISTRICT  
 WORCESTER COUNTY, MARYLAND  
 TAX MAP 16, P/O PARCEL 90  
 LOT AREA = 2,000 SQ. FT.±  
 CURRENTLY ZONED: A-2 (CAMPGROUND SUBDIVISION)  
 REQUIRED SETBACKS AS SHOWN  
 FLOOD ZONE X  
 PLAT REFERENCE: 100/41

I CERTIFY THE BOUNDARY SURVEY WITH  
 LOCATION OF IMPROVEMENTS AS SHOWN  
 HEREON IS A TRUE REPRESENTATION OF THE  
 EXISTING VISIBLE IMPROVEMENTS AT THE DATE  
 OF THIS SURVEY. NO TITLE SEARCH PROVIDED  
 OR SIMULATED.

**PROFESSIONAL CERTIFICATION**  
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE  
 PREPARED BY ME OR UNDER MY RESPONSIBLE  
 CHARGE, AND THAT I AM A DULY LICENSED  
 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS  
 OF THE STATE OF MARYLAND LICENSE NO. 21523,  
 EXPIRATION DATE 07-13-2019.



GREGORY P. WILKINS - PRESIDENT  
 MD PROF. LS #21523 - EXP. DATE 07/13/2019  
 GREGORY P. WILKINS SURVEYOR, INC.

**GREGORY P. WILKINS  
 SURVEYOR, INC.**  
 12828 OLD BRIDGE ROAD  
 OCEAN CITY, MARYLAND 21842  
 (410)213-0222

**NOTE:**  
 THIS LOT DOES NOT LIE IN THE ATLANTIC COASTAL BAYS CRITICAL AREA

**BZA Case #26-29**

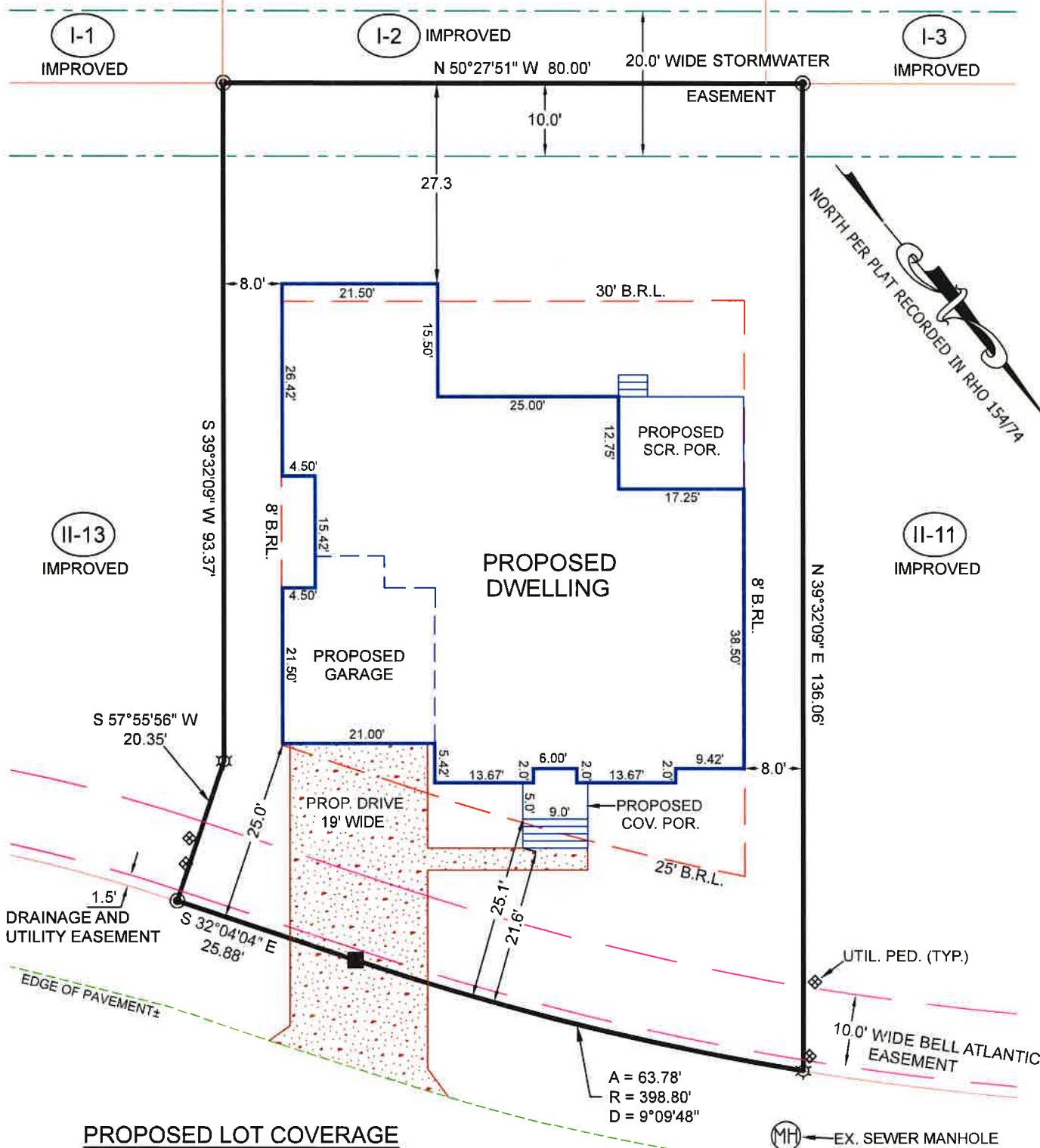


SCALE:	1" = 10'	DATE:	08/21/2018
DRAWN BY:	GPWB	JOB NO.:	7805

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PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 21329, EXPIRATION DATE 1/08/2027.

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, WETLANDS, UTILITIES OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



**PROPOSED LOT COVERAGE**

PROPOSED DWELLING & GARAGE = 3,294 S.F.±  
 PROPOSED FRONT PORCH & STEPS = 93 S.F.±  
 PROPOSED REAR PORCH & STEPS = 232 S.F.±  
 PROPOSED DRIVEWAY & WALK = 637 S.F.±  
 TOTAL PROPOSED LOT COVERAGE = 4,256 S.F.±  
 PROPOSED LOT COVERAGE: 4,256 S.F. / 10,207 S.F. = 0.417 OR 41.7%

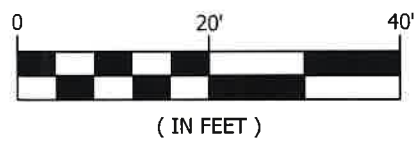
**BZA Case #26-33**

**SITE PLAN FOR B.Z.A.  
 LOT II-12 - SECTION 2 - COLONIAL VILLAGE  
 SECTION 18E - OCEAN PINES  
 THIRD TAX DISTRICT  
 WORCESTER COUNTY, MARYLAND**



**GENERAL NOTES:**

ADDRESS: 1103 STONES RUN RD  
 TAX MAP 16, PARCEL 108  
 DEED REF.: SRB 8606/383  
 PLAT REF.: RHO 154/74  
 LOT AREA: 10,207 S.F.±  
 BLDG ENVELOPE: 4,545 S.F.±  
 EX. ZONING: R-3  
 PLATTED P.U.D. SETBACKS:  
 FRONT: 25', SIDES: 8', REAR: 30'  
 FLOOD ZONE: X  
 PER FIRM NO. 240083 0045 H  
 DATED JULY 16, 2015.  
 CRITICAL AREA DESIGNATION: I.D.A.



**LEGEND**

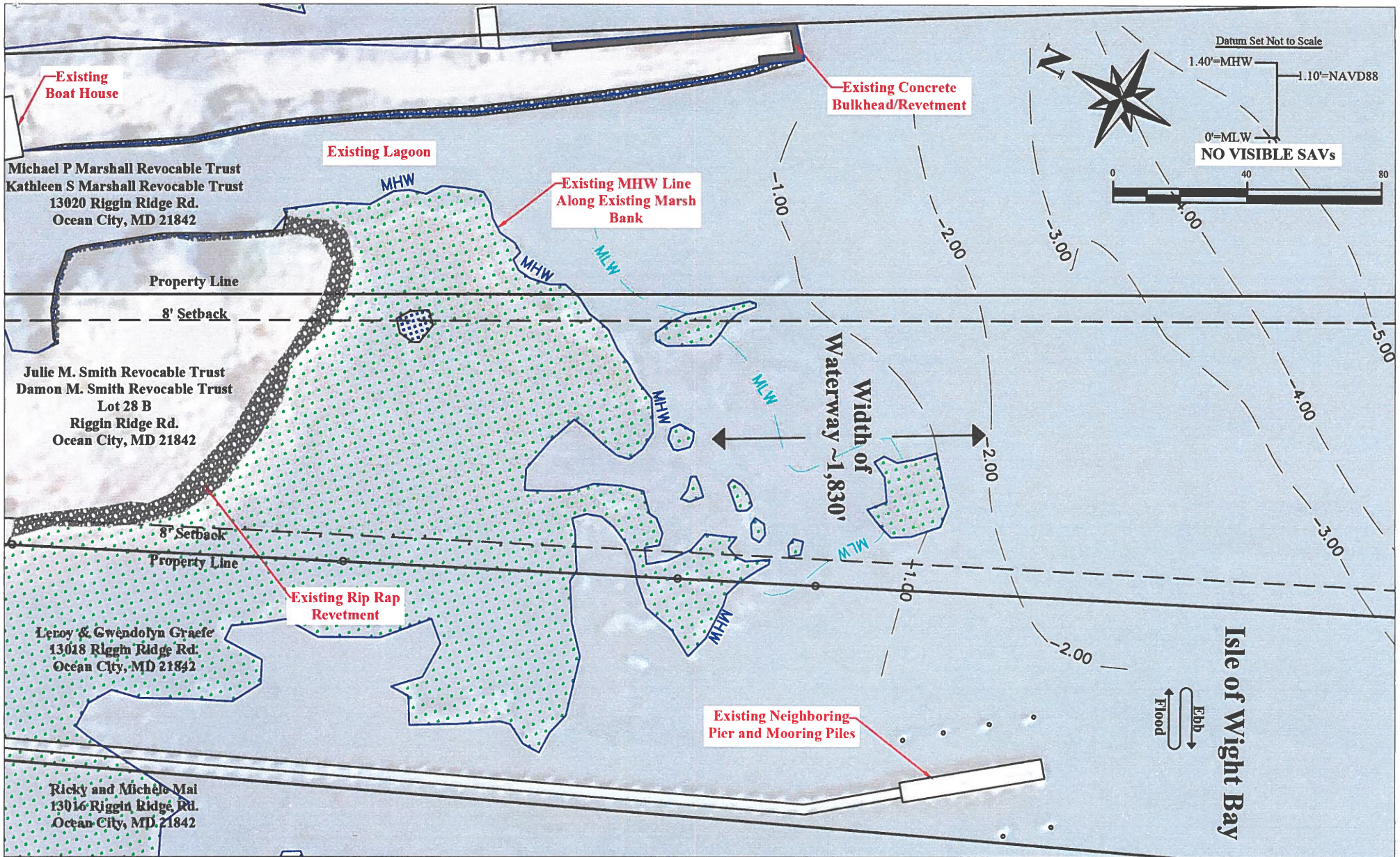
- DENOTES CONC. MON. FOUND
- ⊙ DENOTES IRON ROD FOUND
- ⊛ DENOTES IRON ROD SET

**RUSSELL T. HAMMOND**  
*Surveying, L.L.C.*  
 SURVEYING - LAND PLANNING  
 10310 Hotel Road Bishopville, MD 21813  
 (410) 352-5674 - (410) 726-8076

DRAWN BY: R. SAVAGE  
 FILE NO.: 2026-3900  
 DATE: 3-10-2026

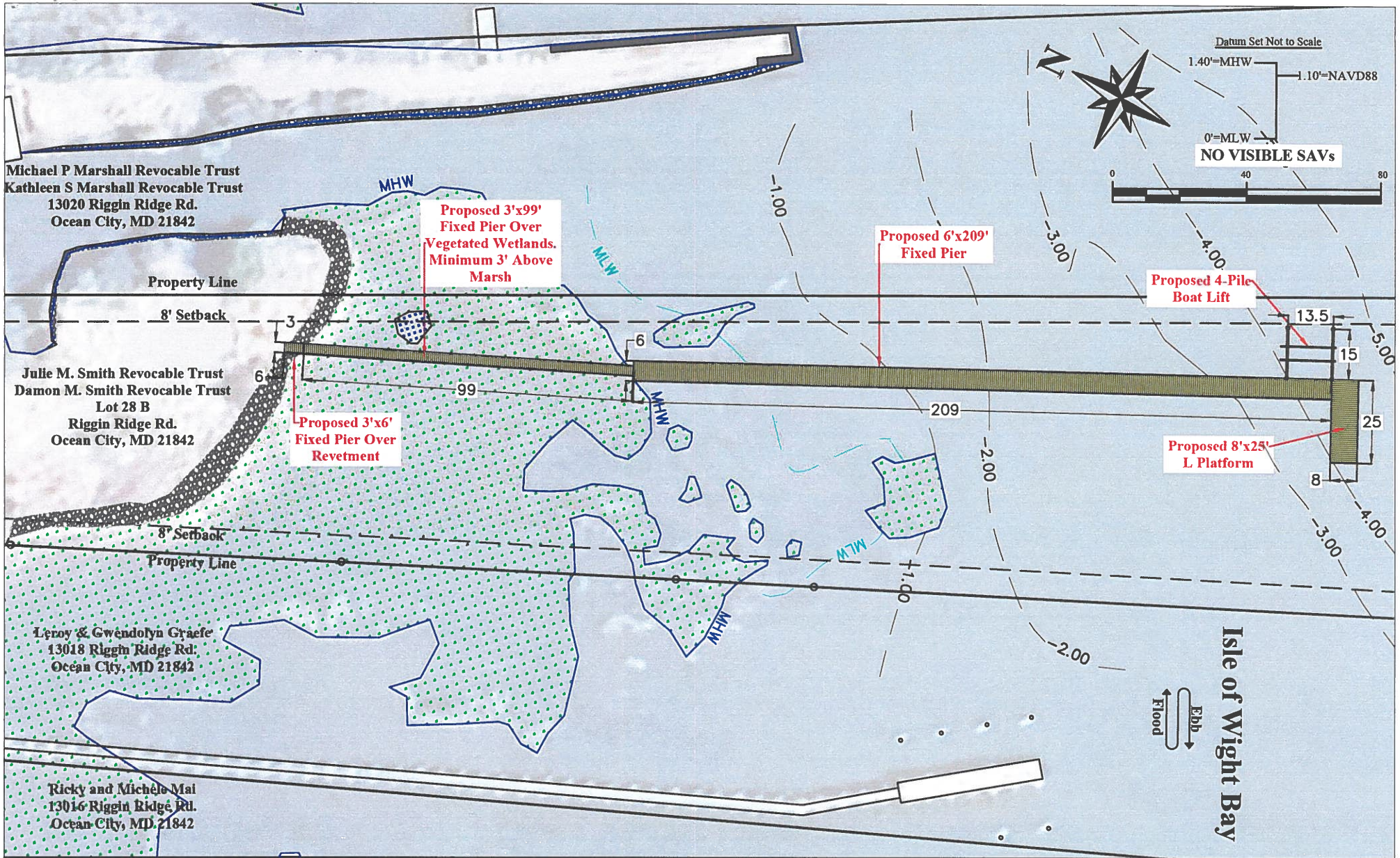


# BZA Case #26-31



<b>Sheet</b> <b>2 of 6</b>	<b>Drawing Details</b> Date Drawn: 1/2/2026 Survey Date: 12/20/2025 Drawn By: TJ File Name: Lot 28B Riggin Rdge Rd. Notes: Survey points were taken with a RTK Rover with horizontal reference to 1900 MD State Plane and Vertical NAVD88. ELE's converted to MLW Using NOAA's VDATUM with interpolations from local tide data.	<b>Work Scope</b> Construction of a 3'x6' fixed pier over existing rip rap revetment, 3'x99' fixed pier over vegetated marsh with a min clearance of 3' to the decking, 6'x209' fixed pier over tidal waters, 8'x25' L platform, and installation of a boat lift with associated piles all with a maximum channelward encroachment not to exceed 217'.	<b>Existing Conditions</b>  <b>Tidal Solutions, LLC</b> 12314 Bette Dr. Bishopville, MD 21813		
	<b>Scale</b> <b>1"=40'</b>	Owner: Damon & Julie Smith Lot 28 B Riggin Ridge Rd. Ocean City, MD 21842 Worcester County MD			

# BZA Case #26-31



<b>Sheet</b> <b>3 of 6</b>	<b>Drawing Details</b> Date Drawn: 1/2/2026 Survey Date: 12/20/2025 Drawn By: TJ File Name: Lot 28B Riggan Ridge Rd. Notes: Survey points were taken with a RTK Rover with horizontal reference to 1900 MD State Plane and Vertical NAVD88. ELE's converted to MLW Using NOAA's VDATUM with interpolations from local tide data.	<b>Work Scope</b> Construction of a 3'x6' fixed pier over existing rip rap revetment, 3'x99' fixed pier over vegetated marsh with a min clearance of 3' to the decking, 6'x209' fixed pier over tidal waters, 8'x25' L platform, and installation of a boat lift with associated piles all with a maximum channelward encroachment not to exceed 217'.	<b>Proposed Conditions</b>  <b>Tidal Solutions, LLC</b> 12314 Bette Dr. Bishopville, MD 21813			
	<b>Scale</b> <b>1"=40'</b>	<table border="1"> <tr> <td>Owner: Damon &amp; Julie Smith Lot 28 B Riggan Ridge Rd. Ocean City, MD 21842 Worcester County MD</td> <td>Lot <b>28B</b></td> <td>Parcel <b>0570</b></td> <td>Map <b>27</b></td> <td>Plat Book 250/10 MSA C2157-9504</td> </tr> </table>				
Owner: Damon & Julie Smith Lot 28 B Riggan Ridge Rd. Ocean City, MD 21842 Worcester County MD	Lot <b>28B</b>	Parcel <b>0570</b>	Map <b>27</b>	Plat Book 250/10 MSA C2157-9504		

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE  
AGENDA**

**Wednesday, June 10, 2026 at 1:00 p.m.  
Worcester County Government Center, Room 1102, One West Market Street,  
Snow Hill, Maryland 21863**

**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

**I. Call to Order**

**II. Site Plan Review (§ ZS 1-325)**

**A. Manklin Meadows Residential – Major Site Plan Review**

Proposed 16-unit multi-family residential development on two existing building pads. Located at 11006 and 11008 Manklin Meadows Lane, Tax Map 21, Parcel 266, Tax District 03, C-2 General Commercial District, Talbott Corporation, owner / Parker & Associates, Inc., applicant/engineer.

## WORCESTER COUNTY PLANNING COMMISSION

**MEETING DATE:** June 4, 2026

**PURPOSE:** Major Site Plan Review

**DEVELOPMENT:** TPE MD WO73 Solar

**PROJECT:** Proposed construction of a Utility Solar Energy System.

**LOCATION:** Located on the westerly side of Old Ocean City Road, Berlin, MD 21811. Tax Map 25, Parcel 3.

**ZONING DESIGNATION:** R-2 Suburban Residential District

**BACKGROUND:** The project is proposing a 4.99 MW AC utility solar energy system. Approximately 21.30 acres of the site will be comprised of solar arrays, as well as a 35' wide landscape buffer along Old Ocean City Road.

Despite being located in the R-2 District and a currently designated Growth Area, this project has been reviewed and approved by the Public Service Commission (PSC) through the Certificate of Public Convenience and Necessity (CPCN) process. Based upon its submittal date to the PSC, it is not required to adhere to the siting standards outlined by the Renewable Energy Certainty Act (RECA) that was adopted by the state. A decommissioning plan and bond have been submitted in accordance with the County code and will need to be approved prior to signature site plan approval.

**SIGNS:** Any signage shall be reviewed at permitting stage for compliance.

**PARKING:** No parking spaces are required or provided, as the site is not intended for the public.

**TRAFFIC CIRCULATION:** The site is proposing to be accessed from Old Ocean City Road and will need approval from the Maryland State Highway Administration prior to signature site plan approval.

**LANDSCAPING:** A 35' wide landscaped buffer is proposed along Old Ocean City Road, and a 20' wide landscaped buffer is proposed along the rest of the property lines.

The applicants are proposing to use water trucks to manually irrigate the landscaping. The

Planning Commission will need to grant a waiver to this in accordance with §ZS1-322(b)(7) of the code.

**FOREST CONSERVATION LAW:** The project is exempt from the Worcester County Forest Conservation Law.

**STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL:** This project has obtained Stormwater Site Development 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 proposed to be served by private water and sewer. Written confirmation will be required from Environmental Programs that their requirements have been met prior to signature site plan approval.

**PROPERTY OWNER:** Bathtap, LLC

**APPLICANT/ENGINEER:** Kimley-Horn and Associates, Inc.

**PREPARED BY:** Ben Zito, DRP Specialist

#### **PLANNING COMMISSION CONSIDERATIONS – SITE PLAN WAIVERS**

The applicant is requesting waivers to the following code requirement:

- 1) §ZS1-322(b)(7): All landscaped areas are required to be readily accessible to a water supply and provided with an automatic irrigation system with rain sensors. The applicants are proposing to use water trucks to manually irrigate the landscaping.



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  
BOARD OF LICENSE  
COMMISSIONERS

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION

May 20, 2026

Kimley-Horn and Associates, Inc.  
c/o Chris Martin, PE  
3904 Boston Street, Suite 202  
Baltimore, MD 21224

### **Re: TPE MD WO73 Solar Major Site Plan Review**

Dear Mr. Martin:

This is to advise you that the Department has completed a review of the site plan and decommissioning plan dated May 7, 2026, associated with the above-referenced project. The plans have been reviewed in accordance with the pertinent sections of the Worcester County *Zoning and Subdivision Control Article*. The following revisions will be needed prior to signature site plan approval:

#### Decommissioning Plan:

1. Page 5, Section 1: Please remove the statement that the Project owner or operator shall be able to request an extension of an additional twelve (12) months if the site is being decommissioned in good faith and is delayed due to a force majeure event. §ZS 1-344(d)(7)(A)(1).
2. Page 5, Section 2: Please remove the exception that allows the project to not be decommissioned if it is being repaired and/or restored due to a force majeure event. §ZS 1-344(d)(7)(A)(1).
3. Page 6, Section 4: Please add a requirement to provide a geotechnical report to the County identifying the actions taken to restore the site to predevelopment conditions, including an assessment of soil conditions, and any monitoring activities that may be required. §ZS 1-344(d)(7)(A)(4)(viii).

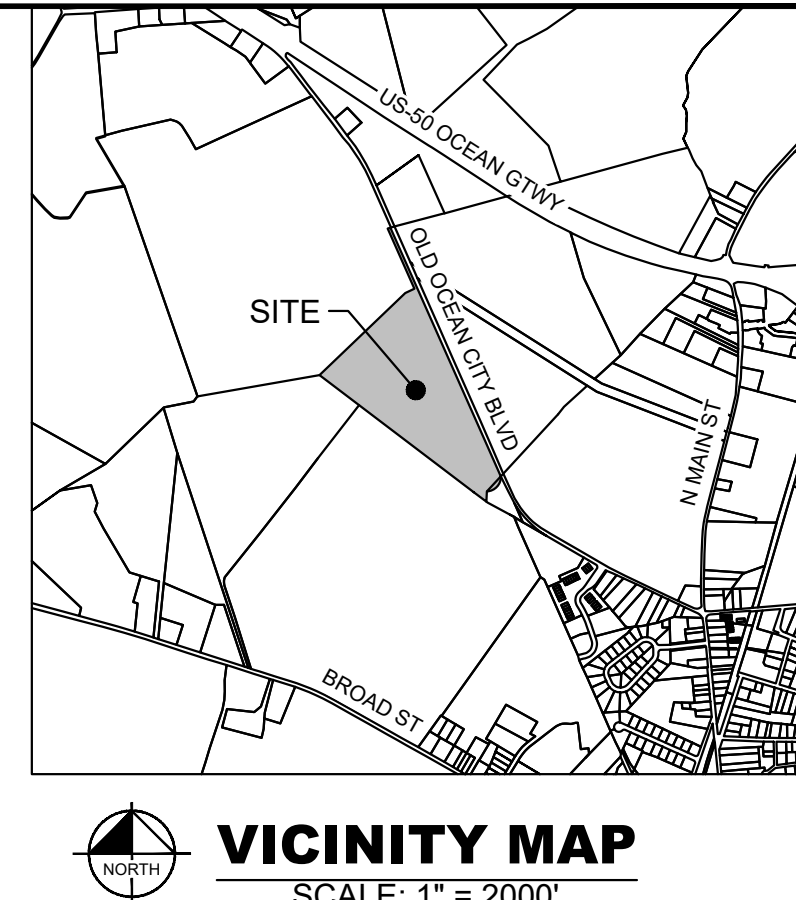
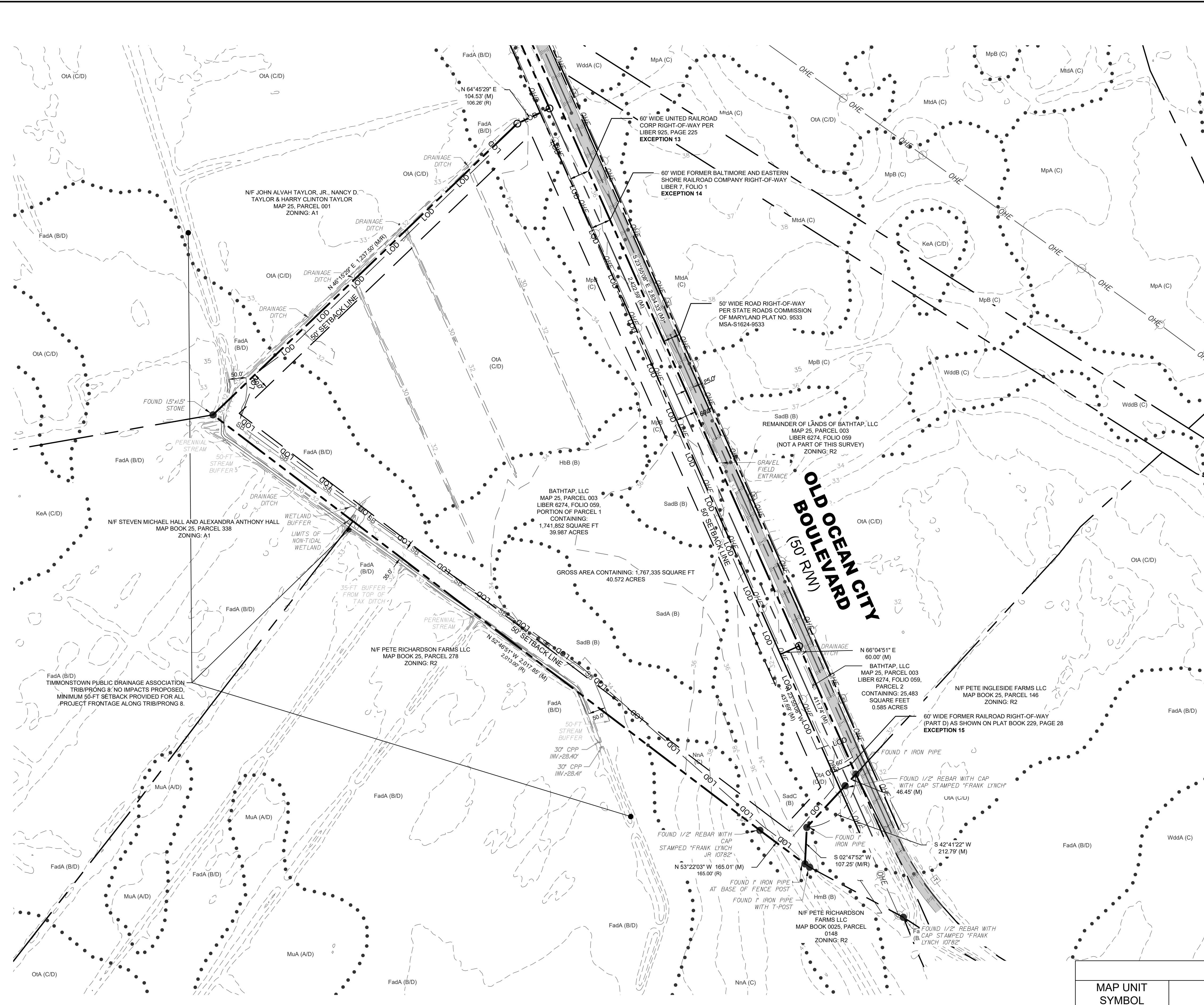
Please do not with any questions or comments you may have.

Sincerely,

Ben Zito  
DRP Specialist III



Plotted By: Martin, Christopher - Sheet: Set: W073 SOLAR - Location: C-100 - Overall Existing Conditions - May 07, 2026 - 07:43:14am - K:\BCO\_05\114724-30-W073 SOLAR\CAD\PlanSheets\C-100 - Existing Conditions - PLAN.dwg  
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**EXISTING CONDITIONS LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING ROAD
- LIMIT OF DISTURBANCE
- EXISTING STREAM
- 50' STREAM BUFFER
- EXISTING 35' TAX DITCH BUFFER
- 25' WETLAND BUFFER
- SOIL BOUNDARY
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING TREELINE
- EXISTING NON-TIDAL WETLAND
- EXISTING ROAD
- EXISTING ELECTRICAL STRUCTURES

**PROPERTY OWNER INFORMATION**

MAP 25 PARCEL 3 - BATHTAP LLC - 6274/59 - ZONED: R2 - CURRENT USE: AGRICULTURAL

**ADJOINING LANDOWNERS**

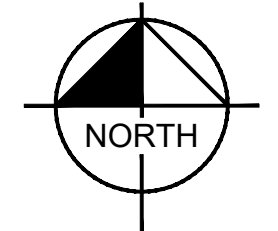
MAP 25 PARCEL 1 - JOHN ALVAH JR & NANCY D TAYLOR - 1726/394 - ZONED: A1 - CURRENT USE: AGRICULTURAL  
 MAP 25 PARCEL 338 - STEVEN MICHAEL & ALEXANDRA ANTHONY HALL - 2126/493 - ZONED: A1 - CURRENT USE: RESIDENTIAL  
 MAP 25 PARCEL 278 - PETER E RICHARDSON - 5609/055 - ZONED: R2 - CURRENT USE: AGRICULTURAL  
 MAP 25 PARCEL 148 - PETE RICHARDSON FARMS LLC - 5609/055 - ZONED: R2 - CURRENT USE: AGRICULTURAL

**EXISTING GROUND COVER**

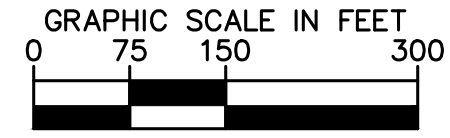
COVER TYPE	ACREAGE (±)	% OF PROPERTY (±)
AGRICULTURE	40.57	100.0

**SOIL TYPES**

MAP UNIT SYMBOL	SOIL NAME	HYDROLOGIC SOIL GROUP	% OF OVERALL PROPERTY AREA
FadA	FALLSINGTON SANDY LOAMS, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	BD	11.4%
HbB	HAMBROOK SANDY LOAM, 2 TO 5 PERCENT SLOPES	B	7.9%
MpB	MATTAPEX FINE SANDY LOAM, 2 TO 5 PERCENT SLOPES	C	5.8%
MidA	MATTAPEX SILT LOAM, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	C	0.1%
NnA	NASSAWANGO FINE SANDY LOAM, 0 TO 2 PERCENT SLOPES	C	1.1%
OIA	OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	C/D	40.3%
SadA	SASSAFRAS SANDY LOAM, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	B	12.8%
SadB	SASSAFRAS SANDY LOAM, 2 TO 5 PERCENT SLOPES, NORTHERN TIDEWATER AREA	B	12.8%
SadC	SASSAFRAS SANDY LOAM, 5 TO 10 PERCENT SLOPES, NORTHERN TIDEWATER AREA	B	7.7%
WdA	WOODSTOWN SANDY LOAM, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	C	0.1%



**OVERALL EXISTING CONDITIONS**  
 SCALE: 1" = 150'



CALL 48 HOURS BEFORE YOU DIG  
 IT'S THE LAW! DIAL 811  
 Know what's below. Call before you dig.

NO.	REVISIONS	DATE	BY

**Kimley-Horn**  
 © 2026 KIMLEY-HORN AND ASSOCIATES, INC.  
 3904 BOSTON ST., SUITE 202, BALTIMORE, MD 21224  
 PHONE: 443-743-3470  
 WWW.KIMLEY-HORN.COM



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KHA PROJECT	114734303
DATE	05/07/2026
SCALE	AS SHOWN
DESIGNED BY	EJL
DRAWN BY	UK
CHECKED BY	CHM
EXPIRATION DATE	01/15/2028

**OVERALL EXISTING CONDITIONS**

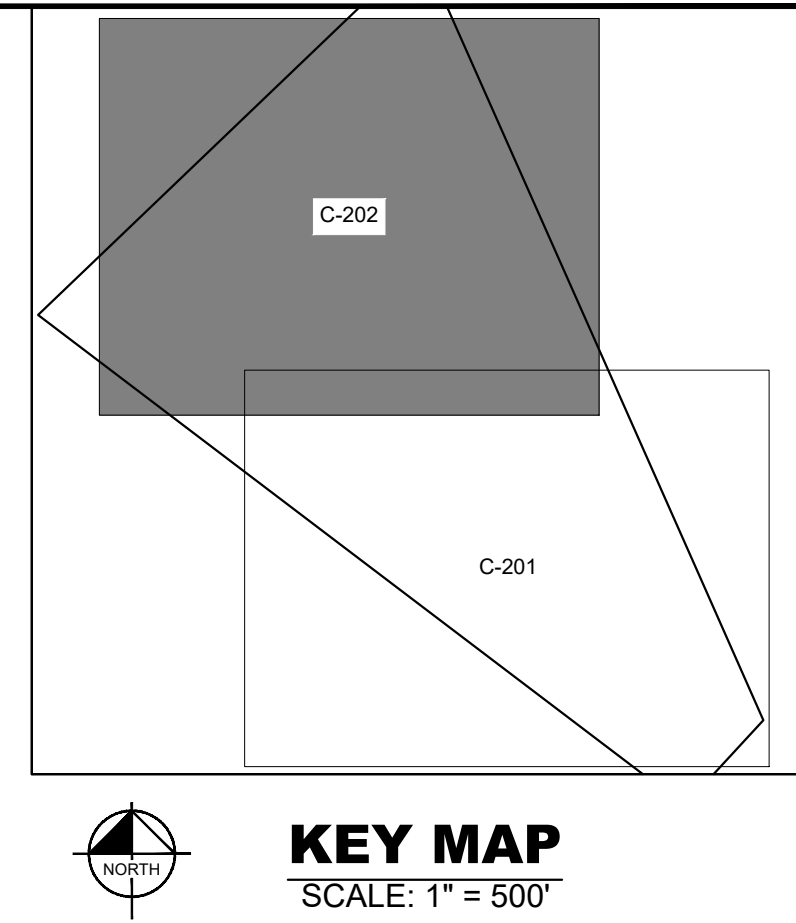
**TPE MD W073 SOLAR**  
 PREPARED FOR  
**TPE MD W073, LLC**  
 WORCESTER COUNTY, MARYLAND

SHEET NUMBER  
**C-100**





Plotted By: Martin, Christopher Sheet: Set: W073 SOLAR Layout: C-202 ENLARGED SITE PLAN May 07, 2026 07:44:04am K:\BECO\_DOS\114734-TPE\114734\303-W073 Solar\CAD\_PlanSheets\C-200 SITE PLAN.dwg  
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**SITE PLAN LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING ROAD
- LIMIT OF DISTURBANCE
- EXISTING STREAM
- 50' STREAM BUFFER
- 25' WETLAND BUFFER
- SOIL BOUNDARY
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING ELECTRICAL STRUCTURES
- EXISTING TREELINE
- EXISTING NON-TIDAL WETLAND
- PROPOSED FENCE
- PROPOSED DOUBLE GATE
- PROPOSED PERSONNEL GATE
- PROPOSED OVERHEAD ELECTRIC POLE
- PROPOSED STORM DRAIN
- PROPOSED SOLAR PANEL
- PROPOSED ELECTRICAL EQUIPMENT
- PROPOSED LANDSCAPE BUFFER
- PROPOSED GRAVEL ACCESS DRIVE

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
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 3904 BOSTON ST., SUITE 202, BALTIMORE, MD 21224  
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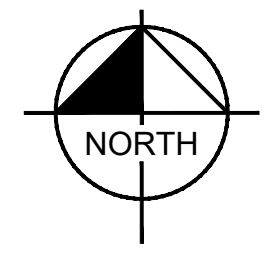
KHA PROJECT	114734303
DATE	05/07/2026
SCALE	AS SHOWN
DESIGNED BY	E.J.L.
DRAWN BY	UK
CHECKED BY	CHM

**ENLARGED SITE PLAN**

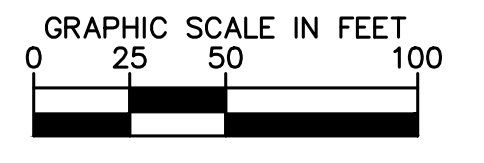
**TPE MD W073 SOLAR**  
 PREPARED FOR  
**TPE MD W073, LLC**  
 WORCESTER COUNTY MARYLAND

SHEET NUMBER  
**C-202**

CALL 48 HOURS BEFORE YOU DIG  
**811**  
 IT'S THE LAW! DIAL 811  
 Know what's below. Call before you dig.

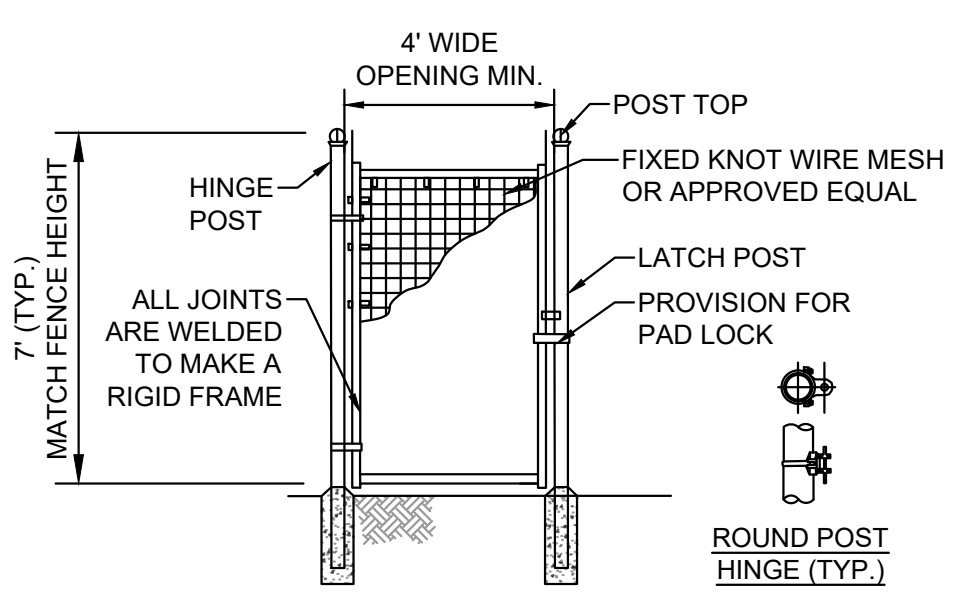


**ENLARGED SITE PLAN**  
 SCALE: 1" = 50'



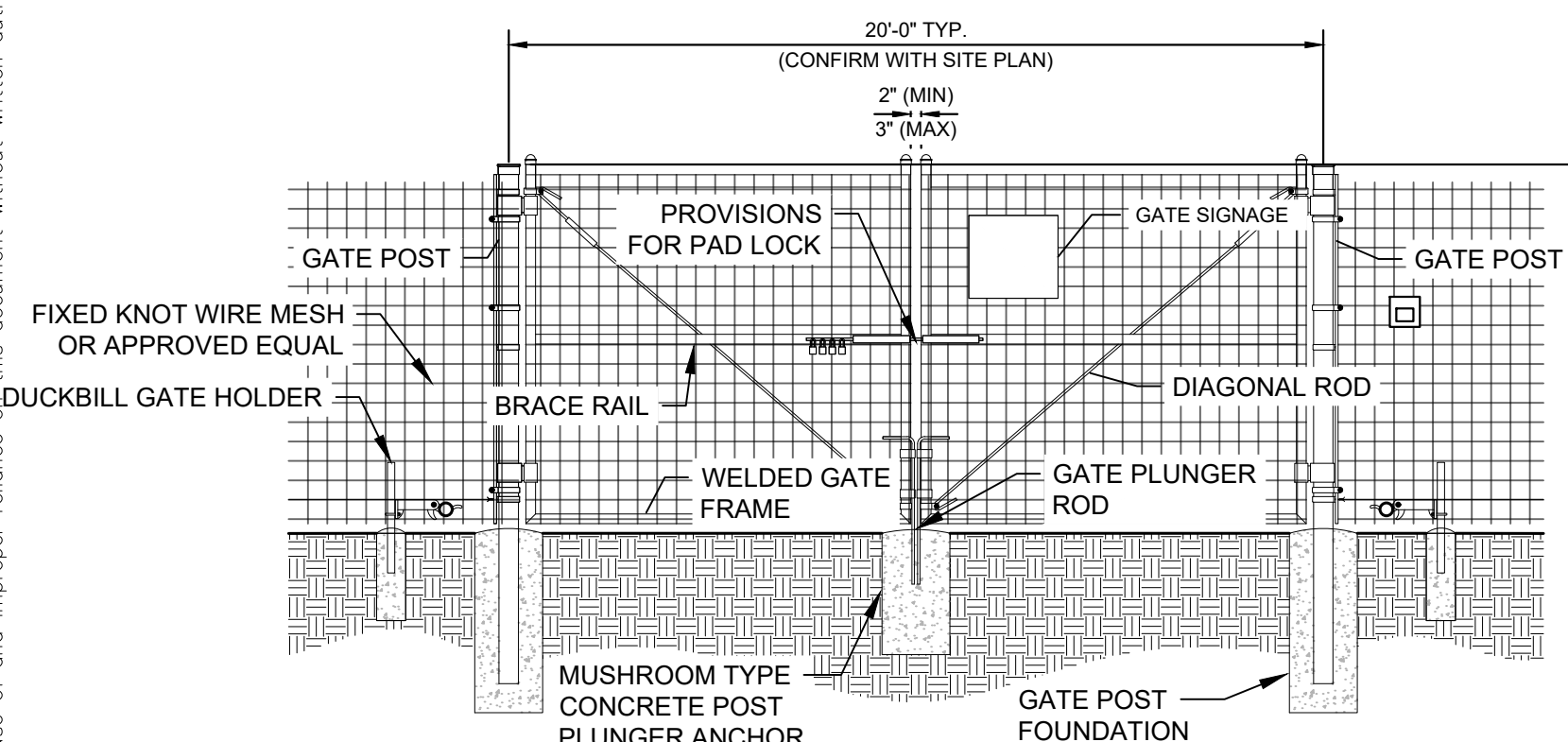
- NOTES:**
- REFER TO SHEET C-200 FOR OVERALL SITE PLAN
  - REFER TO SHEET C-210 FOR SITE DETAILS
  - REFER TO SHEET C-250 FOR LANDSCAPE BUFFER DETAILS
  - REFER TO SHEET C-500 TO C-550 FOR STORMWATER MANAGEMENT PLAN AND DETAILS
  - REFER TO SHEET C-600 TO C-653 FOR EROSION AND SEDIMENT CONTROL PLANS, TEMPORARY STAGING/STOCKPILE AREAS, AND DETAILS
  - CONTRACTOR TO USE EXTREME CAUTION WHEN WORKING IN THE VICINITY OF OVERHEAD ELECTRIC LINES.

Plotted By: Martin, Christopher - Sheet: Set: MD W073 SOLAR - Location: C-210 - SITE DETAILS - May 07, 2026 07:44:18am - K:\BDO-DS\114734-114734-TPE\114734-303-303-W073-Solar\CAD\PlanSheets\C-210 - SITE DETAILS.dwg  
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- NOTES**
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - HINGE POSTS MAY BE TIMBER IF CONTRACTOR DESIRES, TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURERS RECOMMENDATIONS.
  - IF CONTRACTOR UTILIZES METAL HINGE POST THAN POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
  - BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
  - BRACE RAILS AND/ OR TRUSS RODS ARE NOT SHOWN, MAY BE REQUIRED PER MANUFACTURES RECOMMENDATIONS
  - FENCE AND REQUIRED FOOTINGS TO BE DESIGNED BY A STRUCTURAL ENGINEER

**FIXED KNOT FARM FENCE - PERSONNEL GATE**  
NOT TO SCALE



- NOTES**
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - HINGE POSTS MAY BE TIMBER IF CONTRACTOR DESIRES, TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURERS RECOMMENDATIONS
  - IF CONTRACTOR UTILIZES METAL HINGE POST THAN POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
  - BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
  - BRACE RAIL SHOWN FOR REFERENCE ADDITIONAL BRACE RAILS MAY BE REQUIRED (NOT SHOWN) OR TRUSS RODS MAY BE REQUIRED PER MANUFACTURES RECOMMENDATIONS
  - FENCE AND REQUIRED FOOTINGS TO BE DESIGNED BY A STRUCTURAL ENGINEER.

**FIXED KNOT FARM FENCE - DOUBLE GATE**  
NOT TO SCALE

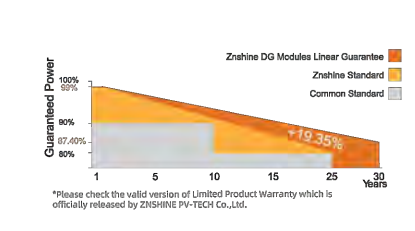


**ZXM8-TPLDD132 Series**

12BB HALF-CELL N-Type TOPCon Bifacial Double Glass Monocrystalline PV Module

**675-700W**    **22.53%**    **0.40%**  
POWER RANGE    MAXIMUM EFFICIENCY    YEARLY DEGRADATION

**12 YEARS PRODUCT WARRANTY**    **30 YEARS OUTPUT GUARANTEE**

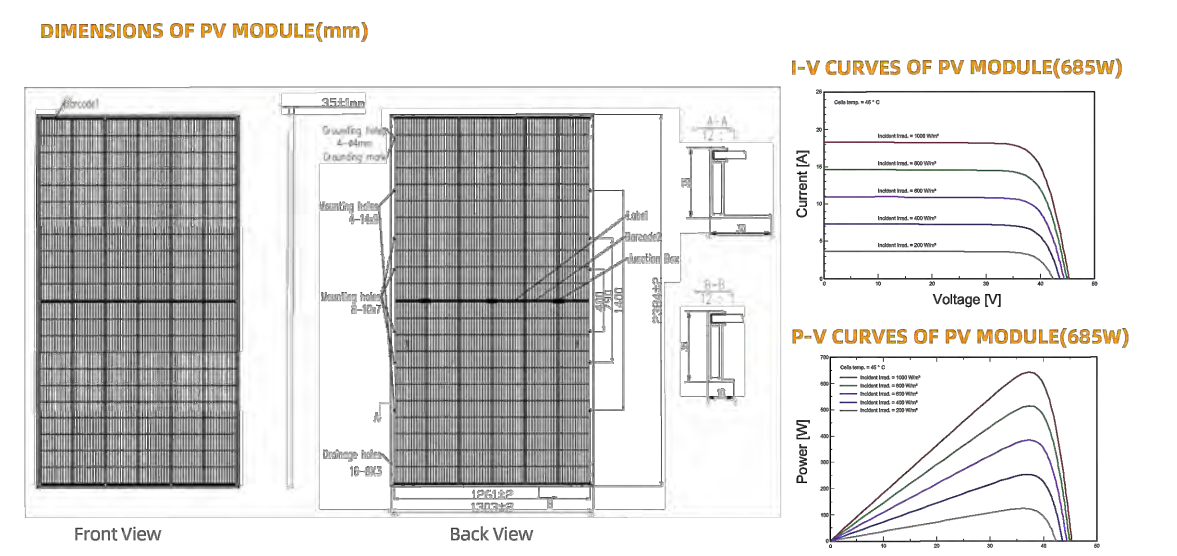


**KEY FEATURES**

- Excellent Cells Efficiency**  
MBB technology reduce the distance between busbars and finger grid line which is benefit to power increase.
- Anti PID**  
Ensured PID resistance through the quality control of cell manufacturing process and raw materials.
- TIER 1**  
Global Tier 1 bankable brand, with independently certified advanced automated manufacturing.
- Bifacial Technology**  
Up to 25% additional power gain from back side depending on albedo.
- Better Weak Illumination Response**  
More power output in weak light condition, such as haze, cloudy, and early morning.
- Adapt To Harsh Outdoor Environment**  
Resistant to harsh environments such as salt, ammonia, sand, high temperature and high humidity environment.
- Excellent Quality Management System**  
Warranted reliability and stringent quality assurances well beyond certified requirements.

Founded in 1986, ZshinSolar is a world's leading high-tech PV module manufacturer. With the advanced production lines, the company boasts module capacity of 10 GW. Bloomberg has listed ZshinSolar as a global Tier 1 PV module maker. Today ZshinSolar has distributed its sales to more than 60 countries around the globe.

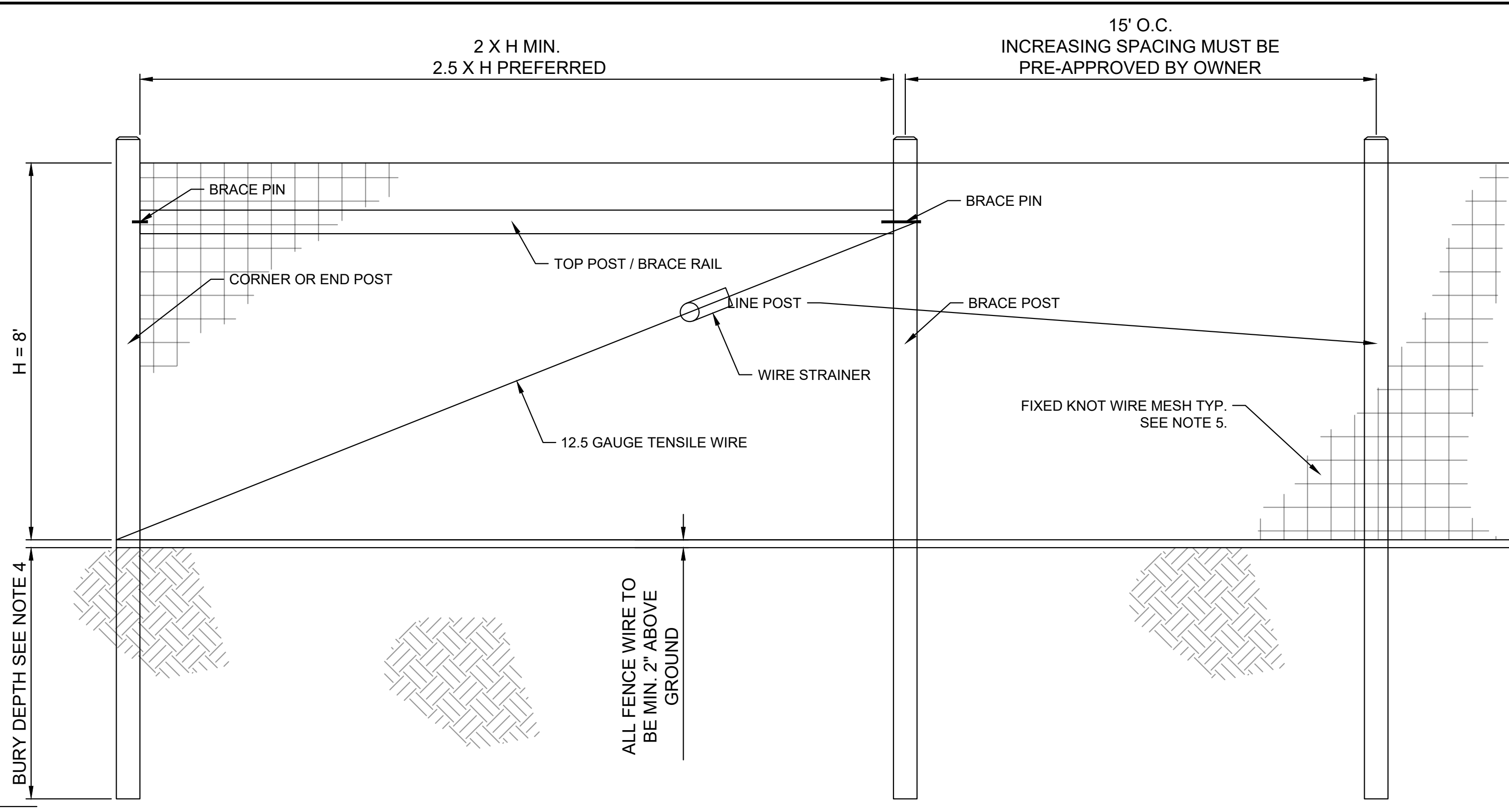
**ZXM8-TPLDD132 Series** 12BB HALF-CELL N-Type TOPCon Bifacial Double Glass Monocrystalline PV Module



ELECTRICAL CHARACTERISTICS   STC*		MECHANICAL DATA	
Nominal Power (Watt/Panel)	675 680 685 690 695 700	Solar cells	n-type Monocrystalline
Maximum Power Voltage (Vmp)	39.20 39.30 39.40 39.50 39.60 40.00	Cell dimension	152 (6x12)
Maximum Power Current (Imp)	17.09 17.13 17.17 17.21 17.25 17.29	Module dimension	2384x1320x35 mm (With Frame)
Open Circuit Voltage (Voc)	47.30 47.50 47.70 47.90 48.10 48.30	Weight	38.3x3.0 kg
Short Circuit Current (Isc)	18.07 18.11 18.15 18.19 18.23 18.27	Glass	2.0 mm±0.03mm, High Transmission, AR Coated High Strengthed Glass
Module Efficiency (%)	21.79 21.89 22.05 22.21 22.37 22.53	Junction box	IP 68, 3 nodes
*The data above is for reference only and shall be based on the conditions as follows: *STC: Standard Test Conditions: irradiance 1000W/m², module temperature 25°C, air 1.5 *Temperature coefficient of Pmax: 0.04%/°C *Temperature coefficient of Voc: 0.01%/°C *Temperature coefficient of Vmp: -0.34%/°C		Connectors**	
ELECTRICAL CHARACTERISTICS   NMOT*		TEMPERATURE RATINGS	
Maximum Power (Watt/Panel)	511.00 514.70 518.40 522.10 525.80 529.50	NMOT	45% ITC
Maximum Power Voltage (Vmp)	37.20 37.40 37.60 37.80 38.00 38.20	Temperature coefficient of Pmax	0.33%/°C
Maximum Power Current (Imp)	13.79 13.79 13.79 13.82 13.84 13.87	Operating temperature	-45%~+85%
Open Circuit Voltage (Voc)	44.70 44.90 45.10 45.30 45.50 45.70	Temperature coefficient of Voc	-0.34%/°C
Short Circuit Current (Isc)	14.50 14.61 14.64 14.67 14.70 14.74	Temperature coefficient of Vmp	-0.34%/°C
ELECTRICAL CHARACTERISTICS WITH 25% BEAR SIDE POWER GAIN*		WORKING CONDITIONS	
Front power (Watt/Panel)	675 680 685 690 695 700	Maximum system voltage	1500 V DC
Side power (Watt/Panel)	644 650 656 664 669 675	Maximum system current	15 A
Vmp (V/Panel)	39.60 39.80 40.00 40.20 40.40 40.60	Maximum series fuse	30 A
Imp (A/Panel)	17.31 17.36 17.41 17.46 17.50 17.55	Max. System Voltage (V)	1500 VDC
Voc (V/Panel)	47.40 47.60 47.80 48.00 48.20 48.40	Max. System Current (A)	15 A
Isc (A/Panel)	22.53 22.58 22.61 22.64 22.67 22.71	Max. System Power (W)	2250 W
*The data above is for reference only and shall be based on the conditions as follows: *NMOT: Nominal Module Operating Temperature *Temperature coefficient of Pmax: 0.04%/°C *Temperature coefficient of Voc: 0.01%/°C *Temperature coefficient of Vmp: -0.34%/°C		PACKAGING CONFIGURATION*	
Front power (Watt/Panel)		Panel Size	31
Side power (Watt/Panel)		Panel Configuration (mm)	527

\*All: 16, ZshinSolar Inc., 30000 Highway 20251, P.A. China Tel: +86 519 8021 6233  
Note: Specifications included in this datasheet are subject to change without notice. ZshinSolar reserves the right of final interpretation © ZSHINESOLAR 2023 | Version: ZXM8-TPLDD132 3/16/24  
No special understanding or warranty for the suitability of special purpose or being installed in extraordinary surroundings is given unless as otherwise specifically mentioned in contract documents.

**1. FIXED KNOT FARM FENCE**  
NOT TO SCALE



- NOTES**
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - ALL SQUARE POSTS TO BE MIN. 5"X5" NOMINAL SIZE OR ROUND POST WITH MIN. 5" OR 6" DIAMETER PRESSURE TREATED WOOD OR APPROVED EQUAL. PREFER POSTS TO HAVE A CHAMFERED TOP.
  - ALL LINE POST TO BE SET TO A MIN. DEPTH OF 4' BELOW GRADE, ALL CORNER, END OR GATE POSTS SHALL BE SET TO A MIN. DEPTH OF 6' BELOW GRADE, UNLESS OTHERWISE NOTED.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
  - BRACING IS REQUIRED AT ALL CORNER, END, AND GATE POSTS. DOUBLE BRACING (TWO BRACE ASSEMBLIES IN A ROW) SHOULD BE USED FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,000 LF. AN ADDITIONAL BRACE ASSEMBLY SHOULD BE INSTALLED MID SPAN FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,320 LF. ADDITIONAL BRACING MAY BE STILL BE REQUIRED OVER UNEVEN TERRAIN, CONTRACTOR SHALL INSTALL ADDITIONAL BRACING AS NEEDED IF DEFLECTION IS NOTICED DURING TENSIONING.

**KNOX**  
When seconds matter™

**PRELIMINARY KNOX BOX DETAIL. KNOX LOCK SHALL BE FURNISHED BY THE BERLIN FIRE COMPANY.**

EXTERIOR USE Model #3781    EXTERIOR USE Model #3782

EXTERIOR USE Model #3783    EXTERIOR USE Model #3784

INTERIOR USE Model #3771    INTERIOR USE Model #3772

**KNOX PADLOCKS™**

**EXTERIOR PADLOCK FEATURES AND BENEFITS**

Knox exterior padlocks utilize the same master key used with the Knox Rapid Access System. The exterior, heavy-duty Knox Padlocks (Models #3781, 3782, 3783) are built with a stainless-steel shackle designed for securing storage areas, temporary construction sites, gated communities, etc. The shrouded all-weather padlock (Model #3784) provides additional security against pry and cut attacks. The lock cylinder is UL 437 listed which demonstrates it has met the rigorous standard. Performance is tested with a battery of endurance and attack tests.

**FEATURES**

- All-weather rust-free stainless-steel Grade 6 shackle
- Weather resistant body with durable weather cover includes: cylinder protection, sealed shackle hole, and drainage system
- Available in 4", 3" and 2" shackle lengths
- Attack resistant
- Key retaining (when open)
- Precision pin cylinder
- High-security shroud version available (for all Knox lock cores)
- Authorized agency identification labels available: Fire (red); EMS (white); Police (blue); Sheriff (gold); Security (white)

**BENEFITS**

- New Shackle lengths support additional applications
- Improved attack resistance provides longer service life
- Key retention prevents dropped/lost keys
- Utilizes the Knox master key solution

**INTERIOR PADLOCK FEATURES AND BENEFITS**

Knox interior padlocks utilize the same master key used with the Knox Rapid Access System. The interior Knox Padlock (Models 3771 and 3774) are designed to secure fire sprinkler control systems, hazardous chemical supplies, restricted utility areas, equipment lockers, and cases. The lock cylinder is UL Listed which demonstrates it has met the rigorous standard. Performance is tested with a battery of endurance and attack tests.

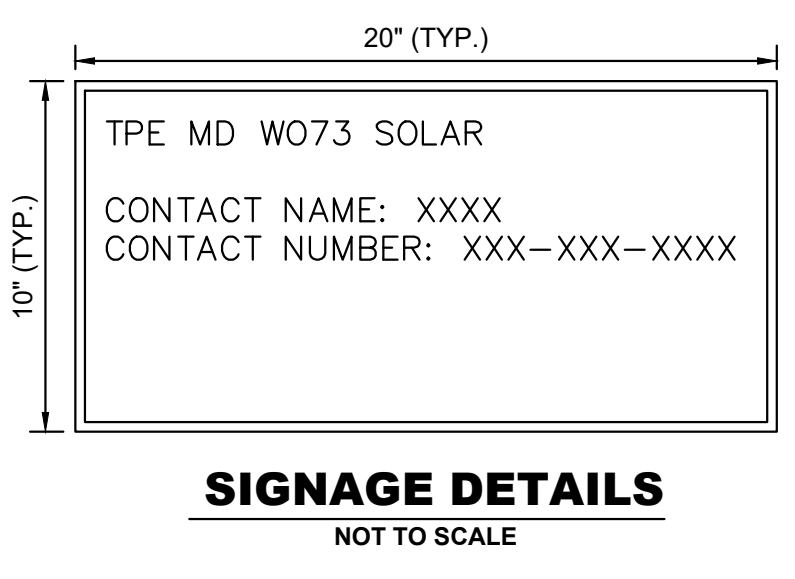
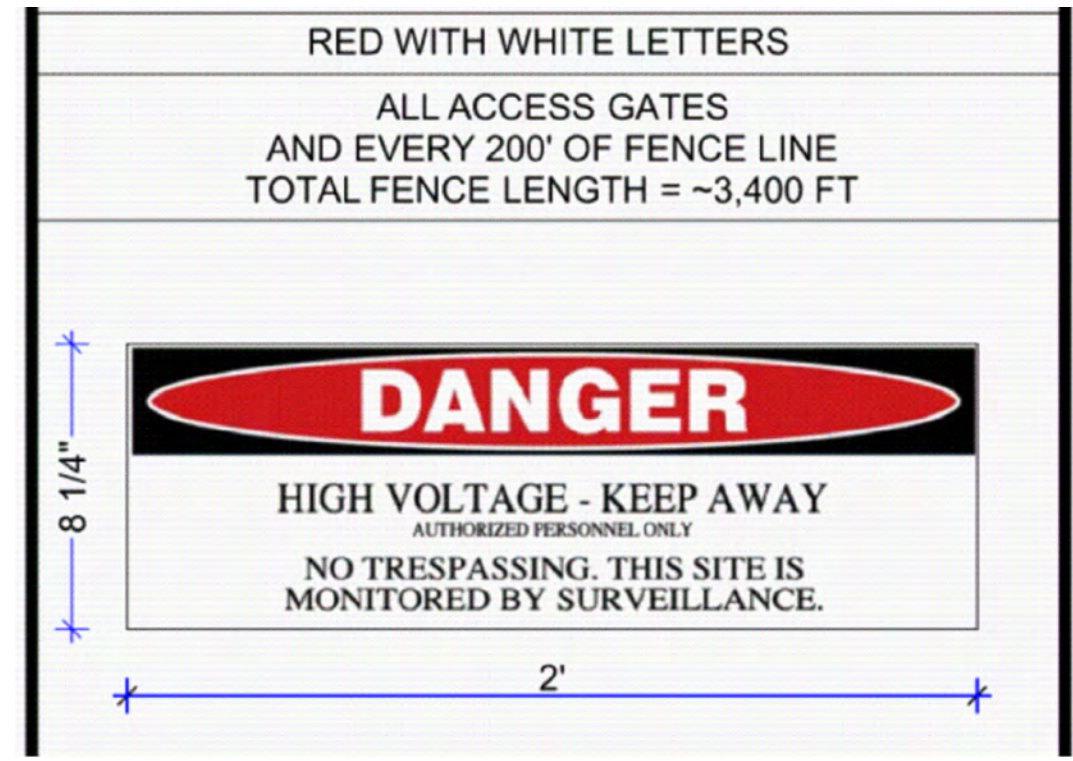
**FEATURES**

- Stainless steel shackle, 5/16" diameter available in 2-3/8" and 1-1/8" shackle options
- Heavy-duty lock design and solid brass body resists pull attacks
- Precision pin cylinder
- Key retaining (when open)
- Authorized agency identification labels available: Fire (red); EMS (white); Police (blue); Sheriff (gold); Security (white)

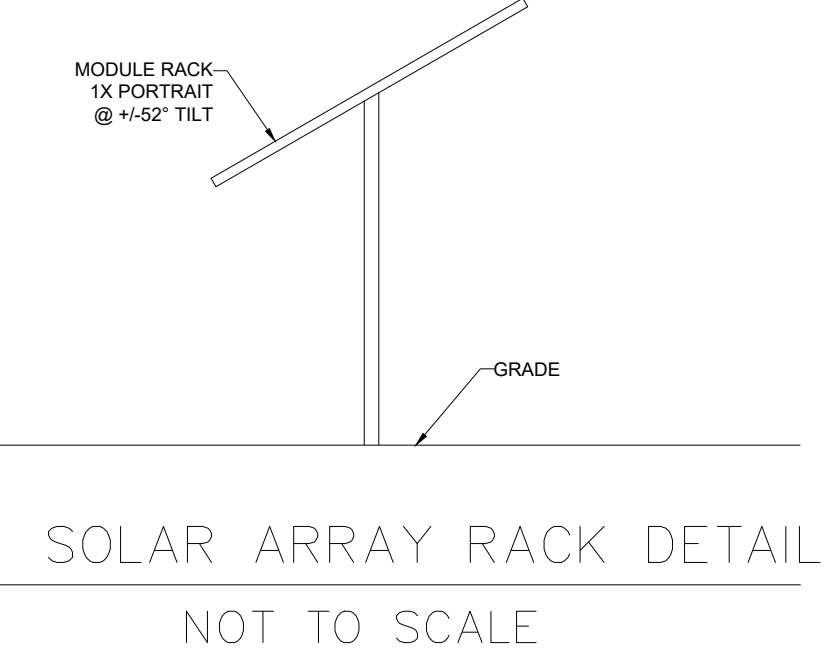
**BENEFITS**

- Two shackle lengths support additional applications
- Key retention prevents dropped/lost keys
- Utilizes Knox master key solution

1601 W. DEER VALLEY ROAD, PHOENIX, AZ 85027 | T 800-552-5669 | F 623-667-2290 | INFO@KNOXBOX.COM | KNOXBOX.COM  
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- NOTES:**
- TYPICAL ENTRANCE GATE SIGNS WILL BE POSTED AT ENTRANCES FROM PUBLIC ROADS.



**SOLAR ARRAY RACK DETAIL**  
NOT TO SCALE

NO.	REVISIONS	DATE	BY

**Kimley»Horn**

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215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21284  
PHONE: 443-743-4470  
WWW.KIMLEY-HORN.COM

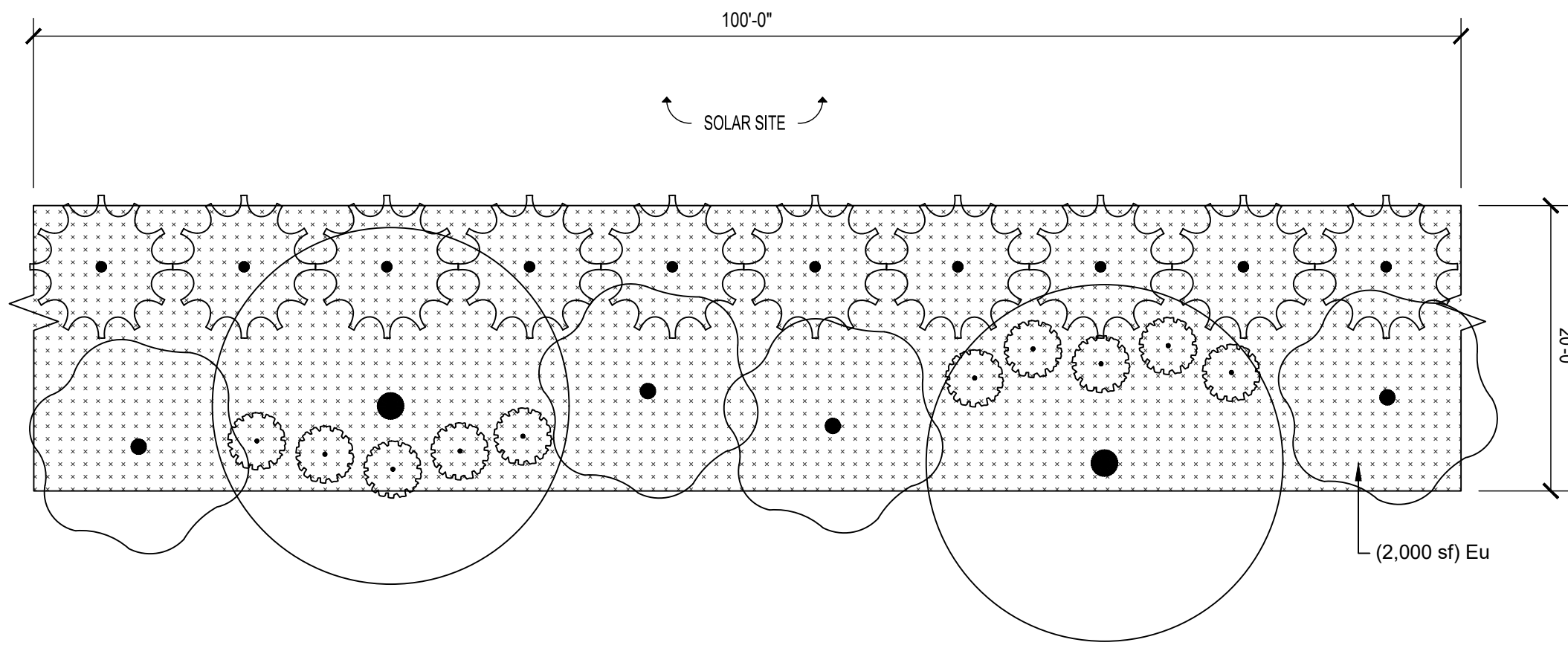
KHA PROJECT	114734-303
DATE	05/07/2026
SCALE	AS SHOWN
DESIGNED BY	EJL
DRAWN BY	JK
CHECKED BY	CHM
EXPIRATION DATE	12/31/2026
LICENSE NO.	4806

**SITE DETAILS**

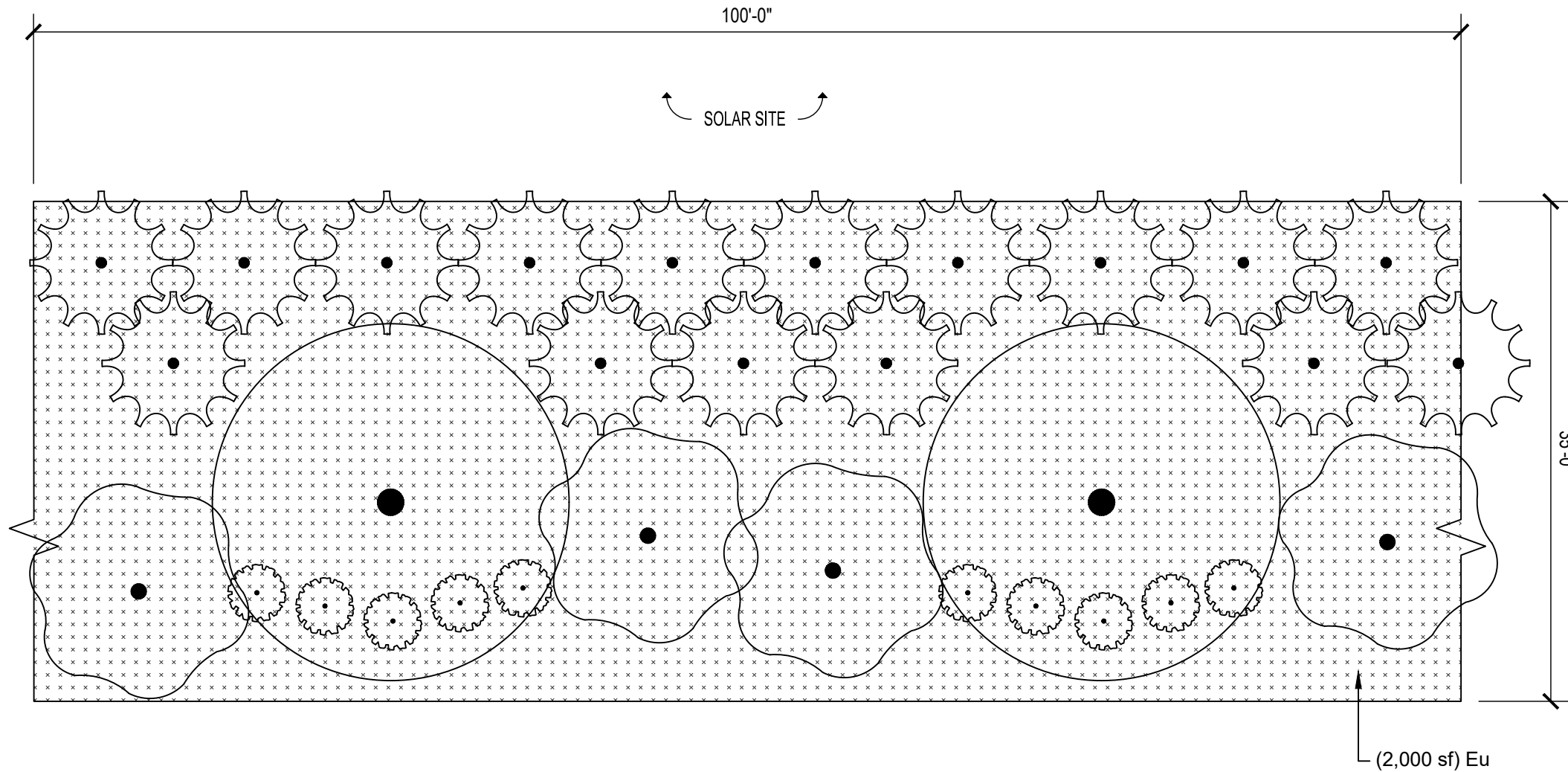
TPE MD W073 SOLAR  
PREPARED FOR  
TPE MD W073, LLC

MARYLAND  
WORCESTER COUNTY

Plotted By: Martin, Christopher - Sheet: Set: W073 SOLAR - Location: C-250 LANDSCAPE DETAILS - May 07, 2026 - 07:44:28am - K:\BICO\_DS\14734-TPE\14734-03-W073 SOLAR\W073 SOLAR\LANDSCAPE DETAILS.dwg  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**1** 20' LANDSCAPE BUFFER - TYP.  
NTS



**1** 35' LANDSCAPE BUFFER - TYP.  
NTS

**PLANT SCHEDULE 35' BUFFER**

	CANOPY TREE	2
	EVERGREEN TREE	16
	ORNAMENTAL TREE	4
	SHRUBS	10

**PLANT SCHEDULE 20' BUFFER**

	CANOPY TREE	2
	EVERGREEN TREE	10
	ORNAMENTAL TREE	4
	SHRUBS	10

**PRELIMINARY BUFFER PLANTING SPECIES**

TYPE	SYMBOL	SPECIES
DECIDUOUS TREE		ACER SACCHARUM / SUGAR MAPLE
		CARYA GLABRA / PIGNUT HICKORY
		NYSSA SYLVATICA / BLACKGUM
		QUERCUS BICOLOR / SWAMP WHITE OAK
UNDERSTORY TREE		AMELANCHIER CANADENSIS / SERVICEBERRY
		CERCIS CANADENSIS / EASTERN REDBUD
		CORNUS FLORIDA / FLOWERING DOGWOOD
		HAMAMELIS VIRGINIANA / COMMON WITCH HAZEL
EVERGREEN TREE		JUNIPERUS VIRGINIANA / EASTERN REDCEDAR
		PINUS ECHINATA / SHORT LEAF PINE
SHRUB		THUJA CANADENSIS / EASTERN HEMLOCK
		CORNUS SERICEA / RED TWIG DOGWOOD
		ILEX GLABRA / INKBERRY HOLLY
		ILEX VERTICILLATA / WINTERBERRY
		MYRICA PENNSYLVANICA / NORTHERN BAYBERRY
		RHODODENDRON MAXIMUM / ROSEBAY RHODODENDRON

- PLANTING NOTES**
- ALL PLANTINGS TO BE A MINIMUM OF 4FT IN HEIGHT AT INSTALLATION PER SENATE BILL 931.
  - ALL PLANT SPECIES SUBJECT TO CHANGE DURING LIFETIME OF PROJECT WITH APPROVAL FROM WORCESTER COUNTY.
  - LANDSCAPE BUFFER MATERIALS MAY NOT BE TRIMMED TO STUNT UPWARD OR OUTWARD GROWTH OR TO OTHERWISE LIMIT THE EFFECTIVENESS OF THE VISUAL SCREEN.
  - THE LANDSCAPE BUFFER SHALL BE INSTALLED AS EARLY IN THE CONSTRUCTION PROCESS AS PRACTICABLE AND BEFORE THE ACTIVATION OF THE PROPOSED SOLAR ENERGY GENERATION STATION.
  - ANY CHANGES AND SUBSTITUTIONS TO THE LANDSCAPING PLAN SHALL BE APPROVED BY WORCESTER COUNTY.

**PLANTING NOTES**

**Plant Identification** - All plants shall be properly marked for identification and checking.

**List of Plant Material** - The contractor will verify plant quantities prior to bidding and any discrepancies shall be brought to the attention of the landscape architect. The Contractor shall furnish, and plant, all plants required to complete the work as shown on the drawings. Substitutions shall not be made without the written approval of Worcester County, Kimley-Horn, and the Project Owner. This contract will be based on the bidder having verified prior to bidding the availability of the required plant materials as specified on the Plant Materials List.

**Plant Quality** - All shrubs shall be dense, heavy to the ground, and well grown, showing evidence of having been pruned regularly, and shall be vigorous, healthy and of good color. All plants shall be sound, free of plant disease, infestation, or insect eggs and shall have a healthy, normal root system. Plants shall be freshly dug and not heeled-in stock, nor stock from cold storage. All plants shall be nursery grown. Plants shall not be pruned prior to delivery. The shape of the plant shall, in general, conform to its natural growth proportions unless otherwise specified. All plants, including container grown, shall conform to the branching, caliper and height specifications of the American Association of Nurserymen's Publication entitled American Standard for Nursery Stock, ANSIZ60.1-2004 or latest edition, and shall have a well-shaped, heavy-branched structure for the species. Evergreen trees are to have an internode no greater than 24" and shall be uniformly well-shaped. Plants of a given size shall not measure less than the minimum size as set forth in the American Standard for Nursery Stock, ANSIZ60.1-2004 or latest edition.

**Plant Tagging** - The contractor shall prepare a list of nurseries supplying the specified plant material for the owner and Kimley-Horn to inspect, at their option, and tag prior to digging.

**Plant Spacing** - Plant spacing is to scale on plan.

**Soil Mix** - Soil mix will be 2/3 existing topsoil, 1/3 leafmold or pine fines thoroughly mixed and homogenized. Other organic material may be substituted upon written approval by Kimley-Horn.

**Rootball Size** - The ball size shall conform to the American Association of Nurserymen's Publication entitled American Standard for Nursery Stock, ANSIZ60.1-2004 or latest edition.

**Excavation** - Holes for all trees shall be 2 times the size of root ball or container and shall have vertical sides. Holes for shrubs shall be 12" wider than the root ball. Beds for mass planting shall be entirely rototilled to a depth of 8" and shall be 18" beyond the average outside edge of plant balls. Organic material (leafmold) will be incorporated into plant beds by tilling again to a depth of 8". Proportions of soil to organic material will be two parts existing soil to one-part organic material. Reforestation plantings shall be planted per the details specified on the drawings.

**Planting** - Backfilling shall be done with soil mix previously described, reasonably free of stones, subsoil, clay, lumps, stumps, roots, weeds, Bermuda grass, litter, toxic substances, or any other material which may be harmful to plant growth or hinder grading, planting, or maintenance operations. Should any unforeseen or unsuitable planting conditions arise, such as faulty soil drainage, chemical residues or inconsistencies between plans and actual site conditions, they should be called to the attention of Kimley-Horn and the owner for adjustment before planting. Plants shall be set plumb and straight and trees shall be guyed or staked, as needed, at the time of planting. Backfill shall be well worked about the roots and seated by watering. Plants will be planted higher than surrounding grade. Shrubs and trees will be set at a depth to place 1/8th of the rootball above finish grade. Remove rope from round tree trunks and lay back burlap and wire baskets from top 1/3 of all B&B material. Nylon, plastic, or vinyl rope and/or burlap will be completely removed from all plant material prior to planting. Reforestation plantings shall be planted per the details specified on the drawings.

**Cultivation** - All trenches and shrub beds shall be cultivated, edged and mulched to a depth of 2" minimum and 3" maximum with well-aged, fine-shredded hardwood bark. The area around isolated plants shall be mulched to at least a 6" greater diameter than that of the hole. Reforestation plantings shall be planted per the details specified on the drawings.

**Fertilizer & Inoculation** - All fertilizer shall be granular, with 35 to 80 percent of the total nitrogen in a slowly available form. For trees, shrubs, and groundcover, fertilizer shall be a complete fertilizer with a minimum analysis of 10 percent nitrogen, 6 percent phosphorus and 4 percent potassium. For perennials, annuals, and bulbs; fertilizer shall be a time-released, high-phosphate fertilizer; i.e., osmocote. For bulbs, fertilizer shall be bone meal (commercial, raw and finely-round), with an analysis of 4 percent nitrogen and 20 percent phosphoric acid.

Fertilizer shall be added depending on the size of the plant and the manufacturer's recommendation using the following application rates:

- Trees: Use 2 lb. of 10-6-4 fertilizer per inch of trunk diameter.
- Shrubs: Use 1/4 lb. of 10-6-4 fertilizer per foot of height or spread per plant, or 3-5lbs of 10-6-4 fertilizer per 100 square feet of bed area.
- Groundcover: Use 3 lbs. of 10-6-4 fertilizer per 100 square feet of bed area.
- Perennials, Annuals, Bulbs: Use 3 lbs. of time-release, high-phosphate fertilizer (5-10-5) per 100 square feet of bed area.
- Planting pits shall be backfilled with a mixture containing 80% existing topsoil, 20% organic material such as leaf mold, peat moss or composed sewage sludge. Incorporate endo and ectomycorrhizal fungi transplant amendment per manufacturer's recommendations (manufacturer - Horticultural Alliance, Inc. phone 1-800-628-6373), or approved equal.

After a plant has been determined to be dead, dying or damaged from handling or installation, it will be replaced during the next growing season. For example, if a plant is found dead during the summer months, it will be replaced during the fall planting season. The guarantee will end for all plant material two years after acceptance. During the guarantee period, the Contractor will not be responsible for mechanical injury or vandalism caused by other parties.

**Material Inspection** - Owner and/or Kimley-Horn shall, at their discretion, inspect plant material before and during delivery and installation. Plant material will be properly delivered in covered trucks, and promptly uncovered when delivered to prevent damage. Material will be unloaded and properly handled in such a way as not to damage plants. Plants will be inspected and may be rejected upon delivery and/or installation by the owner for mechanical damage, and damage that will subsequently cause misshapen or deformed material. Owner will have authority to observe site preparation and planting installations, and have the right to reject any work if the specifications and construction documents are not followed. All plant material shall be of the quality specified and installed as described above, and unless these minimum standards are satisfied, the plants will be rejected.

W073 SOLAR WORCESTER COUNTY, MD						
BOTANICAL NAME	COMMON NAME	QUANTITY	HEIGHT/CALIPER/SIZE @ PLANTING	HEIGHT/CALIPER/SIZE @ MATURITY	NATIVE?	CODE
<b>SHADE TREES</b>						
ACER SACCHARUM	SUGAR MAPLE	27	2.5" CALIPER MIN.	60-80' HT.	NO	
CARYA GLABRA	PIGNOT HICKORY	28	2.5" CALIPER MIN.	60-60' HT.	YES	
NYSSA SYLVATICA	TUPELO	28	2.5" CALIPER MIN.	40-60' HT.	YES	
QUERCUS BICOLOR	SWAMP WHITE OAK	28	2.5" CALIPER MIN.	50-70' HT.	YES	
TOTAL		111	TOTAL NATIVE %		76%	
<b>EVERGREEN TREES</b>						
JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	232	6' HT. MIN.	30-50' HT.	YES	\$ZS1-322(d)(5)
PINUS ECHINATA	SHORT LEAF PINE	231	6' HT. MIN.	50-60' HT.	YES	
TSUGA CANADENSIS	EASTERN HEMLOCK	231	6' HT. MIN.	40-60' HT.	NO	
TOTAL		694	TOTAL NATIVE %		67%	
<b>UNDERSTORY TREES</b>						
AMELANCHIER ARBOREA	DOWNY SERVICEBERRY	56	2" CALIPER/8' HT. MIN.	20-30' HT.	YES	\$ZS1-322(b)(7)
CERCIS CANADENSIS	EASTERN REDBUD	55	2" CALIPER/8' HT. MIN.	20-30' HT.	YES	
CORNUS FLORIDA	FLOWERING DOGWOOD	55	2" CALIPER/8' HT. MIN.	20-30' HT.	YES	
HAMAMELIS VIRGINIANA	COMMON WITCH HAZEL	55	2" CALIPER/8' HT. MIN.	20-30' HT.	YES	
TOTAL		221	TOTAL NATIVE %		100%	
<b>SHRUBS</b>						
CORNUS SERICEA	RED TWIG DOGWOOD	110	24" HT.	6-8' HT.	YES	
ILEX GLABRA	INKBERRY HOLLY	110	24" HT.	5-8' HT.	YES	
ILEX VERTICILLATA	WINTERBERRY	110	24" HT.	6-8' HT.	YES	
MYRICA PENNSYLVANICA	NORTHERN BAYBERRY	110	24" HT.	8-10' HT.	YES	
RHODODENDRON MAXIMUM	ROSEBAY RHODODENDRON	110	18-24" HT.	10-15' HT.	NO	
TOTAL		550	TOTAL NATIVE %		80%	
OVERALL PLANTS		1576	OVERALL PLANTS NATIVE %		77%	

**LANDSCAPE MAINTENANCE AND WATERING NOTES:**

- CONTRACTOR SHALL PROVIDE NECESSARY WATERING IMMEDIATELY AFTER PLANTING, AND SHALL CONTINUE UNTIL THE PLANT MATERIAL IS FULLY ESTABLISHED. LANDSCAPING SHALL BE WATERED VIA A WATERING TRUCK UNTIL ESTABLISHED. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
  - WATERING SCHEDULE:
    - 1-2 WEEKS AFTER PLANTING: WATER DAILY AFTER CHECKING SOIL MOISTURE DAILY
    - 3-12 WEEKS AFTER PLANTING: WATER EVERY 2 TO 3 DAYS.
    - AFTER 12 WEEKS: WATER WEEKLY UNTIL ROOTS ARE ESTABLISHED
  - WATER APPLICATION
    - NEWLY PLANTED TREES: APPLY 1-1.5 GALLONS PER TREE TRUNK CALIPER INCH AT EACH WATERING.
    - NEWLY PLANTED SHRUBS: APPLY A VOLUME OF WATER THAT IS 1/4 TO 1/2 THE VOLUME OF THE CONTAINER THE SHRUB WAS PURCHASED IN.
    - WATER DEEPLY IF THE TOP 6 INCHES OF SOIL FEELS DRY TO TOUCH.
  - FOLLOW LATEST LANDSCAPE PLANT WATERING GUIDELINES PER UNIVERSITY OF MARYLAND EXTENSION. ([HTTPS://EXTENSION.UMD.EDU/RESOURCE/WATERING-TREES-AND-SHRUBS/](https://extension.umd.edu/resource/watering-trees-and-shrubs/))

CALL 48 HOURS BEFORE YOU DIG

**811**

IT'S THE LAW! DIAL 811

Know what's below. Call before you dig.

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

REVISIONS: \_\_\_\_\_

No. \_\_\_\_\_

**Kimley-Horn**

© 2026 KIMLEY-HORN AND ASSOCIATES, INC.  
3904 BOSTON ST., SUITE 202, BALTIMORE, MD 21224  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM

**PROFESSIONAL ENGINEER**

STATE OF MARYLAND  
EXPIRATION DATE: 05/07/2026

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO. 59846  
EXPIRATION DATE: 07/15/2026

KHA PROJECT 114734303  
DATE 05/07/2026  
SCALE  
DESIGNED BY HHH  
DRAWN BY CJB  
CHECKED BY HHH

**LANDSCAPE DETAILS**

TPE MD W073 SOLAR  
PREPARED FOR  
TPE MD W073, LLC

MARYLAND  
WORCESTER COUNTY

SHEET NUMBER  
**C-250**

**AMENDED**

**STAFF REPORT**

**REZONING CASE NO. 452**

On February 17, 2026, the Worcester County Commissioners held a public hearing on Rezoning Case No. 452, requesting a C-2 General Commercial District designation. During the testimony, the applicant amended the request to C-1 Neighborhood Commercial District. The Commissioners tabled the public hearing and remanded the case back to the Planning Commission for their findings and recommendation on the amended request.

**TAX MAP/PARCEL INFO:** Tax Map 26, Parcel 340, Tax District 10

**SIZE:** The petitioned area consists of 1.66 acres.

**LOCATION:** Between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD, across from Airport Road.

**CURRENT USE OF PETITIONED AREA:** An unimproved, wooded parcel.

**CURRENT ZONING CLASSIFICATION:** A-2 Agricultural District.

As defined in the Zoning Code, this district is intended to foster the County's agricultural heritage and uses while also accommodating compatible uses of a more commercial nature that require large tracts of land. The A-2 District may also be used for limited residential development through consolidated development rights and as a place marker for future annexations only where adjacent to existing municipalities. Furthermore, it is the intent that in this district there shall be no basis, under this Title, for recourse against the effects of any normal farming or forestry operation as permitted in this district, including but not limited to noise, odor, vibration, fumes, dust or glare.

**AMENDED ZONING CLASSIFICATION:** C-1 Neighborhood Commercial District.

As defined in the Zoning Code, this district is intended to provide for convenient commercial areas strategically based to serve the day-to-day shopping and service needs of the local neighborhood. Designed to serve populations of one thousand or more within an approximate five- to ten-minute travel time, this district shall be limited to small-scale commercial operations of far less intensity than those provided for in the C-2 General Commercial District and C-3 Highway Commercial District. The scale and design of these neighborhood commercial uses should complement the scale and design of the existing neighborhood in which they are located and blend visually into the surrounding community.

**Action Requested:** The Planning Commission must make findings of fact and a recommendation on the requested C-1 Neighborhood Commercial District zoning classification. Attached you will find the Planning Commission's report that was provided to the County Commissioners with the C-2 District request. Please review, modify, or expand upon any of the findings as it pertains to the C-1 District. Salient points from the Planning Commission discussion and County Commissioner public hearing are identified below.

1. **Regarding the definition of the neighborhood:** Does the Planning Commission still concur with the applicant's definition of the neighborhood, or would they suggest a different boundary?
  - a. Applicants' revised neighborhood exhibit is attached to the amended exhibits.
2. **Relating to population change:** Does the Planning Commission still find that there has been population growth in the defined neighborhood?
  - a. Within the applicant's defined neighborhood, Sea Oaks Village RPC (135 units) and Salt Life Park manufactured home park (34 units) have been developed, there are pending approvals for Crepe Myrtle Court RPC (25 units) and another expansion of Salt Life Park proposed.
  - b. Adjacent to the applicant's defined neighborhood, the Elms RPC (20 units) is under construction and the applicant testified to infill development within the existing residential subdivisions of Mystic Harbour, Deer Point, Whispering Woods and Ocean Reef.
3. **Relating to availability of public facilities:** Does the Planning Commission still find that the eventual provision for public water and sewer is sufficient to support a commercial designation for the petitioned area?
  - a. The applicants, Planning Commission and County Commissioners acknowledged that the petitioned area is unable to support on-site septic based on preliminary soil reports.
  - b. Despite the expansion of sewer service areas in the defined neighborhood, the petitioned area is not ready to be served. It has a planning designation of W-3/S-3 (6 to 10 years) in the Mystic Harbour Water and Sewer Service Area. An amendment to the Master Water and Sewer Plan would be needed to attain a W-1/S-1 classification, however the land use designation is Agricultural which may need to be addressed.
  - c. The applicant testified that the sole reason for the denial of their request for EDUs was that there were no EDUs available in the Mystic Harbour service area.
4. **Relating to present and future transportation patterns:** Does the Planning Commission still find that transportation patterns will not be negatively impacted by the requested C-1 District zoning and uses?
  - a. By its nature, a commercially zoned parcel is likely to have more traffic impacts than an agriculturally zoned parcel. The Planning Commission acknowledged that MD Route 611 (Stephen Decatur Highway) is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. In addition, the property has frontage on Sinepuxent Road, a County-owned and -maintained

roadway, considered a minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel.

- b. The Planning Commission previously concurred with the applicant's written testimony that acknowledges there are some traffic issues in the area but states that congestion will be prevented by access onto Sinepuxent Road. No traffic study was provided with the rezoning application.

5. **Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement:** Does the Planning Commission still find that the petitioned area serves as a transitional area between the true agricultural and green infrastructure uses to the west, and the more urban commercial and residential areas along the MD Route 611 corridor?

- a. Both the A-2 District and C-1 District could be viewed as transitional zoning categories. The A-2 District was created in 2009 to include the 1992 Zoning Code A-1 agricultural uses of a more commercial nature (veterinary clinics and commercial kennels; marine yards; RV and boat storage yards; contractor's shops). The C-1 District permits uses like the C-2 District, but with limitations on the number of establishments or overall gross floor area.
- b. The applicant testified that due to the size of the parcel, there are limited C-2 District uses that could be placed on the property and it is likely that any use will require Board of Zoning Appeals approval to fit on the petitioned area.
- c. The applicant testified to the Planning Commission and County Commissioners that while uses such as roadside stands and single-family dwellings are permitted on the petitioned area, a commercial zoning designation would be more compatible. The 1988 findings of fact on the commercial rezoning that was denied outlined how rural and agricultural the area was at the time, noting a significant change in the character of the neighborhood since then. They also referenced the C-1 District rezoning for the parcel immediately to the north in 2017 (findings attached).
- d. During the County Commissioner's public hearing, the applicant referred to the rezoning of the Ocean City Airport (now a floating zone with an A-2 District underlying zoning) as a change in the character of the neighborhood.
- e. During the County Commissioner's public hearing, it was noted that the petitioned area is not contiguous to any C-2 zoned land, with nearly 2,000 feet of predominantly C-1 zoning in between, and A-2 zoning to the south. There were concerns about spot zoning.
- f. Additionally, the applicant referred to the increase in unplanned residential growth in the defined and adjacent neighborhood, and that commercial businesses were needed to support that residential growth. The applicant noted that existing commercial developments such as Teal Marsh and the commercial component of Sea Oaks are fully leased.

- g. During the public hearing, it was stated that there have been intensifications of commercial properties within the defined neighborhood since the last comprehensive rezoning, as well as some loss of commercial zoning immediately adjacent to the neighborhood. There was discussion about whether the character of the neighborhood was becoming less commercial and more residential.
  - i. The parcel immediately adjacent to the petitioned area was rezoned from A-2 to C-1 (Rezoning Case No. 405, 2017, on the basis of mistake). A copy of the findings of fact is attached.
  - ii. Other properties in the defined neighborhood have been upzoned from C-1 to C-2, allowing more intense uses on the petitioned area (Rezoning Case No. 417 on Tax Map 26 Parcel 274 Lots 1A and 1B, 13.18 acres, 2018).
  - iii. The applicant noted that the C-1 portion of the Sea Oaks RPC was developed with commercial uses, at a more intense C-2 classification as allowed by the Residential Planned Community regulations (3.65 acres).
  - iv. The rezoning of the Elms property (Rezoning Case No. 441 on Tax Map 26 Parcel 445, 3.29 acres from C-2 to R-4, 2023) is adjacent to the defined neighborhood.
  - v. Adjacent to the neighborhood and petitioned area, the Mayor and City Council of Ocean City purchased two C-1 zoned parcels on the northeast intersection of MD Route 611 and Airport Road for the airport in 2022 (Tax Map 26 Parcel 450 Lots A and B, 9.27 acres). While the zoning designation has not changed, the property will not be commercially developed because of this purchase.

6. **Relating to compatibility with the Comprehensive Plan:** Does the Planning Commission still find that the 2006 Comprehensive Plan took a broad-brush approach to the mapping of the Agricultural Land Use designation in this area?
- a. As outlined in the Comprehensive Plan, this land use category is reserved for farming, forestry and related industries, and is generally inconsistent with the commercial zoning designation. However, the Planning Commission considered the broad-brush approach of the 2006 Comprehensive Plan, reiterating the transitional nature of the petitioned area, the small size of the parcel (1.66 acres) and the need for large contiguous acres to maintain truly traditional agricultural uses.

IN THE MATTER OF \*  
THE REZONING APPLICATION OF \* REZONING CASE NO. 405  
JOSEPH J. BALSAMO \*

\*\*\*\*\*  
**FINDINGS OF FACT**

Subsequent to a public hearing held on May 2, 2017 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 405: This case seeks to rezone approximately 2.62 acres of land (hereinafter referred to as the petitioned area) located on the westerly side of MD Route 611 and easterly side of Sinepuxent Road immediately to the south of the junction of those two roadways from A-2 Agricultural District to C-1 Neighborhood Business District. The petitioned area is shown as Parcel 211 on Tax Map 26. It is currently undeveloped.

Applicant's testimony before the County Commissioners: Joseph E. Moore, attorney representing the applicant, began his presentation by stating that he was basing the request on a claim of mistake in the existing zoning of the petitioned area. He stated that he wished to adopt the Planning Commission's findings of fact and recommendation on the case into his presentation. He stated that the circumstances surrounding this property are unique because it is at the confluence of MD Route 611 and Sinepuxent Road, directly across from the Mystic Harbor, Deer Point and Ocean Reef residential subdivisions. Mr. Moore asserted that the petitioned area is a unique site with regard to the A-2 Agricultural District, one that does not fit in with the purpose and intent statement of that zoning district. It is a small tract of land, only 2.6 acres, and is narrow. It is unable to be farmed nor can it provide commercial support of agricultural-related activities as is allowed in the A-2 District because those uses require a larger tract of land. Additionally, this parcel is directly in the path of the north/south approach to the Ocean City Airport and within a navigation easement. The Town of Ocean City's easement limits the height of any use of the petitioned area to prevent issues with airplane navigation. Some uses permitted in the A-2 Agricultural District would exceed that height and would therefore be prohibited on the site. This factor further limits the uses to which this small, narrow agriculturally-zoned parcel can be put. Mr. Moore noted that, overall, there are 18 principal permitted uses and 44 special exception uses allowed in the A-2 Agricultural District. He contended that after assessing those uses in conjunction with the petitioned area's inherent limitations, a total of 11 principal uses and 28 special exception uses are not feasible on the petitioned area. Mr. Moore pointed out that while this does not constitute a zoning taking, it does indicate that the A-2 Agricultural District is not the appropriate zoning district for this

property, given that viable uses of the property are severely limited by the petitioned area's small size and narrowness, location between two roadways, and proximity to the Ocean City Airport. Mr. Moore noted that the petitioned area was rezoned from A-1 Agricultural District to B-1 Neighborhood Business District in 1991 on the basis of mistake but was rezoned to A-2 Agricultural District, along with numerous other properties in the area, because the staff had determined that there was a plethora of commercial zoning in the vicinity. Mr. Moore stated that public sewer service is now available to the site.

Mr. Moore called George Cardwell, a certified planner, as his first witness. Mr. Cardwell asserted that the existing A-2 Agricultural District zoning of the property is inappropriate due to the petitioned area's size, location and proximity to the Ocean City Airport. He maintained that in his opinion it is therefore a mistake for the petitioned area to be zoned A-2 Agricultural District. Mr. Cardwell testified that a site plan showing two structures each totaling 2,500 square feet in gross floor area for retail or restaurant use can theoretically be placed on the petitioned area and provide all required parking, stormwater management, Forest Conservation, access controls, landscaping, etc. Mr. Cardwell maintained that these uses would satisfy at least some of the trips that residents and visitors in the area would otherwise be required to make further north on MD Route 611 to US Route 50 to accomplish. Mr. Cardwell contended that commercial use of the petitioned area would better serve the existing and anticipated development of the area by providing necessary commercial services rather than what is feasible through the existing A-2 Agricultural District zoning, offering an option to the more congested area north of the junction of MD Routes 611 and 707. He testified that it would be appropriate for the County Commissioners to adopt the Planning Commission's findings of fact and that those findings are correct and accurate relative to the petitioned area and the requested rezoning at hand.

Mr. Moore called Betty Tustin, a traffic engineer, as his next witness. Mrs. Tustin stated that she had performed a traffic study and analysis to assess the present and future traffic patterns of the area and the impact of the proposed rezoning. She stated that she had also done an accident/crash analysis based on information from the Maryland State Highway Administration for the past three years. She stated that it was her conclusions that the proposed rezoning and subsequent neighborhood commercial use of the petitioned area is not a significant traffic generator at all and that the intersection is not in and of itself dangerous. She contended that most of the traffic generated would already have been on MD Route 611 but is instead redirected to the petitioned area rather than the MD Route 611 corridor to the north. Mrs. Tustin maintained that the crash data showed that this is not a high accident area. She also stated that most of the truck traffic serving the petitioned area would be on MD Route 611 rather than Sinepuxent Road because there are no other commercial uses along that latter roadway to which trucks would be driving. Mrs. Tustin asserted that MD Route 611 is capable of handling any commercial traffic that may be generated by the site if rezoned to C-1 Neighborhood Commercial District and that the proposed rezoning would not adversely impact present or future transportation patterns.

Mr. Moore noted that the petitioned area was previously rezoned from A-1 Agricultural District to B-1 Neighborhood Business District in 1997 based upon a claim of mistake in existing

zoning because agricultural use of the site was not feasible. He maintained that despite the adoption of the 2006 Comprehensive Plan and the 2009 Zoning and Subdivision Control Article, all of the same conditions that justified that finding of mistake in existing zoning are still present today, including the small size, narrow shape, location between two roadways, and the proximity to the airport. Mr. Moore asserted that what has changed is that residential use of the neighborhood has expanded, public wastewater service is now available, and there is increased demand for neighborhood services. Mr. Moore maintained that the potential uses of the site under the A-2 District are so precluded by the site's small size, narrow configuration, location, and the limitations imposed by its proximity to the Ocean City Airport that A-2 Agricultural District zoning is inappropriate.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners find that because Mr. Moore was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.

The County Commissioners' findings regarding population change in the area: The Planning Commission concluded that there has been no change to the population of the neighborhood since the comprehensive rezoning of 2009. The County Commissioners find that this is an accurate assessment.

The County Commissioners' findings regarding availability of public facilities: As indicated in the Planning Commission's findings of fact, the County Commissioners find that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo that his department has records of a successful soil evaluation for septic that was done on the property with a limit of 450 gallons per day for an interim sewage disposal system. Stating that the application noted adjacency to a water main, Mr. Mitchell further stated that there is a sewer main adjacent to the property, although the main location is on the east side of MD Route 611. Mr. Mitchell stated that the subject property has a designation of Sewer Service Category S-3 (six to ten year time frame) in the Mystic Sewer and Water Planning Areas and that prior to being able to apply for public sanitary capacity, the owner would need to amend the Master Water and Sewerage Plan to amend the designation for the subject property to a W-1/S-1 Designation in the water and sewer planning areas for the Mystic Harbour Sanitary Area. The County Commissioners find that no comments were received from John H. Tustin, P. E., Director of Public Works, or John Ross, P. E., Deputy Director of Public Works. Based upon the Planning Commission's findings of fact, the County Commissioners find that fire and ambulance service will be available from the Ocean City Volunteer Fire Department, located approximately five minutes away. No response to the request for comments was received from that fire department. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks. Reggie T. Mason, Sheriff, responded that he had determined that the request for rezoning should be granted in the interest of economic development to serve the citizens of Mystic Harbour, Deer Point and Ocean Reef and to relieve congestion in the area of MD Route 611 and US Route 50. Sheriff Mason furthermore stated that based on current population and

calls for service in the area, he did not see an immediate need for additional resources from his office. The County Commissioners find that petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. Comments were received from the Worcester County Board of Education. Because the requested zoning classification does not permit residential uses other than those of a caretaker nature, the County Commissioners concur with the Planning Commission's conclusion that the proposed rezoning will not have an adverse impact on public schools. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning from A-2 Agricultural District to C-1 Neighborhood Commercial District.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the Planning Commission's findings of fact and recommendation, the County Commissioners find that the petitioned area fronts on both MD Route 611 and Sinepuxent Road. MD Route 611 is State-owned and -maintained and is classified by the Comprehensive Plan as a two lane secondary highway/major collector highway. Sinepuxent Road is County-owned and -maintained and is considered a minor local road by the Comprehensive Plan. With regard to MD Route 611 the Comprehensive Plan recommends that scenic and transportation corridor planning be conducted to continue this road's rural and coastal character, particularly from MD Route 376 to Assateague Island, that capacity improvements from MD Route 376 to US Route 50 need to be studied and implemented, that interparcel connectors, service roads and other access controls need to be provided, that growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system, and that widening and intersection improvements of the corridor's northern end needs to be planned. The Comprehensive Plan does not make any recommendations with regard to Sinepuxent Road specifically. As indicated in the Planning Commission's findings, the County Commissioners find that Donnie L. Drewer, District Engineer, for State Highway Administration District 1, stated in his response memo that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration and that MD Route 611 from Airport Road to US Route 50 is identified in the SHA's long range planning documents for a future multi-lane reconstruction. He stated that if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network and that future development may also require an access permit to be issued from his office. Mr. Drewer further stated that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo that the County's records show that Sinepuxent Road has a 30 foot right-of-way. He stated the existing road width of 19 feet may not accommodate the weight and width of commercial vehicles on a consistent basis and public safety issues may increase with an influx of heavier vehicles and a commercial entrance on Sinepuxent Road at this time. Mr. Adkins stated that, likely, the County would request a 10 foot widening strip with improvements at the time of planning to assist with accommodating these types of vehicles and may affect the amount of property intended to be used for this type of rezoning. He furthermore stated that the alignment of Sinepuxent Road at the intersection with MD Route 611 may not be conducive to public safety for this type of rezoning and a realignment should be consider prior to any new construction in

this area. Mr. Adkins also stated that, as an option for public safety, it may be considered to keep all commercial entrances on MD Route 611. The Planning Commission's findings of fact noted that Mrs. Tustin, the applicant's traffic engineer, testified before that body that traffic counts and accident report data on MD Route 611 indicate that the roadway is a safe one and that it can accommodate the traffic that would be generated by commercial use of the petitioned area if rezoned to C-1 Neighborhood Commercial District. Mrs. Tustin made the same testimony before the County Commissioners and asserted that truck traffic generated by commercial use of the petitioned area will most likely not be on Sinepuxent Road. Based upon their review, the County Commissioners find that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: Based upon the Planning Commission's findings and the testimony of the applicant's representative, the County Commissioners find that the petitioned area is a wooded, undeveloped parcel are present. The properties directly to the south of the petitioned area, lying between Sinepuxent Road and MD Route 611, are zoned A-2 Agricultural District and are also wooded and undeveloped. The properties on the westerly side of Sinepuxent Road directly opposite the petitioned area and to the south are zoned A-1 Agricultural District. These properties are generally wooded but there are scattered residential uses as well. The property to the north of the petitioned area on the westerly side of MD Route 611 is zoned C-1 Neighborhood Business District and R-3 Multi-Family Residential District and is undeveloped at present. Properties on the easterly side of MD Route 611 are zoned R-4 General Residential District and C-1 Neighborhood Business District. The residentially zoned areas are developed with the subdivisions of Deer Point, Mystic Harbour and Ocean Reef. The Ocean City Municipal Airport property is located on the easterly side of MD Route 611 to the south of Airport Road and is zoned CA Commercial Airport District. As did the Planning Commission, the County Commissioners conclude that the vicinity surrounding the petitioned area is largely used for residential purposes of both a year-round and seasonal nature and that capacity exists for this type of use to expand. Even the area to the south of the petitioned area is developed with scattered residences, although zoned agriculturally like the petitioned area. The County Commissioners concur with the applicant's assertion that the petitioned area cannot be put to viable agricultural use because of its small size, narrow configuration, location between two roadways, and the limitations imposed by its proximity to the Ocean City Airport. The County Commissioners agree with the Planning Commission's conclusions that the petitioned area is therefore not zoned appropriately and that it would likewise not be appropriate to give the site a residential zoning classification for the same reasons. Based upon their review, the County Commissioners find that the proposed rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: Based upon the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that according to the Comprehensive

Plan and associated land use plan map, the petitioned area lies within the Agricultural Land Use Category. With regard to the Agricultural Land Use Category, the Comprehensive Plan states that the importance of agriculture to the County cannot be overstated, that its significance is economic, cultural, environmental, and aesthetic, and that agriculture is simply the bedrock of the County's way of life. The Plan goes on to say that the County must do all it can do to preserve farming as a viable industry, that this category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted, that large contiguous areas of productive farms and forest shall be maintained for agricultural uses, and that residential and other conflicting land uses, although permitted, are discouraged. Furthermore, the Plan includes certain pertinent objectives in the Land Use chapter of the Comprehensive Plan which state that the dominance of agriculture and forestry uses should be continued through the County's less developed regions, that the character of the County's existing population centers should be maintained, that new development should be located in or near existing population centers and within planned growth centers, and that existing population centers should be infilled without overwhelming their existing character. The County Commissioners agree with the Planning Commission's conclusion that because of the petitioned area's small size, narrow configuration, location between two roadways and the limitations imposed by its proximity to the Ocean City Airport, the petitioned area cannot be put to viable agricultural use. The Planning Commission noted in its findings of fact that the residential area on the easterly side of MD Route 611 and the area to the north of the petitioned area on the westerly side of that roadway are in the Existing Developed Area Land Use Category while the area on the westerly side of Sinepuxent Road is within the Green Infrastructure Land Use Category. The Planning Commission determined, however, that the petitioned area has more in common with the Existing Developed Area properties because of its location, small size, and configuration. The County Commissioners concur with this conclusion and with the applicant's assertion that commercial use of the petitioned area is appropriate and in keeping with the Comprehensive Plan because it would function as a service center for the residents to the south of Sunset Avenue and thus reduce their need to utilize the much more congested areas to the north along US Route 50. Thus, it would serve the population center in which it is located. Based upon their review the County Commissioners find that the proposed rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

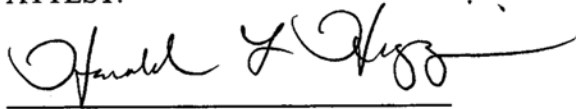
The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. As detailed in the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that the petitioned area is too small and too

narrow to be put to viable agricultural use and that its location between two roadways as well as the limitations imposed by its proximity to the Ocean City Airport also severely constrain any potential agricultural use. Furthermore, the County Commissioners conclude that the area directly across MD Route 611 is residential in nature and that neighborhood commercial use of the petitioned area would relieve those properties of the need to utilize the commercial areas to the north of Sunset Avenue to meet their daily commercial service needs while also being compatible with the residential uses. The County Commissioners agree with the applicant's contention that commercial use of the petitioned area would better serve the existing and anticipated development of the area by providing necessary commercial services rather than what is feasible through the existing A-2 Agricultural District zoning, offering an option to the more congested area north of the junction of MD Routes 611 and 707. Likewise, the County Commissioners concur that there are no beneficial agricultural uses for the petitioned area due to its size and configuration, isolation by roads, and the existing navigation easement. Based upon their review and in consideration of their findings, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 405 and thus rezone the petitioned area, shown on Tax Map 26 as Parcel 211, from A-2 Agricultural District to C-1 Neighborhood Commercial District.

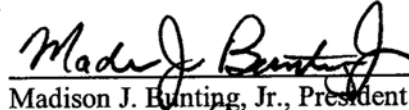
Adopted as of May 2, 2017. Reduced to writing and signed May 16, 2017.

ATTEST:

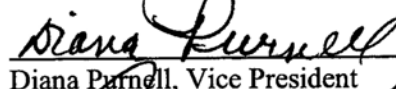


Harold L. Higgins  
Chief Administrative Officer

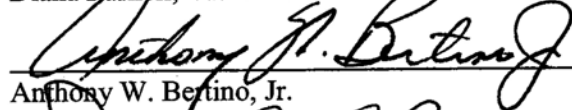
COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND



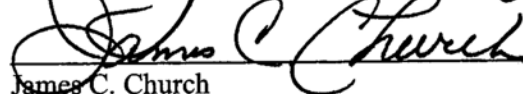
Madison J. Hunting, Jr., President



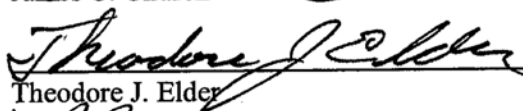
Diana Purnell, Vice President



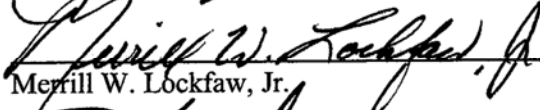
Anthony W. Bertino, Jr.



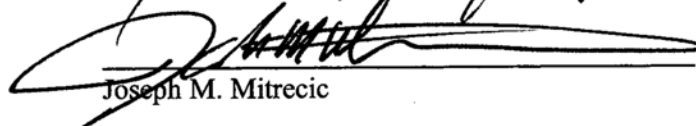
James C. Church



Theodore J. Elder



Merrill W. Lockfaw, Jr.



Joseph M. Mitrecic

ZONING RECLASSIFICATION RESOLUTION NO. 17-01

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO SECTION ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 26 AS PARCEL 211 FROM A-2 AGRICULTURAL DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

WHEREAS, pursuant to Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, Joseph J. Balsamo, applicant, and Joseph E. Moore, applicant's attorney, filed a petition for the rezoning of approximately 2.6235 acres of land shown on Tax Map 26 as Parcel 211, located on the westerly side of MD Route 611 and easterly side of Sinepuxent Road, at the junction of those two roadways, requesting a change in zoning classification thereof from A-2 Agricultural District to C-1 Neighborhood Commercial District; and

WHEREAS, the Worcester County Planning Commission gave the said petition a favorable recommendation during its review on January 5, 2017; and

WHEREAS, subsequent to a public hearing held on May 2, 2017, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there is a mistake in the existing zoning of the petitioned area and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by Joseph J. Balsamo, applicant, and Joseph E. Moore, applicant's attorney, and shown on Tax Map 26 as Parcel 211 is hereby reclassified from A-2 Agricultural District to C-1 Neighborhood Commercial District

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, May 2, 2017.



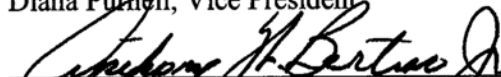
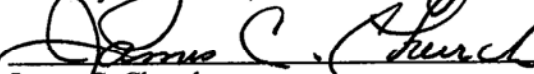
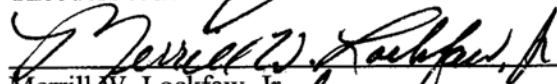
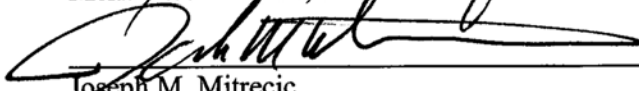
EXECUTED this 16<sup>th</sup> day of May, 2017.

ATTEST:



Harold L. Higgins  
Chief Administrative Officer

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

  
Madison J. Bunting, Jr., President  
Diana Purnell, Vice President  
Anthony W. Bertino, Jr.  
James C. Church  
Theodore J. Elder  
Merrill W. Lockfaw, Jr.  
Joseph M. Mitrecic

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LYNDSEY J. RYAN  
JENNIFER M. DINDINGER

\*ADMITTED MD & DC

February 20, 2026

Jennifer K. Keener, AICP  
Director, Worcester County Department  
of Development, Review and Permitting  
One West Market Street, Room 1201  
Snow Hill, Maryland 21863

RE: **Rezoning Case No. 452-KASA Holdings, LLC, Applicant**

Dear Ms. Keener:

On behalf of my client, KASA Holdings, LLC, with respect to Rezoning Case No. 452, I would like to amend our Rezoning application to request C-1, Neighborhood Commercial District.

My client is no longer seeking C-2, General Commercial District.

The additional application fee in the amount of \$350.00 is enclosed.

Thank you very much and have a great day.

Very truly yours,



Hugh Cropper IV

HC/tgb

Enclosure

CC: KASA Holdings, LLC  
Attn: Aaron Finney

**AMENDED EXHIBITS**

**REZONING CASE NO. 452**

**APPLICANT:**

**KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842**



### **Changes in the character of the neighborhood since November 3, 2009:**

1. By virtue of Resolution No. 25-32 dated December 2, 2025, the Worcester County Commissioners expanded the West Ocean City Sanitary Service Area.

2. **Rezoning Case No. 449** – As a result of a public hearing on July 15, 2025, approximately 18.6 acres of land located on the south side of Maryland Route 707 (Old Bridge Road) were reclassified from R-2, Suburban Residential District, to R-4, General Residential District. This rezoning will support the expansion, or the next phase, of Salt Life Park. This expansion was consistent with the Comprehensive Plan; providing affordable and work-force housing in close proximity to employment centers.

3. Associated with Salt Life Park and the surrounding area, the Worcester County Comprehensive Water and Sewerage Plan was amended three times along Old Bridge Road to expand the Mystic Harbour Service Area. This created overlapping Service Areas in those areas, in accordance with good planning, and to accommodate future growth. It was specifically expanded at Salt Life Park, which permitted Phase II. It also permitted Salt Life Park Phase II to acquire EDU's, and some of those EDU's were acquired from the Alamo Motel property.

4. Regarding Salt Life Park Phase I, there were numerous non-conformities which have been remedied, and the Board of Zoning Appeals granted at least two variances, to permit the upgrade of Salt Life Park. This is consistent with the residential growth in the entire neighborhood.

5. **Rezoning Case No. 441** – The County Commissioners approved Rezoning Case No. 441 on June 20, 2023. This reclassified the property from C-2, General Commercial District to R-4, General Residential District. In other words, this deleted 3.29 acres of **commercial** zoning from the area. Rezoning Case No. 441 is located only a few hundred feet north of the subject property.

6. The property was subsequently approved as The Elms, Residential Planned Community, and the developer of that project recently broke ground on Phase I, which is a definite change in the character of the neighborhood. As stated, 3.29 acres of commercial zoning was deleted from the neighborhood, and replaced by multi-family townhomes.

7. **Rezoning Case No. 417** – On April 17, 2018, the County Commissioners approved Rezoning Case No. 417. This is a very important rezoning for the instant case. The property was previously zoned C-1, Neighborhood Commercial District, and despite many, many efforts, the property owners were unable to expand and upgrade their business. The County Commissioners saw fit, in accordance with good planning, to rezone the property from C-1 to C-2. The arguments in that case apply with equal force (if not more, now) to the instant property. .

8. **Sea Oaks RPC** – The approval and establishment of Sea Oaks as a Residential Planned Community, which is adjacent to the subject property on two sides, is a huge and significant change to the character of the neighborhood. At its inception, Sea Oaks was allocated zero EDU's. The property owner applied for an Amendment to the Worcester County Comprehensive Water and Sewerage Plan, and an Expansion of the Mystic Harbour Service Area. These approvals actually ended up in litigation in the Circuit Court for Worcester County, and an amicable resolution was reached with the County Commissioners. To make a long story short, the property is now allocated over 130 EDU's, and is essentially built out with approximately 130 townhomes. There was a Text Amendment to the RPC regulations with respect to the allowable commercial usage on the site. The road frontage for Sea Oaks is developed as commercial. Sea Oaks is essentially built out as a

Master Planned Community, with a mixed use of approximately 130 townhomes, and adjacent commercial.

Pursuant to the Code, Section ZS1-315(d)(2)A, in an RPC such as Sea Oaks, a maximum of twenty percent can be developed in accordance with the permitted principal and special exception uses cited in the C-2, District regulations. Therefore, although the underlying zoning is still C-1, Commercial Neighborhood District, **the actual use is as a C-2, General Commercial District.**

**9. Rezoning Case No. 405** – On May 2, 2017, the Worcester County Commissioners approved the reclassification from A-2, to C-1, Neighborhood Commercial District, for a nearby property in the neighborhood. Unfortunately, this applicant asserts that it should have been C-2, General Commercial District.

**10.** The Worcester County Commissioners recently approved a Residential Planned Community for Crepe Myrtle Court, a townhome project located on Old Bridge Road. The County Commissioners also approved private road standards recently, and since the project has the appropriate number of EDU's, construction is expected to commence shortly.

**11.** The passage of Resolution 17-19, which permitted the sale of EDU's within the Mystic Harbour Service Area, was a definitive change to the character of the neighborhood. This Resolution permitted Sea Oaks, RPC, which previously had zero EDU's. This Resolution allowed other development in the area, and also allowed for the possibility of Mystic Harbour EDU's to be allocated to the subject property (although there were no EDU's available). This all occurred subsequent to November 3, 2009.



PLANNING DEPARTMENT

## Worcester County

111 N. WASHINGTON STREET

SNOW HILL, MARYLAND 21863

301-632-1200

August 16, 1983

Mr. Jessie C. Houston, Director  
Department of Planning & Community Development  
P.O. Box 158  
Ocean City, Maryland 21842

Re: Rezoning Case No. 170 - Emergency Bill No. 83-5

Dear Jessie;

I am transmitting to you herewith, a copy of Emergency Bill No. 83-5 which was adopted by the Worcester County Commissioners on July 26, 1983. The adoption of this bill by the County Commissioners culminates all required actions relative to rezoning Case No. 170 filed with the Worcester County Planning Commission on March 29, 1983 by the Ocean City Mayor and Council.

As you will recall, the County Planning Commission would not support the rezoning of the existing Airport into an M-1 Light Industrial District. The Planning Commission preferred instead, to create a new Airport Zoning District, with appropriate restrictions, for the existing Airport property. Emergency Bill No. 83.5, enclosed herewith, accomplishes the Planning Commission's recommendation in this matter by first creating a new Airport District and then reclassifying the existing Airport into the Airport District under Section 1-212 (b) delineation.

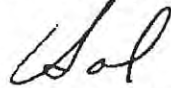
I have discussed this matter with the County Attorney and in his opinion Emergency Bill No. 83-5 effectively rezones the Ocean City Airport property from A-1 Agricultural District to AD Airport District and that no further actions, public hearings, etcetera, are required by this or any other County Department.

At this time I would like to convey to you my personal thanks and appreciation for all your time and assistance in this

Mr. Jessie C. Houston  
Page 2  
August 16, 1983

matter. If I or the Planning Commission can be of any further assistance, please do not hesitate to call.

Sincerely,



Harold W. Morris

Enclosure

HWM/jls

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

NO. 83-5

---

BY: Commissioner Bozman  
INTRODUCED: July 12, 1983

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AN EMERGENCY BILL ENTITLED

AN ACT concerning

Zoning

For the purpose of amending the Worcester County Zoning Ordinance to update the procedural and regulatory provisions thereof.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section 1-212 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby amended to read as follows:

Section 1-212. AD airport district.

(a) Statement of intent. It is the intent hereof that the airport district provisions hereinafter defined shall apply to the Ocean City Airport as hereinafter delineated. The purpose of this district is to recognize the Ocean City Airport as a commercial operation and land use, to protect the users of the airport, and to prevent any unreasonable limitation or impairment of the use and expansion of the airport and the public investment therein.

(b) Delineation. The AD airport district shall include all that land comprising the Ocean City Airport and located on the south easterly side of Maryland Route 611 approximately two miles south of U.S. Route 50, shown as parcels 254 and 331 on zoning map 26, parcels 14, 32, 113, and 313 on zoning map 33, and parcel 5 on zoning map 34, consisting of approximately 578.5 acres of land situated in the tenth election district of Worcester County, Maryland.

(c) Permitted principal uses and structures. The following principal uses and structures shall be permitted in the AD airport district:

(1) The Ocean City Airport, including runways, taxiways, aircraft parking areas, hangars, terminal and support buildings.

(2) Buildings and structures necessary for communications, navigation or the collection and dissemination of weather and other flight information.

(3) Restaurants, lounges, and gift shops incidental and subordinate to the operation of the airport and intended primarily for the use and enjoyment of airport patrons.

(4) General offices.

(5) Signs, including all types and classifications of signs as defined and regulated in Section 1-313 hereof.

(d) Special Exceptions. The following principal uses and structures may be permitted by special exception in the AD airport district in accordance with the provisions of Subsection 1-115(c) hereof:

(1) General warehousing and storage.

(2) Any use or structure which is determined by the Board of Appeals to be of the same general character as an above permitted use and compatible with the general character and intent of the AD airport district.

(e) Accessory uses and structures. The following accessory uses and structures shall be permitted in the AD airport district:

(1) Two dwelling units or mobile homes for persons primarily engaged on the premises, provided that such dwelling be located within a principal building or such dwelling or mobile home be located such that it could be subdivided from the mail parcel and meet all of the lot requirements for a single-family dwelling or mobile home in the B-1 District.

(2) Temporary buildings and structures, subject to the provisions of Section 1-321.

(3) Generally, accessory structures and uses customarily associated with and directly incidental to the permitted principal uses and structures.

(f) Additional provisions. The following additional provisions shall apply to all uses and structures in the AD airport district:

(1) All uses and structures shall be subject to the provisions of Section 1-302.

(2) All facilities and uses shall be subject to the provisions of Section 1-325.

(g) Other regulations.

(1) The provisions of this section are in addition to the provisions of this article regarding other districts. In all cases of conflicting requirements, the provision which represents the greater restriction or higher standard shall govern.

(2) All airports shall be designed, constructed, maintained and utilized so that they shall comply with all federal and state regulations pertaining to such operations; and same shall be utilized in accordance therewith.

(3) The uses and structures permitted in the AD airport district shall be subject to the applicable regulations contained in Subtitle 1, General Provisions, and Subtitle 3, Supplementary Districts and District Regulations, of this title.

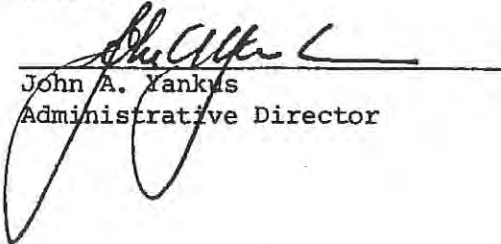
Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection 1-201(c) (37) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby REPEALED and existing Subsections (38) and (39) are renumbered as (37) and (38) respectively.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection 1-208(a) (8) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby REPEALED and existing Subsections (9) through (22) are renumbered as (8) through (21) respectively.

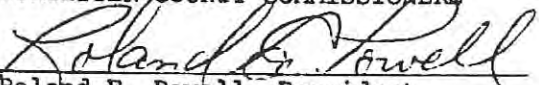
Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this act, having been determined an emergency bill will become effective on the date of its passage.

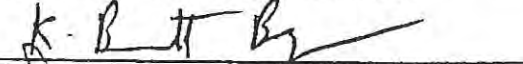
PASSED AND ENACTED this 26th day of July, 1983.

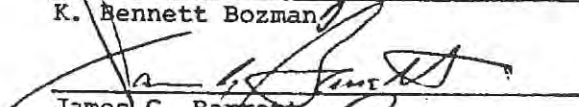
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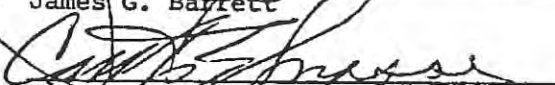
  
John A. Yankis  
Administrative Director

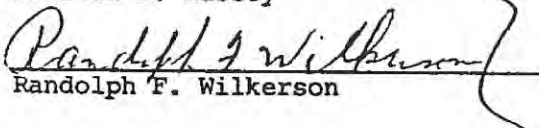
WORCESTER COUNTY COMMISSIONERS

  
Roland E. Powell, President

  
K. Bennett Bozman

  
James G. Barrett

  
Carlton E. Massey

  
Randolph F. Wilkerson

**PLANNING COMMISSION  
FINDINGS OF FACT  
AND  
RECOMMENDATION**

**REZONING CASE NO. 452**

**APPLICANT:**

**KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842**

**December 4, 2025**

**WORCESTER COUNTY PLANNING COMMISSION**

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**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 452, filed September 30, 2025.

B. OWNER: KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811

ATTORNEY: Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842

C. TAX MAP/PARCEL: Tax Map 26, Parcel 340, Tax District 10

D. SIZE: The petitioned area consists of 1.66 acres.

E. LOCATION: Between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD, across from Airport Road.

F. CURRENT USE OF PETITIONED AREA: An unimproved, wooded parcel.

G. CURRENT ZONING CLASSIFICATION: A-2 Agricultural District.

As defined in the Zoning Code, this district is intended to foster the County's agricultural heritage and uses while also accommodating compatible uses of a more commercial nature that require large tracts of land. The A-2 District may also be used for limited residential development through consolidated development rights and as a place marker for future annexations only where adjacent to existing municipalities. Furthermore, it is the intent that in this district there shall be no basis, under this Title, for recourse against the effects of any normal farming or forestry operation as permitted in this district, including but not limited to noise, odor, vibration, fumes, dust or glare.

H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District.

As defined in the Zoning Code, this district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten- to twenty-minute travel time. These commercial centers generally have higher parking demand and greater visibility. Consequently, design standards and careful attention to signage, landscaping, perimeter buffers, site layout and architectural design are imperative. Commercial structures and uses must be compatible with the community and the County's character. Strip commercial forms of development are strongly discouraged.

I. APPLICANT'S BASIS FOR REZONING: The application indicates that there

was a mistake in the last Comprehensive Rezoning on November 3, 2009. While not the primary basis for the request, the applicant also alleges that there has been a substantial change in the character of the neighborhood.

J. ZONING HISTORY:

- **1964:** A-1 Agricultural District
- **1978:** A-1 Agricultural District
- **1988:** Case No. 239, requesting B-2 General Business District, denied. Findings of Fact are attached.
- **1992:** A-1 Agricultural District
- **2009:** A-2 Agricultural District

K. SURROUNDING ZONING:

- **North:** C-1 Neighborhood Commercial District
  - Formerly A-2 Agricultural District, subject to Rezoning Case No. 405 in 2017.
- **South:** A-2 Agricultural District
- **East:** A-2 Agricultural District, with a Commercial Airport overlay district
- **West:** A-1 Agricultural District

L. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural Land Use Category. Pertinent objectives from the Plan have been highlighted in the staff report presented to the Planning Commission.

M. WATER AND WASTEWATER: According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-3/W-3 (6 years to 10 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area. An amendment to the Plan would be required to attain a W-1/S-1 (Immediate to 2 years) designation for public water and sewer service. However, he notes that the Agricultural land use designation is inconsistent with the extension of public sewer. His memo notes that the property when tested had high water tables that were unacceptable for onsite septic.

N. ROAD ACCESS: The petitioned area fronts on both MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road. MD Route 611 is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. No comments were received from MDOT SHA.

Sinepuxent Road is a County-owned and -maintained roadway, considered a

minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety. No comments were received from the County Roads Division of the Department of Public Works.

- O. PROXIMITY TO AIRPORT: The petitioned area is located across MD Route 611 from the Ocean City Municipal Airport. This application was forwarded to the appropriate staff at the Town of Ocean City for review and comment. In his attached letter, Jaime Giandomenico, Airport Manager, stated that the town has no objection to the request, provided that the property owner executes an Avigation Easement due to the proximity of the petitioned area to the approach end of Runway 20.

## II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

Applicants: Hugh Cropper, IV, attorney; Aaron Finney, managing member, KASA Holdings, LLC; and Steve Engel, Vista Design, Inc.

Mr. Cropper explained that the parcel is approximately 1.66 acres in size and has been zoned agricultural since the inception of zoning. In 1987, Rezoning Case No. 239 was denied for a requested change in zoning to B-2 General Business District. The petitioned area is located between MD Route 611 and Sinepuxent Road. In his application, Mr. Cropper argued both a change in the character of the neighborhood and a mistake was made during the 2009 Comprehensive Rezoning.

On the argument of mistake, Mr. Cropper stated that there is limited to no on-site septic capacity in the petitioned area. In addition, Mr. Cropper filed a request for an EDU in the Mystic Harbour sanitary service area and was denied. Therefore, the owner needs to find a use that requires very little or no sewer at all. In his opinion, commercial zoning would be more appropriate. He argued that it was illogical that the petitioned area was not rezoned commercial at the same time the parcel to the north (Parcel 211, Rezoning Case No. 405) was rezoned to C-1 Neighborhood Commercial District in 2017. However, Mr. Cropper opines that it should have been C-2 General Commercial District, because the owner has been unable to develop the property under the current C-1 District regulations.

Mr. Cropper stated that the petitioned area is currently taxed as Residential on the Maryland Department of Assessments and Taxation Real Property sheet, despite the urban area. With respect to the proximity of the property to the municipal airport, the Town of Ocean City has provided a letter of no objection, subject to recording an avigation easement that limits the overall height of the development.

Regarding the change in the character of the neighborhood, Mr. Cropper stated that while

he defined the neighborhood in Exhibit B, Mr. Engel proffered that the neighborhood is much larger, consistent with Rezoning Case No. 449. Mr. Engel stated that there have been significant changes in the neighborhood, including rezoning cases that have expanded the number of residential dwelling units in the area and the assignment of Mystic Harbour EDUs to Sea Oaks RPC, all of which were not contemplated in 2009. Additionally, on December 2, 2025, the Worcester County Commissioners approved a request to extend the West Ocean City sanitary service area to Parcel 274 north of Sea Oaks, which may allow EDUs to be allocated from Mystic Harbour in the future.

Relative to consistency with the comprehensive plan and the current zoning, Mr. Engel finds a commercial district more consistent and has a poor opinion of the C-1 District in general due to the limited uses. Therefore, the C-2 District is more appropriate for the petitioned area. Mr. Cropper also stated that the 2006 comprehensive plan provided a broad brush approach to land use and that the petitioned area is in a transitional area, with Green Infrastructure to the west, and Existing Developed Area (EDA) to the northeast.

Relating to the argument of mistake, Mr. Cropper noted that if it is not a complete taking but it is a mistake, there must be consistency with the comprehensive plan. He argued that it was close to a complete taking because of the limited uses. Agricultural zoning requires five acres for agricultural structures; they could build a single-family dwelling. He stated that commercial use would be more consistent than a single-family dwelling. The zoning on Parcel 211 to the north was found to be a mistake, and if the Planning Commission agreed there, then this request is more desirable in terms of the comprehensive plan. It is an appropriate area to transition the zoning to commercial.

Relative to the Findings of Fact for Rezoning Case No. 239 (1988) when the prior rezoning to B-2 District was denied, Mr. Cropper noted that the neighborhood was more consistent with low density residential or agricultural, and it currently abuts commercial zoning on two sides. He contends that this area is nothing like what it was in 1988. Now, sewer service has been provided to the neighborhood, and recent amendments have expanded the West Ocean City sanitary service area closer to the petitioned area. In addition, the Town of Ocean City and the Worcester County Commissioners agreed to allocate an additional 170,000 gallons per day of sewer from the Town of Ocean City.

In summary, Mr. Cropper stated that the zoning of these parcels was not the subject of focus in 2009. The airport has expanded (a change in the neighborhood), the petitioned area is not appropriate for a single-family dwelling, and 95% of the A-1 District uses would be unable to be developed on the petitioned area. The expansion of sanitary service areas, the sewer allocation from the Town of Ocean City, and the multiple rezonings within the neighborhood resulting in hundreds of new residential dwelling units all support the argument for a change in the character of the neighborhood and mistake.

The Planning Commission discussed uses such as roadside stands that could be built on the petitioned area (40,000 square foot lot area) without requiring a significant building envelope. While a rezoning application cannot consider the desired use of the property,

rather all potential uses that could be feasible, Mr. Finney is interested in building an office for his business. In summary, to zone a piece of property that could not be used for 95% of the permitted uses is a mistake and second, there have been extensive changes in the character of the neighborhood. The Planning Commission discussed the estimated size of the building envelope and the setbacks for the parcel.

The Planning Commission reviewed and commented upon each of the findings. Following the discussion, a motion was made by Mrs. Knight, seconded by Mr. Church, and carried 5 to 2 with Mr. Barbierri and Mrs. Wimbrow opposed, to find the proposed amendment to rezone the petitioned area from A-2 Agricultural District to C-2 General Commercial District consistent with the Comprehensive Plan based on a change in the character of the neighborhood, but not a mistake, and forward a **favorable recommendation** to the Worcester County Commissioners.

### III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

1. Regarding the definition of the neighborhood: The Planning Commission concurred with the applicant's definition of the neighborhood, as amended to include the neighborhood in Rezoning Case No. 449 (attached).
2. Relating to population change: The Planning Commission concluded that there has been population growth in the defined neighborhood including new residential development in the Sea Oaks Village RPC (159 townhouse units) and The Elms RPC (20 townhouse units), and infill within the existing residential subdivisions of Mystic Harbour, Deer Point, Whispering Woods and Ocean Reef.
3. Relating to availability of public facilities: The Planning Commission finds that the petitioned area is unable to support on-site septic. Additionally, it has a planning designation of W-3/S-3 in the Mystic Harbour Water and Sewer Service Area. Mr. Mitchell's comments state that an amendment to the *Master Water and Sewer Plan* would be needed to attain a W-1/S-1 classification, however the land use designation is Agricultural which may need to be addressed. The Planning Commission acknowledged that the sewer service areas were expanding and could eventually support development on the petitioned area.
4. Relating to present and future transportation patterns: The Planning Commission finds that MD Route 611 (Stephen Decatur Highway) is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. In addition, the property has frontage on Sinepuxent Road, a County-owned and -maintained roadway, considered a minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The

easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety. The Planning Commission concurred with the applicant's written testimony that acknowledges there are some traffic issues in the area but states that congestion will be prevented by access onto Sinepuxent Road.

5. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that the petitioned area serves as a transitional area between the true agricultural and green infrastructure uses to the west, and the more urban commercial and residential areas along the MD Route 611 corridor.
6. Relating to compatibility with the Comprehensive Plan: The Planning Commission found that the property is designated as Agricultural on the Land Use Map. As outlined in the Comprehensive Plan, this land use category is reserved for farming, forestry and related industries, and is generally inconsistent with the commercial zoning designation. However, the Planning Commission considered the broad-brush approach of the 2006 Comprehensive Plan, reiterating the transitional nature of the petitioned area, the small size of the parcel (1.66 acres) and the need for large contiguous acres to maintain truly traditional agricultural uses.

#### IV. PLANNING COMMISSION RECOMMENDATION

In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there has been a change in the character of the neighborhood since 2009, and that a rezoning of the petitioned area is appropriate. The applicant requests a zoning map amendment from A-2 Agricultural District to C-2 General Commercial District based on a mistake during the last comprehensive rezoning on November 3, 2009, and a change in the character of the neighborhood. Overall, the Planning Commission found that the requested zoning generally conforms to the broad-brush approach of the Worcester County Comprehensive Plan, given the transitional nature of the petitioned area between agricultural and green infrastructure areas to the west, and the more urban commercial and residential areas along MD Route 611. The Planning Commission also found that the small size of the parcel (1.66 acres) and the need for large contiguous acres to maintain truly traditional agricultural uses are not compatible with an Agricultural zoning designation. Therefore, a favorable recommendation for the rezoning has been recommended.

#### V. RELATED MATERIALS AND ATTACHMENTS

**STAFF REPORT**

**REZONING CASE NO. 452**

**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

**PROPERTY OWNER:** KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811

**ATTORNEY:** Hugh Cropper IV  
9927 Stephen Decatur Hwy, F-12  
Ocean City, Maryland 21842

**TAX MAP/PARCEL INFO:** Tax Map 26, Parcel 340, Tax District 10

**SIZE:** The petitioned area consists of 1.66 acres.

**LOCATION:** Between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD, across from Airport Road.

**CURRENT USE OF PETITIONED AREA:** An unimproved, wooded parcel.

**CURRENT ZONING CLASSIFICATION:** A-2 Agricultural District.

As defined in the Zoning Code, this district is intended to foster the County's agricultural heritage and uses while also accommodating compatible uses of a more commercial nature that require large tracts of land. The A-2 District may also be used for limited residential development through consolidated development rights and as a place marker for future annexations only where adjacent to existing municipalities. Furthermore, it is the intent that in this district there shall be no basis, under this Title, for recourse against the effects of any normal farming or forestry operation as permitted in this district, including but not limited to noise, odor, vibration, fumes, dust or glare.

**REQUESTED ZONING CLASSIFICATION:** C-2 General Commercial District.

As defined in the Zoning Code, this district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten- to twenty-minute travel time. These commercial centers generally have higher parking demand and greater visibility. Consequently, design standards and careful attention to signage, landscaping, perimeter buffers, site layout and architectural design are imperative. Commercial structures and

uses must be compatible with the community and the County's character. Strip commercial forms of development are strongly discouraged.

**APPLICANT'S BASIS FOR REZONING:** The application indicates that there was a mistake in the last Comprehensive Rezoning on November 3, 2009. While not the primary basis for the request, the applicant also alleges that there has been a substantial change in the character of the neighborhood.

**ZONING HISTORY:**

- **1964:** A-1 Agricultural District
- **1978:** A-1 Agricultural District
- **1988:** Case No. 239, requesting B-2 General Business District, denied.
- **1992:** A-1 Agricultural District
- **2009:** A-2 Agricultural District

**SURROUNDING ZONING:**

- **North:** C-1 Neighborhood Commercial District
  - Formerly A-2 Agricultural District, subject to Rezoning Case No. 405 in 2017.
- **South:** A-2 Agricultural District
- **East:** A-2 Agricultural District, with a Commercial Airport overlay district
- **West:** A-1 Agricultural District

**COMPREHENSIVE PLAN:**

The County's Comprehensive Plan was adopted by the County Commissioners on March 7, 2006, and is intended to be a general guide for future development in the County. Whether proposed rezoning is compatible with the recommendations of the Comprehensive Plan is one of the criteria that is considered in all rezoning requests, as listed in § ZS 1-113(c)(3) and as summarized at the end of this Staff Report.

**Chapter 1** of the Comprehensive Plan generalizes development along MD Route 611's corridor beginning with commercial development on the northern end, blending into residential uses to the south (Page 3).

According to **Chapter 2 – Land Use** of the Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural Land Use Category. Regarding the Agricultural Land Use Category, the Comprehensive Plan states the following:

“The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county's way of life. . . . The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses. . . . Residential and other conflicting land uses, although permitted, are discouraged. . . . Also as a general

policy, the practice of not rezoning agricultural land for other uses should continue.”  
(Page 18)

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

3. Maintain the character of the county’s existing population centers.
4. Provide for appropriate residential, commercial, institutional, and industrial uses.
5. Locate new development in or near existing population centers and within planned growth centers.
6. Infill existing population centers without overwhelming their existing character.
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character.
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
11. Set high environmental standards for new development, especially in designated growth areas.
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
17. Discourage highway strip development to maintain roadway capacity, safety, and character.
20. Direct new development in growth areas to planned communities.
22. Design new development’s architecture and landscaping to visually improve its surroundings.

(Pages 12 & 13)

In **Chapter 3 - Natural Resources**, pertinent objectives on page 33 include the following:

1. Use a systems approach to environmental planning addressing pollution at or close to its source and use sustainable development techniques.
2. Instill environmental stewardship as a universal ethic.
3. Identify and protect environmentally sensitive areas.
4. Restore and/or enhance natural resource functions where possible.
5. Reduce imperviousness of existing and new development.
8. Conserve resources by reducing unnecessary consumption.
9. Channel development within a particular site to any existing disturbed areas if possible.
10. Establish sufficient buffers for sensitive areas.

In **Chapter 4 – Economy**, the Plan notes that the agricultural industry, among others, “relies on the county’s natural resources and its rural and coastal character for their success” (page 58).

Pertinent objectives cited in Chapter 4 – Economy state the following:

- Provide through the land use plan sufficient land for planned growth to meet expected demand for housing, commercial and support services.
- Provide for sufficient agricultural support services.

- Review permitted land uses in the agricultural zone to ensure compatibility with agriculture as a quasi-industrial use.
- Locate commercial and service centers in major communities.
- Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
- Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.  
(Pages 58 - 60)

“Currently, designated commercial lands far outstrip the potential demand for such lands...The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result” (page 62).

**Chapter 6 – Public Infrastructure** acknowledges the county’s policy to have developers provide all on-site infrastructure relative to new development. In addition, “infrastructure costs should be borne by those who directly benefit; developers will remain responsible for the services required by new development” (Page 70). Sewer service is identified as “one of the county’s most powerful growth management tools” (Page 74).

Pertinent objectives cited in Chapter 6 – Public Infrastructure - General state the following:

2. Permit development to occur only as rapidly as services can be provided.
3. Ensure adequate public facilities are available to new development.
4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demands it creates. (Page 70)

The petitioned area fronts on MD Route 611 (Stephen Decatur Highway). In **Chapter 7 – Transportation**, the Comprehensive Plan states that “[r]esort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611 and MD 90” (page 79). Additionally, the plan notes that “traffic volume and level of service should be monitored to avoid affecting this roadway. Development along the MD 611 corridor should be kept to infill for the planning period” (page 80).

The Plan further states that “[c]ommercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintaining road capacity” (page 82).

Pertinent policies, projects and recommendations on page 85 include:

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

Pertinent objectives include the following:

1. Acceptable Levels of Service – It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
2. Rural Roadways – Institute access controls for rural roads if their LOS drops below B for daily peak traffic.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
5. Impacted Intersections – Upgrade intersections that have fallen below a LOS C.
8. Local funding sources should be explored to improve priority of impacted roadways for state funding or to provide for local 87construction of improvements.
13. Road Widening--Adequate right-of-way should be dedicated for roads anticipated for widening during the development review process.
14. Community character—New roadway designs and construction should not disrupt the character of existing communities, villages, and towns. Alternative routes and designs should be explored to maintain this important aspect of Worcester County.
15. Connectivity—Inter- and intra-development connectivity should be designed into new development to improve mobility and to avoid environmental damage.
17. Bike and Pedestrian Mobility--Bike and pedestrian mobility should be given higher priority and designed into new development.
22. Parcel Access Plan--This plan should provide a specific parcel access plan for large parcels and interparcel connections for smaller parcels for key roadways. This list should be provided to and reviewed with the State Highway Administration.

(Pages 87-89)

**WATER AND WASTEWATER:** According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-3/W-3 (6 years to 10 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area. An amendment to the Plan would be required to attain a W-1/S-1 (Immediate to 2 years) designation for public water and sewer service. However, he notes that the Agricultural land use designation is inconsistent with the extension of public sewer. His memo notes that the property when tested was found high water tables that were unacceptable for onsite septic.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are Fa - Fallsington sandy loams, 0 to 2 percent slopes, Northern Tidewater Area, and KsB Klej loamy sand, 2 to 5 percent slopes. The petitioned area is poorly drained or somewhat poorly drained soils.

**EMERGENCY SERVICES:** Fire and ambulance service will be available from the Ocean City or Berlin Volunteer Fire Companies. No comments were received from either the fire company regarding this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately 7.7 miles away, and the Worcester County Sheriff’s Office in

Snow Hill, approximately 20.6 miles away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

**ROADWAYS AND TRANSPORTATION:** The petitioned area fronts on both MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road. MD Route 611 is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. No comments were provided by MDOT SHA.

Sinepuxent Road is a County-owned and -maintained roadway, considered a minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety.

The Comprehensive Plan states that "[t]he Sinepuxent Neck's undeveloped lands are predominately wet, forested, or in agriculture. MD 611 provides adequate access, but it can be congested in summer. MD 611 LOS is nearing the "impacted" category. The entire subwatershed other than its West Ocean City (northern) portion should not be further developed due to its traffic, environmental sensitivity, and high storm hazard vulnerability characteristics along with its value as a gateway to the parks" (page 28). No comments were provided by County Roads.

**PROXIMITY TO AIRPORT:** The petitioned area is located across MD Route 611 from the Ocean City Municipal Airport. This application was forwarded to the appropriate staff at the Town of Ocean City for review and comment. In his attached letter, Jaime Giandomenico, Airport Manager, stated that the town has no objection to the request, provided that the property owner executes an Avigation Easement due to the proximity of the petitioned area to the approach end of Runway 20.

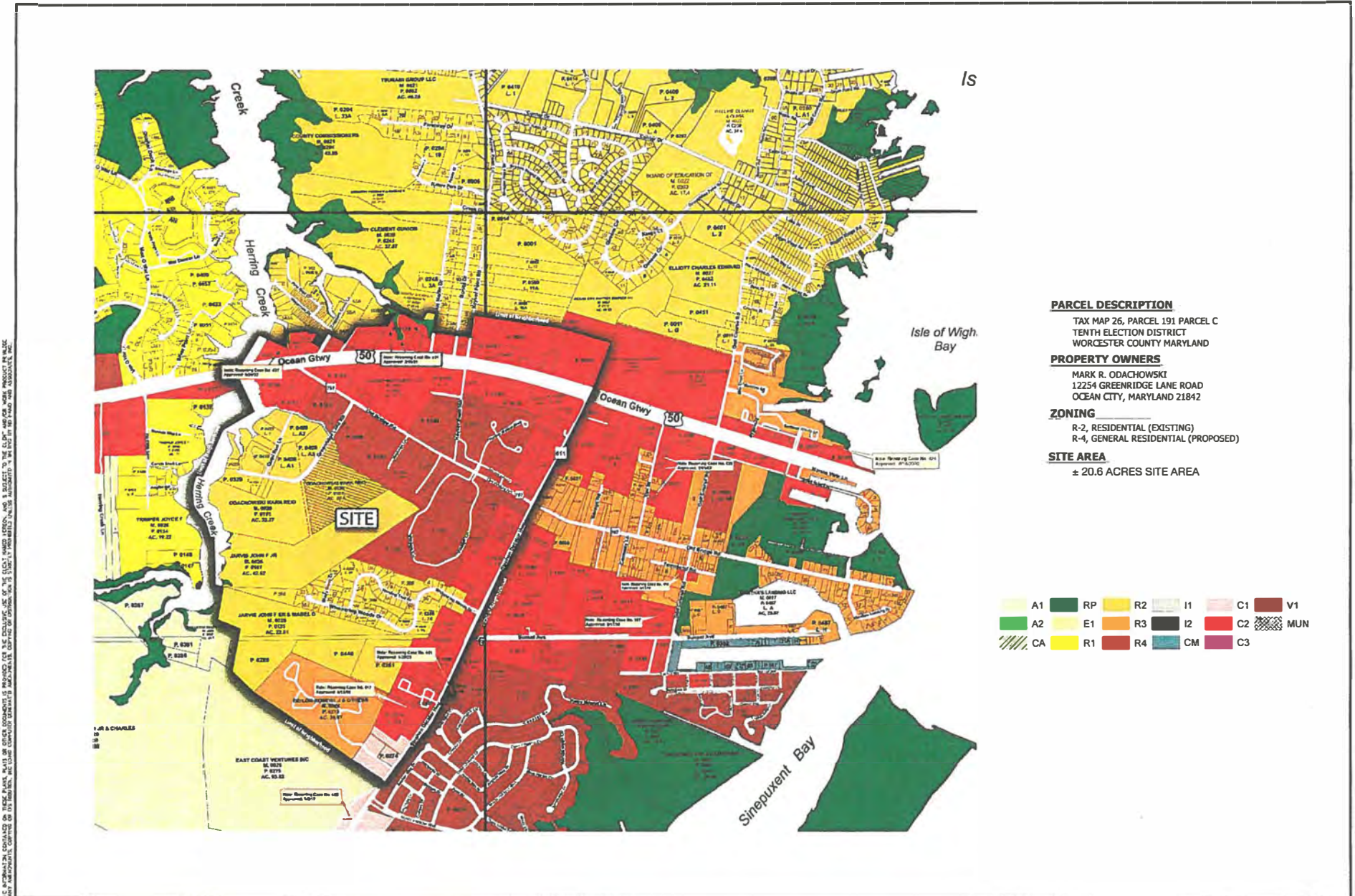
**SCHOOLS:** The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary (Pre-K - Grade 4), Berlin Intermediate School (Grade 5 - 6), and Stephen Decatur Middle School (Grade 7 - 8) and Stephen Decatur High School (Grade 9 - 12). No comments were received from the Worcester County Board of Education (WCBOE).

**CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS:** According to the attached memo from Mr. Mitchell, the petitioned area is not located in the Critical Area.

**FOREST CONSERVATION:** According to the attached response memo from Mr. Mitchell, The petitioned area may be required to comply with the requirements of the Forest Conservation Act at the time of development.



SL  
Re



**PARCEL DESCRIPTION**  
 TAX MAP 26, PARCEL 191 PARCEL C  
 TENTH ELECTION DISTRICT  
 WORCESTER COUNTY MARYLAND

**PROPERTY OWNERS**  
 MARK R. ODACHOWSKI  
 12254 GREENRIDGE LANE ROAD  
 OCEAN CITY, MARYLAND 21842

**ZONING**  
 R-2, RESIDENTIAL (EXISTING)  
 R-4, GENERAL RESIDENTIAL (PROPOSED)

**SITE AREA**  
 ± 20.6 ACRES SITE AREA

A1	RP	R2	I1	C1	V1
A2	E1	R3	I2	C2	
CA	R1	R4	CM	C3	MUN

**ZONING EXHIBIT**  
 TAX MAP 26, P/O PARCEL 191 PARCEL C  
 WEST OCEAN CITY, MARYLAND

**R.D. HAND AND ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
 1800E COLLINS ROAD, DIERPHELE, MD. 21013 410-958-6663

DATE: 11/14/2019  
 REV DATE: 05/08/2020  
 DRAW BY: [unclear]  
 CHECK BY: [unclear]  
 SCALE: AS SHOWN

**SHEET**  
**ZE-1**



OFFICE OF THE  
COUNTY COMMISSIONERS

# Worcester County

ROOM 112 COURT HOUSE  
SNOW HILL, MARYLAND

21863  
September 14, 1988

COMMISSIONERS  
K. BENNETT BOZMAN, PRESIDENT  
JAMES G. BARRETT, VICE PRESIDENT  
REGINALD T. HANCOCK  
CARLTON E. MASSEY  
W. KENNETH TYLER

JOHN A. YANKUS  
CHIEF ADMINISTRATIVE OFFICER  
EDWARD H. HAMMOND, JR.  
COUNTY ATTORNEY

Worcester County Planning Commission  
Court House Room 116  
Snow Hill, Maryland 21863

Gentlemen:

Pursuant to the public hearing held on August 30, 1988 the Worcester County Commissioners have agreed to adopt the Findings of Fact of the Planning Commission and to disapprove Rezoning Case #239 (Potts/SinepuxentRoad).

I trust that you will notify the applicant and other interested parties of this decision.

Sincerely,

John A. Yankus  
Chief Administrative Officer

JAY:arp

cc108

IN THE MATTER OF

\*

THE REZONING APPLICATION OF

\*

REZONING CASE NO. 239

BERNARD POTTS

\*

BALTIMORE, MARYLAND

\*

\*\*\*\*\*

FINDINGS OF FACT

Subsequent to a public hearing held on August 30, 1987 and after a review of the entire record and all testimony, the Worcester County Commissioners hereby make the following findings of fact pursuant to the provisions of Section 4.05(a), Article 66B, Annotated Code of Maryland, and Section 1-112 of the Worcester County Zoning Ordinance.

In the review of Rezoning Petition No. 239, the Worcester County Commissioners find that the neighborhood of the petitioned area is that area along the easterly and westerly sides of MD Route 611 bound on the north by Sunset Avenue and on the south by Hastings Drive (commonly referred to as Snug Harbor Road).

Regarding population change; the Commissioners find that population change in the neighborhood has not been significant and that the rather slow growth rate is likely to continue, given the generally limited capabilities of the soils in the neighborhood for on-site wastewater disposal and the lack of public sewerage service in the area.

Regarding the availability of public facilities; the Commissioners find that neither public water or public sewer services are available to the petitioned area nor are such facilities planned for the petitioned area. The site would therefore require private, on-site septic and well systems as approved by the Worcester County Environmental Programs section. The Commissioners find that other public services commonly found in the neighborhood which would be available to the petitioned area include the Worcester County Sheriff's Department, the Maryland State Police Barracks, the Ocean City Volunteer Fire Department, and schools in the West Ocean City and Berlin areas. It is noted by the County Commissioners that it is stated in the Planning Commission's Recommendation that the Worcester County Soil Survey indicates that soil types found on the petitioned area display moderate to severe limitations to on-site wastewater disposal systems, thus causing concern among the County Commissioners that adequate sewage disposal service could not be provided for the petitioned area if rezoned.

Regarding present and future transportation patterns; the Commissioners find that the petitioned area is directly served by MD Route 611, which is a Collector Highway on the County's Transportation Plan, and by Sinepuxent Road, a local road having a thirty foot right-of-way. The Commissioners find that the State Highway Administration is currently making improvements to MD Route 611, including widening, and that a portion of the petitioned area is included in this project. Although the

Commissioners find that the road system is adequate to serve the petitioned area, it is the conclusion of the Commissioners that there may be limited space in which to commercially develop the site, given its shallow depth and necessary widening strips along both MD Route 611 and Sinepuxent Road.

Regarding compatibility with existing and proposed development for the area; the Commissioners find that the predominant existing land uses in the neighborhood wherein the petitioned area is located are low density, single family residential, agricultural, and those land uses associated with the Ocean City Municipal Airport, located across MD Route 611 from the petitioned area. The Commissioners find that the proposed rezoning of the petitioned area might produce future uses that would be incompatible with the present land uses in the neighborhood, particularly on the westerly side of MD Route 611.

Regarding the recommendation of the Planning Commission; the Commissioners find that the Planning Commission gave the rezoning petition an unfavorable recommendation and based upon the information and testimony presented at the Commissioners' public hearing on August 30, 1988, the Commissioners concur with the Planning Commission's recommendation on this case and accept the Planning Commission recommendation and findings as entered into the record at the public hearing.

Regarding compatibility with the County's Comprehensive Plan; the Commissioners find that the petitioned area is located in a Suburban Land Use Category. However, the Commissioners find that the Plan recommends that commercial development should be located at natural activity centers and that strip development along highways should be discouraged. The Commissioners conclude that the rezoning of the petitioned area may set a precedent whereby other parcels along the westerly side of MD Route 611 will also request commercial zoning, ultimately leading to the strip zoning and development of MD Route 611 which is contrary to the goals and objectives of the Comprehensive Plan. The Commissioners find that the proposed rezoning is not compatible with the Comprehensive Plan.

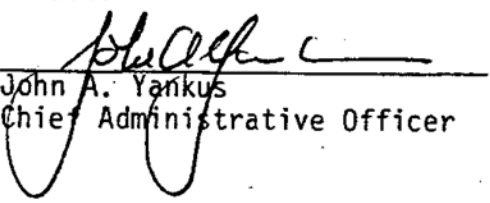
As a result of the testimony presented before the Commissioners and the findings as set forth above, the County Commissioners of Worcester County find that no substantial change has occurred in the neighborhood in which the petitioned property is located to warrant the rezoning of the petitioned area and further find that there is no mistake in the existing zoning classification of the petitioned area.

(3)

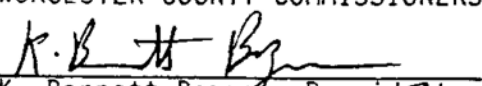
The County Commissioners conclude that the applicant has not met its burden of proof for the petitioned rezoning and hereby deny the rezoning petition of Bernard Potts, Rezoning Case No. 239.

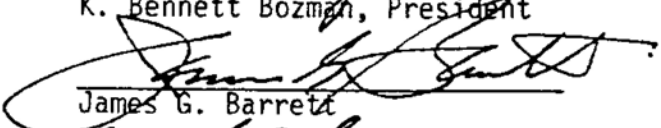
Adopted as of September 13, 1988. Reduced to writing and signed  
*September 27, 1988.*


ATTEST:

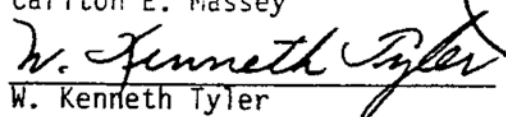
  
John A. Yankus  
Chief Administrative Officer

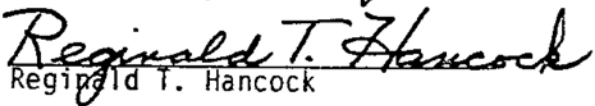
WORCESTER COUNTY COMMISSIONERS

  
K. Bennett Bozman, President

  
James G. Barrett

  
Carlton E. Massey

  
W. Kenneth Tyler

  
Reginald T. Hancock



Worcester County Department of Environmental Programs  
Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863  
Tel: (410) 632-1220 | Fax: (410) 632-2012

## Memorandum

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**To:** Jennifer Keener, AICP  
Director, DDRP

**From:** Robert J. Mitchell, LEHS, REHS/RS  
Director, Environmental Programs

**Subject: EP Staff Comments on Rezoning Case No. 452**  
Reclassify approximately 1.66 Acres of  
From A-1 Agricultural District to C-2 Commercial District  
TM 26 Parcel 340

**Date:** 11/19/25

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

The Department of Environmental Programs has the following comments:

1. This property has an Agricultural land use designation and in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*). Regarding the agricultural land use designation, according to Chapter 2 - Land Use of the *Comprehensive Plan*, the *Plan* states the following:
  - a. “This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted.” (Page 18)
  - b. Some particularly relevant objectives cited in Chapter 2 - Land Use relating to this application would include:
    - i. Discourage highway strip development to maintain roadway capacity, safety, and character.
    - ii. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
    - iii. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
2. We do not have approved onsite sewer for this property. The file notes that investigations were carried out in 1972 that indicated they encountered six (6) inch water tables, which would be unacceptable for onsite septic. Property is within the Mystic Harbour Water and Sewer planning area and is classified as W-3/S-3 for water and sewer planning designations which have a six to ten (6-10) year planning timeframe. An amendment to

the *Master Water and Sewer Plan* would need to be completed to attain a W-1/S-1 designation to receive public water and sewer. With respect to the provision of public sanitary services:

- a. The Agricultural land use designation of this property is incompatible with extensions of public sewer. To be fully consistent with the *Comprehensive Plan*, the land use map should be changed to a land use category that supports the level of development potential sewer service would bring.
  - b. Regarding a change in the character of the neighborhood, an amendment for zoning consistency was included within the *Master Water and Sewer Plan*. Under 1.1.3.B: “The inclusion of a property in the water and sewer plan does not, in and of itself, constitute a change the character of the neighborhood for rezoning purposes.”
3. We would note that property appears to be within the Airport Protection District as found in County Code Section § ZS 1-302, which carries certain conditions and required notification to the Town of Ocean City of any rezoning, variance, special exception requests.
  4. Regarding a change in the character of the neighborhood and actual development of the surrounding area, the Town has purchased multiple properties on the west and east sides of Sinepuxent Road in the immediate vicinity of this property. They have demolished homes and structures on said properties and cleared trees and vegetation in the interest of aviation safety for the airport. Commercial and residential development within the Route 611 corridor since 2009 has been limited to infill and intensification of existing developed properties, most prominently in lands north of the airport.
  5. An initial review of the property did not indicate any natural resource features that would be impacted by a change in zoning from A-2 to C-2; such as non-tidal wetlands and FIDS (Forest Interior Dwelling Species) habitat.
  6. The Forest Conservation Act and Sediment and Stormwater Management may apply at the time of development. The property is located outside the Atlantic Coastal Bays Critical Area.

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



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

November 15, 2025

Jennifer Keener, Zoning Administrator  
Worcester County  
Room 116 Court House  
One West Market Street  
Snow Hill, MD 21863

**RE: Zoning Case 452**

Dear Ms. Keener,

After Consultation with regulatory agencies and the Airport Master Plan, The Town of Ocean City has no objection to the proposed zoning change from "A-2" Agricultural District to "C-2" General Commercial District per case 452 with one provision.

The Towns' support for this zoning amendment is contingent upon the execution of an "Avigation Easement" for parcel 340, as the property in question is adjacent to the approach end of Runway 20.

The limitations placed on this parcel by the easement are clearly delineated by the language of the attached instrument, the most restrictive height limitation is approximately 60' feet. It is worth noting that the easement, once executed and recorded, becomes a permanent part of the property.

Please feel free to contact me at (443) 235-4434 if you require additional information.

Sincerely,

Jaime Giandomenico, Airport Manager  
Ocean City Municipal Airport

Cc :Hal Adkins, Public Works Director, Town of Ocean City

**MAYOR**  
Richard W. Meehan

**CITY COUNCIL**

Matthew M. James  
*President*

Anthony J. DeLuca  
*Secretary*

John F. Gehrig, Jr.  
Jacob H. Mitrecic  
Carol Proctor  
Will Savage  
Larry R. Yates

**CITY MANAGER**  
Terence J. McGean, PE

**CITY CLERK**  
Diana L. Chavis, MMC

SEA  
OAKS

## AVIGATIONAL and HAZARD EASEMENT

WHEREAS, \_\_\_\_\_ (full name of property owner(s)), hereinafter called the Grantors, are the owners in fee of that certain parcel of land situated in the County of Worcester, State of Maryland, more particularly described as follows:

(Insert legal description of the property covered by the easement)

hereinafter called "Grantor's property", and outlined on the attached map (Exhibit 1);

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns, do hereby grant, bargain, sell, and convey unto the Mayor and City Council of the Town of Ocean City, owners and operators of Ocean City Municipal Airport, hereinafter called the Grantee, its successors and assigns, for the use and benefit of the public, an easement and right of way, appurtenant to Ocean City Municipal Airport of the unobstructed use and passage of all types of aircraft (as hereinafter defined), in and through the airspace above Grantor's property above an imaginary plane rising and extending in a generally northwesterly direction over the Grantor's property, said imaginary plane running from approximately 101 feet Mean Sea Level above Point A as shown on Exhibit 1 at a rate of one foot vertically to each 20 feet horizontally to approximately 176 feet Mean Sea Level above Point B on Exhibit 1 to an infinite height above said imaginary plane. Such airspace over Grantor's property shall also include the imaginary plane rising on either side of the imaginary plane described above at a rate of one foot vertically to seven feet horizontally to a maximum elevation of 161 feet Mean Sea Level above Points C and D on Exhibit 1. For those areas of Grantor's property outside of the two imaginary planes identified above, such airspace shall be an imaginary plane at 161 feet Mean Sea Level.

Said easement shall be appurtenant to and for the benefit of the real property now known as Ocean City Municipal Airport including any additions thereto wherever located, hereafter made by the Mayor and City Council of the Town of Ocean City, or its successors, and assigns, guests and invitees, including any and all persons, firms, corporations operating aircraft to or from the airport.

Said easement and burden, together with all things which may be alleged to be incident to or resulting from the use and enjoyment of said easement, including, but not limited to the right to cause in all airspace above or in the vicinity of the surface of Grantor's property such noise, vibrations, fumes, deposits of dust or other particulate matter, fuel particles which are incidental to the normal operation of such aircraft, fear, interference

with sleep and communication and any and all other effects that may be alleged to be incident to or caused by the operation of aircraft over or in the vicinity of Grantor's property or in landing at or taking off from, or operating at or on said Ocean City Municipal Airport is hereby granted; and Grantor's do hereby fully waive, remiss, and release any right or cause of action which they may now have or which they may have in the future against the Grantee, its successor and assigns, due to noise, vibrations, fumes, dust, fuel particles and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on Ocean City Municipal Airport. As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured, developed, to include, but not limited to, jet aircraft, propeller driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters and all types of aircraft or vehicles now in existence or hereafter developed, regardless of existing or future noise levels for the purpose of transporting persons or property through the air, by whoever owned or operated.

The easement and right-of-way hereby grants to the Grantee the continuing right to prevent the erection or growth upon Grantee's property of any building, structure, tree, or other object extending into the airspace above the aforesaid imaginary planes identified above, and to remove from said airspace, or at the sole option of the Grantee, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree or other objects now upon, or which in the future may be upon Grantee's property, together with the right of ingress to, egress from, and passage over Grantor's property for the above purpose.

The Grantor's, for themselves, their heirs, administrators, successors, and assigns, do hereby agree that for and during the life of said avigational easement, they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon Grantor's property any structure in the Runway Protection Zone (RPZ) that is an airport hazard or which might create glare or misleading lights or lead to the construction of residences, fuel handling and storage facilities, or smoke generating activities; and the Grantor's themselves, their heirs, administrators, executors, successors, and assigns, further agree they will not permit places of public assembly upon Grantor's property such as churches, schools, office buildings, shopping centers, restaurants, child care facilities, and stadiums.

AND, for the consideration hereinabove set forth, the Grantor's, for themselves, their heirs, administrators, executors, successors, and assigns, do hereby agree that for and during the life of said easement and right-of-way, they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon Grantor's property any building, structure, tree, or other object extending into the airspace above aforesaid imaginary plane, and that they shall not hereafter use or permit or suffer the use of grantor's property in such a manner as to create electrical interference with radio communication between any installation upon said airport and aircraft, or as to make it difficult for flyers to distinguish between airport lights and others, or to permit any use of the Grantor's land that causes a discharge of fumes, dust or smoke so as to impair visibility in the vicinity of the airport or to otherwise endanger the landing, or taking off or maneuvering of aircraft.

Grantor's furthermore waive all damages and claims for damages caused by the removal / elimination of such objects or activities.

TO HAVE AND TO HOLD said easement and right-of-way, and all rights appertaining thereto unto the Grantee, it successors, and assigns, until said Ocean City Municipal Airport shall be abandoned and cease to be used for public airport purposes.

It being understood and agreed that the aforesaid covenants and agreements shall run with the land and shall be binding upon the heirs, administrators, executors, successors, and assigns of the Grantor's until said Ocean City Municipal Airport shall be abandoned and cease to be used for public aviation purposes.

IN WITNESS WHEREOF, the Grantor's have hereunto set their hands and seal this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Grantor's (seal)

**ACKNOWLEDGMENT**

State of \_\_\_\_\_

County of \_\_\_\_\_

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, before me, the undersigned, a Notary Public for the County and State aforesaid, came \_\_\_\_\_

Who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



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

### MEMORANDUM

TO: Robert Mitchell, Director, Worcester County Environmental Programs  
Matt Owens, Worcester County Fire Marshal & c/o local fire departments  
Chris Shaffer, Director, Department of Emergency Services  
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office  
Dallas Baker, P.E., Director, Worcester County Public Works Department  
Kevin Lynch, Roads Superintendent, Worcester County Public Works Department  
Melanie Pursel, Director of Tourism & Economic Development  
Annette Wallace, Superintendent, Worcester County Board of Education  
Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police  
Mark Crampton, District Engineer, Maryland SHA  
Rebecca L. Jones, Health Officer, Worcester County Health Department  
Will Dyer, Project Manager, Maryland Forest Service  
Anderson Spratt, District Conservationist, Worcester County NRCS

FROM: Jennifer K. Keener, AICP, Director

DATE: October 8, 2025

RE: Rezoning Case No. 452– Tax Map 26, Parcel 340, located between Sinepuxent and Stephen Decatur Road, Kasa Holdings LLC, c/o Aaron Finney, Managing Member, Property Owners and Hugh Cropper, Attorney

\*\*\*\*\*

This application seeks to rezone approximately **1.66 acres** of land shown on Tax Map 26, Parcel 340, from **A-2 Agricultural District** to **C-2 General Commercial District**. The property is currently an unimproved, wooded parcel. For your reference I have attached a copy of the rezoning application package, location and zoning maps showing the property requested to be rezoned.

The applicant is alleging **that there has been a change in the character of the neighborhood AND a mistake was made during the 2009 Comprehensive Rezoning** as the justification for the proposed rezoning from A-2 District to C-2 District as outlined in the attached request. The Planning Commission must consider if: 1. There was a mistake made in assigning the property to an A-2 District zoning classification in 2009; and/or 2. There has been a significant change based upon a comparison of the current conditions to the neighborhood in 2009 at the time of the last Comprehensive Rezoning.

**By Wednesday, November 19, 2025**, the Planning Commission is requesting any comments, thoughts or insights that you or your designee might offer with regard to past and present conditions in the delineated neighborhood, as well as the effect that this application and potential subsequent development of the site under the proposed zoning classification may have on plans,

facilities, or services for which your agency is responsible. Your response is requested even if you determine that the proposed rezoning will have no effect on your agency, that the application is compatible with your agency's plans, and that your agency has or will have adequate facilities and resources to serve the property and its potential land uses. *If no comments are received, we will document such and assume that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners.*

### **General Zoning Information:**

**The purpose and intent of the A-2 Agricultural District** is to preserve and promote the County's agricultural heritage while also allowing certain compatible commercial and residential uses. This district is intended for agricultural operations requiring larger tracts of land, such as livestock, poultry, aquaculture, and crop production. The A-2 District also allows limited residential development through minor, rural cluster, and consolidated development rights subdivisions. Additionally, A-2 serves as a transitional designation, accommodating potential annexation areas near municipalities.

The district recognizes that normal agricultural and forestry practices—including noise, odor, vibration, dust, and other impacts—are an inherent part of its character and not grounds for recourse. Permitted uses by right include a broad range of agricultural activities, aquaculture, roadside farm stands, single-family dwellings, manufactured homes, conservation areas, and seasonal noncommercial cabins. Special provisions also allow for renewable energy systems, communication towers, landing strips, and certain entertainment uses such as Casino Entertainment Districts. For a full list of permitted and special exception uses in the A-2 District, please refer to the County Code here: [§ ZS 1-202 – A-2 Agricultural District](#).

**The purpose and intent of the C-2 General Commercial District** is to accommodate larger-scale commercial development that serves population centers of approximately 3,000 or more, typically within a 10–20 minute travel time. These commercial centers are designed to provide a wide variety of goods, services, entertainment, and employment opportunities. Because of their intensity and visibility, C-2 districts require careful attention to site design, signage, landscaping, buffers, and architecture. Strip-style commercial development is strongly discouraged.

Permitted uses by right include retail and service businesses, hotels, restaurants, nightclubs, professional offices, indoor recreation facilities, automotive and equipment sales, storage and warehousing, nursing facilities, day-care centers, public buildings, conservation areas, marinas, and renewable energy facilities. The district also permits telecommunications facilities, wind energy systems, and residential units when integrated with commercial structures.

Special exception uses may include outdoor recreation facilities, drive-in theaters, hospitals, dormitories, transportation terminals, wastewater facilities, cannabis dispensaries, and other uses deemed compatible with the district's intent. For a full list of permitted and special exception uses in the C-2 District, please refer to the County Code here: [§ ZS 1-204 – C-2 General Commercial District](#).

If you have any questions or require further information, please do not hesitate to reach me by phone at (410) 632-1200, ext. 1123 or via email at [jkeener@worcestermd.gov](mailto:jkeener@worcestermd.gov). On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

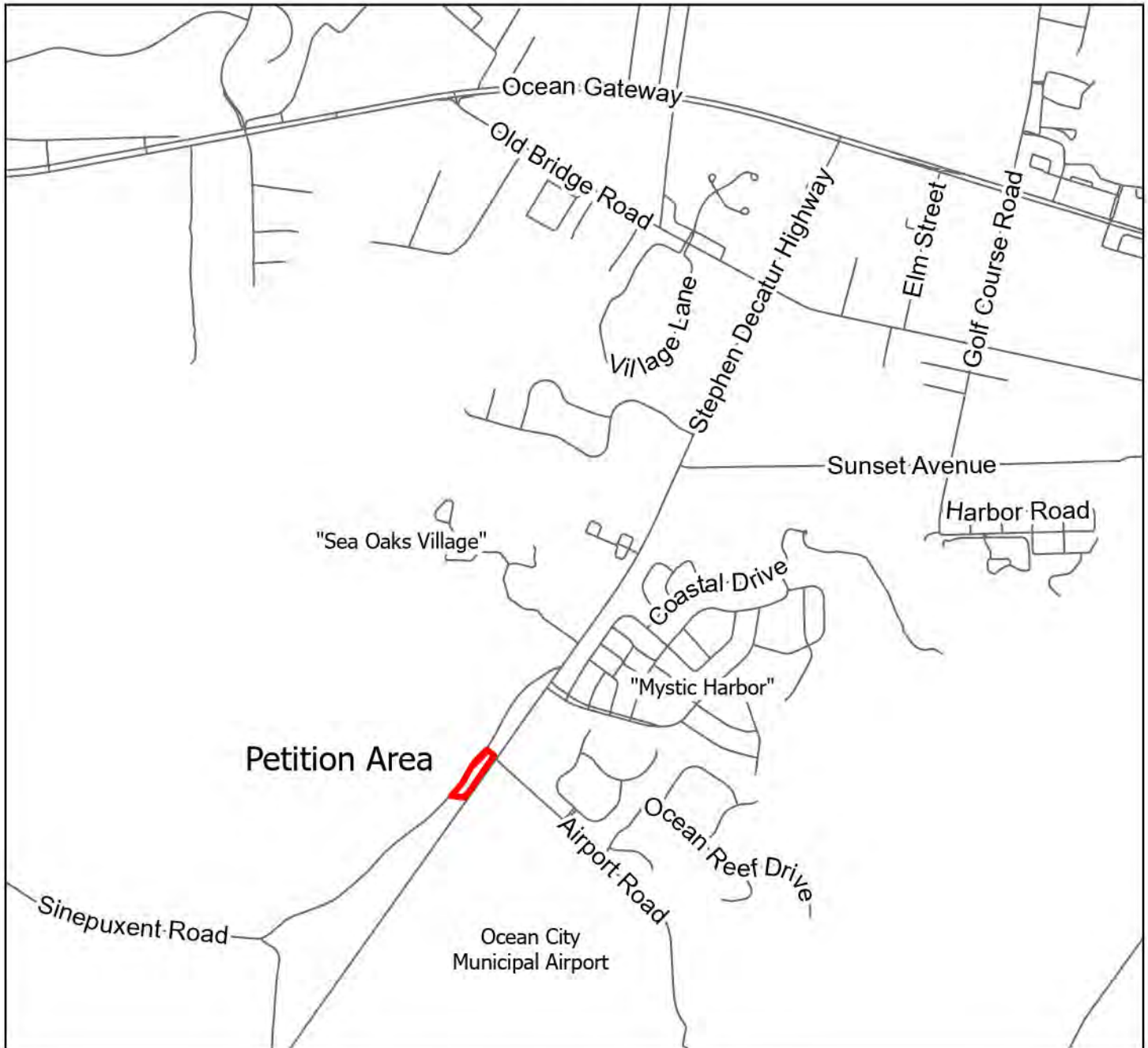
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



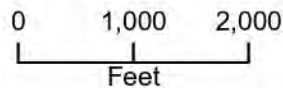
## LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: County GIS Layers

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

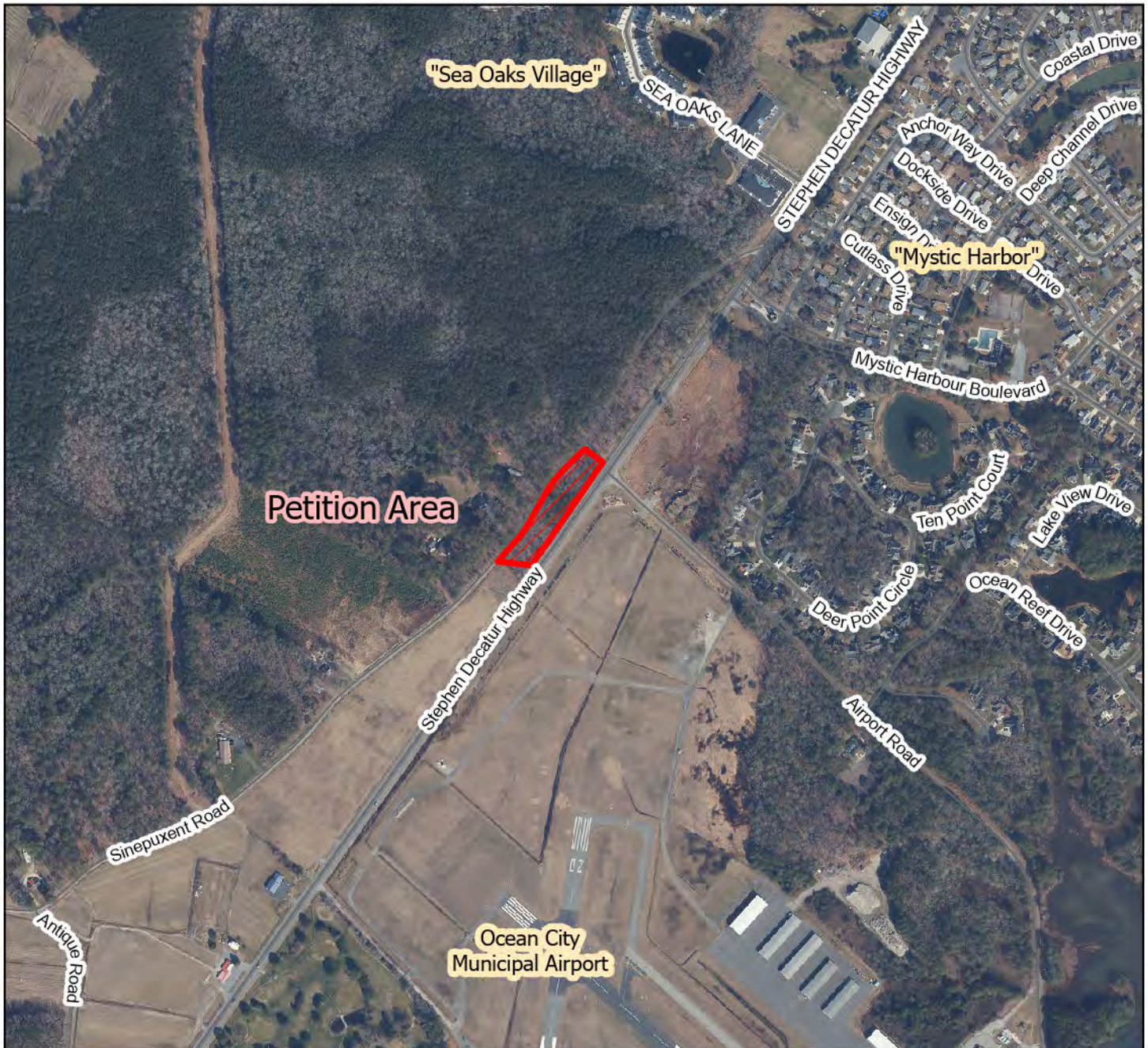
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



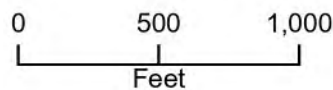
## AERIAL IMAGERY



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2024 Aerial Imagery

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

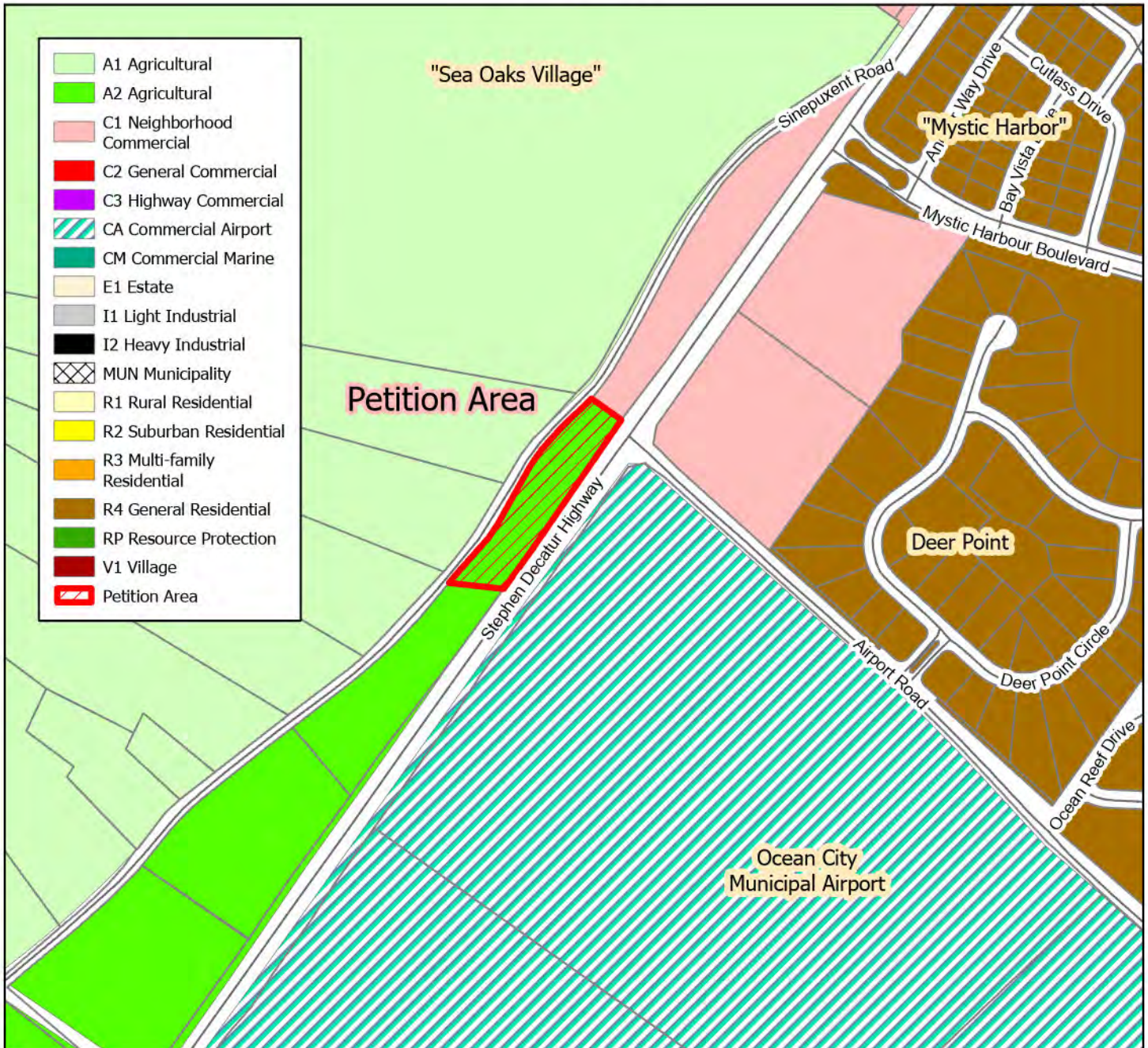
# WORCESTER COUNTY, MARYLAND



**REZONING CASE NO. 452**  
**A-2 Agricultural District to C-2 General Commercial District**  
**Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376**

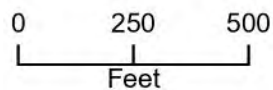


## ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
 Technical Services Division

Prepared: October 2025  
 Source: 2009 Official Zoning Map



Prepared By: K.L.Henry  
 Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

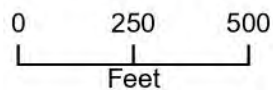


## LAND USE PLAN MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2006 Official Land Use Map



Prepared By: K.L.Henry  
Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



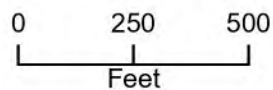
## SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2007 Soil Survey

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

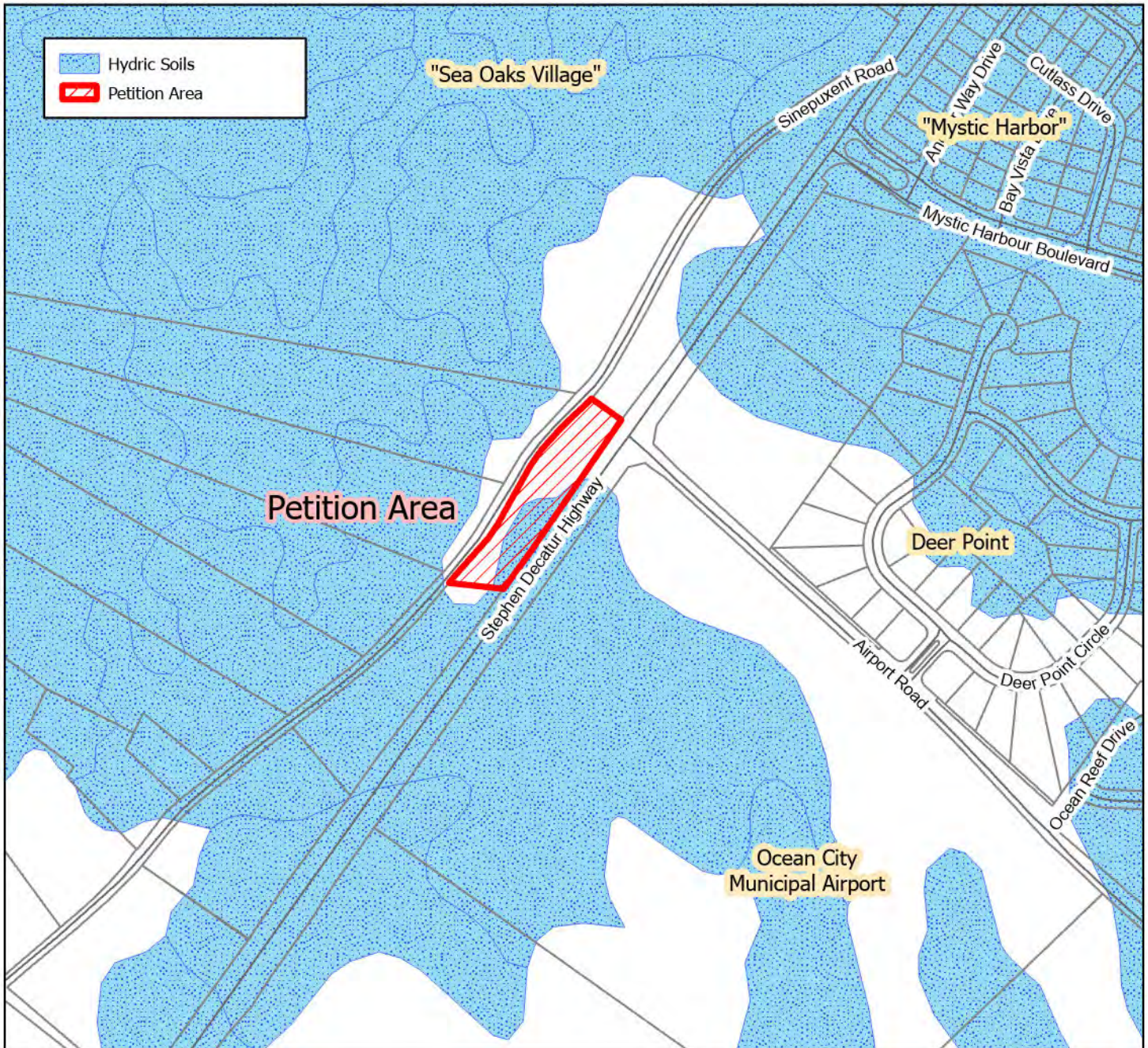
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

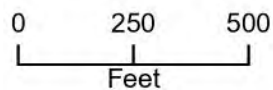


## HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2007 Soil Survey



Prepared By: K.L.Henry  
Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.



Worcester County Commissioners  
Worcester County Government Center  
One W. Market Street, Room 1103  
Snow Hill, Maryland 21863

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**APPLICATION FOR AMENDMENT OF THE OFFICIAL ZONING MAP**

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(For Office Use Only – Please Do Not Write in this Space)

Rezoning Case No. 452

Date Received by Office of the County Commissioners \_\_\_\_\_

Date Received by Development Review and Permitting September 30, 2025

Date Reviewed by the Planning Commission December 4, 2025

---

I. Application: Proposals for amendments to the Official Zoning Maps may be made only by the property owner, contract purchaser, option holder, lease, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. Governmental Agency: \_\_\_\_\_
- B. Property Owner: \_\_\_\_\_
- C. Contract Purchaser: \_\_\_\_\_
- D. Option Holder: \_\_\_\_\_
- E. Leasee: \_\_\_\_\_
- F. Attorney for X (insert A, B, C, D or E) B
- G. Agent for \_\_\_\_\_ (insert A, B, C, D or E) \_\_\_\_\_

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
- B. Parcel Number(s): 340
- C. Lot Number(s), if applicable: \_\_\_\_\_
- D. Tax District Number: 10

III. Physical Description of Property

- A. Located between Sinepuxent and Stephen Decatur Road.
- B. Consisting of a total of 1.666 acres of land.
- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area: \_\_\_\_\_
- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and other such information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): A-2, Agricultural District  
(name and zoning district)
- B. Acreage of zoning classification(s) in "A" above: 1.666
- B. Requested zoning classification(s): C-2, General Commercial District  
(name and zoning district)
- C. Acreage of zoning classification(s) in "C" above: 1.666

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.


- A. Please list reasons or other information as to why the zoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

VI. Filing Information and Required Signatures

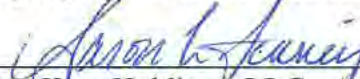
A. Every application shall contain the following information:

1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.
2. If the applicant is a corporation, the names and mailing addresses for the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest in the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.


B. Signature of Applicants in Accordance with VI.A. above.

Signature(s):   
Printed Name(s): Hugh Cropper IV  
Mailing Address: 9927 Stephen Decatur Hwy, F-12, Ocean City, MD 21842  
Phone Number: ██████████ Email: ██████████  
Date: \_\_\_\_\_

C. Signature of Property Owner in Accordance with VI.A. above.

Signature(s):   
Printed Name(s): Kasa Holdings, LLC, c/o Aaron Finney, Managing Member  
Mailing Address: 4 Dinghy Court, Ocean Pines, Maryland 21811  
Phone Number: ██████████ Email: ██████████  
Date: \_\_\_\_\_

D. Signature of Attorney in Accordance with VI.A. above.

Signature(s):   
Printed Name(s): Hugh Cropper IV  
Mailing Address: 9927 Stephen Decatur Highway, F-12, Ocean City, MD 21842  
Phone Number: ██████████ Email: ██████████  
Date: \_\_\_\_\_

(Please use additional pages and attach to the application if more space is required.)

## VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1<sup>st</sup> to January 31<sup>st</sup>, May 1<sup>st</sup> to May 31<sup>st</sup>, and September 1<sup>st</sup> to September 30<sup>th</sup> of any calendar year.
- B. Applications for Map Amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case, including but not limited to the following matters: population change; availability of public facilities; present and future transportation patterns; compatibility with existing and proposed development and existing environmental conditions for the area including having no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement; the recommendation of the Planning Commission; and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there was a substantial change in the character of the neighborhood where the property is located since the last zoning of the property or (b) there is a mistake in the existing zoning classification and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for a map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

## REZONING FINDINGS OF FACT FORM

- A. Is the request for rezoning based upon a claim that there has been a change in the character of the neighborhood where the property is located since the last zoning of the property or upon a claim that there is a mistake in the existing zoning and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.**

The primary basis for this rezoning is a mistake in the November 3, 2009 Comprehensive Rezoning.

The property is shown on Exhibit A and it is currently zoned A-2, Agricultural District, although it is virtually impossible to meet any of the setbacks and/or lot area requirements of the A-2, Agricultural District. Moreover, Maryland Route 611 (Stephen Decatur Highway) is a collector highway, with an enhanced front yard setback, which consumes even more of any proposed building envelope on the property.

The property abuts CA, Commercial Airport District to the east, which is essentially a commercial zoning, permitting municipal or County airports, hangars, terminals, support buildings, and other buildings and structures such as restaurants, lounges, and gift shops as accessory uses.

The property abuts C-1, Neighborhood Commercial to the north. It is important to note that the property directly to the north was rezoned to this Commercial designation, but as of the date of this rezoning application, there has been no development on the property. This applicant would assert that that rezoning was also a mistake; and the C-2, General Commercial District would have been more appropriate for that property.

The property has substantial frontage on Maryland Route 611. It is really not appropriate for any agricultural uses.

It is really not appropriate for any residential uses. Between the road noise from Maryland Route 611, Sinepuxent Road to the rear, and being directly under the airport runway, it is hard to imagine an appropriate residential use.

Although the sliver of land is designated Agricultural in the March 7, 2006 Comprehensive Land Use Map, taken as a whole, the proposed rezoning is consistent with the Comprehensive Plan. The Comprehensive Plan designates the viability of the Ocean City Airport, and its importance to Worcester County, which is directly east of this property, among other things.

Although not the primary basis for the rezoning, there have also been substantial changes in the character of the neighborhood.

In this case, the applicant has proposed a small neighborhood, which is essentially the commercial corridor south of the intersection of Stephen Decatur Highway with Sunset Avenue, down to the southern border of the Ocean City Airport. As the map attached hereto as Exhibit B demonstrates, there have been three rezonings in this small commercial neighborhood since November 3, 2009. In addition, the Worcester County Commissioners have approved the Sea Oaks Village RPC, along with the provision of over one hundred EDU's. This small commercial corridor or neighborhood will now serve the residents of the Whispering Woods Subdivision, the Sea Oaks Village RPC, Deer Point, Ocean Reef, and the Greater Mystic Harbour Subdivision. Commercial uses are definitely needed to serve these residents.

It is also important to note that Rezoning Case No. 441, approved on June 20, 2003, actually deleted commercial zoning from the neighborhood.

The passage of Resolution 17-19, which permitted the sale of EDU's, was a definite change to the character of the neighborhood. This permitted the Sea Oaks RPC, which previously had zero EDU's. This also increased other development in the area, and allowed for the possibility of Mystic Harbour EDU's to be allocated to this property, an opportunity which did not exist as of November 3, 2009, which is evidence of a change in the character of the neighborhood.

**B. What is the definition of the neighborhood in which the subject property is located, as determined by the applicant.**

Although the primary basis for the rezoning is a mistake, the neighborhood is defined as those properties with frontage along Stephen Decatur Highway or Maryland Route 611 from the intersection of Stephen Decatur Highway and Sunset Avenue, south, to the southerly border of the Ocean City Airport.

**C. Findings of Fact as to Section 1-113(c)(3) of the Zoning Code:**

1. **Relating to population change:** The applicant asserts that there has been an increase in residential population in the area, justifying the need for additional commercial services. The property subject to Rezoning Case No. 441 has received all approvals, and has just received approval for private road standards. Construction will commence shortly on this new multi-family project. The Sea Oaks RPC contains 130 plus multi-family units, which will directly be served by this neighborhood. There have been other residential changes as well, which include infill to Mystic Harbour, Deer Point, Whispering Woods, and Ocean Reef.

2. **Relating to the availability of public facilities:** All public facilities are available to this property, and even more specifically since the passage of Resolution 17-19, public water and sewer are available (with appropriate approval from the Worcester County Commissioners).

3. **Relating to present and future transportation patterns:** The applicant recognizes that there are some traffic issues in this area, but this property is perfectly suited for a commercial development. It has direct frontage on Stephen Decatur Highway, but access can be out the rear, on Sinepuxent Road. Development in this way will prevent congestion on Stephen Decatur Highway.

4. **Relating to the compatibility with existing and proposed development and existing environmental conditions for the area:** The proposal is definitely consistent with existing and proposed development. It is directly across from a Municipal Airport. It abuts commercial zoning to the north. To the south, there is a large area owned by the Town of Ocean City, which is essentially a no build zone as the runway path for the Airport.

The property is literally sandwiched between two roads, so it is hard to imagine any impact on any state waters.

Recommendation of the Planning Commission: Hopefully, the Planning Commission will recommend this rezoning favorably.

**5. Relating to compatibility with the Comprehensive Plan:** Although designated Agricultural by the Land Use Map, taken as a whole, the applicant asserts that the proposed rezoning is consistent with the Comprehensive Plan.

Respectfully submitted,

A handwritten signature in blue ink, consisting of several loops and a final flourish.

---

Hugh Cropper IV, Attorney for Property Owner

P. 0289

P. 0440

Approved: 6/20/23

P. 0361

P. 0208  
L. 2

Note: Rezoning Case No. 417  
Approved: 4/17/18

TAYLOR ROBERT J & OTHERS  
M. 0026  
P. 0274  
AC. 39.67

P. 0274  
L. 1A

P. 0424

Stephen Decatur Hwy

East Wind Dr  
Fisherma

P. 0445  
L. 1B

ST COAST VENTURES INC  
M. 0026  
P. 0275  
AC. 95.82

**EXA**

Note: Rezoning Case No. 405  
Approved: 5/2/17

P. 0274

Anchor Way Dr

Dockside Dr

Ensign Dr

Bay Vista Dr

Cutlass Dr

P. 0629

Mystic Harbour Blvd

P. 0211

P. 0450  
L. A

Whitetail Ct

Ten Point Ct

P. 0407  
L. 4

P. 0407  
L. 5

P. 0407  
L. 4

P. 0407  
L. 3

611

Deer Point Cir

Deer Point Cir

Lake Vir

Ocean

MAYOR & CITY COUNCIL OF  
M. 0026  
P. 0331  
AC. 43.37

Mountain Laurel Ct

P. 0348

P. 0349

P. 0442  
L. A

xent Rd

atur Hwy





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

## Memorandum

---

**To:** Worcester County Planning Commission

**From:** Brian Soper, Natural Resources Administrator *BS*

**Subject:** Map Update of the Atlantic Coastal Bays and Chesapeake Bay Critical Areas

**Date:** May 28, 2026

---

The Worcester County Critical Area maps are required to be updated after changes to the Critical Area law in 2008 by the General Assembly. The Critical Area Commission (“CAC”) officially has submitted the updated Critical Area maps for local approval. Their official letter is attached.

The updated maps can be viewed at the following website: <https://webmaps.esrgc.org/cbca/>

The update resulted in a net loss of 550 acres in the County's Critical Area. There are gains and losses of Critical Area throughout the County, but the largest loss is due to the transition of the Pocomoke River from tidal to non-tidal near Porter’s Crossing. The Chesapeake Critical Area had a net loss of 691 acres, while the Atlantic Coastal Bays Critical Area had a net gain of 141 acres.

Prior to receiving the updated maps CAC staff worked with County staff to review changes to the 1,000-foot boundary line over the course of several years. The following has occurred as part of this process:

1. November 6, 2024 - The CAC provided an update to the County Commissioners.
  - The presentation is attached and it should be noted that this was prior to field visits that resulted in additional changes to the map.
2. November 22, 2024 – The CAC sent notification letters to property owners affected by the 1% or greater gain in Critical Area on their property; 994 total.
3. January 15, 2025 – The CAC held a public meeting in Snow Hill.

**Citizens and Government Working Together**

4. May 9, 2025 – Following the January 15<sup>th</sup> meeting site visits were conducted at the request property owners.

- Following these site visits the CAC adjusted the maps to reflect the site conditions.

5. June 25, 2025 – Official updated map was submitted to the County by the CAC.

An update of the Critical Area maps does not change the County's previously allotted growth allocation acreage. The current acreage is below:

Atlantic Coastal Bays – 371.21 acres as of March 6, 2026

Chesapeake – 335.11 acres as of March 6, 2026

As part of the adoption process staff has prepared a draft outline of language for projects and permits currently in the review pipeline that are impacted by the updated maps.

*The Critical Area designation of an unclassified area that was not previously within the Chesapeake Bay and Atlantic Coastal Bays Critical Area may not affect the initial construction of a development project or activity if, by July 1, 2010, the development project or activity received either growth allocation, final subdivision approval, or final site plan approval. Any permits or approvals issued after the initial construction of a development project or activity shall comply with the updated Critical Area designation and the requirements of that designation.*

*For a development project or activity that received final approval after July 1, 2010 shall comply with the updated Critical Area designation, unless that development project or activity meets the following:*

- (1) *A building or zoning permit has been issued on or before (insert date of expected map approval);*
- (2) *The construction allowed under the issued building or zoning permit for the development is initiated before (insert date of a reasonable time in future);*
- (3) *All pending building and zoning permit applications shall be issued by (insert date of that is about six months out from the expected map approval date).*

The final version of the language for projects and permits currently under review will be included in the adoption resolution following preliminary comments from the CAC.

**Staff is requesting a recommendation of approval for the updated Critical Area maps from the Planning Commission to the County Commissioners.**

cc: Robert Mitchell, Director of Environmental Programs  
cc1: David Bradford, Deputy Director of Environmental Programs  
cc2: Jennifer Keener, Director of Development Review and Permitting  
cc3: Ben Zito, Development Review and Permitting

**Citizens and Government Working Together**

Wes Moore  
*Governor*

Aruna Miller  
*Lt. Governor*



Erik Fisher  
*Chair*

Nick Kelly  
*Executive Director*

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

June 25, 2025

Mr. Bob Mitchell, Director  
Department of Environmental Programs, Worcester County  
One West Market Street, Room 1306  
Snow Hill, Maryland 21863

RE: Transmittal of the Summary Draft Map of the Critical Area for Worcester County

Dear Mr. Mitchell:

The Critical Area Commission and the Department of Natural Resources have appreciated working with you and your staff to develop updated Critical Area Maps for Worcester County. This effort is required by House Bill 1253, passed in 2008.

A Summary Draft Map prepared by the Department of Natural Resources and the Critical Area Commission is hereby delivered to the county for formal adoption. (Detailed information about downloading the Summary Draft Map will be provided to you via email from our office). The regulations specify that the process of local approval shall be completed within 24 months of the date of transmittal. This letter serves as your official notification to begin the local review and adoption process.

As part of this update to the County's maps the definition of Critical Area in the County's Code may need to be revised to reference the newly adopted maps. The County may also want to consider whether interim provisions are necessary for those project approvals that are currently being reviewed but may not be approved prior to the adoption of the updated Critical Area boundary line. Commission staff are happy to provide additional guidance to your office about potential text changes.

Also, as you are aware, the County staff along with Commission staff, the Department of Natural Resources, and the Maryland Department of the Environment conducted additional field visits after the public meeting. Here is a summary of the results of those field visits.

- 1) Orchard Road –The tidal flow and vegetation found supported pulling the extent back and closer to the main channel of Beaverdam Creek. Drone photos were collected to support revising the tidal extent of the wetlands.

Page Two  
June 25, 2025

- 2) Sinepuxent Road- The tidal flow, visible mud banks, and vegetation found supported pulling the extent back and closer to the main channel of Ayers Creek.
- 3) Unionville Road - The tidal flow and vegetation found supported pulling the extent back and closer to the main channel of Union Branch.
- 4) Assateague Road - The tidal flow, visible mud banks, and vegetation found supported pulling the extent back and closer to the main channel of Trappe Creek.
- 5) Gum Point Road - The tidal flow, visible mud banks, and vegetation supported keeping the pond and adjacent wetlands as tidal.
- 6) Harrison Road - The tidal extent was confirmed in the field and supported keeping the boundary as proposed.

Thank you for working so closely with the Department and the Commission during the development of the updated Critical Area Maps. Because of your efforts and the cooperation and hard work of you and your staff, we believe that we have created an excellent map product that will improve the efficacy of the Critical Area Program throughout the State. The Department and the Commission look forward to working with you during the review and adoption process over the coming months.

If you have any questions, please do not hesitate to contact Lisa Hoerger, the project manager for the Critical Area Mapping Update Project, at (410) 260-3478.

Sincerely,



Erik Fisher  
Chair



Natalie Snider, Director  
Watershed & Climate Service  
Department of Natural Resources

cc: Mr. David Bradford, Deputy Director, Environmental Programs  
Mr. Brian Soper, Planner, Environmental Programs  
Mr. Kevin Coyne, Maryland Department of Natural Resources  
Mr. Dave Foreman, Maryland Department of Natural Resources

Page Three  
June 25, 2025

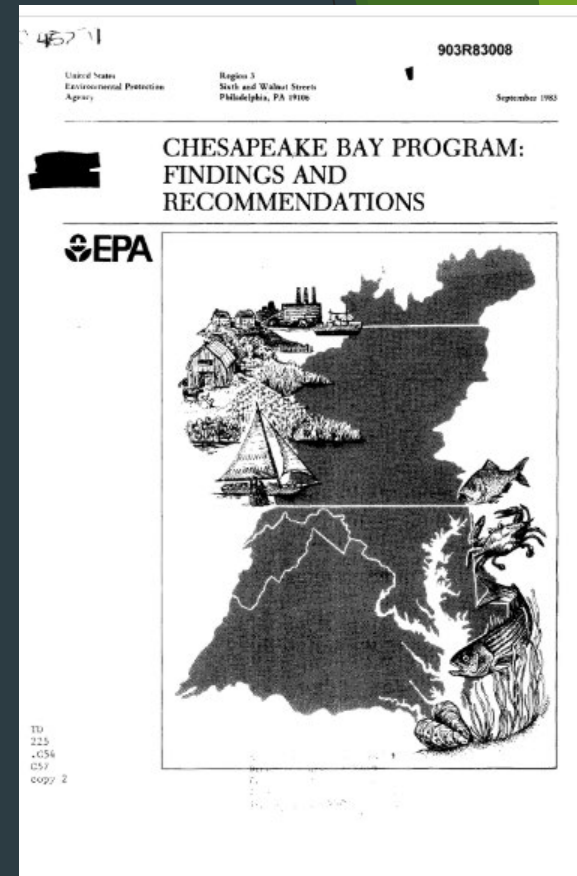
cc: Mr. Jon Stewart, Maryland Department of the Environment  
Ms. Lauren McDermott, Eastern Shore Regional GIS Cooperative  
Ms. Ryan Mello, Eastern Shore Regional GIS Cooperative  
Dr. Michael Scott, Eastern Shore Regional GIS Cooperative  
Ms. Lisa Hoerger, Critical Area Commission

Critical Area Mapping Update Project  
Worcester County Commissioners  
November 6, 2024

Critical Area Commission for the  
Chesapeake and Atlantic Coastal Bays

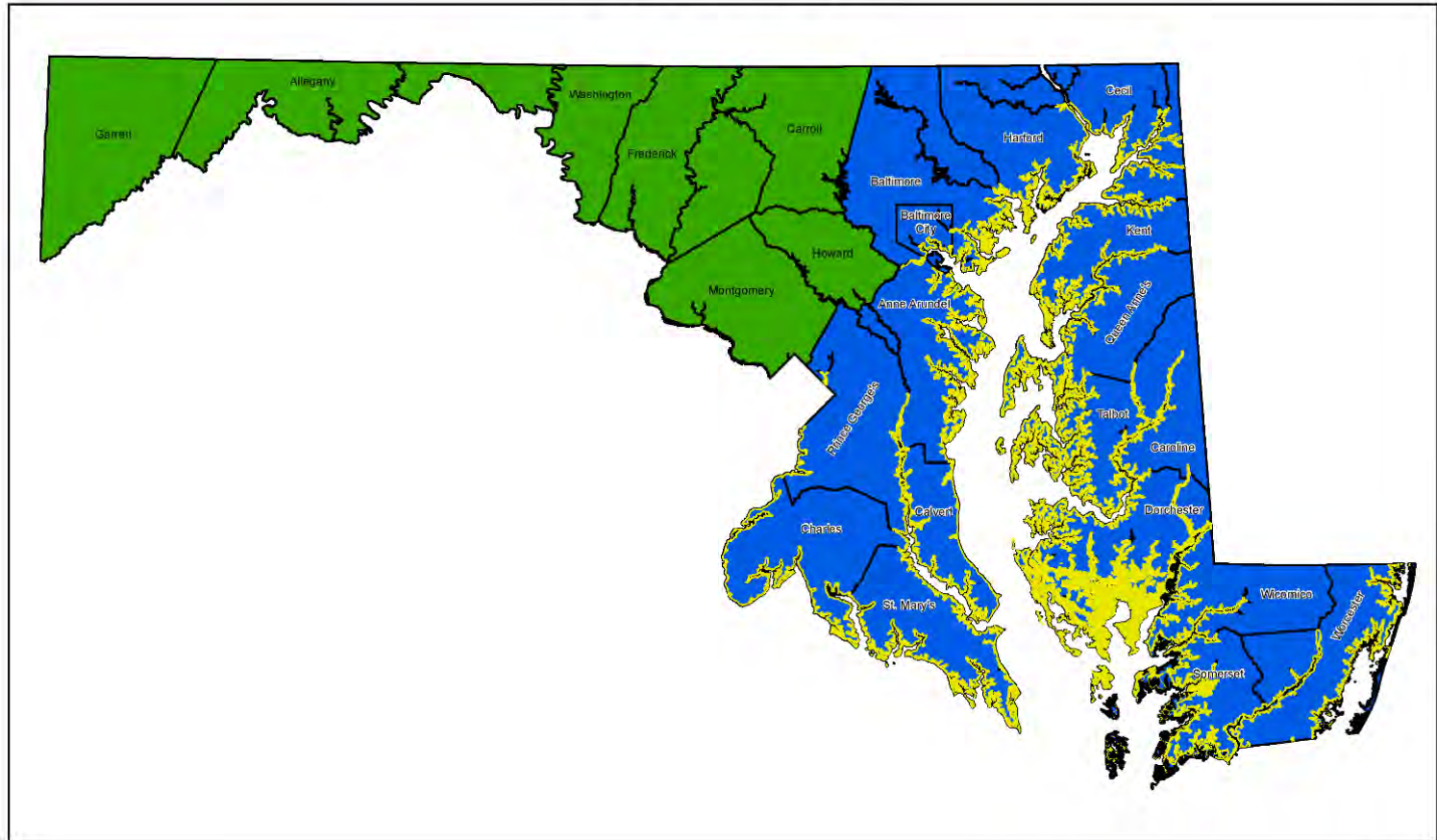
# What Is the Critical Area Program?




- Based on Chesapeake Bay Critical Area Act passed in 1984
- Land use and resource protection program implemented at the local level
- Involves additional regulatory requirements for development activity and changes in land use within the Critical Area



# Where Is the Critical Area?

Maryland Critical Area



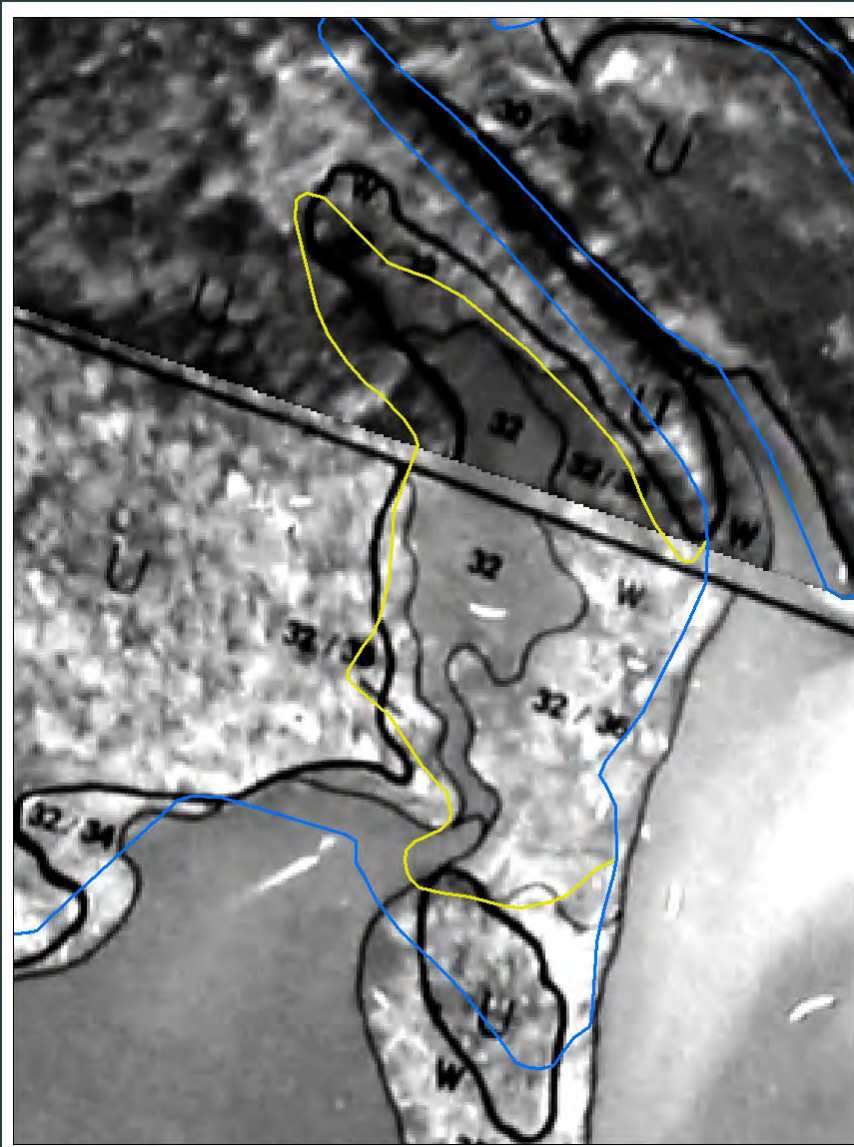
-  Critical Area
-  Jurisdiction Contains no Critical Area
-  Jurisdiction Contains Critical Area



# House Bill 1253 – Mapping Provisions



# Why Update Now?



1972 State Tidal  
Wetlands Map –  
Flown in the 1960's

# Why Update Now?

**MERLIN - Maryland's Environmental Resource & Land Information Network**

**Contact Information**

**Maryland's Environmental Resources and Land Information Network**

MERLIN Online was originally developed back in the late 1990s to satisfy everyone's "hunger" for spatial data. It was created to help people make better informed decisions. MERLIN Online allows users to produce a custom map of any location in Maryland, to include their choice of base maps and data layers.

MERLIN online is a compilation of data from many sources.

MERLIN Online should be used for guidance purposes only.

MERLIN is part of the MD iMAP mapping system. If the map or layers are not loading correctly, please check the MD iMAP Twitter page for any service alerts that may be affecting map performance.

**MD iMAP**  
MD iMAP: One Maryland, One Map. Service alerts and information on Maryland's Mapping system.  
Annapolis, MD  
[www.maryland.gov](#)

**Contact Staff**  
Kevin J. Coyne  
MD Department of Natural Resources

**App Store**  
Click to make the map extend and layers visible when you log off.

Maryland.gov Phone Directory State Agencies Online Services Translate

**Maryland** MARYLAND'S MAPPING & GIS DATA PORTAL  
**MD iMAP**

Enter search term

HOME DASHBOARDS MAPS DATA INITIATIVES INNOVATE SUPPORT TRAINING PARTNERS

**MD iMAP**  
Maryland's Mapping & GIS Data Portal

- ✓ **LIDAR** Operating Normally
- ✓ **Composite Locator** Operating Normally
- ✓ **imagery** Operating Normally
- ✓ **Other Services** Operating Normally

**All Services Status** **Report an Issue**

Tweets by @MDiMAP

- MD iMAP Retweeted
- Maryland Department of Health @MDHealthDept  
New data visualization updates enable

**Watershed Resources Registry** Maryland Version

Find address or place

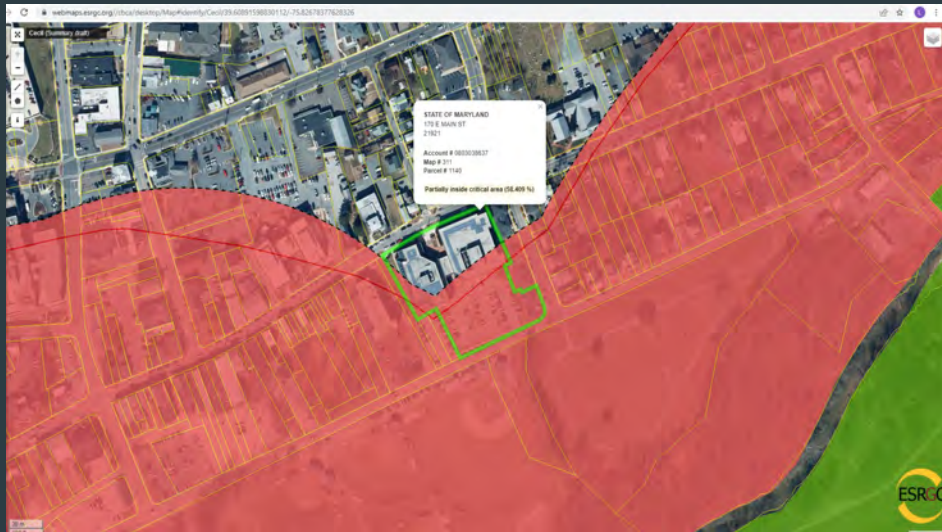
**WRR Layer List**

- Green Infrastructure
- Biodiversity Conservation Network
- Sensitive Species Project Review Areas
- Spring-fed Watersheds
- MD Critical Areas
- MD Blue Infrastructure Ranks

Maryland Stream Mitigation Framework Layers:  
Site Sensitivity Analysis for Stream Impacts

Maryland Stream Mitigation Framework Layers:

# Notice To Affected Property Owners



Public Information Meetings

There are no public meetings scheduled at this time. However, if you want to learn more about this process because you received a letter from our office or are just seeking general information, please watch the public information video.

**Critical Area Mapping Update**  
 What is the Critical Area?

- All waters of the Chesapeake Bay, the Atlantic Coastal Bays, and their tributaries to the head of tide.
- All land under these waters.
- All land within 1,000 feet of the landward edge of tidal waters and tidal wetlands.
- Approximately 11% of the State and 600,000 acres.

Watch on YouTube

Map Update Project

- Overview
- Process
- Pilot Project

Comments or Questions?  
 Click here to submit your comments or questions.

Wes Moore  
 Governor  
 Annes Hillen  
 Lt. Governor

Eric Fisher  
 Chair  
 Judgement Chairwoman  
 Executive Director

Mapping Update Project  
 April 26, 2023  
 Page 2

STATE OF MARYLAND  
 CRITICAL AREA COMMISSION  
 CHESAPEAKE AND ATLANTIC COASTAL BAYS

HYROCK DUCK CLUB LLC  
 P.O. BOX 212  
 LEWIS, DE 19956

April 26, 2023

RE: Critical Area Mapping Update Project  
 10674 ANDERSON ROAD, Tax Account ID# 2001000098  
 Map 0022, Parcel 0199

Dear Property Owner:

You have received this notification because you own property in the Critical Area. Under direction from State law, the Critical Area Commission is working with local government, including Somerset County, to update the Critical Area Boundary Map. The draft maps show that there is a change in the Critical Area boundary on your property.

The Critical Area is defined as those lands adjacent to the Chesapeake Bay and its tributaries that are measured 1,000 feet from the edge of tidal waters and tidal wetlands. Maryland established the Critical Area in 1994 to protect clean water and wildlife habitat, and effectively manage development near the shoreline in partnership with local government. State law directs an update to the Critical Area maps every 12 years to ensure they remain accurate.

The first set of updated draft maps has been prepared for Somerset County. Due to the proximity of your property to tidal waters and wetlands, the 1,000-foot boundary line on the updated map either newly includes your property in the Critical Area, or includes more of your property in the Critical Area.

The maps are now available to the public for your review and comment. To learn about the Critical Area Mapping Update Project or view your property using our interactive map, go to [this link: https://www.maryland.gov/criticalarea/updates/updates.asp](https://www.maryland.gov/criticalarea/updates/updates.asp). Also, please see the list of Frequently Asked Questions that has been included with this letter. A public information meeting to show the draft maps and related supporting documentation will be held on:

Wednesday, May 31, 2023  
 6:00 p.m.  
 Somerset County Civic Center  
 11526 Crutfield Lane  
 Trappee Area, Maryland 21153

1034 West Street, 3rd Floor, Annapolis, Maryland 21403 • (410) 326-3461 • Fax: 410/326-6155  
 An equal opportunity employer • TDD: voice and the Maryland Relay Service

I encourage you to attend the public meeting, so that State and local government staff can assist you with reviewing the maps and understanding how your property has been affected. You may register for attendance at the public meeting at <https://www.maryland.gov/criticalarea/updates/updates.asp>.

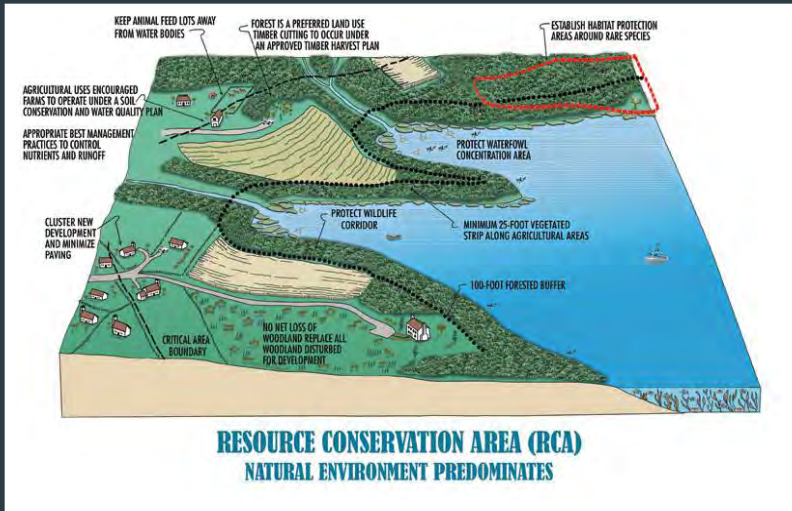
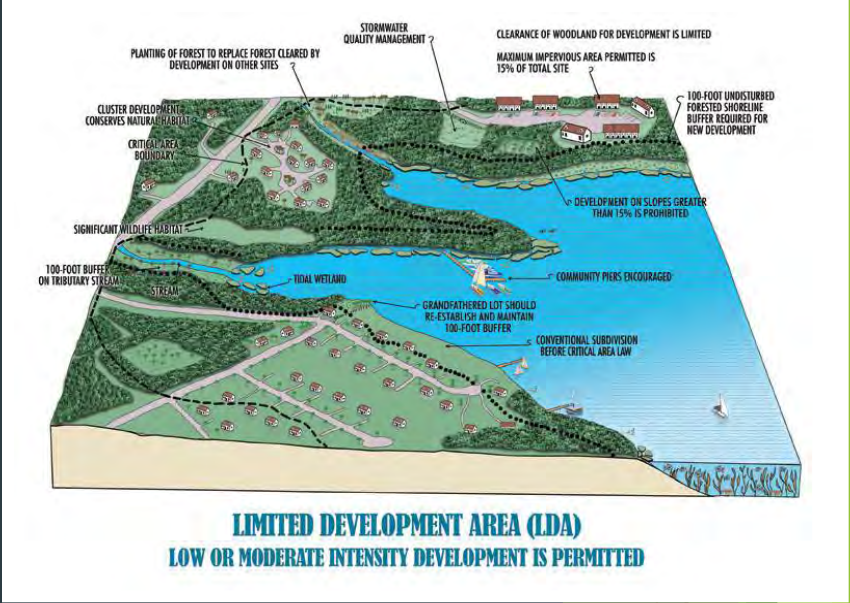
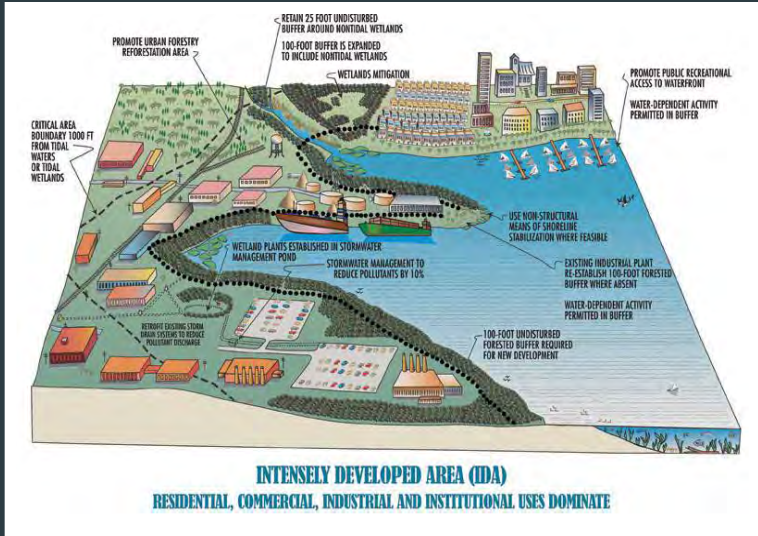
If you are unable to attend the meeting and would like additional information about the mapping update project, your property, or future opportunities for public participation in the map review process, please contact one of the following:

Mary Phillips / Somerset County / (410) 651-1424 / [mphillips@somersetmd.us](mailto:mphillips@somersetmd.us)  
 Catherine Shorter / Somerset County / (410) 651-1424 / [cshorter@somersetmd.us](mailto:cshorter@somersetmd.us)  
 Cheryl Sager / Somerset County / (410) 651-1424 / [csager@somersetmd.us](mailto:csager@somersetmd.us)  
 Keith Lachar / City of Onfield / (410) 713-3464 / [keith.lachar@onfield.gov](mailto:keith.lachar@onfield.gov)  
 Bob Cicconetti / Critical Area Commission / (410) 266-3460 / [Bob.Cicconetti@maryland.gov](mailto:Bob.Cicconetti@maryland.gov)

We look forward to the opportunity to discuss this important project with you.

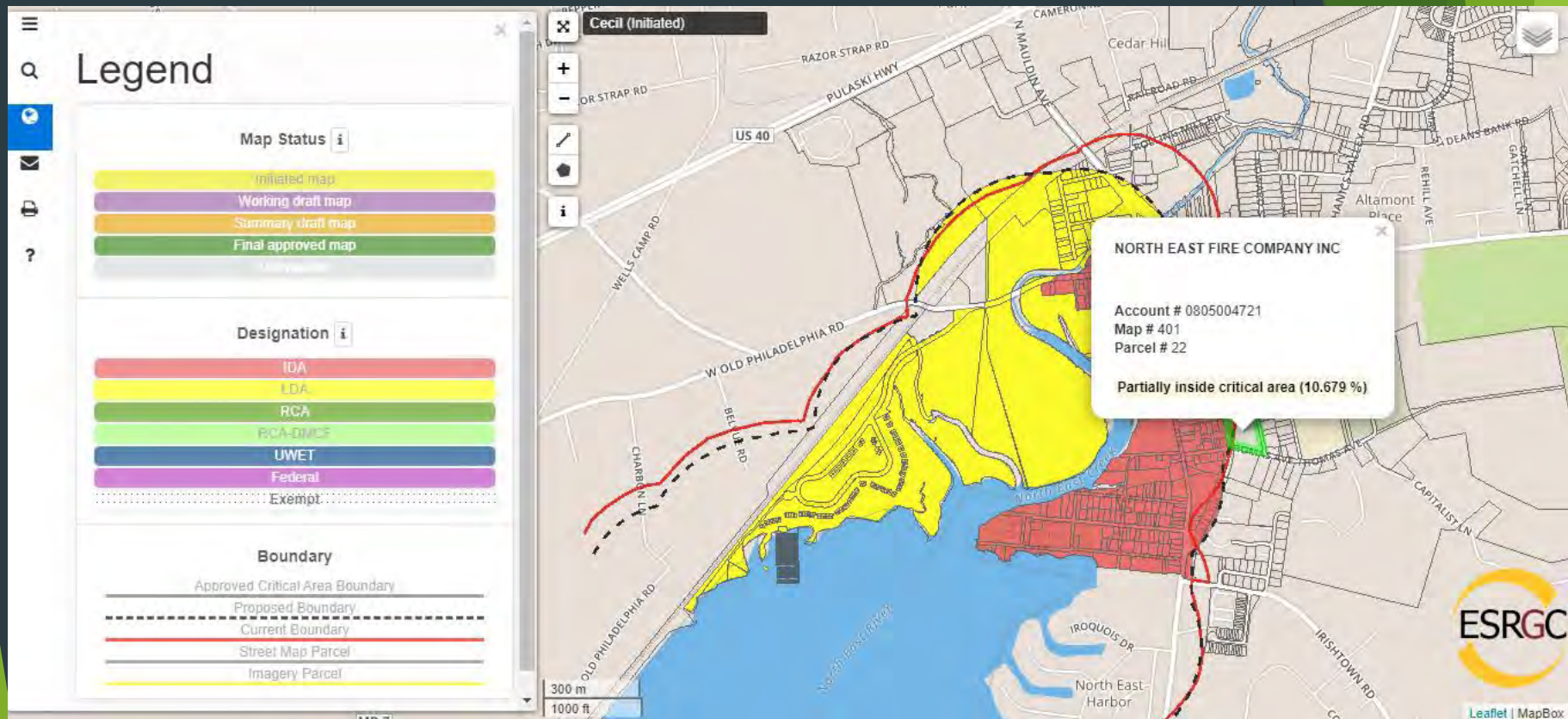
Sincerely,  
  
 Eric Fisher  
 Chair, Critical Area Commission  
 Chesapeake and Atlantic Coastal Bays

# Critical Area Designations



# What Does this Mean for My Property?

- Future development or redevelopment is subject to the County's Critical Area requirements.



# Critical Area Mapping Update Project



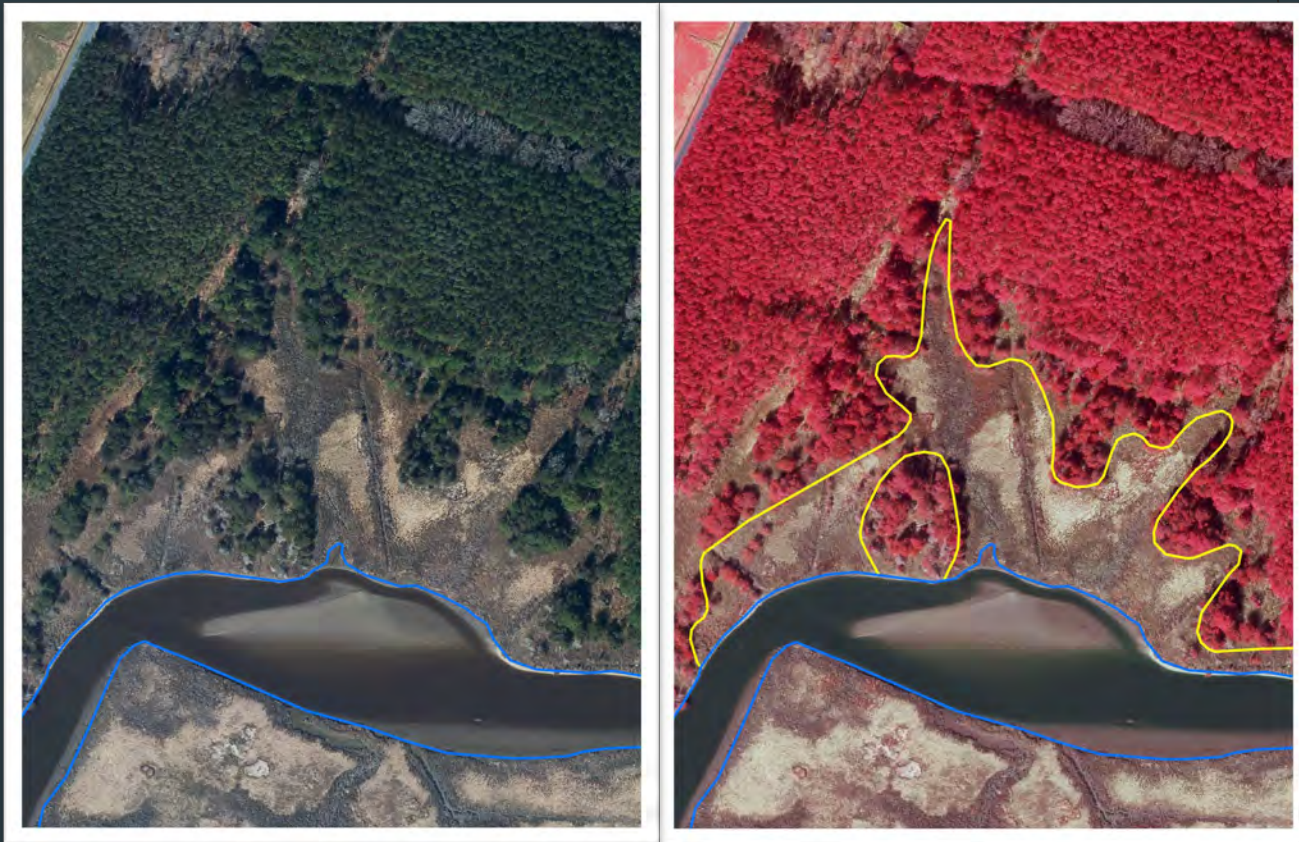
- Pilot Project
- Compile data sources
- Digitize shoreline, tidal wetlands, and the Critical Area
- Create web application
- Manage project

# Mapping Process

## Digitize Shoreline/Wetlands

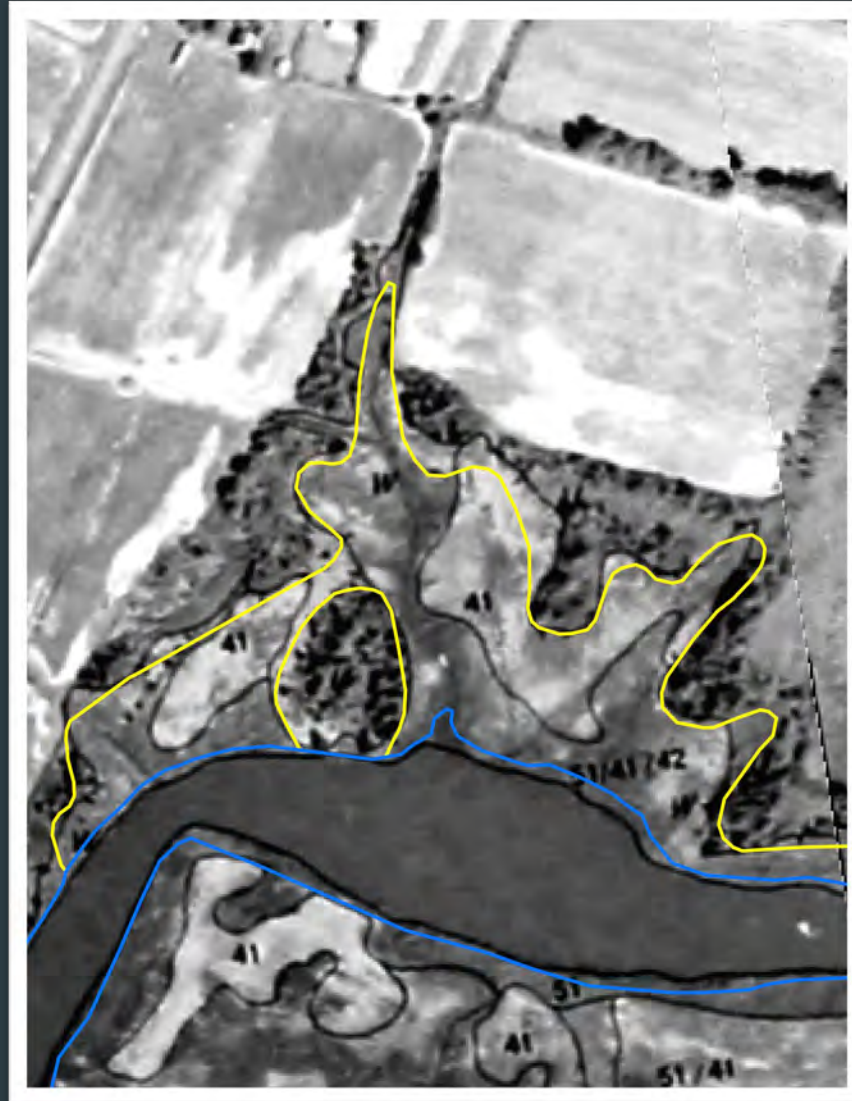
### Factors to Consider:

- Consideration given to tree canopy / shadows
- Location of water at time of image capture
- Multiple data sources needed to confirm
- Vegetation patterns



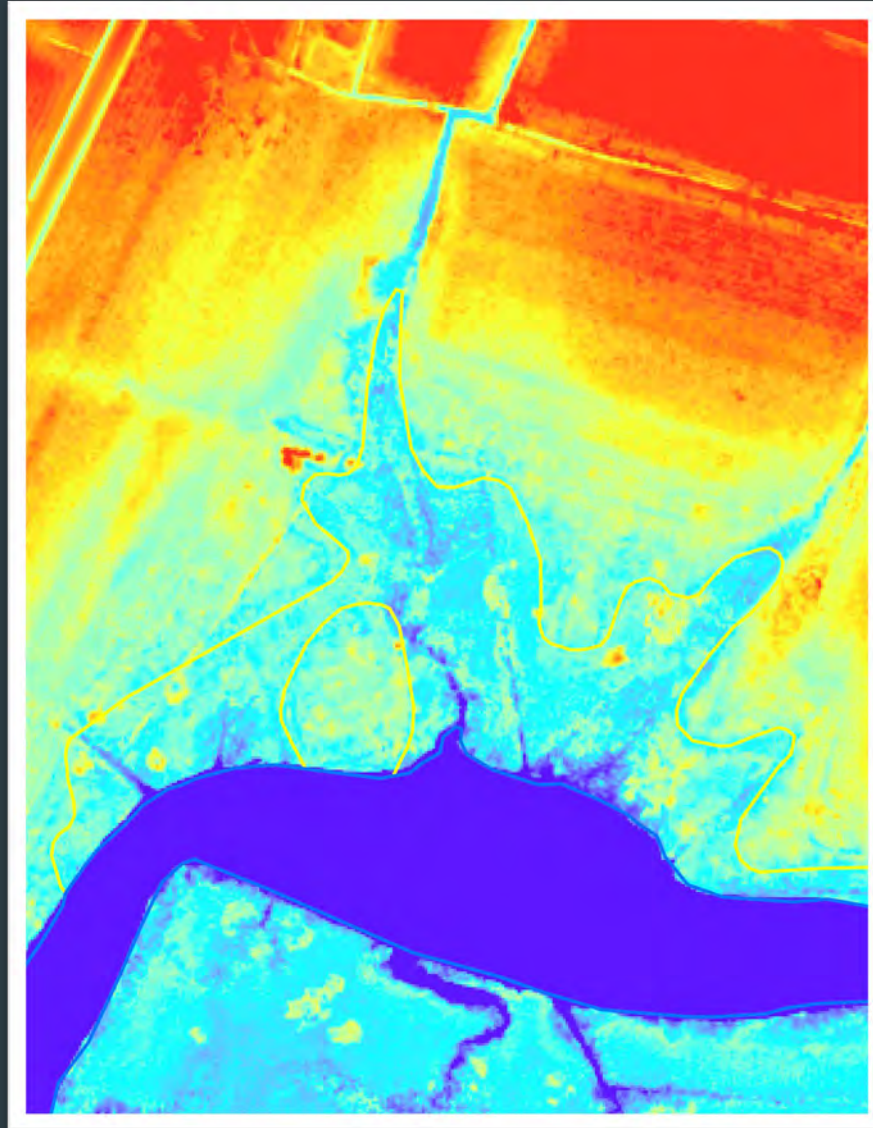
# Mapping Process

## Original Wetland Maps



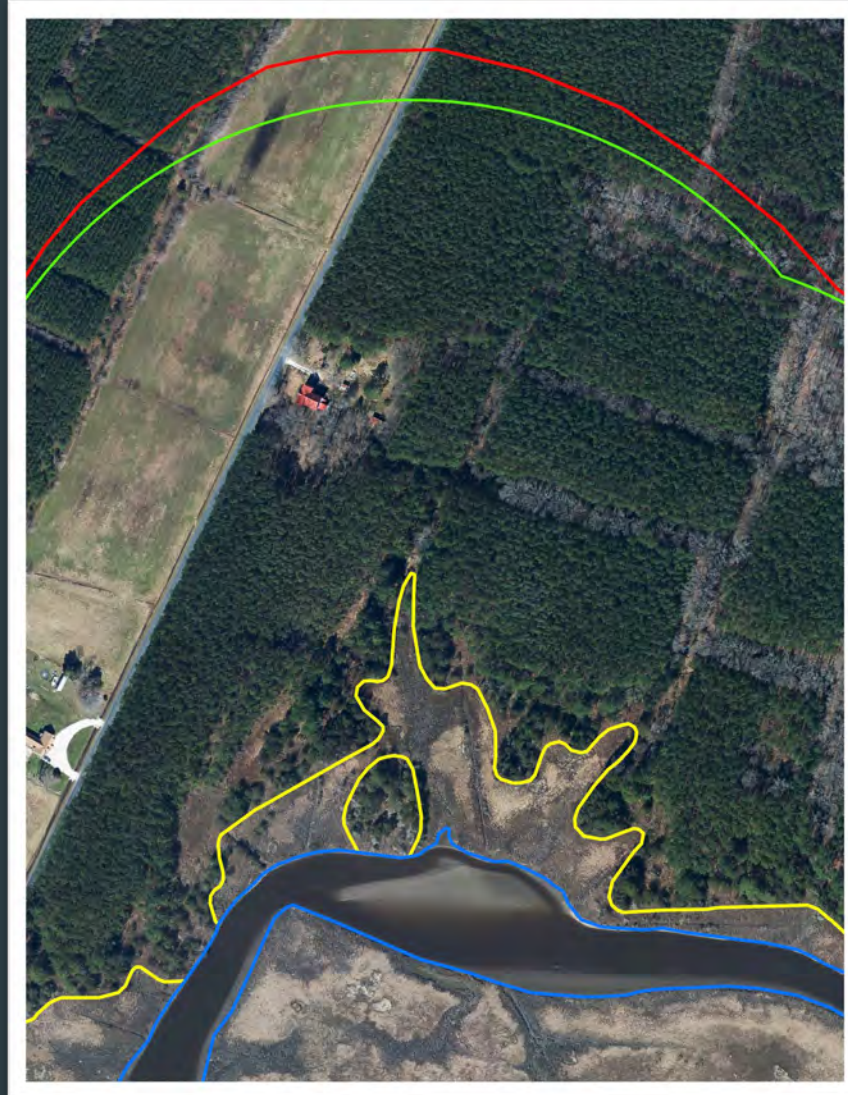
# Mapping Process

## LiDAR



# Mapping Process

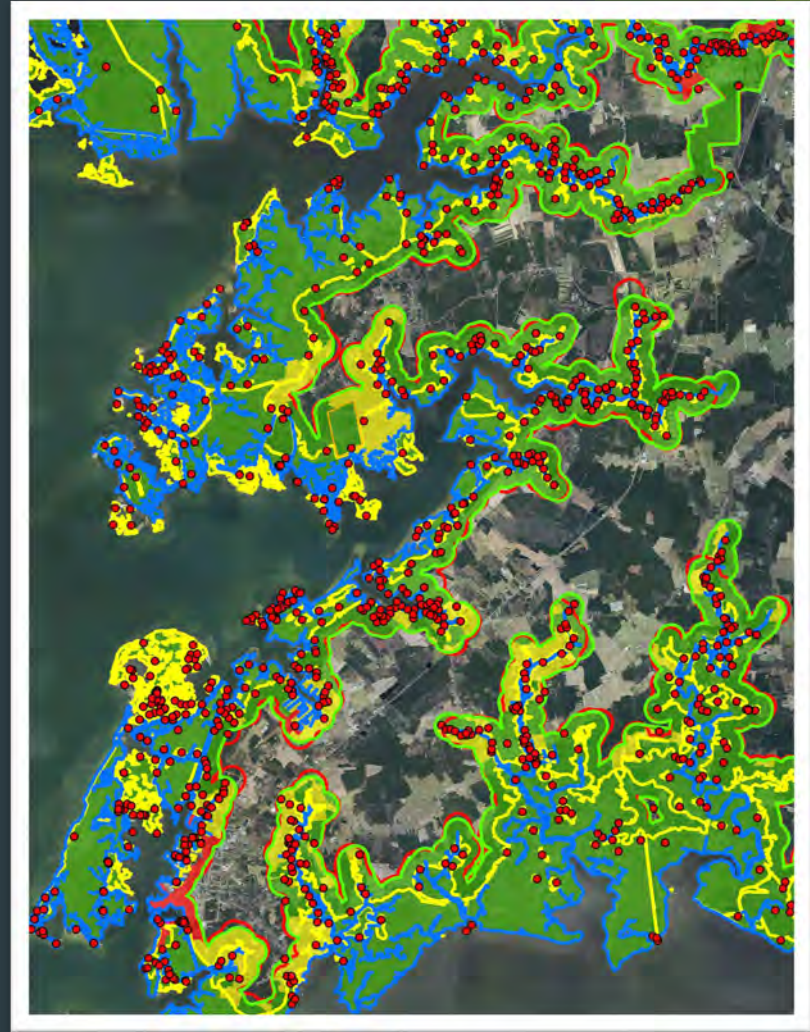
## Compare Critical Area



# Mapping Process

## Review Process

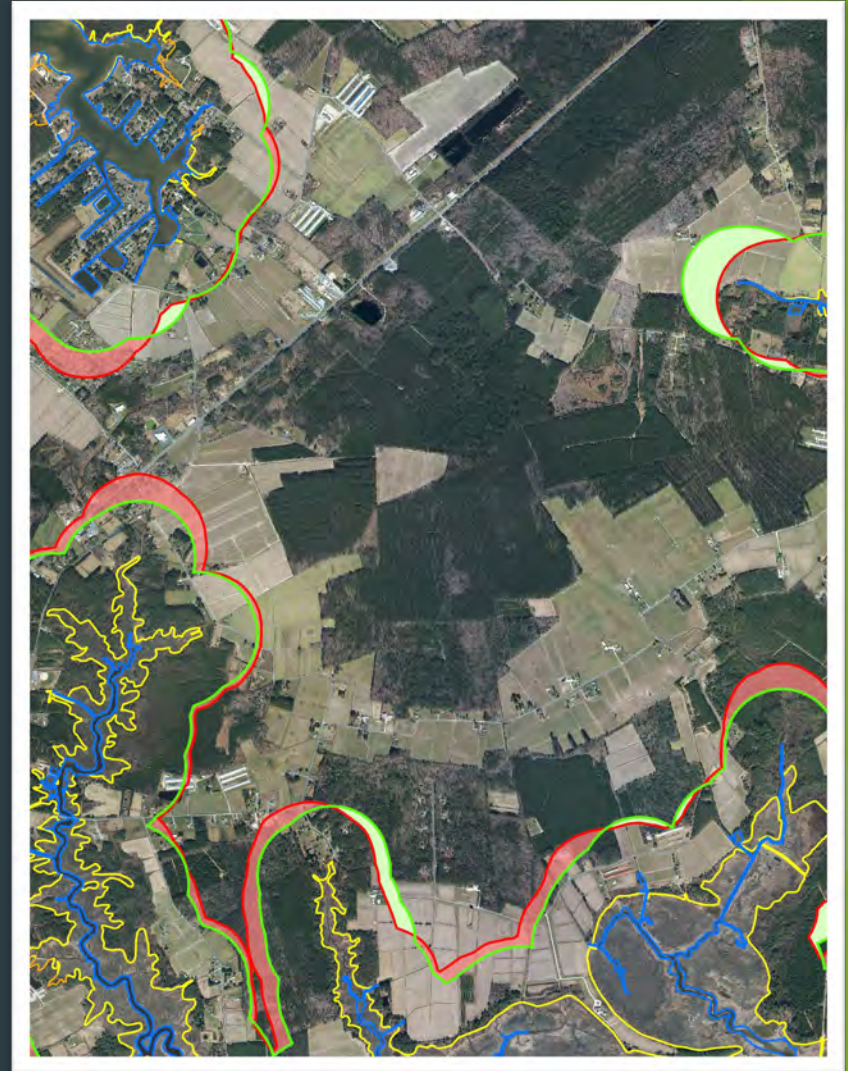
- Discrepancies, anomalies, inconsistencies identified by ESRGC, CAC, and local jurisdictions as review points
- Through web conference calls, review points are jointly analyzed
- Additional resources (permits, historical aerials, etc.) help resolve issues
- Multiple rounds of review
  - Shoreline/wetlands
  - Designations



# Mapping Process

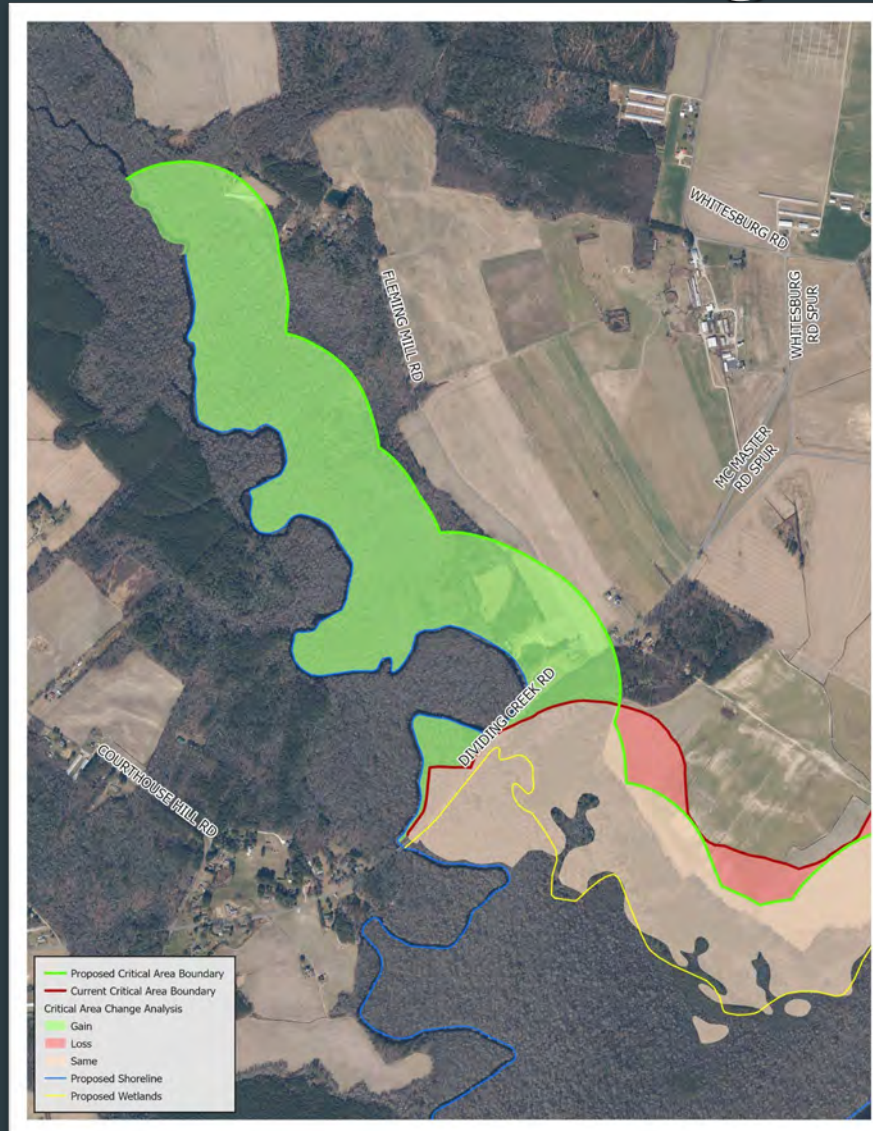
## Public Notification

- Generate list of properties with increase
  - 1% or more
- Mail letters to property owners including:
  - Property map
  - Contact info
  - Link to Web Map
  - Public info meeting included



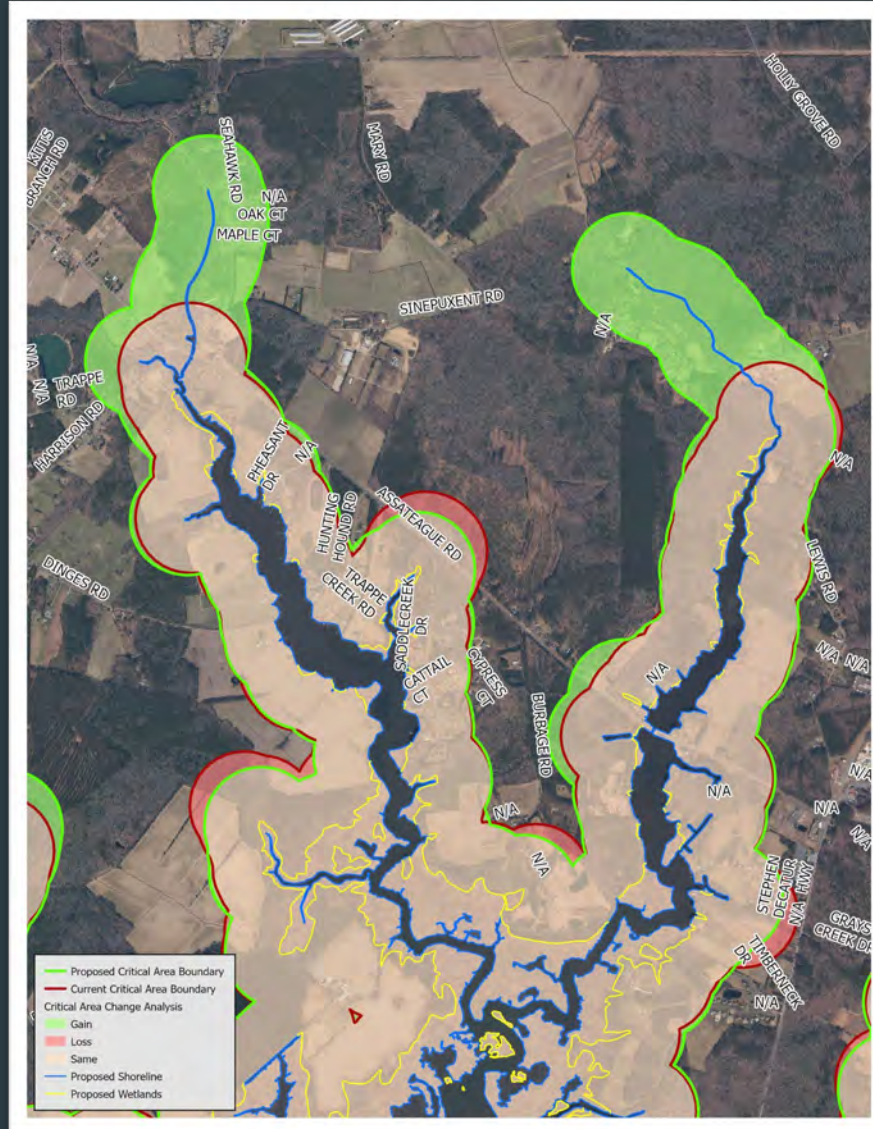
# Mapping Process

## Critical Area Change



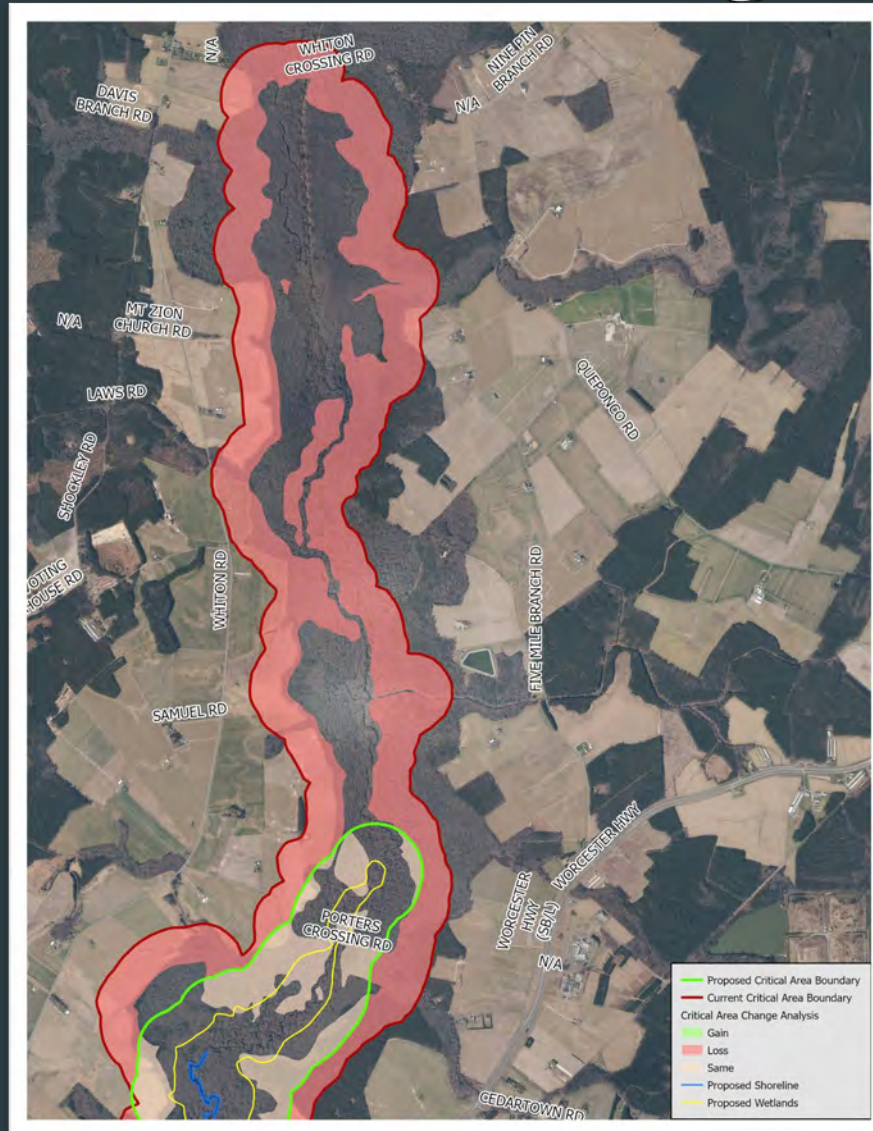
# Mapping Process

## Critical Area Change



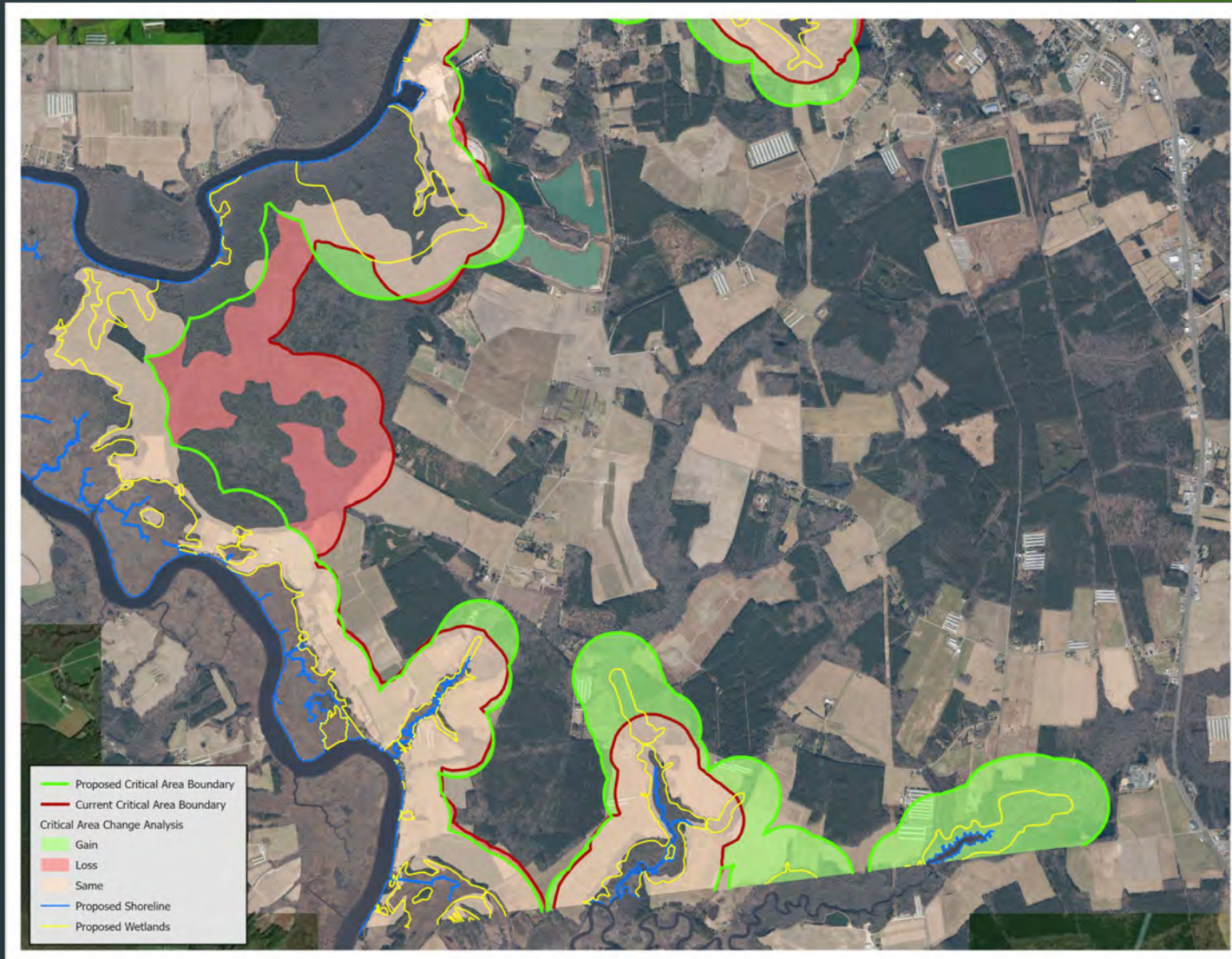
# Mapping Process

## Critical Area Change



# Mapping Process

## Critical Area Change



# Mapping Process Change Analysis

Total Critical Area (County)	57,294 acres
Chesapeake Total	14,927
Atlantic Total	42,366
Critical Area Gains	3,185
Chesapeake Total	1,921
Atlantic Total	1,264
Critical Area Losses	3,562
Chesapeake Total	2,605
Atlantic Total	957
Net Change	(-377)
Chesapeake Total	(-684)
Atlantic Total	307
Properties to be notified	994
Chesapeake Total	186
Atlantic Total	808

# Mapping Process

## Public Notification

Interactive Mapping Tool - allows the public to easily determine if their property is in the Critical Area

<http://webmaps.esrgc.org/cbca/desktop/Map>

**Critical Area Boundary Map Viewer** | Maryland Department of Natural Resources - CBCA | Eastern Shore Regional GIS Cooperative

1 W Market St, Snow Hill, MD 21863

Show search results for 1 W Ma...

**Legend**

**Map Status**

- Final Approved Map
- Summary Draft Map
- Working Draft Map
- Initiated
- Outside of Critical Area Program

**Approved Critical Area Boundary**

**In-Progress Critical Area Designations**

- Intensely Developed Areas (IDA)
- Limited Development Areas (LDA)
- Resource Conservation Areas (RCA)
- Resource Conservation Areas - Dredge Material Containment Facility (RCA-DMCF)
- Unclassified Wetlands (UWET)
- EXCLUDED
- FEDERAL

**Parcels (In-Progress Counties)**

**COUNTY COMMISSIONERS**

ACCTID	2402029973
Address	1 W MARKET ST
City	SNOW HILL
Zipcode	21863
Owner	COUNTY COMMISSIONERS
Map	0200
Parcel	0605
Distance (Ft.) from Critical Area Boundary (Not Available in all Jurisdictions)	
% of Property within Critical Area (Not Available in all Jurisdictions)	
Zoom to	***

# Questions?

Critical Area Commission for the  
Chesapeake and Atlantic Coastal Bays  
1804 West Street, Suite 100  
Annapolis, MD 21401  
(410) 260-3460