

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – April 1, 2021**

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: April 1, 2021

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

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

Staff

Roscoe Leslie, County Attorney
Ed Tudor, Director
Jennifer Keener, Deputy Director
Kristen Tremblay, Zoning Administrator
Stuart White, DRP Specialist
Bob Mitchell, Director of Environmental Programs

I. Call to Order

A. Administrative Matters

B. Review and approval of minutes, March 4, 2021 — As the first item of business, the Planning Commission reviewed the minutes of the March 4, 2021 meeting. Following the discussion, it was moved by Ms. Ott, seconded by Ms. Knight and carried unanimously to approve the minutes as submitted.

C. Board of Zoning Appeals agenda, September 12, 2019 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for April 8, 2021. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

II. §ZS 1-325 Site Plan Review

Atlantic General Hospital Medical Center – (AMENDED Plan as approved on February 7, 2019)

A. As the next item of business, the Planning Commission reviewed a revised site plan for Atlantic General Hospital Medical Center. Hugh Cropper presented the project for Atlantic General. Mr. Cropper explained that the needs for the hospital had changed and the original proposal of a two story 99,000 square foot structure was reduced to a one (1) story 50,000 square foot structure using the same footprint as originally proposed.

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John Salm presented an additional overview of the project as well as demonstrated the proposed site plan. He explained that the Stormwater Management System is utilizing pervious parking area and micro-bioretenion islands. The inter-parcel connectors have been relocated and additional landscaping in front of the building has been shown on the site plan. Numerous community spaces have been located in various areas around the building and the dumpster area has been redesigned to match the façade of the building. Forestry will be retained on site and there are no wetlands located in the Limit of Disturbance. The Planning Commission questioned why the landscaping in the artistic rendering does not match the landscaping plan. Mr. Cropper replied that the landscaping plan shows exactly what will be planted and that the artistic rendering is for approximate visualization purposes only. Kent Doss of Array Architects added that the new proposal has additional utilities screening and the roof unit sizes have been reduced.

A motion was made by Ms. Ott, seconded by Ms. Smith, and carried unanimously to approve the submittal with the requested waivers as follows: Upon due consideration of the site plan entitled ‘Site, Stormwater Management (SWM), Soil Erosion and Sediment Control (SESC) Plans – Atlantic General Medical Center, Ocean Pines consisting of sheets 1 through 12 and 12A prepared by J.W. Salm Engineering, Inc., dated February 10, 2021 and accompanying site elevations entitled ‘Sina Companies, LLC, Atlantic General, Parcel 66A, Tax Map 21, Route 589 – Race Track Road’ consisting of three (3) sheets, prepared by Array Architects dated February 17, 2021, the Planning Commission recommended approval with the waivers as requested.

III. Text Amendments

A. Cooperative Campgrounds - Spaces Above First Floor Elevation (§ZS 1-318(e)(2)E), Diana E. Nalls, applicant.

As the next item of business, the Planning Commission reviewed a text amendment application associated with § ZS 1-318(a)(2)E - Cooperative Campgrounds - Spaces Above First Floor Elevation. Diana Nalls, the applicant, was present for the review. Ms. Nalls distributed a packet of exhibits for the Planning Commission to review. Applicant’s Exhibit No. 1 was a floor plan layout of a park model home with a loft that she wishes to purchase and place on her site in the Bali Hi Cooperative Campground. Ms. Nalls explained that her family had rented in the park for three (3) years prior to buying into Bali Hi last year. She sought the text amendment request to allow lofts so that she could have additional storage area. Ms. Nalls cited various definitions as provided by the American National Standards Institute (ANSI), the Recreational Vehicle Industry Association (RVIA), and the International Building Codes. The

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definitions included, but were not limited to: ‘habitable room,’ ‘gross trailer area,’ ‘accessible loft space,’ and ‘ceiling height.’ She stated that the ceiling height of the loft areas in a park trailer are typically five (5) feet or less in height and therefore does not count as a ‘habitable room,’ nor does it count towards the maximum 400 square foot gross floor area of the park trailer per ANSI standards. Ms. Nalls said that the park models are certified and in compliance with all applicable standards with or without a loft. She said that the loft area will not increase living space, nor will it change the setbacks, occupancy, or seasonal status of the campground. Ms. Nalls testified that there was no difference between a loft and the step up to a bedroom in a fifth wheel Recreational Vehicle (RV).

Submitted as Applicant’s Exhibit No. 2 was a cross section of a recreational park trailer that illustrates an overall height of 14’ 3” when installed, which includes the loft area. She reiterated that the overall ceiling height per the International Residential Code (IRC) does not count the loft as ‘habitable space.’ Submitted as Applicant’s Exhibit No. 3 was a photograph of the RVIA seal certifying compliance with the applicable ANSI standard. She stated that the seal means the unit has been inspected, approved, and deemed safe. Submitted as Applicant’s Exhibit No. 4 was an email from Mr. Curt Richardson, Director of Inspection Services for RVIA, providing definitions for a park model recreational vehicle (Exhibit No. 4-1), lofts (Exhibit No. 4-2) and an article on the National Electrical Code top ten tips for Park Trailers (Exhibit No. 4-3). She stated that the definition of a loft requires that there be appropriate egress, a smoke alarm, and two (2) means of escape. Submitted as Applicant’s Exhibit No. 5 was an excerpt on Park Model Recreational Vehicles with Section 3-2 “Park Model RV Means of Escape” highlighted.

Ms. Nalls stated that she has reached out to other campgrounds outside of Worcester County which allow lofts and they informed her that there have been no issues with fire and life safety. She said that she also contacted Island Resort cooperative campground which is more transient than Bali Hi. Ms. Nalls said that Bali Hi campground has 188 sites, with 32 park models which are not leased or rented out, rather occupied seasonally by the property owners.

In summary, Ms. Nalls stated that she disagrees with the comments provided in the staff report. With respect to Mr. Tudor’s comments, she contends that the addition of a loft area will not have an additional impact on the occupancy within the campground or services provided. In regards to Ms. Tremblay’s comments, she stated that these changes are only targeted to cooperative campgrounds which are subject to seasonal occupancy. In regards to Ms. Keener’s comments, Ms. Nalls reiterated the definition of ceiling heights, and that lofts are not included in the gross floor area. She said that

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there is no room to stand up in a loft, and therefore it is unreasonable to assume that it can or will be used for sleeping purposes. Submitted as Applicant's Exhibits No. 6-1 and 6-1 were two additional floor plans with various sized lofts. Ms. Nalls agreed with Ms. Keener's comment that the loft area could incorporate up to 50% of the floor area of the unit, though it could vary. She said that the amendment is not intended to intensify the use of the unit on the campsite, or increase the overall occupancy of the campground. She claimed that owners within Bali Hi will not invest tens of thousands of dollars in a unit just to rent it out. Overall, she noted that units with lofts are safety compliant, as documented in the exhibits she submitted.

Mr. Barbierri asked Ms. Nalls why she assumed that a loft with a ceiling height of no more than five feet (5') would prohibit anyone from sleeping in that loft. Ms. Nalls stated that she could not answer for someone else, only herself, and that she would only use it for storage purposes. Mr. Barbierri said that the intent for these lofts is for sleeping, and Ms. Knight agreed. She said that while she is not familiar with the units themselves, she has seen several shows on tiny houses where the intent of the loft space with a similar ceiling height is for sleeping. Ms. Knight agrees with the staff that not everyone is going to be like her [Ms. Nalls] in their intent. She said that it would change the dynamic of campgrounds in Worcester County, with impacts on infrastructure, and the progression of where this would go. Ms. Ott said that permanent stairs creates a temptation for sleeping areas. Mr. Church inquired about the 400 square foot gross floor area limitation. Ms. Smith was also concerned about the utilization of the loft as a sleeping area. Ms. Nalls stated that the loft area is defined as not habitable in the International Residential Code (IRC) due to the ceiling height.

Mr. Wells said that this issue has come up in the past not only in Bali Hi, but other campgrounds as well. In reference to a question on the septic capacity of the development, Mr. Mitchell stated that capacity would be based upon the number of bedrooms, and the Department of Environmental Programs would look at the loft as an additional bedroom. Mr. Wells stated that they have been down this road before, and regardless of the ceiling height, people will use it for sleeping areas. Should Bali Hi go over their septic capacity, he expressed concerns about how they will handle the infrastructure issues at that time.

Mr. Tudor clarified that while definitions were provided from the International Residential Code, it does not apply to these units as they are different codes. Second, he speculated as to why the lofts were to be provided with egress, smoke alarms, and other life safety standards as part of the ANSI standards if they were not meant to be occupied.

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Following the discussion, the Planning Commission gave an unfavorable recommendation by consensus to the text amendment application as amended.

B. Off-premises signs – billboards (§ZS 1-324(d)), Hugh Cropper, IV, Esquire

As the next item of business, the Planning Commission reviewed a text amendment application associated with §ZS 1-324(d) – Off-premises signs – billboards. Hugh Cropper, IV, Esquire and Jack Burbage were present for the review.

Mr. Cropper stated that Mr. Burbage owned a billboard that has been in place for many years in which during a storm that occurred last summer, this particular billboard was blown over. With respect to staff's concerns, he stated that he would agree to having staff amend the language to include the three (3) items of concerns that are listed in Ms. Keener's staff report. He compared the destruction of a billboard to a restaurant in a setback. He alleged that no one would rent the restaurant, or the billboard advertising space, if you couldn't build it back. Mr. Cropper said that in thirty-two years of practicing, he was unaware this law even existed. Mr. Cropper alleged that there was another billboard that was destroyed and was rebuilt along US Route 50 a few years ago, likely done without benefit of a permit. He stated that this law had a disproportionate impact on the 'little guy,' whereas companies like Clear Channel have the large, steel structures that are unlikely to be damaged by wind and other natural disasters. He agreed that there should not be any new billboards constructed and that they should be discouraged, but that the reconstruction of this particular billboard should not be viewed negatively. Overall, Mr. Cropper stated that destruction by an act of god should allow a billboard to be rebuilt. In summary, if the Planning Commission is supportive of this amendment, he would agree with the restrictions included in the staff report.

Mr. Tudor stated that he agreed with Mr. Cropper's comments on the rebuilding of other types of structures such as a non-conforming restaurant, but that it has been the long-standing policy of Worcester County that we are trying to get rid of billboards. That's why the prohibition is in the zoning code.

Ms. Knight said that it is extremely effective to advertise along US Route 50, and that with the modifications suggested by staff, it makes it easier to protect everyone. Mr. Church agreed, noting that otherwise they were taking away from business.

Mr. Cropper amended his request to incorporate the three (3) items as listed in the staff report.

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Following the discussion, a motion as made by Ms. Knight, seconded by Ms. Ott, and carried unanimously to forward a favorable recommendation to the County Commissioners on the text amendment application as amended.

IV. Map Amendments

- A. Case No. 429 – (RP) Resource Protection District to (A-1) Agricultural District: 192.28 acres located on the southerly side of Nassawango Road, west of MD Route 12 (Snow Hill Road), northwest of Snow Hill - Daniel Strickland Hope, property owner/ Hugh Cropper, IV, Esquire, attorney.**

As the next item of business, the Planning Commission reviewed a request to rezone approximately 192.28 acres located on the southerly side of Nassawango Road, west of MD Route 12 (Snow Hill Road), northwest of Snow Hill from RP Resource Protection District to A-1 Agricultural District. The property is identified as Tax Map 70, Parcel 18, Parcel A. Hugh Cropper, IV, applicant's attorney, Frank G. Lynch, Jr., surveyor, Chris McCabe, environmental consultant, and Mr. Hope, property owner, were present for the review. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning district and not as a result of a change in the character of the neighborhood. Therefore, no precedence would be set.

Mr. Cropper stated that the property has road frontage on Nassawango Road and abuts the Pocomoke River. As noted in the staff report, the property had been primarily zoned A-1 Agricultural District with the fringe of wetlands along the river zoned C-1 Conservation District until the comprehensive rezoning in 2009, when the property had been rezoned to RP Resource Protection District. Mr. Cropper proffered that his client is willing to retain the original C-1 District boundary line in the RP Resource Protection District, or Mr. Lynch can field delineate and provide a metes and bounds survey, depending on the preference of the board.

Philosophically, Mr. and Mrs. Hope are good stewards of the environment and the land has been in the family for generations, and they wish want to keep this farm in the family. Their goal is to protect the farm and the timber operation, and the A-1 Agricultural District will give them the flexibility in uses to grow the farm. The A-1 Agricultural District allows the agricultural structures associated with the farm as a principal permitted use. Mr. Cropper referenced the quote on the Agricultural Land Use category from the Comprehensive Plan as stated in the staff report, which stressed the significance of agriculture to Worcester County.

Submitted as Applicant's Exhibit No. 1 is the deed to the farm from 1965 (Liber 184 Folio 433).

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Mr. Cropper introduced his first witness, Chris McCabe, environmental consultant and owner of Coastal Compliance Solutions, LLC. Submitted as Applicant's Exhibit No. 2 were copies of the A-1 Agricultural and RP Resource Protection District regulations for comparison. Mr. McCabe read the purpose and intent statements for each district. He confirmed that the RP Resource Protection District statement does not include a reference to agriculture or forestry. He concurred that the land area located outside of the former C-1 Conservation District boundary line is more appropriate for an A-1 Agricultural District classification. Mr. McCabe referenced Mr. Clarke's comments that the property has been under an active timber management plan even before his tenure as a county Forester beginning in 1978 with the Maryland Forest Service. Mr. McCabe stated that agricultural structures are a special exception in the RP Resource Protection District, as well as single-family dwellings. Both uses are permitted uses in the A-1 Agricultural District, as are roadside stands and other similar uses. Mr. Cropper alleged that the county created a non-conforming single-family dwelling by downzoning the property. Mr. McCabe also noted that any new development would likely require compliance with various environmental regulations such as stormwater management, Critical Area, and Forestry. He stated that the Critical Area regulations apply within 1,000 feet of the river, and that a 100-foot to 300-foot buffer may apply to the property. Mr. McCabe agreed that certain special exception uses in the A-1 Agricultural District such as roadside stands and agritainment facilities would allow this property to be supported under an agricultural use and that the A-1 Agricultural District is more consistent with the Comprehensive Plan.

Mr. Cropper requested that the staff report be incorporated into the record. He stated that the RP Resource Protection District aligns with the Green Infrastructure Land Use Category of the Comprehensive Plan in approximately 90% of the county. However, this is not the case when applied to the petitioned area. Submitted as Applicant's Exhibit No. 3 were the Formal Notice of Zoning Action, Resolution No. 20-4, and the County Commissioners' Findings of Fact, all of which were associated with Rezoning Case No. 425. Mr. Cropper stated that he also represented Mr. and Mrs. Hope on Rezoning Case No. 425, which was a request to rezone approximately fifty-four acres of the adjoining property from RP Resource Protection District to A-1 Agricultural District.

Mr. Cropper summarized that there would be no environmental harm caused as a result of the rezoning of the petitioned area, and that in the forty-four years that the property was zoned as A-1 Agricultural District, the property owners have shown that they were good stewards of the environment. He stated that other farms to the north and south of the petitioned area were currently zoned A-1 Agricultural District, but in this particular

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instance, the county expanded the RP Resource Protection District line around Milburn Landing. He reiterated that the A-1 Agricultural District is more consistent with the Comprehensive Plan and the Land Use Map designation as Agricultural. In reference to the findings that the Planning Commission must make, he noted that there has not been a change in population, transportation, or any other factor. The use of the land will remain the same, however the existing uses will be brought into compliance.

Mr. Cropper introduced his second witness, Frank Lynch, Jr., land surveyor. Mr. Lynch stated that he had worked on the adjoining property and testified as a witness in Rezoning Case No. 425. Overall, Parcel A (the petitioned area) and Parcel B (subject to Rezoning Case No. 425) were one (1) large farm that had been subdivided in half. He noted that in the RP Resource Protection District, ‘agriculture’ and ‘minor subdivisions’ were special exception land uses. If Mr. and Mrs. Hope would like to subdivide a lot, it would require Board of Zoning Appeals (BZA) approval for the subdivision action. Mr. Cropper stated that in the Resource Conservation Area (RCA) of the Critical Area regulations, a subdivision is allowed at a density of one (1) lot per twenty acres. Mr. Lynch concurred that the RP Resource Protection District regulations were inconsistent with the Critical Area regulations. Mr. Cropper said that the entire property will need to be rezoned to A-1 Agricultural District, otherwise if the forested area along Nassawango Road was retained in the RP Resource Protection District, then the property owner would have to apply for a special exception to the Board of Zoning Appeals to subdivide in order to access the road frontage. Mr. Lynch concurred that the timber management and agricultural activities are more closely aligned with the A-1 Agricultural District, and that the RP Resource Protection District was a mistake.

Mr. Lynch stated that he testified before the county during the 2009 and 1992 comprehensive rezoning processes and confirmed that the county does not send a certified letter to every property owner when public hearings are held. Mr. Hope was not aware that his property had been rezoned in 2009. Mr. Hope explained that his grandfather had purchased the land in the 1920’s, and the house has been on the farm since then. He stated that there have been hogs, corn, potatoes, and the land is now in a soybean and corn rotation. The property has been a working farm with crops, the timber management has been ongoing for decades, and it is a very productive property for growing timber. Mr. Hope reiterated that he was unaware of the 2009 rezoning of his property. He stated that he is not desirous of building anything beyond a sustainable working farm.

Mr. Tudor clarified a statement made by Mr. Cropper relative to the existing uses within the RP Resource Protection District. The non-conformities section of the zoning code states that any use or structure that was in existence at the time of the rezoning,

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which is permitted as a special exception use in the new zoning district, shall not be deemed non-conforming, but rather a conforming special exception. This provision does not require the property owner to seek any additional approval from the Board of Zoning Appeals (BZA) to maintain or add to the existing agricultural structures or single-family dwelling.

Mr. Mitchell, Director of the Department of Environmental Programs asked for clarification on the area to be rezoned. Mr. Cropper stated that the area by the river, previously zoned C-1 Conservation District, is proposed to be retained in the RP Resource Protection District. Submitted as Applicant's Exhibit No. 4 was a copy of the recorded boundary line adjustment plat for Parcels A and B, which delineates the zoning district boundary line.

In closing, Mr. Cropper stated that the findings of fact as outlined in Rezoning Case No. 425 were all true for the petitioned area in this case.

Following the discussion, a motion was made by Mr. Clayville, seconded by Ms. Knight, and carried unanimously to find the proposed amendment to rezone the petitioned area from RP Resource Protection District to A-1 Agricultural District consistent with the Comprehensive Plan based on a mistake in the zoning of the property, and forward a favorable recommendation to the Worcester County Commissioners. The motion included the adoption of the Findings of Fact from Rezoning Case No. 425, and on the condition that the area by the Pocomoke River be maintained as the RP Resource Protection District, as illustrated on Applicant's Exhibit No. 4, the former C-1 Conservation District boundary line.

- B. Case No. 430 – (RP) Resource Protection District to (A-1) Agricultural District: 387.5 acres located on the southerly side of Cellar House Road, northeast of Whitesburg Road, northeast of Pocomoke City - Cellar House Farm, Limited Partnership, property owner/ Hugh Cropper, IV, Esquire, attorney.**

As the next item of business, the Planning Commission reviewed a request to rezone approximately 387.5 acres located on the southerly side of Cellar House Road, northeast of Whitesburg Road, northeast of Pocomoke City from RP Resource Protection District to A-1 Agricultural District. The property is identified as Tax Map 69, Parcels 25 and 27. Hugh Cropper, IV, applicant's attorney, Frank G. Lynch, Jr., surveyor, Chris McCabe, environmental consultant, Jack Graham, and Robert Graham, property owners, were present for the review. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning district, and not as a result of a change in the character of the neighborhood. Mr. Cropper stated that the property is

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immediately south of Milburn Landing and there was a very clear assertion of a mistake in the rezoning of the property to RP Resource Protection District. The adjoining property is state-owned, and also zoned RP Resource Protection District. As his testimony, Mr. Cropper requested to incorporate the testimony provided for Rezoning Case No. 429, which was reviewed by the Planning Commission at the meeting just prior to this case. [Attached under Section V of the Planning Commission Findings of Fact].

Mr. Cropper stated that the petitioned area has a rich history and has the oldest house on the Pocomoke river dating back to 1750. He stated that the petitioned area was a working, sustainable farm and Mr. Jack Graham has a strong desire to keep it that way for future generations, with the ability to create a minor subdivision for lots for the family. Submitted as Applicant's Exhibit No. 1 was a photograph of the existing dwelling dating back to the 1950's.

Mr. Cropper introduced his first witness, Chris McCabe, environmental consultant and owner of Coastal Compliance Solutions, LLC. Mr. McCabe reiterated the differences between the purpose and intent statements for the A-1 Agricultural District and RP Resource Protection District regulations. He noted that this is the type of farm that is intended to be preserved, and that the purpose and intent statement of the A-1 Agricultural District is reflected in the uses of this property. Mr. McCabe referenced Mr. Clarke's comments that the property has been under an active timber management plan even before his tenure as a county Forester beginning in 1978 with the Maryland Forest Service. Mr. McCabe concurred that the property owner was seeking ways to sustain the farm so that it isn't sold. Mr. Cropper stated that legacy families such as the Graham's are the best stewards of the environment. He summarized that the house was built over 250 years ago, that the petitioned area had been zoned A-1 Agricultural District for forty-four years, and was downzoned in 2009, though there had been no change in use to justify it.

Mr. Cropper introduced his second witness, Frank G. Lynch, Jr., land surveyor. Mr. Lynch stated that he had prepared a plat of the petitioned area. He noted that his previous statements about minor subdivisions that were made in the testimony under Rezoning Case No. 429 apply to this case as well. Mr. Cropper noted that there may have been a few lots previously subdivided from this farm, so there may be only a few divisions remaining. Similar to the previous testimony, Mr. Cropper stated that in the Resource Conservation Area (RCA) of the Critical Area regulations, a subdivision is allowed at a density of one (1) lot per twenty acres. Mr. Lynch concurred that the RP Resource Protection District regulations were inconsistent with the Critical Area regulations. Mr. Lynch concurred that the timber management and agricultural

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activities are more closely aligned with the A-1 Agricultural District, and that the RP Resource Protection District was a mistake.

Mr. Cropper introduced Robert Graham, member of Cellar House Limited Partnership, as his next witness. Mr. Jack Graham is his father, and he has four (4) other siblings. The property was purchased by his father in 1965, at which time a full restoration was done on the dwelling. Mr. Jack Graham has generally lived either at the property or in town since then. Submitted as Applicant's Exhibit No. 2 was an aerial photograph from the 1940's or 1950's when the property had two former tenant houses (circled). The tenant houses were moved to the front of the parcel and two lots were subdivided around them on Cellar House Road. Mr. Graham identified the main colonial house, the large white barn that is still on the property as well as the former turkey house that is no longer on the property. Mr. Graham noted that the property had been under tobacco production at that time and currently it is in corn and soybeans. Submitted as Applicant's Exhibit No. 3 was another aerial photograph of the petitioned area from a different angle. Submitted as Applicant's Exhibit No. 4 were two (2) current aerial photographs of the petitioned area.

With respect to the 2009 comprehensive rezoning, Mr. Graham stated that he was not aware of the rezoning of his property until recently. His neighbor also just found out about the 2009 rezoning and the neighbor is the last sliver of RP Resource Protection District zoned land between the petitioned area and the existing farms to the south, which are currently zoned A-1 Agricultural District. Mr. Graham noted that they are the highest elevation farm in the area, with a marker set at 37 feet. Mr. Cropper also stated that Mr. Jack Graham is one of the biggest advocates for historic preservation, and while they understand that it was easy to see how a mistake was made given the rezoning of the adjoining state-owned lands to RP Resource Protection District, the petitioned area is not able to be sustained if it remains under the RP District designation.

In closing, Mr. Cropper stated that the petitioned area is more consistent with the A-1 Agricultural District and the associated Agricultural Land Use category of the Comprehensive Plan with the exception of the fringes which are in the Green Infrastructure Lane Use Category. The Land Use Map was submitted as Applicant's Exhibit No. 5. Mr. Cropper stated that his clients would retain the wetlands shown in the Green Infrastructure Land Use Category as RP Resource Protection District. He also noted that the findings of fact as outlined in Rezoning Case No. 425 were all true for the petitioned area as well.

Following the discussion, a motion was made by Ms. Knight, seconded by Ms. Ott, and carried unanimously to find the proposed amendment to rezone the petitioned

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area from RP Resource Protection District to A-1 Agricultural District consistent with the Comprehensive Plan based on a mistake in the zoning of the property, and forward a favorable recommendation to the Worcester County Commissioners. The motion included the adoption of the Findings of Fact from Rezoning Case No. 425, and on the condition that the portion of the petitioned area the area designated in the Green Infrastructure Land Use Category and illustrated on Applicant's Exhibit No. 5 be retained in the RP Resource Protection District.

- IX. Adjourn** – A motion to adjourn was made by Ms. Knight and seconded by Ms. Ott. The Planning Commission adjourned at 3:18 P.M.



Jerry Barbieri, Secretary



Stuart White, DRP Specialist