



PLANNING COMMISSION MINUTES

Wednesday, December 13, 2023

7:00 PM

In Attendance: Planning Commissioners – Vic Costa, Allen Riley, Anthony Colache, Cathy Jayne, and Anna Riffin. In addition to, Eleanor Collyer – Town Council, Chris Rogers – Zoning Administrator, and Brandee Vaughan – Code Enforcement Officer.

I. Call to Order

Chairperson Vic Costa called the meeting to order at 7:00pm

II. Approval of Minutes

The minutes from July 12, 2023 had not been reviewed by all commissioners. It was decided to review and approve the July 12, 2023 minutes, in addition to the minutes from the October Public Hearing and this evening's minutes at the January 10, 2024 meeting. Brandee Vaughan, Code Enforcement Officer, agreed to take the minutes and forward them to everyone prior to the scheduled January 10, 2024 meeting to be reviewed.

III. Old Business

a. Comprehensive Plan Process –

Chris Rogers, Zoning Administrator, spoke about the Public Hearing in October 2023, it was advertised as a public hearing and there should be no formal recommendations made unless it has been advertised as such, and state law requires the Planning Commission to make recommendations to the elected officials in the form of a resolution. Any resolution adopted by the Planning Commission needs to be done at a public hearing and dually advertised.

Mr. Rogers recommended the Planning Commission, including himself as part of the staff, review the comments made from the State of Maryland and the Rock Hall Greater Business Association for more specific and explicit recommendations in the form of a resolution to be presented to the Mayor and Council, as they will rely on the Planning Commission for guidance on how to deal with the comments.

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Commissioner Anthony Colache asked Mr. Rogers if within the state comments if the state was making requirements and not just comments. Mr. Rogers indicated that the state does not have control over land use but gave an example of one of the state comments about the housing element is not consistent with the new housing requirements.

Chairperson Costa explained the Planning Commission needs to understand what the questions are and will look for guidance from Chris Rogers to assist in preparing recommendations to send to the Mayor & Council. Chairperson Costa suggested this be reviewed at the January 10, 2024 meeting and Mr. Rogers would review comments and make recommendations to present to the Planning Commission.

Chairperson Costa asked once the Planning Commission has reviewed comments and made recommendations, what would happen next, would there need to be a new public hearing? Mr. Rogers explained that the change could be put in a separate document but there needs to be a record of how the plan changed from the public hearing.

Mr. Rogers will draft the resolution for the Planning Commission, to be reviewed and discussed at the January 10, 2024 meeting.

IV. New Business

a. November 16, 2023, Board of Appeals Decision –

The Board of Appeals asked the Planning Commission to review a zoning ordinance (Article 5-D) and remove the 1 ½ Story Height requirement on an accessory building and only leave the 20 Feet requirement.

Chairperson Costa asked Mr. Rogers what would need to happen to change an ordinance. Per Town Code, the Mayor and Council would initiate the change by making it an agenda item at the Mayor & Council Meeting in a general way, if it is approved to move forward then the Town Manager has the authority to have either Zoning Administrator and/or Lawyer to craft the language of the amendment/ordinance that would be then presented to the Planning Commission to make recommendation, and the Planning Commission will hold a public hearing for any change before submitting to Mayor & Council.

The amended ordinance, when completed, will be further discussed and reviewed at a future Planning Commission meeting.

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b. Proposed Development on Haven Rd –

Brandee Vaughan, handed out packets for a proposed development on 17 acres off Haven Rd. The development would have 45 houses. No applications have been submitted, this was proposed for informational and discussion at this time. The proposal had been submitted in 2006.

Commissioner Cathy Jayne recalled the submission and months of discussion with some key items being the width of Haven Rd and how emergency vehicles would be able to maneuver. She asked if the Planning Commission could get those records, and Mrs. Vaughan said she would try to find them.

Mr. Rogers, Zoning Administrator, in preparation for the meeting with the developer reviewed the subdivision regulations and informed the developer that they would have to consult with the Planning Commission. The developer would need to prepare a sketch and submit it to the Planning Commission. At that time Mr. Rogers would then review in coordination with town ordinance and write a review letter to the Planning Commission for consideration.

This will be put on hold until there is a formal submission.

c. Permit Reports –

Chairperson Costa requested a report of permits (open, closed, approved, denied, etc.) be provided to the Planning Commission more regularly. Mrs. Vaughan agreed to prepare a report for them monthly. Under old business it was requested to add a building permit item for now on. The Planning Commission requested all permits to come before them. Mr. Rogers explained the ordinance would have to change if the Planning Commission would review all permits. This process will be discussed at the Mayor & Council meeting.

V. Citizen Comment

a. James Cook, Mayor

Mayor Cook first wanted to thank everyone. He had a question about the Comp Plan, he wanted to know if there was a good mechanism for the Planning Commission to streamline information to Mayor & Council. For instance, is it possible for the Planning Commission to send Mayor & Council a list of informal questions to get input from Mayor & Council.

Mr. Rogers informed the mayor that he had heard of a "Joint Workshop" between the Planning Commission and the elected officials, he said that he

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would investigate it and report back to the group. Mr. Rogers will go through the comments and see whether it would warrant a joint workshop.

b. Cindy Genther, Citizen

Suggest planning commission and zoning administrator review the new comp plan, it will redefine the Haven Rd property as resource Conservation and identifies it for very low-density development. The request seems very inconsistent with the new comp plan.

VI. Adjournment

Chairperson Costa adjourned meeting at 8:10 PM