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MINUTES OF THE June 19, 2014 Meeting of the Easton Planning & Zoning Commission

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Members Present: Dick Tettelbaum, Chairman, and members, Debbie Renshaw, Don Hilderbrandt and Terry Dell.

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Members Absent: John Atwood.

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Staff Present: Lynn Thomas, Town Planner, Zach Smith, Deputy Town Planner and Stacie Rice, Planning Secretary.

Mr. Tettelbaum called the meeting of the Planning & Zoning Commission to order at 1:00 p.m. The first order of business was the approval of the minutes of the Commission's May 15, 2014 meeting. Upon motion of Mr. Dell seconded by Mr. Hilderbrandt the Commission voted 4-0 to approve the minutes.

The first item on the agenda was 106 W. Earle Avenue (**Candle Light Cove**) requesting PUD site plan review for expansion to assisted living facility. Mr. Glass explained this development was entitled in 1998 by Town of Easton Ordinance 369. Ordinance 369 actually entitled the development of 64 assisted living units on this property, 32 of the "approved" units remain to be built (phase 2). Mr. Glass explained they are proposing phase 2 for this site, including the development of the 32 remaining units to be built, proposed to be located within one new 22,000+ square foot building. The site plan includes the completion of the loop road, and the creation of 25 additional parking spaces. The Planning Commission at their April 2014 meeting reviewed and approved the proposed architecture. Mr. Glass explained that the Zoning Ordinance prescribes a minimum tree planting requirement of 192 trees based on the development proposed. The plan proposes 96 trees. They are asking for a waiver from the requirement based on the mature trees that already exist on site. Upon motion of Mr. Hilderbrandt, seconded by Mr. Dell the Commission voted 4-0 to approve the PUD site plan for expansion to the existing assisted living facility (Candle Light Cove). The Commission asked the applicant to give consideration to the type of trees planted as to provide shade.

Mr. Thomas provided the Commission with the **Annual Report** and asked the Commission to review their biographies and if changes are needed to let him know. Mr. Thomas explained the final document will be sent to the State (MD Department of Planning) with a copy filed with the Town Council. Upon motion of Ms. Renshaw seconded by Mr. Hilderbrandt the Commission voted 4-0 to approve the Annual Report.

The next item was from staff concerning the **PUD Approval Requirements**. Mr. Thomas explained that he has been working with Mr. Tettelbaum concerning the appropriate role of the Planning Commission in PUD revisions. Mr. Thomas stated that the proposal in the packet was drafted by Mr. Tettelbaum. Mr. Tettelbaum explained that under Zoning Ordinance §801.H(2), the role of the Planning Commission in the PUD process is "... limited to a comparison [of the PUD proposal] to a comparison to the Town's Comprehensive Plan[,]” requiring the Commission to, "... forward a recommendation to the Mayor and the Town Council as to whether or not the proposed PUD complies with the Comprehensive Plan. ..." The Commission is allowed to include, "... recommended changes to the PUD Sketch Plan or recommended conditions of approval ... to better insure compliance with the Comprehensive Plan.” Zoning Ordinance §801.H(3)A indicates that the Council shall consider, but is not bound by, the Commission's recommendations and

1 comments. Further, in making its decision on the PUD proposal is required to make
2 written findings on seven different points, only one of which is consistency with the
3 Comprehensive Plan.
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5 Mr. Tettelbaum explained that the Comprehensive Plan is very general in nature and exists
6 to give guidance to the creation and implementation of zoning regulations. It is not, in and
7 of itself, a concrete guide to the achievement of desired outcomes. If done well, it
8 articulates what the desired outcomes are, leaving it to future governmental action to
9 determine how those desired outcomes are to be encouraged.
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11 The Commission discussed whether they are providing the most value to the PUD
12 process by limiting their recommendations to the Council to the question of consistency
13 with the Comprehensive Plan and should the Commission be making proposed findings of
14 fact and recommendations to the Council on all seven of the elements it is required to pass
15 on in a PUD application. Mr. Tettelbaum stated that The Council, by law, is the decision
16 maker on whether a PUD should be authorized, regardless of what the Commission does.
17 The Commission felt this would offer valuable input into the process.
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19 The next item from staff was **Comprehensive Zoning Ordinance Revision –**
20 **Reclassifying I-1 Zoned Properties.** Mr. Thomas explained that at the last meeting the
21 Commission gave him general consensus on proceeding with the Comprehensive Update to
22 the Zoning Ordinance in terms of the major issues to address and the preferred order in
23 which to tackle them. He explained that the first issue was to assign one of the newly
24 created Zoning Classification of BC (Business Commercial) or I (Industrial) to all of the
25 lands currently zoned I-1. He further explained that the BC is intended to accommodate the
26 mix of light industrial and service-commercial uses that a number of our industrial parks
27 have turned into, while I1 is intended to be reserved for the more traditional and heavier
28 industrial uses. The Comprehensive Plan’s Future Land Use Map indicates that the I
29 classification should be assigned to the Airport (and also the adjacent Air Park Industrial
30 Park), Easton Technology Center, Easton Utilities property, and Clifton Industrial Park
31 properties currently within the Town limits. The BC classification is suggested as
32 appropriate for the currently I-1 portion of Carlton Business Park and the Brooks
33 Drive/Commerce Drive properties. Mr. Thomas stated that one area that is unclear, is the
34 old industrial area that runs parallel to the railroad track. This area was the inspiration for
35 the Planned Redevelopment Overlay District. The Commission discussed whether this area
36 should be zoned BC since it is presumably less intense than the I zone and more compatible
37 with surrounding areas, or rather for it to be zoned I in recognition of the fact that many of
38 the existing uses still remain industrial in nature. The Commission discussed this at length
39 and upon motion of Ms. Renshaw, seconded by Mr. Dell the Commission voted 4-0 that the
40 lands adjacent to the rail trail be zoned BC.
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42 There being no further business the meeting was adjourned at 4:00 p.m. by motion
43 of Mr. Hilderbrandt, seconded by Mr. Dell.
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46 Respectfully submitted,
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50 Stacie S. Rice
51 Planning Secretary
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