

**Board of Zoning Appeals
Town of Easton
Tuesday, April 3, 2018**

OPEN SESSION MINUTES

MEETING CALLED TO ORDER

Mr. Cotter, Chairman called the regularly scheduled meeting to order at 9:00 a.m. Tuesday, April 3, 2018 in the Town Council Chambers in the Town Office Building.

In attendance were:

Board of Zoning Appeals Members:	Peter Cotter, Chairman, Gary Molchan, Tom Moore and Michael O'Keefe, Alternate.
Staff:	Lynn Thomas, Sierra Crist and Stacie Rice.

NEW BUSINESS:

BOZA Case No. SE-796 – 9433 Ocean Gateway.

Ryan Showalter on behalf of JDoliver, LLC was present at the meeting. The property is located at 9433 Ocean Gateway. The subject property is located in the CG Zoning District. The property is 3.96 acres and is currently operated as a large truck and equipment sales and service center. The applicant would like to expand the sales and service operation by replacing the existing service building with a new, innovative, larger building (approximately 27,300 square feet). The business has operated as a large truck and equipment dealer/service center for decades. The property was annexed into the Town of Easton in 2017. Mr. Showalter explained that the applicant had a Special Exception for operation of this business through Talbot County. However, now that annexed, any modification to the use requires amendment of the Special Exception.

Mr. Showalter addressed the criteria as set out in Article XIII, Section 1303.5 B 6 provisions for granting a Special Exception.

There was no public comment.

Upon consideration of all the evidence and testimony presented at the meeting, the Board voted unanimously to approve the Special Exception Amendment to permit the use be expanded to demolish the existing repair center and construct a new 27, 200 square foot truck repair center.

BOZA Case No. SE-797 – 101 Marlboro Avenue

Steve and Julie Harris were present at the meeting regarding property located at 101 Marlboro Avenue Easton, MD. The property is located in the CG Zoning District. Mr. Harris explained he is requesting permission to operate a wayside/produce stand from the subject property. Mr. Harris explained they have been operating their produce stand for the past 7 years on Route 50 adjacent to Pizza Hut. In February 2018 the lot was sold to Verizon and is currently under construction.

Therefore, the Harris' are no longer allowed to operate at this location. The applicant has received written approval from James Howard, owner of Easton Bowl granting them approval to operate in the parking lot closet to Marlboro Avenue. Mrs. Harris explained that the new location would provide adequate parking and maneuverability for the customers. Mr. Harris explained that the stand is approximately 20' x 12' and would take up approximately 4 to 5 parking spaces. Mr. Harris stated the stand will not obstruct visibility at the intersection. The hours of operation are 10 a.m. to 6 p.m. daily, from April through October. Mr. Harris stated that at the end of the season the stand is removed from the site.

Mr. Harris addressed the criteria as set out in Article XIII, Section 1303.5 B 6 provisions for granting a Special Exception.

The Board received a letter from Wayne Quidas of Wings Landing Produce stating his objection to the produce stand.

At the meeting Mr. Quidas' wife and daughter spoke in opposition of the proposed stand.

Upon consideration of all the evidence and testimony presented at the meeting, the Board voted unanimously to approve the Special Exception conditioned on the owners coordinating with the Town to select a sufficient location in the parking lot to place the stand.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:40 a.m.

Staci S. Rice
Submitted by