

WORCESTER COUNTY PLANNING COMMISSION AGENDA

Thursday, September 5, 2024

Worcester County Government Center, Room 1102

One West Market St.

Snow Hill, Maryland 21863

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

II. **Administrative Matters**

- A. Planning Commission Minutes – August 1, 2024
- B. Planning Commission Work Session Minutes – August 8, 2024
- C. Board of Zoning Appeals Agenda – September 12, 2024
- D. Technical Review Committee Agenda – September 11, 2024

III. **FY 25 MALPF Easement Sale Application Review and Approval**

- 1. Guy, Larry Dean and Deborah, TM 99, P 27; Hall Road, Pocomoke City; 96.75 acres
- 2. Maddux, Percy, S., TM 91, P 59; New Bridge Road; 144.92 acres
- 3. Maddux, Percy S., TM 99, P 49; 1226 Colona Road, Pocomoke City; 130.02 acres

4. **Public Hearing**

Amendment to the Worcester County 2006 Comprehensive Plan Land Use Map - A sectional amendment to the 2006 Land Use Map affecting the designation of fifteen parcels identified on Tax Map 21 as Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276.

5. **Map Amendment**

Rezoning Case No. 446 - rezone approximately 196.11 acres of land shown on Tax Map 40, Parcel 241, Lot C (142.91 Acres) and Parcel 93 (53.2 Acres) from A-1 Agricultural District to A-2 Agricultural District, Cropper Island Road, Newark; Island Resort Park, Inc. and Ewell Family Revocable Trust, property owners and Mark Cropper, attorney.

6. **Site Plan Review – Flat Calm – Major Site Plan Review**

Proposed site development for 11 variously-sized self-storage buildings, totaling 36,950 sq. ft. Located at 10510 Racetrack Road, Tax Map 21, Parcel 15, Tax District 3, C-2 General Commercial District, Flat Calm, LLC, owner / George E. Young, III, P.E. Engineers and Surveyors, engineer

7. **Miscellaneous**

8. **Adjournment**

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – August 1, 2024**

Meeting Date: August 1, 2024

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Phyllis Wimbrow, Vice Chair

Marlene Ott

Ken Church

Kathy Drew

Betty Smith

Mary Knight

Staff

Jennifer Keener, Director, DRP

Kristen Tremblay, Zoning Administrator

Roscoe Leslie, County Attorney

Bob Mitchell, Director, Environmental Programs

Paul Renshaw, Zoning Inspector

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, July 3, 2024

As the first item of business, the Planning Commission reviewed the minutes of the July 3, 2024, meeting.

Following the review, a motion was made by Ms. Ott to approve the minutes as written, Ms. Smith seconded the motion, and the motion was carried unanimously with Ms. Knight abstaining.

B. Board of Zoning Appeals Agendas, August 8, 2024

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting. Ms. Tremblay 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, August 14, 2024

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting. Ms. Tremblay was present for the review to answer questions and address any concerns of the Planning Commission.

No comments were forwarded to the Committee.

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – August 1, 2024

III. Map Amendment – Rezoning Case #445

Rezoning Case No. 445 to rezoning approximately 18.54 acres out of 80.95 acres of land from RP Resource Protection District to A-1 Agricultural District, Tax Map 23, Parcel 2, Purnell Crossing Road, Berlin; Thomas C. and Shelley M. Mason, property owners and Kristina L. Watkowski, attorney.

Kristina Watkowski, applicant's attorney, Frank Lynch, Jr., professional land surveyor, Chris Mason and Shelley Mason, property owners, were present for the review. Mrs. Watkowski requested that the Staff Report be incorporated into the record. She stated that the application seeks to rezone less than a quarter of the overall parcel from RP Resource Protection District to A-1 Agricultural District, while retaining the remaining lands in RP District. She noted that the Masons were long-time Worcester County residents; Mrs. Mason had worked for the Board of Education, and Mr. Mason is part of a generational farming family. They are good stewards of the land and have the intention of subdividing the petitioned area for their growing family.

Mrs. Watkowski stated that when zoning was first established in 1964, the parcel was zoned A-1 Agricultural District. It retained this zoning until 2009 when it was zoned RP Resource Protection District. The property had a former dwelling on it, there is a burial site, and was used for timber harvesting. She explained her understanding of the process of rezoning RP lands in 2009, which involved using resources such as wetland delineation maps, identification of forested parcels and other available means. She stated that a mistake was made because the county did not have the wetland delineation information for this parcel at that time to show the uplands. She noted that Maryland Department of the Environment (MDE) has reviewed and verbally approved the wetland delineation. While it is possible that there are additional areas of uplands on the remaining parcel, the applicant is not requesting a rezoning of those lands, only that which is proposed for the subdivision.

As this request is not based on a change in the character of the neighborhood, testimony to that effect is not required. However, Mrs. Watkowski stated that it will be consistent with the surrounding neighborhood, which is predominantly zoned A-1 District, with wetlands to the north delineating the RP District boundary.

With respect to compatibility with the 2006 Comprehensive Plan, Mrs. Watkowski notes that the petitioned area is in the Agriculture Land Use category. The remaining lands will remain in the RP District, where the Green Infrastructure Land Use category can be found. By rezoning only the petitioned area, the owners intend to preserve and maintain the existing environmental features and forested areas, which contribute to quality of life and that of the ecosystem. Mrs. Watkowski

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – August 1, 2024

stated that while the proposed use of land is not a consideration for the rezoning, she explained the intent for the subdivision of the property, as it was shown on the surveys included as part of the application and an application had been filed with the county for review. The property owners are proposing to subdivide three (3) ‘farmette’ lots, which are positioned in a cluster or hub near the road. She reiterated the environmental benefits - that the remaining forested areas will perpetuate clean air, water and soil. The property is outside of the Critical Area, will be subject to a Forest Conservation Plan, and is located half a mile from a Priority Funding Area. The A-1 District only allows a maximum of five (5) lots to be subdivided, so there will be minimal public impact. There were no comments from the Board of Education relative to the impact on the school system. She noted that there will be no public water and sewer infrastructure to serve these properties. Regarding transportation patterns, there will be no significant increase. Farm vehicles are common along back roads such as this one, and vehicles frequently move over to share the road. There were no comments provided by County Roads, and the State Highway Administration comments noted that there would be no negative impact to the state road system.

Mrs. Watkowski reiterated that the zoning designation in 2009 was as accurate as it could be given the available resources, but the new wetland delineation provides the details that weren’t known at the time. She noted that the surrounding area consisted of a mix of agricultural structures and single-family dwellings. In describing the purpose and intent statement of the RP District, she noted that most of the parcel will be protected. By only rezoning the petitioned area to the A-1 District, she stated that the application would be in conformance with the 2006 Comprehensive Plan and will continue to protect the sensitive areas via zoning and forest conservation controls.

Mr. Lynch, professional land surveyor, stated that he had worked with Spencer Rowe to develop the subdivision plat. He agreed with the statements made by Mrs. Watkowski relative to the project’s conformance with Comprehensive Plan. The request is conservative by only asking for a portion of the uplands to be rezoned and he agreed that the intent is to preserve the remaining lands. Regarding whether a mistake was made in the zoning designation, he agreed that it had and that the proposed rezoning is in conformance with the current Comprehensive Plan and the direction in which the county seems to be growing for future planning.

Mrs. Wimbrow concurred with the description of how the RP District boundaries were delineated in 2009. She noted that while the proposed boundary line was not typical for zoning, it is described with metes and bounds so the boundaries are clearly described. Mrs. Drew inquired about the septic reserve areas and the intent for the proposed lots. Mr. Mason stated that two (2) of the lots would be given to their children. While the Planning Commission acknowledged that they could not restrict the subdivision to family only, they were supportive of providing for future generations.

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – August 1, 2024**

Following the discussion, a motion was made by Mrs. Knight, seconded by Ms. Ott, 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.

IV. Adjourn

On a motion made by Ms. Ott and seconded by Mr. Church, the Planning Commission adjourned.

Mary Knight, Secretary

Kristen M. Tremblay, AICP, Zoning Administrator

DRAFT

**WORCESTER COUNTY PLANNING COMMISSION
WORK SESSION
MEETING MINUTES – August 8, 2024**

Meeting Date: August 8, 2024

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Phyllis Wimbrow, Vice Chair
Mary Knight, Secretary
Ken Church
Kathy Drew
Marlene Ott

Staff

Jennifer Keener, Director, DRP
Kristen Tremblay, Zoning Administrator, DRP
Roscoe Leslie, County Attorney
Bob Mitchell, Director, Dept. of Env. Programs
Lily Wagner, NR Planner, Dept. of Env. Programs

I. Call to Order

II. Comprehensive Plan Work Session

As the first item of business, the Planning Commission met with Michael Bayer and Nicole Wiley from Wallace Montgomery (attending virtually) to discuss the General Planning and Land Use Goals and Objectives of the current Worcester County Comprehensive Plan.

Mr. Bayer explained that we are starting with the existing plan to identify goals and objectives that have been addressed or achieved, those that should be carried forward, and what needs to be added or modified for the future comprehensive plan. At the end of the document will be a final chapter with a matrix of all goals, objectives and action items from the plan that are going to be generated as the Planning Commission works through each of the subject matter areas.

Relative to the General County Planning Goals from the existing plan, the Planning Commission discussed the following items:

- Relating to improving the compatibility of new development with the existing built environment, there are areas where the Planning Commission acknowledged that they do not want compatibility, more specifically where they would want compliance with design elements.
- To change the term “prosperous” (in prosperous economy) to “thriving,” or perhaps eliminate it altogether.

WORCESTER COUNTY PLANNING COMMISSION
WORK SESSION
MEETING MINUTES – August 8, 2024

Relative to the General County Planning Objectives from the existing plan, the Planning Commission discussed the following items:

- The Planning Commission wanted to include fisheries in references to supporting the viability of the county's agricultural and forestry industries.
- Recommended adding language regarding education (public schools). Mr. Bayer noted that they will pull data from the Educational Facilities Master Plan to include in the Comprehensive Plan, however it is a stand-alone document.
- Recommended including a reference to tourism when referencing economic activity in the county.
- General discussion on future growth centers and patterns and its impacts on the environment, along with the need for an update to the Water and Sewerage Plan.
- New item on sea level rise impacts and how it will impact the county in the years to come, including the mitigation of environmental hazards. It was noted that this will need to be fleshed out as a goal, with specific objectives and action items.
- General discussion on Sussex County, Delaware's prolific expansion and its impacts on Worcester County.
- Recommended combining the historic and archeological asset references together.

Relative to the Land Use Goals from the existing plan, the Planning Commission discussed the following items:

- The Planning Commission wanted to better define new development to include both residential and commercial development, which should be in and around growth areas and population centers.

Relative to the Land Use Objectives from the existing plan, the Planning Commission discussed the following items:

- The Planning Commission discussed the current plan's population and residential unit targets, and overall felt that they were problematic given our economy. It was recommended that this item be eliminated from the plan.
- Discussion on Priority Funding Areas (PFAs) as a funding mechanism to achieve smart growth.
- The Planning Commission wanted to include fisheries in references to supporting the viability of the county's agricultural and forestry industries on the county's less developed regions.
- Discussion on the annexation history and procedures that likely led to the objective to work with municipalities to develop certain annexation policies. Decided to keep this item as an objective moving forward.

**WORCESTER COUNTY PLANNING COMMISSION
WORK SESSION
MEETING MINUTES – August 8, 2024**

- Desired to maintain language about high environmental standards, and the establishment of watershed plans and their implementation. This item will be flagged, as it may be more suitable for the Sensitive Areas chapter of the plan.
- Discussion on promoting mixed use development as a means of providing affordable housing (residential attached to commercial development) or for placemaking.
- Modifying the reference to “Black” communities to “minority”.
- Strike the vague objective about implementation of the plan, as it is a very general action item.

Relative to the additional goals for the Land Use from the existing plan, the Planning Commission discussed the following items:

- The Planning Commission recommended adding language about the coordination, cooperation or advisement of regional matters across county and state lines.
- Discussion on the expansion of the aerospace industry at Wallops Island, and the impacts that could have on the county, especially the Pocomoke City region.

Lastly, Mr. Bayer noted that they will likely “wordsmith” some of the items for clarity and simplicity as we move forward. In addition, the items will also be sorted into either a goal, objective or action category.

The next work session will be held on Thursday, September 12, 2024.

III. Adjourn

Mary Knight, Secretary

Jennifer Keener, Director

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

THURSDAY SEPTEMBER 12, 2024

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.

6:30 p.m.

Case No. 24-60, on the lands of Jeremy Ayars, requesting a variance to the front yard setback from 50 feet from the center of the road right-of-way to 38 feet (to encroach 12 feet) for a proposed single family dwelling in the R-4 General Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2) and ZS 1-305, located at 11812 Steam Mill Hill Road, Tax Map 13, Parcel 64, Tax District 3, Worcester County, Maryland.

6:35 p.m.

Case No. 24-56, on the lands of the Kaeleigh Naughton Irrevocable Trust, requesting a special exception to allow construction of a single family dwelling in the RP Resource Protection District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-215(c)(1), and ZS 1-305, located on Bunting Road about 522 feet east of Turtle Mill Road, Tax Map 15, Parcel 92, Lot 1, Tax District 5, Worcester County, Maryland.

6:40 p.m.

Case No. 24-54, on the lands of Paul D. Weiger, requesting an after the fact variance to the right side yard setback from 6 feet to 0.2 feet (encroaches 5.8 feet) for an existing shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12353 Meadow Drive, Tax Map 33, Parcel 346, Lot 34, Tax District 10, Worcester County, Maryland.

6:45 p.m.

Case No. 24-59, on the lands of Gary Figallo & Anthony Palmisano, on the application of Kayla Short, requesting a variance to the side yard setbacks on Lot 74 & 75 from 6 feet to 0 feet for a proposed shared dock with two boatlifts in the R-3 Multi-family Residential District, pursuant to Natural Resources Code §§ NR 2-102(e)(2), Zoning Code §§ ZS 1-116(n)(3), ZS 1-207(d)(6), and ZS 1-335, located at 34 & 42 Wood Duck Drive, Tax Map 21, Parcel 260, Section 14D, Lots 74 & 75, Tax District 3, Worcester County, Maryland.

6:50 p.m.

Case No. 24-55, on the lands of Dereck Boone, on the application of Gil Fleming, requesting an after the fact variance to a rear yard setback from 5 feet to 4.7 feet (encroaches 0.3 feet) for an existing manufactured home in a Campground Subdivision pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-305, and ZS 1-318, located at 221 Timberline Circle, Tax Map 16, Parcel 90, Lot 221, Tax District 3, Worcester County, Maryland.

6:55 p.m.

Case No. 24-58, on the lands of Eric Glaeser, Sr., on the application of Kristina Watkowski, requesting an after the fact variance to a rear yard setback from 50 feet to 34.1 feet (encroaches 15.9 feet) for an existing open deck and steps, in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) and ZS 1-305, located at 11302 Marie Drive, Tax Map 10, Parcel 181, Lot 4, Tax District 5, Worcester County, Maryland.

7:00 p.m.

Case No. 24-53, on the lands of Karen Odachowski, on the application of Kristina Watkowski, requesting a variance to reduce the Atlantic Coastal Bays Critical Area buffer from 100 feet to 48 feet (to encroach 52 feet), for a proposed deck and small pool, stairs with a landing and a walkway, pursuant to Natural Resources §§ 3-104(c)(4) and NR 3-111 and Zoning Code §§ ZS 1-116(m)(1), located at 12312 Pine Rest Drive, Tax Map 26, Parcel 444, Lot 16A, Tax District 10, Worcester County, Maryland.

7:05 p.m.

Case No. 24-57, on the lands of Angela Gould, on the application of Kristina Watkowski, requesting a variance to the rear yard setback from 30 feet to 19 feet (to encroach 11 feet) and a variance to the front yard setback from 50 feet to the center of the road right-of-way to 45.1 feet (to encroach 4.9 feet) for an addition and an open deck in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12417 Meadow Drive, Tax Map 33, Parcel 346, Lot 42, Tax District 10, Worcester County, Maryland.

Administrative Matters

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

**Wednesday, September 11, 2024 at 1:00 p.m.
Worcester County Government Center, Room 1102, One West Market Street,
Snow Hill, Maryland 21863**

I. Call to Order

II. Site Plan Review (§ ZS 1-325)

A. Sunset Marine Park – Major Site Plan Review

Site development consisting of 5,500 sq. ft. retail office building with residential space above, two (2) contractor shop buildings totaling 17,500 sq. ft. with residential space above, a 25,039 sq. ft. watercraft service building, a four-unit townhouse building, and one (1) duplex housing unit. Located between Sunset Avenue and Old Bridge Road, approximately 1,200 feet east of the intersection of Sunset Avenue and MD Route 611, Tax Map 27, Parcels 264 & 589, Tax District 10, C-2 General Commercial / R-3 Multi-family Residential, Old Bridge Sunset Holdings, LLC, owner/ GMB, LLC, architect/engineer.

B. Adjourn



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

LAND PRESERVATION PROGRAMS
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS
FOREST CONSERVATION
COMMUNITY HYGIENE

Memorandum

To: Worcester County Planning Commission

From: Katherine Munson, Planning Manager 

Subject: FY 25/26 MALPF Application Review

Date: August 28, 2024

The following three (3) applications to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) in Worcester County have been received by the county for the FY 25/FY 26 funding cycle and approved by the Worcester County Agricultural Land Preservation Advisory Board:

1. Guy, Larry Dean and Deborah, TM 99, P 27; Hall Road, Pocomoke City; 96.75 acres
2. Maddux, Percy, S., TM 91, P 59; New Bridge Road; 144.92 acres
3. Maddux, Percy S., TM 99, P 49; 1226 Colona Road, Pocomoke City; 130.02 acres

All applications meet the minimum requirements of the MALPF Program (All are zoned A-1, or a combination of A-1 and RP (see attached map)).

The Planning Commission must determine whether an easement on each applicant property is compatible with existing county plans and policy and thus whether or not approval of the application is recommended to the Worcester County Commissioners.

Each county uses a ranking system for MALPF easement applications, approved by both the county commissioners and the MALPF board. The application ranking prioritizes offers to landowners made by MALPF. Applicant ranking order is confidential, by state law, until after offers are made. Ranking can be discussed in closed session only.

Enclosed please find three maps showing the location of the applicant properties relative to protected lands, county zoning, and the 2006 land use plan. A table summarizing information for each application is also included.

I will attend the Planning Commission meeting on September 5, 2024 to answer any questions.
Thank you for your attention to this matter.

Attachments

cc: Bob Mitchell, Director

FY25/FY26 MALPF Application and Ranking

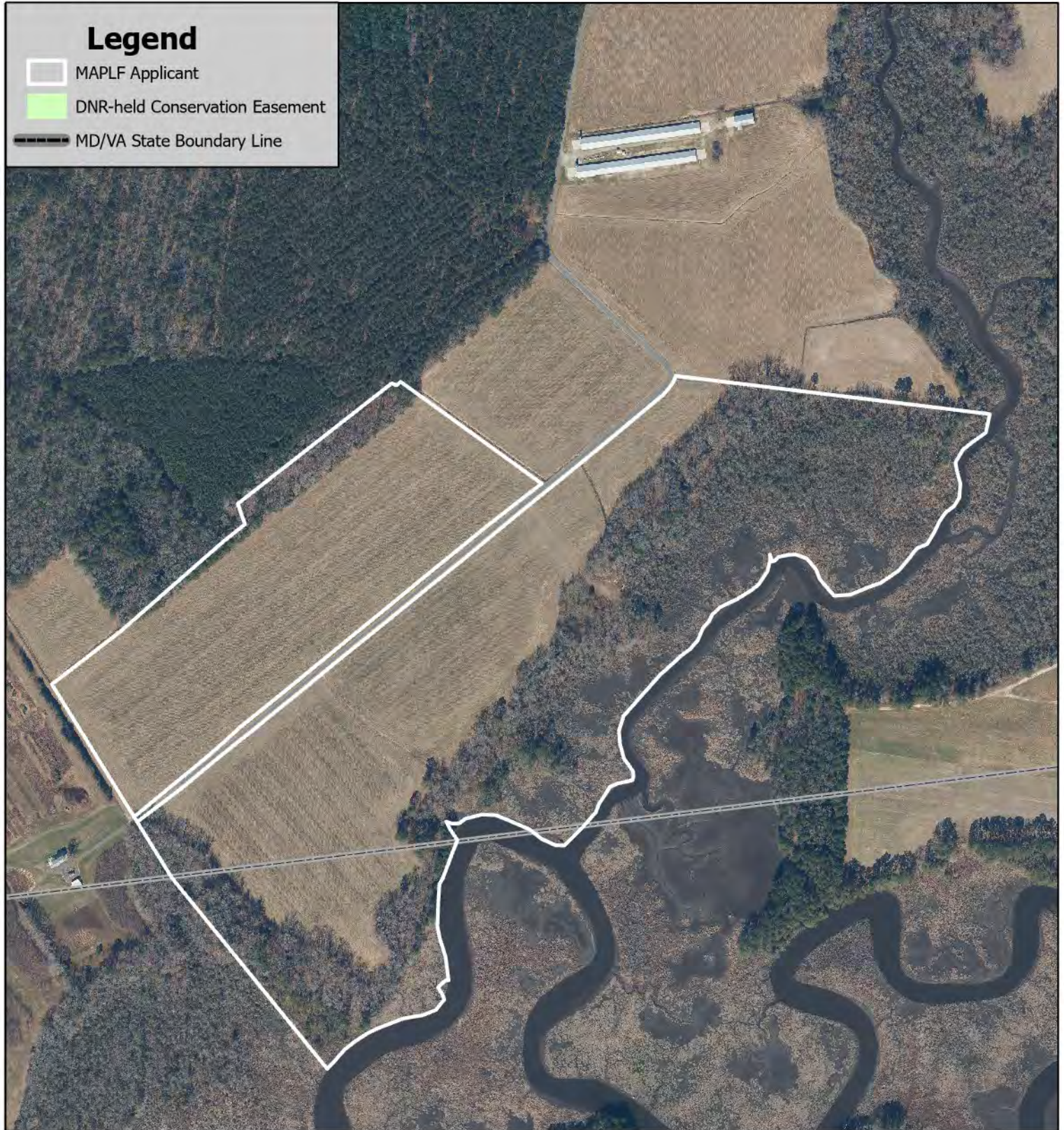
Landowner name	TM	P	Acres	Address	Development Rights to be Extinguished	Lot option selected	% class I, II, III soils	Reapplication
Guy	99	27	96.8	Hall Road	9	unrestricted subdividable	86%	yes
Maddux, Percy, S., TM 91, P 59	91	59	144.92	New Bridge Road	2	unrestricted subdividable	91%	no
Maddux, Percy S., TM 99, P 49	99	49	130.02	1226 Colona Road	5	unrestricted subdividable	81%	no
Total Acres			<u>371.7</u>					

Average Bid/acre (FY20) \$2,662.73
 Average Bid/acre (FY21) \$2,489.67
 Average Bid/acre (FY22) \$2,281.25
 Average Bid/acre (FY23) \$2,675
 Average Bid/acre (FY24) \$4,038.64

Average offer/acre (FY 20) \$2,325
 Average offer/acre (FY 21) \$2,680
 Average offer/acre (FY 22) \$2,333
 Average offer/acre (FY23) \$2,200
 Average offer/acre (FY24) \$2,406

FY 2025 MALPF Applicant
Larry and Deborah Guy
Hall Road, Pocomoke City
Tax Map 99 Parcel 27
96.75 Acres

Soils Index: 44.00176
86% Class I,II, and III soils

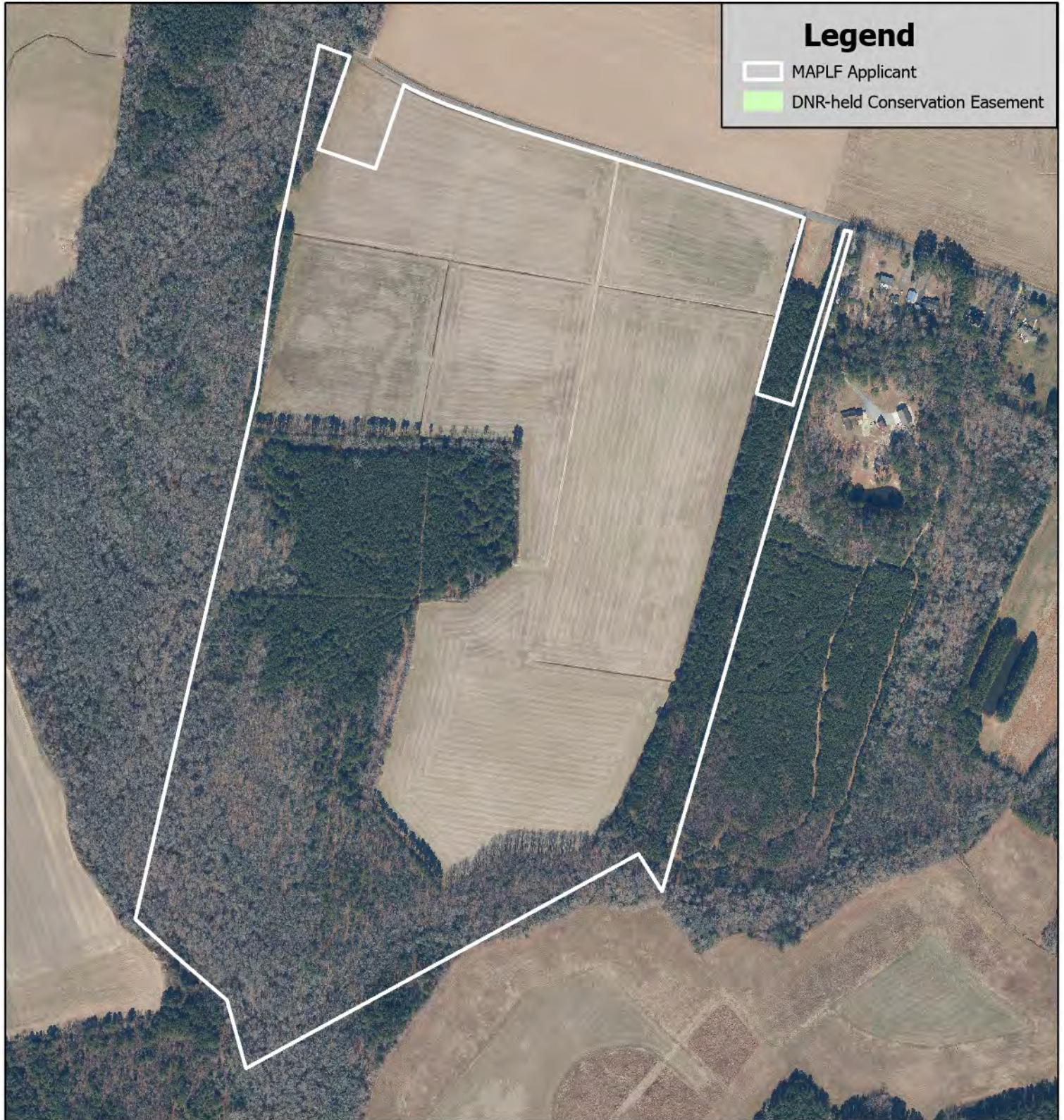


0 0.07 0.15 0.3 Miles

2022 Aerial Image
Map prepared June 20th, 2024

FY 2025 MALPF Applicant
Percy Maddux
New Bridge Road, Pocomoke
TM 91 Parcel 59
144.92 Acres

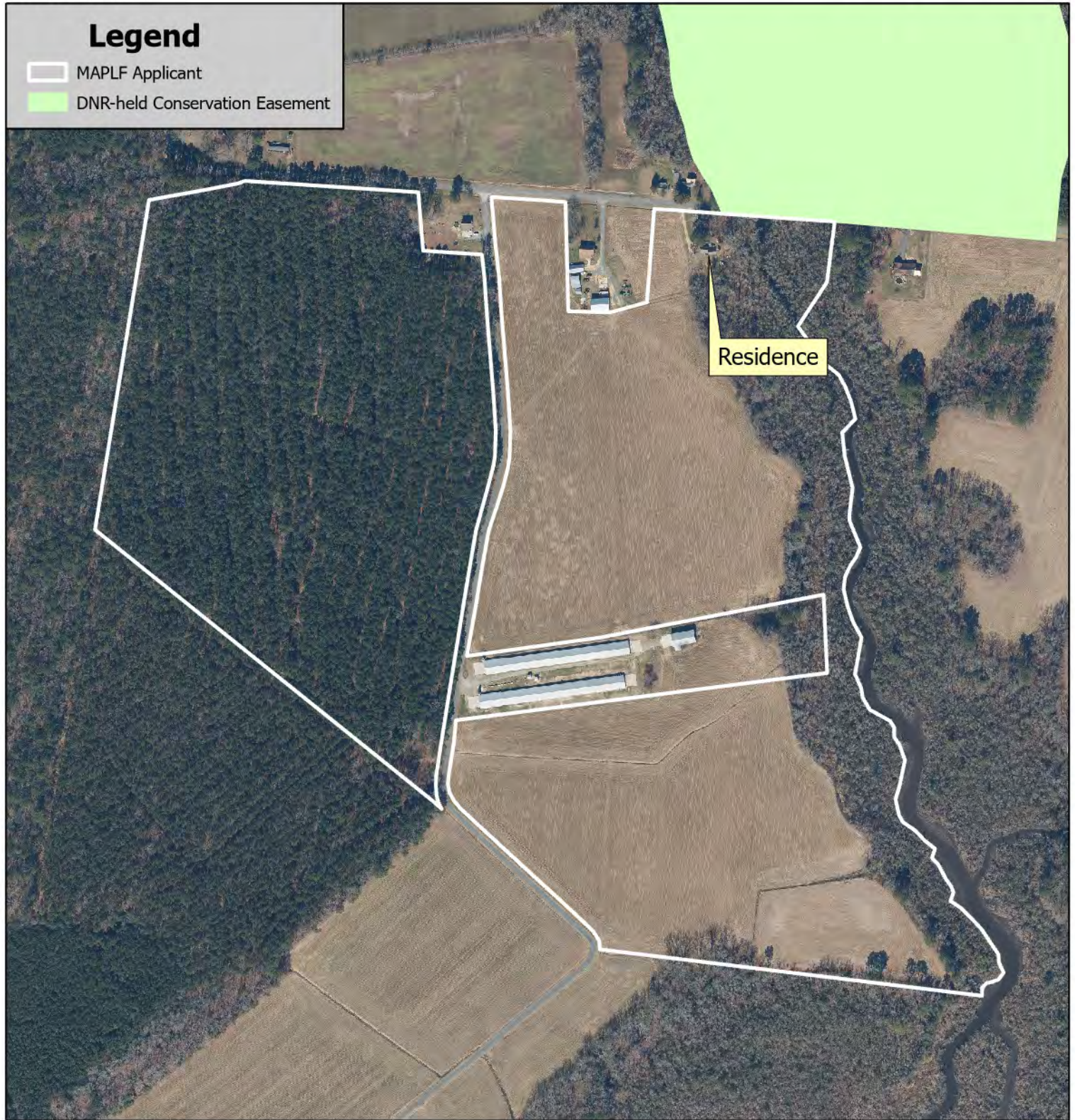
Soils Index: 54.98891
91% Class I,II, and III soils



2022 Aerial Image
Map prepared June 20th, 2024

FY 2025 MALPF Applicant
Percy Maddux
Hall Road, Pocomoke
TM 99 Parcel 49
130.02 Acres

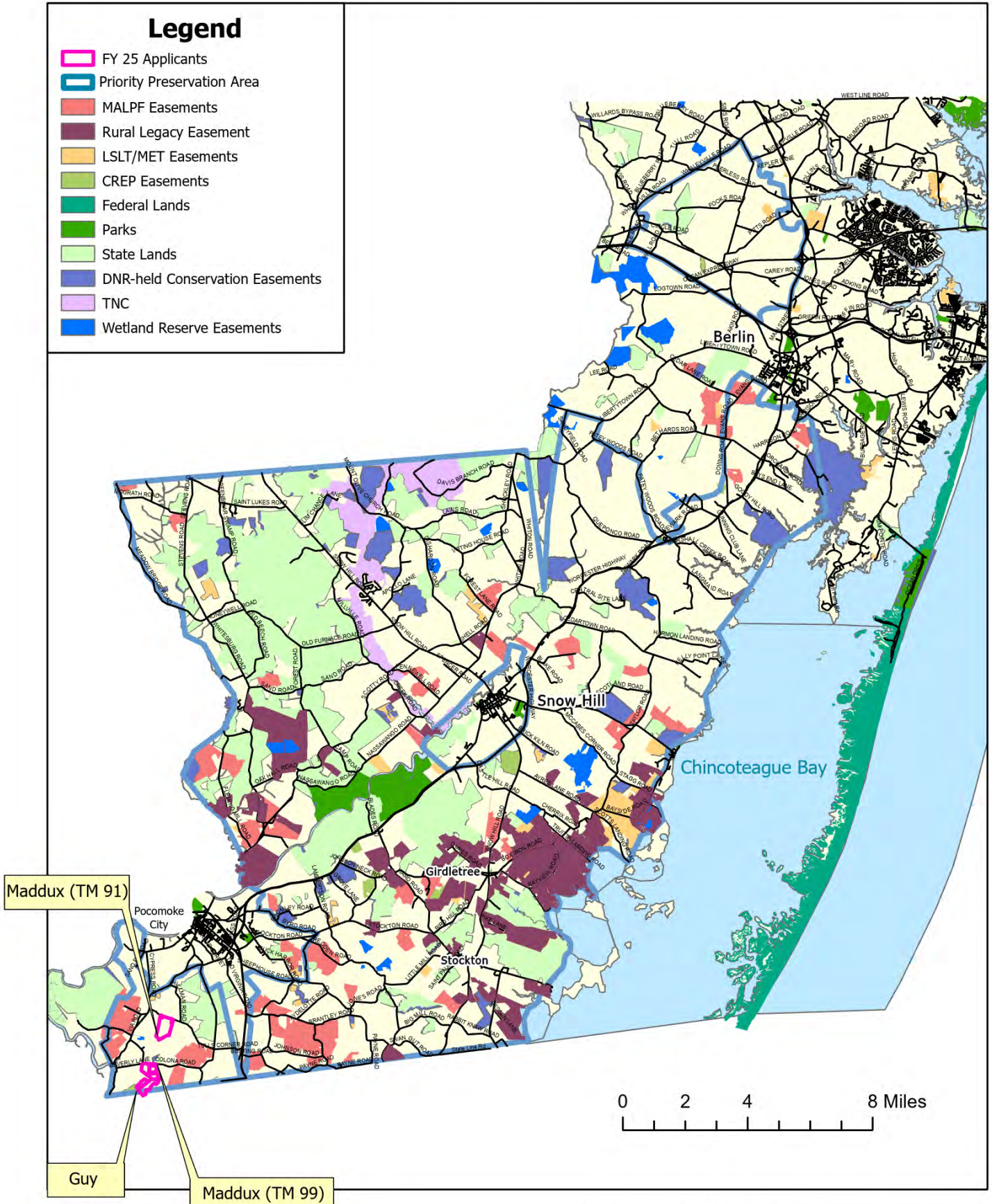
Soils Index: 49.90419
81% Class I,II, and III soils



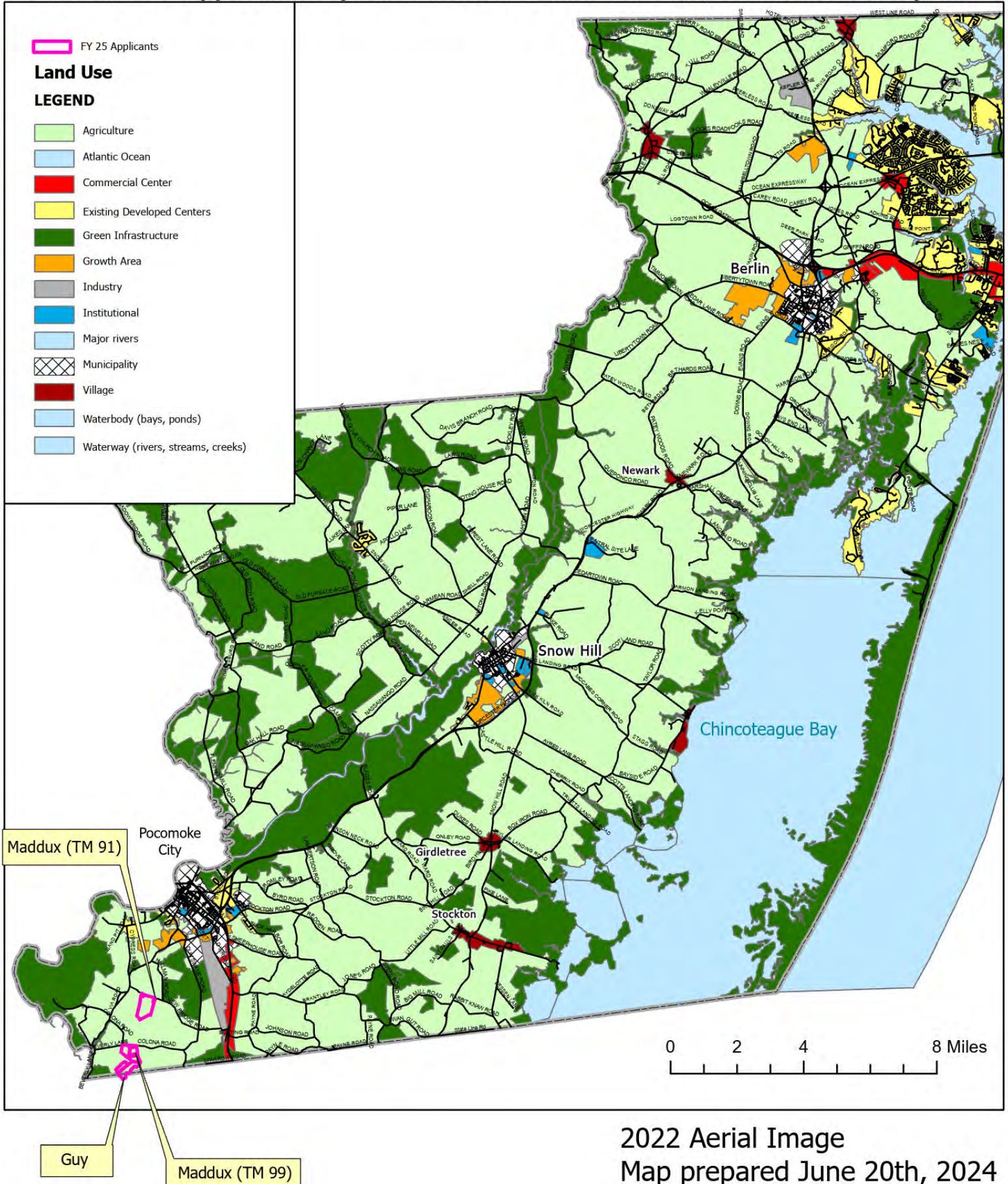
0 0.07 0.15 0.3 Miles

2022 Aerial Image
Map prepared June 20th, 2024

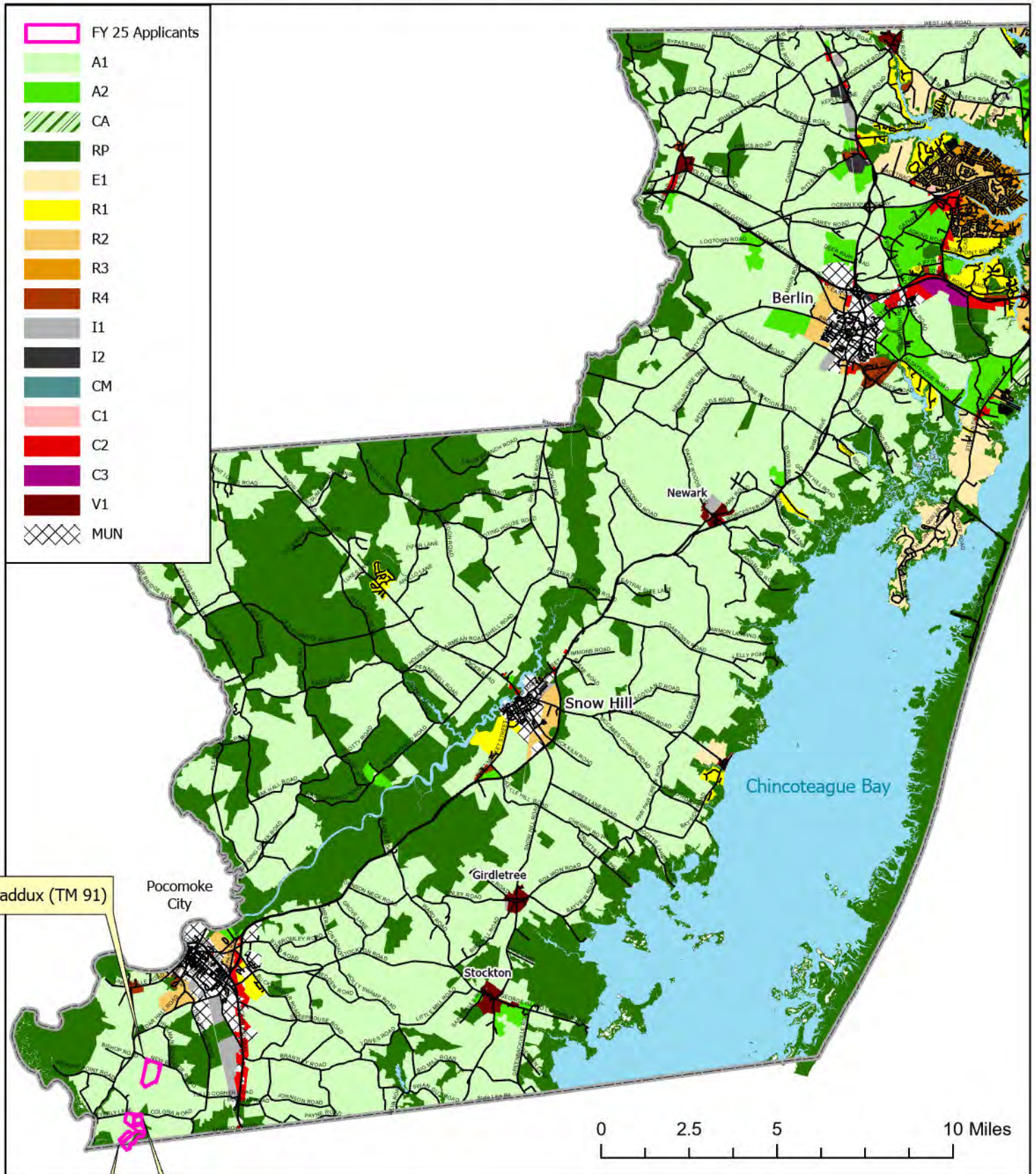
FY25 MALPF Applicant Properties and Protected Lands, Worcester County, MD



FY25 MALPF Applicant Properties and 2006 Land Use Plan, Worcester County, MD



FY25 MALPF Applicant Properties and Zoning, Worcester County, MD



Map prepared 6/21/2024
 Worcester County Dept of Environmental Programs



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: Worcester County Planning Commission
FROM: Jennifer K. Keener, AICP, Director
DATE: August 21, 2024
RE: 2006 Comprehensive Plan –Amendment to the Land Use Map

The Planning Commission will be holding a public hearing on Thursday, September 5, 2024, to receive comments on the proposed Land Use Map amendment to the 2006 Comprehensive Plan for the fifteen parcels identified on Tax Map 21 as Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276.

Following the public hearing, the Planning Commission shall make a recommendation relative to the requested change from Agriculture to Commercial Center on the Land Use Map.

Attached please find the following documents:

- Public Hearing Notice
- Clearinghouse Review Comments
- Planning Commission recommendation with staff cover letter

As always, I will be available at your hearing for any questions you may have regarding this process.

NOTICE OF PUBLIC HEARING
AMENDMENT TO THE WORCESTER COUNTY
2006 COMPREHENSIVE PLAN
LAND USE MAP

The Worcester County Planning Commission will hold a public hearing on

Thursday, September 5, 2024

At 1:00 P.M.

In

ROOM 1102 - GOVERNMENT CENTER

ONE WEST MARKET STREET

SNOW HILL, MARYLAND 21863

At said public hearing, the Planning Commission will consider a sectional amendment to the 2006 Land Use Map affecting the designation of fifteen parcels identified on Tax Map 21 as Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276.

A map of the proposed area and the Planning Commission's file, which will be entered into record at the public hearing, are available for inspection at the Department of Development, Review and Permitting, Government Center Room 1201, One West Market Street, Snow Hill, Maryland 21863 between the hours of 8:00A.M. and 4:30 P.M., Monday through Friday (except holidays). Interested parties may also call (410) 632-1200.

Worcester County Planning Commission



Maryland DEPARTMENT OF PLANNING

August 7, 2024

Jerry Barbierry, Chair
Worcester County Planning Commission
Government Center
One West Market Street, Room 1201
Snow Hill, Maryland 21863

Dear Mr. Barbierry,

Thank you for the opportunity to comment on the Worcester County 2006 Comprehensive Plan land use map amendment (Plan Amendment). The Maryland Department of Planning (MDP) believes good planning is important for efficient and responsible development that addresses resource protection, adequate public facilities, housing, community character, and economic development. Please keep in mind that MDP's comments reflect the department's thoughts on ways to strengthen the county's draft Plan Amendment.

MDP forwarded a copy of the draft Plan Amendment to several state agencies for review, including: the Maryland Historical Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. To date, we have received comments from Transportation and the DNR Critical Area Commission. These comments are included with this letter and any plan review comments received after the date of this letter will be forwarded to you upon receipt.

This Plan Amendment appears to be a "curative" amendment to consistently align the land use designations and zoning classifications of the fifteen parcels which were the subject of the county's 2018 sectional rezoning. This Plan Amendment is further intended to designate land uses that will support the extension of public water and/or sewer to the subject properties for proposed commercial development. Although MDP acknowledges it is within the county's purview to process this Plan Amendment while currently engaged in a full comprehensive plan update, MDP suggests it more appropriate to pause this Plan Amendment and collectively address all anticipated land use revisions as part of the full plan update process in lieu of this interim approach.

Additionally, the Maryland Route 589 corridor has historically been identified as an area with an "unsatisfactory level of service". This is due not only to "summer resort traffic", but also to the Ocean Downs Casino, the Ocean Pines Planned Community, and the continued development and intensification of a variety of uses along Route 589. This Plan Amendment will allow the fifteen subject parcels to immediately apply for

public water and/or sewer and proceed with commercial development projects prior to the county's full plan update, which would provide a forum to holistically approach traffic volumes and safety measures for vehicles, bicyclists and pedestrians traveling this corridor. MDP acknowledges the county's contention that some traffic improvements have been implemented since adoption of the 2006 Plan, however it still seems prudent to pause this Plan Amendment and address the specific needs of this corridor in the Transportation Element during the full plan update, including the importance and need for corridor access management along Route 589.

MDP staff are available if Worcester County staff would like to meet with us to discuss our comments. The department respectfully requests that this letter and accompanying review comments be made part of the county's public hearing record. Should the Plan Amendment be adopted, please send Tracey Taylor a final version of the amendment in PDF format.

If you have any questions or concerns regarding these comments, please email Tracey Taylor, Director of the MDP Lower Eastern Shore Regional Office at tracey.taylor1@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joseph Griffiths". The signature is written in a cursive style with a large initial "J".

Joseph Griffiths, AICP
Director, Planning Best Practices

Enclosures: Review Comments, Maryland Department of Transportation and
Department of Natural Resources Critical Area Commission

cc: Jennifer K. Keener, AICP, Director, Worcester County Development Review and Permitting
Tracey Taylor, MDP



Tracey Taylor -MDP- <tracey.taylor1@maryland.gov>

RE: Worcester County Comprehensive Plan – Land Use Map Amendment

1 message

Dan Janousek <djanousek@mdot.state.md.us> Fri, Jul 5, 2024 at 12:44 PM
To: "tracey.taylor1@maryland.gov" <tracey.taylor1@maryland.gov>, "rita.pritchett@maryland.gov" <rita.pritchett@maryland.gov>
Cc: Michelle Martin <mmartin@mdot.maryland.gov>, Kari Snyder <ksnyder3@mdot.maryland.gov>, Aviva Klugh <aklugh@mdot.maryland.gov>, Stacey King <sking8@mdot.maryland.gov>

Tracey & Rita

After reviewing the draft Worcester County Comprehensive Plan – Land Use Map Amendment, the MDOT offers no comments on this plan and the land use changes that are recommended.

The MDOT will continue to coordinate transportation access to any new developments, via the District 1 (D1) Office and the normal coordination with the County staff.

(D1) DISTRICT 1 OFFICE

[660 West Road](#)[Salisbury, MD 21801](#)[Wicomico County](#)

Phone: 410-677-4000 or 800-825-4742

Fax:410-543-6598

If any specific road, transit, or other transportation recommendations are made after this draft, our office would like the chance to follow up.

Thanks,

Dan

mdot.maryland.gov

Dan Janousek
Regional Planner
Planning and Capital Programming

410.865.1098 office 301.717.3968 mobile
djanousek@mdot.maryland.gov

Maryland Department of Transportation
7201 Corporate Center Drive, Hanover, MD 21076

Wes Moore
Governor

Aruna Miller
Lt. Governor



Erik Fisher
Chair

Katherine Charbonneau
Executive Director

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

July 12, 2024

Ms. Tracey Taylor
Lower Eastern Shore Regional Office
Maryland Department of Planning
201 Baptist Street, Suite 24
Salisbury, Maryland 21801

Re: Proposed Worcester County 2006 Comprehensive Plan – Land Use Map Amendment

Dear Ms. Taylor:

Thank you for providing us with information regarding the above-referenced land use amendment. Worcester County Planning Commission proposes to change the land use designation for fifteen parcels, of which three are wholly or partially located in the Critical Area, from Agriculture to Commercial Center. The parcels located in the Critical Area are identified on Tax Map 21 as Parcels 79, 110, 111, and 219. Parcel 79 is entirely located within the Critical Area and is partially designated as Limited Development Area (LDA) and partially designated as Resource Conservation Area (RCA). Parcel 110 is entirely located within the Critical Area and is designated as LDA. Parcels 111 and 219 are partially located within the Critical Area and those portions are designated as RCA. The parcels were part of a sectional rezoning in 2018, where they were rezoned from A-1 Agricultural District and E-1 Estate District to C-2 General Commercial District.

Our office has reviewed the land use map amendment and we believe it is not consistent with the current Critical Area designations for Parcels 79, 110, 111, and 219. Natural Resources Article 8-1809(h) requires that zoning map amendments must be wholly consistent with the land classifications in the adopted program, or require the use of growth allocation. Development on Critical Area lands designated as LDA and RCA must meet the requirements of Worcester County Code §§ NR 3-107 – NR 3-108. These requirements include, but are not limited to, restricting the allowable lot coverage on each parcel to 15%, and for areas that are designated as RCA, restricting the allowable types of new development. The proposed Commercial Center land use designation would allow for more types of development than are currently allowed under Critical Area rules.

It is our understanding that the County is not proposing the use of growth allocation at this time; therefore, we recommend against a zoning map amendment for those parcels located in the Critical Area.

Ms. Tracey Taylor

July 12, 2024

Page 2 of 2

Thank you for the opportunity to provide comments on this project. If you have any questions, please call me at (410) 260-3477 or email me at kathryn.durant@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Durant". The signature is written in a cursive style with a horizontal line at the end.

Kathryn Durant

Natural Resources Planner



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

June 11, 2024

Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, MD 21201

Submitted via email: mdp.planreview@maryland.gov

Re: Proposed Worcester County 2006 Comprehensive Plan – Land Use Map Amendment

To Whom It May Concern:

On behalf of the Worcester County Planning Commission, enclosed please find a request for a proposed amendment to the Worcester County 2006 Comprehensive Plan's Land Use Map. The amendment consists of a change in the land use designation of fifteen parcels identified on Tax Map 21 as Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276, and illustrated on the enclosed exhibits. Once adopted, the official Land Use Map (Figure 2-3) will be updated accordingly. The Worcester County Planning Commission will hold their required public hearing on the proposed amendment no sooner than Thursday, September 5, 2024.

Due to the inconsistency of the existing zoning (C-2 General Commercial District) with the existing Land Use Map designation (Agriculture), the Planning Commission has voted to amend the map and designate those parcels as Commercial Center. This will allow the property owners to seek approval for elements such as public water and sewer service or Critical Area growth allocation where appropriate. This request does not include any proposed changes to the goals, policies, or objectives in the Plan.

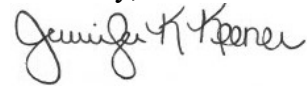
The stated goal of the Land Use Element of the Plan is to “maintain [Worcester County’s] rural and coastal character, protect its environment and natural resources, and locate planned development for approximately 18,000 new residents in designated growth areas at appropriate intensities and by infilling existing communities.” The attached documents will provide confirmation that the proposed change in the land use designation will be consistent with the goals, policies, and objectives of the Comprehensive Plan.

I acknowledge that under state law, Worcester County is required to consider an update to the plan in its entirety in 2024. We have hired a consultant and begun this endeavor in earnest; currently we are in the process of reviewing the first few chapters of the new draft plan.

However, it was determined by the Worcester County Commissioners that the sectional amendment should not wait for the full plan to be updated, and therefore we are requesting that Maryland Department of Planning and other state agencies narrowly consider the specific amendment as it relates to the existing 2006 plan in their review.

If you have any questions or need any further information, please do not hesitate to contact me at (410) 632-1200, ext. 1123 or via email at jkkeener@co.worcester.md.us.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer K. Keener".

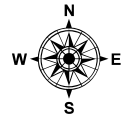
Jennifer K. Keener, AICP
Director

Enclosures

cc: file

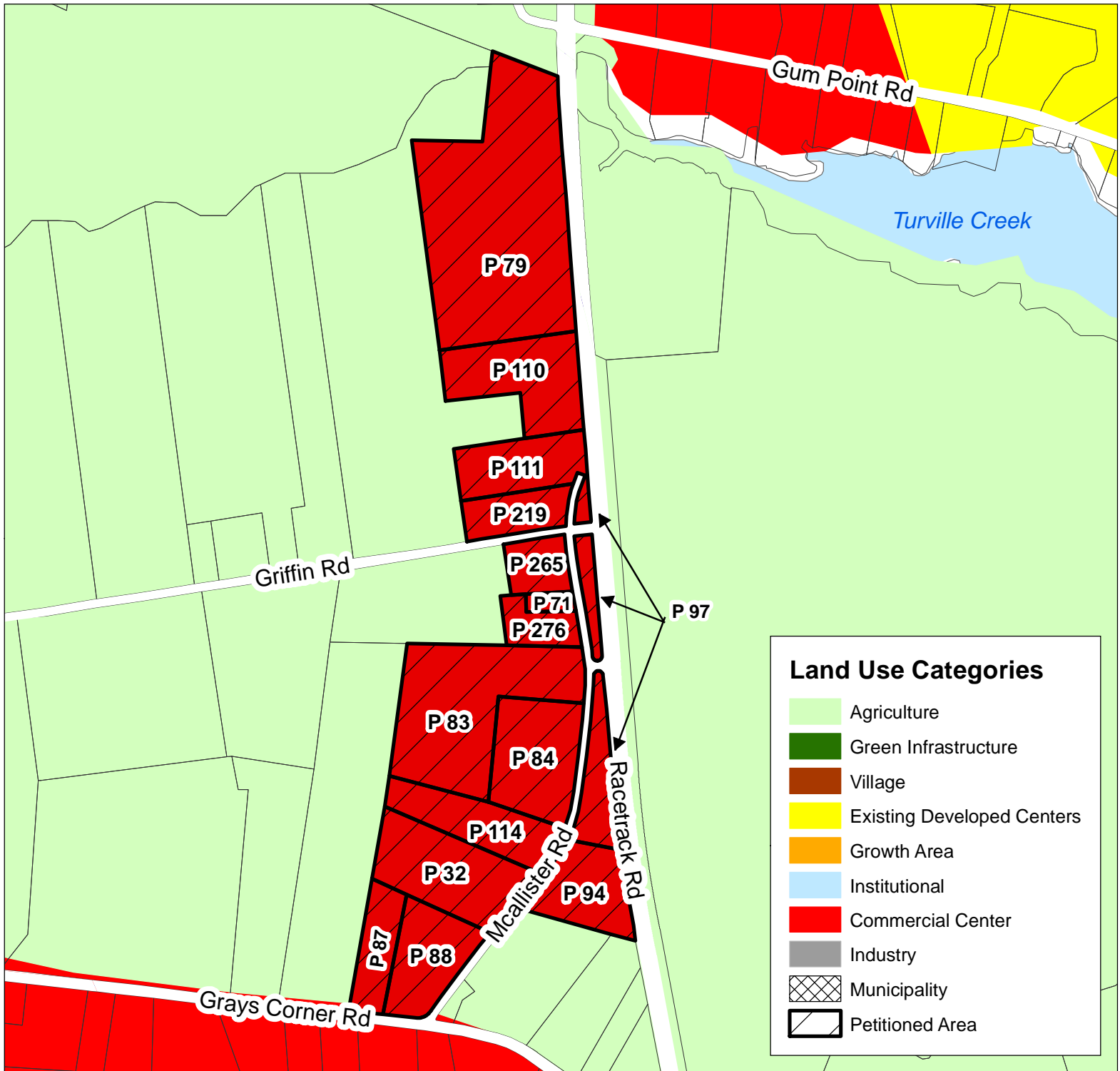


WORCESTER COUNTY, MARYLAND



Proposed 2006 Land Use Map Amendment

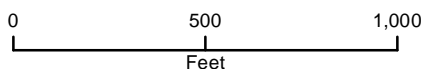
LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: May 2024

Source: 2006 Official Land Use Map



Drawn By: KLH

Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Worcester County 2006 Comprehensive Plan Land Use Map Amendment

Background:

The amendment consists of a change in the land use designation of fifteen parcels identified on Tax Map 21 as Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276, and illustrated on the enclosed exhibits. The subject parcels are located on MD Route 589 (Racetrack Road) across from Ocean Downs, a racetrack and fairground with a casino. The properties contain a mix of residential and commercial uses. The parcels were part of a sectional rezoning in 2018, wherein they were rezoned from A-1 Agricultural District and E-1 Estate District to C-2 General Commercial District.

Upon a request from one of the property owners, the Worcester County Commissioners directed the Planning Commission to evaluate the existing land use designation and determine whether another designation would be more appropriate based on the changes that have occurred since the last Comprehensive Plan and Map was adopted in 2006. Notice was sent to all affected property owners advising them of the date and time of the Planning Commission meeting.

Findings Relative to the Comprehensive Plan Elements:

Goals and Objectives of the Plan:

The stated goal of the 2006 Land Use Element is as follows:

“Worcester County will maintain its rural and coastal character, protect its environment and natural resources, and locate planned development for approximately 18,000 new residents in designated growth areas at appropriate intensities and by infilling existing communities” (Page 10).

To meet this goal, various objectives were set forth relating to commercial development (Page 12):

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.
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
10. Locate employment centers close to the potential labor force.
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads.

Land Use Designations:

The existing land use designation for the subject parcels is Agriculture. This land use category focuses primarily on the preservation and protection of farming, forestry and related industries with minimal residential and other incompatible land uses permitted. Specifically, the Plan states

that “[r]esidential and other conflicting land uses although permitted are discouraged” (Page 18). While agriculture is an extremely important part of Worcester County’s heritage, the Planning Commission has determined that this designation is not appropriate for the subject parcels.

The Commercial Center land use category “designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses” (Page 16). Such centers can be developed at the neighborhood level, community level, or regional/highway level. The subject parcels are within a five-mile proximity of existing developments such as Ocean Pines, Pennington Estates, River Run, White Horse Park campground, Lake Haven mobile home park, as well as the newly approved residential subdivisions of Triple Crown Estates and the Estates at Windmill Creek. Further residential uses are located along Gum Point Road and in the immediate vicinity of the subject parcels along McAllister, Griffin, and Grays Corner Roads. These residential areas will be served by the commercial uses to be located on the subject parcels. Therefore, the Planning Commission has determined that the Commercial Center land use designation is the most appropriate category.

Transportation Element:

The Comprehensive Plan identifies the MD Route 589 corridor as reaching “an unsatisfactory level-of-service” (Page 80) which is predominantly a result of summer resort traffic impacts. Therefore, the plan implies that land use should not be intensified in the area, and that the policy shall remain until road capacity is suitably improved. As further explained below, while traffic impacts remain a concern for Worcester County, especially on the northern end of the highway, capacity has been slowly improving within the immediate vicinity of the subject parcels, therefore supporting the limited intensification of the proposed land use designation from Agricultural to Commercial Center.

The subject parcels are in the “quadrangle” as described on Page 27 of the Comprehensive Plan. This area has been identified as one that may be appropriate for development in a future planning period, specifically the core of a growth area, once MD Route 589’s traffic capacity has been improved to handle the traffic volume that it experiences. Therefore, the area was identified for “infill development until conditions change”. Based upon the transportation findings outlined herein, the Worcester County Commissioners approved the rezoning for infill development on the subject parcels.

During the sectional rezoning in 2018, the Worcester County Commissioners found that since the 2006 Comprehensive Plan, a signalized intersection at MD Route 589 and McAllister Road with road lane upgrades was added in approximately 2011 with the development of the casino at the Ocean Downs racetrack. This has improved traffic circulation in the immediate vicinity of the subject parcels and MD Route 589 could therefore handle any additional vehicular traffic that would be generated from the establishment of commercial uses in the petitioned area. The Worcester County Commissioners acknowledged that McAllister Road, a county-owned and -maintained roadway, would possibly require road improvements when the parcels were redeveloped with commercial uses, as noted on Page 82 of the Plan.

Additional corridor improvements have been constructed since the rezoning and the statements made in the 2006 Comprehensive Plan. An additional left turn lane was constructed from US Route 50 onto MD Route 589 in 2020 that also included an additional travel lane extending from US Route 50 to the McAllister Road intersection. Another signalized intersection with lane upgrades was installed in 2023 less than half a mile north of the petitioned area in front of the new Atlantic General Hospital outpatient facility.

The Planning Commission finds that in the very limited scope of the subject parcels, sufficient road improvements have been made to support the proposed land use designation change. However, any further land use changes along this corridor should be postponed until further analysis can be conducted during the current comprehensive planning process.

Public Infrastructure Element:

The intent of the amendment is to allow the property owners of the subject parcels the ability to seek public water and sewer from the Ocean Pines Sanitary Service Area, by way of an amendment to the Master Water and Sewerage Plan. To do so, the underlying land use designation must be consistent, and the existing Agriculture designation is incompatible.

General infrastructure objectives in the Comprehensive Plan include (Page 70):

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 demand it creates.

Specific Water and Sewer infrastructure recommendations include (Page 74):

2. Public water and sewer service should be planned for proposed growth areas.
3. New sewer service should not be extended to areas where high density growth is not desired.
7. Proposals for new development will be reviewed for the adequacy of sewer, water, and other infrastructure.
8. Approvals for new development may be deferred, phased in, or conditioned upon the availability of adequate public facilities.
9. Land use controls should be used to limit development in non-sewered areas and provide for planned uses in designated growth areas.

The Plan states that “[l]and use controls should focus most development in easily serviceable communities and prevent the dispersal of low-density development into rural areas” (Page 75). As already identified, the subject parcels were targeted for infill commercial development within the “quadrangle”, which may become a core growth area in the future. In addition, the proximity of the parcels to existing infrastructure that is located on MD Route 589 will be easily serviceable and will not lead to an expansion of services to rural areas unplanned for public water and sewer.

Sensitive Areas Element:

The Sensitive Areas Element requirements can primarily be found in the Natural Resources chapter of the Plan. The Plan acknowledges the importance that such resources can provide for “flood protection, pollution assimilation, water quality, and clean air that benefit public health and safety as well as the Coastal and Chesapeake Bays’ productivity” (Page 31).

Within the subject area, Taylorville Creek can be found at the northerly perimeter of Parcel 79. This parcel is also impacted with non-tidal wetlands based upon the guidance maps and is partially located in the AE flood zone. To protect these sensitive areas, the northerly portion of Parcel 79 was zoned RP Resource Protection District during the 2009 comprehensive rezoning and retained this designation during the 2018 sectional rezoning.

Worcester County is the only jurisdiction in Maryland with an Atlantic Coastal Bays Critical Area program. As explained on Page 34 of the Plan, the program has three land use categories: Intensely Developed Area (IDA), Limited Development Area (LDA) and Resource Conservation Area (RCA). Taylorville Creek can be found to the northeast of the subject area, and several affected parcels are therefore designated as LDA or RCA. The proposed Land Use Map amendment would allow the property owners to seek a potential Critical Area Growth Allocation.

Overall, the regulatory impacts of the sensitive areas on the affected parcels, combined with the existing RP Resource Protection District zoning category will limit the intensity of development that may occur even with the change in the Land Use designation.

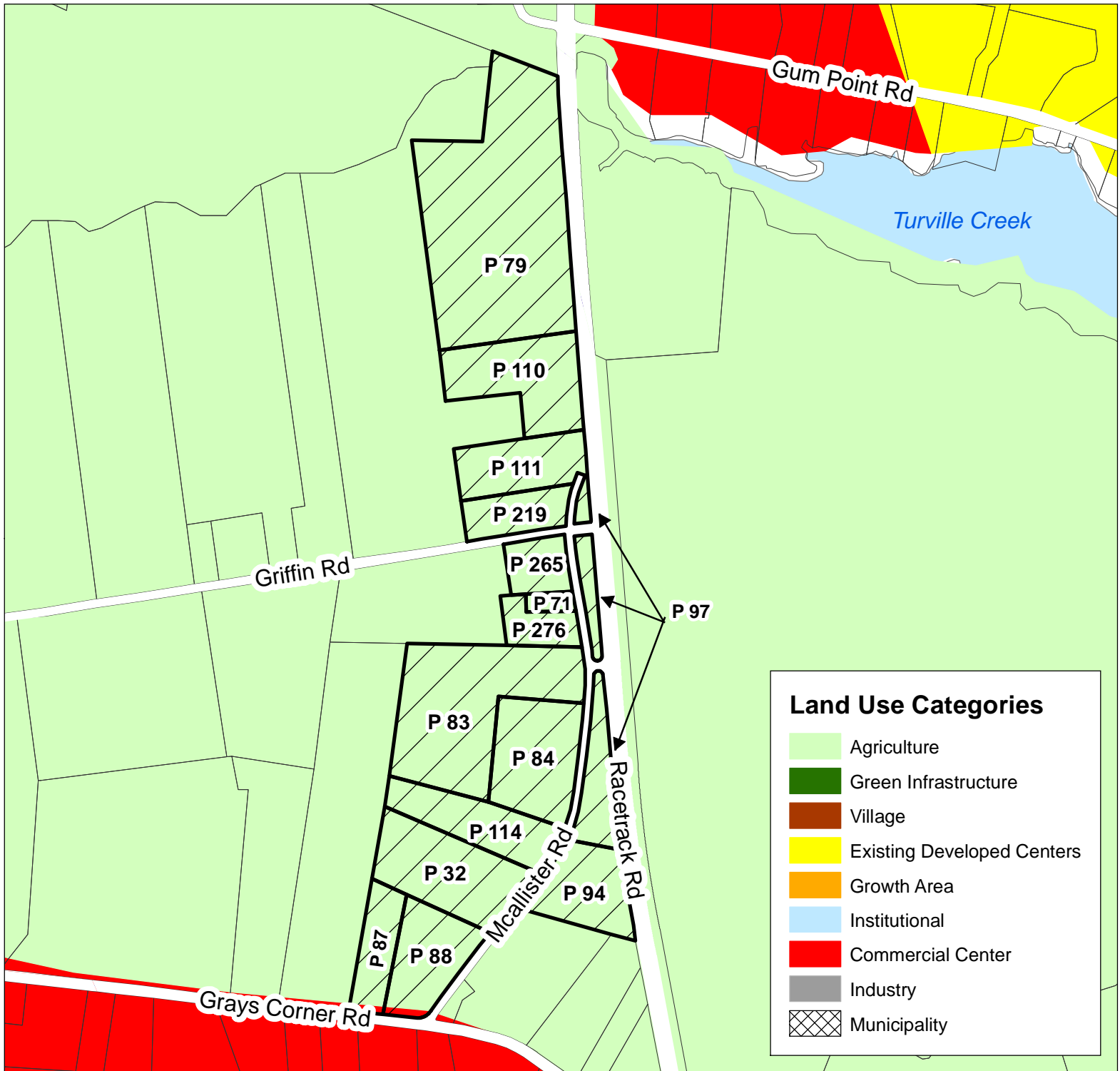
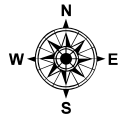
Summary:

At their meeting of June 6, 2024, the Planning Commission recommended that the land use designation for the fifteen parcels be amended from Agriculture to Commercial Center. A public hearing will be held with the Planning Commission no sooner than Thursday, September 5, 2024, on the proposed amendment.



WORCESTER COUNTY, MARYLAND

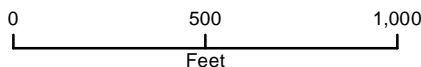
EXISTING LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

Prepared: May 2024

Source: 2006 Official Land Use Map



Drawn By: KLH

Reviewed By: JKK

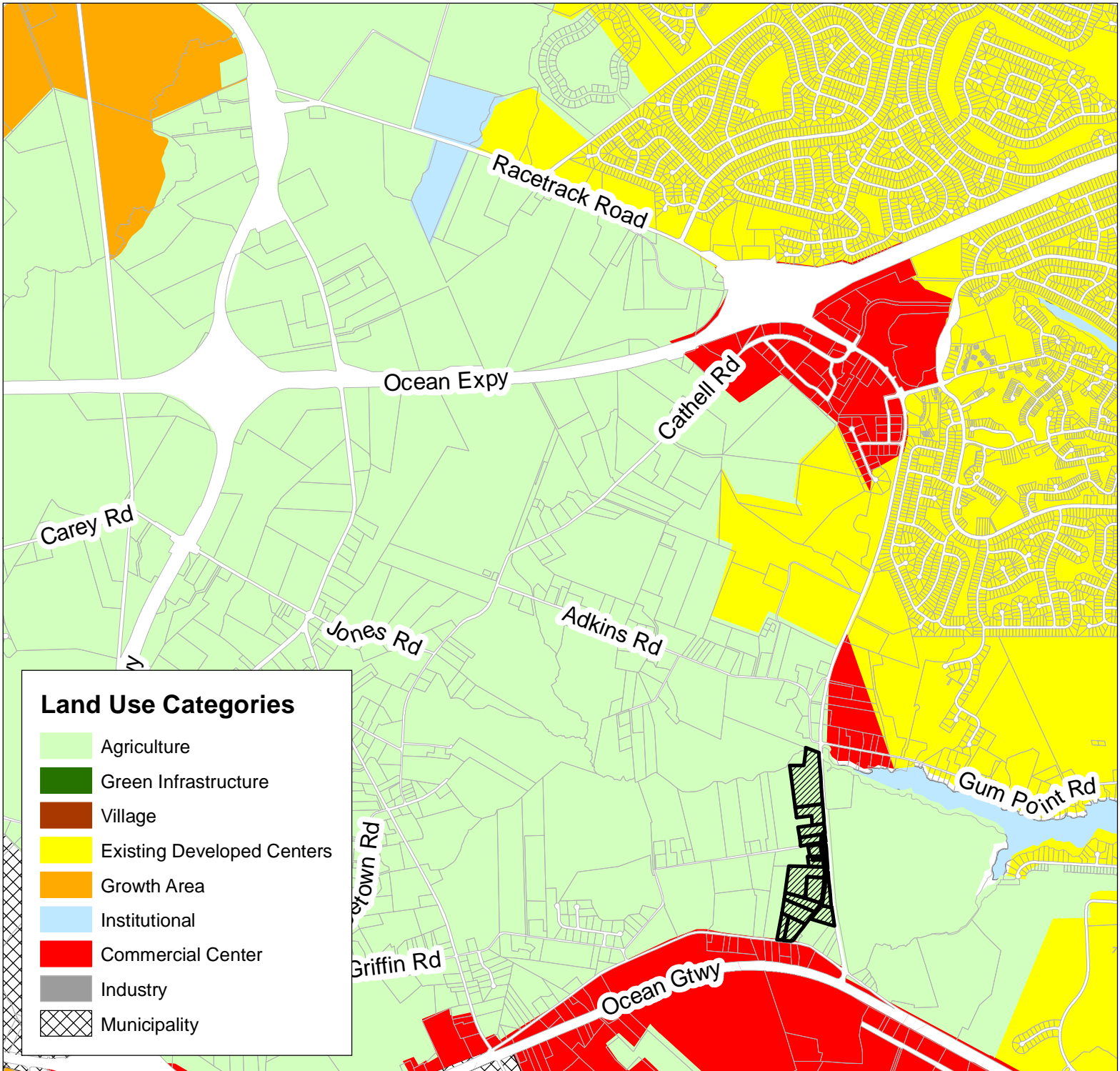
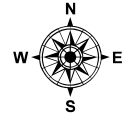
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



WORCESTER COUNTY, MARYLAND

MD Route 589 - Racetrack Road Corridor

LAND USE MAP



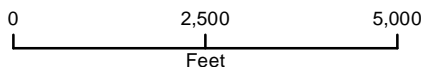
Land Use Categories

- Agriculture
- Green Infrastructure
- Village
- Existing Developed Centers
- Growth Area
- Institutional
- Commercial Center
- Industry
- Municipality

DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

Prepared: May 2024

Source: 2006 Official Land Use Map



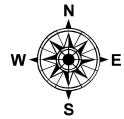
Drawn By: KLH

Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

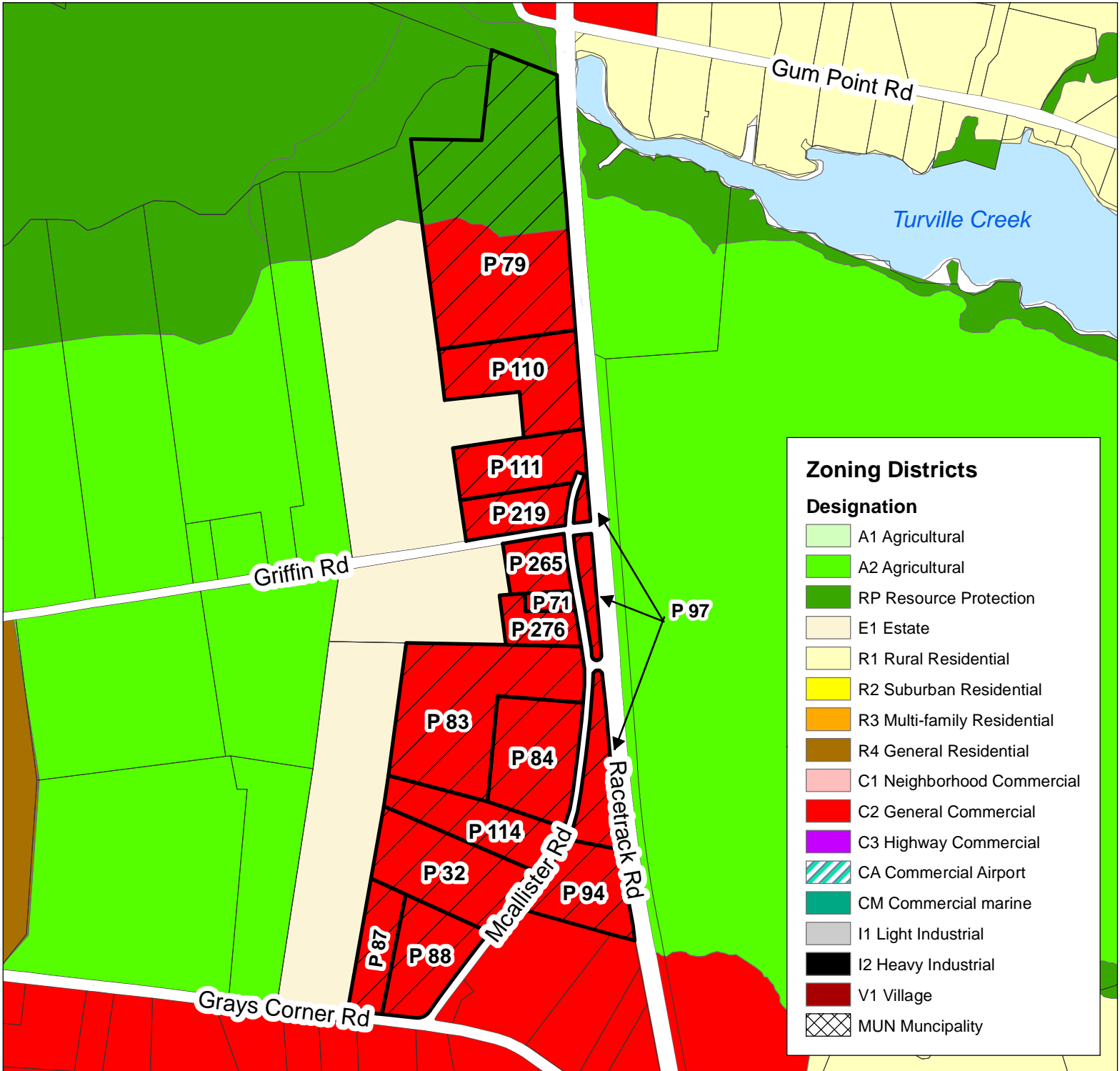


WORCESTER COUNTY, MARYLAND



Proposed 2006 Land Use Map Amendment

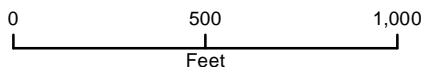
ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: May 2024

Source: 2009 Official Zoning Map



Drawn By: KLH

Reviewed By: JKK

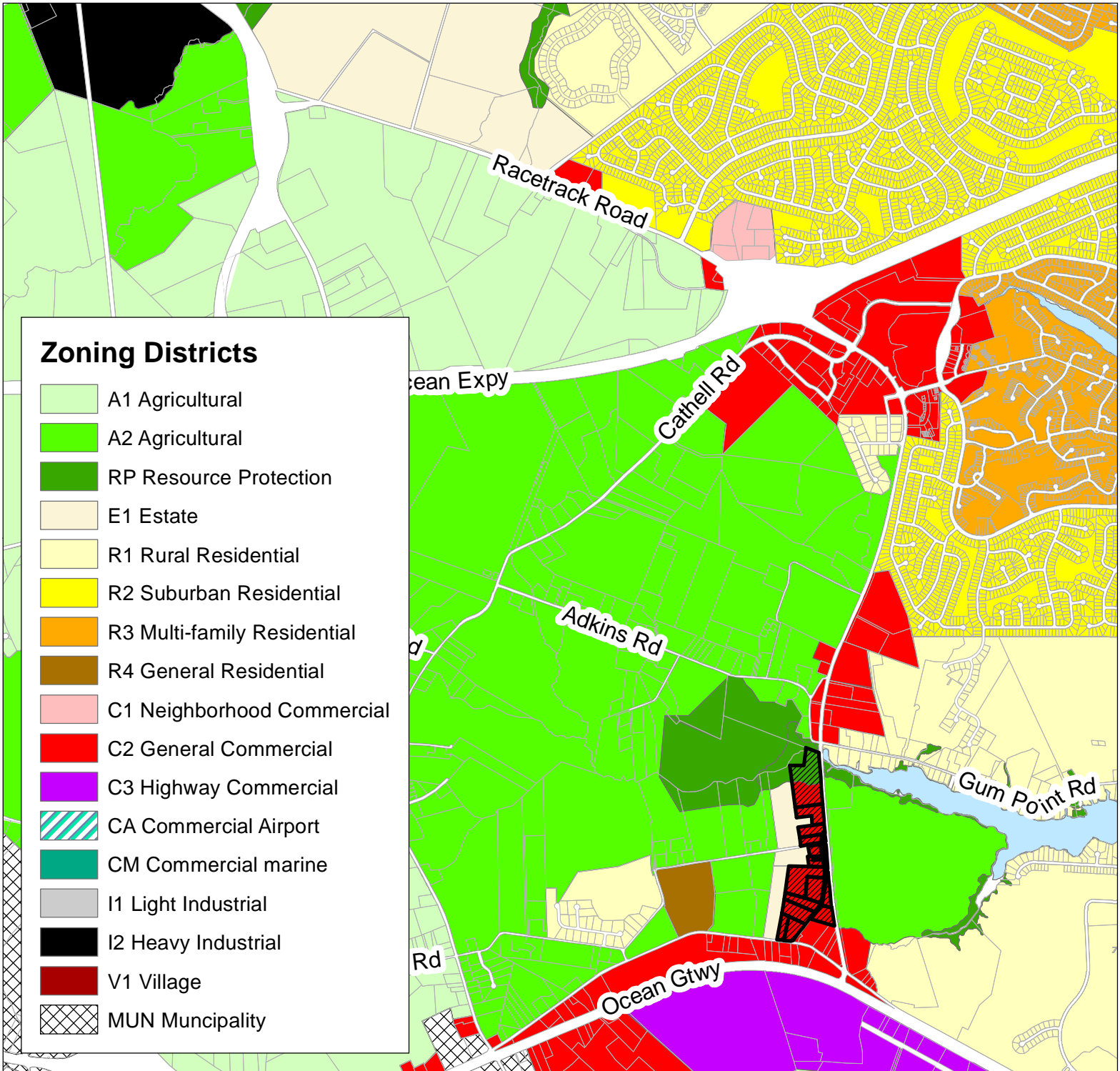
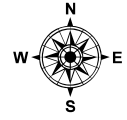
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



WORCESTER COUNTY, MARYLAND

MD Route 589 - Racetrack Road Corridor

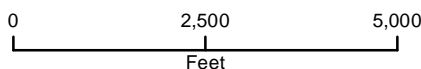
ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

Prepared: May 2024

Source: 2006 Official Land Use Map



Drawn By: KLH

Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.




Worcester County

Department of Environmental Programs

Memorandum

To: Jennifer Keener, AICP
Director, DDRP

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

Subject: **Comprehensive Plan – Requested Amendment to Land Use Map**
Department of Environmental Programs Comments

Date: 5/23/24

This response to your request for comments is prepared for the land use map amendment referenced above. Since amendments of this sort can only be approved by the legislative body, you brought forth this request to the County Commissioners at their meeting on May 7, 2024. At that meeting, the Commissioners approved the processing of an amendment and extended the request to all of the properties associated with the sectional rezoning approved in 2018. The request forwards the argument that the underlying agricultural land use designation is inconsistent with the C-2 zoning classification as the property cannot be developed to its true potential without connection to public utilities. Any amendment to add sewer planning designations to the *Master Water and Sewerage Plan* for public service to properties in this area needs to consider their land use designation in the *Comprehensive Plan*. The agricultural land use designation is incompatible with the extension of public services. An “Agriculture” land use is not a designated growth area, and the *Comprehensive Plan* states that “public water and sewer service should be planned for proposed growth areas”, and that “land use controls should be used to limit development in non-sewered areas and provide for planned uses in designated growth areas” (Page 74). This is affirmed with ample references in both the Land Use and Public Infrastructure chapters in the *Comprehensive Plan*.

Regarding the properties in question, it might help to look at land use designations in law and in practice for this particular area of Worcester County. The land use element, as defined in statute under Md. Code, Land Use § 3-111, specifies that “On a schedule that extends as far into the future as is reasonable, the land use element shall propose the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and

private land.” That is precisely what was done during the last comprehensive update of the county’s master development plan and the subsequent land use designations applied and mapped within that plan. Land use designations contain the real power to limit growth, as zoning follows land use designation and the defined land use is our locally approved base plan of how we want development to occur. While other areas within the county are often referenced as inconsistent with respect to their commercial zoning designation and underlying agricultural land use, I would point out recommendations in the Public Infrastructure chapter of the *Comprehensive Plan*:

- New sewer is not to be extended to areas where high density growth is not desired
- Land use controls should be used to limit development in non-sewered areas and provide for planned uses in designated growth area
- Land use controls should focus most development in easily serviceable communities and prevent the dispersal of low-density development into rural areas

The particular area involved in this request is one where the land use designations were made in the 2006 *Plan* to protect the creep of the sewer service areas onto Rt 589 to keep traffic and development to a minimum on 589 and its intersection with Rt 50. It was done to surround Riddle Farm so that development occurring there could not “break out” so to speak on the impacted and under-designed county roadway. This was even referenced in the *Comprehensive Plan* in the discussions on the Isle of Wight subwatershed within the Land Use Chapter: “The subwatershed’s previously planned growth areas approach build-out; this growth is having severe transportation impacts. For this planning period, the location of growth has been shifted away from the MD 589 corridor to avoid more transportation problems” (Page 27). With the *Water and Sewer Plan* amendment for Ocean Downs and the sewer service to Gum Point Road residents and properties on the east side of Rt 589 north of Gum Point, we have a “hole” in the sewer service area. This area was intended to be served in time once the infrastructure was developed to support this service. Property owners within this area were fully appraised by staff at the time of the previous sectional rezoning that any uses would be limited by the septic capacities of the properties until the inconsistency was changed in a future *Plan* amendment or comprehensive update. To be fully consistent with the County’s *Comprehensive Plan*, the land use map would need to be changed to a land use category that supports the level of development potential sewer service would bring. We would add that the only sanitary planning area that could be considered for service to these properties should a land use amendment and a subsequent *Master Water and Sewer Plan* amendment be approved, is the Ocean Pines Sanitary Service Area.

With respect to the subject properties covered under this amendment request, even with a land use change, we do have regulatory programs that will limit how intensively some of these properties can be developed. Notably, the most prominent of these will be the critical area requirements. Reviewing critical area maps, we have portions of some of the properties on the northern side of the sectional rezoning area designated as a Resource Conservation Area (RCA). These would include parcels 79, 11, 110, and 148. Within this designation, new commercial activities cannot be established. Any proposed development of the parcel(s) will need to be located outside of the RCA portion. It was argued that under the prior sectional rezoning, the included properties were to have any commercial zoning reclassification boundaries approved outside the RCA. That was only accomplished for parcel 79, and partially for parcel 148, where

the RCA designated portions of the properties still carry RP (Resource Protection) zoning classifications. New commercial uses are prohibited in the RCA, unless the use is explicitly authorized under a local critical areas program amendment. We have had no such amendments approved for any of the subject properties that could be a part of this discussion.

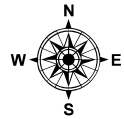
Accordingly, we would request that any considered land use changes contemplated for the subject properties take into consideration the underlying critical area and zoning designations. Even under growth area designations in the *Comprehensive Plan*, we have growth nodes identified as land without development constraints and land with serious development constraints. Wetlands, large continuous forests, sensitive species habitat, and the resource conservation areas within the state critical areas are considered serious development constraints. Locating intensive development updates outside these features limits water quality and wildlife impacts. As noted with the zoning reclassifications done in 2018, the underlying critical area designations for these properties will come into play with future development plan reviews whether the underlying land use designations change. A final point would be that we again state that this area was intended to be served in time once the infrastructure was developed to support this service. That statement is applicable for infrastructure for both utilities and transportation. The applicant should be prepared to address questions regarding both in relation to his land use amendment request.

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

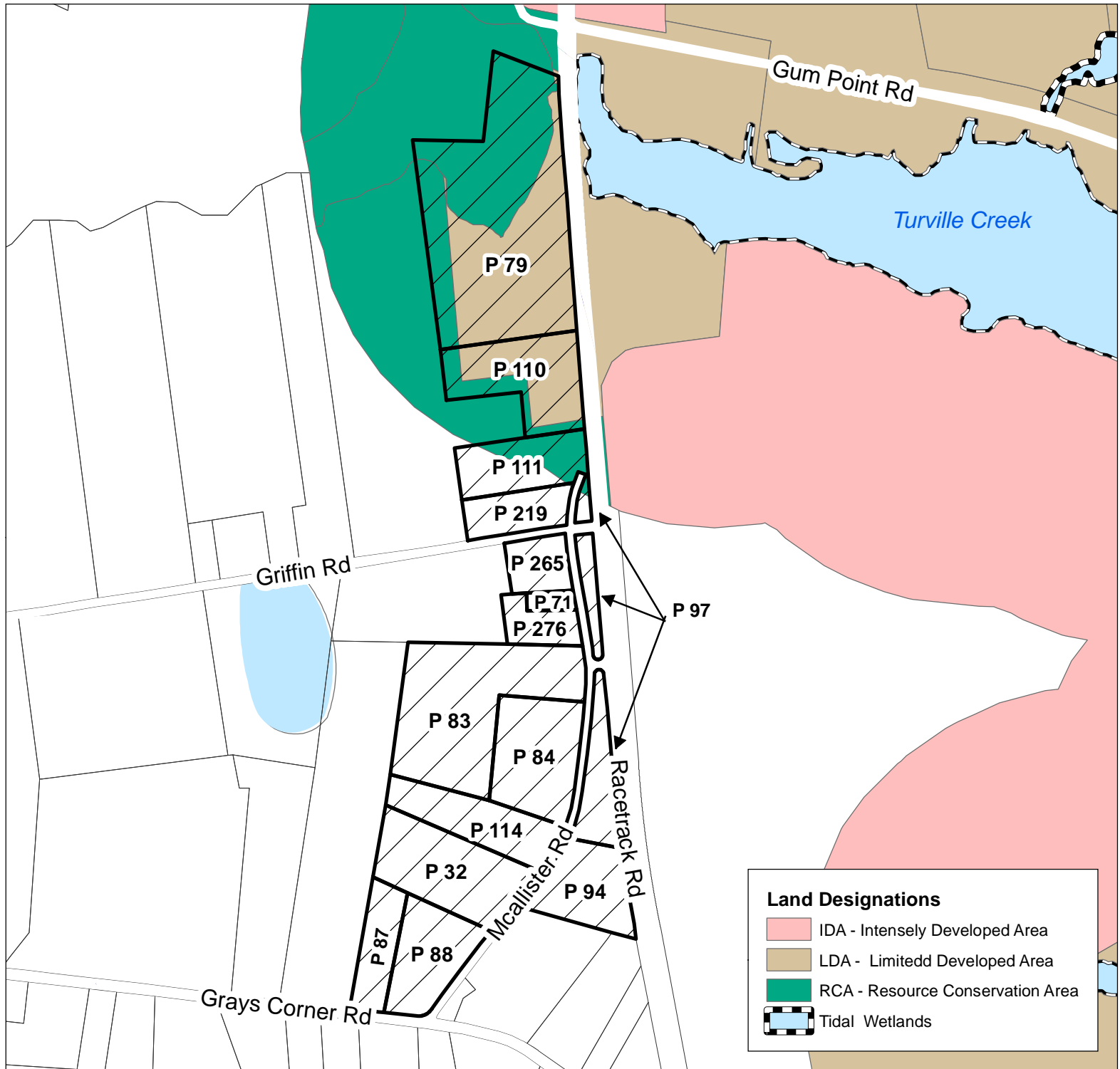
cc: David Bradford
Brian Soper
Katherine Munson
Dallas Baker
Chris Clasing



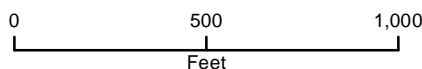
WORCESTER COUNTY, MARYLAND



Proposed 2006 Land Use Map Amendment ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division



Prepared: June 2024
Source: Atlantic Coastal Bay Critical Area Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



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: Weston S. Young, Chief Administrative Officer
FROM: Jennifer K. Keener, AICP, Director
DATE: April 30, 2024
RE: Comprehensive Plan – Requested Amendment to the Land Use Map

I have received the attached request from Mark Cropper, on behalf of his client, for consideration of an amendment to the 2006 Comprehensive Plan’s Land Use Map. Comprehensive Plan amendments can only be initiated by the legislative body. Since the impact of this request will affect much more than one individual parcel as described below, it is my recommendation that this request be considered during the planning process already underway. The initial draft of the updated Land Use Map is scheduled for release this summer to allow public comment. If the County Commissioners wish to proceed with a separate amendment, I would recommend that we obtain a quote for this work scope from the consultant to assist us in processing this request to prevent overlapping initiatives.

Background:

The subject property is on MD Route 589 across from the racetrack/ casino. During the 2018 sectional rezoning under which the parcel and 15 others were rezoned from E-1 Estate District to C-2 General Commercial District, the inconsistency of the proposed zoning (commercial) with the existing Land Use Map designation (agricultural) was fully acknowledged. Members of both the Planning Commission and County Commissioners expressed concerns about the capacity for growth along MD Route 589, including transportation demands and the availability of public utilities, all of which are examined during the comprehensive plan update process. At the time, the Planning Commission and the applicants understood that if the amendment were approved, any uses would be limited by the septic capacity of the properties until such time as the inconsistency was addressed in a future Comprehensive Plan. Map amendments, water and sewer amendments, and other regulatory changes must consider the consistency of the proposed change with the planned land use. This information was relayed to the new property owner last summer prior to their recent purchase after a lengthy due diligence period.

Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842
www.ajgalaw.com

GUY R. AYRES, III (1973-2019)
M. DEAN JENKINS
JAMES W. ALMAND
WILLIAM E. ESHAM, III
MARK SPENCER CROPPER
BRUCE F. BRIGHT
HEATHER E. STANSBURY
MAUREEN F. L. HOWARTH
RYAN D. BODLEY
BRADFORD F. KIRBY
VICTORIA O'NEILL
SPENCER AYRES CROPPER

EMAIL ADDRESS:
mcropper@ajgalaw.com

(410) 723-1400
FAX (410) 723-1861

February 14, 2024

OF COUNSEL
HAROLD B. GORDY, JR.
ALVIN I. FREDERICK

Worcester County Government Center
Dept. of Development Review and Permitting
Attn: Jennifer Keener, Director
1 West Market Street, Room 1201
Snow Hill, MD 21863

RE: Change of Land Use Designation/Tax Map 21, Parcel 79

Dear Jennifer:

As you know from our various telephone conversations and emails, I represent Racetrack Plaza, LLC, a Maryland limited liability company ("Racetrack"), whose principals are Michael Lupacchini and Robin Lupton. On or about January 8, 2024, Racetrack purchased certain unimproved real property located on the west side of MD Rt. 589, south of Gum Point Rd. with a mailing address of 10329 Racetrack Road, Berlin, MD, which is also identified as Tax Map 21, Parcel 79 and comprises approximately 9.16 acres of land (the "Property"). Although my clients have been performing due diligence to determine the development potential of the Property for the last 18 months or so, they finally acquired it and are ready to proceed with the development process.

It is my client's desire to develop the Property consistent with its underlying zoning classification which is predominantly C-2 (General Commercial District). However, it has been realized that proceeding with any commercial development is significantly hampered by the fact that its land use designation on the Worcester County Comprehensive Land Use Map (the "Map") remains "Agricultural" which is clearly inconsistent with its zoning classification. Therefore, this letter is to request that Worcester County correct the Map designation for the Property to be consistent with its zoning classification.

To better understand the background for this request, I offer the following information. Prior to the update to the Worcester County Comprehensive Land Use Plan (the "Plan") and Map in 2006, 2.46 acres of the Property were zoned RP (Resource Protection District) and 6.7 acres were zoned E-1 (Estate District), for a total of 9.16 acres. On September 28, 2017, and on behalf of the prior owners of the Property (the Nock family), I filed an Application For Amendment of Official Zoning Map (the "Application") to change the E-1 zoned portion of the Property to C-2 (or, in the alternative, C-1 if the C-2 was denied). During that process, the Worcester County Commissioners (the "Commissioners") decided to consider the Application along with other properties in the surrounding neighborhood as a sectional rezoning instead of numerous separate independent rezonings (the "Sectional Rezoning"). After extensive debate and public hearings, and pursuant to a Formal Notice of Zoning Action dated January 11, 2019 (the "Notice"), the Commissioners decided to approve the Application as part of the Sectional Rezoning and changed the zoning classification of the E-1

zoned portion of the Property to C-2 along with the other properties identified in the Notice. Doing so, however, resulted in the new zoning classification being inconsistent with its land use designation as reflected on the Map. In hindsight, I respectfully submit that the land use designation should have been changed (corrected) when the change in zoning took place.

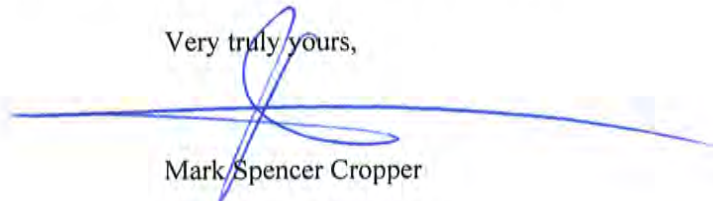
This inconsistency creates a problem for Racetrack in proceeding with the development of the Property. In order to seek utilities (water and/or sewer), the Worcester County Comprehensive Water and Sewer Plan must be amended to authorize such services be extended to the Property. After that request is first considered by the Commissioners (and if approved), it is then forwarded to the State Dept. of Planning for its concurrence. As long as the Property remains in the agricultural land use category on the Map, it is highly unlikely that either the Commissioners or the State will approve the request regardless of it being zoned for commercial development. In fact, according to Bob Mitchell, Director of the Department of Environmental Programs, changing the land use designation must be completed before any further efforts are undertaken to develop the Property. This includes, to the extent necessary, seeking a growth allocation pursuant to the Atlantic Coastal Bays Critical Area law ("CAL"). Any such request will also be prohibited until the land use designation on the Map has been changed.

On a separate but somewhat related note, Racetrack informed me that the Worcester County Dept. of Assessments and Taxation increased the real property tax assessment of the Property by approximately 200% after its rezoning in 2019. While such an increase may seem justified and warranted if the Property can be utilized at its "highest and best use" pursuant to its zoning classification, such an increase is certainly not appropriate where the inconsistent land use designation essentially prevents Racetrack from realizing that potential.

There should be no doubt that the land use designation of the Property should be consistent with its zoning classification. Unless and until that occurs, the true potential for the Property cannot be realized. The only question for the Commissioners is how long should Racetrack be required to wait for that to happen. I am aware that the update to the Comprehensive Land Use Plan and Map is presently underway. But, in reality, it just began. To my knowledge, there have been no public informational meetings, public hearings or meetings of the Planning Commission to truly commence this process. If my memory is correct (and as confirmed by you), the most recent update began in approximately 2001/2002, the Land Use Plan and Map were adopted in 2006 and the Comprehensive Zoning Map and zoning code weren't adopted until 2009. Although I understand that the "Request For Proposals" recently sent to consultants to facilitate this update requests a much shorter timeline, there is no assurance that will happen. Therefore, if this update follows a similar path and timeline as before, the Map and Plan won't be adopted until approximately 2029. In the interim, Racetrack would be unable to proceed with its development plans for 5 more years. Accordingly, it is respectfully requested that the Commissioners consider this independent application for a change of land use designation now versus Racetrack being forced to wait many more years while also paying increased taxes for land that it is unable to utilize for its highest and best use.

Should you have any questions about this letter or need additional information to process this request, do not hesitate to give me a call. Otherwise, your anticipated cooperation is appreciated.

Very truly yours,



Mark Spencer Cropper

STAFF REPORT

REZONING CASE NO. 446

PROPERTY OWNER: Island Resort Park, Inc.
9537 Cropper Island Road
Newark, MD 21841

Ewell Family Revocable Trust
9552 Cropper Island Road
Newark, MD 21841

ATTORNEY: Mark S. Cropper
6200 Coastal Highway, Suite 200
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 40, Parcel 241, Lot C and Tax Map 40, Parcel 93, Tax District 4

SIZE: On Parcel 241, Lot C, the petitioned area consists of 142.91 acres out of an approximately 151.27-acre parcel. On Parcel 93, the petitioned area consists of 53.2 acres out of an approximately 223.47-acre parcel.

LOCATION: Northerly side of Croppers Island Road, Newark, east of the intersection with US Route 113 (Worcester Highway).

CURRENT USE OF PETITIONED AREA: Parcel 241, Lot C is currently improved with a non-conforming campground. While there is a roadside stand on Parcel 93, it is not located within the petitioned portion of the property, which is currently unimproved.

CURRENT ZONING CLASSIFICATION: A-1 Agricultural District. No change to the RP Resource Protection District boundary is proposed.

As defined in the Zoning Code, the intent of the A-1 District is to preserve, encourage and protect the County's farms and forestry operations and their economic productivity and to ensure that agricultural and forestry enterprises will continue to have the necessary flexibility to adjust their production as economic conditions change. The Code also states, in part, that this district is also intended to protect the land base resources for the County's agricultural and forestry industries from the disruptive effects of major subdivision or nonagricultural commercialization.

REQUESTED ZONING CLASSIFICATION: A-2 Agricultural District.

As defined in the Zoning Code, the intent of this district is 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.

APPLICANT’S BASIS FOR REZONING: The application indicates that a mistake was made in zoning the petitioned areas A-1 Agricultural District on November 3, 2009.

ZONING HISTORY: At the time zoning was first established in 1964, the petitioned area was given an A-1 Agricultural District classification, which was retained in the subsequent 1978 and 1992 comprehensive rezonings. In 2009, a portion of the subject properties was zoned RP Resource Protection District.

SURROUNDING ZONING: Adjoining properties to the east, west and north are zoned A-1 Agricultural District and RP Resource Protection District. Properties to the south bordering both sides of Croppers Island Road are zoned R-1 Rural Residential District.

IN REGARD TO THE APPLICANT’S ARGUMENT FOR MISTAKE: At the time of the 2009 comprehensive rezoning, Parcel 241, Lot C was developed as a campground with vested approvals for expansion on this same parcel. The A-2 Agricultural District was new to the 2009 Zoning Code; campgrounds were specifically removed from the A-1 district regulations and placed in the A-2 regulations. *Therefore, the petitioned area of Parcel 241, Lot C should have received an A-2 Agricultural District zoning designation in 2009.*

However, Parcel 93 was subdivided from the campground parcel by the current property owner prior to the adoption of the 2009 comprehensive rezoning maps and has historically been used for general agricultural purposes. The applicant is seeking a rezoning for only a portion of the parcel (petitioned area) to accommodate an expansion of the campground.

The petitioned area of Parcel 93 was not part of the planned and vested campground expansions prior to the 2009 code and map adoption – per applicant’s Exhibit B, the first application for the new expansion was dated October 2022 associated with a Critical Area Growth Allocation request. As a legal non-conforming use, the Zoning Code allows the applicant to seek Board of Zoning Appeals (BZA) approval for an expansion of no more than 50% of the land area, number of sites, etc. as vested prior to the 2009 code and map update. An application was received by the department, but the case was postponed prior to the public hearing with the BZA at the request of the applicant.

**As the primary basis for the requested rezoning, the applicant should further explain how the staff, Planning Commission and Worcester County Commissioners made a mistake in the zoning classification of Parcel 93 in 2009, and specifically that of the petitioned area, when there were no plans for a campground expansion contemplated on this parcel at that time.*

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 a 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 Section 1-113(c)(3) of the Zoning Ordinance and as summarized at the end of this Staff Report.

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

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
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.
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.
19. Limit rural development to uses compatible with agriculture and forestry.

(Pages 12 & 13)

Much of the surrounding area is also designated as “Agriculture” on the Land Use Plan; the only exceptions are an area designated “Existing Developed Area” that recognizes existing residences along Croppers Island Road and a portion of US 113; and land designated “Green Infrastructure” to the east along two tributaries of Newport Bay (Bassett Creek and Porter Creek).

In Chapter 5 – Housing, the Plan states: “Campgrounds provide temporary recreational housing and they have been part of the county’s resort tradition. The county has enacted a variety of site, design, and occupancy standards for campgrounds and should continue to monitor their development, operation, and use for compliance. While suitable for temporary accommodations,

these uses should not be permitted to evolve into permanent housing due to health and safety issues” (Page 69).

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). Section 3.2 of the Water Resources Element notes that cooperative campgrounds that will be served with certain larger wastewater systems can be privately owned. Island Resort Campground is served by such a system as described in Mr. Mitchell’s memo.

In Chapter 7 – Transportation, the Plan states that the County’s highest transportation project priority is the complete dualization of US 113, and since the Plan’s adoption in 2006, this project has been completed. The subject property has frontage on US 113, but access is provided from Cropper’s Island Road.

Chapter 7 includes a section on US 113 and identifies it as a Multilane and Two Lane Divided Primary Highway/Arterial Highway and contains the following recommendations (Page 85):

- Complete dualization project from Berlin to south of Snow Hill.
- Implement access control plan to maintain its status as a limited access roadway.
- Complete scenic and transportation corridor planning for remainder of US 113.

The Plan’s Transportation element also states that “[t]he county’s rural road system continues to have an excellent service record. Local car and truck traffic share this system with farm machinery. On-going maintenance will remain the primary need for these roads. Due to their configuration, rural roads within this plan’s growth areas will require improvements to handle the expected additional traffic.” (Page 80)

In this same chapter, under the heading General Recommendations – Roadways, it states the following (page 87):

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.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. Impacted Roads--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.

WATER AND WASTEWATER: According to the attached response memo from Mr. Mitchell, the subject property is served by an existing wastewater treatment plant with biological

treatment and an existing drainfield with backup tilefield and sprayfield. Any proposed expansion to the campground would require expansion of the wastewater system.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are MqA – Mattapex silt loam; NaA – Nassawango fine sandy loam; Ot – Othello silt loam; and SaA – Sassafras sandy loam. As illustrated on the attached soil map, the easterly portion of the petitioned area where the existing campground and wastewater system is located contains well drained soils, while the westerly portion of the petitioned area has a mix of poorly drained and very poorly drained soils, with one area of well drained soils.

EMERGENCY SERVICES: Fire and ambulance service are available from the Newark Volunteer Fire Company, located approximately 3.5 miles away. No comments were received from the fire company regarding this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately nine miles away, and the Worcester County Sheriff’s Office in Snow Hill, approximately 11 miles away. No comments were received from the Sheriff’s Office. According to the email from the Maryland State Police, they had no comment to provide.

ROADWAYS AND TRANSPORTATION: The petitioned area of Parcel 241, Lot C has frontage on Croppers Island Road, a County-owned and maintained road. Parcel 93 has road frontage on Croppers Island Road, as well as US Route 113 (Worcester Highway), however the petitioned area is not proposed to extend to the highway.

The Maryland Department of Transportation State Highway Administration (MDOT SHA) has no objection to the request. No comments were received from the County Roads Division of the Department of Public Works.

SCHOOLS: The petitioned area is within Zone 4 of the Worcester County Public School Zones and is served by the following schools: Buckingham Elementary, Berlin Intermediate, and Stephen Decatur Middle and High Schools. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is located within the Atlantic Coastal Bays Critical Area (ACBCA), with portions of the parcels designated as Resource Conservation Area (RCA). A locally approved Growth Allocation was granted for 33.36 acres of RCA to be reclassified as Limited Development Area (LDA) associated with the campground expansion. No comments have been received at this time from the State Critical Area Commission relative to this request.

FLOOD ZONE: The FIRM map (24047C0165H, effective July 16, 2015) indicates that the petitioned area of the property is located outside of the floodplain in Zone X (Area of Minimal Flood Hazard), with a portion located in flood zone AE with a base flood elevation of five feet.

PRIORITY FUNDING AREAS: The petitioned area is not within a designated Priority Funding Area (PFA). The closest PFA is in Newark approximately 2.5 miles southwest.

INCORPORATED TOWNS: This property is approximately five miles from the Town of Berlin.

ADDITIONAL COMMENTS RECEIVED: The following agencies submitted responses with no comment (attached):

- Email from Will Dyer, DNR.
- Email from Matt Owens, Fire Marshal and Director of Emergency Services.
- Email from Lt. Earl Starner, Maryland State Police.

!!**IMPORTANT**!!

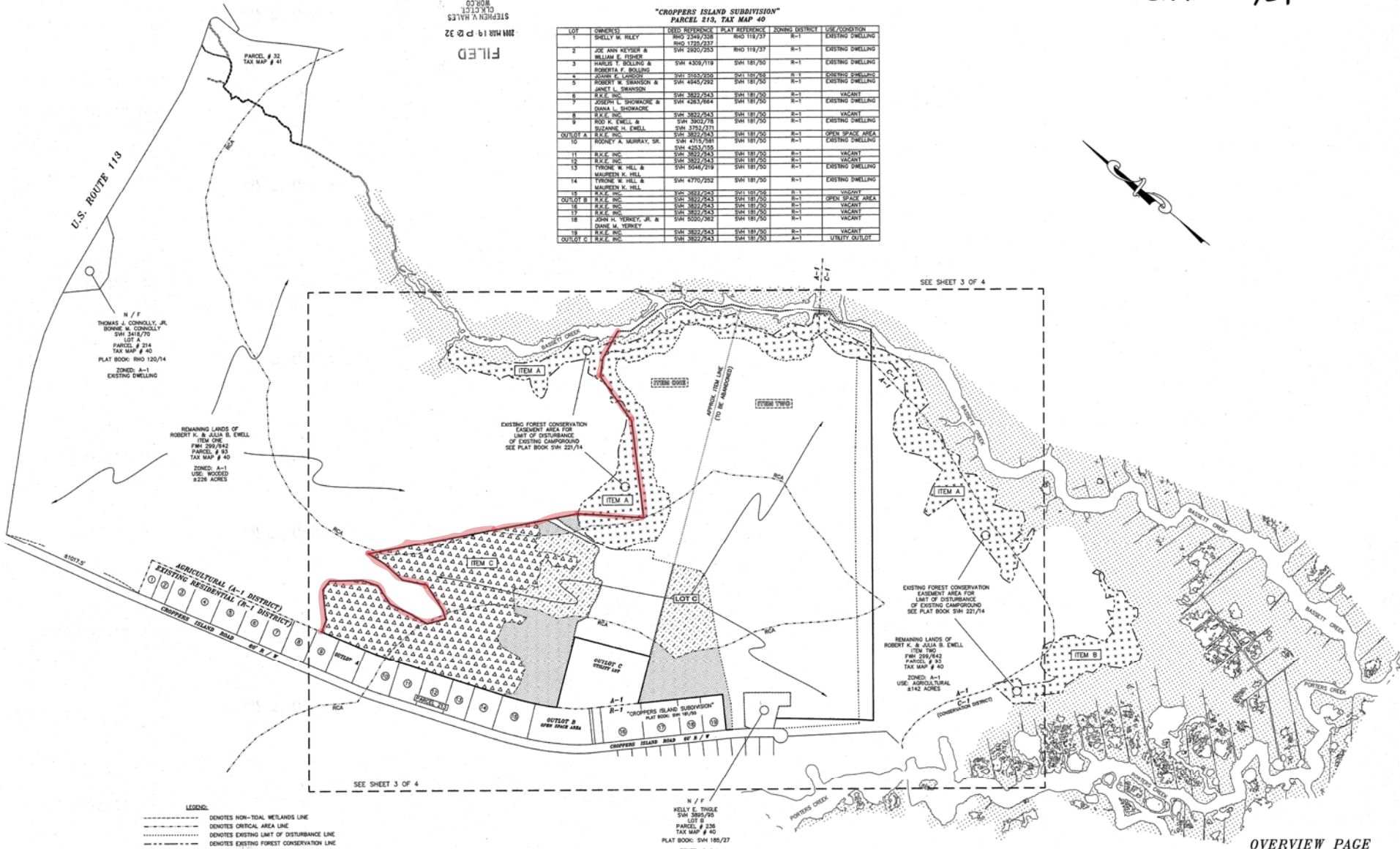
THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant’s definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant’s definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. 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.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

FILED
 STEPHEN V. HARTZ
 CLERK
 MARCH 19 P 22
 MORCO

"CROPPERS ISLAND SUBDIVISION"
 PARCEL 215, TAX MAP #0

LOT	OWNER(S)	DEED REFERENCE	PLAT REFERENCE	ZONING DISTRICT	USE/CONDITION
1	SHELLY M. HELEY	RHO 2342/238 RHO 1225/237	RHO 119/237	R-1	EXISTING DWELLING
2	JOE ANN KEYSER & WILLIAM W. FISHER	SVH 2920/253	RHO 119/237	R-1	EXISTING DWELLING
3	MARLENE T. BOLLING & RONITA K. COLLINS	SVH 4308/119	SVH 181/50	R-1	EXISTING DWELLING
4	RONITA K. COLLINS	SVH 3153/255	SVH 151/249	R-1	EXISTING DWELLING
5	ROBERT W. SWANSON & ANGEL L. SWANSON	SVH 4845/292	SVH 181/50	R-1	EXISTING DWELLING
6	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
7	JOSEPH L. SHOWACRE & DIANA L. SHOWACRE	SVH 4263/744	SVH 181/50	R-1	EXISTING DWELLING
8	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
9	ROD K. EWELL & SUZANNE H. EWELL	SVH 3002/778 SVH 3715/271	SVH 181/50	R-1	EXISTING DWELLING
OUTLOT A	SUZANNE H. EWELL	SVH 3822/243	SVH 181/50	R-1	OPEN SPACE AREA
10	RODNEY A. MURRAY, SR.	SVH 4715/588	SVH 181/50	R-1	EXISTING DWELLING
11	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
12	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
13	TYRONE W. HILL & MAUREEN K. HILL	SVH 5046/219 SVH 4770/252	SVH 181/50	R-1	EXISTING DWELLING
14	TYRONE W. HILL & MAUREEN K. HILL	SVH 4770/252	SVH 181/50	R-1	EXISTING DWELLING
15	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
OUTLOT B	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	OPEN SPACE AREA
16	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
17	R.K.K. INC.	SVH 3822/243	SVH 181/50	R-1	VACANT
18	JOHN W. VERNEY, JR. & DIANE M. VERNEY	SVH 5022/262 SVH 3822/243	SVH 181/50	R-1	VACANT
OUTLOT C	R.K.K. INC.	SVH 3822/243	SVH 181/50	A-1	UTILITY OUTLOT



- LEGEND:**
- DENOTES NON-TIDAL WETLANDS LINE
 - DENOTES CRITICAL AREA LINE
 - DENOTES EXISTING LIMIT OF DISTURBANCE LINE
 - DENOTES EXISTING FOREST CONSERVATION LINE
 - DENOTES ZONING DISTRICT LINE
 - DENOTES 100' BUFFER (POST INITIAL DEVELOPMENT)
 - DENOTES LOT C BOUNDARY LINE

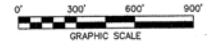
- [Symbol] DENOTES MARSH AREA
- [Symbol] DENOTES EXISTING FOREST CONSERVATION EASEMENT FOR EXISTING CAMPGROUND (SEE PLAT BOOK SVH 221/14)
- [Symbol] DENOTES PROPOSED FOREST CONSERVATION EASEMENT FOR LOT C.
- [Symbol] DENOTES FORESTED UPLAND TO BE CLEARED
- [Symbol] DENOTES FOREST COVER SUBJECT TO FUTURE CRITICAL AREA CLEARING REGULATIONS

L. E. BUNTING SURVEYS, INC.
 BAYLERS & HORTON
 LAND SURVEYING
 24 BRIDAL STREET
 BEALIS, MARYLAND 21811
 (410) 641-3813

OVERVIEW PAGE

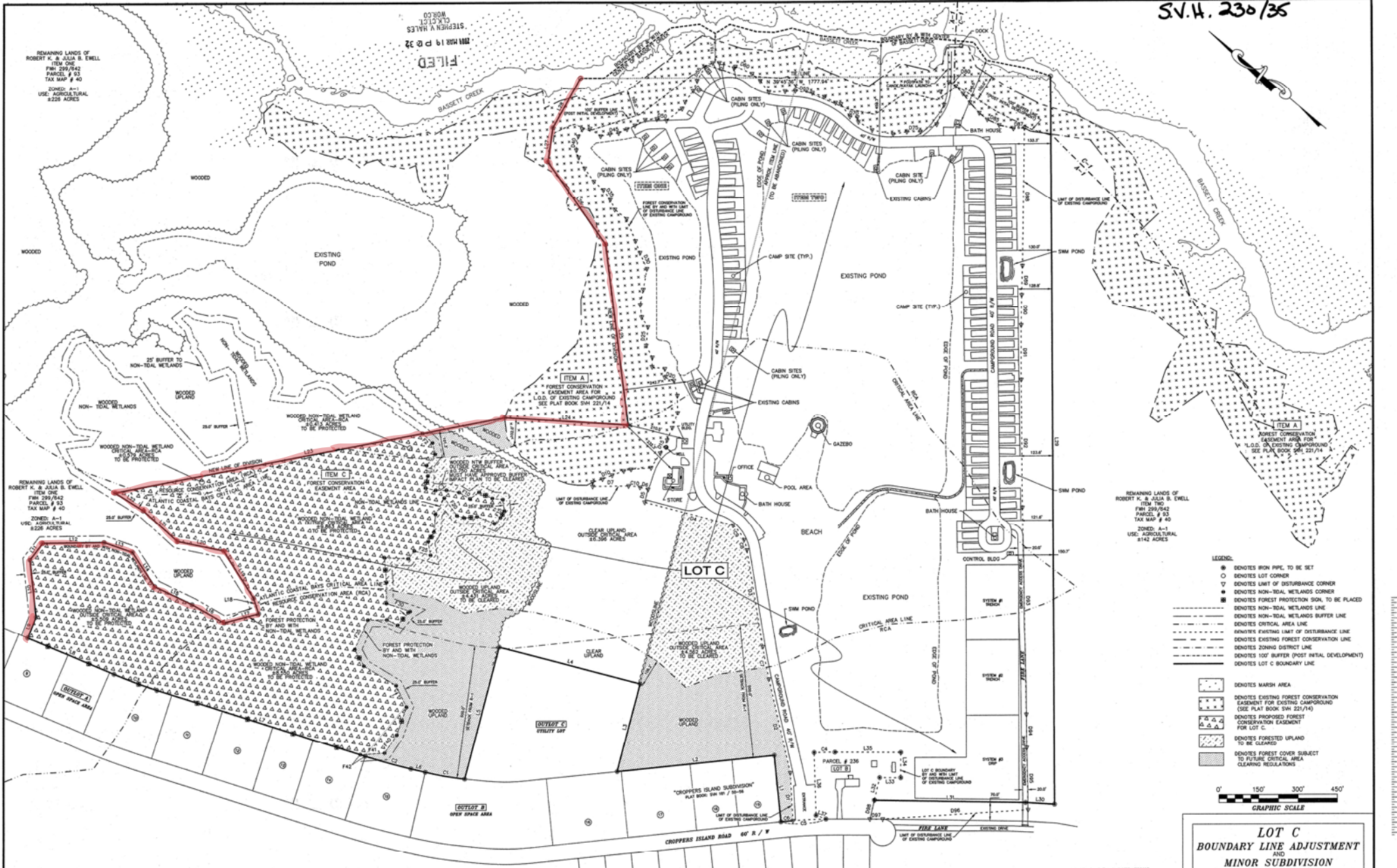
LOT C
BOUNDARY LINE ADJUSTMENT
AND
MINOR SUBDIVISION
 OF LANDS OF
ROBERT K. & JULIA B. EWELL
 FOURTH TAX DISTRICT
 WORCESTER COUNTY, MARYLAND

SCALE: 1" = 300' DATE: 02/04/09
 JOB NO.: 7363LOTCV4/09 SHEET 2 OF 4



P160474 USA DSM 2157 B501-2

SV.H. 230/35



L. E. BUNTING SURVEYS, INC.
 HAVILAND & WINDHAM
 LAND SURVEYING
 14 BRADDOCK STREET
 BERLIN, MARYLAND 21811
 (410) 641-3313

LOT AREA CALCULATIONS
 AREA OF LOT C FROM "ITEM ONE" OF DEED FWH 295/642 = 668.40 ACRES
 AREA OF LOT C FROM "ITEM TWO" OF DEED FWH 295/642 = 281.87 ACRES
 AREA OF LOT C TO CENTER OF BASSETT CREEK = 2161.27 ACRES
 WATER AREA OF LOT C IN BASSETT CREEK = 21.34 ACRES
 NET AREA OF LOT C = 2149.93 ACRES

FOREST CONSERVATION CALCULATIONS
 AREA SUBJECT TO PLAN No. 2008-01 = 275.39 ACRES
 AREA SUBJECT TO PLAN No. 2008-09 = 275.39 ACRES
 AREA OF LOT C TO CENTER OF BASSETT CREEK = 2161.27 ACRES

CRITICAL AREA CALCULATIONS
 THE FOLLOWING AREA CALCULATIONS CONCERN THE AREA OF LOT C OUTSIDE OF THE EXISTING LIMIT OF DISTURBANCE:
 TOTAL CRITICAL AREA (TCA) = 249.82 ACRES
 SEE ATLANTIC COASTAL BAYS CRITICAL AREA LAWS
 FOREST COVER WITHIN TCA TO BE PROTECTED UNDER FOREST CONSERVATION EASEMENT PER THIS PLAN (7.0 ITEM C) = 28.84 ACRES
 FOREST COVER WITHIN TCA OF LOT C SUBJECT TO FUTURE CRITICAL AREA CLEARING REGULATIONS = 210.98 ACRES

- LEGEND:**
- DENOTES IRON PIPE, TO BE SET
 - DENOTES LOT CORNER
 - ▽ DENOTES LIMIT OF DISTURBANCE CORNER
 - ▲ DENOTES NON-TIDAL WETLANDS CORNER
 - DENOTES FOREST PROTECTION SIGN TO BE PLACED
 - DENOTES NON-TIDAL WETLANDS LINE
 - - - - DENOTES NON-TIDAL WETLANDS BUFFER LINE
 - DENOTES FOREST PROTECTION SIGN TO BE PLACED
 - DENOTES CRITICAL AREA LINE
 - DENOTES EXISTING LIMIT OF DISTURBANCE LINE
 - DENOTES EXISTING FOREST CONSERVATION LINE
 - DENOTES ZONING DISTRICT LINE
 - DENOTES 100' BUFFER (POST INITIAL DEVELOPMENT) TO BE CLEARED
 - DENOTES LOT C BOUNDARY LINE
 - DENOTES MARSH AREA
 - DENOTES EXISTING FOREST CONSERVATION EASEMENT FOR EXISTING CAMPGROUND (SEE PLAT BOOK SVH 221/14)
 - DENOTES PROPOSED FOREST CONSERVATION EASEMENT FOR LOT C
 - DENOTES FORESTED UPLAND TO BE PROTECTED
 - DENOTES FOREST COVER SUBJECT TO FUTURE CRITICAL AREA CLEARING REGULATIONS



LOT C
BOUNDARY LINE ADJUSTMENT
MINOR SUBDIVISION
 OF LANDS OF
ROBERT K. & JULIA B. EWELL
 FOURTH TAX DISTRICT
 WORCESTER COUNTY, MARYLAND

SCALE: 1" = 150' DATE: 02/04/09
 JOB NO.: 7363.01CV4/09 SHEET 3 OF 4

p162475 HSA CIV 2157 8301-5

Memorandum

To: Gary Pusey, Deputy Director, DDRP

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



Subject: **EP Staff Comments on Rezoning Case No. 446**
Worcester County Tax Map 40, Parcel 241 and
Worcester County Tax Map 40, Parcel 93
Reclassify approximately 142.91 acres and 53.2 acres
From A-1 Agricultural District to A-2 Agricultural District

Date: 7/19/24

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 a mistake was made since the last 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. These properties have an Agricultural land use designation in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*), as do adjacent properties surrounding this property, save the residential properties on Croppers Island Road, which carry an Existing Developed designation. The application proposes no changes to the Resources Protection (RP) District boundary which corresponds somewhat with the Green Infrastructure Land Use Map designation that borders the shoreline areas on the creek along the northern edge of the property.
2. Parcel 93 is improved with a roadside stand and has existing well and septic. Parcel 241 is improved with an existing campground which the owners would like to expand into Parcel 93. The campground is served with an existing wastewater treatment plant with biological treatment and existing drainfield with a backup tilefield and sprayfield. These system would be expanded, as needed, to serve an expanded campground.
3. This proposed rezoning is located within the Atlantic Coastal Bays Critical Area (ACBCA). There are portions of these parcels designated as a Resource Conservation Area (RCA). A critical area growth allocation was locally approved for 33.36 acres of RCA area reclassified as Limited Development Area (LDA).
4. A field delineation of all environmental features, including, but not limited to, buffers, non-tidal wetlands, and tidal wetlands, will be required prior to our NR division being able to provide any specific project plan approvals. This is done to assure that future development will meet the requirements of the ACBCA that are in place at the time of construction.

5. All re-zonings located wholly or partially within the Critical Area require notification to the Critical Area Commission for comment and we don't have comments from them at this time. We would note, however, that we do have other campgrounds in the county that have A-2 zoning classifications.

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

Jennifer Keener

From: Jennifer Keener
Sent: Wednesday, June 12, 2024 10:29 AM
To: Jennifer Keener
Subject: Rezoning Case #446

From: Jeffrey Fritts <JFritts@mdot.maryland.gov>
Sent: Wednesday, June 12, 2024 9:37 AM
To: April Mariner <amariner@co.worcester.md.us>
Cc: Steve Orth <steven.orthfire@gmail.com>; Robert Rhode <rrhode@co.worcester.md.us>; Billy Birch <bbirch@co.worcester.md.us>; Chris Clasing <cclasing@co.worcester.md.us>; Dallas Baker <dbaker@co.worcester.md.us>; Daniel Wilson <DWilson12@mdot.maryland.gov>; Garth McCabe <garth.mccabe@usda.gov>; Kevin Lynch <klynch@co.worcester.md.us>; LHtaylor@worcesterk12.org; earl.starner@maryland.gov; Matt Owens <mowens@co.worcester.md.us>; Matthew Crisafulli <mcrisafulli@co.worcester.md.us>; Melanie Pursel <mpursel@co.worcester.md.us>; Rebecca Jones <rjones@maryland.gov>; Robert Mitchell <bmitchell@co.worcester.md.us>; Will Dyer <Will.Dyer@maryland.gov>
Subject: Rezoning Case #446

April,

After a review of rezoning case #446, SHA determined that there will be no negative impact to the surrounding State roadway network.

Thanks,



Jeff Fritts
Inspector
Access Management

410.677.4039 **office**
443.397.5063 **mobile**
Jfritts@mdot.maryland.gov

Maryland Department of Transportation
660 West Road, Salisbury, MD 21801

Jennifer Keener

From: Jennifer Keener
Sent: Thursday, July 18, 2024 9:54 AM
To: Jennifer Keener
Subject: FW: Agency Memo Case #446

From: Matt Owens <mowens@co.worcester.md.us>
Sent: Thursday, July 18, 2024 9:50 AM
To: April Mariner <amariner@co.worcester.md.us>
Subject: RE: Agency Memo Case #446

I have no comments on this rezoning request.

Thanks,

Matt



Matthew Owens, CFI, CFPS
Fire Marshal
Director of Emergency Services

(410) 632-5666(Office) | (410) 632-1311
(443) 783-0071 (Mobile) | (410) 632-5664 (Fax)
co.worcester.md.us/departments/firemarshal
mowens@co.worcester.md.us
1 West Market St - Room 1302 - Snow Hill, MD 21863

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

From: April Mariner <amariner@co.worcester.md.us>
Sent: Thursday, July 18, 2024 9:11 AM
To: Robert Rhode <rrhode@co.worcester.md.us>; Steve Orth (steven.orthfire@gmail.com) <steven.orthfire@gmail.com>; Chris Clasing <cclasing@co.worcester.md.us>; Dallas Baker <dbaker@co.worcester.md.us>; Daniel Wilson <dwilson12@mdot.maryland.gov>; Garth McCabe <garth.mccabe@usda.gov>; Kevin Lynch <klynch@co.worcester.md.us>; Lou Taylor (LHtaylor@worcesterk12.org) <LHtaylor@worcesterk12.org>; Lt. Earl Starner <earl.starner@maryland.gov>; Mark Crampton <mcrampton1@mdot.maryland.gov>; Matt Owens <mowens@co.worcester.md.us>; Matthew Crisafulli <mcrisafulli@co.worcester.md.us>; Melanie Pursel <mpursel@co.worcester.md.us>; Rebecca Jones <rjones@maryland.gov>; Robert Mitchell <bmitchell@co.worcester.md.us>; Will Dyer <Will.Dyer@maryland.gov>
Subject: Agency Memo Case #446

Good Morning, just a reminder that comments are due tomorrow July 19th for the above rezoning case. If you need another copy of the packet please let me know and I will send it. If you have already sent in comments, thank you.

Jennifer Keener

From: Jennifer Keener
Sent: Thursday, July 18, 2024 2:54 PM
To: Jennifer Keener
Subject: FW: Agency Memo Case #446

From: Earl Starner -State Police- <earl.starner@maryland.gov>
Sent: Thursday, July 18, 2024 2:46 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Agency Memo Case #446

No comments from MSP.

On Thu, Jul 18, 2024 at 9:11 AM April Mariner <amariner@co.worcester.md.us> wrote:

Good Morning, just a reminder that comments are due tomorrow July 19th for the above rezoning case. If you need another copy of the packet please let me know and I will send it. If you have already sent in comments, thank you.

April L. Mariner

Office Assistant V

Development Review & Permitting

Worcester County Government

1 W Market Street, Room 1201

Snow Hill, MD 21863

Email: amariner@co.worcester.md.us

Phone: 410-632-1200 x1172

Fax: 410-632-3008

Website: www.co.worcester.md.us

Jennifer Keener

From: Jennifer Keener
Sent: Friday, June 14, 2024 7:48 AM
To: Jennifer Keener
Subject: FW: Rezoning Case #446

From: Will M. Dyer -DNR- <will.dyer@maryland.gov>
Sent: Thursday, June 13, 2024 12:42 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning Case #446

Hi April,

I have no issues with the proposed rezoning of Case #446, assuming relevant critical area and environmental regulations are followed.

Thank you

On Mon, Jun 10, 2024 at 9:43 AM April Mariner <amariner@co.worcester.md.us> wrote:

Please find attached a request for comment for Rezoning Case #446. Thank you!

April L. Mariner

Office Assistant V

Development Review & Permitting

Worcester County Government

1 W Market Street, Room 1201

Snow Hill, MD 21863

Email: amariner@co.worcester.md.us

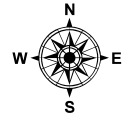
Phone: 410-632-1200 x1172

Fax: 410-632-3008

Website: www.co.worcester.md.us

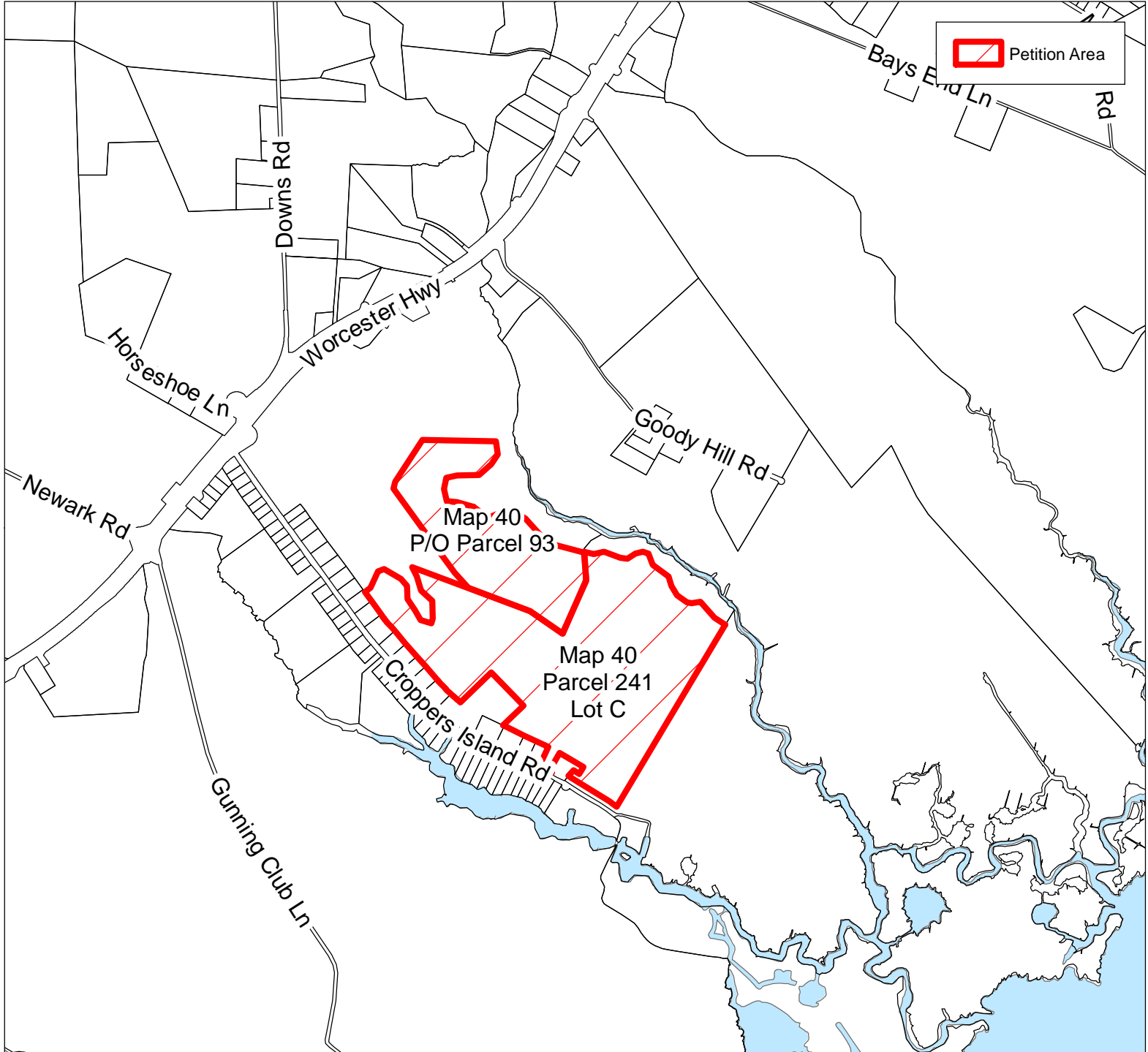


WORCESTER COUNTY, MARYLAND

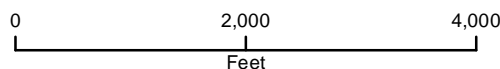


REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

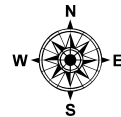


Prepared: June 2024
 Source: County GIS Parcel Layer

Drawn By: KLH Reviewed By: JKK



WORCESTER COUNTY, MARYLAND

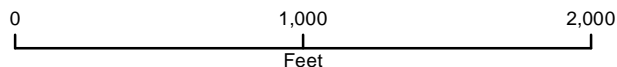


REZONING CASE NO. 446
A -1 Agricultural to A - 2 Agricultural
Tax Map: 40, Parcels 93 & 241, Lot C

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

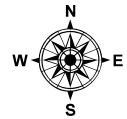


Prepared: June 2024
Source: 2022 Aerial Imagery

Drawn By: KLH
Reviewed By: JKK

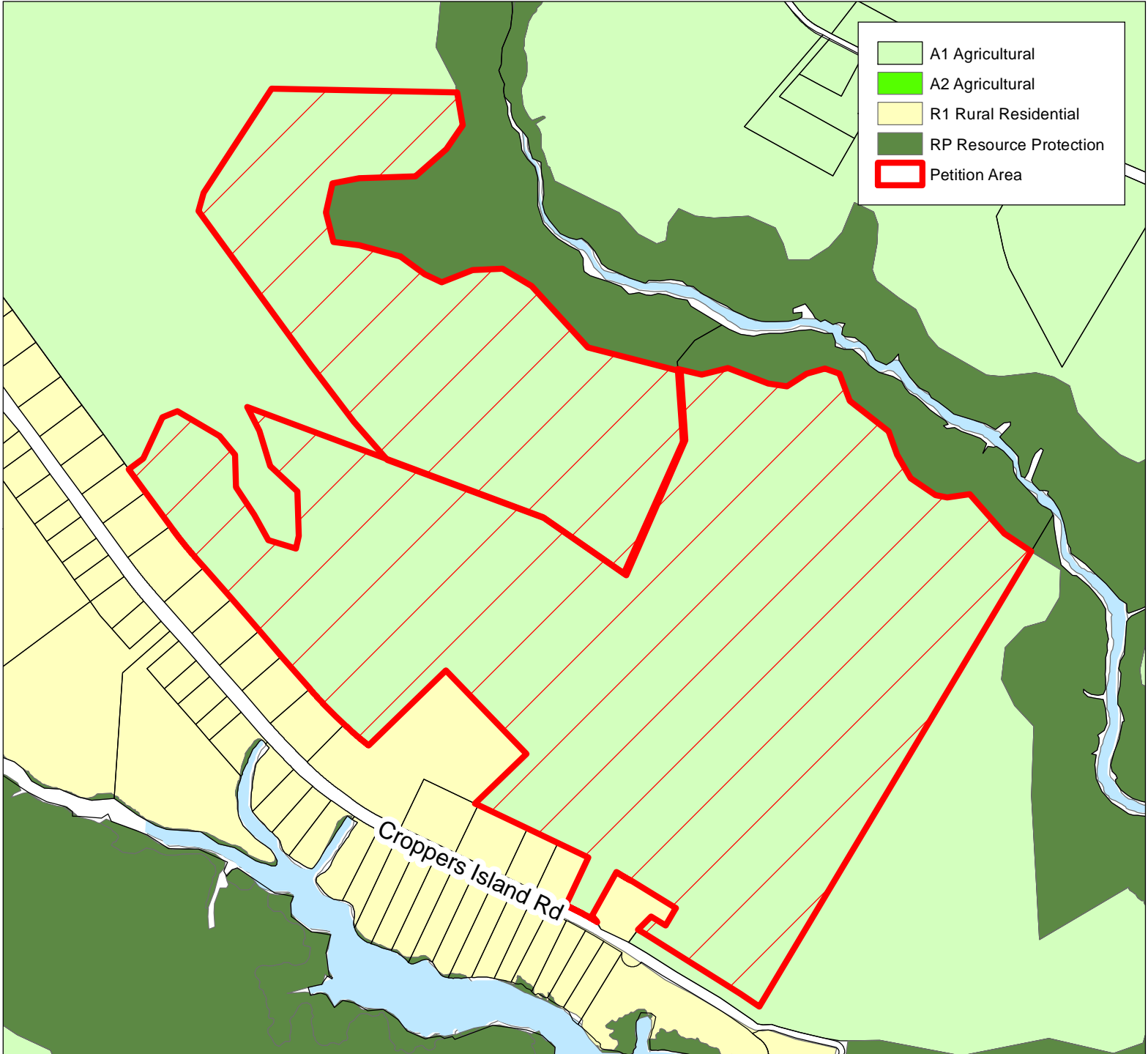


WORCESTER COUNTY, MARYLAND

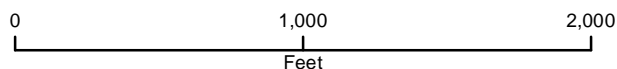


REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

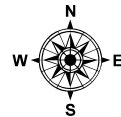


Prepared: June 2024
 Source: 2009 Official Zoning Map

Drawn By: KLH
 Reviewed By: JKK

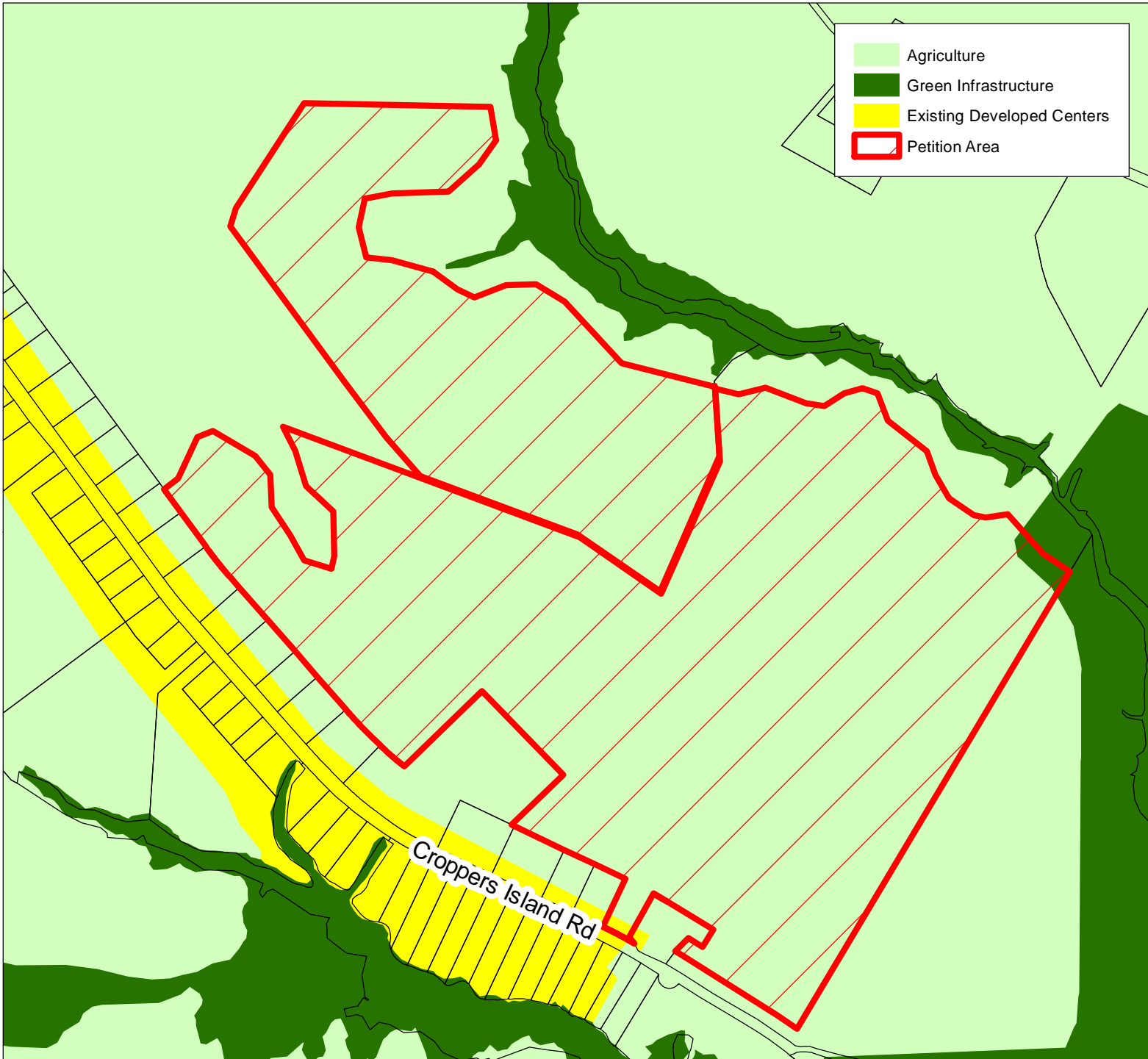


WORCESTER COUNTY, MARYLAND

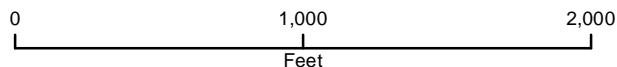


REZONING CASE NO. 446
A -1 Agricultural to A - 2 Agricultural
Tax Map: 40, Parcels 93 & 241, Lot C

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division

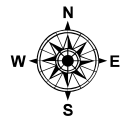


Prepared: June 2024
Source: 2006 Official Land Use Map

Drawn By: KLH
Reviewed By: JKK

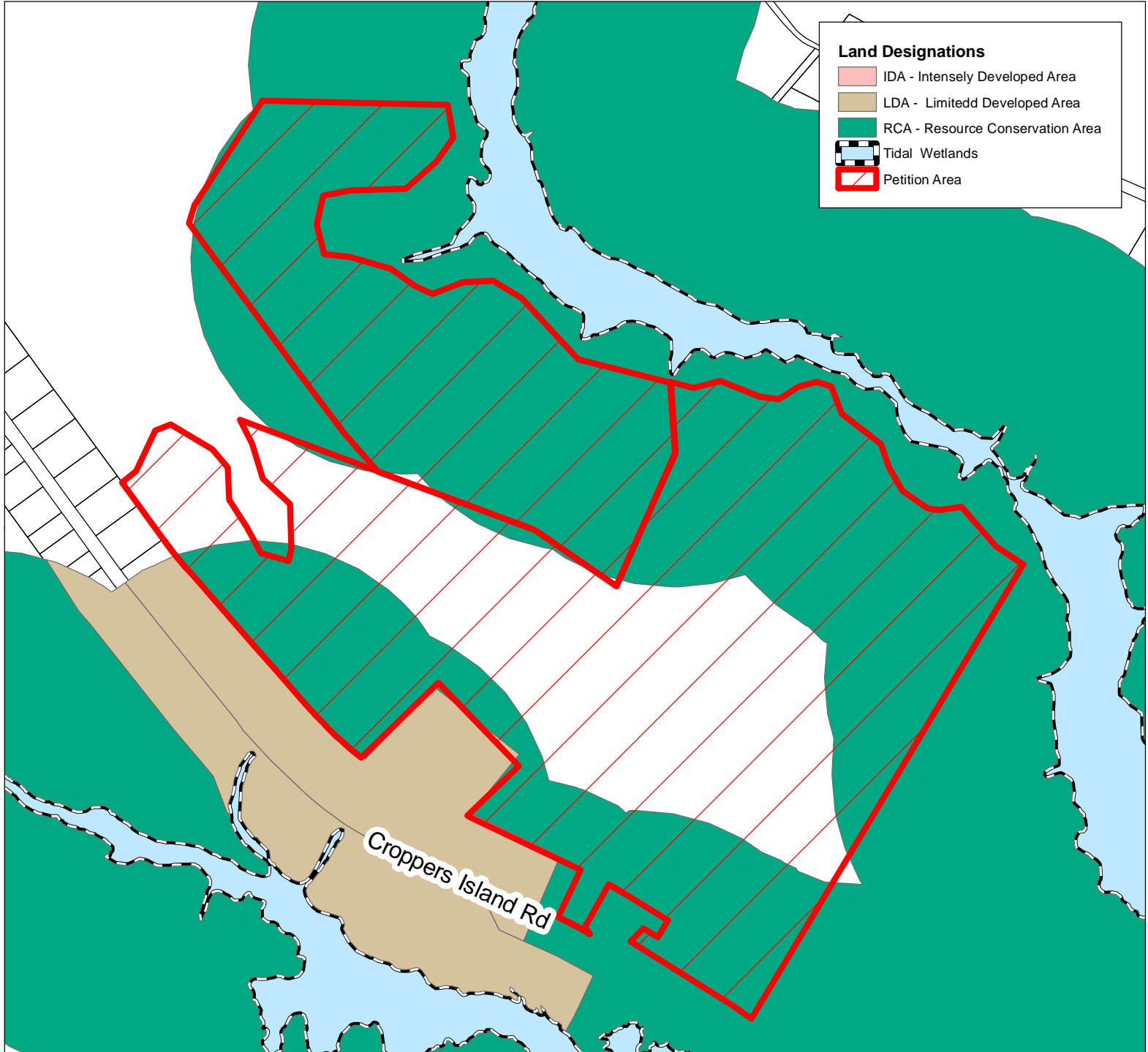


WORCESTER COUNTY, MARYLAND

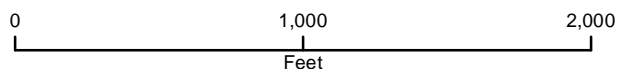


REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

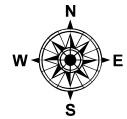


Prepared: June 2024
 Source: Atlantic Coastal Bay Critical Area Map

Drawn By: KLH
 Reviewed By: JKK

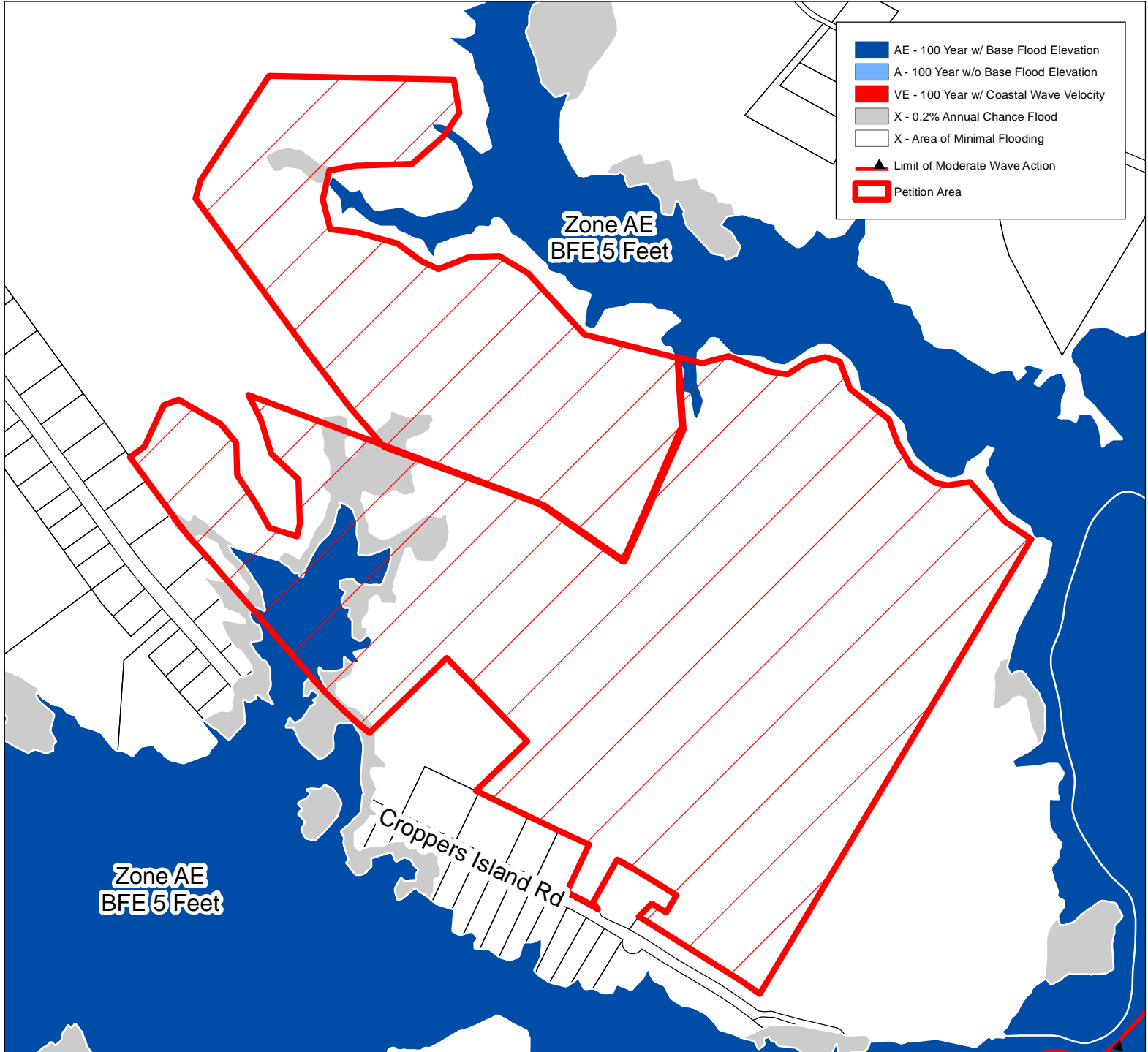


WORCESTER COUNTY, MARYLAND

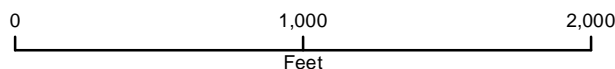


REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

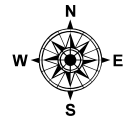


Prepared: June 2024
 Source: 2015 FEMA Flood Insurance Rate Map

Drawn By: KLH
 Reviewed By: JKK

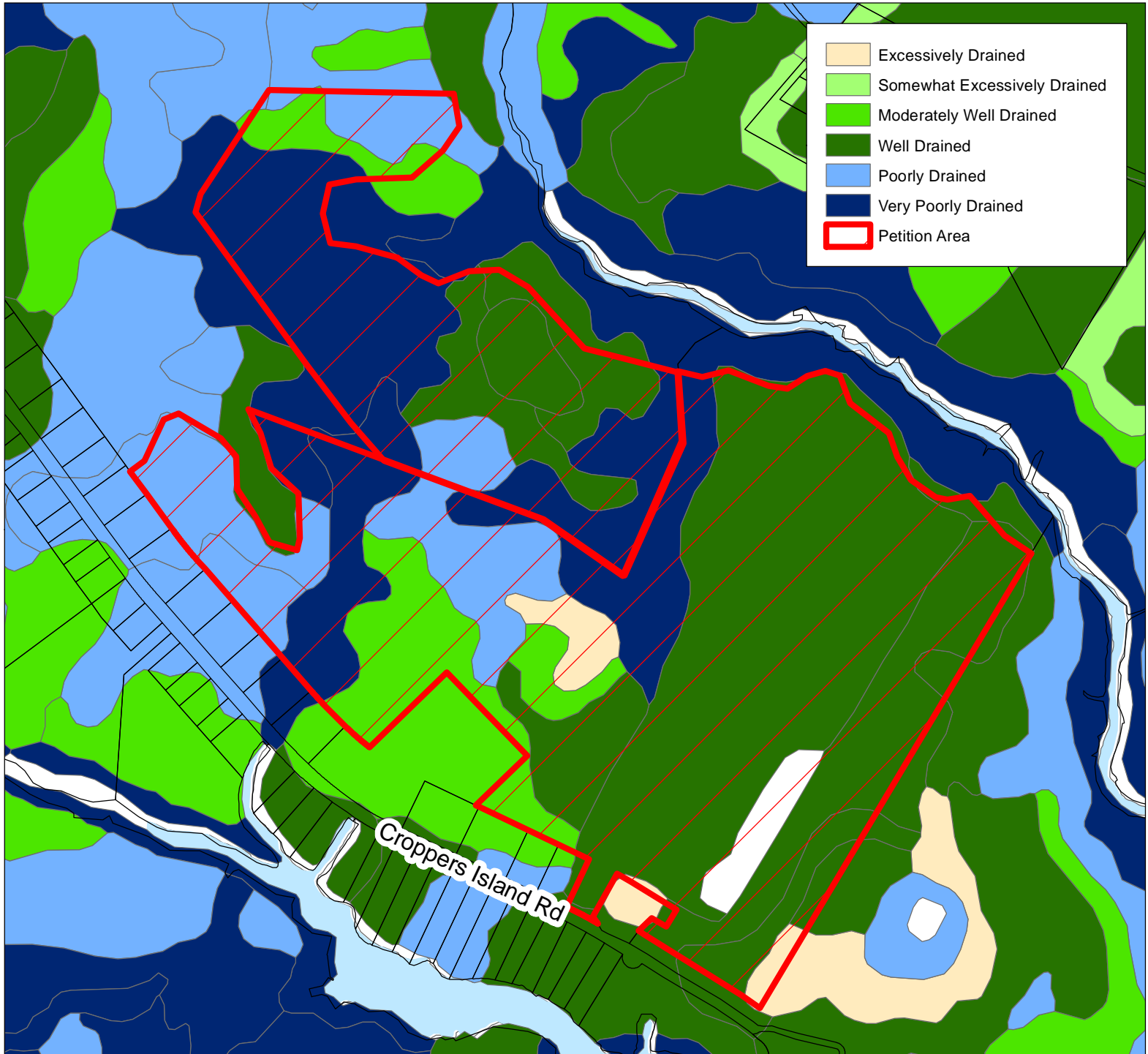


WORCESTER COUNTY, MARYLAND

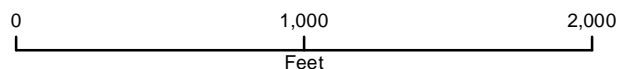


REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

SOIL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

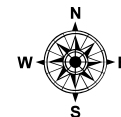


Prepared: June 2024
 Source: 2007 Soil Survey

Drawn By: KLH
 Reviewed By: JKK

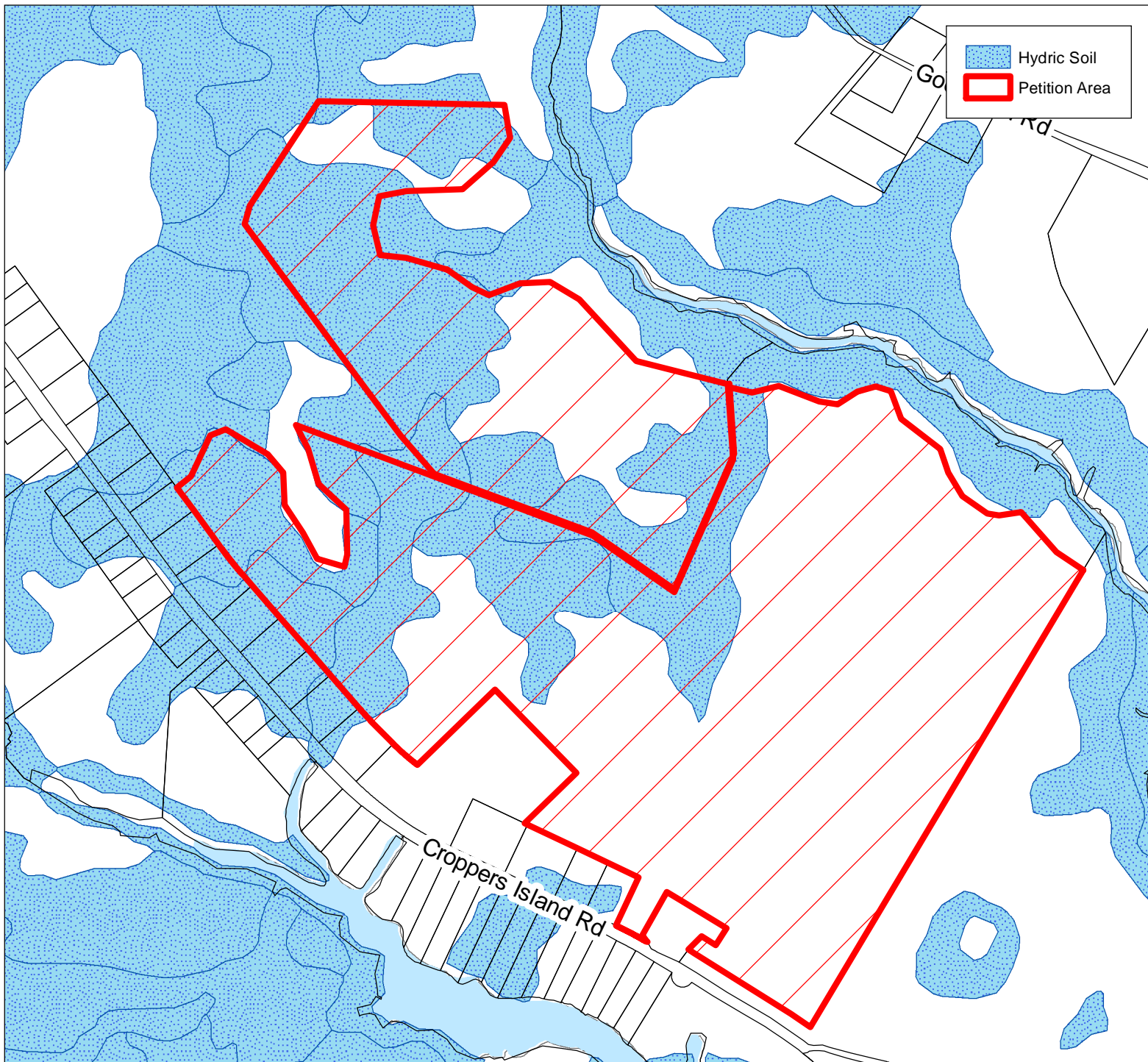


WORCESTER COUNTY, MARYLAND



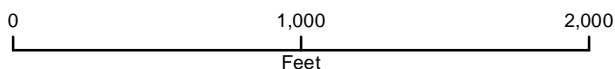
REZONING CASE NO. 446
 A -1 Agricultural to A - 2 Agricultural
 Tax Map: 40, Parcels 93 & 241, Lot C

HYDRIC SOIL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division

Prepared: June 2024
 Source: 2007 Soil Survey



Drawn By: KLH
 Reviewed By: JKK



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

APPLICATION FOR AMENDMENT OF THE OFFICIAL ZONING MAP

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

Rezoning Case No. 440

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting 5/31/2004

Date Reviewed by the Planning Commission _____

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 B (insert A, B, C, D or E) X
- G. Agent for _____ (insert A, B, C, D or E) _____

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 40
- B. Parcel Number(s): 93 & 241
- C. Lot Number(s), if applicable: C
- D. Tax District Number: 4

III. Physical Description of Property

- A. Located on east side of Worcester Highway (Route 113) Road, approximately 0 feet/miles to the north side of Croppers Island Road Road.
- B. Consisting of a total of 374.74 acres of land. (Parcels 241 and 93)
- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:
The subject property is presently improved with the Island Resort Campground and is proposed to be expanded by up to 53 additional lots.

- 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-1
(name and zoning district)
- B. Acreage of zoning classification(s) in "A" above: Parcel 241 - 151.27 Parcel 93 - 223.47
- C. Requested zoning classification(s): A-2
(name and zoning district)
- D. Acreage of zoning classification(s) in "C" above: Parcel 241 - 142.91 Parcel 93 - 53.2

* No proposed change within the RP District

V. Reasons for Requested Change

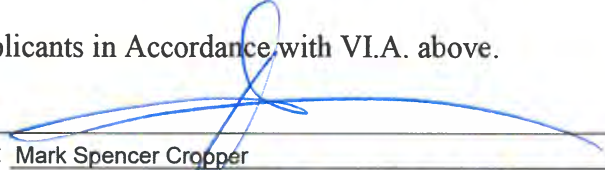
The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and a change in zoning 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:
This map amendment is based upon a mistake in existing zoning (See Exhibit "B" attached hereto and incorporated herein by reference).

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.

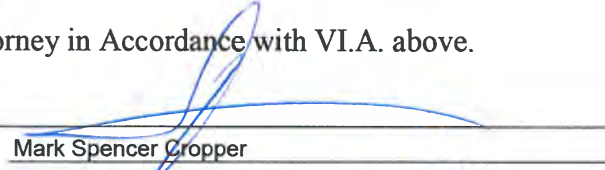
B. Signature of Applicants in Accordance with VI.A. above.

Signature(s): 
Printed Name(s): Mark Spencer Cropper
Mailing Address: 6200 Coastal Highway, Suite 200, Ocean City, MD 21842
Phone Number: (410) 723-1400 Email: mcropper@ajgalaw.com
Date: May 31, 2024

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

Signature(s): _____
Printed Name(s): _____
Mailing Address: _____
Phone Number: _____ Email: _____
Date: _____

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

Signature(s): 
Printed Name(s): Mark Spencer Cropper
Mailing Address: 6200 Coastal Highway, Suite 200, Ocean City, MD 21842
Phone Number: (410) 723-1400 Email: mcropper@ajgalaw.com
Date: May 31, 2024

(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 1st to January 31st, May 1st to May 31st, and September 1st to September 30th 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

Applicant shall provide information with regard to the following items:

- 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.
This map amendment is based upon a mistake in existing zoning (See Exhibit "B").

- B. What is the definition of the neighborhood in which the subject property is located, as determined by the applicant.
n/a

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

1. Relating to population change:
n/a

2. Relating to the availability of public facilities:
n/a

3. Relating to present and future transportation patterns:
n/a

4. Relating to the compatibility with existing and proposed development and existing environmental conditions for the area:
n/a

5. Relating to compatibility with the Comprehensive Plan:
n/a

Map Amendment Memorandum

The subject property is owned by Robert and Julia Ewell, Island Resort Park, Inc., a Maryland corporation, and/or Ewell Family Revocable Trust with Robert K. Ewell as Trustee (hereinafter collectively referred to as the “Ewells”) adjacent to and north of Croppers Island Road and fronts on Basset Creek, which is a tributary of Newport Bay. The Island Resort Campground (the “Campground”) was initially approved as a special exception in the A-1 Agricultural District in 2005 on Tax Map 40, Parcel 241 and has been periodically expanded, with the most recent expansion occurring in 2020 by adding 36 additional lots. This brings the total lots in the Campground to 176.

By an application dated October 2022, the Ewells sought an expansion of the Campground by 53 lots, which required an Atlantic Coastal Bays Critical Area Growth Allocation (“Growth Allocation”) seeking to change 33.46 acres of Parcel 93 from Resource Conservation Area (“RCA”) to Limited Development Area (“LDA”). To be clear, the existing campground is located on Parcel 241 and the expansion would be on Parcel 93. To the extent necessary, Parcels 93 and 241 would be consolidated to facilitate the Campground expansion. On or about January 16, 2024, the Worcester County Commissioners approved the Growth Allocation, which was then delivered to the State of Maryland for its concurrence.

Worcester County updated its Comprehensive Land Use Plan (“Plan”) most recently in 2007 with the Comprehensive Zoning Map (“Map”) and the Worcester County Zoning Code (“Code”) being adopted in 2009. When that occurred, Worcester County added a new zoning classification, which is A-2 Agricultural District. But in doing so, campgrounds were removed as a special exception use in the A-1 zoning classification and were made a special exception use in only the A-2 zoning classification. Since the Campground was a legally existing use prior to 2009, it became a legal non-conforming use with the adoption of the new Code. This limits the ability of the Ewells to expand the use by no more than 50%. Had the Ewells known that this was going to occur throughout the update to the Plan and Map, they would have demanded that the zoning classification of the Campground be changed from A-1 to A-2 in 2009. By not changing the zoning classification in this manner, it restricts and limits the ability of the Ewells to expand the Campground in a manner that would be otherwise allowed and consistent with the Growth Allocation approval.

Therefore, this Map Amendment Request is to rectify the mistake that occurred in 2009 when the Code was changed with regard to the use on the subject property, but the Map was not changed to be consistent with the Code. The Ewells are only seeking to rezone from A-1 to A-2 the acreage necessary to accommodate the existing Campground and its expansion as described in the recent Growth Allocation approval. If, upon further review by the Worcester County Department of Development Review and Permitting it is determined that less acreage is needed than what has been identified in this application, the Ewells will reduce the amount of acreage accordingly.

**REZONING EXHIBIT
ISLAND RESORT CAMPGROUND
LOT C (EXISTING CAMPGROUND)
&
PHASE 4 - LOTS 66 THRU 118**

FOURTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

OWNERS (LOT C)
ISLAND RESORT PARK, INC.
9537 CROPPER'S ISLAND ROAD
NEWARK, MARYLAND 21841

TAX ID NO.
04-010035

DEED REFERENCE:
5480/330
PARCEL # 241
TAX MAP # 40

LOT AREA
151.27 Acres

AREA TO BE REZONED TO A-2
STREETS/LOTS, OPEN SPACE (STORMWATER POND, NON-TIDAL WETLANDS) = 142.91 Acres

OPEN SPACE CALCULATIONS
AREA LOT C = 149.93 AC.
REQUIRED OPEN SPACE = 37.48 AC. (25%)
PROVIDED OPEN SPACE = 36.44 AC. (37.6%)

RE ZONING DISTRICT UTILIZED FOR OPEN SPACE
8.36 Acres

OWNERS (PHASE 4)
EWELL FAMILY REVOCABLE TRUST
9552 CROPPER'S ISLAND ROAD
NEWARK, MARYLAND 21841

TAX ID NO.
04-001354

DEED REFERENCE:
8706/312
PARCEL # 93
TAX MAP # 40
ITEM 1

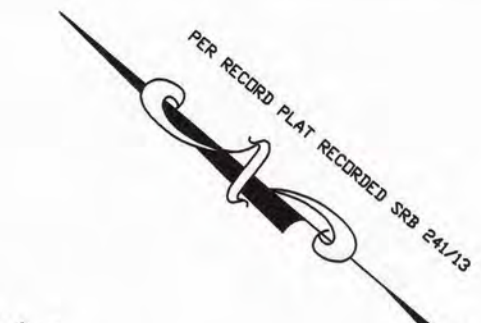
LOT AREA
223.47 Acres

AREA TO BE REZONED TO A-2
STREETS/LOTS, OPEN SPACE (STORMWATER POND, NON-TIDAL WETLANDS) = 53.20 Acres

OPEN SPACE CALCULATIONS
AREA PARCEL 40, ITEM 1 = 223.47 AC.
REQUIRED OPEN SPACE = 55.87 AC. (25%)
PROVIDED OPEN SPACE = 56.05 AC. (25.1%)

RE ZONING DISTRICT UTILIZED FOR OPEN SPACE
18.99 Acres

OTHER LANDS OF
EWELL FAMILY REVOCABLE TRUST
ITEM ONE
8706/312
PARCEL # 93
TAX MAP # 40
ZONED: A-1
USE: AGRICULTURAL
223.47 ACRES



**EXISTING ZONING: A-1 & RP
PROPOSED ZONING: A-2 & RP**

REQUIREMENTS FOR CAMPGROUND USE
MIN. LOT AREA 25 ACRES
MAX. LOT AREA 100 ACRES
MIN. LOT WIDTH 800'
MIN. FRONT YARD 250'
MIN. REAR YARD 100'
MIN. SIDE YARD 100'
MIN. DISTANCE TO R-1 DISTRICT 1000'

CAMPSTRIP SETBACKS
FRONT YARD 10'
REAR YARD 5'
LEFT SIDE YARD 7'
RIGHT SIDE YARD 3'

GENERAL NOTES:
BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 240470165H, DATED 7/16/2015, THIS SITE LIES IN FLOOD ZONES X, Y, Z, & AE(1.5).
ALL EXISTING AND PROPOSED LOTS LIE IN FLOOD ZONE X.

PHASE 1: LOTS 1 THROUGH 83 ARE FOR RECREATIONAL VEHICLES AND LOTS C-1 THROUGH C-17 ARE FOR CABINS.
PHASE 2: LOTS 1 THROUGH 32 ARE FOR RECREATIONAL VEHICLES
PHASE 3: LOTS 33 THROUGH 65 ARE FOR RECREATIONAL VEHICLES
TOTAL LOTS: 175

THE NON-TIDAL WETLAND AREAS SHOWN ON THIS PLAT WERE DELINEATED BY RONALD GATTON, ENVIRONMENTAL CONSULTANT.

THE NON-TIDAL WETLANDS AS SHOWN HEREON WERE DELINEATED BY SPENCER ROWE, INC. AND CONFIRMED BY DEBORAH HINKLE, M.D. THE WETLANDS OF SPECIAL STATE CONCERN LINE (WSSC) WAS TRIMMED BACK 50 AS NOT TO EXCEED THE FIELD DELINEATED NON-TIDAL WETLANDS LINE.

DEVELOPMENT IN THE WETLANDS OF SPECIAL STATE CONCERN LINE (WSSC) 100' BUFFER WILL REQUIRE A PERMIT FROM MARYLAND DEPARTMENT OF THE ENVIRONMENT.

THIS PROPERTY IS SUBJECT TO A RIGHT OF WAY RESERVED UNTO THE EWELL FAMILY OVER AND ACROSS THE ROADWAYS OF THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF INGRESS AND EGRESS TO OTHER LANDS OF EWELL.

**WORCESTER COUNTY BOARD OF ZONING APPEALS
PROPERTY HISTORY:**

Board of Zoning Appeals Case No. 65727- Request a special exception to locate a rental campground in an A-1 Agricultural District.
Granted with following conditions:
1) No sale of borrow material shall be made by the applicant to 3rd parties.
2) The surface mine shall not be active while the campground is open to the public.
3) The surface mine shall only be allowed for the applicant's own personal use.

Circuit Court for Worcester County Case No. 23-C-02-00066 AA- Thomas Kneetz, et al vs. Robert Ewell, et al
Decision of the Board of Zoning Appeals Affirmed

Board of Zoning Appeals Case No. 105968- Request a special exception to expand an existing rental campground, and a variance to reduce the ordinance prescribed setback between a rental campground and a Residential District from one thousand feet to five hundred feet.
Granted with following conditions:
1) The expansion shall not exceed 72 new campsites.
2) The applicant shall obtain all necessary and proper permits as required.
3) The applicant shall plant native shrubs and plant species in the area of the 72 new campsites.

REFERENCE PLATS:

- "EXPANSION OF COOPERATIVE CAMPGROUND LANDS OF ROBERT K. & JULIA B. EWELL"
By: SOULE & ASSOCIATES
JULY 21, 2014
PLAT BOOK: SRB 241/13
- "ISLAND RESORT COOPERATIVE CAMPGROUND"
By: I.E. BUNTING SURVEYS, INC.
JUNE 24, 2010
PLAT BOOK: SWH 234/36
- "LOT C - SUBDIVISION OF LANDS OF ROBERT K. & JULIA B. EWELL"
By: I.E. BUNTING SURVEYS, INC.
MAY 2, 2008
PLAT BOOK: SWH 230/33
- "FOREST CONSERVATION EASEMENT PLAT FOR ISLAND RESORT CAMPGROUND"
By: I.E. BUNTING SURVEYS, INC.
AUG. 14, 2007
PLAT BOOK: SWH 221/14

WORCESTER COUNTY FOREST CONSERVATION LAW NOTE:

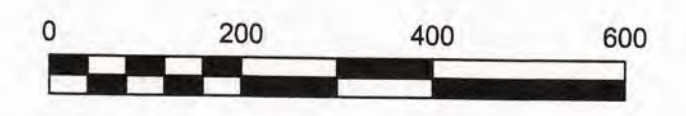
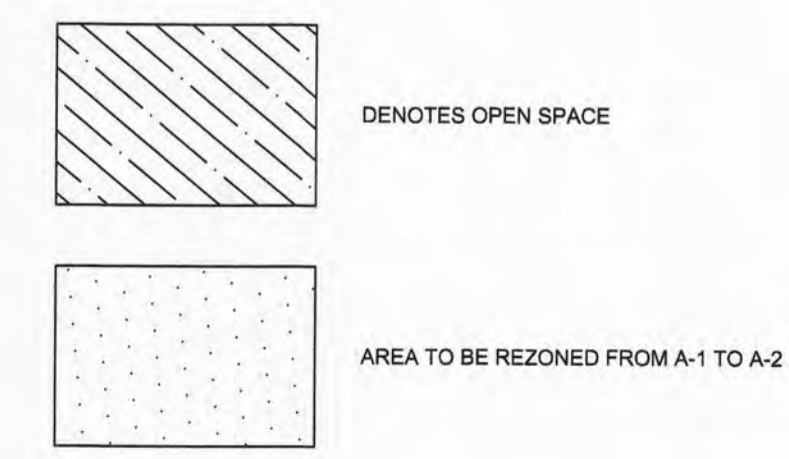
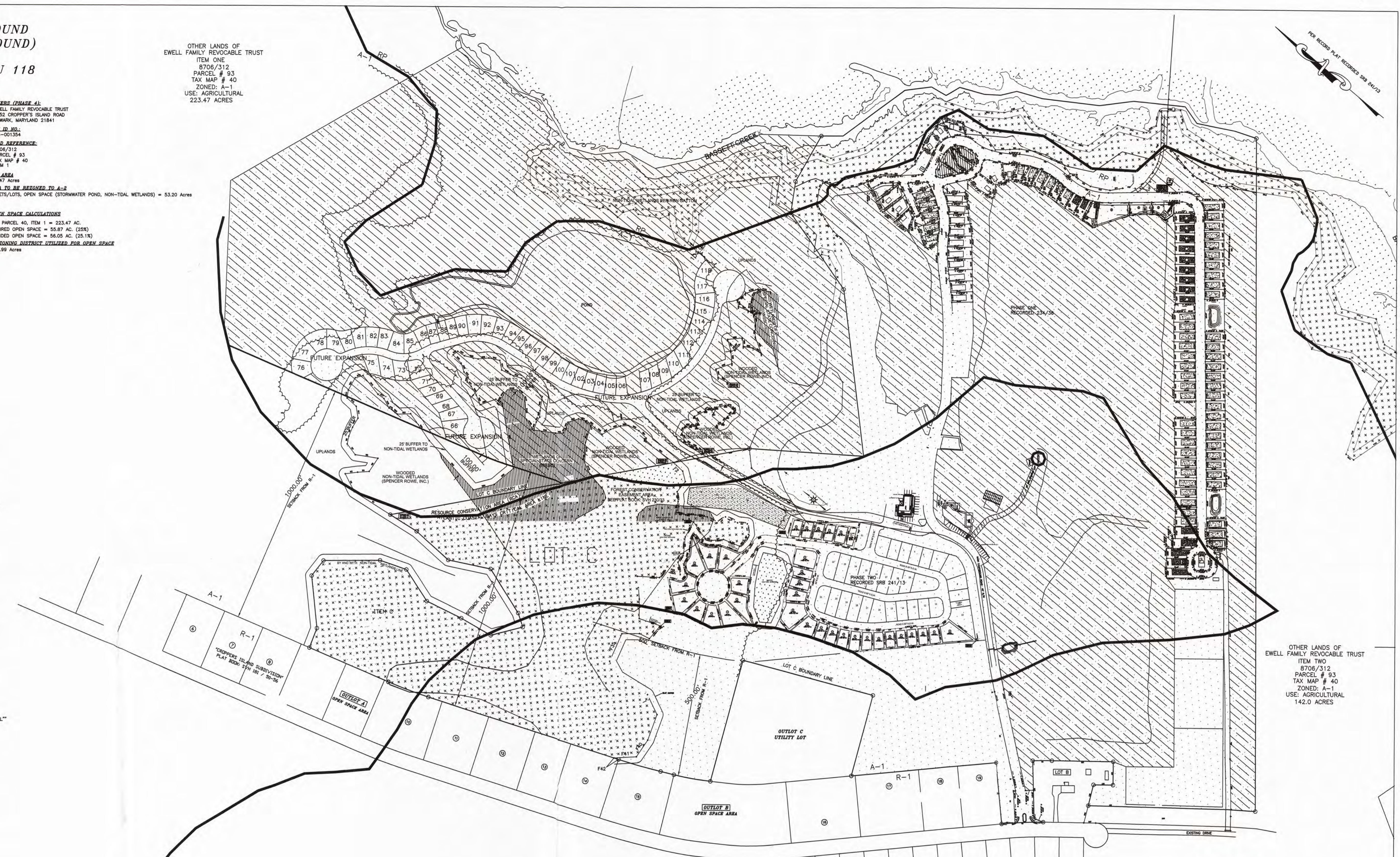
This site is subject to the Worcester County Forest Conservation Law. This site is subject to Forest Conservation Plan No. 02-011 & 02-02. This site has been subject to a regulated activity under the Worcester County Forest Conservation Law. Any future approval of this site for a regulated activity shall be subject to Worcester County Forest Conservation Law. A Forest Conservation Plan has been approved and is on file with the Department of Development Review and Permitting. A Perpetual Protective Agreement and deed of Forest Conservation Easement, Worcester County, Maryland, were recorded in Plat book SWH 221/14 and Plat book SWH 220/33 along with corresponding Perpetual Protective Agreements.

FOREST CONSERVATION EASEMENT NOTES:

- No clearing, grading, or disturbance of existing vegetation is allowed within the Forest Conservation Easement without authorization from the Worcester County Department of Development Review & Permitting. No structures are allowed within the Forest Conservation Easement Area. Dumping, storage of materials, and site disturbance is prohibited.
- All forest protection signs must remain in place in perpetuity around the Forest Conservation Easement area.

WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA LAW NOTE:

This property lies within the Worcester County Atlantic Coastal Bays Critical Area. Any and all proposed development activity must meet the requirements of Title 3 (Land and Water Resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws in effect at the time of the proposed development activity. The existing campground, as defined within the limits of disturbance for Phase 1 on this plat, received site plan approval prior to the adoption of the Atlantic Coastal Bays Critical Area Ordinance; therefore, it is subject to the initial Development Easement provisions pursuant to NR 3-101(n). Without the award of Growth Allocation, no future expansion to the campground or changes to the approved site plan for the existing campground, including lot coverage, will be allowed within the boundaries of the critical area designated Resource Conservation Area.



PROFESSIONAL CERTIFICATION
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 07-15-2025.

SURVEYOR'S CERTIFICATION
I hereby certify, to the best of my knowledge and belief, that the requirements of Section 3-108 of the Real Property Article of the Annotated Code of Maryland (CURRENT) concerning the making of this plat and the setting of markers as well as all of the requirements of the County Commissioners and ordinances of the county of Worcester, Maryland regarding the platting of cooperative campgrounds within the County have been complied with.

GREGORY P. WILKINS - PRESIDENT
GREGORY P. WILKINS SURVEYOR, INC. Date

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

SCALE: 1" = 200' DATE: 05/31/2024
DRAWN BY: GPWB JOB NO.: 7717TEXT

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: September 5, 2024

PURPOSE: Review of proposed site development for twelve (12) variously sized self-storage buildings, totaling 37,800 square feet including an office.

DEVELOPMENT: Flat Calm Self-Storage

LOCATION: Located at 10510 Racetrack Road, Tax Map 21, Parcel 15, Tax District 3, Flat Calm LLC, owner / George E. Young, III, P.E. Engineers and Surveyors, engineer.

ZONING DESIGNATION: C-2 General Commercial District

BACKGROUND: The project went before the Technical Review Committee (TRC) on May 11, 2022. The project site plan has since been revised multiple times and is now before the Planning Commission for its review. A phased construction is proposed.

PROPOSED CONSTRUCTION:

1. Building #1 is the proposed office consisting of 750 sf and is proposed for a future phase. Approval of the office building is contingent upon Environmental Programs approvals.
2. 11 Self Storage Buildings (#2 through #12) are comprised of square footages ranging from 600 sf to 5,000 sf each for a total of 400 units. \
 - a. Phase 1 includes three (3) storage buildings in the front of the parcel. (Square footages being 1,200, 5,000 and 5,000)
 - b. Phase 2 includes three (3) storage buildings behind the first three (3). (Square footages being 2,000, 5,000 and 5,000)
 - c. The remaining six (6) buildings show a 'future' phase label. Please note that these future phases should be relabeled as Phase 3 (or subsequent) or removed from the plan.

The buildings are proposed to be accessed from the outside. An 'office' is located at the front of the parcel and will have an entry gate for patrons.

***Please note that in phased construction, the first phase shall at a minimum include the landscaping of property perimeters, entry drives, and stormwater management ponds as well as required parking lot and building landscaping.**

PARKING: A parking tabulation has been provided on the site plans and staff has confirmed the accuracy of the calculation. A total of 10 spaces are required as a minimum which has been provided, including one (1) handicapped parking space in front of the office.

The proposed surface treatment of the parking areas and travelways is 'paving.' Clarification of the type of paving has been requested of the applicant. Parking spaces are to be demarcated with painted stripes and parking bumpers in accordance with §ZS1-320(f). The site plan will need to be updated to reflect this.

LOADING ZONES: It is generally understood that loading from private vehicles will be conducted directly in front of their respective units. A loading zone is not necessary.

TRAFFIC CIRCULATION: Once on the site, users will need to stop to enter a gated area before driving into the facility. The site may be accessed off US Route 589 (Racetrack Road) through a full-access entrance. A secondary entrance to the easement is currently existing and is not proposed to be used. The road within the easement has not been developed nor is intended to be, according to the applicants. According to State Highway Administration (SHA), any future access to the easement should be done via the interparcel connector.

Additionally, the site plan notes ‘Rights to Roadway abandoned by letter from current owner of TM 21, Parcel 134,’ however this would need to be accomplished via a correction plat and may not be accomplished via letter. This notation will need to be removed from the site plan. It should be noted that there are other access points to parcel 134. On the south side of the parcel, access is via Gum Point Road in which there is an existing pole barn owned by Greg Steen. On the northern end of the property (parcel 134), there is an existing manufactured home that is accessed via a private lane adjacent to the new AGH building.

Parcel 134



8/30/2024, 8:50:32 AM

Centerlines Orthos 2022
Green: Band_2
Red: Band_1
Blue: Band_3

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

DRP ArcGIS Web Map
This map is intended for planning purposes only and not for regulatory application.

One (1) Interparcel connector is shown to connect to the northern parcel (Tax Map 21, Parcel 14). An interparcel connector is not proposed for the southern half of the parcel but will need to be incorporated into the site plan. The five (5) parking spaces proposed for this area will need to be relocated to another area on the site.

Lastly, according to Zoning Code Section §ZS1-305(b)(3) the adopted right-of-way will need to be shown on the site plan: *“For any lot abutting MD Route 589 or located within the geographical parameters of the MD Route 589 Transportation Corridor Planning Area, all yard setbacks shall be measured from the proposed right-of-way as specified in the MD Route 589 Transportation Corridor Plan and on the associated maps adopted by the County Commissioners in accordance with the provisions of § ZS 1-118(b)(11) hereof. No structure, well, or wastewater system shall be located within the proposed right-of-way.”* No structures are proposed within the right-of-way.

REFUSE REMOVAL: A dumpster pad is shown on the site plan to the far eastern portion of the property near the Stormwater management facility. Due to its location, it is not likely to be seen from any public rights-of-way and is not proposed to have screening.

PEDESTRIAN AND BICYCLE CONNECTIVITY: No bike rack is required for a project of this type. No sidewalks have been provided. Additional details pertaining to pedestrian and bicycle connectivity in accordance with the Design Guidelines may be found in the ‘Planning Commission’s Considerations.’

LIGHTING: Lighting shown on the site plan does not provide the full information needed to conduct a review in accordance with the Code. More details will need to be provided. The site plan notes: *“Contractor shall install nine (9) exterior lights at a height no greater than 16 ft from grade, 2,100 lumens and an angle of incidence ranging from 0 to 45 degrees.”* Staff spoke with the applicant, and he indicated that they intend to use LED wall packs on the storage buildings and several soffit lights with LED wall packs. This will need to be updated on the site plan.

LANDSCAPING: A landscape plan has been provided which consists primarily of native species, including White Fringetree, American Dogwood, Pfitzer Juniper, Ebony Spleenwort (Fern) and Var Liriope. Landscaping is proposed for the portion of the property fronting along Racetrack Road, on the southern side and within the area situated near the office as foundation plantings. There are an adequate number of trees proposed for the number of parking spaces.

There is existing vegetation along a portion of the northern side of the property, however the landscape plan does not propose new plantings in the area towards the front of the parcel. **The Planning Commission should discuss this with the applicant before considering waivers.** The area in question is approximately 250 feet in length. It is anticipated that the driveway within the easement is unlikely to be developed as not only was a letter prepared indicating the ‘abandonment’ of the easement by the adjacent property owner, but also the fact that access to parcel 134 may be accomplished in two (2) other locations. Again, for the abandonment to be binding, a correction plat would need to be recorded.

A landscape watering system is not proposed on the site plan as required by the Code. A maintenance and replacement bond for the required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate from a nursery will also be required to be provided at permit stage to accurately determine the bond amount.

It should be noted again that landscaping will need to be installed as part of the first phase.

SIGNS: A sign location at the entrance of the parcel is shown on the site plan with a notation that it will not be greater than 50 square feet. However, any freestanding sign will need to be in accordance with §ZS1-324 regardless of any notation on the site plan. Staff recommends removal of the portion of the comment on the site plan referencing the size. No other information regarding signage has been provided at this time.

FENCING: A six (6) foot tall chain-link fence is proposed surrounding the facility.

FOREST CONSERVATION LAW: This project is not subject to the Forest Conservation Law, however Critical Area Regulations are applicable.

CRITICAL AREA LAW: This property is located in the Atlantic Coastal Bays Critical Area (ABCA) program boundary designated Intensely Developed Area (IDA). Written confirmation will be required from the Department of Environmental Programs Natural Resources Division relative to Critical Area requirements prior to the Department granting signature approval.

STORMWATER MANAGEMENT / SEDIMENT EROSION CONTROL: Confirmation of final approval will be required prior to the Department granting signature approval for the site plan if not already done so.

******OTHER MATTERS:** Included in the Planning Commission's packet for this project is a code requirement letter. There are some minor housekeeping items that will need to be addressed by the applicants prior to a final signature approval being granted. The Design Guidelines noted in the Planning Commission Considerations will also need to be addressed more fully.

ARCHITECTURAL JUSTIFICATION: As a major site plan over 10,000 square feet, this project is subject to the *Design Guidelines and Standards for Commercial Uses*. This proposal is located within the area designated as an Agricultural architectural tradition based upon the staff policy. The surrounding neighborhood consists of the Racetrack Auto and Marine, Abi's Diner, Frank Lynch Surveying, Atlantic General Hospital, and others.

The proposed facility has attempted to meet the standards required in the Design Guidelines, however a significant number of waivers will be required which are detailed in the 'Planning Commissioner's Considerations.' Under Section 2(b), the Planning Commission is able to grant a waiver to the requirements contained within where it finds that the proposed alternative building or site design features generally achieve the overall objectives of the guidelines or standards that apply to the waiver being requested.

OWNER: Flat Calm, LLC/Chet Rohrbach

ENGINEER: George E. Young, III, PC

ARCHITECT: Design Development – Drafting and Design Services LLC

PREPARED BY: Kristen M. Tremblay, AICP, Zoning Administrator

**PLANNING COMMISSION CONSIDERATIONS – DESIGN GUIDELINES
FLAT CALM MINI STORAGE**

During the review of the Design Guidelines, it was found that a significant number of waivers will be required and are depicted below. The proposed land use, mini-storage, does not typically have advanced architectural profiles.

Design Guidelines: Waivers Requested

Sec 6(b)(1)	General Site and Building Compatibility
Sec 7(b)(3)(C)	Mass and Scale
Sec 8(b)(2)	Roofs
Sec 9(b)(2)&(3)	Materials
Sec 10(b)(1)(B),(C),(E),(F),(H)	Facades
Sec 15(b)(3)(C),(b)(5),(6),(9)	Parking
Sec 16(b)(1),(2),(3),(4),(5),(6),(8),(9),(10)	Pedestrian and Bicycle Circulation
Sec 17(b)(4),(6),(7),(8)	Landscaping
Sec 18 (5)	Lighting
Sec 19(b)(1),(2)	Community Features and Spaces

Section 6: General Site and Building Compatibility. Staff found that the proposal is not particularly complementary to the surrounding natural features. Adjacent parcels consist of other commercial, residential, and forested areas. A subtle transition has been provided in the form of the Stormwater Management Facility in the rear of the property. Additionally, there are existing similar developments towards Racetrack Road in which this proposal would be compatible.

Section 7: Mass and Scale. No modules have been proposed; however no structure is proposed to be greater than 20,000 square feet in gross floor area, thus this requirement has been met. As multiple buildings are proposed, it is encouraged that developments planned to occur over a period of time have a master concept plan in place from the outset that provides for design compatibility throughout the buildings, the site and any outparcels. This concept plan should be general in nature and is not to be construed as a site plan required by or in compliance with §ZS1-325. A basic narrative attesting to the long-term design continuity would be sufficient.

Section 8: Roofs. Pitched roofs (gable and square hip roof) have been proposed across all structures. The roof pitches are 5:12 and 2:12, respectively, for the office and the storage buildings. Other recently approved mini-storage facilities have had flat roofs, which are generally discouraged except in the Town Center Tradition.

- The Design Guidelines requires two (2) elements in the roof. One (1) element has been provided: overhanging eaves no less than 16 inches have been proposed. A waiver to this requirement is requested.

Section 9. Materials. The Design Guidelines require that materials for walls and trim cover at least 75% of the surface area and include high quality materials with texture and color. The colors have been provided: beige and green. The materials as indicated by the applicant will be

metal roofing, composite siding and stone veneer. This information will need to be included in a revision to the architectural drawings. A waiver is requested.

Section 10. Facades. In this proposal, the Planning Commission should be aware that there is a significant difference between the public facing facades and the remainder of the facades within the facility. Some attention has been paid to the public facing areas (the office), however the remaining buildings are reminiscent of a traditional mini storage. The Planning Commission may wish to treat each element separately.

The following waivers for this section are being requested:

- (B) No interruption in in the width of the façade greater than 60 feet in width;
- (C) Facades greater than 60 feet in width should have a wall plane projection or recess with a depth of 2 feet or 3% of the façade whichever is greater and with a width of at least 12 feet or 20% of the façade whichever is greater;
- (E) Facades shall include at least two (2) continuous details of 12 inches or less (one (1) detail at the bottom with a height of 2.5 feet is proposed);
- (F) A minimum of one (1) significant detail needs to be repeated at least three (3) times;
- (H) Transparent features need to be included over a minimum of 25% of the surface;

Section 14. Signs. A freestanding sign location is shown on the site plan at the front of the parcel. The notation states that the ‘owner shall select sign under fifty (50) square feet,’ however the size will need to meet code regardless of this notation and will need to be removed from the site plan. The applicant will need to submit a sign permit for any future signage proposed and be in accordance with §ZS1-324.

Section 15. Parking. Parking along major driveways and access routes shall be prohibited, except in projects designed in the town center tradition. Five (5) parking spaces have been proposed in the front near the entrance and would back up into the travelway. However, as an interparcel connection at this location is required, the parking spaces will need to be relocated.

Additionally, access points and driveways shall line up across from other access points or driveways. As proposed, the access point across from Racetrack Road does not align with the entrance for the storage facility. A waiver is requested.

All internal walkways shall link to existing walkways both on site and off site and must coordinate with any adopted sidewalk/bikeway/trail/greenways plan for the area. No sidewalk has been proposed; the adjacent parcels also do not have sidewalks developed.

A pedestrian accessway to other customer entrances, public spaces and parking areas shall be provided for every customer entrance. The area in front of the access gate is paved, with five (5) parking spaces in close proximity to the customer entrance and is accessible for pedestrians. With the remaining five (5) spaces, a customer would have to cross the travelway to get to the office. As this section of parking will need to be relocated, requesting a crosswalk or waiver for this requirement would be moot.

Under the Design Guidelines, plantings need to be placed at the end of each row of parking. There is one (1) section adjacent to the northern parcel in which this appears to be absent and would be within the area designated as an easement.

Section 16. Pedestrian and Bicycle Circulation. There is a lack of sidewalks, walkways and bicycle facilities on the site plan. As this is a code requirement (§ZS 1-319), it will need to be addressed by the Planning Commission. The nature of the proposed use does not typically have pedestrian or bicycle facilities. Currently, all but one (1) of the requirements of Section 16 would require a waiver as presented. These include:

- Circulation identified and provided on site plan;
- Five (5) foot sidewalks along all sides of lot that abut the ROW;
- Internal walkways provided from public sidewalk or ROW to principal entrance;
- Clearly indicated pedestrian connectivity;
- Demarcation of pedestrian and bicycle routes with a change in paving surface materials, landscaping, signage, or safety and directional lighting;
- Internal walkways must link to existing walkways;
- Weather protection of walkways;
- Bike lanes on ingress and egress routes with signage.

Section 17. Landscaping. The landscaping plan has been provided and shows primarily native species consisting of White Fringetree, American Dogwood, Pfitzer Juniper, Ebony Spleenwort (Fern) and Var Liriope.

On the landscape plan, the height and caliper of the plants proposed has not been shown. According to §ZS1-322(f)(1), trees will need to be ten-feet in height at installation: *“The trees shall be at least ten feet in height and one and on-half inches in caliper and be planted in a minimum eight-foot-by-twenty-foot landscaped area.”* The site plan will need to be updated with this information. Automatic irrigation is also required but not provided on the site plan. A waiver is being requested for this.

Standards requiring a waiver include:

1. No xeriscaping or automatic irrigation is proposed.
2. Trees have not been provided within the parking area, but there is a 35-foot-wide landscaped buffer at the entrance which is proposed to have three (3) White Fringetrees. Shrubs and grasses have been proposed in most other areas shown for landscaping. There is one (1) American Dogwood proposed for the furthest corner from the entrance to the rear of the stormwater management facility.
3. Some landscaping at customer entrance near the office has been proposed, however it is not noted on the plan what the width is. The table provided shows this area as 55.9 square feet. The building width of the side with the primary customer entrance is 25 feet. Assuming the landscaping area provided is 55.9 square feet, the width would be approximately 2.25 feet. The Design Guidelines note the following: *“The building perimeter landscaping shall be in landscaped areas, raised planter, or planter boxes that are each a minimum of five (5) feet wide and are a maximum of ten feet from the building.”*
4. All other facades, except the façade incorporating the service area, shall be buffered from public view with no less than a 10-foot-wide buffer with foundation planting. The

perimeter of the property has some existing vegetation proposed to remain, a 35-foot-wide landscape buffer along the frontage to Racetrack Road and is also proposed to be a 12'4" wide landscaped area with shrubs and grasses along the southern edge of the property (which abuts up to Racetrack Auto and Marine).

On the northern side, there is a section in the vicinity of the office and storage building # 4 which has no landscaping proposed. The approximate length of this area is 250 linear feet (not including the 25' for the interparcel connector). **The Planning Commission may wish to discuss what this will look like when driving south on Racetrack Road before granting a waiver.** Please note that there are existing buildings on the parcel to the north which may help diffuse, but will not obscure the view.

Section 18. Lighting. According to the site plan, the “*contractor is to install 9 exterior lights at height no greater than 16 feet from grade, 2,100 lumens and at an angle of incidence ranging from 0-45 degrees.*” The applicant has indicated that they intend to use LED wallpacks on the storage buildings and soffit lighting at the office and wall packs. The icons for lighting are shown on the first two (2) center buildings but have not been shown at the office location, or on any other buildings within the facility. As the applicant indicated that all buildings will be lit, it will need to be reflected on the site plan.

1. *‘Wall packs may not be used as accent or general building/site lighting. They shall be fully shielded and direct light downward only and shall be equipped with true cut-off type bulbs. Spillover of light and glare from wallpacks shall not be visible at any property line. Lumen output should be two thousand or less.’*

Section 19. Community Features and Spaces. No community features or spaces are provided. Waivers for all standards in this section are being requested. This includes the contribution to the improvement of public spaces, a requirement that a feature be at least 800 square feet and having additional community spaces for each additional customer entrance.

RECOMMENDATION:

It is recommended that the Planning Commission review the materials provided and determine if the waivers requested are appropriate for the proposed mini-storage facility.



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

August 28, 2024

Cindy Dize
George E. Young, III, PC
1504 Market Street
Pocomoke, MD 21851

Re: Flat Calm Self Storage; Tax Map 21, Parcel 15.

Dear Ms. Dize:

This is to advise you that the Department has completed a review of the site plan dated 4/23/2024 with a professional certification stamp dated 7/23/2024, associated with the above referenced project. The plan has been reviewed in accordance with the pertinent sections of the Worcester County *Zoning and Subdivision Control Article* and the *Design Guidelines and Standards for Commercial Uses*. The following code requirements have yet to be addressed:

GENERAL:

1. If phasing, all buildings noted as 'future' will need to be changed to 'Phase 3/4/5' or remove the buildings from the plans. A subsequent site plan review would be required at that time, if so.
2. Please note that approval of the office is contingent upon Environmental Programs. It should also be labeled as an office instead of 'proposed shed.'
3. An interparcel connector will need to be shown on the site plan to the south. Parking spaces will need to be relocated. Room for parallel parking appears possible in front of the stormwater management facility.
4. Please remove the label from all sheets that states 'Rights to Roadway abandoned by letter from current owner of Tax Map 21, Parcel 134.' The release letter is not effective without a corrective plat being recorded.
5. Please add some type of notation that addresses the existing secondary access point indicating that it will not to be utilized, but will remain. If all property owners agree to abandon the easement, a corrective plat will need to be recorded attesting to such.
6. Please include the Expanded ROW line per the map provided associated with §ZS1-305(b)(3):
 - a. *"For any lot abutting MD Route 589 or located within the geographical parameters of the MD Route 589 Transportation Corridor Planning Area, all yard setbacks shall be measured from the proposed right-of-way as specified in the MD Route 589 Transportation Corridor*

Citizens and Government Working Together

Plan and on the associated maps adopted by the County Commissioners in accordance with the provisions of § ZS 1-118(b)(11) hereof. No structure, well, or wastewater system shall be located within the proposed right-of-way.”

PARKING AREAS:

1. Please include the proposed material for pavement on the site plan. The current notation reads ‘paved.’ Sheet 2
2. Please include notation on site plan that parking spaces will be demarcated in accordance with §ZS1-320(f)(4): “*All off-street parking spaces, except those serving single-family, two-family and manufactured or mobile homes on single lots, shall be delineated by durable painted lines that meet the Manual of Uniform Traffic Control Devices (MUTCD) or its successor.*” - Sheet 2
3. Please include notation that parking bumpers will be installed in accordance with §ZS1-320(f)(5): “*Parking bumpers or wheelstops shall be at least five inches high and five inches wide, located no less than eighteen inches from the head of the parking space and attached to the parking lot surface.*” - Sheet 2

LIGHTING:

1. Please provide more information on the lighting proposed: wattage, type (e.g. LED, metal halide, etc.), and all locations proposed including the office building on the site plan.

SIGNAGE:

1. Is signage known at this time? A separate zoning permit will need to be applied for and in accordance with §ZS1-324. Please remove the reference to the size of the sign from the site plan as any freestanding or on-building signage will need to meet code requirements.

LANDSCAPING:

1. Please note that in phased construction, the first phase shall at a minimum include the landscaping of property perimeters, entry drives, and stormwater management ponds as well as required parking lot and building landscaping.
2. Please provide the height and calipers of the plantings at installation. Section §ZS1-322(f)(1) calls for a ten-foot height at installation: “*The trees shall be at least ten feet in height and one and on-half inches in caliper and be planted in a minimum eight-foot-by-twenty-foot landscaped area.*”
3. Please include a notation on the landscaping sheet that any changes to the landscape plan must be approved by the County.
4. Please indicate on the site plan how the plantings will be watered if there is to be no automatic irrigation proposed.
5. Please note the dimensions of the landscaping planting areas.

6. If the Planning Commission requests additional plantings on the northern side of the property near the entrance, please add to the site plan accordingly.
7. A maintenance and replacement bond for the required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate from a nursery will also be required to be provided at permit stage to accurately determine the bond amount.

ARCHITECTURAL:

1. Please provide a listing of the materials to be used on the Architectural Details sheets including roofing, siding, trim, and any veneers.
2. As the project is proposed to be phased, a general master concept plan should be submitted that provides for the design compatibility throughout the buildings in accordance with Section 7(b)(3)(C) of the Design Guidelines. *“It is encouraged that developments planned to occur over a period of time have a master concept plan in place from the outset that provides for design compatibility throughout the buildings, the site and any outparcels. This concept plan should be general in nature and is not to be construed as a site plan required by or in compliance with ZS1-325.”* A basic narrative on letterhead that the proposed buildings will be constructed in design alignment along all phases of the project would be sufficient.

A copy of the Staff Report associated with this project is attached for your reference. Please do not hesitate to contact me at 410-632-1200 ext. 1131 with any questions or comments you may have concerning this matter.

Yours,



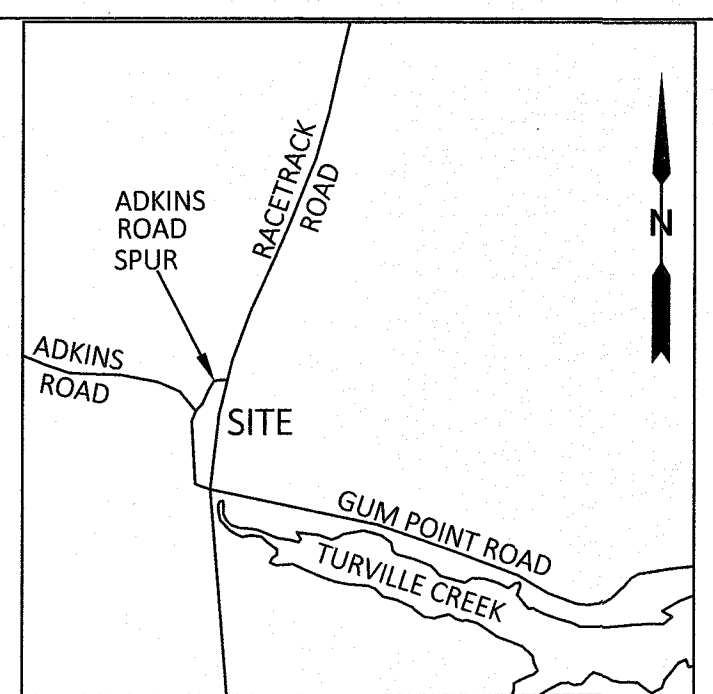
Kristen M. Tremblay, AICP
Zoning Administrator

SHEET INDEX	
1	TITLE PAGE
2	SITE PLAN
3	EXISTING CONDITIONS
4	DRAINAGE PLAN ONE
5	DRAINAGE PLAN TWO
6	PROFILES
7	GRADING AND ESC PLAN
8	ESC DETAILS
9	ADDITIONAL DETAILS
10	ADDITIONAL DETAILS TWO
11	ADDITIONAL DETAILS THREE
12	LANDSCAPE AND LIGHTING PLAN

TITLE SHEET

FOR THE
LANDS OF
FLAT CALM LLC

MDOT SHA TRACKING NUMBER: 23APW0003X

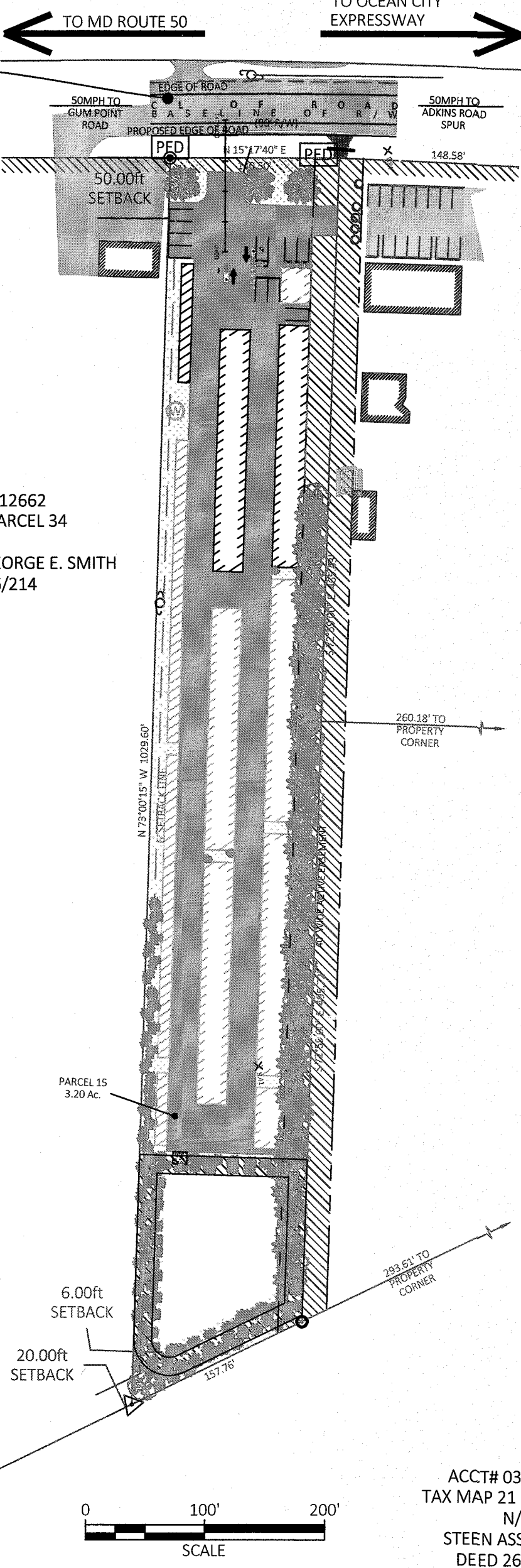


VICINITY MAP
SCALE: 1" = 2000'

MD STATE PLANE NAD83(2011)

ACCOUNT# 03-010651
TAX MAP 21 PARCEL 70
N/F
CAMPBELLS COTTAGES LLC
DEED 7081/232

EXISTING
RACETRACK ROAD
OR MD RT 589

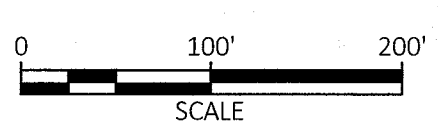


ACCT# 03-012662
TAX MAP 21 PARCEL 34
N/F
DAVID S. SMITH & GEORGE E. SMITH
DEED 6446/214

ACCT# 03-011496
TAX MAP 21 PARCEL 14
N/F
FOUR CORNERS COMMERCIAL CENTER,
LLC
DEED 4940/216
PLAT FWH 1430/457

ACCT# 03-010686
TAX MAP 21 PARCEL 207
N/F
CYNTHIA A. CHAMBERLAIN
DEED 3759/556
PLAT FWH 1430/457

ACCT# 03-011194
TAX MAP 21 PARCEL 134
N/F
STEEN ASSOCIATES
DEED 2609/128
PLAT SVH 184/19



LEGEND

- PREDEVELOPMENT MINOR CONTOUR
- PREDEVELOPMENT MAJOR CONTOUR
- POST-DEVELOPMENT MINOR CONTOUR
- POST-DEVELOPMENT MAJOR CONTOUR
- EXISTING
- POST-DEVELOPMENT
- PROPERTY LINE
- SETBACK LINE
- EXISTING PAVED
- POST-DEVELOPMENT PAVED
- BUILDING OR ROOF
- EASEMENT
- UE --- UE --- UNDERGROUND UTILITIES
- Iron Rod
- Iron Pipe Found
- △ Stone Monument Found
- Well
- Transformer
- Utility Pole
- Drain Inlet
- Communications Pedestal
- Watertap
- Traffic Bearing
- EXTERIOR LIGHT

OWNERS/DEVELOPER'S CERTIFICATE

AS THE PROPERTY OWNER/DEVELOPER, I AM IN FULL AGREEMENT WITH THIS SITE PLAN SUBMITTED HEREWITH, AND I AM RESPONSIBLE FOR THE COMPLETION OF THE IMPROVEMENTS AS SHOWN ON THE APPROVED SITE PLAN, AND I UNDERSTAND THAT I CANNOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL A CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT, REVIEW AND PERMITTING.

Chet Rohrbach
Chet Rohrbach
PHONE: 561-309-6291
ADDRESS: 53 TAIL OF THE FOX DRIVE
BERLIN, MD 21811

7/24/24
DATE

PROFESSIONAL ENGINEER'S CERTIFICATE

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 12073, EXPIRATION DATE: 08/15/24.

George E. Young, III
GEORGE E. YOUNG, III
PROFESSIONAL ENGINEER

JUL 23 2024
DATE

MDOT MSHA GENERAL NOTES

- LANE CLOSURE PERMITS MUST BE SUBMITTED FOR APPROVAL AT LEAST 2 WORKING DAYS (48 HOURS) IN ADVANCE OF WORK. TO OBTAIN A LANE CLOSURE PERMIT OR FOR MORE INFORMATION REGARDING LANE CLOSURES CONTACT:
SHA DISTRICT 1 MAINTENANCE OFFICE OF TRAFFIC INSPECTOR
OFFICE: 410-677-4046
EMAIL: SHA_D1_TRAFFIC@MDOT.MARYLAND.GOV
- DESIGN, FABRICATION, AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE MOST RECENT VERSION OF THE MARYLAND STANDARD SIGN BOOK, FOUND AT:
HTTPS://APPS.ROADS.MARYLAND.GOV/BUSINESSWITHSHA/BIZSTDSSPCS/DESMANUALSTDPUB/PUBLICATIONSONLINE/OOTS/INTERNET_SIGNBOOK.ASP
- AN ADDITIONAL NOTE SHOULD BE PLACED ON THE DRAWINGS WHICH CLEARLY DENOTES THAT "THE PERMITTEE FOR THIS PROJECT ASSUMES ALL RESPONSIBILITY FOR THE INFORMATION CONTAINED WITHIN THESE PLANS AND ASSUMES ALL RISK ASSOCIATED WITH SUCH. ANY AGREEMENT BETWEEN THE PERMITTEE AND CONTRACTOR DOES NOT RELIEVE THE PERMITTEE OF THEIR RESPONSIBILITIES ASSOCIATED WITH THE ACCESS PERMIT AND THE APPROVED PLANS."
- PLACE THE FOLLOWING NOTE ON THE TITLE SHEET, "VEHICULAR ACCESS TO AND FROM THE SUBJECT SITE BY THE PUBLIC, FOR THE PURPOSE OF CONDUCTING BUSINESS FOR THE PERMITTED USE OF THE PROPERTY, SHALL NOT BE ALLOWED UNTIL ALL IMPROVEMENTS WITHIN THE ACCESS PERMIT AND AS SHOWN ON THE APPROVED PERMIT PLANS HAVE BEEN COMPLETED TO THE SATISFACTION OF MDOT-SHA."
- IF EXISTING PAVEMENT MARKINGS ARE TEMPORARILY OR PERMANENTLY ALTERED, PERFORM MILL, AND "OVERLAY AT THOSE LOCATIONS. ALSO SHOW THESE RESURFACING ON THE TYPICAL SECTIONS AND OTHER APPLICABLE SHEETS.
- FOR ALL STANDARDS REFERRED TO ON THE PLANS THE CONTRACTOR MUST GO TO THE BOOK OF STANDARDS WHICH WILL HAVE THE MOST CURRENT VERSION. THE BOOK OF STANDARDS CAN BE ACCESSED AT: HTTP://APPS.ROADS.MARYLAND.GOV/BUSINESSWITHSHA/BIZSTDSSPCS/DESMANUALSTDPUB/PUBLICATIONSONLINE/OHD/BOOKSTD/INDEX.ASP
- IT SHOULD BE NOTED THAT A MILL AND OVERLAY IS REQUIRED TO TIE INTO THE NEAREST PAVEMENT JOINT.
- PER THE MDOT SHA ACCESS MANUAL, FULL DEPTH PAVEMENT CONSTRUCTION SHALL BE AT LEAST 4" WIDE AT ALL POINTS ALONG THE PROPOSED WIDENING, TO FACILITATE PROPER SUBGRADE PREPARATION, COMPACTION AND PAVEMENT PLACEMENT. WHERE THIS IS NOT POSSIBLE, CONCRETE MIX 7 OR MIX 9 MAY BE SUBSTITUTED FOR THE ASPHALT BASE. PLEASE UPDATE THE PAVEMENT WIDENING DETAILS TO SHOW A MINIMUM OF 4FT BASE WIDENING.
- PROVIDE REFERENCE TO STANDARD DETAILS MD 578.03 & 578.03-L FOR ANY PARTIAL-DEPTH PATCHING THAT MAY OCCUR DURING CONSTRUCTION AND ADD THE FOLLOWING NOTE:
•• TO REPAIR DISTRESSES WHICH MAY OCCUR DUE TO CONSTRUCTION ACTIVITY AND MDOT SEE STANDARD DETAILS MD 578.03 AND MD 578.03-I FOR PARTIAL-DEPTH PATCHING USE THE FOLLOWING: 5" SUPERPAVE ASPHALT MIX 19.0MM FOR PARTIAL-DEPTH PATCH, PG645-22, LEVEL 2 (2-2.5" LIFTS) OR TOP OF CONCRETE, WHICHEVER IS ENCOUNTERED FIRST.
- ALL ITEMS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT VERSION OF THE REFERENCED STANDARD AT THE TIME OF CONSTRUCTION.
- DESIGN, FABRICATION, AND INSTALLATION OF ALL PERMANENT SIGNING SHALL BE AS OUTLINED IN THE MARYLAND STANDARD SIGN BOOK (LATEST EDITION).
- NO WORK IN THE MDOT SHA RIGHT OF WAY CAN BEGIN UNTIL AN APPROVED ACCESS PERMIT HAS BEEN ISSUED FROM MDOT SHA DISTRICT 1 ACCESS MANAGEMENT.
- THE CONTRACTOR MUST HAVE A COPY OF THE APPROVED COMMERCIAL ACCESS PERMIT AND THE MDOT SHA APPROVED SITE PLANS AT ALL TIMES DURING ANY WORK BEING PERFORMED IN THE MDOT SHA RIGHT-OF-WAY.
- PARKER AND ASSOCIATES WILL PROVIDE AS-BUILT DRAWINGS OR A PROFESSIONAL ENGINEERS CERTIFICATION TO MDOT SHA DISTRICT 1 ACCESS MANAGEMENT UPON COMPLETION OF THIS PROJECT, AS A CONDITION OF THE RELEASE OF THE SURETY BOND.
- ALL WORK IN THE M-DOT SHA RIGHT OF WAY SHALL CONFORM TO: THE MDOT SHA ACCESS MANUAL (REVISED AUGUST 2016), AT:
HTTPS://WWW.ROADS.MARYLAND.GOV/MDOTSHA/PAGES/INDEX.ASP?PAGEID=393
- THE MARYLAND MANUAL ON THE UNIFORM TRAFFIC CONTROL DEVICES (2011 EDITION).
HTTPS://ROADS.MARYLAND.GOV/MMUTCD/2011_REV120211_MDMUTCD_COMPLETE.PDF
- THE MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS (REVISED 2020), AT: HTTPS://WWW.ROADS.MARYLAND.GOV/MDOTSHA/PAGES/SSCM.ASP?PAGEID=353&LID=SSP
- ONCE THE ACCESS PERMIT HAS BEEN SECURED, THE CONTRACTOR WILL IMMEDIATELY NEED TO CONTACT THE MDOT SHA DISTRICT 1 ACCESS PERMIT INSPECTOR, JEFF FRITTS (JFRITTS@MDOT.MARYLAND.GOV, PHONE: 443-397-5063) TO INITIATE THE CONSTRUCTION/INSPECTION PHASE OF THE PROJECT. MR. FRITTS WILL EXPLAIN THE STEPS THAT NEED TO BEGIN THE PROCESS. PRIOR TO ANY WORK BEING PERFORMED IN THE MDOT SHA RIGHT-OF-WAY, A PRE-CONSTRUCTION MEETING SHALL BE HELD WITH REPRESENTATIVES OF THE ADMINISTRATION. IN ORDER TO SCHEDULE THE PRE-CONSTRUCTION MEETING, ALL SOURCE OF SUPPLY LETTERS MUST BE APPROVED SUBMIT SOURCE OF SUPPLY LETTERS BY MAIL (NOTIFYING MR. FRITTS WHEN THE LETTERS ARE SENT) TO MR. MARVIN COBLE, LAB QUALITY MANAGER, MDOT SHA, 1450 TRAFFIC DRIVE, HANOVER, MD 21076, OR BY EMAIL MCOBLE@MDOT.MARYLAND.GOV (WITH MR. FRITTS IN COPY). MR. FRITTS WILL SERVE AS PRIMARY CONTACT FOR DISTRICT 1 THROUGHOUT THE CONSTRUCTION PROCESS IN THE SLATE RIGHT OF WAY CONTACT MR. FRITTS AT LEAST TWO (2) WEEKS PRIOR TO THE DATE YOU TEND TO BEGIN CONSTRUCTION. ONCE YOU HAVE APPROVED SOURCE SUPPLY LETTERS, YOU MUST NOTIFY MR. FRITTS (48) HOURS BEFORE THE COMMENCEMENT OF WORK AND PRIOR TO EACH SUCCESSIVE STAGE OF CONSTRUCTION.
- ONCE THE ACCESS PERMIT HAS BEEN ISSUED, ANY REVISIONS TO THE APPROVED PLANS, DURING OR BEFORE THE CONSTRUCTION PROCESS, NEED TO BE APPROVED THROUGH THE DISTRICT 1 ACCESS MANAGEMENT OFFICE.

MDOT MSHA LANDSCAPE NOTES

1. LANDSCAPE CONSTRUCTION WITHIN RIGHTS OF WAY OF THE MARYLAND STATE HIGHWAY ADMINISTRATION (SHA) AND WITHIN SHA PROPERTY, EASEMENT AREAS AND LANDS TO BE CONVEYED TO SHA SHALL CONFORM TO THESE NOTES. FOR CHANGES REGARDING DESIGN MODIFICATIONS DURING CONSTRUCTION, REFER TO SHA LANDSCAPE DESIGN GUIDE, SHA LANDSCAPE ESTIMATING MANUAL, AND SHA ENVIRONMENTAL GUIDE FOR ACCESS AND DISTRICT PERMIT APPLICANTS AT
HTTP://WWW.ROADS.MARYLAND.GOV/INDEX.ASP?PAGEID=25.
2. LANDSCAPE CONSTRUCTION SHALL CONFORM TO SECTIONS 701 THROUGH 716, AND LANDSCAPE MATERIALS SHALL CONFORM TO SECTION 920 OF THE MOST RECENT REVISION OF SHA STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, INCLUDING ALL REVISIONS AND SUPPLEMENTS AND AS SPECIFIED IN THESE NOTES. THESE REQUIREMENTS SHALL SUPERSEDE ALL OTHER SPECIFICATIONS FOR WORK ON SHA PROPERTY. ALL SHA SPECIFICATIONS FOR LANDSCAPING AND LANDSCAPE MATERIALS PUBLISHED IN 2008 HAVE BEEN REPLACED. CURRENT SPECIFICATIONS ARE AT: HTTP://WWW.ROADS.MARYLAND.GOV/INDEX.ASP?PAGEID=44.
3. SOIL DISTURBANCE SUCH AS GRADING, EXCAVATION, SOIL PLACEMENT OR OTHER ACTIVITIES THAT INVOLVE SOIL DISTURBANCE SHALL BE SUPERVISED BY AN ESCM MANAGER WITH A VALID "SHA YELLOW CARD" IN CONFORMANCE WITH SHA STANDARD SPECIFICATIONS AND ANY APPLICABLE EROSION AND SEDIMENT CONTROL PERMIT.
4. TEMPORARY STABILIZATION SHALL BE INSTALLED IN CONFORMANCE WITH SECTION 704 TO ENSURE THAT AREAS OF SOIL DISTURBANCE ARE PROTECTED FROM WIND, RAINFALL AND ROWING WATER UNTIL PERMANENT STABILIZATION IS INSTALLED.
 - a. TEMPORARY MULCH, EITHER AS TEMPORARY STRAW MULCH OR TEMPORARY MATTING MULCH, SHALL BE INSTALLED AT THE END OF EACH WORKING DAY TO PROVIDE "SAME DAY STABILIZATION" UNLESS OTHER APPROVED STABILIZATION IS INSTALLED.
 - b. TEMPORARY STRAW MULCH SHALL BE INSTALLED ON AREAS AND SLOPES RATHER THAN 4: 1; TEMPORARY MATTING MULCH SHALL BE APPLIED ON SLOPES 4:1 AND STEEPER, AND TO AREAS WITH CHANNELS.
 - c. TEMPORARY SEED SHALL BE INSTALLED IN LIEU OF TEMPORARY MULCH WHEN SOIL REDISTURBANCE IS EXPECTED MORE THAN 30 DAYS AFTER SOIL DISTURBANCE. THE REQUIRED APPLICATION RATE SHALL BE 100 LBS. PER ACRE OF 37-0-0 (SCU) FERTILIZER.
5. AREAS OF ROADWAY PAVEMENT REMOVAL SHALL BE EXCAVATED TO REMOVE PAVEMENTS, AGGREGATE BASE AND COMPACTED SOIL TO A MINIMUM DEPTH OF 10 INCHES BELOW THE PAVEMENT SURFACE, OR AS NECESSARY TO REMOVE ALL MATERIALS UNSUITABLE FOR LANDSCAPING. THE EXCAVATED AREAS SHALL BE RESTORED WITH SUBSOIL AND TOPSOIL AS PART OF SOIL RESTORATION.
6. DEBRIS RELATED TO THE DEMOLITION OF SIDEWALKS, DRIVEWAYS, CURBS, TREES, STUMPS, ROOTS, FENCING, PIPES, AND OTHER MATERIALS THAT MAY INTERFERE WITH LANDSCAPE INSTALLATION OR FUTURE MAINTENANCE SHALL BE EXCAVATED AS NECESSARY FOR THEIR COMPLETE REMOVAL AND DISPOSAL.
7. AREAS OF PAVEMENT REMOVAL, EXCAVATION OR DRILLING IN LANDSCAPED AREAS SHALL REMOVE EXCAVATED DEBRIS AND RESTORE THE SUBGRADE WITH APPROVED SUBSOIL AND TOPSOIL PLACED IN CONFORMANCE WITH SECTION 704 OF THE SHA STANDARD SPECIFICATIONS.
 - a. A LAYER OF APPROVED TOPSOIL OF AT LEAST A 4-INCH DEPTH SHALL BE PLACED ON ALL DISTURBED AREAS RATHER THAN 2:1 AND IN ALL CHANNELS PRIOR TO SEEDING, SODDING OR OTHER LANDSCAPING, UNLESS OTHERWISE SPECIFIED.
 - b. A LAYER OF APPROVED TOPSOIL OF AT LEAST A 2-INCH DEPTH SHALL BE PLACED ON ALL DISTURBED AREAS 2:1 AND STEEPER PRIOR TO SEEDING, SODDING OR OTHER LANDSCAPING, UNLESS OTHERWISE SPECIFIED.
 - c. BIORETENTION SOIL MIX (BSM) AND OTHER MATERIALS INSTALLED IN CONJUNCTION WITH SPI 319 - STORMWATER FILTRATION FACILITIES AND SHA STORMWATER DETAILS SHALL BE INSTALLED IN CONFORMANCE WITH SHA LANDSCAPE NOTES AND LANDSCAPE PLANS. PLANT MATERIALS AND MULCH SHALL BE INSTALLED IN BSM IN CONFORMANCE WITH STORMWATER DETAILS, SECTION 710 OR OTHER SHA SPECIFICATIONS.
8. TURFGRASS ESTABLISHMENT SHALL BE PERFORMED IN ALL DISTURBED AREAS, OR WITHIN THE AREAS INDICATED IN THE PLANS, IN CONFORMANCE WITH SECTION 705 OF THE SHA STANDARD SPECIFICATIONS. THE REQUIRED APPLICATION RATE OF 20-16-12 FERTILIZER SHALL BE 200 LBS PER ACRE, AND NO FERTILIZER SHALL BE APPLIED FROM NOVEMBER 15 TO MARCH 1.
9. SOIL STABILIZATION MATTING SHALL BE INSTALLED IN CONFORMANCE WITH SECTION 709 OF THE SHA STANDARD SPECIFICATIONS, IN CONJUNCTION WITH TURFGRASS ESTABLISHMENT PER SECTION 705 OR MEADOW ESTABLISHMENT PER SECTION 707 AS FOLLOWS:
 - a. AREA'S RATHER THAN 6: 1. TYPE A OR TYPE E MATTING MAY BE INSTALLED IN LIEU OF STRAW MULCH AND HYDROMULCH BINDER IN CONJUNCTION WITH TURFGRASS ESTABLISHMENT.
 - b. AREA'S STEEPER THAN 6:1 AND RATHER THAN 4:1. TYPE A OR TYPE E MATTING SHALL BE INSTALLED IN LIEU OF STRAW MULCH AND HYDROMULCH BINDER IN CONJUNCTION WITH TURFGRASS ESTABLISHMENT, UNLESS DELINEATED AND NOTED OTHERWISE.
 - c. CHANNELS, STORMWATER MANAGEMENT FACILITIES, AND SLOPES 4:1 AND STEEPER. TYPE A SOIL STABILIZATION MATTING SHALL BE INSTALLED IN LIEU OF STRAW MULCH AND HYDROMULCH BINDER IN CONJUNCTION WITH TURFGRASS ESTABLISHMENT, UNLESS DELINEATED AND NOTED OTHERWISE.

NOTES:

1. OWNER CONTACT
 - 1.1. CHET ROHRBACH
 - 1.2. 561-309-6291
 - 1.3. 12309 COPPER CREEK LANE
 - 1.4. OCEAN CITY, MD 21842
 - 1.5. BERLIN, MD 21811
2. NOTIFICATIONS
 - 2.1. BEFORE DEVELOPMENT, SUBMIT A LOCATE REQUEST WITH MISS UTILITY
 - 2.1.1. CALL 811 OR VISIT MISSUTILITY.NET
3. ENVIRONMENTAL
 - 3.1. THIS SITE IS NOT LOCATED WITHIN A WETLAND - SOURCE: MDE GIS AND ONSITE VERIFICATION BY ALEX G. DOLGAS
 - 3.2. THIS SITE IS LOCATED IN ZONE X - SOURCE: FEMA MAP 24047C0160H
 - 3.3. PART OF THIS SITE IS LOCATED IN AN IDA CRITICAL AREA - SOURCE: MERLIN GIS
 - 3.4. THIS PROJECT SHALL BE SUBMITTED, IN ITS ENTIRETY, AS IDA CRITICAL AREA; THEREFORE, FOREST CONSERVATION IS NOT REQUIRED.
4. SITE ATTRIBUTES
 - 4.1. ADDRESS:
10510 RACETRACK ROAD
BERLIN, MD 21811
 - 4.2. TAX MAP 21, GRID 14, PARCEL 15, DEED 6724/405
 - 4.3. ACCOUNT# 03-01488
 - 4.4. THIRD TAX DISTRICT
 - 4.5. WORCESTER COUNTY, MARYLAND
 - 4.6. ZONE: C2
 - 4.6.1. FRONT SETBACK: 50ft
 - 4.6.2. SIDE SETBACKS: 6ft
 - 4.6.3. REAR SETBACK: 20ft
 - 4.7. LOT SIZE: 3.2ac
 - 4.2. LIMITS OF DISTURBANCE: 3.2ac
 - 4.3. DRAINAGE AREA: 3.2ac
 - 4.4. EXISTING IMPERVIOUS AREA: 0.203ac (8,864.5sqft)
 - 4.5. POST-DEVELOPMENT IMPERVIOUS AREA: 1.9ac (84,420sqft)
5. DEFINITIONS
 - 5.1. HORIZONTAL DATUM: NAD83 (2011)
 - 5.2. VERTICAL DATUM: NAVD88
 - 5.3. THE WORD "FUTURE" INDICATES PLANNING FOR A DEVELOPMENT PROJECT TO COME AFTER THE COMPLETION OF PROJECT M20027-B.
 - 5.4. THE WORD "PHASE" IS USED IN CONNECTION WITH BUILDING STRUCTURES, AND THESE STRUCTURES ARE INCLUDED WITH THIS PROJECT (M20027-B).
6. IT IS THE INTENT OF THE DEVELOPER TO DESIGN AND CONSTRUCT A STORM WATER MANAGEMENT SYSTEM CAPABLE OF HANDLING BOTH ITEMS LABELED POST-DEVELOPMENT AND FUTURE.
7. PARKING REQUIREMENTS: 1 SPACE PER 40 UNITS, MINIMUM PARKING = 10 SPACES MAXIMUM PARKING = 20 SPACES
 - 7.1. PROPOSED NUMBER OF UNITS=400 MAX. (FOR FUTURE CONCEPT) (400/40=10 SPACES NEEDED)
 - 7.2. PARKING PROVIDED: 10 SPACES INCLUDING 1 HANDICAP SPACE
 - 7.3. REFERENCES
 - 7.3.1. SHA PLAT 6563

REVISIONS:	DATE	DESCRIPTION
UPDATED PER APRIL 2022 WORCESTER COUNTY COMMENTS		
11/16/22 - EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS		
4/25/2023 - Shifted center row of buildings east, added interparcel connector and lighting		
5/10/2023 - ALTERED PER WORCESTER COUNTY COMMENTS		
7/24/2023 - revised to demonstrate ca criteria is met		
11/08/2023 - revised per mdot october 26, 2023 comments		
01/05/2024 - revised per mdot december 21st, 2023 comments		

GEY
GEORGE E. YOUNG, III, P.C.

ENGINEERS & SURVEYORS
1603 MARKES STREET
POCONOKE MARYLAND 21851

PHONE: (410) 957-2149
FAX: (410) 957-2928

PROJECT NUMBER
M20027-B
REVISION
B
SHEET OF
1 12

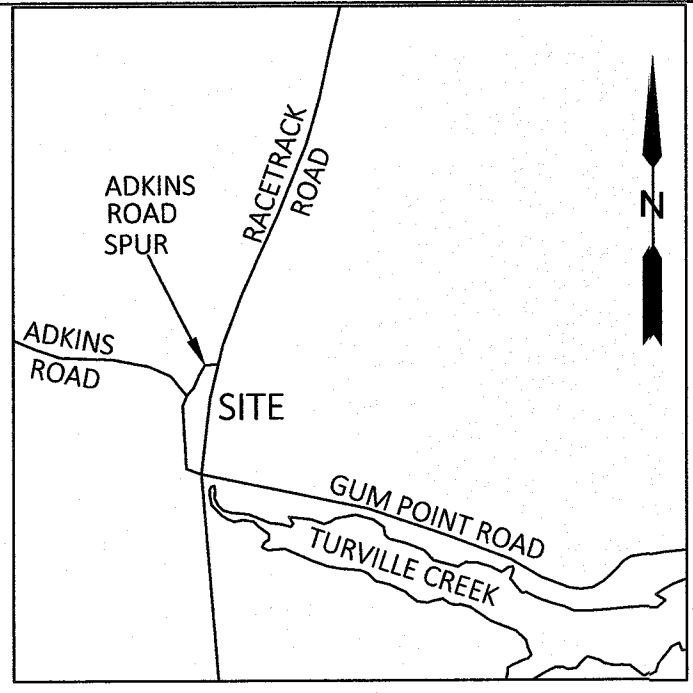
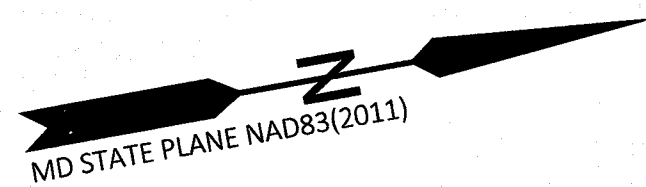
JUL 23 2024

SITE PLAN

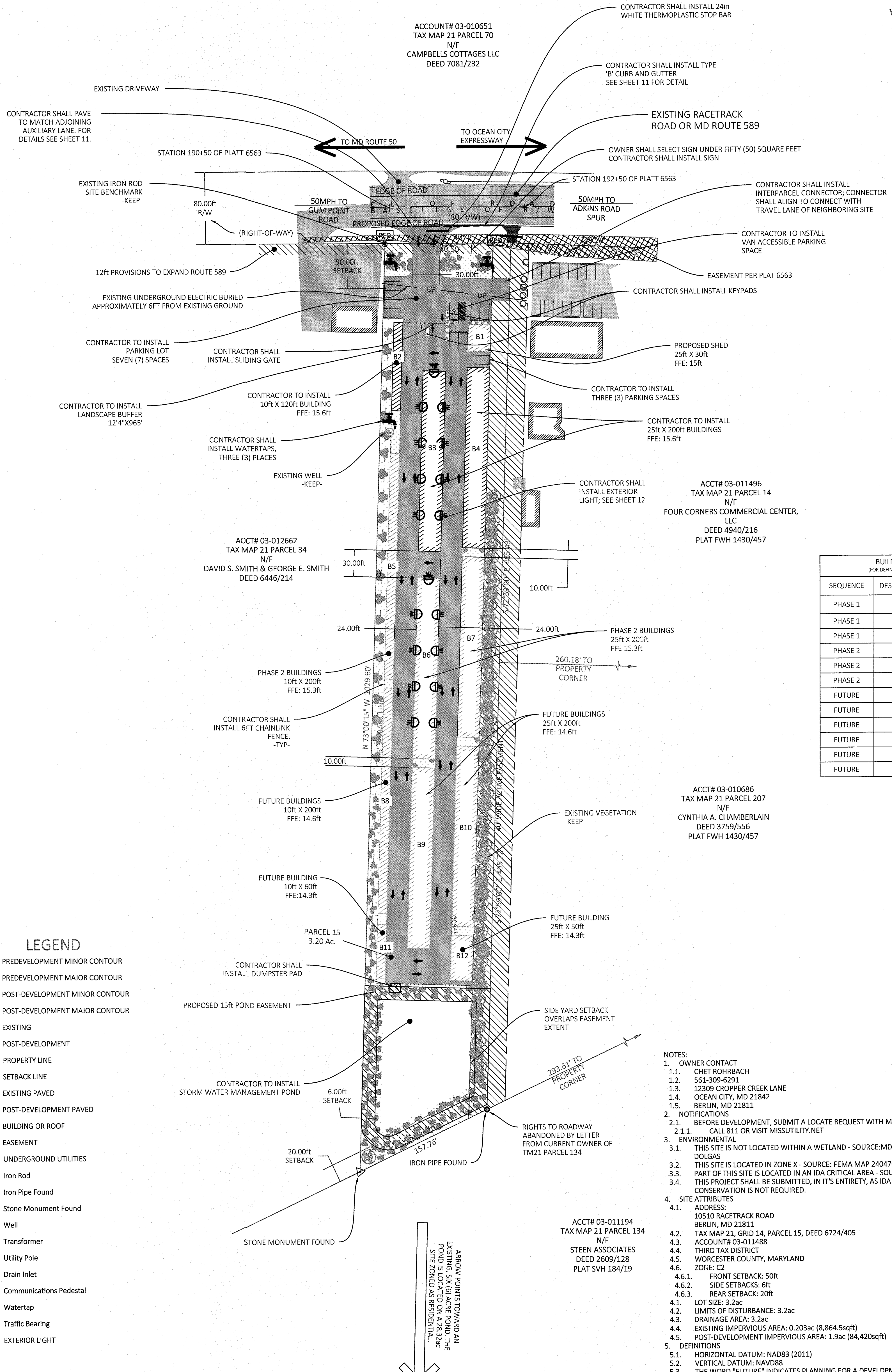
FOR THE
LANDS OF
FLAT CALM LLC

MDOT SHA TRACKING NUMBER: 23APW003XX

Type	Northing NAD83	Easting NAD83	Elevation NAVD 88 [ft]	Description
IRON PIPE FOUND	257,921.9220	1,838,415.5100	10.84	Northeast corner
STONE MONUMENT	257,769.9770	1,838,458.4340	≈ 11.01	Southeast corner
IRON ROD	257,976.6860	1,837,449.9436	13.53	Southwest corner
STATION 190+50	258,136.9235	1,837,437.7953	-	589 r/w baseline
STATION 192+00	257,989.1578	1,837,412.0405	-	589 r/w baseline



VICINITY MAP
SCALE: 1" = 2000'



BUILDING INSTALLATION SEQ. (FOR DEFINITIONS OF SEQUENCE TERMS, SEE NOTES)			
SEQUENCE	DESIGNATION	DESC	FFE [FT]
PHASE 1	B2	STORAGE	15.6
PHASE 1	B3	STORAGE	15.6
PHASE 1	B4	STORAGE	15.6
PHASE 2	B5	STORAGE	15.3
PHASE 2	B6	STORAGE	15.3
PHASE 2	B7	STORAGE	15.3
FUTURE	B1	OFFICE	15.6
FUTURE	B8	STORAGE	14.6
FUTURE	B9	STORAGE	14.6
FUTURE	B10	STORAGE	14.6
FUTURE	B11	STORAGE	14.3
FUTURE	B12	STORAGE	14.3

- LEGEND**
- PREDEVELOPMENT MINOR CONTOUR
 - PREDEVELOPMENT MAJOR CONTOUR
 - POST-DEVELOPMENT MINOR CONTOUR
 - POST-DEVELOPMENT MAJOR CONTOUR
 - EXISTING
 - POST-DEVELOPMENT
 - PROPERTY LINE
 - SETBACK LINE
 - █ EXISTING PAVED
 - █ POST-DEVELOPMENT PAVED
 - █ BUILDING OR ROOF
 - █ EASEMENT
 - UE --- UE --- UNDERGROUND UTILITIES
 - Iron Rod
 - Iron Pipe Found
 - Stone Monument Found
 - Well
 - Transformer
 - Utility Pole
 - Drain Inlet
 - PED --- Communications Pedestal
 - Watertap
 - Traffic Bearing
 - EXTERIOR LIGHT

- NOTES:**
- OWNER CONTACT
 - CHET ROHRBACH
 - 561-309-6291
 - 12309 CROPPER CREEK LANE
 - OCEAN CITY, MD 21842
 - BERLIN, MD 21811
 - NOTIFICATIONS
 - BEFORE DEVELOPMENT, SUBMIT A LOCATE REQUEST WITH MISS UTILITY
 - CALL 811 OR VISIT MISSUTILITY.NET
 - ENVIRONMENTAL
 - THIS SITE IS NOT LOCATED WITHIN A WETLAND - SOURCE: MDE GIS AND ONSITE VERIFICATION BY ALEX G. DOLGAS
 - THIS SITE IS LOCATED IN ZONE X - SOURCE: FEMA MAP 24047C0160H
 - PART OF THIS SITE IS LOCATED IN AN IDA CRITICAL AREA - SOURCE: MERLIN GIS
 - THIS PROJECT SHALL BE SUBMITTED, IN ITS ENTIRETY, AS IDA CRITICAL AREA; THEREFORE, FOREST CONSERVATION IS NOT REQUIRED.
 - SITE ATTRIBUTES
 - ADDRESS: 10510 RACETRACK ROAD, BERLIN, MD 21811
 - TAX MAP 21, GRID 14, PARCEL 15, DEED 6724/405
 - ACCOUNT# 03-011488
 - THIRD TAX DISTRICT
 - WORCESTER COUNTY, MARYLAND
 - ZONE: C2
 - FRONT SETBACK: 50ft
 - SIDE SETBACKS: 6ft
 - REAR SETBACK: 20ft
 - LOT SIZE: 3.2ac
 - LIMITS OF DISTURBANCE: 3.2ac
 - DRAINAGE AREA: 3.2ac
 - EXISTING IMPERVIOUS AREA: 0.203ac (8,864.5sqft)
 - POST-DEVELOPMENT IMPERVIOUS AREA: 1.9ac (84,420sqft)
 - DEFINITIONS
 - HORIZONTAL DATUM: NAD83 (2011)
 - VERTICAL DATUM: NAVD88
 - THE WORD "FUTURE" INDICATES PLANNING FOR A DEVELOPMENT PROJECT TO COME AFTER THE COMPLETION OF PROJECT M20027-B.
 - THE WORD "PHASE" IS USED IN CONNECTION WITH BUILDING STRUCTURES, AND THESE STRUCTURES ARE INCLUDED WITH THIS PROJECT (M20027-B).
 - IT IS THE INTENT OF THE DEVELOPER TO DESIGN AND CONSTRUCT A STORM WATER MANAGEMENT SYSTEM CAPABLE OF HANDLING BOTH ITEMS LABELED POST-DEVELOPMENT AND FUTURE.
 - PARKING REQUIREMENTS: 1 SPACE PER 40 UNITS, MINIMUM PARKING = 10 SPACES MAXIMUM PARKING = 20 SPACES
 - PROPOSED NUMBER OF UNITS=400 MAX. (FOR FUTURE CONCEPT) (400/40=10 SPACES NEEDED)
 - PARKING PROVIDED: 10 SPACES INCLUDING 1 HANDICAP SPACE
 - REFERENCES
 - SHA PLAT 6563

OWNERS/DEVELOPER'S CERTIFICATE

AS THE PROPERTY OWNER/DEVELOPER, I AM IN FULL AGREEMENT WITH THIS SITE PLAN SUBMITTED HERewith, AND I AM RESPONSIBLE FOR THE COMPLETION OF THE IMPROVEMENTS AS SHOWN ON THE APPROVED SITE PLAN, AND I UNDERSTAND THAT I CANNOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL A CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT, REVIEW AND PERMITTING.

Chet Rohrbach 7/24/24
DATE

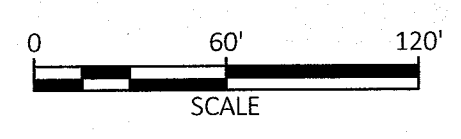
Chet Rohrbach
PHONE: 561-309-6291
ADDRESS: 53 TAIL OF THE FOX DRIVE
BERLIN, MD 21811

PROFESSIONAL ENGINEER'S CERTIFICATE

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 12073, EXPIRATION DATE: 08/15/24.

George E. Young, III JUL 23 2024
DATE

GEORGE E. YOUNG, III
PROFESSIONAL ENGINEER



REVISIONS:

11/16/22	EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS
1/25/2023	Shifted center row of buildings east, added interparcel connector and lighting
5/10/2023	ALTERED PER WORCESTER COUNTY COMMENTS
7/24/2023	revised to demonstrate ca criteria is met
11/08/2023	revised per mdot october 26, 2023 comments
04/23/2024	revised per mdot March 7th, 2024

GEY
GEORGE E. YOUNG, III, P.C.

ENGINEERS & SURVEYORS
1608 MARKET STREET
POCOMOKE MARYLAND 21851

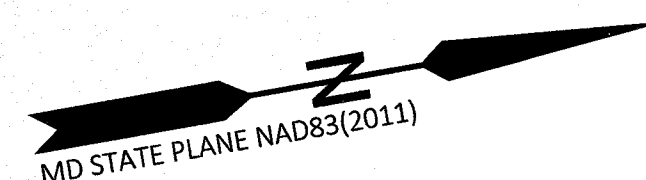
PHONE: (410)-957-2149
FAX: (410)-957-2928

PROJECT NUMBER
M20027-B
REVISION
B

SHEET OF
2 12

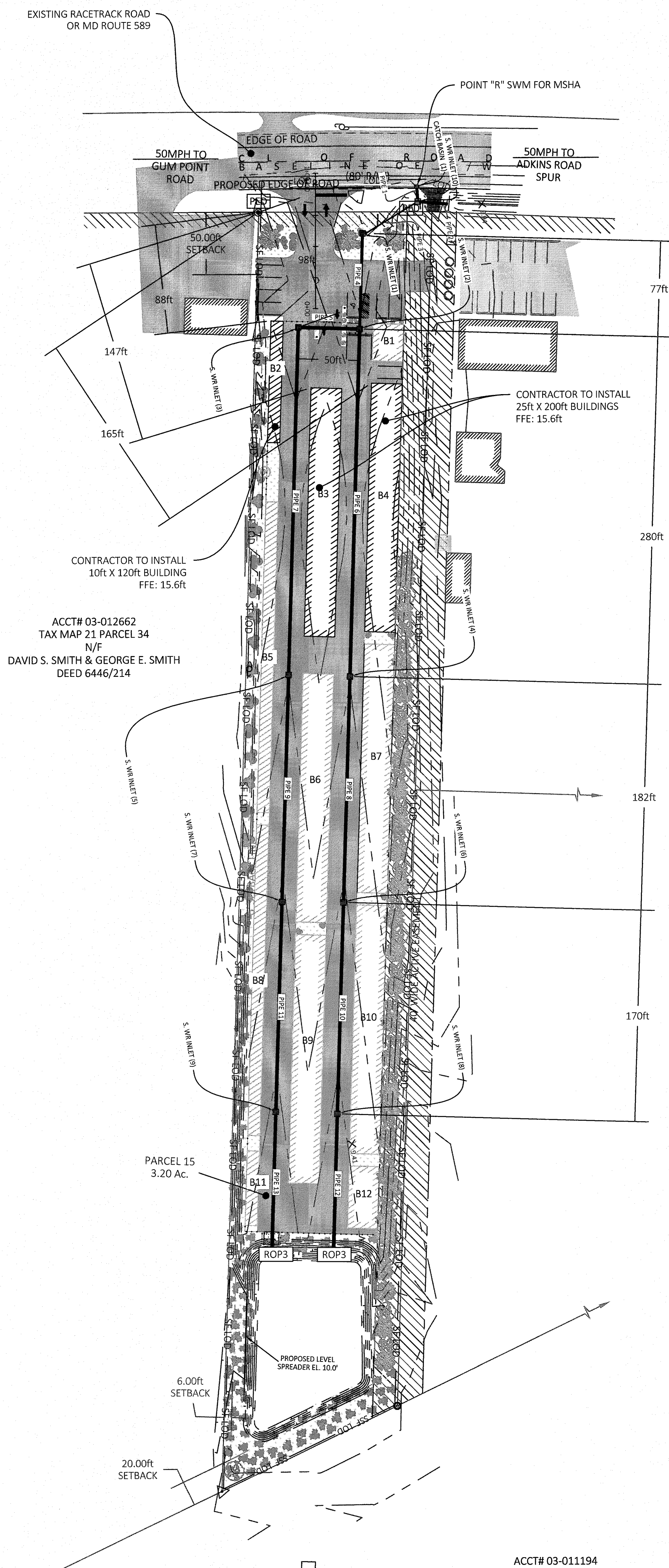
JUL 23 2024

DRAINAGE PLAN TWO
FOR THE
LANDS OF
FLAT CALM LLC



ACCOUNT# 03-010651
TAX MAP 21 PARCEL 70
N/F
CAMPBELLS COTTAGES LLC
DEED 7081/232

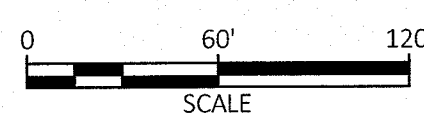
Pipe Table				
NAME	SIZE	MATERIAL	STOCK LENGTH	SLOPE
PIPE 1	18"	Smooth Wall HDPE	18 inch HDPE Pipe	±0.00%
PIPE 2	15"	Reinforced Concrete Pipe	15 inch Concrete Pipe	±1.52%
PIPE 3	4"	Smooth Wall HDPE	60ft	±0.29%
PIPE 4	18"	Smooth Wall HDPE	80ft	±0.33%
PIPE 5	24"	Smooth Wall HDPE	60ft	±0.00%
PIPE 6	24"	Smooth Wall HDPE	280ft	±0.00%
PIPE 7	24"	Smooth Wall HDPE	280ft	±0.00%
PIPE 8	24"	Smooth Wall HDPE	200ft	±0.00%
PIPE 9	24"	Smooth Wall HDPE	200ft	±0.00%
PIPE 10	24"	Smooth Wall HDPE	180ft	±0.00%
PIPE 11	24"	Smooth Wall HDPE	180ft	±0.00%
PIPE 12	24"	Smooth Wall HDPE	120ft	±0.44%
PIPE 13	24"	Smooth Wall HDPE	120ft	±0.44%



STRUCTURE TABLE			
STRUCTURE NAME:	DETAILS:	PIPES IN:	PIPES OUT:
Catch Basin - (1)	RIM = 12.98 SUMP = 9.47 INV OUT = 10.47		PIPE 1, 18" SMOOTH WALL HDPE INV OUT = 10.00
SINGLE WR INLET (1)	RIM = 13.06 SUMP = 9.25 INV OUT = 10.25 INV IN = 10.25	PIPE 3, 4" SMOOTH WALL HDPE INV OUT = 10.57	PIPE 4, 18" SMOOTH WALL HDPE INV OUT = 10.25
SINGLE WR INLET (2)	RIM = 13.60 SUMP = 9.0 INV IN = 10.00 INV OUT = 10.00 INV OUT = 10.00	PIPE 4, 18" SMOOTH WALL HDPE INV IN = 10.00	PIPE 6, 24" SMOOTH WALL HDPE INV OUT = 10.00 PIPE 5, 24" SMOOTH WALL HDPE INV OUT = 10.00
SINGLE WR INLET (3)	RIM = 13.60 SUMP = 9.0 INV IN = 10.00 INV OUT = 10.00 INV OUT = 10.00	PIPE 5, 24" SMOOTH WALL HDPE INV IN = 10.00	PIPE 7, 24" SMOOTH WALL HDPE INV OUT = 10.00
SINGLE WR INLET (4)	RIM = 14.04 SUMP = 9.0 INV IN = 10.00 INV OUT = 10.00	PIPE 6, 24" SMOOTH WALL HDPE INV IN = 10.00	PIPE 8, 24" SMOOTH WALL HDPE INV OUT = 10.00
SINGLE WR INLET (5)	RIM = 14.52 SUMP = 9 INV IN = 10.00 INV OUT = 10.00	PIPE 7, 24" SMOOTH WALL HDPE INV IN = 10.00	PIPE 9, 24" SMOOTH WALL HDPE INV OUT = 10.00
SINGLE WR INLET (6)	RIM = 13.94 SUMP = 8.75 INV IN = 10.00 INV OUT = 9.75	PIPE 8, 24" SMOOTH WALL HDPE INV IN = 10.00	PIPE 10, 24" SMOOTH WALL HDPE INV OUT = 9.75
SINGLE WR INLET (7)	RIM = 13.94 SUMP = 8.75 INV IN = 10.00 INV OUT = 9.75	PIPE 9, 24" SMOOTH WALL HDPE INV IN = 10.00	PIPE 11, 24" SMOOTH WALL HDPE INV OUT = 9.75
SINGLE WR INLET (8)	RIM = 13.40 SUMP = 8.75 INV IN = 9.75 INV OUT = 9.75	PIPE 10, 24" SMOOTH WALL HDPE INV IN = 9.75	PIPE 12, 24" SMOOTH WALL HDPE INV OUT = 9.75
SINGLE WR INLET (9)	RIM = 13.40 SUMP = 8.75 INV IN = 9.75 INV OUT = 9.75	PIPE 11, 24" SMOOTH WALL HDPE INV IN = 9.75	PIPE 13, 24" SMOOTH WALL HDPE INV OUT = 9.75
SINGLE WR INLET (10)	RIM = 12.76 SUMP = 9.47 INV IN = 10.47 INV OUT = 10.00	PIPE 1, 18" SMOOTH WALL HDPE INV IN = 10.00	PIPE 2, 15" RCP INV OUT = 10.47 PIPE 3, 4" SMOOTH WALL HDPE INV OUT = 10.74

LEGEND

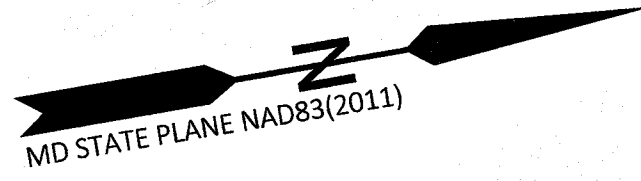
- PREDEVELOPMENT MINOR CONTOUR
- PREDEVELOPMENT MAJOR CONTOUR
- POST-DEVELOPMENT MINOR CONTOUR
- POST-DEVELOPMENT MAJOR CONTOUR
- EXISTING
- POST-DEVELOPMENT
- PROPERTY LINE
- SETBACK LINE
- EXISTING PAVED
- POST-DEVELOPMENT PAVED
- BUILDING OR ROOF
- EASEMENT
- UE --- UNDERGROUND UTILITIES
- Iron Rod
- Iron Pipe Found
- △ Stone Monument Found
- Well
- Transformer
- Utility Pole
- Drain Inlet
- Communications Pedestal
- Watertap
- Traffic Bearing



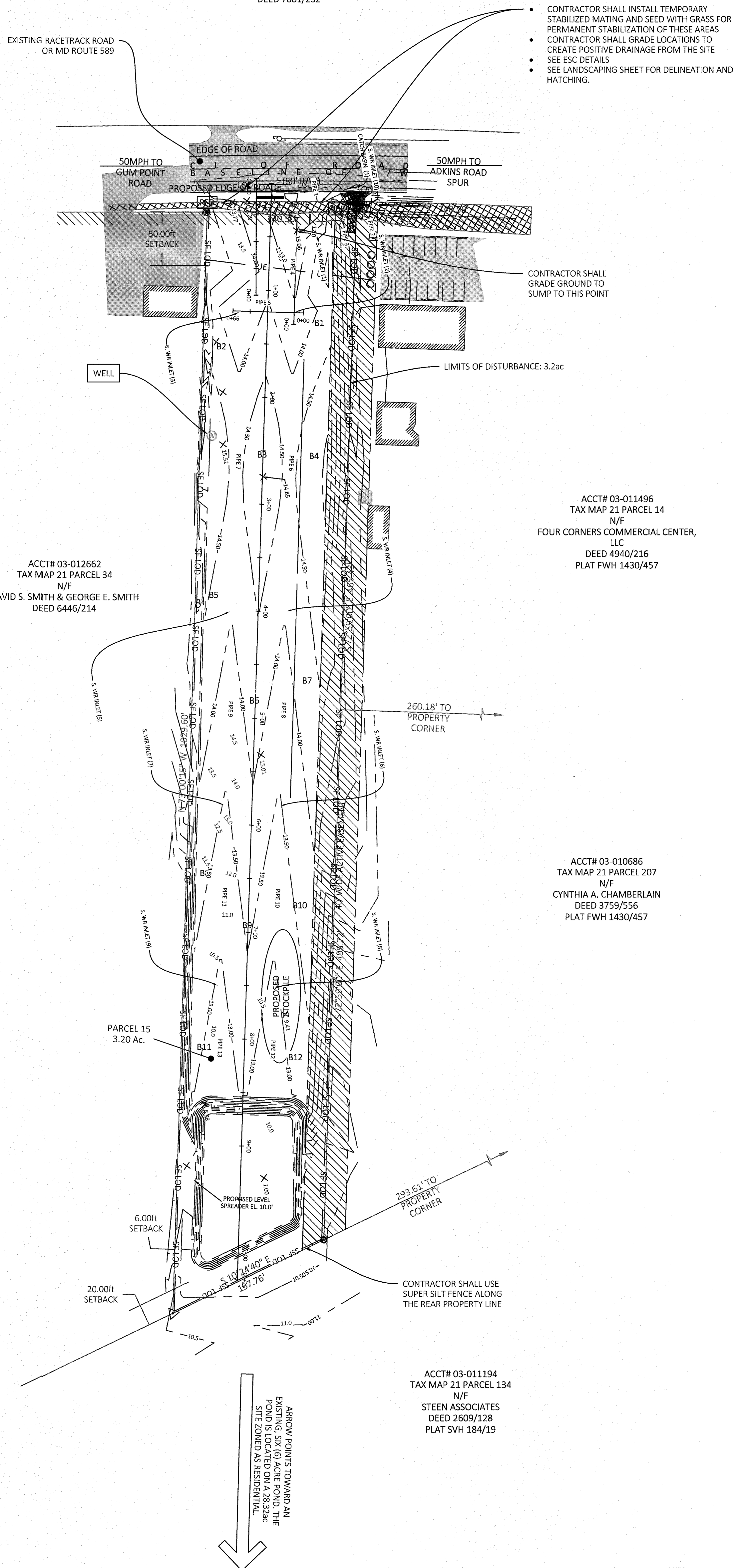
ACCT# 03-011194
TAX MAP 21 PARCEL 134
N/F
STEEN ASSOCIATES
DEED 2609/128
PLAT SVH 184/19

REVISIONS: 11/16/22 - EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS 11/08/2023 - revised per mdt october 26, 2023 comments 04/23/2024 - revised per mdt March 7th, 2024 07/23/2024 - revised per mdt June 12th, 2024		 ENGINEERS & SURVEYORS 1508 MARKET STREET POCOMOKE MARYLAND 21851 PHONE: (410) 957-2149 FAX: (410) 957-2928	PROJECT NUMBER M20027-B REVISION B SHEET OF 5 12
DRAWN BY: CED DATE DRAWN: 12/01/2021 DESIGNED BY: - CHECKED BY: GEY CADD DWG: 2007_20240322 - M20027-Mod DATE PLOTTED: 7/23/2024			

GRADING AND ESC PLAN FOR THE LANDS OF FLAT CALM LLC



ACCOUNT# 03-010651
TAX MAP 21 PARCEL 70
N/F
CAMPBELLS COTTAGES LLC
DEED 7081/232



- ### LEGEND
- PREDEVELOPMENT MINOR CONTOUR
 - PREDEVELOPMENT MAJOR CONTOUR
 - POST-DEVELOPMENT MINOR CONTOUR
 - POST-DEVELOPMENT MAJOR CONTOUR
 - EXISTING
 - POST-DEVELOPMENT
 - PROPERTY LINE
 - SETBACK LINE
 - EXISTING PAVED
 - POST-DEVELOPMENT PAVED
 - BUILDING OR ROOF
 - EASEMENT
 - JE --- UE --- UNDERGROUND UTILITIES
 - Iron Rod
 - Iron Pipe Found
 - △ Stone Monument Found
 - Well
 - Transformer
 - Utility Pole
 - Drain Inlet
 - PED Communications Pedestal
 - W Watertap
 - Traffic Bearing

CONTRACTOR SHALL INSTALL TEMPORARY STABILIZED MATING AND SEED WITH GRASS FOR PERMANENT STABILIZATION OF THESE AREAS
CONTRACTOR SHALL GRADE LOCATIONS TO CREATE POSITIVE DRAINAGE FROM THE SITE
SEE ESC DETAILS
SEE LANDSCAPING SHEET FOR DELINEATION AND HATCHING.

ACCT# 03-011496
TAX MAP 21 PARCEL 14
N/F
FOUR CORNERS COMMERCIAL CENTER, LLC
DEED 4940/216
PLAT FWH 1430/457

ACCT# 03-010686
TAX MAP 21 PARCEL 207
N/F
CYNTHIA A. CHAMBERLAIN
DEED 3759/556
PLAT FWH 1430/457

ACCT# 03-011194
TAX MAP 21 PARCEL 134
N/F
STEEN ASSOCIATES
DEED 2609/128
PLAT SVH 184/19

OWNERS/DEVELOPER'S ESC CERTIFICATE

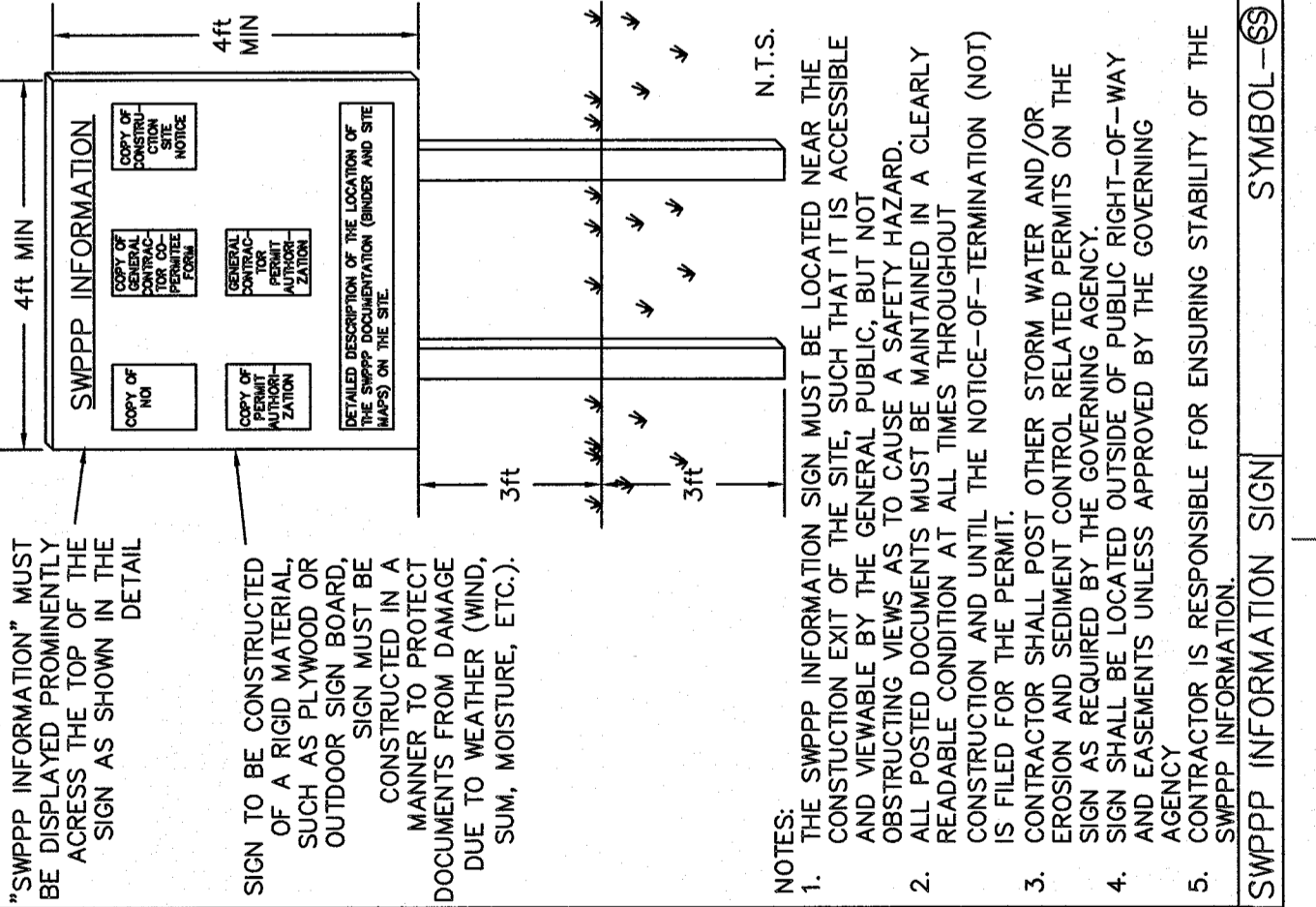
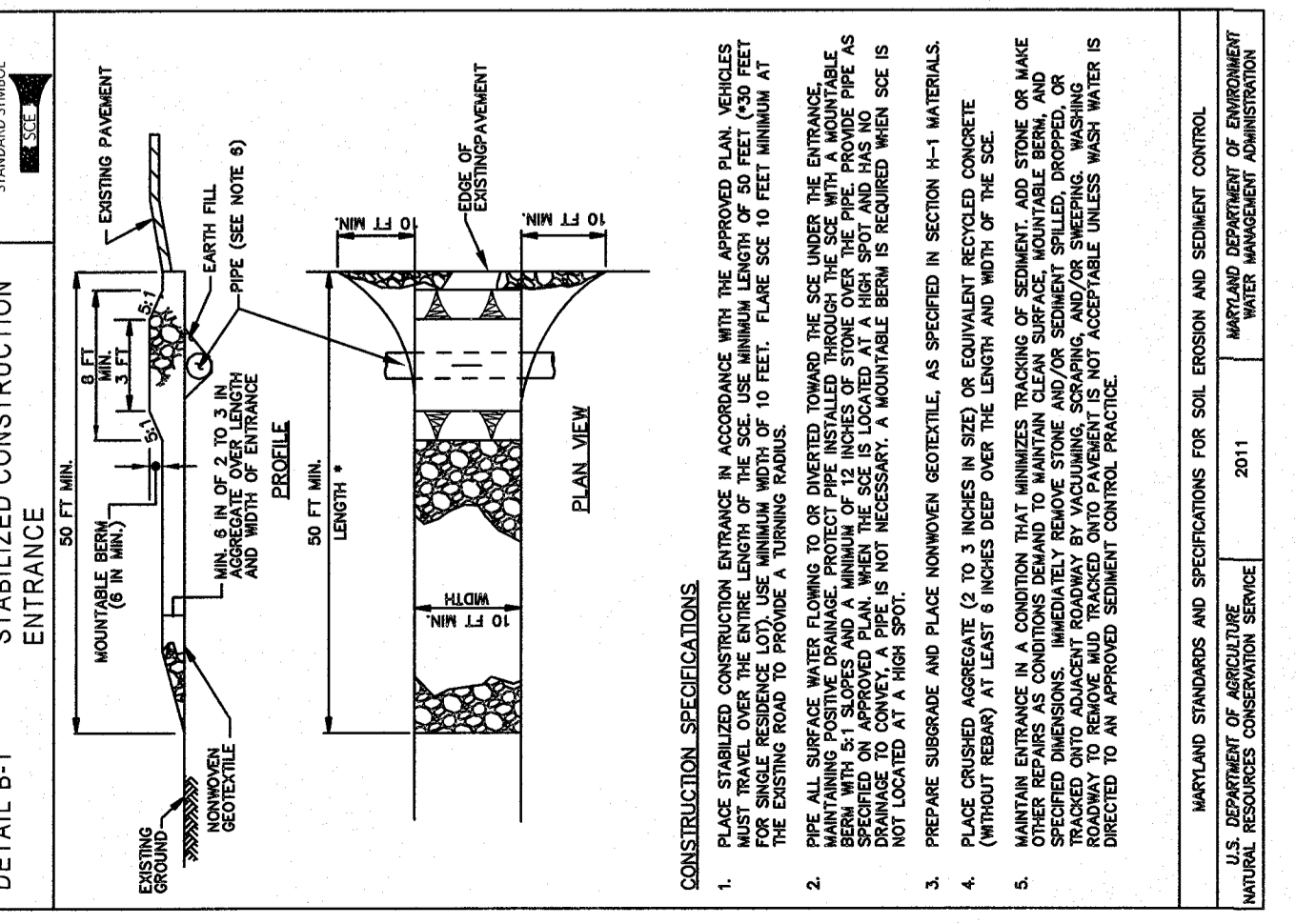
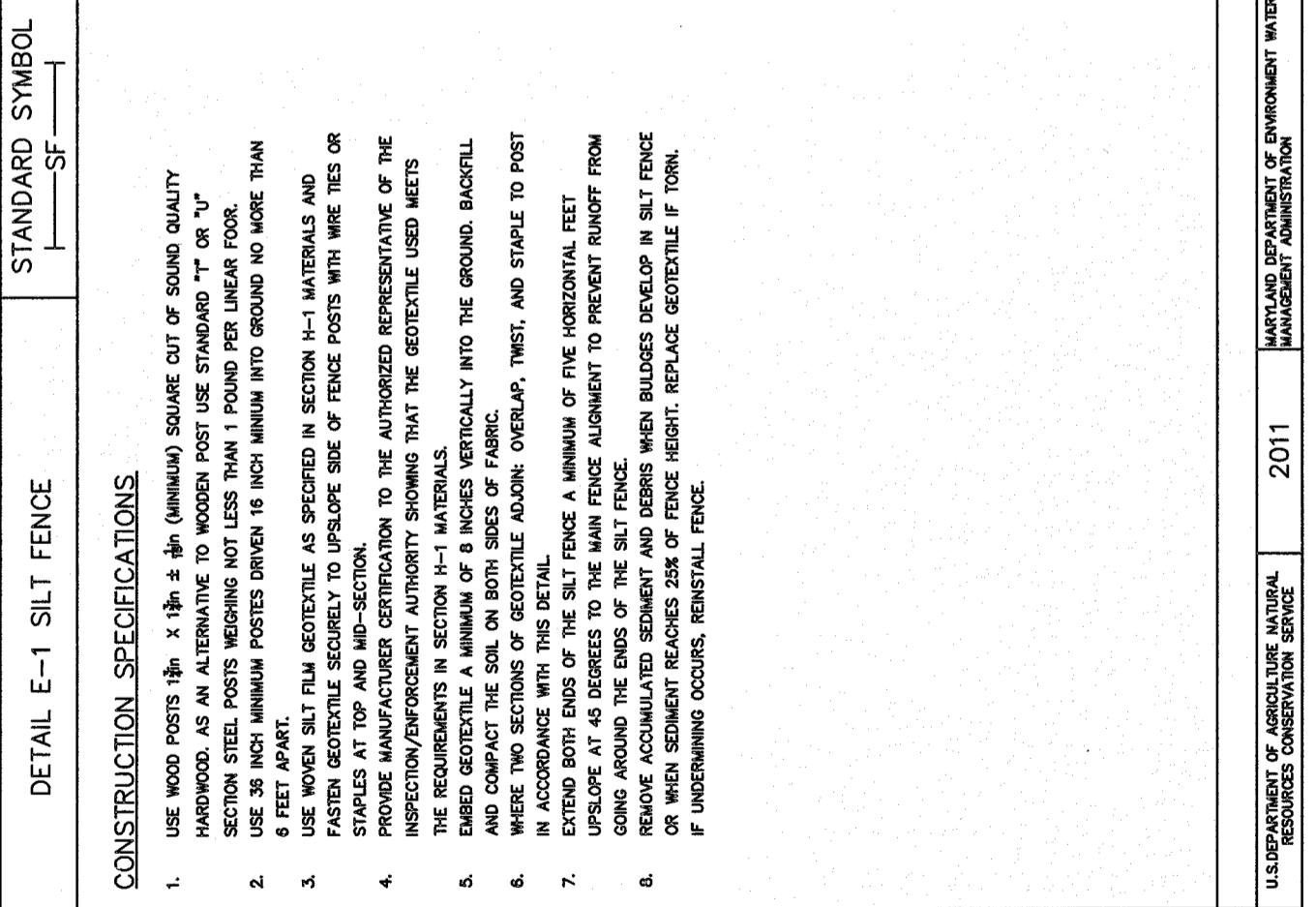
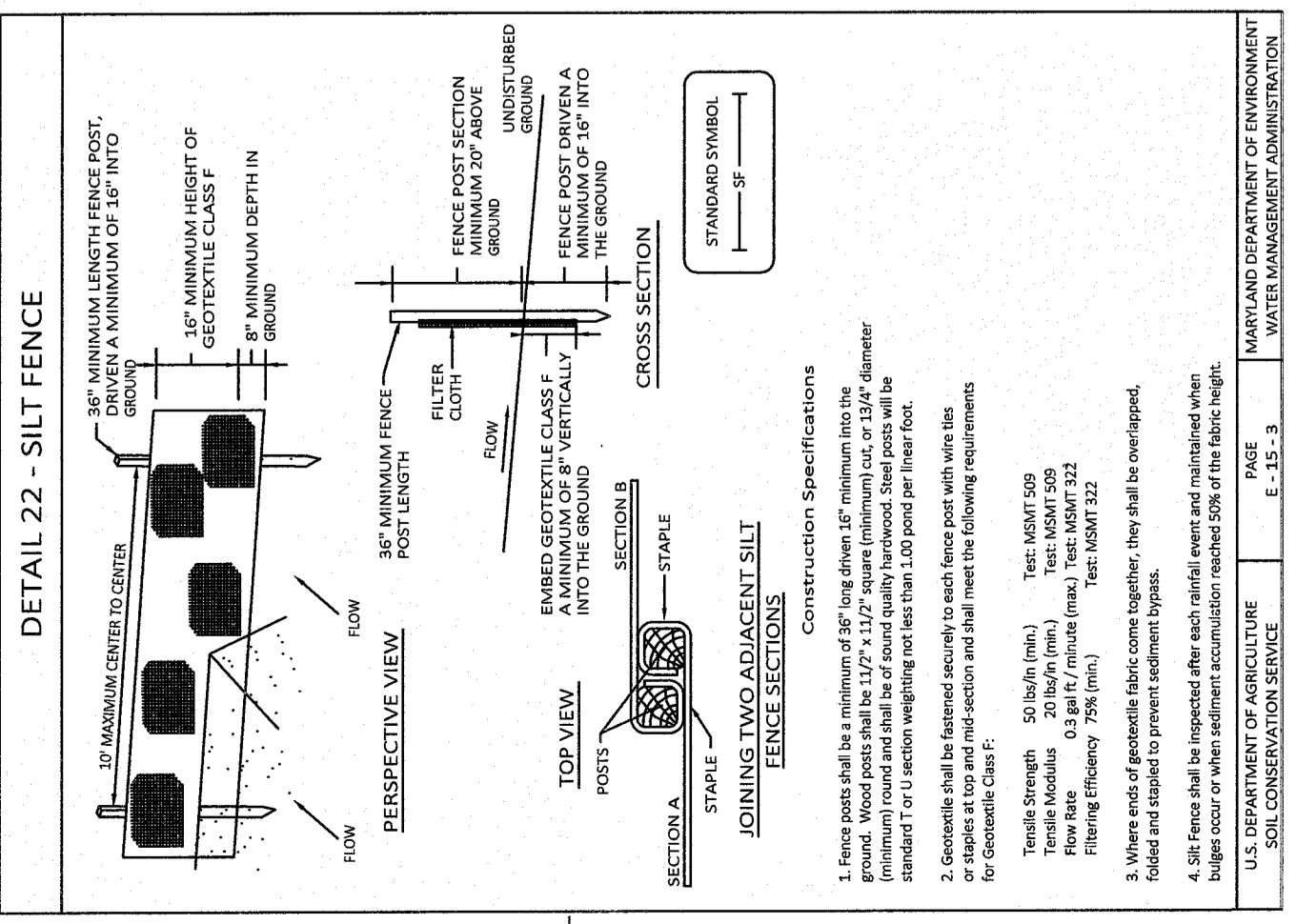
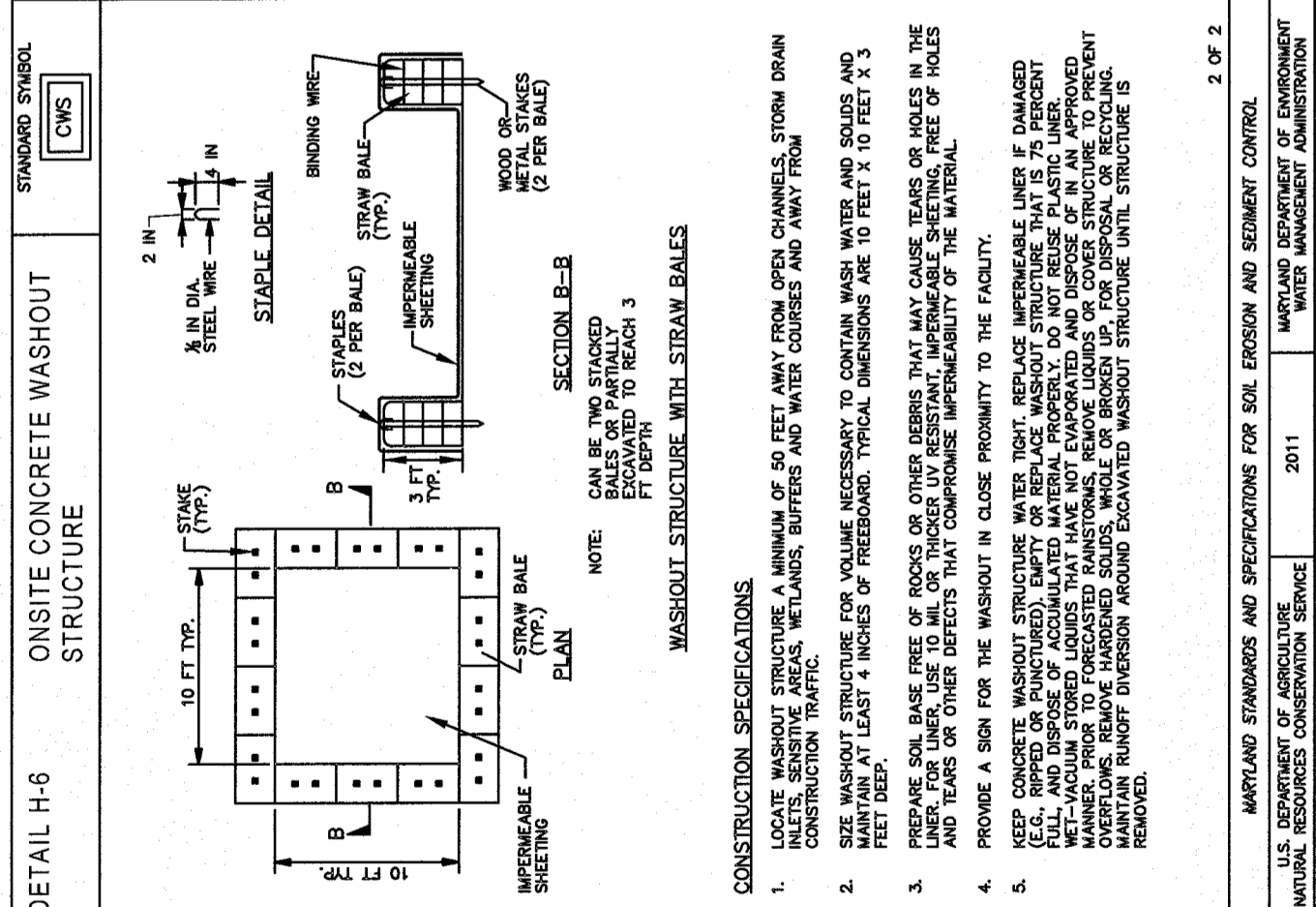
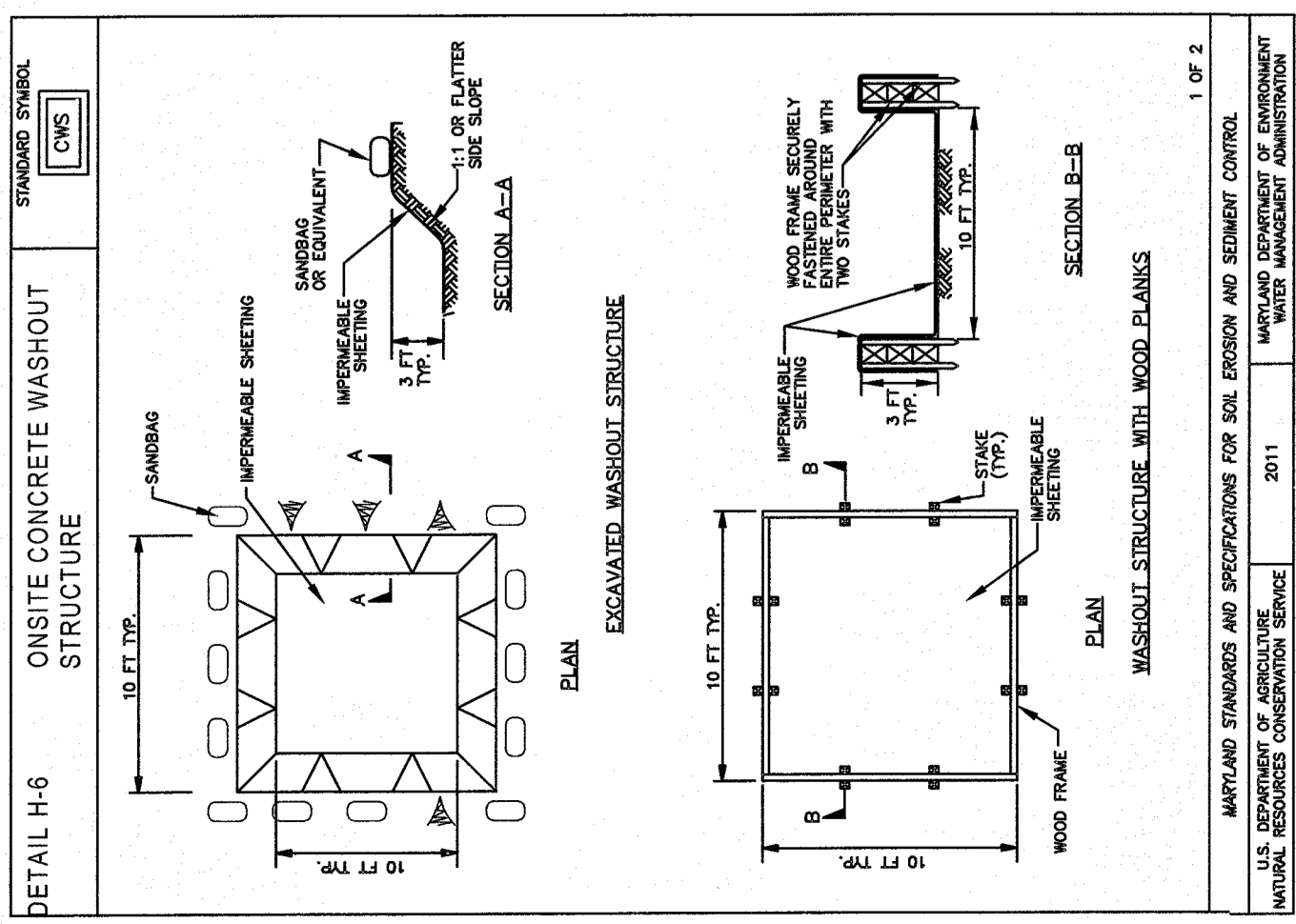
I/WE HEREBY CERTIFY THAT THE DEVELOPERS SHALL REQUEST APPROVAL AFTER THE INSTALLATION OF PERIMETER EROSION AND SEDIMENT CONTROL DEVICES AS PER THE APPROVED PLAN FOR THIS PROJECT PRIOR TO PROCEEDING WITH ANY OTHER GRADING AND/OR EARTH DISTURBANCES THE DEVELOPER SHALL ALSO REQUEST APPROVAL UPON FINAL STABILIZATION OF THE SITE PRIOR TO THE REMOVAL OF PERIMETER EROSION AND SEDIMENT CONTROL DEVICES. IT IS UNDERSTOOD THAT FAILURE TO DO SO MAY RESULT IN A STOP WORK ORDER, A FINE OR BOTH.

I/WE HEREBY CERTIFY THAT ANY CLEARING, GRADING, CONSTRUCTION AND /OR DEVELOPMENT WILL BE DONE PURSUANT TO THIS PLAN AND THAT ANY RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT A DEPARTMENT OF NATIONAL RESOURCES APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT.

Chet Rohrback 7/24/24
Chet Rohrback DATE

NOTES:
BUILDINGS, PARKING, AND DRIVEWAYS ARE NOT ILLUSTRATED TO IMPROVE CLARITY OF GRADE LINES. SEE OTHER SHEETS FOR FURTHER SITE PLAN INFORMATION.

REVISIONS: 11/16/22 - EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS 5/10/2023 - ALTERED PER WORCESTER COUNTY COMMENTS 4/4/23 11/08/2023 - revised per mdot october 26, 2023 comments 04/23/2024 - revised per mdot March 7th, 2024		 ENGINEERS & SURVEYORS 1609 MARKET STREET POCOMOKE MARYLAND 21851 PHONE: (410) 957-2149 FAX: (410) 957-2928
DRAWN BY: CED DATE DRAWN: 12/01/2021 DESIGNED BY: - CHECKED BY: GEY CADD DWG: 2007_20240322 - M20027-Model DATE PLOTTED: 7/23/2024	PROJECT NUMBER M20027-B REVISION B SHEET OF 7 12	



TEMPORARY SEEDING SUMMARY						
HARDNESS ZONE (FROM FIGURE B.3) 7A SEED MIXTURE (FROM TABLE B.1)						
NO.	SPECIES	RATE (LBS/AC)	SEEDING DATES	DEPTH (IN)	FERTILIZER RATE (10-20-20)	LIME RATE
1	ANNUAL RYEGRASS	40	FEB. 15TH TO APRIL 30TH AUG. 1ST TO NOV. 30TH	1/2	436 LB/AC (10 LB/1000SF)	90 LB/AC (2 LB/1000SF)

PERMANENT SEEDING SUMMARY							
HARDNESS ZONE (FROM FIGURE B.3) 7A SEED MIXTURE (FROM TABLE B.1)							
NO.	SPECIES	RATE (LBS/AC)	SEEDING DATES	DEPTH (IN)	P.O.	KO	LIME RATE
8	TALL FESCUE	100	FEB. 15TH TO APRIL 30TH MAY 1ST TO NOV. 30TH	1/4 - 1/2	118/1000SF	90 LB/AC (2 LB/1000SF)	2 TON/AC (90 LB/1000SF)
9	HARD FESCUE	40	FEB. 15 TO APRIL 30TH	1/4 - 1/2	45 LB/AC (118/1000SF)	90 LB/AC (2 LB/1000SF)	2 TON/AC (90 LB/1000SF)

TYPICAL SEQUENCE OF CONSTRUCTION

- CONTRACTOR TO OBTAIN ALL CITY, COUNTY AND STATE PERMITS.
- CONTACT THE MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER MANAGEMENT ADMINISTRATION (410-901-4020) TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST FOURTEEN DAYS (14d) PRIOR TO COMMENCING ANY SITE WORK FAILURE TO DO SO MAY RESULT IN AN IMMEDIATE STOP WORK ORDER.
- CONTACT THE WORCESTER COUNTY DEPARTMENT OF ENVIRONMENTAL PROGRAMS AT 410-632-1220 TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST 48 HOURS PRIOR TO COMMENCING ANY SITE WORK. FAILURE TO DO SO MAY RESULT IN AN IMMEDIATE "STOP WORK ORDER."
- CLEAR AND GRUB SITE FOR PERIMETER CONTROLS ONLY.
- INSTALL STABILIZED CONSTRUCTION ENTRANCE IF NEEDED.
- INSTALL SILT FENCE IN ITS ENTIRETY.
- FOLLOWING INITIAL SOIL DISTURBANCE AND REDISTURBANCE, THE DETAILS OF TEMPORARY OR PERMANENT STABILIZATION SHALL BE COMPLETED WITHIN THREE CALENDAR DAYS ON ALL SURFACES OF PERIMETER CONTROLS, DIKES, SWALES, DITCHES, PERIMETER SLOPES AND ALL SLOPES STEEPER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1).
- PUMP OBSOLETE SEPTIC TANKS OF ALL CONTENTS.
- PERFORM DEMOLITION WORK AND REMOVE DEBRIS.
- THE TOPSOIL STRIPPED FROM SITE WITHIN THE LIMITS OF DISTURBANCE IS TO BE STOCKPILED ON SITE ROUGH GRADE FOR BUILDING, IMPORTING MATERIAL AS NECESSARY FROM SITE OR OFF-SITE SOURCE PER PROPOSED GRADES PROVIDED TO CREATE POSITIVE DRAINAGE.
- STABILIZE ALL REMAINING DISTURBED AREAS WITH PERMANENT VEGETATION OR SITE SPECIFIC VEGETATION AS NOTED.
- WITHIN THREE DAYS FOLLOWING FINAL GRADING, ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT WILL BE PERMANENTLY STABILIZED BY SEEDING OR MULCHING. PERMANENT MULCH CAN INCLUDE BUT IS NOT LIMITED TO STONE, GRAVEL, BLACKTOP OR CONCRETE SUBGRADING. IF CONSTRUCTION TEMPORARILY STOPPED ON A PROJECT SITE FOR MORE THAN SEVEN DAYS, ALL GRADED AREAS SHALL BE STABILIZED. THE REQUIREMENTS OF THIS SUBPARAGRAPH DO NOT APPLY TO THOSE AREAS WHICH ARE SHOWN ON THE PLANS AND ARE CURRENTLY BEING USED FOR MATERIAL STORAGE, OR FOR THOSE AREAS ON WHICH ACTUAL CONSTRUCTION ACTIVITIES ARE CURRENTLY BEING PERFORMED ON TO INTERIOR AREAS OF A SURFACE MINE SITE WHERE STABILIZATION MATERIAL WOULD CONTAMINATE THE RECOVERABLE RESOURCE.
- REMOVAL OF PERIMETER CONTROLS AND STABILIZATION OF ALL AREAS DISTURBED BY THE REMOVAL OF THE CONTROLS AFTER INSPECTION.
- ALL MAINTENANCE OF THE FINAL SITE SHALL BE CONTROLLED BY THE SITE OWNER.
- IF THE SEQUENCE OF CONSTRUCTION IS MODIFIED BY THE CONTRACTOR AND/OR MARYLAND DEPARTMENT OF THE ENVIRONMENT, THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER THESE CORRECTIONS TO UPDATE THE PLAN. THESE CHANGES HAVE TO BE APPROVED BY THE SOIL CONSERVATION SERVICE.

SOIL EROSION AND SEDIMENT CONTROL

- Limits of soil disturbance, grading, paving and/or seeding/stabilization include all construction areas and adjacent sites within the phase limits as shown.
- The contractor shall contact the Worcester County Department of Review and Permitting (410-652-1200), at least five (5) days prior to start of construction.
- Stabilization shall be completed prior to start of any grading of the site or any other construction work as specified herein prior to start of any grading of the site or any other construction work.
- Temporary erosion control devices shall be placed prior to grading. They shall be constructed and maintained in accordance with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control in Developing Areas and the Somerset County requirements.
- Stabilized Construction Entrance, Silt Fence and Rip Rap Inflow Protection shall be as detailed and constructed in accordance with the Standards and Specifications, Detail E-1, B-1, and D-3-1.
- All sediment control devices shall be cleaned periodically during construction to insure their integrity and proper function. Each area shall be permanently or temporarily stabilized when site development work, grading or other earth disturbance activities are completed.
- All sediment control devices shall remain in operation until construction project is fully stabilized by vegetation or paving and free from sediment.
- Periodic inspection and maintenance of all sediment control devices must be provided to insure the intended purpose is accomplished.
- During the layout of the sediment control devices shown on plans, field adjustments shall be made to insure that proper placement has been made to protect from erosive velocities with rip-rap.
- All outfalls are to be protected from erosive velocities with rip-rap.
- Public roads and other right-of-ways shall be kept free of sediment deposits left from heavy truck traffic leaving the project site.
- Permit stabilization of all areas not to be sodded or paved shall be seeded and mulched in accordance with Section G of the above referenced Standards and Specifications.
- Immediately after final grades are obtained, all areas to be paved, shall be paved.
- Three (3) calendar days as to the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1).
- Seven (7) days as to all other disturbed or graded areas on the project site.
- All seeded areas to be left undisturbed for seven (7) days or longer shall immediately after piling be fertilized, limed and seeded with annual ryegrass at a rate of 1 lb. per 1,000 SF. All temporary stabilization shall be as follows:
 - Annual ryegrass seeded at a rate of 1 lb. per 1,000 SF.
 - Fertilizer (10-20-20) applied at a rate of 436 lbs. per acre or 10 lbs. per 1,000 SF.
 - Ryegrass applied at a rate of 40 lbs. per acre, fertilizer (5-10-10) and mulch with straw at 2 tons per acre.
- Anytime an erosion or sediment problem occurs the prompt and necessary measures will be taken to correct it by the Contractor.
- The Soil Conservation District and Worcester County Department of Review and Planning reserve the right to add, modify or otherwise alter the approved sediment and storm water management plan as necessary to provide adequate protection. If this plan is revised, the Contractor shall submit as-built drawings to the Engineer for resubmission to the Soil Conservation District.
- Dewatering/discharge is to be directed to an approved sediment trapping measure, prior to release from the site. (Filter bag acceptable see detail)
- Outlet should be protected with plywood and stone during construction. Installation should be in an uphill manner with spoil placed on high side of trench. Only that portion of trench that can be backfilled and stabilized should be excavated on any given day. This BMP would be in lieu of wrapping area with silt fence. Stormwater pipe must be protected from sediment laden water entering it at all times.
- Maintenance shall be performed as necessary to ensure that stabilized areas continuously meet the appropriate requirements of 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- Stabilized areas shall be maintained for a minimum of five (5) years from the date of approval unless specifically extended or renewed by the approval authority.
- The owner/developer or representative must contact the appropriate enforcement authority or its agent at the following stages of the project:
 - Prior to the start of earth disturbance.
 - Upon completion of the installation of perimeter erosion and sediment controls, but before proceeding with any other earth disturbance or grading.
 - Prior to the start of other phases of construction or opening of another grading unit.
 - Prior to the start of final site preparation.
- Activity is required for a Maryland Department of the Environment with a Planned Notice of Disturbance of 1 acre or more.
- A statement that as mandated by the Notice of Intent (NOI) general permit issued by the Maryland Department of the Environment, an inspection must be performed onsite of all sediment controls on a weekly basis and after every rainfall event. All self-inspections must be maintained along with all applicable governing agency inspection reports in a log book, to be kept onsite at all times.

GEORGE E. YOUNG, III, P.E.
 ENGINEERS & SURVEYORS
 P.O. BOX 10000
 ROCKVILLE, MARYLAND 21151
 PHONE: (410) 957-2149
 FAX: (410) 957-2928

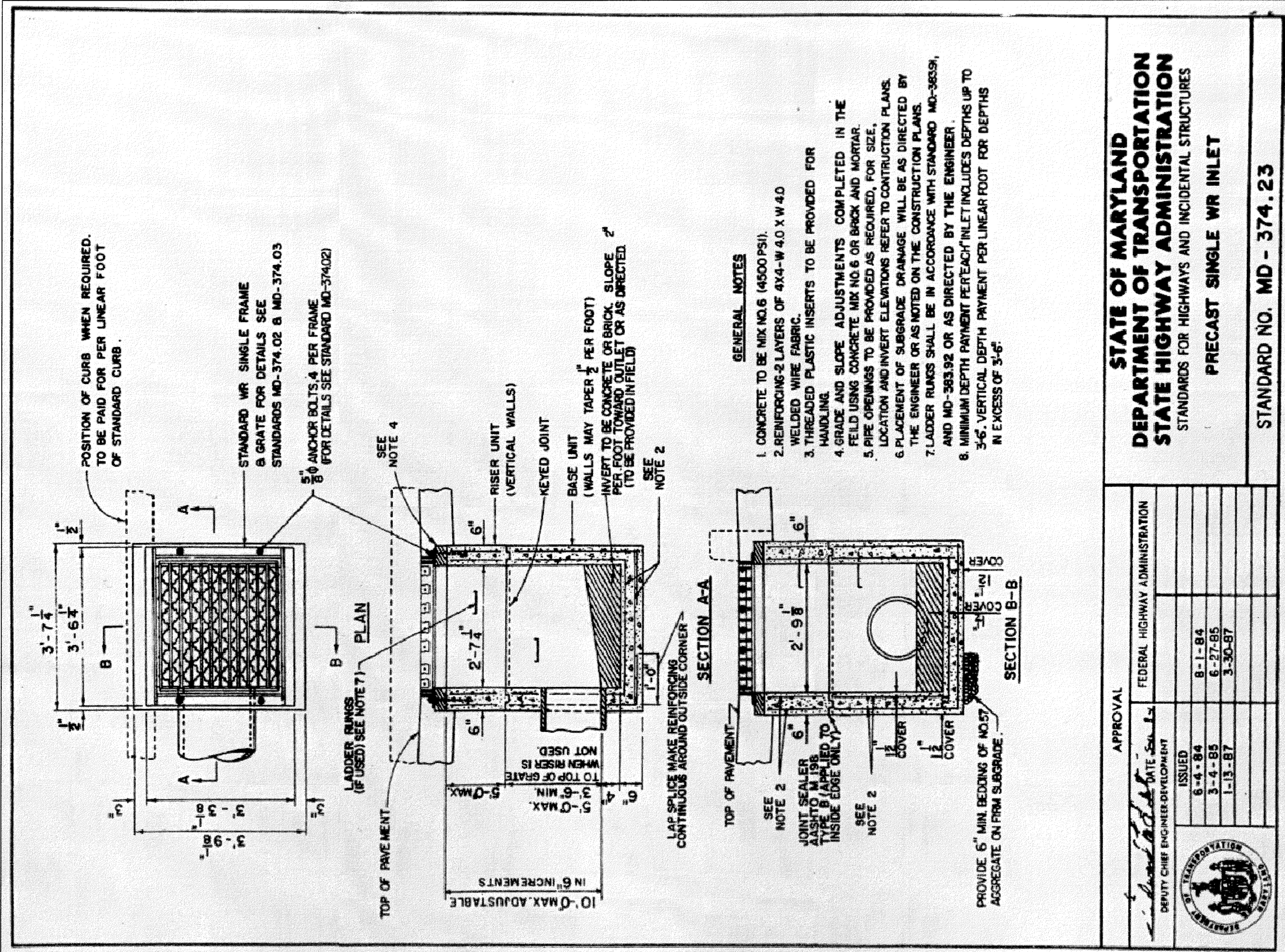
PROJECT NUMBER: M2007-B
 REVISION: B
 SHEET: 8 OF 12

DATE DRAWN: 11/08/2023
 DESIGNED BY: GEY
 CHECKED BY: 2007_20240322 - M2007-Model
 DATE PLOTTED: 7/23/2024

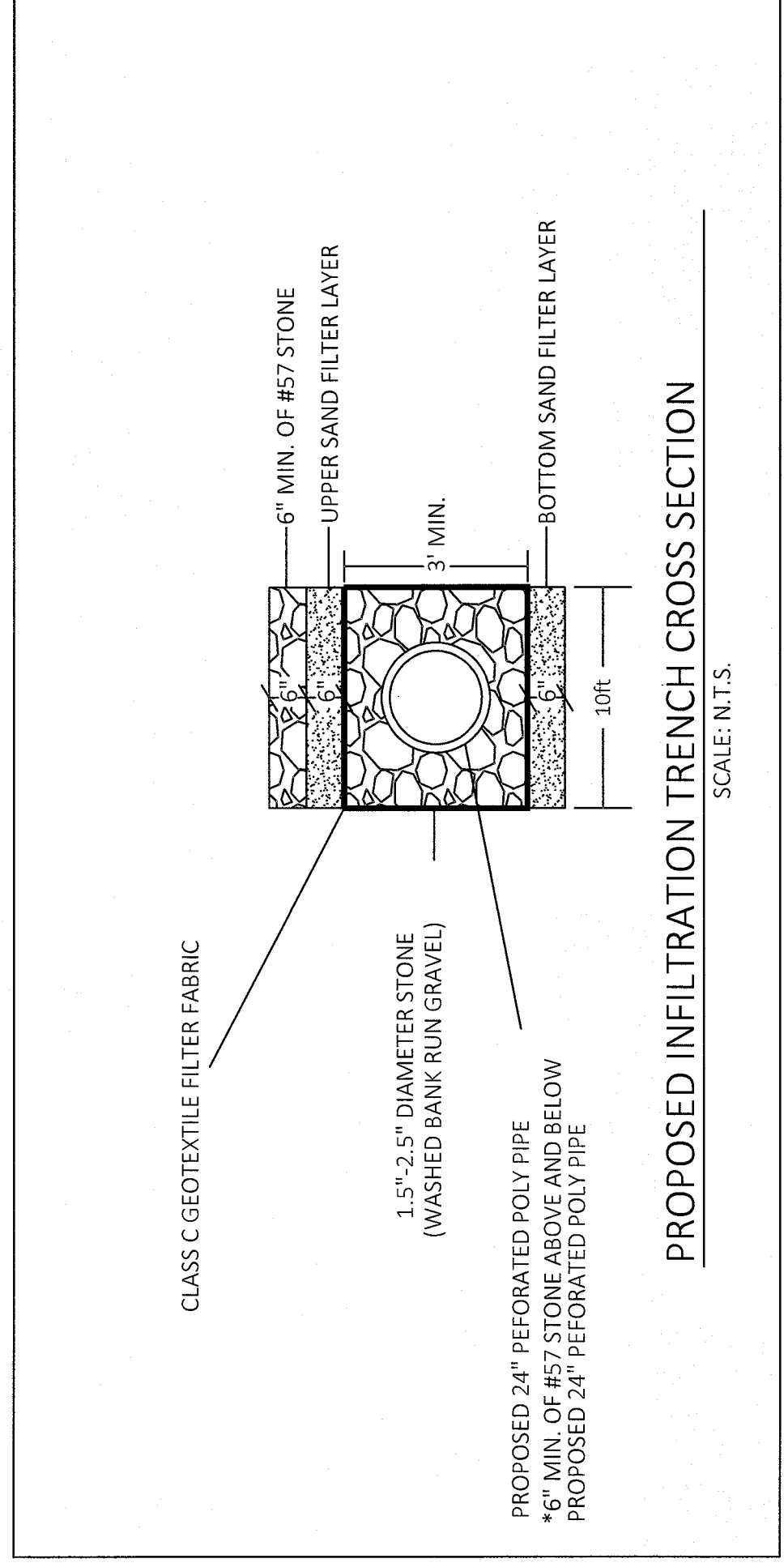
REVISIONS:

11/08/2023 - revised per mdot october 26, 2023 comments
04/23/2024 - revised per mdot March 7th, 2024

ADDITIONAL DETAILS TWO
FOR THE
LANDS OF
FLAT CALM LLC



STORMWATER MAINTENANCE SCHEDULE INFILTRATION TRENCH		
MONTHLY INSPECTION		
INSPECTION ITEM	INSPECTION REQUIREMENTS	REMEDIAL ACTION
DEBRIS AND TRASH	CHECK FOR TRASH AND DEBRIS IN FACILITY INCLUDING INLETS, FOREBAY, OUTLETS, CONVEYANCE SYSTEMS, AND AREA AROUND FACILITY.	REMOVE ALL TRASH AND DEBRIS AND DISPOSE IN AN ACCEPTABLE MANNER. UNCLUG ALL OPENINGS.
SEASONAL INSPECTION AND AFTER MAJOR STORM		
CATCH BASIN INSERT	SEE SHEET 7	SEE SHEET 7
DEWATERING	CHECK PONDING LEVEL. SURFACE STORAGE MUST OBSERVE WITHIN 48 HOURS OF RAINFALL. CHECK FOR STANDING WATER ON THE FILTER SURFACE OR AT THE OUTLET, OR THE PRESENCE OF ALGAE OR AQUATIC VEGETATION ARE INDICATORS OF ANAEROBIC CONDITIONS AND INADEQUATE DEWATERING OF FACILITY.	REMOVE AND REPLACE TOP FEW INCHES OF MEDIA CONTAINING ALGAE OR AQUATIC VEGETATION. FOLLOW UP INSPECTIONS. IF THE FACILITY DOES NOT FUNCTION AS INTENDED AFTER THE ABOVE ACTION, THE ENTIRE SYSTEM MAY NEED REFURBISHING.
EROSION	CHECK THAT SHEET PILING IS BEING MAINTAINED INTO AND OUT OF FACILITY. CHECK FOR EROSION AT TRENCH SURFACE, OUTLETS, AND SIDE SLOPES FOR EROSION, RILLS, GULLIES, AND RUNOFF CHANNELIZATION.	REGRADE IF CONCENTRATED FLOW IS CAUSING RILLS OR GULLIES. PROTECT EROSION WITH GRADE, VEGETATE, AND/OR ARMOR TO PROVIDE STABLE CONVEYANCE IN ACCORDANCE WITH APPROVED PLANS.
SEDIMENT ACCUMULATION	CHECK FOR ACCUMULATED SEDIMENT IN CONVEYANCE SYSTEMS AND FOREBAY. CHECK FOR ACCUMULATED SEDIMENT ON TRENCH SURFACE. CHECK FOR CLOGGED OPENINGS.	WHEN THE FOREBAY DEPTH IS LESS THAN HALF THE APPROVED DESIGN, REMOVE SEDIMENT. WHEN SEDIMENT ACCUMULATION ON TRENCH SURFACE EXCEEDS 1 INCH, REMOVE SEDIMENT. REMOVE SEDIMENT FROM CLOGGED OPENINGS. DISPOSE OF ALL SEDIMENT IN AN ACCEPTABLE LOCATION.
BLOCKAGES	CHECK OVERFLOW INLET RISER AND PIPING FOR BLOCKAGES. CHECK OBSERVATION WELLS FOR WATER LEVEL.	CLEAR OUT ANY BLOCKAGES.
ANNUAL INSPECTION		
INSPECTION ITEM	INSPECTION REQUIREMENTS	REMEDIAL ACTION
MAINTENANCE ACCESS	CHECK FOR ACCESSIBILITY FACILITY.	PREVENT EXCESSIVE VEGETATIVE GROWTH, EROSION, AND OBSTRUCTIONS ON ACCESS WAY.
FLOW CONVEYANCE	CHECK OVERFLOW INLET, PIPING, AND BYPASS FOR MISALIGNMENTS, BREAKAGE, AND BLOCKAGE	REPAIR ANY BROKEN OR FAULTY PIPING. CLEAR OUT ANY BLOCKAGES
STRUCTURAL COMPONENTS	CHECK FOR EVIDENCE OF STRUCTURAL DETERIORATION, SPALLING, OR CRACKING. INLET AND OUTLET STRUCTURES AS WELL AS RIPRAP OUTFALLS MUST BE IN GOOD CONDITION.	REPAIR TO GOOD CONDITION ACCORDING TO SPECIFICATIONS ON THE APPROVED PLANS.
OVERALL FUNCTION OF FACILITY	CHECK THAT PRACTICE IS FUNCTIONING AS DESIGNED.	REPAIR TO GOOD CONDITION ACCORDING TO OPERATING METRICS STATED IN APPROVED PLANS



POND, STORMWATER MAINTENANCE SCHEDULE		
MONTHLY INSPECTION		
INSPECTION ITEM	INSPECTION REQUIREMENTS	REMEDIAL ACTION
DEBRIS AND TRASH	CHECK FOR TRASH AND DEBRIS IN FACILITY INCLUDING INLETS, FOREBAY, OUTLETS, CONVEYANCE SYSTEMS, AND AREA AROUND FACILITY.	REMOVE ALL TRASH AND DEBRIS AND DISPOSE IN AN ACCEPTABLE MANNER. UNCLUG ALL OPENINGS.
SEASONAL INSPECTION AND AFTER MAJOR STORM		
INSPECTION ITEM	INSPECTION REQUIREMENTS	REMEDIAL ACTION
DEBRIS AND TRASH	OWNER OR DELEGATE SHALL OBSERVE THE POND FOR (AFTER THE POND HAS COMPLETELY DRAINED AND NO WATER IS VISIBLE, OWNER OR DELEGATE SHALL REMOVE ANY AND ALL LIMBS, TRASH, OR DEBRIS COLLECTED IN THE POND.
EROSION	OWNER OR DELEGATE SHALL OBSERVE THE POND FOR BARE SOIL, MUDDY WATERS, EROSIONS AND UNDERCUTS	AFTER THE POND HAS COMPLETELY DRAINED AND NO WATER IS VISIBLE, OWNER OR DELEGATE SHALL REPAIR ALL EROSION, UNDERCUT, AND BARE SOILS
OVERALL FUNCTION OF FACILITY	CHECK THAT PRACTICE IS FUNCTIONING AS DESIGNED.	REPAIR TO GOOD CONDITION ACCORDING TO OPERATING METRICS STATED IN APPROVED PLANS
BI-ANNUAL INSPECTION		
INSPECTION ITEM	INSPECTION REQUIREMENTS	REMEDIAL ACTION
MAINTENANCE ACCESS	CHECK FOR ACCESSIBILITY FACILITY.	PREVENT EXCESSIVE VEGETATIVE GROWTH, EROSION, AND OBSTRUCTIONS ON ACCESS WAY.
FLOW CONVEYANCE	CHECK OVERFLOW INLET, PIPING, AND BYPASS FOR MISALIGNMENTS, BREAKAGE, AND BLOCKAGE	REPAIR ANY BROKEN OR FAULTY PIPING. CLEAR OUT ANY BLOCKAGES
STRUCTURAL COMPONENTS	CHECK FOR EVIDENCE OF STRUCTURAL DETERIORATION, SPALLING, OR CRACKING. INLET AND OUTLET STRUCTURES AS WELL AS RIPRAP OUTFALLS MUST BE IN GOOD CONDITION.	REPAIR TO GOOD CONDITION ACCORDING TO SPECIFICATIONS ON THE APPROVED PLANS.

REVISIONS:

11/16/22 - EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS	
05/10/2023 - ALTERED PER WORCESTER COUNTY COMMENTS	
11/08/2023 - revised per mdtb october 26, 2023 comments	
04/23/2024 - revised per mdtb March 7th, 2024	

GEORGE E. YOUNG, III, P.C.
ENGINEERS & SURVEYORS
P.O. BOX 100
POCOMOKE MARYLAND 21851
PHONE: (410) 957-2149
FAX: (410) 957-2928

APPROVAL

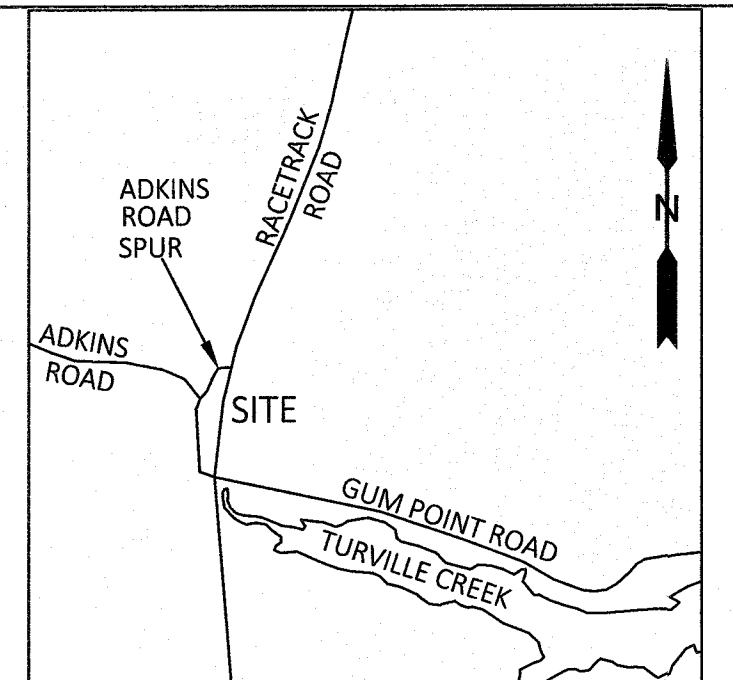
STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
STANDARDS FOR HIGHWAYS AND INCIDENTAL STRUCTURES
PRECAST SINGLE WR INLET
STANDARD NO. MD - 374.23

PROJECT NUMBER: M20027-B
DATE DRAWN: 3/7/2022
DESIGNED BY: GEY
CHECKED BY: GEY
CADD DWG: 2007_20240322 - M20027-Model
DATE PLOTTED: 7/23/2024

REVISION B
SHEET 10 OF 12
JULY 7, 2024

LANDSCAPE AND LIGHTING PLAN

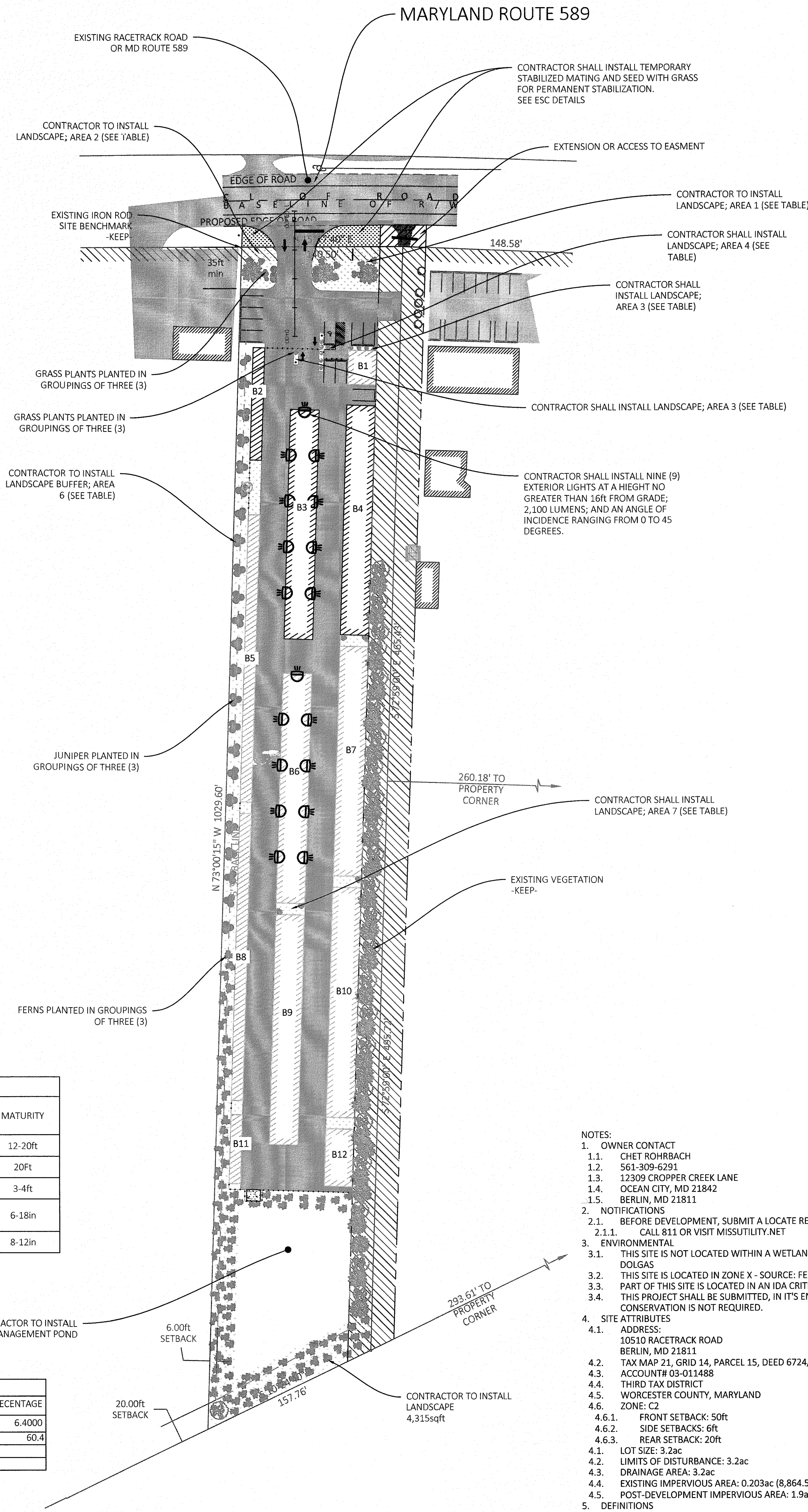
FOR THE LANDS OF FLAT CALM LLC



VICINITY MAP
SCALE: 1" = 2000'

PLANTING NOTES

1. PLANTS, RELATED MATERIAL, AND OPERATIONS SHALL MEET THE DETAILED DESCRIPTION AS GIVEN ON THE PLANS AND AS DESCRIBED HEREIN.
2. PLANT MATERIAL, UNLESS OTHERWISE SPECIFIED, SHALL BE NURSERY GROWN, UNIFORMLY BRANCHED AND HAVE A VIGOROUS ROOT SYSTEM. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS PLANTS FREE FROM DEFECTS, DECAY, DISFIGURING ROOTS, SUNSCALD INJURIES, ABRASIONS OF THE BARK, PLANT DISEASE, INSECT PEST EGGS, BOXERS, INFESTATIONS OR OBJECTIONABLE DISFIGUREMENTS. PLANT MATERIAL THAT IS WEAK OR WHICH HAS BEEN CUT BACK FROM LARGER GRADES TO MEET SPECIFIED REQUIREMENTS WILL BE REJECTED. TREES WITH FORKED LEADERS WILL NOT BE ACCEPTED. PLANTS SHALL BE FRESHLY DUG; NO HELED-IN PLANTS OR PLANTS FROM COLD STORAGE WILL BE ACCEPTED.
3. UNLESS OTHERWISE SPECIFIED, PLANT MATERIAL SHALL CONFORM TO "AMERICAN STANDARD FOR NURSERY STOCK" ANSI Z60.1-1996, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INCLUDING ALL ADDENDA. UNLESS OTHERWISE SPECIFIED, GENERAL CONDITIONS, PLANTING OPERATIONS, DETAILS AND PLANTING SPECIFICATIONS SHALL CONFORM TO "LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE-WASHINGTON METROPOLITAN AREAS", (HEREINAFTER "LANDSCAPE ASSOCIATION GUIDELINES") APPROVED BY THE LANDSCAPE CONTRACTORS' CHAPTER OF THE AMERICAN OF METROPOLITAN WASHINGTON AND THE POTOMAC. ALL ADDENDA. SOCIETY OF LANDSCAPE ARCHITECTS, LATEST EDITION, INCLUDING.
5. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE PLANT MATERIAL FOR A PERIOD OF ONE YEAR.
6. PLANTING BEDS SHALL BE MULCHED AS SPECIFIED TO THE LIMITS OF THE PLANTING BEDS AS SHOWN ON THE PLAN AND TO THE DEPTH AS SHOWN ON THE DETAILS.
7. PROTECTION OF EXISTING VEGETATION TO REMAIN SHALL BE FENCE, ACCOMPLISHED BY THE TEMPORARY INSTALLATION OF 4' HIGH SNOW LOCATIONS SHOWN ORANGE PLASTIC MESH OR OTHER APPROVED FENCING, IN THE DRIP LINE, ON THE PLAN, AT
8. CONTRACTOR IS RESPONSIBLE FOR INSTALLING PLANT MATERIAL IN THE PROPER PLANTING SEASON FOR EACH PLANT TYPE.
9. PLANTING MIX SHALL BE AS FOLLOWS: COW DECIDUOUS PLANTS - TWO PARTS TOPSOIL, ONE PART WELL-ROTTED OR PER CUBIC YARD OF HORSE MANURE. ADD 3 LBS. OF STANDARD FERTILIZER PLANTING MIX. EVERGREEN PLANTS - TWO PARTS TOPSOIL, ONE PART HUMUS OR OTHER APPROVED ORGANIC MATERIAL. ADD 3 LBS. OF EVERGREEN (ACIDIC) FERTILIZER PER CUBIC YARD OF PLANTING MIX. TOPSOIL SHALL CONFORM TO THE LANDSCAPE GUIDELINES. THIS PLAN IS INTENDED FOR LANDSCAPE USE ONLY. SEE OTHER PLAN SHEETS FOR MORE INFORMATION ON GRADING, SEDIMENT CONTROL, UTILITIES, LAYOUT, ETC. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING UTILITY COMPANIES, UTILITY CONTRACTORS AND "MISS UTILITY" A MINIMUM OF 48 HOURS PRIOR TO BEGINNING WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO UTILITIES DUE TO NON-COORDINATED WORK. CONTRACTOR MAY MAKE MINOR ADJUSTMENTS IN SPACING AND LOCATION OF PLANT MATERIAL TO AVOID CONFLICTS WITH UTILITIES.



LEGEND

- PREDEVELOPMENT MINOR CONTOUR
- PREDEVELOPMENT MAJOR CONTOUR
- POST-DEVELOPMENT MINOR CONTOUR
- POST-DEVELOPMENT MAJOR CONTOUR
- EXISTING
- POST-DEVELOPMENT
- PROPERTY LINE
- SETBACK LINE
- EXISTING PAVED
- POST-DEVELOPMENT PAVED
- BUILDING OR ROOF
- EASEMENT
- White Fringetree - Chionanthus Virginicus
- Cornus Florida - American Dogwood
- Juniper Compactus - Pfizer Juniper
- Asplenium Platyneuron - Ebony Spleenwort
- Liriope Spicata - Var Liriope
- ⊕ Exterior Lighting

PLANTING LIST

BOTANICAL NAME	COMMON NAME	GENERAL	QUANTITY	MATURITY
CHIONANTHUS VIRGINICUS	WHITE FRINGETREE	TREE	3	12-20ft
CORNUS FLORIDA	AMERICAN DOGWOOD	TREE	1	20ft
JUNIPER COMPACTUS	PFIZER JUNIPER	SHRUB	78	3-4ft
ASPENIUM PLATYNEURON	EBONY SPLEENWORT (FERN)	SHRUB	156	6-18in
LIRIOPE SPICATA	VAR LIRIOPE	GRASS	32	8-12in

Number	Area [sqft]
1	2254.9
2	1112.2
3	55.9
4	171.8
5	99.6
6	31541.6
7	249.1
Total	35485.2

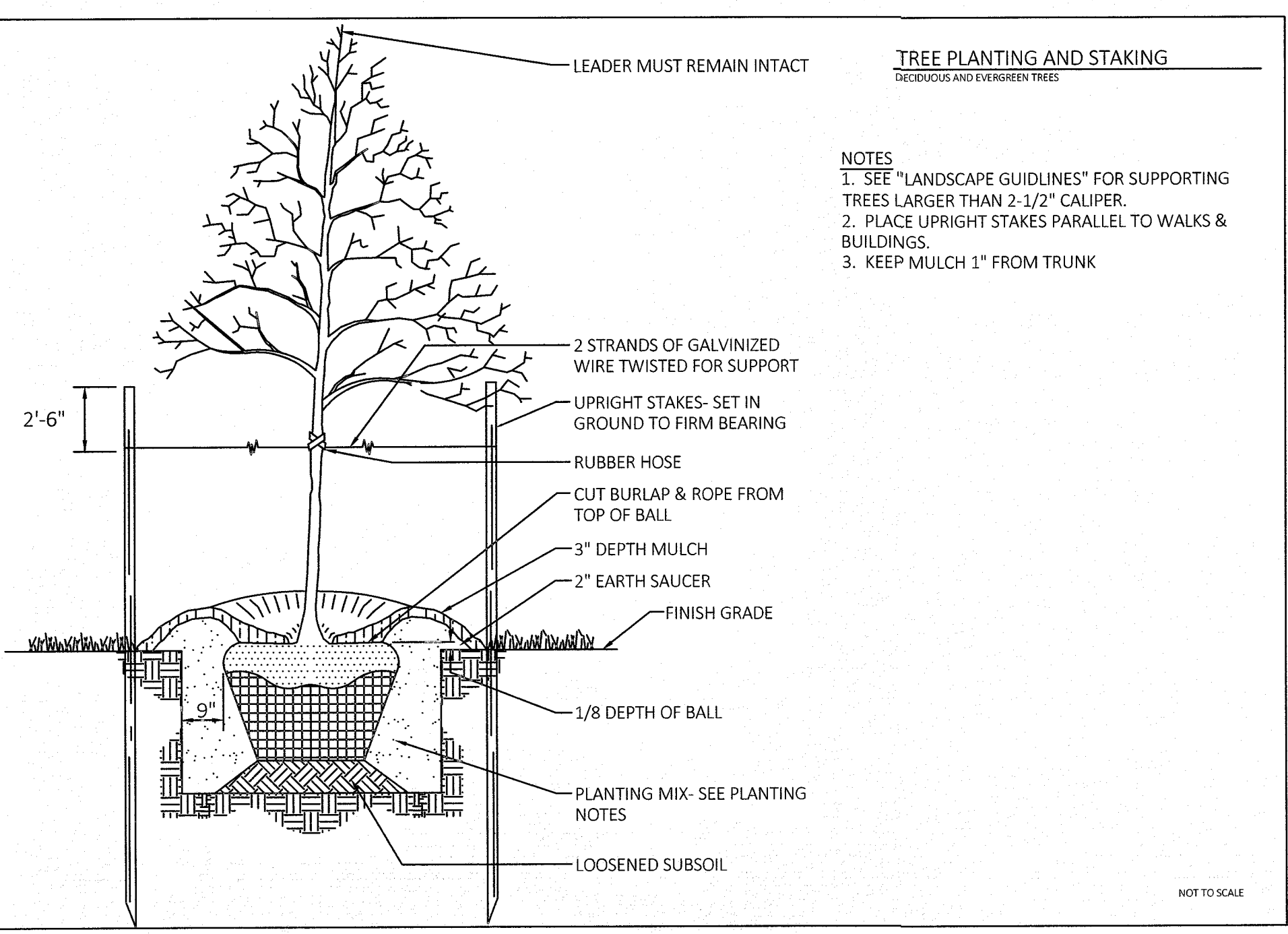
	AREA [SQFT]	PERCENTAGE
EXISTING CONDITIONS	8,861	6.4000
PROPOSED CONDITIONS	84,450	60.4
DIFFERENCE	75,589	

35,485sqft
+139,392sqft
= 174,877sqft
0.255(1)
or
25.5% of
afforestation

NOTES:

1. OWNER CONTACT
 - 1.1. CHET ROHRBACH
 - 1.2. 561-309-6291
 - 1.3. 12309 CROPPER CREEK LANE
 - 1.4. OCEAN CITY, MD 21842
 - 1.5. BERLIN, MD 21811
2. NOTIFICATIONS
 - 2.1. BEFORE DEVELOPMENT, SUBMIT A LOCATE REQUEST WITH MISS UTILITY
 - 2.1.1. CALL 811 OR VISIT MISSUTILITY.NET
3. ENVIRONMENTAL
 - 3.1. THIS SITE IS NOT LOCATED WITHIN A WETLAND - SOURCE: MDE GIS AND ONSITE VERIFICATION BY ALEX G. DOLGAS
 - 3.2. THIS SITE IS LOCATED IN ZONE X - SOURCE: FEMA MAP 24047C0160H
 - 3.3. PART OF THIS SITE IS LOCATED IN AN IDA CRITICAL AREA - SOURCE: MERLIN GIS
 - 3.4. THIS PROJECT SHALL BE SUBMITTED, IN ITS ENTIRETY, AS IDA CRITICAL AREA; THEREFORE, FOREST CONSERVATION IS NOT REQUIRED.
4. SITE ATTRIBUTES
 - 4.1. ADDRESS: 10510 RACETRACK ROAD, BERLIN, MD 21811
 - 4.2. TAX MAP 21, GRID 14, PARCEL 15, DEED 6724/405
 - 4.3. ACCOUNT# 03-011488
 - 4.4. THIRD TAX DISTRICT
 - 4.5. WORCESTER COUNTY, MARYLAND
 - 4.6. ZONE: C2
 - 4.6.1. FRONT SETBACK: 50ft
 - 4.6.2. SIDE SETBACKS: 6ft
 - 4.6.3. REAR SETBACK: 20ft
 - 4.1. LOT SIZE: 3.2ac
 - 4.2. LIMITS OF DISTURBANCE: 3.2ac
 - 4.3. DRAINAGE AREA: 3.2ac
 - 4.4. EXISTING IMPERVIOUS AREA: 0.203ac (8,864 sqft)
 - 4.5. POST-DEVELOPMENT IMPERVIOUS AREA: 1.9ac (84,420sqft)
5. DEFINITIONS
 - 5.1. HORIZONTAL DATUM: NAD83 (2011)
 - 5.2. VERTICAL DATUM: NAVD83
 - 5.3. THE WORD "FUTURE" INDICATES PLANNING FOR A DEVELOPMENT PROJECT TO COME AFTER THE COMPLETION OF PROJECT M20027-B.
 - 5.4. THE WORD "PHASE" IS USED IN CONNECTION WITH BUILDING STRUCTURES, AND THESE STRUCTURES ARE INCLUDED WITH THIS PROJECT (M20027-B).
 6. IT IS THE INTENT OF THE DEVELOPER TO DESIGN AND CONSTRUCT A STORM WATER MANAGEMENT SYSTEM CAPABLE OF HANDLING BOTH ITEMS LABELED POST-DEVELOPMENT AND FUTURE.
 7. PARKING REQUIREMENTS: 1 SPACE PER 40 UNITS, MINIMUM PARKING = 10 SPACES MAXIMUM PARKING = 20 SPACES
 - 7.1. PROPOSED NUMBER OF UNITS=400 MAX. (FOR FUTURE CONCEPT) (400/40=10 SPACES NEEDED)
 - 7.2. PARKING PROVIDED: 10 SPACES INCLUDING 1 HANDICAP SPACE
 - 7.3. REFERENCES
 - 7.3.1. SHA PLAT 6563

WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA LAW
THIS PROPERTY LIES WITHIN THE WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA. ANY AND ALL PROPOSED DEVELOPMENT ACTIVITIES MUST MEET THE REQUIREMENTS OF TITLE 3 (LAND AND WATER RESOURCES), SUBTITLE 1 (ATLANTIC COASTAL BAYS CRITICAL AREA) OF THE WORCESTER COUNTY CODE OF PUBLIC LOCAL LAWS, AS FROM TIME TO TIME AMENDED, IN EFFECT AT THE TIME OF THE PROPOSED DEVELOPMENT ACTIVITIES.



TREE PLANTING AND STAKING
DECIDUOUS AND EVERGREEN TREES

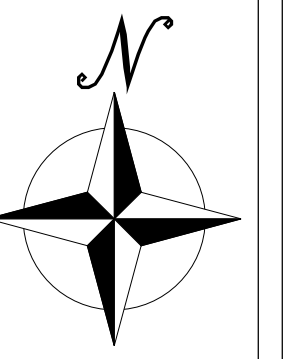
NOTES
1. SEE "LANDSCAPE GUIDELINES" FOR SUPPORTING TREES LARGER THAN 2-1/2" CALIPER.
2. PLACE UPRIGHT STAKES PARALLEL TO WALKS & BUILDINGS.
3. KEEP MULCH 1" FROM TRUNK

<p>REVISIONS:</p> <p>UPDATED PER APRIL 2022 WORCESTER COUNTY COMMENTS</p> <p>11/16/22 - EXPANDED DRAINAGE PLAN, UPDATED DRAWING STANDARDS</p> <p>1/25/2023 - Shifted center row of buildings east, added interparcel connector and lighting</p> <p>5/10/23 - ALTERED PER WORCESTER COUNTY COMMENTS 4/4/23</p> <p>11/08/2023 - revised per mdot october 26, 2023 comments</p> <p>04/23/2024 - revised per mdot March 7th, 2024</p>		<p>ENGINEERS & SURVEYORS 1603 MARKET STREET POCOMOKE MARYLAND 21851</p> <p>PHONE: (410) 957-2149 FAX: (410) 957-2928</p>
<p>DRAWN BY: CED</p> <p>DATE DRAWN: 12/01/2021</p> <p>DESIGNED BY: -</p> <p>CHECKED BY: GEY</p> <p>CADD DWG: 2007_20240322 - M20027-Model</p> <p>DATE PLOTTED: 7/23/2024</p>		
<p>PROJECT NUMBER M20027-B</p> <p>REVISION B</p> <p>SHEET OF 12 12</p>		
<p>JUL 23 2024</p>		

FLAT CALM LLC

NEW OFFICE BUILDING
WORCESTER COUNTY MD

PLAN REFERENCE
NORTH

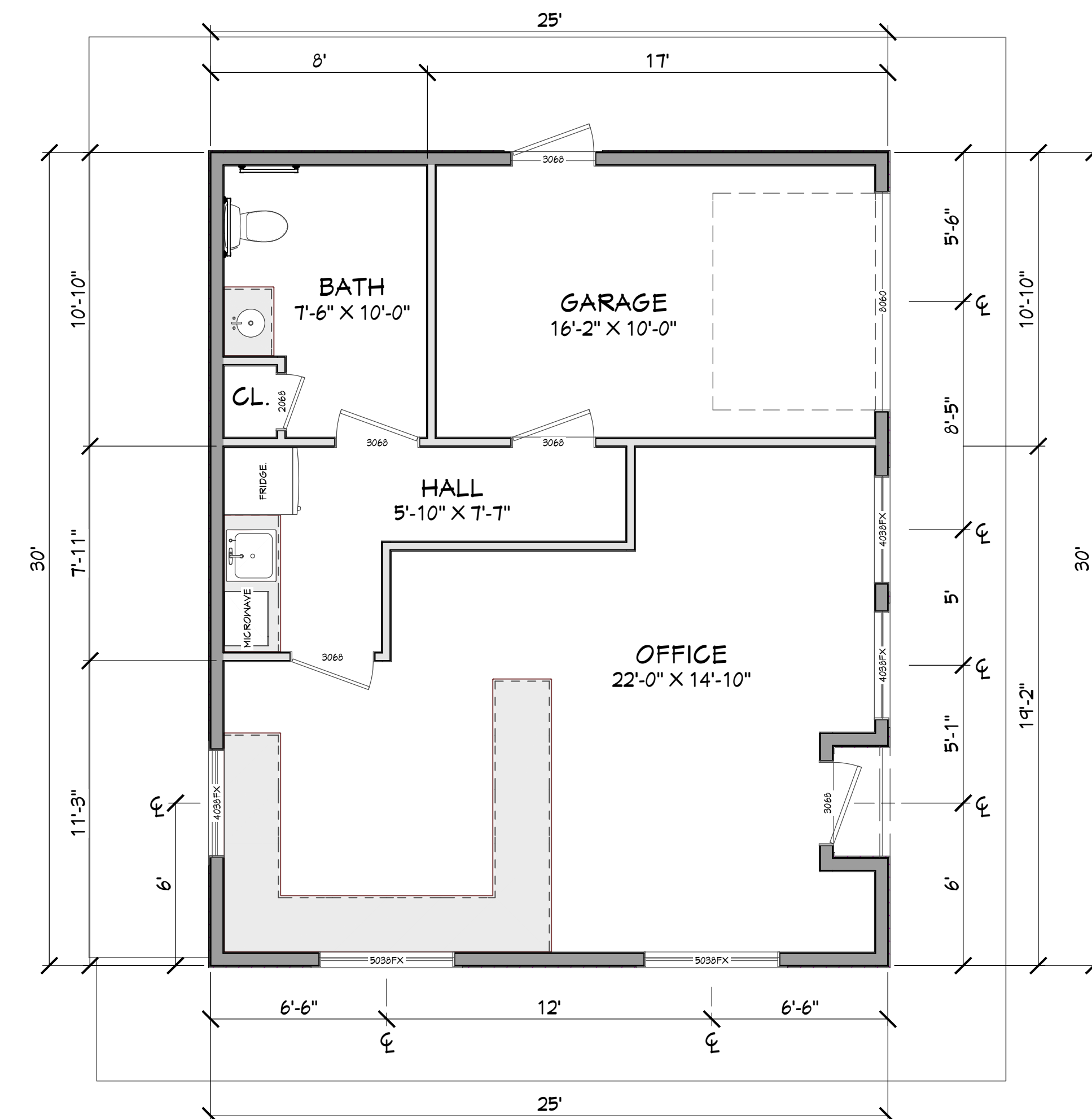


FLAT CALM LLC
12309 CROPPER CREEK LN.
OCEAN CITY MD 21842



EXTERIOR PERSPECTIVE VIEWS

NOT TO SCALE



FLOOR PLAN LAYOUT

SCALE: 1/4" = 1'-0"

DESIGN DEVELOPMENT
DRAFTING & DESIGN SERVICES LLC
desdevelopment@live.com
www.desdevelopment.net
757-704-9701

DATE:

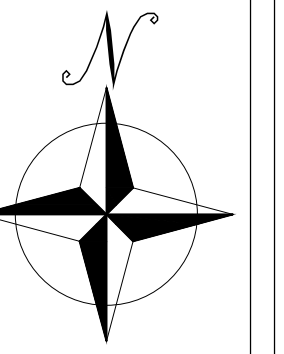
4/12/2024

1/4" = 1'-0"

DRAWN BY:
KM

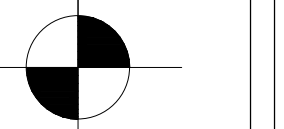
SHEET:

1



FLAT CALM LLC
12309 CROPPER CREEK LN.
OCEAN CITY MD 21842

DESIGN DEVELOPMENT
DRAFTING & DESIGN SERVICES LLC
desdevelopment@live.com
www.desdevelopment.net
757-704-9701



DATE:

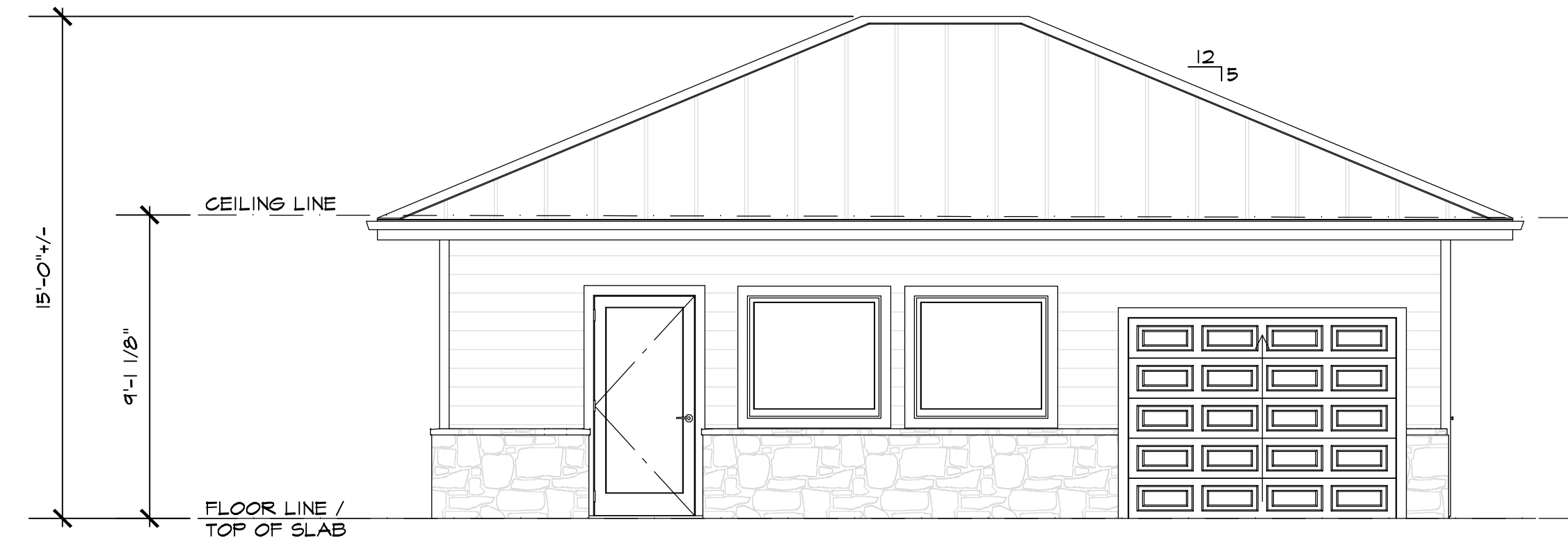
4/11/2024

1/4"=1'-0"

DRAWN BY:
KM

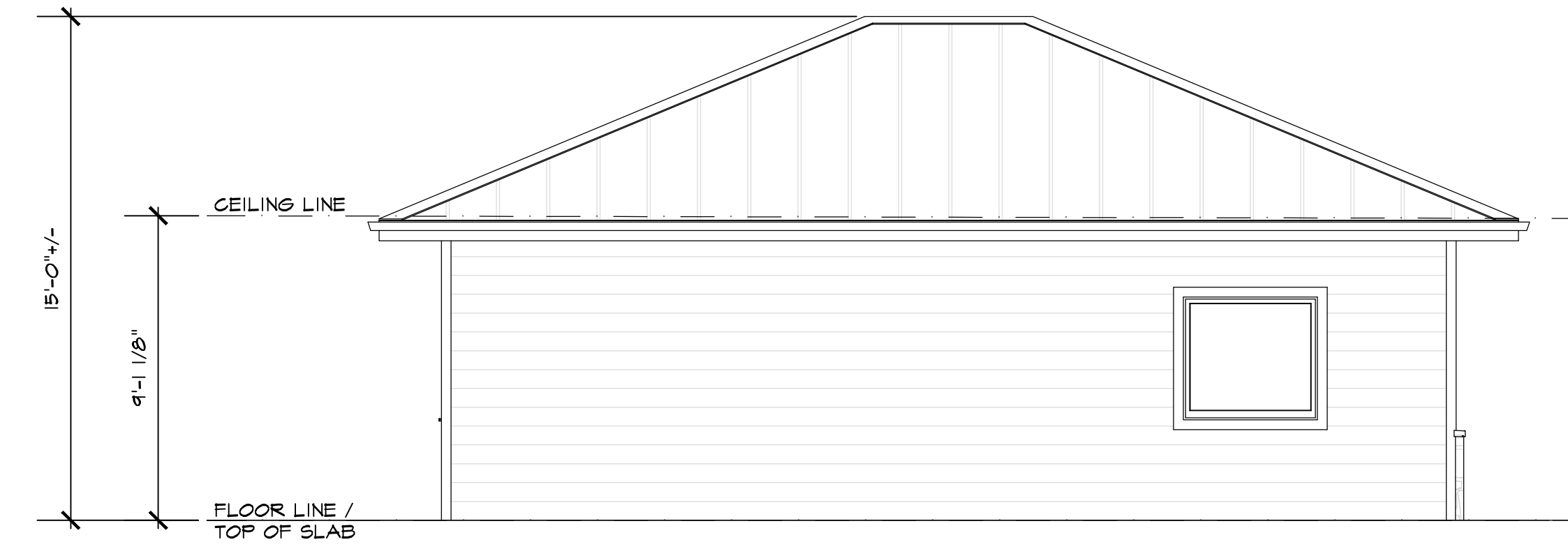
SHEET:

2



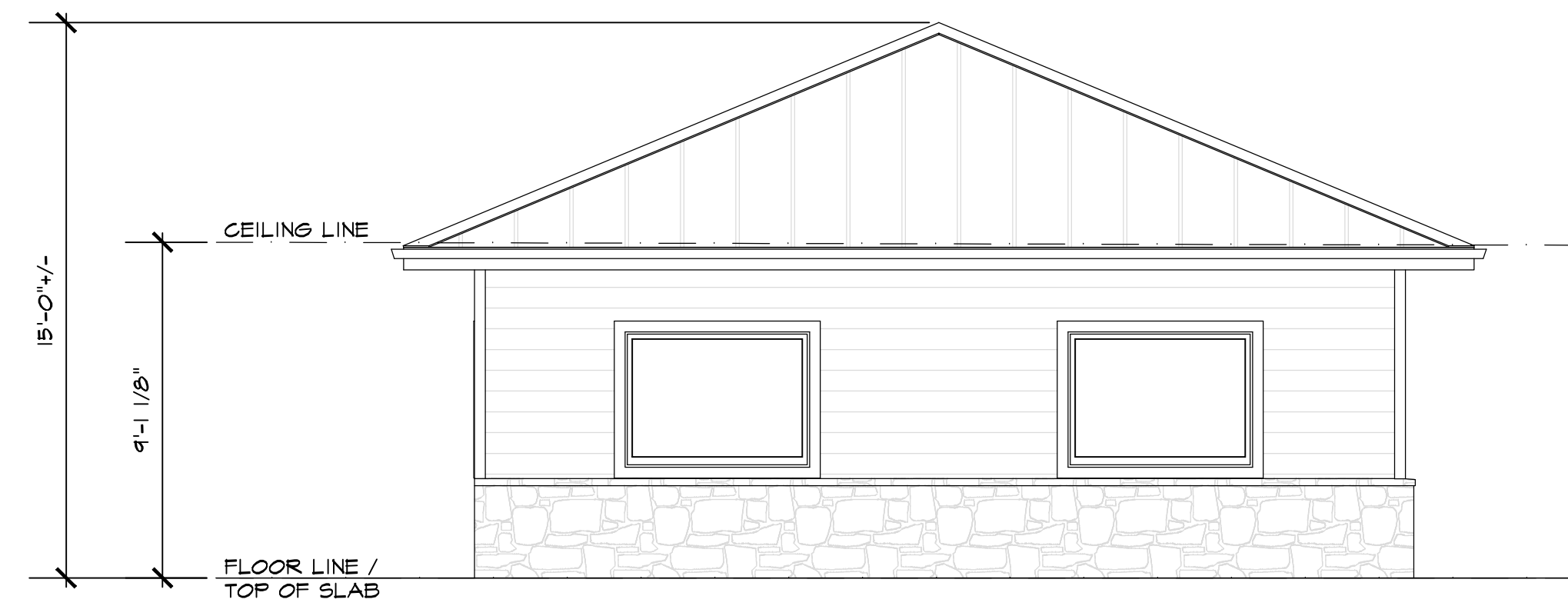
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



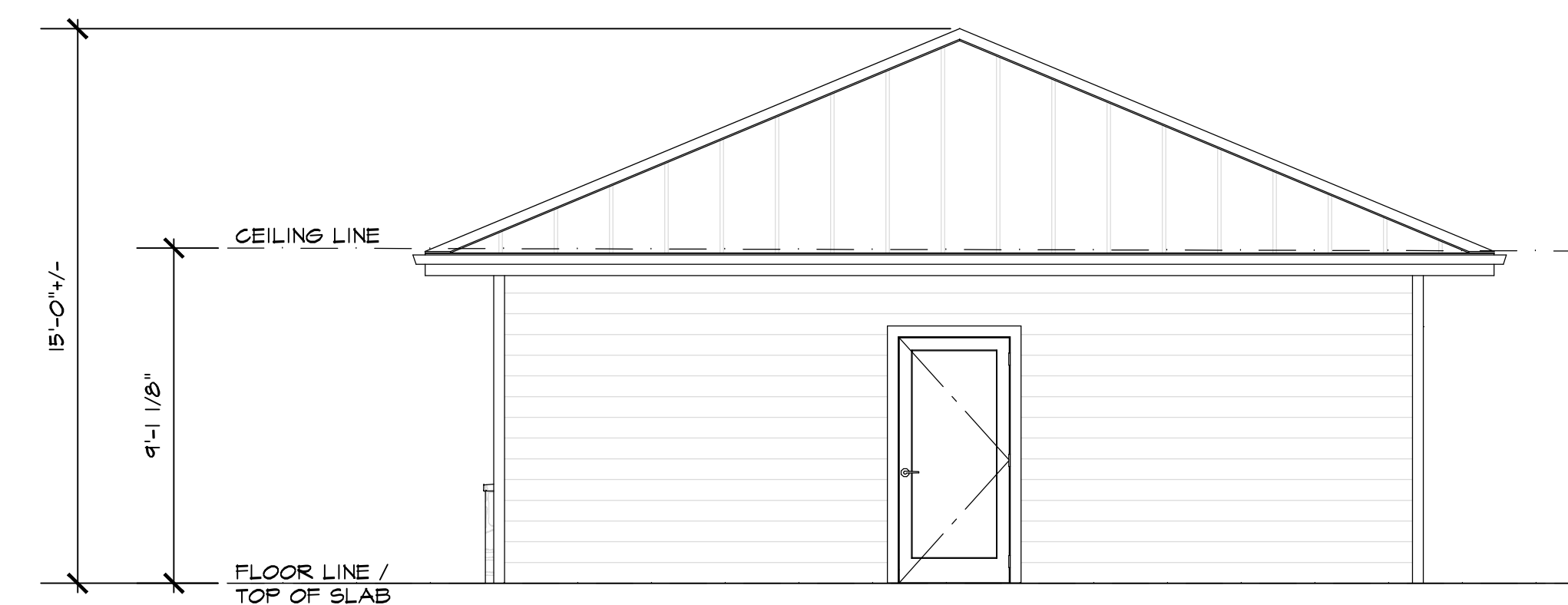
REAR ELEVATION

SCALE: 1/4" = 1'-0"



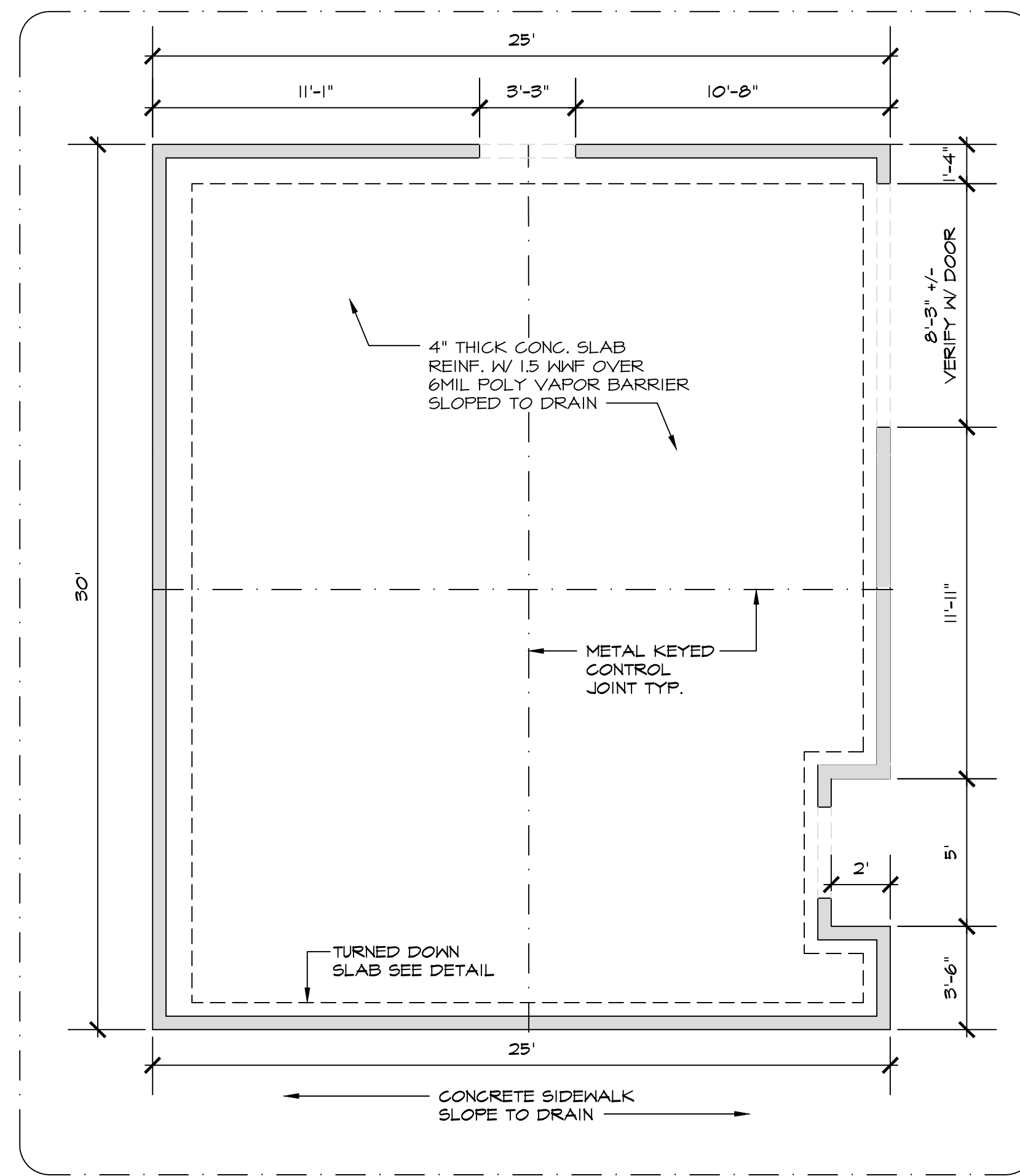
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



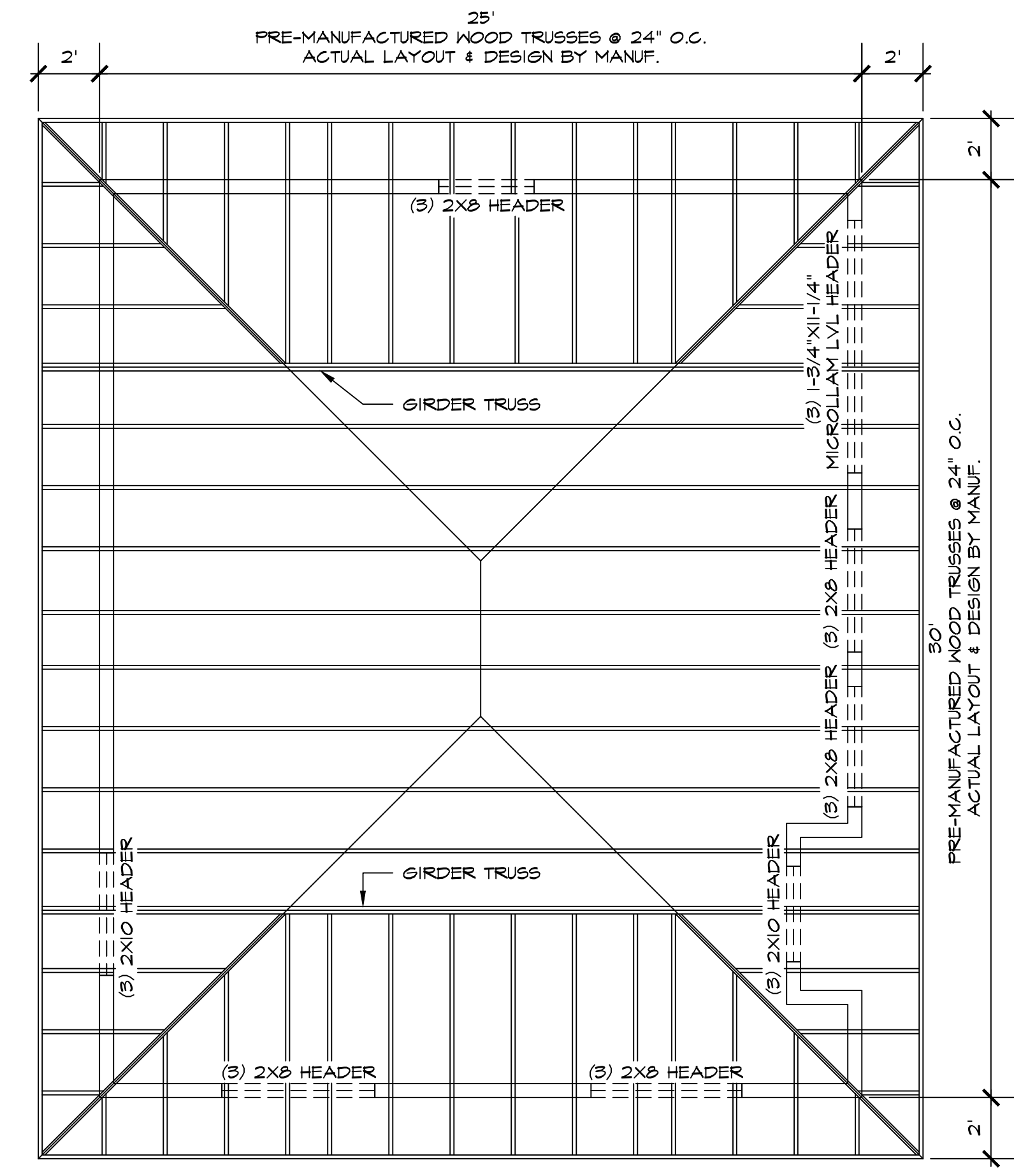
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



FOUNDATION / SLAB PLAN

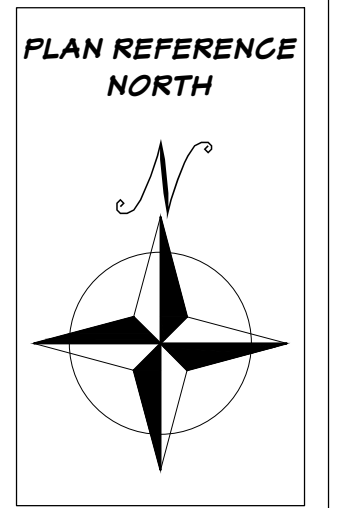
SCALE: 1/4" = 1'-0"



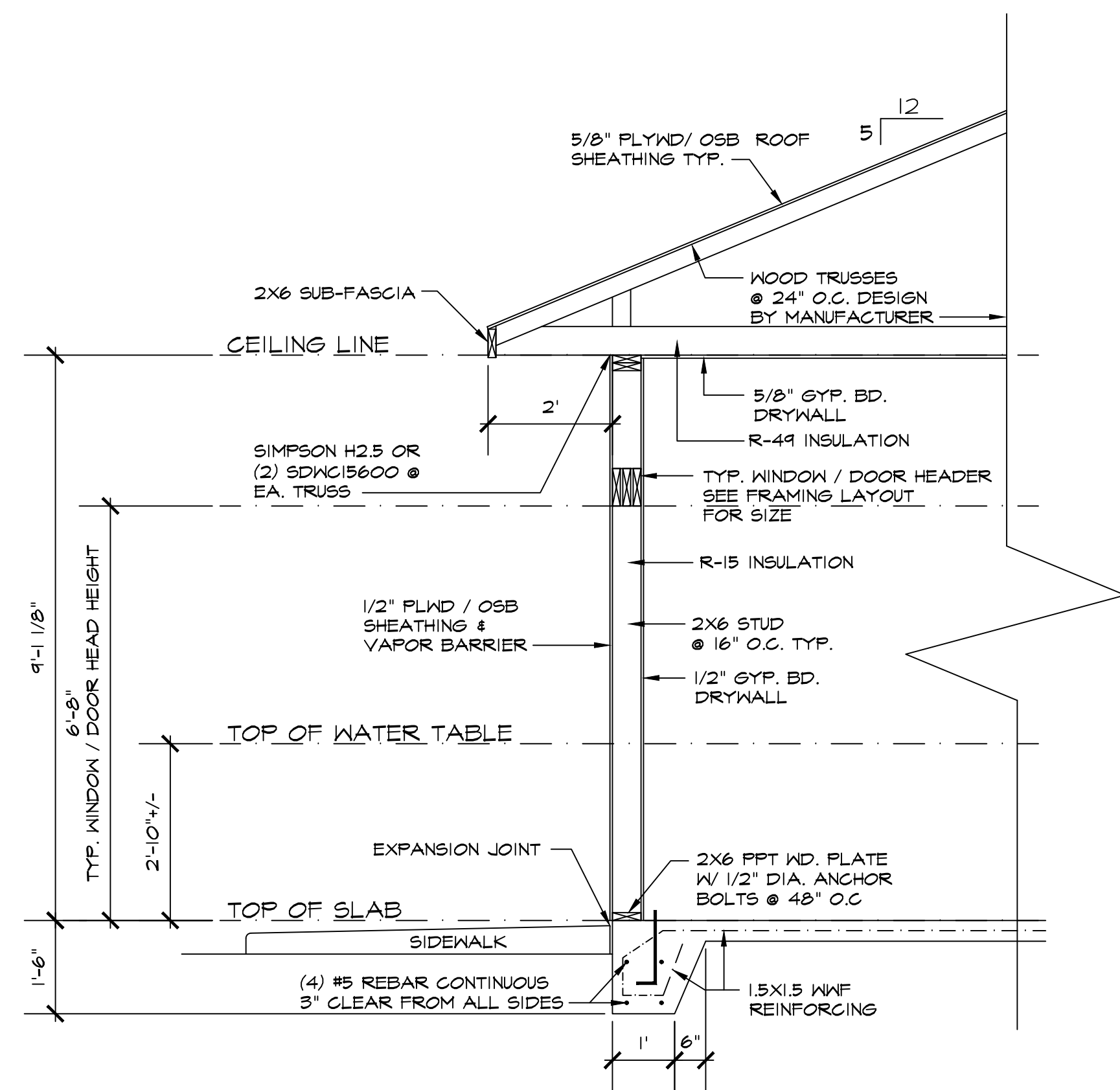
ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"

- GENERAL CONSTRUCTION NOTES**
1. ALL DRAWINGS & DESIGNS HEREIN WERE PREPARED IN ACCORDANCE WITH 2018 MARYLAND UNIFORM STATEWIDE BUILDING CODE
 2. FOUNDATIONS FOR THIS STRUCTURE ARE SPREAD FOOTINGS BEARING ON EITHER VIRGIN SOIL OR CONTROLLED COMPACTED FILL WITH AN ASSUMED CAPACITY OF 2000 PSF. THE CONTRACTOR SHALL FIELD VERIFY THIS ASSUMPTION THROUGH A REGISTERED PROFESSIONAL SOILS ENGINEER. THE CONTRACTOR SHALL PROTECT THE FOOTINGS AND SLABS FROM DAMAGE FROM FROST HEAVE DURING CONSTRUCTION UNTIL THE FINAL DESIGN STRUCTURE IS COMPLETE.
 3. SHEATHING TO BE NAILED 3'O.C. @ EDGES AND 6'O.C. FIELD ALL EDGES & SEAMS TO BE BLOCKED SOLID
 4. EACH TRUSS TO BE ANCHORED USING SIMPSON H2.5A OR EQ.
 5. (2) SIMPSON SDW15600 MAY BE USED PER MANUF. SPECS.
 6. INSTALL ADDITIONAL HARDWARE, JOISTS, RAFTERS & BLOCKING AS REQUIRED. LAYOUT IS FOR GENERAL LAYOUT PURPOSES ONLY
 7. ALL FRAMING LUMBER TO INCLUDE ALL STUDS, JOISTS & RAFTERS TO BE GRADE NO. 2 MIN S.P.F. OR GREATER
 8. PROVIDE DOUBLE JOISTS BELOW ALL PARALLEL PARTITIONS, ABOVE AND AROUND ALL OPENINGS NOT INDICATED ON DRAWINGS.
 9. PROVIDE SOLID BLOCKING BETWEEN FLOOR JOISTS UNDER WALLS THAT ARE PERPENDICULAR TO FLOOR JOISTS
 10. SHEATH ALL EXTERIOR WALLS WITH NOMINAL 1/2" STRUCTURAL GRADE 2 PLYWOOD OR NOMINAL 1/2" OSB (ORIENTED STRAND BOARD).
 11. WINDOW AND DOOR HEADERS @ EXT. WALLS SHALL BE (3) 2X8 MIN. UNLESS OTHERWISE NOTED OTHERWISE DOOR HEADERS @ INTERIOR NON-LOAD BEARING WALLS SHALL BE (2) 2X6 MIN. UNLESS OTHERWISE NOTED

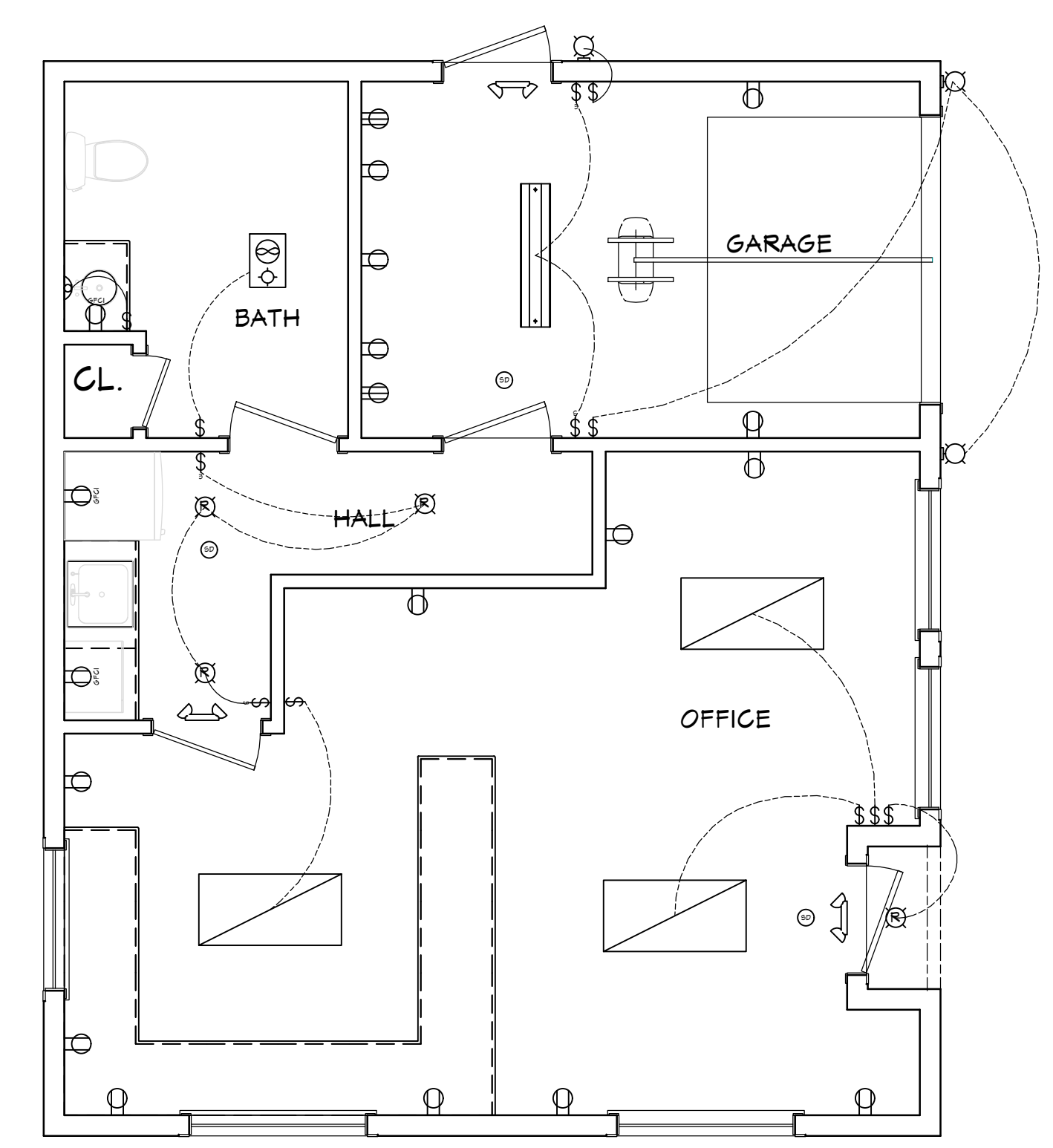


FLAT CALM LLC
12309 CROPPER CREEK LN.
OCEAN CITY MD 21842



TYPICAL WALL SECTION

SCALE: 1/2" = 1'-0"



ELECTRICAL FIXTURE LAYOUT

SCALE: 1/4" = 1'-0"

ELECTRICAL SCHEDULE		
2D SYMBOL	DESCRIPTION	COMMENTS
⊕	220V	
⋈	3-WAY SWITCH	
⊕	CAGED LANTERN SCONE	
⊕	DUPLEX	
↔	EMERGENCY LIGHT & EXIT	
⊕	EXHAUST FAN + LIGHT	
⊕	GFCI	
⊕	WALL MOUNTED LIGHT FIXTURE	
⊕	RECESSED DOWN LIGHT	
⊕	SHOP LIGHT	
⊕	SHORT DOUBLE RECESSED TUBE LIGHT	
⋈	SINGLE POLE SWITCH	
⊕	SMOKE DETECTOR 2	

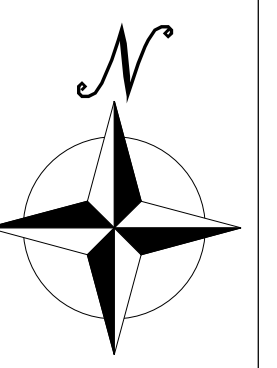
DESIGN DEVELOPMENT
 DRAFTING & DESIGN SERVICES LLC
 ddevelopment@live.com
 www.ddevelopment.net
 757-704-9701

DATE:
 4/12/2024
 1/4" = 1'-0"
 DRAWN BY:
 KM
 SHEET:
 3

FLAT CALM LLC

NEW STORAGE BUILDINGS
WORCESTER COUNTY MARYLAND

PLAN REFERENCE
NORTH

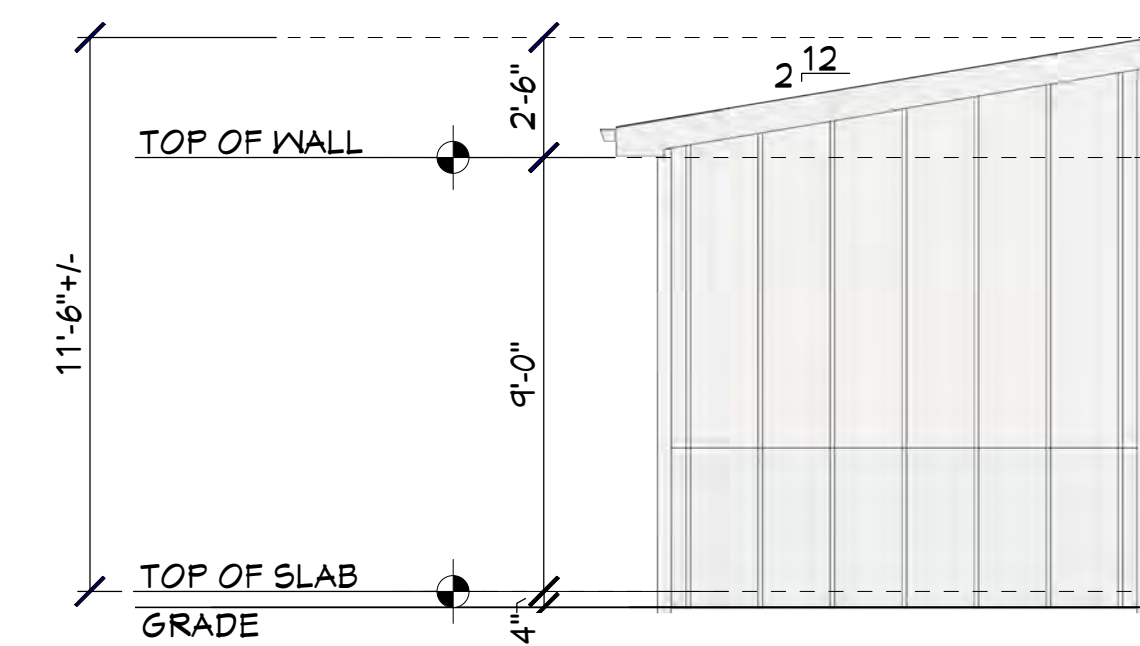
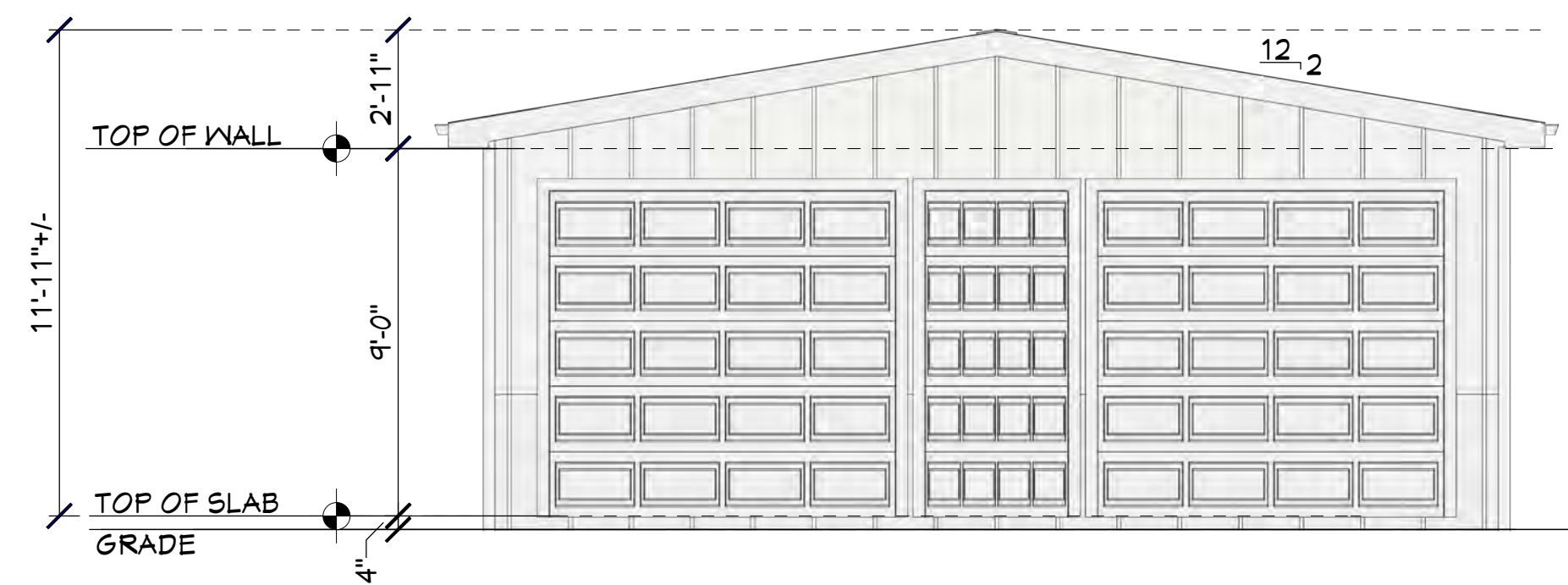
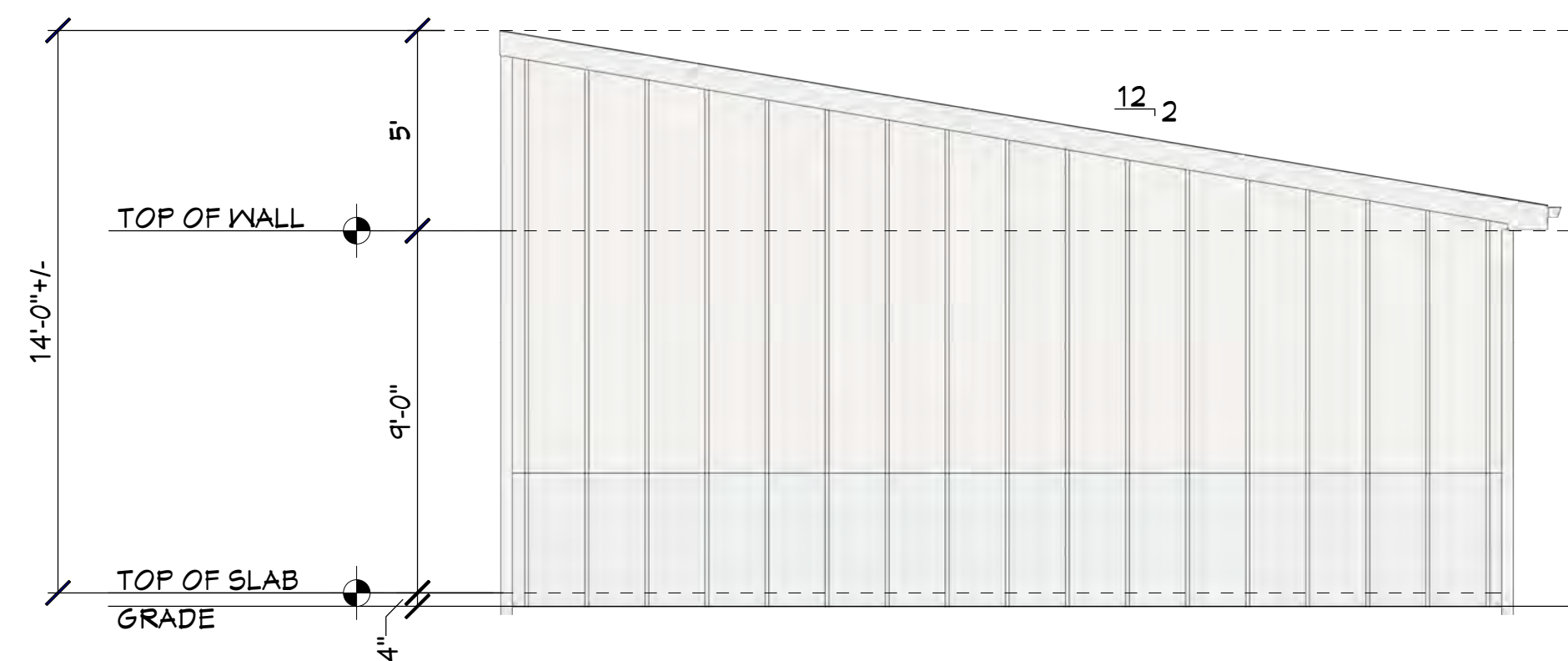


FLAT CALM LLC.
12309 CROPPER CREEK LN.
OCEAN CITY MD 21842



EXTERIOR RENDERING

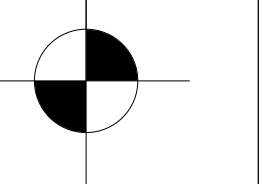
NOT TO SCALE



EXTERIOR ELEVATIONS

SCALE: 1/4"=1'-0"

DESIGN DEVELOPMENT
DRAFTING & DESIGN SERVICES LLC
desdevelopment@live.com
www.desdevelopment.net
757-705-9701



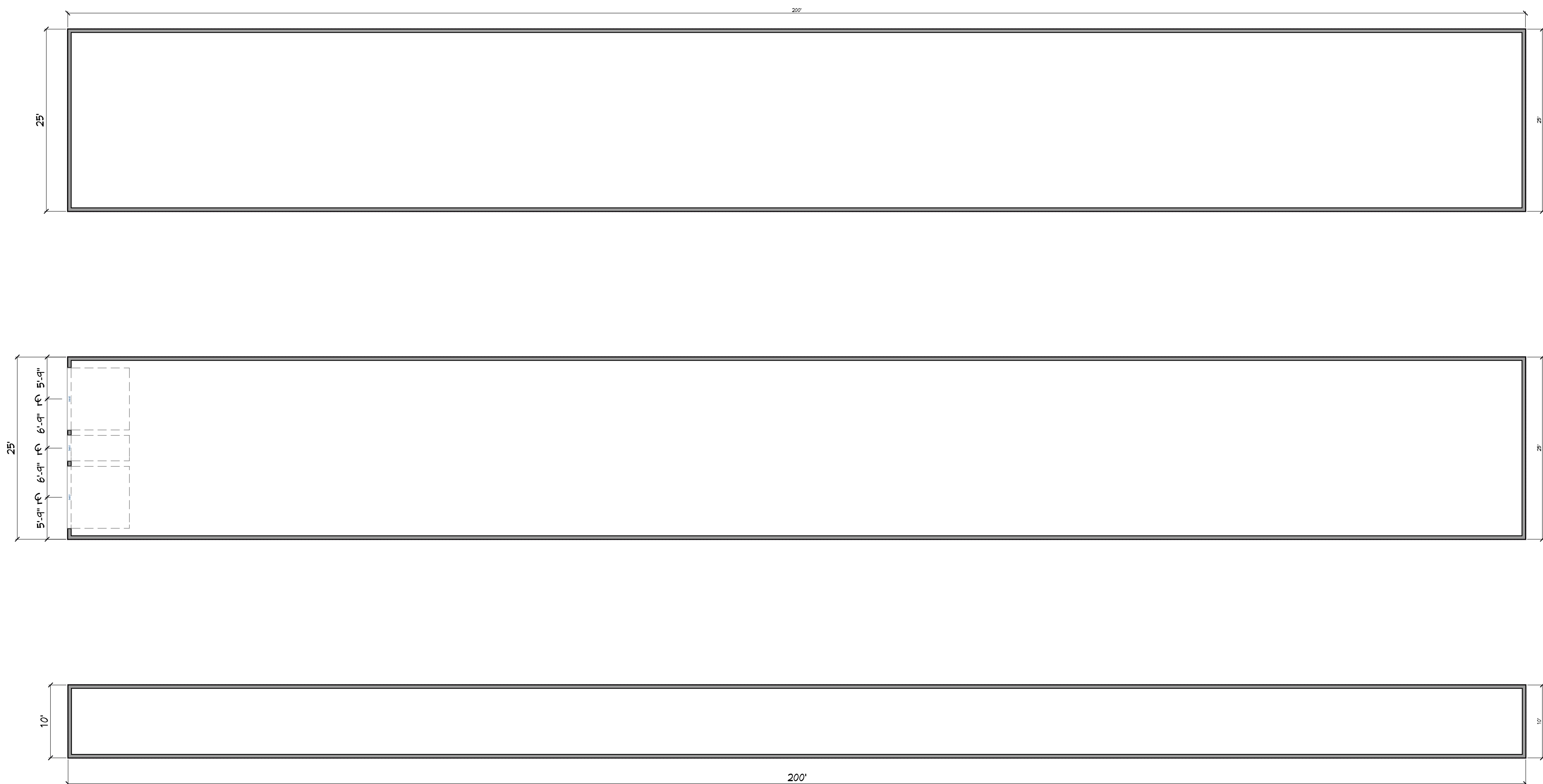
DATE:

8/28/2024

DRAWN BY:
KM

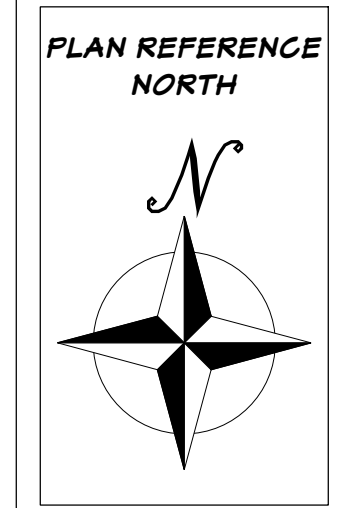
SHEET:

1



OVERALL BUILDING FOOTPRINT

SCALE: 1/8"=1'-0"



FLAT CALM LLC.
12309 CROPPER CREEK LN.
OCEAN CITY MD 21842



DATE:	8/28/2024
DRAWN BY:	KM
SHEET:	2

