

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – January 8, 2026**

Meeting Date: January 8, 2026

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbiéri, Chair
Phyllis Wimbrow, Vice Chair
Marlene Ott
Alec French

Staff

Jennifer Keener, Director, DRP
Matt Laick, Deputy Director, DRP
Kristen Tremblay, Zoning Administrator, DRP
Ben Zito, DRP Specialist, DRP

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, December 4, 2025.

As the first item of business, the Planning Commission reviewed the minutes of the December 4, 2025, meeting.

Following the review, a motion was made by Ms. Ott to approve the minutes as written. Ms. Wimbrow seconded the motion, and the motion carried with no opposition.

B. Board of Appeals Agenda, January 8, 2026.

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for January 8, 2026. 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, January 14, 2026.

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for January 14, 2026. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

No comments were forwarded to the Committee.

III. Waivers

A. Delmarva Aces Expansion – Waiver for Automatic Landscape Irrigation System

Ms. Geri Votta of Delmarva Aces approached the table.

Ms. Votta explained that the site plan originally approved by the Planning Commission on May 1, 2025 proposed an automatic landscape irrigation system for the required landscaping, and that due to budgetary constraints, she was seeking a waiver. She stated that the landscaping will be maintained by Delmarva Aces staff manually, rather than an automatic irrigation system.

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Following a discussion, a motion was made by Ms. Wimbrow to grant a waiver for the automatic landscape irrigation system. Ms. Ott seconded the motion, and the motion carried with no opposition.

B. Delmarva Aces Expansion – Waiver for Vehicular Travelway Material (Gravel)

Ms. Geri Votta of Delmarva Aces remained at the table.

Ms. Votta explained that the site plan originally approved by the Planning Commission on May 1, 2025 proposed asphalt throughout all the proposed parking and vehicular travelways.

Ms. Votta explained that the development was to be done in two phases – the first being the building expansion, and the second being the outdoor ball fields. She explained that if all the parking and travelways were paved during the first phase, the pavement would need to be removed and then re-paved again during construction of the second phase. She believed, therefore, that it was best to temporarily use gravel until the second phase was completed, at which time the gravel will be paved over.

Following a discussion, a motion was made by Mr. French to grant a waiver for the vehicular travelway material. Ms. Wimbrow seconded the motion, and the motion carried with no opposition.

IV. Site Plan Review

Mr. Eric Jones from Vista Design, Inc. approached the table.

Mr. Jones explained the site plan went before the Planning Commission in November 2023. The Planning Commission approved the site plan as submitted (subject to minor revisions), and the Planning Commission also granted waivers for gravel driveways and landscaping. Additionally, the Planning Commission granted eleven (11) waivers from the *Design Guidelines and Standards for Commercial Uses* (“Design Guidelines”) for the building.

Mr. Jones explained that the Planning Commission’s approval of the site plan in November 2023 expired, and the applicants resubmitted the site plan with the same site plan and Design Guidelines waivers.

Following a discussion, a motion was made by Ms. Ott to grant a waiver to the following site plan waivers:

- **§ZS 1-320(f)(1): All parking areas and vehicular travelways shall be constructed of materials that provide a hard and durable surface that precludes or limits particulate air pollution.**
- **§ZS 1-322(e)(4)(C): Landscape screening**
- **§ZS1-322(b)(7): Each landscaped area must be readily accessible to a water**
- **supply. Unless xeriscaping plant material and technologies are employed, all landscaped areas shall provide an automatic irrigation systems with rain sensors.**

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Ms. Wimbrow seconded the motion, and the motion carried with no opposition.

Following a discussion, a motion was made by Ms. Ott to approve all of the waivers from the *Design Guidelines and Standards for Commercial Uses* that were outlined in the Planning Commission’s Staff Report.

Ms. Wimbrow seconded the motion, and the motion carried with no opposition.

V. Text Amendment - ZS 1-351(b)(5): Off-Street Parking Requirements for Short-Term Rentals

Ms. Christy Agnese, applicant, was present for the review. Ms. Agnese stated that she is seeking to change § ZS 1-351(b)(5) to change the effective date of the third parking space provision from January 1, 2020, to January 1, 2026. She noted that the language was developed in conjunction with county input to attempt to resolve an issue that the Landings community was facing for those who built homes post-2020 and had short-term rental licenses revoked. She highlighted key points from the detailed letter that was submitted with the application. She explained her process in purchasing the townhouse unit and applying for a short-term rental license.

Ms. Agnese claims that enforcement and code interpretation pertaining to the third parking space provision changed last summer, which resulted in short-term licenses being revoked within their community. She stated that this is financially impactful, as many rely on short-term rental income to make homeownership a reality. It was her opinion that for five years (between 2020 and 2025) short-term licenses were issued in several communities on the assumption that community parking met the third parking space requirement. A site plan with the overall parking layout for the community was provided as part of her short-term rental license application. Submitted as Applicant’s Exhibit No. 1 were emails between her and the developer, and between her and the former Rental License Program Coordinator. While she alleges that this parking plan justifies the availability of a third parking space, there is no indication in the emails that this was a consideration. Staff state in the staff report that the licenses were issued in error.

Ms. Agnese stated that this is an economic hardship, that losing income threatens financial stability and property values. She claimed that everyone who built in the Landings believed that they could participate in short-term rentals if they wanted to. She said that there were 25 short-term rental licenses active in the Landings, and 18 affected properties with post-2020 builds. She claimed that this matter also affected Sea Oaks Village (staff note: Sea Oaks Village was not issued licenses in error). Within the townhouse parcels in the Landings, Ms. Agnese noted that there are 66 non-exclusive parking spaces over the minimum required.

Overall, she stated that requiring exclusive spots within the townhouse community parking, or having single-family homeowners build a third parking space on their lot creates financial hardship and places a burden on the homeowner’s association. It also affects potential

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homeowners who cannot make a financial decision without knowing that spaces have been assigned. She recommended that every home be built to require the third space or not. In closing, she stated that updating the effective date to January 1, 2026, restores fairness, and gives those whose licenses were revoked the ability to restore their short-term rental licenses. She would like to see more education and deeded third parking spaces so that homeowners know what they are purchasing.

For clarification, Mr. Barbierri noted that text amendments apply county wide, and are not geared towards a particular community, so they must keep that in the back of their minds.

Upon questions from the Planning Commission, staff clarified that the rental licenses were issued in error, not because of a change in the interpretation. The licenses that were issued to the single-family homes had no third parking space provided on the respective lot. Staff believe that the code provision was simply overlooked, because the policy for community space allocation for multi-family/ townhouse units was first established with the Sea Oaks Village development. The developer opted to build additional community parking to be able to accommodate 15 short-term rental licenses, though there were more homeowners that wished to rent short-term. The error in the application of the law affected 10 licenses in the Landings that were revoked, 8 single-family lots that were able to permit a third parking space, and 10 licenses in Seaside Village that were revoked. Within the Landings townhouse parcels, there are non-exclusive parking spaces available, but not enough for every unit to be assigned a third space. There had been discussions over the past few months on whether and how the homeowners/ condominium association would be willing to allocate the non-exclusive spaces, and ultimately, they decided not to.

Upon a question by Mr. French, staff confirmed that this amendment would not override a community's ability to prohibit short-term rentals as part of their declarations and covenants. Mr. French voiced concerns about the potential that the language as written could open the door to additional rental licenses beyond just the 20 that were revoked, where someone who didn't have a license previously could take advantage of an opportunity that hadn't existed. He acknowledged that it was a mistake that was relied on by these homeowners.

Mr. Barbierri explained that a lot of work went into the legislation in 2019. With his background in emergency services, he's concerned about accessibility to short-term rental areas and blocking emergency access with street parking. He stated that in his opinion, we shouldn't go backwards. He is sorry that this situation happened, but he couldn't vote in support of the amendment.

Upon several questions from the Planning Commission, staff confirmed that a variance couldn't be requested for this situation, nor could we simply grandfather those whose licenses were revoked because they were issued in error. There was discussion on the process for amending the language and narrowly tailoring it to the affected communities or properties.

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Following the discussion, Mrs. Wimbrow made a motion for an unfavorable recommendation to the text amendment as specifically written, which was seconded by Mr. Barbierri. Ms. Ott was opposed, and Mr. French abstained. Therefore, the motion failed for lack of a quorum.

A second motion was made by Mrs. Wimbrow to provide an unfavorable recommendation to the text amendment as specifically written; with a request that staff and the county attorney attempt to draft language that would accommodate the licensed properties that had short-term rental licenses revoked because of staff error in the enforcement of the code. The motion was seconded by Mr. French and carried unanimously.

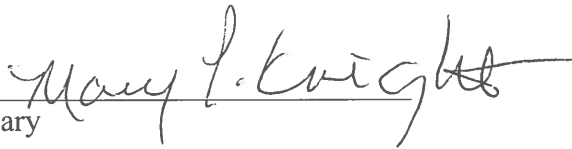
VI. Work Session - Comprehensive Plan Revised Draft Chapters

The Planning Commission met with Michael Bayer from Wallace Montgomery to discuss the revised draft chapters of the Comprehensive Plan. Mr. Bayer gave a high level overview of the anticipated next steps for local and state review. The Planning Commission provided some comments on the revisions. Additional comments will be accepted in writing through next week before being consolidated into a working plan document.

VII. Adjourn

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

Mary Knight, Secretary



Ben Zito, DRP Specialist



