

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026**

Meeting Date: June 4, 2026

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair

Phyllis Wimbrow, Vice Chair

Marlene Ott

Alec French

Kathy Drew

Mary Knight

Teresa Purnell-Milbourne

Staff

Jennifer Keener, Director, DRP

Ben Zito, DRP Specialist, DRP

David Bradford, Deputy Director, Environmental Programs

Brian Soper, NR Administrator, Environmental Programs

Robert Mitchell, Director, Environmental Programs

Roscoe Leslie, County Attorney, Administration

I. Call to Order

II. Administrative Matters

A. Review and approval of minutes, May 7, 2026.

As the first item of business, the Planning Commission reviewed the minutes of the May 7, 2026, meeting. Mr. French noted a revision on page one of the minutes that was required.

Following a review, a motion was made by Mrs. Ott to approve the minutes with the revision as requested by Mr. French. Ms. Wimbrow seconded the motion, **and the motion passed with no opposition.**

B. Board of Appeals Agenda, June 11, 2026.

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for June 11, 2026. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission.

Mr. Barbierri noted his concern regarding Case No. 26-32 about the proposed seating near Keyser Point Road.

Mr. French inquired about the public notices regarding Case No. 26-31. Mrs. Keener stated that adjoining property owners are notified by the County, and Mr. Bradford added that the Maryland Department of Environment (MDE) also send notice letters to adjoining property owners. Mr. French asked if the proposed pier was in the channel, and Mr. Bradford responded that the pier does not appear to be in the channel, and that it would be checked again during the permitting process.

C. Technical Review Committee Agenda, June 10, 2026.

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for June 10, 2026.

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026**

Mrs. Wimbrow inquired about the site plan, and Mrs. Keener provided an overview of the proposed development.

III. Major Site Plan Review – TPE MD WO73 Solar

Mr. Nick Leffner from Kimley-Horn, Inc. and Ms. Franny Yuhas from TurningPoint Energy approached the table. Mr. Leffner provided an overview of the site plan and project, as well as the landscape buffer. Mr. Leffner also stated that the project was seeking a waiver from the Planning Commission for an automatic irrigation system waiver.

Mr. Barbierri inquired about the landscape irrigation method, and Mr. Leffner responded that the landscaping will be maintained by water trucks. Mr. French inquired about the landscape bond, and Mrs. Keener stated that the County holds the bond two (2) years from the date of the Certificate of Use and Occupancy (CO). She also stated that the Landscape Inspection and Maintenance Agreement was recorded in the Land Records and allows the County to conduct inspections for the lifetime of the project.

Following a discussion, a motion was made by Mrs. Knight to grant the landscape irrigation system waiver per §ZS1-322(b)(7) of the County code. Mrs. Ott seconded the motion, **and the motion was approved by a 6-1 vote, with Mr. French opposing.**

Following a discussion, a motion was made by Mrs. Drew to approve the site plan as submitted, subject to revisions to the Decommissioning Plan as required in the Code Requirements Letter. The motion was seconded by Mrs. Knight, **and the motion was approved by a 6-1 vote, with Mr. French opposing.**

IV. Map Amendment - Amended Rezoning Case No. 452 – 1.66 acres from A-2 Agricultural District to C-1 Neighborhood Commercial District. Located between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD across from Airport Road. Tax Map 26, Parcel 340, Tax District 10. KASA Holdings, LLC, Property Owner, and Hugh Cropper, IV, attorney.

Applicants: Hugh Cropper, IV, attorney; Aaron Finney, managing member, KASA Holdings, LLC; and Steve Engel, Vista Design, Inc.

Mr. Cropper explained that the petitioned area was approximately 1.66 acres located between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road. The rezoning application was initially reviewed by the Planning Commission on December 4, 2025, where the Planning Commission provided a favorable recommendation for C-2 General Commercial District in a 5 to 2 vote. The parcel to the north was zoned to C-1 Neighborhood Commercial District in 2017. During the public hearing with the Worcester County Commissioners, discussion was held on whether the C-2 District was the appropriate zoning category. The applicant consented to amend the requested zoning classification to C-1 Neighborhood

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026

Commercial District, and the County Commissioners remanded the request to the Planning Commission for their recommendation. Mr. Cropper argued that it would be illogical to say that the Planning Commission doesn't support the C-1 District, as it contains all of the same uses that the C-2 District does, but to a lesser scale.

Submitted as Applicant's No. 1 was the original Planning Commission Findings of Fact and Recommendation that was already part of the staff report package. Mr. Cropper noted that after the applicant went to the County Commissioners, they amended their defined neighborhood as provided in the staff report package. In addition, Mr. Cropper referred to the list of eleven changes to the neighborhood, including the airport purchase of the C-1 zoned parcels.

In order to justify a rezoning, an applicant must prove a mistake in the November 3, 2009, comprehensive rezoning, or that there has been a substantial change in the character of the neighborhood. Then the Planning Commission determines if the new district would be more consistent in terms of the comprehensive plan and then decide to rezone or not. Mr. Cropper referred to the Findings of Fact from 2017 for the adjoining rezoning case, which was based on mistake (provided in the staff report package). The current request is based on the change in the character of the neighborhood. Beyond a roadside stand, there are limited uses that could be achieved on the property.

Mr. Cropper referred again to the eleven changes in the character of the neighborhood. In addition to those changes, he referenced the Board of Zoning Appeals (BZA) tentative approval of the marine storage yard and fence height special exceptions and variances on the adjoining C-1 District property. Submitted as Applicant's Exhibit No. 2 was a copy of the May 20, 2026, BZA agenda with Case No. 26-24 highlighted. The findings of fact have not been signed by the BZA, so this is a tentative change in the character of the neighborhood, not a final formal change. Directly across the road is 9.72 acres zoned C-1 District that was recent purchased by the Town of Ocean City as part of the runway protection area. Retail site plan approvals had been granted in the past to serve the 500 people in Mystic Harbour, 40 houses in Ocean Reef and 40 houses in Deer Point. The proposed rezoning is looking to replace a portion of that commercial area that has been essentially removed. In addition, the Elms subdivision consisted of 3.29 acres of C-2 District property that was downzoned to R-4 General Residential District and is under construction (20 townhouses). Mr. Cropper alleged that the Shore Point Cottages, a hotel/motel cottage court which is zoned C-2 District, is a quasi-residential use. Overall, he argued that more commercial zoning was needed to serve the enhanced residential uses in the neighborhood. He pointed to the 1987 Findings of Fact, which highlights the changes to the neighborhood. At the time, there were no plans for public water and sewer service, the area was low density and rural in character, with few single-

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026

family homes, and designated as Suburban Residential land use category in the Comprehensive Plan.

Mr. Cropper referred to the amended staff report, where staff outlined the findings of fact that the Planning Commission must consider. Mr. Engel concurred with the amended definition of the neighborhood. In a commercial setting, it would represent an area that was a 5-to-10-minute drive, so it includes the commercial strip from US Route 50 (Ocean Gateway) down to the petitioned area. Mr. Cropper noted that in the original Planning Commission Findings of Fact, even though the airport is zoned A-2 Agricultural District, There is an airport overlay district which allows more commercialized uses. Additionally, the petitioned area is adjoining other C-1 zoned parcels.

Relating to population change, Mr. Cropper referred to the amended staff report findings. Additionally, The Elms development was designed to support up to 44 units if/ when EDUs become available.

Relating to public facilities, Mr. Cropper again referred to the amended staff report findings. He also noted that at the last Planning Commission review, Mr. Mitchell allegedly agreed that there may be an EDU available for this parcel.

Relating to present and future transportation patterns. Mr. Cropper referred to the amended staff report findings, acknowledging that this area had terrible traffic. The access point would be located on Sinepuxent Road, and due to the distance from the intersection of Sinepuxent Road and MD Route 611 (Stephen Decatur Highway), access would not be an issue for the limited use of the property. He also stated that it would be less traffic for an office than a roadside stand or other retail facility.

Regarding compatibility with existing and proposed development and existing environmental conditions, Mr. Cropper noted the transitional nature of the proposed zoning district, its compatibility with the potential marine storage use to the north and a potential commercial kennel to the south (Worcester County Humane Society). Given the limited size of the parcel, the use would be very limited even with a special exception. Mr. Cropper referred to the County Commissioners public hearing, noting that the airport floating zone is a change in the character of the neighborhood due to the expanded runway and the purchase of the previously referenced C-1 properties for runway protection (referred to as the Haganan properties).

Regarding compatibility with the Comprehensive Plan, Mr. Cropper continued to point to the broad-brush approach of the land use map to the application of future zoning. While it used

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026

to be Suburban Residential land use, now it is Agriculture. Given the size of the petitioned area, he finds that it is in conformance with the overall objectives of the Comprehensive Plan. It will be an economic benefit on an under- or non-utilized property.

In summary, Mr. Cropper argued that if ever there was a classic change in the character of the neighborhood, this is the property. It is a peninsula bounded by two roads; the property to the north was rezoned from A-2 District to C-1 District, and now the same property has been tentatively approved for marine storage. Mr. Engel confirmed that they tried to fit many uses on the property, and nothing would work. Even as C-1 District, the uses on Mr. Finney's property are limited.

Mr. Finney was introduced. He currently owns a commercial condominium unit in Teal Marsh. He has approximately ten employees, in 1,766 square feet. He is desirous of constructing an office of up to 2,500 square feet on the petitioned area. He understands that he will still need to go to the County Commissioners to seek sewer allocation. He has been a tenant at Teal Marsh since 2012 and has witnessed the change in the character of the neighborhood. Overall, he felt that the C-1 District uses would serve the needs of this neighborhood.

Mrs. Wimbrow inquired if they had a survey to show the width of the property. It was estimated at 175' wide. Setbacks were also discussed. Mrs. Wimbrow also mentioned that while they can have 2,500 square feet in a single establishment by right, they could go to the BZA and request up to 5,000 square feet by special exception. The board discussed the avigational easement required by the airport, which would allow a height of up to 64', greater than the zoning code. Mr. Barbierri confirmed that there was no traffic study conducted for this request. Mr. French confirmed that the plan is to have the entrance on Sinepuxent Road, and Mr. Cropper stated that they will make that a condition of approval. Mr. French inquired about precedent setting should the board accept the defined neighborhood. Parking was also discussed.

Mr. Barbierri noted that the request before the board is a change in the zoning district. While an office use has been mentioned, the rezoning approval cannot be tied to a specific use.

Following the discussion, a motion was made by Mr. French, seconded by Mrs. Knight, and carried unanimously to accept the amended definition of the neighborhood. Next, a motion was made by Mrs. Knight, seconded by Ms. Purnell-Milbourne to adopt the findings of fact as outlined in the amended staff report prepared by staff. The motion carried 6 to 1 with Mrs. Wimbrow opposed. Lastly, a motion was made by Mr. French, seconded by Mrs. Knight, and carried 5 to 2 with Mr. Barbierri and Mrs. Wimbrow opposed, to find the proposed

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 4, 2026

amendment to rezone the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District consistent with the Comprehensive Plan based on a change in the character of the neighborhood, but not a mistake, and forward a **favorable recommendation** to the Worcester County Commissioners, with the condition that access shall be prohibited to MD Route 611 (Stephen Decatur Highway).

V. Critical Area Mapping Update

Mr. Brian Soper approached the table. Mr. Soper presented background information and an overview of the Critical Area map update process, including examples of changes to the Critical Area.

Mr. French and Mrs. Wimbrow provided comments on the proposed language for projects currently under review that are impacted by the map update. Following a discussion, Mr. Barbierri requested a motion on the item.

Mr. Hugh Cropper requested to comment on the maps but was informed by Mr. Barbierri that this was not a public hearing. Mrs. Drew stated that properties owners were notified previously and a public meeting was held by the Critical Area Commission where impacted property owners requested additional review of the Critical Area boundary on site. Mr. Soper confirmed Mrs. Drew's statement and clarified that the process for local adoption required the County Commissioners to hold a public hearing.

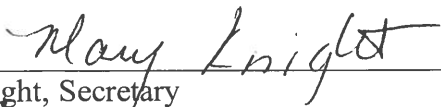
A motion was made by Mr. French to **recommend approval** of the updated Critical Area maps to the County Commissioners. The motion was seconded by Ms. Ott, and the motion was approved with no opposition.

VI. Miscellaneous

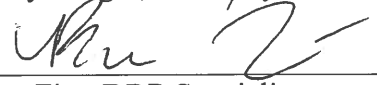
Mrs. Keener reminded the Planning Commission that a Work Session meeting was to be held on 6/11/2026 regarding the Comprehensive Plan.

VII. Adjourn

On a motion made by Mrs. Wimbrow and seconded by Mrs. Knight, the Planning Commission adjourned.



Mary Knight, Secretary



Ben Zito, DRP Specialist