

**NORTH EAST PLANNING COMMISSION**  
North East Town Hall Meeting Room  
106 South Main Street, North East, Maryland 21901  
Wednesday, January 7, 2015  
7:00 PM

Chairman Brian Morgan called the Public Hearing to order at 7:01 P.M. Present included, Mike Kline and Vice Chairman Mark Dobbins. Also present were Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Ranald Langille, Commissioner Eric Braley and Melissa Cook-MacKenzie were absent from the meeting.

**-PUBLIC HEARING-**

Rezoning Case R-2015-01-01: Applicant and property owner: Capital Development Associates, Inc. 29 South Main Street, North East, Maryland 21901. Applicant/owner has requested a change in the North East Zoning District Classification for 101 Mill Lane, North East, Maryland, to be changed from the current classification of "R-1" Single Family Residential District to "V-C" Village Commercial Zoning District. Also known as Parcel 0265 found on Tax Map 400. Deed Reference 03338/00080.

Chairman Morgan read Rezoning Case R-2015-01-01 into the record.

Mr. Peter Wood, Capital Development Associates, Inc., 29 South Main Street, North East, Maryland, applicant and owner of subject property, stated he currently owns the majority of properties on Race Street. Mr. Wood stated that he originally bought these properties, behind Woody's Crab House, so that he could possibly put in a parking lot in the future. Mr. Wood reported a Comprehensive Rezoning of Race Street had taken place several years ago and some of the properties were rezoned from "R-1" Single Family Residential to "V-C" Village Commercial. Mr. Wood stated he was under the impression that every property on Race Street had been rezoned to "V-C", since then however, he learned this was not the case. Mr. Wood purchased 101 Mill Lane, North East, Maryland and used the property as a residential unit but has not had the best success in doing so. Mr. Wood reported he has a potential tenant who would like to use the residence as an office. However, when the potential tenant was looking into the permitting for the change of use, he learned that the property was zoned "R-1" not "V-C". Mr. Wood stated that no other properties on Race Street (the south side) are zoned residential, they are all zoned "V-C".

Mr. Wood stated that there is a small piece of land behind 101 Mill Lane, North East, Maryland which belongs to the adjoining property owner, Lucia G. Demond. Mr. Wood reported that when he spoke with Mrs. Demond's daughter, Mrs. Gabrielle Oldham, she stated that she prefers her property remain zoned "R-1". Mr. Wood reported that his rezoning request is due to what he believes is a mistake made during the 2012 Comprehensive Rezoning, reporting that the property owner at the time, Mr. Samuel Owens, didn't want his property to change to "V-C". Mr. Wood stated that he would like the property rezoned to "V-C" Village Commercial and proposes to use the residence a small professional office which would require no substantive change to the existing building and would remain consistent with the character of the street. Mr. Wood added

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that the proposed use would not impact any nearby residents in terms of congestion, noise or parking.

Chairman Morgan introduced Attorney Dennis Clower, Clower, Parrack & Seaman Law Firm. Attorney stated Maryland's State Law regarding zoning reclassification and pointed out the justifications for reclassifying or changing a zoning district classification.

1. Change in the neighborhood
  - a. Population change
  - b. Character change
2. Reclassification due to a mistake in the existing zoning classification.

Attorney Dennis Clower stated based on the Maryland State Law regarding zoning reclassification, it is his opinion, a mistake was made when the subject property was not rezoned as "V-C" during the Comprehensive Rezoning in 2012.

Chairman Morgan inquired if there were any questions or comments by the Planning Commission in regards to the rezoning case. Mr. Kline stated he can see that this property should have been classified as "V-C" Village Commercial previously and he has no objection to the rezoning.

Mrs. Vennell stated Mr. Wood came into the Town Hall in 2012 when the Comprehensive Plan was being changed and at that time he asked the Planning Commission to consider Race Street to be rezoned to "V-C" Village Commercial. Mrs. Vennell reported in 2012, Mr. Owens who owned 101 Mill Lane, North East Maryland was not interested in rezoning his property. Therefore, the Town honored Mr. Owens decision and his property was not rezoned.

Mrs. Vennell reported that adjoining properties owners were sent letters regarding the current rezoning request and the Town received a telephone call from Mrs. Gabrielle Oldham, an adjoining neighbor, who inquired if her property would be reclassified as "V-C" if this rezoning case was approved. Mrs. Vennell reported that she told Mrs. Oldham that only 101 Mill Lane would be rezoned, if the application was approved, and Mrs. Oldham stated that she had no objection to the rezoning of Mr. Wood's property. Mr. Pat Dordan, a property owner in North East, called to state he fully supports the rezoning of 101 Mill Lane. Mrs. Vennell reported that the Critical Area Commission sent a correspondence that they have no comment in regards to the rezoning case.

Chairman Morgan inquired if anyone from the public would like to speak in favor or opposition of the rezoning. Ms. Connie Muller'thym tenant of a commercial business at 17 South Main Street, North East, Maryland stated she fully supports the rezoning.

Chairman Morgan closed the Public Hearing ended 7:19pm

**-MINUTES-**

December 5, 2014

The Planning Commission accepted the minutes as presented.

**-COMMENTS FROM THE PUBLIC-**

None.

**-NEW BUSINESS-**

Election of Chairman and Vice Chairman

Mr. Kline made motion to elect Mr. Brian Morgan as Chairman and Mr. Mark Dobbins as Vice-Chairman. Mr. Dobbins second the motion and the motion was approved by all.

Recommendation of Rezoning Case R-2015-01-01 to the Mayor and Commissioners

Chairman Morgan reported that he believes 101 Mill Lane, North East, Maryland should have been rezoned at the time of original Comprehensive Rezoning in 2012.

Vice Chairman Dobbins made a motion to recommend to the Mayor and Commissioners to change the North East Zoning District Classification for 101 Mill Lane, North East, Maryland from the current classification of "R-1" Single Family Residential District to "V-C" Village Commercial Zoning District. Mr. Kline seconded the motion and the motion was approved by all.

**-OLD BUSINESS-**

None.

**-REPORTS-**

FEMA

Mrs. Vennell reported FEMA will be conducting an open house on March 4, 2015 from 6:00pm – 8:00pm to allow the public to review the proposed FEMA flood maps and ordinances. The maps and ordinances must be adopted and effective by May 4, 2015.

Heron Cove

Mrs. Vennell reported that surveyors have been surveying the Heron Cove site, and to date, no applications have been received.

**-MISCELLANEOUS-**  
Pier One Parking Lot

Chairman Morgan inquired about the status of the Pier One Parking Lot. After considerable discussion the Planning Commission determined the following:

1. The Planning Commission was lenient allowing Mr. Cirino to put stone down for one (1) year before paving.
2. Mr. Cirino is setting a precedence by not completing the parking lot project per the requirements of the Planning Commission.
3. The Pier One Parking Lot Site Plan has not been finalized.
4. Current status of Parking lot: dirt topped with straw.
5. There should be no vehicular traffic in parking lot permitted.
6. The stone needs to be installed or no vehicles are to be parked in parking lot, per the original agreement with the Planning Commission.

The Planning Commission expressed concern about the potential mud which will be on site in the spring, tracking dirt down Main Street. They were also concerned about the Storm Water Management requirements not being met. Chairman Morgan stated he does not want vehicles parked on the dirt parking lot nor does he want to see a barrier/barricade when entering the Town. Chairman Morgan suggested, if Mr. Cirino is not going to complete the parking lot project, possibly he could plant shrubs to block the entrance to the parking lot. Vice Chairman Dobbins added, vehicles parked in the unfinished parking lot, at the Pier One Restaurant, does not look attractive to visitors who are entering the Town from North Main Street. Mr. Kline stated the current condition of the parking lot is unsightly. Vice Chairman Dobbins stated if there is no progress by next month then the entrance should be blocked and no parking should be permitted on the lot.

Subdivision Regulations

Mrs. Vennell stated she continues to work on the draft subdivision regulations and desires to implement some of the goals and objectives of the updated Comprehensive Plan, Transportation Plan into the regulations.

Community Appearance Standards

Chairman Morgan reported that he had spoken with the Town of Easton about their zoning ordinance regulations regarding town character. Chairman Morgan stated that he would forward to the Planning Commission and Planning Office information regarding Easton's regulations and would like to continue the conversation regarding the character of the Town of North East and the wording of our zoning ordinance regulations.

Zoning Ordinance Amendments

Mrs. Vennell reported the following Ordinances were approved by the Mayor and Commissioners and are effective.

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Ordinance 2014-12-01: Amendments to the North East Zoning Ordinance: Article 5. District Regulations. Section 5-4. 'R-O' Residential Office District Regulations. Amendments to Article 6, Supplementary Regulations. Section 6-26. Adult Oriented Commercial Enterprises.

Ordinance 2014-12-02 ARTICLE 7. SIGNS. SECTION 7-23. ELECTRONIC MESSAGE SIGNS AND READER BOARD SIGNS. Amending paragraph 1. f. to provide for time and temperature signs. Amending paragraph 2. Institutional electronic message signs/reader board signs to: permit messages to change no more than once every 30 (thirty) seconds, and provide for time and temperature displays 24 hours per day and when located within a residential district, the brightness level shall be reduced from 10:00 p.m. to 6:00 a.m. Amending the table of contents, paragraph re-lettering and re-numbering, page numbers and index pages to reflect changes to the text.

North East Fire Company Electronic Reader Board Sign

Mr. Kline stated the LED green and blue colored writing on the fire house sign is hard on the eyes and difficult to read. Vice Chairman Dobbins agreed and Chairman Morgan thought there were too many colors being used which also made the sign difficult to read.

February 4, 2015 Planning Commission Meeting

Vice Chairman Dobbin and Mr. Langille are unable to attend February's Planning Commission Meeting.

March 4, 2014 Planning Commission Meeting

Mr. Kline is unable to attend March's Planning Commission Meeting.

**-ADJOURNMENT-**

With no further business, Mr. Kline made a motion to adjourn at 8:00 p.m. Vice Chairman Dobbins seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

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Lisa Rhoades  
Planning and Zoning Assistant

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Brian Morgan  
Chairman