



Mayor & Council of Berlin

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**Town of Berlin
Planning Commission Agenda
April 11, 2018 6:00 PM
Berlin Town Hall – Council Chambers**

1. Call to Order
2. Agenda Adoption
3. Approval of Minutes – February 14, 2018
4. Concept Plan for Old Ocean City Blvd., LLC former Atlantic Orthopedic, Old Ocean City Blvd. Applicant Meeks Management, LLC
5. Concept sketch review for a proposed residential subdivision to be located on Worcester County Tax Map No. 302, Parcels 901 and 902, Burley Street, Berlin, MD as per Article II, “Procedures and Requirements”, Section 106-32 “Preliminary Conference” of the Code of The Town of Berlin, MD
6. Comments from the Commissioners
7. Comments from the Chairman
8. Comments from the Public
9. Adjournment

Town of Berlin
Planning Commission
February 14, 2018

The Planning Commission Meeting for February 14, 2018 was called to order by Chairman Chris Denny at 6:03PM. In attendance were Chris Denny, Newt Chandler, John Barrett, Phyllis Purnell, Pete Cosby and Ron Cascio. Members absent were Barb Stack and Natasha Brittingham. Staff present were Planning Director Dave Engelhart and Permit Coordinator Carolyn Duffy.

Chairman Chris Denny called for a motion to adopt the agenda for the February 14, 2018 meeting. Mr. Pete Cosby made the motion to adopt the February 14, 2018 agenda. Mr. Newt Chandler seconded the motion and it was unanimously accepted by the commission members. Mr. Newt Chandler made the motion to approve the minutes from the December 13, 2017 meeting. Mr. Pete Cosby seconded the motion and it was unanimously accepted by the commission.

The next item on the agenda was the election of the chairman and the vice chairman. Mr. Newt Chandler made the motion to nominate Mr. Chris Denny to remain seated as the chairman for the commission. Mrs. Phyllis Purnell seconded the motion and it was unanimously accepted by the commission. Mr. Pete Cosby made the motion to nominate Mr. Ron Cascio to remain the vice chairman for the commission. Mr. Newt Chandler seconded the motion and it was unanimously accepted by the commission.

Planning Director Mr. Dave Engelhart explained that Mr. Ron Cascio recused himself from the podium because he was representing the Worcester County Library Board for the landscaping revisions. Mr. Cascio told the commission that it was a change to the site plan, 428 linear feet of 6ft vinyl fence. Mr. Cascio told the commission that they had discussed a green wall and they had retained some of the trees. He stated it was mostly vines out there. They had proposed Eastern Red Cedar trees. Mr. Pete Cosby and Mr. John Barrett wanted to know who preferred the fence over the green vegetation. From the audience Mr. Ross Palmer, 5 Brittany Lane told the commission that he wanted a solid barrier for his children because it was in his back yard. Mr. Barrett asked about how far was it from the backyard. Mr. Cascio said about 8 feet from the asphalt. Mr. Cosby asked why the resident couldn't put a fence in his back yard. Mr. Palmer stated that his bedroom was in the back of his house. Mr. Cascio stated it was originally approved without a fence.

Planning Director Dave Engelhart explained how the change had come about. He stated that there was a public outreach at the current Library about the fence. He stated one reason for that was that the site plan the planning commission approved had no fence. The elevations that were shown had a fence on the elevation drawings. So the Library said they would put up a fence. Mr. Barrett asked about how many homes are affected by this. Mr. Engelhart stated about five homes are affected by this 428 foot fence. Mr. Newt Chandler asked about the buffer that was approved. Mr. Cascio stated that red cedars were approved. Mr. Barrett asked about how far the fence would be. Mr. Engelhart replied about 10 feet. Mr. Chandler asked about the hours the Library would be open. Mr. Cascio replied around 9 to 6 and some evening events would be going on. Mr. Barrett questioned why someone was there about the fence. Mr. Troy Purnell

told the commission that a fence was shown on the rendering and it's a residential area. Mr. Purnell said the residents came out and asked him what he could do, it's something his constituents want a fence. Chairman Denny asked Mr. Palmer did other neighbors want a fence. Mr. Chandler stated we had meetings and no one came. Mr. Barrett said it may have been misleading because a fence was shown on the rendering. Mr. Cosby stated any property owner could put up a fence. Mr. Engelhart said it had been budgeted. Mr. Cascio disagreed and said it had not been budgeted. Mr. Engelhart stated that the Library was being represented and the revision is to put up a fence. Discussion continued about whom could put up a fence. Mr. Purnell stated nothing is left meaning a separation and explained what you could see from the parking lot. He stated when he saw the renderings he told the people it would be okay because they saw the rendering with the fence. Mr. Barrett asked who put the fence on the rendering. Mr. Cascio replied the architect. Chairman Denny said the applicant asked for 428 linear feet of fencing.

Mr. John Barret made the motion to approve to make the neighbors happy because it was shown on the rendering. Chairman Chris Denny seconded the motion. Chris Denny, John Barrett and Phyllis Purnell voted for the fence. Pete Cosby and Newt Chandler voted against the fence. 3/2 vote passed.

Next item on the agenda was the revision to Purnell Crossing PUD. Mr. Troy Purnell stated that since 1994 there had been some revisions. He stated a piece of land has three lots and he wanted to do seven single family lots and he had the EDU's for water and sewer out there. He stated he wanted accessory buildings in the rear yards. He stated it was revised to do the Cottages and Hospice had brought the land in the back of the Cottages. He stated he was paying for 47 EDUs and that Mayor & Council said he could transfer seven EDUs to this if it was approved. He stated on this parcel of land there was already two EDUs so he would need to move five EDUs over. Mr. Engelhart stated that the planned unit development is built as approved and does not super cede. Mr. Engelhart told him you can't put what you want out there. Discussion occurred, Mr. Cosby told Mr. Purnell to read the code 108-62 to see what the code said. Mr. Cosby said he didn't know if it was the original PUD and the others owners should go along with the change. Mr. Cosby stated he would need clarification from a lawyer if he could change the PUD. Mr. Barrett asked is it out if the property is sold. Mr. Chandler asked could they do a contingency on this. Mr. Cascio made the motion that it be contingent on the Cottages and Hospice, agreement. Mr. Chandler seconded the motion.

Site Plan approval for Storage & Warehouse use on Evans Road was the next item on the agenda. Mr. Chandler recused himself from the podium because he would be helping to present along with Mr. Chris Carbaugh and Mr. Murray. Mr. Carbaugh gave an overview of the property located on Evans Road. He stated it was 5 acres zoned B-2 Shopping District. He explained they were there to get a condominium approved. They were looking to construct an entrance road, parking, storm water management and utilities and landscaping. The site plan at build out would show six warehouse facilities 60 x 100 feet or 7200 square feet of building. The buildings could be smaller but wanted to give the commission an idea of the build out. Mr. Carbaugh stated they were looking for the condominium project to get the site ready and they would come back with building and construction plans. He said it would be up to the builder on what they wanted to propose they would come back individually. Mr. Cosby asked would the

building envelope be the same size that is shown. Mr. Carbaugh said it would comply with all the setbacks. There would be some flexibility and they would come back to planning commission. He stated when he met with Mr. Engelhart they just wanted to give you an idea of what they were talking about. He stated what they are seeking approval for is drawing c101 to have pad ready sights. Mr. Barrett asked about fencing. Mr. Carbaugh stated one tan fence proposed on the east side of the property line, security fencing around each bay the proposed 6ft. property line because it is residential. Shown on drawing c102 the fence, shown trees to soften the fence and added some additional trees for natural screening. Mr. Cosby stated put the fence inside and the trees would screen the fence. Mr. Engelhart stated the property was annexed into the town in 2006. Mr. Barrett asked if the vegetation does not grow would you consider putting a fence all the way down that line. On the north east side Mr. Chandler said they would plant more trees. Mr. Cascio asked could they get more specific with trees, requesting names. Mr. Carbaugh replied Eastern Red Cedar trees or JV's, he explained the overhang of the trees for storm water. Mr. Cascio asked if they could put two white oak trees at the entrance. Mr. Chandler said if they would make you happy. Mr. Cascio stated that Maples get ratty. Mr. Barrett asked with doing a pad how does that work with the fencing and landscaping. Mr. Chandler said they would like to build one first make a little money then after the second sold the landscaping will go in as needed. Mr. Cascio asked how about when the storm water goes in. Mr. Engelhart asked so the condition would be on when the storm water features are installed. Mr. Ron Cascio made the motion to approve the site plan. Mrs. Phyllis Purnell seconded the motion and it was unanimously accepted by the commission. With no other comments from the public, commission, chairman or staff the meeting was adjourned. Motion to adjourn 7:01PM.

Respectfully Submitted,

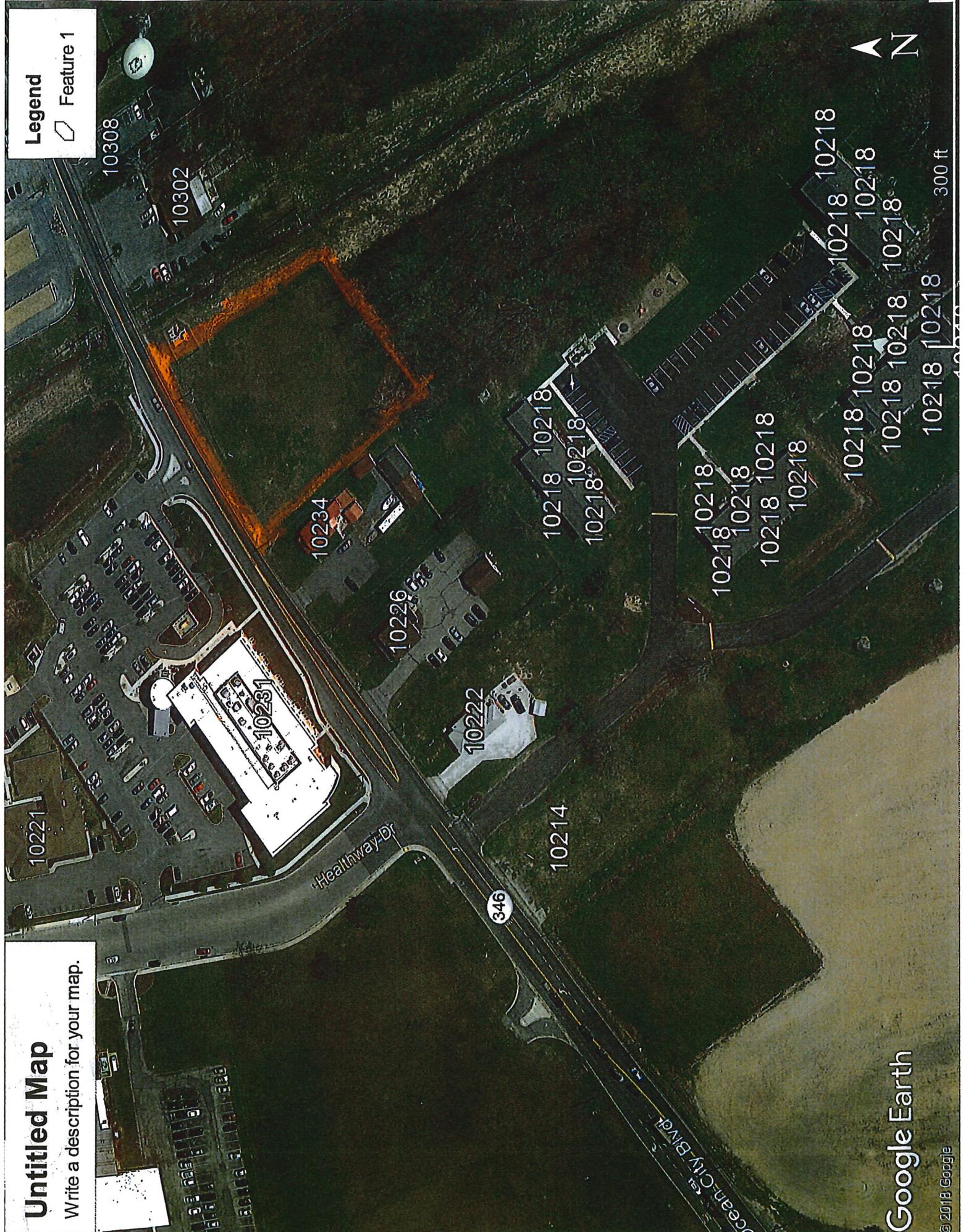

Carolyn Duffy

Untitled Map

Write a description for your map.

Legend

Feature 1



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300 ft



Google Earth

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Healthway-Dr

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Ocean-City-Bldg

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10231

DORE

4

30' EASEMENT TO TOWN

DITCH

LOT 4
+/- 35,038 SF

LOT 3
+/- 24,000 SF

LOT 2
+/- 17,365 SF

LOT 1
+/- 13,890 SF
EXISTING HOUSE AND STUDIO

FORESTRY
+/- 13,500 SF

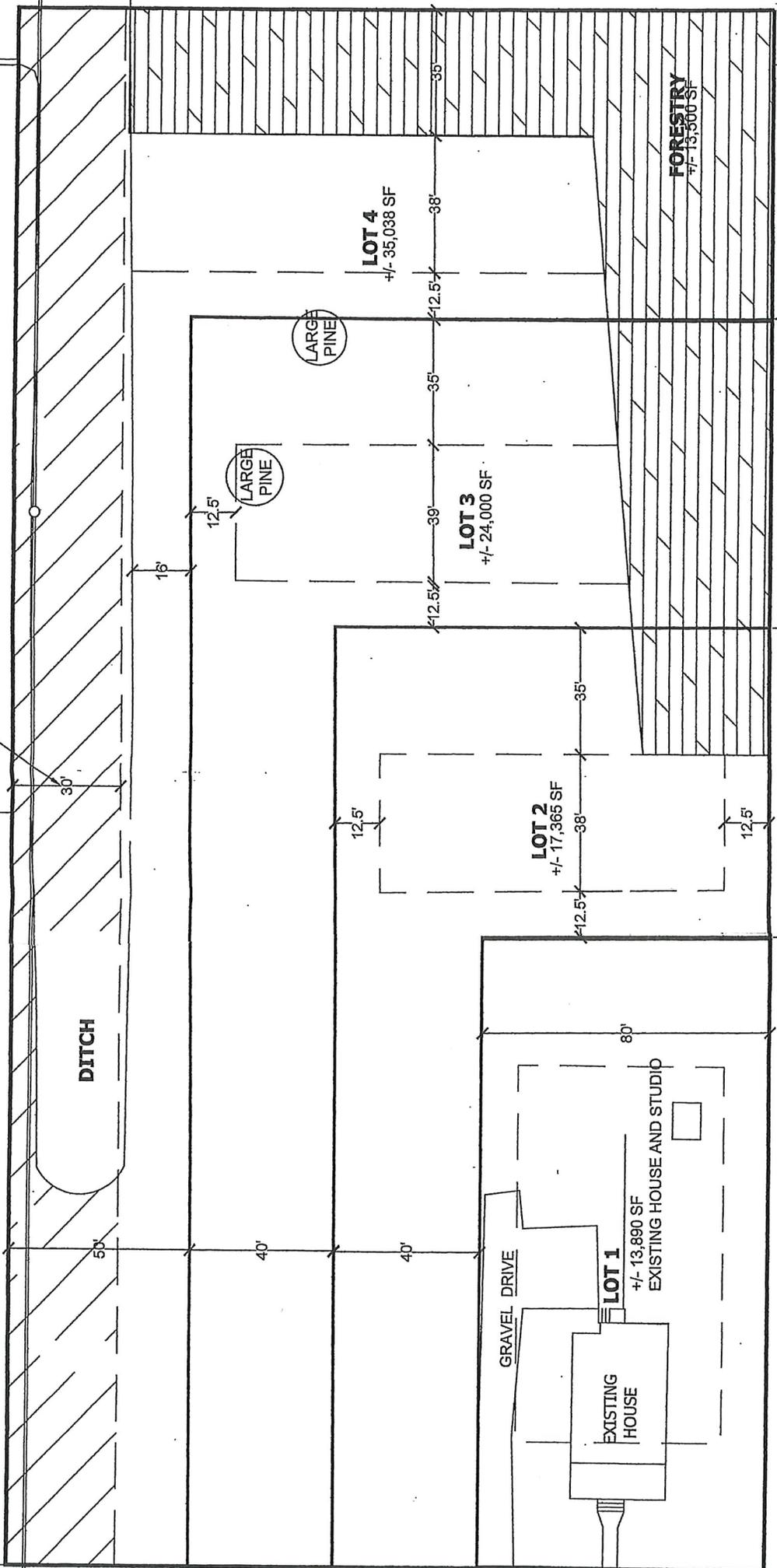
LARGE PINE

LARGE PINE

GRAVEL DRIVE

EXISTING HOUSE

EXISTING HOUSE AND STUDIO



ZONING = R-1