Town of Berlin
Planning Commission
February 12, 2020
5:30 PM
Berlin Town Hall – Council Chambers

1. Call to Order
2. Agenda Adoption
3. Approval of Minutes – January 8, 2020
4. Election of Chairman & Vice Chairman
5. Site Plan Approval – South Moon Under Offices, Franklin Ave
6. Site Plan Approval - Main Place Building #5 – Palmer Gillis
7. Subdivision Plat & Subdivision Exhibit for SonRise Church
8. Concept Plan- Derrickson Square - 9913 Old Ocean City Blvd
9. Comments from the Commissioners
10. Comments from the Chairman
11. Comments from the Public
12. Comments from Staff
13. Adjournment
Town of Berlin
Planning Commission Meeting
January 08, 2020

The Planning Commission Meeting for January 8th, 2020 was called to order by Chairman Chris Denny at 5:31PM. Members present were Chris Denny, John Barrett, Newt Chandler, Phyllis Purnell, Ron Cascio, Pete Cosby and the newest member Matthew Stoehr. Staff present were Planning Director Dave Engelhart and Permit Coordinator Carolyn Duffy.

Chairman Chris Denny called for a motion to adopt the agenda with one correction, item #4 to be tabled to February’s meeting. Mr. Pete Cosby made the motion to adopt the January 8, 2020 agenda. Mr. Newt Chandler seconded the motion and it was unanimously accepted by the commission. Chairman Chris Denny called for a motion to approve the minutes from the December 11th, 2019 meeting. Mr. John Barrett made the motion to approve the minutes from the December 11th, 2019 meeting. Mr. Matt Stoehr seconded the motion and it was unanimously accepted by the commission. Chairman Chris Denny introduced the newest member to the Planning Commission Mr. Matthew Stoehr.

Chairman Chris Denny called the next item on the agenda Site Plan Approval for 312 Maple Ave Willows at Berlin. Mr. David Rovansek from GMB Engineering stated he was working on the project. Mr. David Holden the developer was also present. Mr. Rovansek stated it was an 8-acre property at the end of Maple Ave. He stated it had no entrance on Bay Street. The property has 31 existing units and they are proposing 34 additional units. It is privately owned and will have a lift station put in that is to the town standards. They had added lighting and thought about a pedestrian access to Bay Street but didn’t think that would be the best solution. Mr. Rovansek stated he had met with the electric department, water, public works at a staff meeting and went over every detail that they could to get comments. He thought they were moving right along on this project.

Mr. Rovansek stated what he had added to this packet was the elevations. Mr. David Holden stated they would have a community building that would have the site management present. Also added a tot lot for younger children. The existing buildings Mr. Holden stated they would dress them up adding windows and landscaping. Mr. Rovansek stated it is a private road. Mrs. Phyllis Purnell asked how they would renovate the existing units. Mr. Holden stated in a phased process. Mrs. Purnell asked if the people there would have to move. Mr. Holden stated they may have to move around on the site. They would need to get into each unit to update each one and get them more natural light. The residents have been notified about what is going to occur. They have even asked if we could incorporate the horseshoe pits.

Mr. Rovansek stated they would be rebuilding the bridge a little bit north of where it is located now. Planning Director Dave Engelhart told them it would have to be hard surface to be ADA compliant. Mr. Rovansek stated they would be putting a split rail fence up to separate the two properties around the southern part closest to the front. Mr. Rovansek stated the stormwater management had changed. They were thinking about stream restoration to meet some of the requirements but most of the issues were with the neighboring property so they will handle theirs on site. One of the neighboring property owners contacted them about redirecting the water off
his land to Hudson Branch. Mr. Matthew Stoehr asked if the renters would have to pay the cost to move. Mr. Holden stated no they would be moving them. He stated they are getting some turn over right now. Mr. Matthew Stoehr asked would the existing residents have an opportunity to go to the new units. Mr. Holden replied yes if they were moved and wanted a new unit. The units would be energy efficient and the older units would be upgraded also like new.

Chairman Chris Denny asked the public if anyone had questions for the applicant. Planning Director Dave Engelhart asked Mr. Rovaneck to speak on their timeline. Mr. Rovaneck stated they should have all approvals by the summer so maybe starting by mid-summer. Mr. Pete Cosby asked about the pavers. Mr. Ron Cascio asked if they had a plan to maintain the pavers overtime. Mr. Rovaneck stated it would be part of their stormwater plan. Mrs. Phyllis Purnell asked if any of the units were for seniors. Mr. David Holden replied that some of the ground units would be good for seniors they have the radius and grab bars in the bathrooms. Mr. Rovaneck stated that twenty-one of the units would be ADA accessible. Mr. Ron Cascio told them they were doing a great job. He asked them to go to drawing A-16 and to do something with that blank wall. Mr. Holden stated that was an existing building. Mr. Holden stated it may be difficult to add windows. Mr. Cascio asked if they could put Cedar Shake on. Mr. Holden stated he would have to check with the architect. Mr. Engelhart stated he also agreed with Mr. Cascio that they were doing a good job.

Chairman Chris Denny called for a motion. 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.

Next item on the agenda was a request for change in the zoning classification from M-1A Industrial District to B-2 Shopping District Tax Map 0025, Parcels 0004 & 0461. Mr. Chris Carbaugh from the Atlantic Group Associates stated he was present seeking a rezoning of Tax Map 0025, Parcels 0004 & 0461. Mr. Engelhart stated he had presented them with packets on the parcels he was referring to. Mr. Carbaugh stated that the project that was proposed for that property an Industrial Park had never happened. He stated the finding of fact A, B, C, D, E, F, G and H. He was requesting the board rezone parcels 0004 & 0461. Mr. Pete Cosby asked was there any residential that was proposed there. Mr. Engelhart stated on the map that had the gray for industrial the pail yellow was for residential. Mr. Carbaugh said they had been working with Mr. Houck trying to get the ditch changed and now they have offers for the parcels which allows for a better project. He stated that the lots could be ultimately consolidated, and they could end up with six lots for a commercial center. Mr. Ron Cascio asked if water and sewer was out there. He replied yes.

Mr. Pete Cosby wanted it known that he had consulted with Mr. Phil Houck didn’t believe there was a conflict but thought he should say something to the commission members. No members objected to him being seated. Chairman Chris Denny asked for comments from the public. Mrs. Cam Bunting asked that no stop light be put on Route 50. Mr. Engelhart informed her that would be up to State Highway Administration about putting up a light at that intersection. Mr. Newt Chandler made the motion to approve the request for the change in the zoning classification from M-1A Industrial District to B-2 Shopping District. Mr. Pete Cosby seconded the motion it was unanimously accepted by the commission.
Mr. Engelhart stated he had received a letter today from the Coastal Realtors addressing the draft the town is working on short-term rental. The letter was not to prohibit the Airbnb but to state it was a property right and wanted this to be considered as the town moves forward. Mr. Engelhart stated what they are suggesting is that it be allowed in the R-1 & R-2 owner occupied districts. In the R-3 and R-4 allowed not owner occupied. B-2 & B-1 allowed on second floor residential business on first floor. Mr. Ron Cascio asked about the PUD’s. The underline zoning rules over that Mr. Engelhart stated. Mr. John Barrett asked about policing the garage units that are being rented. Mr. Engelhart explained it is complaint driven. The County’s ordinance took effect as of January 1st, 2020. Discussion continued.

Mrs. Cam Bunting stated that the Airbnb was a problem. She asked about the 28 days or less this fall under the short term she asked. Mr. Engelhart stated the county has a room tax that could be added. The town has not worked out how to collect that tax yet. We need a definition of short-term fee. He stated the town has a fee for a rental license. Mr. John Barrett asked does a code have to be written for rental inspections. Mr. Engelhart stated the town uses the international building code for guidelines. We have done home inspections and that was complaint driven.

Discussion continued.

Mr. Matthew Stoehr stated there were benefits from the Airbnb. He asked Mrs. Ivy Wells about how many rooms were in town to rent. Mrs. Wells stated that at the Atlantic Hotel there were 17 rooms, 6 at the Washtead Inn and 4 at the Holland House.

Mr. Spiro Buas stated they would need a certain amount of safety for an Airbnb. He stated in case of a fire these people don’t know each other and who’s to say they would even knock on another person’s door to let them know to get out. Mr. Buas stated those that want to do this it should be to the standards of a boarding house. Mr. Pete Cosby thought that was a good idea. Mr. Engelhart stated we are not trying to prohibit this, and it doesn’t mean the town is for or against. Just trying to catch up to the 21st century. He stated the R-1 and R-2 seems to be the best bet because they are owner occupied. Mr. Barrett’s thought was this was a way to try to stop it. Mr. Cosby thought they needed restrictions on how many cars could be in a driveway. No discussion on the resilience.

Mr. Newt Chandler made motion too adjourn. Mr. Pete Cosby seconded the motion. Meeting adjourned 6:40PM.

Respectfully Submitted,

Carolyn Duffy
PLANNING COMMISSION APPLICATION

DATE: 1/20/19  HEARING DATE: 2/12/20  CASE NUMBER: 2-12-20-04
APPLICATION FOR: [ ] SUBDIVISION  [X] SITE PLAN REVIEW
PROJECT NAME: South Moon Under Offices
LOCATION OF PROPERTY: 614-619 Franklin Avenue
SIZE OF PROPERTY: 15.2 ac.  ZONING: B-3  TOTAL LOTS: 3
PROPERTY OWNER/AGENT: New Properties, LLC / Atlantic Group  PHONE #: 410 629 1100
ADDRESS: 18044 Old Ocean City Blvd, Berlin  EMAIL: carbaugh@the-atlanticgrp.com
SIGNATURE OF APPLICANT

- Applications must be submitted at least two weeks prior to a regularly scheduled meeting of the Planning Commission.
- Three copies of the proposed subdivision or site plan must be provided with this application.
- Applicable review fees must be paid when application is submitted.
**SOUTH MOON UNDER**
619 FRANKLIN AVENUE, TOWN OF BERLIN
Worcester County, Maryland

SITE DEVELOPMENT PLAN

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**CONSULTANTS**

OWNER:
KREV PROPERTIES, LLC
3004 MEADOWLAWN SQUARE
DELMAR, DE 19940

SURVEYOR, PLANNER, CIVIL ENGINEER, LANDSCAPE ARCHITECT:
Atlantic Group & Associates, Inc.
10044 Old Ocean City Boulevard
Berlin, MD 21811
Ph: (410) 629-1660

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**PROFESSIONAL CERTIFICATION**

[Signature]

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**TITLE SHEET**

C-001
PLANNING COMMISSION APPLICATION

DATE: 12.20.19  HEARING DATE: 01-08-2020  CASE NUMBER: 01-08-20-01

APPLICATION FOR:  [ ] SUBDIVISION  [x] SITE PLAN REVIEW

PROJECT NAME: Berlin MainPlace

LOCATION OF PROPERTY: 99 Main Street

SIZE OF PROPERTY: 3/4 Acre  ZONING: B-2  TOTAL LOTS: Condo Assoc

PROPERTY OWNER/AGENT  PARLER Gius  PHONE # 410-749-4821

ADDRESS  P.O. Box 1322  Salisbury, MD 21803  EMAIL  gius@GSIBuilds.com

SIGNATURE OF APPLICANT

• Applications must be submitted at least two weeks prior to a regularly scheduled meeting of the Planning Commission.

• Three copies of the proposed subdivision or site plan must be provided with this application.

• Applicable review fees must be paid when application is submitted.
DAVIS, BOWEN & FRIEDEL, INC.

601 Main Street
SALISBURY, MARYLAND 21804

TEL (410) 543-9091
FAX (410) 543-4172

TO: Gillis Gilkerson

WE ARE SENDING YOU [x] Attached [ ] Under separate cover [ ] the following items.
[ ] Shop drawings [x] Prints [ ] Plans [ ] Samples [ ] Specifications
[ ] Copy of letter [ ] Change Order [ ]

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THERE ARE TRANSMITTED as follows:
[ ] For approval [ ] Approved as submitted [ ] Resubmit copies for approval
[ ] For your use [ ] Approved as noted [ ] Submit copies for distribution
[ ] As requested [ ] Make Corrections Noted [ ] Return corrected prints
[ ] For review and comment [ ] For bids due [ ]
[ ] PRINTS RETURNED AFTER REVIEW TO US

REMARKS

COPY TO: ___________________________ SIGNED: ___________________________

If enclosures are not as noted, kindly notify us at once.
LIST OF DRAWINGS

US RT. 50 & MD RT. 818, MAIN STREET, BERLIN, MARYLAND

BERLIN MAIN PLACE
BUILDING SHELL #5

PLANNING AND ZONING SET

DECEMBER 9, 2019

DBF #0032A079.E01
Transmittal Record

Via: USPS

Date: December 17, 2019
Project No.: SON01-02
Project Name: SonRise Church
Re: Subdivision Plat and Subdivision Exhibit

To:
Town of Berlin
10 William Street
Berlin, MD 21811
Attn: Mr. Dave Engelhart
Planning Director

We are sending:

- [X] Attached
- [ ] Change Order
- [ ] Shop Drawings
- [ ] Specifications
- [X] Plans
- [ ] Other:

These are transmitted:

- [ ] For Signature
- [ ] Approved as Submitted
- [ ] Resubmit: Copies for Approval
- [X] For Your Use
- [ ] Approved as Noted
- [ ] Submit: Copies for Distribution
- [ ] As Requested
- [ ] Revised & Resubmit
- [ ] For Bids Due:
- [ ] X For Review & Comment
- [ ] Rejected
- [ ] Other:

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Remarks:

Mr. Engelhart:

Please find enclosed 9 copies of the Subdivision Plat and 1 copy of the Subdivision Exhibit for your review. Our intent is to be placed on the agenda for the January Planning Commission meeting.

Thanks very much!

Copy:

cc: Pastor Keith Hammer

If enclosures are not as noted, please contact me.
Heavy Metal Playground is a very unique business. It’s so unique that there are only a few companies like it in the nation. Heavy Metal Playground provides a fun and safe environment where people can learn to operate and play on heavy equipment. We have three categories of business which are amusement, corporate events and certified heavy equipment training. Plus we are heavy into community involvement.

How It Works
We always stress safety in everything we do. We lay out the area so that everyone is safe from walking to and from the equipment to operation of the equipment. We have a safety talk before each session explaining equipment operation. Everyone wears headsets and we are in constant communication with our customers throughout their experience. Machines are heated and air conditioned so that we keep them out of the elements to not only provide a great customer experience but to keep them safe. We do not operate during heavy storms with lightning in the area. During the experience, customers learn how to operate the machines and do fun activities like digging in the dirt, stacking tires and play our basketball game where we teach them to pick up a basketball and drop into a tire. All customers then compete with each other for the final activity. Machines are stationary and in no way can they hit each other. Spectators are welcomed to watch and we have safe zones that allow them to see the activities but also provide shade to keep them out of the hot sun.

Corporate events are a large part of our business and we have had groups from Google, Amazon, Procter & Gamble, Volvo, Cisco and many more. We have also had youth groups and non-profits including Wounded Warriors, American Cancer Society and more come to our facility.

Something we are very proud of is we have created certified heavy equipment training classes. We saw the need for people to gain experience in the trades which leads to jobs in construction, landscaping, electric companies, plumbing companies and more. We work with the community to provide discounted classes to non-profits and have held training classes with homeless groups, underprivileged adults, teens and veterans to help them better their lives with certifications.

We draw many people from far and wide. The average time that people drive to our facility is 2 to 3 hours. We have had people drive over 6 hours (from places like Detroit and Boston) just to come to our facility for half hour sessions. Our business has created tourism with people coming to the area and booking hotels for the weekend. We also work with local businesses by providing coupons and suggestions for people to stay, eat and do other activities (shopping, etc.) while in the area.

Our business setup so that we do not have an overflow of people at any given time. In most cases customers book ahead through our website and activities are scheduled in advance. This helps cut down on too many people showing up at one time. In our marketing we stress to book ahead to be guaranteed a time slot. This helps us control the flow of people.