



**Town of Port Deposit
Planning Commission Work Session Meeting Minutes
March 28, 2024**

Chairman Heck called the meeting to order at 6:32p.m.

PRESENT: Chairman Heck, Vice-Chair Baron, Commissioner Komisar, Commissioner Bowen, Commissioner Allen, Town Administrator Rinkerman, Project Manager Jamie Kendrick from Mead & Hunt and Kate Bryden from MRP Industrial. Via Zoom: Hailey Vaughn - Mead & Hunt, Counsel Jack Gullo, Council Liaison Berlin

PUBLIC HEARING – COMPREHENSIVE AMENDMENTS TO THE PORT DEPOSIT ZONING MAP TO CONFORM WITH LAND USE CLASSIFICATIONS IN THE NEWLY ADOPTED 2023 COMPREHENSIVE PLAN

- Open the Public Hearing
- Review of Revisions from Work Session Meeting
- Review of Amendments to the Zoning Ordinance and Zoning Map
- Discussion by Planning Commission – no further discussion
- Public Comment – Resident, Clay Shaffer inquired what the changes were from the previous districts to the Community Core District (CCD). Town Administrator Rinkerman explained how the residential districts were previously split up and are now combined into one (CCD) to allow for various housing and some commercial zones. This allows for more mixed use of properties.
- Close Public Hearing
- Motion and Discussion by Planning Commission – Motion made by Vice-Chair Baron to recommend approval to the Town Council of the proposed comprehensive amendments to the Port Deposit zoning map to conform the land classifications in the newly adopted 2023 comprehensive plan. Seconded by Commissioner Komisar. Roll call: Heck-Y, Baron-Y, Allen-Y, Bowen-Y, Komiar-Y. All in favor. Motion carried unanimously.

PUBLIC HEARING – COMPREHENSIVE REZONING AMENDMENTS TO THE PORT DEPOSIT ZONING ORDINANCE TO CONFORM WITH LAND USE CLASSIFICATIONS IN THE NEWLY ADOPTED 2023 COMPREHENSIVE PLAN

- Open the Public Hearing
- Review of Revisions from Work Session Meeting – Town Administrator Rinkerman provided an overview of the revisions from the March 14, 2024 Work Session Meeting.
- Review of Amendments to the Zoning Ordinance and Zoning Map
- Discussion by Planning Commission – Chair Heck ask Kate Bryden, MRP Industrial to provide details on her suggestion of proposed language for revision regarding the height of a building vs. set back. Kate explained the proposed language and setback guidelines in relationship to height.

Discussion ensued regarding aquaculture on Bainbridge and consideration of wholesale, retail, packaging, processing, freezing and product storage for the aquaculture facility all on the same parcel.

- Public Comment – Resident, Clay Shaffer discussed his concern about the 0-5ft set back regulations and suggested to make it at least 3ft. Chair Heck explained that the current regulations in place allows for an

owner to re-build with their current layout if something were to happen to a property, rather than requiring them to change the whole layout/blueprint to fit a 3ft setback regulation. Discussion ensued with other residents (Benito Blake and Joe Messick) who were in support of the 0-5ft setback. Mr. Shaffer pressed to change the regulation to 3ft rather than 0-5ft to which Chair Heck expressed the importance of the public attending meetings to provide their input rather than waiting till the 11th hour. Resident Joe Moran inquired about short-term rentals.

- Close Public Hearing
- Motion and Discussion by Planning Commission – Motion made by Vice-Chair Baron to recommend approval to the Town Council of the proposed comprehensive amendments to the Port Deposit Zoning Ordinance to conform with the land classifications in the newly adopted 2023 Comprehensive Plan with the amendments to the original draft and 2 additional motions as outlined in the attachment. Seconded by Commissioner Komisar. Roll call: Heck-Y, Baron-Y, Allen-Y, Bowen-Y, Komiar-Y. All in favor. Motion carried unanimously.

Motion was made by Chair Heck to adjourn the meeting. Seconded by Commissioner Komisar. All in favor. The meeting was adjourned at 7:52 p.m. Meeting recording available upon request.

Approved:



Bill Baron, Chair (in lieu of previous Chair, Jeff Heck)

**PORT DEPOSIT PLANNING COMMISSION MEETING
MARCH 28, 2024
MOTION AND DECISION**

COMPREHENSIVE AMENDMENTS TO THE ZONING MAP

At the Planning Commission Meeting on March 28, 2024, motion made by Bill Baron, second by Chris Komisar, to recommend approval to the Town Council of the proposed comprehensive amendments to the Port Deposit Zoning Map to conform with the land classifications in the newly adopted 2023 Comprehensive Plan.

ROLL CALL VOTE: Y Heck Y Baron Y Allen Y Bowen Y Komisar
Motion carried by a vote: 5 In Favor Opposed Abstained

COMPREHENSIVE AMENDMENTS TO THE ZONING ORDINANCE

At the Planning Commission Meeting on March 28, 2024, motion made by Bill Baron, second by Chris Komisar, to recommend approval to the Town Council of the proposed Comprehensive amendments to the Port Deposit Zoning Ordinance to conform with the land classifications in the newly adopted 2023 Comprehensive Plan with the following amendments to the original draft:

- (1) Amend Sections of the Ordinance to return the operations of the Planning Commission and Board of Appeals as follows:
 - a. Section 22 – Powers and Duties of Planning Commission. Restore the Planning Commission’s power and duty of making recommendations to the Board of Appeals on special exceptions.
 - b. Section 29 – Powers and Duties of Board of Appeals. Restore the Board of Appeal’s power and duty of hearing and deciding applications for variances and special exceptions.
 - c. Section 53, 60, 61, 63, 64, 66 and 67 – Restore the language for applications, process and hearings before the Board of Appeals.
 - d. Section 72 – Variances. Restore the language for the process of variances through the Board of Appeals.
 - e. Section 84 – Written Decisions. Restore the language for duties of the Board of Appeals.
 - f. Section 169 – Use of the Designations P, PC, SE and SC in the Table of Permissible Uses. Restore the language for SE to approval by the Board of Appeals.
 - g. Section 171 – Permissible Uses and Specific Exclusions – Restore the language for approval of special exceptions by the Board of Appeals.
 - h. Section 206 -Hospitals, Clinics and other Medical Treatment Facilities and 209 – Public Utility Buildings and Public Utility Structures - Restore the language for approval by the Board of Appeals.
- (2) Amend Section 175 – Table of Permissible Uses – Revise Camping and Recreational Vehicle Parking to add PC under CCD District.
- (3) Section 178 – Camping and Recreational Parking – Add language to permit this use with conditions in the CCD District.

- (4) Section 186 – Special Design Standards – Residential Unit Mix to require at least two (2) unit types rather than 3 unit types with no individual unit type exceeding 75% of the total unit count and apartment dwelling units exceeding 25% of the total unit count.

ADDITIONAL CONSIDERATION FOR REVISIONS

✓ **ADD TO MOTION**

(5) **Section 12. Definitions of Basic Terms**

Land-Based Aquaculture - the raising of fish or shellfish in any natural or man-made, enclosed or impounded, water body.

Revise definition to add: RELATED ACTIVITIES, SUCH AS WHOLESALE AND RETAIL SALES AND PROCESSING, PACKING, FREEZING AND PRODUCT STORAGE ARE PERMITTED ON THE SAME PARCEL AS LAND-BASED AQUACULTURE.

✓ **ADD TO MOTION**

(6) **SECTION 109. General Districts**

7. B & I Business and Industrial Employment District

e. Standards - The following standards will apply to this zoning district and are subject to approval by the Planning Commission. The Planning Commission may impose additional standards due to the nature and location of the proposed use to preserve and protect the character and safety of the Community. Consideration for flexibility within the below provided standards may be considered by the Planning Commission on a case by case basis:

- (5) Front, side and rear setbacks shall be fifty (50) feet when adjacent to a **RESIDENTIAL, COMMERCIAL, OR** business **AND** ~~or~~ industrial zone.
- (8) The maximum height of the buildings shall be seventy-five (75) feet when adjacent to a business or industrial zone and maximum building height shall be fifty-five (55) feet when adjacent to a residential zone. **MAXIMUM BUILDING HEIGHT MAY BE EXCEEDED IF SIDE, FRONT, OR REAR YARDS ARE INCREASED IN WIDTH OR DEPTH BY TWO (2) ADDITIONAL FEET FOR EVERY ONE (1) FOOT OF EXCESS HEIGHT. unless additional height is approved by the Planning Commission.**

ROLL CALL VOTE: ✓ Heck ✓ Baron ✓ Allen ✓ Bowen ✓ Komisar

Motion carried by a vote: 5 In Favor 0 Opposed 0 Abstained

Respectfully Submitted,



Jeff Heck, Chair

Port Deposit Planning Commission