

MINUTES

The Kent County Planning Commission met in regular session on Thursday, May 7, 2020, virtually in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members attending via audio/video conference: Elizabeth Morris, Chairman; William Sutton, Vice Chairman; F. Joseph Hickman; Kim Kohl; Commissioner P. Thomas Mason; B. Douglas Megargee; James Saunders; Cynthia L. McCann, Esq., Planning Commission Attorney; Staff in attendance were Carla Gerber, GIS Specialist; William Mackey, Director; Robert Tracey, Community Planner; Sandy Adams, Clerk; and Brian Jones, Clerk.

The following attended and participated in the meeting: Mr. Kevin Shearon of DMS & Associates, LLC; Mr. Rick Carter of Delmarva Craft; and Mr. Richard Keaveney, Kent County Humane Society.

Ms. Morris called the meeting to order at 1:34 p.m.

MINUTES

The minutes of the meeting on April 2, 2020, were approved as written and distributed.

PUBLIC HEARING

Ms. Morris closed the meeting at 1:37 pm and opened the public hearing.

20-17 Richard Carter – Zoning Text Amendment - Microbreweries

Mr. Tracey, describing the proposal, said the applicant, proposes an amendment to the Kent County Land Use Ordinance Article V, Section 10, Crossroads Commercial District, 10.2 Permitted Principal Uses and Structures, by adding 10.2.21, Microbrewery as defined by the State of Maryland, and by adding 10.2.22, Class D Alcohol retail business as defined by the State of Maryland.

Testimony was not offered by the audience; therefore, Ms. Morris closed the public hearing and re-opened the meeting at 1:41 p.m.

APPLICATIONS FOR REVIEW:

20-17 Richard Carter – Zoning Text Amendment – Microbreweries

Present and duly sworn in by Ms. Morris was the applicant, Mr. Carter.

Mr. Tracey gave a brief overview of the proposal, citing relevant issues, the applicable laws and staff comments. The applicant proposes to amend Article V, Section 10, Crossroads Commercial District, by adding 10.2.21, Microbreweries as defined by the State of Maryland, and by adding 10.2.22, Class D Alcohol retail business as defined by the State of Maryland.

Mr. Tracey said Microbreweries are a permitted use in the Commercial zoning district; the proposed amendment would expand this use to the Crossroads Commercial District. The proposed text amendment proposes two new uses in this zoning district. The first proposed new use would allow for the brewing and consumption of beer produced on-site.

Mr. Tracey further noted the second proposed use, Class D Alcohol retail business, as defined by the State of Maryland, would allow a license holder to sell alcoholic beverages, not produced on-premises, to adults over the age of 21.

Mr. Tracey said the proposed text amendment is consistent with the Kent County Comprehensive Plan's strategies to promote the development of businesses, and microbreweries support tourism by creating another activity to draw visitors to the community.

Mr. Tracey said staff recommends sending a favorable recommendation to the Kent County Commissioners.

Mr. Tracey said no correspondence has been received.

Mr. Carter said the primary mission of his business is to bring more tourism and economic development to Kent County and the Upper Eastern Shore. He said the craft beer industry is the fastest growing industry in the United States. Mr. Carter said his business has already been working with other businesses in Kent County. Mr. Carter further noted the purpose of having his business near Rock Hall is to establish a small nano brewery, brewing only 200-300 barrels of beer per year.

Mr. Carter explained the purpose of the brewery license is to brew beer in Kent County. He further noted that the purpose of the Class D Tavern License is so they can stock wines from local wineries and beer from other breweries on the Eastern Shore. He said their goal is to draw people to Kent County and Rock Hall.

No public input was received.

After further discussion and additional questions by the Commission, Mr. Hickman made a motion to send a favorable recommendation for the proposed Zoning Text Amendment to the County Commissioners based on the following findings:

- It would establish a locally owned business in the county and provide jobs.
- It complies with the Comprehensive Plan.
- The suitability of the property with the district in question will be in the public interest and not solely for the interest of the applicant.

Ms. Kohl seconded the motion, and the motion passed unanimously.

19-30 The Animal Care Shelter of Kent County

Present and duly sworn in were Kevin Shearon and Richard Keaveney representing the Animal Care Shelter of Kent County.

Mr. Tracey gave a brief overview of the proposal, citing relevant issues, the applicable laws, and staff and TAC comments. The applicants are requesting preliminary approval to construct a 10,648 square-foot facility for the care and boarding of domestic animals. The minor subdivision which created the five-acre parcel, was recorded on April 4, 2020. The facility will include an animal enrichment training center as well as a veterinary office. The property is located on Worton Road between Worton and Chestertown in the Third Election District and is zoned Industrial (I). The parcel is comprised of an open field with a hedgerow along the edge of Route 297. The surrounding area is agricultural land and housing.

Mr. Tracey said staff recommends granting preliminary site plan approval but that the following would need to be addressed in order to receive final site plan approval:

- Stormwater management and sediment control plans must be approved, and any required sureties must be submitted.
- The Forest Conservation Plan and Forest Conservation Deed Restrictions must be approved, and any required sureties must be submitted.
- The final landscaping plan and any required sureties must be submitted.

Mr. Tracey said no correspondence has been received.

Mr. Shearon said the general site plan at the preliminary level has not changed much from the concept plan other than more details have been added and the design has been done. He said the layout remains the same. He said the property has been transferred, and the Humane Society currently owns the property. He said the storm water management has been reviewed by Soil Conservation on two occasions. He said they received three comments which will be addressed before final site plan review. He said the attorneys are currently working on the forest conservation document that will be submitted for the Planning Commission to review prior to final site plan review. Mr. Shearon said he will be working with staff in order to develop cost estimates to provide sureties. He said he anticipates returning to the Planning Commission in July for final site plan approval.

No public input was received.

After further discussion and additional questions, Mr. Hickman made a motion to grant preliminary site plan approval based on the following findings:

- The project fits the standards of existing growth and supports economic development.
- The plan meets the required setbacks.
- In the Industrial performance standards, the engineers have adequately provided reports and narratives regarding noise and reduction of sound in the building.

- The project fits the performance standards of the county regulations with respect to traffic; it has one entrance.
- The site will be used during normal business hours.
- The site is on public water and sewer.
- The applicant will have sediment and storm water plan approval.
- The landscaping plans for the project are attractive and provide buffering.
- Adequate parking will be provided on site.
- The project conforms with the Comprehensive Plan.

Ms. Kohl seconded the motion, and the motion passed unanimously.

STAFF REPORTS

Carla Gerber:

- Ms. Gerber reminded everyone of the 2020 Census.
- Ms. Gerber said the Maryland Agricultural Land Preservation Foundation has decided to move forward with an easement cycle this year. She said there are over 25 applications so far to be ranked and turned over to the Agricultural Preservation Advisory Board.

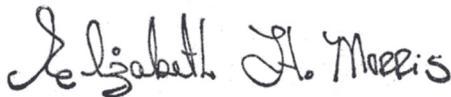
Ms. Morris acknowledged the planning staff for their hard work.

GENERAL DISCUSSION

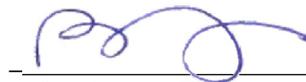
Mr. Saunders encouraged everyone to stay safe and to utilize safety precautions during the State of Emergency.

ADJOURN

There being no further business for the good of the organization, the meeting was adjourned at 2:26 p.m.



Elizabeth Morris, Chairman



Brian Jones, Clerk