



**PLANNING AND ZONING COMMISSION**

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
FEBRUARY 21, 2024**

- I. Commission Chair Kathleen Berault called the meeting to order at 6:04 pm. In attendance were Chair Berault, Laura Blackwelder, Larry Brown, Cindy Greengold, Kelly Huhn, and Jan Ruttkay, Commission Members, Sarah Franklin, Town Planner, and Sharon L. Humm, Commission Clerk. Absent was Commissioner Weaver.

Chair Berault took the opportunity to recognize Chuck Ruttkay, husband of Commissioner Jan Ruttkay, in his passing.

II. **Approval of the February 21, 2024 Planning Commission Agenda**

**MOTION:** Commissioner Brown moved to approve the February 21, 2024 Planning Commission agenda. Seconded by Vice-Chair Greengold.

**MOTION:** Vice-Chair Greengold moved to amend the agenda to remove from Old Business #3 Signage, and place under New Business as #1 and remove under New Business #1 Site Approval Plan Process and put under Old Business in place of #3 Signage. Seconded by Commissioner Ruttkay, all in favor.

The agenda was approved as amended.

III. **Approval of the January 24, 2024 Planning Commission meeting minutes**

**MOTION:** Vice-Chair Greengold moved to approve the January 24, 2024 Planning Commission meeting minutes. Seconded by Commissioner Brown, all in favor.

IV. **Public Comment on any item on the agenda** – None Received.

Chair Berault informed the Commission that she met with the Town Administrator, Councilman Jaworski, and Chair Jeff Foltz of the Coastal Resiliency committee on February 12<sup>th</sup>. The purpose of the meeting was to discuss the Planning Commission, in collaboration with the Steering Committee, working together on recommendations presented in the coastal resiliency plan as the Town moves forward. It is suggested that a joint session be held allowing the Commission the opportunity to ask questions and discuss any concerns.

V. **Old Business**

1. Review of Section 290-30 Zoning Code – The Commission will defer discussion of any modification to this section until the Chesapeake Bay Critical Area Commission (CBCAC) has done its review. Ms. Franklin will prepare a staff report for the Commission addressing those CBCAC comments and discuss at the next meeting.

The Commission requested Ms. Franklin do a comparison study relating to fines and penalties of other towns and cities, preferably this side of the Chesapeake Bay, providing a guide to work with to bring the Town's fines and penalties to a more current state.

2. Zoning Ordinance – Ms. Franklin brought to the attention of the Commission several items of concern within the zoning ordinance that she would like them to consider. Currently, the most pressing are decks. The Town's code currently limits the ability of residents to add decks to townhomes and other attached single-family units due to the required open space on the lot and the required side and rear yards. Because these types of developments typically have shared open space, the individual lots are smaller, meant to allow a small amount of private yard space. For townhomes and other attached single-family homes, decks are the preferred access to the private yard due to the interior layout of these homes. Presently, there are a number of deck applications that cannot be approved, and if pursued, would need to go before the Board of Appeals for a variance. Ms. Franklin is recommending some changes to the language of Section 290-19(F) that would allow approval of such decks, easing the burden on the Board of Appeals and giving the homeowner a reasonably sized deck. The Commission directed Ms. Franklin to draft language for their review.
3. Site Plan Approval Process – Commissioner Blackwelder is seeking guidance from Ms. Franklin and her experience related to site plan approval and the process she follows. Ms. Franklin gave a brief description as to what the Commission should expect from her but will prepare a document outlining a check list for their information.

## **VII. Adjournment:**

There being no further comments, Vice-Chair Greengold moved to adjourn the meeting at 8:20 PM. Seconded by Commissioner Brown, all in favor.

Submitted by,

Sharon L. Humm  
Commission Clerk

This meeting can be viewed in its entirety on the Town website on the Planning Commission page [www.chesapeakebeachmd.gov](http://www.chesapeakebeachmd.gov).