



OFFICE OF THE PLANNING AND ZONING COMMISSION

To join the meeting by computer please click the link <https://us02web.zoom.us/j/8697557180>. Once connected you can join by computer audio or dial in via the information that is provided on your screen. To join by phone only please dial (301) 715-8592 and enter the Meeting ID 869 755 7180.

**PLANNING & ZONING COMMISSION
AGENDA
NOVEMBER 23, 2021**

- I. Call to Order**
- II. Approve the Agenda**
- III. Approval of the minutes of the October 27, 2021 Planning & Zoning Meeting.**
- IV. Approval of the minutes of the November 9, 2021 Comprehensive Plan Public Hearing.**
- V. Public Comment on any item on the agenda: Public comment will be accepted by dialing (301) 715-8592 and enter Meeting ID 869 755 7180. NOTE: There will be a 2-minute limit on comments received.**
- VI. Review and discuss public comments made or submitted during the 60-day draft Comprehensive Plan Update public review; amend Comprehensive Plan as necessary to address public concerns. List of those public concerns for discussion at the November meeting are attached.**
- VII. Public Comment: NOTE: Public comment will be accepted by dialing (301) 715-8592 and enter Meeting ID 869 755 7180. NOTE: There will be a 2-minute limit on comments received.**

Adjournment: At approximately 9:00PM, depending upon hearing progress, Chairman will request a motion to adjourn. If approved, the meeting/hearing will end.

Chairman's list of topics

Nov 23, 2021; Chesapeake Beach Comprehensive Plan Update Session

Written Comments were received during the 60-day public comment period and original is posted on the Town's website <https://www.planchesapeakebeachmd.gov/>

The following are distilled / abbreviated for discussion and presented in the order received. This list does not include Town Business Public Comments, Comments at the Nov 9th Public Hearing, or the Comments provided by Maryland State Planning, or Calvert County Planning. Those will be addressed in the future.

Susan Webster-Page, Aug 12th email:

Comment: changing the designation of her neighborhood to RV2 devalues her property and favors higher density duplexes, apartments, and group homes.

* Recommends: Leave the zoning as is for her neighborhood (RV).

Keith Pardieck:

Eight Typos--

Page 6 – Paragraph 1, line 3: statues should be statutes

P10, paragraph 3, line 5: unground should be underground

P18, paragraph 4, line 2: primary → primarily

P49, Paragraph 4, line 1: responsibly → responsibility

P 79, Paragraph 4, line 5: surprising → surprisingly

P 100, Paragraph 2, line 2: there is an extra “the” before Chesapeake Beach

P 102, 103, page note, 2104 → 2014

P 117, paragraph 3, line 7: CBOC → CBOCS

Questions / suggestions –

P51, paragraph 3, line 7: is “Residue” the correct word?

P62, Proposed Land Use: 2040 map

- The Chesapeake Station HOA is zoned High density. Why? It consists of single-family detached, single-family attached, and townhomes. Seems like only the townhome sections should be zoned High Density.
- The CSHOA townhomes along 17th street are zoned medium density; shouldn't they be High Density?

P116, suggest mentioning PFAS issue with respect to water quality.

P122, How was the 35-foot height limit decided upon? For example, why 35, and not 30 or 40 feet?

Mercine Marshall

* Correct the spelling of RANDLE Cliff (named for Col. Author Randle).

* Agrees with Ms. Webster-Page - Do not change the zoning of Middle Subdivision Block D.

Ilonka Weida – Submitted without written comment.

Ken Rasmussen (speaking on behalf of the Green Team):

re: “Plan for the Natural Environment”

* p.38 is wrong - Brownies Beach is the last natural unarmored public beach in Town.

*Strongly recommends that the Comprehensive Plan Recommendations include a Brownies Beach Environmental Survey, conducted by a “bayside” environmental firm committed to the softest-possible natural solutions (such as “living” shoreline techniques, beach-sand replenishment, etc.) to mitigate the rate at which Brownies Beach will decline in the decades ahead.”

Melanie Crowder (Green Team Member)

re Section IV, natural Environment, P. 47-48

*Recommends that the Comprehensive Plan Recommendations include developing and implementing a plan to protect and sustain the current native vegetation and trees in Parks and Public Spaces; and a structured plan and timeline to eliminate invasive plant species and replace them with native species in Town Parks, and publicly owned spaces.

Mark Giangiulio

Comment: The Comprehensive Plan is myopic, backward, and anti-growth. The “No-growth” master plan discourages residential and business investment in the Town. The plan is not welcoming to residents of all ages, races, ethnicity, abilities and income ages.

* Recommends that the Comprehensive Plan include:

- Provisions that encourage a variety of housing types including affordable apartments and senior housing.
- Delete proposals for “structural design” elements.
- Would like to see “pro-forma tax revenues” that support the Plan.

Madeleine Blake

Endorses the Comprehensive Plan proposed urban forestry program on p.48

* re: Transportation: Recommends adding this comment to the transportation section of the plan:

Patrons of Calvert County Public Transportation (CCPT) will benefit from some form of bus shelter while waiting for the bus. The busiest stop is on MD261 near the existing Twin Beach Library. In the summer riders seek shade and in winter protection from the wind. Retreating to the overhang of the library may not be feasible when that building changes its function.

Susan Alexander

Include the following on p. 47-48:

- * Plan to promote sustainable gardening in public spaces, to protect and sustain current native vegetation and trees in parks and public spaces, including a plan/timeline to eliminate invasive plant species and replace with native species to protect against erosion, support pollinators and wildlife.
- * Recommend p.47-48 include recommendation for an environmental survey, structured plan and timeline to develop natural solutions for protecting and preserving Brownies Beach and Randle Cliffs natural heritage area.

Jeff Foltz

Comment: The Comprehensive Plan, as a vision and planning document, is too specific about land use categories in both residential and commercial areas which will likely inhibit creative solutions to the themes on p.9.

* Section III (Municipal Growth), on Page 19, states that “Routes 260 and 261 require traffic solutions” and “Adding additional pressure to existing infrastructure, an expansive [commercial] intensification ...” will burden available “parking”.; suggest providing the studies that support this comment.

* Restrictions discussed on p.23 are too restrictive. Residential development near the maritime commercial zone potentially reduces vehicle and parking issues by increasing walkability. Recommend commercial-residential mixed use in the maritime district, and permitting other housing types (example townhomes and duplexes) besides single family homes in Residential Village areas.

* P.25, Recommends including “Windy Hill Elementary School” to the “Two Towns Side by Side” section.

* p.74, Reconsider the second bullet and delete referring to “piers and docks” because they already undergo a rigorous permitting process, and substitute a different term than “public safety” that relates better to the concern of rising sea level and erosion of the coastline.

* p.78, provide an explanation of how the Planned restrictive changes to the zoning districts is consistent with the statement “restrictive zoning rules over time worsen affordability”?

* p.79, what are the projections for the demand for affordable and workforce housing, and what is the plan for continuing to meet the better than average metrics?

* p.85-86, how does the plan reconcile the statements in “consider a land use pattern that encourages multiple housing types, at varying densities” while proposing to restrict housing types, locations and heights?

* p.92 Delete: “ “However, a significant expansion of the Rod-n-Reel Resort is currently underway and the effect this will have on capacity constraints along Bayside Road is not yet know (sic).” And replace with “As part of the Rod-n-Reel Resort expansion project submission, the owner conducted traffic studies, as required by Maryland State Highway Administration. Those traffic studies did not forecast a degradation in the service level of the intersection of MD 261 and Mears Avenue. It is also noteworthy that between 2000 and 2020, a 20-year

period of substantial growth in town population, the average annual daily traffic count along MD Routes 260 and 261 only increased by roughly 1100 trips.”

* p. 109, given the restrictive nature of this Plan, what incentive/s does a developer have for beginning a development that enhances “community facilities commensurate with the expected impact of the proposed project.”?

Cindy Greengold

* Recommends adding this objective to the Housing Chapter:

Infill development should be constructed to promote a small-town charm. Residents should feel safe, secure, and know their neighbors, and be confident that neighboring structures will have a size, design and appeal that is similar to surrounding buildings.

Chris Jakubiak

- 1) A 200-acre forested area south of the developed portion of Richfield Station that is protected from any development by a deed of conservation. Mr. Jakubiak will propose a revision to Map 13, Future Land Use Map, to insert a symbol on the parcel indicating its protected status and text explaining it.
- 2) Provide added or revised text for Chapter 5 that will describe the protective status of the main open spaces that surrounds the Town’s large residential subdivisions such as Richfield Station.
- 3) Provide a new map or revise the existing land use map to show the Town’s existing critical area boundary and its three critical area zones and add text to describe what the Critical area is.
- 4) Will urge the Commission to reconsider its wording adopted on page 66 of the Plan which says in effect, that the Town would allow low impact recreational and commercial activities through the “Town’s Growth and Allocation Method”.
- 5) Encourage the Commission to revise a statement which is under the heading “Plans for Vulnerability Zones”.

Future Discussion

- Town Business Public Comments
- Maryland State Planning Comments
- Comments at the Public Hearing
- Calvert County Planning Comments



PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING AND ZONING COMMISSION OCTOBER 27, 2021

- I. Commission Chair Larry Brown called the meeting to order at 7:00 pm. In attendance were Kathleen Berault, Laura Blackwelder, Cynthia Greengold, Jan Ruttkay, Commission Members, Christopher Jakubiak, Planning & Zoning Administrator, and Sharon Humm, Commission Clerk.

II. **Approval of the Planning & Zoning Agenda.**

MOTION: Commissioner Berault moved to approve the October 27, 2021 Agenda as presented. Seconded by Commissioner Greengold.

MOTION: Commissioner Blackwelder moved to amend the agenda to remove item “#VII-Vice Chairman Blackwelder’s September 27, 2021 Proposed Motions amending the Land Use Table”. Seconded by Commissioner Greengold. The Commission unanimously approved the agenda as amended.

III. **Approval of the minutes of the September 22, 2021 Planning & Zoning Commission meeting.**

MOTION: Commissioner Berault moved to approve the minutes of the September 22, 2021 Planning & Zoning meeting. Seconded by Commissioner Greengold, all in favor.

Chairman Brown took the opportunity to inform the Commission, that moving forward, the written minutes will reflect decisions approved during a meeting by the Commission. Chairman Brown also wanted to caution the Commission on sending emails addressed to all Commission members, which could possibly lead to a violation to the Maryland Open Meetings Act.

IV. **Public Comment on any item on the agenda: Public comment will be accepted by dialing (301) 715-8592 and enter Meeting ID 869 755 7180. NOTE: There will be a 2-minute limit on comments received.**

1. Eric Blitz, on behalf of the Rod n Reel, inquired if there will be a time-limit set on comments during the upcoming Comprehensive Plan public hearing.

V. **Planning Administrator preview procedure for public hearing, summarize comments received to date, and the process for addressing received comments.** Chairman Brown directed Mr.

Jakubiak to preview the procedure for the November 9th Comprehensive Plan public hearing. Mr. Jakubiak stated the Chair will open the meeting with a brief introductory statement, and then he would follow up with a brief overview of the Plan. The Chairman would then open the public hearing up to public comment and once all comments have been received then the public hearing

would be closed, and the meeting adjourned. Any written comments will be entered into the record as well.

MOTION: Chairman Brown moved that once the public hearing has concluded that the Commission continue on with its regular Commission meeting. Seconded by Commissioner Berault, all in favor.

MOTION: Commissioner Blackwelder moved to include a list of items to put on record at the November 9th public hearing that the Planning Commission plans to address. Seconded by Commissioner Greengold.

Commissioner Blackwelder presented her list of items to the Commission. Commissioner Greengold stated she would be adding to that list as well.

The Commission voted on Commissioner Blackwelder's motion to include a list of items to put on record at the public hearing that the Commission would address. Ayes, Commissioners Blackwelder and Greengold. Opposed, Commissioners, Berault, Brown, and Ruttkay. **Motion Fails.**

Mr. Jakubiak will, however, include during his introduction of the Plan, two non-substantive items discussed under Commissioner Blackwelder's list, that will be added to the Plan; 1) documentation of the existing land use map and all overlays, in existing conditions section of the Land Use Chapter, and 2) addition of a bird icon and the words "Covenant Protected Forest Interior Dwelling Bird Habitat" on the proposed Land Use map.

VI. Continue discussion of Zoning Administrator's proposed zoning map and zoning ordinance changes (§ 290-15, § 290-9, § 290-10, § 290-11, Table of Land Use Classifications, and Land Use Map - attached) necessary to implement the draft consolidated Comprehensive Plan update.

Mr. Jakubiak presented to the Commission the proposed zoning ordinance amendments.

BONUS DENSITY OVERLAY DISTRICT

- 1) Two amendments were presented to Chapter 290 of the Town Zoning Code, 1) to remove the bonus density overlay district in its entirety, and 2) remove all references to the Bonus Density Overlay district wherever they may appear in the Zoning Ordinance. **Commission agreed.**

NEW ZONING DISTRICTS AND PURPOSE STATEMENTS

Mr. Jakubiak presented to the Commission a set of amendments to Chapter 290, Section 290-9, Purpose and Intent of Districts, of the Town Zoning Code.

- 1) Eliminate the Residential Village (RV) district and replace it with two districts, Residential Village-1 (RV-1), and Residential Village-2 (RV-2). Add a purpose statement for the new RV-1 and change the name associated with the existing purpose statement of Residential Village to Residential Village-2 (RV-2). **The Commission suggested removing the word "primarily" from the RV-1 purpose statement. Mr. Jakubiak will re-word the paragraph and bring back to the Commission.**

- 2) Eliminate the Commercial and Maritime districts and replace with four (4) new separate commercial districts (Neighborhood (NC), Town (TC), Plaza (PC), and Maritime, (MC) and add a purpose statement for each new district.
 - a) NC-Neighborhood Commercial District – incorporate the word “professional” in the purpose statement.
 - b) TC-Town Commercial District – incorporate in the purpose statement a reference to residential, such as, “limited to residences above ground floor commercial.”
 - c) PC-Plaza Commercial District – Ok as written
 - d) MC-Maritime Commercial – Commissioner Blackwelder stated she would be presenting proposed language to this statement for consideration.

Mr. Jakubiak will take the Commissioner’s recommendations, tweak the purpose statements, and bring back to the Commission for further review.

- 3) Amend the purpose statement for the Resource Conservation District to bring it into better conformance with the guidance of the 2021 update of the Comprehensive Plan. The Commission discussed and had concerns as to the language of the statement proposing it be amended to eliminate the possibility of development, eliminate any new residential use, and uphold existing land protective easements.

VII. Public Comment- None received.

VIII. Adjournment:

There being no further comments, Commissioner Blackwelder moved to adjourn the meeting at 9:36 pm. Seconded by Commissioner Ruttkay, all in favor.

Submitted by,

Sharon L. Humm
Commission Clerk

Note: This meeting can be viewed in its entirety on the Town website on the Planning Commission page www.chesapeakebeachmd.gov.



PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING & ZONING COMMISSION COMPREHENSIVE PLAN - 2021 UPDATE PUBLIC HEARING NOVEMBER 9, 2021

- I. Commission Chair Larry Brown called the meeting to order at 7:00 pm. In attendance were Kathleen Berault, Laura Blackwelder, Cynthia Greengold, and Jan Ruttkay, Commission Members, Christopher Jakubiak, Planning & Zoning Administrator, and Sharon Humm, Commission Clerk.

II. **Approval of the Planning & Zoning Agenda.**

MOTION: Commissioner Berault moved to approve the November 9, 2021 Agenda as presented. Seconded by Commissioner Blackwelder, all in favor.

III. **Planning Administrator summarizes significant changes proposed in the Plan and public comments received during the 60-day public comment period.**

Mr. Jakubiak started with a brief power point presentation. Mr. Jakubiak stated the Comprehensive Plan is intended to be a guide to land use and development of Chesapeake Beach, required by State law, and required to be updated every ten (10) years. The Plan presented tonight is the Commission's recommendations. The Plan will become an official document after Town Council approval.

Mr. Jakubiak gave a general summary of the Plan and then touched on more specific recommendations.

For the record, Mr. Jakubiak took the time to emphasize several items that he will bring to the Commission for consideration.

- 1) A 200-acre forested area south of the developed portion of Richfield Station that is protected from any development by a deed of conservation. Mr. Jakubiak will propose a revision to Map 13, Future Land Use Map, to insert a symbol on the parcel indicating its protected status and text explaining it.
- 2) Provide added or revised text for Chapter 5 that will describe the protective status of the main open spaces that surrounds the Town's large residential subdivisions such as Richfield Station.
- 3) Provide a new map or revise the existing land use map to show the Town's existing critical area boundary and its three critical area zones and add text to describe what the Critical area is.

- 4) Will urge the Commission to reconsider its wording adopted on page 66 of the Plan which says in effect, that the Town would allow low impact recreational and commercial activities through the “Towns Growth and Allocation Method”.
- 5) Encourage the Commission to revise a statement which is under the heading “Plans for Vulnerability Zones”.

Lastly, Mr. Jakubiak provided the next steps to take place after this public hearing. The Commission will deliberate on each of the comments, both written, and presented tonight, consider if any changes to the draft are necessary, approve, and formally submit to the Town Council for adoption. The Town Council will hold at least one work session and are required to hold a public hearing before adopting the Plan.

IV. Commissioners provided opportunity to make brief introductory statement.

Chairman Brown allowed each Commission member the opportunity to make a brief statement before opening the public hearing for public comment. Chairman Brown stated the Commission has received comments from the MD Department of Planning and Calvert County Planning on the Plan. Those comments along with written comments received from the public are viewable on the Planning Commission page on the Town’s website.

V. Public Comment on COMPREHENSIVE PLAN - 2021 UPDATE: Public comment will be accepted by dialing (301) 715-8592 and enter Meeting ID 869 755 7180. NOTE: There will be a 2-minute limit on comments received. This limitation may be amended by the Chairman depending upon the number wishing to speak.

Chairman Brown opened the public hearing up for comments. Public comment was received by the following persons, either virtually, or in-person at Town Hall. Written comments have been received by the Commission as well.

1. Anthony Olekson, RA Barrett & Associates, on behalf of Robert Abner, business owner of five parcels on Harbor Road.
2. Eric Blitz, 9 Lantern Circle Parkland MD, on behalf of his client, Rod n Reel Inc.
3. Melanie Crowder, member of the Town’s Green Team, commented the Team had submitted three (3) comments in regard to the chapter on natural areas.
4. Mark Giangiulio of 3456 Hill Gail Drive.
5. Mary Lanham, on behalf of the Rod n Reel Resort and Donovan family.
6. Wes Donovan 2335 Golf Club Drive Dunkirk, MD, business owner of Rod n Reel Resort.
7. Grant Soderstrom of 8337 Bay Crest Court & President of the Bay Crest HOA.
8. Amenda Brown 7537 H Street intent.

9. Cindy Greengold 7629 C Street.

10. Ken Rasmussen 4020 12th Street, and member of the Town's Green Team.

The Chairman thanked everyone for their comments. As previously stated, this Plan is a guiding document and does not, in and of itself, change any zoning, or purchase any land, or make any commitments for the Town. The Plan will go before the Town Council for its approval, and even upon approval, it's still just a planning and guidance document. All comments will be considered by the Commission.

This hearing can be viewed in its entirety on the Town website on the Planning Commission page www.chesapeakebeachmd.gov.

VI. Adjournment:

There being no further comments, Commissioner Berault moved to adjourn the meeting at 8:55 pm. Seconded by Commissioner Blackwelder, all in favor.

Submitted by,

Sharon L. Humm
Commission Clerk