

TOWN OF TRAPPE
PLANNING COMMISSION
TRAPPE TOWN OFFICE

JANUARY 18, 2017
7:00 PM

The meeting of the Trappe Planning Commission was called to order at 7:02 pm by Chairman Edgar Harrison. Members present were Edgar Harrison, Bobby Quidas, and Norm Fegel. Absent were Les Groves. Also present were Commissioner Don English, and Planner Jennifer Shull.

The minutes from the December 21, 2016 meeting were approved as presented without objection.

Permits Pending: None

Permits Issued:

T-20-Paris Foods 3965 Ocean Gateway – Temporary Sign

T-21-Blades, Tom-3884 Harrison Court-Shed

Election of Chairman and Vice Chairman-

The floor was opened for nominations. Bobby Quidas nominated Edgar Harrison for chairman. Edgar Harrison nominated Bobby Quidas for vice chairman. There were no other nominations. Nominations were closed. Call for the vote. All aye.

Adoption of 2017 Meeting Schedule:

Planner Shull presented a 2017 schedule continuing to meet on the third Wednesday of the month at 7:00 p.m. with submittals for the agenda due one week prior. Bobby Quidas proposed moving the meeting night permanently to Tuesday. Discussion.

Motion by Mr. Fegel and second by Mrs. Baynard to move the meeting night to the third Tuesday of the month at the same time effective immediately.

Vote:

Groves	Fegel	Harrison	Quidas	Baynard
Absent	Aye	Aye	Aye	Aye

Planner Shull will revise the schedule and email everyone a corrected copy.

Old Business:

Commercial Chicken Operation Moratorium-Chairman Harrison recapped that at the last meeting we agreed we did not want agricultural animal operations in town. Planner Shull stated that the advice of the town attorney was not to prohibit in totality a use that is commonly permitted within that zone, however, it was possible to prohibit large scale agricultural operations as long as the keeping of livestock for personal consumption was permitted in AG. Shull stated that the basis for the ordinance revision began when there was a concern about commercial chicken operations in the (M) Manufacturing District.

Agricultural uses are permitted in the (M) District as the uses carry thru to the next district. In making the change to the (M) District to permit agricultural uses other than livestock a closer look was taken at the AG District uses, and building setbacks. This is a revision of the last draft of the ordinance and reflects the advice of the town attorney. The previous version deleted paragraph 8, and the newly revised version retains paragraph 8. Discussion ensued on structure setbacks and what is adequate protection. Shull suggested tabling action on the draft ordinance until the Town Attorney could be present. She explained that there was still time to review it further before the chicken moratorium expires in April.

Harrison asked do we think setbacks are adequate? There was agreement. If there is no further discussion or unintended consequences he called for a motion.

Motion by Norm Fegel and second by Bobby Quidas to accept the attorney's recommendation ordinance.

Vote:

Voice vote-all aye. None opposed.

New Business:

4021 Trappe LLC Special Exception Request-4021 Main Street Chairman Harrison invited Mr. Eddie Moore to present the request for a special exception. Mr. Moore stated he was representing Rob Pascal. He would like to fully use the back building with red roof on the site which has a special exception for dining that is limited to 1,400 sq. ft.; and in actuality the building is 2,100 sq. ft. He doesn't remember why there was a limit, and he was involved in the special exception. The interior has two large storage areas interiorly and if they were removed there would be full use of the 2,100 sq. ft. Part of this is to clean up the special exception and use the whole building. Mr. Pascal would like to use that building for a deli and specialty food store and things that go along with that. His comparison is Lighty's Deli in St. Michaels that has a butcher shop in back and a few grocery items.

Fegel asked if there would be a place to eat. Moore stated he didn't know. He imagined it would be carry out so that deli/butcher counter/retail space wouldn't be taken up.

Moore continued that the second part of the special exception request is to put two apartments on the second floor of the main building (restaurant). Originally, when the restaurant was built it was approved for three apartments on the second floor which is what the old building had. When we came back for a special exception to change the apartments to a dining area as it is now. Which the apartments need less parking space than the dining area. Each apartment needs one parking space. Quidas asked if the apartments would be one or two bedrooms. Moore replied two bedroom units. Harrison stated that less parking is required with the conversion of the upstairs dining space to apartments.

Moore stated Mr. Pascal has a signed lease for additional parking across the street (attached), and an informal agreement to use parking down the street. Harrison stated previously we've approved the use of the big building for more apartments than this application requests; and the back building restriction must have been based on what the former owner requested. Shull stated that this building use limitation came to light when Mr. Pascal approached the town inquiring about a permit to renovate the interior-not expand the building footprint. For clarity sake it needs to be cleaned up to permit the same uses without the history of multiple amendments. Harrison led discussion on the application. Shull stated that the second floor of the building is not easily acceptable for commercial use as it lacks an elevator which limits the practicality for commercial use. An elevator would be a significant financial investment.

Question from the floor regarding egress. Moore responded that there would be two points of egress. One to the exterior fire escape, and one to the hallway to the interior stairs. Moore stated that the smoker goes away from its present location so that it won't block the flow of traffic in and out of the site. Harrison asked if there were any objections to the proposals. There were none. Fegel asked if there were any plans for the small frame building in the front. Moore replied possibly an office. The question was raised about selling alcohol. The entire site currently has a liquor license to serve and sell alcohol. Harrison directed the board to review the approval process A thru E and make a finding.

A. Is this the most appropriate use of the land? Yes, it is commercial as well as being used as commercial; and in compliance with the comp plan. Residential use on the second floor in the commercial zone is permitted in the C-1 zone as well as in the comp plan.

B. Ingress and egress to site and building. There are two entrances to the lot. We've discussed the entrances to the apartments on the upper floor. It has been used as a restaurant for several years. The relocation of the smoker would assist the egress.

C. The utilities are pre-existing. No known problems there.

D. Economic odors/glaires. Proposed use is identical to current use with the possible relocation of the smoker.

E. Multiple uses on the lot are they compatible. Yes, restaurants are specifically approved in the C-1 district, and that apartments on the second floor are a permitted use in the C-1 district. All the uses are approved in the building, zoning and comprehensive plan and the uses are compatible. It is further noted that there are two lots each with multiple uses primary and secondary.

Motion by Mr. Fegel and second by Mr. Quidas to find application for special exception is in compliance with the zoning ordinance and recommend approval of request. No discussion on motion.

Vote:

Groves	Fegel	Harrison	Quidas	Baynard
Absent	Aye	Aye	Aye	Aye

Discussion Items:

There was no other business before the commission. Shull reminded the board that the Council is accepting applications for two vacancies on the Board of Appeals. Mr. Moore asked if the Board of Appeals can hear the case with just two members. Shull stated yes if that applicant is in agreement. This is an appointment not an elected position.

The meeting was adjourned at 7:45 pm.

Jennifer Shull, Planner

Edgar Harrison, Chairman