

Due to the fact the trash trucks are required to enter the property, it will be necessary to provide a Right of Entry Agreement that shall be recorded in the land records of Worcester County, Maryland prior to issuance of the Certificate of Occupancy

2. The project shall comply with all regulations pertaining to stormwater management and infiltration as per the Standards of the Worcester County Soil Conservation District and the State of Maryland prior to issuance of a building permit.

Utility easements shall be recorded for all relocated public storm drains extending across private property and shall be recorded in the land records of Worcester County, Maryland prior to issuance of the building permit.

3. All construction and/or repairs of curb cuts, sidewalks and streets and/or street amenities shall be approved by the Department of Engineering and shall be installed in accordance with the specifications and standards of that department. Any existing curb cuts that are being abandoned must be removed and replaced with a sidewalk subject to city specifications.
4. The pervious pavers shown to widen public sidewalks to 8 feet shall be installed to City specifications.
5. All vehicular use areas shall maintain headroom clearance of seven (7) feet, clear of all obstructions including utilities and lighting fixtures. All supporting columns within the vehicular use areas shall not encroach into any minimum parking space or access drive.
6. The parking lot shall be paved in accordance with Chapter 74 of the Town Code.
7. Any existing power poles that interfere with the development of this project shall be relocated at the expense of the owner/developer with appropriate approvals.

It is required that the overhead power lines along the north side of 25th Street be lowered and placed underground at owner/developer expense to comply with life safety regulations.

8. The location of transformers/generators shall be subject to the approval of Delmarva Power and the Zoning Administrator. The generators shall be subject to the noise regulations set forth in Chapter 30, Article V.
9. Location and/or relocation of fire hydrants shall be subject to the approval of the Water Department and the Fire Marshal.
10. All landscape shall be installed in accordance with Chapter 98, Article II, Landscaping, and with Chapter 30, Article VII, Atlantic Coastal Bays Critical Area criteria, where applicable.
11. All focal lighting, including exterior lights, and parking lot lighting necessary for the safety and protection of property, shall be controlled and focused within the site's

property lines to minimize glare on adjoining properties. A lighting plan shall be provided prior to release of building permit to verify compliance.

12. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
13. The project is subject to the provisions of the Atlantic Coastal Bays Critical Areas Protection Act.
14. The project is subject to impact fees adopted by the Mayor and City Council.
15. The hotel/motel project shall be operated in compliance with Section 110-907, items 1 thru 11 and Hotel/Motel Definition (attached).
16. In the event that the hotel units are to be sold as condominiums, time-share, partnerships or other forms of individual ownership, the condominium plats, by-laws, and covenants are to be reviewed and approved by the Zoning Administrator and the Commission Attorney. The purpose for this requirement is to confirm that the hotel will continue to operate in accordance with Section 110-907 of the Town Code.
17. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
18. All work shall be completed as shown on the approved site plan and any revisions to the approved site plan shall be in accordance with Section 110-184.
19. All parcels shall be deed consolidated as per Section 110-874.
20. Final site plan approval shall expire eighteen (18) months after the date of approval unless a building permit for the project is obtained prior thereto pursuant to Section 110-52(c)(2).
21. The existing walkways that are shown in the 25' critical area rear yard setback shall be maintained as pervious walkways.
22. An easement for the bus stop shelter shall be provided to the Mayor and City Council.

IV. DISCUSSION

1. Discussion regarding consolidation of Downtown Design Manuals.

Glenn Irwin of the Ocean City Development Corporation (OCDC) briefly gave an overview of the differences between the Upper Downtown Design incentives and the Downtown Design incentives programs. It is the recommendation of the OCDC that the standards for the Upper Downtown be applied to the Downtown.

Commission agreed a public hearing should be scheduled to consider the changes. Subsequently, a recommendation will be forwarded to the Mayor and City Council.

MOTION/Taylor SECONDED/Miller 6-0 IN FAVOR to
schedule public hearing to consider consolidation of Downtown Design manuals
regulations.

2. Discussion regarding Wind Turbines.

Jesse Houston discussed small wind energy systems and went over the zoning issues that need to be considered including whether wind turbines should be a permitted use, an accessory use, a conditional use or a special exception; permitted locations; height; setbacks; noise; appearance; code compliance; what to do if system is abandoned or inoperable; and future nearby development. Commission agreed wind turbines should be an accessory use.

Mr. Houston will draft a proposed ordinance for review by the Commission. Following a public hearing on the proposal, a recommendation will be forwarded to the Mayor and City Council.

MOTION/Taylor SECONDED/Miller 6-0 IN FAVOR
to schedule public hearing on proposed regulations for wind turbines.

3. Distribution of Draft Guidelines for Outdoor Display.

A draft copy, dated 9/6/08, of Boardwalk Outdoor Display Guidelines suggested by the Boardwalk Development Association was distributed to the Commission. The next step will be to schedule a work session jointly with the Board of Zoning Appeals to discuss the proposal. Subsequent to the work session, a public hearing will be scheduled.

V. **ADJOURNMENT** - 7:10 p.m.

John Staley, Secretary

Date

