

**PLANNING AND ZONING COMMISSION
WORK SESSION
MINUTES
DECEMBER 12, 2012**

ATTENDEES:	<u>Members</u>	<u>Staff</u>
	Pam Buckley	Blaine Smith
	Lauren Taylor	Kay Stroud
	Peck Miller	Bob Nelson
	John Staley	

CALL TO ORDER – 12:07 PM

DELIBERATION OF DECEMBER 4, 2012 PUBLIC HEARING

Pursuant to the provisions of Article II, Division 5, Section 110-121, et. seq., Conditional Uses, a request has been filed under the provisions of Section 110-304(2), Uses permitted by Conditional Use in the R-2A, Low Density Multiple-Family Residential, District, to permit expansion of existing electrical substation. The site of the request is described as Lots 1A and 1B as shown on a Plat entitled “Resubdivision Lot 1, Block 150, Fenwick Plat No. 4,” recorded in Plat Book R.H.O. No. 153, page 75; and Lots 2A and 2B as shown on a Plat entitled “Resubdivision Lot 2, Block 150, Fenwick Plat” and recorded among the Plat Records in Plat Book 190, Page 62; Parcels 7623A and 7624A, Map 118, further described as located on Sinepuxent and Derrickson Avenues between 137th and 138th Street, in the Town of Ocean City, Maryland.

APPLICANT: DELMARVA POWER & LIGHT COMPANY – A CORPORATION OF THE STATE OF DELAWARE AND THE COMMONWEALTH OF VIRGINIA (FILE #12-12100002)

The Mayor and City Council, on August 20, 2012, remanded this hearing back to the Planning Commission for further evidence gathering and ample discussion on these seven (7) specific items:

- 1) Physical affects of Electro-Magnetic Field Exposure;
- 2) Property Value;
- 3) Aesthetics;
- 4) Noise;
- 5) Alternative locations;
- 6) Changes in Neighborhood Density since 1974;
- 7) Undergrounding of wires and equipment.

Only the original Commission Members present at the initial hearing on August 7, 2012 - Peck Miller, Pam Buckley, John Staley, and Lauren Taylor – could act as hearing examiners for this new continued hearing.

The Commissioners deliberated and discussed the new evidence presented in conjunction with the findings from the initial hearing. Errors in the earlier property descriptions were noted as corrected.

Blaine Smith advised the Commissioners that it was necessary to update the prior recommendation only according to their new findings.

MOTION/Taylor SECONDED/Miller Vote was unanimous (4-0) to forward a favorable recommendation as a supplement to the first finding of fact with these conditions:

1. The changes that Delmarva Power is making in the project to make it a better project and make it better for the neighborhood such as fencing, landscaping, and lower profile equipment.
2. Incorporate the additional testimony, or the additional deliberations today.
3. Installation of mature trees with an irrigation and maintenance program, consistent with the visuals submitted as an exhibit.
4. Phasing of the transmission line change.

ADJOURNMENT – 12:37 PM

John Staley January 23, 2013
John Staley/Commission Secretary Date