



Planning Commission Department of Planning, Housing, and Zoning

MINUTES

July 10, 2025

1:30 p.m.

Video recordings of the Kent County Planning Commission meeting are available online for viewing on the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>. Meeting materials are available on the County portal at <https://kentcountymd.portal.civicclerk.com/>.

The Planning Commission met in regular session on Thursday, July 10, 2025, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Members of the public were invited to attend in person or via conference call.

The following members were in attendance: Chair Joe Hickman, Vice Chair Paul Ruge, Sean Jones, Bill Crowding, and Jon Quinn.

Acting Planning Commission Attorney Thomas N. Yeager, Esquire, was present. Staff attending included Bill Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Robert Tracey, AICP, Associate Planner; Beth Grieb, Office Manager, serving as Clerk; and Tyler Arnold, GIS Specialist.

The representative for Massey Aero LLC was Mr. Nicholas Mirales.

There were no members of the public in attendance, and only Mr. Mirales signed the sign-in sheet.

Chair Hickman called the meeting to order at 1:30 p.m.

MINUTES

Mr. Quinn moved to approve the minutes for June 5, 2025. Mr. Jones seconded. The motion passed unanimously.

APPLICATIONS FOR REVIEW

*25-26 Massey Aero LLC -- Major Site Plan -- Concept Review -- New Hangar
Location: 33541 Maryland Line Road, Massey -- First Election District -- Zoned AZD*

Staff Presentation by Carla Gerber: Massey Aero LLC is seeking site plan approval for a brand new 60 foot by 100 foot airplane hangar to be placed adjacent to existing hangars on a 93-acre property that has been in use since at least 2001. The application meets all setback and height requirements, environmental standards, and general district standards. The proposed hangar will be located over existing lot coverage, so forest conservation is not required. Stormwater management and sediment and erosion control plans will be reviewed with the building permit. The proposal is consistent with comprehensive plan goals to enhance locally-based tourism. No new employees, exterior lighting, or signs are proposed. Staff notes the application meets all requirements of the land use ordinance and no additional information is required before final review.

Applicant Presentation by Nicholas Mirales: Mr. Mirales, representing Massey Aero LLC, described the project as straightforward, intended to provide additional rental income and space for farm equipment. The new hangar will be a pole barn structure constructed by Delmarva Pole Barn, unlike the existing red iron buildings. He requested

Adopted on September 5, 2025

consideration of preliminary and final approval at this meeting to avoid delays into winter months due to material cost concerns and tariff uncertainties.

Mr. Mirales reported that they surveyed five surrounding neighbors, receiving positive responses from four of them. All respondents indicated Massey Aero has been a good neighbor and provides public benefit to Kent County with no adverse impacts.

Legal Discussion: County Attorney Tom Yeager advised against combining concept, preliminary, and final review due to advertising requirements. The meeting was advertised for concept review only, and granting final approval without proper public notice could result in successful appeals. The attorney recommended following proper procedures to avoid procedural challenges.

Board Discussion: Commission members discussed the request for expedited approval but ultimately agreed with legal counsel about maintaining consistent procedures and proper public notice requirements. Discussion included the possibility of scheduling an August meeting if logistics allow, though the meeting room renovation makes this challenging.

Motion to Amend Agenda: Vice Chair Ruge moved to amend the agenda to accommodate the request from Massey Aero to make the change to the agenda to preliminary approval. Mr. Crowding seconded. The motion passed unanimously.

Motion for Preliminary Site Plan Approval: Mr. Crowding moved to grant preliminary site plan approval for Massey Aero LLC located at 33541 Maryland Line Road, Massey, Maryland to construct a 60- by 100-foot airplane hangar adjacent to their existing hangars, finding that: it is in conformance with the Comprehensive Plan; it conforms with provisions of all applicable rules and regulations of County, State and federal agencies; it provides convenience to both safety and vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties; provisions for off-street loading and parking vehicles incidental to normal operation of the establishment are adequate; adequate lighting and internal traffic control is reasonable; reasonable demands are placed upon the public services and infrastructure; adequate sewage and refuse disposal; protection of abutting properties as hangars are far enough away from adjoining properties; existing vegetation removal is minimized with no trees to be removed; the applicant has made efforts to integrate the proposed development into existing landscape through compatible building design; and, building setbacks, parking area and location, architectural compatibility, signage, and landscaping are provided. Vice Chair Ruge seconded. The motion passed unanimously.

GENERAL DISCUSSION

2024 Annual Report

Staff Presentation: Ms. Gerber reported that 40 new house permits were issued in 2024, with 12 in the Priority Funding Area and 28 outside. Only 11 permits were within the Priority Preservation Area, with three being replacement dwellings. The report noted two annexations in 2024 and provided status on the comprehensive rezoning process. The report was submitted to the Maryland Department of Planning by the July 1 deadline, though revisions can be made if needed.

Motion: Mr. Crowding moved to adopt the report. Vice Chair Ruge seconded. The motion passed unanimously.

STAFF REPORTS

Comprehensive Zoning Update: Mr. Mackey reported that on July 15, the County Commissioners will consider adoption of the new Land Use Ordinance and Zoning Map. The ordinance will be effective 10 days after adoption. The Critical Area Commission has provided penultimate approval and will give final approval after adoption verification. The new Land Use Ordinance should be in effect by the end of July.

Future Procedures Discussion: Ms. Gerber initiated discussion on a potential procedure for combining concept review, preliminary site plan review, and final site plan review in appropriate cases. The Land Use Ordinance gives the Planning Director authority to make such decisions, though the Commission has taken on this role in recent years. Staff proposed that for applications where no additional information is anticipated, they could advertise for all three reviews simultaneously, allowing the Commission flexibility to approve at whatever level is appropriate. The Commission agreed to this approach.

Staffing Update: Ms. Gerber reported that an offer of employment has been made and accepted for a new Associate Planner who should be on board for the next meeting in September.

Upcoming Applications:

- Community solar application on industrial zoned land (permitted use)
- Special exception application for raising more than five chickens plus ducks and geese
- Potentially additional solar applications

Legal Counsel Transition: County Attorney Tom Yeager announced his acceptance of a position with the Maryland Attorney General's office as Assistant Attorney General serving as legal counsel for Caroline County Department of Social Services. He thanked the Commission for their professionalism and thoughtful decision-making.

ADJOURN

Chair Hickman called for a motion. Vice Chair Ruge moved to adjourn. Mr. Crowding seconded. The meeting adjourned at approximately 2:17 p.m.

/s/ Francis J. Hickman
Francis J. Hickman, Chair

/s/ William Mackey
William Mackey, AICP, Director

Please note 98% of this document was created by Claude III Sonnet from Anthropic with a transcript from MS Teams.