



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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[www.berlinmd.gov](http://www.berlinmd.gov)

## **Town of Berlin**

### **Planning Commission**

**November 12, 2025 - 5:30 PM**

**Berlin Town Hall – Council Chambers**

- 1. Call To Order**
- 2. Agenda Adoption**
- 3. Approval of Minutes – October 8, 2025**
- 4. Case # PC-11-12-25-09: Oceans East, Lot Reconfiguration between Lot 4 and Parcel 91**
- 5. Comments from the Public**
- 6. Comments from the Staff**
- 7. Comments for the Chairman**
- 8. Comments from the Commission**
- 9. Adjournment**

*Any persons with questions about the above-referenced meeting or any persons needing special accommodations should contact Kate Daub at 410-641-4002. Written materials in alternate formats for persons with disabilities are made available upon request. TTY users dial 7-1-1 in the State of Maryland.*

Town of Berlin  
Planning Commission  
Wednesday, October 8, 2025  
Meeting Minutes

Chairman Matt Stoehr called the Planning Commission meeting to order on October 8, 2025, at 5:30 PM. The members present included Vice Chairman Austin Purnell, Pete Cosby, Janelle Gerthoffer, Erich Pfeffer, and Dirk Widdowson. The members absent were Logan Hall and Steven Scheiber. The town staff present included Acting Planning and Zoning Director Ryan Hardesty, Permit Coordinator Kaitlin Ahlers, and Special Projects Administrator Kate Daub.

Chairman Stoehr called the meeting to order and asked for a motion to approve the agenda for the October 8, 2025, meeting. Mr. Cosby made the motion, seconded by Mr. Purnell, and the Commission unanimously voted to approve the agenda.

Chairman Stoehr then called for a motion to approve the minutes from the September 10, 2025, meeting. Mr. Widdowson moved to approve the minutes, and Mr. Chandler seconded the motion. The minutes were approved unanimously.

Chairman Stoehr introduced Case # PC-10-8-25-08 regarding the Preliminary Site Plan Review for 513 South Main Street. Mr. Pat Vorsteg, the project designer, formally introduced himself and explained that the proposal involved building a new office structure at the back of the property. He mentioned that the project had been previously presented to the commission at the concept stage and is now returning for preliminary site plan approval.

The discussion opened with a clarification of the parking layout at the front of the building. Chairman Stoehr asked about the two parking spaces located at the front, and Mr. Vorsteg confirmed that both spaces currently exist and are correctly positioned. He noted that the front parking area and driveway were already paved, while the larger rear area consisted of rolled gravel. Although the original plan did not propose changes to these areas, he said subsequent engineering and design updates incorporated both the paved and gravel surfaces into the stormwater calculations. Mr. Vorsteg also confirmed that the final surface material would be asphalt and stated that all related details had been reviewed and verified in the stormwater management plans.

Mr. Chandler asked whether town staff had any concerns regarding the proposed updates. Ms. Hardesty responded that the only outstanding requirement was submission for final stormwater approval, noting that the conceptual plan had already been approved. Mr. Vorsteg added that the town's third-party engineering consultant, Mr. Steven LeMasters, and the project designer, Mr. Russell Hemingway, were currently completing the final documentation.

The discussion then turned to zoning details. Mr. Widdowson inquired about the side yard setback. Although Ms. Hardesty did not have the exact measurements available, she confirmed that all setbacks were compliant. She clarified that the right side of the property abutted a B-1 zone and therefore had no setback, whereas the left side bordered a residential area, requiring a 15-foot setback. She concluded that these dimensions satisfied the town's zoning code requirements.

Mr. Cosby asked about the need for a formal landscaping plan. In reply, Mr. Vorsteg explained that much of the proposed landscaping was naturally integrated into the stormwater management design. He specifically mentioned a submerged gravel wetland and a buffer of existing trees along the left and rear edges of the property, pointing out that the site's main landscaping feature was not decorative but functional, aimed at slowing and filtering water flow. Mr. Cosby understood that landscaping plans were usually required around stormwater ponds and parking areas. Ms. Hardesty clarified that, in this case, the parking area was an existing area being resurfaced, not newly built, and thus did not require additional landscaping under current zoning rules.

Shifting the discussion to lighting, Ms. Cosby raised concerns about its potential impact on neighboring properties. Mr. Vorsteg assured the commission that no pole lighting would be used; instead, only building-mounted lights, likely decorative coach-style fixtures, would be installed. Mr. Cosby added that it had traditionally been the commission's practice to expect submittals for a lighting plan, sign plan, and landscaping plan as part of a comprehensive development review.

Mr. Pfeffer raised no significant objections to the proposal but expressed concerns about the large number of parking spaces proposed for the site. He suggested that reducing the number of parking spaces could create room for a more effective buffer between the development and the adjacent residential property. He also questioned whether the parking spaces in the rear lot were being used to meet requirements for the front building, an issue he believed could affect the overall site design.

Mr. Widdowson echoed these concerns, emphasizing that without a formal landscaping plan, the municipality lacked authority over buffer areas on neighboring properties. He stressed the importance of a dedicated, on-site buffer, which could be achieved by either planting new vegetation or eliminating some parking spaces to create space for landscaping.

The discussion then shifted to the existing drainage system on the left side of the property. Mr. Chandler questioned whether the pipes in that area might be remnants of an old stormwater spillway or town easement, possibly designed to direct runoff to Bottle Branch. Mr. Vorsteg responded that while some drainage was handled through pipes, much of the stormwater was

channeled above ground due to the narrow space between the existing asphalt and the property boundary. He confirmed the presence of a swale, portions of which were already in place but would need to be cleaned and regraded as part of the improvements. Additionally, he noted two old pipes, one of which appeared to be concrete, indicating significant age. Due to the survey's lack of clarity, Ms. Hardesty stated she would have the town's GIS analyst further review the site.

Mr. Vorsteg explained that the swale along the left side of the property played a critical role in the site's stormwater management plan, directing runoff into the submerged gravel wetland in the area. He emphasized that the plan was designed to fully capture and manage on-site stormwater without relying on any of the older drainage pipes that may still be in place nearby.

Mr. Chandler contributed additional historical context, noting that the steep grade at the rear of the property and its proximity to Bottle Branch suggested the town may have installed drainage infrastructure or established easements decades ago, potentially to mitigate flooding from Main Street. He stressed the importance of determining whether any municipal easements remain in place, as their existence could shift the maintenance responsibility for the old drainage pipes back to the town rather than the current property owner.

Chairman Stoehr asked whether an easement could impact zoning setbacks. Mr. Widdowson replied that he thought it was unlikely but asked for clarification about whether existing drainage pipes were included in the stormwater management plan. Mr. Vorsteg confirmed that the design did not depend on those older pipes; instead, the stormwater system was designed to independently collect and treat all runoff with a submerged gravel wetland, ensuring no flow entered the existing drainage network. He highlighted the thoroughness of the review process, noting that every part of the site was evaluated and included. He also explained that the system outlets at the back-left corner of the property can handle significant storm events, including 50- and 100-year storms.

As the discussion concluded, Mr. Widdowson revisited whether the town had effectively abandoned responsibility for the older drainage pipes and features, emphasizing the need to verify whether the municipality still used them. Mr. Chandler concurred, noting that the drainage network likely originated as a response to historic flooding but had since become obsolete as later development and roadway improvements altered runoff patterns. Ms. Gerthoffer added that if an easement were found to exist, it could pose restrictions on future development or prohibit certain installations within the affected area.

Mr. Widdowson acknowledged the difficulty of determining the precise alignment of the old pipe, estimating that roughly two-thirds lay within the neighboring Lot 1, with the remainder crossing the applicant's property. This prompted a broader discussion about expectations for

landscaping and lighting plans. Mr. Vorsteg explained that site constraints limited opportunities for additional plantings, but Mr. Widdowson maintained that even a minimal or schematic plan would be preferable to none.

Mr. Cosby supported including a basic landscape and lighting plan, noting that it need not be extensive and should be just enough to document features such as building-mounted lights. Chairman Stoehr proposed that if the property had excess parking, the applicant might consider shifting some spaces to create room for additional landscaping. Mr. Chandler and Mr. Cosby agreed that although parking should be a priority, any practical landscaping improvements should be included and clearly shown in the final plan.

The Commission returned to the earlier topic of signage. Mr. Cosby recalled previous issues involving signs, most notably with the Apple Drug Store, where the installation of an unexpected, illuminated sign caused frustration among nearby residents. He expressed concern that the current review process might allow applicants to install or modify signage without adequate oversight. Ms. Hardesty clarified that the applicant had not proposed replacing the existing sign as part of the current application, which is why signage had not been discussed in greater detail. However, Mr. Cosby remained uneasy that future signage changes could happen without Planning Commission review, effectively bypassing the established approval process.

Following this, Mr. Chandler made a motion to approve the preliminary site plan, pending specific conditions. Chairman Stoehr restated the conditions for the record, including submitting landscaping and lighting plans and a formal requirement that any future signage changes must be reviewed and approved by the Planning Commission.

Before the vote, Mr. Pfeffer raised a zoning concern. He noted that the Town of Berlin Code requires a 25-foot buffer between parking areas and residential property lines. While acknowledging that the existing driveway is close to the lot line, he questioned whether the project's scope, specifically the repaving of the rear lot and the doubling of the building's size, should trigger stricter compliance requirements. He referenced practices in other jurisdictions where major expansions nullify previously "grandfathered" conditions.

Mr. Vorsteg confirmed that the new building would be approximately 1,500 square feet, exceeding the existing 1,247-square-foot structure. Mr. Pfeffer suggested that such an expansion could revoke grandfathered rights, particularly with respect to the parking area's proximity to the residential boundary. Chairman Stoehr agreed that Berlin's code might warrant clearer thresholds for when substantial site improvements, such as paving or expansion, require full compliance with current setback requirements.

Ms. Hardesty noted that the Town's planning consultant believed the existing gravel lot had previously been approved, which is why no changes to the buffer distance were suggested.

However, Mr. Widdowson expressed skepticism, noting that there were no records confirming that formal approval had ever been granted. He warned against assuming that prior approvals had been granted solely on the basis of current conditions. Mr. Chandler inquired whether the rear parking lot had been approved during the applicant's original submission. Ms. Jennifer Lynch, the property owner present at the meeting, confirmed that it had.

With that clarification, Mr. Chandler reiterated his motion for formal approval. Mr. Purnell seconded, and the motion passed unanimously.

Following the approval, Mr. Chandler raised a final concern regarding the legibility of the submitted plans. He emphasized that unclear or poorly reproduced visuals hinder the commission's ability to make informed decisions on critical details such as property boundaries and setbacks. Several members concurred, noting that the current copies were blurry and undersized, making review difficult.

The commission agreed that future submissions should include clearer, higher-resolution digital plans to ensure accurate evaluation. Mr. Cosby reiterated the importance of providing readable materials, emphasizing that the Commission's ability to interpret plans directly impacts the quality of its decisions and, ultimately, the community's development outcomes.

With no further questions or comments, Chairman Stoehr called for a motion to adjourn. On a motion made by Mr. Cosby and seconded by Mr. Purnell, the meeting adjourned at 6:24 p.m.

Respectfully submitted,



Kate Daub  
Special Projects Administrator



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## PLANNING COMMISSION APPLICATION

DATE: 09/04/2025

CASE NUMBER: PC-11-12-25-09

APPLICATION FOR (check one): ☐ SUBDIVISION ☐ SITE PLAN REVIEW ☒ OTHER

PROJECT NAME/DESCRIPTION: LOT RECONFIGURATION OF LOT 4 - OCEANS EAST

LOCATION OF PROPERTY: SEAHAWK ROAD

SIZE OF PROPERTY: 57.11 ACRES ZONING: R-4 TOTAL LOTS: 1 LOT, 1 PARCEL

PROPERTY OWNER/AGENT OCEANS EAST II LLC

PHONE #

ADDRESS 218 E MAIN STREET SALISBURY MD 21801

EMAIL brinnier@Rinnier.com

### IMPORTANT:

- Applications must be submitted at least thirty (30) days prior to a regularly scheduled meeting of the Planning Commission.
- Nine (9) copies of the proposed subdivision or site plan must be provided with this application.
- Applicable review fees must be paid when application is submitted.

### ADDITIONAL INFORMATION/EXPLANATION:

LOT RECONFIGURATION BETWEEN LOT 4 AND PARCEL 91

The applicant, or an authorized representative, has been advised to appear at the meeting of the Planning Commission scheduled for (date).

Applicant  
Signature

Date 10/10/2025

### APPROVED:

Planning Commission Chair

(Date)

Planning Director

(Date)



# STAFF REPORT

**TO:** Town of Berlin Planning Commission

**FROM:** Ryan Hardesty, Acting Planning Director

**MEETING DATE:** Wednesday, November 12, 2025

**SUBJECT:** Lot reconfiguration – Oceans East Phase 2B

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## **SUMMARY:**

The applicant for Oceans East Phase 2B is returning to the Planning Commission for consideration of a minor lot reconfiguration. It was discovered that a previously recorded plat included a boundary line that crossed through the footprint of the proposed building of the next phase of this project. The boundary line has since been reconfigured to accurately reflect the intended layout. Per the Town Code, minor revisions cannot be approved administratively and therefore require formal review by the Planning Commission. No changes to the building design, density, layout, or previously approved development conditions are proposed.

## **BACKGROUND:**

Oceans East Phase 2B previously received full site plan approval from the Planning Commission. It was later discovered that an internal boundary line was shown intersecting the proposed building associated with this phase of development. To correct this issue, the applicant reconfigured the affected boundary line to align with the approved development plan.

Although the revision is minor in nature and does not alter any approved site improvements, Town Code does not allow administrative approval for modifications once approval has been granted. As such, the revised plan must be brought forward to the Planning Commission for acknowledgment and approval in order for proper recordation. Sec. 106-139(b) of the Town code allows the Planning Commission to grant relief from the process for projects of minor importance, since the site plan was already approved, and approve this as a final plat rather than a preliminary plat.

Sec. 106-139. – Modifications and exceptions.

(b) In the case of a small subdivision of minor importance situated where the controlling conditions are well defined, the planning and zoning commission may exempt the subdivider from complying with some of the requirements stipulated in division 2 of this article, pertaining to the preparation of a preliminary plat and may further exempt the subdivider from complying with the provisions of this chapter in such manner as said planning and zoning commission, in its discretion, may deem advisory.



**FINDINGS:**

- The revision pertains solely to the correction of a boundary line that conflicted with the already-approved building footprint for Oceans East Phase 2B.
- No changes are proposed to the building design, number of units, parking, amenities, stormwater, landscaping, or any aspect of the previously approved plan.
- The modification ensures consistency between the recorded plat and the approved site plan.
- The request is procedural and is being presented strictly as a formality due to code requirements.

**RECOMMENDATIONS:**

Staff recommends that the Planning Commission acknowledge and approve the minor revision to the Oceans East Phase 2B lot reconfiguration to reflect the corrected boundary line, as it does not impact the originally approved design or conditions of approval.

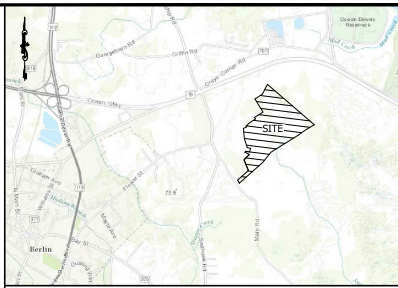
**CONCLUSION:**

The requested revision is administrative in nature and required solely to bring the recorded plat into alignment with the approved plan. There are no material changes to the development. Staff supports approval of the updated plan as presented.

COORDINATE POINT TABLE		
POINT #	NORTHING	EASTING
31	250712.9503	1833414.6176
32	249871.2329	1833127.1673
33	249862.0548	1833113.9753
34	249632.6328	1833180.6737
35	249585.7256	1833141.7398
36	249335.9993	1833209.0795
37	249341.0356	1833307.2620
38	249084.3987	1833376.4652
39	249074.2288	1833334.4961
40	248760.7063	1833410.4688

AREA CHART				
	EXISTING TOTAL AREA	AREA TO BE ADDED	AREA TO BE REMOVED	PROPOSED TOTAL AREA
LOT 4A	444,952.19 SQ.FT. 10.21± ACRES	21,922.49 SQ.FT.	27,310.38 SQ.FT.	438,564.30 SQ.FT. 10.09± ACRES
PARCEL 91	2,043,172.57 SQ.FT. 46.90± ACRES	27,310.38 SQ.FT.	21,922.49 SQ.FT.	2,048,560.46 SQ.FT. 47.03± ACRES

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N60°52'01"W	80.35
L2	N68°30'34"W	67.91
L3	N37°37'11"E	43.40
L4	N12°09'37"E	109.83
L5	N69°49'06"E	96.62
L6	N20°10'54"W	37.42
L7	S69°49'06"E	33.95
L8	S29°19'55"W	56.70
L9	N31°28'52"W	56.17
L10	N16°12'36"W	53.53
L11	S55°10'20"W	16.07
L12	S50°12'37"E	238.92
L13	S39°41'36"W	60.96



VICINITY MAP 1" = 2000

THIS SUBDIVISION IS SUBJECT TO THE WORCESTER COUNTY FOREST CONSERVATION LAW. THIS SUBDIVISION IS SUBJECT TO FOREST CONSERVATION PLAN NO. 21-04. ANY FUTURE APPROVAL OF THIS LAND FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY FOREST CONSERVATION LAW. A FOREST CONSERVATION PLAN HAS BEEN APPROVED AND IS ON FILE WITH THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS. A PERPETUAL PROTECTIVE AGREEMENT IS IN EFFECT FOR FOREST CONSERVATION. THE RECORDS OF THE COUNTY OF MARYLAND, IN THE RECORDS IN THE LAND RECORDS OF WORCESTER COUNTY, MARYLAND IN LIBRE 6080 FOLIO 1. THE PLAT HAS BEEN RECORDED IN THE LAND RECORDS OF WORCESTER COUNTY, MARYLAND IN LIBRE S.R.B. 253, FOLIO 9.

THIS SUBDIVISION SHOWN HEREON IS APPROVED AS BEING IN CONFORMANCE WITH THE WORCESTER COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN PROVIDING FOR CENTRAL WATER SUPPLY AND CENTRAL SEWERAGE.

DATE \_\_\_\_\_ APPROVING AUTHORITY-WORCESTER COUNTY \_\_\_\_\_

TOWN OF BERLIN

PLANNING AND ZONING COMMISSION

CHAIRMAN

PLANNING DIRECTOR	
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GENERAL NOTES

[illegible]

OWNERS AND SURVEYORS CERTIFICATION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT IS WITH THE FREE  
CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS THEREOF  
THE REQUIREMENTS OF REAL PROPERTY, SECTION 3-108 OF THE ANNOTATED  
CODE OF MARYLAND, SO FAR AS IT CONCERNS THE MAKING OF THIS PLAT AND  
THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

OCEANS EAST II, LLC C/O BLAIR RINNIE	OWNER PARCEL 528	DATE
BROCK E PARKER 528 RIVERSIDE DRIVE SALISBURY MD 21801 (410) 749-1023	LIC# 21193 EXP, 01/25/2026	SURVEYOR DATE

[illegible]

**LOT RECONFIGURATION OF LOT 4**  
**AS SHOWN ON "SUBDIVISION OF LOT 3 OF THE SUBDIVISION OF PARCEL**  
**91 OF THE MINOR SUBDIVISION AND RESUBDIVISION OF LOT 1A OF**  
**OCEANS EAST MINOR SUBDIVISION PLAT"**  
**FOR: OCEANS EAST II, LLC**

LOCATION		TOWN OF BERLIN THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND	
SCALE	1" = 60'	DATE	08/27/2025
JOB NO.	2211	TAX MAP	25
		DRAWN BY	EDB
		PARCEL	628