



**Town of Berlin
Planning Commission**

Wednesday, April 8, 2026

**Berlin Police Department
129 Decatur St., Berlin, MD 21811**

5 PM – CLOSED SESSION

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3- 305(b):
(7) To consult with counsel to obtain legal advice on a legal matter;

5:30 PM – REGULAR SESSION

1. Call To Order
2. Agenda Adoption
3. Approval of Minutes – February 11, 2026
4. Case # PC-4-8-26-04: Requesting Modification to Purnell Crossing Master Plan
5. Case # PC-4-8-26-05: Preliminary Subdivision review – Purnell Crossing Phase 5 only
6. Comments from the Public
7. Comments from the Staff
8. Comments for the Chairman
9. Comments from the Commission
10. 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.

CLOSED SESSION
PLANNING COMMISSION OF BERLIN, MARYLAND
Wednesday, February 11, 2026

Present: Chairman Matt Stoehr, Newt Chandler, Pete Cosby, Jenelle Gerthoffer, Logan Hall, & Dirk Widdowson

Absent: Austin Purnell (recused) & Steven Scheiber

Staff Present: Planning Department Legal Counsel Emily Morris, Planning Department Consultant Sharon Cruz, Acting Planning Director Ryan Hardesty & Special Projects Administrator Kate Daub

Authority to close session: Pursuant to General Provisions Article, §3- 305(b): (7) To consult with counsel to obtain legal advice on a legal matter;

Beginning at approximately 5:00 PM, the motion and vote to go into Closed Session were held in the Council Chambers and streamed live on Facebook. Chairman Matt Stoehr read the Closed Session Summary, which is attached and incorporated into these Minutes upon approval. He noted that, following the motion and vote to enter into Closed Session, the meeting would move to the Conference Room. Mr. Widdowson moved to go into Closed Session, and Mr. Chandler seconded the motion. Approval was unanimous.

The Facebook was ended, and the group moved to the Conference Room, where they were joined by Planning Department Legal Counsel Emily Morris, Planning Department Consultant Sharon Cruz, Acting Planning Director Ryan Hardesty, and Special Projects Administrator Kate Daub.

REMAINDER OF MINUTES REDACTED FOR INCLUSION IN OPEN RECORD

Following a motion by Mr. Widdowson, seconded by Mr. Hall, the meeting adjourned at approximately 5:42 PM.

Respectfully submitted,



Kate Daub
Special Projects Administrator

Attachment: Closed Session Summary of February 11, 2026



Closed Session Summary

To be included in the minutes in the next Open Meeting

1. Statement of the time, place, and purpose of the closed session:

- a. Time of closed session: Wednesday, February 11, 2026, 5:00 PM
- b. Place (location) of closed session: Vote to Close: Town of Berlin Council Chambers. Meeting: 2nd Floor Conference Room
- c. Purpose of the closed session: To consult with legal counsel.
- d. Date and time that we will return to public meeting: Wednesday, February 11, 2026, 5:30 PM

2. Record of the vote of each member as to closing the session:

- a. Motion to close meeting made by: Dirk Widdowson
- b. Second by: Newt Chandler
- c. Members voting in favor: 3
- d. Members opposed: 0
- e. Members abstaining: 1 (A. Purnell)
- f. Members absent: 1 (S. Scheiber); J. Gerthoffer & L. Hall arrived late

3. Statutory authority to close session:

This meeting was closed under the following provisions of General Provisions Article § 3-305(b):
 (7) To consult with counsel to obtain legal advice on a legal matter;

Listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Persons present for discussion	Action taken/each recorded vote
Purnell Crossing	M. Stoehr, N. Chandler, E. Pfeffer, J. Gerthoffer, L. Hall, P. Cosby, D. Widdowson, E. Morris, S. Cruz, R. Hardesty & K. Daub	No Action Taken

This statement was made by: Matt Stoehr, presiding officer of Town of Berlin Planning Commission
List members who have received open meetings training (at least one member must be in attendance during closed session): Mayor Zack Tyndall, Councilmember Jack Orris, Town Administrator Mary Bohlen, Human Resources Director Kelsey Jensen, Town Attorney David Gaskill, Special Projects Coordinator Kate Daub.

Town of Berlin
Planning Commission
Wednesday, February 11, 2026
Meeting Minutes

Chairman Matt Stoehr called the Planning Commission meeting to order on February 11, 2026, at 5:45 PM. Present were Vice Chairman Austin Purnell, Pete Cosby, Newt Chandler, Dirk Widdowson, Erich Pfeffer, and Jenelle Gerthoffer. Present from town staff were Acting Planning Director Ryan Hardesty, Code Enforcement & Zoning Official Chanita Lewis-Watson, Special Projects Administrator Kate Daub, and Permits Coordinator Kaitlin Ahlers. Support staff in attendance included Davis, Bowen & Friedel, Inc., Senior Engineer and Planner Sharon Cruz, and Town Legal Counsel Emily Morris.

Chairman Stoehr then called for a motion to adopt the agenda for the February 11, 2026, meeting, with the recommendation that Agenda Item 5 be presented before Item 4. Mr. Widdowson made the motion, seconded by Mr. Chandler, and it was unanimously approved by the Commission.

Chairman Stoehr then called for a motion to approve the minutes from the January 14, 2026, meeting. Ms. Gerthoffer addressed a change to the minutes on Page 8, noting that the resident of “Branch Street” was a resident of “Grace Street.” Chairman Stoehr requested that, with that change, a motion be made to approve the minutes. Mr. Widdowson moved to approve the minutes, and Mr. Chandler seconded the motion. The minutes were approved unanimously.

Chairman Stoehr introduced Case #PC-2-11-26-03, the final site plan review for 513 South Main Street. Mr. Patrick Vorsteg presented the updated site plan to the Commission, noting that the revised landscaping and lighting plans were before them. He also indicated that a copy of the updated stormwater management plan had been provided for review.

Chairman Stoehr asked about changes to the landscaping plan. Mr. Vorsteg explained that the primary concern was the area near the driveway on the left side of the property, where a buffer was needed. He stated that additional trees and various landscaping elements had been incorporated, with a submerged wetland serving as the most significant feature.

Mr. Widdowson observed that while the buffer had been widened, he did not see any grass indicated. Mr. Vorsteg responded that the grass is shown on the landscape plan to the left of the entrance at the top corner. Mr. Widdowson also noted his understanding that an easement runs between the two properties. Mr. Vorsteg stated that, to his knowledge, the easement is located underground. When asked whether the proposed plans would affect

the easement, Mr. Vorsteg indicated they would not, as the improvements are located near the existing driveway, providing sufficient space for maintenance.

Chairman Stoehr then inquired whether there were any changes to the existing lighting plan. Mr. Vorsteg stated that the changes are detailed in the lighting plan and include both motion-activated and downward-directed lighting. In response to a follow-up question, he clarified that no additional lighting is proposed for the front of the property and that all new lighting will be located at the rear. Mr. Widdowson further noted that the trees shown on the hard copy of the landscaping plan were not depicted on the digital version. Mr. Vorsteg suggested that the digital file may have been from a previous submission and confirmed that the hard copy reflects the most current plan.

Ms. Gerthoffer asked whether the dusk-to-dawn lighting would operate continuously or be sensor-activated. Mr. Vorsteg clarified that the lighting would be motion-activated.

Chairman Stoehr then called for a motion to approve the final site plan for 513 South Main Street as presented. A motion was made by Mr. Widdowson, seconded by Mr. Chandler, and passed unanimously.

Next, Chairman Stoehr introduced Case #PC-9-10-25-06, a continuation of the preliminary subdivision review for Prospect Drive, Phase 5 of Purnell Crossing. Present for the applicant were Troy Purnell, surveyor Russell T. Hammond, engineer Justin Renning, and attorney Mark Cropper. Commission member Austin Purnell recused himself from the case, and Logan Hall participated in his place.

Mr. Cropper addressed the Commission, noting that the project had previously received preliminary approval for a three-lot subdivision in September. He clarified that the applicant was now seeking final approval of the subdivision only, and not any action related to the Planned Unit Development (PUD).

Mr. Chandler requested confirmation that the Commission's consideration was limited to final approval of the three-lot subdivision. Mr. Cropper confirmed this, adding that the PUD had been in place for approximately 25 years and has undergone various approved changes over time. He noted that any concerns related to the larger 26-lot development could be addressed separately if necessary.

Mr. Purnell stated that he intends to sell the property but must first complete the subdivision.

Mr. Widdowson asked, for the sake of transparency, whether the applicant would object if the Commission approved the three lots without approving any changes to the existing setback requirements. Mr. Cropper responded that such an approach would be acceptable. Mr. Widdowson then made a motion accordingly.

Ms. Morris asked for clarification regarding which master plan setback the Commission was referencing. Mr. Widdowson stated that he was referring to the original PUD approved around 2005 and clarified that no changes to those setbacks were being requested at this time.

Mr. Cropper reiterated that the applicants were present solely for consideration of the three-lot subdivision. Mr. Chandler noted that the Commission could choose to approve the subdivision with that caveat. Mr. Purnell addressed the Commission and acknowledged that changes had been made to the PUD since its original approval in 2005.

Chairman Stoehr asked whether there was agreement with the Town regarding the applicable setback requirements. Mr. Widdowson interjected, stating that while the Commission has the authority to modify setbacks, the applicants were only seeking approval of the three-lot subdivision at this time.

Mr. Cropper stated that if the meeting were focused on amendments to the original PUD, he would have Mr. Purnell present a full overview of the changes made over time. He further emphasized that he did not want the record to reflect that the setbacks remain the same as they were 25 years ago. Mr. Widdowson responded that, as it stands, the subdivision is currently subject to those existing setbacks.

Mr. Cropper reiterated his concern, again stating that he did not want the record to indicate that the setbacks are unchanged, and noted that the applicant's intention is to obtain final approval for the subdivision and return at a later date to address any necessary revisions.

Ms. Morris stated that any final plan must reflect all approved changes. Mr. Cropper agreed that this was consistent with prior discussions but raised concerns regarding the Town's record-keeping, noting that confirmation of past changes is needed, though not necessarily during this meeting. Ms. Morris confirmed that this understanding was correct and would be reflected in the record.

Mr. Cropper reiterated that incomplete or outdated records appear to be the root of the issue and indicated that Mr. Purnell would compile and present a comprehensive account of the changes. Mr. Purnell added that he is willing to review the project history with the Commission and make any necessary revisions, noting that relevant materials have been submitted to the Town, as well as to EA and DBF, as required.

Mr. Chandler stated that the immediate goal was to address the matter currently before the Commission.

Mr. Widdowson asked the applicants whether a revised PUD might resolve the issue. Mr. Cropper responded that Mr. Purnell could present supporting information and that the matter would likely require further discussion. He expressed his belief that Mr. Purnell could

demonstrate that the changes made over time reflect the PUD as it exists today and noted that additional changes have occurred since September 2025.

Mr. Widdowson stated that the primary issue before the Commission was that Ms. Morris had suggested including a caveat, while Mr. Cropper did not agree with that approach. Mr. Widdowson then made a motion to recommend approval of the three-lot subdivision without addressing or approving any changes to the setbacks. Mr. Chandler seconded the motion, and it was approved unanimously.

There were no comments from the public or from staff.

Chairman Stoehr asked whether there were any updates regarding the Buckingham Elementary project and when it might go before the Commission. Ms. Hardesty stated that she had not received any updates. Ms. Morris added that the last information she received indicated the project was undergoing Public Service Commission review, and she would follow up for an update.

Mr. Chandler asked staff about the status of the Wawa project. Ms. Hardesty stated that it remains a work in progress. He also inquired about the Microtel project, and Ms. Hardesty indicated that it is likewise still in progress.

Ms. Morris recommended that the Commission establish clear guidelines outlining what materials are required in application packets, submission deadlines, and what may be presented at meetings.

Mr. Chandler shifted the discussion to record-keeping within the Planning Department, emphasizing the need for improved documentation practices. Ms. Morris stated that efforts to improve record-keeping are ongoing, but noted that applicants sometimes submit materials as late as the day of the meeting.

Mr. Chandler stated that such practices are not sustainable and affirmed that the Commission would support staff in enforcing clearer submission requirements. Mr. Cosby agreed and suggested that the Commission consider developing bylaws to formalize these procedures.

Ms. Cruz stated that the goal is to provide the Commission with accurate and complete information to support informed decision-making, but emphasized that staff must have sufficient time to review materials in advance. Mr. Chandler noted that the Commission's role is to ensure compliance with applicable regulations, such as landscaping and lighting, while technical matters such as stormwater management and electrical systems fall under the purview of relevant department heads. Ms. Cruz agreed, but added that the Commission

should also consider establishing reasonable timeframes for staff review, noting that one week is often insufficient.

Mr. Chandler proposed that application materials be submitted at least two weeks prior to a Planning Commission meeting. Mr. Cosby agreed, stating that additional time would improve the quality of preliminary reviews and staff reports and allow for a better understanding of projects.

Ms. Gerthoffer then raised concerns regarding potential new State regulations that could eliminate setback requirements and minimum lot sizes in the R-1 district. Ms. Morris stated that she had not yet reviewed the proposed regulations and would do so and discuss them with the Mayor.

With no other comments, the meeting was adjourned at approximately 6:30 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kaitlin Ahlers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kaitlin Ahlers, Permit Coordinator



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

www.berlinmd.gov

Agenda Item 4



PLANNING COMMISSION APPLICATION

DATE: 3/25/26

CASE NUMBER: PC-4-8-26-04

Application Type (check one)

- | | |
|---|--|
| <input type="checkbox"/> Concept Site Plan Review | <input type="checkbox"/> Preliminary Subdivision |
| <input type="checkbox"/> Preliminary Site Plan Review | <input type="checkbox"/> Final Subdivision |
| <input type="checkbox"/> Final Site Plan Review | <input checked="" type="checkbox"/> Other <u>Master Plan</u> |

Has this project already been to the Planning Commission? If yes, when? April 13, 2021

PROJECT NAME/DESCRIPTION: Purnell Crossing

LOCATION OF PROPERTY: Berlin, MD

SIZE OF PROPERTY: 66.93 +/- acres ZONING: R1, R2 and R4 TOTAL LOTS: 21 (R-1 Single Family)
88 (R-4 Multi-Family)
7 (R-2 Single Family)
141 (R-2 Multi-Family)
96 (R-2 Apartments)

PROPERTY OWNER/AGENT Teepee Development, LLC PHONE # (410) 726-8043

ADDRESS PO Box 460, Ocean City, MD, 21842 EMAIL troyburn@aol.com

IMPORTANT:

- Submission of an application to the Planning Commission does not guarantee placement on a specific meeting agenda. All applications first undergo an administrative and technical review by Town staff to confirm completeness, compliance with Town Code requirements, payment of applicable fees, and the ability to meet public notice requirements.
- Only after an application is determined to be complete will it be scheduled for Planning Commission consideration, at which time the applicant will be notified of the meeting date.
- 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:

Approval for Master Plan, Revision 8

The applicant, or an authorized representative, has been advised to appear at the meeting of the Planning Commission scheduled for 4/8/26 (date).

Applicant Signature Teepee Development LLC Date 3/27/26

APPROVED:

Planning Commission Chair (Date)

Planning Director (Date)



STAFF REPORT

TO: Planning Commission

FROM: Ryan Hardesty, Acting Planning Director

MEETING DATE: April 8, 2026

SUBJECT: Requested Modification to Purnell Crossing Master Plan (Dated November 2025)

SUMMARY:

The applicant is requesting approval of a revised Master Plan for the Purnell Crossing Planned Unit Development (“PUD”). The latest officially modified Master Plan was approved by the Planning Commission (“PC”) on September 11, 2019. Subsequent to that approval, layout modification of Purnell Crossing PUD (South) was presented again to the PC on May 12, 2021, at which time the PC approved the request for the addition of nine (9) single-family lots and a reconfiguration of the road layout. While that request for additional lots was approved by the vote of the PC, a fully revised PUD Master Plan reflecting those changes was not formally submitted, reviewed, or discussed by the PC.

Applicant’s current request seeks to formalize those changes and introduces additional bulk modifications to lot sizes, setbacks, and overall development standards for single-family residential units. Because Purnell Crossing is a PUD, the Master Plan serves as a governing document that may modify or supersede certain underlying zoning requirements. As such, careful review of the proposed deviations is critical.

BACKGROUND:

The last formally noticed modification to Purnell Crossing PUD was on September 10, 2019. As part of that approval, a Master Plan was adopted, establishing changes in the layout of the PUD development. The 2019 modification (as well as previous modifications to the Purnell Crossing PUD) did not establish development-wide modifications in the development standards, including setbacks, lot dimensions, and open space requirements. Modifications in setbacks and lot dimensions have been approved by the PC during the site plan review phase on the previously constructed phases of the Purnell Crossing project, most recently on the Sunlight Lane development, which also involved a Town Code establishment of changes in setbacks for townhome developments (i.e. R-4 developments).

On May 12, 2021, the PC reviewed a concept revision that included the addition of nine (9) single-family lots and a reconfiguration of the subdivision layout without providing any detail on the lot sizes or proposed setbacks within the additional lots. While the PC approved the additional lot concept, a revised PUD Master Plan document was not formally submitted or properly noticed as required by the Maryland Open Meetings Act. Additionally, during the ten-minute discussion of the PC at the May 12, 2021, meeting, there was no discussion of revised setbacks, lot sizes, or open space allocations associated with those changes, and they were not subject to the vote of the PC. As the proposed revised setbacks, lot sizes,

or open spaces were never presented and **“specifically authorized”** as required by Town Code Section 108-639, the Applicant’s proposed revised setbacks, lot sizes, and open space allocations require officially noticed consideration of the PC and specific authorization by an official vote of the PC.

PUDs function as an overlay to the Town’s base zoning districts and are among the most significant planning tools available to the PC. Because PUDs can modify standard zoning requirements, including dimensional standards, the Master Plan effectively becomes the controlling regulatory document for the development area.

The applicant has now submitted a revised Master Plan that incorporates the previously discussed lot additions and reconfiguration, along with new requests for bulk reduction in existing lot widths and for significantly modified side and rear setback standards, which would be classified as “zero lot line” development.

BACKGROUND AND STAFF FINDINGS:

Staff has reviewed the revised Master Plan and identified several areas of concern related to consistency with both the original PUD approval and general zoning principles. Please refer to charts below:

Setbacks from Purnell Crossing North and South Master Plan			
Single Family Lot Setbacks	Original PUD Master Plan	2019 Master Plan¹	Proposed 2026 Master Plan
Front Yard	25'	25'	25'
Side Yard	35'	35'	5'
Rear Yard	8' (Sum of Widths 20')	8' (Sum of Widths 20')	10'

Setbacks per Town Code (Sec 108-329, 350 & 378)			
Single Family Lot Setbacks	R1	R2	R4
Front Yard	25'	25'	25'
Side Yard	10' (Sum of Widths 25')	8' (Sum of Widths 20')	6' (Sum of Widths 15')
Rear Yard	35'	35'	35'

Single Family Lot Area and Width					
Zoning District	Minimum Lot Area (per Code)	Minimum Lot Width (per Code)	Minimum Lot Area (Original PUD Master Plan)	Minimum Lot Width (2026 Master Plan)	Proposed Minimum Lot Size (2026)

¹ September 10, 2019 Purnell Crossing PUD Modification did not contain of data regarding setbacks; therefore, the setbacks on the Original Master Plan are legally presumed to remain as the PUD required setbacks for future phases unless modified at the site plan review stage for a specific phase.

					Master Plan)
R-1	10,000 sf	80'	8,016 sf	50'	6,121 sf
R-2	8,000 sf	70'	N/A	50'	13,244 sf
R-4	5,000 sf ²	50' ³	N/A	N/A	N/A

1. **Lot Widths:** The Applicant is proposing lot widths that are less than even the lowest minimum required in the residential zone under the Town Code. The minimum lot width in the R-4 district is 60 feet. The proposed lot widths fall far below this threshold, representing a significant deviation not only from the underlying zoning but also from typical residential development standards.
2. **Rear Yard Setbacks:** Berlin's Town Code standard rear yard setback across residential zoning districts is 35 feet. The applicant is proposing a reduced rear setback of 10 feet. This represents a substantial reduction that may impact privacy, drainage, and overall site functionality, with the possibility of backyards of houses being as little as 20 feet apart.
3. **Side Yard Setbacks:** The underlying zone for Phase 5 is R-1, with each side yard of 10 feet, with a sum of side yards with a minimum width of 25 feet. The minimum side yard setback of any residential zone in Berlin is R-4 district with 6 feet, with a combined minimum of 15 feet between structures. The applicant is proposing a side yard setback of 5 feet with a sum of 10 feet, which is over half of what is required under the existing underlying R-1 zone.
4. **Building Separation and Safety Concerns:** The proposed reductions in side yard setbacks result in residential structures being located in very close proximity to one another. Chapter 108 Article IV allows for the projection of certain features into the setbacks; however, when accounting for building features such as HVAC units, chimneys, and other appurtenances, the effective separation distance between structures may be further reduced.

This raises concerns regarding:

- ***Fire safety and building code compliance***, which cannot be properly evaluated without additional information, are typically provided at the site plan review stage
- ***Adequate access for emergency services personnel and equipment*** that cannot be properly considered until the site plan review stage.
- ***Drainage considerations*** as reduced setbacks create less space for proper drainage that cannot be adequately evaluated until the site plan review stage.
- ***Long-term livability and maintenance between structures***
- ***Comprehensive Planning considerations*** and whether the Town would like to introduce 'zero lot' line residential developments to Berlin.

At this time, staff cannot confirm that the proposed spacing would provide sufficient clearance for emergency access between homes in the event of a fire other emergency.

Given the significance of the proposed deviations from both the original PUD Master Plan and underlying zoning standards, staff recommends the PC consider the following:

1. Careful evaluation as to whether the proposed reductions in lot size and setbacks to “zero lot line” residential development are appropriate within the context of a PUD, whether they maintain compatibility with surrounding development, comply with the spirit of Town Code for residential districts, and the Comprehensive Plan.
2. Require the applicant provide additional justification for the requested deviations, including:
 - o Demonstration of how the revised design meets the intent of the PUD
 - o Analysis of impacts on public safety, particularly emergency access
 - o Clarification on how open space requirements are being addressed
 - o Justification for need for significant reductions in setbacks are needed
3. That consideration be given to requiring revised dimensional standards that are more consistent with the standards set forth in the Original Master Plan.

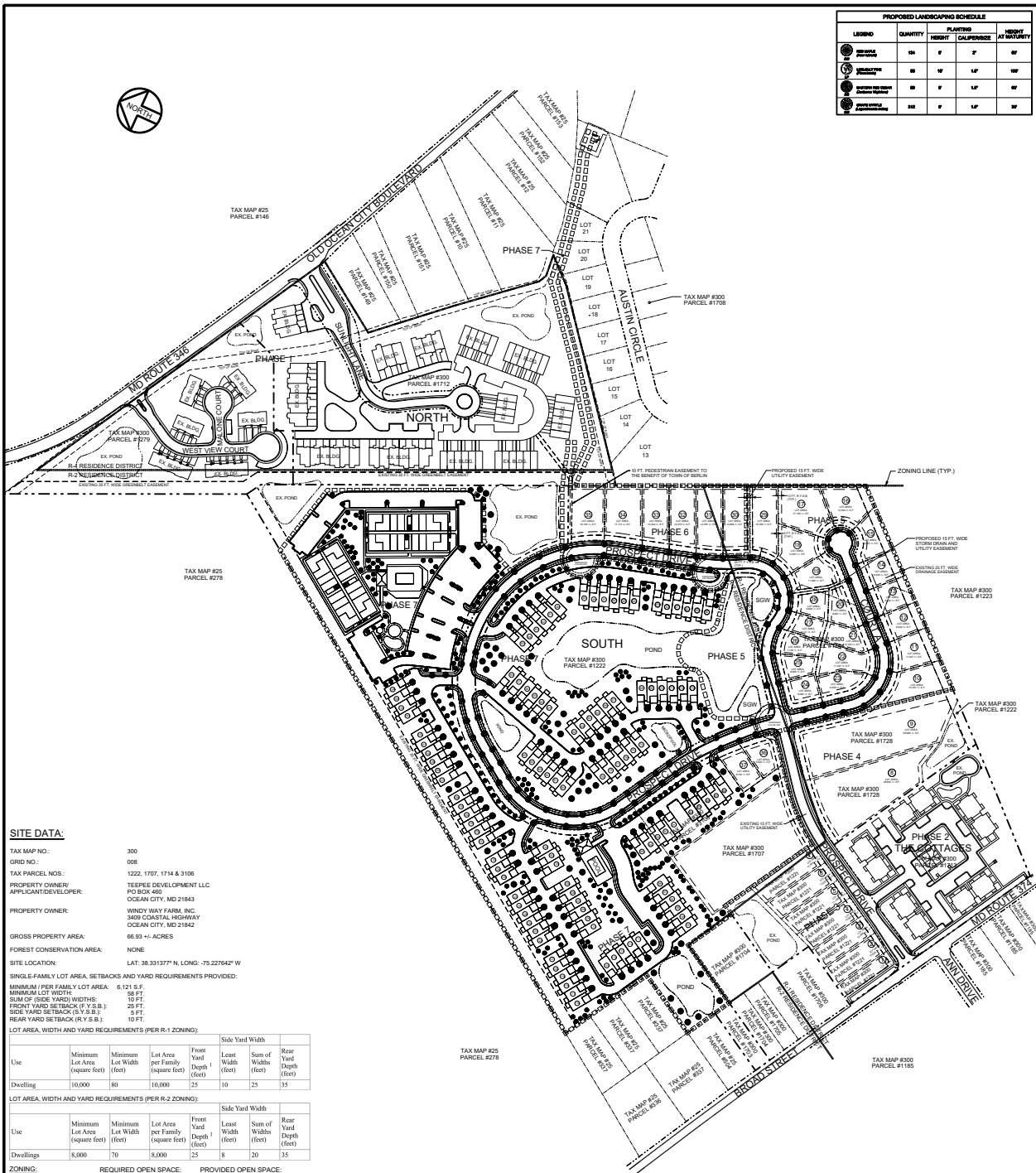
RECOMMENDATION:

1. Defer action on requested bulk changes in setback until a fully compliant and clearly justified revised Purnell Crossing PUD Master Plan is submitted.
2. If the Planning Commission is open to providing the “option” for additional reduction of the lot sizes and setbacks, (i) the reductions will be specific to and limited to only Phase 5; (ii) be on a deferred basis to be granted on a lot-by-lot basis within Phase 5 only at the site plan review stage (or, at a minimum, final subdivision approval stage) and (iii) the 2026 Revised Master Plan updated to remove the proposed building restriction lines within Phases 5 and 6 on the Applicant’s 2026 Revised Master Plan before being finalized.

CONCLUSION:

The revised Purnell Crossing Master Plan represents a significant modification to the last approved PUD, particularly with respect to lot sizes and setback requirements. Significant development-wide reductions of bulk standards (lot sizes, widths, depths, and setbacks) are not typical. The purpose of a PUD is to grant flexibility from strict adherence to the Town Code, but a PUD (including revisions to it) should not ignore the health, well-being, and safety of the community or its residents. It is more common to see relief from the standards to a practical extent with a PUD, but with more specific setback relief handled on a case-by-case basis as part of the individual lot site plan/building permit process.

PROPOSED LANDSCAPING SCHEDULE				
LANDING	QUANTITY	PLANTING TREES	PLANTING CALYPSSES	HERBIVORY BY MATURITY
PROPOSED LANDSCAPING	100	10	10	10
PROPOSED LANDSCAPING	100	10	10	10
PROPOSED LANDSCAPING	100	10	10	10
PROPOSED LANDSCAPING	100	10	10	10



SITE DATA:

TAX MAP NO.: 300
 GRID NO.: 008
 TAX PARCEL NOS.: 1222, 1707, 1714 & 3106
 PROPERTY OWNER/APPLICANT/DEVELOPER: TEEPEE DEVELOPMENT LLC, PO BOX 460, OCEAN CITY, MD 21843
 PROPERTY OWNER: WINDY WAY FARM, INC., 3403 COASTAL HIGHWAY, OCEAN CITY, MD 21842
 GROSS PROPERTY AREA: 66.93 +/- ACRES
 FOREST CONSERVATION AREA: NONE
 SITE LOCATION: LAT: 38.333177° N, LONG: -75.227642° W

SINGLE-FAMILY LOT AREA, SETBACKS AND YARD REQUIREMENTS PROVIDED:
 MINIMUM PER FAMILY LOT AREA: 6,121 S.F.
 MINIMUM LOT WIDTH: 55 FT.
 SUM OF (SIDE YARD) WIDTHS: 10 FT.
 FRONT YARD SETBACK (F.Y.S.B.): 25 FT.
 SIDE YARD SETBACK (S.Y.S.B.): 5 FT.
 REAR YARD SETBACK (R.Y.S.B.): 10 FT.

Use	Minimum Lot Area (square feet)		Front Yard Depth (feet)	Side Yard Width		Rear Yard Depth (feet)
	Minimum Lot Width (feet)	Lot Area per Family (square feet)		Least Width (feet)	Sum of Widths (feet)	
Dwelling	10,000	80	10,000	25	10	25

Use	Minimum Lot Area (square feet)		Front Yard Depth (feet)	Side Yard Width		Rear Yard Depth (feet)
	Minimum Lot Width (feet)	Lot Area per Family (square feet)		Least Width (feet)	Sum of Widths (feet)	
Dwellings	8,000	70	8,000	25	8	20

ZONING:	REQUIRED OPEN SPACE:		PROVIDED OPEN SPACE:	
		(%)		(%)
R-1 RESIDENCE DISTRICT	40%	6.68 +/- AC.	44.7%	7.46 +/- AC.
R-2 RESIDENCE DISTRICT	35%	12.77 +/- AC.	34.1%	12.44 +/- AC.
R-4 RESIDENCE DISTRICT	20%	4.13 +/- AC.	25.1%	7.57 +/- AC.
SWM AREAS				5.99 +/- AC.
TOTAL:	(35.2%)	23.58 +/- AC.	(49.9%)	33.46 +/- AC.

NOTE: R-4 RESIDENCE DISTRICT OPEN SPACE INFORMATION SOURCED FROM MASTER PLAN, REVISION DATED 02/25/09.

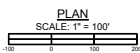
PHASE	CURRENT ZONING	REQUIRED PARKING	PROVIDED PARKING	NO. OF UNITS	NO. OF EDUS
1	R-4 RESIDENCE DISTRICT	186 PARKING SPACES	225 PARKING SPACES	90 TOWNHOUSES (EX.)	90 EDUS
2	R-1 RESIDENCE DISTRICT	80 PARKING SPACES	61 PARKING SPACES	40 UNITS (EX.)	40 EDUS
3	R-1 RESIDENCE DISTRICT	21 PARKING SPACES	21 PARKING SPACES	7 SINGLE FAMILY LOTS (EX.)	7 EDUS
4	R-1 RESIDENCE DISTRICT	6 PARKING SPACES	6 PARKING SPACES	2 SINGLE FAMILY LOTS (EX.)	2 EDUS
5	R-1 RESIDENCE DISTRICT	60 PARKING SPACES	66 PARKING SPACES	20 SINGLE FAMILY LOTS (PROP.)	20 EDUS
6	R-2 RESIDENCE DISTRICT	18 PARKING SPACES	18 PARKING SPACES	6 SINGLE FAMILY LOTS (PROP.)	6 EDUS
7	R-2 RESIDENCE DISTRICT	414 PARKING SPACES	480 PARKING SPACES	2 SINGLE FAMILY LOTS (PROP.) 109 TOWNHOUSES (PROP.) 96 APARTMENTS (PROP.)	207 EDUS
TOTAL:		785 PARKING SPACES	871 PARKING SPACES	142 UNITS (EX.) 233 UNITS (PROP.)	375 EDUS

NOTE: CURRENT ZONING AND REQUIRED PARKING SOURCED FROM TOWN OF BERLIN ZONING MAP, DATED AUGUST 30, 11, AND CODE OF THE TOWN OF BERLIN, MARYLAND, DATED 01/12/2026.

PROPERTY OWNER/APPLICANT/DEVELOPER:
 SIGNATURE: _____ DATE: _____
 TEEPEE DEVELOPMENT LLC

PROPERTY OWNER:
 SIGNATURE: _____ DATE: _____
 WINDY WAY FARM, INC.

TOWN SIGNATURE BLOCK:
 CHAIRMAN OF PLANNING AND ZONING COMMISSION: _____ DATE: _____
 PLANNING DIRECTOR: _____ DATE: _____



PHASE	TOTAL AREA (+/- AC.)	AREA OF LOTS/UNITS (+/- AC.)	AREA OF RIGHT-OF-WAY (+/- AC.)	AREA OF STORMWATER MANAGEMENT (SWM) PRACTICES (+/- AC.)
2	4.47	0.65	0.46	0.11
3	2.39	2.05	N/A	0.34
4	3.31	2.58	0.43	0.13
5	8.31	4.76	1.88	0.95
6	2.68	2.07	0.49	N/A
7	28.43	12.52	1.88	1.62

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/12/2026	ISSUED FOR PERMITTING
2	08/12/2026	ISSUED FOR PERMITTING
3	08/12/2026	ISSUED FOR PERMITTING
4	08/12/2026	ISSUED FOR PERMITTING
5	08/12/2026	ISSUED FOR PERMITTING
6	08/12/2026	ISSUED FOR PERMITTING

SCALE: AS SHOWN NOV 2025 152-02-001

J.W. SALM ENGINEERING, INC.
 1705 BOX 205, 2624 MAIN STREET, SUITE 1
 P.O. BOX 205, 2624 MAIN STREET, SUITE 1
 P.O. BOX 205, 2624 MAIN STREET, SUITE 1
 P.O. BOX 205, 2624 MAIN STREET, SUITE 1



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

www.berlinmd.gov



PLANNING COMMISSION APPLICATION

DATE: 3/25/26

CASE NUMBER: PC-4-8-26-05

Application Type (check one)

- | | |
|---|--|
| <input type="checkbox"/> Concept Site Plan Review | <input type="checkbox"/> Preliminary Subdivision |
| <input type="checkbox"/> Preliminary Site Plan Review | <input checked="" type="checkbox"/> Final Subdivision - Phase 5 only |
| <input type="checkbox"/> Final Site Plan Review | <input type="checkbox"/> Other _____ |

Has this project already been to the Planning Commission? If yes, when? _____

PROJECT NAME/DESCRIPTION: Purnell Crossing

LOCATION OF PROPERTY: Berlin, MD

SIZE OF PROPERTY: 66.93 +/- acres ZONING: R1 TOTAL LOTS: 20 (Single Family)

PROPERTY OWNER/AGENT Teepee Development, LLC PHONE # (410) 726-8043

ADDRESS PO Box 460, Ocean City, MD, 21842 EMAIL troyburn@aol.com

IMPORTANT:

- Submission of an application to the Planning Commission does not guarantee placement on a specific meeting agenda. All applications first undergo an administrative and technical review by Town staff to confirm completeness, compliance with Town Code requirements, payment of applicable fees, and the ability to meet public notice requirements.
- Only after an application is determined to be complete will it be scheduled for Planning Commission consideration, at which time the applicant will be notified of the meeting date.
- 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:

Approval for Final Subdivision Plat

The applicant, or an authorized representative, has been advised to appear at the meeting of the Planning Commission scheduled for 4/8/26 (date).

Applicant Signature Teepee Development LLC Date 3/27/26

APPROVED:

Planning Commission Chair (Date)

Planning Director (Date)



STAFF REPORT

TO: Planning Commission

FROM: Ryan Hardesty, Acting Planning Director

MEETING DATE: April 8, 2026

SUBJECT: Purnell Crossing PUD Phase 5 - Preliminary 20-Lot Subdivision

SUMMARY:

Applicant submitted an application seeking Final Record Plat approval for Phase 5 of the Purnell Crossing subdivision. However, Town Code requires that Preliminary Record Plat approval be obtained prior to Final Record Plat approval under Town Code Chapter 106- Subdivision of Land. Therefore, staff will be presenting this application as a Preliminary Record Plat for Planning Commission (“PC”) review.

BACKGROUND:

In October 2025, Mr. Purnell submitted an application for Preliminary Subdivision Review requesting approval for 20 single-family lots within Phase 5. This application was not placed on the PC agenda as it did not conform to the last approved (2019) Purnell Crossing PUD Master Plan of the Planning Department.

As outlined in the separate Staff memo for this meeting on April 8, 2026, it was later determined that there was a brief discussion and vote on the revisions to the road configuration and addition of a number of lots within Phase 5 and 6 of the Purnell Crossing PUD Master Plan (South) by the PC at its May 12, 2021 meeting.

Applicant has since revised and resubmitted the Purnell Crossing PUD Master Plan, and Staff finds it appropriate to place the accompanying 20-Lot subdivision request forward for review at the preliminary, rather the “final” stage Applicant has requested.

FINDINGS:

Phase 5 of the Purnell Crossing development is located within the R-1 Residential Zoning District, which establishes the following dimensional requirements:

- Minimum Lot Width Required: 80 feet
 - Proposed: 58 feet
- Side Yard Setback Required: 10 feet (sum of widths 25)
 - Proposed: 5 feet

- Rear Yard Setback Required: 35 feet
 - Proposed: 10 feet

Please refer to the chart below:

Setbacks per Town Code (Sec 108-329, 350 & 378)				2026 Proposed Setbacks
Single Family Lot Setbacks	R1	R2	R4	
Front Yard	25'	25'	25'	25'
Side Yard	10' (Sum of Widths 25')	8' (Sum of Widths 20')	6' (Sum of Widths 15')	5' (Sum of widths 10')
Rear Yard	35'	35'	35'	10'

Applicant is requesting uniform bulk reductions to all of the above standards as reflected in the submitted Master Plan for all 20-lots within the Phase 5 subdivision, and has a chart citing to the “buildable” area within each of the lots within Phase 5 that is presumably based upon the severely reduced proposed side and rear setbacks.

Staff notes that the final determination of appropriate setbacks and lot dimensions should not be made until the revised Purnell Crossing PUD Master Plan has been reviewed and approved.

Additionally, as explained in the Staff Report for the modifications in the Purnell Crossing PUD Master Plan, the proposed setback reductions may create potential safety concerns, including limited access for emergency services. The reduction in setbacks could restrict adequate spacing between structures and limit maneuverability for emergency response. It is impossible to accurately evaluate the true implications of the reductions on each individual proposed lot without additionally evaluating the individual lots within the proposed site plan for each lot, or at a minimum, by considering each lot on a lot-by-lot basis as the lots are not uniform in size or shape.

The Town Code does permit certain features such as HVAC units, chimneys, and other appurtenances to encroach into required setbacks. If these features are placed within already reduced setbacks, this would result in further encroachment and reduced usable space, exacerbating potential safety and access concerns.

As a legal matter, any subdivision plat within the Purnell Crossing PUD must conform to the standards set forth in the Purnell Crossing PUD.

RECOMMENDATIONS:

Staff recommends that the Planning Commission:

1. Review and consider this application as a Preliminary Record Plat only, in accordance with Town Code requirements.

2. Regardless of any other action:

- **PC MUST DEFER any final action on the proposed 20-unit subdivision until the conforming revised Purnell Crossing PUD Master Plan has been formally APPROVED by the PC.**
- **For the reasons set out in the accompanying memo, it is STRONGLY recommended that the PC DENY the proposed “bulk” reductions in side and rear setbacks shown on the proposed 20-Lot Subdivision.**
- **REQUIRE the Applicant to submit a revised subdivision plat with building restriction lines (i.e., side and rear setbacks) that either (i) conform to underlying zone R-1 standards (which will enable the Applicant to expeditiously record the 20-Lot subdivision) with PC agenda noting that side/rear yard reductions can be requested at a later PC meeting on a lot-by-lot basis or (2), revise the set back on the 20-Lot subdivision on a lot-by-lot basis considering the life, safety, drainage, and privacy considerations for each lot for the PC to consider for final review.**

3. Carefully evaluate the requested reductions to lot width and setback requirements, and:

- if any are approved, to be approved on a lot-by-lot basis.
- Limit any reductions specifically to Phase 5 of the Purnell Crossing PUD development.

CONCLUSION:

While the applicant has submitted for Final Record Plat approval, this request must be reviewed as Preliminary due to procedural requirements within the Town Code Chapter 106 Article II.

The proposal includes significant deviations from R-1 zoning standards, including reduced lot widths and setbacks, which may present safety and compatibility concerns.

Staff finds it appropriate to move the project forward for preliminary consideration only, with careful review of the requested modifications and their potential impacts.

November 21, 2025

Town of Berlin
10 William Street
Berlin, Maryland 21811

*Michael R. Wigley, AIA, LEED AP
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA
Jason P. Loar, P.E.
Ring W. Lardner, P.E.
Jamie L. Sechler, P.E.*

ATTN: Ms. Ryan Hardesty
Acting Planning Director

RE: Purnell Crossing South – Phases 5 & 6
Utility Plan Review Services
Berlin, Maryland
DBF #050A002.009

Dear Ms. Hardesty:

We have completed our utility review of the latest revision of the construction drawings for Purnell Crossing South – Phases 5 & 6 prepared by J. W. Salm Engineering, Inc, signed, dated, and received on November 20, 2025. We have reviewed the plans with regards to impacts on Town infrastructure and we find the plans to be in general conformance with the Town of Berlin Design and Construction Standards for Water, Sewer, and Roadway Systems. We therefore recommend Town approval of the Plans, for Phases 5 & 6 only, supplemental to the Town of Berlin's project review and approval process.

The Developer and their designer shall be responsible for coordinating and obtaining all appropriate permits from the agencies (Federal, State, County & Local) having jurisdiction over the work. The work shall be performed in accordance with the latest edition of the Town of Berlin Design and Construction Standards for Water, Sewer, and Roadway Systems, latest edition. Please note that no review or recommendation of approval shall relieve the property owner, their designer or contractor from the responsibility to obtain all permits and follow all applicable laws, regulations and requirements of the authorities having jurisdiction over the proposed work.

The developer and his contractor shall schedule a preconstruction meeting at least two weeks prior to starting construction of municipal infrastructure, to review Town construction phase requirements including: Construction Administration, Submittals, RPR Inspection, Quality Control Testing, and Closeout Requirements. If you have any questions, please contact our office.

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.



Nicholas S. Bradley, EIT
Civil Engineer

Enclosures

L:\0050A Berlin\0050A002 On-call\0050A002.009 - Purnell Crossing\Phases 5-6\Plan Review\2025\Review 2025-11-20\2025-11-14 Hardesty.docx

cc: Mr. Troy Purnell – Purnell Properties, Inc.
Mr. John Salm, PE – JW Salm Engineering, Inc.



11200 Racetrack Road Unit 101a
Ocean Pines, MD 21811
Telephone: 410-641-5341
Fax: 410-641-5349
www.eaest.com

December 29, 2022

Mr. Dave Engelhart
Planning Director
Town of Berlin
10 William Street
Berlin, MD 21811

Re: Review No. SWM-2021-005 Final Plan (Submittal #2)
Purnell Crossing Revision Phase 5 & 6

Dear Mr. Engelhart:

EA Engineering, Science and Technology, Inc. (EA) has received and reviewed the submitted plans for the Purnell Crossing Revision Phase 5 & 6 project. This submittal is a revision based on the comment letter dated December 27, 2022. EA reviewed the submittal against the December 27th comment letter and finds that the project has adequately addressed the comments. EA recommends stormwater approval for the project. The applicant may submit a minimum of three hard copies of the plans (Applicant, Town, EA copies) for approval stamping along with two copies of the final stormwater report for EA and the Town's records.

Sincerely,
EA Engineering, Science & Technology, Inc. PBC

A handwritten signature in blue ink, appearing to read 'S. Lemasters', is written over a horizontal line.

Steven Lemasters, P.E.,
Project Reviewer

Cc: Jamey Latchum, Town of Berlin

Ryan Hardesty

From: Lemasters, Steven <slemasters@eaest.com>
Sent: Tuesday, December 2, 2025 1:05 PM
To: Ryan Hardesty
Cc: Justin Redding; Purnell Troy
Subject: FW: PC phase 5 and 6 SWM PLANS
Attachments: 2025-11-21 Hardesty .pdf; 152-02 Purnell Crossing Rev No. 24 (28 Sheets) 11-20-25 sealed.pdf

Good Afternoon Ryan,

EA has reviewed the latest sealed drawing set for Purnell Crossing Phases 5 and 6 (attached). The drawings submitted are effectually the same as the previously approved drawings from January 2023. EA does not object to the Town extending/reapproving the project's stormwater management design once all other agency comments have been addressed. Once all comments have been addressed, a minimum of three hard copies of the drawings can be submitted to the Town for stormwater approval stamping.

Let me know if you have any questions or require any further documentation.

Thanks,
Steven

-----Original Message-----

From: Justin Redding <jredding@jwse.com>
Sent: Friday, November 21, 2025 3:28 PM
To: Lemasters, Steven <slemasters@eaest.com>
Cc: Purnell Troy <troyburn@gmail.com>
Subject: RE: PC phase 5 and 6 SWM PLANS

Hi Steven,

I have attached the sealed Revision 24 set, dated 11-20-25. I have also attached the approval letter from DBF to the Town of Berlin.

Please let me know if you need to be sent the SWM Report and your approval letter from 2022 again. I would have attached it, but it would make the email too large.

Feel free to reach out with any questions or comments.

Thanks,

Justin J. Redding, E.I.
President

J. W. Salm Engineering, Inc.
Office: (410) 641-0126
Mobile: (386) 523-4659
P.O. Box 397
Berlin, MD 21811

> On 11/18/2025 10:57 AM EST Justin Redding <jredding@jwse.com> wrote:
>
>
> Hi Steven,
>
> The temporary cul-de-sacs will not increase the proposed impervious area. If you review the Post-Development worksheet that was previously approved, the two temporary cul-de-sacs are outside of the development area that goes to Submerged Gravel Wetlands 1 and 2.
>
> The two temporary cul-de-sacs would ultimately go to Pocket Pond 10. The two temporary cul-de-sacs are a lot less impervious area than what is proposed for Phase 7 construction that goes to Pocket Pond 10.
>
> Feel free to reach out with any questions.
>
> Thanks,

> Justin J. Redding, E.I.
> President
>
> J. W. Salm Engineering, Inc.
> Office: (410) 641-0126
> Mobile: (386) 523-4659
> P.O. Box 397
> Berlin, MD 21811

>> On 11/18/2025 10:37 AM EST Lemasters, Steven <slemasters@eaest.com> wrote:

>>
>>
>> Hi Justin - Will the temporary cul-de-sac increase the impervious area to it's receiving stormwater facility?
>>

>> -----Original Message-----

>> From: Justin Redding <jredding@jwse.com>
>> Sent: Tuesday, November 18, 2025 10:29 AM
>> To: Lemasters, Steven <slemasters@eaest.com>
>> Cc: Purnell Troy <troyburn@gmail.com>
>> Subject: Re: PC phase 5 and 6 SWM PLANS

>>
>> Hi Steven,
>>
>> I have attached the current Revision 24 plan set. We have been working with the Town's engineering consultant about the temporary cul-de-sac dimensions, but the stormwater practice areas are unchanged since your previous review in 2022. The proposed lots and roadway alignments are also unchanged since your last review. The only thing that has changed is the temporary cul-de-sacs and some buried utility labeling.

>>
>> Feel free to reach out with any questions and comments.

>>
>> Thanks,
>>
>> Justin J. Redding, E.I.

>> President
>>
>> J. W. Salm Engineering, Inc.

> > Office: (410) 641-0126
> > Mobile: (386) 523-4659
> > P.O. Box 397
> > Berlin, MD 21811

> >

> > > On 11/18/2025 10:08 AM EST Purnell Troy <troyburn@gmail.com> wrote:

> > >

> > >

> > > Good morning Justin,

> > >

> > > I just spoke with Steven Lemasters and he said in order to give us full approval for phase 5 and 6 he needs a copy of phase 5 and 6 stormwater management report as well as plans so he can check them against what was previously approved in 2022 so he can check that they are the same. Please get these to him Him as soon as you can.

> > >

> > > Thanks, Troy