

The Town of New Market



Planning and Zoning Commission
40 South Alley, New Market, MD 21774
Virtual Meeting
July 2, 2025 - 7:00 p.m.

The regular meeting of the Planning and Zoning Commission of New Market, convened to discuss and make decisions on various zoning matters, was held digitally via the Zoom App on Thursday, June 2, 2025, with Chair Anthony Bruscia presiding. The members present were Arnold Alcantar, Brian Gable, and Kevin DeLany (Town Council Liaison). Commission members Todd McEntire and Brooke Donahue were absent. Town Zoning Administrator/Town Planner Pat Faux and Town Engineer Shawn Burnett were also present.

CALL TO ORDER: The meeting was called to order at 7:00 p.m.

MINUTES:

Motion: Commissioner Gable made a Motion to approve the May 1, 2025, minutes as amended
Second: Chair Bruscia
Public Comment: None
Vote: For – 3 (Bruscia, Alcantar, Gable)
Against – 0
Abstain – 1 (DeLany)
Absent – 2 (McEntire, Donahue)
The Motion passed.

NEW BUSINESS

Permit #2014B – Preliminary Plat Extension for Marley Commons

On behalf of Putnam Homes, CBM Consulting requested a five-year extension of the Marley Commons Preliminary plan approved by the Town on December 6, 2022, to mirror the County's timeframes. For further information, please refer to the Staff Report dated June 19, 2025.

Motion: Commissioner Gable made a Motion that the Planning Commission approve the applicant's request to extend the approval of Marley Commons Preliminary Plant for Permit #2014B revised dated March

Chairperson Initials AB/me

Planning and Zoning Commission – July 2, 2025

Page 2

2025, for a period of five (5) years from the date the minutes of this meeting are approved

Second: Chair Bruscia

Public Comment: None

Vote: For – 4 (Bruscia, Alcantar, DeLany, Gable)
Against – 0
Abstain – 0
Absent – 2 (McEntire, Donahue)

The Motion passed.

Informal Briefing – Upcoming County Planning Meeting Agenda Items

Ms. Faux reported that the Livable Frederick Master Plan Five-year Evaluation was on the Frederick County Planning Commissions Agenda.

The Commission also held a workshop on its ongoing "Investing in Workers and Workplaces" planning effort. This effort includes recommendations to modify county zoning on several parcels within the town of New Market's Growth Boundary to increase the supply of land zoned for Light Industrial Use. The four impacted parcels are situated on the south side of Interstate 70.

Briefing & Authorization Request – New Market Master Plan Update

Ms. Faux presented a draft timeline for the Master Plan process. She is in the process of drafting an updated Master Plan in accordance with state requirements. Per state regulations, it is the Planning Commission's task to oversee the plan's preparation, solicit public input, hold a public hearing, and forward a draft plan to the Town Council with a recommendation for formal adoption. For further information, please refer to the Staff Report dated June 23, 2025.

Motion: Chair Bruscia made a Motion to Approve the Focus Group request

Second: Town Council Liaison DeLany

Public Comment: None

Vote: For – 4 (Bruscia, Alcantar, DeLany, Gable)
Against – 0
Abstain – 0
Absent – 2 (McEntire, Donahue)

The Motion passed.

Chairperson Initials: AB/ml

ADJOURNMENT

Motion: Chair Bruscia made a Motion to Adjourn the meeting

Second: Town Council Liaison DeLany

Public Comment: None

Vote: For – 4 (Bruscia, Alcantar, DeLany, Gable)

Against – 0

Abstain – 0

Absent – 2 (McEntire, Donahue)

The Motion passed.

The meeting was adjourned at 7:29 p.m.

Respectfully submitted, Michelle Mitchell, Town Clerk

Chairperson Initials: AB/me

The Town of New Market



TO: The Town of New Market Planning and Zoning Commission, Anthony Bruscia, Chair
FROM: Pat Faux, Zoning Administrator and Shawn Burnett, Town Engineer
June 19, 2025

RE: Staff Report: Permit # 2014B – Preliminary Plat Extension for Marley Commons

February 26, 2025, on behalf of Putnam Homes the applicant for Permit #2014B, CBM Consulting requested a five-year extension of the Marley Commons Preliminary Plan approved by the Town on 12/6/22, to mirror the County's timeframes. In response to staff review comments, on March 31, 2026 CBM Consulting submitted an electronic image of the Preliminary Plat revision dated 03/24/25 to reflect the owner as Putnam Homes and some plan updates including road names, lot sizes and proposed easements to better model the Improvement Plans (Permit 1815B) signed by the Commission chair July 26, 2023.

Per Article VI Section 2.2.6 of the Town Land Development Ordinance (LDO):

Approval of a preliminary plat shall be valid for not more than one year unless extended in writing by the Planning Commission upon written request. Such extension will be granted if the Commission finds that neither plans for nor conditions in the neighborhood have changed substantially since the original approval. The Planning Commission may enter into an agreement with the developer for longer validity periods in the case of a planned unit development or where the Commission otherwise finds it advisable to do so in order to maintain the integrity of an overall plan.

According to the 12/6/22 approved Preliminary Plat, the zoning for this property is Mixed Residential Services (MRS) with a Historic District Overlay.

The modifications made to the Preliminary Plat, including:

1. the addition of 255 square feet to lot areas,
2. notation of future easements and
3. road name changes

align with Article III Section 8.1.1.h and 8.1.2.b of the LDO highlighted below:

8.1.1 Changes to an approved site plan to allow an inconsequential change to an existing use, structure, or site which is subject to a previously approved site plan. Minor changes or amendments include, but are not limited to the following changes:

- a. Limited structural modifications to an existing building façade;

The Town of New Market



1793

- b. Addition or substitution of an awning or awnings;
- c. Modifications to an approved exterior paint color;
- d. Modifications or additions to approved landscaping;
- e. Internal reconfiguration of an existing building without any change in uses;
- f. The addition of mechanical or other incidental equipment outside of an existing structure.
- g. Changes to the amount or layout of parking; or
- h. Minor field alterations to accommodate physical site conditions.

8.1.2 Changes to an approved subdivision plan or plat to allow:

- a. Combination or recombination of existing platted lots so that the total number of lots is not increased and the amended plat represents the same general lot relationships as shown in the plat prior to amendment; or
- b. Changes to a plat that are the result of minor field alterations to accommodate physical site conditions involving interior features of the site design, including relocation of easements, utilities and infrastructure, which represents the same general lot and easement relationships, topography, landscaping, and minimum utility standards.

Section 8.1.4 of the LDO state the procedure for consideration of a minor modification include:

- c. The Planning Commission may approve the minor modification subject to the criteria set forth in 8.1.5. If approved, the Planning Commission shall note the terms of the approved modification directly on the amended plan and affix his or her signature and the date of approval.
- d. If the Planning Commission determines that an application for a minor modification under this section would be a significant departure from the spirit of the originally approved plan, the Planning Commission may require that the application be processed using either the variance procedure or shall require the applicant to resubmit the application under the procedure used for the original approval.

8.1.5 The Planning Commission may approve a minor modification under this section only upon finding that all of the relevant criteria below have been met:

- a. All changes shall conform to the minimum required standards for the zoning district in which the property is located;
- b. All additions, alterations, and expansions shall be compatible with existing or approved lots, easements, infrastructure, existing or approved structures, and parking areas;
- c. The effect of the landscaping, buffers, or screening on the site, or on the approved subdivision/site plan shall not be diminished;
- d. The number of access points to public streets shall not be increased or substantially relocated;

The Town of New Market



1793

- e. The circulation pattern shall continue to provide for the safe, controlled, and orderly flow of pedestrians and vehicles;
- f. The change will result in better or equal performance of the overall objectives of the approved subdivision/site plan and specific zoning district classification;
- g. The change has no appreciable effect on adjoining or surrounding property;
- h. The change does not otherwise violate any provision of this Ordinance or other applicable laws; and
- i. The use and development of the property is otherwise in full compliance with the requirements of this Ordinance.

STAFF FINDINGS

1. Staff defers to the Planning Commission for the determination of it is advisable to enter into an agreement with the developer for the requested five-year validity period of the Preliminary Plat for Permit #1014B to mirror the County's timeframes and maintain the integrity of an overall plan.
2. The modifications to the Preliminary Plat for Permit #1014B revision dated 3/24/25, appear to align with Article III Section 8.1.1.h and 8.1.2.b of the LDO.
3. All of the relevant criteria in LDO Section 8.1.5. appear to be met with the modifications reflected on Preliminary Plat for Permit #1014B revision dated 3/24/25.

Staff offers the following possible motion for consideration by the Commission:

I make a motion that the Planning Commission approve the applicant's request to extend the approval of Marley Commons Preliminary Plat for Permit #1014B revision dated 3/24/25, for a period of X years from the date the minutes of this meeting are approved.

The Town of New Market



1793

June 23, 2025

TO: New Market Planning and Zoning Commission
FROM: Pat Faux, Town Planner
RE: **Staff memo on New Market Master Plan Update & County Reconciliation Process**

In accordance with state requirements, I am now beginning the process of drafting an updated New Market Master Plan for the Planning Commission review. This is one of the Planning Commission's core responsibilities. Per state regulations it is the Planning Commission's task to oversee the plan's preparation, to solicit public input, to hold a public hearing and forward a draft Plan to the Town Council with a recommendation for formal adoption. The plan update must address new state requirements, project the town's future out an additional 10 years to 2045 and reflect changes that have occurred over the past 10 years.

Also, as part of this effort, we will be preparing for a long-anticipated reconciliation process with the County. After this plan is adopted, the County proposes to undertake a review and amendment to the County's Comprehensive Plan that will reconcile planning differences between the town's adopted Growth Area and the County's adopted New Market Community Growth Area in order to better coordinate growth around the town. An example of a similar County Comprehensive Plan amendment recently completed for the Town of Middletown is attached.

We estimate that the process of drafting an update suitable for a public hearing to take about 10 months. Attached is a draft timeline for your consideration. At this stage I request informal Commission approval of the following:

- 1) The attached draft timeline.
- 2) Authorization to hold a series of in-person focus group meetings over the next several months to facilitate time for commission members and interested stakeholders to review the current plan and provide input on updates.

The current Town Plan is available on the town website for your reference at:

<https://www.townofnewmarket.org/planning-zoning/pages/new-market-master-plan-2016>

Please take some time to review the current plan and send me an email of with your comments as we get started. My email address is pfaux@fauxgroup.com.