

**TOWN OF ELKTON
PLANNING COMMISSION
AUGUST 8, 2022
MEETING MINUTES**

Present: Dave Wiseman; Keith Thompson; William Muller; G. Edward Ginder; Mandy Feeney; Lisa Blackson, Esquire; Jeanne Minner, Director of Planning; Nick Cannistraci, Planner

Absent: None

Mr. Wiseman called the meeting to order at 6:00 p.m. He introduced the newest Planning Commission board member, Ms. Mandy Feeney, to those in attendance. He stated Ms. Feeney works for the Cecil County Public Schools as Program Coordinator for Early Childhood. He offered his congratulations and she was welcomed by the other board members.

He stated the first item on the agenda is approval of the minutes from the July 11, 2022 meeting. There being no corrections from the Commission members Mr. Wiseman called for a motion.

MOTION: Motion was made by Mr. Thompson to approve the minutes of the July 11, 2022 Planning Commission meeting as written. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Ginder – Aye; Ms. Feeney – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF BL COMPANIES, INC. FOR A MINOR SUBDIVISION PLAN. THIS ACTION CONCERNS PROPERTY LOCATED AT 350 EAST PULASKI HIGHWAY, TAX MAP 033B, PARCEL 2383, LOT 4A AND ZONED C-2 (HIGHWAY COMMERCIAL)

Ms. Kestra Kelly of BL Companies and Mr. John Lombardo of Hutton/Mod Wash were in attendance to address this request. Ms. Kelly stated she was before the Commission to represent the applicant for the Minor Subdivision Plan. They are requesting to subdivide the parcel where the Pizza Hut currently exists at 350 East Pulaski Highway into two parcels. The site is 2.04 acres and once subdivided the Pizza Hut parcel will be 1.045 acres and the second parcel will be 1.16 acres. She stated they wish to construct a Mod Wash car wash facility on the second parcel.

Ms. Kelly stated they received comment letters from the Town and KCI and met with Ms. Minner earlier today. She stated they have no issues in complying with any of the comments and requested that they be able to move forward to preliminary plan.

Ms. Minner stated they will make the changes to the plat per the comments provided and then will come back before the Commission for final subdivision.

Mr. Wiseman mentioned setback issues for the corner lot. Ms. Minner stated they should not have any issues in meeting the required setbacks for a corner lot. Ms. Kelly stated they will provide cross access easements for both parcels. Mr. Wiseman inquired about water lines. Ms. Minner stated that all utilities will have to be shown on the plan prior to recordation.

Mr. Wiseman asked Mr. Koenig of KCI if they had any comments on the subdivision plan. Mr. Koenig said they reviewed the plan and had no comments.

Mr. Wiseman asked if anyone from the Commission had any comments. There were no comments from the Commission members.

MOTION: Motion was made by Mr. Ginder to approve the Concept Minor Subdivision Plan for Mod Wash contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Muller – Aye; Ms. Feeney – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF BL COMPANIES, INC. FOR CONCEPT MAJOR SITE PLAN TO CONSTRUCT A CAR WASH FACILITY. THIS ACTION CONCERNS PROPERTY LOCATED AT 348 EAST PULASKI HIGHWAY, TAX MAP 033B, PARCEL 2383, LOT 4A AND ZONED C-2 (HIGHWAY COMMERCIAL)

Ms. Kelly remained to address the Concept Major Site Plan. She stated they are requesting approval for Concept Major Site Plan to construct a Mod Wash car wash facility. She stated the customers will remain in their vehicles during the wash. There are separate areas for cleaning and vacuuming of vehicles on site.

She stated comments were received from the Town and KCI and they have no concerns with addressing all the comments. She noted they are requesting one design waiver for the loading zone requirements since any supplies for the facility will be delivered in off hours only.

Mr. Wiseman asked if this is an automated facility or if there will be employees who wash the vehicles. Ms. Kelly said it is an automated facility but there will be at least three employees on site at any time. One employee will be at the pay station in case there are any issues during payments. One employee will be at the entrance to the tunnel to assist vehicles in navigating to the car wash. One employee will be walking the facility in case customers have questions or to remove trash which might be laying around on the property.

Mr. Wiseman asked what percentage of the water is recyclable. Mr. Lombardo, Development Project Manager for Hutton Build, the builder, stated approximately 50% of the water will be recycled. Mr. Thompson inquired whether they were aware of how many other car washes are in the local vicinity. He mentioned there are two which have been approved but have not been built to date. Ms. Kelly stated they are aware and Ms. Minner had mentioned that fact in their meeting. She stated the developer has done feasibility studies and feels they would like to move forward with their project.

Mr. Wiseman asked if their business is regional or if they have franchises. Mr. Lombardo stated it is not a franchise. They are a new brand for about 2 years now and have opened 52 facilities and anticipate opening 200 more during 2023.

Mr. Wiseman asked Ms. Minner if she had any additional comments other than those she already provided. She had no other comments. Mr. Wiseman asked Mr. Koenig of KCI if he had any additional questions. He did not.

Mr. Wiseman asked if this was a 24/7 operation. Mr. Lombardo stated they are open from 8:00 a.m. to 8:00 p.m. daily but there will always be an employee on site.

Mr. Ginder asked about the 57 parking spaces. Ms. Minner noted those spaces were allotted for the Pizza Hut. Therefore when the Mod Wash comes back in they will show the parking spaces for both businesses at that time. Ms. Minner mentioned that the developer asked if some of the vacuum parking spaces could count toward the total number of parking spaces. She stated she asked if there would be any reason for someone to leave their car in a vacuum parking space in order to enter the building. She was told there

are no car wash supplies in the building so there would be no reason, other than failure of the payment system, for anyone to seek to enter the building.

Mr. Wiseman asked how many cars can be stacked to enter the car wash. Ms. Kelly stated approximately 30 vehicles can be stacked but they don't anticipate any reason for that many cars to be there at one time.

Mr. Wiseman asked what would be the duration of the car wash cycle. Mr. Lombardo stated the car wash is on a 3 minute cycle.

Mr. Wiseman asked if there were any additional questions from the Commission. There were no other questions. Mr. Wiseman opened the floor for audience comments. There was no one in attendance to speak for or against this project.

MOTION: Motion was made by Mr. Thompson to approve the Concept Major Site Plan for the Mod Wash Car Wash contingent upon addressing all outstanding comments. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Ms. Feeney – Aye; Mr. Ginder – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING GRAYS HILL DEVELOPMENT COMPANY, INC., REVISED FINAL SITE PLAN FOR GRAY MOUNT COMMONS, TAX MAP 027I, PARCEL 2411, AND ZONED R-3 (URBAN RESIDENTIAL)

Mr. Tom Miner of Frederick Ward Associates was in attendance to address this request for Revised Final Site Plan for Gray Mount Commons. He stated this request is to update a previous approved plat and subdivision for Gray Mount Commons. The revisions are technical in nature for relocating some utility easements.

Mr. Wiseman asked when this project was originally started. Mr. Schneider stated it was in 1992. Mr. Wiseman asked if the number of dwelling units would be changing. Mr. Miner stated there will actually be fewer dwelling units. He mentioned that was changed back in 2021 with the storm drain relocations, sewer lines, etc.

Mr. Wiseman asked if they had received comments from the Town and KCI. Ms. Minner stated there were no comments on this plan from the Town but she believed KCI did have a few comments. Mr. Koenig stated they sent a comment letter dated August 1st which stated they had no comments. He stated their previous comment letter was dated July 14th.

Mr. Miner stated he doesn't expect any changes to be necessary and therefore that is why they are requesting the subdivision at this time. He stated that if anything should come up he would like to ask, with regard to changes in easements, if they would be able to be addressed through administrative approval rather than before the Planning Commission, without the plat being recorded again.

Mr. Wiseman asked Ms. Blackson to give her opinion on this request. She stated that if they are not going to modify the makeup of the community and it is just for easement purposes she feels it could be done administratively through the Planning office. If any buildings, stormwater or parks, etc. needed to be revised then they would have to come back before the Commission for approval.

Ms. Minner stated she would defer to KCI regarding easement revisions. Discussion ensued and it was determined that since the Town and KCI review the plats for any revisions and Mr. Wiseman signs the

plats that Ms. Minner would inform the Planning Commission of any revisions that were requested to the plats.

Mr. Wiseman asked if there were any other questions from the Commission members. There were none. He asked if anyone in the audience had any questions regarding this request. There was no one in attendance who wished to speak for or against this project.

MOTION: Motion was made by Mr. Ginder to approve the Revised Final Site Plan for Gray Mount Commons contingent upon addressing all outstanding comments and should any easement revisions need to be made the plat would have to be approved by the Town Planning Department, KCI, and Chairman Mr. Wiseman who will notify the Planning Commission members. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Thompson – Aye; Ms. Feeney – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

OLD BUSINESS: Ms. Minner forwarded copies of the Sustainable Communities Plan to the Commission members. She mentioned that the Plan is completed every 5 years. If it is approved, it qualifies the Town to apply for grants.

There was a question about the train. Ms. Minner stated that there is consideration for the MARC train to be extended into Newark, DE with a stop in Elkton. Previously, Governor Hogan had vetoed some of the rail requests because he did not feel it would be financially viable. His veto was overridden and there may be a highlighted project which would allow us to see this project come to fruition. She stated one of Governor Hogan's concerns was the different providers of rail service and the different owners of the tracks which could cause a great deal of complication.

NEW BUSINESS: Ms. Minner stated the next project she has will be the update to the Comprehensive Plan. She noted they will have a committee and she is looking into getting a consultant to assist with certain sections of the plan. There should also be several Town residents on the committee. She will also request Mr. David Dahlstrom of the Maryland Department of Planning to assist.

Ms. Minner noted that KCI just updated the Town Zoning map. The State had requested a copy of the map and once it is completed she will forward it to the State. Mr. Wiseman asked if a copy could be emailed to the Planning Commission members. Ms. Minner stated she would do that.

Ms. Minner mentioned the Critical Area maps are being updated. She stated there was a study done to determine the extent of tidal influence of the tributaries of the Chesapeake Bay so the maps will be adjusted either into or out of the critical area. The property owners affected have been notified explaining the changes and should they have any questions about how that would affect their property they can call the Town office for assistance.

Mr. Wiseman asked if there were any updates on the 7-Eleven. Ms. Minner mentioned that she heard there may have been some coordination issues with the contractors working on the project which is the reason for only part of the motel structure being removed.

Ms. Minner mentioned that there have been numerous inquiries for Town parcels. Mr. Muller asked about issues with Muddy Lane. Ms. Minner mentioned Buddy's Ridge and Tenby Ridge and said the Mayor asked her to assist the developer to find out how height issues at the railroad bridge could be resolved. She stated she would contact the appropriate persons at Cecil County to find out if there are any

plans in progress. She stated that her understanding was that the fire company would not sign off on the project because they could not be able to access the site from the north so they would have to come all the way around to access the site from the south. The resolutions which have been proposed are very expensive.

The developers of Patriots Landing are trying to find a location for their forest retention requirements off site. The developer had mentioned areas which were a good distance away and Ms. Minner confirmed that the forest retention has to be in the same Town.

Ms. Minner said there has not been much activity in the Liberty Hill Subdivision but she feels it's due to interested parties finding it difficult to reach one of the owners of the property.

Mr. Wiseman stated the next meeting of the Commission would be September 12th. There being no additional items to discuss he adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Brie Humphreys