

**TOWN OF ELKTON
PLANNING COMMISSION
NOVEMBER 7, 2022
MEETING MINUTES**

Present: Dave Wiseman; Keith Thompson; William Muller; G. Edward Ginder; Lisa Blackson, Esquire; Jeanne Minner, Director of Planning; Quinn Krenzel, Planner

Absent: Mandy Feeney

Mr. Wiseman called the meeting to order at 6:00 p.m. He stated the first item on the agenda is approval of the minutes from the October 10, 2022 meeting. There being no corrections from the Commission members, Mr. Wiseman called for a motion.

MOTION: Motion was made by Mr. Ginder to approve the minutes of the October 10, 2022 Planning Commission meeting as written. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Thompson – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

Mr. Wiseman introduced a new addition to the Planning Department, Ms. Quinn Krenzel, who was hired as a planner. He welcomed her and stated it was good to have her working with Ms. Minner.

ANNEXATION A4-2022 – REQUEST OF PERCH CREEK PROPERTIES, LLC FOR ANNEXATION OF REAL PROPERTY, LOCATED BETWEEN MALONEY ROAD & CHESAPEAKE BOULEVARD, TAX MAP 033C, PARCEL 0669. THIS PARCEL IS CURRENTLY ZONED RM (HIGH DENSITY RESIDENTIAL) UNDER CECIL COUNTY ZONING WITH A PROPOSED ZONING CLASSIFICATION OF BI (BUSINESS AND INDUSTRIAL) UNDER TOWN OF ELKTON ZONING

Ms. Angela Maidment, Vice President of Corporate Real Estate for Estes Express Lines was in attendance to address this annexation request. She stated they are under contract with Perch Creek to acquire the acreage that adjoins their existing parcel on Chesapeake Boulevard. She stated she had worked with Ms. Minner 20 years ago when they developed the first parcel. She also worked with Ms. Minner to define truck terminals for the Zoning Ordinance. She stated they have had a good relationship with the County and the Town and they have grown substantially in the time they have been located here.

She stated they have been given approval by the County and now have the appropriate zoning to use this property, with the Town's approval, in conjunction with their existing terminal. Ms. Maidment stated their intention for this 36 acre property is to build a shop maintenance facility of approximately 10,000 square feet with additional parking. The key to the additional parking is that they will be allowed to pull some of the parking from the existing site and move that over to the additional land to help facilitate better maneuverability at the existing terminal and allow them to place an additional 40 doors to maximize the property.

Ms. Maidment mentioned they have been a business partner in this community for many years and noted that the traffic light at the intersection of Pulaski Highway was placed by them during their initial development stage. She also noted they have paved most of Chesapeake Boulevard. She stated they will maintain their current entrance and will not be using the access road off of Maloney Road.

Mr. Wiseman asked what their plans were for the gravel road. Ms. Maidment stated they have partnered with Cecil County regarding that road and the County will let them know if an emergency entrance will be

required. Mr. Thompson asked if the access road will be gated. Ms. Maidment stated the County had requested the placement of this access area and Estes has no intention of using it except in the manner the County determines it will need to be used.

Mr. Wiseman asked if Ms. Minner had any additional questions or comments. She stated that when an annexation is requested and the zoning being requested is substantially different than the County zoning, then they are required to grant consent to change the zoning. She said the County letter granting their consent has been received. She stated there were no issues from the Maryland Department of Planning for the zoning change and annexation.

Ms. Minner stated the site plan is for informational purposes only. Estes would be required to come before the Planning Commission to obtain approvals to build on that lot. One of the things they will have to address is a traffic impact study in order to determine whether the roads in the Upper Chesapeake Corporate Center and the Pulaski Highway intersection would be able to handle the proposed traffic. Ms. Maidment stated they do not believe the truck traffic would be substantially different because a lot of the parking will be stabilized and may even be slightly less due to the additional number of doors being added with the new facility.

Mr. Wiseman asked if their operation will be 24/7. Ms. Maidment stated there will be diminished hours over the weekends.

Mr. Wiseman asked if any Commission members had any questions. There were no other questions. Mr. Wiseman opened the floor to audience comments.

Ms. Ann Connor of 45 Enfield Road spoke regarding the gravel road off of Maloney Road and her concern that people might try to use it if there is no barrier placed at that location to prevent access to the site. Ms. Maidment assured Ms. Connor that they would comply with Cecil County's requirements for that gravel road if access needs to be granted for emergency use by Cecil County. If that happens it will be gated with a lock that only Emergency Services will be able to access.

MOTION: Motion was made by Mr. Muller to recommend approval to the Mayor & Commissioners for the annexation of Perch Creek Properties, LLC providing they comply with Cecil County requirements for the gravel road accessing Maloney Road. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

CASE # 1615 – REQUEST OF MCCRONE, INC. REPRESENTING WILLIAM H. BRADY, INC. FOR THE FOLLOWING: 1) SPECIAL EXCEPTION FOR OUTDOOR STORAGE OF AUTOMOBILES INCLUDING RV'S AND BOATS. THIS ACTION CONCERNS PROPERTY LOCATED AT 399 BLUE BALL ROAD AND TECHNOLOGY DRIVE IN TRIUMPH INDUSTRIAL PARK, ELKTON, MARYLAND, TAX MAP 026I, PARCEL 419, LOT 2, ZONED BI (BUSINESS AND INDUSTRIAL)

Mr. David Strouss of McCrone, Inc. and Mr. Tim Brady of William H. Brady, Inc. were in attendance to address this request. Mr. Strouss stated they were before the Commission in April 2022 and received Concept Site Plan approval for a proposed RV and boat storage facility. The approval was contingent upon requesting variances to allow a stone surface for the parking lot rather than paving and not to require curbing on the

edges of the storage area. He noted they are before the Board this evening to request a special exception for this proposed use as required by the Town Zoning Ordinance.

Mr. Strouss stated the property is located on Blue Ball Road next to Triumph Industrial Park. It is in an industrial area behind the Brady fabricating plant and therefore will not be visible from Blue Ball Road. This type of proposed use fits well within the industrial area and the request for a stone parking lot will fit into the area as well.

Mr. Wiseman inquired whether there were any other contingencies with the previous submission. Ms. Minner stated they will still need to receive Preliminary and Final Site Plan approval and any contingencies can be addressed at that time.

Mr. Thompson asked if the property will be fenced. Mr. Strouss stated they are proposing an opaque fence. Mr. Brady stated since it is an industrial park and it cannot be seen from Blue Ball Road they would prefer to place a chain link fence. It was noted that the approval of the fence would not be part of the decision process this evening but the Commission will note their request.

There were no additional questions or comments from the Commission members or the audience.

MOTION: Motion was made by Mr. Thompson to recommend approval to the Board of Zoning Appeals for the special exception for outdoor storage of automobiles including RV's and boats. The motion was seconded by Mr. Ginder with the remaining Commission members voting as follows: Mr. Muller – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF MORRIS & RITCHIE ASSOCIATES REPRESENTING TC MIDATLANTIC DEVELOPMENT II, INC., ELKTON COMMERCE CENTER PHASE 4, PRELIMINARY MAJOR SITE PLANS & LANDSCAPING PLAN, TAX MAP 033B, PARCEL 2462, LOT 3 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Ms. Amy DiPietro and Mr. Dan Spiker of Morris & Ritchie Associates and Mr. Tom Rathburn of Trammel Crow were in attendance to address this request. Ms. DiPietro stated the property is located at the corner of Commerce Center Drive and Pulaski Highway. She stated this property will be subdivided into three lots and this is the third lot of the subdivision. They are proposing a 327,500 square foot logistics center. There will be car parking at the front toward Pulaski Highway and loading docks on the back of the building.

She stated access will be provided off of Commerce Center Drive and they will hook into the water service installed in Commerce Center Drive. They will access sewer service on the west side of the property which was built during the first phase of the Elkton Commerce Center. They are going over some site distance issues with respect to landscaping and are in discussions with Ms. Minner to provide lower profile landscaping in this area for a safer ingress and egress.

Mr. Wiseman asked if Ms. DiPietro had received KCI comments for this project and if they had any issues addressing them. She stated she was unaware of any issues with the comments and said most of them will be addressed with the Final Site Plan.

There was discussion about stormwater management. Ms. DiPietro stated their plan is to have the stormwater management work together between the lots in this subdivision. They are proposing a new facility but are proposing to utilize Pond 1 at Southfields which was built to high capacity for sediment control purposes.

Mr. Ginder asked if they will be requesting any special exceptions or variances. Ms. DiPietro stated they will need a variance for the specimen trees.

There was discussion regarding deviation from the parking rationale noted in Ms. Minner's comment. Ms. DiPietro stated they are providing plenty of parking for the largest shift. Ms. Minner noted they cannot use the loading dock spaces as part of the required off street parking for vehicle parking. However, she said they can request the Planning Commission to be flexible with the parking requirements since they are stating the parking is adequate for the number of personnel expected to be on site. The current standard is 1.5 spaces per employee and 1 space for each truck. Discussion ensued regarding the industry standards and it was determined that the parking calculation would be reviewed. Ms. Minner noted that the standards were written some time ago and due to the amount of automation in warehousing there may not be a need for as many parking spaces. Ms. DiPietro stated her experience has been the industry standards are 1.2 or 1.3 per 1,000 square feet. They will not know how many spaces are needed until they lease the facility.

Mr. Wiseman entertained other questions or comments from the Commission members. There were no other questions. Mr. Wiseman opened the floor for audience comments.

Mr. John Conolly of 66 Sarah Drive stated since this project is located off Commerce Center Drive he has the same concerns he had when Building 1 was developed. Specifically, he has concerns about the dust and noise from the onsite concrete plant. If their intention is to, again, place a concrete plant during the development of this building, then he is asking that they place it as far from the residential properties as possible. There were no other attendees who wished to speak for or against this project.

MOTION: Motion was made by Mr. Ginder to approve the Preliminary Major Site and Landscaping Plans contingent upon addressing all outstanding comments and review of the parking rationale per industry standards as presented and approval by the Town Planning Department. Motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Muller – 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, representing BL Companies, was in attendance to address this request. She stated they have received Concept Plan approval and are here for Preliminary Plan approval. They have received comment letters and generally have no issues and are able to comply. She requested a clarification regarding the existing parking spaces on the Pizza Hut lot which are within the buffer yard. She asked if this was an existing nonconforming situation and if Ms. Minner would allow them to trim the buffer yard at the edges. Ms. Kelly stated the owner has no intention of redesigning that part of the site.

Ms. Kelly stated there will only be minor changes such as the sign location for the Pizza Hut will now be on their property and the ADA spaces will be restriped to meet current standards.

Mr. Thompson inquired about the shared road and asked if it will be maintained by each business. Ms. Kelly stated the road would be maintained by the individual businesses and that a cross access easement and maintenance agreements are being put in place.

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. There was no one in attendance to speak for or against this submittal.

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

REQUEST OF BL COMPANIES, INC. FOR PRELIMINARY 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. Kestra Kelly remained to address this request. She stated they have received comments from the Town and KCI. They have gone over the comments with KCI and know there are a number of stormwater management comments which will need to be addressed prior to submittal for final.

She requested clarification on a few comments. She said there was a question about maintenance of the stormwater pipe which is actually a conveyance of State Highway water through the parcel and that will be done by the property owner.

She stated she would like to add a request for relief that was not included in the package to allow the vacuum booth spaces to count toward the parking space requirement for the site. She explained the different areas where parking is provided and asked that the 20 spaces designed for the vacuum booths be counted toward the overall parking requirements. Ms. Minner asked how many employees are on the maximum shift. Ms. Kelly stated there are 2 or 3 employees onsite, so, with the required parking and their experience, they believe they are providing adequate parking. Ms. Minner asked if customers would come into the building. Ms. Kelly stated there is no reason for customers to enter the building since there are no products for sale in the building. She mentioned that State Highway is not requiring any additional curb cut modifications or a traffic impact study for this use.

Commissioner Broomell asked for general information on how the car wash operates. Ms. Kelly described the different cleaning areas available on site which included the tunnel car wash, spaces where supplies can be used to remove more difficult stains such as bugs, etc. There is a location where customers can opt out of the car wash if they are unable to wait or if they have something in

the back of their truck which won't fit into the car wash tunnel. She also explained different automated features of the car wash that were available and stated the typical wash is approximately three minutes.

Mr. John Lombardo of Hutton Real Estate Services stated they own 55 car washes. He stated approximately four vehicles can be stacked per tunnel.

Mr. Ginder asked if they are still requesting a waiver for the loading space. Ms. Kelly stated that they are requesting the waiver. He asked if a copy of the traffic impact study will be sent to the Town. Ms. Kelly noted that, with the information they provided to State Highway and the fact that they were not changing the entrance, a traffic impact study was not being required by SHA. She stated she would provide that documentation to the Town's engineer.

Mr. Ginder asked if the retaining wall engineering, comments from Cecil Soil Conservation District and Singerly Fire Company and a copy of the State Highway approval would be provided to the Town. Ms. Kelly confirmed that information would be provided.

Mr. Thompson asked where the holding tank for the recycled water is located on site. Ms. Kelly stated it is underground in the parking area. She mentioned it is shown on the utility plan. He asked what their cost is for the car wash. Mr. Lombardo stated the basic wash is \$7, the mid wash is \$14 and the full wash is \$24. He also mentioned the cost for the monthly unlimited washes are \$20, \$30 and \$40.

There were no other questions from the Commission members. Mr. Wiseman opened the floor to any audience comments. There was no one in attendance to speak for or against this request.

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

OLD BUSINESS: Ms. Minner stated they are very busy with numerous plan reviews. Mr. Muller asked about the status of the 7-Eleven and the building demo of the old motel. Ms. Minner stated they are in the process of getting building permits including a demolition permit.

There was discussion on the status of the Sheetz convenience store. Ms. Minner said they have not received any revised plans as yet.

NEW BUSINESS: Ms. Minner introduced Quinn Krenzel who was recently hired as Planner I in the Planning Department. She stated their next major project will be the Comprehensive Plan.

Mr. Thompson mentioned Tim's Used Tires and the number of tires that are laying on the property. He also mentioned the old Jodlbauers' furniture store which has tires piled all over the property as well. Ms. Minner stated that warehouse is in the County but they may be requesting annexation of the property and if that is

approved then they would have to comply with Town zoning which does not allow tires to be stored outside of the building. Mr. Ginder asked if Chip or M&C could send a letter to the County to address the fact that the entire building is full of tires and they bring vehicles into the building and there are vehicles parked right outside the building as well. There is concern that if a fire started it could cause a very hazardous situation.

Officer Devine stated they had the Maryland Department of the Environment come out to that location because sewage was being pumped into the storm drain. He said they have heard that people are living in the building also.

Commissioner Broomell stated the annual Christmas Party has been scheduled for Saturday, December 3rd.

Mr. Wiseman stated the next meeting of the Planning Commission will be December 12th. There being no additional items to discuss Mr. Wiseman adjourned the meeting at 7:43 p.m.

Respectfully submitted,

Brie Humphreys