

**TOWN OF ELKTON
PLANNING COMMISSION
JULY 10, 2023
MEETING MINUTES**

Present: David Wiseman, G. Edward Ginder, Keith Thompson, Paul Manuel, Ray Polaski, Lisa Blackson, Esquire, Jeanne Minner, Director of Planning, Quinn Krenzel, Planner

Absent: William Muller

Mr. Wiseman called the meeting to order. He stated the first item on the agenda is approval of the minutes from the June 12, 2023 meeting. He asked if anyone on the Board had any revisions to the minutes. Mr. Ginder gave one revision to the minutes regarding a street name under New Business. There being no further corrections, Mr. Wiseman called for a motion.

MOTION: Motion was made by Mr. Ginder to approve the minutes of the June 12, 2023 Planning Commission meeting as revised. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Wiseman – Aye; Mr. Manuel – Aye; Mr. Polaski – Aye. The motion passed unanimously.

REQUEST OF SHAWN MCLAUGHLIN REPRESENTING APPLE AUTO MITSUBISHI FOR A SPECIAL EXCEPTION FOR THE PLACEMENT OF TWO (2) STORAGE TRAILERS. THIS ACTION CONCERNS PROPERTY LOCATED AT 560 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033B, PARCEL 2386 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Shawn McLaughlin of Apple Auto Mitsubishi was in attendance virtually to address this request. He stated they are requesting the storage trailers because they need more room for parts and shop equipment. In order to accommodate their business growth they would like to place two (2) 40' storage trailers up against the rear of the building. Mr. Wiseman asked if the trailers would be placed on the blacktop. Mr. McLaughlin confirmed they would be placed on the blacktop. Mr. Wiseman asked if the trailers had any kind of advertising on them. Mr. McLaughlin said there is no advertising and the trailers will not be visible where they are proposing to place them.

Mr. Wiseman asked him how long they think they will need the trailers. Mr. McLaughlin stated for a least a few years until they make improvements to the property and then they may no longer need the trailers. Mr. Wiseman stated a timeframe is usually set for placement of trailers and Mr. McLaughlin stated he felt three (3) years would be sufficient.

Mr. Ginder asked if anything combustible, which could cause a fire hazard, would be stored in the trailers. Mr. McLaughlin stated it would be shop items (engine hoist, etc.) which are larger than are in the way. Mr. Ginder asked how far the trailers would be from the building. Mr. McLaughlin stated the trailer closest to the building would be for parts and the larger items would be in the second trailer and further from the building. The trailers will be at least 15' from the building. Mr. Wiseman mentioned the Fire Marshal requirements are a minimum of 15' from any non-sprinklered building.

There being no further questions from the Commission members, Mr. Wiseman asked if anyone in the audience had any questions. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Mr. Thompson to recommend approval to the Board of Zoning Appeals for Apple Auto Mitsubishi to place two (2) storage trailers for a period of three (3) years at 560

East Pulaski Highway. The motion was seconded by Mr. Polaski with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Manuel – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF MCCRONE, INC. REPRESENTING CAHILL IV, LLC, MINOR SUBDIVISION, 329 WEST MAIN STREET, TAX MAP 033A, PARCEL 242 AND ZONED BI (BUSINESS AND INDUSTRIAL)

Mr. Donald Sutton of McCrone, Inc. and Mr. Kevin Cahill, the owner of the property were in attendance to address this request. Mr. Wiseman asked if they had received comments regarding their submission. Mr. Sutton confirmed comments had been received.

Mr. Sutton stated the property consists of 5.746 acres and they are requesting to divide the property into two lots. He stated the comments they received have been addressed. Mr. Wiseman asked if they had any concerns in addressing any of the comments. Mr. Sutton stated they have provided a railroad access easement across Lot 1 or Lot 2 to get access to the existing railroad.

Mr. Wiseman asked if this was the location of the old Air Products business. Mr. Cahill stated that Air Products had been located there. He stated another business that manufactured counter tops was planning to move into the building but never moved forward with their plans.

Mr. Wiseman asked if the buildings would remain on the property and Mr. Cahill confirmed that they would remain.

Discussion ensued regarding the buildings on the lot and what the possible uses might be. The one building just needs electric service activated. Mr. Cahill stated he's not sure whether the third small building would be removed. He mentioned they have done remediation on the property and the buildings have been vacant for many years.

Mr. Wiseman asked if the two buildings would work independently of one another. Mr. Cahill stated there is room for two businesses to be located on the property but it depends on whether someone is interested in using the entire property.

Mr. Wiseman asked if the railroad access would remain active. Mr. Cahill didn't see why it shouldn't remain active especially if it was beneficial to a specific user. He stated the one spur on Lot 2 they are going to remove because it splits the property. Both lots have access to the railroad lines.

Mr. Wiseman asked if Ms. Krenzel had any other concerns with the property. She stated the Town received a revised plan but she hasn't had the opportunity to review it as yet. Mr. Wiseman asked Mr. Sutton if they had addressed all the comments in the revised plans. Mr. Sutton confirmed the comments had been addressed.

Mr. Wiseman asked if any Commission members had any additional questions or comments. There were no additional comments.

Mayor Alt asked if there was any interest in selling either lot in the future. Mr. Cahill stated in the past he had been approached by the Town about the possibility of purchasing the lot closest to the Department of

Public Works but they have since confirmed they are no longer interested in the property. Mr. Cahill said he intends to make use of the property. Discussion ensued regarding possible uses for the property.

Mr. Wiseman opened the floor for audience questions or comments. There was no one to speak for or against this project.

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

REQUEST OF MCCRONE, INC. REPRESENTING WILLIAM H. BRADY, INC., PRELIMINARY MAJOR SITE PLAN, LOT 2, SW/S BLUE BALL ROAD, TAX MAP 026I, PARCEL 419 AND ZONED BI (BUSINESS AND INDUSTRIAL)

Mr. David Strouss of McCrone, Inc. was in attendance to address this request. He stated they were at the April 2022 meeting to request Concept Site Plan approval. They also applied for and received approval for a special exception in November of 2022 for storage of vehicles. He stated this is a 5 acre lot near Triumph Industrial Park behind the Metal Fabricating site. He requested to place gravel for storage of RV's, etc. There is a building on the property currently which does automotive maintenance and a boat mechanic. They want to provide a restroom and need to connect to water and sewer.

Mr. Strouss stated that with the Concept Plan approval, the Planning Commission approved a waiver to eliminate interior shade street and approve a waiver for perimeter landscaping around the accommodation area. The Board of Zoning Appeals approved a variance so that curbing would not be required and a variance to allow a stone surface for the vehicle storage area. He stated they are providing an opaque fence around the site as required.

Mr. Wiseman asked if they are still working on the remaining comments. Mr. Strouss stated they don't have any issues in addressing the remaining comments. A number of KCI's comments were conditional calculations for stormwater management verifying that the stormwater management facilities are adequate. He stated they are now proposing to address forest conservation on site. Since they have unused space on the property it seemed to make sense to plant on the property.

Mr. Ginder asked about the lighting plan. Mr. Strouss stated the lighting plan will be addressed at Final. Mr. Manuel asked if there would be any other improvements planned on site other than the restrooms. Mr. Strouss stated there would be no other improvements.

Mr. Thompson asked whether the proposed parking area next to the building would be asphalt or concrete and how they would delineate the parking if it is going to be gravel. Mr. Strouss stated there would be a maximum of four employees and they are providing nine parking spaces. He noted that management of the property would be done out of the metal fabricating building. Mr. Thompson voiced his concern for handicapped customers negotiating the gravel. Mr. Strouss stated they are required to show handicapped spaces. Mr. Thompson said showing the handicapped spaces and having someone negotiate from a handicapped space on gravel to the building is different. Mr. Strouss stated they could place sidewalks from the hatched concrete pad to the door for handicapped access. Ms. Minner stated there should be wheelchair accessibility from the handicapped parking stall to the building. Mr. Ginder asked what the width

requirements are for sidewalks. Ms. Minner stated she believes the standard width for public sidewalks are five (5) feet and the handicapped accessible sidewalk is four (4) feet but the access aisle has to be eight (8) feet. There needs to be van accessibility.

Mr. Wiseman opened the floor for audience questions or comments. There was no one in attendance to speak for or against this project.

MOTION: Motion was made by Mr. Thompson to approve the Preliminary Major Site Plan for Lot 2 for William H. Brady, Inc. contingent upon addressing all outstanding comments and providing ADA accessibility to the building. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Polaski – Aye; Mr. Ginder – Aye; Mr. Wiseman – Aye. The motion passed unanimously.

REQUEST OF KIMLEY HORN AND ASSOCIATES, INC. REPRESENTING ESTES EXPRESS LINES, CONCEPT SITE PLAN, 201 CHESAPEAKE BOULEVARD, TAX MAP 033C, PARCEL 0669, ZONED BI (BUSINESS AND INDUSTRIAL)

Mr. John McGowan of Kimley Horn was in attendance to address this request. He stated they are before the Commission requesting Concept Site Plan approval. He provided a Power Point presentation to address the plans being submitted for approval. He stated in attendance virtually were Kevin Fitz and Kay Sanders representing the owner.

Mr. McGowan stated the project is located at 201 Chesapeake Boulevard off of Pulaski Highway in the Upper Chesapeake Corporate Center. He stated the original facility was built in 2001 on a 26.5 acre parcel. He was before the Commission two years ago for Phase 1 which was a terminal expansion out to the east which was just under 30,000 square feet. Then trailer storage was built out on the east side of the facility in Fall of 2022. While that was under construction they came back before the Commission for an expansion to fill out the rest of the storage trailer lot which was approved and completed in the spring of this year.

Mr. McGowan stated there is opportunity to expand the building to the west and the location of the stormwater pond is in anticipation of that possible future expansion.

He stated they are before the Commission tonight regarding Parcel 669 which was annexed from the County in November of 2022. The zoning is BI (Business and Industrial). The adjacent parcel is 37.7 acres and a wetland and stream delineation was done in August of 2021 where they identified 1.75 acres of non-tidal fresh water wetlands. He stated there is also a perennial stream that runs through the southern portion of the property. There is a Cecil County 110' setback off that stream.

He stated the proposed LOD (limit of disturbance) is 26 acres and the remaining areas of existing forestation would remain in a conservation easement is 8.5 acres. The areas on the north side not qualified as existing forest they will be planting reforestation of 1.8 acres. This area will also act as a landscape buffer for the residential properties to the north.

Mr. McGowan noted on the site layout that there are two (2) culvert crossings coming from the existing storage lot to the east that would cross over an existing stream via culvert crossing entering the storage lot. He stated the building in the middle of the site is the Shop Building which is 4,100 square feet with a building height of 23 feet which has 10 overhead doors. The building houses an office area, equipment and parts

storage, and restrooms. The building is not intended for working on vehicles other than those owned by the company. They would be doing onsite repairs. He stated there is no increase to the trucking terminal so they are not anticipating any increase in truck traffic to, or being generated from, the site.

With regard to truck storage there are two different size spaces, 11x35 and 11x55 with a total trailer storage of 894 square feet. He reiterated that trailer storage is largely for internal operations and overflow. He mentioned that clients want temporary storage of their goods for a day or two and Estes is required to house these trailers onsite before they'll take delivery. These trailers will also be used for future buildout of the terminal. They have a number of trailers onsite and this would allow them to reduce the density and have better site circulation. Mr. McGowan stated if Estes is buying new fleets of trailers they would have space here to be able to house those and then they would be released out as part of their network. This would not be a continual need with respect to trip generation.

He stated they are not seeking any zoning variances as part of the project. He stated with regard to parking they are considering a service station which is four spaces per bay and with the ten overhead doors, they are requesting 40 spaces. He noted that the parking criteria is being met on the existing property. He stated he believed the zoning designation is more for a public service station that has public customers coming in but either way they meet the parking criteria. He stated they are adding ten (10) spaces around the Shop Building, including two (2) ADA spaces. They are not anticipating more than 8-10 employees.

Mr. McGowan stated that Estes does not intend to utilize the access road to Maloney Road in any way. As part of the annexation hearing, there was coordination with the County that they would possibly want to see about using that as an emergency access to the property. He stated the Site Plan has been sent to Cecil County and they are still coordinating with them but they haven't heard that they want anything specific at this time.

There was discussion regarding whether the properties surrounding this project along Maloney Road are under County or Town jurisdiction. It was determined that the properties are under the County's jurisdiction.

Mr. McGowan stated there are three parcels associated with the subdivision for this project. Parcel 669 was landlocked and was required to have access out to Maloney Road. It will remain a private access road. Mr. Wiseman asked the width of the road. Mr. McGowan stated it is 40' wide. Mr. Wiseman asked if there is a gate blocking access to the parcel. Mr. McGowan stated there is a gate on the Maloney Road side and will be controlled access for emergencies only. Mr. Wiseman asked if Ms. Minner would have to approve the access to Maloney Road when the County plan is addressed. Ms. Minner stated that as part of the Planning Commission approval the topic came up about emergency access for EMS and Estes was kind enough to accommodate that. Mr. Wiseman asked that they be sure to include Ms. Minner in the discussions regarding this access road.

Mr. Wiseman stated the Town needs to keep in mind the concerns of residents along Maloney Road and putting any additional traffic on that road. Mr. McGowan confirmed there would be a locked gate with a Knox box for emergency responders use on that emergency access road.

Mr. McGowan stated the other building is a 4,000 sf wash bay building for the trucks. He mentioned there are utilities that are stubbed out when they originally planned the Shop Building but moved it to a different location on the site. They have sanitary and water which have been extended when they built out the parking lot last year. Because of the grades onsite there was a lift station required with a force main which would bring the sanitary flows back to an existing manhole on the north side of the site. There is an oil and water

separator for runoff within the Shop Building. The wash bay would have a discharge through the sanitary line. He stated the proposed water would tap into the existing water stub. Gas and electric would also service both buildings.

Mr. McGowan noted there are swales on each side of the site that will capture storm drain and convey the water to the west side of the site where there is a proposed surface pond (submerged gravel wetland) for water quality. It has a component of quantity storage so there is no increase in flows and the discharge from the facility, which the entire parking area goes through, is on the south end of that facility into the existing wetland.

Mr. McGowan stated they are working with the Town regarding the landscape buffer showing the reforestation area extending from the north side of the parking lot to the property line. Within that they are going to over plant to meet the requirements for the 50' landscape buffer for the residential properties to the north. On the west side there is existing forest and once the LOD is established in that forest, they will go out and document that forest and what the supplemental planting might be required to meet the landscape buffer requirement which is more stringent than the forest requirement. They will be doing the same thing on the south side. There is no landscape buffer on the east side because it is all adjacent BI zone. He stated there is one specimen tree on the southern lot extension which needs to be removed so they will be filing a variance to remove that tree. Most of the specimen trees are in the area of forest in the south part of the site.

Mr. McGowan stated they have received comments for stormwater management, Cecil Soil Conservation, the site plan technical review for grading and utilities and the Town Planning Department has provided two rounds of comments which they are working through. A forest stand delineation completed, submitted and approved by the Town. They have submitted a forest conservation plan this week. As part of the project there was a subdivision to consolidate the three parcels that are on the adjacent lot. They have received comments from Singerly Fire Company. The Town Public Works Department will review the project, the State NPDES permit and then they need to apply for building and grading permits with the Town.

Mr. Wiseman asked if they had any concerns in addressing any of the comments which have been provided to them. Mr. McGowan stated they have a pretty detailed set of plans initially so they don't really have any concerns about the comments they are getting.

Mr. Wiseman asked about the Town's comment regarding item C113 about the bridge and whether it was allowed by Cecil County. Mr. McGowan stated there was a stream crossing on the private access road and they have to coordinate this with the County. Estes does not claim to use that access road so if they want some kind of emergency access path through there they would need to go in and make sure that culvert is safe.

There was discussion regarding a Town comment that needed to be added to the forest conservation plan. Mr. McGowan stated the information would be placed on the plan. Mr. Ginder asked about comment # 18. Mr. McGowan stated a full geotechnical program with borings had been done on the site. There have been both wetland and forest delineation plans completed.

Mr. McGowan mentioned the lot had previously been owned by a church and some sort of excavation had been done and there was an access road from Maloney Road at that time which created a depression on the site but it was not determined that it was a wetland of any kind.

Mr. Wiseman confirmed they are increasing the amount of trailer storage but there will be no increase in trips. Mr. McGowan said there was a traffic impact study done in early 2000 was for a full buildout of the terminal of 103,000 square feet. Currently the terminal is only operating at 66,000 square feet so they are well under the original trip generation requirement. He stated there is a little room for a terminal expansion on the site. Even though there may be a lot of trucks on the site they are not all used on any given day.

Mr. Wiseman asked if anyone online or in the audience had any questions. There was no one in attendance who had any questions regarding the project.

Mayor Alt asked whether the parking lot would be concrete or blacktop. Mr. McGowan stated they will be using asphalt since it is a cheaper alternative.

Mr. Ginder mentioned an issue with the entrance off of Route 40 for large trucks. He stated trucks keep going over the curb due to the design of the entrance. Mr. Wiseman stated he believed that would be the owner of the Corporate Center's issue rather than Estes. Mayor Alt stated the Town owns Chesapeake Boulevard. Mr. Wiseman said he felt that intersection works well for the amount of traffic using it. Mr. McGowan noted that Estes placed the traffic light at the intersection of Pulaski Highway and Chesapeake Boulevard during their original development.

MOTION: Motion was made by Mr. Ginder to approve the Concept Site Plan for Estes Express Lines at 201 Chesapeake Boulevard, Tax Map 033C, Parcel 0669 contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Polaski – Aye; Mr. Manuel – Aye; Mr. Wiseman – Aye.

OLD BUSINESS: There were no items of old business to discuss.

NEW BUSINESS: Ms. Krenzel noted there is another car wash which will be on the August agenda. Mr. Wiseman asked if the representatives who came to the last Planning Commission meeting came to the Mayor & Commissioners meeting to voice their concerns. Mayor Alt confirmed they were at the M&C meeting. Ms. Krenzel stated the new car wash will be called 'Tidal Wave Auto Spa'. It is proposed to be located at 901 East Pulaski Highway by Cohen Furniture.

Mr. Wiseman asked Ms. Minner if there were any other annexations in process. She stated they are getting a number of inquiries regarding property on the east side of Town. Ms. Minner informed the members that Wilmapco put out traffic and safety bids for work at the Muddy Lane, Delancy Road and Belle Hill Road. They are trying to determine a plan to address the safety and road concerns and the geometry of those streets. They have interviews next week with three firms that have responded to the RFP. Hopefully once those growth ways are examined and a path forward is determined that would be safe and accommodate additional growth the Town will see more growth in the areas of Delancy Road, Muddy Lane and the Ayers property on Belle Hill Road.

Mr. Ginder mentioned there hasn't been much activity with Southfields in the last few months and wondered if there is something holding up their progress. Ms. Minner stated they have been submitting infrastructure plans for construction. They are getting ready to build Southfields Boulevard, the water and sewer stations and we just received plans for Parcel D. She said they are trying to get the infrastructure moving now so they can come in with the rest of the approvals.

Mr. McGowan questioned Ms. Minner whether their next submittal could be Preliminary or Final. She stated she needs to speak with the person who did their landscaping and forest conservation plan because she sees some issues that she wants to address. She had a question as to why the maintenance shop is not going to be added on to the existing Estes Parcel, otherwise that is going to have a Maloney Road address. Mr. McGowan explained between the subdivision and the specimen tree they did not request approval for that. They are hoping to request that at Final submittal. He said they will make a formal request for the specimen tree removal. He stated they need to coordinate with Ms. Minner and the owner regarding the subdivision but their preference would be not to consolidate it with the existing property. They would like to consolidate the three parcels on the adjacent property. Ms. Minner said it creates an issue with respect to addressing because the address for that property is off Maloney Road because that is where the frontage is. Mr. McGowan suggested they assign a Maloney Road address but would not utilize the property through Maloney Road. Ms. Minner said they can discuss this further but that those were the two main issues she had.

Mr. McGowan asked if this submittal can be considered Preliminary. Ms. Minner stated they provided much more detail that normally would be required for Concept but she's not sure how that is going to affect stormwater since that normally requires Concept, Preliminary and Final. She also mentioned that the plans submitted are labelled 'Concept'. Ms. Krenzel pointed out that the Town has not received a Forest Conservation Plan. Mr. McGowan stated he believed that had been sent by FedEx this week. Ms. Krenzel stated according to the plans they would be submitting the Forest Conservation Plan with their Preliminary Plans. She stated there was a conversation with KCI that Estes would still need to submit for Preliminary.

Ms. Minner stated she can discuss the details with Mr. McGowan at a later date.

There being no additional items to discuss Mr. Wiseman stated the next meeting of the Planning Commission will be on Monday, August 7, 2023 and the meeting was adjourned at 7:10 P.M.

Respectfully submitted,

Brie Humphreys