

**TOWN OF ELKTON  
PLANNING COMMISSION  
NOVEMBER 12, 2012**

**PRESENT:** Asma Manejwala; Sue Whitaker; Brad Carrillo; G. Edward Ginder; Clara Campbell, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

**ABSENT:** David Wiseman; H. Fred Thomas, II; Commissioner Mary Jo Jablonski

Ms. Manejwala called the meeting to order at 7:05 p.m.

**ACTION:** Motion was made by Mr. Ginder to approve the minutes from the October 8, 2012 Planning Commission meeting. The motion was seconded by Ms. Whitaker and unanimously approved.

**MR. JEFFREY MICHAEL MOSKOWITZ OF NEWARK ART AND DESIGN REPRESENTING VERIZON BOX STORE, 100 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, FINAL SITE PLAN, TAX MAP 315, PARCEL 2227, ZONED C-2**

Mr. Moskowitz of Newark Art and Design and Ms. Tamera Dias, general contractor for the project, were in attendance to address this submittal. Mr. Moskowitz stated that they had received comment letters from KCI and the Town. Ms. Manejwala asked if they had any issues with any of the comments. Ms. Dias referred to comment #18 from the Town requesting pedestrian pathway along Route 213 and Route 40 and said they are opposed to having to place the pedestrian pathways. Ms. Manejwala asked the reasoning for their opposition. Ms. Dias stated that the owner out of pocket costs are already high and it would cause financial hardship.

Mr. Carrillo asked if the Arrow Electric was required to place sidewalks when they developed the property next to the Royal Farm Store on Route 213. Ms. Minner stated the Town's Comprehensive Plan and State Highway's Pedestrian Plan each address placement of sidewalk. There was discussion regarding the plans for the project and when State Highway was made aware of the addition being put back on the plans. It was noted that both Uppershore Pawnbrokers and Olive Garden were also required to place sidewalk during development of those properties.

Ms. Dias also addressed comment #10 from KCI regarding the proposed closing of one of the entrances. Mr. Todd Frey stated that he had contacted State Highway and has not received a response but the final call on this comment will be State Highway's decision for safety reasons. Discussion ensued regarding the different entrances and exits and what the intent of the developer is regarding each entrance as well as complete site plan. There were also discussions regarding lighting and landscaping requirements and also whether a shared parking or cross access easement existed. Mr. Frey noted that if any documents are discovered with respect to the shared parking or cross access easements that they should be submitted to the Town.

Ms. Manejwala inquired whether the property being in the Critical Area would initiate any regulations. Ms. Thomas stated that she had spoken with Julia Roberts at Critical Area and they did not feel the proposal required any action. Mr. Moskowitz noted that he had requested an e-mail from Julia Roberts and has not received it as yet.

Ms. Dias advised the Board that they the main goal is being able to move on the construction work as soon as possible before the cold weather sets in. Ms. Manejwala responded that the Board's main interest

is seeing that all comments are addressed before moving forward on the site plan. Ms. Dias assured her that they would address all the comments.

Ms. Manejwala entertained additional questions or comment from the Board. There were none. She entertained questions or comment from the audience. There were none.

**MOTION: Motion was made by Mr. Carrillo to conditionally approve the Final Site Plan contingent upon all comments being addressed to the satisfaction of the Town and KCI and contingent upon the addition of the sidewalk per the Town's recommendation. The motion was seconded by Mr. Ginder and unanimously approved.**

**UPDATE OF ZONING ORDINANCE AND SUBDIVISION REGULATIONS, CHRIS ROGERS OF URS, REVISIONS TO ARTICLE X, PERMISSIBLE USES TABLE & ARTICLE XII, SUPPLEMENTARY USE REGULATIONS**

Mr. Chris Rogers gave an overview of the changes to the Permissible Uses Table specific to 'universal' conditions. Conditions were also eliminated which were more appropriately regulated by other agencies such as the State Health Department, public schools and nursing homes, etc.

He noted that the Manufactured Homes zone was eliminated and the Town Center zone was added. He advised the Board that he, Ms. Minner, Ms. Thomas, and Mr. Trostle had met numerous times to go over the changes in detail, which have been incorporated in the table they received.

Mr. Rogers offered to address any comment or question from the Board. Questions arose regarding different subjects that included, but was not limited to: accessory apartments, group homes, PUD requirements, kennels, inclusion of different types of energy sources and religious institutions.

He advised the Board there are a few more articles which need to be assessed in order to complete the review of the Ordinance.

**OLD BUSINESS** – None

**NEW BUSINESS** – Ms. Minner addressed the Sewer Tiers map which must be submitted to the State.

She also addressed the Plan Maryland Map and advised that the Town has three planning areas which address development and funding needs.

The next meeting of the Planning Commission is scheduled for December 10, 2012.

There were no additional items for discussion and Ms. Manejwala adjourned the meeting at 8:23 p.m.

Respectfully submitted,

Brenda Humphreys