

**TOWN OF ELKTON  
PLANNING COMMISSION  
NOVEMBER 9, 2015**

**PRESENT:** David Wiseman; G. Edward Ginder; Rick Keane; Keith Thompson; David Fordyce; Jeanne D. Minner, Director of Planning; Cameron Brown, Esquire; Theresa C. Thomas, Assistant Planner

**ABSENT:** Commissioner Mary Jo Jablonski; Steve Leonard

Mr. Wiseman called the meeting to order at 7:00 p.m.

**ACTION:** A motion was made by Mr. Ginder to approve the minutes from the September 15, 2015 Planning Commission meeting. The motion was seconded by Mr. Fordyce and unanimously approved.

**REQUEST OF BOHLER ENGINEERING REPRESENTING TLBT, LLC, PRELIMINARY SUBDIVISION PLAN, 622 E. PULASKI HIGHWAY, ELKTON, MD 21921, TAX MAP 316, PARCEL 2462, ZONED C-2**

Mr. Joseph Ucciferro and Ms. Taylor Gelinas of Bohler Engineering and Mr. Brian Kearney of LIDL attended the meeting to address this request. Mr. Ucciferro noted they were before the Board in August 2015 with a General Development Plan for this project. He stated the resubdivision plan will comprise two lots, Lot 1 containing 4.15 acres and Lot 2 containing 2.72 acres. Mr. Ucciferro presented plans showing the location of each lot with respect to Route 40 and Foxwood Chase Boulevard as well as a rendering of the proposed building.

Mr. Ucciferro acknowledged receipt of comments from both the Town and KCI and stated they had no objections to addressing the comments.

Mr. Wiseman entertained additional comment from Ms. Minner and KCI. They had no additional comments regarding the subdivision plan.

Mr. Wiseman entertained question or comment from the Board. Mr. Keane raised a question concerning the current and future ownership of Foxwood Chase Boulevard. Mr. Ucciferro stated there are currently three main owners of the property and LIDL would be purchasing both lots. Their intention for Foxwood Chase Boulevard would be to deed it to the Town as a future right-of-way.

Mr. Wiseman entertained questions or comments from the audience. Ms. Anne Conner of 45 Enfield Road inquired about the plans for Lot 2. Mr. Kearney stated they have no plans to develop Lot 2 at this time but noted the possibility of selling it at some future date.

**MOTION: Motion was made by Mr. Fordyce to approve the Preliminary Subdivision Plan for TLBT, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson and approved by the remaining Board members.**

**REQUEST OF BOHLER ENGINEERING REPRESENTING TLBT, LLC, PRELIMINARY SITE PLAN, 622 E. PULASKI HIGHWAY, ELKTON, MD 21921, TAX MAP 316, PARCEL 2462, ZONED C-2**

Discussion continued with respect to the Preliminary Site Plan for this project.

Mr. Ucciferro advised the Board that the proposed grocery store will be approximately 36,000 square feet with parking provided on the Route 40 and Foxwood Chase Boulevard property lines. He addressed

ingress/egress to the lot, truck circulation for deliveries, parking spaces, landscaping, and hours of operation.

Mr. Wiseman inquired whether Mr. Ucciferro had objections to any of the comments from the Town or KCI regarding this plan. Mr. Ucciferro stated they had no objections. Mr. Ginder questioned the comments which have not been addressed as of this meeting. Ms. Minner stated these comments would need to be addressed before submission of the final plan.

Mr. Keane questioned a comment regarding a wetland permit for the site. Mr. Ucciferro noted that they have requested permission to fill this area and if denied then no landscaping would be placed in that area. Ms. Minner added that it may need to be mitigated for the landscaping depending upon the decision that is handed down from the State.

Mr. Thompson inquired about the status of Foxwood Chase Boulevard with regard to State Highway Administration. Mr. Ucciferro explained that in 2005 an access permit was granted for the road but after a year no work had been done on the road and therefore the permit was rescinded. He stated they would need to reapply for the access permit. Discussion ensued regarding traffic flow and stacking of vehicles on Foxwood Chase Boulevard from Route 40. He mentioned that if the proposed residential subdivision south of this location were to create traffic issues that it would need to be reviewed for additional changes or upgrade.

Mr. Wiseman called for questions or comments from the audience. Ms. Anne Conner noted that her property backs up to other commercial properties and has had a good relationship with them. She had questions regarding the number of truck deliveries per day, whether a privacy fence would be placed between the store and the neighboring residential properties. Mr. Kearney stated there will be one delivery per day as the products will be loaded at another facility and delivered together in the same truck. She also voiced her concern about trash blowing from the commercial property onto residential lots. She questioned whether cameras would be provided for safety. Mr. Kearney stated the decision regarding cameras has not been determined at this time. Ms. Conner also mentioned that the existing trees between the two properties are not in good condition. Mr. Kearney stated they plan to provide the bufferyards required by the Town but that they do not have any plans currently for placement of a fence. He also stated they are 100% committed to being a good neighbor. Mr. Ginder interjected that this is still in the early stages of planning and that if a fence is deemed necessary it could be something the Board could request to be placed. Both Mr. & Mrs. Guns were in favor of fencing being placed. Mr. Kearney stated they would consider the request.

**MOTION: Motion was made by Mr. Ginder to approve the Preliminary Site Plan for TLBT, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and unanimously approved by the remaining Board members.**

**MCCRONE ENGINEERING REPRESENTING 503 EAST PULASKI, LLC, FINAL RESUBDIVISION PLAT, TAX MAP 315, PARCELS 2057 & 2058, ZONED C-2**

Mr. David Strouss of McCrone Engineering and Mr. Scott Carver of IMARK Builders were in attendance to address this request. Mr. Strouss stated they are requesting a final resubdivision plat for a property 2.465 acres in size. It is currently made up of two parcels, 2057 & 2058. As part of the Town's requirement they are requesting to combine these two parcels into one lot.

Mr. Wiseman inquired if they had received the comment letters from the Town and KCI which noted an inconsistency in the measurements of the lots. Mr. Strouss confirmed that they received the comments and have prepared a boundary survey of the properties. He stated they verified that the dimensions which were initially provided are correct.

Mr. Wiseman called for any additional question or comment from Ms. Minner and the Board. There were no additional questions or comments. Mr. Wiseman entertained question or comment from the audience. There were none.

**MOTION: Motion was made by Mr. Keane to approve the Final Resubdivision Plat for 503 East Pulaski, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Fordyce and unanimously approved by the remaining Board members.**

**MCCRONE ENGINEERING REPRESENTING 503 EAST PULASKI, LLC, FINAL SITE PLAN, 601 E. PULASKI HIGHWAY, ELKTON, MARYLAND 21921, TAX MAP 315, PARCELS 2057 & 2058, ZONED C-2**

Mr. Strouss stated he had received the comments from the Town and KCI and have addressed all the comments from the Preliminary Plan. He stated the Final Site Plan comments have been received and they are addressing the additional minor comments. He confirmed receipt of a review letter from State Highway and noted they have responded to their comments. He pointed out their main comment was regarding extending the sidewalk to the property line on the east side of the site. They also asked that the handicap ramp also be extended to the property line for future development of neighboring properties. There was discussion regarding the addition of another fire hydrant on the property. They are awaiting a response from Singerly Fire Company regarding whether they feel an additional fire hydrant will be necessary.

Discussion ensued regarding ground testing for environmental issues which were a concern of the neighboring property owned by Mr. James Coffey.

Mr. Wiseman entertained additional comments from the Board. Mr. Keane asked for clarification regarding washing of vehicles on the property. Mr. Taylor of KCI stated the only outstanding issue was providing supporting calculations for water usage and fire flow test. Mr. Taylor from KCI stated they did not anticipate any issues. Mr. Strouss stated they will provide the calculations regarding washing of the vehicles and noted it would be minor water use.

Mr. Keane asked about existing tanks on the property. Mr. Strouss stated that would be addressed with the building permit. Mr. Carver noted that the existing tanks will be used for motor oil and waste oil. Discussion ensued regarding the existing tanks. Mr. Taylor asked that KCI be provided with any letters from MDE regarding any investigation with the tanks. Mr. Coffey reminded the Board that MDE be notified if any issues are uncovered during construction. Ms. Minner requested that the Town be provided with any correspondence from MDE regarding their comments on the project.

**MOTION: Motion was made by Mr. Ginder to approve the Final Site Plan for 503 East Pulaski, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson and unanimously approved by the remaining Board members.**

**Old Business - None**

**New Business - Discussion**

- 1) Article XII Supplementary Use Regulations, Section 20 – Massage, Relaxation/ Conversation Studios, Spas, Health Clubs (3.113)**
- 2) Mixed use in existing residential structures in the C-2 Zone**
- 3) Signs in the RO zone**
- 4) Indoor recreation**
- 5) Microbreweries, micro-refineries and micro-distilleries**
- 6) Trailer sales in C-2 Zone**

Ms. Minner addressed possible changes to the Zoning Ordinance with regard to each of the above referenced subjects. After discussion of each subject between Ms. Minner and the Board it was determined that proposed language would be generated for items 2-6 above by Ms. Minner and presented to the Board for their consideration at a future meeting. Item number 1 they recommended it be left the way it currently reads in the Zoning Ordinance.

The next meeting of the Planning Commission will be Monday, October 12, 2015.

There being no further business to discuss Mr. Wiseman adjourned the meeting at 9:02 p.m.

Respectfully submitted,

Brie Humphreys