

**TOWN OF ELKTON
PLANNING COMMISSION
October 10, 2016**

PRESENT: G. Edward Ginder; Keith Thompson; Rick Keane; David Fordyce; William Muller; Mayor Robert J. Alt; Lisa M. Hamilton Blackson, Esquire; Jeanne D. Minner, Director of Planning, Theresa C. Thomas, Assistant Planner

ABSENT: David Wiseman

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

ACTION: A motion was made by Mr. Fordyce to approve the minutes with corrections for the September 12, 2016 Planning Commission meeting. The motion was seconded by Mr. Thompson and unanimously approved.

CASE # 1498 – REQUEST OF TRACTOR SUPPLY COMPANY FOR A SPECIAL EXCEPTION FOR PLACEMENT OF STORAGE TRAILERS. THIS ACTION CONCERNS PROPERTY LOCATED AT 1111 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 316, PARCEL 2438, ZONED C-2

Mr. Kevin Rudick, representative for Tractor Supply Company, was in attendance to address this submittal. Ms. Minner informed the Board that Tractor Supply is requesting a special exception to place two (2) storage trailers on the side of their building located at 1111 E. Pulaski Highway.

Mr. Rudick stated the store carries straw and hay for their customers and the storage trailers are for these items. He noted that the trailers had been placed at the rear of the property but delivery trucks were having difficulty making their deliveries with the trailers at that location. Upon inspection of the property by the owner it was determined that the best location would be on the east side of the building.

Mr. Ginder stated that it does not appear to be taking up any of the required parking spaces at the proposed location.

Mr. Fordyce inquired as to the type of trailers being placed. Mr. Rudick stated they are tractor trailer boxes which are delivered from the farm where the hay and straw are purchased. He also mentioned that another reason for moving the location is because it was difficult for the trailers to be picked up and dropped off.

Mr. Keane inquired to the building construction. Mr. Rudick stated the building is comprised of cinder block. Discussion ensued regarding the access for the delivery trucks at the store.

Mr. Fordyce questioned if there was a wide enough lane for trucks to pass if driving on this side of the building. Discussion ensued regarding the ability of tractor trailers to access the rear of the property.

Mr. Muller voiced his concerns about the combustible nature of the straw and hay scattered outside the trailers and the close proximity to the building. He also noted that there were shavings of some type in the area as well which would be considered combustible. Mr. Keane stated he shared Mr. Muller's concerns. He questioned the fire rating of the walls and the proximity to the building. Ms. Minner stated she would talk with the Building Official, who meets regularly with the Fire Marshal's representative, and ask him to determine if there is cause for concern. There was also concern regarding the metal stairs which would be easy to access for children. Mr. Rudick stated there is a security feature on the stairs.

Mr. Rudick stated another reason to move the trailers on the side of the building was for safety of their employees during night time hours. He noted that around the building there are light packs but at the back near the wooded area it is very dark.

Mr. Ginder questioned whether they could place a contingency on the motion that either Mr. Bromwell or the Fire Marshal would review the area regarding fire concerns. Ms. Minner stated that they could place a contingency on the motion.

Mr. Rudick stated the trailers are padlocked when not in use and the stairs are locked with a cable. He stated they are aware of the heat issues in the summer season and monitor the air in the trailers. Mr. Muller suggested that they should police the area to be sure combustible materials do not build up in that area.

Mr. Ginder entertained additional questions or comment. There were none. He noted that there was no one in attendance to speak either for or against this submission.

MOTION: Motion was made by Mr. Fordyce to recommend approval of the special exception for placement of storage trailers at Tractor Supply Company contingent upon review by the Building Official or Fire Marshal regarding any fire hazard associated with the storage trailers. The motion was seconded by Mr. Thompson and unanimously approved.

OLD BUSINESS: Ms. Minner inquired whether the Board members are receiving correspondence from Maryland Department of Planning regarding the Maryland Planning Commissioners Association training meetings, etc. All Board members stated they are receiving them. Ms. Minner stated she would provide Mr. Muller's information to MDP so that he can begin receiving that information. She also noted that Mr. Muller would need to do the training and that the Town would supply him with the link to that training.

NEW BUSINESS: Ms. Minner mentioned that Mr. Jason Howard of Bridge Street Auto Sales had suggestions for amending the sign ordinance. She, Ms. Thomas and Mr. Bromwell have other amendments which they would like to present regarding the sign ordinance and will present them at a meeting in the future.

Mr. Ginder asked what the Town policy is regarding removal of signs along Route 40. Ms. Thomas stated that according to State Highway she was told that the Town is prohibited from removing signs from their right of way.

Discussion was opened regarding political signage and the law regarding how long they can remain once the election is passed. Ms. Minner stated her understanding is that there is no length of time according to a recent court case. You can control the time, place and manner of signs but not the content. If a property owner chooses to use their allotted signage allowance for something other than advertising for their business then they have the right to do that. Ms. Hamilton Blackson addressed the Board's concerns and stated that she would look into the case law regarding signage.

Mr. Ginder commended Jeanne Minner and Terri Thomas for handling the Board's concerns in a timely manner.

Mr. Thompson asked if there was any activity regarding the property at Route 40 and Landing Lane. Ms. Minner stated there has been no activity but once the Wawa is open there may be some interest in that property. Mayor Alt stated that the grand opening for the Wawa was October 28th at 10:00 a.m.

Mr. Ginder noted that the next meeting will be November 7, 2016.

There being no additional business for discussion, Mr. Ginder called for a motion to adjourn the meeting. Motion was made by Mr. Keane and seconded by Mr. Thompson. The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Brenda Humphreys