

**TOWN OF ELKTON
PLANNING COMMISSION
January 9, 2017**

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

ABSENT: David Fordyce

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

ACTION: A motion was made by Mr. Keane to approve the minutes from the December 12, 2016 Planning Commission meeting. The motion was seconded by Mr. Ginder and unanimously approved.

REQUEST OF MCCRONE, INC. REPRESENTING BEHAVIORAL HEALTH CRISIS INTERVENTION CENTER AT UNION HOSPITAL, CONCEPT SITE PLAN, Warburton Street, Tax Map 310, Parcel 763, 764 & 2005, Zoned TC (Town Center)

Mr. David Strauss of McCrone, Inc. and Mr. Mark Mears, Director of Facilities Management for Union Hospital were in attendance to address this request. Mr. Wiseman confirmed that Mr. Strauss received comment letters from the Town and KCI. Mr. Strauss stated the project comprises a two-story building approximately 24,000 square feet in size on 2.6 acres. It is located off Railroad Avenue between the NAPA Auto Parts building and the railroad tracks. They are providing 72 parking spaces for the uses within the building. There are three parcels involved for which they will request an add-on subdivision in the future. He mentioned that Warburton Street is a private right-of-way.

They have provided two landscape islands in the parking areas and will place additional landscaping in the Town right-of-way along Railroad Avenue.

Mr. Wiseman asked the reasoning for the design waiver for a landscape island. Mr. Strauss stated it was due to the width of the front section of the property so they had to modify their parking to accommodate that section. Mr. Wiseman inquired whether a curb would be provided along Warburton Street. Mr. Strauss confirmed that a sidewalk would be placed along the west side of Warburton Street.

A question arose regarding the ownership of the Warburton Street right of way. Mr. Keane asked if the right of way would be upgraded during the construction of the building. Mr. Strauss said a new road would be placed. It was determined that Delmarva has the right to use Warburton Street to access their substation behind the hospital's property.

Mr. Ginder asked if 'no parking' signs would be placed along Warburton Street. Mr. Strauss confirmed they would be placed. It was noted that Singerly Fire Company would review the plans during the preliminary submittal phase.

Mr. Wiseman inquired if there would be more than one use for the building. Mr. Mears stated the second floor would be used by the intervention center and the first floor will have two other tenants. He noted that they will all be built out at the same time.

Mr. Strauss noted he had met with Jeanne and Chip regarding the loading area and access for deliveries. Mr. Wiseman asked if the outdoor area would be fenced. Mr. Mears stated that it would be fenced for the

use of the clients. They do not plan any additional fencing at this time. Mr. Ginder inquired as to the size of the delivery trucks. Mr. Mears stated they would be small box trucks such as Fed-Ex and UPS.

Mr. Wiseman entertained additional questions from the Board. Mayor Alt inquired as to the number of full time employees created for this location. Mr. Rod Kornrumpf, Executive Director of Behavior Health Services for the hospital stated that between 30-35 employees would be needed.

Mr. Wiseman entertained questions from the audience. There were no additional questions regarding this submittal.

MOTION: Motion was made by Mr. Ginder to approve the Concept Plan for the Behavioral Health Crisis Intervention Center for Union Hospital contingent upon addressing all outstanding comments and allowing for a design waiver to allow two (2) rows of parking to exceed ten (10) spaces without an interior landscape island. The motion was seconded by Mr. Thompson and unanimously approved.

**ORDINANCE 01-2017 – AMENDMENT TO TOWN OF ELKTON ZONING ORDINANCE
ARTICLE XII SUPPLEMENTARY USE REGULATIONS, SECTION 7 CARGO TRAILERS,
STORAGE TRAILERS, GROUND LEVEL STORAGE BOXES AND CLOSED-BODY TRUCKS
(10.400)**

Ms. Minner presented the amendment for cargo trailers and reviewed each of the listed conditions. Mr. Keane asked if there was a requirement for placement of the trailers on either concrete or macadam. She stated that particular requirement is under parking in the Zoning Ordinance but that a reference could be added to the amendment for that section in Article 17. The general consensus of the Board was that the reference should be added to this amendment.

Discussion ensued regarding the timeframe for the special exception. The basic timeframe is for six (6) months and if the Board feels there is good cause to extend the special exception for future use it would be at their discretion on a case by case basis. This would allow the Board to see if the use is in compliance with the Ordinance during the six (6) month approval.

MOTION: Motion was made by Mr. Ginder to recommend approval of the amendment for storage trailers contingent upon amending it to include a reference to Article 17, Section 7, Subsection 1 as part of the amendment. The motion was seconded by Mr. Muller and unanimously approved.

**ORDINANCE 02-2017 – AMENDMENT TO TOWN OF ELKTON ZONING ORDINANCE
ARTICLE XIII DENSITY AND DIMENSIONAL REGULATIONS, SECTION 8 ~~RESERVED~~
DECKS**

Ms. Minner presented the amendment for decks. She noted that there are a good number of variances for decks each year. A deck attached to the house is subject to the setback requirements for the zone. This can cause undue hardship due to the size of some lots. She stated that she spoke with Mr. Bromwell and he felt that allowing an uncovered and unenclosed deck to encroach into half of the required setback would be reasonable. Since so many people use their decks as part of their living space it will allow enjoyment of their property, specifically for those with steep slopes at the rear of the property. Discussion ensued regarding how enforcement would be handled if the deck owner wanted to enclose a deck, which was installed

under this amendment, at some time in the future. Mr. Keane asked how spillover lighting issues would be handled. Discussion ensued about decks attached to pools as opposed to the house. Ms. Minner stated that it depends upon where the deck for the pool is placed in reference to the house. It was determined that the amendment should clarify “decks attached to the primary residential structure.”

Mr. Wiseman entertained questions from the audience. Ms. Kathryn Jernberg of 60 Thyme Street requested clarification of the amendment. She stated that upon reading the Ordinance it appears to be huge considering the change in elevations between neighboring properties. She noted that party lights added to a neighboring deck shine into her home. She voiced her concern about how this amendment would affect neighboring properties. She felt it included a large area for placement of decks. She asked how the 50% number was determined. Ms. Minner stated that she and the Zoning Official came up with the 50% allowance. Ms. Minner stated she would speak with Mr. Bromwell to see if residential outdoor lighting is addressed in any Town regulations. Discussion ensued.

Mr. Wiseman entertained any additional questions or comment. There were none.

MOTION: Motion was made by Mr. Thompson to recommend approval of the amendment for Article XIII, Section 8 for Decks contingent upon clarification that they are “decks attached to the primary residential structure”. The motion as seconded by Mr. Muller and unanimously approved.

OLD BUSINESS: Ms. Minner noted that the Lidl project is continuing to work through the approval process with State Highway.

Mr. Wiseman asked how things were for the appeal and special exception for the tire business. Ms. Hamilton-Blackson stated the appeal was denied but the special exception was approved with conditions. It was noted that the business has moved into another building on the property.

Mr. Ginder mentioned that Williams Automotive is placing vehicles on the grass. He also noted he saw a large truck entering the new Wawa off of Landing Lane which was prohibited with the approval for the project. He also asked about the height of the handicapped signs at the Dollar General. Mr. Keane asked about the fence at the RMR property on Bridge Street and the fire damage clean up at a property on Hollingsworth Street.

NEW BUSINESS: Ms. Minner introduced Mr. Tom deLorimier of KCI as their new representative for our Board meetings.

There being no further business to discuss Mr. Wiseman adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Brie Humphreys