

**TOWN OF ELKTON
PLANNING COMMISSION
JULY 8, 2013**

PRESENT: Asma Manejwala; Sue Whitaker; G. Edward Ginder; Commissioner Mary Jo Jablonski; Cameron A. Brown, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

ABSENT: David Wiseman; H. Fred Thomas, II

Ms. Manejwala called the meeting to order at 7:00 p.m. She informed the parties seeking a decision at this meeting that due to the fact that only three (3) of the five (5) Board Members were in attendance at the meeting that the decision would have to be unanimous in order for their request to be approved.

ACTION: Motion was made by Mr. Ginder to approve the minutes from the June 10, 2013 Planning Commission meeting. The motion was seconded by Ms. Whitaker and unanimously approved.

REQUEST OF HERTRICH PROPERTIES XII, LLC FOR A FINAL MAJOR SITE PLAN FOR AN AUTOMOBILE DEALERSHIP, NORTH SIDE OF WESTBOUND PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 316, PARCEL 2332, ZONED C-2

Mr. Al Guckes of Hertrich Properties and Mr. Jeff Williams of Kercher Engineering were in attendance to present this request. Mr. Guckes informed the Board that they were before the Board to request Final Site Plan approval and turned the remainder of the presentation over to Mr. Williams. Mr. Williams stated he has received comment letters from State Highway, KCI and the Town. They have reviewed the comment letters and had conversations with the Town and do not see any issues which warrant any change to the site plan being presented. They have no issues with any of the comments from SHA and pointed out that they included the need for a Traffic Impact Study. SHA stated the Traffic Impact Study would not change the site design, the only thing that might change would be the signal timing at the intersection of Delancy Road and Route 40. Mr. Williams pointed out that the Traffic Impact Study would need to be completed prior to issuance of Certificate of Occupancy.

Mr. Williams stated there will be two phases to the project. Phase I will be the building to the west of the property (Chrysler Dodge Dealership) and the east side would remain in grass. The building of Phase II has not been determined as yet. The buildings on each phase would be symmetrical.

The environmental site design was described pointing out the landscape islands will be bio-retention areas and will incorporate underground infiltration beds (dry wells) which will manage up to a 25 year storm. Mr. Williams noted that the discharge will be less than pre-development. Roof drains will be piped into dry wells to eliminate sheeting on the parking lot.

Changes were made to the ingress/egress, which included widening of the drive aisles to 21 feet each. This will allow access by tractor trailers delivering vehicles. They are providing a 17 foot wide shoulder from the travel lane over along with gutter and curb as well as a 5 foot ADA compliant sidewalk. They will be landscaping across the front of the dealership as required by the Town and have submitted a design waiver for the number of canopy trees with that buffer yard.

Ms. Thomas advised that in order to fulfill the forest conservation requirements they have bought into the Stony Ridge Forest Conservation area.

Ms. Manejwala inquired about the location of the dumpsters in relationship to the service bays. Mr. Williams informed the Board that they would be moving the dumpsters to the northwest corner of the property. Ms. Manejwala asked if the amount of parking being provided was adequate for the complete build out of the project. Mr. Williams stated that the amount is sufficient for both buildings.

Mr. Ginder inquired about handicapped parking/ramp. Mr. Williams stated that the handicapped ramp also serves as access to the showroom from cars on both sides of the building.

Ms. Manejwala inquired about washing of cars. Mr. Williams noted that their carwash will utilize a recycling unit.

There was additional discussion regarding the number of canopy and understory trees and shrubs to be provided in the buffer yard. Ms. Manejwala inquired whether the amount proposed would be sufficient for the bioretention. Ms. Thomas noted that design waivers for other dealerships have been granted and the trees have been placed in other areas such as landscape islands, etc. Mr. Williams pointed out that they are providing more trees for this project than they have for any of their other projects.

Ms. Manejwala entertained questions from the Board. Mr. Ginder stated his concerns regarding any changes that may be required by State Highway should they choose to approve the site plan this evening. Ms. Thomas informed him that should the approved site plan need to be changed due to State Highway recommendations then they would have to come back before the Board for revised site plan approval. Mr. Williams stated that in his conversations with State Highway and Mr. Trostle from the Town Building Department that he is comfortable that changes will not be required. The only change that might need to be made is signalization.

Ms. Manejwala entertained questions or comment from the audience.

Mr. Tom Jenkins had questions regarding the stormwater runoff. Mr. Williams reviewed their plans for fencing at the rear of the property. Mr. Jenkins also pointed out that he would be glad to have them tie their fence into the existing Town fence at the pond. Mr. Guckes stated that they did not have an issue with placing the fence at that location.

There were no additional questions from either the Board or the audience.

MOTION: Motion was made by Mr. Ginder to approve the Final Major Site Plan for Hertrich Properties as well as the proposed design waiver for landscape requirements. The motion was seconded by Ms. Whitaker and unanimously approved.

CASE # 1450 – REQUEST OF HOME PARTNERSHIP, INC., 626 TOWNE CENTER DRIVE, SUITE 301, JOPPATOWN, MD FOR A SPECIAL EXCEPTION. THE REASON FOR THE REQUEST IS TO MAKE ADAPTIVE RESUE OF THE FORMER CECIL COUNTY JAIL AND THE DEPARTMENT OF AGING BUILDING AS PART OF AN ELDERLY AND HANDICAPPED PROJECT. THIS ACTION PERTAINS TO PROPERTY LOCATED AT 214 NORTH STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 1204, ZONED C-1 (CENTRAL BUSINESS)

Mr. Thomey informed the Board that this project had come before the Historic and Architectural Review Committee at their June meeting. They presented a Power Point presentation which included other projects which they have been involved in, financing for the project, site development, floor plans, age requirements, and price ranges for the apartments. They went over how the existing historic structure would be preserved and how the completed project will benefit the community.

Mr. Thomey informed the Board that this project had been presented to the Historic and Architectural Review Committee and they have their recommendation of approval. He stated that exterior changes to the historic building would be minimized and the exterior would be cleaned up but would retain the current look. He noted that it would keep with the character of the neighborhood and the number of units will not exceed the required maximums.

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

Mr. Dwight Hair stated that he is a local business person and owns numerous rental properties, and he wished to speak in favor of the project. He stated he believed affordable housing for seniors is needed in this area. He listed benefits of the project such as low cost rentals and reuse of a building which is not currently being used. He felt the project is a win/win situation for everyone. He pointed out that he thought they could accommodate access for Mr. Crouse's business.

Mr. Karl Fockler and Mr. Larry Crouse voiced their concern regarding access to Mr. Crouse's property. He noted that they are not necessarily opposed to the project but do have some concerns. Mr. Crouse told the Board that the business has been in existence since 1967. They have always had delivery trucks, 10 or 18 wheel vehicles, access their building from behind through North Street and he is asking them not to completely close his business off from North Street. This would make a huge change to their business. Mr. Fockler stated they are requesting this accommodation so that they will not have to consider moving out of Town. Mr. Crouse pointed out that the trucks cannot stop on North Street to unload because of the width of the

street. He said he is 100% behind the project and thinks it would be good for the Town and he just wants to be able to continue to use the existing property for his business.

MOTION: Motion was made by Mr. Ginder to recommend approval of the special exception for adaptive reuse of the property at 214 North Street. The motion was seconded by Ms. Whitaker and unanimously approved.

CASE # 1449 – REQUEST OF HOME PARTNERSHIP INC., 626 TOWNE CENTER DRIVE, SUITE 301, JOPPATOWN, MD FOR A SPECIAL EXCEPTION. THE REQUEST IS TO PERMIT THE CONSTRUCTION OF HOUSING FOR THE ELDERLY AND HANDICAPPED IN THE CENTRAL BUSINESS DISTRICT. THIS ACTION PERTAINS TO PROPERTY LOCATED AT 214 NORTH STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 1204, ZONED C-1 (CENTRAL BUSINESS)

Mr. Frank Hodgetts of Home Partnership, Inc.; Mr. Patrick Wagner, Community Builders, Inc.; Mr. Dwight Thomey, Legal Counsel and Mr. David Taylor, Engineer were in attendance to present this request.

Mr. Thomey informed the Board that they addressed Section 29 of the Zoning Ordinance which focuses on their request. He noted that they are able to meet each of the conditions and they hope not to require variances in order to develop their project.

He stated that they are working with Mr. Crouse to make this project work with his existing business and for all concerned. Mr. Thomey stated that they are providing access on their property to accommodate Mr. Crouse but could not speak for Cecil County who owns the property where they are considering access. They will continue working with the County and Mr. Crouse in order to make this happen.

Mr. Ginder asked if the owner of 115 E. High Street had been contacted. Mr. Pizzuli was in attendance and stated that his main concern was for his property value. He had not been able to see the project until this evening and wanted to understand the use being proposed. Mr. Thomey felt the project would improve the area and raise the property values.

There were questions regarding building height and the entrances to the project and the timeframe of the project. They are hoping to begin construction in January 2014 if they get all approvals for each part of the project.

MOTION: Motion was made by Ms. Whitaker to recommend approval of the project to the Board of Zoning Appeals. The motion was seconded by Mr. Ginder and unanimously approved.

OLD BUSINESS – Ms. Thomas informed the Board that Mr. Wiseman would not be seeking reappointment to the Planning Commission.

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NEW BUSINESS – None

The next meeting of the Planning Commission is scheduled for August 12, 2013.

There being no additional items for discussion, Ms. Manejwala adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Brenda Humphreys