

**TOWN OF ELKTON
PLANNING COMMISSION
AUGUST 12, 2019
MINUTES**

Present: Dave Wiseman; G. Edward Ginder; William Muller; Art Blount; Lisa Blackson, Esquire; Jeanne Minner, Director of Planning

Absent: Keith Thompson; Rick Keane

MOTION: A motion was made by Mr. Ginder to approve the minutes of the July 15, 2019 Planning Commission meeting as written. The motion was seconded by Mr. Blount and unanimously approved.

REQUEST OF ELMER JUSTICE REPRESENTING BUDDY'S RIDGE, LLC, MINOR SUBDIVISION PLAN, TAX MAP 304, PARCEL 879, ZONED R-3 (URBAN RESIDENTIAL)

Elmer Justice was in attendance to address this request. He stated he had received the comments from the own and KCI and did not have any issues in addressing them.

He informed the Commission his intention is to sell a ten acre parcel of land to the Iron Hill Cut Jasper Quarry Archaeological Group. In order to do so they must subdivide the parcel from the remaining lands of Buddy's Ridge, LLC.

Mr. Wiseman confirmed this is a typical procedure and other than cleaning up some comments it is pretty straightforward. He asked Ms. Minner if she had any additional questions for Mr. Justice. She stated he simply needed to provide a new plat with all the comments addressed.

Mr. Wiseman questioned the wetlands delineation mentioned in one of Ms. Minner's comments. She noted the delineation was done 10 years ago and needs to be redone in order to confirm accuracy and a copy provided to the Town. Mr. Justice stated that would be done.

Mr. Wiseman entertained additional comments from the Commission members. There were none. He entertained questions from the audience. There was no one in attendance to speak either for or against this subdivision request.

MOTION: Motion was made by Mr. Ginder to approve the Minor Subdivision Plan for Buddy's Ridge, LLC contingent upon address all outstanding comments and providing a copy of the revised plat to the Town of Elkton. Motion was seconded by Mr. Muller and unanimously approved.

MCCRONE, INC. REPRESENTING SCHWAB, LLC III, RESUBDIVISION PLAT, BRIDGE STREET MINI STORAGE AND DOLLAR GENERAL, 655 NORTH BRIDGE STREET, TAX MAP 310, PARCELS 1698 & 1737, ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. David Strouss of McCrone, Inc., Mr. Eric Schwab of Schwab, LLC III and Ms. Ashley Weinman of PennTex Ventures, LLC were in attendance to address this submittal.

Mr. Strouss noted the property is currently two parcels and they are reconfiguring them in order to provide a 1.3 acre parcel for the Dollar General with the remainder being used for the mini storage development.

He noted that the plat provided this evening is revised to show the change of the utility easement location from the northern access to the southern access of the site. It was noted that Ms. Minner had questioned the original location which was marked as access for other properties which prompted the change. Mr. Schwab stated that the easiest thing to do was to use the opposite side, which he owns as well. Although it is more costly it is easier to get the project approvals completed.

Mr. Strauss noted they have addressed most of the comment from the Town and KCI with the plans provided to the Commission this evening.

Mr. Ginder questioned whether the terra cotta pipe existing at this location meets the Town's criteria. Ms. Minner stated that this would be best be addressed by the Building Official. Mr. Wiseman noted that this can be addressed during the site plan review. Mr. Strauss stated they are not sure if there is terra cotta pipe but they may have to dig it up to confirm it. Ms. Minner noted that easements would need to be placed as necessary. Mr. Strauss stated that they would place an additional easement if required. Discussion ensued.

Mr. Wiseman entertained additional questions from the Commission. There being none he called for any questions or comments from the audience.

Mr. Justice asked if this was the old RMR Site and if so he had worked there one summer. Mr. Strauss confirmed that it was where the RMR business had been located.

MOTION: Motion was made by Mr. Muller to approve the Resubdivision Plat for Bridge Street Mini Storage and Dollar General contingent upon addressing all outstanding comments and allowing for the change in location of the utility easement as presented. The motion was seconded by Mr. Blount and unanimously approved.

MCCRONE, INC. REPRESENTING SCHWAB, LLC III, FINAL SITE PLAN, BRIDGE STREET MINI STORAGE AND DOLLAR GENERAL, 655 NORTH BRIDGE STREET, TAX MAP 310, PARCEL 1698 AND ZONED C-2 (HIGHWAY COMMERCIAL)

All the presenters remained for the Final Site Plan presentation for the project. Mr. Strauss noted the project approvals began in November of 2018. The traffic study has been completed and approved. They have applied for an access permit with State Highway, all comments have been addressed and they should receive that approval within 30 days.

He addressed some comments from the preliminary plan regarding landscaping and the decorative fence along Bridge Street. He provided pictures of the 4 to 4 ½ foot fence they are proposing. Mr. Strauss pointed out the proposed design waivers which are called out on the plan and mentioned Ms. Minner's request to change the wording of the design waiver to note the concrete slab which is show under note 32b.

Mr. Strauss explained that they would be shifting some of the landscaping within the 30' buffer along Bridge Street but there would be no change in the amount of landscaping being placed.

Mr. Strauss mentioned a comment from KCI with regard to fire flow. He stated a fire flow test would be done this week which will determine whether the water line is large enough to meet the fire flow required for the sprinkler system.

Mr. Wiseman addressed the State Highway comment letters to which Mr. Strauss stated they have addressed all SHA comments and read the statement from Mr. Dierker of State Highway with regard the matter.

Mr. Ginder asked if there were any notations regarding excavations below one foot. Mr. Strauss confirmed a note was placed on the construction plans under general note C1. He also mentioned that they would be contacting MDE (Maryland Department of the Environment) when construction is to begin. Ms. Minner asked to be copied on the correspondence with MDE.

Mr. Wiseman entertained additional questions from the Commission. Questions arose regarding the use of terra cotta pipe on the property and how that would be addressed. Mr. Strauss stated they are tied into the sewer south of the Dollar General and that he would verify whether it is terra cotta pipe. Mr. Wiseman asked for any additional comments from Ms. Minner or Mr. DeLorimier. They had no further questions.

Mr. Wiseman entertained questions from the audience. There were no questions.

MOTION: Motion was made by Mr. Ginder to approve the Final Site Plan for Bridge Street Mini Storage and Dollar General contingent upon addressing all outstanding comments and conditional upon the following three items regarding: the terra cotta pipe, construction documentation of proper environmental hazards from MDE to the Town, possible easement for fire hydrant, as well as receiving final approval from State Highway Administration. The motion was seconded by Mr. Blount and unanimously approved.

OLD BUSINESS – Ms. Minner stated the Town is still working on the PUD language and gave an update as to where they are with the revisions. She stated they have met with the proposed developers and there was a suggestion by Mr. Ray Jackson of Stonewall Construction to have an open meeting with the public in order to address any concerns. Discussion regarding the PUD language ensued.

Mr. Wiseman noted that Mr. Massimiano needed to be added to the email chain as a new member of the Board of Commissioners.

Mr. Wiseman brought up Mr. Connelly's correspondence to the Town regarding the PUD. MR. Wiseman noted that the task of the Commission is as projects come along which could impact Town residents negatively that he will be attentive to that.

Ms. Minner provided an approval schedule for how submittals and approvals are handled along with how any changes to the Zoning Ordinance or Town Zoning Map. She noted that the developers are aware of the time frame/s for approvals.

Ms. Minner noted that the developer is looking into infrastructure with the Town, the County and the State and scoping meetings are already taking place.

Mr. Wiseman opened the floor for comments regarding the PUD.

Mr. John Connelly stated he is at the meeting due to the information in the paper and said he wanted to re-familiarize himself with the proposed plans. He stated he was at the meetings back in 2008 regarding the proposed PUD at that time. He wanted to get more information about the regulatory process and what can and cannot go into a PUD. He stated he had spoken with Ms. Minner prior to the meeting and she had provided him with the answers to his questions.

Mr. Wiseman encouraged those attending to come to the public meetings and voice their concerns. Ms. Minner stated that agendas for the public meetings are on the Town website so people can check to see when the projects will be on the board agendas. Mr. Connelly stated that he is not in favor of the industrial parts of the proposed project.

Ms. Daria Brown voiced her concern that the neighboring properties were not informed of the proposed PUD until they saw it in the paper. She is also concerned about the water use. She said a marina sounds nice but the area is silted in and would need to be dredged for any kind of use. She questioned whether bufferyards would be required to block the residential properties. She is also concerned that the land plates are not stable for housing all the way down to the river. She also noted her concerns about traffic with all the proposed new residential properties.

Ms. Rose Brown stated she does not believe the water is deep enough for water use and has not been since 1947 when she started living there. She is concerned about the Hessian cemetery and shared a story about her confronting a contractor who was trying to remove the head stones a number of years ago. She also provided some history of the area. Another concern is how much traffic is already passing on Route 213 and how the schools will handle the increase of children from the proposed residential uses.

Mr. Gary Collins was concerned about whether the Critical Area requirements are being enforced with regard to how much development is allowed. Ms. Minner stated that the 10 acres next to the water are zoned RP (Resource Protection) and she confirmed that only one house per 20 acres is permitted unless they get approval from Critical Area for growth allocation; the 60 acres above the RP is zoned R02 (Suburban Residential) and the remaining land (except commercial area) is R-3 (Urban Residential). There was discussion regarding what is allowed in the Critical Area with respect to apartments.

Mr. Collins asked if the traffic studies could be done during the summer months rather than during the school year. Ms. Minner stated her understanding is they will be doing the traffic study during the school year and on a Saturday. She stated she could ask them to address a certain day and timeframe, Fridays from 4-6 p.m. during the summer. He also mentioned that Frenchtown Road is not built for a lot of traffic and feels that should be looked at as well. He wondered if a light or a traffic circle will be placed to help with traffic movement.

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Mr. Wiseman noted that there are many different entities that will need to review these plans. Mr. Connelly stated he believed Hutton and Williams Roads should be included in the traffic study also.

NEW BUSINESS – The next meeting of the Planning Commission is scheduled for September 16th.

There being no additional items for discussion Mr. Wiseman adjourned the meeting at 8:03 p.m.

Respectfully submitted,

Brie Humphreys