

**TOWN OF ELKTON  
PLANNING COMMISSION  
JUNE 8, 2020  
VIRTUAL MEETING MINUTES**

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

**Absent:** None

Mr. Wiseman called the meeting to order at 6:00 p.m. Mr. Wiseman stated the first item on the agenda is approval of minutes from the May 11, 2020 meeting and asked if there were any corrections. Mr. Keane provided two requests for clarification to be placed in the minutes. Those corrections being noted, he called for the motion.

**MOTION:** Motion was made by Mr. Ginder to approve the minutes of the May 11, 2020 Planning Commission meeting as corrected. The motion was seconded by Mr. Keane and unanimously approved.

**MCCRONE INC. REPRESENTING JASON NONN, PRELIMINARY/FINAL MAJOR SUBDIVISION, 112 WASHINGTON AVENUE, LOT 86, TAX MAP 315, PARCEL 1833, ZONED R-1 (TOWN ESTATE)**

Mr. Donald Sutton of McCrone, Inc., and Mr. Jason Nonn the property owner were in attendance to address this request. Mr. Sutton stated they are creating two lots out of the existing Lot 86. The new lot is 18,433 square feet and proposed for residential use. The submitted plan was prepared to create the new subdivision line between the two parcels to comply with the existing garage on Lot 86.

Mr. Ginder asked if any notification would be placed on the plat. Ms. Minner stated they would provide that information when they applied for the permits to place any structure on the lot. Mr. Wiseman noted that this subdivision is creating two lots which each conform to the standards of the Town Zoning Ordinance.

Mr. Wiseman asked Mr. Sutton if he had received the comments from the Town of Elkton. Mr. Sutton confirmed they were received and stated the comments were minor and they will address them prior to the lot being recorded.

Ms. Minner mentioned four minor comments from KCI which had been received today and Mr. Sutton stated he did not see any concerns with addressing these new comments.

Mr. Wiseman entertained any additional comments or questions from the Board. There being no additional questions he asked if anyone else in attendance had any comments or questions. There being no further comments he moved on to the next agenda item.

**MOTION: Motion was made by Mr. Ginder to approve the Normira Subdivision contingent upon address all outstanding comments. The motion was seconded by Mr. Thompson with the remaining members voting as follows:**

**Mr. Blount – Aye  
Mr. Keane – Aye**

**Mr. Muller – Aye  
Mr. Wiseman – Aye**

With six members voting for the motion and no members voting against the motion, the motion passed unanimously.

**MCCRONE INC. REPRESENTING JEMAL’S PULASKI, LLC, PRELIMINARY/FINAL MAJOR SUBDIVISION, 300 EAST PUALSKI HIGHWAY, LOTS 1 & 2, TAX MAP 315, PARCEL 2377, ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Donald Sutton of McCrone, Inc. and Mr. Tory Pierce of Frederick Ward were in attendance to address this request. Mr. Wiseman asked if Ms. Minner received any comments from KCI regarding this submission. Ms. Minner provided some comments from KCI for this project. Ms. Minner asked how the properties were metered and Mr. Sutton stated he was unaware of how they were metered. Mr. DeLorimier stated he had asked that question and was told there are separate meters for the different uses on the property. Mr. Sutton stated he would like to receive that information if they have been located. Mr. DeLorimier stated his understanding from Mr. Bromwell in the Building Department at the Town was that the meters are on the inside of each building. Mr. Sutton stated he would get in touch with Mr. Bromwell.

Mr. Wiseman asked Mr. Sutton to clarify what is being subdivided with this plat. Mr. Sutton stated that basically the current status of the property is that the Old Walmart building was turned into a medical center with the Express Care building is to the east and the Olive Garden to the northwest at the front of the parcel at the intersection of Whitehall Road and Route 40. Mr. Sutton stated the intent of the subdivision is to create separate parcels of record for the Olive Garden and the Express Care to allow for those buildings to be sold at some point in the future.

Mr. Sutton explained that the unusual shape of the Express Care (Lot 2) came into being in order to provide green space since most of this property is paved. He said they came up with a design and layout which was able to meet the 80% ratio for impervious surface limitations.

Lot 1 is the Olive Garden and Lot 2 is the Express Care. Mr. Thompson asked if there was sufficient ‘green’ space on the Olive Garden property. Mr. Sutton confirmed there is sufficient green space.

Mr. Wiseman questions Ms. Minner about when these subdivisions are created do people have the right to cut through the property to access the exit at the northeast side of the parcel. Ms. Minner stated they are requiring a cross access easement. Ms. Minner asked Mr. Sutton how they would be handling the access easement. Mr. Sutton stated it will be easier to provide a blanket easement on the property since people tend to choose the shortest route and a cross access easement would be difficult to enforce.

Mr. Wiseman asked about a maintenance agreement for the area. Mr. Sutton stated this would be addressed as part of the sales agreement for the maintenance not only for the paving but also for the stormwater management facility behind the Old Walmart building and for any underground utilities that may exist.

Mr. Wiseman asked for any additional comments. Ms. Keane asked Ms. Minner about her comment regarding existing deed restrictions and whether they need to be removed. Mr. Sutton noted that the deed restrictions were specific to the uses that would be allowed on the site. If the proposed use is one that would be in competition with Wal-Mart then that use would be deed restricted.

Mr. Keane asked Ms. Minner what FAR stands for in her comment. She stated it is Floor Area Ratio and calculates the square footage of the building with the square footage of the lot. It was noted that Mr. Sutton had addressed her comments on this plan.

Ms. Minner went over the remaining comments from KCI. Mr. Sutton stated they did not have any problems addressing any of the comments. There being no further questions or comments from the members Mr. Wiseman entertained any comments from the other participants. There being none he called for motions on the subdivisions.

**MOTION: Motion was made by Mr. Thompson to approve the Final Major Subdivision Plat for Jemal's Pulaski, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Muller with the remaining members voting as follows:**

**Mr. Blount – Aye**  
**Mr. Keane – Aye**

**Mr. Ginder – Aye**  
**Mr. Wiseman – Aye**

With six members voting for the motion and no members voting against the motion, the motion passed unanimously.

**OLD BUSINESS:** Ms. Minner stated the Town is receiving sketches for the multi-family portion of the PUD and she feels it won't be long before they begin submitting plans.

Mr. Wiseman stated he believed that all the Commission members received these plans by email and he voiced his concern that developers are contacting the Commission members personally by email. He asked that this be addressed and Ms. Minner stated both she and Ms. Blackson had already addressed this with the developer. Ms. Blackson asked the Commission members to forward any emails which are not also addressed to herself and Ms. Minner to them in order that they can address it. Ms. Minner mentioned that there is a difference if a developer wants to contact residents in the area. Resident are not voting on the project but as a Commission member they should not be contacted outside of a public meeting.

Ms. Minner noted she is conducting interviews for the Assistant Planner position. She wasn't sure how many interviews they will do.

**NEW BUSINESS:** Ms. Minner stated so far there have been a couple of special exceptions submitted for the July meeting and a Preliminary Plan for Freestate Business Park. Mr. Wiseman noted that he would not be available for the July meeting but to send him any plans in case he would be able to join in from where he will be.

Ms. Minner noted that both she and Ms. Humphreys would not be available for the scheduled August 10<sup>th</sup> date for the meeting and therefore it was being moved to Monday, August 17<sup>th</sup>. The Commission members were in agreement to move it to that date.

Mr. Ginder asked when the Southfields PUD might be back before the Commission. Ms. Minner stated the Logistics part of the PUD will likely not be back in before September. She said they have a lot of things to address prior to Final submittal.

Ms. Minner noted that the Zoning Ordinance states that a certain percentage of residential lots are required to be approved and recorded prior to getting permits for non-residential uses. Discussion ensued regarding this requirement.

There being no additional items for discussion Mr. Wiseman adjourned the meeting at 6:39 p.m.

Respectfully submitted,

Brie Humphreys