

**TOWN OF ELKTON  
PLANNING COMMISSION  
APRIL 12, 2010**

**PRESENT:** David Wiseman, Chairman; H. Fred Thomas, II, Vice Chair; Asma Manejwala; Sue Whitaker; Roger McCardell; Clara Campbell, Esquire; Theresa Thomas, Planner; Brenda Humphreys, Building & Planning Department

**ABSENT:** Brad Carrillo; Commissioner Mary Jo Jablonski, Ex-Officio; Jeanne D. Minner, Director of Planning

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

**ACTION:** Motion was made by Ms. Manejwala to approve the minutes from the March 8, 2010 Planning Commission Meeting. Motion was seconded by Mr. Thomas and unanimously approved.

Mr. Wiseman introduced the newest member of the Planning Commission, Mr. Roger McCardell, and welcomed him to the Board.

**CNA ENGINEERING REPRESENTING LENORE WOOD, BRIDGE STREET,  
ELKTON, MARYLAND, ADD-ON SUBDIVISION, TAX MAP 310, PARCELS 2473 &  
450, ZONED BI**

Mr. Charles Wellington appeared to represent Ms. Lenore Wood with regard to this request. He noted that plats have been submitted to combine two parcels, one of which was acquired six years ago, due to the fact that the original parcel was landlocked. His client's intention is to market this parcel and this add-on will keep them from complying with required setbacks on two small parcels as opposed to one larger parcel.

Mr. Wiseman inquired whether Mr. Wellington had received all comments from the Town and KCI. It was determined that he had not received the comments from KCI and a copy was provided to him. Upon review of the items he did not feel addressing them would present a problem.

Mr. Wiseman entertained any additional comment from Ms. Thomas, the Board and the audience. There were none.

**MOTION: Motion was made by Ms. Manejwala to approve the Add-On Subdivision for Ms. Lenore Wood contingent upon addressing all outstanding comments from the Town and KCI. The motion was seconded by Mr. Thomas and unanimously approved by the remaining members of the Board.**

**REQUEST OF DNYANADA PAREKH, 142 PATRIOTS WAY, ELKTON, MARYLAND  
FOR AN IN-HOME OCCUPATION, TAX MAP 315, PARCEL 1794, ZONED R-1**

Mr. Abhay Parekh and Mrs. Dnyanada Parekh of 142 Patton Way were in attendance to present this request.

Mr. Wiseman stated that the Board had received their letter addressing the conditions of their request for the home occupation as well as the letter from the Homeowner's Association at Patriots Glen.

Mr. Parekh stated that they wished to start a wholesale business at their home. He stated that there will be no pedestrian traffic, no deliveries other than samples, no changes to the outside of the home, no other family members will be involved with the business and no more than 25% of the square footage of their home will be used for the business.

Mr. Parekh explained that they will be selling textile fabrics through e-mail, fax and trade shows. He stated that only the office work will be done at the residence.

Mr. Wiseman entertained questions from the Board and the audience. There were none.

**MOTION: Motion was made by Mr. Roger McCardell to approve the home occupation at 142 Patton Way. The motion was seconded by Mr. Thomas and unanimously approved by all remaining Board members.**

**MCCRONE, INC. REPRESENTING SINGERLY FIRE COMPANY, 300 NEWARK AVENUE, CONCEPT PLAN, TAX MAP 306, PARCELS 1740, 1743, 1852 & 2154, ZONED C-2**

Mr. Roger McCardell requested to be recused from hearing this request.

Mr. David Strouss of McCrone, Inc., Mr. Don Hicks of the Singerly Fire Company and Mr. Carl Krienen of ADHA Architects were in attendance to present this request.

Mr. Strouss stated that they are presenting a Concept Plan for the Fire Company. He noted that they had been before the Board previously to request C-2 rezoning for some of their property in order to expand. He stated that they have revised their plan and would not have access to Gilpin Avenue from the Fire Company property.

Mr. Strouss stated that they have met with State Highway Administration and discussed their access and modifications along Route 279. SHA gave them their recommendations regarding the modifications. He stated that the proposed addition will be to the east of the existing building. A portion of the existing building (approximately 3,900 sf) will be removed from the back of the building. The new addition will be for engine bays and training rooms.

Mr. Strouss explained that the main equipment access will be along Route 279 where a large apron will be provided so that the equipment can pull in rather than back in along that road. The main banquet facility parking will be on the west side of the building to avoid conflict with the fire equipment.

Mr. Strouss presented three design waivers for the Concept Plan:

- 1) Irregularly shaped landscape islands within the parking lot;
- 2) Greater than ten (10) parking spaces between landscape islands;

- 3) Relaxation of landscape buffer to five (5) feet along the Lewis' property on Gilpin Avenue.

Mr. Strouss stated that they have been talking with the Lewis' and have proposed an opaque 6' vinyl fence and landscaping in that area. They will be working out what the Lewis' would like as a buffer yard between the Fire Company property and their property. Mr. Hicks stated that they intend to place whatever is acceptable to the Lewis'. He added that the parking on this side of the property would be for emergency response vehicles only as they are arriving for calls to access the equipment as quickly as possible. The vehicles would then be removed immediately upon return to the station after each call.

Mr. Strouss stated that Forest Conservation would be provided onsite. Stormwater management would entail use of the existing stormwater pond and underground infiltration at the southwest corner of the property in order to meet the new stormwater management code.

Mr. Wiseman asked if both entrances have been accepted by State Highway. Mr. Strouss stated that, on a conceptual basis, both entrances have been accepted. They are proposing either brick paver or stamped concrete in these areas.

Mr. Wiseman asked if there will be an additional flashing light at the entrances. Mr. Hicks stated that they have been requesting that for years. He pointed out that they have problems with vehicles not yielding to the flashing yellow light and the pavers in the road along Route 279. Mr. Strouss noted that the entrance will be moved further from the intersection at Route 279 and Route 213 and believed that this would improve their situation.

Mr. Krienen noted that the plan refers to the addition as a two story building. He clarified that the addition is primarily a one story building with about one quarter of the addition being a two story section at the far end near the residences which will be used for dorm rooms for overnight staff.

Ms. Manejwala asked if State Highway is requiring a traffic impact study. Mr. Strouss stated that State Highway has not required a study due to the fact that there will not be any additional equipment or more traffic than prior to the expansion.

Mr. Wiseman inquired whether they have received all comments from the Town and KCI. Mr. Strouss stated that they have received the comments and have no problem addressing them.

There was additional discussion regarding the fence placement along the Lewis' property. Mr. Strouss stated that they would be meeting with the Lewis' to discuss this issue further and that the decision would be included during a future submission.

Mr. Wiseman entertained questions from the Board. There were none.

Mr. Wiseman entertained questions or comment from the audience.

Mr. John Knapp from a neighboring property stated that he lives near the proposed entrance off of Route 213 and stated that this is a blind hill and he has safety concerns and believes it will cause a traffic hazard at this location. Mr. Wiseman noted that all the entrances and exits onto a State Highway are controlled by State Highway standards and is not under the Town's

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jurisdiction. Mr. Strauss stated that they are required to provide plans to State Highway for review. Mr. Hicks stated that SHA is looking into upgrading this area and adding a center lane on Route 213 in this area.

Mr. Wiseman encouraged Mr. Knapp to follow up on the plans for this project once SHA makes their decision regarding the entrances. Mr. Knapp stated that he believe a traffic study should be required.

Mr. & Mrs. Dan Lewis of Gilpin Avenue stated that all the houses on Gilpin Avenue have the same setbacks and did not feel that allowing the waiver to reduce the setback that close to his property was a good idea. He has concerns about the height of the proposed fence, lighting issues, drainage issues, setbacks and the location of the transformer with regards to his property. Mr. Wiseman understood that these issues had been addressed with himself and his wife. Mr. Lewis stated that they had spoken to Mr. Strauss and Mr. Hicks but did not feel that the trees and fence would be sufficient. Mr. Lewis also mentioned that snow removal and testing of the transformer would cause an issue being so close to his home if the bufferyard reduction is approved. Mr. Hicks stated that the required transformer test is done on Tuesdays at 7:00 p.m. and only for one hour. Mr. Lewis stated that his children's bedtime is 7:30 p.m.

Mr. Monty Litzenberg questioned how close the paving for the proposed entrance off Route 213 would be to his property. Mr. Strauss stated that the paving would be five feet from his property line. The right of way is forty feet, the paving will be thirty feet with five feet on either side. Mr. Litzenberg stated that there is an embankment to that area and he wondered if a retaining wall could be placed there with curbing to the rear of his property with a curb cut where his tenants park. He would like to see some railing at the top of the wall. He is willing to accommodate the improvements as long as certain aspects are taken into consideration.

Mr. Litzenberg asked if 'any' equipment would be leaving the site by way of this exit. Mr. Hicks stated that "apparatus is assigned to respond to emergencies directly out onto Route 279".

Mr. Litzenberg questioned whether a decibel study was done or could be done due to the proximity of the residences' to this right of way. Mr. Hicks stated that in the State of Maryland the lights and siren are required to be used when responding to a call. Mr. Hicks stated that if the access to Route 279 is cutoff the apparatus may need to use this exit from the property. Mr. Litzenberg asked if they would perform a decibel study if they anticipate using this entrance. There was additional discussion regarding a decibel study. Mr. Wiseman stated that his concerns would be duly noted.

Mr. Litzenberg stated that while the construction is being done he would appreciate consideration of his tenants for access to the residence. Mr. Strauss stated that they would work out access to the property.

Mr. Litzenberg wondered if there would be any issues with his property values due to the change of use of this right of way. Mr. Wiseman stated that the right of way has been there for some time and he did not feel it would be an issue.

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

**MOTION: Motion was made Ms. Manejwala to approve the Concept Plan for Singerly Fire Company contingent upon addressing all outstanding comments and allowing for the first two design waivers and denying the third design waiver regarding reduction of the bufferyard. The motion was seconded by Mr. Thomas and unanimously approved by the remaining Board members.**

**MCCRONE, INC. REPRESENTING REPLENISH COSMETIC, 330 EAST PULASKI HIGHWAY, FINAL SITE PLAN, TAX MAP 315, PARCEL 2378, ZONED C-2**

Mr. Brad Fox of McCrone, Inc. and Dr. David Martini of Replenish Cosmetic were in attendance to present this project. Mr. Fox stated that this will be a mixed use site composed of an addition of 2,365 square feet and a new retail building of 6,605 square feet. There is a medical office building alternative design with a drop off area which has been changed in order for further separation from the property line and has therefore been changed to 4,646 square feet of medical office and 2,160 square feet of retail space.

Mr. Fox stated that their goal is to utilize the existing drainage patterns on the site, add additional landscaping, maintain the existing curbing where possible and additional landscaping will comply with the Highway Corridor Overlay requirements.

He noted that the Final Forest Conservation plans have been submitted and the Geotechnical investigation has been completed and the infiltration facility was deemed more than adequate. The Maryland State Highway Administration has approved the sidewalk configuration and has waived a traffic impact study. He stated that the Sediment & Erosion Control Plan was submitted for review and comments were received March 23<sup>rd</sup>.

Mr. Fox presented the architectural elevation plans for the project. Mr. Wiseman asked about one of the comments regarding the existing sidewalk. Ms. Thomas noted that this was not a Town landscaping requirement but Dr. Martini wished to landscape the area.

Mr. Wiseman entertained comment or questions from the Board. Mr. Thomas asked if all the plans submitted would be located at the same area and when they would determine if the alternate plan would be used. Dr. Martini stated that it depends on who would wish to use the space.

There was discussion regarding the number of parking spaces required for each plan and it was determined that one of the plans required a waiver for five parking spaces which was approved at the previous meeting. Mr. Fox noted that the alternative plan was the one which required the waiver. Dr. Martini stated that if they use the medical office plan they wanted to have a drop off area which would replace the parking spaces and thus required the waiver.

Mr. Wiseman entertained comments from the audience. There were none.

**MOTION: Motion was made by Ms. Whitaker to approve the Final Site Plan for Replenish Cosmetics contingent upon addressing all outstanding comments from the Town and KCI.**

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**OLD BUSINESS:** There were no items to discuss.

**NEW BUSINESS:** There were no items to discuss.

There being no further items for discussion the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Brenda Humphreys