

**TOWN OF ELKTON  
PLANNING COMMISSION  
JULY 11, 2022  
MEETING MINUTES**

**Present:** Dave Wiseman; Keith Thompson; William Muller; Lisa Blackson, Esquire; Jeanne Minner, Director of Planning; Nick Cannistraci, Planner

**Absent:** G. Edward Ginder

Mr. Wiseman called the meeting to order at 6:00 p.m. He stated the first item on the agenda is approval of the minutes from the June 6, 2022 meeting. There being no corrections from the Commission members Mr. Wiseman called for a motion.

**MOTION:** Motion was made by Mr. Thompson to approve the minutes of the June 6, 2022 Planning Commission meeting as written. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Wiseman – Aye. The motion passed unanimously.

**REQUEST OF APEX ENGINEERING INC. REPRESENTING BELLE HILL, LLC, MINOR SUBDIVISION PLAN, 189 BELLE HILL ROAD, TAX MAP 027B, PARCEL 0257 AND ZONED C-3 (HIGHWAY INTERCHANGE COMMERCIAL)**

Mr. Steve Woodin of Apex Engineering, Inc. was in attendance to represent the owner of Belle Hill, LLC for a Minor Subdivision Plan. He stated the property is 19.1 acres and is Zoned C-3 (Highway Interchange Commercial).

He stated the proposed subdivision plan will divide the property into two parcels. The first parcel is 5.2 acres fronting Belle Hill Road and the other parcel is 13.9 acres fronting Appleton Road. This will create separate access and utility easements along the frontage of Belle Hill Road where most of the existing utilities are located.

Mr. Woodin noted there are no proposed site improvements shown on this plan.

Mr. Wiseman asked if he received the comment letters from the Town and KCI. Mr. Woodin stated he received both letters and has no issues in addressing the comments provided.

Ms. Minner noted that with a simple subdivision plan it does not normally require review by State Highway, Cecil County, Cecil Soil or Singerly Fire Company since there is no development shown on the plan. Mr. Wiseman asked if Comment 13 should be removed. Ms. Minner agreed that this comment should be removed.

Mr. Wiseman stated this plan is fairly simple. Ms. Minner noted that the forest conservation for this project was done while the property was in the County. There was discussion as to when the property was annexed into Town. It was thought to be annexed in 2016. Ms. Minner stated the other portion of the site is where Freightliner is located.

Mr. Wiseman entertained additional questions from the Board. There were no additional questions. Mr. Wiseman entertained questions or comment from the audience.

Mr. Robert Bouchelle of 620 Appleton Road questioned whether there was a future use proposed for these parcels. Mr. Woodin stated he was not aware of any plans for future use.

There were no additional questions from the audience.

**MOTION: Motion was made by Mr. Thompson to approve the Minor Subdivision Plan for Belle Hill, Inc. contingent upon addressing all outstanding comments. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Wiseman – Aye. The motion passed unanimously.**

**CASE # 1612 – REQUEST OF NATHAN HENDERSON REPRESENTING ALIGN PHYSICAL THERAPY FOR A SPECIAL EXCEPTION TO OPERATE A PHYSICAL THERAPY FACILITY. THIS ACTION CONCERNS PROPERTY LOCATED AT 1197 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 2336 AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Nathan Henderson stated he is in attendance to address this request. He and his business partner, Dr. Joshua Harmon, will be the owners of this Align Physical Therapy clinic. He stated they are proposing to operate in Suites F & G at Alexandra's Village located at 1197 East Pulaski Highway. They currently operate a physical therapy facility in Perryville, MD and are hoping to open one here in Elkton. One of the benefits of this location would be to provide onsite warm water aquatic therapy.

Mr. Henderson stated that, when speaking with physicians who have patients that need this type of aquatic therapy, he was told they have to send their patients either to Pennsylvania or further south in Maryland for access to a facility that provides this type of therapy.

Mr. Henderson stated one way they are different is that they only treat one patient an hour. This is a benefit according to their patients because they receive more personalized treatment. Mr. Wiseman asked how many staff they will employ. Mr. Henderson stated there will be no more than three professional staff and in time three to four administrative staff. Mr. Wiseman asked if that would mean three clients an hour. Mr. Henderson confirmed he was correct.

Mr. Wiseman asked how much construction would need to be done within the building. Mr. Henderson stated they will probably place a few walls and add tracks with curtains for individual patient areas similar to those you might see in hospital patient rooms.

Mr. Wiseman asked about the aquatic therapy and how that would be done. Mr. Henderson provided information showing the units they will be using. He noted that between each patient the unit is drained and refilled. The amount of water used is specific to the therapy needs of each patient.

Ms. Minner asked when they think they will be open. Mr. Henderson said the build out will be completed by the end of the year. Mr. Wiseman asked how long they have been open at the Perryville location. Mr. Henderson stated they opened in 2020.

Mr. Thompson asked about parking. Mr. Henderson stated there should be plenty of parking for the number of patients and staff on site throughout the day. Mr. Wiseman noted there is full ADA accessibility. Mr. Henderson stated he was correct.

Mr. Wiseman asked for any other questions from the Commission members. There were no further questions. Mr. Wiseman opened the floor for audience questions or comments. There was no one in attendance who wished to speak for or against this request.

**MOTION: Motion was made by Mr. Muller to recommend approval to the Board of Zoning Appeals for Align Physical Therapy to operate a physical therapy clinic at 1197 East Pulaski Highway. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Wiseman – Aye. The motion passed unanimously.**

**REQUEST OF TOM MINER OF FREDERICK WARD ASSOCIATES REPRESENTING STONEWALL COMMERCE CENTER 3, LLC, MINOR SUBDIVISION PLAN, TAX MAP 033B, PARCEL 2462 AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Tom Miner of Frederick Ward Associates and Mr. Ryan Humphrey representing the owner were in attendance to represent Commerce Center 3, LLC for a Minor Subdivision Plan. The property contains 28.1 acres and is located at the intersection of Route 40 and Commerce Center Drive. It is a single lot which will be subdivided into three lots. He stated they have submitted the water & sewer capacity form and are waiting for the results.

Mr. Miner stated they have received comments regarding the Minor Subdivision Plan, the forest conservation plan and the forest delineation plan. He explained the forest conservation plan is part of the requirements for submittal of a minor subdivision plan. He noted that they will be requesting variances to the forest conservation plan as they go through the approval process for the site plan. Initially the goal was to show that they can meet the requirements offsite but they are not sure what will need to be removed with respect to specimen trees therefore that is not shown on the plan. He stated they will provide a specimen tree variance application once they have determined which trees might need to be removed depending upon the future use of the property. At that time they will bring in a revised plan. Mr. Miner stated they believe they can comply with all the comments received from the Town of Elkton.

Mr. Wiseman asked Ms. Minner about one of her comments which stated that the Forest Conservation Plan for Southfields is not yet approved. She explained that Stonewall Commerce Center 3, LLC had proposed to clear the forest onsite which requires offsite replacement of 2 to 1. They will be providing the forest replacement on the Southfields parcel which is allowed as long as an easement is recorded on the parcel where the forest is being retained and that no money changes hands. Mr. Humphrey pointed out that the offsite forest replacement for this project will be placed on Parcel H of the Southfields project. Mr. Humphrey stated they presented it so that everyone would be aware of what they were proposing and they don't have any issues with providing a double match of trees offsite.

Ms. Minner stated that since this subdivision plat is going to be amended to show forest retention onsite, which has to be recorded, if they want the subdivision plan to be approved tonight then the change would need to be called out in the motion.

There were no further questions or comments from the Commission members. Mr. Wiseman asked if anyone in the audience had any comments or questions. There was no one in attendance to speak for or against this request.

**MOTION: Motion was made by Mr. Thompson to approve the Minor Subdivision Plan for Stonewall Commerce Center 3, LLC contingent upon addressing all outstanding comments and the requirement that the forest conservation retention easement will be shown on the plat prior to recordation and subject to approval by the Elkton Planning Department. Motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Wiseman – Aye. The motion passed unanimously.**

**CASE # 1614 – REQUEST OF MICHAEL MARINE REPRESENTING WALMART SUPERCENTER FOR A SPECIAL EXCEPTION FOR STORAGE TRAILERS. THIS ACTION CONCERNS PROPERTY LOCATED AT 1000 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 0493 AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Michael Marine of Walmart Supercenter was in attendance to present this request. He stated he was before the Commission a few months ago to request additional storage trailers to be placed on the property. The approval of those additional trailers has helped but due to COVID and the number of ships waiting to be unloaded they are receiving so much inventory that they have nowhere to store it inside the building. He stated they have been told by the corporate office to begin preparing for the holiday inventory early.

Mr. Marine stated what they would like to do is combine the number of trailers they would normally get during the holiday season and add those right now to address the overabundance of inventory coming in currently. He stated he knows things will begin to slow down eventually so they don't anticipate keeping all these storage trailers indefinitely.

At this time they are requesting to keep the storage trailers they already received approval for and place additional storage trailers to bring the total number to 52 trailers (27 – 40' trailers and 25 – 20' trailers). He pointed out on the map that he had submitted where the trailers would be located on the property.

Mr. Wiseman asked if Ms. Minner knew how many trailers had been requested in the previous submission. Ms. Blackson stated that in an earlier submission they had requested 45 storage trailers. Mr. Marine stated this submission will replace that previous request and combine it with the additional trailers they are seeking to place onsite.

Mr. Wiseman asked how they control the inventory in the trailers. Mr. Marine stated it is computerized and monitored as items are removed from the trailers to the store. Mr. Marine noted they will begin their annual inventory on August 3<sup>rd</sup>. He stated Mr. Bromwell had suggested that he request a three year timeframe for this special exception application in order to avoid having to come back in a few months specifically for the holiday trailers.

Mr. Wiseman asked if the Commission members had any other questions. They did not. He asked if anyone in the audience had any questions. There was no one in attendance to speak for or against this request.

**MOTION: Motion was made by Mr. Thompson to recommend approval to the Board of Zoning Appeals to allow a maximum of fifty two (52) storage trailers for a period of three years. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Wiseman – Aye. The motion passed unanimously.**

**OLD BUSINESS:**

Ms. Minner informed the Commission members that the Town has renewed the subscription for the Zoom meetings which we will begin for the August meeting.

She stated that Mr. Blount has resigned from the Commission due to his work and personal schedules.

She stated she has been working on the Sustainable Communities Plan. She said paper copies were provided to the Mayor & Commissioners and the Department Heads. She asked if the Commission members would like a copy. The members asked if she would email them copies to look over. She attended the work group meetings for the past six weeks. It was well attended by numerous members of the Alliance and provided good discussion and suggestions. She stated the Plan will be before the Mayor & Commissioners at the July 20<sup>th</sup> meeting.

Mr. Wiseman mentioned that Mr. Cannistraci gave the presentation of the 2021 Annual Report at the last meeting. Ms. Minner stated the Annual Report will also be on the July Mayor & Commissioners agenda. She said she prefers the long form because there is great deal more detail involved.

Mr. Wiseman asked if there was any update on the demolition of the hotel where the 7-Eleven is being placed at Pulaski and Maloney Road regarding why they cut off part of the hotel and left the remainder standing while they worked on the accel lane and curbing. Mr. Muller said he believed the plans were incorrect and wondered how they could have been approved. Ms. Minner said she would talk with Mr. Bromwell about it.

#### **NEW BUSINESS:**

Ms. Minner said its likely there will be a Southfields plan submitted for the August meeting.

Mr. Wiseman asked if there has been any other submissions regarding the Sheetz. Ms. Minner stated she has not seen anything recently.

Ms. Minner stated they are working on the Patriots Landing Subdivision. She mentioned she has a meeting on Tuesday regarding the scoping of the traffic impact study. Mr. Muller mentioned that the plans they submitted weren't accurate in numerous ways. Ms. Minner stated she believes they are doing their due diligence in order to see if the project is feasible. Mayor Alt mentioned that the width of Muddy Lane is a big issue. It was noted that the ditches on either side of the road make it extremely difficult to widen the road. Discussion ensued about how to address the low railroad tunnel on Muddy Lane and how other towns have addressed it.

Mr. Muller mentioned the signage and improvements which were done by Free State along Belle Hill Road.

There being no additional items to discuss Mr. Wiseman adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Brie Humphreys