

**TOWN OF ELKTON
PLANNING COMMISSION
APRIL 10, 2023
MEETING MINUTES**

Present: G. Edward Ginder, Keith Thompson, Paul Manuel, Ray Polaski, Lisa Blackson, Esquire, Jeanne Minner, Director of Planning, Quinn Krenzel, Planner

Absent: Dave Wiseman, William Muller

Mr. Ginder 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 March 6, 2023 meeting. There being no corrections from the Commission members, Mr. Ginder called for a motion.

MOTION: Motion was made by Mr. Thompson to approve the minutes of the March 6, 2023 Planning Commission meeting as written. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Ginder – Aye; Mr. Polaski – Aye. The motion passed unanimously.

CASE # 1622 – REQUEST OF BRYAN CHASTEEN REPRESENTING ATHLETICO MANAGEMENT LLC DBA PIVOT PHYSICAL THERAPY FOR A SPECIAL EXCEPTION TO OPERATE A PHYSICAL THERAPY FACILITY. THIS ACTION CONCERNS A MEDICAL USE WITH THREE PROFESSIONALS SEEING PATIENTS. THE PROPERTY IS LOCATED AT 133 NORTH BRIDGE STREET, ELKTON, MARYLAND, TAX MAP 027G, PARCEL 0916 AND ZONED TC (TOWN CENTER)

Ms. Michelle Thompson, Regional Director for Athletico Physical Therapy was in attendance to address this request. She stated they are looking to upgrade and expand their facilities to the Harford Bank Building. They are seeking a special exception to operate a physical therapy facility at this location.

Mr. Ginder asked if there would only be three (3) professionals seeing patients at this location. Ms. Thompson confirmed there will be two (2) physical therapists and a physical therapy assistant. Mr. Ginder asked what would be the hours of operation. She stated they will see patients from 7 am to 7 pm on four days a week and then on Fridays from 7 am to 4 pm.

Mr. Ginder opened the floor to board member questions or comments. Mr. Thompson noted there is a good deal of parking at the location. Ms. Thompson confirmed he was correct. He asked what other businesses are located in the building. Ms. Thompson stated she believed there will be a nursing education group going in the third floor. She noted their facility will be on the second floor.

There being no other question from the board members, Mr. Ginder noted they would need to attend the Board of Zoning Appeals meeting on Thursday, April 20, 2023. He stated that board would make the final decision regarding the special exception request.

Mr. Ginder opened the floor to audience comments. There was no one in attendance with any questions. Mr. Ginder called for a motion.

MOTION: Motion was made by Mr. Thompson to recommend approval to the Board of Zoning Appeals for the special exception to operate a physical therapy facility for Athletico Physical Therapy.

The motion was seconded by Mr. Polaski with the remaining Commission members voting as follows: Mr. Manuel – Aye; Mr. Ginder – Aye. The motion passed unanimously.

OLD BUSINESS: Ms. Minner stated she will be sending out RFP's (request for proposals) this week to update the Comprehensive Plan. She stated the Plan needs to be updated every ten (10) years for municipalities and town in Maryland. Mr. Manuel asked if they have a third party assist with the Comprehensive Plan. Ms. Minner confirmed the Town has used an outside service. She stated the updates for the different chapters are normally reviewed at a workshop meeting of the Planning Commission. The outside contractor mainly works with the Planning Department. The Planning Commission will then make a recommendation to the Mayor & Commissioners upon completion of the draft plan.

Mr. Ginder asked about the fence (split rail with wire) behind the townhouses at Rudy Park between that property and Vlamis Liquors. Ms. Minner said she would have to look into it. Mr. Ginder stated he believed the Planning Commission had requested a six foot privacy fence be placed in order to cut down on trash blowing down the hill from the apartments. Ms. Minner asked if the issues with the trash are still a problem. Mr. Thompson stated it is still a problem but not as bad as it had been. He stated there has been a lack of communication between the management of Rudy Park and the owner of the Vlamis Liquors property. He stated Rudy Park management told their residents they could park on the Vlamis Liquors property during the closure of the road, without the Vlamis property owner's permission. Mr. Ginder said it appears they are not following through with the requests made by the Planning Commission.

Mr. Thompson asked if there had been any communication with the owners of the hotel which was partially demolished when 7-Eleven. Ms. Minner stated that Mr. Bromwell is handling communication with the developer and she is not sure of the current status regarding removal of the remainder of the hotel structure. She said she would check with Mr. Bromwell to see if there has been any update. She noted that the County owns Maloney Road.

NEW BUSINESS: Ms. Minner stated the former Williams property (Lot 1) will be developed as Apple Mitsubishi. Lot 3 is the warehouse, and Lot 2 is going to be a car wash. It is a very small lot. The plans will be dropped off for the next meeting. She noted she hasn't seen any movement on the other car washes which had been proposed. Mod Wash pulled out and Shiny Shell is looking for property to develop.

Ms. Minner mentioned the plans are being finalized to break ground to build Southfields Boulevard. She said it is her understanding that the multi-family is preparing to come in for final approval. She stated she believes they have received approval for Phase 2 of the warehouses on Commerce Center Boulevard, Parcel I.

She stated Tom Miner of Frederick Ward and a developer want to come in to talk to her about building apartments on Delancy Road (former Wilber property). This is the area where the Town has just had a few de-annexations of properties. Mr. Thompson asked if any infrastructure had been placed. Ms. Minner stated the developer is required to pay for the infrastructure. She noted that the Town will rarely extend infrastructure. She noted they are looking at Muddy Lane trying to determine if there could be an alternate road layout to accommodate the traffic through Delancy past the railroad tracks.

Mr. Ginder mentioned the Architecturals for the multi-family housing. He noted that the PUD language defines specifics about the different building styles. He stated he was not pleased with what was being presented. Ms. Minner stated she had a meeting with Andy Mest and asked him if they had buildings like this

anywhere else that they have developed. He mentioned many different places where they have these buildings but all of them have breezeways. She stated the concern is that the apartment buildings proposed have 66 units, with a three story walk up and you enter from either end of a long building. There is no other access to exit the apartment except for those two ends. He stated it is safe because residents can only enter with a key fob. She was surprised that he could not tell her they had built this kind of building anywhere else.

Ms. Minner stated they had applied to come before the commission last month but they were proposing more apartments. They were not going to be senior apartments there are ratios of different housing types required for a PUD which calls out how many of each type of housing are allowed. The PUD requires 60% of the residential development be either single family detached, senior housing or condominiums; things which we don't have enough of in Town. Therefore that pushed them over the allowable ratio. Because of this she would not accept the submittal and did not allow it to be presented to the Planning Commission. She noted she has not heard anything back from them specific to this project. There is a total of 330 apartments that were proposed. Ms. Minner also mentioned to Mr. Mest that Chief Rogers also had concerns regarding the layout of the apartments when responding to emergency situations. Mr. Mest said he would like to speak to the police chief about it. She mentioned he gave her some arguments about how far along in the process they are and she had to remind him that when a project comes before the Planning Commission and they approve it contingent upon addressing all outstanding comments that the project is not considered approved until such time that all the comments have been addressed to the satisfaction of the Planning Commission. She pointed out that they can be made to come back with Revised Preliminary until they address the comments. Mr. Ginder noted they have not been receptive to the board's comments or questions.

Ms. Minner mentioned she had shown the plans proposed for this part of the development from both Burkentine and Grey Star to the Mayor. She stated in her opinion the difference is disappointing. She stated there is no way out of ground floor apartments except into the hallway and out the end of the building. Mr. Manuel asked if that complies with the Fire Marshal. Ms. Minner stated that the Fire Marshal reviews plans with Mr. Bromwell. Ms. Minner noted they are proposing pre-fab construction. Discussion ensued regarding styles and architectural elements for the buildings and how they might look in 10-20 years.

Ms. Minner stated she may not be at the May meeting depending upon when she arrives back in Town. If her flight is early she will try to make the meeting. She stated there are currently two submittals for the May meeting: an add-on subdivision for properties on High Street and the car wash.

Mr. Manuel mentioned that the Commission packet had been delivered to the wrong address. Since the packet had the correct address on the label the homeowners where it had been delivered were able to drop it off for him. Ms. Minner introduced Ms. Blackson to the new members as the legal counsel for the Planning Commission.

Mr. Ginder stated the next meeting of the Planning Commission will be on May 8, 2023. There being no additional items to discuss Mr. Ginder adjourned the meeting at 6:28 P.M.

Respectfully submitted,

Brie Humphreys