

**TOWN OF ELKTON
PLANNING COMMISSION
MARCH 12, 2012**

PRESENT: David Wiseman, (Chair); H. Fred Thomas, II; Sue Whitaker; G. Edward Ginder; Clara Campbell, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

ABSENT: Brad Carrillo; Asma Manejwala; Commissioner Mary Jo Jablonski

Mr. Wiseman called the meeting to order at 7:05 p.m. He introduced, Mr. G. Edward Ginder, new member to the Board.

ACTION: Motion was made by Mr. Thomas to approve the minutes as written from the Planning Commission meeting on February 6, 2012. Motion was seconded by Ms. Whitaker and unanimously approved.

REQUEST OF CHARLES AND NANCY REASIN, 102 ST. LOUIS DRIVE, ELKTON, MARYLAND FOR A HOME OCCUPATION. THIS ACTION CONCERNS PROPERTY LOCATED AT 102 ST. LOUIS DRIVE, ELKTON, MARYLAND, TAX MAP 315, PARCEL 2228, ZONED R-2

Ms. Nancy Reasin was in attendance to address this request. She stated that she and her husband own the property and would be conducting a home internet business. They would be processing orders online and there would be no products delivered to their home and there would be no clients/customers coming to their home. She also noted that there would be no sign, no other employees and they would be using the study in their home for this use.

Mr. Wiseman noted that all the conditions noted in the Zoning Ordinance regarding home occupations were addressed by the Reasins.

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

MOTION: Motion was made by Mr. Ginder to approve the request for the home occupation at 102 St. Louis Drive. The motion was seconded by Mr. Thomas and unanimously approved.

FAIRHILL ENGINEERING, LLC REPRESENTING SUMMIT AT WALNUT HILL, PHASE I, EXTENSION OF FINAL MAJOR SUBDIVISION APPROVAL, SECTION 1, SINGERLY ROAD & KATIE LANE, TAX MAP 306, PARCELS 2125, P/O 2435 & P/O 2447, ZONED RO

Mr. John Mascari of Fairhill Engineering, LLC was in attendance to represent the owner, Bouchard & Lamb in regard to this submittal. He stated the property was located at the Walnut Hill Subdivision off of Route 213 at the intersection of Katie Lane and Route 213. The initial approval was given in June of 2011 and they are requesting an extension of that approval. The reasoning was to gain approval from State Highway Administration for improvements along Route 213, Erosion & Sediment approval and to finalize some of the engineering plans through the Town of Elkton.

This project includes 27 townhouse lots and 2 commercial lots. He stated some of the comments from the June 2011 meeting have been addressed on the plans submitted for this meeting. There were several lots (7-8, 15-16) required a 25 foot distance between buildings. This was accomplished by changing the lot widths and is reflected on this revised plan. He addressed general notes that were updated according to previous comments.

Mr. Wiseman asked if he had received the comment letters from Planning and KCI. He stated he had received the comments and explained how they would meet the street tree requirement on townhouses with either one car or two car garages. He pointed out that the decisions regarding one or two car garages are market driven and therefore will be determined by the purchaser. He noted the townhomes where there are two car garages will have the street trees placed on the townhouse property rather than in the Town easement. A note will be placed to that effect on the plans. Any street tree placed on the homeowners property would need to be maintained by the homeowner.

Mr. Mascari stated most of the other comments have either been addressed or will be addressed prior to recordation. He suggested that the Board entertain changing the time to record the final plat from 9 months to at least 12 months. He did not see any issue with addressing any of the remaining comments.

He addressed the issue of lot coverage and stated there would be no problem being under the required 60 percent. Mr. Mascari provided pictures of possible scenarios for the townhouses and landscaping, etc.

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

MOTION: Motion was made by Mr. Thomas for approval of a one year extension of the Summit at Walnut Hill, Final Major Subdivision - Section 1 approval. The motion was seconded by Ms. Whitaker and unanimously approved.

THE PELSA COMPANY REPRESENTING MERIDIAN HOLDINGS, LLC, 115 BRIDGE STREET, ELKTON, MARYLAND, FINAL SITE PLAN, TAX MAP 310, PARCEL 1425, ZONED C-1

Mr. Mike Paraskewich, Jr. of The Pelsa Company was in attendance to represent Meridian Holdings, LLC in regard to this submittal. The property at 115 Bridge Street will be redeveloped for Drs. Carlo & Helene Gopez if the approvals are granted. He stated they purchased Dr. Najera's practice in 2007 and will be converting the bank to their family practice medical office. They are planning an addition to the rear of the building of approximately 1350 square feet. There will be approximately three parking spaces added with limited disturbance to the site. They anticipate a reduction of traffic to the site as opposed to the previous use as a bank.

Mr. Paraskewich mentioned that a variance was granted for Bufferyard B on this site previously and they would be making use of that bufferyard as well. There was discussion regarding parking rationale and the use of the 2nd floor of this building. Mr. Paraskewich noted that 14 parking spaces have been provided. He also mentioned that, at his meeting with Mr. Craig Trostle

regarding this building, he was told the height of the dormer would determine allowable uses for the 2nd floor. He stated that the dormer may be used for private offices and personal use.

Mr. Paraskewich stated he understands that State Highway and Critical Area Commission would need to review the plans. He stated he received the comment letter from KCI and doesn't see any issues in addressing any of the comments he has received.

There was some discussion regarding signage for the property, particularly the directional signage. Mr. Paraskewich stated that the doctors have parking passes for their vehicles on Cathedral Street if they find it necessary to use them.

Ms. Whitaker asked the size of the 2nd floor area. Mr. Paraskewich said he believes it is around 483 square feet but definitely less than 500 square feet.

There was additional discussion regarding parking spaces and Ms. Minner stated that there is flexibility with the parking if it includes only a few spaces. They can request a design waiver.

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

MOTION: Motion was made by Ms. Whitaker to approve the Final Site Plan for 115 Bridge Street contingent upon addressing all outstanding comments and allowing for a design waiver for three (3) parking spaces. The motion was seconded by Mr. Thomas and unanimously approved.

UPDATE OF ZONING ORDINANCE AND SUBDIVISION REGULATIONS, CHRIS ROGERS OF URS, REVISIONS TO ARTICLE XVI SIGNS AND ARTICLE XVII PARKING

Mr. Rogers stated that they are presenting changes to both the Sign and Parking Articles of the Ordinance. The sign ordinance is probably one of the most difficult sections to address. He generally went over the changes made in order for the Board to make any comments or recommendations.

Most of the major changes to the sign ordinance are with reference to the Town Center Zone. Changes or additions to definitions and exempt signs were discussed. Added to the exempt signs are signs of any political, religious or personal content within residential zones. It was noted that the Ordinance does not regulate signs within the State or Town of Elkton right of ways. Ms. Minner added that this issue is addressed in the Town Charter and Code and by State Highway Administration.

Discussion continued with off-site signs and square footage allowances. At this time no changes have been made to the square footage allowance in any of the existing zones. Sign regulations for the new Town Center Zone have been added.

Ms. Whitaker inquired if the condition and maintenance of signs are addressed in the Ordinance. It was determined that it is addressed under General Requirements in this article. Mr. Ginder

questioned whether advertising signs along the road have any provisions (open house, subdivision development, etc.) The directional signs to subdivisions and businesses were mentioned and Ms. Minner stated that they would look at Section 2, #15 which addresses this subject.

Mr. Wiseman entertained questions from the audience.

Mr. Nick Vlamis of Vlamis Liquors stated he understood that most of the issues regarding changes to the Sign Ordinance are in reference to the downtown zone. He wondered how the changes to the Zoning Ordinance are going to affect the signage he currently has at his business. He stated the signage at his location has been used for the past 30-40 years. He keeps his property clean and neat and is concerned for any affect on his business. Mr. Ginder asked Ms. Campbell whether the signs would be grandfathered. Ms. Campbell stated that the Planning Commission would not be in any position to give advice to Mr. Vlamis on what the impact would be to his property unless he asked some specific questions regarding the changes to the Ordinance. Ms. Minner said that the property is in the C-2 zone and that she did not believe there were any significant changes to the signage in that zone. She asked if he was in compliance with the current Sign Ordinance. He stated that as far as he knows he is in compliance but if the changes affect his property then he would not be in favor of the changes. He said that the signage is important to his business. Ms. Minner asked if he had received a variance for the number of signs that are on his property. He stated that the a-frame signs have been used for 30 or 40 years and he has had signs on the windows for approximately that long as well. Discussion ensued about the specific of the draft for the Sign Ordinance and Ms. Minner stated that she would address his questions to Mr. Craig Trostle of the Building Department. Mr. Vlamis encouraged the Board to consider the impact of the sign ordinance on the businesses in Town. He added that his business has been in Town a long time and things are difficult right now and they could use all the help they can get.

Mr. Rogers began discussion regarding the Parking Article. He pointed out changes that had been made to this article since the Board reviewed it previously. Bicycle storage racks and their impact on the reduction of required parking spaces were discussed. The flexibility of off-street parking requirements remains flexible and no changes have been made to the table. The amount of parking required in the Town Center zone was discussed. The specific requirements for that reduction were reviewed.

Discussion ensued regarding vehicle parking at the front of the dwelling unit and the impact on the ability of pedestrians to traverse the sidewalk. It was suggested that a general note be placed which would address this concern.

Mr. Rogers addressed shared parking, satellite parking and the remaining additions and refinements to the parking section. He specifically noted Section 13, which is a new section, adds design standards for the Town Center zone. The subject of bike paths and where they will be required was discussed. It was pointed out that the speed limit might determine where they would be required. Mr. Rogers stated that no changes have been made to Part 2 of the Parking Ordinance.

Mr. Rogers stated the articles on Zoning Districts and Permissible Uses will be reviewed at the next submission.

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OLD BUSINESS – None

NEW BUSINESS – None

NEXT MEETING – APRIL 9, 2012

There were no additional items for discussion and Mr. Wiseman adjourned the meeting at 8:42 p.m.