

**TOWN OF ELKTON
PLANNING COMMISSION
SEPTEMBER 10, 2018
MINUTES**

Present: Dave Wiseman; G. Edward Ginder; Keith Thompson; Rick Keane; James Hutchinson; John Downs, Esquire; Theresa C. Thomas, Assistant Planner

Absent: William Muller

MOTION: A motion was made by Mr. Thompson to approve the minutes of the August 6, 2018 Planning Commission meeting. The motion was seconded by Mr. Ginder and unanimously approved.

CASE # 1533 – REQUEST OF THOMAS J. SALAMONE REPRESENTING QUEST DIAGNOSTICS FOR A SPECIAL EXCEPTION TO ALLOW A MEDICAL USE IN THE C-2 ZONE. THIS ACTION CONCERNS PROPERTY LOCATED AT 1000 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 316, PARCEL 493 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Thomas Salamone representing Quest Diagnostics was in attendance to address this request. He stated a special exception is required for their business to go into a retail setting at the Walmart Supercenter. They plan to operate a Quest Diagnostic which entails blood drawing and specimen collection. There is no testing on site, they are simply a location for a consumer to gain access to health care.

Mr. Wiseman stated his understanding is they will be located at the front of the store where the salon and other businesses are currently located. Mr. Salamone confirmed they would be located at the front of the store. Mr. Wiseman asked for the hours of operation. Mr. Salamone stated they are open 7 a.m. – 4 p.m. each day except on Saturdays when they are open 7 a.m. to 2 p.m...

Mr. Wiseman questioned whether their employees are trained should there be a spill. Mr. Salamone confirmed their staff have been trained through standard operating procedures to know what to do in the event of a spill.

Mr. Wiseman inquired about their location at 300 E. Pulaski Highway. Mr. Salamone stated they have never been at that location.

Mr. Wiseman inquired if Ms. Thomas had any additional questions or comments. She stated she did not. Mr. Keane asked which section they would be occupying. Mr. Salamone was unsure what business had been in the location prior to them.

Mr. Wiseman asked if they would be handling the tenant fit out. Mr. Salamone confirmed they would.

Mr. Wiseman confirmed the Board would be making a recommendation to the Board of Zoning Appeals at the end of the meeting if he cared to wait he could or he can call the Town office in the morning for their decision.

MOTION: Motion was made by Mr. Ginder to recommend approval of the special exception for Quest Diagnostics to the Board of Zoning Appeals. The motion was seconded by Mr. Thompson and unanimously approved.

TABLED FROM AUGUST 6, 2018 MEETING

JOHN MASCARI OF KARINS & ASSOCIATES REPRESENTING SUMMIT AT WALNUT HILL 2, EXTENSION OF PRELIMINARY MAJOR SUBDIVISION PLAT, SINGERLY ROAD & KATIE LANE, TAX MAP 306, PARCELS 2162 & P/O 2435, ZONED RO (RESIDENTIAL OFFICE)

Mr. Wiseman called for a motion to un-table this submission for discussion. Motion was made by Mr. Thompson to open the case for discussion. The motion was seconded by Mr. Hutchinson and unanimously approved.

Mr. Wiseman noted that since this submission was tabled at the August meeting there would be no further public discussion. He addressed the Board and stated there was a good deal of discussion regarding the dog park and he read a letter from the Walnut Hill Homeowner's Association (see attached). A copy of the plan for the dog park was provided to the Board and Mr. Wiseman stated this is a step in the right direction.

He noted that the owner of this project is not the owner of the rest of the Walnut Hill Subdivision and suggested that the Board consider granting a two year extension in order to give Ms. Davitt the opportunity to move forward with her subdivision.

He also stated the Board will remain focused on the Walnut Hill Subdivision to be sure they keep moving forward.

He asked the Board members if there were any questions. Mr. Hutchinson asked whether two years was the minimum amount of time a project could be extended. Mr. Wiseman noted two years has been a common denominator for other projects and seems to give them enough time to work through any issues with the project.

Mr. Wiseman called for a motion for a two year extension.

MOTION: Motion was made by Mr. Ginder to allow a two year extension of the Preliminary Major Subdivision Plat for Summit at Walnut Hill contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson with the remaining members voting as follows: Mr. Keane – Aye; Mr. Hutchinson – Nay and Mr. Wiseman – Aye.

TABLED FROM AUGUST 6, 2018 MEETING

**MARK ZIEGLER OF MCBRIDE & ZIEGLER REPRESENTING SHIPYARD CENTER, LLC,
MINOR SUBDIVISION PLAN FOR DELANCY PLAZA, TAX MAP 316, PARCEL 2336, ZONED
C-2 (HIGHWAY COMMERCIAL)**

Mr. Wiseman called for a motion to un-table this submission for discussion. Motion was made by Mr. Ginder to open the case for discussion. The motion was seconded by Mr. Thompson and unanimously approved.

Mr. Wiseman stated the project was tabled due to lack of notification of adjacent property owners. He stated all property owners were notified of the current meeting and stated he did not feel there was any reason not to approve the subdivision provided all outstanding comments are addressed.

Mr. Wiseman entertained any questions or comments from the Board. Hearing none he called for a motion.

MOTION: Motion was made by Mr. Ginder to approve the Minor Subdivision Plan for Delancy Plaza contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and unanimously approved.

NEW BUSINESS: Mr. Wiseman addressed Ms. Thomas regarding any new business to be heard. She stated she was not aware of any items.

Mr. Ginder questioned whether there had been any discussion regarding ratifying the Charter & Code and Zoning Ordinance regarding persons who wish to appear before the Planning Commission or Board of Zoning Appeals, and are found to have delinquent taxes, be denied a hearing until such time as the monies owed have been paid.

He also suggested that any developer whose project is not in compliance with their public works agreement would be denied building permits until they are in compliance. Mr. Ginder stated he also felt homeowners who have liens on their property which are owed to the Town of Elkton then permits should not be issued until those bills have been paid.

Ms. Thomas stated she was not aware of any follow up regarding this topic. She said she would check with Ms. Minner when she returns from vacation.

Mr. Downs stated this is common policy within the court system. Mr. Hutchinson stated this topic had been called out in the August minutes.

Mr. Keane asked whether there was any status regarding replacement of trees/shrubs at the Royal Farms which had been removed last year. Ms. Thomas stated she believed Mr. Bromwell had

tried to make contact with Royal Farms and they have not gotten in touch with him. He is in discussion with Ms. Blackson, the Town attorney regarding moving forward with this.

Mr. Wiseman noted that Board members had been contacted by an employee of the Cecil Whig and asked if they could be addressed about that since it is placing the Board members in an awkward position. The correct way to handle this would be for them to contact the Planning Department to ask any questions they might have. He cautioned the Board about speaking to the paper regarding projects before them. Ms. Thomas stated she would speak with Mr. George regarding this issue.

OLD BUSINESS: Mr. Wiseman noted that Arby's is supposed to begin renovations at the property at the corner of Whitehall Road and Route 40. He stated the property is looking shabby and said they need to be addressed about cutting the grass.

It was noted that Ruby Tuesday closed their location in Elkton. There was discussion about the different microbreweries and the timeframe for opening of each.

It was noted that Fall Fest would begin this weekend and due to the weather forecast Mr. Downs stated they would make a decision by Wednesday.

The next meeting of the Planning Commission is Monday, October 8, 2018.

There being no further items to discuss Mr. Wiseman adjourned the meeting at 7:22 p.m.

Respectfully submitted,

Brie Humphreys