

**TOWN OF ELKTON
PLANNING COMMISSION
NOVEMBER 12, 2018
MINUTES**

Present: G. Edward Ginder; Keith Thompson; Rick Keane; William Muller; Lisa M. Hamilton Blackson, Esquire; Jeanne D. Minner, Director, Planning; Theresa C. Thomas, Assistant Planner

Absent: Dave Wiseman

MOTION: A motion was made by Mr. Thompson to approve the minutes of the October 8, 2018 Planning Commission meeting. The motion was seconded by Mr. Keane and unanimously approved.

MCBRIDE & ZIEGLER, INC. REPRESENTING FE REALITY, LLC, MINOR SUBDIVISION PLAN, TAX MAP 316, PARCEL 2340 AND ZONED BI (BUSINESS INDUSTRIAL)

Mr. Mark Ziegler of McBride & Ziegler was in attendance to address this request. The property is located at Upper Chesapeake Corporate Center and they are requesting to subdivide the westerly side of the parcel where Micropore is located in order to create a separate parcel. They will be creating a 10.35 acre parcel.

Mr. Ginder called for any questions or comment from the Board or Ms. Minner. There were no additional questions or comment. He entertained questions from the audience. There was no one in attendance either for or against this request.

MOTION: Motion was made by Mr. Thompson to approve the Minor Subdivision Plan for FE Reality, LLC contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and unanimously approved.

MCCRONE, INC. REPRESENTING SCHWAB, LLC III, CONCEPT SITE PLAN, 655 NORTH BRIDGE STREET, TAX MAP 310, PARCEL 1698 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. David Strouss of McCrone, Inc. and Mr. Eric Schwab of Schwab, LLC III were in attendance to address this request. The plan submitted is for redevelopment of the RMR property on Bridge Street. They are proposing a 9,100 square foot Dollar General at the front of the building and a mini storage facility with a three story climate controlled facility and one story traditional storage units.

Mr. Strouss explained that although there are three parcels on this property they will be applying for an add-on subdivision in order to combine all three parcels for the proposed development. He explained their reasoning for the number of parking spaces being provided which does not

include the storage area. He noted that the Dollar General uses approximately 15 spaces at any given time during the day and they do not want to over park the site. They are providing two spaces more than is required by Town requirements for this use. He noted that there is additional area on site should it be required in the future. He pointed out that they were unsure of the uses at the time of concept plan preparation. Mr. Schwab noted they contracted McCrone before the parking feasibility study was completed.

Mr. Strouss stated they will be utilizing the existing right of way easement between this parcel and the Bridge Street Liquor Store. It had previously been access for RMR and would continue to be used this way.

He addressed the fact they would be retaining the brick wall on the property and will be placing a sidewalk at the base of that wall along Bridge Street.

He went on to discuss several design waivers which they are requesting with regard to bufferyards, the loading zone, bicycle racks and the number of parking spaces between landscape islands.

Mr. Ginder voiced his concern regarding the disturbance of soils with regard to construction or stormwater management. He felt there needs to be checks and balances with MDE (Maryland Department of the Environment) and questioned whether they could require someone to certify and be onsite during any excavation or stormwater development. Ms. Minner stated that they are required to notify MDE. Mr. Schwab explained the areas in question are outside of the existing pad, which is one reason why it was left in place. He stated MDE needs to be notified throughout every part of the excavation. They have an outside consultant who did the original work who will be onsite and someone from MDE will be onsite as well. They will have vapor barriers as well. He went over the regulations for Brownfield redevelopment which require specific care for the dirt that is removed. It must be stockpiled on site, covered and tested by MDE before being moved to an appropriate location determined by MDE. He noted that this is the main reason they have kept the 'elevated' site.

Mr. Ginder entertained questions from the Board. Mr. Keane asked if they were going to keep the pad for use for both businesses. Mr. Schwab confirmed that they would. Ms. Minner asked if the procedure sequence which Mr. Schwab had just described would be included on the plan. Mr. Schwab stated if the Town desired more notes on the plan that they would provide those. Ms. Thomas asked if the gate proposed is blocking the right of way for the Ruddy property behind them and if the storage area would be fenced in. Mr. Strouss stated that their easement runs 25' off the property line with the Cecil Whig to the south. He noted that they don't have any access currently although there is an easement. There is a hedgerow and deep ditch so they have never tried to use the access easement. Mr. Schwab stated that if the gate is moved back to the corner outside the easement it would give access to foot traffic and he is concerned that could open them up to individuals hanging out in that area. If the Town feels it is necessary, they would comply with opening that area. Ms. Minner suggested they contact the Ruddy's to get their concerns.

Ms. Minner read two letters from Mr. Lou Ramunno, owner of North Side Plaza. (See attached copies). His main concerns were for parking, environmental concerns, ingress and egress, and stormwater management to keep water from coming onto his property.

Mr. Ginder inquired about comments from KCI and if they had all been addressed. Mr. Strouss stated that they had no issues with any of the comments and they will be addressed. Mr. Muller asked if Mr. Little from Singerly Fire had any concerns with the plan. It was noted that he wanted the width of the entrance increased. Mr. Schwab stated they have enough room there to accommodate this request.

Mr. Ginder entertained questions or comment from the audience.

Leslie & Barbara Still of 612 N. Bridge Street spoke in opposition to the project. Mr. Still stated his main concerns were due to traffic issues along Bridge Street at this location. He noted that there are numerous accidents at Maryland Avenue and North Bridge Street within these few blocks and felt the additional traffic would be a detriment.

Mr. Keane questioned whether Maryland State Highway reviews this type of activity. Ms. Minner noted that State Highway would need to give approvals for the ingress/egress and traffic along this route. Mr. Schwab pointed out that during a previous submittal for development at this location State Highway had approved a 7,000 sf flex facility at this same location. These proposed uses would significantly decrease the traffic flow to the site compared to past proposals.

MOTION: Motion was made by Mr. Muller to approve the Concept Site Plan for Schwab, LLC III, without the proposed design waivers, contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and the remaining members voted as follows: Mr. Ginder – Aye; Mr. Thompson – Abstained as he is the accountant for Schwab, LLC. The vote passed with a majority of board members.

CASE # 1537 – REQUEST OF ROCKY STANLEY FOR A SPECIAL EXCEPTION FOR OVERNIGHT PARKING OF VEHICLES BETWEEN TEN (10) DAYS AND SIX (6) MONTHS. THIS ACTION CONCERNS PROPERTY LOCATED AT BRIDGE STREET AND ELKTON BOULEVARD, ELKTON, MARYLAND, TAX MAP 310, PARCEL 450 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Aaron Butler representing the owner, Ms. Lenore Wood and Mr. Rocky Stanley were in attendance to address this request. Mr. Butler explained that the Town Ordinance requires a special exception for businesses to park vehicles overnight at the business location. He noted that there would be no other vehicles parked at this location other than those used for the purpose of the paving business for Mr. Stanley.

In addition, they are requesting a twenty (20) foot front setback variance for construction of their office and shop. He stated that due to the geometry of the parcel they would not have enough

width to place the building so it would face Bridge Street. Therefore they are rotating the building to accommodate the shape of the parcel.

Mr. Ginder asked what types of vehicles would be parked on site. Mr. Butler stated there would be pickup trucks and paving equipment. Mr. Ginder asked if any tractor trailers would be involved with the business. Mr. Thompson asked for clarification regarding the setback variance. Ms. Blackson stated the variance is addressed by the Board of Zoning Appeals.

Mr. Ginder asked about the lot and whether there was any paving or just grass. Mr. Butler stated there is some gravel and areas of concrete currently but that the grass has overgrown the site since it has not been used or developed. Ms. Minner noted that if vehicles would be parked at the site they would need to be parked on asphalt or concrete according to Town regulations. Ms. Minner noted, depending on impervious, stormwater management may need to be addressed.

Mr. Thompson asked about special types of vehicles that would be associated with the use. Mr. Stanley said there are small pavers, small skid loaders, dump trucks and pickup trucks. Mr. Thompson voiced his concern that vehicles might be leaking oil onto the site. Mr. Stanley stated that the paving equipment would be on a trailer at all times.

Mr. Ginder entertained questions from the audience. There were no questions.

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

OLD BUSINESS: Mr. Ginder asked if there had been any development regarding not allowing permits to be issued if back taxes are owed to the Town. Ms. Thomas noted she had spoken with Mr. George and that the Town already handles these concerns. Mr. Keane asked whether the Royal Farm stores had made any moves to replant the trees which had been cut down on their properties. It was noted that Mr. Bromwell was dealing with the owners regarding these issues. Mr. Keane asked if the deed purchasing the property on Hollingsworth Avenue had been recorded and Ms. Blackson stated it was in the hands of the State and should be recorded soon.

NEW BUSINESS: Ms. Minner noted that the County Economic Development meeting was well attended. Mr. Muller asked about the Anglin property and Ms. Minner stated it was moving forward.

The next meeting of the Planning Commission is Monday, December 10, 2018.

There being no further items to discuss Mr. Ginder adjourned the meeting at 8:00 p.m.

Respectfully submitted,
Brie Humphreys