

**TOWN OF ELKTON
PLANNING COMMISSION
MARCH 9, 2020
MINUTES**

Present: Dave Wiseman; G. Edward Ginder; Keith Thompson; Rick Keane; William Muller; Lisa Blackson, Esquire; Jeanne Minner, Director of Planning

Absent: Art Blount

Mr. Wiseman called the meeting to order. Mr. Wiseman stated the first item on the agenda is approval of minutes from the February 10, 2020 meeting. He called for any corrections which needed to be made to the minutes. There being no corrections he called for the motion.

MOTION: Motion was made by Mr. Ginder to approve the minutes of the February 10, 2020 Planning Commission meeting as written. The motion was seconded by Mr. Thompson and unanimously approved.

MCCRONE, INC. REPRESENTING ELKTON HOUSING AUTHORITY, CONDOMINIUM REGIME PLAT, 150 EAST MAIN STREET, TAX MAP 311, PARCEL 1765 AND ZONED TC (TOWN CENTER)

Mr. David Strouss of McCrone, Inc. and Peter Kirsh of The Kirsh Law Firm were in attendance to address this submittal. Mr. Kirsh noted the building is single use with approximately 50 rental units. There are four floors with the top two floors having roughly 12 units, the second floor has 10 units and the first floor has 7 units.

He stated they are requesting approval of a condominium plat. This is somewhat different than a residential structure where each dwelling unit is considered separately. These condominium units will have four units, with each floor being considered a unit. The basement and outside areas will be common areas. He explained that the purpose for the change to condominium structure is not for the units to be resold. He stated the renovations of the units will be done in phases.

Mr. Kirsh said the Elkton Housing Authority (EHA) will be leasing to his client. In handling the project this way it will allow the developer to get the financing and tax credits necessary to renovate one floor at a time. This will limit the displacement of tenants and allow for a quicker process. The Housing Authority will retain ownership of the entire building and all of the units. The developer/user would then lease the units from the EHA. Mr. Kirsh confirmed that there will be heavy cosmetic changes made to the units.

Mr. Wiseman asked if the building would have to comply with current ADA codes. Mr. Strouss confirmed that it would. Mr. Thompson asked if the building is currently sprinklered to which Mr. Kirsh confirmed that it was. It was noted the square footage of the building will not be changing. These units are considered public housing.

Mr. Wiseman asked if they had received letters from the Town and KCI. Ms. Minner noted there were no comments from KCI regarding this project.

Mr. Kirsh noted they have been in conversations with Ms. Blackson, the Town's attorney and Ms. Minner, Director of Planning for the Town. He addressed comments from Ms. Minner with respect to a

statement of consistency with the Maryland Condominium Act. Mr. Kirsh stated copies of the declaration and bylaws were provided. There was also a question raised about notification to tenants and he referenced the Maryland Condominium Act regulations regarding notification with which they must comply. He stated this is tied to a public offering statement and since these units will not be sold to the general public that would not have to be done at this time. If in the future the units were offered to the public the notification would have to be given at that time. It was noted that the tenants would remain the same.

Mr. Wiseman asked if Ms. Minner had any other comments or concerns. She stated her main concerns are for the rights of the existing tenants should there is a default on the part of an owner. Mr. Kirsh stated a note could be placed on the plat to address this concern. Ms. Blackson added they need to satisfy the Town and put the Town on notice should there be a public offering or sale of the property in compliance with the Maryland Condominium Act.

Mr. Wiseman asked the Commission members if they had any other questions or comment. Mr. Thompson inquired about the status of the Rudy Park and Windsor Village projects. Mr. Kirsh stated Rudy Park development is a few months out and Windsor Park should be wrapped up shortly.

Ms. Blackson noted that, since the bylaws were just received, any approvals would be contingent upon approval of the language by the Town.

Mr. Wiseman asked if anyone in the audience had any questions regarding this submittal. There were no questions from the audience.

MOTION: Motion was made by Mr. Thompson to approve the Condominium Regime Plat for 150 East Main Street contingent upon addressing all outstanding comments. The motion was seconded by Mr. Keane and unanimously approved.

REQUEST OF FREDERICK WARD ASSOCIATES REPRESENTING MCCONNELL DEVELOPMENT, INC., PRELIMINARY SITE PLAN, MCCONNELL WAREHOUSE, KONICA DRIVE, LOTS 2 & 2B, TAX MAP 319, PARCEL 2340 AND ZONED BI (BUSINESS INDUSTRIAL)

Mr. Tom Miner of Frederick Ward Associates and Mr. Matthew McConnell, developer and owner of the McConnell Warehouse, were in attendance to address this submittal. Mr. Miner stated they are before the board in order to receive approval for their Preliminary Plan and to consolidate the two parcels for the warehouse use.

Mr. Wiseman asked if they had received comment letters from the Town and KCI. Mr. Miner confirmed they had received the comments and didn't have any concerns with addressing any of them.

Mr. Wiseman mentioned an easement which had been brought up at the last meeting and questioned what had been decided. Mr. McConnell stated they would not be allowing an easement through their property.

Mr. Wiseman asked if Ms. Minner had any additional questions or comments and she confirmed she did not.

Mr. Wiseman entertained questions from the Board. Mr. Ginder questioned construction equipment on the property. Mr. Miner stated they were doing test pits to determine soil content.

Mr. Wiseman opened the floor to questions or comments from the audience. Someone asked where this is located. Mr. Wiseman stated it is on Konica Drive in Upper Chesapeake Corporate Center.

MOTION: Motion was made by Mr. Ginder to approve the Preliminary Site Plan for McConnell Warehouse contingent upon addressing all outstanding comments. The motion was seconded by Mr. Thompson and unanimously approved.

MORRIS & RITCHIE ASSOCIATES REPRESENTING SOUTHFIELDS OF ELKTON CAPITAL DEVELOPMENT (C/O STONEWALL CAPITAL), CONCEPT SITE PLANS, FOR THE FOLLOWING TRACTS OF LAND:

TAX MAP 316, PARCEL 169, CONSISTING OF 54.953 ACRES, ZONED R-3 (URBAN RESIDENTIAL), LOCATED ON THE WEST SIDE OF MALONEY ROAD, OWNER: SOUTHSIDE LLC;
TAX MAP 319, PARCEL 2450, CONSISTING OF 101.6347 ACRES, ZONED R-3 (URBAN RESIDENTIAL), LOCATED ON THE NORTHWEST CORNER OF FRENCHTOWN ROAD AND MD 213, OWNER: GRAY'S HILL DEVELOPMENT COMPANY;
TAX MAP 320, PARCEL 2390, CONSISTING OF 46.5725 ACRES, ZONED C-2 (HIGHWAY COMMERCIAL AND R-3 (URBAN RESIDENTIAL), LOCATED ON MD 213 AND WHITEHALL ROAD, OWNER: SOUTHSIDE LLC;
TAX MAP 320, PARCEL 2369, CONSISTING OF 59.67 ACRES, ZONED R-3 (URBAN RESIDENTIAL), LOCATED ON THE EAST SIDE OF WHITEHALL ROAD, OWNER: SOUTHSIDE LLC;
TAX MAP 320, PARCEL 2371, CONSISTING OF 244.0779 ACRES; ZONED R-E (URBAN RESIDENTIAL), LOCATED ON THE NORTH SIDE OF FRENCHTOWN ROAD, OWNER: SOUTHSIDE LLC;
A PORTION OF TAX MAP 323, PARCEL 79, LOCATED ON THE NORTH SIDE OF FRENCHTOWN ROAD, ZONED R-3 (URBAN RESIDENTIAL) AND R-2 (SUBURBAN RESIDENTIAL), OWNER: SOUTHSIDE LLC;
TAX MAP 324, PARCEL 2394, CONSISTING OF 39.01 ACRES, ZONED R-3 (URBAN RESIDENTIAL), LOCATED AT THE NORTHEAST INTERSECTION OF MD 213 AND FRENCHTOWN ROAD, OWNER: SOUTHSIDE LLC.

Mr. Sean Davis of Morris & Ritchie Associates, Mr. Ray Jackson of Stonewall Development, Mike Lenhart from Lenhart Traffic Consulting, Inc., Amy DiPietro of Morris & Ritchie Associates, and Andy Stansfield of Geo Technology Associates were in attendance to address this submittal. Mr. Davis addressed why they were presenting the entire PUD in one Concept Plan submittal. He explained that in order to meet some of the specific aspects of the PUD Ordinance you need to see the entire project. He gave the example of the proposed homes in Parcel H are necessary to meet the requirement of 60% of the homes being single family detached homes and senior apartments. If those were not shown they would not be able to meet that requirement. Open space, recreation space, the traffic study as well as a number of other requirements are contingent upon the entire project. He noted that from this point on they will be

submitting specific parts of the PUD. He mentioned they will be meeting with MDE and the Army Corps of Engineers. If any substantial change is required throughout the approval process they would have to come back before the Planning Commission for subsequent approvals.

Mr. Davis moved into his Power Point presentation which included depictions of the existing conditions and concept plans for Parcels C, D, E, F, G, H and I. He also provided a depiction of the overall open space. The existing conditions show the wetlands and their buffers, the perennial and intermittent streams and their buffers along with identification of specimen trees. He stated there are limited steep slopes of 50% grade and the majority of those are already contained within the intermittent and perennial stream buffers. He added there are some in other areas but they don't qualify in the 10,000 square foot contiguous area.

Mr. David said the overall site plan has not changed dramatically since the PUD Floating Zone was reviewed and approved by the Planning Commission and Mayor & Commissioners.

He reviewed the environmental conditions and the proposed site plan for Parcels C, D, E & F. Parcel C consists of 145 Single Family Detached dwellings which are 50' wide by 120' deep and is anchored by the Community Center which will serve the entire community. Parcel D contains 272 multi-family rental apartments, 62 rental townhomes and 200 senior (55 and older) apartments. Parcel E consists of the retail uses along Route 213 which includes four (4) 7,500 sf restaurants, a gas and convenience store and a 125 room hotel. Parcel F is the Sports Complex and recreation center – this area encompasses the Sports Complex. There will be nine multi use fields of which one is a dedicated soccer field and another is a dedicated baseball field. The center complex of the Sports Complex will include a concession, rest rooms, a tot lot and other play facilities for kids (not only children in the neighborhood but those visiting the area for game events). The Sports Complex consists of a 100,000 sf indoor facility for a variety of indoor sports for use during the winter months. Parcels G consists of a 10,000 sf daycare facility and 10,000 sf of outdoor play area. Parcel H consists of 157 single family detached homes which are 50' wide x 120' long. Parcel I (which will only be accessed from Route 40) includes 3,029,760 sf of Logistics warehouse and distribution with necessary parking and trails.

Mr. Davis reviewed the overall open space areas. He said they are required to have approximately 144 acres of open space in the total land area. He stated the open space areas they are providing total 272 acres. He said this is almost twice the amount of open space area required. He stated the recreation space, predominantly the Sports Complex and the neighborhood parks, total 56.9 acres. The neighborhood parks are sprinkled throughout the residential development. The main facility, the Sports Complex and grounds, is 15.5 acres and will service all the residential homes in the PUD.

Mr. Davis went over the parking requirements for each section. They are providing the required amount of parking for all the residential areas except for the senior apartments. They are requesting a waiver of the parking rational from the required 1.5 spaces per each senior unit called out in the Town Zoning Ordinance to 1.25 spaces per unit. **They are also requesting to allow for the minimum size changes for parking spaces...**

As Mr. Davis went over the parking spaces provided for the retail properties he explained that the reason they are providing so many additional parking spaces is because they don't know what type retail spaces these may be since they are in the early phases of the project. He also mentioned that they increased the number of parking space for the hotel due to the relationship it will have with the Sports Complex.

He stated they will also be requesting parking waivers for the Recreation center in Parcel F but they aren't sure they will need to follow through and will address this with the Town Planning Department with regard to the requirements of the Town Ordinance for recreational uses. They are providing the number of parking spaces required for the industrial use but will not do a build out of the parking until such time as they confirm the specific use and the amount of parking that will be necessary.

Mr. Davis reviewed the amendments they are requesting, specific to different aspects of the project, which include road frontage in cul-de-sacs, rear setbacks for single family units, building heights for single family and multi-family units, lot coverage for multi-family units, and driveway widths for townhouse units.

When Mr. Davis addressed the rear setback amendment Ms. Minner interjected that the Town Ordinance had been amended with respect to decks with no roof, etc. Ms. Blackson added that the deck can be half way into the rear setback without a variance being required. Mr. Davis said this amendment would also give the builder flexibility if sunrooms are requested on different units.

With regard to the height amendments, there were questions from the Commission about whether a variance would be required. Ms. Blackson stated that they are requesting a modification of the Town regulations and if they would request anything further they would need to request a variance. Mr. Davis stated without the modification they would have to have flat roofs on the buildings and they believe a greater roof pitch is more aesthetically pleasing.

Mr. Davis stated the requested lot coverage modification from 65% to 75% will still allow them to include the buildings, parking, sidewalks, plazas, etc., everything that is required by the Town requirements.

Mr. Davis addressed the townhome driveway modifications. They are requesting to place a 17' x 20' driveway pad with two side by side vehicle areas with a small grass strip and some level of landscaping between each unit.

Mr. Davis went over the proposed signage for the different sections of the PUD. He addressed the proposed road standard modification, for the local residential minor roadway, regarding the right of way widths. This is specific to Parcels C and H. They are requesting a 50' right of way rather than the required 60' right of way. He stated the purpose for doing this is to limit parking on the roads, slow down traffic and limit impervious surface. He said the proposed modifications are a standard detail in every jurisdiction in which they have worked.

The second road modification is from a cul-de-sac back to the recreation center and this is the only road where this modification will apply. The final modification is for the boulevard collector road right of way. He said that in each of these modification requests they believe the requested modifications are minor and therefore fall within the allowances of the PUD regulations.

Mr. Wiseman asked if they have received comments from the Town and KCI and noted that a lot of those comments remain. Mr. Davis said they were received. Mr. Wiseman said they understand this is a Concept Plan and that some of the comments will have to be addressed at either Preliminary or Final submittal. Mr. Wiseman said he has a few concerns. He mentioned Ms. Minner's comments regarding the Sports Complex not meeting the requirements for open space with regard to neighborhood parks. Mr. Davis stated that the use of the property will remain a park unless at some point in the future they come back before the Town to request it to be used in some other way. Mr. Davis proposed that should Parcel I be removed from the overall PUD that would remove 278 acres and the recreational open space requirement would drop to 20.5 acres. They would still have enough open space for what would remain. Discussion ensued regarding the specific requirements of the PUD with regard to open space. Ms. Minner added that her comment was specific to the fact that the Sports Complex would be privately owned. She used the example of the Patriots Glen Subdivision and the golf course. When they initially came in they wanted to count the golf course as part of the open space. The concern was that if the golf course goes bankrupt then the existing homeowners wouldn't have the minimum open space or parkland required for the subdivision. Mr. Davis said it would be possible to deed restrict Parcel F so that it remains open space in order to address that concern. Mr. Jackson stated he would be open to deed restricting Parcel F in that manner.

Mr. Keane mentioned that when the Sports Complex is being used during most of the year that in his mind the residents of the PUD wouldn't have availability to the recreation area. Mr. Davis pointed out that there will be neighborhood parks, which are not available to the public, within the residential areas of the PUD.

Mr. Wiseman asked about Parcel G, where the daycare center is proposed, he questioned how they can engineer an exit in and out of there when there are wetlands and a creek that runs through that parcel. Mr. Davis said they may not develop it. It would depend upon the user and what would be proposed at the time of the development of that parcel. He said that if physically it can't happen then it won't happen. Mr. Wiseman said another concern is exiting onto Whitehall Road with the bus and vehicle traffic and numerous other discharges already onto Whitehall Road. Mr. Davis said there is still a lot of work and approvals which need to be done.

Mr. Wiseman also voiced his concerns about the comments from Singerly Fire Company that reducing road widths could cause issues for fire trucks, trash trucks and emergency vehicles. Mr. Davis said they would have to comply with any truck turning requirements with reference to street widths. Mr. Keane stated he was concerned when one of the Singerly comments mentioned they do not have current resources to address emergency response for a subdivision of this scale. Mr. Davis said that, as with any development, as the construction begins then the fire,

police and other necessary public facilities will grow with it. This will be developed over a multi-year process and this will have to be addressed at Preliminary for each phase of the development process. There was discussion about the possible placement of a substation. Mr. Davis said they have not been approached about adding any other amenities such as a substation or library, etc. but would be open to that possibility.

Mr. Muller noted that new building construction is required to be up to code with regard to modern standards which will address a lot of the concerns. He also mentioned that the County will have to subsidize any development with respect to fire, police, ems, etc. He noted there are approximately 30 individuals who are paid members of the local fire departments. He also mentioned that EMS are the busiest facet of emergency services.

Mr. Keane complimented the work done by Ms. Minner and KCI and the number of comments they provided for this development. He said it appears to him that MRA is relying on the Town and KCI to determine what still needs to be done or changed when he feels this is MRA's responsibility to provide what is called out in the regulations for the different aspects of this project. Mr. Davis said he believes this is the largest project the Town has seen. He said a lot of the comments which were provided have more to do with what should be addressed at Preliminary rather than Concept; things such as field topography, specimen trees and stormwater management. This will be addressed more in detail at Preliminary.

There was discussion about wetlands and Ms. Minner stated that she had received the wetlands report today. Ms. Minner stated there are a number of wetlands being impacted and this is the time to make changes to avoid wetlands while the planning is still in the initial stages. Ms. Davis explained that the wetlands most impacted are in open areas rather than in forested areas. He noted that the EPA has made a ruling within the last few days which will have a bearing on the impact of wetlands. He stated that 95% of the wetlands being impacted are not large contiguous forested wetlands such as those in Parcels C, D, E & F. Ms. Minner noted they would have to do a joint permit from MDE for impacts to wetlands and provide mitigation if necessary. Mr. Davis said they would have to replace wetlands if they are removed. It was stated that if they are emergent wetlands they would have to be replaced one for one. If they are forested wetlands they would have to be replaced two for one. They would have to be replaced somewhere within the same watershed area.

Mr. Ginder voiced his concerns as a Commission member when he received all the comments and said he would not be able to give carte blanche approval. Mr. Davis stated he would not expect the Board to give carte blanche. There would be conditional approval placed upon any concerns the Board would have. Mr. Ginder and Mr. Keane mentioned an environmental impact study which was recommended by the Commission to the Board of Zoning Appeals with regard to the warehouse use. Mr. Keane said they had requested that recommendation be removed and the BZA did not make it a part of their approval. Mr. Davis stated that during the BZA meeting he presented evidence to the Board from the EPA which demonstrate the reduction of harmful emissions from diesel fuel over the past fifteen years. Mr. Keane stated that information is from a single source and the proposed warehouse will be a multi-point facility. He stated he does not

feel this information addresses the issue or meets the EPA requirements for a building of this size and scope. Mr. Davis said that if the Sulphur content is reduced for one truck then it would be reduced for 400 trucks. He said that these facilities are prevalent throughout the country, adjacent to residential communities and the information they provided was direct to that point. Mr. Keane stated that the EPA has a human health risk assessment process that he believes should be used to address the environmental concerns for residential properties within the surrounding area of the warehouse. Mr. Keane said that he wants to be able to tell the residents who are close to this project that it meets the EPA standards for diesel fuel emissions. Mr. Davis said although he was not familiar with the information Mr. Keane had provided that he would look into it.

Mr. Thompson asked Mr. Davis about the causeway he mentioned between Parcels G & H. Mr. Davis stated they are proposing to place a road between the two parcels in order to cross from one to the other. They may have to place a bridge, culvert or some other structure depending upon the water content in that area.

Mr. Wiseman asked for some information regarding the traffic impact study specific to Whitehall Road. Ms. Minner interjected that the traffic impact study is still under review and there are some comments by the Town's Engineer. Mr. Lenhart gave an overview of the traffic study. He stated they did the traffic studies at different times and on different days at 23 separate intersections. He stated this is the first round of reviews and comments were received. They are in the process of addressing those comments. Most of them are minor in nature but there are some intersections which will need improvement. Some of the uses have changed since the traffic study was done. Once they get to Preliminary they will have more specific information for a more focused study. Mr. Wiseman asked the months the study was done. Mr. Lenhart said they were done in September and the summer counts were done the end of August on different days. He said the intersection of Route 40 at Route 279, Route 40 at Route 213 and Route 40 at Whitehall Road may need improvements at full build out. As you go down Route 213 at Whitehall Road would need improvements and Route 213 down to Frenchtown Road along the front of the property would need improvements and widening. He stated they did a signal warrant study at Route 40 and the industrial site access, which SHA agreed, that a signal will need to be installed at the first building to accommodate safety of trucks in and out of the site.

He stated that at some point along Route 213 there will need to be a signal out of the residential use on the west side. He said a light would not be placed until SHA feels the traffic flow shows it is warranted.

Mr. Wiseman asked if there were any counts done on Frenchtown or Maloney Roads. Mr. Lenhart stated that they did include counts for those roads. There was discussion regarding where the traffic lights would be placed, whether there will be accel/decel lanes to the subdivisions and Mr. Lenhart stated they would have more specific details as the process moves along. Mr. Davis said they would be updating the traffic for each phase of the PUD depending upon the finalized plans.

Mr. Keane noted that during the Concept phase any variances they would need should be disclosed. Mr. Davis said at this point the waivers mentioned in the presentation are the only ones needed at this time, although if they find they need one in the future they would have to come back to the Town to get those approved.

Mr. Thompson asked if the Board of Zoning Appeals would have to make decisions on the variances presented at this meeting. Ms. Blackson stated not at this point but if they would need a special exception for one of the uses or a change needs to be made after the homes are purchased then those variances would come before the BZA.

Mr. Keane asked for clarification on the inconsistency between the total job impacts relating to the PUD from the previous submission. Mr. Davis said he would check with the person who provided those details and provide the information by e-mail to Ms. Minner.

Mr. Wiseman asked if the Commission members or Ms. Minner had any additional questions. Ms. Minner stated during a staff meeting a discussion came up about changes to the road standards and the Director of Public Works and the Town Administrator were not interested in making any changes to the road standards. Mr. Davis stated they can come in and meet with the Director of Public Works and the Town Administrator and if they do not wish to approve these changes they can use the Town standards and not have to change their site plan. He stated they can make the road waivers conditional on that meeting and the decision made by Town staff.

Ms. Blackson pointed out on the Concept Plan legend they need to change the town designation from Perryville to Elkton; the code requires that all the land needs to be under the same contract purchaser so that needs to be noted on the plan and there was a note (#5) which states 56 acres are in the Chesapeake Bay Critical Area and should that be part of the plan since those Parcels were removed from the project at this time. Ms. Minner stated those parcels should not be identified if they are not part of the plan. Mr. Davis agreed that would be done.

Ms. Minner asked if Well #4 would be placed in production in order to service this PUD. Mr. Davis said his understanding is that the current owner and applicant are working with the Town to make that determination. Ms. Minner asked if the Town would then be the owner of the well. Mr. Davis said that is their intent.

There being no further questions from the Commission Mr. Wiseman moved into comments from the public. He asked that those speaking limit their discussion to points discussed this evening, direct their questions to the Board or Town Staff and asked that they keep their comments to approximately three minutes.

John Guns voiced his concerns about the size of the residential lots with respect to parking for entertaining. He felt there would be fire concerns because of the lack of distance between houses and he is concerned about the diesel fuel emissions so close to the residential properties. He stated that simply getting the Sulphur content down in the fuel will not eliminate all the negative

impacts. Mr. Wiseman said the Commission will continue to push for environmental and health safety for the surrounding properties.

John Connolly shared he had attended a jobs meeting at the end of January on the industrial area with representatives from Southfields, Cecil County Economic Development and Councilman Coutz. They discussed a number of different comments and Ray Jackson was open to other business concepts and he believes that is a plus. But he felt his comments regarding the negative impacts of warehousing on residential properties still stand and the concept plan still shows 3,000,000 square feet of warehousing in a residential area. He referenced Ms. Minner's comments about parking lot needs, increasing bufferyards in residential areas and information on air and water quality impact studies. This is a personal issue since this project backs up to his home and he feels that during some of the meetings he feels his concerns have been dismissed and he doesn't appreciate it. He voiced his concern about the number of wetlands that are being impacted by the project, specifically the warehouse segment. He went on to say that there are wetlands in almost every area of the project. He listed the specific areas within the project where wetlands are being impacted which in his count were approximately 27 different locations. He wondered if the water tower could be placed in a less conspicuous location. He asked if the project could be redeveloped so as not to impact such large areas of wetlands. He asked when MDE or other organizations become involved in the impact of wetlands. He asked where the mitigation area will be located if wetlands are impacted. He requested the Commission to deny the Concept Plan until the wetland areas are addressed. He felt the data collection periods shown in the traffic study are not representative of the summer when the area is impacted with all the people in the area for recreation purposes. He felt the study needs to be expanded in order to collect more representative data. He questioned placement of traffic lights. Mr. Wiseman said the Commission has not received the traffic impact study as yet.

John Kampes explained how much a part of his life sports has been. He believes the Sports Complex will put Cecil County on the map. Cecil County is so far behind and unable to compete with other areas. He said this sports complex can be a huge impact on thousands of families in this area. He said he has listened to people who have spoken out against the project who have raised their families on working in the trucking industry who are complaining about the diesel fumes and thinks it's ironic that now they think it's a bad thing. He believes this Sports Complex is very important for the children of the County to help keep them off drugs and keep them active and educated.

Jennifer Jonach acknowledged the work of Ms. Minner, Singerly Fire Company, KCI and the diligence of the Planning Commission members. Her primary concerns are the health impacts of the project. She mentioned that the people who are helped write the PUD language are now asking for exceptions to that language. She believes that the request for exceptions will only increase as they move through the process. She asked the Commission not to approve the Concept Plan which has so many exceptions and outstanding questions remaining. She is also concerned about the wetlands and overall environmental impacts to the Chesapeake Bay and Watershed Area. She mentioned the impact this will have on surrounding areas as well. She remains concerned about the health and human impacts and she believes the commission

deserves an answer to these questions. She asked the Commission not to approve the Concept Plan with or without contingencies because there are too many unanswered questions. She again referenced the WHO article from 5/7/2018 regard the impacts of diesel exhaust and particulate matter and its impact on health. OSHA, EPA and the CDC are in agreement with the article specific to these concerns.

Christine Wells stated she has the same concerns she has voiced in the past as she sees a number of holes in the plan being presented. She noted her concerns with the Singlerly Fire Company letter since she works in the healthcare system and they need to call them or East Coast to see who has the shortest response time for patients. She stated her home is close by and she is concerned about the health impacts since she has asthma. She asked that the Commission take the health impacts of the warehousing to the area. She feels this project just shines the outside of the apple and doesn't take into consideration the affects.

Julie Widows voiced her support of the Sports Complex. She said her husband has owned a business in Elkton since 1984 and it will bring tax payers into the community which will help support the community businesses. She spoke about how hotels add to the tax base. She doesn't care one way or the other the industrial park of the project but agrees with the checks and balances voiced by others but she believes the Sports Complex will be an asset to our community.

Becky & Max Kramer moved to Elkton a few years ago and started a business. She pointed out that if Elkton doesn't grow and find different economic developments we will see even more small businesses close like what we see happening on Route 40. She and her husband support this development project. Sports teams are a great support for small business and we need more people coming into the area for this type of activity. She gave examples of how sports impacts their small business at certain times of the year and how much it would improve if things were happening in the area all year round.

Michael Brown, the owner of Sideline Properties, voiced his support for the Sports Complex. He said he has been working with Ray Jackson for about a year and how impressed he is with this project and others he is familiar with and is glad to see it move into the Elkton area. He and his wife both own businesses at 113 & 117 East Main Street. He feels it is critical that people understand how important the Sports Complex is to this project. The sports part will not get accomplished without the industrial and residential pieces. He stated in 2018 the tourism dollars in Cecil County was \$118,000,000.00 and the economic impact of Southfields alone will be \$126,000,000.00. The Sports Complex economic impact will be \$40,000,000.00 in Elkton alone. He pointed out that with the tax dollars the emergency services aspect will be able to grow also. He understands how that works because he has worked for the County for 20 years and also worked with emergency services. The sports groups in the area have been working hard to put together a fantastic program that works with the community to do this project.

John Dixon addressed the goals and objectives of the Comprehensive Plan and believes this plan represents that total package. Although this is just a Concept Plan they are doing their due

diligence and are willing to put in the effort to make it succeed. He believes they have addressed all of the concerns of the public and thinks the Commission should approve the plan.

Ms. Rose Brown had provided pictures to the Board and staff of the wetlands in the area where the project is being proposed. She said that in 100 years there was nothing there because it is wetlands. She questioned what they are going to do with all the cars for hundreds of homes. Mr. Wiseman said there is a great deal of engineering, specific codes and criteria which go into a project of this size and all of this must be calculated to fit within those parameters. She gave credit to the Commission members and Ms. Minner on their work with regard to the project.

Shirley Anderson voiced her concerns about the warehouse project and mentioned how many there are already in Cecil County. She is concerned about mothers walking with their children along Whitehall Road and that needs to be addressed. Mr. Wiseman stated they will have to connect sidewalks for the project with any existing sidewalks. Ms. Minner stated the area on Whitehall Road which relates to this project will have to have sidewalks placed. She questioned where the entrance to the senior housing will be located. She asked about what kind of equipment would be placed in the neighborhood parks. Ms. Minner stated open space can remain nature but the neighborhood parks have to have some sort of improvements which is the responsibility of the developer to purchase and place. She also voiced her concern about the amount of traffic already in the area and the fact that this project will just increase the amount.

Amos Wilson voiced his concerns about the size of the warehouse building which are less than $\frac{1}{4}$ of a mile from his home. He doesn't feel they are a good thing for the community with traffic and the diesel fumes 24/7. He is concerned about the additional traffic with the deaths on Williams, Maloney and Frenchtown Roads already. He is concerned about what will happen years down the road when people start moving out of the area. He is also concerned about where the water is going to come from for these homes. He is concerned people will lose their wells. He feels there are better areas to place this warehousing where it is more accessible to I-95. He is also concerned about the noise of the trucks all day and night.

Helen Boyer voiced her concerns that there will be more traffic on Maloney Road because people will try to avoid Route 40 and 213. She doesn't feel this is the best location for warehousing.

Mr. Cline stated how upset people were when the Perryville Outlets were proposed and they had concerns about how the road designs were being done and he feels the Town, County and State failed those people and now the same thing is happening in Elkton on Route 40 and 213. He is concerned about how all this traffic will be handled with respect to road improvements. He also voiced his concerns about the impact to wetlands with the size of the industrial buildings. He asked that the Board take all of this into consideration as they make their decision.

John Bilsak asked the Board not to accept any of the setback variances being requested because he believes it will detract from the aesthetics of the buildings. He voiced his concerns about the well and septic in the area and asked how Elkton would support people being connected to Town

water and sewer if their private wells or septic systems fail and the annexation concerns tied to being connected to Town water and sewer. Mr. Wiseman suggested he come to a Mayor & Commissioners meeting and voice that concern since they would be the Board who would make that determination. Mr. Wiseman said he would mention this concern to the Mayor.

MOTION: Motion was made by Mr. Ginder to approve the Concept Plan for the Southfields PUD contingent upon the following: All outstanding comments from the Town, KCI, Environmental Protection Agency, State Highway Administration, and Singerly Fire Company to be addressed prior to Preliminary Plan Submission; all standards for road improvements for variances shall be approved by the Department of Public Works and Mayor & Commissioners; all other modifications are approved as shown in the presentation submission; wetlands to be addressed by the State and submitted to Town Planning Department and the Town Engineers (KCI) ; human health and environmental risk assessment shall be completed and provided with Preliminary Plan submittal; deed restrictions, as discussed, shall be in place for the Sports Complex and a shared parking agreement is required with the commercial properties; the plat needs to be updated to read Elkton instead of Perryville; Critical Area parcels need to be removed from the plat and the contract purchaser information needs to be added to the plat. The motion was seconded by Mr. Keane and unanimously approved by the remaining Commission members.

Mr. Wiseman closed the public session of the meeting and called for a five minute break. When the Commission reconvened Mr. Wiseman said they would be going into closed session in order to speak to their legal counsel. The closed session began at 8:34 p.m. and after meeting together the Commission came back into regular session at 8:54 p.m.

Prior to motions being made for the projects submitted, Mr. Wiseman announced that Commission member Will Muller was called away for a family emergency and would not take part in the vote on any of the projects. He stated they still have a quorum with the four remaining members.

OLD BUSINESS: None

NEW BUSINESS: None

Mr. Wiseman entertained any additional questions or comments. Hearing none he adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Brie Humphreys