

**TOWN OF ELKTON
PLANNING COMMISSION
MARCH 9, 2015**

PRESENT: David Wiseman; G. Edward Ginder; David Fordyce; Rick Keane; Keith Thompson; Steve Leonard; Cameron Brown, Esquire; Jeanne D. Minner, Director of Planning; Theresa C. Thomas, Assistant Planner

ABSENT: Commissioner Mary Jo Jablonski

Mr. Wiseman called the meeting to order at 7:05 p.m.

ACTION: A motion was made by Mr. Fordyce to approve the minutes from the January 12, 2015 Planning Commission meeting. The motion was seconded by Mr. Thompson and unanimously approved.

ANNEXATION – MCCRONE, INC. REPRESENTING PIVOTAL UTILITIES HOLDINGS, INC., d/b/a ELKTON GAS, 142 BELLE HILL ROAD, TAX MAP 303, PARCEL 1020, CURRENTLY ZONED RM (HIGH DENSITY RESIDENTIAL) UNDER CECIL COUNTY ZONING WITH A PROPOSED ZONING CLASSIFICATION OF C-3 (INTERCHANGE COMMERCIAL) UNDER TOWN OF ELKTON ZONING

Mr. David Strouss of McCrone, Inc. and Ms. Candy Davis of Elkton Gas were in attendance to address this request. Mr. Strouss stated they are requesting a recommendation for annexation of property on Belle Hill Road. The property in question is located adjacent to the Elkton Lodge owned by Radhika Corporation and consists of 3.463 acres. Since 1975 there has been a warehouse building and outdoor storage area for Elkton Gas. During the recent Cecil County Comprehensive Rezoning the property was mistakenly rezoned as RM (High Density Residential). Mr. Strouss spoke with Mr. Cliff Houston, the Zoning Administrator for Cecil County, and he agreed that the property should have remained Industrial Commercial as it was previously zoned. Therefore they are requesting a C-3 (Interchange Commercial) which is the same as other parcels in this area.

Mr. Strouss confirmed that they have surveyed the site and delineated wetlands and stream buffers. He noted that two-thirds of the site is environmental and will be preserved in forest retention. The existing warehouse building is surrounded by paving. They are proposing a 2,625 square foot office building to centralize their employees at one location. They are proposing a covered storage area in addition to the proposed office building. Well and septic currently service this property but they plan to tie into Town sewer and since they are within Artesian's franchise area they will tie into the Artesian water line.

Mr. Strouss explained that there are poor soils for septic on the property and Cecil County Health Department denied upgrades to the site unless they tied into water and sewer. Mr. Wiseman inquired if Ms. Minner had any additional comment. Ms. Minner stated that the zoning in the Town appears to be more consistent with the use than County zoning. There would be no impact on the school system. The Elkton Police Department would service the property if annexed and they would provide their own trash removal for the property.

Ms. Minner stated that once the property is placed under the Town's jurisdiction they would go through the normal approval process for building the proposed structures.

Mr. Wiseman entertained additional comments from the Board. There were none. Mr. Wiseman asked for any comment from the audience. There were none.

MOTION: Motion was made by Mr. Fordyce to recommend approval to the Mayor and Commissioners of the annexation for Pivotal Utilities Holdings, Inc., d/b/a Elkton Gas, 142 Belle Hill Road. The motion was seconded by Mr. Thompson and unanimously approved.

REQUEST OF RAUCH, INC. REPRESENTING WAWA, FINAL RESUBDIVISION PLAN, 302 W. PULASKI HIGHWAY, TAX MAP 314, PARCEL 193 (OWNER – BECKER HOME CORPORATION, 302 W. PULASKI HIGHWAY), TAX MAP 314, PARCEL 197 (OWNER – RICHARD A. SEXTON, 307 LANDING LANE) & TAX MAP 314, PARCEL 198 (OWNER – KENNETH W. & JOAN MARIE WRIGHT, 309 LANDING LAND), ZONED C-2

Mr. Casey Rauch of Rauch, Inc. and Mr. David Schlachman, contract purchaser of the property, were in attendance to address this submittal. Mr. Wiseman asked if they had received comments from the Town and KCI. Mr. Rauch stated the comments had been received.

Mr. Rauch went over the proposed line revisions for the parcels in question for the site. This line revision will combine two of the parcels and eliminate one of them. Parcels 197 and 198 will be combined and then added to the large parcel in order to create access for the site to Landing Lane. There will also be a subdivision line created along the west property line of the newly combined parcel which will be used for future development. With the line revision the two parcels will be .851 acres and 1.98 acres. There will be a blanket access easement between the two sites. Discussion ensued regarding the newly subdivided parcel being used for overflow parking. Mr. Rauch pointed out that large delivery trucks will use this area to gain access to the back of the building.

Mr. Wiseman addressed the comment letters and inquired whether Ms. Minner had any concerns with remaining comments. She questioned the small easement on one of the residential properties. Mr. Schlachman stated it is an easement for a neighboring property owner whose shed is located partially on his property.

Mr. Wiseman entertained additional comments from the Board regarding the resubdivision plat. There was discussion regarding the distance from the exit onto Landing Lane from the parcel and the distance to the intersection at Route 40. There was some discussion regarding the vacant parcel on the corner of Landing Lane and Route 40. Mr. Schlachman noted that Wawa always performs environmental studies on every property they intend to purchase and confirmed that tests had been done on this property as well.

Mr. Wiseman entertained questions from the audience. There were none.

MOTION: Motion was made by Mr. Keane to approve the Final Resubdivision Plan for Wawa contingent upon addressing all outstanding comments. The motion was seconded by Mr. Fordyce and unanimously approved.

REQUEST OF RAUCH, INC. REPRESENTING WAWA, FINAL SITE PLAN, LANDSCAPE & LIGHTING PLANS, 302 W. PULAKSI HIGHWAY, TAX MAP 314, PARCEL 193 (OWNER - BECKER HOME CORPORATION, 302 W. PULAKSI HIGHWAY), TAX MAP 314, PARCEL 197 (OWNER – RICHARD A. SEXTON, 307 LANDING LANE) & TAX MAP 314, PARCEL 198 (OWNER – KENNETH W. & JOAN MARIE WRIGHT, 309 LANDING LANE), ZONED C-2

Mr. Rauch noted that the Concept Plan for the project had been presented to the Town early last summer. The plan provides 53 parking spaces which is many more than required by the Town. He reviewed the directional ingress and egress plan for the site.

Mr. Rauch explained that the stormwater management was challenging for the property because there were no existing points of discharge and the water sheet flows off the property currently. They incorporated environmental site design management practices to the maximum extent practicable. They have placed rain gardens, bioretention and level spreaders which treat for water quality and reduce water flow to surrounding properties.

Mr. Rauch stated the existing well will be abandoned according to the State of Maryland regulations and an 8" water line will replace it. Slingerly Fire Company requested that a fire hydrant be centralized near Pulaski Highway at the division line in order to service both parcels. Questions arose regarding the parcel labelled for future use. Ms. Minner confirmed that they would need to come back before the Board for approval at the time of development of that parcel. It was determined that Wawa would be responsible for any median work and that the State will hold a bond to ensure the work is done to their specifications.

The lighting plan was addressed and Mr. Rauch noted that the final revision for the lighting plan is being completed and they hope to have the plan by the following week.

Additional discussion and questions were made with reference to overflow parking, stormwater management, slopes, landscaping islands and comments which have not been addressed on the plan submitted.

The access permit has been reviewed several times by State Highway and Mr. Rauch stated they feel the final submission will be accepted. Upon approval by State Highway they will need to provide a bond. The final approval process could take a few weeks to complete. Ms. Thomas stated that should State Highway require any changes to the plan they would have to submit a revised final site plan.

A question regarding the fire flow for the site was made. Mr. Frey of KCI stated the test was done in April and they are in discussion with State Fire Marshal, Slingerly Fire Company and Chip Bromwell of the Town Building Department. Mr. Frey mentioned that the final determination has not been made but could be made during the permitting process.

A question regarding the waiver for the landscaping islands was made. Mr. Rauch stated that the Town requires 8 islands and due to the truck movement on the site the islands were not feasible. They are asking for a relaxation from 8 peninsulas to 4 peninsulas rather than islands. He pointed out where landscaping was added in order to meet the overall landscaping requirements of the Town. They are also requested a width reduction in the required bufferyard from 15' to 10' but they will place the same amount of landscaping within the area provided. They are requesting a reduction of the 20% shading requirement to 10% as well.

Ms. Minner questioned whether signage prohibiting trucks from entering the site at specific locations were planned. Mr. Rauch pointed out the location where the signs would be placed.

Ms. Minner pointed out that the existing well must be properly capped so there is no risk of contamination between the underground storage tanks and the well/ground water. She stated this needs to be noted on the plan.

There were no further items for discussion and Mr. Wiseman moved into the discussion and motion phase of the meeting.

MOTION: Motion was made by Mr. Ginder to approve the Final Site Plan for Wawa contingent upon addressing all outstanding comments, any changes requested by State Highway shall be resubmitted to the Board for approval and allowing for the following waivers: 1) landscape shading requirement reduced from 20% to 10%; 2) 15' required bufferyard reduced to 10'; and 3) reduction of required parking islands/peninsulas from 8 to 4. The motion was seconded by Mr. Leonard and unanimously approved.

OLD BUSINESS: None

NEW BUSINESS: Ms. Minner informed the Board that a new commercial project is being proposed for the Town but could give no further information at this time.

Mr. Ginder voiced his concern regarding screening of the dumpsters at the Town Municipal Building. In addition, he noted that the dumpsters at the methadone clinic at the end of High Street need to be screened as well.

Mayor Alt was in attendance at the meeting and thanked the Board Members for serving on the Board and complimented them for the way the meeting was handled.

He suggested that the Board might consider a change in the time of the meetings if they feel it would accommodate the members.

The next meeting of the Planning Commission will be April 6, 2015. There being no further business Mr. Wiseman adjourned the meeting at 7:58 p.m.

Respectfully submitted,

Brie Humphreys