

## **NORTH EAST PLANNING COMMISSION-WORKSHOP**

North East Town Hall Meeting Room  
106 South Main Street, North East, Maryland 21901  
Tuesday, March 6, 2018  
7:00 PM

Chairman Mark Dobbins called the meeting to order at 7:01 P.M. Present included Ray Mitchell, Ex-Officio, Michael Nair, Valerie Combs, and Judy Duffy. Also present were Melissa Cook-MacKenzie, Town Administrator, Chris Mink, CNA Engineering, Betsy Vennell, Director of Planning, and Lisa Rhoades, Planning and Zoning Assistant.

### **-MINUTES-**

February 6, 2018 and February 20, 2018

Mr. Nair made a motion to approve the February 6, 2018 and February 20, 2018 as presented. Ms. Combs seconded the motion and the motion was approved by all.

### **-NEW BUSINESS-**

Ridgely Forest Development: Amendment to the Master Planned Community: Review and Discussion. Project Proposes 544 dwelling units: 340 Single Family Detached Homes, 62 Townhomes and 142 Villas; Zoning District R-4 with Master Planned Community Overlay District Tax Map 31; Parcels 1355, 235  
Applicant: WORF, LLC, 2301 Rutledge Road, Fallston, Maryland;  
Owner: 1PH PROPERTIES, LLC; 9616 Belair Road, Baltimore, Maryland.

Mr. Jim Wolf and Mr. Tom O'Laughlin, WORF,LLC, the applicants/developers, Ms. Amy DiPietro, Morris & Ritchie Associates, Inc., were in attendance regarding the Amendments proposed to the Ridgely Forest Master Planned Community (MPC).

Chairman Dobbins stated the purpose of this meeting was for the Planning Commission and the developer to continue the dialogue regarding the Amendment to the Master Planned Community. Chairman Dobbins inquired if there were any comments or questions regarding the February 21, 2018 correspondence from Mrs. Vennell, Director of Planning which included the Planning Commissions comments from the February 20, 2018 workshop, the SHA letter dated May 1, 2007 and the April 14, 2008 letter regarding street names. In addition, a copy of an email dated 03-05-2018 from Chris Mink, CNA was forwarded to the Planning Commission.

Mr. O'Laughlin, WORF LLC, stated that the major difference between their proposed Ridgely Forest project and the previous project is that their project offers an affordable housing option. Mr. O'Laughlin reported that anything that increases the cost of the project will impact either the price of the homes or the number of developed lots will be decreased. The February 21, 2018 comment letter from Mrs. Vennell lists a number of the items that will add considerable cost to this project. Mr. O'Laughlin reported there are three major issues which will affect their project:

1. Fencing along Amtrak rail line
2. Sidewalks and the retaining walls along Bayberry Drive.
3. Increasing paving width of the roads.

1. Fencing along Amtrak Rail:

Mr. O'Laughlin, referring to the comment letter from Mrs. Vennell dated February 21, 2018, stated:

- a. Installing an 8 foot fence with green privacy slats will add \$200,000.00 to the project.
- b. There is a large amount of wetlands bordering Amtrak and installing fencing through this area would require approvals from Maryland Department of Environment (MDE). Mr. O'Laughlin also reported that they have already applied for their Non-Tidal Wetland Permit which did not include the fencing project.
- c. The cost of this project would affect the number of lots they would be able to develop.

Chairman Dobbins inquired how many lots would this affect and stated that fencing was proposed in the July 2008 MPC Design Guidelines. Mr. O'Laughlin did not know how many lots would be affected and stated that they had removed all of the fencing from the proposed MPC Design Guidelines.

Mrs. Vennell reported that there are other developments within the corporate limit of the Town of North East which were required to put up a fence along the Amtrak rail line for the safety of the residents. These developments also have Non-Tidal Wetland and Forestation areas and the fencing was woven around trees to prevent cutting them down. Mrs. Vennell added that the fencing is not required to be in a straight line. Mr. Wolf inquired if the Planning Commission would consider a 6 foot chain link fence installed behind the homes which back to the railroad lines and stated that they may be able to require the builder to install the fences in the rear yard of these homes. But after further conversation Mr. Wolf inquired if they could install a 6 foot fence behind the sections of townhomes and duplexes that abut the Amtrak rail line. Mr. Nair stated that the idea of no fencing along the Amtrak rail line is not in the best interest of the residents, however, he is not opposed to a 6 foot fence and stated that there should be a continuous fence behind all of the townhomes. The safety of the children is our main concern. Chairman Dobbins added that it would be better to install the fence adjacent to the Amtrak rail line than in the back yard of each individual home. The wetlands may offer some natural barrier.

Mr. O'Laughlin inquired if there was a Town Ordinance which required the installation of this fence. Mrs. Vennell reported it is the responsibility of the Town and Planning Commission to ensure the safety of its residents. Mr. O'Laughlin inquired if the railroad has put up any fencing in the area of housing developments. Mrs. Cook-Mackenzie stated she has an upcoming meeting with Amtrak scheduled and she will speak with them regarding the fencing as there are not any housing developments of this size near Amtrak rail lines in Town.

Mr. Wolf inquired, if they could install a 6 foot tall fence adjacent to the Amtrak rail line starting behind the duplex lots at Lot 5196, at the edge of the Non-Tidal Wetland, and extend the fence to where the edge of the Non-Tidal Wetlands meets Amtrak rail lines behind Lot 5173 where it would end. The fence would then begin again, behind the townhomes beginning at Lot 47 ending behind Lot 68. The fence would then begin again and be installed along the Amtrak rail line behind Lots 5061 thru Lot 5057 and link to the 4' high fence, which will be placed around the storm water management pond. The next 6' in height fencing will link to the west side of the storm water pond fence and will be placed on the Ridgely Forest property line north of lots 5049 and will extend to the North West Ridgely Forest property line.

Mr. O'Laughlin proposed to install the fence along the Amtrak rail line in stages as they build, proposing that prior to applying for the Construction Authorization for Lots 63-68, the fence in Phase 2, would be completed. The required Amtrak rail line fencing in all of the other phases, for example 5A & 5B, will be installed prior to the approval of the Construction Authorization/Building Permit for that section.

The Planning Commission concurred with this proposal and added that the Ridgely Forest HOA shall be responsible for all maintenance of the chain link fence along Amtrak rail lines.

## 2. Bayberry Drive: Sidewalks & Retaining Wall:

Mr. O'Laughlin, referring to the comment letter from Mrs. Vennell dated February 21, 2018, stated:

- a. he believed the Planning Commission had approved no sidewalks or retaining walls were required because he and Ms. DiPietro had presented this to the Planning Commission during the February 6, 2018 meeting.
- b. suggested that a cul de sac could be installed on Bayberry Drive near lots 1017 and 1018.
- c. suggested that a gate could be installed at Bayberry Drive making it an emergency service entrance and not utilize it as a community entrance.
- d. the expense of installing a retaining walls would add \$200,000 to their project.
- e. the expense of maintaining the retaining walls.

Mrs. Cook-Mackenzie confirmed that Mr. O'Laughlin was suggesting having one entrance and exit for over 500 homes. Mr. O'Laughlin concurred. Mrs. Cook-Mackenzie inquired if Mr. Wolf and Mr. O'Laughlin thought it was feasible to ask residents to walk from the west side of the development all the way over to Ridgely Forest Drive to access connectivity to Route 7.

Mr. Wolf does not believe it is necessary to install a sidewalk on Bayberry Drive as there is a way for pedestrians to access Route 7 by Ridgely Forest Drive.

Mrs. Vennell reported that the Town of North East's Comprehensive Plan-Transportation Plan does show sidewalks along Route 7 and Bayberry Drive.

Chairman Dobbins reported that the Planning Commission must look into the future and that the Commission must do their due diligence now as this may be our only opportunity. Mr. Wolf suggested that they could install a sidewalk on one side of Bayberry Drive. Mrs. Cook-Mackenzie stated a mid-block cross walk would necessary in the area of the last two lots on Bayberry Drive and it does seem like a reasonable compromise. Mr. Wolf stated that he will correspond with Mr. Mink regarding the cost of the project and proposed changes discussed.

Mrs. Vennell summarized that there are three items which need to occur:

- Developers engineer will propose a different design for Bayberry Drive, sidewalk and retaining walls.
- One mid-block crosswalk where Bayberry Drive narrows from 32 feet to 22 feet in width (around Lots 1017 and 1018).
- Consideration of whether a Comprehensive Plan Amendment was necessary.

Chairman Dobbins stated this is a fair compromise and the Planning Commission concurred.

### 3. Road widths

Mr. O'Laughlin, referring to the comment letter from Mrs. Vennell dated February 21, 2018, stated that they are already providing 4 parking spaces per unit for the single family homes and duplex-villa homes.

Chairman Dobbins stated, in other communities, he has seen that when the road widths are narrower there are two concerns: quality of life issues when not enough parking, causing neighbor conflicts and public safety such as navigating Fire Trucks and EMS vehicles. Ms. DiPietro stated that she would contact the fire company to get the dimensions of their EMS vehicles since it tends to vary across the board.

Ms. Amy DiPietro reported that, on page 14 of the proposed MPC Design Guidelines, the majority of the roads are shown at 30 feet wide or greater. The roads that are less than 30 feet wide are already built or are proposed in the townhouse section where there is off-street parking proposed. Mr. O'Laughlin stated that with a vehicle parked on both sides of a 30 foot road there is still approximately 18 feet of clearance. Chairman Dobbins inquired if the garages and driveways proposed are adequate for 4 vehicles. Mr. Wolf concurred. Mr. Nair added that most people will need to use part or all of their garages to store their lawn mowers and other equipment and therefore there are actually only 2 parking spaces.

Mrs. Vennell inquired if there was any overflow parking proposed. Mr. O'Laughlin replied no. Mr. Wolf reported the only parking lot that will be installed is at the Club House and some additional parking at the townhomes. Mr. Nair inquired if a 30 feet wide road would be adequate to park a vehicle on one side of the road. Mr. Mink stated yes.

Mr. Wolf stated they have installed signs in other communities stating “parking on this side of the street only” or “no parking on this side of the street”. Chairman Dobbins inquired if we allow parking on one side of the street, is that going to leave enough space for the EMS. Mr. Mink stated that the thought was if only allowing parking on one side of the street, how much parking would that leave, considering driveways, fire hydrants etc. Mr. Mink clarified that this discussion is specific to roads 30 to 32 feet in width. Ms. DiPietro reported that a 30 foot road width is standard in a single family residential community. Mr. Wolf stated that they will install the signs that parking is only permitted on one side of the street. Mrs. Vennell suggested that a statement could be placed in the proposed MPC Design Guideline book that on street parking shall only be permitted on one side of the street.

Mrs. Vennell inquired what the widths of the driveway entrances were. Mr. O’Laughlin reported they are 18 feet wide which would also allow two vehicles to be parked in front of each house. Mrs. Vennell stated the one side of the street parking would need to be shown on the construction plans. Mr. Nair inquired if a potential buyer would be made aware that there is only parking on one side of the street and what side that is.

Mrs. Cook-Mackenzie stated she would like to speak with the Chief of Police regarding the on street parking to ensure there are not any emergency service issues that may have been overlooked.

Chairman Dobbins stated he would like to see a compromise, possibly parking on one side of the street however, the Planning Commission should probably wait to hear the information provided by the Chief of Police and the North East Fire Company. The Planning Commission concurred.

Email dated March 5, 2018 from Chris Mink, CNA to Amy DiPietro, MRA

Cul de Sac – Goldspire Drive (Page 21 of the proposed MPC Design Guidelines)

Mr. Laughlin referred to page 21 of the proposed MPC Design Guidelines, stating that Mr. Mink reported that Cecil County Subdivision Regulations indicate that every 1200 feet of roadway, a turn-around is required. The length of Goldspire Drive is 1800 feet. Ms. DiPietro asked if they could apply for a waiver or variance. Mr. Mink reported that their regulations state no maximum length variations are permitted. Mr. Mink said that possibly a smaller turn around or circle could be installed. Mrs. Cook-Mackenzie stated she will reach out to Cecil County Public Works to see if any alternatives and what the initial intent of the regulation was.

Widths of walks (Page 20-24 of the proposed MPC Design Guidelines))

Ms. DiPietro reported that the difference in the width of the sidewalks is to account for the adjacent parking next to the sidewalk. Mr. O’Laughlin reported there is no parking adjacent to the 5 foot sidewalk. The 6 foot sidewalk does have parking adjacent to it and the 1 foot difference in width is to account for a vehicle overhang.

Letter dated February 21, 2018 from Mrs. Vennell to WORF, LLC

Planting Strips (Page 3)

Ms. DiPietro referred to the width of the planting strips on Page 20 of the proposed MPC Design Guidelines. Ms. DiPietro stated that it would be difficult for the developers to change the width of the Planting Strips from 4 foot wide to 7 foot wide at this time as they were already installed. The Planning Commission concurred the existing strips are acceptable at 4 feet in width.

Residential Lot Standards. (Page 3)

Ms. DiPietro referred to item 2 regarding the front yard setback for the non-garage townhomes. Ms. DiPietro reported that the front yard setback, as noted, was an error and that it will be corrected and shown on the next submittal. Ms. DiPietro reported the reason the rear yard was decreased from 25 feet to 20 feet was to enable them to offer the 10 foot bump out at the rear of the unit. Also with the 20 feet rear yard there will be less yard for a property owner to maintain and they will not be infringing on the Forest Conservation area. Mrs. Vennell commented that the Duplex yards are wider than the previous plan.

Basketball Court (Page 4)

Ms. DiPietro inquired about item 1(f) regarding a regulation basketball court, stating that they would like to discuss this further, at a later time, as they are still researching amenity options. Mr. O'Laughlin added that they have seen multi-purpose courts, where the court is used for more than one sport. Mr. Nair stated the Planning Commissions objective was to have amenities for all age groups available to the residents. Chairman Dobbins stated that the Planning Commission would definitely like the Basketball court and full playground be located adjacent to the Club House to keep these activities in a central location. Mr. Nair requested that the developers, at a minimum, state in the proposed MPC Design Guidelines, in feet, what size basketball court they are going to propose.

Footpaths/Trails (Page 4)

Mr. Wolf inquired about item 1; why the Planning Commission wanted paved footpaths. The Planning Commission stated that they did not want mulched footpaths for the Homeowners Association to maintain. Mr. Wolf inquired if recycled asphalt that was compressed would be an acceptable alternative to pavement. Mr. O'Laughlin reported that the footpaths directly off the edge of the sidewalk to a tot lot will be concrete. Mrs. Cook-Mackenzie stated that the tot lots must be accessible to the handicapped and residents with strollers. Mr. Wolf stated that he understood and felt that the recycled asphalt would be able to accommodate both. The Planning Commission had no objection subject to the approval of the Town Engineer.

Mr. O'Laughlin inquired about the walking trail beginning between Lots 4012 and 4013 on Magnolia Drive to Lots 6030 and 6031 on Goldspire. Mrs. Vennell replied that Planning Commission determined during their February 20, 2018 workshop that it

would be best to remove this walking trail as well as the walking trail leading up to the Club House as the incline is steep and that would be a lot for the HOA to maintain.

Dog Park (Page 4)

Mrs. Vennell reported the Planning Commission also proposed a Dog Park, on page 4, item 1(g) as an open space amenity. Mr. Wolf stated that he liked that idea and thinks it is proposed in a location where it will be utilized. Ms. DiPietro stated that the clean-up stations are fairly economical, as well.

Boat Storage (Page 5)

Ms. Vennell stated the Planning Commission believes that North East is a boat community, however, the proposed MPC Design Guidelines do not allow for any boat storage. The Town Code does allow for boat storage during certain months of the year. Mr. Wolf stated they will look at town ordinance and create the HOA rules to coincide. Mr. Wolf would like a copy of Code of Ordinance regarding boat storage.

Residential Fencing (Page 5)

Mrs. Vennell stated that the proposed MPC Design Guidelines wording regarding residential fencing are in conflict with the North East Zoning Ordinance fence regulations. The proposed MPC Design Guidelines states that there can only be board on board (shadowbox) style fencing. However, there are a variety of styles of fencing throughout Ridgely Forest which were approved by the HOA. Mr. Wolf stated that he recalls the HOA documents very flexible in regards to fencing and therefore, they will need to ensure that the proposed MPC Design Guidelines and the HOA document have the same wording. Mr. Wolf would like all approvals subject to the Town Ordinances and regulations.

Utility Buildings (Page 5)

Mrs. Vennell stated that the utility building requirements proposed MPC Design Guidelines are in conflict with the Town of North East Zoning Ordinance regarding utility building regulations. Ms. DiPietro stated the changes will be reflected in the next submittal.

Bus Stops (Page 6)

Mrs. Vennell inquired about the proposed bus stop locations. Ms. DiPietro stated that the Board of Education does not usually set the bus stops until they know what the population of the community is going to be. Mrs. Cook-Mackenzie inquired whether the mini shelters were to serve as bus stops. Mr. Nair added that the covered bus stops installed throughout Courts of Mallory are not being utilized as intended because the Board of Education does not recognize them as bus stops. Mr. Nair also inquired what the walking distance was from the furthest lot away from the one bus stop at the Ridgely Forest Drive entrance. Mr. O'Laughlin did not know the distance.

Mr. Nair added, the Board of Education will only allow a child to walk up to a mile to a bus stop.

Mrs. Vennell stated the Board of Education had sent a letter during the first concept building phase of Ridgley Forest and she will forward a copy to Ms. DiPietro.

**-OLD BUSINESS-**

None.

**-REPORTS-**

Mrs. Cook-Mackenzie reported:

US Route 40 Sidewalk Project:

There have been recent lane closures on Route 272 as they continue to work on the sidewalk project.

Amtrak Bridge:

The SHA was scheduled to have a lane shut down March 9th, 10th and 11th to set 5 beams, however this has been moved to March 16th, 17th and 18<sup>th</sup>, 7 A.M. to 7 P.M. The SHA believes installing the main bridge support beams can be completed within two days. They have chosen to work on the weekend because commuter trains will not be affected due to the proposed work. Also, they will be working weekends thru April.

Irishtown Road/Mauldin Road Sidewalk Project:

During the SHA project south of town several years ago, landscaping had been removed in the south island. The SHA will be re-installing new plantings within the next 60 days.

Cecil Avenue/Mechanics Valley Road – Temporary Stop Signs:

The temporary stop signs located at the intersection of Mechanics Valley Road and Cecil Avenue will be permanent signs. They were only changed to temporary signs during road paving.

Library:

The Library has continued meeting regarding the construction of the new Library and a timeline has been posted on the Town of North East website. The Town may see the first submittal for the new library by the end of the summer, with the goal of opening by 2020.



Heron Cove:

There has been some discussion with the owner of Heron Cove regarding the property being purchased for open space.

A Better Maryland:

Mr. Mitchell reported that he along with Mrs. Cook-Mackenzie and Mrs. Vennell, attended a meeting on February 27, 2018 at Cecil County Administration Building regarding a new master plan the state is preparing called 'A Better Maryland'. Town representatives were asked to speak during the meeting concerning the Town's priorities. At the end of the meeting, one of the presenters spoke with Perryville, Elkton and North East and stated that they would visit each of these municipalities in person.

**-MISCELLANEOUS-**

None.

**-COMMENTS FROM THE PUBLIC-**

None.

**-NEXT MEETING-**

The next Planning Commission meeting is scheduled for April 3, 2018.

**-ADJOURNMENT-**

With no further business, Mr. Nair made a motion to adjourn at 9:18 P.M.  
Ms. Duffy seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades  
Planning and Zoning Assistant

Mark Dobbins  
Chairman