

NORTH EAST PLANNING COMMISSION

North East Town Hall Meeting Room
106 South Main Street, North East, Maryland 21901
Tuesday, January 22, 2018
7:00 PM

Chairman Mark Dobbins called the meeting to order at 7:01 PM. Present included Valerie Combs, Commissioner Eric Braley, Michael Nair and Judy Duffy. Also present were Melissa Cook-Mackenzie, Town Administrator, Betsy Vennell, Director of Planning, Chris Mink, CNA Engineering and Lisa Rhoades, Planning and Zoning Assistant.

-NEW BUSINESS-

1. Election of Chairman for 2018

Ms. Combs made a motion to elect Mr. Dobbins as Chairman. Ms. Duffy seconded the motion and the motion was approved by all.

2. Election of Vice-Chairman for 2018

Ms. Duffy made a motion to elect Ms. Combs as Vice-Chairman. Mr. Nair seconded the motion and the motion was approved by all.

3. Ridgely Forest Master Planned Community

Ridgely Forest Master Planned Community: Revised Preliminary Subdivision Plat Sections 1 and 4 (Formally Phases 1A and 1C)

Ridgely Forest Master Planned Community: Preliminary Subdivision Plat Section 2

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 Tom O'Laughlin, Worf LLC, applicants/developers and Amy DiPietro, Morris & Ritchie Associates, Inc., requested Preliminary approval for Ridgely Forest Master Planned Community (MPC): Revised Preliminary Subdivision Plat Sections 1 and 4 (formally Phases 1A and 1C) and Subdivision Plat Section 2. Ms. DiPietro reported that the Ridgely Forest site is approximately 195 acres and zoned R-4 with Master Planned Community Overlay District. The previous approved plan was 637 units. Ms. Di Pietro stated the applicants are proposing 544 units which includes the 54 existing single family homes and the 34 existing townhomes. The new proposal includes: 340 single family homes, 62 townhouses and 142 duplexes. Ms. DiPietro presented the revised Preliminary Plat for Sections 1 & 2 and the Preliminary Plat for Section 4.

Chairman Dobbins inquired if the construction of the Clubhouse and pool are included in the development of Section 3B. Mr. O'Laughlin stated that the Clubhouse and pool will be constructed when they have reached 50% occupancy. He is hopeful that they will be able to have the Clubhouse and pool open while having the homes constructed in Section 3B.

The Calvert-Ryan Homes Architectural plans:

The Calvert-Ryan Home plans were submitted with the subdivision plat and the concept Master Planned Community (MPC) revised Plan. Chairman Dobbins stated that the record will need to reflect that the submitted architectural plans will not be included in the vote this evening, reporting that the existing Master Planned Community Guidelines book outlines the permitted architectural elements which are to be utilized.

Ms. DiPietro reported that the “Calvert” architectural plans were included as an example of the size, type and elevation of homes (single family, townhome, duplex) to be proposed and is for informational purposes only. Mrs. DiPietro stated that the “Calvert” style home is not necessarily the style of homes being built. Ms. Cook-MacKenzie stated the “Calvert”, as shown, does not meet the current MPC Guidelines.

Chairman Dobbins reported that the Ridgely Forest Master Planned Community Design Guidelines Book adopted by the Planning Commission and Mayor and Commissioners in 2008 states: “Ridgely Forest has been designed to implement the recommendations of the Town Comprehensive Plan with an emphasis toward preserving the existing sites natural resources while creating a sense of community under the Town’s new MPC criteria.”

Existing Phase 2:

Chairman Dobbins reported that a portion of the subdivision plat shows “Existing Phase 2” and requested the record reflect that Existing Phase 2 is not on the agenda tonight and will not be included in the vote as a re-subdivision.

Existing Phase 1:

Chairman Dobbins asked that the lands shown as “Existing Phase 1” be renamed to “Remaining Lands of Phase 1”.

In addition, add a Site Data Note: The final plat shall have a note added which states: “The Architectural and unit type design of the single family homes in the “Remaining lands of Phase 1” shall be in accordance with the Residential Product Standards outlined on pages 24, 25 and 26 of the Master Planned Community Guidelines book Revised July 7, 2008. This note shall be applicable even if the Guidelines book is updated.”

Ms. DiPietro stated that to rename the Existing Phase 1 the developer would have to notify all of the existing homeowners and re-record each of their plats. Ms. DiPietro stated what they have done in the past is record the revised plan which would supersede the previous plan. Mr. O’Laughlin added that the revised plan could be done to show only the undeveloped lots.

Chairman Dobbins stated he was concerned that the new designs or unit types will not be consistent with the existing homes. Mr. O’Laughlin stated that out of 24 lots of single family homes there will be a variation 4 different detached homes which will vary in size and color of some of which will be ranch style homes. Mr. Wolf stated that the Ryan Homes product

“Simply Ryan” is not as elaborate as that of the existing homes, however they are building a very desirable product in today’s market. Chairman Dobbins and Ms. Cook-Mackenzie both stated that the new product must blend in with the existing homes. Chairman Dobbins added that he does not want to see a small rancher built next to an existing single family home as this may bring the market value down on the existing homes in the development. Mr. O’Laughlin stated that Ryan Homes may pull out if they are asked to build homes that are not selling on today’s market, however, they could have a conversation with them about not building ranch style homes in the existing Phase 1. Chairman Dobbins and the Planning Commission concurred they would prefer not to see ranch homes built in existing Phase 1.

Mr. O’Laughlin stated that he thinks it would be beneficial to have a representative from Ryan Homes at the next Planning Commission meeting. Chairman Dobbins and the Planning Commission decided they would prefer to discuss Existing Phase 1 in further detail, after reviewing the architectures of the product being proposed and would like to do so at the February 6, 2018 meeting.

The Planning Commission had no objections to the “Remaining Lands of Phase 1” as shown on the Revised Preliminary Plat dated 1-3-18, subject to the following conditions:

- “Existing Phase 1” shall be on separate sheet and renamed to “Ridgely Forest -Remaining Lands of Phase 1”.
- Add Site Data Note to reflect the purpose of this plan and a reference to be able to clearly refer back to “Revised Final Plat -Phase 1” recorded March 3, 2008 (add liber and folio).
- Site Data notes: Add all applicable final plat notes and general notes from the March 3, 2008 plat
- Lot area chart shall be revised on final plat
- Note: The Planning Commission shall make a decision regarding the housing unit type and architecture for this phase during their February 6, 2018 Planning Commission meeting.

Ridgely Forest Section 1: (Formally Ridgely Forest Phase 1A – 1C)

Chairman Dobbins stated to be consistent with the other Phases/Sections, Section 1 will need to be shown on its own subdivision plat sheet and to be entitled “Ridgely Forest Section 1”.

Lot 1000: Chairman Dobbins reported that page 28 of the Master Planned Community Guidelines book shows and states that this area, Lot 1000, was to contain a Pocket Park. Chairman Dobbins stated that Lot 1000 appears to have not only been placed in the location of the Pocket Park but also a non-tidal wetland/Forest Conservation Area and wanted to know why this was changed from the original approved plans. Ms. DiPietro confirmed Lot 1000 is in a Forest Conservation area and they were trying to create more lots and revenue. Chairman Dobbins stated Lot 1000 needs to be removed from the plan and the developer needs to provide preliminary/final open space plan for the proposed pocket park.

Lots 1001 and 1005: Chairman Dobbins reported that lots 1001 and 1005 have been squeezed into the plan and are not compatible with any of the other lots located in the other cul de sacs in

the neighborhood or Development. The Planning Commission was concerned about the shape and the non-uniformity of Lots 1001 and 1005 and stated they would like the plat to convert back to the original four lots as shown on the 2008 subdivision. Ms. Vennell added that Lot 1005 only appears to be 20 feet wide at the rear property line. Mr. O’Laughlin stated that the lot will accommodate the same size home with a smaller yard. The Planning Commission does not agree with how the cul de sac and lots will appear as it is not uniform. Ms. DiPietro, Morris and Ritchie Associates, indicated there was ample room for the driveway and dwelling unit and she offered to bring a lot layout plan to the February meeting to show the Planning Commission. The Planning Commission agreed to re-review this section of lots and make a decision during their February 6, 2018 meeting.

Lots 1013, 1014, 1015, 1023, 1024 and 1025: Chairman Dobbins stated he is troubled over putting lots in the non-tidal wetlands when the design criteria from the beginning of this development indicated that lots would not be placed in the non-tidal wetlands. Ms. Dipietro stated that some non-tidal wetlands have more ecological importance than others as some were accidentally created during construction of the development. Mr. O’Laughlin stated the lots in the wetlands are considered possible future lots as they have not received approval from MDE as of yet. Mr. Nair clarified that the developers were not seeking approval for those lots at this time. Mr. O’Laughlin agreed. Mr. Wolf stated once they obtain a non-tidal wetland permit, they will present a new plan adding the lots placed in the existing non-tidal wetland areas. If they do not get the non-tidal wetland permit approval, they will not be adding the additional lots to the plan. Some of the previously determined non-tidal wetlands are no longer wetlands and some new non-tidal wetlands have been created. Mr. O’Laughlin stated they would not only have to acquire the non-tidal wetland permit but also have the revised MPC approved, before they could add these lots officially onto the final plat, therefore the lots can be removed from this vote. Chairman Dobbins stated that just because MDE issues a permit, does not mean that the Planning Commission is agreeing to the addition of these lots. Chairman Dobbins reported that Page 6 of the Master Planned Community Design Guidelines book states: “There are 14+ acres of delineated non-tidal wetlands and an additional 14+ acres of soils classified as poorly drained at Ridgely Forest, which reduced the adjusted tract acreage.” ... “Impacts to these natural resources have been avoided in the proposed design of the development”.

Chairman Dobbins stated the Housing Unit type and Architecture shall be as outlined in the Master Planned Community Guidelines Revised July 7, 2008, unless an amendment to the MPC is approved prior to the Construction Authorization application submitted to the Town of North East.

Mr. Nair made a motion to approve the Ridgely Forest Master Planned Community Preliminary Re-Subdivision Plat Section 1 with the following conditions:

- The final plat submittal for Section 1 shall be on separate sheet and shall be entitled “Ridgely Forest Section 1”.
- Add Site Data Note: This plat is a re-subdivision of “Revised Final Plat -Phase 1” recorded March 3, 2008 (add liber and folio)
- Add Site Data Notes to reflect updated Agency approvals

- Revise Site Data Notes specific for Section 1.
- Lot area chart shall be shown on final plat
- Remove Lot 1000 from proposed subdivision plat (previous pocket park area)
- Remove Lots 1013, 1014, 1015, 1023, 1024, 1025 (non-tidal wetlands)
- Add site note on plat: Housing Unit type and Architecture shall be as outlined in the most recently approved Ridgely Forest Master Planned Community Guidelines Book.
- CNA Letter of conditions dated December 29, 2017
- Submission of a pocket park plan for lot 1000 when the landscape plan is submitted
- Note: Re-review of the cul de sac lots 1001-1005 will take place during the February 6, 2018 meeting and a decision will be rendered whether to permit 5 lots vs. 4 lots in the cul de sac.

Ms. Duffy seconded the motion and the motion was approved by all.

Ridgely Forest Section 4: (formally Ridgely Forest Phase 1A-1C)

Lots 4032, 4033 and 4034: Chairman Dobbins inquired if Lots 4032, 4033 and 4034 were also lots to be reconsidered if a non-tidal wetlands permit was obtained by MDE and if so they should be removed from this vote. Mr. Wolf concurred.

Lot 4027: Mr. Nair inquired about Lot 4027 which seems to be very narrow. Mr. O’Laughlin, after reviewing, agreed this appears to be a drafting error.

Chairman Dobbins stated the Housing Unit type and Architecture shall be as outlined in the Master Planned Community Guidelines Revised July 7, 2008, unless an amendment to the MPC is approved prior to the Construction Authorization application submitted to the Town of North East.

Ms. Duffy made a motion to approve the Ridgely Forest Master Planned Community Preliminary Re-Subdivision Plat Section 4 with the following conditions:

- The final plat submittal for Section 4 shall be on its own sheet and shall be entitled “Ridgely Forest Section 4”.
- Add Site Data Note: This plat is a re-subdivision of “Revised Final Plat -Phase 1” recorded March 3, 2008 (add liber and folio)
- Add Site Data Notes to reflect updated Agency approvals
- Revise Site Data Notes specific for Section 4.
- Lot area chart shall be shown on final plat
- Verification that lot 4027 meets the depth, width and area requirements
- Remove lots 4032, 4033, 4034 from proposed subdivision plat (non-tidal wetlands)
- State on Plat: Housing Unit type and Architecture shall be as outlined in the most recently approved Ridgely Forest Master Planned Community Guidelines Book.
- CNA Letter of conditions dated December 29, 2017

Ms. Combs seconded the motion and the motion was approved by all.

Ridgely Forest Section 2:

Chairman Dobbins stated Section 2 shall be shown on its own subdivision plat sheet and it shall be entitled “Ridgely Forest Section 2”

Lots 2005-2006: Chairman Dobbins inquired how lots 2005 and 2006 are impacting the non-tidal wetland. Ms. DiPietro stated the wetland would be filled in. Mr. Nair inquired the size of that section of non-tidal wetland. Mr. O’Laughlin stated it is fairly small about 1000 square feet or less and this is part of the non-tidal wetland permit the developers are seeking. Ms. DiPietro stated that Morris & Ritchie has a consultant which reviews the wetlands and determines which ones are often created through construction. Mr. Wolf stated that depending on the type of wetlands and the size the permit will most likely require the developer to do some kind of mitigation such as in enhancing existing wetlands.

Lots 2030, 2031, 2032: Chairman Dobbins reported that the three referenced lots appear to have a portion of the lot located in the slope of the stormwater management facility. Mr. O’Laughlin stated he believes the lot line is on a contour line which equates to 2 feet. Ms. Duffy stated she would prefer not to see this. Mr. O’Laughlin added that they install fences around the entire stormwater ponds in all of their developments.

Chairman Dobbins stated the Housing Unit type and Architecture shall be as outlined in the Master Planned Community Guidelines book Revised July 7, 2008, unless an amendment to the MPC is approved prior to the Construction Authorization application submitted to the Town of North East.

Mr. Nair made a motion to approve the Ridgely Forest Master Planned Community Preliminary Subdivision Plat Section 2 with the following conditions:

- The final plat submittal for Section 2 shall be shown on its own sheet and shall be entitled “Ridgely Forest Section 2”
- Add Site Data Notes to reflect updated Agency approvals
- Revise Site Data Notes specific for Section 2.
- Lot area chart shall be shown on final plat
- Remove lots 2005 and 2006 from proposed subdivision plat unless a permit from Maryland Department of the Environment is received for the non-tidal wetlands.
- Add site note on plat: Prior to occupancy permit for lots 2030, 2031 and 2032, a fence shall be installed around the entire stormwater management facility.
- Add site note on plat: Housing Unit type and Architecture shall be as outlined in the most recently approved Ridgely Forest Master Planned Community Guidelines Book.
- CNA Letter of conditions dated December 29, 2017.

Ms. Duffy seconded the motion and the motion was approved by all.

Concept MPC Plan-Submitted for informational purposes only:

The Planning Commission acknowledged that the Developer proposes changes to the existing Master Planned Community, and at the Town's requirement, has provided an informational concept overview of the changes. An official submittal to the Planning Commission has not yet been made. It has been recommended by Planning Staff that a workshop to review the criteria for a Master Planned Community be conducted, especially since almost all the Planning members are new since the original approval in 2008. However, since there are still some agenda items to be voted on, the workshop can be held after the regular meeting which shall take place on February 6, 2018.

Mr. Wolf stated to satisfy some of the conditions set forth by the Planning Commission he would like to bring, to the February 6th Planning Commission Meeting, a representative from Ryan Homes to review the proposed housing unit styles and architectural renderings and an environmental consultant to discuss the wetlands and non-tidal wetlands from their most recent wetlands delineation plan.

Ms. Vennell introduced Chris Mink, CNA, as the Town engineer who will be reviewing the Ridgely Forest Plans.

-MINUTES-

September 5, 2017 Meeting Minutes.

Ms. Combs made a motion to approve the September 5, 2017 as presented. Ms. Duffy seconded the motion and the motion was approved by all.

-OLD BUSINESS-

Heron Cove

Ms. Vennell reported that Attorney Thomey called to request a list of contacts to set up a meeting regarding Heron Cove.

-REPORTS-

None.

-MISCELLANEOUS-

Library Meeting:

Ms. Vennell reported that two Library meetings were held at the Town Hall this past week and they had a great turn out.

-COMMENTS FROM THE PUBLIC-

None.

-NEXT MEETING-

The next Planning Commission meeting will be February 6, 2018, with an inclement weather date of February 12, 2018.

-ADJOURNMENT-

With no further business, Ms. Duffy made a motion to adjourn at 9:23 PM. Ms. Combs seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades
Planning and Zoning Assistant

Mark Dobbins
Chairman