

**NORTH EAST PLANNING COMMISSION**  
North East Town Hall Meeting Room  
106 South Main Street, North East, Maryland 21901  
Tuesday, April 3, 2018  
7:00 PM

Chairman Mark Dobbins called the meeting to order at 7:02 P.M. Present included Ray Mitchell, Ex-officio, Michael Nair, Valerie Combs, and Judy Duffy. Also present were Melissa Cook-MacKenzie, Town Administrator, Dennis Clower, Town Attorney, Chris Mink, CNA Engineering, Betsy Vennell, Director of Planning, and Lisa Rhoades, Planning and Zoning Assistant.

**-MINUTES-**

March 6, 2018

Ms. Combs made a motion to approve the minutes as presented with a minor correction. Mr. Nair seconded the motion and the motion was approved by all.

**-PUBLIC HEARING-**

Chairman Dobbins opened the Public Hearing at 7:03 P.M.

Ridgely Forest Development: Amendment to the Master Planned Community: Review and Discussion. Project Proposes 550 dwelling units: 346 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: WOLF, LLC, 2301 Rutledge Road, Fallston, Maryland;  
Owner: 1PH PROPERTIES, LLC; 9616 Belair Road, Baltimore, Maryland.

Mrs. Cook-Mackenzie gave a brief history of the Ridgely Forest Master Planned Community. The previous owner of Ridgely Forest annexed the property into the Town in 2007 and in 2008 the Master Planned Community designation was granted to the property. In 2015, the owner filed for bankruptcy and the town called the bonds in for the remainder of the public infrastructure. The town has been negotiating with the Bond company from 2014-2018 and the town has also been working with the town attorney as well as the town engineer. Between the fall of 2017-present the town had discussions with the new developer regarding amendments to the Master Planned Community. In November 2017, a meeting was conducted with Ridgely Forest homeowners association, the town and the new developer WOLF, LLC, at the North East Town Hall with 50 to 60 homeowner's attendance. The purpose of the meeting was to inform the residents what the proposed plan for the development was at that time. The Planning Commission, the new developer and towns engineer have been meeting since the fall of 2017 to work through the proposed amendments to the 2008 Master Planned Community Design Guidelines. The amendments to the Master Planned Community reduces the total number of dwelling units from 637 units to 550 units. The number of single family dwellings were proposed at 181 and are now proposed at 346

detached two story or ranch style homes single family homes, the townhomes were proposed at 270 but have been reduced to 62. The duplexes were proposed at 186 and have been reduced to 142. There will be a decrease in townhomes and an increase in single family dwellings. In addition, the amendment proposes to decrease the open space from 90 acres which represents 50.8% of the adjusted track acreage to 87+/- acres represents 47.7% of the adjusted track acreage. This is the primary reason pursuant to the North East Zoning Ordinance that requires a developer to come back before the Planning Commission and Mayor and Commissioners for the Master Planned Community amendment process. There are some changes proposed to the Ridgely Forest Master Planned Community Design Guidelines Book as well. The open space plan, forest conservation plan, architectural plans, structural designs, pocket parks, lot sizes, housing unit sizes and the club house will have the addition of a playground, multi-purpose court and a dog park. The community will be built in 10 sections which is less than the previous plan. The proposed builder is Ryan Homes, who also built the previous homes in Ridgely Forest.

The Town Attorney swore in all those in attendance that wished to speak during the public hearing.

Applicant and Developer, Mr. O’Laughlin, WORF, LLC, 2301 Rutledge Road, Fallston, Maryland, came before the Planning Commission. Mr. O’Laughlin opened by referencing a letter dated March 23, 2018 sent from Chris Mink, the Town’s Engineer to Amy DiPietro, Morris and Ritchie Associates, Inc. Mr. O’Laughlin stated that all items from Mr. Mink’s letter have been addressed. Mr. Jeff Matthai, Morris & Ritchie Associates, Inc., 1220 E Joppa Rd #505, Towson, MD 21286, a March 30, 2018 response letter to the Planning Commission. Mr. Matthai also distributed an updated copy of the Concept MPC Plan for Ridgely Forest, an updated copy of the MPC Design Guidelines Book and a list of “Street Trees for Planting”.

Mr. O’Laughlin, Mr. Matthai and the Planning Commission reviewed the responses on the March 30, 2018 letter item by item. Chairman Dobbins and the Planning Commission concurred that each item on Mr. Minks March 23, 2018 letter had been addressed adequately.

Mrs. Cook-Mackenzie reported that she had spoken with the North East Fire Chief regarding the width of their emergency vehicles and reported that widest vehicle was 9 feet 6 inches. However, other fire companies may have wider emergency vehicles. Therefore, parking on one-side of the street should not be an issue.

### Public Comments

Jim Maziarz, 11 Viburnum Avenue, Elkton, MD 21921:

1. Style of homes: concerned because the new size and style of housing would affect property values.
2. Clubhouse: concerned about the cost of maintenance and insurance for the club house and pool and how this would affect HOA fees.

Chairman Dobbins stated that the Planning Commission has tried to insure that although the size of the proposed homes and lots are slightly smaller than the existing homes, the proposed style of homes will be compatible including carriage style doors, decorative gable vents and architecture.

Mr. O’Laughlin reported that the Clubhouse will not be open until the community is at 50% build out at that time there will be more HOA funds, due to the additional homes built, and the HOA fees are not expected to increase.

Jodie Agerton, 19 Honeylocust Circle, Elkton, MD 21921:

1. What kind of driveway surfaces are proposed, concrete or macadam.
2. Will the proposed Dog Park only be open to Ridgely Forest residents.
3. If the new homes do not sell, what will happen to Ridgely Forest.

Mr. O’Laughlin reported that the driveway surfaces will be macadam and the Dog Park shall only be open to Ridgely Forest residents. Mr. O’Laughlin stated that it is their intention to offer an affordable product and they will develop the property in phases. The real estate market is much better and they have very good expectations for the Ridgely Forest development.

Jared Gardner, 2 Corktree Lane, Elkton, MD 21921:

1. How will the changes impact the HOA fees. Mr. Gardner is currently paying \$31.00 a month.
2. What are the plans for fencing near the Amtrak rail line.
3. What type of amenity changes are proposed.
4. Will the new homes built in the existing phases blend with what has been built.
5. Has the developer signed a letter of credit or bond in regards to this project.

Mr. O’Laughlin stated that a property management company will be hired to manage the development along with the Homeowners Association. At that time the clubhouse and pool are constructed, the development will be at 50% build out and there will be sufficient HOA fees and Mr. O’Laughlin reported he is not expecting an increase in the HOA fees at that time. Mr. O’Laughlin reported that the developers would like to have a meeting with the HOA before the end of the year.

Chairman Dobbins stated that there shall be fencing installed along the Amtrak rail lines where homes border the Amtrak property line. Mr. Nair added that the fencing will not be installed in non-tidal wetland areas.

Mr. O’Laughlin stated that some of the amenities offered shall be pocket parks, a playground, a dog park, an all-purpose court, a pool and a clubhouse.

Chairman Dobbins stated that the Planning Commission, Town Engineer, Planning Office and developers have been meeting since the end of last year working together to ensure that

the new products built will blend in with the existing homes. Mr. O’Laughlin stated that page 34 and page 35 of the Ridgely Forest MPC Design Guidelines Book compares the existing product to the new product. In addition, WORF, LLC will obtain a letter of credit for this project and they will be building in phases.

Caleb Johnson: 32 Corktree Lane, Elkton, MD 21921:

1. Why is the speed limit being increased to 25 mph.
2. How much of the wetlands are being developed.

After some discussion it was determined that the speed limit within the development shall remain at 15 mph as currently posted within Ridgely Forest.

Mr. O’Laughlin stated that they are currently waiting upon a non-tidal wetland permit to develop lots within non-tidal wetland areas however, these were man made wetlands through development. Chairman Dobbins added that it was the Planning Commission’s desire to keep all of the hydrologically connected non-tidal wetlands intact.

Mr. Nair reported that in the MPC Design Guidelines Book on Page 1, paragraph 3, states tot lot as an amenity and this “tot lot” should be listed as a “playground”. Ms. Vennell referred to the February 22, 2018 letter which stated this playground shall be targeted for older children not a tot lot. Mr. Nair also stated that on page 11, the last sentence needs to be changed to: The clubhouse and pool “shall” be opened by the occupancy of the 272<sup>nd</sup> home, which is 1/2 of the proposed units to be built.

Chairman Dobbins closed the public hearing at 9:09 P.M.

Chairman Dobbins reported that the following section of the North East Zoning Ordinance guides the Planning Commission concerning the task before them, determination of whether the Planning Commission can recommend approval of the Master Planned Community to the Mayor and Commissioners:

Section 5-17 Master Planned Community Floating Zone District Regulations,

Paragraph 4. Procedure for Approval of a “MPC” Floating Zone District Amendment and MPC Plan Approval.

Sub Paragraph (f) Planning Commission Review and Recommendation – Floating Zone District Amendment and MPC Plan, paragraphs 1 thru 6:

- (1) The Planning Commission shall review the floating zone district amendment request and MPC Plan for compliance with the requirements of this Ordinance and consistency with the Comprehensive Plan and the MPC Design Guidelines.
- (2) The Planning Commission shall evaluate the degree to which the floating zone district request and MPC Plan incorporates and/or addresses the MPC Design Guidelines and furthers the goals and objectives of the Comprehensive Plan.

- (3) The Planning Commission may make reasonable recommendations to the petitioner regarding changes to the MPC Plan proposal, which, in the judgment of the Commission, shall cause the proposal to better conform to the requirements of the Comprehensive Plan, the MPC Design Guidelines and the goals and objectives of this Ordinance. The petitioner may resubmit the MPC Plan to the Planning Commission in consideration of the Commission's comments.
- (4) If after four (4) MPC Plan submissions, the MPC Plan has not received a favorable recommendation from the Planning Commission, the Commission shall make a negative recommendation to the Mayor and Commissioners setting forth its reasons as to why the MPC Plan should not be approved.
- (5) The Planning Commission shall consider and comment on the findings required of the Mayor and Commissioners by paragraph G(2) and shall make a favorable or negative recommendation to the Mayor and Commissioners.
- (6) The Planning Commission shall return the MPC Plan, with any revisions, together with written comments and recommendations, and its floating zone district comments, to the Mayor and Commissioners for action pursuant to the floating zone district and MPC Plan approval process.

Chairman Dobbins concluded that the Concept Plan for Ridgely Forest Master Planned Community and the Ridgely Forest Master Planned Community Design Guidelines Book are consistent with the Comprehensive Plan, consistent with the stated purposes of the intent of the MPC District and the proposal, and also complies with the North East Zoning Ordinance and it is compatible with adjoining land uses.

Mr. Nair made a motion for recommendation of approval to the Mayor and Commissioners, with the following conditions:

Conditions:

CNA Letter: Revisions to the MPC Guidelines and MPC Site Plan are required addressing the letter from CNA dated March 23, 2018, attached, and comments as follows:

Speed Limit Discrepancy: Revise all references in the MPC Guidelines book to a speed limit requirement of 15 MPH. Remove reference to a Resolution required for 25 MPH Speed Limit.

Bayberry Drive: Provide illustration in the MPC Guidelines Book which shows the Bayberry Drive roadway entrance plan, showing: retaining walls, landscape, and a sidewalk on one side of the street. Outline in the MPC Guidelines book who will be responsible for the landscape and retaining walls.

Landscape planting width: There was discussion whether the landscape width of 3.5 feet was wide enough to provide street trees which would thrive and would grow tall enough for pedestrians to walk under the tree. The Planning Commission asked that the Planning Office contact the Town's Landscape Architect for an opinion. Another option discussed was to locate the street trees into the 15 foot wide drainage and utility easement shown on all of the Ridgely plans, because the Town Engineer indicated that the outlined easement is not being utilized for anything. Mr. O'Laughlin stated he is agreeable that the street trees be installed in the 15 foot easement and suggested adding a note to indicate that the street trees are maintained by the Homeowners Association. A deed restriction was also suggested as an option by Mr. O'Laughlin.

Panhandle lots: MPC Guidelines Page 31: The typical panhandle layout is not acceptable, as shown. Please revise per the Water Specifications and Details of the Town of North East. Re-submit to Chris Mink, CNA for approval prior to insertion of the new layout into the MPC Guidelines.

Basketball Court: State the minimum size of the basketball court/multi-purpose court in the MPC Guidelines. Suggested location: Page 41, last paragraph where the multi-purpose court is referenced.

Parking on one side of the street: Add to page 23 (Street Hierarchy Plan). "Parking only on one side of each street shall be permitted. Developer shall submit sign locations to the Town Engineer when each section of construction plans are being reviewed. The signs shall be placed at the expense of the Developer and installation shall be required up to and including the unit requesting occupancy."

Goldspire / Cul-de-sac: Verification from Chris Mink, CNA; and Town's Attorney that the Town of North East Road Code allows the Planning Commission and/or Town Engineer the administrative authority for a waiver to permit the length of this street, subject to the condition of installation of speed humps and provision for an emergency access from the Goldspire cul-de-sac to Courts of Mallory.

Trails: MPC Guidelines; Page 45-Pocket parks: Remove trails from amenity list and replace with Footpaths.

Material of footpaths: MPC Guidelines; Insert a statement on page 45-Pocket Parks: The material of the footpaths shall be subject to the approval of the Town Engineer at the time the construction plans are submitted for each specific section.

Pool reference: MPC Guidelines: Page 11-Development Phasing: Revise the last sentence in the last paragraph to state: The clubhouse and pool at The Club at Ridgely Forest shall be opened by the occupancy of the 272<sup>nd</sup> home (1/2 of the total number of units).

Fencing: MPC Guidelines-Page 48: Please amend the language in this section, as follows:  
Bullet #3: Fence Permit: A fence permit is required from the Town of North East Planning Office prior to the installation of a fence. The fence height, fence location and fence style are

subject to the North East Zoning Regulations. (Provide a separate paragraph to referencing the required approval from the Homeowners Association)

Bullet #4: (remove from bullet #3 and put into new bullet) Approval of the fence height, location and style are also subject to approval of the Ridgely Forest Homeowner's Association.

Reference to Bullet existing bullet #4, #5, #6: Please revise language to be clear that the six foot high fences as referenced, are six foot high rear yard fences.

Fence Adjacent to Amtrak - MPC Site Plan The fence adjacent to Amtrak was to be shown behind lots 47 through 68 and it is only shown behind lots 47 through 64. Please revise the MPC plan.

Required Fencing abutting Amtrak: MPC Guidelines Book-page 48-fencing: Add the following language to the MPC Guidelines book:

Existing Phase 2: please change language from "prior to the zoning certificate application for lots 63-68" to: "prior to approval of a Town construction authorization/building permit for lots 63-68" to match the wording for Sections 5A, 5B. Also, please add an \*\* asterisk next to reference to Section 5A.

\*\*The Fencing which is proposed adjacent to lot 5058 shall link to the required 4 foot height stormwater management pond fencing and shall pick up again adjacent to lot 5050 after linking to the west side of the stormwater management fencing

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

**-NEW BUSINESS-**

Maryland Department of Transportation – 2018 request letter

Mrs. Vennell reported that the Town of North East is provided with the opportunity, annually, to outline to the Maryland Transportation Authority and the State Highway Administration, a "capital projects" list, both short term and long term, to identify improvements within North East and the North East growth area. This list is also provided to Cecil County Department of Land Services to assist with coordination of projects in the vicinity. Mrs. Vennell gave a draft list to the Planning Commission to review and add additional items to, and to bring back to the May meeting. At that time, the Planning Commission can notify the Mayor and Commissioners of any other projects they would like included in the request letter. The Mayor and Commissioners will finalize the letter in mid-May.

**-OLD BUSINESS-**

None.

**-REPORTS-**

None.

**-MISCELLANEOUS-**

Nazarene Camp:

In response to an inquiry from Mr. Nair, Mrs. Vennell reported that the previous developer for Nazarene Camp has not pursued this site for a cross dock warehouse facility.

Gilpin Falls Property

Mrs. Vennell reported that there is a developer who is looking into the land across Route 272 from Walmart, for a proposed shopping center. The owner will be required to annex a portion of the property prior to development.

Library

Mrs. Cook-Mackenzie reported the Library Board continues to meet regarding the new proposed library. A meeting was conducted in late March regarding the early childhood development component, to be included in the library's design.

Snatchers Creekside Grill

The Snatchers Creekside Grill will open between April 15, 2018 and April 20, 2018.

**-COMMENTS FROM THE PUBLIC-**

None.

**-NEXT MEETING-**

The next Planning Commission meeting is scheduled for May 1, 2018.

**-ADJOURNMENT-**

With no further business to discuss, Mr. Nair made a motion to adjourn at 9:27 P.M. Ms. Duffy seconded the motion and the motion was approved by all.

Respectfully submitted:

Lisa Rhoades  
Planning and Zoning Assistant

Attest:

Mark Dobbins  
Chairman