

NORTH EAST PLANNING COMMISSION
North East Town Hall Meeting Room
106 South Main Street, North East, Maryland 21901
Tuesday, July 31, 2018
7:00 P.M.

Vice Chairman Valerie Combs called the meeting to order at 7:01 P.M. Present included Commissioner Raymond Mitchell and members Michael Nair and Judy Duffy. Also present were Chris Mink, CNA; Melissa Cook-Mackenzie, Town Administrator; Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Chairman Mark Dobbins was absent from the meeting.

-MINUTES-

July 10, 2018

Ms. Duffy made a motion to approve the minutes as presented. Mr. Nair seconded the motion and the motion was approved by all. Commissioner Mitchell abstained as he was absent from the July 10, 2018 meeting.

-OLD BUSINESS-

None.

-NEW BUSINESS-

Ridgely Forest Master Planned Community:

Ridgely Forest Master Planned Community- Developer: WORF, LLC; Owner: 1PH PROPERTIES, LLC; 9616 Belair Road, Baltimore, Maryland. Tax Map 31; Parcels 1355, 235.

- a. Section 1 and Section 2 Landscape Plan
- b. Section 1 Final Subdivision Plat
- c. Section 1 Open Space Plan
- d. Section 1 Street Lighting Plan
- e. Section 1 Traffic Signage Plan

Mr. Jim Wolf, WORF LLC, 2301 Rutledge Road, Fallston, Maryland and Ms. Amy DiPietro, Morris and Ritchie Associates (MRA), came before the Planning Commission to present the above plans for approval. Ms. DiPietro acknowledged the letter she received from Mrs. Vennell dated 31, 2018, and reported she would address all the items, therefore requested approval for the 35 lots in Section 1.

Ms. DiPietro referred to the letter from Ms. Vennell dated July 30, 2018 and inquired if a Public Works Agreement and Letter of Credit would be required for Section 1. Mr. O’Laughlin requested relief from the Town’s requirement for a PWA and requested a Subdivision

APPROVED

September 4, 2018

Agreement be signed in lieu of a Letter of Credit or Bond. Mrs. Vennell commented that her letter is pursuant to the regulations outlined in the current Subdivision Regulations.

Mrs. Vennell inquired if the no parking signs would be added to the plans and Ms. DiPietro concurred. Mr. O’Laughlin requested that the street pavement markings not be required for occupancy permit as the final paving will not occur until such time as all the houses are constructed, and they will not want to put pavement markings on twice. Mrs. Vennell agreed that this condition could be removed from the requirements prior to occupancy.

Bayberry Drive Development Sign: Mrs. Vennell inquired about the second development sign to be installed at the Bayberry Drive entrance. Mr. O’Laughlin confirmed a smaller development sign will be installed at this entrance. The Planning Commission agreed that the developer could submit a sign permit for the smaller development sign at a later date.

Bayberry Drive Retaining Wall: Mr. O’Laughlin stated the retaining wall to be installed along Bayberry Drive has been designed at the height of 2-3 feet. Ms. DiPietro agreed to add the retaining wall detail to the road and storm drain plans. In addition, the stabilization of this area has been addressed on the Sediment and Erosion plans.

Bayberry Drive Easement: Mrs. Vennell inquired about the open space/easement area along Bayberry Drive on sheet 2 of the Final Subdivision Plat. Mr. Mink stated a new deed of easement with metes and bounds for this area from WORF, LLC to the Town of North East shall be required. Ms. DiPietro inquired if an exhibit could be added to the easement agreement referring to the recorded plat. Mr. Mink replied yes.

Mr. Mink stated that the developer has provided all agency approvals and has addressed all of the outstanding comments from CNA with the exception of adding notes to the key sheet is on the final plat. Ms. DiPietro confirmed the notes will be added to the key sheet. Mr. Mink recommended approval of the subdivision plat and associated plans to the Planning Commission.

Mr. Nair made a motion to approve Section 1 and Section 2 Landscape Plan, Section 1 Final Subdivision Plat, Section 1 Open Space Plan, Section 1 Street Lighting Plan, Section 1 Traffic Signage Plan with the following conditions:

1. Letter from Chris Mink, PE, CNA dated July 27, 2018
2. Letter from Betsy Vennell, Director of Planning dated July 30, 2018
 - Pavement Markings: The requirement of pavement markings prior to the occupancy permit being released, shall be omitted from the conditions of approval, as there will only be a base course of pavement on the road, at occupancy.
 - Bayberry Drive Development Sign: The second Ridgely Forest Development sign at the entrance to Bayberry Drive shall be handled independently with the submittal of a sign permit.
3. Letter from Patricia Lemmerman, ASLA, Landscape Architect, dated May 30, 2018

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

North East Elementary School:

North East Elementary School: Preliminary/Final Site Plan for a proposed parking lot and student drop off/pick up area, fronting Thomas Avenue, North East, Maryland. Also found on Tax Map 401; Parcel 27. Zoning District: "R-1" Single Family Residential. Property Owner: Cecil County Board of Education.

Brian Morgan, GPI, came to request Preliminary/Final Site plan approval for the North East Elementary School parking lot and student drop off/pick up area. Mr. Morgan referenced the comment letter from Mr. Chris Mink, CNA dated July 27, 2018 and stated that he has a full set of revised plans which addresses all of Mr. Mink's comments. Mr. Morgan stated that he has addressed all Agencies and has received approval from the Fire Chief, Soil Conservation and Land Use and Development services. Mr. Mink concurred and reported that he had only a few drafting comments on the signature blocks and recommends approval. Mr. Morgan confirmed those changes have been made.

Mrs. Duffy inquired about the location of the main school sign and where the staging area would be during construction. Mr. Morgan stated the main sign will remain in its current location and the staging area will take place within the existing school parking lot.

Mr. Morgan stated he is excited about introducing a new stormwater practice with the proposed porous concrete. Mrs. Combs inquired if the school board would be educated on how to care for the porous concrete. Mr. Morgan stated that he has experience in working with porous concrete and will ensure that they are aware of the maintenance and will remain available for any questions they may have about the product in future. In addition, Mr. Morgan added that the life span of the porous concrete seems to be consistent with other paving surface materials.

Mr. Nair made a motion for Preliminary/Final Site Plan approval with the following condition:

- Letter from Chris Mink, CNA dated July 27, 2018.

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

-REPORTS-

Library:

Mrs. Cook-Mackenzie reported that town staff, Mr. Morgan, GPI and the Cecil County Library staff has met and had an opportunity to view some preliminary drawings of the proposed library.

North East Subdivision Regulations:

Mrs. Cook-MacKenzie requested feedback from the Planning Commission regarding a change in policy to Article V; Section 5-1 of the Town's Subdivision Regulations. The current Subdivision Regulations has two conditions to get a final major subdivision plat signed by the Town. One

way is to complete the required infrastructure. The other way is to enter into a Public Works Agreement stating you will complete the required infrastructure.

This option also requires the applicant to post a surety with the Town. Based upon the current requirements of a developer getting a letter of credit and the difficulties in calling in a bond Mrs. Cook-MacKenzie is suggesting language that is more in keeping with some larger jurisdictions. The amendment to the Subdivision Regulations would allow the developer to receive approval and record the record plat without requiring a Public Works Agreement. The developer would construct the required infrastructure. However, the developer would not be issued a zoning construction authorization until the required infrastructure is complete. Should the developer decide during the process they want a zoning construction authorization they would then be required to enter into a Public Works Agreement and post a Letter of Credit for the balance of the remaining work.

Mr. Nair inquired if a developer walks away in the middle of a development project, what is the recourse. Mrs. Cook-MacKenzie stated the town would not endure any loss because the Town would not have released any building permits.

Mrs. Cook-MacKenzie reported she had previously shared the proposed draft language with the Planning Chairman, and although he was unable to attend the meeting, he indicated his support of discussing the proposed amendment, based on recommendation from Staff and the Town's Attorney.

North East Commons:

Mrs. Vennell reported that discussion with a Developer for the Nazarene Camp property continues. At this juncture, no official submittals have occurred, however, the latest discussion includes a 714,000 square foot cross dock facility with three commercial pad sites. A traffic impact study is scheduled for the second week of school.

Annexation:

Mrs. Vennell reported that 2 acre property across from North East Plaza is in the process of annexing into the town. The annexation petition was received and an annexation resolution is being prepared and will be presented to the Planning Commission in the Fall, for the purpose of receiving a recommendation of the annexation to the Mayor and Commissioners.

-NEXT MEETING-

Commissioner Mitchell made a motion to cancel the August meeting and Mr. Nair seconded the motion and the motion was approved by all.

The next Planning Commission meeting is scheduled for September 4, 2018.

-ADJOURNMENT-

With no further business, Mr. Nair motioned to adjourn at 7:57 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