

NORTH EAST PLANNING COMMISSION
North East Town Hall Meeting Room
106 South Main Street, North East, Maryland 21901
Tuesday, January 8, 2019
7:00 P.M.

Chairman Mark Dobbins called the meeting to order at 7:00 P.M. Present included Commissioner Raymond Mitchell and members Valerie Combs, Judy Duffy and Mike Nair. Also present were Chris Mink, Town Engineer, Melissa Cook-MacKenzie, Zoning Administrator, Betsy Vennell, Director of Planning and Zoning, Lisa Rhoades, Planning and Zoning Assistant.

-MINUTES-

October 29, 2018

Mr. Nair made a motion to approve the October 29, 2018 minutes with a minor correction. Ms. Combs seconded the motion and the motion was approved by all.

November 6, 2018

Mr. Nair made a motion to approve the November 6, 2018 minutes. Ms. Combs seconded the motion and the motion was approved by all.

-OLD BUSINESS-

None.

-NEW BUSINESS-

1. Election of Chairman and Vice-Chairman

Election of Chairman

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

Election of Vice-Chairman

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

2. North East Gateway: Preliminary Site Plan

North East Gateway: Preliminary Site Plan: A 716,490 square foot cross dock facility is proposed on a 41.31 acre lot fronting Route 272, North East Road, North East, Maryland.

APPROVED

February 5, 2019

Amy DiPietro, MRA, 3445A Box Hill Corporate Center Drive, Abington, Maryland 21009 Mike Wilson and Jeff Holcomb Trammell Crow Company, 300 Conshohocken State Rd, Conshohocken Pennsylvania presented the North East Gateway Preliminary Site Plan for the proposed 716,490 square foot crossdock facility. In addition, Ms. DiPietro reported that there will be 185 foot truck courts, 234 trailer drops, and 352 employee parking spaces. Ms. Dipietro displayed a copy of the Preliminary Site plan showing the Planning Commission where Nazarene Camp Road would be relocated to as well as the location of two commercial pad sites and a half acre parcel which will be retained by the Town of North East.

Ms. DiPietro gave the following project updates:

- The preliminary stormwater management plans and sediment control plans have been submitted to Cecil County and comments have been received from Cecil County which Ms. DiPietro is currently addressing.
- The developer has met with Cecil County to discuss the outfall locations for the stormwater management facilities and these locations have been approved.
- Forest Conservation Plan: the Forest Conservation Plan has been submitted to Cecil County however comments have not yet been received.
- Off-site Reforestation requirements: Trammell Crow is working with Andy Vandenhuevel regarding an offsite re-forestation agreement.
- Traffic Impact Study: Approval of the Traffic Impact Study is pending. The State Highways review of the synchro analysis for the traffic lights, which has been submitted to SHA and is currently under review.
- Access permit drawings: Access drawings were submitted to SHA. The access plans include a detour plan for the temporary closure of Nazarene Camp Road during construction.
- Maryland Department of the Environment (MDE), Maryland Corps of Engineers and Maryland Historic Trust: The owners have a draft memorandum of an agreement (MOA) regarding the Tabernacle. Once the draft has been finalized it will be forwarded to MDE and Maryland Corps of Engineers for review.
- Chesapeake Utilities: Negotiations have been finalized with Chesapeake Utilities. The gas line will be installed along the western property line.
- AT&T: Negotiations have been finalized with AT&T and the relocation of the AT&T easement is underway.

Ms. DiPietro addressed the items on the comment letter from the Town's Engineer, Chris Mink, CNA dated January 7, 2019.

1. Bufferyard: Ms. DiPietro stated the subject property is abutting County land which is currently zoned residential. The bufferyard between the County land and the town zoned land are not clear. Ms. Dipietro reported there is a slight grading difference between the residential properties and the subject property. Landscaping and reforestation are proposed within bufferyard and between Gateway Drive and the residential units. Mr. Mink stated, he would like to see some additional plantings and street trees installed near the stormwater management ponds.
2. Detour, Limited Disturbance and the Super Silt Fence: Ms. DiPietro and the developers have been in discussions with SHA and Cecil County. A proposed plan is under review regarding the closing of Nazarene Camp Road and a detour plan, as safety is a concern during construction. The details of the detour, showing how access will be provided to the residents of South Leslie Road during the construction project, can be seen on the Sediment Control Plans. Mr. Nair inquired

about the duration of the detour of Nazarene Camp Road. Mr. Wilson replied approximately (8) eight months.

3. Monument: Ms. DiPietro reported that the location for the monument has been added to the site plan and place holders for the signs are still under consideration. A separate sign plan will be submitted pending the end user. The developer is not proposing any other signs or features at the entrance of "Gateway Drive". However, when Caves Valley develops the two pad sites, they may choose to install a sign.
4. "HCOD" Highway Corridor Overlay District: Ms. DiPietro stated the developer would like to request a waiver regarding the North East Zoning Ordinance Article 5, "HCOD" Highway Corridor Overlay District Section 5-16.3 Tree Protection, requirements as outlined in Section 5-16.8 Waivers of Corridor Requirements, referenced in the December 12, 2018 letter, number 11, from Amy DiPietro, MRA. Ms. DiPietro added that due to the size of the project, complying with the requirements of the "HCOD" are unattainable. However, a forest delineation has been performed, a Forest Conservation Plan has been submitted, reforestation will be done wherever possible onsite, in addition to some offsite reforestation. Landscaping is proposed along Route 272, and the SHA right of way will be cleaned up. The developer is providing a monument feature to the Town of North East. Mr. Mink commented that an individual tree survey as required by the North East Zoning Ordinance is probably impractical.
5. Easement: Ms. DiPietro reported the utilities have been labeled on the site plan. An easement has been proposed along the Cordish owned property and Route 272 regarding providing water service to Lots 2 & 3.
6. Lot 3 retaining wall: Ms. DiPietro reported a small retaining wall, not more than 5 foot in height, is proposed for Lot 3.
- 7.-11. Ms. DiPietro reported that all drafting updates have been made to the site plan.
12. Jurisdictional Determination: Ms. DiPietro reported that the developer has applied to have the permit reissued, the new permit is expected to be approved in February and shall be valid until 2021.
13. Preliminary Forest Conservation Plan: Ms. DiPietro reported that the Preliminary Forest Conservation Plan was submitted to Cecil County on December 24, 2018 and she has not received any comments to date.
14. Landscape Plan: Ms. DiPietro stated that she will have the Landscape Plan updated.

Public Comments:

Pamel Witzel and Steven Stiles, representing the residents of 248 North East Road, expressed their concerns regarding exiting their driveway onto Route 272. They expressed concern about current traffic, future traffic, I-95 traffic, tourist traffic and now the addition of the proposed crossdock facility traffic. In addition, they expressed some concern that the Nazarene Camp Tabernacle wouldn't be moved intact.

Nazarene Camp Tabernacle

Mrs. Cook-Mackenzie reported that the original agreement, "MOA" Memorandum of Agreement between the property owner and the Maryland Historical Trust has expired. Mrs. Cook-Mackenzie stated there are new negotiations underway with Caves Valley and the Maryland Historical Trust for a new "MOA" and it could possibly contain an entirely different set of requirements regarding the project.

Route 272 Traffic

Chairman Dobbins reported that the Planning Commission had requested a Traffic Impact Study be done and approved by the SHA prior to proceeding with this project. Mrs. Cook-Mackenzie reported that a traffic impact study has been done of the area and if the State Highway Administration approves the

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project then the Town cannot override the approval of the SHA. The current SHA project on Route 272, in the vicinity of the North East Shopping Center entrance, is the last project in this area of Route 272 until 2040. Mrs. Cook-Mackenzie reported there is a meeting at the Perryville Fire Hall January 17, 2019 in regards to another I-95 interchange at Belvedere Road which should ease the truck traffic on Route 272. Ms. DiPietro added, the sequencing of the traffic lights should also help with the flow of traffic. Mr. Holcomb reported that there may only be 15 trucks an hour during peak hours at this site.

Mr. Nair made a motion to approve the North East Gateway Preliminary Site Plan subject to the following conditions:

- Letter from Chris Mink, CNA dated January 7, 2019
- Landscape Plan review
- Request for a waiver be addressed by the Landscape Architect: “North East Zoning Ordinance Article 5, “HCOOD” Highway Corridor Overlay District Section 5-16.3 Tree Protection requirements as outlined in Section 5-16.8 Waivers of Corridor Requirements”, referenced in the December 12, 2018 letter, number 11, from Amy DiPietro, MRA.
- State Highway Administration’s approval.
- Forest Conservation approval.
- The Preliminary North East Gateway Site Plan shall expire 1 year from the date of approval, January 8, 2020, per the North East Zoning Ordinance, Article 10, Section 10-4, Paragraph 1.

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

3. North East Gateway Preliminary Plat:

Ms. DiPietro addressed the items on the comment letter from the Town’s Engineer, Chris Mink, CNA dated January 7, 2019.

1. Dedication of the State Highway right of way: Ms. DiPietro stated once the record plat for the property is approved and recorded, a deed of gift shall be prepared by SHA which will then be recorded. This would convey the right of way over to the State of Maryland and is part of the Access permit process. It is a requirement that the dedication occur before the State releases the bond for the permit.
2. Proposed Easements: Ms. DiPietro reported that plat has been updated to show hatching for the sanitary easement. The description of Metes and Bounds will be incorporated into the final plat.
3. Text and clarity on the plat. Ms. DiPietro has addressed the clarity of the text.
7. Splitting Lot 1: Ms. DiPietro reported Lot 1 will be split by “Gateway Drive” and Ms. DiPietro is getting advice from the assessment office to ensure that this is acceptable.
8. North East Commons, LLC is owned by Caves Valley and Ms. DiPietro will clarify this on the plat.

Mrs. Cook-Mackenzie inquired about the truck court. Mr. Holcomb stated that the truck court is a remote trailer storage area and would be the last area utilized if at all. Mr. Holcomb would like to grade the truck court but keep it as a pervious surface.

Mr. Nair made a motion to approve the North East Gateway Preliminary Site Plan subject to the following conditions:

- Letter from Chris Mink, CNA dated January 7, 2019

- State Highway Administration's approval.
- Forest Conservation approval.
- The Preliminary North East Gateway Subdivision Plat shall expire 1 year from the date of approval, January 8, 2020, per the North East Zoning Ordinance, Article 10, Section 10-4, Paragraph 1.

Commissioner Mitchell seconded the motion and the motion was approved by all.

4. Cecil County Public Library – Concept Site Plan

Brian Morgan and John Sabatino, GPI, 15 Grandview Avenue, North East, Maryland, Morgan Miller, Director of Cecil County Public Library, 301 Newark Ave, Elkton, Maryland.

Ms. Miller stated that Cecil County Public Library is interested in the needs and goals of the community. This was taken into consideration when designing the proposed North East Library. The proposed library will serve the entire county. The existing Cecil County Public Library offices will be relocated to the new proposed North East Library. Of the approximate 43,000 square foot proposed library, 33,000 square feet will be dedicated to library services and approximately 10,000 square feet shall be dedicated to office space and a 100 seat conference room. The Elkton Library will expand their library services into the vacant office space area, once the offices are relocated to the new library. The architects will be presenting the architectural drawings of the new proposed North East Library at the current North East Library January 22, 2019 and to the Town of North East Mayor and Commissioners on January 23, 2019.

Mr. Morgan stated that the new library is compliant with the Town of North East Comprehensive Plan and the pedestrian connectivity project currently underway, shall be a great advantage to the public accessing the proposed library.

Mr. Sabatino displayed the North East Library Concept Plan showing its location within the North East Station and the main entrance off of Mauldin Avenue. There shall be a two concrete pedestrian walkways extending from the proposed library to the sidewalk bordering Route 272, which is not shown on the concept plan but shall be shown on the Preliminary Plan. A drive thru book drop is proposed and a loading and unloading area in the rear of the building. A courtyard shall be installed at the rear of the proposed library as well as two grass terrace areas for outdoor events. The proposed library shall be served with North East Water, County sewer and Chesapeake Utilities. There will be permeable pavement in the parking stalls, below grade stone storage, and a shallow water detention area.

Mr. Morgan gave the following project updates:

- SHA has approved the Traffic Impact Study.
- Stormwater and Erosion, Sediment Control Concept approval has been granted by Cecil County.
- Forest Conservation Plan: approximately 45 acres to the west of the subject property is a wooded area which is protected and designated to meet the Forest Conservation requirements for the entire shopping center.

Mr. Morgan addressed the comments in the January 7, 2019 letter from the Town's Engineer Chris Mink, CNA.

1. Right of way: Right of way boundaries along the north east corner of the subject property shall be labeled.

2. Wetland Area: Mr. Morgan stated that the Wetland area on site is within the SHA right of way. Mr. Morgan reported that this wetland area is not within the proposed development area and all construction will occur more than 25 feet outside of the wetland buffer.
3. Mr. Morgan will work with Mr. Mink regarding the dotted line pattern used along the property boundary to ensure clarity on the plan.
4. Mr. Morgan stated that the sanitary drainage shall flow to the conveyance pipe to the South side of the Lowe's parking lot and the main component impacted, will be a 2" sanitary forced main that comes from an isolated pump station which services West Marine. The sanitary flow is then directed to the drive isles behind the Waffle House. The building position will enter into a private easement and an easement agreement is currently being discussed with West Marine to relocate an existing easement.
5. Mr. Morgan clarified that there are (3) three loading spaces proposed and (5) handicapped spaces. Mr. Mink requested that Mr. Morgan label the loading and unloading spaces on plan.
6. "ECCR" shall be defined and reflected on the plan.
7. Variance requests: A variance request application has been submitted to the North East Board of Appeals to request a 21 foot rear yard setback variance and a 10 foot side yard setback variance to accommodate a portion of the library building and parking.
8. "HCOD" Highway Corridor Overlay District: Mr. Morgan shall include the "HCOD" requirements on all applicable plans.
9. Bufferyards: One bufferyard adjacent to Mauldin Avenue has been added to the plan.
10. Forest Conservation Act: Mr. Morgan stated that note #8 on the plan is being updated to reflect the Forest Conservation Act.
11. Signs and monuments shall be shown on the Preliminary Plan.
- 12.-15. The impervious area numbers, benchmark information, the existing water main and dumpsters shall all be shown on the Preliminary Plan.
16. Cecil County Technical Advisory Committee (T.A.C.) comments are currently being addressed.

Ms. Combs made a motion to approve the North East Library Concept Site Plan subject to the following conditions:

- Letter from Chris Mink, CNA dated January 7, 2019

Commissioner Mitchell seconded the motion and the motion was approved by all.

-MISCELLANEOUS-

None.

-REPORTS-

Ridgley Forest

Mrs. Cook-MacKenzie reported that the Ridgley Forest Townhouses, previously built, are going to auction. In addition, 10 water meters have been requested to be installed for the 10 new homes constructed by Ryan Homes.

-COMMENTS FROM THE PUBLIC-

None.

-NEXT MEETING-

The next Planning Commission meeting is scheduled for February 5, 2019.

-ADJOURNMENT-

With no further business, Ms. Combs made a motion to adjourn at 8:44 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