

NORTH EAST PLANNING COMMISSION

Virtual Meeting conducted via ZOOM
106 South Main Street, North East, Maryland 21901
Tuesday, February 1, 2022
7:00 P.M.

Chairman Mark Dobbins called the meeting to order at 7:03 p.m. Present included Commissioner Raymond Mitchell and member Judy Duffy. Also present were Chris Mink, Town Engineer, Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Melissa Cook-Mackenzie, Zoning Administrator, was absent from the meeting.

-MINUTES-

August 2021

Ms. Duffy made a motion to approve the August 3, 2021 Planning Commission minutes, as presented. Commissioner Mitchell second the motion and the motion was approved by all.

-OLD BUSINESS-

None.

-NEW BUSINESS-

1. Final Subdivision Plat Section 6 – 47 Lots

Ridgely Forest Master Planned Community: Request from Owner/Developer WOLF, LLC, 2301 Rutledge Road, Fallston, Maryland 21047. Found on Tax Map 31 Parcel 235.

Mr. Jeff Matthai, P.E. Morris and Ritchie Associates, 3445A Box Hill Corporate Center Drive, Abington, Maryland, is representing the owner/developer WOLF, LLC. Mr. Matthai is requesting Final Subdivision Plat approval for Ridgely Forest Section 6 consisting of 47 single family lots.

Mr. Matthai reported that all of the comments, on the comment letters from ENEngineering dated December 10, 2021 and January 19, 2022, have been addressed. Mr. Matthai briefly went over some of the comments from the January 19, 2022 letter. In addition, Mr. Matthai stated that on the Key Sheet, Section 3B Phase 2 was not noted and it will be added to the Key Sheet.

Mr. Matthai stated that private easements will be established with those property owners in which drainage and utility easements are proposed on their lots. Chris Mink added that a note has been added to the record plat to clarify that the Ridgely Forest Homeowners Association shall be responsible for maintaining the storm drains located on the private properties. Mrs. Vennell added that the Town is only responsible for maintaining utilities within the Town easements.

Mrs. Vennell inquired about the panhandle lots and how wide the entrance leading to the homes will be. Mr. Matthai responded that there will be two 12 foot driveways, one leading to each side of the panhandle homes with a green area separating the two driveways. In addition, there will be recorded documents between the property owners and the developer regarding the shared driveways.

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Mr. Mink confirmed all items have been addressed and stated that he recommends approval of the Final Subdivision Plat for Section 6.

Commissioner Mitchell made a motion to approve the Ridgely Forest Final Subdivision Plat for Section 6 (47 Lots) subject to the following conditions:

- Chris Mink, ENgineering comment letters dated December 10, 2021.

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

Landscape Plan

Mr. Matthai reported that some flowering trees were substituted (12) for some smaller trees due to the narrow lots. Ms. Jodie Shivery approved the substitution of smaller trees for this Landscape Plan. Mr. Matthai also reported that additional trees were added to the plan. Mr. Mink confirmed all comments were addressed on the ENgineering letter dated December 10, 2022.

Ms. Duffy made a motion to approve the Ridgely Forest Landscape Plan Section 6 subject to the following conditions:

- Chris Mink, ENgineering comment letter dated December 10, 2021

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

Ridgely Forest Open Space, Traffic, Signage and Public Street Lighting Plan

Mr. Matthai reported that the Ridgely Forest Open Space, Traffic, Signage and Public Street Lighting Plan was reviewed by ENgineering and found acceptable as submitted. Mr. Mink confirmed.

Commissioner Mitchell made a motion to approve the Ridgely Forest Final Ridgely Forest Open Space, Traffic, Signage and Public Street Lighting Plan for Section 6 (47 Lots).

- Chris Mink, ENgineering approval letter dated December 10, 2021

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

2. North East Zoning Ordinance Amendments. Discussion:

Article 6. Supplementary Regulations. Amending Section 6-15 Alcoholic Beverage Liquor Store; Supplementary Regulations. Adding provision for Distillery or Craft Beverage Manufacturing; Pub Brewery, Micro Brewery and Gastropub.

Ms. Vennell reported that the Planning Office was requested by the Mayor to write some regulations which would provide for distilleries and brew pubs within Town limits. Regulations have been drafted while keeping prior conversations with the Planning Commission in mind, which is to keep the integrity of the Town by not bringing in more bars. Therefore, the draft regulations have been prepared cautiously so that the Planning Commission can be comfortable with what takes place in the downtown.

There has been some interest shown in distilleries, brew pubs and/or gastro pubs, however, these types of business are not currently addressed in our Zoning Ordinance and therefore are not permitted. Ms.

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Vennell commented that our Town is unique in the respect that we have residential properties intertwined within our businesses. Chairman Dobbins concurred and agreed that the Planning Commission would like to make the opportunity attractive to small business owners while insuring that the proper protectives are put into place.

Mrs. Vennell and the Planning Commission briefly discussed some of the different types of businesses (distilleries, brew pub, gastro pub etc.) and how the definitions will need to be very specific to identify these businesses, the zoning districts in which they are permitted and the protectives that will need to be established. Ms. Duffy concurred and stated for instance while outside music may not be suitable for Main Street, it may be acceptable for the Highway Commercial district depending on the location.

Mrs. Vennell commented that the draft regulations for these uses on Main Street, in the General Commercial District, are only permitted with an approved special exception and in conjunction with a restaurant. In addition, the brewing and distilling would have to be done on site and only those products which have been crafted on site would be able to be sold as a carry out. This protective, prevents the establishment from becoming a packaged goods store. Also, the draft regulations provide the uses in the Highway Commercial District (Route 40) without the requirement for a restaurant, however, they will still require a special exception. Chairman Dobbins concurred that requiring a Special Exception is a good idea as it provides for an opportunity to add conditions to an approval, if necessary.

Mrs. Vennell reported that the draft regulations have been sent to the State Liquor Board, the Cecil County Liquor Board, and to the Town's Attorney on two occasions for review. In addition, Mrs. Vennell mentioned that North East Zoning Ordinance, Article 6 Supplementary District Regulations; Section 6-15 Alcoholic Beverage Sales/Liquor Store states: Off-Premise Consumption - A retail and/or commercial establishment which provides for the sale of alcoholic beverages or liquor for off-premise consumption may be permitted as a Special Exception in the "GC" district provided that no such establishment is located nearer than 1,500 feet to any principal structure used as a hospital, house of worship, school, public or private having a curriculum and conditions under which teaching is conducted equivalent to a public school; and shall be permitted in the "HC", LI and "HI" districts provided that no such establishment is located nearer than 1,500 feet to any principal structure used as a hospital, house of worship or school public or private having a curriculum and conditions under which teaching is conducted equivalent to a public school. Ms. Vennell commented that if this ordinance remains as is, there would be no off premise sales even for the brew pubs or distilleries which brew on site. Therefore, a new category has been added to the draft regulation to address this. Mrs. Vennell stated that she will send some information to the Planning Commission for their review and consideration.

Mrs. Vennell also reported that several people came into the Town Hall this week with some different ideas for brew pub and distillery businesses. One idea was based on a business known as Misc. Distillery where the distillery serves small samples of liquor and patrons may mix the liquor themselves with mixers if they like and this establishment does not serve food. Since this business only sells liquor and does not mix drinks it is not considered a bar. The other idea presented was a brew pub, which is located in another Town, would bring their product to a new business in Town which would essentially serve off-premise liquor, possibly with or without food.

Commissioner Mitchell commented on possible odors that may be transmitted by a distillery or brewery during the manufacturing process. Mrs. Vennell responded that she was not aware if there were any but that should be considered.

Public Comment:

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Chairman Dobbins opened up the discussion to public comment.

Paul Kurzer, 15 Magnolia Drive, Elkton, Maryland, wanted to clarify that the Planning Commission is reviewing this possible new regulation to determine where the best zoning district is to allow for the use of a brew pub or distillery. Mr. Kurzer stated he felt that Ridgely Forest residents should also be considered when thinking about new businesses and the Towns residents, not just those located on Main Street, as welcoming some new types of businesses may bring even more residents to the Town. Mr. Kurzer also commented that he does not like many aspects of the new development within Ridgely Forest and the small size of the Ridgely Forest clubhouse. Chairman Dobbins responded that the Planning Commission held several meetings prior to approving the Master Planned Community which gave the public an opportunity to comment on the plan during the planning stages of the development.

Brad Carrillo, 196 Breon Lane, Elkton, Maryland, Mr. Carrillo would like to speak on a possible brewery business on Main Street. Mr. Carrillo commented that the concept he has is to bring a product, to a new business in North East, which he manufactures at his Elkton brewery. It would be more cost effective. It would be very expensive to start a second brewery and the space he currently owns in North East may be too small for all of the brewing equipment. Mr. Carrillo stated that a tap room which serves food would be a new component for him but he would be open to this idea. Mr. Carrillo is looking at having a sister company to his existing Elkton business.

Chairman Dobbins commented that he appreciates comments from the public as it is important to get those comments now prior to amending the zoning ordinance.

-MISCELLANEOUS-

None.

-REPORTS-

The Club at Ridgely: Ms. Vennell reported that Jim Wolf wanted the Planning Commission to know that they have signed a contract with Progressive Pool out of Delaware for the pool security at The Club at Ridgely Forest to commence on Memorial Day.

North East Comprehensive Plan Transportation Plan: Mrs. Vennell reported the Comprehensive Plan is scheduled to be reviewed. WILMAPCO has agreed to assist the Town of North East with the Transportation section of the Comprehensive Plan update. A meeting will be scheduled in March with a committee to review. WILMAPCO will provide updated Transportation maps. This chapter will be worked on at the same time as a Request for Proposal prior to the remainder of the Comprehensive Plan being sent out. Mrs. Vennell inquired whether any of the Planning Members would be interested in attending these workshops, or if they knew of any members of the public who would be interested in the review of this section. Commissioner Benson among others interested participants will be attending a meeting in March. Chairman Dobbins inquired if they could attend the meeting without officially being on the committee. Mrs. Vennell responded yes.

North East Preserve: Mrs. Vennell reported that the Town has been meeting with a group who has just completed a Request for Proposal for a consultant, for a concept plan for the North East Preserve, (the former Heron Cove). The consultant will be conducting informational meetings for the general public, and there will also be a study group who will be meeting monthly with the consultant to guide the

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consultant through the process of what the Town is looking for in a Nature Preserve. Mrs. Vennell added that a mailing will be sent out to the residents of North East Isles to inform them of the project and meetings. Chairman Dobbins commented that he is sure that residents would like to participate. Mrs. Vennell added that the group has indicated they desire three concept plans for the final public hearing for the public to be able to choose the plan they most desire, or a bit from each plan that they desire.

Chairman Dobbins inquired about any plans for the town owned property to the right of North East Isles Drive. Mrs. Vennell replied that she is not aware of any plans for that property at this time.

Vice Chairman Mike Nair

Chairman Dobbins reported that Mike Nair has resigned from the Planning Commission and thanked Mr. Nair for his service on the board.

-COMMENTS FROM THE PUBLIC-

None.

-NEXT MEETING-

The next Planning Commission meeting is scheduled for March 1, 2021 at 7:00 P.M.

Ms. Vennell reported she is unavailable for the previously scheduled March 1, 2022 meeting and inquired if the Planning Commission would like to reschedule the meeting. The Planning Commission concurred they would like to reschedule the meeting.

-ADJOURNMENT-

With no further business, Ms. Duffy made a motion to adjourn at 8:18 P.M. Commissioner Mitchell seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades
Planning and Zoning Assistant

Mark Dobbins
Chairman

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