

NORTH EAST PLANNING COMMISSION
Virtual Meeting conducted via ZOOM
106 South Main Street, North East, Maryland 21901
Tuesday, March 8, 2022
7:00 P.M.

Chairman Mark Dobbins called the meeting to order at 7:02 p.m. Present included Commissioner Raymond Mitchell and member Judy Duffy. Also present were Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Melissa Cook-Mackenzie, Zoning Administrator, was absent from the meeting.

-MINUTES-

February 1, 2022

Ms. Duffy made a motion to approve the February 1, 2022 Planning Commission minutes, as presented. Commissioner Mitchell second the motion and the motion was approved by all.

-OLD BUSINESS-

North East Zoning Ordinance Amendments. Discussion:

North East Zoning Ordinance Amendments. Discussion: Article 6. Supplementary Regulations. Amending Section 6-15 Alcoholic Beverage Sales /Liquor Store; Supplementary Regulations. Adding provision for Distillery, Craft Distillery or Craft Beverage Manufacturing; Pub Brewery, Micro Brewery, Gastropub and Taproom in the “GC” General Commercial District, “HC” Highway Commercial District and “HI” Heavy Industrial District.

Mrs. Vennell reported that she had sent some additional information to the Planning Commission to review prior to this evenings meeting. There are several zoning districts which are being considered in regards to the proposed amending of Section 6-15 Alcoholic Beverage Sales/Liquor Store, “GC” General Commercial, “HC” Highway Commercial, and “HI” Heavy Industrial. Mrs. Vennell briefly spoke about each of the zoning districts and the proposed regulations:

“VC” Village Commercial

Mrs. Vennell stated that the uses defined for the distillery and pubs are not proposed within the “VC” Village Commercial Zoning District. Because this district has mostly residential properties and would not be conducive for a Brew Pub, Micro Brewery, Gastropub or Taproom. Chairman Dobbins and the Planning Commission concurred.

Ms. Duffy inquired if there were properties designated as “VC” Village Commercial on Race Street. Mrs. Vennell replied yes.

“GC” General Commercial

Mrs. Vennell stated that the proposed uses defined in Section 6-15 state that for Distillery, Craft Distillery or Craft Beverage Manufacturing; Pub Brewery, Micro Brewery, Gastropub and Taproom in the “GC” General Commercial District would only be permitted in conjunction with a restaurant and with an

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approved special exception. This would provide the opportunity for the Planning Commission and Board of Appeals to attach conditions to the approval. For instance, the Planning Commission and Board of Appeals could require the applicant to come back before for the board for a 1 year review or an annual review. There was a restaurant south of town located within the “VC” Village Commercial Zoning District, this restaurant received a special exception with the condition that they come before the board once a year for a review of their extended hours. If there have been no issues or complaints, the board can decide, during their review, that this business does not need to come back each year for an annual review. The Planning Commission concurred that a restaurant should be in conjunction with a distillery, craft beverage manufacturing, brew pub, micro-brewery, gastropub and taproom and only with an approved special exception.

Mrs. Vennell, using the North East Zoning Maps, indicated where the “GC” General Commercial Zoning District was located. Also showing that there was one property south of town which was designated as “GC” General Commercial previously known as “The Day Basket Company”.

Ms. Duffy also inquired about the Turkey Point Wine Tasting Room and questioned whether it is the same type of tasting room for a distillery or brewed craft beverage. Mrs. Vennell explained that a wine tasting room is only permitted when associated with a local vineyard. In addition, Mrs. Vennell explained that she consulted Earl Bradford from the Cecil County Liquor Board and Lou Berman from the State Liquor Board throughout the drafting of the proposed regulations who both indicated that the State regulations are ever changing and there are many levels of licensing.

Mrs. Vennell reported that a letter was received from a local business owner who proposed changes to the draft regulations to allow beer, brewed off-site beer to be permitted to be sold at a brew pub in Town, within the “GC” General Commercial zoning district. The Planning Commission received a copy of the letter. Mrs. Vennell reported that she consulted the Cecil County Liquor Board in regards to this inquiry and was informed that the State Liquor Board does not permit this due to the distance between the brewery and the proposed location in North East. Mrs. Vennell stated the wording is specific in the draft regulation to prevent the business from becoming a carry out package goods store. “Carry-out sales shall be permitted, limited to the beer crafted on-site, per the approved special exception.” Chairman Dobbins clarified that you would not be able to purchase a 6 pack of Michelob beer or another alcoholic beverage to go. Mrs. Vennell stated that is correct.

Ms. Duffy inquired that if Mr. Carrillo opened a restaurant and served beer he brewed at another location within the restaurant, would that be permitted. Mrs. Vennell responded that if Mr. Carrillo opened a restaurant and wanted to sell his own beer, brewed off site, he would be permitted if his liquor license permitted it. He would not be permitted to sell off premises. Special exceptions for a restaurant and a liquor license would be required.

Chairman Dobbins inquired what would be the negatives for the proposed uses in the “GC” General Commercial Zoning District. Ms. Duffy stated loud outdoor music. The Planning Commission also discussed the lack of parking within town. Ms. Duffy commented that in the “GC” General Commercial zoning district, there are many living units above or directly behind businesses and therefore outdoor music should not be permitted. Chairman Dobbins concurred. The Planning Commission stated they would like the draft regulations to reflect that no outdoor music shall be permitted in this zoning district and they agree that this use shall be in conjunction with a restaurant and with an approved special exception.

“HC” Highway Commercial and “HI” Heavy Industrial

Mrs. Vennell stated that the proposed amendments to Section 6-15 state that for Distillery, Craft Distillery or Craft Beverage Manufacturing; Pub Brewery, Micro Brewery, Gastropub and Taproom in the “HC” Highway Commercial and “HI” Heavy Industrial Zoning Districts would also require a special exception. However, in these two zoning districts, the regulations would not require a restaurant be in conjunction with the use of distilling or craft beverage manufacturing.

Mrs. Vennell referred to the Zoning Maps where the properties in these districts were along Route 40 and Route 272. Ms. Duffy inquired if there were any available lots in North East Commerce Center. Mrs. Vennell stated yes there are lots available as well as two lots on Gateway Drive. Chairman Dobbins inquired if this use would be permitted at the North East Family Restaurant location on Route 40. Mrs. Vennell replied yes.

Commissioner Mitchell inquired about the limitation of how close a business selling alcohol could be from a church or school. Mrs. Vennell stated the draft regulations that would not apply for this use.

Mrs. Vennell stated that our current regulation states: 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” General Commercial 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, then the proposed uses would most likely not be able to be located within the General Commercial District or the “HC” Highway Commercial District. The Planning Commission received a new paragraph in Article 6-15 to handle the new uses.

Ms. Duffy stated that outdoor music would be fine in the “HC” Highway Commercial District and “HI” Heavy Industrial Zoning Districts as they are a good distance from residential properties.

The Planning Commission concurred that outdoor music would be permitted in the “HC” Highway Commercial and “HI” Heavy Industrial Zoning Districts and that a distillery or craft beverage manufacturing business would not be required to be in conjunction with a restaurant, however would still require a special exception.

The Planning commission concurred that the Ordinance seemed fine and indicated that Mrs. Vennell should proceed with the adoption process. Mrs. Vennell stated two public hearings shall be scheduled, one for the Planning Commission and the other for the Mayor and Commissioners.

-NEW BUSINESS-

None.

-MISCELLANEOUS-

North East Preserve

Mrs. Vennell reported that the North East Preserve project first has to have a concept plan with phases of development. After approval of the concept, the Town Board will decide which phase is constructed first. To begin construction, each individual phase will then go through design and construction planning, sediment, erosion control, storm water management, critical area approval; then onto construction. The Town is accepting Bid packages for the concept plan/site plan for the Preserve. Public informational meetings will be conducted and the Planning Commission will be requested to review the proposed concept, as well. Chairman Dobbins, Ms. Duffy and Commissioner Mitchell all indicated they would like to be part of the process. Ms. Vennell reported that a meeting will also be conducted with the Town and North East Isles residents on March 26, 2022.

Chairman Dobbins reported that on April 9, 2022 there will be a clean-up day at the North East Preserve.

North East Chamber of Commerce Sign

Ms. Duffy inquired about the North East Chamber of Commerce sign which was previously located in the State Highway property at the corner of Route 40 and Mauldin Avenue. Mrs. Vennell reported that she had understood that the sign was grandfathered and not permitted to be replaced once it was removed.

North East Middle School

Ms. Duffy inquired what the future plans for the North East Middle School once they move to the new school. Mrs. Vennell replied that she was not aware of any plans for the property at this time.

-REPORTS-

Comprehensive Plan Update

Mrs. Vennell reached out to Wilmapco in regards to a start date to update the Transportation Plan section of the Town of North East Comprehensive Plan and they have not yet responded with a date.

Mrs. Vennell reported that the remainder of the Comprehensive Plan will be done by a consultant. A request for proposal (RFP) is currently being created to be sent out.

Ridgely Forest – Section 6

Mrs. Vennell reported that Ridgely Forest will be coming in for the April meeting.

North East Station-Lot 4

Mrs. Vennell reported that the Board of Appeals heard a Variance request for proposed new construction on Lot 4 at the North East Station shopping center, which was the previous location of the Waffle House. The Board of Appeals granted the variance request. Mrs. Vennell reported that a three unit building was

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proposed and the owner of the property indicated that they have a contract with Starbuck's and Jersey Mike's. The third unit will also be a well-known food chain tenant which has not yet been determined. The concept plan will be presented at the May Planning Commission meeting. It is expected that the planning office will be receiving an application for demolition of the existing building soon.

-COMMENTS FROM THE PUBLIC-

None.

-NEXT MEETING-

The next Planning Commission meeting is scheduled for April 5, 2022 at 7:00 P.M.

-ADJOURNMENT-

With no further business, Ms. Duffy made a motion to adjourn at 8:12 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

APPROVED
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