

NORTH EAST PLANNING COMMISSION
106 South Main Street, North East, Maryland 21901
Tuesday, August 9, 2022
7:00 P.M.

Chairman Mark Dobbins called the meeting to order at 7:00 p.m. Present included Judy Duffy and Commissioner Hilary Crothers-Moore. Also present Mrs. Melissa Cook-Mackenzie, Town Administrator, Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant and Chris Mink, ENengineering LLC.

-MINUTES-

July 5, 2022

Ms. Duffy made a motion to approve the July 5, 2022 Planning Commission minutes, as presented. Commissioner Hilary Crothers seconded the motion and the motion was approved by all.

-OLD BUSINESS-

None.

-NEW BUSINESS-

North East Station Lot 4 – Preliminary Site Plan, Landscape Plan, Lighting and HCOD Plan

North East Station, Lot 4: Greenman-Pedersen, Inc., North East, Maryland. Property Owner: DK North East Station LLC, 1777 Reisterstown Road, Baltimore, Maryland 21208. Also found on Tax Map 031B; Parcel 1314; Lot 4. Zoning District: HC, Highway Commercial and “HCOD” Highway Corridor Overlay District.

Mr. Brian Morgan and Mr. Jon Sabatino, Greenman-Peterman Incorporated, GPI, 15 Grandview Avenue, North East, Maryland presented as the applicants and Mr. Matthew Allen, DK North East Station, LLC, 1777 Reisterstown Road, Baltimore, Maryland presented as the owner of the shopping center.

ENengineering LLC had forwarded comment letter dated July 29, 2022 regarding the submittal, to the applicants and to the Planning Commission.

Mr. Sabatino acknowledged the ENengineering letter dated July 29, 2022 and provided comments, as follows

The proposed building will contain (3) three restaurant spaces, one of which will have a drive through lane. A crosswalk was added for pedestrian access from the Library through the center of the parking lot up to the new building. All of the parking stalls shall be constructed with a pervious pavement. Ms. Duffy inquired if this would be the same material that was used for the North East Library parking lot. Mr. Morgan confirmed that it would be the same. Mrs. Vennell reported that the Library had a difficult time finding someone to do the annual maintenance on the parking stalls and was informed that the maintenance was costly. Mr. Allen commented that he will contact the Library staff about working together with a contractor to get a better rate.

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Highway Corridor Overlay District (HCOB)

Pursuant to the Planning Commission comments received in July regarding their architectural review, an updated architectural image of the proposed building was distributed depicting the black accents and the proposed outdoor seating.

Ms. Duffy and Chairman Dobbins inquired if bollards were going to be installed along the front of the dining area. After discussion about placing bollards in the handicap parking stalls it was determined that the bollards may infringe on the required handicap parking stall dimensions and this was not preferable. Mr. Morgan added that the entire crosswalk would be stripped from the Library to the dining area. Mr. Sabatino reported that although difficult to see on the drawing, there is a (6) six inch curb located adjacent to the parking. Mr. Allen stated that the flow of traffic is parallel to the patio dining area, therefore there is less risk of vehicles entering the dining area than if vehicles pulled in directly to the front of the dining area. Mr. Allen added that a decorative fence will be installed at the end of the patio to prevent pedestrians from walking out into the drive-thru lane.

Mr. Sabatino confirmed that the ladder on the back of the building will match the color of the building.

Landscape

Mr. Sabatino confirmed the following will be corrected and addressed on the final landscape plan:

- Required notes shall be added.
- Off-site plantings which were required per the conditions of approval of the variance will be provided and identified on the final landscape plan.
- all areas indicating stone, local river stone will be used and a note will be added to the final landscape plan.
- the planting schedule and maintenance noted on the comment letter will be incorporated into the notes on the final landscape plan.

Mr. Mink stated that instead of the plant material being grass under the trees in the parking area bump outs, which tend not to grow, it may be more beneficial to mulch these areas. The revised landscape plan should reflect this change. Mr. Morgan concurred, they will update the plan to indicate mulch.

Mr. Sabatino stated that there are two trees shown currently on either side of the water meter in the parking island. Mr. Mink stated the trees planted this close to the water meter crock is not in accordance with the regulations as there is a 5 foot setback requirement. Mr. Morgan stated that they are unable to meet the setback for the trees in relation to the water meter and meet the tree requirement. After some discussion it was determined that the trees should be relocated elsewhere, which shall be identified on the final landscape plan.

While discussing the water meter, Mr. Sabatino commented that where the current location of the meter crock is, another recorded easement will need to be recorded for the shopping center. Mr. Allen stated that will not be an issue as the existing ECCR easement agreement, for fiber and gas is with the property owner and there is no restriction stating another easement cannot be granted and there will be no objection by the property owner to sign an easement agreement with the Town of North East in regards to the water meter.

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Mr. Sabatino reported that they will be showing a 20 foot buffer yard for most of the width of the lot, which will exceed the 10 foot required buffer yard. He reported that the required 10 foot buffer yard required a berm which causes some concern in regards to drainage. The 20 foot buffer yard will not require a berm.

There are overhead power lines over the buffer yard. Mr. Mink stated the power company has guidelines and has a list permitted of trees which can be planted around the power lines. Mr. Sabatino stated that to satisfy the HCOD regulations, trees are required to be installed. Mr. Morgan stated that the trees are on either side of the easement and once the trees mature there is a minor encroachment on the power lines and stated GPI can consult with the power company to see if this would be permitted. Mr. Morgan also reported that GPI would like to work with the Town and Jodie Shivery to find a reasonable solution, species and configuration to meet all of the planting requirements, which the Planning Commission and Mr. Mink agreed to.

Preliminary Site Plan

Site Data: Mr. Sabatino stated that all of the site data shall be added to the Final Site Plan.

Parking Easement: Mr. Sabatino confirmed that the parking space Easement Agreement with the property shall be submitted to the Town's attorney for review prior to Final Site Plan approval.

State Highway Administration/Easement: Mr. Sabatino reported that the State Highway Administration has sent an email that they will allow the prior easement along Route 40/Lot 4 to be rescinded. It is expected that this process will take approximately six months to be resolved.

Dumpster Enclosure: Mr. Sabatino stated that detail for the dumpster enclosure will be provided on the next submittal and Mr. Mink added that the detail should provide clarity.

Water Computations and water notes/details: Mr. Sabatino confirmed that the water details and notes will be added to the final site plan along with obtaining the fire flow calculations. The hydrant shall be replaced, as requested. are still outstanding.

Sign: Mr. Allen stated that they are working on a sign plan with several companies however, have not decided on a preferred design yet.

Mr. Sabatino reported that they have received conditional preliminary/final approval from Cecil County Land Use and Development and are waiting for Cecil Soil to complete their review.

Ms. Duffy inquired if it would be possible for a tenant to occupy two spaces for one business. Mr. Allen said that the building is being constructed so that the units can easily be modified if necessary.

Ms. Duffy made a motion to approve the Preliminary Site Plan, Highway Corridor Overlay District-architectural, Landscape Plan and Lighting Plan with the following conditions:

1. Letter from Chris Mink, EN Engineering LLC dated July 29, 2022 (attached) and subsequent conclusions to the comments as noted in the minutes.
2. After confirmation with the power company by GPI, a meeting shall be scheduled with Jodie Shivery, Environmental Matters, LLC and Brian Morgan, Greenman-Pedersen Incorporated, to

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determine which species of under story trees can be planted in the buffer yard along Route 40 and alternate locations to meet the required number of plantings.
Commissioner Crothers seconded the motion and the motion was approved by all.

2. North East Community Park, Addition of Playground Equipment area and Exercise Equipment area

Mrs. Cook-Mackenzie reported that the town is seeking funding for several capital projects including new playground and exercise equipment for the North East Community Park from the Maryland Department of Natural Resources Community Parks and Playground Program. Per the requirements checklist, the Planning Commission shall review and certify, prior to submittal of the application that the proposal is in compliance with the Towns Comprehensive Plan. Two phases are being proposed for the North East Community Park. Aseparate application shall be submitted for Turner Park in the future. Mrs. Cook-Mackenzie stated that proposed additional playground equipment and exercise equipment includes both sensory and accessible equipment.

Mrs. Cook-Mackenzie displayed the proposed equipment for ages 2-12. Ms. Duffy confirmed that the existing playground equipment would remain. Mrs. Cook-Mackenzie responded that the existing equipment would remain as it is in good condition.

The Town has met with two vendors. The vendor the Town is going to go with provided the plans shown this evening.

Phase One comes to \$78,000.00 and includes educational, sensory and accessible playground equipment which met all of the qualifications the Town was looking for and fit within the area chosen for the new equipment. The Town will install the required certified playground mulch.

Phase two costs come to \$63,000.00 and provides 7 pieces of exercise equipment of which 4 accessible pieces. The accessible pieces provide double seated areas and can be utilized independently or two people at the same time. The equipment is proposed around the existing walking path beginning near the Upper Bay Museum around to the foot bridge near the Jackson House. Ms. Duffy inquired if the existing walking path is scheduled to be repaired and Mrs. Cook-Mackenzie replied that it is on the schedule to be repaired this fall. If the Town is awarded the grant, the Town is hopeful that the equipment would be able to be installed next summer.

Chairman Dobbins commented that the proposed equipment and location are laid out well and compliment the park.

Chairman Dobbins and the Planning Commission concurred that the playground equipment and exercise equipment are in compliance with the Town of North East Comprehensive Plan.

-MISCELLANEOUS-

None.

-REPORTS-

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North East Station-Chipotle

Mr. Allen reported that they will be bring a Concept Site Plan to the Planning Commission in the near future for a Chipotle, on a lot which is on the west side of their property, fronting Route 40.

North East Preserve

Mrs. Cook-Mackenzie spoke with Ann Yost, YSM, consultant for the Preserve project. An internal meeting shall be scheduled, followed at another meeting date with the Committee.

Chairman Dobbins reported that he appreciates the North East Police surveillance checks at the North East Preserve, and reported that it has helped with the trespassers.

Ridgely Forest

Mrs. Vennell reported that Ridgely Forest would like to come to the September Planning Commission meeting regarding a proposed housing unit type change. Chairman Dobbins inquired about the total number of Ridgely Forest occupancies. Mrs. Rhoades reported that as of August 1, 2022 there were 401 occupancies.

Chesapeake Club

Ms. Duffy inquired about the proposed residential development project proposing approximately 700 units, south of Town at the Chesapeake Club. Mrs. Cook-Mackenzie reported that the Developer is still on schedule and reported they will be using two separate engineering firms as the project is so large.

-COMMENTS FROM THE PUBLIC-

There were no other members of the public at the meeting.

-NEXT MEETING-

The next Planning Commission meeting is scheduled for September 6, 2022 at 7:00 P.M.

-ADJOURNMENT-

With no further business, Ms. Duffy made a motion to adjourn at 8:26 P.M. Commissioner Crothers- Moore 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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