

**NORTH EAST PLANNING COMMISSION**  
106 South Main Street, North East, Maryland 21901  
Tuesday, January 3, 2023  
7:00 P.M.

Chairman Mark Dobbins called the meeting to order at 7:00 p.m. Present included Commissioner Hilary Crothers, Judy Duffy and Calvin Wilson. Also present were Betsy Vennell, Director of Planning, Lisa Rhoades, Planning and Zoning Assistant and Chris Mink, Town Engineer. Melissa Cook-Mackenzie, Town Administrator, was absent from the meeting.

**-MINUTES-**

December 6, 2022

Ms. Duffy made a motion to approve the December 6, 2022 Planning Commission minutes, as presented. Ms. Crothers seconded the motion and the motion was approved by all.

**-OLD BUSINESS-**

Case: A-2017-03-SE. Snatchers Creekside Grill 510 South Main Street, North East, Maryland.  
Review of extended hours.

Mrs. Vennell reported that one of the conditions of the previously approved Special Exception for this restaurant, was that the applicant has to come back every year to review the continuation of extended hours.

Mrs. Vennell reported that the Planning Office received the Police Report from the past two years and they reported that there have been no noise or fighting complaints for Snatchers Creekside Grill. The owner of this business has reported two separate thefts of their propane tanks. Mrs. Vennell added that the condition placed by the Board of Appeals was based on complaints associated with the prior business at this location.

Ms. Bollinger reported that since the COVID Pandemic their restaurant is closed on Monday and Tuesday. The restaurant is open on Wednesday-Sunday, closing at 8PM and closing on Friday and Saturday 9:00 p.m. Ms. Bollinger reported that the kitchen closes one hour before the business is closed.. Mrs. Vennell reported that in the Village Commercial Zoning District the hours are limited to 8AM to 8PM unless a request is made and approved by the Board of Appeals for a restaurant to be open later.

Ms. Duffy made a motion to recommend approval to the Board of Appeals for the continuation of the previously approved extended hours for Snatchers Creekside Grill.. Ms. Crothers seconded the motion and the motion was approved by all.

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**-NEW BUSINESS-**

**Election of Chairman and Vice Chairman**

Election of Chairman

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

Election of Vice-Chairman

Ms. Crothers made a motion to re-elect Judy Duffy as Vice-Chairman. Mr. Wilson seconded the motion and the motion was approved by all.

**North East Commerce Center Lot 3 & 4 – Concept Site Plan**

North East Commerce Center, Lot 3 & 4, North East, Maryland. Applicant: Bohler Engineering, 18958 Coastal Highway, Suite D, Rehoboth Beach, Delaware. Property Owner: Northeast Commerce Center IV LLC, c/o MIE Properties Incorporated, 2560 Lord Baltimore Drive, Baltimore, Maryland. Concept Site Plan for a proposed 39,244 square foot cross dock facility. Also found on Map 25B; Parcel 42; Lots 3&4. Zoning District HI, Heavy Industrial and “HCOD” Highway Corridor Overlay District.

Mrs. Vennell displayed a site plan of the North East Commerce Center showing Lots 3 & 4.

Steve Fortunato, Bohler Engineering, Rehoboth Beach, Delaware represented the applicant, A. Duie Pyle. Also present were Kevin Watts, Project Manager for Geis Construction, Greg Seifert, Design Development Architect, Geis Construction, Timothy Koch, Vice President of Properties, A. Duie Pyle, and Peter Latta, Chairman and Vice-President, of A. Duie Pyle.

Mr. Fortunato requested concept plan approval for a 70 bay crossdock trucking facility approximately 39,000 square feet. The building would also contain a small office space. An accessory building would be built on the site for a wash bay and minor truck maintenance. Mr. Fortunato reported that A. Duie Pyle has buildings all across the country.

Mr. Latta stated that A. Duie Pyle is a family owned business started in 1924. They are in their 4<sup>th</sup> generation of ownership. The business was started by Mr. Latta’s grandfather with the purchase of two trucks. The business has continued to expand over the last 30 years and will be celebrating their 100 year anniversary in 2024. There are currently over 4,000 employees employed by A. Duie Pyle. Their businesses area of coverage is primarily in the North Eastern United States providing pick-up and delivery services with Uline being their biggest customer. In one day, their company will have approximately 11,000 – 12,000 shipments scheduled in the North East. In 2013 a dedicated transportation services business was started with Wegmans Foods and Advance Autoparts being fulltime users of this service, among others. This year alone that portion of the business will generate \$135 million dollars. Customers can use the service

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once a day, once a week or once a month and the businesses can rely on dedicated. In addition, Mr. Latta added they are also in the warehouse and distribution business for companies that do not want to own their own warehouse. Finally, Mr. Latta reported they also have an asset type business where they will arrange transport services. Mr. Latta stated that the purpose of the proposed North East Crossdock is for pick-up and delivery of shipments with the average size shipment approximately 1,100 pounds. Trucks typically leave a facility in the morning between 7:00 a.m. and 10:00 p.m. to make deliveries throughout the day. Customers may call throughout the day for pick-up service, and trucks come back to the crossdock with those products and then leave with products for delivery throughout the night. Due to A. Duie Pyle's growth on the East Coast there is a need for the addition of new service centers.

Mr. Fortunato discussed the layout of the site stating there will be one entrance off of Center Drive with approximately 115 employee parking spaces along with 5-6 ADA parking spaces. Trucks will enter the site and travel counter clockwise around the building. There will be additional truck parking provided. A wash bay for the trucks is also being proposed. Water Allocation will be requested through the Town of North East. Mr. Fortunato reported that he has spoken to Kordell Wilen, Cecil County Public Works regarding the sewer allocation.

Mr. Fortunato stated that they would like to install a chain link fence with barbed wire on the top, which would encompass the entire site minus the employee parking area. Mr. Fortunato stated that they are aware that the addition of barbed wire would require Planning Commission approval. Mr. Fortunato stated that the site is served by several Stormwater Facilities. Also, a plan has been submitted to Cecil Soil conservation District, the Cecil County Advisory Committee, Stormwater Management Division, Erosion and Sediment Control at Cecil County. Mr. Fortunato reported the Forest Conservation Plan has been submitted and they will be contacting Maryland Department of Environment regarding any wetlands.

Mr. Fortunato reviewed with the Planning Commission, the concept review letter dated November 22, 2022 from Chris Mink, ENEngineering.

1. Zoning District "HI" Heavy Industrial and the Highway Corridor Overlay District "HCOD" Regulations apply to this site. Mrs. Vennell reported that the Planning Commission shall review the Architectural Plan for the building and inquired if the building would be visible from I-95. Mr. Fortunato replied no the building most likely will not be visible from I-95 as it sits 15-18 feet lower than the highway. Mr. Fortunato stated he will submit his Architectural Plans during the Preliminary Site Plan review.

Mr. Seifert briefly described the architectural features of a similar building and displayed an image of that building. Mr. Seifert described the proposed building being constructed of pre-cast concrete panels and painted. There will be canopies installed over the truck docks and concrete aprons around the docking areas. The remainder of the parking and drive areas will be paved with asphalt. Mr. Seifert reported there will be 70 docks on this facility. The maintenance facility/wash bay will be constructed of pre-cast concrete panels and the water used in the wash bay will be reclaimed and processed with a water/oil separator. Mr. Latta added that one wash uses approximately 230 gallons and 80% of that water is reclaimed. There is a snow scrapper to

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remove snow off of the trucks prior to them leaving the lot and a small maintenance shop for oil changes, brake and tire changes.

Mr. Mink stated that the estimated water usage will need to be stated on the application. Chairman Dobbins inquired how many employees they expect. Mr. Latta replied there would be 50 jobs, initially. Mrs. Vennell inquired how many trucks are expected to be coming and going. Mr. Latta replied 30 pick-up and delivery runs, approximately 15 trucks, which would depart between 7:00 a.m. and 10:00 p.m., and arrive between 4:00 p.m. and 10:00 a.m. Mr. Latta stated A. Duie Pyle has their own 10 week qualification and training course and have had 1200 drivers graduate from their program. They also hire drivers for box trucks, which do not require a CDL license. Ms. Duffy inquired if there would be any refrigeration and Mr. Latta replied no.

2. Lot Consolidation Plan – Mr. Fortunato stated the lot consolidation plan will be included in the next submittal to the Planning Commission.
3. “HCOD” – Mr. Fortunato will add and label the “HCOD” Highway Corridor Overlay District on the site plan.
4. Environmentally Sensitive Area – Mr. Fortunato will add the stream buffer and wetland buffers to the site plan.
5. Forest Conservation Plan – Mr. Fortunato stated the Forestation Plan will be submitted with the Preliminary Site Plan. Mr. Mink added the Planning Commission will also review the Forest Conservation plan and will want to discuss any plans for clearing any forested areas. Mr. Mink added that the Preliminary Plan will need to include the clearing line and how reforestation will be addressed or add a note about reforestation. Mr. Fortunato reported that the Forestation Plan was submitted to Cecil County recently and they are expecting approval soon.
6. and 7. Forest Conservation Line and Labels- Mr. Fortunato will add the lines and labels for the Forest Conservation Area for the next submittal.
8. Technical Advisory Committee “TAC” Comments: Mr. Fortunato stated all TAC comments shall be addressed prior to Preliminary Site Plan submittal.
9. Cecil Soil Conservation District Comments- Mr. Fortunato replied there are no issues complying with the comments from the Cecil Soil Conservation District. .

#### General Comments

1. Joint Permit Application: Army Corps of Engineers and State of Maryland DNR - Mr. Mink inquired if an application had been submitted to the state, Mr. Fortunato replied they have not submitted an application yet, however, they are planning to schedule a site visit. Mr. Fortunato added they will not be infringing on the non-tidal wetland buffer. Mr. Mink inquired about the existing culvert. Mr. Fortunato confirmed that they will be using the two existing culverts. Mr. Fortunato confirmed that if a permit is needed for anything they will obtain a permit.

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2. Curbs, lighting, dumpster enclosures, and ADA parking – Mr. Fortunato replied that Bohler will address these comments.
3. Chain Link/Barbed Wire Fence –Mr. Fortunato stated they would like to install barbed wire on the top of the fence. This fence example shall be shown on the site plan and must be approved by the Planning Commission and a note shall be added to the site plan.
4. Grading – Mr. Fortunato reported they are close to receiving Grading approval.
5. Landscape Plan- Mr. Fortunato stated they will comply with the regulations and any comments. Mrs. Vennell suggested a meeting with the Towns Landscape Architect, Jodie Shivery prior to submitting and Mr. Fortunato replied that he has her contact information and will reach out to her for comments prior to the next submittal.
6. Signage Plan – Mr. Fortunato stated they are proposing a ground sign at the entrance to the site. Mrs. Vennell referred Mr. Fortunato to the North East Zoning Ordinance Article 7. Signs.
7. Lighting Plan – Mr. Fortunato will be submitting the Lighting Plan with the next submittal.
8. Utilities – Mr. Fortunato stated the utilities will be added to the next submittal. Mr. Mink inquired if there would be an onsite fire hydrant. Mr. Koch replied no, however, they will be installing a sprinkler system.
9. Water Connection- Mr. Fortunato stated the water connection information will be shown on the next submittal and he has water flow rates from other similar facilities to use.
10. Mr. Fortunato stated that all of the plans will be signed and sealed by the design professional.

Ms. Duffy inquired how soon they would like to begin development. Mr. Latta replied as soon as possible. Mr. Wilson inquired what the timeframe of construction was from start to finish after permitting. Mr. Latta reported that construction will take approximately 9-12 months, depending on the supply chain delays.

Mr. Mink recommended conditional approval of the concept site plan.

Ms. Duffy made a motion to approve the North East Commerce Center Lot 3 & 4 Concept Site Plan subject to the following:

1. Chris Mink, ENEngineering, comment letter dated November 22, 2022.
2. Cecil County agency Concept Plan approvals.

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

### **Ridgely Forest - Section 5A and Section 6 Minor Amendment**

Ridgely Forest Master Planned Community-minor Amendment: On behalf of Owner/Developer WORF, LLC, 2301 Rutledge Road, Fallston, Maryland 21047, Ryan Homes, the builder in Ridgely Forest, is requesting to change the housing unit products for the remaining lots in Ridgely Forest Section 5A and Section 6 (total of 63 lots).

Jason Brant, Vice-President of Ryan Homes, Baltimore, Maryland. Mr. Brant used the images displayed to describe the newest housing products. Mr. Brant stated they would like to add two larger products to their line of homes to give the buyer more options.

#### ELM

Mr. Brant stated that the current product “Elm” which is a 2,203 square foot single family home, is having the name changed and will now be called “Elder”. Mrs. Vennell commented that the Elder has a slightly different roof line with two peaks whereas the Elm only has one peak.

Mrs. Vennell clarified that only the approved architectural product images shown in the Ridgely Forest MPC Design Guideline’s book are the only permitted products approved to be built in the Ridgely Forest Development. If new architectural designs are proposed they must first be approved by the Planning Commission. Mr. Brant stated that he is requesting a name change and a slight design change from the Elm to the Elder. Chairman Dobbins confirmed with Mr. Brant that there are no changes proposed to the garage or parking. Mr. Brant concurred. Mr. Brant added that there are no setback changes with any of the 3 new products being proposed this evening. All of the new products fit within the existing building setbacks and all of the homes will be 40 feet wide single family homes.

#### TUPELO

Mr. Brant stated the Spruce is the current 1366 square foot rancher offered. They would like to offer a new product the “Tupelo” at 1533 square feet, slightly larger.

#### HAZEL

Mr. Brant stated the Aspen and Birch models are no longer available as they are approximately the same size as the duplex being offered. In their place, Ryan Homes would like to offer another new product the “Hazel” which is 2540 square feet and would be the largest product offered.

Mrs. Vennell reported that there are architectural changes on the Tupelo including a change in the roof line from one peak to two peaks and the roof line carries straight across the front on the Spruce and does not on the Tupelo. In addition, the Tupelo has a window over the garage. Mrs. Vennell inquired about the architectural element being carried through on the new products. Mr. Brant replied that they will add a louver or architectural element for consistency. Mrs. Vennell also concurred with Mr. Brant that the garage carriage doors are going to be used on all of the new products. Mr. Brant replied yes.

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Mr. Wilson inquired how many homes are remaining and how many bedrooms will the new homes have. Mr. Brant replied approximately 63 lots are remaining and there are 4 floor plans offering between 3-5 bedrooms. Mr. Brant stated that the floor plan, with the first floor master bedroom, has been very popular. Ms. Duffy stated that Ryan Homes had just been in to the Planning Commission a month ago stating that the market was swinging towards smaller homes and now Mr. Brant is presenting larger homes and stating that the market is showing larger homes are in demand. Mr. Brant replied that there are certain buyers driving the market for each home type. Ms. Duffy inquired what the selling price of the homes will be. Mr. Brant replied in the Middle \$300,000 to Middle \$400,000.

Ms. Duffy made a motion to approve the Ridgely Forest Section 5A and Section 6 Minor Amendment to the MPC Design Guidelines Book subject to the following:

\*Carriage style garage doors will remain on each unit. An architectural element such as a sunburst, fypon or louver or decorative windows will be carried through to each of the homes. .

Mr. Wilson seconded the motion and the motion was approved by all.

**-MISCELLANEOUS-**

None.

**-REPORTS-**

New Planning Commission Member

Mrs. Vennell introduced Calvin Wilson, who took his oath of office this evening prior to this evenings meeting, as a new member of the Planning Commission. The Planning Commission welcomed Mr. Wilson.

North East Preserve

Mrs. Vennell reported a North East Preserve meeting was held December 21, 2022. The Committee will conduct one more meeting before a second public meeting, where the public will be invited back to look at the proposed plans. Chairman Dobbins replied that he is looking forward to seeing the new plan.

North East Station - Lot 1:

Mrs. Duffy inquired when the developer would be coming in with the Preliminary Site Plan. Mrs. Vennell replied February 2023.

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**-COMMENTS FROM THE PUBLIC-**

There were no further comments from the public.

**-NEXT MEETING-**

The next Planning Commission meeting is scheduled for February 7, 2023 at 7:00 P.M.

**-ADJOURNMENT-**

With no further business, Ms. Duffy made a motion to adjourn at 9:05 p.m. Mr. Wilson seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades  
Director of Planning

Mark Dobbins  
Chairman

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