

NORTH EAST PLANNING COMMISSION
106 South Main Street, North East, Maryland 21901
Tuesday, February 7, 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-

January 3, 2023

Ms. Duffy made a motion to approve the January 3, 2023 Planning Commission minutes, as presented. Mr. Wilson seconded the motion and the motion was approved by all.

-OLD BUSINESS-

None.

-NEW BUSINESS-

North East Station, Lot 1: Greenman-Pedersen, Inc., North East, Maryland. Property Owner: DK North East Station LLC, 1777 Reisterstown Road, Baltimore, Maryland. Preliminary Site Plan for a proposed 2,325 square foot restaurant. Also Found on Tax Map 031B; Parcel 1314; Lot 1. Zoning District HC, Highway Commercial and "HCOD" Highway Corridor Overlay District.

Mr. Jon Sabatino and Mr. Brian Morgan, Greenman-Pedersen, Incorporated, GPE, 15 Grandview Avenue, North East, Maryland presented as the applicants and Matthew Allen, Director of Development, Klein Enterprises presented for the owner of the shopping center DK North East Station LLC.

Mr. Sabatino reported that the Preliminary Site Plan layout is almost identical to the Concept Plan, except for the utility locations. Mr. Sabatino displayed the Preliminary Site Plan and stated the restaurant will have a drive thru and by pass lane running counter-clockwise around building. The storm water management are will be located on the south side/rear of the lot. There will be a retaining wall constructed around the west corner and side of the site due to the significant slope of this side of the lot, with protective fencing. Mr. Sabatino briefly addressed the comments on Mr. Minks comment letter dated January 19, 2023:

1. Request to remove trees within the Highway Corridor Overlay District (HCOD): Mr. Mink stated that requesting removal of tress within the HCOD requires Planning Commission approval. Mr. Sabatino reported that they have identified the original tree line and all trees that are over 8 inches in diameter. Mr. Morgan reported that he has reached out to Matthew Littlejohn, the plans reviewer for the Forest Conservation Program for the Land Use and Development Services at Cecil County. Mr. Littlejohn confirmed that the two trees proposed for removal were not part of the original Forest Conservation Plan for the shopping center, therefore, there was no impact and there is no objection from Forest Conservation regarding the removal of the two trees. Chairman Dobbins confirmed that these trees are fairly new

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growth and Mr. Morgan concurred. Mr. Sabatino also reported that there is no Forest Conservation areas on Lot 1. The Planning Commission had no objections to the removal of the two trees.

2. Landscaping two trees located near the curb: Mr. Sabatino reported that there were two trees located very close to the curb and they will be relocated to meet the requirements. Mr. Sabatino stated that the landscaping proposed near the storm water infrastructure will be located on the hill above the swale not in the swale. Mr. Sabatino confirmed the landscape would not be installed within the storm drain area along Route 40. Mr. Allen confirmed that the storm drain is private. Mr. Morgan added that the channel of the storm drain runs along the property line and all of the proposed landscape is at the top of the slope.

3. Retaining Wall: Mr. Sabatino stated that a detail for a heavy duty steel fence has been added to the plan for the retaining wall.

4-7. Water: Mr. Sabatino stated that all comments in regards to the public water have been addressed as per Mr. Mink's comment letter has requested. Mr. Sabatino also reported that the water allocation was approved and the water service agreement has been executed. Mr. Allen added that there are some in-house easements that will have to be drawn up.

8. Mr. Sabatino confirmed all plans will be signed and sealed by the design professional.

Landscape Comment Letter

Mr. Sabatino reported there were two comments on the landscape comment letter from Jodie Shivery, Ecologically Sound Landscapes dated January 23, 2023. The two comments have been addressed.

State Highway Easement

Mrs. Vennell inquired about State Highway Administration easement along the front of the property. Mr. Sabatino reported that they have received SHA approval. Mrs. Vennell requested a copy of the SHA approval.

Cecil Soil Conservation

Mr. Sabatino reported that Development Plans Review and Cecil Soil have granted conditional approvals and a copy of the approval letter will be sent to the planning office.

Preliminary Site Plan

Mr. Wilson made a motion to approve the Preliminary Site Plan for North East Station Lot 1 for a 2,325 square foot restaurant subject to the following conditions:

1. Chris Mink's, ENgineering comment letter dated January 19, 2023.

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

Landscape Plan

Mr. Wilson made a motion to approve the Landscape Plan for North East Station Lot 1, subject to the following conditions:

1. Jodie Shivery, Ecologically Sound Landscapes comment letter dated January 19, 2023.

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

Lighting Plan

Mr. Wilson made a motion to approve the Lighting Plan for North East Station Lot 1. Ms. Duffy seconded the motion and the motion was approved by all.

Tree Removal

Mr. Wilson made a motion to approve the removal of two trees on North East Station, Lot 1 that are located within the Highway Commercial Corridor Overlay District (HCOOD) which are greater than 8 inches in diameter (Item #1 in the letter from ENgineering dated January 19, 2023)

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

Architectural

Chairman Dobbins and the Planning Commission reviewed the architectural plans. Chairman Dobbins commented that the outside seating was nice on the front of the building.

Ms. Duffy made a motion to approve the architectural plan for the North East Station, Lot 1 subject to the following condition:

Chris Mink, ENgineering comment letter dated January 19, 2023.

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

Signs

Mr. Mink stated the sign appeared to be over the storm drain on the plan however it has been clarified that it is not infringing on the storm drain. Mrs. Vennell inquired about what type of sign is planned for the restaurant. Mr. Allen stated they will install a monument sign as they are trying to be consistent with other businesses within the shopping center. Mr. Allen added that the lower monument signs are lower than the tree canopy, they are at eye level and therefore are more visible to patrons.

-MISCELLANEOUS-

None.

-REPORTS-

FEMA

Mrs. Vennell reported she submitted a substantial damage/improvement plan to FEMA. Mrs. Vennell explained that FEMA is requiring Maryland towns and counties to submit a substantial damage/improvement plan which will outline processes and protocol for flooding events, including post flood inspections and inventory, working with the Department of Emergency Services, and requirements for processing permits. The emphasis of this plan is to require homeowners or business owners that have substantial damage or are proposing substantial improvements to meet the current floodplain regulations. For instance, a substantial improvement is outlined when the improvement to the structure is greater than 50% of the value of the existing structure (typically identified on the State's Real Property site or a

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current realtor assessment). Meeting the current floodplain regulations may require the property owner to elevate the existing structure.

Nature Preserve

Mrs. Vennell reported that the Nature Preserve Study Group will meet on February 16, 2023. Mrs. Vennell gave a brief description of the project stating that the Nature Preserve will be located on 59 acres which was donated to the Town for park land. The Town is in the process of creating a passive park with walking trails, a few benches and areas for bird watching. The next public meeting will be sometime in March or April for the public to view the plan. The project will eventually come to the Planning Commission for review. Ms. Duffy added it will be a beautiful place to bird watch and reported there are currently nesting eagles on the site.

North East Station, Lot 1

Mrs. Vennell reported that North East Station, Lot 1 project will be on the agenda for March for Final Site Plan approval.

Rolling Mill Treatment Plant

Mrs. Vennell reported that the Rolling Mill Treatment Plant project is also expected to be on the April agenda.

Proposed Restaurant for 16/18 South Main Street

The Planning Commission inquired if the applicant, Brad Carillo, is coming back for Preliminary/Final approval. Mrs. Vennell stated that the planning office has not received an application yet.

Covatta's South Main Market

Ms. Duffy inquired if the proposed grocery store was a permitted use. Mrs. Vennell stated the grocery store is a permitted use in the General Commercial zoning district when the use is under 2500 square feet. Mrs. Vennell reported that Mr. Covatta has received his Commercial Occupation License from the Town. Chairman Dobbins inquired when Mr. Covatta plans on opening the market. Mrs. Vennell replied that he will be doing some minor renovations prior to opening, and the opening date is unknown..

North East Grocer

Chairman Dobbins inquired about any new interest in the old North East Grocer location. Mrs. Vennell stated that the planning office has not received any correspondence or applications for the former North East Grocer site.

Chesapeake Club-700+ Dwelling Units

Chairman Dobbins inquired whether the Town was going to annex the proposed Chesapeake Club development into the town. Mrs. Vennell replied that the Town has not received an application to annex this property into the Town's Corporate Limit. Mrs. Vennell reported that the Town does serve public water to the existing Chesapeake Club and will serve water to the proposed 700+ dwelling units, as well. The Planning Commission commented on the increase in traffic that is expected from the development.

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Mrs. Vennell reported that the developer is required to update their Traffic Impact Study, which is underway. When that study is complete, the Town will request to review the study. Mrs. Vennell reported that the approval of the proposed development will be through the Cecil County.

North East Comprehensive Plan

Ms. Duffy inquired about the status of the updates to the North East Comprehensive Plan. Mrs. Vennell reported that the consultant for the Water Resource Element and the Municipal Growth Element has just sent their final draft. Regarding the Transportation plan, WILMAPCO still owes the Town some wording and maps, however, they are running behind with the volume of their projects.

North East Zoning Ordinance Amendments

Mrs. Vennell reported she has prepared some amendments to the Zoning Ordinance and will be meeting with the Town Administrator to review them prior to bringing them before the Planning Commission.

-COMMENTS FROM THE PUBLIC-

There were no further comments from the public.

-NEXT MEETING-

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

-ADJOURNMENT-

With no further business, Ms. Duffy made a motion to adjourn at 7:47 p.m. Mr. Wilson seconded the motion and the motion was approved by all.

Respectfully submitted:

Lisa Rhoades
Planning and Zoning Assistant

Attest:

Mark Dobbins
Chairman

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