Due to a lack of agenda items, there was not a January meeting of the Technical Advisory Committee in 2015.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE  
Wednesday, February 4, 2015, 9:00 a.m.  
County Administration Building  
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Graham, Daniel (Citizen’s Rep.), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Brown, Chris (CCSCD), Peoples, Rob (MDE), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA) Langford, Ariana (CCPS).


Don Sutton, McCrone, Inc., and John Peoples, owner, appeared and presented an overview of the project. Mr. Sutton stated that this subdivision is for the purpose of subdividing into lots for Mr. Peoples children.

Mr. Woodhull, DPW, read the comments of the department:

Per the Subdivision Regulations subsection 4.1.20(a) this plat cannot precede to Planning Commission preliminary/final plat review until the concept, preliminary & final SWM plans have been approved and signed by all reviewing agencies. At this time the concept SWM plan has not been approved the Department.

1. A Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
2. Identify any/all SWM BMP & conveyance easements on the preliminary & final plats.
3. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
   3.1 The Final Plat Lot Grading, and Lot Grading Plan Construction Limits Notes.
   3.2 Requirements for Stormwater Inspection and Maintenance Agreements.

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and a note indicating that sidewalk maintenance will be required of the adjacent property owner (if sidewalks are required). The Lot Grading Plan must include the standard construction limits note.
   a. Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown here on. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown here on. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
   b. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance shown here on. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
2. An Inspection & Maintenance Agreement and/or Micro Scale Declaration is required for the private SWM BMPs.

Mr. Sutton presented Mr. Woodhull with a revised plat that reflects changes that were recommended by Aaron Harding in DPW.
Mr. Graham, Citizen’s Representative, stated that a neighbor to this property had some concerns regarding the water run-off as a result of this subdivision. Mr. Sutton explained that all requirements of SWM must be met to receive approval of this subdivision. Mr. Graham stated that this neighbor also wanted to know if there will be any additional subdivision done to this property. Mr. Sutton said the proposed lots are for the owner’s children. At this time, they don’t foresee any additional subdivision on the property.

Mr. Harmon, DEH, read the comments of the department:
A Groundwater Appropriation Permit (GAP) Exemption is required prior to final plat approval. Plat is satisfactory.

Mr. Di Giacomo read the comments from Delmarva Power:
The poles along the right edge of the driveway are owned by the property owner. The transformer on the last pole is owned by Delmarva. The first span of wires to the first private poles are owned by Delmarva. All conductors beyond the first private poles are owned by the property owner.

Mr. Di Giacomo read the comments from Cecil Soil Conservation District:
Concept Stormwater Management Plans have been submitted to the Cecil Soil Conservation District and are currently under review. Conditional approval was sent on 1/23/15. As of 1/26/15 plans are awaiting signatures from reviewing departments. Concept Plats should not be approved prior to approval of the Concept Stormwater Management/Erosion and Sediment Control Plan.

Mr. Di Giacomo stated that CCPS will not enter the development with bus service. Bus service will be provided from a County maintained road. Schools in the attendance area are Calvert Elementary, Rising Sun Middle and Rising Sun High Schools.

Mr. Di Giacomo stated that SHA had no objection to this plat as the subdivision is not located on a state highway.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR

Density: The NAR zone permits a maximum base density of 1 du/ 10 ac. This Preliminary/Final Plat proposes 3 lots and remaining lands on 108.139 acres, for a proposed density of 1/27.03.

Does the cited total acreage include or exclude Lot 4? Mr. Sutton said that Lot 4 is excluded.

Why hasn’t the zoning of adjacent properties been cited on the plat, as required?

No Concept Plat has been reviewed or approved for this proposal because §4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots or 25 or
fewer acres. In addition, §2.0 allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.  

The site of these proposed lots actually was proposed as Lot 44 in the Lands of John A. Peoples, Jr. subdivision’s Concept Plat that was approved on 12/16/91. There were never any subsequent Preliminary or Final Plat reviews or approvals, and the expired Concept approval has no standing. 

The project location is situated within the 2010 Comprehensive Plan’s Rural Conservation land use District. 

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier III area. Since this proposal did not meet the 10/1/12 exemption deadline for Preliminary Plat approval, the Tier III reporting requirements are in effect.

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes. Mr. Sutton stated that a boundary line survey has been completed for Lots 5, 6 and 7. 

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.  

Any slopes greater than 25% must be shown on the Preliminary Plat (none are shown).

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’. 

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of any rare, threatened, and endangered species must be avoided.

This proposal satisfies the open space requirements of the NAR zone, cited in §22.2.b, if the remaining lands are considered open space.

Except in the NAR and SAR zones, at a minimum, 15% of the required open space shall not consist of perennial or intermittent stream buffers, nontidal wetlands or buffers, steep slopes, or habitats of

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1This is a procedural expediency only. All Concept Plat requirements still must be satisfied.

2The Cecil County Subdivision Regulations define steep slopes as “15 percent or greater incline.” The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as “areas with slopes greater than 25 percent slope.”
rare, threatened and endangered species. No more than 40% of the common open space required shall consist of those areas designated as nontidal or tidal wetlands (except in the NAR and SAR zones). The C.O.S. sensitive areas thresholds must be calculated for inclusion on the Preliminary Plat.

No landscaping of the development envelope is required in the NAR zone.

Sidewalks are not recommended.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. (The adjacent properties’ zoning has not been shown.)

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring. Mr. Sutton stated that he would be requesting a waiver of this requirement due to the land being subdivided for the owner’s children. Mr. Di Giacomo stated that staff would support that request.

Rows of street trees with 10’ planting easements are required, outside the right-of-way, along both sides of all internal roads. Where feasible, the natural vegetative equivalent may be used to satisfy any bufferyard and street tree requirements. Mr. Sutton stated that he would be requesting a waiver of this requirement due to the land being subdivided for the owner’s children. Mr. Di Giacomo stated that staff would support that request.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan must (shall) be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan must (shall) be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

Any Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the street trees and Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

Proposed lots 6 and 7 exceed the 3:1 length to width ratio established in §7.4.2. Mr. Sutton stated that he would be asking for a waiver of this requirement because if done per the requirement, it would leave a non-viable farm area.

What is the proposed name of the proposed private road? The lane will remain as Cissel Lane.

The internal road names will need to be approved by the County 911 Emergency Center prior to Planning Commission review of the Preliminary Plat. Road names are required on Concept Plats, per §4.0.13 (h) of the Cecil County Subdivision Regulations.
Access to any common open space between lots must be marked with concrete monuments.

Covenants prohibiting the subdivision of the large lot (open space) are moot because the remaining lands far exceed the 60% open space threshold and subdivision potential remains. However, staff will recommend that a note be placed on the Record Plat to the effect that any subsequent subdivision abide by the §22.2.b open space requirement, with the calculation based on the 108.139 acres, excluding any possible, future common open space.

A Homeowners’ Association for maintenance of any common open space must be established with $50 per recorded lot being placed in escrow for improvements prior to recordation.

Why is a PRMA proposed instead of a private mini-road? Mr. Sutton stated that because the land will be transferred to family members, they plan to use the existing lane. Also, a mini-road would require a cul-de-sac, which, the owner does not want to do.

Documentation of a GAP water allocation must be provided by the applicant prior to the Planning Commission’s review of the Final Plat.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

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CONCEPT PLAT REQUIRED INFORMATION:

(a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.

(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.

(c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.

(d) Title information:
   1. Proposed name
   2. Scale of Plat (feet and meters).
   3. Location by election district, County and State.
   4. Date.

(e) Name and address of owner or person representing owner who is responsible for preparation of the plat.

(f) North point.

(g) Boundary of proposed subdivision. This can be a deed plot.

(h) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).

(i) Location of existing utilities on or within two hundred (200) feet of the parcel.

(j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
Preliminary Plat Requirements:

1. Title information: developed, it shall be identified.
2. Name, and the names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision
   shall be shown.
3. Approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.

General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:

1. Tidal and non-tidal wetlands;
2. Streams (perennial and intermittent);
3. Areas of steep slopes, highly erodible and other soils with development constraints;
4. Shore and stream Buffer (110-foot or 200-foot minimum);
5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensively Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
7. Computation of the amount of acres in the Critical Area District; and
8. The location and extent of existing and/or proposed shore erosion abatement approaches.

All existing easements on the parcel(s) to be subdivided.

Any existing cemeteries or burial sites on the parcel(s) to be subdivided.

Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

Preliminary Plat Requirements:

(a) The Preliminary Plat shall be submitted by the developer on paper and shall be clear and legible. The scale shall be no smaller than 1” = 100’ (1” = 200’ where the average lot size is greater than five (5) acres as approved by the Office of Planning and Zoning). When more than one (1) sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. Each sheet must have the surveyor’s seal. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Preliminary Plat will be not considered complete if the boundary line survey has not been completed, the Traffic Impact Study (if required) has not been completed, the documentation of the completed jurisdictional determination (if applicable) has not submitted, and the Preliminary Forest Conservation Plan has not been approved prior to submittal of said Preliminary Plat (if in the Critical Area, a Preliminary Plat will not be considered complete unless the Preliminary Environmental Assessment has been approved prior to submission of said Preliminary Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Preliminary Plat will not be considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid. Incomplete Preliminary Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.

(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. (scale shall be no smaller than 1” = 2000’), and conforming to Section 2.4.4 on the designation of the remainder. The tax map, block (grid), parcel number(s) shall also be shown.

(c) The names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision
   name, and recording reference shall be indicated. In the event that a historic district or other officially designated historic site adjoins the land to be developed, it shall be identified.

(d) Title information:
   1. Proposed name.
   2. Scale of Plat (feet and meters).
   3. Location by election district, County and State.
   4. Date.

(e) Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor and corporation required.

(f) Northpoint. Indicate if true north.

(g) Boundary of proposed subdivision.

(h) All existing pertinent features whether natural or manmade that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.

(i) Existing topography at 2- or 5-ft contour intervals. Contour lines shall be indicated 100 ft beyond the subdivision boundary. Contours shall be based on government bench marks when available within 2000 ft of property or by estimation from USGS quadrangle maps. Data shall be stated in all cases and a reference or bench mark described on the plat together with elevation. Source of contours shall be stated on plat, such as, field run topo, or aerial topo, etc. Interpolation of contours from USGS quadrangle maps will not be accepted unless previously approved by OPZ.

(j) Location, width, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements (to be indicated with dashed lines).

(k) Location of existing and proposed utilities on or within 200 ft of the tract with approximate pipe sizes and directions of slope indicated (should include electric and telephone poles or towers).

(l) The layout of all proposed and existing lots with approximate dimensions and minimum building line should be indicated. All major subdivisions must be provided with coordinates consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.

(m) The preliminary layout of all proposed streets and pedestrian ways, including width of right-of-way, pavements, storm drains, and grades.

(n) The approximate location, dimensions, and area of all property proposed to be reserved or temporarily reserved for public use, or to be reserved for use of all property owners in the subdivision, and the location, dimensions and purposes of any proposed easements, including drainage easements.

(o) Zoning district classification of the tract or parcel being subdivided.

(p) Existing and proposed (schematic) drainage system, including the type(s) of structures, the floodplain, proposed stormwater management facility locations, and any deviations from standards, consistent with Section 7.5.
Required information: The Final Plat submitted for Planning Commission review and approval shall be on paper and be clear and legible. It shall not be in the Critical Area, as required:

1. Approximate location of each building, setbacks from all streets (public or private), property lines and distance between buildings.
2. Number and types of units in each building.
3. Total number of Units and sub-totals of each type.
4. Number of parking spaces in each off-street parking area, and the space to unit ratio.

Soil types shall be shown.

Perimeter of the entire parcel as well as the section requiring approval.

For proposed subdivisions located in the Critical Area, the following additional information will be shown on the Preliminary Plat as applicable:

1. Computation of the total area within the critical Area District, area within each of the land management classifications (i.e., IDA, LDA, RCA), and number of lots in the Critical Area;
2. Slopes 15% or greater;
3. Location and area extent of all soils exhibiting the following characteristics as determined by the Soil Survey, such as:
   a) Wet soils,
   b) Hydric soils and soils with hydric properties, and
   c) Highly erodible soils (soils on slopes greater than 15% or on slope greater than 5% with “K” values greater than 0.35).
4. Location of all existing or proposed site improvements (including storm drains, culverts, retaining walls, fences, and stormwater management facilities, as well as sediment and erosion control structures);
5. Location of open space, the Buffer and other buffer areas, forested areas and landscaping (the plan shall show all areas to be maintained as landscaping to be provided and the means by which such landscaping will be permanently maintained shall be specified);
6. Location of all Habitat Protection Areas on the site;
7. Location of tidal and non-tidal wetlands on and adjacent to the site and delineation of the watershed thereof;
8. Location of eroding shoreline reaches, the rates of erosion, areas where shore erosion measures are in place, areas to be protected by installation of proposed erosion abatement approaches;
9. Areas to be retained in agricultural use;
10. Areas proposed for reforestation and afforestation;
11. Total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed (disturbed is defined as any activity occurring on a site which may result in the loss or damage to existing natural vegetation);
12. Proposed natural park areas, as appropriate; and
13. The location of the Critical Area District Boundary, the Mean High Water Line and the landward edge of tidal wetlands.

In addition to the information above, the Preliminary Plan shall be accompanied by the following when the subdivision or development is proposed in the Critical Area, as required:

a) A Planting Plan reviewed by and addressing the comments of the Bay Watershed Forester;

b) A Habitat Protection Plan, including comments of the Maryland Forest, Park, and Wildlife Service, the Water Resources Administration, and other agencies as appropriate;

c) An executed Cooperators Agreement with the Cecil County Soil Conservation District, or a farm plan, as applicable;

d) A preliminary Stormwater Management Plan;

e) A preliminary Sediment and Erosion Control Plan;

f) A Shore Erosion Protection Plan – complete specification for complete shore erosion work;

g) Natural Park Management Plan, as appropriate; and

h) An Environmental Assessment, which provides a coherent statement of how the proposed development addresses the goals and objectives of the Cecil County Chesapeake Bay Critical Area Program. At a minimum, the Environmental Assessment shall include:

   1. A statement of existing conditions, e.g. amount and type of forest cover, amount and type of wetlands, discussion of existing agricultural activities on the site, soil types, topography, etc.;
   2. A discussion of the proposed development project, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;
   3. A discussion of the proposed development’s impacts on water quality and Habitat Protection Areas; and
   4. Documentation of all correspondence and findings.

FINAL PLAT REQUIREMENTS

Required information: The Final Plat submitted for Planning Commission review and approval shall be on paper and be clear and legible. It shall not be considered complete unless the Stormwater Management Final Plan and Final Forest Conservation Plan and Landscape Plan have been approved, and all conditions of Preliminary Plat approval have been satisfied prior to submission of said Final Plat (if in the Critical Area, a Final Plat will not be considered complete unless the Environmental Assessment has been approved prior to submission of said Final Plat). Incomplete Final Plats will be returned to the subdivider within fifteen (15) days of submission for completion and re-submission by the subdivider at a later date, and the submission fees shall be forfeited. The Final Plat submitted for recordation shall be clearly and legibly drawn in black waterproof ink on a reproducible linen of good quality or comparable material such as mylar approved by the Cecil County Office of Planning and Zoning. The minimum size of the plat shall be eighteen (18) by twenty-four (24) inches, including a one (1) inch margin along the left hand edge and one-half (½) inch margin on all other sides. Where necessary, the Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision submitted; however, each sheet shall be signed and sealed and include an approval signature block.

a) Title – The title block shall appear in the lower right hand corner of the plat and shall include the following information:

   1. Name of the subdivision. The name approved by the Planning Department and recorded in the Land Records shall constitute the subdivision’s official and only name. No other name may be used for advertising or sales purpose unless an approved and amended plat is recorded bearing the revised name.
   2. Section & lot numbers.
3. Scale and date of completion. Scale shall be no smaller than one (1) inch equals one hundred (100) feet (one (1) inch = two hundred (200) feet where the average lot size is greater than 5 acres, as approved by the Office of Planning and Zoning).
4. County, State & Election District.
5. Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor, and corporation required.

b) Approval blocks in the form required by the Office of Planning and Zoning shall be provided in the lower left hand corner of the plat for signature by the Planning Director, the Public Works Director or Senior Engineer, and the Health Department, approving authority.

c) Tabulation on Final Plat (above approval block) showing the following:
1. Total number of lots.
2. Total area of lots.
3. Total area of roadways to be recorded.
4. Total area of subdivision to be recorded and where density restrictions apply, the acreage dedicated to the development, and the total area to be recorded as common open space.
5. Total area of subdivision or parcels to be recorded in the Critical Area District.
6. Total number of lots in the Critical Area District.
7. Residential density in the Critical Area District.

d) A heavy line indicating the boundary of the Final Plat with the distances of courses to hundredths of a foot and bearings relating to and consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.

e) Exact locations, widths, bearings, and names of all streets, pedestrian ways within the subdivisions or of adjoining subdivision abutting on the outline of the subdivision as well as any common and community grounds.

f) Bearings & lengths of all arcs, radii, tangents, chords and distances in tabular form.

g) All easements, reservations, or rights-of-way provided for public service or utilities in the subdivision, and any limitations of such easements. All existing recorded easements, if they are in excess of a five (5) foot drainage and utility easement, shall be indicated with recording references if known.

h) All lot lines with dimensions in feet and hundredths, and with bearings to a minimum accuracy of one (1) second.
i) Minimum area of each lot in square feet if under one (1) acre or in acres if lot size is one (1) acre or greater.
j) Coordinates shown for the outside boundary of the plat.
k) Lot numbers in numerical order throughout the entire subdivision. In case there is a resubdivision of lots in any block, such subdivided lots shall have a number and letter to denote their origin and the original lot lines shown dashed and original lot number dotted.
l) Minimum rear and side building restriction lines, and minimum five (5) foot drainage and utility easements should be given by written note. The front building restriction line and the Critical Area Buffer restriction line shall be drawn graphically with dimensions for each lot.
m) The names, liber and folio of all adjoining unsubdivided property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference should be indicated. (To be indicated with dashed lines.)

n) The plat shall contain a north arrow, which represents and designates either true or magnetic meridian as of a date specified on the plat or shall be referenced to a recognized coordinate system within the County.
o) Accurate outlines of any areas to be reserved for common use by residents of the subdivision or general public use, with the purposes indicated thereon.
p) A certification that the owner or equitable owner of the land proposed to be subdivided shall be noted on the Final Plat. Such wording as specified by these regulations and the Planning Department shall be utilized.

q) A certification and dedication by the owner or owners of property to the effect that the subdivision as shown on the Final Plat is made with his consent and that it is desired to record the same and shall be noted on the Final Plat. Such wording as specified by these regulations and the Planning Department shall be utilized.
r) When a development is being resubdivided, the owner’s certification shall be noted on the plat. Such wording as specified by these regulations and the Planning Department shall be utilized.
s) References of protective covenants governing the maintenance of undedicated public spaces or reservations.
t) If a community water supply or community sewerage system is to be used in a subdivision, the record plat shall contain a statement signed by the Health Department approving authority, to the effect that use of such community water supply or community sewerage system is in conformance with the Master Water and Sewer Plan. The Final (record) Plat shall also contain a statement, signed by the owner, that such facilities will be available for all lots offered for sale.
u) If a community water supply or community sewerage system is to be constructed to serve any new subdivision, the Final (record) Plat shall contain a statement signed by the owner to the effect that plans for such facilities, including any necessary point of discharge, have been approved by the appropriate Federal, State, or County authority.
v) Location of minimum required septic area and proposed well(s), if applicable.
w) Reservation of road rights-of-way.
x) Exact locations, widths and bearings of any common or reserved areas or portions of lots to be maintained by covenant, easement, or similar approved instrument, in permanent forest cover, including existing forested areas, reforested areas and afforested areas to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.
y) Exact locations, widths and bearings of any areas to be maintained as resource protection (e.g., agriculture, natural parks, forest, etc.) to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.

z) Exact locations, widths and bearings of any areas to be maintained as permanent wildlife and plant habitat protection areas to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.

8
The February TAC meeting adjourned at 9:22 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning
Due to a lack of agenda items, there was not a March 2015 meeting of the Technical Advisory Committee.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, April 1, 2015, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present:   Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Brown, Chris (CCSCD),
Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent:  Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Williams, Keith (FA), Cwiek, Philip
(USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA) Langford, Ariana (CCPS).

1. Kirks Mill Manor, Re-subdivision, Phase III, 2 Lots, Preliminary / Final Plat, Joseph Biggs Hwy (MD Rte. 274), Karins and Associates, Ninth Election District.

John Mascari, Karins and Associates, appeared and presented an overview of the project.

Mr. Mascari explained that he is required to receive Concept, Preliminary and Final ESD approvals prior to the Preliminary/Final Plat review and approval by the Planning Commission.

Mr. Woodhull, DPW, read the comments of the department:
1. The preliminary and final SWM plans must be approved prior to submitting the preliminary/final plat to the Planning Commission for final plat review.
2. The concept SWM plan showed 5 micro bio-retention BMPs while this plat indicates 4 numbered 2-5. Where is #1? Mr. Mascari explained that it is adjacent to the driveway. He will correct this on any subsequent plats.
3. The plat indicates 3 drywells but numbers two of them as #2. Is either #1 instead?
4. SWM BMPs cannot be located within the 100-Year Flood Plain, stream buffers, and/or wetland buffers.
5. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:

5.1 The Final Plat Lot Grading Note and the Lot Grading Plan Construction Limits Note
5.2 Requirements for Utility relocations
5.3 Requirements for Stormwater Inspection and Maintenance Agreements

Notes and requirements identified for record:
1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
   a. Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
   b. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
2. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer’s expense.
3. An Inspection & Maintenance Agreement is required for the private SWM facilities.
Mr. Harmon, DEH, read the comments of the department:
Plat is satisfactory. A Groundwater Appropriation Permit Exemption must be filed with Maryland Department of the Environment prior to Final Plat approval.

Health Department would appreciate a courtesy copy.

Mr. Brown, CSCD, read the comments of the department:
To date, Preliminary Stormwater Management Plans have not been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly. Preliminary Stormwater Management Plans must be approved prior to Preliminary Plat approval.

Mr. Di Giacomo read the comments from SHA:
The proposed access to Lot 6 from MD274 will be subject to the terms of a residential access permit that may be obtained by contacting Mr. Ken Fender, Resident Maintenance Engineer-Elkton Shop at 410-398-1565. A copy of the plan will be forwarded to Mr. Fender’s office. The SHA has no objection to approval of the plat however we request that the county withhold approval of the building permit until the access permit has been issued.

If there are any questions, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 or at e-mail address (rzeller@sha.state.md.us).

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from a State / County maintained road.
2. Schools in this attendance area are Bay View Elementary, North East Middle and North East High Schools.

Mr. Di Giacomo stated that comments were not received from the Citizen’s Representative, Fire Chief’s Representative and Delmarva Power.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR

The original Concept Plat proposing a total of 15 lots on 96.36 acres, for a proposed density of 1/6.42, was originally approved on 12/19/05, conditioned on:

1) The boundary line survey being completed prior to the TAC’s review of the Preliminary Plat;
2) The JD being completed prior to the Planning Commission’s review of the Preliminary Plat;
3) Common open space being labeled and referenced as such;
4) Fee simple access to the proposed common open space being shown on the Preliminary Plat.
5) All bufferyards being shown on the Preliminary Plat;
6) The proposed Paul’s Court being labeled a private mini-road on the Preliminary Plat; and
7) The contiguous operating farms notice being provided on the Preliminary Plat.

The revised Concept Plat, with the same density but a significantly new layout was approved on 7/19/06, conditioned on:
1) The JD being completed prior to the Planning Commission’s review of the Preliminary Plat;
2) Common open space being labeled and referenced as such;
3) The stream buffer being expanded as necessary;
4) All bufferyards being shown on the Preliminary Plat;
5) The Bufferyard A on proposed Lots 13-15 being reconfigured to be consistent with §187.3;
6) The contiguous operating farms notice being provided on the Preliminary Plat; and
7) Sight distance for the proposed Lot 1 access being approved prior to the TAC’s review of the Preliminary Plat.

The Preliminary Plat was approved on 11/20/06, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The FCP and Landscape Plan being approved prior to Final Plat review; and
4) Documentation of the completed JD being submitted prior to Final Plat if JDs are once again performed.

The Phase 1, Lots 5 & 15, Final Plat was approved on 9/15/08, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The Landscape Agreement’s being executed prior to Final Plat recordation;
4) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded & noted on the plat prior to recordation, with the metes & bounds description of the FRA being shown on the Record Plat; and
5) A Homeowners’ Association for maintenance of common open space being established with $50 per recorded lot placed in escrow for improvements prior to recordation.

Phase 1 was recorded on 11/12/08 – thus extending Preliminary approval until 11/12/10.

The Phase 2, Lots 1-3, Final Plat was approved on 2/16/08, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The Landscape Agreement’s being executed prior to Final Plat recordation;
4) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded & noted on the plat prior to recordation, with the metes & bounds description of the FRA being shown on the Record Plat;
5) A Homeowners’ Association for maintenance of common open space being established with $50 per recorded lot placed in escrow for improvements prior to recordation;
6) The discrepancy in lot boundaries being corrected on the Record Plat;
7) The contiguous operating farms notice being provided on the Record Plat;
8) Add-on Parcels A & B have being identified on the Record Plat;
9) The apparent discrepancy between FCP data and General Note # 6 being resolved prior to Recordation;
10) Stream buffers being labeled on the Record Plat; and
11) Non-tidal wetland buffers being labeled on the Record Plat.
Phase 2 (Lots 1-3) was recorded on 11/19/10 – as a result, extending Preliminary Plat approval until 11/19/12.

Thus, the 7/19/06 Concept Plat approval and the 11/20/06 Preliminary Plat approval have now both expired.

Therefore, because of the down-zoning in the NAR zone, which became effective on 1/1/07, based upon the approved (but no longer valid) Concept Plat’s 96.36 acres, a maximum potential of nine (9) lots now exists, given the NAR zone’s current permitted density of 1/10. Thus, after subtracting the five (5) lots already recorded,¹ the remaining potential from the Kirk’s Mill Manor proposal is four (4) lots.

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s² tier map, this site is located within a Tier III area. Since this proposal does not meet the 10/1/12 exemption deadline for Preliminary Plat approval, the Tier III reporting requirements are in effect, including a mandatory cost/benefit analysis and an environmental assessment.

The 2010 Comprehensive Plan designates this area as a Rural Conservation District.

This proposal combines the re-subdivision of Lots 3, 5, and 15 with the previous remaining lands, and the creation of 2 new lots: proposed Lots 4 and 6. This proposal’s Concept Plat was reviewed by the TAC on 3/5/14, and approved³ by the Planning Commission on 12/15/14, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met; and
3) The Tier III reporting requirements, including a mandatory cost/benefit analysis and an environmental assessment, being presented at the TAC’s review of the Preliminary Plat.

This Preliminary-Final Plat⁴ is consistent with the approved Concept Plat.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.⁵

Slopes greater than 25% have been shown.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.

Is the depicted 50’ buffer within an FRA? Mr. Mascari said that it is located in the existing FRA. He added that the add-on to Lot 3A will be part of a new extension of the FRA.

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream

¹ 1-3, 5, and 15.
² SB 236.
³ This was essentially the same as that previously reviewed by the TAC, except that the 1.124 ac. that were previously ‘Add-on C’ were no longer proposed to be added on to the Lands of Jourdan; and the two-acre ‘Add-on D’ was subsequently relabeled as the new ‘Add-on C’.
⁴ §2.0 of the Subdivision Regulations allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.
⁵ The Cecil County Subdivision Regulations define steep slopes as “15 percent or greater incline.” The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as “areas with slopes greater than 25 percent slope.”
impacts prior to recordation. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of rare, threatened, and endangered species must be avoided.

§22.2.b requires sixty (60) percent open space in the NAR zone. Since the possible approval of these proposed lots would result in fewer than ten (10) in the entirety of Kirks Mill Manor, the common open space provisions of §22.3 do not apply.

Proposed Lot 6 would be 46.221 acres (was 45.097: 46.221 – 1.124 = 45.097), or 71.96% of Parcel 170, remaining lands; therefore, the provisions of §22.2.b have been satisfied.

No landscaping of the development envelope is required in the NAR zone, and sidewalks are not recommended.

Bufferyard Standard C is required, outside the right-of-way, along the road frontage of MD 274 (Biggs Highway).

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another.

Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

The Forest Stand Delineation (FSD) and SWM Concept Plan have been approved; what about the final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan? Mr. Mascari explained that the Preliminary and Final plans will be submitted and approved separately. He understands that he will not be permitted to submit the Preliminary / Final plat for Planning Commission review until all FCP/Landscape, SWM and ESD plans are approved.

Any Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

Proposed Lot 6 approached the 3:1 length to width ratio limitation established in §7.4.2.

There are no internal road names that will need to be approved by the County 911 Emergency Center.

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6 60% is the qualifying threshold.

7 They must (shall) be approved prior to Planning Commission review of the preliminary-Final or Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).
What agreements are either in place or proposed to effectuate the joint access to MD 274 by proposed Lots 4 and 5A? Mr. Mascari stated that a private common driveway easement will be recorded to address access.

Covenants prohibiting the subdivision of the large lot (open space) must be recorded prior to plat recordation and noted on the Final and Record Plats.

The contiguous agricultural operations note has been provided on the plat as General Note # 12.

General Note # 9 must be corrected by adding “-term” between the words “long” and “protection.”

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

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The April TAC meeting adjourned at 9:22 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning

Faron Pyles, Northern Bay Land Planning and William and Lisa England, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:
Clearly define the purpose of the subdivision on the plan. As long as there is no proposed increase in impervious surface on site associated with this plan it qualifies for exemption from the minimum controls requirements of the Stormwater Management Ordinance. In this regard Note #8 must be revised to reference Section 251-6 as Section 251-5C no longer applies in the current Ordinance.

Mr. Harmon, DEH, read the comments of the department:
Written approval must be obtained from the Rising Sun Water Department that the water supply is adequate to serve the properties.

Written approval must be obtained from the Rising Sun Town Administration that the sewer allocation is adequate to serve the properties.

Use of public water and public sewerage is in conformance with the Cecil County Master Water and Sewer Plan.

Mrs. Paoletti, P&Z, read the comments of the department:
This project is proposed in the Town of Rising Sun. The Cecil County TAC, as a courtesy to the towns in the County, reviews development proposals within the towns’ corporate limits.

The Office of Planning & Zoning’s comments and questions relating to this proposed minor subdivision are as follows:

- Town Zoning: CC (per Note #6)

- It is recommended that the current/proposed uses be verified as being consistent with the Town’s Zoning Ordinance for the CC zone. (If not, then what provisions are there for existing non-conforming uses?)
• It should be confirmed that the setbacks and distances between proposed structures are consistent with the Town’s Zoning Ordinance for the CC zone. (If not, then what provisions are there for existing non-conforming structures?)

• It should be confirmed that the street and driveway geometrics are consistent with the Town’s Zoning Ordinance and Subdivision and Public Works codes and regulations. (If not, then is a Variance needed prior to the approval of the minor subdivision?)

• Note #7 indicates that this project is exempt, per §14-302 H. (The Town of Rising Sun and Cecil County have not signed an “Assigning obligations under the Forest Conservation Act.” However, the Office of Planning and Zoning will review and comment on the FSD, PFCP, and FCP as a courtesy to the Town.)

• It is recommended that any future site plan be checked to ensure that all requirements for site plans, as set forth in the Town’s Zoning Ordinance and Subdivision Regulations, have been satisfied.

• Assuming this proposal is not exempt from landscaping requirements, and given that the rear setbacks are sub-standard, any required landscaping plan ought to address vegetative screening from nearby residential uses.

• It should be confirmed that any landscaping proposed is consistent with the landscaping requirements of the Town’s Zoning Ordinance and Subdivision Regulations, especially with respect to street trees and any required bufferyards. Again, of particular concern would be the vegetative screening of these commercial activities from the nearby residential uses.

• If a part of the Town’s landscaping requirements, then it is recommended that no street trees be planted within 20 feet of sewer laterals and cleanouts.

• It is recommended that any Landscape Plan be approved prior to final minor subdivision approval.

• It is recommended that any Landscape Agreement be executed prior to minor subdivision recordation.

• It should be determined if the existing sidewalk needs to be upgraded.

• It should be determined if the parking area is adequate for the aggregate uses, per the Town’s Zoning Ordinance and/or Subdivision Regulations.

• It should be confirmed that the number of parking spaces proposed falls with the minimum and maximum established by the Town’s Zoning Ordinance and Subdivision Regulations.

• It should be confirmed that the existing building heights do not exceed the maximum height established in the Town’s Zoning Ordinance and/or Subdivision Regulations. (If so, then is a Variance needed prior to the approval of the minor subdivision?)
• If required by the Town’s Zoning Ordinance and/or Subdivision Regulations, review and comment by the Rising Sun Volunteer Fire Company should be solicited.

• If required by the Town’s Zoning Ordinance and/or Subdivision Regulations, it is recommended that a detailed lighting plan be submitted for review prior to minor subdivision final approval. (In addition to internal safety and security issues, of particular interest would be the avoidance of conflicts between the different adjacent land uses, as relates to lighting.)

• Any potential traffic flow conflicts resulting from the proposed dumpster locations should be identified and corrected in the detailed vehicular/pedestrian circulation and access plan.

• Note # 8 indicates that this proposal is exempt from the requirements of the Cecil County Stormwater Management Ordinance, per Article III, §251-5C.

• If necessary, water allocation should be confirmed by the Town of Rising Sun prior to final approval.

• If necessary, sewer allocation should be confirmed by the Town of Rising Sun prior to final approval.

Mrs. Paoletti explained that Delmarva Power and Cecil County Public Schools, had no comments.

Mrs. Paoletti, read the comments from the Soil Conservation District:
  • If no disturbance is proposed and the project is exempt from the Cecil County Stormwater Management Ordinance, CSCD has no comment.

Mr. Pyles stated that a waiver of the landscape requirements was received at the Concept Plat phase, from the Town of Rising Sun.

Mrs. Paoletti stated that if MDE comments are received, OPZ will forward those to the applicant.

2. Turkey Point Properties, 27 Units, MD Rte. 272 – Turkey Point Road, Preliminary Plat, Carpenter Engineering, LLC, Fifth Election District.

Ronnie Carpenter, Carpenter Engineering, Victor DiPalo, CMC Engineering and Frank Mita, Owner, appeared and presented an overview of the project. Mr. Carpenter explained that the project has been reduced by 2 units. Also, due to the recent changes in the FEMA Flood maps, the flood lines will need to be adjusted on the plat.

Mr. Woodhull, DPW, read the comments of the department:
With condominiums being able to obtain building permits after the preliminary plat is approved we'll require that the final SWM plan be approved by all reviewing agencies prior to its submission to the Planning Commission. The final SWM plan certainly must be approved before we'll issue a mass grading permit for this project and no building permit for this property be issued without an approved grading permit. We will not sign the plat until all administrative issues have been addressed to the satisfaction of the Department. Our comments are as follows:
1. While the water supply for this development will be provided by the Town of North East, the water lines must be reflected on the sanitary sewer plans and as-built.
2. It is understood that the proposed roads within this subdivision will be private as will the sanitary sewer lines & pump station.
3. A PWA will be required for the connection of the private force main to the existing County sanitary sewer system. The design of this connection must be submitted to the Department for review and be approved prior to submittal for final plat approval.
4. A Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
5. No SWM facilities may be located within the 100-Year Flood Plain.
6. Identify all SWM conveyance easements on the preliminary & final plats.
7. A Benefit Assessment as well as Connection Fees will apply for these lots.
8. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
   8.1 The Final Plat Lot Grading, and Lot Grading Plan Construction Limits Notes.
   8.2 Requirements for Stormwater Inspection and Maintenance Agreements.
   8.3 Requirements for Final Plat - Public Sewer Allocation.

**Notes and requirements identified for record:**

1. The Final Plat must include the Lot Grading Plan standard note and a note indicating that sidewalk maintenance will be required of the adjacent property owner (if sidewalks are required). The Lot Grading Plan must include the standard construction limits note.
   a. Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
   b. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance shown hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
2. An Inspection & Maintenance Agreement is required for the private SWM facilities.
3. Developer must request and obtain a public sewer allocation from the Department of Public Works before submitting a final plat to the Cecil County Planning Commission for approval.

Mr. Harmon, DEH, read the comments of the department:
Submit written documentation of water and sewer allocations prior to final plat approval.

Identify the water and sewage plants on the final and record plats.

Final and records plats are required to have the following statements:

1. Public water and sewerage will be available to all lots offered for sale (by the owner’s signature block).
2. Use of public water and sewerage is in conformance with the Cecil County Master water and Sewer Plan (by the Health Department’s signature).

Mrs. Paoletti read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from County maintained roads.
2. Schools in this attendance area are North East Elementary, North East Middle and North East High Schools. Please see attached information regarding capacity and enrollment (file).
Mrs. Paoletti read the comments from Delmarva Power:
The proposed trees will hinder a 10 foot clear path requirement. No electric will be installed in the rear.

Mrs. Paoletti read the comments from CSCD:
- Preliminary Stormwater Management Plans have been submitted to the Cecil Soil Conservation District and are currently under review. Conditional approval was sent on 4/20/15. As of 5/5/15 plans are awaiting signatures from reviewing departments.

Mrs. Paoletti explained that the Critical Area Commission reviewed the plat and had some concerns with the Buffer Management Plan. A copy of the comments was provided to the applicant. See file for full comments.

Mrs. Paoletti stated that if MDE comments are received, OPZ will forward those to the applicant.

Mrs. Paoletti, P&Z, read the comments of the department:
This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: LDR & LDA

Density: The LDR zone permits a maximum density of 1 du/ 1 ac., or 2/1 with community facilities.

The Concept Plat, proposing 27 lotominiums (29 were proposed for August 2014 TAC review) on 19.910 acres,\(^1\) for a proposed overall density of 1/0.737\(^2\), was approved on 2/18/15, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The specific names of the water and sewer providers being provided on the Preliminary and Final Plats;
4) The Preliminary Forest Conservation Plan (PFCP), the SWM Preliminary Plan, and the Preliminary Environmental Assessment being approved prior to Planning Commission’s review of the Preliminary Plat; and
5) The lotominium ‘lot’ lines being shown on the Preliminary and all subsequent plats.

Pursuant to the 5\(^{th}\) condition of Concept approval, this has now been submitted as a condominium, rather than as a lotominium, project.

§2.0 of the Subdivision Regulations defines “Condominium” as follows:
“A condominium is an ownership arrangement, not a land use; therefore, it is allowed in any district and under the same restrictions as the residential land uses that it comprises. A

\(^1\) However, as pointed out at the Concept Plat’s TAC review, tax records indicate the aggregate acreage to be 21.476 acres. 15.300 acres for Parcel 274 and 6.176 acres for Parcel 1074. 15.300 + 6.176 = 21.476.
\(^2\) Previously was 1/0.687.
A condominium shall not negate lot nor other requirements intended to provide adequate light, air, and privacy. A condominium is a dwelling unit which has all of the following characteristics:

(a) The use (the interior and associated exterior areas designated for private use in the development plan) is owned by the occupant.
(b) The unit may be any permitted dwelling type.
(c) All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Condominium Act of the State of Maryland and other requirements specified in the County Code regarding such open spaces.”

While Note #8 is true, Note #7 is not. Condominiums are a form of real property ownership, not a structure type. Please reference §4.1.20 (s) 1.

By precedent, the approval process for condominiums is different from that for lotominiums, with an approval process that was established in March 1991.

This process was predicated upon an approved Concept Plat, and then continued with a Preliminary Plat/Site Plan, which was to be reviewed and approved. The Preliminary Plat/Site Plan must be very specific, with actual construction drawings. From that approved site plan, building permits are then issued. Next, the units are built, and then, the plats come back to the Planning Commission as a Final Plat for approval, “as built.”

Since these units are now proposed as condominiums rather than as lotominiums, the condominium review and approval process that was established in 1991 applies. Therefore, since the approval of the Preliminary Plat/Site Plan would allow the obtaining of building permits, the standards for Preliminary and Final Plats shall apply.

Moreover, this proposal shall no longer follow the usual process of subdivision review and approval of Concept, Preliminary, and Final Plats, as set forth in §4.0, §4.1, and §4.2, respectively.

Per §6.5 of the Subdivision Regulations, the obtaining of a Variance shall be required prior to the approval of the Preliminary Plat/Site Plan.

This proposal’s location is situated within the 2010 Comprehensive Plan’s Low Density Growth land use district.

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier II area.

Per Site and Data Note #10, 14.94 (was 14.240) of the 19.910 acres are in the Critical Area LDA overlay zone, which permits a maximum density of 3.99/1, or the density of the underlying zone, which is 2/1 with community facilities in the LDR zone.

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3 Unlike a condominium, a lotominium’s owner owns the interior and exterior of his dwelling unit (and, therefore, is individually responsible for maintenance of his roof, for example), but his dwelling unit is situated on commonly-owned and maintained land, rather than on an individually-owned and maintained lot.
4 Defined in the Comprehensive Plan as “Residential densities are two or less dwelling units per acre.”
5 All of the proposed condominiums must be served by public sewer service.
6 Tier II areas are defined as those to be served by public sewerage systems in locally designated growth area needed to satisfy demand for development at densities consistent with the long term development policy after consideration of the capacity of land available for development including infill and redevelopment within the local jurisdiction.
Nine (9) dwellings are (fully or partially) proposed within the LDA overlay zone’s 19.910 acres, for a Critical Area density of 1/1.610.

The proposed creation of new lots, or re-subdivision or lot reconfiguration, in the Critical Area mandates strict observance of §194.d (1), (2), (3), and (4).

Per previous TAC testimony, the boundary line survey has already been completed. However, this submission has not been signed and sealed by a surveyor, and no copy of any separate boundary line survey has been submitted to OPZ for the file.

Per §4.1.20 (a), the Preliminary Plat/Site Plan (which must be labeled as such) will not be accepted for review and possible approval by the Planning Commission unless a copy of the boundary line survey has been submitted.

Five (5) dwellings (#’s 23-27) are proposed within the 100-yr. floodplain, which has been depicted. The provisions of ARTICLE XI, PART III, shall apply.

The Critical Area Buffer has been depicted.

Per §196.3.b, there are to be no disturbances in the Buffer.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.

Per Note # 21, there are no steep slopes.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.7

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat (in this case, Preliminary Plat/Site Plan) review by the Planning Commission, but required to be completed prior to recordation.

The habitats of rare, threatened, and endangered species must be avoided.

15% common open space (2.987 acres) is required; per Note # 10, 8.814 acres is proposed. Exclusive of the conservation easement, 8.5 ac. of common open space is proposed.

What is the nature of the 8.3-acre conservation easement?

7 Consistent with §174.1.b (1) (a) & (b), since this property is technically located in the Growth Corridor, as defined by the Cecil County Comprehensive Plan, the Planning Commission may waive the buffer requirement if evidence is provided that this design would provide the same level of water quality or better.
At a minimum, 15% of the required open space shall not consist of perennial or intermittent stream buffers, nontidal wetlands or buffers, steep slopes, or habitats of rare, threatened and endangered species. No more than 40% of the common open space required shall consist of those areas designated as nontidal or tidal wetlands.

The open space sensitive areas threshold data must be included on a Preliminary Plat. Where is it?

15% landscaping of the development envelope is required in the LDR zone.

A Bufferyard Standard C is required, outside the right-of-way, along the MD 272 road frontage – as shown on sheet 3 of 4 of the separate plat set.8

Why was a separate plat set necessary, and why wasn’t it labeled in its title block?

Rows of street trees are required, outside the right-of-way, along both sides of the proposed interior road. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

Per §200.12, development on steep slopes, greater than 15%, is prohibited. Per Note # 21, there are no steep slopes in areas of disturbance.

A 110’ tidal wetland and tidal waters Buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

No development is permitted in the tidal wetlands and tidal waters buffer, including septic systems, impervious surfaces, parking areas, roads, or structures.

No more than 15% of the surface area can be converted to lot coverage/impervious surface in the LDA. The lot coverage coefficients are included in Note # 10.

No more than 20% of the forest or developed woodland may be removed.

The area inside the Critical Area is exempt, per §3.2.B. This fact should be included among the Notes.

In the critical area, no structure shall exceed 35’ in height. The separate height requirement for structures in the tidal floodplain creates a potential inherent conflict with the 35’ Critical Area height limitation.

The Forest Stand Delineation (FSD), SWM Concept Plan, Conceptual Environmental Assessment have been approved.

The final Forest Conservation Plan (FCP)/Landscape Plan, SWM Final Plan, and Final Environmental Assessment must (shall) be approved prior to the submittal of the Preliminary Plat/Site Plan for

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8 A 10’-wide Bufferyard C is depicted on sheet 2 of 2.
review by the Planning Commission (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

A Landscape Agreement must be executed prior to recordation.

Note # 26 notwithstanding, Deed Restrictions for the long-term protection of the street trees and Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Preliminary Plat/Site Plan, Final, and Record Plat.

The ADC maps show the existing driveway as “Saginaw Circle,” and DES has confirmed that the name “Saginaw Circle” was previously approved.

The owners of these proposed condominiums must become members of the Condominium Maintenance Association for maintenance of common open space, cul-de-sac islands, roads, conservation easement area, and other common elements.

The MWSP maps show it to be S-3 only. Therefore, the water element of MWSP must be amended to include this site prior to the submission of the Preliminary Plat/Site Plan.

The Preliminary Plat/Site Plan, Final and Record Plat shall contain a statement to be signed by the Health Department, approving authority, to the effect that the project is in conformance with the Master Water and Sewer Plan.

The Preliminary Plat/Site Plan, Final and Record Plat shall contain a statement to be signed by the owner to the effect that such facilities to the buyers of all condominiums offered for sale.

A Landscape Agreement must be executed prior to recordation.

The condominium documents covering these specific units must be accepted by the Secretary of State prior to recordation.

All proposed condominium units must access MD Route 272 via the interior road only.

Per §4.1.20 (s) 4, the number of parking spaces in each off-street parking area, the space-to-unit ratio, and conformity to parking space minimums and maximums must be shown.

In the area outside the Critical Area, staff will recommend sidewalks on one side of the road, so as to limit lot coverage/impervious cover.

§’s 169 and 198 of the Zoning Ordinance must be adhered to when and if the permit for the future proposed dock is submitted.

Pursuant to §198.9.a(2)(a) & (b), the number of slips permitted will be the same, whether proposed now or subsequently.

Fire hydrant locations must be selected in consultation with CCDPW and the North East Fire Company, and they must be shown on the Preliminary Plat/Site Plan.

Notes 16 & 17 do not satisfy the requirements of the 3rd condition of Concept Plat approval.

Documentation of sewer capacity/allocation must be obtained from the Department of Public Works prior to Preliminary Plat/Site Plan review by the Planning Commission.
Documentation of Water Allocation must be obtained prior to Preliminary Plat/Site Plan review by the Planning Commission.

Minor Subdivision # 298 has been referenced on sheet 1 of 2.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

In addition, to recapitulate, the applicant is hereby advised that the following items must be addressed prior to the submission of the Preliminary Plat/Site Plan for review by the Planning Commission:

1) Obtaining a Variance for the private, condominium-owned roads;
2) The MWSP’s water element’s being amended to include this site;
3) Documentation of water allocation’s being obtained;
4) Documentation of sewer allocation/capacity’s being obtained;
5) The §3.2.B exemption’s being noted on the Preliminary Plat/Site Plan and Final Plat;
6) A signed and sealed copy of the boundary line survey’s being submitted for inclusion in the file;
7) The number of parking spaces in each off-street parking area, the space-to-unit ratio, and conformity to parking space minimums and maximums being shown, per §4.1.20 (s) 4;
8) Per §4.1.20 (s) 1, Note # 7’s being corrected;
9) Per §4.1.20 (a), the Preliminary Plat/Site Plan’s be labeled as such in the title block;
10) The separate 4-sheet plat’s being properly labeled and/or combined with the 2-sheet Preliminary Plat/Site Plan;
11) The names of the specific water and sewer providers being provided on the Preliminary Plat/Site Plan and Final Plat, and Notes 16 & 17, in their current form, being deleted;
12) The Preliminary Plat/Site Plan, Final and Record Plat’s containing a statement to be signed by the Health Department, approving authority, to the effect that the project is in conformance with the Master Water and Sewer Plan;
13) The Preliminary Plat/Site Plan, Final and Record Plat’s containing a statement to be signed by the owner to the effect that such facilities to the buyers of all condominiums offered for sale;
14) Fire hydrant locations’ being shown on the Preliminary Plat/Site Plan (after being selected in consultation with CCDPW and the North East Fire Company);
15) Deed Restrictions for the long-term protection of the street trees and Forest Retention/Afforestation Areas (FRAs), which must be recorded prior to recordation, being noted on the Preliminary Plat/Site Plan, Final, and Record Plat, with the metes and bounds description of the FRA being shown;
16) The Landscape Plan’s being approved;
17) The Final Forest Conservation Plan’s being approved;
18) The SWM Final Plan’s being approved;
19) The Final Environmental Assessment’s being approved;

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9 It will be incumbent upon the applicant to provide documentation of attainment.
20) So long as the future proposed pier and slips are depicted, a Note appearing on the Preliminary Plat/Site Plan, Final, and Record Plat to the effect that §’s 169 and 198 of the Zoning Ordinance must be adhered to when and if a permit for any future proposed dock is submitted;  
21) All SHA’s requirements, per their 8/1/14 comment letter, being complied with prior to Preliminary Plat/Site Plan review by the Planning Commission; and  
22) The Preliminary Plat/Site Plan’s including actual construction drawings.

Otherwise, the Preliminary Plat/Site cannot be accepted for review by the Planning Commission.

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The May TAC meeting adjourned at 9:35 a.m.

Respectfully submitted,

Jennifer Bakeoven  
Administrative Assistant  
Office of Planning & Zoning
Due to a lack of agenda items, there was not a meeting of the Technical Advisory Committee in June 2015.
Due to a lack of agenda items, there was not a meeting of the Technical Advisory Committee in July 2015.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, August 5, 2015, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Harding, Aaron (CCDPW), Brown, Chris (CCSCD), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Debold, Michelle (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA) Langford, Ariana (CCPS).

1. West Creek Village, Replacing 48 Apartment Units with 20 Townhomes, Fletchwood Road, Revised Preliminary Plat, McBride & Ziegler, Fourth Election District.

Mark Ziegler, McBride & Ziegler, appeared and presented an overview of the project. Mr. Ziegler explained that the purpose of the revised plan was to remove 48 apartment units and convert them to 20 townhomes and add 3 rows of parking. He stated that the townhomes will be rental units, similar to apartment use, rather than fee simple lots. A bus turn-around was also added to the plat.

Mr. Harding, DPW, read the comments of the department:
1. Bonding for SWM-5 is in place and final approval has been given; with that said, Stormwater Management must be provided for any additional impervious area above which is not included on the approved Plans.
2. The plans must show the extent of the public right-of-way.
3. DPW must review the revised road and utility plan.
4. DPW would like an explanation on how the developer intends to construct within the wetland buffer.

Mr. Harmon, DEH, read the comments of the department:
Public water and sewer allocation must be adequate for this change of Apartments to Town Homes.

Mr. Brown, CCSCD, read the comments of the department:
• To date, revised Erosion and Sediment Control Plans have not been submitted to the Cecil Soil Conservation District for review and/or approval.
• The current Erosion and Sediment Control Plans for Phase III will expire on 8/16/15.
• How will the northern most proposed townhomes and garages be constructed so close to the existing wetland and buffer? The edge of the building is on the buffer line.
• When the Erosion and Sediment Control Plans are revised to show the new townhomes, the remainder of the plan must also be updated to meet the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

Mr. Di Giacomo read the comments from SHA:
The SHA has no objection to approval of the revised preliminary plat. The existing road connection of West Creek Village Drive at MD 277 (Fletchwood Road) is adequate to serve the proposed 20 townhomes. No entrance or road improvements will be required at this time.
Mr. Di Giacomo read the comments received from MDE:
The plan depicts public water service. A Water Appropriation and Use Permit would not be required.

Mr. Di Giacomo read the comments from CCPS:
Cecil County Public Schools will not enter the development with bus service. Bus service will be provided from the County maintained road.

Mr. Di Giacomo stated that Dan Graham, Citizen’s Representative, advised that he received no public comment on this project.

Mr. Di Giacomo stated that comments were not received from any other TAC member.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

The original West Creek Village Apts. Concept Plat was approved on 7/15/91. The Preliminary Plat was approved on 2/18/92 and 12/21/91; and the Final Plat was approved on 11/21/94. The Record Plat was signed on 2/23/95 (and revised on 6/4/96 & 12/13/00).

Subsequently, a Concept Plat for Section II and a portion of Section I, under the name Hardy Realty, was reviewed by the TAC on 9/4/02 and by the Planning Commission on 9/16/02 and 10/21/02 – when it was approved at a density of 7.4/1, conditioned on:

1) A Traffic Impact Study being complete prior to the TAC review of the Preliminary Plat;
2) The Traffic Impact Study’s scope of work including a needs assessment of, and possible feasibility study for, an alternative additional point of access;
3) A Jurisdictional Determination being done prior to the Planning Commission’s review of the Preliminary Plat;
4) The internal road names being approved by the County’s 911 Emergency Management Agency prior to the Planning Commission’s review of the Preliminary Plat;
5) The open space sensitive area acreages being provided prior to the TAC review of the Preliminary Plat; and
6) Waiver of the stream buffer expansion in the Development District contingent upon satisfactory quantitative demonstration of water protection equivalent to the requirements of the Zoning Ordinance.

A revised W. Creek Village Apts. Concept Plat was approved on 1/22/04, conditioned on:
1) A Traffic Impact Study being complete prior to the TAC review of the Preliminary Plat;
2) A Jurisdictional Determination being done prior to the Planning Commission’s review of the Preliminary Plat;
3) The internal road names being approved by the County’s 911 Emergency Management Agency prior to the Planning Commission’s review of the Preliminary Plat;
4) The open space sensitive area acreages being provided prior to the TAC review of the Preliminary Plat;
5) Waiver of the stream buffer expansion in the Development District;
6) Sidewalks being installed on both sides of all internal roads and along Fletchwood Road;
7) The depicted R-1 zoning being corrected on the Preliminary Plat;
8) A boundary line survey for density calculation purposes being complete prior to Preliminary Plat review;
9) All proposed Phase III structures being labeled or numbered on the preliminary Plat, for easier reference; and
10) If not done already, the elevations from the West Branch flood study being included on the Preliminary Plat.

The Preliminary Plat was approved on 6/21/04, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) All internal road names being approved by the County’s 911 Emergency Management Agency prior to Final Plat review;
4) The Cornus Court/Marsh Lane intersections with West Creek Village Drive being redesigned to achieve at least the required 125’ centerline-to-centerline separation;
5) Approval of the waiver of the stream buffer expansion in the Development District;
6) Sidewalks being installed on both sides of all internal roads and along Fletchwood Road;
7) All required Variances being obtained prior to Final Plat review;
8) Verification of water and sewer allocation being received for each phase and/or section prior to the Planning Commission’s review its respective Final Plat;
9) The Final Plat(s) for Section II being drawn precisely to scale and including detailed area tables;
10) Easements being provided in the town house areas to facilitate access to the rears of those town houses; and
11) The specifics of active recreation amenities being included with the Final Plat submissions and those improvements being included in the Public Works Agreement.

A revised Preliminary Plat proposed a total of 904 dwelling units (714 apartments - 234 already exiting – and 190 townhouse units) on 83.82 acres, consistent with the Concept and Preliminary Plats. The proposed apartment density was 13/1, and the proposed townhouse density was 6.5/1. It was approved on 3/20/06, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) Determination that water quality improvement associated with the previous approval of the waiver of the stream buffer expansion in the Development District remains valid;
4) Sidewalks being installed on both sides of all internal roads and along Fletchwood Road;
5) The requested §’s 29.4.d, 29.4.h, and 29.4.j design modifications being granted;
6) Verification of water and sewer allocation being received for each phase and/or section prior to the Planning Commission’s review its respective Final Plat;
7) The Final Plat(s) for Section II being drawn precisely to scale and including detailed area tables; and
8) Applicant meet with staff to provide additional active recreation amenities such as basketball courts and walking trails.

Final Plats/revised Record Plats were subsequently signed on 4/16/07 and on 6/4/08 (see above).

Each recordation of Final Plat from an approved Preliminary Plat extended that Preliminary Plat’s approval for 2 years from the date of recordation (§4.1.16). Thus, the revised Preliminary Plat was valid until 6/4/10.
The recordation of re-subdivision plats relating to Parcels 175 and 316 took place on 11/15/10 and 6/21/11.

The 6/21/11 recordation extended the Preliminary Plat that was approved on 3/16/09 until 6/21/13.

Another revised Preliminary Plat was approved 9/17/12, which, per §4.1.16, remained valid until 9/30/15. It was approved, conditioned on:

1) All previous conditions of Preliminary Plat approval remaining in effect;

Thus, in effect, the conditions were (the same as those established on 3/20/06):

1) Health Department requirements being met;
2) DPW requirements being met;
3) Determination that water quality improvement associated with the previous approval of the waiver of the stream buffer expansion in the Development District remains valid;
4) Sidewalks being installed on both sides of all internal roads and along Fletchwood Road;
5) The requested §’s 29.4.d, 29.4.h, and 29.4.j design modifications being granted;
6) Verification of water and sewer allocation being received for each phase and/or section prior to the Planning Commission’s review its respective Final Plat;
7) The Final Plat(s) for Section II being drawn precisely to scale and including detailed area tables; and
8) Applicant meet with staff to provide additional active recreation amenities such as basketball courts and walking trails.

All of those issues have, in the interim, been satisfactorily addressed.

The Final Plat (190 lots; 480 apartment units), consistent with the approved Preliminary Plat approved on 9/17/12, was approved on 12/15/14, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The details of the conditionally-approved Landscape Plan being made consistent with the Final Plat prior to recordation;
4) A Landscape Agreement’s being executed prior to recordation;
5) Deed Restrictions for the long term protection of the street trees, landscaping, and afforestation/reforestation areas being recorded and depicted on the plat prior to recordation;
6) A Homeowners’ Association for maintenance of common open space being established, with $50 per recorded lot being placed in escrow for improvements, prior to recordation;
7) The sidewalk along Fletchwood Road being depicted and/or noted on the plat prior to recordation;
8) Buildings 8A and 8B being shown correctly prior to recordation;
9) A statement’s being included on the plat, prior to recordation, that the maximum number of apartment units for this site cannot exceed the 714 approved without the approval of a new Concept Plat¹; and
10) The sewer easement’s being clearly labeled prior to recordation.

¹ Approved, subsequent Preliminary and Final Plats would necessarily follow.
That plat was signed on 12/19/14, so the Preliminary Plat, which remained valid until 9/30/15, now, per §4.1.16, remains valid until 12/19/16. If approved by the Planning Commission, then this Revised Preliminary Plat, per §4.1.16, “…shall be valid for a period of three (3) years at the end of the month from the date and month in which Planning Commission approval is granted.”

As stated at previous reviews, the portion of the site south of the existing stream crossing and west of West Creek Village Drive will be deeded to Cecil County – eliminating 73 townhomes, and a revised Record Plat will need to be recorded accordingly.

Essentially, this revision proposes to eliminate previously-proposed apartment buildings 11, 11A, and 15, and replace them with 20 townhouse units and 16 garage units, thus partially offsetting the aforementioned reduction of townhouses.

Townhouse lots proposed to be created on private roads must first be granted a Variance. Mr. Ziegler stated that the townhomes would not be on individual lots.

The approved Traffic Impact Study (TIS) indicated that all intersections in the study area will operate at level-of-service D, which was an acceptable level-of-service in the Development District. A possible traffic signal at the Fletchwood Rd./Peach Drive/West Creek Village Road will need to be re-examined, given the net reduction in dwelling units and the additional entrance point from Willow Drive.

The proposed parking spaces continue to exceed the number required.

Since the approval of the Preliminary Plat that is now proposed to be revised, a new Zoning Ordinance has been adopted, including Accessibility and Parking Requirement in Article XIV.

Pursuant to §274.9, the aforementioned excess parking spaces do not exceed the minimum required by more than 20% (only 5.86%).

Pursuant to §273.10, §273.11, and §274.9.b will any spaces be provided for use as electric vehicle recharging stations, as approved by the Maryland Electric Administration? Mr. Ziegler stated that he was unsure as to whether the developer has put any thought into stations such as those listed.

§274.8 provides that “All multifamily residential subdivision site plans shall include a parking plan that includes a lighting plan in conjunction with a safe bicycle, pedestrian, and vehicular circulation plan.”

How do these proposed design revisions conform to the requirements of §278.2, regarding bicycle access and facilities, as well as §279, regarding access as relates to the Americans with Disabilities Act? Mr. Ziegler stated that all applicable requirements will be met to ensure the Americans with Disabilities Act are followed.

The sidewalk along Fletchwood Road is not depicted on the plat, but they are referenced, consistent with their depiction on the conditionally approved Landscape Plan.

A JD has been done.

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2 See Site Data Note # 17.
3 That sidewalk was component of the 6th condition(s) of the 6/21/04 and the 3/20/06 approvals of the original and revised Preliminary Plats, respectively.
Common open space has been labeled on the plat.

The Landscape Plan has been conditionally approved, but it must be modified to conform with this proposed revision.

15% landscaping of the development envelope is required in the RM zone.

The FSD has been extended and is current.

Unless grandfathered, the SWM Preliminary and Final Plans must be approved prior to the submission of the Revised Preliminary and Final Plats.

Likewise, the Preliminary and Final Forest Conservation Plans (FCPs) must be revised and approved prior to the submission of the Revised Preliminary and Final Plats, respectively.

Deed Restrictions for the long term protection of the street trees, landscaping, and afforestation/ reforestation, or forest retention areas (FRAs) must be recorded and depicted on the plat prior to recordation.

The Final and Record Plats shall contain a statement signed by the Health Department, approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan.

The Final and Record Plats shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all dwelling units offered for lease.

Documentation of water allocation and sewer allocation/capacity were previously provided by the applicant.

This Plat does not strictly comply with the requirements of §4.1.20 (r), but, because the previously-approved Preliminary Plats did, and because of the relatively minor nature of the proposed revisions, in this case, strict compliance will not be considered absolutely obligatory.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

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'14 School information:  
Elementary: Cecil Manor  
Middle: Cherry Hill  
High School: Elkton  
FTE: 462  
Capacity: 523  
% Utilization: 88%
2. **RCA Earleville, Conceptual Site Plan, Growth Allocation, Grove Neck Road, Rauch, Inc., First Election District.**

Ryan Showalter, Esq., Miles & Stockbridge P.C., Robert Rauch, Rauch Inc., and John Evans, Recovery Centers of America, appeared and presented an overview of the project. Mr. Showalter explained that this request is an application for 40 acres of LDA Growth Allocation on the site formerly known as Bracebridge Estates. Mr. Showalter gave a brief history of the past awarded Growth Allocation on this property.

Mr. Showalter explained that there is a minor change in the plan as originally discussed. This revision included the addition of housing (8 single family structure) owned by the rehab center to be used as transition housing for patients completing the detox/rehab portions of the program. This housing is proposed to be constructed in the critical area. Mr. Showalter stated that, depending on the need, those structures may not be built for several years. A potential pool/deck and meditation building are also proposed.

Mr. Di Giacomo explained that when this application goes before the Planning Commission, they will be making a recommendation to the County Council. Once the County Council hears the application and renders a decision, the next step is Annapolis before the Critical Areas Commission. The Planning Commission does not review Site Plans.

Mr. Harding, DPW, read the comments of the department:
1. No comment on Growth Allocation.
2. Stormwater Management (ESDv) must be provided for Phase 1’s proposed LOD.
3. The propose 8 sites A-H, when proposed are required to provide stormwater management

Mr. Harmon, DEH, read the comments of the department:
The Cecil County Health Department has received sewage plans for phase 1, to include 49 beds for a rehabilitation center split between the main house and one of the existing barns. To keep sewage design flow under 5000 gallons per day (GPD), the applicant submitted a proposal indicating that the tenant houses would not be occupied. Page 11, item 1a calls these structures guest or staff houses. If these houses are to be occupied, their projected sewage flow must be included in the site design flow and may trigger the requirement for a Groundwater Discharge Permit.

Future development plans show a proposal to add to the main house, a waterfront meditation building, up to 8 transitional houses, and a semi-public pool in the Critical Area. When total site projected sewage flow exceeds 5000 GPD, whether utilizing one centralized or multiple sewage systems, a groundwater discharge permit will likely be required. The Health Department offers no assurance that a flow exceeding 5000 gallons per day can be accommodated on lot 41.

Approval from MDE for a public water supply is required. When treatment capacity exceeds 5000 GPD, both the water and sewerage system must be listed in the Cecil County Master Water and Sewerage Plan. The Master Water and Sewerage Plan was previously modified to identify the property as S-2 for a shared facility sewage system. The plan must be modified to list the sewerage system as a private community multi-use sewerage system.

Plans for the food service facility must be approved prior to any site plan or building permit approval. Plans for the pool must be approved by DHMH prior to any approval of a site plan showing the pool.
A Groundwater Appropriation Permit has not been issued for this project. A Groundwater Appropriation Permit must be issued prior to Health Department approval of any site plan or permit.

Mr. Brown, CCSCD, read the comments of the department:
- CSCD has no comment on the growth allocation.
- To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly.

Mr. Di Giacomo read the comments received from MDE:
1. The site will most likely be classified as a NTNC public water system. As such, any wells used for the system will need to be sited by MDE WSP and meet all regulatory setback criteria. After review of the well site, a package of water quality testing requirements will be sent to the applicant.

A Water Appropriation and Use Permit is required. The Water Appropriation and Use Permit will need to be signed by the Cecil County Health Department to verify consistency with local zoning and the MDE approved Master Water and Sewer Plan. The water demand on the application must represent the water demand during a 12-year permit period (full build-out). Calculations showing how the water demand was determined must be submitted.

An application was submitted, however, the applicant has been notified that the application is incomplete for the aforementioned reasons.

Mr. Di Giacomo read the comments from SHA:
The SHA has no objection to approval of the Conceptual Site Plan as the site does not access a state road.

Mr. Di Giacomo read the letter received from Julie Roberts from the Critical Areas Commission:
“I have recently received revised information on the Earleville property, the subject of a previously awarded growth allocation by the Critical Area Commission. On September 2, 2009, forty acres of growth allocation was awarded to change the designation of this property from a Resource Conservation Area (RCA) to a Limited Development Area (LDA). This change in designation would allow the use of a structure related to the use of the site as a golf course, and a residential subdivision. According to recent meetings with our office, Cecil County staff, and the applicant that were held in the last nine months (the last one held on June 30, 2015), it was our understanding that the previous project proposal has been discarded and that the new applicant seeks to create a residential treatment center for addiction.

In these two meetings that we have had on this new proposal, the applicant and his attorney expressly stated that there would be no substantive development in the Critical Area. It was our understanding that the only work to be conducted was for a minor expansion over the existing footprint of the manor house and minor upgrades to an existing access road to the pier. The most recent plan set, received on July 28, 2015, shows “sites A-H” as cottage structures that will be located in the Critical Area in a similar fashion as shown on the site plan associated with the previously awarded growth allocation. The addition of these cottages was not discussed in our meetings.
This project proposal will require further review and discussion with our office. Given that this is a new proposal and use, Commission staff will not be reviewing the site plan for consistency with the conditions associated with the previous growth allocation award. As was discussed in our meetings, growth allocation will need to be awarded for this new proposal, and the project will be required to meet all of the standards and address all of the factors as outlined in Natural Resources Article §8-1808.1(c) and COMAR 27.01.02.06-3. At the time that we receive a complete submission, a determination of refinement or amendment can be determined. It is the position of Commission staff that any potential future development that is anticipated must be put on a site plan with all appropriate approvals now, rather than amending a growth allocation award in the future.

Additionally, it is my understanding that this treatment center was approved as a special exception, and that the site plan associated with this special exception request showed no other development in the Critical Area other than internal improvements to an existing building and any minimal upgrades to the road. It is unclear at this time if a new special exception will be required, given the applicant’s change in proposal.

I look forward to further discussions on this project and coordinating closely with you on this proposal.

I can be reached with questions, comments or concerns at 410-260-3476 or julie.roberts@maryland.gov.”

Mr. Di Giacomo stated that Dan Graham, Citizen’s Representative, advised that he received no public comment on this project.

Mr. Di Giacomo stated that comments were not received from any other TAC member.

Mr. Di Giacomo, P&Z, read the comments of the department:
Zoning: SAR, RCA (Critical Area) -- GROWTH ALLOCATION

Process: Growth Allocation is basically a process of designating new LDA and IDA areas in the Critical Area in order to accommodate more intense activity or more intense density. In this case, the proposed project seeks to have 40 of 276.589 SAR/RCA acres re-designated as LDA.

§206.2 and 210.2.a (1) of the Cecil County Zoning Ordinance stipulate that Growth Allocation applications be placed on the Technical Advisory Committee (TAC) and Planning Commission agendas.

Pursuant to that requirement, the TAC is reviewing the application today.

The Planning Commission review will take place subsequently. After the Planning Commission reviews the application, it then recommends to Cecil County’s County Council whether or not to award the Growth Allocation, based upon the established point award system.

If an application is approved by County Council, then the application is forwarded to the Critical Area Commission for review and possible approval, where, technically, it is the County’s application. (Relatively minor GA changes, such as that previously discussed with Commission and County staff
on 11/7/14 and 6/30/15, are considered mere Program Refinements. More significant Program Amendments require a more robust review and approval process, including public hearings.)

**Project:** This project is unique among Growth Allocation applications in Cecil County. Not only is the project site located within an existing, legally-recorded subdivision (Bracebridge), for which Growth Allocation was not involved; but it also is the site of a proposed redevelopment (Sassafras River Club), for which Growth Allocation was required and granted. Thus, this application for Growth Allocation is technically a request for a revision to the existing Growth Allocation for the pocket of LDA acreage on site.

The determination that a modified, or revised, Growth Allocation would be required for the change in proposed use was made at a meeting at the Maryland Critical Areas Commission offices in Annapolis on 11/7/14.  

Subsequently, pursuant to Article V, Part V, Section 91 of the Cecil County Zoning Ordinance, a Special Exception was granted for this proposed project by the Board of Appeals on 12/30/14, conditioned on the applicant’s obtaining “a revised Growth Allocation Plan.”

Since there is no subdivision proposed, proposed improvements will need to be approved via the Site Plan review and approval process, per §291 and Appendix A, in addition to Article XI, Part I (dealing with the Critical Area Overlay Zone).

The GA application submission consists of a 5-sheet “Conceptual Site Development Plan” and a 40+ page “Supplemental Narration and Environmental Report.”  The 5-sheet Site Plan depicts in the Critical Area Sites A – H, which (only) the Narration, on page 4, are erroneously referenced as Sites A – E, and indicated to be “potential structures” in subsequent phases.

The Site Plan’s Sites A – H are at odds with the Narration’s Sites A – E, and they are both at odds with information previously presented at the 11/7/14 and 6/30/15 meetings with Critical Area Commission staff and testimony before the Board of Appeals regarding the Special Exception, wherein Mr. O’Neill stated: “Although a portion of the property is in the Critical Area District, none of the proposed construction would occur in the critical area [sic].”  As shown and described in this application, the development of Sites A – H would, in fact, result in construction in the Critical Area, thus raising several questions.

It is the opinion of OPZ staff, that if the application is explicitly amended on both the Site Plan and in the Narrative, to the effect that, in the interest of full disclosure and transparency, Sites A – H have been presented as information only, relating to a possible component of potential, subsequent phase(s), prior to its submission for review and recommendation to the Planning Commission, then:

1) This application does not, in fact, elevate the Growth Allocation from a mere program revision to a full-blown amendment (with concomitant public hearings);
2) This application does not, in fact, necessitate the applicant’s going back to the pre-submission, inter-departmental review (that was performed on the previous proposal on 6/29/15); and
3) This application does not, in fact, invalidate the conditional Special Exception that was granted by the Board of Appeals on 30 December 2014.

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4 There was a subsequent meeting among the applicant, Commission staff, and County staff on 6/30/15 in Annapolis.
However, at such time as the actual development of any sites in the Critical Area (A – H, or otherwise) is (are) proposed, then, at that time, the above issues (1 – 3) must be revisited and determinations made.

Assuming the submission is not (as it should be) amended to be consistent with all previous descriptions and portrayals of this project (i.e., “none of the proposed construction would occur in the critical area.”), any recommendation for approval will be conditioned on said approval’s not including construction in the Critical Area.

**Scoring:** The Cecil County Critical Area Program, adopted 7/5/88, established an application screening process “whereby only development projects that are exemplary of sensitive development in the Critical Area are given Growth Allocation.” That process consists of a point award system, the intent of which is “to encourage location of projects for Growth Allocation in or adjacent to existing Limited Development or Intensely Developed Areas and in the Suburban, Town, or Development Planning Districts as described in the Comprehensive Plan through the point award system.”

The details of the point award system are contained in §206, 207 and 208 of the Zoning Ordinance, and provide that the minimum scoring threshold for consideration of award of Growth allocation and reclassification is 90 points. The Ordinance does not provide for any alternative screening mechanism.5

The applicant has scored the project and awarded it 95 points, which is above the threshold for the awarding of Growth allocation and reclassification. The points awarded by the applicant are as follows:

1. For “Development Type,”6 a maximum score of 40 points is possible, and the applicant has self-scored the project 40 points. Forest contiguity is maintained and the 20-acre minimum open space outside the Critical Area is exceeded by approximately 180 acres. Staff concurs with the 40 point score. [40]
2. For “Buffer Enhancement,”7 a maximum score of 20 points is possible, with the applicant having self-scored the project 15 points. Staff concurs. [55]
3. For “Location of Development,”8 the applicant has self-scored the project 10 out of a maximum score of 15 points. This site is across the Back Creek from and adjacent to Indian Acres (existing LDA). Staff again concurs with the scoring. [65]
4. For “Forest and Woodland Protection,”9 a maximum score of 10 points is possible, with the applicant having taken credit for 3. Since there isn’t 40% forest cover, only 3 points can be awarded. [68]
5. For “Habitat Protection,”10 a maximum score of 10 points is possible, and the applicant has self-scored the project 3 points. Staff concurs with the awarding of 1 point for the avoidance of wetland impacts (‘a’) and 2 points for maximum distance possible from a habitat protection area (d). [71]

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5 This proposed project is located in Suburban District as defined by the Cecil County Comprehensive Plan. Therefore, there can be no exemption from the point award system, as provided by §212 of the Zoning Ordinance, since the location is not in a Development District.
6 §208.1.
7 §208.2 (a).
8 §208.3.
9 §208.4 (b).
10 §208.5 (a) & (d).
6. For “Water Quality,”\textsuperscript{11} a maximum score of 8 points is possible, with the applicant having self-scored the project all 8 points, based upon approximately 5\% planned lot coverage. Staff concurs. \textsuperscript{[79]}

7. For “Resource Utilization,”\textsuperscript{12} the applicant has self-scored the project 6 out of a possible 6 points. Staff again concurs. \textsuperscript{[85]}

8. For “Erosion Control,”\textsuperscript{13} a maximum score of 3 points is possible, with the applicant having self-scored the project 0 points. The rationale is missing from the narrative but included in the point scoring matrix. \textsuperscript{[85]}

9. For “Water-dependent Facilities,”\textsuperscript{14} a maximum score of 3 points is possible, with the applicant having taken credit for 0. The rationale is missing from the narrative, where the rational for item 10 is mistakenly labeled as item 9, but included in the point scoring matrix. The narrative must be corrected prior to submission to the Planning Commission. \textsuperscript{[85]}

10. For “Bonus Points,”\textsuperscript{15} a maximum score of 65 points is possible, and the applicant has self-scored the project 10 points. Based on the narrative, mistakenly labeled as item 9, staff concurs. The narrative must be corrected prior to submission to the Planning Commission. \textsuperscript{[95]}

The net result is that there appears to be a surplus of 5 points. Based on this analysis, staff finds, predicated on the assumptions that the extant lots ultimately will expunged and that there is to be no construction in the Critical Area, that this project is eligible for consideration for the granting of Growth Allocation.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3\textsuperscript{rd} Thursday for review by the Planning Commission the following month.

In this case, upon submission and after review, the Planning Commission will render a recommendation, not a decision. The decision whether or not to grant the requested Growth Allocation rests with County Council.

Mr. Di Giacomo expressed the importance of the narrative and the plat being consistent with one another.

Mr. Showalter explained that the Master Water and Sewer Plan amendment is in the process of being completed; MDE had to extent their review time for this request. He expects the water and sewer plan amendments to be completed by the end of the month.

Discussion ensued regarding the Groundwater Appropriate permit.

Mr. Evans gave an overview of the Recovery Centers of America as a company and how an extended stay for the patients, increase the chances of full recovery for the patients. This concept is what drives the need for the proposed housing in the Critical Area. Mr. Showalter reiterated that there is no immediate need to build the proposed single family structures in the near future unless the staff feels the need arises sooner than a few years after opening.

\textsuperscript{11} \S208.6.
\textsuperscript{12} \S208.7 (b).
\textsuperscript{13} \S208.8.
\textsuperscript{14} \S208.9.
\textsuperscript{15} \S208.10
Discussion sued whether the changes to the plan are considered an amendment or a revision.

The August TAC meeting adjourned at 10:03 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning
CECIL COUNTY, MARYLAND
Department of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
MEETING AGENDA
Wednesday, September 2, 2015
9:00 a.m.
County Administration Building
200 Chesapeake Blvd. Elk Room, Elkton, MD 21921

Due to a lack of agenda items, there was not a September 2015 meeting of the Technical Advisory Committee.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, October 7, 2015, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Brown, Chris (CCSCD), Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Fire Chief’s Representative, Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Carroll, Bill (SHA), Simpers, Charles (CCPS).

1. Bayard Farms, LLC, Lots 1-26, Concept Plat, Augustine Herman Hwy (MD Rte 213), McCrone, Inc., Second Election District.

Don Sutton, McCrone, Inc., Daniel Beideman, Land Surveyor, and Mark Wilcox appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:
1. The SWM plan for the development proposed must be designed to meet the current (2010) SWM Ordinance. This will require that the concept SWM plan must be approved prior to submitting the concept plat to the Planning Commission for review.
2. A Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for final plat Approval.
3. Access permits must be obtained from SHA for the two proposed entrances onto MD 213.
4. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
   4.1 The Final Plat Lot Grading Note and the Lot Grading Plan Construction Limits Note
   4.2 Requirements for Utility relocations
   4.3 Requirements for Stormwater Inspection and Maintenance Agreements
   4.4 Requirements for Public Works Agreements

   Notes and requirements identified for record:
   1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
      a. Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
      b. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
   2. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer’s expense.
   3. An Inspection & Maintenance Agreement is required for the private SWM facilities.
   4. A Public Works Agreement will be required for the proposed internal streets and mini roads.
Mr. Harmon, DEH, read the comments of the department:
Maryland Department of the Environment (MDE) has rescinded delegation of major subdivision
approval from the Cecil County Health Department. The proposal has been forwarded to MDE for
comment. A response is not available at this time, but will be forwarded as soon as it has been
received.

Mr. Di Giacomo stated that no comments were forwarded by the Fire Chief’s Representative, State
Highway Administration or the Citizen’s Representative.

Mr. Di Giacomo read the comments from CCSCD:
To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the
Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation
District in discussions with The Department of Public Works as to the requirements of the Stormwater
Management Plans and submit plans accordingly.

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from
   County maintained roads.
2. Schools in this attendance area are Cecilton Elementary, Bohemia Manor Middle and High
   Schools. Please see attached information regarding capacity and enrollment.

Mr. Di Giacomo read the comments from MDE:
The water demand is greater than an annual average of 5,000 gpd. As a result, a Water Allocation
and Use Permit is required. An application is attached to be completed and submitted by the
applicant.

Mr. Di Giacomo provided the applicant with the comments from the Critical Areas Commission. See
file.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding
public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file
submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will
enable the County to better serve the public.

Zoning: SAR
Density: The SAR zone permits a maximum density of 1 du/ 20 ac., as does the Critical Area’s RCA
overlay zone.

This project location is situated within the 2010 Comprehensive Plan’s Resource Preservation land
use District.
As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier III area. Since this proposal did not meet the 10/1/12 exemption deadline for Preliminary Plat approval, the Tier III reporting requirements are in effect.\(^1\)

Per the information provided in the Vicinity Map, this proposal involves three distinct parcels, each with minor subdivision potential and each being delineated on the plat.

The Ferry Farm corresponds to Parcel 505 on Tax map 52. The Ferry Farm portion, consisting of 70.5 SAR acres, proposes 4 minor subdivision lots, 3 of which are in the Critical Area.\(^2\) 3 lots on 68.1 CA acres yields a CA RCA density of 1 du/22.7 ac., which is within permissible limits. Proposed Lot 2’s location is entirely outside the Critical Area, and, technically, the proposed SAR density is moot, assuming the invocation of the provisions of §2.4.1 of the Subdivision Regulations.

\(^{2}\) §2.4.1 provides that “If the remaining minor subdivision lots are created as part of a major subdivision and are served by an internal road, then these minor subdivision lots shall be added as a bonus, up to five (5) additional lots if full minor [subdivision] potential exists, to the maximum number of lots yielded by the regular density calculation of the original parcel.”

A plat note must be added, prior to review by the Planning Commission, to the effect that §2.4.1 is being invoked.

The Greenbrier Farm corresponds to Parcel 29 on Tax map 52. The Greenbrier Farm portion, consisting of 184.1 SAR acres, proposes 12 lots, 4 of which are in the Critical Area. 4 lots on 96.1 CA acres yields a CA RCA density of 1 du/24.025 ac., which is within permissible limits. Proposed Lot 5 provides the 60\(^{3}\) open space, and the proposed SAR density is 1 du/22 ac.\((88.0 ÷ 4)\), assuming the invocation of the provisions of §2.4.1 of the Subdivision Regulations. Again, a plat note regarding §2.4.1 will be required.

The Watercress Farm corresponds to Parcel 1 on Tax map 53. The Watercress Farm portion, consisting of 175.8 SAR acres, proposes 10 lots, 4 of which are in the Critical Area. 4 lots on 98.1 CA acres yields a CA RCA density of 1 du/24.525 ac., which is within permissible limits. Proposed Lot 17 provides the 60\(^{4}\) open space, and the proposed SAR density is 1 du/38.85 ac.\((77.7 ÷ 2)\), assuming the invocation of the provisions of §2.4.1. Again, a plat note regarding §2.4.1 will be required.

Moreover, in the aggregate, this Concept Plat proposes 26 minor and major subdivision lots on 437.6 acres, 262.3 of which are in the Critical Area.

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\(^1\) Tier III areas are those not planned for sewerage service and not dominated by agricultural or forest land and are not planned or zoned for land, agricultural, or resource protection, preservation or conservation. Tier III also includes rural villages, locally designated growth areas, and areas planned for large lot development. The County may approve a major subdivision served by on-site sewage disposal systems, community systems, or a shared facility only if the Planning Commission recommends its approval and conducts a review that includes the cost of providing local government services to the residential subdivision and the potential environmental issues or natural resource inventory related to the proposed residential major subdivision. If a minor subdivision is approved on the property after 31 December 2012, then no further subdivision can occur.

\(^2\) The 60% open space required in §23.2.b does not come into play as all are proposed as minor subdivision lots.

\(^3\) Required per §23.2.b.

\(^4\) Required per §23.2.b.
The lots proposed to access the proposed private mini-roads (Lennig and Wharton Lanes) must be specifically identified, and a plat note must indicate that all other proposed lots would denied access to the mini-roads.

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes.

The proposed creation of new lots, or re-subdivision or lot reconfiguration, in the Critical Area mandates strict observance of §194.d (1), (2), (3), and (4).

No more than 15% of the surface area can be impervious surface in the RCA. In addition, the “lot coverage” provisions of §200.13.e must be taken into account.

No more than 20% of the forest or developed woodland may be removed. When less than 15% of the site is in forest cover, at least 15% of the gross site area shall be afforested. No structure shall exceed 35’ in height.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.

Slopes greater than 25% must be shown on the Preliminary Plat.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of rare, threatened, and endangered species must be avoided.

This proposal satisfies the general open space requirements of the SAR zone.
No landscaping of the development envelope is required in the SAR zone, other than those required to preserve rural character, per §23.4.

No sidewalks are recommended.

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of the Augustine Herman Highway (MD 213). A plat note indicates that a waiver is requested in this regard. How is that request consistent with the rural character considerations contained in §23.4? Mr. Sutton stated that the current character of the land is farm use; they intent to continue that character.

While a Bufferyard Standard C is not conducive to the preservation of rural character, some vegetative screening may be necessary.

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring. A plat note indicates that a waiver is requested in this regard, which staff will support.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another.

Rows of street trees with 10’ planting easements are required, outside the right-of-way, along both sides of all internal roads. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan must (shall) be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan must (shall) be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the street trees, planted buffers, and Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

Proposed Lot 12 exceeds the 3:1 length to width ratio established in §7.4.2. However, in this case, owing to the configuration of the Critical Area boundary, and in the interest of limiting the impervious cover of the proposed Bayard Road, staff will not object.

Proposed Lot 22 also exceeds the 3:1 length to width ratio established in §7.4.2. In this case, proposed Lot 22’s configuration is partially dictated by the need for proposed Lot 17 to comply with §23.2.b’s mandate for 60% open space. Nevertheless, it would be possible to reassign some of
proposed Lot 23’s acreage in order for proposed Lot 22 to comply with §7.4.2’s 3:1 length to width ratio. Mr. Sutton stated that the developer intends to use the existing natural hedgerow.

§7.2.B.8 stipulates that “A looped road system shall be considered in new subdivisions proposing more than twenty-five (25) lots.” That subsection goes on to say “The physical and environmental characteristics of the property shall be considered in determining the feasibility of a looped road system.” Because of the environmentally sensitive nature of these specific parcels, and because of the general avoidance of unnecessary impervious cover in the Critical Area, staff will not support the inclusion of a looped road in this case.

The internal road names have all been approved by the County’s 911 Emergency Center.

The lots proposed to access the proposed private mini-roads (Lennig and Wharton Lanes) must be specifically identified, and a plat note must indicate that all other proposed lots would denied access to the mini-roads.

Mini-road Maintenance Associations for maintenance of the mini roads must be established prior to recordation, with the owners of all lots accessing the mini-roads becoming members.

Covenants prohibiting the subdivision of the 60% open space (large) lots must be recorded prior to plat recordation and noted on the Final and Record Plats.

Since none of the individual ‘Farms’ major subdivision lots totals at least ten, therefore no common open space is required for any portion of the project.

The Master Water and Sewer Plan classifies this site as W0 and S0 (Tier III).

Documentation of Groundwater Appropriation Permit must be provided by the applicant prior to the Planning Commission’s review of the Final Plat.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

School information: Elementary Middle High School

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<td>309</td>
<td>472</td>
<td>620</td>
</tr>
<tr>
<td>Capacity</td>
<td>350</td>
<td>601</td>
<td>643</td>
</tr>
<tr>
<td>% Utilization</td>
<td>88%</td>
<td>79%</td>
<td>96%</td>
</tr>
</tbody>
</table>

CONCEPT PLAT REQUIRED INFORMATION:
(a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat.
Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.

(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.

(c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.

(d) Title information:
1. Proposed name
2. Scale of Plat (feet and meters).
3. Location by election district, County and State.
4. Date.

(e) Name and address of owner or person representing owner who is responsible for preparation of the plat.

(f) North point.

(g) Boundary of proposed subdivision. This can be a deed plot.

(h) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).

(i) Location of existing utilities on or within two hundred (200) feet of the parcel.

(j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.

(k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.

(l) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission’s review of the Concept Plat.

(m) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.

(n) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
1. Approximate location of buildings.
2. Total number of units in each building.
3. Total number of off-street parking spaces and the space to unit ratio.

(o) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
1. Tidal and non-tidal wetlands;
2. Streams (perennial and intermittent);
3. Areas of steep slopes, highly erodible and other soils with development constraints;
4. Shore and stream Buffer (110-foot or 200-foot minimum);
5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
7. Computation of the amount of acres in the Critical Area District; and
8. The location and extent of existing and/or proposed shore erosion abatement approaches.

(p) All existing easements on the parcel(s) to be subdivided.

(q) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.

(r) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

2. Charlestown Crossing, Phase II Apartments, 92 Units, Concept Plat, Charlestown Crossing Blvd., Morris & Ritchie Associates, Fifth Election District.


Mr. Woodhull, DPW, read the comments of the department:
1. The Department understands that the water supply for this development will be a private system. The water distribution system must be designed to meet or exceed the County’s standards. This includes providing fire flow and pressure throughout the development and the use of ductile iron water pipe for distribution. The serving fire company must review all fire hydrant spacing and locations provided on final construction drawings.
2. The SWM plan for the apartment complex proposed must be designed to meet the current (2010) SWM Ordinance. This will require that the concept SWM plan must be approved prior to submitting the concept plat to the Planning Commission for review.
3. Road & Storm Drain plan, Sanitary Sewer plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for final plat Approval.
4. It is understood that the internal streets & associated parking will be privately owned and maintained.
5. The sewer lines within the proposed apartment complex will be privately owned and maintained. This private sewer line will connect to the existing public sewer in West Claiborne Road.
6. An I&M Agreement is required for all SWM facilities.
7. Any proposed active recreation will require a list of equipment submitted to the Department of Parks and Recreation as well as a PWA to cover the same.
8. Public Works Agreements will be required for all infrastructure shown.
9. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
   9.1  The Final Plat Lot Grading, and Lot Grading Plan Construction Limits Notes.
   9.2  Requirements for Stormwater Inspection and Maintenance Agreements.
   9.3  Requirements for Final Plat - Public Sewer Allocation.
   9.4  Requirement for Public Works Agreements

Notes and requirements identified for record:
1. The Final Plat must include the Lot Grading Plan standard note and a note indicating that sidewalk maintenance will be required of the adjacent property owner (if sidewalks are required). The Lot Grading Plan must include the standard construction limits note.
   a. Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
   b. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance shown hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
2. An Inspection & Maintenance Agreement is required for the private SWM facilities.
3. Developer must request and obtain a public sewer allocation from the Department of Public Works before submitting a final plat to the Cecil County Planning Commission for approval.
4. A Public Works Agreement (PWA) will be required for any road work proposed within the County ROW, for the private sanitary sewer and for the sanitary sewer connection to the County system.

Mr. Harmon, DEH, read the comments of the department:
Verification of the water allocation for this concept must be received from Artesian Water Company prior to final plat approval. Verification of the sewer allocation for this concept must be received from the Department of Public Works prior final plat approval.

Final and records plats are required to have the following statements:
1. Public water and sewerage will be available to all lots offered for sale (by the owner’s signature block).
2. Use of public water and sewerage is in conformance with the Cecil County Master water and Sewer Plan (by the Health Department’s signature).
Mr. Di Giacomo read the comments from CCSCD:
To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly.

Mr. Di Giacomo read the comments from MDE:
The plan depicts public water service. A Water Appropriation and Use Permit would not be required.

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from County maintained roads.
2. Schools in this attendance area are Charlestown Elementary, Perryville Middle and High Schools. Please see attached information regarding capacity and enrollment.
3. Enrollment at Charlestown Elementary will decrease once the Perryville Elementary Addition/Renovation is complete for August 2016. Perryville Elementary closed for renovations in June 2014 and students were split between Bainbridge Elementary and Charlestown Elementary until the completion.

Mr. Di Giacomo provided the applicant with the comments from the Fire Chief’s Representative. See file.

Mr. Di Giacomo stated that no comments were received from the Citizen’s Representative or the Critical Areas Commission. He explained that no comments were received from State Highway Administration though he believes they may be interested in revisiting an updated TIS.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: The re-zoning of the site of these proposed garden apartments, from M1 (light industrial) to RM (high-density residential), was approved on 8/15/15.

This site roughly corresponds to the original “J” employment component of the Charlestown Crossing PUD. Therefore, the density of these 6.77 acres stand alone, unencumbered by that established by the PUD’s Special Exception.

Density: The RM zone permits a density of up to 14 du/ 1 ac. for apartments. This submission proposes an undetermined number of dwelling units on 6.77 acres for an undetermined proposed density.

Site Data note #6 indicates that 92 dwelling units are proposed; however, the column provided total only 88. In addition, the Land use Summary, below, indicates that both 88 and 92 are proposed. These discrepancies shall be resolved prior to any submission for review by the Planning Commission.
92 dwelling units on 6.77 acres would yield a proposed density of 13.59 / 1; 88 dwelling units on 6.77 acres would yield a proposed density of 12.99 / 1. Either is within permissible limits.

Apartment projects must be consistent with §28 of the Zoning Ordinance and §6.3 of the Subdivision Regulations.

This project location is situated within the 2010 Comprehensive Plan’s Medium Density Growth Area land use district.

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier II area.

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.

Slopes greater than 25% must be shown on the Preliminary Plat.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present.

Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. In this case, given the proposed wetland impacts, it must be obtained prior to Final Forest Conservation Plan approval. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of any rare, threatened, and endangered species must be avoided.

20% open space is required in the RM zone; 49% is proposed. The correct nomenclature is “open space” for apartments, not common open space.

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8 Tier II areas are those planned to be served by public sewerage systems in locally designated growth areas needed to satisfy demand for development at densities consistent with the long term development policy after consideration of the capacity of land available for development including infill and redevelopment within the County. The County may only grant approval if all lots will be served by public sewer or if a minor subdivision is served by on-site sewage disposal systems.

9 The Cecil County Subdivision Regulations define steep slopes as “15 percent or greater incline.” The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as “areas with slopes greater than 25 percent slope.”

10 Upon FCP approval, a grading permit can be issued. However, grading cannot be permitted in a wetland area unless an MDE/Corps permit to do so has been issued.

11 §28.6.b.
At a minimum, 15% of the required open space shall not consist of perennial or intermittent stream buffers, nontidal wetlands or buffers, steep slopes, or habitats of rare, threatened and endangered species. No more than 40% of the common open space required shall consist of those areas designated as nontidal or tidal wetlands. The open space sensitive areas thresholds must be calculated for inclusion on the Preliminary Plat.

Per §28.5.a (1), a minimum of 25% of the development envelope shall be landscaped.

Sidewalks have been shown. Striped bike lanes and back racks should be considered.

Per §28.5.a, a 25’ Bufferyard standard C is required around the perimeter of the development tract. Since this proposal represents an internal, RM component within the Charlestown Crossing project, staff would be willing to consider alternative landscaping treatments.

Bufferyard Standard C is required, outside the right-of-way, along the US 40 road frontage.

Fire hydrant locations should be selected in consultation with the Department of Public Works and the Charlestown Fire Company prior to the TAC’s Preliminary Plat review.

Apartment buildings shall be set back at least 20’ from all parking areas and internal roads (§28.4.h).

No apartment building can be constructed closer to any property line of the development tract than a distance equal to the height of the building (§28.4.d). The maximum length of an apartment building is 300 feet (§28.4.j).

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring.

Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland DNR.

The FSD was approved on 9/17/04. It and the Conceptual Environmental Assessment were granted 5-year extensions on 12/6/10.

The Conceptual SWM Plan must be approved prior to the submission of the Concept Plat by review by the Planning Commission.

The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan must (shall) be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan must (shall) be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

A Landscape Agreement must be executed prior to recordation.

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12 A small portion of the Charlestown Crossing project is in the Critical Area.
13 A PFCP was approved on 2/14/05.
14 An FCP and Landscape Plan were approved on 4/29/08. A revised FCP and Landscape Plan were approved on 12/11/09 and 12/14/09, respectively.
Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

Road names have not been submitted.

A revised Traffic Impact Study (TIS) may be required prior to the TAC’s Preliminary Plat review.

The new Zoning Ordinance that was adopted in 2011, includes Accessibility and Parking Requirements in Article XIV. While that’s broader than just parking spaces, parking spaces do remain important.

There is neither a schematic for the garage parking spaces, nor is there a depiction of separate garage structures. The assumption, therefore, is that ten “garage” parking spaces on the ground level of each of the 4 buildings.

If so, then the garage access lanes have been counted as parking spaces – resulting in an over-count of 8 parking spaces, with the actual total being 151, not 159.

The proposed parking spaces appears to exceed the number required by 2.14%, consistent with §274.9, which caps excess at 20%.

Pursuant to §273.10, §273.11, and §274.9.b will any spaces be provided for use as electric vehicle recharging stations, as approved by the Maryland Electric Administration? Mr. Allen stated that they hadn’t given much thought to providing electric vehicle recharging stations but would look into it.

Will the tenants of these proposed apartments be allowed access to the clubhouse facilities across Claiborne Road? Ms. Di Pietro said yes. Mr. Di Giacomo reminded the applicant to include safety crossing areas.

§274.8 provides that “All multifamily residential subdivision site plans shall include a parking plan that includes a lighting plan in conjunction with a safe bicycle, pedestrian, and vehicular circulation plan.”

Will those needing ADA spaces be required to pay extra for a garage space? Mr. Allen believes that there are ADA spaces in front of each building and at least one garage is ADA compatible per building.

How do these proposed design revisions conform to the requirements of §278.2, regarding bicycle access and facilities, as well as §279, regarding access as relates to the Americans with Disabilities Act? Mr. Allen stated that all ADA requirements will be met. They have not looked into bicycle access but would encourage discussion about including it in the plan.

The Master Water and Sewer Plan classifies this site as W2 and S2.

Documentation of water allocation and sewer allocation/capacity must be provided by the applicant prior to the Planning Commission’s review of the Final Plat.

The Record Plat shall contain a statement to be signed by the Health Department, “approving authority”, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan.
The Record Plat shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all units offered for lease.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

School information:  
- Elementary: Charlestown, FTE = 406, Capacity = 292, % Utilization = 139%
- Middle: Perryville, FTE = 550, Capacity = 860, % Utilization = 64%
- High School: Perryville, FTE = 810, Capacity = 944, % Utilization = 86%

CONCEPT PLAT REQUIRED INFORMATION:

(s) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified.

Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.

(t) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.

(u) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.

(v) Title information:
   5. Proposed name
   6. Scale of Plat (feet and meters).
   7. Location by election district, County and State.
   8. Date.

(w) Name and address of owner or person representing owner who is responsible for preparation of the plat.

(x) North point.

(y) Boundary of proposed subdivision. This can be a deed plot.

(z) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).

(aa) Location of existing utilities on or within two hundred (200) feet of the parcel.

(bb) The layout of all proposed and existing lots with appropriate dimensions and minimum area.

(cc) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.

(dd) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission’s review of the Concept Plat.

(ee) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.

(ff) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
   4. Approximate location of buildings.
   5. Total number of units in each building.
   6. Total number of off-street parking spaces and the space to unit ratio.

(gg) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
   10. Tidal and non-tidal wetlands;
   11. Streams (perennial and intermittent);
   12. Areas of steep slopes, highly erodible and other soils with development constraints;
   13. Shore and stream Buffer (110-foot or 200-foot minimum);
   14. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
   15. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
   16. Computation of the amount of acres in the Critical Area District; and
   17. The location and extent of existing and/or proposed shore erosion abatement approaches.
   18. The Conceptual Environmental Assessment.

(hh) All existing easements on the parcel(s) to be subdivided.
(ii) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.
(jj) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

Discussion ensued regarding the already existing emergency access to MD Rte 40 for Emergency Services and the responding Fire Companies.

The October TAC meeting ended at 10:09 am.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, November 4, 2015, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Wilen, Kordell (CCDPW),
Harmon, Lloyd (DEH), Bott, Gary (Charlestown VFC) and Bakeoven, Jennifer (CCP&Z).

Absent: Brown, Chris (CCSCD), Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Cwiek,
Philip (USCoE), Ouano, Jun (Delmarva Power), Carroll, Bill (SHA), Simpers, Charles (CCPS).

1. Charlestown Crossing, P.U.D., Concept Plat, 422 Units, Pulaski Hwy, Morris & Ritchie
   Associates, Inc., Fifth Election District.

Amy Di Pietro, Morris & Ritchie Associates and Andy Freeman, Klein Enterprises, appeared and
presented an overview of the project. Ms. Di Pietro explained that this Concept Plat is a revision to
the previously approved P.U.D. Concept Plat from 2005.

Mr. Woodhull, DPW, read the comments of the department:
1. As indicated in Site Data Note #18, Phases II, III, IV, V, VI, VII, VIII & IX will be designed in
   accordance with the current SWM Ordinance. This requires that the concept SWM plan must be
   approved by all reviewing agencies prior to submission of the concept plat to the Planning
   Commission.
2. Remove the SWM references from both sheets of the plat. These 11 proposed pond locations are
   no longer valid. Under the current Ordinance the SWM design will require ESD practices spread
   throughout the development. This may require a change in layout and the number of lots for these
   phases. The Applicant is encouraged to avail themselves’ of the concept SWM plan kickoff
   meeting, scheduled for the last Monday of every month, to discuss their conceptual design
   approach with all the reviewing agencies.
3. Why do you have Site Data Note #32? The I&M agreement will allow for access to all SWM
   practices in the development. Remove the note.
4. The Department understands that the Artesian Water Company will supply the water for this
   development. Where located within the County R/W the water distribution system must be
   designed to meet or exceed the County’s standards and utility easements will be required. A
   blanket easement may be granted.
5. The proposed water distribution system must be reflected on the sanitary sewer and road & storm
   drain plans.
6. The serving fire company must review all fire hydrant spacing and locations provided on final
   construction drawings.
7. The Road & Storm Drain plan, Sanitary Sewer plan, and a Mass and Final Grading plan must be
   approved by the Department prior to submittal for final plat Approval.
8. The Road Code Variance referenced in Site Data Note #29 must be requested prior to the
   preliminary plat review by the TAC.
9. If any of the proposed internal streets have wetlands crossings, a geo-technical investigation of the
   suitability of the sub-grade soils will be required.
10. The stream crossing for Charlestown Crossing Boulevard will require an MDE permit and is to be
designed to pass the 100-Year storm without roadway overtopping. Re-map the 100-year flood
plain impacted by the road crossing based upon the crossing engineer’s hydraulic design.
11. It appears that this crossing may involve a single span in excess of 100’. This may be beyond
the capabilities of a bottomless pre-cast arch and, therefore, a bridge may be required. The crossing
design must be coordinated with the Engineering & Construction Division of the Department of
Public Works. Slope and drainage easements if required must be provided to the County.
12. Is the Developer proposing to construct the stream crossing as part of Phase II? It is very
important that the connectivity between US 40 & MD 7 be established at or before the time work
begins on any phase south of the stream crossing. Mr. Freeman stated that they don’t anticipate
building the bridge until after Phase II.
13. The R/W for Charlestown Crossing Blvd from Binns Road to the approach of the stream crossing
must be 60’ wide per Standard Detail R-9 referenced in Site Data Note #26. The R/W at the
proposed stream crossing must be a minimum 80’ wide.
14. In accordance with the 75’ minimum intersection separation distance for driveways set forth in
Section 3.08 b. of the Road Code, Lots 181, 208, 443 & 446 are denied direct access to
Charlestown Crossing Blvd and must access the minor road frontage of each lot.
15. Per Section 2.07 of the Road Code closed section road must be used throughout the development.
16. All driveways must be paved at least to the right of way and those accessing Charlestown
Crossing Boulevard must be designed with on-lot turnaround capability. The Developer is
responsible to complete all driveway paving within the road right-of-way at the time of surface
course installation for the internal streets. This requirement includes vacant but platted lot
driveways. All driveways exceeding 5% up-gradient-slope must be paved to the crest. If the
development is phased this requirement will apply to each individual phase as it is completed. The
Lot Grading Plan and Street Construction Drawings must include notes to this effect.
17. Where do you propose to run the sewer connection to the sewer pump station? Ms. Di Pietro
stated that they are in the process of looking into it.
18. Do you propose to use gravity sewer to service the phases located south of the stream crossing? If
a sanitary sewer pump station is required it must be located on a parcel dedicated in fee simple to the
County.
19. Has any consideration been given to stubbing a sanitary sewer line out to MD Rt 7? Ms. Di Pietro
stated that they hadn’t considered it.
20. Any proposed sewer lines run outside of County R/W must be located within a utility easement.
The easement width must be 20’ minimum however depending on the depth of the sewer line the
easement may need to be wider.
21. Every effort must be taken to keep sewer lateral cleanouts outside of driveways and sidewalks.
Revise the Front-Loaded Garages Typical Townhouse Layout to reflect this. For the townhouses
located on private alleys the sewer house connection shall be off of the proposed County road
frontage.
22. Any open space proposed for active recreation that abuts a proposed County road should be
provided with some form of decorative barrier to separate them from travel ways. The
Department requires that these ‘barriers’ be shown on the street construction drawings and
included in the PWA’s for each section/phase of development.
23. An I&M Agreement is required for all SWM practices.
24. Any proposed active recreation will require a list of equipment submitted to the Department of
Parks and Recreation as well as a PWA to cover the same.
25. Public Works Agreements will be required for all public infrastructure shown.
26. The Final Plat must include the Lot Grading Plan standard note and a note indicating that sidewalk maintenance will be required of the adjacent property owner (if sidewalks are required). The Lot Grading Plan must include the standard construction limits note. These notes will be identified in the record but will not be read at this time.

   Final Plat: “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”

   Final Plat: “Sidewalk maintenance will be required of the adjacent property owner, as required by the Cecil County Road Code.”

27. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”

Mr. Harmon, DEH, read the comments of the department:
Water allocations must be obtained from Artesian Water Supply prior to final plat approval.

Sewer allocation must be obtained from the Cecil County Department of Public Works prior to final plat approval.

Submit proposal in writing stating possible commercial uses and projected number of employees for each proposed use prior to record plat approval.

Mr. Bott, Charlestown VFC, explained that the biggest challenge that the Fire Company faces when servicing this development is the narrow streets and on-street parking. The Charlestown Fire Company purchased a large ladder truck specifically to use in this development but the crowded streets make it nearly impossible to reach the homes, should there be a fire or medical emergency. He asked that enforcement of the on-street parking be looked at or the roads being widened for the fire apparatus. Ms. Di Pietro stated that the concern will be brought up to the residents at the next HOA meeting. Mr. Bott explained that the connectivity between Charlestown Crossing Blvd and MD Rte 7 is imperative as it takes the fire company an additional 6-8 minutes to reach this development in an emergency situation. Mr. Bott also asked that dumpsters be placed on only one side of the street during construction as it creates a problem with traffic when the dumpsters are place on opposite sides of the streets.

Discussion ensued regarding the space needed in a cul-de-sac for fire apparatus.

Mr. Di Giacomo stated that no comments were forwarded by the State Highway Administration or the Citizen’s Representative.

Mr. Di Giacomo read the comments from CCPS:
1. Bus service will be provided from County maintained roads and from Route 40 to Route 7 on Charlestown Crossing Boulevard only.
2. Schools in this attendance area are Charlestown Elementary, Perryville Middle and High Schools. Please see attached information regarding capacity and enrollment.
3. Enrollment at Charlestown Elementary will decrease once the Perryville Elementary Addition/Renovation is complete for August 2016. Perryville Elementary closed for renovations in June 2014 and students were split between Bainbridge Elementary and Charlestown Elementary until the completion.

Mr. Di Giacomo read the comments from MDE:
1. The plan depicts public water service. A Water Appropriation and Use Permit application would not be required.

Mr. Di Giacomo provided the applicant with the comments from the Critical Areas Commission. See file.

Comments from Chris Brown, CCSCD, were received after the meeting was held. They are as follows:
To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly.
1. The soil delineation and soils data are outdated. The plat should be revised to provide the soils from the 2009 USDA Soil Survey.

Mr. Di Giacomo, P&Z, read the comments of the department:
This project is in compliance with §3.8 regarding public notification.

With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: ST (previously part of the Charlestown Crossing PUD Proposal, zoned M1 and SR)¹

Density: The ST zone permits a base density of 1 du/1 ac, 4/1 with community facilities,² or 6/1 in a Planned Unit Development.³ This revised PUD proposal would result in a permitted density of 3.499:1.

This project location is now situated within the 2010 Comprehensive Plan’s High Density Growth land use district.

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier I area.

Please submit a copy of the boundary line survey cited in Site Data Note #16 prior to Preliminary Plat review by the TAC.⁴

This revised submittal shall follow the review and approval procedures set forth in §256.2-8. Today’s TAC review is performed pursuant to §256.3.

¹ As originally approved: SR, M1, BG, and RCA & LDA (Critical Area) – PUD Proposal. The SR zone permitted a base density of 1 du/1 ac, 2/1 with community facilities, or 4/1 in a Planned Unit Development.
² §26.2.
³ §249.b.
⁴ Boundary line surveys are usually completed in conjunction with the preparation of the Preliminary Plat for density calculation purposes.
The original PUD “Sketch Plat/Special Exception Application,” per §256, was granted a Special Exception by the Board of Appeals on 9/28/04 — conditioned on the following issues being adequately addressed:

1) No lots are proposed in the M1 zone;
2) No lots are proposed in the nontidal floodplain;
3) The complete estimated staging of construction has been shown on the plat and narrative, as required in §6.1.1 (e);
4) The perennial stream buffers have been accurately depicted;
5) No dwellings are depicted in the perennial stream buffers;
6) The nature of the proposed uses in the “employment” area in the SR zone have been declared and they are, in fact, permitted in the BL zone;
7) The total number of off-street parking spaces and the space to unit ratio for the proposed townhouse condominiums has been provided on the plat, consistent with §4.0.13 (m);
8) The townhouse condominium lot boundaries are differentiated from the townhouse structure footprints, as required in §4.0.13 (m);
9) A note to the effect that the Critical Area portion of the property is exempt from the Forest Conservation Regulations, per §3.2B;
10) All contradictions between the plat and the narrative have been eliminated;
11) Reference to §29.5.a in Note # 7 has been corrected;
12) The elevations of each building type have been provided, per §256.1.a;
13) The Variance needed to create the townhouse lots on the proposed private roads has been cited on the plat, or the proposed private roads are eliminated;
14) The proposed density has been cited on the plat submitted for review by the Planning Commission and Board of Appeals;
15) A draft of the terms and provisions of the public works agreement being provided in the narrative, as required by §256.1.c;
16) Any townhouse units in excess of 20% are to be considered substituted for permitted semi-detached or duplex units, with the condition that the total number of townhouse units not exceed the proposed 176 units; and
17) A Traffic Impact Study (TIS) being completed prior to Preliminary Plat and/or Preliminary Plat/Site Plan reviews by the TAC. The TIS must account for the full impact of the full potential build-outs in all zoning classifications on the parcel, regardless of whether or not they are specifically part of the PUD proposal.

In accordance with §256.5, which stipulates, in part, that “Following approval of the PUD Special Exception by the Board of Appeals the PUD or section thereof shall be processed in accordance with the provisions of the Cecil County Subdivision Regulations,” the original Preliminary Plat, proposing 592 lots at a density of 2.63/1, was approved on 4/18/05, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The forest retention areas being depicted on the Final Plat;
4) The FCP and the Landscape Plan being approved prior to the Planning Commission’s review of the Final Plat;

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5 Because a PUD was permitted in the SR zone only by Special Exception.
6 On 224.73 SR-zoned acres
7 The Special Exception that was granted allowed 176 townhouses, in excess of the 118 allowed per §250.2 at that time.
8 The Planning Commission has authority for the approval of the Preliminary Plat for PUD proposals.
5) Landscape Plan for this PUD proposal including the §187.2 zoning district-separating bufferyards details for that part of the M-1 area associated with the proposed water tank, filtration station, and wells;
6) A Site Plan being approved for the Community Center prior to the Planning Commission’s review of the Final Plat;
7) A Plans being approved by DPW for the water tower and the water filtration building prior to the Planning Commission’s review of the Final Plat;
8) No street trees being planted within 20 of sewer laterals and cleanouts;
9) Confirmation of sewer allocation being received from the Cecil County DPW prior to Final Plat review by the Planning Commission;
10) Confirmation of water allocation being received from the water provider prior to Final Plat review by the Planning Commission;
11) MDE verifying that the water provider has adequate capacity to serve these lots prior to Final Plat review by the Planning Commission;
12) MDE verifying that the GAP is adequate to serve these lots prior to Final Plat review by the Planning Commission;
13) Plans for water facilities demonstrating the ability to provide and maintain adequate quality and pressure, and being verified by MDE and the Cecil County Department of Public Works prior to Final Plat review by the Planning Commission;
14) Fee simple access being provided to all stormwater management facilities;
15) The Landscape Plans for all BG- and M1-zoned site plan projects including the zone-separating bufferyards depicted on this PUD plat;
16) The details of the proposed E.M.S. building being reviewed by the County EMS Dept. and/or the Charlestown Fire Co. prior to Final Plat review;
17) The appropriate Charlestown Crossing Boulevard widening being shown on the Final Plat;
18) The zoning boundaries being corrected;
19) The proposed uses being made consistent with those permitted in the respective zones; and
20) Documentation confirming that the Charlestown Volunteer Fire Department deems the cul-de-sac radii and roadway width are acceptable being received prior to Final Plat review by the Planning Commission.

Per §4.1.18, 1-year Preliminary Plat extensions were granted 3/19/07, 1/23/08, & 12/15/08.9

The Phase 1 Final Plat, for 50 lots, was approved on 6/16/08, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The full balance of the common open space being provided in future phases and sections;
4) The 10’ street tree planting easement being depicted and noted on the Record Plat;
5) Deed restrictions for the long-term protection of the street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
6) A Landscape Agreement’s being executed prior to recordation;
7) A Homeowners’ Association for maintenance of common open space being established with $50 per recorded lot placed in escrow for improvements prior to recordation;

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9 Unless either a Final Plat is approved and recorded or, as requested, the Preliminary Plat’s validity is again extended in the interim, said validity will expire on 12/15/09.
8) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
9) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale;
10) A Maintenance Association for the maintenance of the private mini-roads being established prior to recordation; and
11) No lots fronting on any of the private roads.

Also on 6/16/08, for INFORMATION ONLY, an amended Preliminary Plat overview was presented to the Planning Commission.

Again for INFORMATION ONLY, an alternate layout for Phase 1 townhouses was presented to the Planning Commission on 3/16/09, when Mr. Bechtel, counsel for Clark Turner Homes indicated that a Variance would be sought from the Board of Appeals. In non-binding action, Planning Commission members agreed that they favored the modified design.

On 4/29/09, a Variance (File No. 3450) was granted to allow more than 4 units per townhouse building, as was reflected in lots 74-78. Variance No. 3450 was required be cited on the Record Plat.

Other design modifications included in the revised Phase 1A Final Plat were:
- Single family lots had increased minimum width from 50’ to 52’.
- Townhouse lots had increased in length from 80’ to 82’.
- The proposed private Henrietta Lane was made 18’ wide.
- Common open space parcels were designed into the proposed Charlestown Crossing Blvd. right-of-way to facilitate “entry features” and medians.
- Common open space parcels were placed adjacent to proposed Lots 66 and 87.
- The TND design included street trees to be planted between the curb and sidewalk.

The revised Phase 1A Final Plat included 14 single family and 36 townhouse lots; it was approved on 6/15/09, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The full balance of the common open space being provided in future phases and sections;
4) Any necessary revisions to the FFCP/Landscape Plan being approved prior to recordation;
5) Deed restrictions for the long-term protection of the street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
6) A Landscape Agreement’s being executed prior to recordation;
7) A Homeowners’ Association for maintenance of common open space being established with $50 per recorded lot placed in escrow for improvements prior to recordation;
8) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
9) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale; and
10) The lot numbers’ being included in the respective Record Plat title blocks, per §4.2.12 (a) 2.
The Phase 1A recordation plats were signed on 12/11/09 and 3/29/10.\textsuperscript{10} The Special Exception that was granted allowed 176 townhouses.\textsuperscript{11} The Phase 1B (Lots 146-149 & 154-156) & 1C (Lots 141-145 & 157-160) Final Plat was approved on 11/15/10, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The full balance of the common open space being provided in future phases and sections;
4) Any necessary revisions to the FFCP/Landscape Plan being approved prior to recordation;
5) Deed restrictions for the long-term protection of planted buffers, street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
6) The 10’ Street Tree Planting Easement being labels on the Record Plat;
7) A Landscape Agreement’s being executed prior to recordation;
8) A Homeowners’ Association for maintenance of common open space being modified to include these lots, with $50 per recorded lot placed in escrow for improvements prior to recordation;
9) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
10) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale;
11) The Record Plat’s signature block for DPW indicating “Director of Chief Engineer” under the signature line;
12) The Record Plat’s signature blocks for the Health should indicating “Approving Authority” under the signature lines; and
13) References to private roads being eliminated from the Record Plat.

The Phase 1B (Lots 146-149 & 154-156) & 1C (Lots 141-145 & 157-160) Record Plat was signed on 12/21/10.\textsuperscript{12} The separate Garden Apartment Concept Plat was approved on12/20/10, conditioned on:

1) All DPW requirements being met;
2) The TIS and associated transportation issues being resolved to the satisfaction of SHA and DPW prior to the Planning Commission’s review of the Preliminary Plat; and
3) The granting of the waiver for the parking to 1.8 spaces per dwelling unit, with the additional contingent, future spaces being located and noted on the plat.

The separate Garden Apartment Preliminary Plat was approved on2/22/11, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The revised FCP and revised Landscape Plan being approved prior to the submission of the Final Plat;
4) The major site plan for the clubhouse being approved prior to Final Plat approval(s);

\textsuperscript{10} This extended Preliminary approval until 3/29/12.
\textsuperscript{11} In the SR zone, no more than 20% of the PUD dwelling units can be townhouse or apartment units.
\textsuperscript{12} Its recordation extended the Preliminary approval until 12/21/12.
5) Documentation of water allocation being provided by the applicant prior to the submission of the Final Plat;
6) Documentation of sewer allocation/capacity being provided by the applicant prior to the submission of the Final Plat; and
7) Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) must being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

The separate Garden Apartment Final Plat was approved on 8/15/11, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The Landscape Agreement’s being executed prior to recordation;
4) Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
5) Unless it is to be owned by the HOA, all open space being labeled and referenced as “open space,” rather than as common open space;
6) The Record Plat’s again containing a statement signed by the Health Department, “approving authority”, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water & Sewer Plan; and
7) The Record Plat’s also again containing a statement, signed by the owner, to the effect that such facilities will be available to all apt. units offered for lease.

The Phase 1B (Lots 116-125 & 165-170) & 1C (Lots 126-140 & 161-164) Final Plat was approved on 5/21/12, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The full balance of the common open space being provided in future phases and sections;
4) Any necessary revisions to the FFCP/Landscape Plan being approved prior to recordation;
5) Deed restrictions for the long-term protection of planted buffers, street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
6) A Landscape Agreement’s being executed prior to recordation;
7) A Homeowners’ Association for maintenance of common open space being modified to include these lots, with $50 per recorded lot placed in escrow for improvements prior to recordation;
8) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
9) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale;
10) References to private roads being eliminated from the Record Plat; and
11) The Record Plat’s containing the current zoning of the property.

The Phase 1B (Lots 38-65 & Lots 102-105) Final Plat was approved on 9/17/12, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;

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13 This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
3) The full balance of the common open space being provided in future phases and sections;
4) Any necessary revisions to the FFCP/Landscape Plan being approved prior to recordation;
5) Deed restrictions for the long-term protection of planted buffers, street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
6) A Landscape Agreement’s being executed prior to recordation;
7) A Homeowners’ Association for maintenance of common open space being modified to include these lots, with $50 per recorded lot placed in escrow for improvements prior to recordation;
8) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan; and
9) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale.

The Phase 1B (Lots 38-65 & Lots 102-105) Record Plat was recorded on 2/28/13 (extending the Preliminary Plat’s validity until 2/28/15).\textsuperscript{15}

The applicant is advised that a subsequent extension was granted on 11/2/15 – extending Preliminary Pat validity until 11/30/17.

The applicant is again reminded that unless there is another recordation\textsuperscript{16} or Preliminary Plat extension granted prior to 11/8/15, the Preliminary Plat’s approval will expire on that date.

That Phase 1C (Lots 1-37) Final Plat was consistent with previous approvals,\textsuperscript{17} and was approved on 6/17/15, conditioned on:
  1) Health Department requirements being met;
  2) DPW requirements\textsuperscript{18} being met;
  3) The full balance of the common open space being provided in future phases and sections, with any future phases or section requiring a full accounting of the balance due (combination of open space and/or common open space);
  4) Any necessary revisions to the FFCP/Landscape Plan being approved prior to recordation;
  5) Deed restrictions for the long-term protection of planted buffers, street trees & any Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
  6) A Landscape Agreement’s being executed prior to recordation;
  7) A Homeowners’ Association for maintenance of common open space being modified to include these lots, with $50 per recorded lot placed in escrow for improvements prior to recordation;

\textsuperscript{14} This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
\textsuperscript{15} Per §4.1.16, the recordation of a Record Plat from any section of a Preliminary Plat “shall extend the Preliminary Plat approval for an additional two (2) year period from the date of said recordation.”
\textsuperscript{16} The recordation of a Final Plat would extend the Preliminary Plat’s approval for a period of two (2) years from the date of said recordation.
\textsuperscript{17} The Phase 1C Final Plat was originally submitted for review and possible approval at the May, 2015 Planning Commission meeting, but it was withdrawn.
\textsuperscript{18} This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
8) The Record Plat’s containing a statement, signed by the Health Department approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
9) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale;
10) Variance No. 3450’s being cited on the Record Plat; and
11) The submission of future phases or sections including an accounting of the dwelling type ratios for consistency with overall project PUD recommendations.

The Phase 1C (Lots 1-37) Record Plat has not yet been recorded.

Unlike Variances (such as # 3450), Special Exceptions run with the owner of the land, rather than the land, itself. Thus the need for this revised PUD Sketch Plat/Special Exception application. Ms. Di Pietro stated that the ownership has not changed.

In addition, this revised Concept Sketch/Special Exception application proposes to change the previously-approved structure type percentages.

Currently, per §250.2 recommends that PUDs in ST zone consist of maximums of 30%, 60%, and 40% for detached, semi-detached/duplex, and townhouse or apartment dwellings, respectively. Since those percentages total 130%, those are obviously maximums, not minimums.

In the previous Zoning Ordinance, under which this PUD was approved, in the SR zone, there was no percentage limit on detached dwellings, 30% on semi-detached/duplex, and 20% on townhouses or apartments. The 16th condition of the 2004 Special Exception approval permitted the project to exceed the townhome allowed, with no more than 176.

A total of 592 dwelling units were approved for this PUD, and the 16th condition of the 2004 Special Exception approval allowed for no more than 176 townhomes.

A total of 170 of the 592 (original and again proposed) dwelling units have been approved. A remainder of 422 additional units are now being proposed.

This revised Concept, if approved by Special Exception, would raise the aggregate total number of townhomes from 176 to 302 – out of a total of 592 dwelling units.

§250.2 now stipulates that the “maximum percentages of dwelling structure types in PUDs are recommended to be as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Detached</th>
<th>Semi-Detached or Duplex</th>
<th>Townhouse or Apartments</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMU</td>
<td>30%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>RMU</td>
<td>40%</td>
<td>50%</td>
<td>40%</td>
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<tr>
<td>ST</td>
<td>30%</td>
<td>60%</td>
<td>40%</td>
</tr>
<tr>
<td>UR</td>
<td>20%</td>
<td>60%</td>
<td>50%</td>
</tr>
</tbody>
</table>

No semi-detached or duplex dwellings have been approved, and none are proposed. Therefore, those recommended percentage maximums are moot.

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19 The 332 in the apartment component + the 170 towns and singles will have consumed 502 of the 592 approved.
20 If these 37 are approved, then there would be 162 of the 176. See Appendix, page 11.
21 Per §256.2.
65 detached dwelling units have been approved (10.98% of 592), and 225 (bringing the total to 290) are proposed. 290 is 48.99% of 592. 225 is 53.32% of the remainder of 422 additional units.

The 105 townhouse lots already approved is moot because of the 16th condition of the original, 9/28/04 Special Exception approval: “Any townhouse units in excess of 20% are to be considered substituted for permitted for semi-detached or duplex units, with the condition that the total number of townhouse units not exceed the proposed 176 units.”

The 197 additional townhouse units now proposed represent 46.68% of the remainder of 422 additional units, and the aggregate total of 302 townhouse units would be 51.01% of 592 (176 was 29.73% of 592).

The Title Block and Site Data Note # 5 indicate that this revised PUD Sketch Plat/Special Exception application is being submitted as a Residential Cluster Development; therefore it is recommended that §6.1 of the Subdivision Regulations be cited on the plat prior to review by the Planning Commission and Board of Appeals.

§6.1, while intending to “permit greater flexibility for attractive, creative and more environmentally sustainable design,” does not absolve any PUD application from observing the recommendations contained in §250.2.

The location of the proposed community center, which must be served by water & sewer systems approved by the Health Department, has been changed. In the Special Exception approved on 9/28/04, the community center was approximately where the proposed common open space and proposed lots 210-251 are now shown. It is now depicted south of the stream crossing.

A major site plan approval shall continue to be required for the community center prior to Final Plat approval(s). The requirements of §291 and Appendix A of the Zoning Ordinance shall be adhered to.

Partly because the exact numbers of townhouses with 1- or 2-car garages is not provided, the parking space numbers do not add up. However, assuming the totals in Site Data Note # 25 to be correct, the total appears to be in conflict with §275.10 (1184+118 = 1302 1892).

The applicant is advised to see §251.5. How is compliance demonstrated? For example, proposed Lots 214-219, 228-233, and 243-249 appear not to satisfy the required 150’ limit.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.22

Slopes greater than 25% must be shown on the Preliminary Plat.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.

A 25’ buffer is required around all non-tidal wetlands and intermittent streams present.

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22 The Cecil County Subdivision Regulations define steep slopes as “15 percent or greater incline.” The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as “areas with slopes greater than 25 percent slope.”
Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. In this case, given the proposed wetland impacts, it must be obtained prior to Final Forest Conservation Plan approval. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation. File records show that the JD has been completed.

20% common open space is required, 72% is proposed, overall. The submission of future phases/sections will necessitate an accounting of the balance due for open space, and the sensitive areas thresholds must again be included on the Preliminary Plat.

An FSD and a conceptual Environmental Assessment for the portion within the Critical Area were approved on 9/17/04. The site contains FIDS habitat, but it is not home to any of rare, threatened, and endangered species.

Any revised FSD and Conceptual SWM Plan must be approved prior to the submission of the Concept Sketch/Special Exception Application to the Planning Commission and Board of Appeals.

The PFCP, Preliminary Environmental Assessment, and Preliminary SWM Plan must be approved prior to the submission of the Preliminary Plat to the Planning Commission.

The FCP/ Landscape Plan, Final Environmental Assessment, and Final SWM Plan must be approved prior to the submission of any Final Plat to the Planning Commission.

A Landscape Plan was previously approved on 12/14/09.

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of planted buffers, street trees & Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final/Record Plats.

Per §26.6 and §251.3, a minimum of 15% of the development envelope shall be landscaped.

Per §26.4.b, street trees are required.

Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland DNR.

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23 Upon FCP approval, a grading permit can be issued. However, grading cannot be permitted in a wetland area unless an MDE/Corps permit to do so has been issued.

24 At a minimum, 15% of the required open space shall not consist of perennial or intermittent stream buffers, nontidal wetlands or buffers, steep slopes, or habitats of rare, threatened and endangered species. No more than 40% of the common open space required shall consist of those areas designated as non-tidal or tidal wetlands.
Sidewalks have been shown. Striped bike lanes and back racks should be considered.

Buffyyard Standard C is required, outside the right-of-way, along the US 40 frontage.

Fire hydrant locations should be selected in consultation with the Department of Public Works and the Charlestown Fire Company prior to the TAC’s Preliminary Plat review.

Per §75.1.a, no more than 4 townhouses are permitted in 1 building block. Per §250.1.d (2), no more than 6 townhouses are permitted in 1 building block in a PUD in the ST zone.

On 4/29/09, a Variance (File No. 3450) was granted to allow more than 4 units per townhouse building. Variance No. 3450 is required be cited on the Record Plat(s).

The proposed road names “East Calvert Court” and “West Calvert Court” have been disapproved.

A revised Traffic Impact Study (TIS) may be required prior to the TAC’s Preliminary Plat review.

The owners of these lots must become members of the Homeowners’ Association, that was established for maintenance of common open space improvements. $50 per each recorded lot placed in this Phase must be placed in escrow prior to recordation.

The Record Plat shall contain a statement to be signed by the Health Department, “approving authority”, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan.25

The Record Plat shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

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25 The Master Water & Sewer Plan identifies this site as W2 and S2.
School information: Elementary Middle High School
Charlestown Perryville Perryville
FTE 406 550 810
Capacity 292 860 944
% Utilization 139% 64% 86%

CONCEPT PLAT REQUIRED INFORMATION:
(a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall not be considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.
(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
(c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
(d) Title information:
1. Proposed name
2. Scale of Plat (feet and meters).
3. Location by election district, County and State.
4. Date.
(e) Name and address of owner or person representing owner who is responsible for preparation of the plat.
(f) North point.
(g) Boundary of proposed subdivision. This can be a deed plot.
(h) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).
(i) Location of existing utilities on or within two hundred (200) feet of the parcel.
(j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
(k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.
(l) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission’s review of the Concept Plat.
(m) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.
(n) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
1. Approximate location of buildings.
2. Total number of units in each building.
3. Total number of off-street parking spaces and the space to unit ratio.
(o) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
1. Tidal and non-tidal wetlands;
2. Streams (perennial and intermittent);
3. Areas of steep slopes, highly erodible and other soils with development constraints;
4. Shore and stream Buffer (110-foot or 200-foot minimum);
5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
7. Computation of the amount of acres in the Critical Area District; and
8. The location and extent of existing and/or proposed shore erosion abatement approaches.
(p) All existing easements on the parcel(s) to be subdivided.
(q) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.
(r) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.
The November TAC meeting ended at 10:17 a.m.

Respectfully submitted,

Jennifer Bakeoven  
Administrative Assistant  
Office of Planning & Zoning
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE  
Wednesday, December 2, 2015, 9:00 a.m.  
County Administration Building  
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Brown, Chris (CCSCD), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Carroll, Bill (SHA), Simpers, Charles (CCPS).

1. Hawk’s Feather, Lots 1-7, Preliminary Plat, Bailiff Road, Carpenter Engineering, Fifth Election District.

Ron Carpenter, Carpenter Engineering, Tracy Justice and Elmer Justice, owners, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:
1. The Applicant is advised that the preliminary plat may not be submitted for Planning Commission review until the preliminary SWM plan has been approved by all reviewing agencies.
2. In reviewing the preliminary SWM plan we’re concerned about the slope of the grass swale in the area of the proposed stone check dams and the resultant velocity. We may require a meeting to address this.
3. A Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the DPW prior to submitting the final plat to the Planning Commission for review.
4. Section 2.13 of the Cecil County Road Code apply to the proposed private mini road specifically the Applicant is reminded that a statement clearly outlining the responsibilities of homeowners in the maintenance of the road and storm drain system must be approved by the Planning Commission and placed on the final plat. Deed restrictions to be applied to each lot in the proposed subdivision, which must be submitted to and approved by the County Attorney, are to provide for the perpetual maintenance of the road and storm drain system in the subdivision by the homeowners. The deed restrictions are to be recorded at the same time the final plat is recorded.
5. In accordance with Section 3.07.14 of the Cecil County Road Code intersection sight distance measurements must be submitted and approved prior to this Department recommending approval of the preliminary plat by the Planning Commission. Mark the centerline of the proposed intersection in the field.
6. The Cecil County Road Code Sections 3.07.06 & 3.07.07 require a minimum 50’ long deceleration and acceleration lanes where Tables 3.07.01 & 3.07.03 warrant no specific lane lengths. This applies to private mini roads. This requirement may be waived by the Department however consulting engineers are encouraged to consider alternative entrance widening geometrics.
7. Any applicable Road Code Variances must be requested prior to submitting the Preliminary Plat to the Planning Commission for approval.
8. Consideration should be given to widening the mini road pavement at the intersection to allow for vehicles to enter and leave the development simultaneously.
9. Section 3.07 15 also applies to this project and must be addressed. The extent of the road improvements, if required, must be reflected on the preliminary plat and the Applicant must agree to construct the same.

10. The proposed private mini road must be paved to County Road Code standard for a minor road (see Standard Detail R-23) within the County’s R/W.

11. The fee simple Bailiff Road frontage dedication Deed must be recorded prior to recordation of the final plat to allow for inclusion of its Liber / Folio on the plat.

12. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
   12.1 The Lot Grading Plan Construction Limits Note.
   12.2 Requirements for Public Works Agreements.
   12.3 Requirements for Stormwater Inspection and Maintenance Agreements.

   Notes and requirements identified for record:
   1. The Lot Grading Plan must include the standard construction limits note.
      a. Grading Plan: “No clearing or grading is permitted beyond the limits of disturbance show here on. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
   2. A Public Works Agreement is required for the private mini road & associated storm drainage construction.
   3. An Inspection & Maintenance Agreement is required for the private SWM facilities.

Mr. Harmon, DEH, read the comments of the department:
A Groundwater Appropriation Permit Exemption must be filed with Maryland Department of the Environment prior to Final Plat approval. Send a courtesy copy of the application to our office.

A written request for a well variance is required for lots 1 and 7 for the wells to be down slope of the designated sewage areas.

Show pumping for Lots 1 and 7. Show septic tank location for Lot 4 at elevation 314. Show septic tank location for Lot 5 at elevation 330. Show septic tanks at least 100’ from wells for all lots.

Mr. Brown, CCSCD, read the comments of the department:
Preliminary Stormwater Management Plans have been submitted to the Cecil Soil Conservation District and are currently under review. Conditional approval was sent on 11/18/15. As of 11/24/15 plans are awaiting signatures from reviewing departments.

Mr. Di Giacomo read the comments from MDE:
Hawk’s Feather, Lots 1-7 Preliminary Plat, Bailiff Road – The water supply is planned to be individual domestic wells. This project is not required to obtain a Water Appropriation and Use Permit as long as the average lot size is not less than one acre. The form “Notice of Exemption to Appropriate and Use Groundwater” is not required to be submitted.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal was found to be in compliance with §3.8 regarding public notification.
With regard to the posting of plats on the County’s website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: LDR

Density: The LDR zone permits a maximum density of 1 du/1 ac., without community facilities. This Preliminary Plat proposes 7 lots on 10.248 acres, for a proposed density of 1/1.464.

Previously, a Hawk’s Feather Concept Plat was reviewed by the TAC on 5/2/12 and 6/6/12, and a Preliminary Plat underwent TAC review on 11/7/12. No Concept or Preliminary Plat was ever reviewed or approved by the Planning Commission; therefore, previous submissions have no standing.

This project location is situated within the 2010 Comprehensive Plan’s Low Density Growth Area land use district.

As established by the County’s adoption of the Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier II area.$^{1,2,3}$

Procedurally, §4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots (7) or 25 acres (10.248).

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes. Has it been completed? Mr. Carpenter said yes.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft$^2$ or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.$^{4}$

There are some limited, steep slope areas on proposed Lots 1, 3, 4, 5, and 7.

A 110’ perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160’.

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1. **Tier II areas** are those planned to be served by public sewerage systems in locally designated growth areas needed to satisfy demand for development at densities consistent with the long term development policy after consideration of the capacity of land available for development including infill and redevelopment within the County. The County may only grant approval if all lots will be served by public sewer or if a minor subdivision is served by on-site sewage disposal systems.

2. **Tier III areas** are those not planned for sewerage service and not dominated by agricultural or forest land and are not planned or zoned for land, agricultural, or resource protection, preservation or conservation. Tier III also includes rural villages, locally designated growth areas, and areas planned for large lot development. The County may approve a major subdivision served by on-site sewage disposal systems, community systems, or a shared facility only if the Planning Commission recommends its approval and conducts a review that includes the cost of providing local government services to the residential subdivision and the potential environmental issues or natural resource inventory related to the proposed residential major subdivision. If a minor subdivision is approved on the property after 31 December 2012, then no further subdivision can occur.

3. **Tier IV areas** are those not planned for sewerage service and are planned or zoned for land, agricultural, or resource protection, preservation or conservation as well as areas dominated by agricultural lands, forest lands, natural areas or rural legacy, priority preservation areas, or areas subject to covenants, restriction, conditions, or conservation easements for the benefit of or held by a State agency. The County may only approve minor subdivisions served by individual on-site sewage disposal systems. Major subdivisions may be approved if the State determines that the zoning density in the Tier IV area results in an overall yield of not more than 1 unit per 20 acres, as verified by the State. If a minor subdivision is approved on the property after 31 December 2012, then no further subdivision can occur.

4. The Cecil County Subdivision Regulations define steep slopes as “15 percent or greater incline.” The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft$^2$ or more. The Cecil County Forest Conservation Regulations define steep slopes as “areas with slopes greater than 25 percent slope.”
A 25’ buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD’s are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of rare, threatened, and endangered species must be avoided.

No Common Open Space is required for fewer than 10 lots.

15% landscaping of the development envelope is required in the LDR zone.

Sidewalks will not be recommended in this case. A potential concrete pad, possibly on proposed Lot 1, may need to be considered for a school bus stop.

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of Bailiff Road. A 10’ Bufferyard Standard C has been depicted.

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring.

Rows of street trees with 10’ planting easements are required, outside the right-of-way, along both sides of all internal roads. Street tree graphics, but not the 10’ street tree planting easements, have not been depicted. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) was previously approved, on 3/29/12.

The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan must (shall) be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance). In that regard, the proposed Lot 7 well location is problematic.

§4.1.22 (p) requires that a drainage schematic be shown, including any SWM facility locations. Is the applicant absolutely certain that there will be no SWM facilities?

The final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan must (shall) be approved prior to the Planning Commission’s review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

A Landscape Agreement must be executed prior to recordation.

5 Per §4.1.22 (n), they must on any plat submitted for review by the Planning Commission.
Deed restrictions for the long-term protection of the street trees and Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

The internal mini-road name has been approved by the County 911 Emergency Center.

Access to any possible common open space between or beside lots must be marked with concrete monuments.6

A Mini-road Maintenance Association for maintenance of the mini road must be established prior to recordation, with the owners of all lots accessing the mini-road becoming members.

The contiguous operating farms notice has been provided as General Note # 21.

The applicant is hereby reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

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(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.

(c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.

(d) Title information:
1. Proposed name
2. Scale of Plat (feet and meters).
3. Location by election district, County and State.
4. Date.

(e) Name and address of owner or person representing owner who is responsible for preparation of the plat.

(f) North point.

(g) Boundary of proposed subdivision. This can be a deed plot.

(h) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).

(i) Location of existing utilities on or within two hundred (200) feet of the parcel.

(j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.

(k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.

(l) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission’s review of the Concept Plat.

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6 Any Homeowners’ Association for maintenance of any possible common open space must be established with $50 per recorded lot placed in escrow for improvements prior to recordation.
(m) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.

(n) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
1. Approximate location of buildings.
2. Total number of units in each building.
3. Total number of off-street parking spaces and the space to unit ratio.

(o) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
1. Tidal and non-tidal wetlands;
2. Streams (perennial and intermittent);
3. Areas of steep slopes, highly erodible and other soils with development constraints;
4. Shore and stream Buffer (110-foot or 200-foot minimum);
5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensively Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
7. Computation of the amount of acres in the Critical Area District; and
8. The location and extent of existing and/or proposed shore erosion abatement approaches.


(p) All existing easements on the parcel(s) to be subdivided.

(q) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.

(r) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

Preliminary Plat Requirements:
(a) The Preliminary Plat shall be submitted by the developer on paper and shall be clear and legible. The scale shall be no smaller than 1” = 100’ (1” = 200’ where the average lot size is greater than five (5) acres as approved by the Office of Planning and Zoning). When more than one (1) sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. Each sheet must have the surveyor’s seal. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Preliminary Plat will not be considered complete if the boundary line survey has not been completed, the Traffic Impact Study (if required) has not been completed, the documentation of the completed jurisdictional determination (if applicable) has not submitted, and the Preliminary Forest Conservation Plan has not been approved prior to submittal of said Preliminary Plat (if in the Critical Area, a Preliminary Plat will not be considered complete unless the Preliminary Environmental Assessment has been approved prior to submission of said Preliminary Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Preliminary Plat will not be considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid. Incomplete Preliminary plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.

(b) A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. (scale shall be no smaller than 1”=2000’), and conforming to Section 2.4.4 on the designation of the remainder. The tax map, block (grid), parcel number(s) shall also be shown.

(c) The names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference shall be indicated. In the event that a historic district or other officially designated historic site adjoins the land to be developed, it shall be identified.

(d) Title information:
1. Proposed name.
2. Scale of Plat (feet and meters).
3. Location by election district, County and State.
4. Date.

(e) Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor and corporation required.

(f) Northpoint. Indicate if true north.

(g) Boundary of proposed subdivision.

(h) All existing pertinent features either natural or manmade that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.

(i) Existing topography at 2- or 5-ft contour intervals. Contour lines shall be indicated 100 ft beyond the subdivision boundary. Contours shall be based on government bench marks when available within 2000 ft of property or by estimation from USGS quadrangle maps. Data shall be stated in all cases and a reference or bench mark described on the plat together with elevation. Source of contours shall be stated on plat, such as, field run topo, or aerial topo, etc. Interpolation of contours from USGS quadrangle maps will not be accepted unless previously approved by OPZ.

(j) Location, width, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements (to be indicated with dashed lines).

(k) Location of existing and proposed utilities on or within 200 ft of the tract with approximate pipe sizes and directions of slope indicated (should include electric and telephone poles or towers).

(l) The layout of all proposed and existing lots with approximate dimensions and minimum building line should be indicated. All major subdivisions must be provided with coordinates consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.

(m) The preliminary layout of all proposed streets and pedestrian ways, including width of right-of-way, pavements, storm drains, and grades.

(n) The approximate location, dimensions, and area of all property proposed to be reserved or temporarily reserved for public use, or to be reserved for use of all property owners in the subdivision, and the location, dimensions and purposes of any proposed easements, including drainage easements.

(o) Zoning district classification of the tract or parcel being subdivided.

(p) Existing and proposed (schematic) drainage system, including the type(s) of structures, the floodplain, proposed stormwater management facility locations, and any deviations from standards, consistent with Section 7.5.

(q) Locations of the septic disposal area, proposed wells and percolation information are to be indicated in accordance with the specifications of the Maryland State Department of Health and Mental Hygiene when individual sanitary facilities are to be used. If community sewerage and/or water systems are to be used, such notation shall be made on the Preliminary Plat.
Total number of lots, area of lots, density, total area and types of right-of-way dedicated, and total area of subdivision shall be indicated in table form.

In cases of condominium or multi-family projects (apartments, townhouses, etc.), the following additional items shall be shown:
1. Approximate location of each building, setbacks from all streets (public or private), property lines and distance between buildings.
2. Number and types of units in each building.
3. Total number of Units and sub-totals of each type.
4. Number of parking spaces in each off-street parking area, and the space to unit ratio.

Soil types shall be shown.

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4. Number of parking spaces in each off-street parking area, and the space to unit ratio.

Soil types shall be shown.

Perimeter of the entire parcel as well as the section requiring approval.

For proposed subdivisions located in the Critical Area, the following additional information will be shown on the Preliminary Plat as applicable:
1. Computation of the total area within the critical Area District, area within each of the land management classifications (i.e., IDA, LDA, RCA), and number of lots in the Critical Area;
2. Slopes 15% or greater;
3. Location and area extent of all soils exhibiting the following characteristics as determined by the Soil Survey, such as:
   (a) Wet soils,
   (b) Hydric soils and soils with hydric properties, and
   (c) Highly erodible soils (soils on slopes greater than 15% or on slope greater than 5 % with “K” values greater than 0.35).
4. Location of all existing or proposed site improvements (including storm drains, culverts, retaining walls, fences, and stormwater management facilities, as well as sediment and erosion control structures);
5. Location of open space, the Buffer and other buffer areas, forested areas and landscaping (the plan shall show all areas to be maintained as landscaping to be provided and the means by which such landscaping will be permanently maintained shall be specified);
6. Location of all Habitat Protection Areas on the site;
7. Location of tidal and non-tidal wetlands on and adjacent to the site and delineation of the watershed thereof;
8. Location of eroding shoreline reaches, the rates of erosion, areas where shore erosion measures are in place, areas to be protected by installation of proposed erosion abatement approaches;
9. Areas to be retained in agricultural use;
10. Areas proposed for reforestation and afforestation;
11. Total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed (disturbed is defined as any activity occurring on a area which may result in the loss of or damage to existing natural vegetation);
12. Proposed natural park areas, as appropriate; and
13. The location of the Critical Area District Boundary, the Mean High Water Line and the landward edge of tidal wetlands.

In addition to the information above, the Preliminary Plan shall be accompanied by the following when the subdivision or development is proposed in the Critical Area, as required:
(a) A Planting Plan reviewed by and addressing the comments of the Bay Watershed Forester;
(b) A Habitat Protection Plan, including comments of the Maryland Forest, Park, and Wildlife Service, the Water Resources Administration, and other agencies as appropriate;
(c) An executed Cooperators Agreement with the Cecil County Soil Conservation District, or a farm plan, as applicable;
(d) A preliminary Stormwater Management Plan;
(e) A preliminary Sediment and Erosion Control Plan;
(f) A Shore Erosion Protection Plan – complete specification for complete shore erosion work;
(g) Natural Park Management Plan, as appropriate; and
(h) An Environmental Assessment, which provides a coherent statement of how the proposed development addresses the goals and objectives of the Cecil County Chesapeake Bay Critical Area Program. At a minimum, the Environmental Assessment shall include:
   1. A statement of existing conditions, e.g. amount and type of forest cover, amount and type of wetlands, discussion of existing agricultural activities on the site, soil types, topography, etc.;
   2. A discussion of the proposed development project, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;
   3. A discussion of the proposed development’s impacts on water quality and Habitat Protection Areas; and
   4. Documentation of all correspondence and findings.

The December TAC meeting ended at 9:19 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning