

**CECIL COUNTY TECHNICAL ADVISORY COMMITTEE**

**Wednesday May 6, 2009, 9:00 a.m.**

**County Administration Building**

**200 Chesapeake Blvd., Elkton, Maryland**

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), von Staden, Fred (DEH), Davis, Gary (SHA), West, Janel (CCPS), Meaders, David (FA), Bakeoven, Jennifer (CCP&Z).

Absent: Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Graham, Daniel (Citizen's Representative) Brown, Chris (CCSCS), Latham, Cindy (MDE).

**1. Chesapeake Lighthouse, Courtesy Review for the Town of Perryville, Site Plan, MD Rte. 222, Stewart Real Estate Development, Site Resources Inc., Seventh Election District.**

Brandon Freel, Stewart Associates, Steve Crow, Site Resources and Marianne Skilling, Town of Perryville, appeared and presented an overview of the project.

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

1. The Town of Perryville will provide the water & sewer service to this site. As such, the CCDPW will review the SWM plan(s) associated with all the development identified on this site plan. Clarify, on the site plan, the extent of each phase as described in the Stewart Associates April 21<sup>st</sup> 2009 letter submitted with the plan. Will you be submitting SWM plans for each phase separately? Mr. Freel said yes. Mr. Woodhull asked that the site plan reflect "Phase 1".
2. The CCDPW will need to be involved with the Traffic Impact Study scoping meeting and review for both the access onto MD 222 (Bainbridge Road) as well as the proposed apartments accessing Cokesbury Road as these will have immediate impact on the County road network. How do you intend to address traffic control at the proposed MD 222 access point opposite Craigtown Road? This TIS and the associated intersection/road improves plan(s) must be approved by CCDPW prior to our recommending approval of the site plan to the Town of Perryville. Ms. Skilling stated that the scoping meeting had already taken place and an invitation should have been made to Mr. Woodhull. The applicant stated that they would get any information from the meeting to Mr. Woodhull. Future scoping meetings will take place and CCDPW will be made aware of the time and place of the meeting. Additionally, Mr. Freel said he would forward the phasing plan to Mr. Woodhull.
3. The Applicant must be aware that if the SWM and E&S plans for this project are not approved (i.e. signed by CCDPW) by May 4<sup>th</sup> 2010 the new Ordinance will apply and the SWM plan must be re-designed to meet its requirements.
4. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain, if appropriate, easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
5. We request that the water & sewer plan system be designed to meet or exceed the County's standards and that the Town of Perryville hold final approval of this site plan until the CCDPW has approved the SWM plan associated with it.
6. An Inspection & Maintenance Agreement with associated financial surety will be required for this project and must be executed prior to the CCDPW approving the final SWM plan.
7. Have you discussed the proposed entrance/exit point onto the State's only access road to the MdTa's administration, MD State Police's JFK Barracks and the weigh station with those

agencies? At an April 16<sup>th</sup> 2009 meeting with SHA, MdTa, and the Town of Perryville both state agencies expressed concern over any impact to their existing access off of MD 222. Specifically they raised the issue of keeping POV & site service traffic off of the access road.

8. The site plan should clearly identify the limits of SHA and Town of Perryville road maintenance responsibilities.
9. Do you intend to provide access to the “Active Open Space” from Cokesbury Road? If you do the location of proposed access must be identified on the site plan. Mr. Freel said the space could possibly consist of trails. Ms. Skilling said this area will be providing connectivity between the areas.

Mr. Meaders, FA, provided the applicant with comments. See file.

Mrs. West, CCPS, asked the applicant, at what stage the apartments would be built. Mr. Crow stated that the apartments are in Phase 5 with 96 units. Mr. Crow also stated that they do not expect to start on Phase 5 for approximately 15-20 years.

Mr. von Staden, DEH, read the comments of the department:

Written documentation of adequate water and sewer allocations must be submitted to our office prior to site plan or building permit approvals.

Any building selling or preparing food must have food service facility plans approved by the Department of Health and Mental Hygiene prior to approval of a building permit.

Mr. Davis, SHA, read the comments of the department. See file.

Mr. Di Giacomo provided the applicant with soil maps and reports from CCSCS as well as reading into the record the comments of MDE and Delmarva Power. See file.

Mr. Di Giacomo, P&Z, read the comments of the department:

This development is proposed in the Town of Perryville. The Cecil County TAC, as a courtesy to the towns in the County, reviews site plans proposed within the towns’ corporate limits.

The Office of Planning & Zoning’s comments and questions relating to this Concept/ Sketch Plan are as follows:

- It should be confirmed whether the Town’s Zoning Ordinances permits the proposed uses in these locations.
- It should be confirmed that the number of parking spaces provided conforms to the minimum and maximum number specified by the Town’s Zoning Ordinance and Subdivision Regulations.
- Can the parking space minimum and maximum requirements be determined in the absence of specific proposed uses?
- It is recommended that the parking space dimensions be added so that the number of proposed spaces can be verified.

- Is any bus parking proposed near to the hotel? Ms. Skilling said the issue has been brought up.
- As depicted, no handicapped parking spaces are proposed. It is recommended that the design be made ADA-compliant, including access to the casino, hotel, other unlabeled facilities, and parking.
- It should be confirmed that the setbacks shown meet the requirements of the Town's Zoning Ordinance and Subdivision Regulations.
- The first access point on Bainbridge Road (MD 222) is only 380' away from MD 275. State and County design standards require that it be at least 750' away from MD 275.
- What traffic control method is proposed for the intersection of the first access point on Bainbridge Road (MD 222), Bainbridge Road, and Craigtown Road? Mr. Crow explained that the said access point may be proposed as a gated emergency access. Discussions are still being had regarding the said access.
- It is recommended that Craigtown Road be labeled on the site plan.
- The second access point on Bainbridge Road (MD 222) is only 640' away from the first. State and County design standards require that they be at least 750' away from one another.
- It should be determined that all internal access points to the unlabeled internal spine road meet Town design standards in terms of adequate separation distance from one another.
- What is meant by "active open space" in the area along Cokesbury Road adjacent to the unspecified use? The unspecified use is apartments.
- Has any consideration been given to vehicular connectivity between the main area of proposed development and the unspecified use along Cokesbury Road? Mr. Freel stated that they wanted to keep the separation between the two areas. A walking path will be provided.
- In terms of phasing the project, will implementation of the two access points on Bainbridge Road (MD 222) in the NE corner of the site be dependent on the start of the unspecified uses at that location? If so, then there will be only one point of ingress and egress.
- If project phasing is planned, then that should be reflected on the site plan.
- An access is shown from an unspecified use onto the unlabeled Turnpike Drive. Has MdTA approved that access point? Mr. Freel said no. If not, then this design will require revision.
- It is recommended that the Town require that all roads (e.g., Craigtown Road and Turnpike Drive) and all facilities (e.g., all except the hotel and the casino and its support building) be labeled on the site plan. Not only would that facilitate review, but it would help establish trip generation rates for the Traffic Impact Study (TIS).
- What is the purpose of the walkway shown between a parking area of an unspecified use to the south of the casino site and the unspecified use along Cokesbury Road?

- If the proposed thoroughfares are to be publicly dedicated streets, then their dimensions should meet the minimum requirements of the Town's Zoning Ordinance, Subdivision Regulations, and Streets/Road Code.
- Consideration should be given to a dual, monumental entrance for the unnamed spine road leading back to the casino and hotel.
- How is the adjacent Newstead Farm proposed to be accessed? Mr. Crow said they will use the existing service road.
- Road names must be approved by DES (911 Emergency Center) prior to final site plan approval by the Town.
- It is recommended that a detailed lighting plan be submitted for approval. It should be reviewed for pedestrian and vehicular safety perspectives and for possible glare for passing motorists and any nearby residents.
- A detailed vehicular/pedestrian circulation and access plan should be submitted for the six proposed parking areas. Potential pedestrian-vehicle conflicts should be identified. MUTCD signage, other traffic control devices, and striping should be considered.
- In addition, the probable free right turn into the NE development pod's driveway and parking lot creates the potential for a pedestrian hazard as well as a weaving and rear-end accident hazard from faster-moving vehicles not turning right.
- Traffic control signs (yield or stop) should be considered at a number of points of intersection within the proposed parking lots.
- What is depicted on the on the area map as MD 275 is actually MD 222 at that point. MD 275 does not begin until just north of the Perryville Road/ Bainbridge Road intersection.
- It is recommended that the details of trash and waste disposal be included on the site plan.
- It should be confirmed that parking lot and driveways' geometry is adequate to safely accommodate busses at the casino and hotel sites.
- The unlabeled structure near the unnamed entrance road that could possibly be a convenience store or fast food restaurant may need to show drive-through lanes, or possibly even gas pumps.
- It should be confirmed that the proposed landscaping depicted meets the landscaping requirements of the Town's Zoning Ordinance and Subdivision Regulations. Landscaping of the traffic islands would be desirable, especially understory trees that would not impede visibility.
- It should be confirmed whether or not this proposal is exempt from the Forest Conservation Regulations. If not, then it is recommended that the site plan not receive final approval until

after the FCP has been approved, and that the site plan not be recorded until after the FRA deed restrictions have been recorded.

- Consideration should be given to having the landscape plan vegetatively screen adjacent residential parcels.
- It should be confirmed whether or not the Town's Zoning Ordinance and Subdivision Regulations require site plans to include the zoning classifications of adjacent parcels.
- It should be confirmed that the proposed signage is consistent with the requirements of the Town's Zoning Ordinance.
- Consideration should be given to soliciting review and comment by the Perryville Fire Department.
- It should be confirmed whether or not the Town's Zoning Ordinance and Subdivision Regulations require construction details to be included on site plans.
- It should be confirmed whether or not the Town's Zoning Ordinance and Subdivision Regulations require soils information be included on site plans.
- It should be confirmed whether or not the Town's Zoning Ordinance and Subdivision Regulations require site plans to include information on water sources and sewage disposal.
- How is traffic proposed to be prevented from using the unlabeled Turnpike Drive?
- Is this project achievable, absent the proposed zoning change cited in Note # 8? Ms. Skilling said Phase 1 would not be achievable.
- It is recommended that documentation of any agreement for pedestrian or vehicular access across the utility easement be provided to the Town prior to final site plan approval.

Mr. Crow addressed some comments given by Mr. Di Giacomo.

## **2. Lands of Renee Luther, Lot 5, Rock Run Road, Preliminary / Final Plat, McCrone, Inc., Seventh Election District.**

Don Sutton, McCrone, Inc., appeared and presented an overview of the project.

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

The plan for the proposed development on Lot 5 is considered technically complete conditioned on the final plat containing a note describing the required clearing & site work required for the driveway location selected. Other than that only administrative issues remain outstanding. The Department will not sign the final plat until the plat note and the administrative issues have been addressed to the satisfaction of the Department. Submit a record plat check print for review prior to submitting the plat for signature.

Mr. Meaders, FA, had no comments.

Mrs. West, CCPS, had no comments.

Mr. von Staden, DEH, read the comments of the department:

A Groundwater Appropriation Permit Exemption must be filed for the proposed well plus each existing well on the parcel.

Plat is satisfactory.

Mr. Davis, SHA, had no comments.

Mr. Di Giacomo stated that a GAP exemption will need to be filed with MDE. An application was provided to the applicant.

Mr. Di Giacomo provided the applicant with soil maps and reports from CCSCS.

Mr. Di Giacomo stated that Delmarva Power had no comments.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 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: SR & NAR

Density: Parcel 9 consists of both SR and NAR land. Proposed Lot 5 would be in the SR-zoned portion, and the plats' cited density must reflect the reality of the dual zones for Parcel 9 (§4.1.22 (o)). The SR zone permits a density of 1 du/ 1 acre without community facilities. This Preliminary-Final Plat proposes one (1) lot on 2.056 acres, for a proposed SR density of 1/2.056, and would have no effect on the NAR density of the remaining lands.

Note # 9 indicates that a boundary line survey has been completed. If not, then a boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes.

§4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots and 25 acres. §2.0 of the Subdivision Regulations allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

A MALPF District Agreement was established for this parcel on 8/5/96. What steps have been taken to disencumber at least this portion of the parcel? Mr. Sutton said he would check on it.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft<sup>2</sup> 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.<sup>1</sup>

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'.

A 25' buffer is required around all or any 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.

No common open space is required for only one lot.

20% landscaping of the development envelope is required in the SR zone.

Sidewalks are not recommended in this case.

Bufferyard Standard C is required, outside the right-of-way, along the road frontage of Rock Run Road.

A 50' BRL is proposed from Rock Run Road, yet the adjacent Minor Subdivision # 3761 was approved with a 100' BRL. Why? Mr. Sutton said he does not know why the minor sub was shown with a 100' BRL. Mr. Sutton said the minor sub's BRL was a mistake.

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

No street trees are required, as there are no proposed internal roads. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard requirements.

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

The FSD, PFCP, and FCP/Landscape Plan must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations). None has yet been submitted.

A Landscape Agreement must be executed prior to recordation.

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<sup>1</sup> 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<sup>2</sup> or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."

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.

The contiguous operating farms notice has been provided as Note # 12.

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

However, the Planning Commission cannot approve this Preliminary-Final Plat until such time as the requirements of the MALPF Board of Trustees regarding the proposed subdivision have been satisfied.

School information:	Elementary	Middle	High School
	Bainbridge	Perryville	Perryville
FTE	364	617	905
Capacity	449	860	944
% Utilization	81%	72%	96%

The May TAC meeting adjourned at 9:55 a.m.

Respectfully submitted,

*Jennifer Bakeoven*