

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday July 1, 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), Graham, Daniel (Citizen's Representative), Bakeoven, Jennifer (CCP&Z).

Absent: Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), West, Janel (CCPS), Meaders, David (FA), Brown, Chris (CCSCS), Latham, Cindy (MDE).

1. North East Commons, Site Plan, Courtesy Review for the Town of North East, MD Rte. 272, Morris & Ritchie Associates, Inc., Fifth Election District.

Fred Sheckles, Clark Turner Companies, Amy DiPietro, Morris & Ritchie Associates, Inc., and Betsy Vennell, Town of North East, appeared and presented an overview of the project.

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

1. The department's comments are based on the fact that this property has or will be annexed into the town of North East and as such the Town will provide the water service to this site and as well as own and maintain the internal street. The CCDPW will review the SWM and sanitary sewer plans associated with all the development identified on this site plan as well as any/all offsite road improvements to Nazarene Camp Road, west of this site, and Rogers Road between MD 272 and US Route 40 deemed necessary by this Department.
2. The site plan should clearly identify the limits of the Town of North East road maintenance responsibilities.
3. Nazarene Camp Road with an ADT of over 1700, with the CSX Bridge in use, meets the County's Minor collector Road classification.
4. Due to the major reconfiguration of County road as well as the expected traffic increases generated by this site the Department of Public Works will require a Traffic Impact study (TIS) be prepared and be submitted to the Department for approval. The TIS must address not only the increase in car traffic but also the increase in commercial vehicles required to service the site.
5. How do you intend to address traffic control at the proposed rerouted Nazarene Camp Road/ MD Route 272 intersection opposite Rogers Road? Mr. Sheckles said yes.
6. Why are you proposing the unnamed road located adjacent to Lots #3/4 be constructed? Mr. Sheckles said this entrance was warranted by Clark Tuner Companies hired traffic consultant. Is it an SHA requirement? The Department does not believe this is a good idea due to location of the intersection with MD 272. If required by SHA at this location the Department has concern about a raised road bed needed to cross the abandoned section of Nazarene Camp Road. Specifically about drainage issues in the area created between the proposed road and MD Route 272.
7. The Town's water line will be affected by the additional cover required to elevate the road bed creating, at a minimum, an access issue. We recommend that the Town consider placing their water main in a sleeve where the proposed road crosses it. This will facilitate any future water main repairs needed in this area without requiring the interruption of traffic on the unnamed road.

- 8.** Is this unnamed road intended to be a right in right out intersection? Full access discussion ensued.
- 9.** The Department recommends that the Town deny direct access to Lots #1 & #2 from the rerouted Nazarene Camp Road between the traffic circle and MD Route 272 and to the unnamed road from Lots #3 & #4.
- 10.** Where do you intend to bring tractor trailer traffic into and out of this site? The large box retail as well as the potential restaurant pad sites proposed will all be served at some point by large delivery vehicles and we see no accommodation for their operation. Section 3.07 of the Cecil County Road Code will apply to any access from the County portion of Nazarene Camp Road. Specifically Subsection 3.07 2) a) dealing with semi-trailer combinations serving commercial areas.
- 11.** The Department has concerns regarding the two site access points on Nazarene Camp Road west of Leslie Road. No acceleration/deceleration lanes are indicated. The intersection plan(s) for this site must clearly address the requirements of Section 3.07 of the Cecil County Road Code. Any/all acceleration/deceleration lanes and bypass lanes (if warranted) need to be identified on the final plat presented to the Town of North East or the Department will not approve the final SWM, sewer & offsite road plans for this site.
- 12.** The same holds true for the inclusion on the final plat of a narrative or visual description of the extent and limits of any work deemed necessary to Nazarene Camp Road west of Leslie Road from MD 272 to US 40 to offset impacts generated by this development.
- 13.** Where will access be provided for the Delmarva Power & Light Company parcel? Mr. Sheckles explained where Delmarva would gain access.
- 14.** A PWA will be required for all road work required within County ROW and any/all offsite road improvement required for this project. They must be executed prior to the CCDPW approving the final plans.
- 15.** 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 4th 2010 the new Ordinance will apply and the SWM plan must be re-designed to meet its requirements.
- 16.** 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. In particular where do you intend to discharge runoff from SWM Facility #4? Will all runoff from Lot 7 be directed to SWM #4?
- 17.** We request that the Town of North East have the water distribution system designed to meet or exceed County standards and that the serving fire company review the plans specifically for number and location of fire hydrants/standpipes. The Department asks that the Town hold final approval of this site plan until the CCDPW has approved & signed the SWM, sewer and road plans including any/all offsite road improvement plans associated with this site. Mr. Woodhull added that the DPW will have a new Water and Sewer code by the time that this design moves along.
- 18.** 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.
- 19.** How do you propose to route sewer service to the various pad sites within this development? If County sewer is routed through Town of North East ROW an easement will be required. Any sewer lines run outside of either County or Town ROW will be considered as private (i.e. line run on Lots 1-7 to each pad site). Mr. Sheckles said they are looking into their various options. DPW will work with the client and their consultant to provide modeling that they can use to determine any offsite improvements that are necessary.

20. Public Works agreements with associated financial surety will be required for the sanitary sewer and must be executed prior to the CCDPW approving the final plans.

21. 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:

- 21.1 The Final Plat Lot Grading, Sidewalk Maintenance, and Lot Grading Plan Construction Limits Notes.
- 21.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
- 21.3 Requirements for Utility relocations.
- 21.4 Requirements for Public Works Agreements.
- 21.5 Requirements for Stormwater Inspection and Maintenance Agreements.
- 21.6 Requirements for Final Plat - Public Sewer Allocation.

Notes and requirements identified for record:

1. The Final Plat must include the standard lot grading note and the 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. *Final Plat: "Sidewalk maintenance will be required of the adjacent property owner, as required by the Cecil County Road Code."*
 - c. *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. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
4. A Public Works Agreement is required for the streets & storm drainage, and public sewer system constructions.
5. An Inspection & Maintenance Agreement is required for the private SWM facilities.
6. 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. Graham, Citizen's Representative, had no comments.

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

Water and sewer allocations required prior to site plan or building permit approval.

Final and Record Plats are required to have the following statements:

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

Any facility selling or preparing food must have food plans approved prior to building permit approval.

Mr. von Staden asked if the applicant if this site is also going to be developed as a subdivision. Mr. Sheckles said they may make this a subdivision.

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

Mr. Di Giacomo provided the applicant with a copy of the comments from the North East Fire Company.

Mr. Di Giacomo, read the comments from MDE. They are as follows:

If public water is available, a water appropriation & use permit will not be required for final plat.

Ms. Vennell commented as to what the town is expecting from the applicant and the county review.

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

As a courtesy to the Towns in the County, the TAC from time to time reviews subdivision proposals and site plans – such as this.

OPZ's comments/questions are as follows:

- It should be confirmed that the Town's Zoning Ordinance permits the proposed uses in the proposed Highway Commercial zone.
- Current consistency with other pertinent codes and regulations is assumed.
- It should be confirmed that all proposed building and canopy setbacks and building heights are consistent with the Town's Zoning Ordinance and Subdivision Regulations.
- It should be confirmed that the number of proposed parking spaces falls within the minimum and maximum number allowed.
- It should be confirmed that the number of proposed ADA spaces minimum requirements.
- It is recommended that the site plan not be approved until after an internal traffic circulation study has been completed. How this design would accommodate truck deliver's, especially those with 53' trailers, is not readily obvious.
- It is further recommended that the internal traffic circulation study include a detailed vehicular/pedestrian circulation component for the parking areas. Potential pedestrian-vehicle safety conflicts should be identified, with MUTCD signage, other traffic control devices, and striping being considered.
- It is recommended that portion of the proposed Nazarene Camp Road bounded by this project be a Town road.
- It is recommended that road names be approved prior to site plan approval for the thoroughfare leading out to MD 272, between Pads 3 and 4, and the one leading to the possible future connection.
- It is recommended that any documentation of AT&T's acceptance of the crossing of their right-of-way be submitted prior to site plan approval.

- The entrance to the east of Lot # 7 is not offset from Leslie Road by at least 125' as required is in §7.2.12.E.5.
- The entrance to the east of Lot # 7 is not separated from the more westerly entrance just to the rear by at least 450' as required in §7.2.12.E.4.
- It is recommended that sidewalks, and possibly bike lanes, be used along MD 272, Nazarene Camp Road, the unnamed thoroughfare leading out to MD 272, between Pads 3 and 4, and the one leading to the possible future connection to the south.
- Has a less angular right-in, right-out design been considered for the unnamed thoroughfare leading out to MD 272, between Pads 3 and 4? Mr. Sheckles said yes.
- How will trash be disposed of, and from where? It is recommended that any dumpster locations be clearly shown, and any resultant, potential traffic flow conflicts should be identified and corrected.
- Similarly, a detailed lighting plan should be reviewed and approved prior to final site plan approval.
- It is recommended that a Traffic Impact Study (TIS) be completed and its recommendations accepted or agreed to prior to final site plan approval.
- Would this design be compatible with a possible future widening of MD 272? Mr. Sheckles said yes.
- It should be confirmed whether or not this proposal is exempt from the Forest Conservation Regulations. The Town of North East and Cecil County signed an "Assigning obligations under the Forest Conservation Act" agreement on 2/4/00.
- It should be determined whether the proposed landscaping meets the requirements of the Town's Zoning Ordinance and Subdivision Regulations. It is recommended that the landscaping plan be approved prior to final site plan approval, and that it include adequate vegetative screening along the border with the adjacent Lakeside community.
- To enhance fire suppression flow, could dry hydrants be utilized in conjunction with the proposed SWM ponds? Mr. Sheckles said that will depend on the final design.
- It should be confirmed that any proposed change in signage is consistent with the requirements of the Town's Zoning Ordinance for the Highway Commercial zone.
- It is strongly recommended that consideration should be given to soliciting review and comment by the North East Fire Company with respect to emergency access issues and fire hydrant and standpipe locations and accessibility.

- It is recommended that all fire hydrant and standpipe locations be clearly shown on the site plan. It is further recommended that no final approval be granted until after the North East Fire Company has reviewed and commented on a site plan containing that vital information.
- It is recommended that a 25' buffer be maintained around all non-tidal wetlands and intermittent streams present. It is further recommended that permits be required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to final site plan approval. JD's are required in conjunction with permitting. If required, then a JD is recommended to be done prior to final site plan approval.
- The habitats of rare, threatened, and endangered species should be avoided.
- It is recommended that all/any required variance numbers be shown on the approved site plan.
- How would the Delmarva Power facility be accessed?
- It is recommended that this site plan not be approved until after it has been determined that the proposed Rogers Road relocation actually can and will be achieved.
- Water allocation must be confirmed by the Town of North East prior to final site plan approval.
- Sewer allocation must be confirmed by the Cecil County Department of Public Works prior to final site plan approval.

Mr. Woodhull added concerns about SWM. Discussion ensued.

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

Respectfully submitted,

Jennifer Bakeoven