Due to a lack of agenda items, there was not a January 2018 meeting of the Technical Advisory Committee.
Due to a lack of agenda items, there was not a February 2018 meeting of the Technical Advisory Committee.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, March 7, 2018
9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (LUDS/P&Z); Wilen, Kordell (LUDS/DPR); Brown, Chris (CCSCD); and Bakeoven, Jennifer (LUDS/P&Z).

Absent: Harmon, Lloyd (DEH); Peoples, Rob (MDE), Graham, Daniel (Citizen’s Rep.), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Redman, David (SHA), Simpers, Charles (CCPS).

1. Cinnamon Woods, Phases 2 & 3 Mount Zoar Road, Revised Preliminary Plat, Bay State Land Services, Eighth Election District.

Brian Walker and Robert Steeves, Bay State Land Services and Jeff Yorick, UMH Properties, appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) requirements for the proposed development must satisfy the current Stormwater Management Code. Therefore, a concept, preliminary & final SWM plan must be submitted and approved prior to the equivalent level plat being submitted for review by the Planning Commission (i.e. Concept & Preliminary SWM plan must be approved before the Preliminary Plan is submitted to the Planning & Zoning Office for Planning Commission review).
2. Identify all SWM easements on the Preliminary & Final plats.
3. The entrance improvement, road construction and sanitary sewer plans must be submitted prior to the Preliminary Plan approval.
4. The sanitary sewer construction plans must be designed in accordance with the current “Standard Specifications and Details for Water Mains & Sewer Mains”.
5. The entrance improvements and road construction plans must be designed in accordance with the current Road Code, Standards and Specifications.
6. All applicable Road Code Variances needed for the entrance improvements must be requested prior to the Preliminary Plan approval.
7. Sight distance measurements (intersection & stopping), for the proposed access point on to Mt. Zoar Road, must be submitted and approved prior to the Preliminary Plan approval.
8. While the water supply for this development will be private, the water lines must be reflected on the sanitary sewer plans and as-built plans.
9. Add a road frontage dedication note to read “60’ strip conveyed in fee simple to Cecil County Maryland, See Deed in Liber _____, Folio ____”. Dedication must be recorded and referenced in the note above prior to recordation of the Final Plat.

Mr. Brown read the comments from CSCD:
• 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 Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.
• Phase 3 has been shown as 24.1 acres. When developing the Preliminary Stormwater Management Plans, please keep in mind the 20-acre grading unit. The plans will need to be sequenced so that no more than 20 acres are disturbed at any given time.
Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from the County maintained road, Mt. Zoar Road, and limited to the CCPS Bus Guidelines. Bus Service will be provided at the intersection of Mt. Zoar Road and the proposed Ginger Lane only.
2. Schools in this attendance area are Conowingo Elementary, Rising Sun Middle and Rising Sun High Schools.

Mr. Di Giacomo asked the applicants if their intention is for this project to remain as a 55+ community. Mr. Yorick said yes.

Mr. Di Giacomo read the comments from Delmarva Power:
Show the existing poles along Mount Zoar Rd at the new entrance to Ginger Lane.

Mr. Di Giacomo read the comments from MDE:
Cinnamon Woods, Phase 2 & 3, Mount Zoar Road, Preliminary Plat - The plat proposes to reduce the number of lots to 189.

UMH MD Cinnamon Woods, LLC is the permittee for Water Appropriation and Use Permit No. CE1997G021(06) for the Cinnamon Woods Manufactured Home Park community water system. The current annual average allocation is 31,600 gpd. 2017 reported use is 4,400 gpd annual average. Based on 63 units occupied, the average use per unit is 70 gpd. This value falls within a typical range for age restricted manufactured home community water systems in this area. Reducing the number of lots from 200 to 189 would result in less demand assuming future average usage stays consistent with historical use.

Once the community has more than 100 dwellings, the system would be expected to have both wells connected the system to serve as a back-up. (The site has two wells, but, currently, only one well is connected.) Prior to initiating use of a new well, a certificate of potability must be issued from MDE Water Supply Program.

The permittee should ensure the system has an adequate supply (well yield) for the next phases of the community. The current permit expires in May 2023. As long as the community will remain an age-restricted community, the current allocation should be sufficient. If age restrictions change, our office should be contacted to discuss whether modifications to the allocation are necessary.

Mr. Di Giacomo read the comments from the Health Department:
Submit plans to the Health Department if food is to be served in the proposed club house.

Identify the water and sewage treatment plant to be utilized on the Final and Record Plats. Water and sewerage allocations must be granted prior to Final Plat 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)

Mr. Di Giacomo read the comments from SHA:
SHA has no issues or comments regarding this project.

Mr. Di Giacomo did not receive comments from the Fire Chief’s Representative or the Citizen’s Representative.
Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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: MH

Density: Manufactured home parks are permitted a density of 6/1.

Formerly known as the Mt. Zoar Mobile Home Park, a Concept Plat was approved by the Planning Commission on 8/17/98 at a density of 2.59 units per acre.¹

The boundary line survey having been completed, the Mt. Zoar Mobile Home Park, Phases I, II, & III Preliminary Plat for 158 sites was approved on 10/19/98 by the Planning Commission with the following conditions:

1) Health Department requirements being met,
2) Department of Public Works requirements being met,
3) Plan for the private water and sewer system being approved by the Department of Public Works and the Health Department prior to final plat approval,
4) Plans for the wastewater treatment plant being approved by the Health Department and the Maryland Department of the Environment prior to final approval,
5) Maryland Department of the Environment issuing a permit to construct the wastewater treatment plant prior to final plat approval,
6) Bufferyard D being modified to fill in gaps on School House Road,
7) Outparcels being labeled as future development,
8) All references to lots being changed to sites,
9) Permits being obtained from the Corps of Engineers and the Maryland Department of the Environment for wetland impacts prior to recordation,
10) Setbacks being shown correctly,
11) Open space areas being shown,
12) Groundwater Appropriation Permit being issued by the Maryland Department of the Environment prior to final approval,
13) Accel, decel, and by-pass lanes being provided at both entrances,
14) A JD being done prior to final plat review,
15) “t” turn arounds being provided at the end of the streets adjacent to the future development areas.

A Final Plat was disapproved by the Planning Commission review in March 2000, but the Phase I Final Plat, proposing 63 manufactured home sites, was subsequently approved on 4/17/00, conditioned on:

1) That Health Department Requirements be met;
2) That DPW requirements be met;
3) That a deed restriction for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) be recorded and noted on the plat prior to recordation. The metes and bounds description of the FRA must be shown on the record plat. The forest retention areas must be clearly shown.
4) That the standard forest retention/street tree note be placed on the plat.
5) That a landscape agreement be executed prior to recordation,
6) That any changes to the water or sewer plants be approved by DPW;

¹ Had that Concept Plat been approved prior to 7/25/89, per the Cecil County Subdivision Regulations, it’s approval would have remained valid in perpetuity.
7) That the owner-operator of the community water and sewer service be approved by MDE and the Board of County Commissioners prior to recordation;
8) That permits from the Corps of Engineers and MDE for all wetland impacts prior to recordation;
9) That if any tot lots are to be included in Phase I, then details of the kinds of equipment will need to be included in the Public Works agreement;
10) That the gap in the Bufferyard D be filled in on the landscape plan for subsequent phases,
11) That access to open space between sites must be marked with concrete monuments,
12) That the word “Community” be replaced with “Park” in the title block on the Record Plat,
13) That the Master Water and Sewer Plan be amended prior to recordation.

Because of a pending appeal, the applicant sought and was granted a one-year extension of Preliminary Plat approval on 8/21/00. The Preliminary Plat’s validity would have expired on 10/19/00 without an extension the recordation of Phase I – which was in doubt because of the pending appeal.

The Phase I Record Plat was recorded on 8/5/03. Per §4.1.17, that extended Preliminary Plat validity until 8/5/05.

The original Concept Plat approval expired on 8/21/01, but the Preliminary Plat was still valid until 8/5/05. The original FSD also had expired (on 10/16/03), so a new FSD was submitted and approved on 6/13/06. It appears that the 6/13/06 FSD approval has also expired.

The Phase II & III Concept Plat, proposing 137 new, plus the 63 existing Phase I manufactured home sites on 79.27 acres, was approved at the new proposed overall density of 2.52/1 on 6/19/06, conditioned on:
1) The boundary line survey being completed prior to the TAC’s review of the Preliminary Plat;
2) Documentation of the JD’s completion being submitted prior to the Planning Commission’s review of the Preliminary Plat;
3) A sensitive species survey being completed prior to approval of the PFCP; and
4) All references to “lots” being changed to “sites.”

The Phase II & III Preliminary Plat² was approved on 9/21/06, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The site plan for the clubhouse facility being approved prior to Final Plat review;
4) Verification that the proposed water and wastewater systems are capable of serving these proposed sites being received from MDE prior to Final Plat review;
5) Sewer capacity to serve these proposed sites being verified by the Department of Public Works prior to Final Plat review;
6) Documentation of the completed JD being submitted prior to Final Plat review if JDs are once again performed by the Corps of Engineers;
7) The Final and Record Plats 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;
8) The Final and Record Plats containing a statement, signed by the owner, to the effect that such facilities will be available to all sites offered for lease; and
9) The FCP and Landscape Plan being approved prior to Final Plat review.

A revised Preliminary Plat for Phases II & III Preliminary Plat with slight layout changes, only, was approved on 9/17/07. (IMPORTANT: Because only slight layout changes were involved, the Concept Plat, and the issue of its then-current validity, did not have to be revisited.)

² Per Page 1 comments, the boundary line survey had been completed prior to the 10/19/98 Preliminary Plat approval.
Subsequently, the Cinnamon Woods, Phases 2 & 3, Sites 38-102, 107-127 & 143-200 was approved by the Cecil County Planning Commission on 12/15/08, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) All references to “lots” being changes to “sites” on the Record Plat;
4) 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;
5) The Record Plat’s containing a statement, signed by the owner, to the effect that such facilities will be available to all sites offered for lease;
6) The Landscape Agreement being executed prior to recordation;
7) Any required MDE permits being obtained prior to recordation with documentation of the completed JD; and
8) 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.

This submittal seeks to revise the still-valid 12/15/08 Final Plat, but to ensure adequate technical review and Planning Commission oversight, it was determined that the path forward would be via a revised Preliminary Plat.

Once the Planning commission approves the revised Preliminary Plat, the subsequent step is the review and approval of a revised Final Plat, which, per §’s 4.2.3 & 4.2.4, is now an administrative function. If necessary, the club house/community center approval’s path forward can be via the subdivision or site plan review and approval process. Our records indicate that a Site Plan for the clubhouse facility was previously approved.

Steep slopes have been previously depicted. 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.3

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. Thus, the 6th condition of the previous Preliminary Plat approval has been rendered moot. 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 required to be completed prior to recordation.

At least 15% of the gross area shall be devoted to open space and recreational area.4 The total proposed open space is 28.646 (was 28.871 and 28.646) acres.5 Since the open space acreage has changed, the OS sensitive areas threshold re-calculation have been included.6

3 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.”
4 Not including roads and bufferyards.
5 Based on 79.27 acres, that was 36.14% of the total acreage.
6 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.
20% landscaping of the development envelope is required in the MH zone, and rows of street trees are required along both sides of all internal roads. No street trees should be planted within 20 feet of sewer laterals and cleanouts.

A surrounding Bufferyard Standard D is required, per §78.8.

There are no habitats of any rare, threatened, or endangered species on site.

The FSD approved on 6/13/06 expired in 2011. Application should be made for re-approval to Jason Boothe.

The Final Forest Conservation Plan (FCP) was approved on 11/19/08. Any modifications to the FCP necessitated by these revisions must be reflected on a revised FCP, which must be approved prior to the submission of any Final Plat(s) for review and approval.

The same holds true for any possible, necessary revisions to the Landscape Plan.7

A 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 record plat.

Sidewalks were recommended on at least one side of all internal roads.

All proposed road names were previously approved.

A TIS was conducted in the spring of 1998 in conjunction with the original Concept Plat and updated in 2006 and again in 2018. Both the State Highway Administration and Development Plans Review have no comment on the 2018 update.

Each manufactured home site shall measure not less than 4000 ft² in area, and the minimum width at the setback line must be 50’, and the minimum setbacks shall be 15’ front and rear, 10’ on each side, as depicted.

Fire hydrant final locations must be established in consultation with the Port Deposit Fire Company and DPW.

§6.6.6 of the Subdivision Regulations requires local access streets be 34’ wide, 28’ paved, with curb & gutter. The previously required Traffic Impact Study (TIS)8 showed that all affected links and intersections will operate at acceptable levels of service (LOS).

Verification was originally received from MDE as regards Water Appropriation & Use Permit CE1997G021. Is it still valid? The proposed sites must be served by water & sewer systems approved by the Health Department.

All plans required in conjunction with providing adequate sewer or water facilities for this project were previously approved, as submitted with construction drawings to the DPW.

The SWM Preliminary Plan must be approved prior to any submission of the revised Preliminary Plat for Planning Commission review and approval.

The SWM Final Plan must be approved prior to any submission of the revised Final Plat for administrative review and approval.

The Master Water and Sewer Plan did not, and does not, need to be amended for this project.

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7 The PFCP was approved on 8/16/06 and revised on 7/19/07. The FCP/Landscape Plan was approved on 11/19/08.

8 A TIS was conducted in the spring of 1998 in conjunction with the original Concept Plat and updated in 2006 and again in 2018.
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 sites offered for lease.

Details of proposed amenities such as gazebos and any recreational equipment will need to be included in the Public Works agreement.

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.

Old School information:

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Mr. Di Giacomo suggested that the applicants contact the Cecil Transit Department as they may be useful in providing travel options to the future residents of the mobile home park.

Discussion ensued regarding entrance improvements and sidewalks within the project. Mr. Wilen also gave an overview of the process of Site Plan review for the clubhouse as well as Stormwater Management review for the remainder of the project.

For clarification, Mr. Wilen explained that the Concept and Preliminary Stormwater Management Plans would need to be approved prior to submittal of the Revised Preliminary Plat for Planning Commission review. Once the project receives a revised Preliminary Plat approval, the Final Stormwater Management plan will need to be approved prior to submitting the Final Plat for administrative review and approval.

Mr. Di Giacomo suggested that the applicants contact the Health Department regarding the possibility of food services at the proposed clubhouse.

The March TAC meeting ended at 9:32 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Department of Land Use & Development Services
Division of Planning & Zoning
Present: Di Giacomo, Tony (LUDS/P&Z); Harmon, Lloyd (DEH); Wilen, Kordell (LUDS/DPR); Brown, Chris (CCSCD); and Bakeoven, Jennifer (LUDS/P&Z).

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

1. Chesapeake Bay Golf Club, LP, Lots 1-5, Preliminary / Final Plat, Range Road, McCrone, Inc., Fifth Election District.

David Strouss, McCrone, Inc., appeared and presented an overview of the project. Mr. Strouss explained that the plat lists the incorrect owner of the land. The current owner is North East Developers, LLC. A deed showing the purchase was provided to the Planning & Zoning Division.

Mr. Strouss remarked that a settlement agreement between the previous owner of the parcel and the previous owner of the golf course is now in litigation between the current owners of the parcel and golf course. This litigation may hold up the recording of this plat. In addition, Mr. Strouss stated that the clubhouse would be used as an event / banquet facility with the remainder of the land being used for recreation.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Preliminary/Final SWM Plans must be submitted and approved prior to the Preliminary/Final Record Plat being submitted for review by the Planning Commission.
2. The notes on sheet 1 should reflect the reorganization that created the ‘Development Plans Review Division’ for review and approval of the grading and as-built plans.
3. Add the following note to the Owners Certificate; “OWNERS hereby grant unto the Cecil County Department of Public Works (“DEPARTMENT”) or its agent and contractor for the right of entry at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the facility”.
4. The Sanitary Sewer Plans must be approved prior to the Preliminary/Final Record Plat approval.
5. The sanitary sewer construction plans must be designed in accordance with the current “Standard Specifications and Details for Water Mains & Sewer Mains”.
6. 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 plans.

Mr. Brown read the comments from CSCD:
Final Stormwater Management Plans applicable to North East Developers LLC have been received by Cecil Soil Conservation District on 3/12/18 and are currently under review. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with the Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.
Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from the County maintained road, Chesapeake Club Drive, and limited to the CCPS Bus Guidelines.
2. Schools in this attendance area are North East Elementary, North East Middle and North East High Schools.

Mr. Di Giacomo read the comments from MDE:
The plat notes water service will be provided by the town of North East. The public water system should verify it has adequate capacity to serve this development.

Mr. Harmon read the comments from the Health Department:
Water and Sewer allocation must be adequate for this Concept Plat prior to final plat approval.

Statements regarding water and sewer must be on final and record plats along with statement of conformance with the Cecil County Water and Sewage plan.

Mr. Di Giacomo read the comments from SHA:
No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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 that 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: RM

The RM zone allowed for a density of 6/1 with community facilities, and the original Chesapeake Club Concept Plat was approved on 5/19/87 for 1440 units on 411 acres, for a density of 3.5/1.1

Revised Concept Plats were approved on 12/20/93, 6/20/94, 3/16/98, 9/16/02, and 9/21/15.2,3

The revised Concept Plat (TAC review: 8/5/15) that included these proposed lots was approved on 9/21/15, conditioned on:
1) A boundary line survey being completed prior to TAC review of the Preliminary Plat;
2) The zoning classification(s) of all adjacent parcels¹ being shown on the Preliminary Plat prior to submission for TAC review;
3) Health Department requirements’ being met;
4) DPW requirements’ being met;
5) The Preliminary Forest Conservation Plan’s being approved prior to Preliminary Plat review by the Planning Commission;
6) All subsequent Preliminary Plats’ providing a full accounting, in tabular form, of the aggregate open space requirement and the deficit or surplus thereto created by said Preliminary Plat; and
7) Any subsequent Preliminary Plat’s TAC review’s being preceded by a completed and reviewed, updated Transportation Impact Study (TIS).

¹ The RM zone, with community facilities, currently allows densities if 6:1 for single family units, 10:1 for duplex and semi-detached dwelling units, 12:1 for townhouses, and 14:1 for apartment units.
² Concept Plats approved prior to 7/25/89 do not have a specified validity endpoint.
³ Those revised Concept Plats have all adhered to the originally-approved golf course community layout and density of 3.5/1; and they have reflected only slight changes in design and structure types around the golf course. A revised Concept Plat, proposing 529 dwellings on 93.906 acres, for a proposed density of 3.504/1, was reviewed by the Technical Advisory Committee on 3/02/05. Subsequently, on 3/19/12, a ‘Presentation Plan’ was presented to the Planning Commission. It was not an action item; rather it was an “information only” item. That ‘Presentation Plan’ was different than the 2005 Concept submittal that was reviewed by the TAC.
To be clear, for the record, this proposal is a component part of the Chesapeake Club, and can be approved only pursuant to the 5/19/87 Chesapeake Club Concept Plat\(^4\) approval, as revised.

§2.0 of the Subdivision Regulations allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

Who owns the strips of land situated between the proposed lot boundary lines and the Range Road? Mr. Strouss stated that the strip of land is a right of way owned by the County.

Would an easement agreement need to be executed to effectuate lot access? Mr. Wilen said an easement agreement would not be needed.

As depicted, it appears that none of the proposed lots actually has road frontage. If not, then a Variance must be obtained before this plat can proceed to the Planning Commission for review and possible approval.

The vicinity map depicts the site differently than do sheets 1 and 2 of the plat. What accounts for this discrepancy and what is proposed on the portions of the site not depicted on sheets 1 and 2? Mr. Strouss explained that this was an error on the vicinity map and that it will be corrected.

The Forest Retention Area (FRA) as depicted on sheet 2 of 2, is partially off-site. Was the off-site portion of the FRA previously encumbered by prior Chesapeake Club component proposals? Mr. Strouss stated that the settlement agreement does encumber some of the land; this will need to be resolved.

The Chesapeake Club project location is now situated within the 2010 Comprehensive Plan’s High Density Growth land use district, but it still remains in the RM zoning 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.

Has the boundary line survey\(^5\) been completed? Mr. Strouss said yes.

The 7\(^{th}\) condition of the 9/21/15 Revised Concept plat approval was “Any subsequent Preliminary Plat’s TAC review’s being preceded by a completed and reviewed, updated Transportation Impact Study (TIS).” It has now been almost 30 years since the last TIS.

We have not received a copy of the updated TIS.

Any condition of approval set by the Planning Commission can be rescinded only by the Planning Commission. In the absence of the meeting of the 7\(^{th}\) condition of the 9/21/15 approval, staff is obligated to recommend DISAPPROVAL when and if this Preliminary-Final is submitted to the Planning Commission.

That issue could be rendered moot if the applicant were to petition the Planning Commission to revoke that condition prior to the submission of the Preliminary-Final Plat.

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\(^4\) OPZ consistently commented at those respective reviews that previous approvals were predicated upon a layout that was comprised of residential development surrounding a golf course on Parcel 2. In addition, on the Record Plat signed on 3/5/96 (C-73), Parcel 2 was clearly delineated as “recreational.” In 2005, OPZ then commented: “This proposal is not consistent with the previously approved Concept, Preliminary, and Final Plats. As previously stated, Parcel 2 was intended to remain a recreational parcel, and, therefore, has no density. Accordingly, this plat cannot be reviewed by the Planning Commission since all of the lots contemplated on the previously approved Concept, Preliminary, and Final Plats are on other Parcels, not Parcel 2. If this is submitted for Planning Commission review, then it will be returned to the applicant.”

Subsequently, on 4/20/05 the Director of Planning and Zoning wrote a letter to the Chesapeake Bay Golf Club, L.P., in which the Director found that Parcel 2 of the Chesapeake Club was intended to remain recreational, has no permitted density, and could not be developed.

The Chesapeake Bay Golf Club, L.P. appealed to the Cecil County Board of Appeals the decision of the Director’s 4/20/05 letter, and, on 7/26/05, the Cecil County Board of Appeals AFFIRMED, by unanimous vote, the decision of the Director of Planning and Zoning in this matter.

The Chesapeake Bay Golf Club, L.P. then appealed the 7/26/05 decision of the Cecil County Board of Appeals to the Circuit Court for Cecil County, and, in turn, on 8/17/06, the Circuit Court for Cecil County AFFIRMED the decision of the Board of Appeals.

On 3/19/12, OPZ reiterated the fact that previous Concept, Preliminary, and Final Plat approvals were predicated upon a layout that was comprised of residential development surrounding a golf course on Parcel 2 – which, itself, had no density.

\(^5\) 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. ⁶

Slopes greater than 25% must be shown on the Preliminary Plat. None are depicted.

A 110’ perennial stream buffer is required from any 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 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 rare, threatened, and endangered species must be avoided.

Depending on the proposed dwelling type, either 15% or 20% open space is required in the RM zone. For single-family detached dwellings, 15% is required. Only 13.1 % is proposed.

As commented at the 12/4/13 TAC review:

1) It will be a condition of any recommendation for approval that all subsequent Preliminary Plats provide a full accounting, in tabular form, of the aggregate open space requirement and the deficit or surplus thereto created by said Preliminary Plat; and
2) It will also be a condition of any recommendation of approval that any subsequent Preliminary Plat’s TAC review be preceded by a completed and reviewed, updated Transportation Impact Study (TIS).⁷

The 6th condition of the 9/21/15 approval was “All subsequent Preliminary Plats’ providing a full accounting, in tabular form, of the aggregate open space requirement and the deficit or surplus thereto created by said Preliminary Plat.”

So, in addition to the 7th condition’s not being satisfied, the 6th condition has not been satisfied, which, again, will force a staff recommendation of DISAPPROVAL.

Also, 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 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 – and they are absent.

In keeping with previous approvals, none of the Chesapeake Bay Golf Club property’s 100.99 acres can be counted toward satisfying the open space requirement.

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

⁶ 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.”

⁷ The last TIS for the Chesapeake Club was completed more than 27 years ago.
Sidewalks are recommended on at least one side of all internal roads. None are depicted on sheet 2 of 2.

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. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

No street trees or street tree easements have been depicted on sheet 2 of 2.

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 have been approved (§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 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.

Access to common open space between lots must be marked with concrete monuments.

If these proposed lots are approved, then they must become part of an existing Chesapeake Club HOA, or a separate Homeowners’ Association for maintenance of common open space must be established with $50 per recorded lot placed in escrow for improvements prior to recordation.

The 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 Master Water and Sewer Plan classifies this site as W1 and S1.

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

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

Documentation of sewer allocation/capacity 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. However, the number of deficiencies suggests another, follow-up TAC review.

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Discussion ensued regarding the requirements of the common open space for the entirety of the Chesapeake Club subdivision.

2. Lands of Ronald J. Andrulonis & Diane G. Andrulonis, 1 Lot, Preliminary / Final Plat, Northern Bay Land Planning, Seventh Election District.

Faron Pyles, Northern Bay Land Planning, appeared and presented an overview of the project. Mr. Pyles explained that the purpose of this plat is to activate a building lot.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Preliminary/Final SWM Plans must be submitted and approved prior to the Preliminary/Final Record Plat being submitted for review by the Planning Commission.

2. If structural stormwater management practices are proposed, add the following note to the Owners Certificate; “OWNERS hereby grant unto the Cecil County Department of Public Works (“DEPARTMENT”) or its agent and contractor for the right of entry at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the facility”.

3. Verify that the proposed driveway location satisfies the sight distance requirements.
Mr. Brown read the comments from CSCD:
A Standard Erosion and Sediment Control Plans applicable to Lands of Ronald J. Andrulonis & Diane G. Andrulonis have been received by Cecil Soil Conservation District on 3/20/18 and are currently under review. All issues regarding Erosion and Sediment Control will be addressed on these plans.

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from the County maintained road, Rock Run Road, and limited to the CCPS Bus Guidelines.
2. Schools in this attendance area are Bainbridge Elementary, Perryville Middle and Perryville High Schools.

Mr. Di Giacomo read the comments from MDE:
This project is an existing lot of record to be served by an individual well with a minor change to property boundary. As such, I have no comment.

Mr. Di Giacomo read the comments from SHA:
No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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: RR

Density: The RR zone’s permitted density is moot in this case, because no actual subdivision is proposed; rather, the parcel is being activated as a building lot through the subdivision process. All minor subdivision potential has been exhausted.

Parcel 570 was created via Minor Subdivision 992, as noted on the plat.

A Preliminary-Final Plat has been submitted for the purpose of activation 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, and §2.0 allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

The adjacent properties’ zoning classification(s) has not been shown.

This activation 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 activation 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 would be in effect, if this were actually a subdivision.

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8 Per Note # 3 on Minor Subdivision 992.
9 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
Has the boundary line survey been completed? Mr. Pyles 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 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.¹⁰

No slopes greater than 25% have been shown on the plat.

A 110’ perennial stream buffer is required from any 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.

No open space is required.

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

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

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring. No Bufferyard Standard A has been depicted.

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 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 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.

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¹⁰ 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.”
It appears that a water appropriation and use permit is not required.

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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3. Tiller Estates, Lots 1-8, Concept Plat, Reservoir Road, Northern Bay Land Planning, Seventh Election District.

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

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Concept SWM Plans must be submitted and approved prior to the Concept Record Plat being submitted for review by the Planning Commission.
2. Identify all SWM easements on the Preliminary & Final plats.
3. The entrance improvements and road construction plans must be designed in accordance with the current Road Code, Standards and Specifications.
4. All applicable Road Code Variances needed for the entrance improvements must be requested prior to the Preliminary Plan approval.

Mr. Brown read the comments from CSCD:
- Concept Stormwater Management Plans applicable to Tiller Estates have been received by Cecil Soil Conservation District on 3/22/18 and are currently under review. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with the Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.
- What is the status of the Engineered Forest Harvest that was submitted for review under the plan name Michael Melvin Tiller and Mary Tiller & Katherine Ann Chestnut, and Edwards Manor Section III?
  - Engineer noted that the harvest has not been complete due to wet conditions.

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from the County maintained road, Reservoir Road, and limited to the CCPS Bus Guidelines. Schools in this attendance area are Perryville Elementary, Perryville Middle and Perryville High Schools.

Mr. Di Giacomo read the comments from MDE:
The plat does not indicate the plans for water supply; therefore, I am unable to comment.

Mr. Harmon read the comments from the Health Department:
This subdivision is in an area identified by Cecil County Health Department as having low yield wells. Two (2) tests wells have been completed demonstrating adequate yield.
Percolation testing has been completed and is supportive of this proposed layout.
Mr. Di Giacomo read the comments from SHA:
No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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.

Then zoned SR, a previous, 29-lot proposal for this site, “Fielder Property”, was reviewed in 2002-2003, but the Concept Plat was disapproved by the Planning Commission on 1/21/03. The only subsequent submission was for 2/5/03 TAC review.

Current Zoning: ST

Density: The ST zone permits a 1 du/ 1 ac. density without community facilities for both major and minor subdivisions. Proposed are 8 lots and R.O.W. on approx. 116.2 acres, for a proposed density of approx. 1/14.52.

This project location is situated within the 2010 Comprehensive Plan’s Medium Density 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.11 The Act provides that in a Tier II area, the County may only grant approval if all lots will be served by public sewer or, if a minor subdivision, it is served by on-site sewage disposal systems.

Parcel 580 retains full minor subdivision potential, and Parcel 20 has used only 1 of its minor subdivision rights. Per §2.4.2 and §2.4.3 of the Subdivision Regulations, the application for these minor subdivision lots must be reviewed and approved via the major subdivision process.

Is proposed Lot 8 is intended to access Reservoir Road directly? Mr. Pyles stated that Lot 8 currently does access Reservoir Road.

The Cecil County Road Code defines a Mini Road as follows: “A road serving not more than 5 interior lots or not more than 7 lots if a maximum of two corner lots have frontage on state or county maintained roads. All lots, including the corner lots, must access the Mini-Road.”

Since proposed Lot 8 serves as the “corner lot” to achieve 7 lots on the proposed Tiller Farm Lane mini road, proposed Lot 8 must access the proposed mini road. That, however, would mean that there would be 8 lots accessing the mini road, which is not permitted.

There are two possible solutions to this snag:
1) Reduce the number of proposed lots to 7; or
2) Reconfigure proposed Lot 7 so that it would serve as one of the corner lots having frontage on Reservoir Road.

11 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.
This proposed subdivision is located within the area that was the subject of the Health Department’s 4/9/01 Memo dealing with additional land development requirements due to low well yields.

A boundary line survey must be done for 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. These buffers must be shown on the Preliminary Plat and 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, and must be shown on the Preliminary Plat.

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.

A minimum 15% landscaping of the development envelope is required in the ST zone.

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

Bufferyard Standard A is required to buffer any adjacent agricultural uses. If required, then the Bufferyard Standard A must be shown on the Preliminary 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.

Rows of street trees 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.

Sidewalks are usually recommended in the ST zone.

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

A Forest Stand Delineation (FSD) was approved on 12/24/02, but it is no longer valid. 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 Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation. The metes and bounds description of the FRA must be shown on the record plat.

The proposed road name Tiller Farm Lane has been approved.

A Homeowners’ Association for maintenance of the Mini Road must be established prior to recordation. The owners of all lots accessing the Mini Road must be members.

Documentation of all necessary easement agreements with AT&T will be required prior to the Planning Commission’s review of any Final Plat. All documents requiring recordation must be recorded prior to the recordation of the Record Plat.

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 ended at 9:53 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Department of Land Use & Development Services
Division of Planning & Zoning
Due to a lack of agenda items, there was not a May 2018 meeting of the Technical Advisory Committee.
Present: Di Giacomo, Tony (LUDS/P&Z); Harmon, Lloyd (DEH); Wilen, Kordell (LUDS/DPR); Brown, Chris (CCSCD); and Bakeoven, Jennifer (LUDS/P&Z).

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

1. Tiller Estates, Lots 1-8, Preliminary Plat, Reservoir Road, Northern Bay Land Planning, Seventh Election District.

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

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Preliminary SWM Plans must be submitted and approved prior to the Preliminary Record Plat being submitted for review by the Planning Commission.
2. Identify all SWM easements on the Preliminary & Final plats.
3. Unless granted the necessary variances, the entrance improvements and road construction plans must be designed in accordance with the current Road Code, Standards and Specifications.
4. All applicable Road Construction plans must be submitted prior to the Preliminary Plan approval.

Mr. Wilen stated that the Development Plans Review Division has received an entrance variance request. That request will be reviewed in coordination with the Department of Public Works.

Mr. Harmon read the comments from the Health Department:
This subdivision is in an area identified by the Cecil County Health Department as having low yield wells. Two (2) tests wells have been completed demonstrating adequate yield.

Statements regarding availability of water and sewer must be on plat prior to Final Plat approval.

Mr. Brown read the comments from CSCD:
- Preliminary Stormwater Management Plans applicable to Tiller Estates have been received by Cecil Soil conservation District on 6/1/18 and are currently under review. All issued regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussion s with the Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.

Mr. Di Giacomo stated that Daniel Graham, Citizen’s Representative informed LUDS that he had received a few calls regarding all three projects on the agenda. The calls were regarding Stormwater Management and run-off concerns.
Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus services. Bus service will be provided from the County maintained road, Reservoir Road, and limited to the CCPS Bus Guidelines.
2. Schools in this attendance area are Perryville Elementary, Perryville Middle and Perryville High Schools.
3. Refer to Capacity Data Sheet from April 4, 2018 meeting.

Mr. Di Giacomo read the comments from MDE:
• The subdivision is to be supplied by individual domestic wells. A Water Appropriation and Use Permit is not required for developments of 10 or fewer lots, if it is to be served by individual wells; and, if west of the fall line, the average lot size is at least an acre. Since no appropriation permit is required for this project, an exemption from a permit is not needed either.

Mr. Di Giacomo read the comments from SHA:
• No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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.

Current Zoning: ST

Density: The ST zone permits a 1 du/1 ac. Density without community facilities for both major and minor subdivisions. Proposed are 8 minor subdivision lots and R.O.W. on approx. 116.2 acres, for a proposed density of approx. 1/14.52.¹

The Concept Plat was approved on 5/21/18, conditioned on:
1) Health Department requirements being met;
2) DPW/DPR requirements being met;
3) The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan being approved prior to submission for Planning Commission review of the Preliminary Plat;
4) The Preliminary Plat’s citing all necessary easement agreements with AT&T that will be required;²
5) The Preliminary Plat’s delineating all required environmental buffers; and
6) Approval of the agricultural setback modification from 100’ to 70’.

This project location is situated within the 2010 Comprehensive Plan’s Medium Density land use district and within a Tier II area³ -- in which the County may only grant approval if all lots will be served by public sewer or, if a minor subdivision, it is served by on-site sewage disposal systems.

Parcels 20 and 580 retain full minor subdivision potential. Per §2.4.2 and §2.4.3 of the Subdivision Regulations, the application for these minor subdivision lots must be reviewed and approved by the Planning Commission via the major subdivision process.

¹ Then-zoned SR, a previous, 29-lot proposal for this site, “Fielder Property”, was reviewed in 2002-2003, but the Concept Plat was disapproved by the Planning Commission on 1/21/03. The only subsequent submission was for 2/5/03 TAC review.
² Copies of the final draft or executed easement documents will be due prior to the Planning Commission’s review of any Final Plat that includes proposed Lots 2, 3, 4, or 5. Recordation of executed easement documents will be required prior to the recordation of any Record Plat that includes proposed Lots 2, 3, 4, or 5.
³ 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.
Proposed Lot 8 is intended to access Reservoir Road directly. Proposed Lots 1-7 are intended to be accessed via the Tiller Farm Lane Mini-Road.\(^4\)\(^5\)

Included is a 0.205-ac. Add-on to the adjacent lands of William D. & Katherine A. Chestnut.

Has the boundary line survey been completed? Mr. Pyles 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.

Slopes greater than 25% must be shown on the preliminary plat.

A 110’ perennial stream buffer is required from all perennial streams present. These buffers must be shown on the Preliminary Plat and 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, and must be shown on the Preliminary Plat.

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.

A minimum 15% landscaping of the development envelope is required in the ST zone.

Bufferyard Standard C is required, outside the right-of-way, along the road frontage of Reservoir Road. What is proposed? Mr. Pyles stated that since this is along a local road, a buffer is not required.

Bufferyard Standard A is required to buffer any adjacent agricultural uses. If required, then the Bufferyard Standard A must be shown on the Preliminary 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.

Rows of street trees are required, as depicted. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

Sidewalks are usually recommended in the ST zone.

\(^4\) The Cecil County Road Code defines a Mini Road as follows: “A road serving not more than 5 interior lots or not more than 7 lots if a maximum of two corner lots have frontage on state or county maintained roads. All lots, including the corner lots, must access the Mini-Road.”

\(^5\) This proposed subdivision is located within the area that was the subject of the Health Department’s 4/9/01 Memo dealing with additional land development requirements due to low well yields.
Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The 12/24/02 Forest Stand Delineation (FSD) was approval has been extended. The SWM Concept Plan has been approved.

The Preliminary Forest Conservation Plan (PFCP) and SWM Preliminary Plan must be approved prior to submission for 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 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 Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation. The metes and bounds description of the FRA must be shown on the record plat.

The proposed road name Tiller Farm Lane has been approved.

A Homeowners’ Association for maintenance of the Mini Road must be established prior to recordation. The owners of all lots accessing the Mini Road must be members.

Documentation of all necessary easement agreements with AT&T will be required prior to the Planning Commission’s review of any Final Plat. All documents requiring recordation must be recorded prior to the recordation of the Record Plat.

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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2. Antego, Lots 11-18, Preliminary / Final Re-Subdivision Plat, Deaver Road, McCrone, Inc., Third Election District.

Daniel Speakman, McCrone, Inc., appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Preliminary/Final SWM Plans must be submitted and approved prior to the Preliminary/Final Record Plat being submitted for review by the Planning Commission.
2. Since structural stormwater management practices are proposed, add the following note to the Owners Certificate; “OWNERS hereby grant unto the Cecil County Department of Public Works ("DEPARTMENT") or its agent and contractor for the right of entry at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the facility”.

3. All applicable Road Construction plans must be submitted prior to the Preliminary/Final Record Plat approval.

Mr. Harmon read the comments from the Health Department:
Groundwater Appropriation Permit has been issued by Maryland Department of the Environment (MDE); Plat complied with MDE Regulations 26.04.02 and 26.04.03.

Mr. Brown read the comments from CSCD:
- Preliminary Stormwater Management Plans applicable to Antego Phase 2 have been received by Cecil Soil Conservation District on 5/23/18 and are currently under review. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with the Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.
- The SWM and E&S plan have been submitted as lots 10-20 while the subdivision plat lists lots 11-18. Please clarify.

Mr. Di Giacomo stated that Daniel Graham, Citizen’s Representative informed LUDS that he had received a few calls regarding all three projects on the agenda. The calls were regarding Stormwater Management and run-off concerns.

Mr. Di Giacomo read the comments from CCPS:
1. CCPS will not enter the development with bus service. Bus service will be provided from the County maintained road, Deaver Road, and limited to the CCPS Bus Guidelines.
2. Schools in this attendance area are Leeds Elementary, Cherry Hill Middle and North East High Schools.

Mr. Di Giacomo read the comments from MDE:
- Since this is a re-subdivision of existing residential lots, and the average lot size is not being decreased nor are the number of lots changing, there are no requirements to obtain a Water Appropriation and Use Permit nor exemption. Note: Site previously approved under CE2004G016.

Mr. Di Giacomo read the comments from SHA:
- No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, read the comments of the department:
Upon inspection, this proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification signs.

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 (when originally approved); currently, LDR

The current zoning classification must appear on the plat.
Density: The SR zone permitted a maximum base density of 1 du/1 ac. in the absence of community facilities. The Concept Plat, proposing 44 lots on 138.1 acres, for a proposed density of 1/3.138, was approved on 12/15/03, conditioned on:

1) A boundary line survey being conducted prior to the Preliminary Plat for density calculation purposes;
2) A JD being completed prior to the Planning Commission’s review of the Preliminary Plat;
3) All SWM areas being relocated outside stream buffers, and
4) All intermittent stream buffers being shown.

The Preliminary Plat, proposing 33 lots on 138.15 acres at a density of 1/4.186 was approved on 5/20/04, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The Bufferyard C requirement being waived where deemed necessary by DPW to enhance safe sight distance;
4) Dry hydrants being installed where feasible;
5) All misspellings and date errors being corrected prior to Final Plat review;
6) Recommended sidewalk requirement being waived;
7) Forest Retention Areas being clearly shown on the Final Plat, and
8) Lots 13 & 14 being removed.

A revised Preliminary Plat was approved on 7/19/04, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) All details for the Final Plat and the FCP matching up; and
4) The septic tank being shown outside the FRA on proposed Lot 14.

Pursuant to §4.1.18 of the Subdivision Regulations, the Planning Commission extended the Preliminary Plat approval for one year on 4/17/06.

Subsequently, the Final Plat was approved on 12/18/06, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) A Landscape Agreement must be 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; 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.

The Recordation Plats were signed on 12/10/07.

The purpose of the modification/resubdivision is to revise R.O.W., common open space, and lot lines at the eastern end of Antego Drive, involving lots 11-18. Moreover, this submittal seeks to revise the still-valid 12/18/06 Final Plat approval. To ensure adequate technical review and Planning Commission oversight, it was determined that the path forward would be via a revised Preliminary Plat.

Once the Planning commission approves the revised Preliminary Plat, the subsequent step is the review and approval of a revised Final Plat, which, per §’s 4.2.3 & 4.2.4, is now an administrative function.

A new mini-road would be created, with proposed Lots 13A, 14A, 15A, 16A, and 17A accessing the private mini-road.
A mini-road Homeowners’ Association for maintenance of the mini-road must be established prior to re-recording, with the owners of all lots accessing the mini-road being members.

The revised Landscape Plan and revised FCP must be approved prior to the submittal of the Resubdivision Plat for review by the Planning Commission.

The SWM Final Plan must also be approved prior to the submittal of the Resubdivision Plat for review by the Planning Commission.

Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. The JD has been completed.

15% common open space is required; 23.31% (was 45.6%) is proposed.

The C.O.S. sensitive areas thresholds are shown.

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

Sidewalks are recommended on at least one side of the proposed Antego Drive.

The contiguous agricultural operation notice must appear on the revised plat.

Rows of street trees with a 10’ planting easement are required, outside the right-of-way, along both sides of Antego Drive, but the planting easements are not depicted on the plat.

A revised Landscape Agreement may need to be executed prior to re-recording.

Will Deed Restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) need to be revised and re-recorded? Mr. Speakman said yes.

Access to common open space between and beside lots must continue to be marked with concrete monuments.

A Homeowners’ Association for maintenance of common open space must remain separate and distinct from the mini-road maintenance HOA.

The signature block needs updating revisions.

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.


Amy DiPietro, Morris & Ritchie Associates, Inc. and Andy Freeman, Klein Enterprises, appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:

1. The Concept Stormwater Management Plans were approved December 2015, however, there are significant changes proposed with the Preliminary Plat submitted for this TAC meeting. The Concept Plan and Calculations must be resubmitted for approval prior to submitting the Preliminary SWM Plans.

2. The Preliminary SWM Plans must be submitted and approved prior to the Preliminary Record Plat being submitted for review by the Planning Commission.

   a. All outlets from stormwater management facility must discharge into an existing waterway or be design to be non-erosive from the outlet to the receiving waterway.
b. DPR may request the outlet locations be staked in the field for verification of the existing conditions.

3. Identify all SWM and Drainage easements on the Preliminary Plats.

4. The road and storm drain construction plans must be designed in accordance with the current Road Code, Standards and Specifications. The Road & Storm Drain Plans must be submitted for review prior to Preliminary Plat approval.
   a. The proposed storm drain system at the intersection of Charlestown Crossing Blvd. and Calvert Crossing is connected on both sides of the road and discharging into two different stormwater facilities.

5. DPR 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.

6. The proposed water distribution system must be reflected on the sanitary sewer and road & storm drain plans.

7. The serving fire company must review all fire hydrant spacing and locations provided on final construction drawings.

8. The Road & Storm Drain plan, Sanitary Sewer plan, and a Mass and Final Grading plan must be approved by DPR prior to submittal for final plat Approval.

9. The Road Code Variance referenced in Site Data Note #23 must be requested prior to the Preliminary Plat approval.

10. All additional Road Code Variances needed for the road construction improvements must be requested prior to the Preliminary Plat approval.
    a. Charlestown Crossing Boulevard has a monumental entrance at US Route 40.
    b. This portion of right-of-way has not been dedicated to Cecil County.
    c. Section 2.14 of the Road Code prohibits bricked or other rigid structures within the County right-of-way.
    d. Prior to dedication of the proposed right-of-way for Charlestown Crossing Boulevard approval of the existing structure must be approved by the Department of Public Works.

11. The R/W for Charlestown Crossing Blvd from Calvert Crossing to the approach of the stream crossing must be 60’ wide per Standard Detail R-9 referenced in Site Data Note #27. The R/W at the proposed stream crossing must be a minimum 80’ wide.

12. In accordance with the 75’ minimum intersection separation distance for driveways set forth in Section 3.08 b. of the Road Code, Lots 127, 153, 156 & 173 are denied direct access to Charlestown Crossing Blvd and must access the minor road frontage of each lot.

13. Per Section 2.07 of the Road Code closed section road must be used throughout the development.

14. 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 Road Construction Plans must include notes to this effect.

15. Where do you propose to run the sewer connection to the sewer pump station?

16. Do you propose to use gravity sewer to service Phase 2? (Ms. DiPietro said yes.) If a sanitary sewer pump station is required it must be located on a parcel dedicated in fee simple to the County.

17. The sanitary sewer and utility plans must be designed in accordance with the current ‘Standard Specifications and Details for Water Mains and Sewer Mains’. The Sanitary Sewer and Utility Plans must be submitted for review prior to Preliminary Plat approval.

18. 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.
19. Every effort must be taken to keep sewer lateral cleanouts outside of driveways and sidewalks.

20. 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:

20.1 The Lot Grading Plan Construction Limits Note.
20.2 Requirements for Public Works Agreements.
20.3 Requirements for Stormwater Inspection and Maintenance Agreements.

Notes and requirements identified for record:

The Lot Grading Plan must include the standard construction limits note.

1. 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 325 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.”


3. An Inspection & Maintenance Agreement is required for the private SWM facilities.

Mr. Harmon read the comments from the Health Department:
Identify the water and sewage treatment plant to be utilized on the Final and Record plats. Water and Sewerage allocations must be granted prior to Final Plat approval.

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

1. A Private Onsite water system and public sewerage will be available to all lots offered for sale (by owner’s signature block).

2. Use of private water and sewerage is in conformance with the Cecil County Master Water and Sewer Plan (by Health Department’s signature block).

Mr. Brown read the comments from CSCD:

- To date, Preliminary Stormwater Management Plans have not been received by CSCD. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with the Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.

Mr. Di Giacomo stated that Daniel Graham, Citizen’s Representative informed LUDS that he had received a few calls regarding all three projects on the agenda. The calls were regarding Stormwater Management and run-off concerns.

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 Perryville High Schools.

Mr. Di Giacomo read the comments from MDE:
The plat notes the subdivision is to be served by a "private, on-site water system." What is the "on-site" part referring to? My understanding is the community is served by Artesians' Mountain Hill community water system, which is considered a privately owned public community water system. If this is not the case, let me know. The water system should be contacted to ensure enough capacity is available to serve the development.
There are no requirements to obtain a Water Appropriation and Use Permit if the lots are to be served through Artesians' Mountain Hill community water system.

Mr. Di Giacomo read the comments from the Charlestown Volunteer Fire Company:
1. All residential roads with the exception of Charlestown Crossing Boulevard need to be widened by 50%. See the attached pictures. We have complained to A. Freeman at 443-562-3617 and he said he would get the HOA on it which to this date still has not happened. We have had emergency calls in phase I that Fire Truck access is blocked due to on street parking. We feel since there is no enforcement of off street parking the only answer is to increase the width of the streets by 50% so when cars continue to park on both sides of the street we may have a chance to get a Fire Truck down them. If anybody wants to go for a Fire Truck ride through Charlestown Crossing to experience the issue we will accommodate that.
2. The water main on Charlestown Crossing Boulevard reduces from 10 in. to 8 in. at Calvert Crossing we request it stay 10 in. After reviewing the original plans for this project the water main on Charlestown Crossing Boulevard was supposed to be 12 in. (we have the drawings) We know a reduction in a main feeder line like this reduces the volume of available water for firefighting.
3. We request one (1) additional Fire Hydrant to be added at the intersection of Charlestown Crossing Boulevard and Calvert Crossing. A hydrant at an intersection is much easier to locate and gives you 4 options in the direction of your supply hose lay for firefighting.
4. We request all the cul-de-sacs be 100 ft. of drivable diameter due to our Ladder Truck being 42ft. long and the current drawing showing the cul-de-sacs approx. 81 ft. driving diameter.
5. In the meeting I attended for Phase I of this project it was discussed and agreed to the bridge or culvert for crossing the creek would be in this phase II. Why is this not being addressed? That bridge or culvert needs to support the weight of our Ladder Truck which is 81,000 lbs.

Mr. Harmon read the comments from the Health Department:
Identify the water and sewage treatment plant to be utilized on the Final and Record plats. Water and Sewerage allocations must be granted prior to Final Plat approval.

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

1. A Private Onsite water system and public sewerage will be available to all lots offered for sale (by owner’s signature block).

2. Use of private water and sewerage is in conformance with the Cecil County Master Water and Sewer Plan (by Health Department’s signature block).

Mr. Di Giacomo read the comments from SHA:
No issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, 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:
As originally approved: SR, M1, BG, and RCA & LDA (Critical Area) – PUD Proposal
Current for Phase 2: ST
Density: The SR zone permits a base density of 1 du/1 ac, 2/1 with community facilities, or 4/1 in a Planned Unit Development.

Per §256 of the Zoning Ordinance, the PUD “Sketch Plat/Special Exception Application” was granted a Special Exception on 9/28/04 by the Board of Appeals – 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 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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6 Because a PUD is permitted in the SR zone only by Special Exception.
7 On 224.73 SR-zoned acres
8 The Special Exception that was granted allowed 176 townhouses, in excess of the 118 allowed per §250.2 at that time.
9 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, & 12/15/08.10

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;
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 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.
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 must 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 3/29/10.11

The Special Exception that was granted allowed 176 townhouses.12

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;

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11 This extended Preliminary approval until 3/29/12.
12 In the SR zone, no more than 20% of the PUD dwelling units can be townhouse or apartment units.
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 labeled 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.  

The separate Garden Apartment Concept Plat was approved on 12/20/10, 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 on 2/22/11, 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);
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;

13 Its recordation extended the Preliminary approval until 12/21/12.
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 separate Phase 1 Garden Apartment Recordation Plat was signed on 3/02/12, but that recordation had no bearing on extending the validity of the 4/18/05 Preliminary Plat.

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;  
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

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14 This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
15 This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
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.

Per §4.1.16, the recording 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.”

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

A Resubdivision Plat was signed on 11/8/13 (extending the Preliminary Plat’s validity until 11/8/15).

At the 6/15/15 Planning Commission review of the Phase 1C Final Plat, the applicant was reminded that unless there was another recordation16 or Preliminary Plat extension granted prior to 11/8/15, the Preliminary Plat’s approval would expire on that date.

The Phase 1C, Lots 1-37, Final Plat was approved on 6/15/15, conditioned on:

1) Health Department requirements being met;
2) DPW requirements17 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;
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 11th condition of the 6/15/15 approval does not appear to have been complied with.

The Phase 1C Recodrdation Plat was signed on 11/2/15, extending Preliminary Plat validity until 11/2/17.

A revised Phase 1C Recordation Plat was signed on 6/22/16, extending Preliminary Plat validity until 6/22/18.

The separate Phase 2 Garden Apartment Concept Plat was approved18 on 12/21/15, conditioned on:

1) All Health Department requirements being met;
2) All DPW requirements being met;

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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.
17 This should include the maintenance of the street trees in the right-of-way by adjacent homeowners or the Homeowners’ Association.
18 This project location is situated within the 2010 Comprehensive Plan’s Medium Density Growth Area land use district, and, 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. 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.
3) The detailed parking plan’s being included within the Preliminary Plat, prior to TAC review;
4) The parking plan’s including details relating to §278.2 and §279;
5) The open space sensitive areas thresholds’ being calculated and included on the Preliminary Plat, prior to TAC review;
6) The requested (Site Data note # 17) design waivers relating to §28.4.a, §28.4.d, §28.4.h and §28.4.i being granted;
7) Site Data Note 16’s reference to “MUTGD” signage being corrected to “MUTCD;”
8) All references to “multifamily Residential” for the RM zone being corrected to “High Density Residential;”
9) The Parking Schedule’s ADA surface space count being made consistent with what is depicted on the plat;
10) The Land Use Summary’s spelling of “residents” being corrected;
11) The correct nomenclature, “open space”, being used in the entirety of all Preliminary and Final Plat submissions;
12) The correct spelling of “delineation” being used in Site Data note # 10 for all Preliminary and Final Plat submissions; and
13) Fire hydrant locations being selected in consultation w/ Charleston Fire Co. and DPW prior to Preliminary Plat submission for TAC review.

Subsequently, the Phase 2 Preliminary Plat was reviewed by the Technical Advisory Committee (TAC) on 4/6/16, consistent with §’s 4.1.1 & 4.1.2.

The separate Phase 2 Garden Apartment Preliminary Plat was approved on 6/20/16, conditioned on:
1) All Health Department requirements being met;
2) All DPW requirements being met;
3) The requested (Site Data note # 17) design waivers relating to §28.4.a, §28.4.d, §28.4.h and §28.4.i being granted;
4) Documentation of water allocation and sewer allocation/capacity being provided by the applicant prior to the Planning Commission’s review of the Final Plat;
5) The Final and Record Plats’ containing 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;
6) The Final and Record Plats’ also containing a statement, to be signed by the owner, to the effect that such facilities will be available to all units offered for lease or rent; and
7) The final Forest Conservation Plan (FCP)/Landscape Plan and SWM Final Plan being approved prior to Planning Commission review of the Final Plat.

The separate Phase 2 Garden Apartment Final Plat was approved on 9/19/16, conditioned on:
1) All Health Department requirements being met;
2) All DPW requirements being met;
3) Any sheet(s) submitted being labeled to start as sheet 1 of … ;
4) The Title Block citing this as Phase 2;
5) The Title Block citing this as a “Final Plat” (a note can state that with the recordation of this plat, the non-tidal wetland details of the previously recorded Phase 1’s sheet 5 of 5 is thus supplanted);
6) General Note # 10 being revised or struck so as not to erroneously convey that a Phase 2 Plat was previously recorded;
7) General Note # 11 also being revised or struck so as not to erroneously convey that a Phase 2 Plat was previously recorded;
8) The unnumbered note referencing “lots created by this subdivision” being corrected;

In addition to the Preliminary Plat, a Site Plan for the same project was also submitted, which was confusing and redundant to the review and approval process.

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.
9) General Note # 1 citing the zoning as RM;  
10) Subdivision Data Note # 5 citing the zoning as RM;  
11) General Note # 1 being corrected to describe the RM zone as “High Density Residential;”  
12) Adequate explanatory graphics being provided;  
13) The inclusion of a citation of required setbacks in addition to a note citing the previously-granted design waivers being included;  
14) The structures’ be demarked by a bold line; and  
15) A note being included that fully explains all detail changes between the approved Preliminary Plat and the Final/Record Plat.  
16) The Record Plats’ containing 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;  
17) The Record Plats’ also containing a statement, to be signed by the owner, to the effect that such facilities will be available to all units offered for lease or rent;  
18) The Landscape Agreement’s being executed prior to recordation;  
19) 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 Plats; and  
20) All plat references to “Board of County Commissioners” being changed to “Cecil County Government” prior to recordation.

The separate Phase 2 Garden Apartment Recordation Plat was signed on 9/14/17, but that recordation had no bearing on extending the validity of the 4/18/05 Preliminary Plat.

As was commented during the Phase 1C (Lots 1-37) Final Plat review, “The submission of future phases or sections will necessitate an accounting of the dwelling type ratios per consistency with PUD requirements.”

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 applicant is reminded that 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. Again, the 16th condition of the 2004 Special Exception approval allowed for no more than 176 townhomes.

Since all 64 lots are proposed to be single family, the townhouse issue is moot.

Since, per Site Data Note # 32, the purpose of this Preliminary Plat is the revise the Phase 2 details of Preliminary Plat approved on 4/18/05 – which will have expired prior to the Preliminary Plat’s review and possible approval by the Planning Commission – the issue of the validity of the 4/18/05 Preliminary approval is also moot.

With no valid Preliminary approval, we must next examine Concept approval validity. Per §4.0.9 of the Subdivision Regulations, when originally approved, Concept Plats were valid for two years.

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21 This is required, per §4.2.13(l).
22 The 2004 Special Exception approval allowed no more than 176 townhomes.
23 The 332 in the apartment component + the 170 towns and singles will have consumed 502 of the 592 approved.
24 Currently, per §4.0.9, Concept Plat are valid for three years.
As a PUD, however, per §256 of the Zoning Ordinance, a Sketch Plat/Special Exception application, approved by the Board of Appeals served in lieu of Concept Plat approval. §’s 256, 307, 308 and 313 were silent as to a Special Exception’s duration of validity.

§312.3 provided that the Board of Appeals may (could) prescribe a time limit, which in it’s 9/28/04 approval, it did not. Therefore, the 9/28/04 Special Exception, serving as this project’s Concept approval, remains valid.

In that regard, the Preliminary Plat’s title block must reflect Phase 2’s being part of the PUD. It is recommended that a note referencing the 9/28/04 Special Exception approval be included for future reference.

A difference between the 4/18/05 Preliminary Plat and this Phase 2 Preliminary Plat is the absence of the then-proposed clubhouse, pool, bocce and tennis courts. What is now proposed with respect to the previously-proposed clubhouse, pool, bocce and tennis courts? Ms. DiPietro stated that as part of the revised PUD, an additional clubhouse will be relocated.

Another difference is that 64 lots are now proposed where there were only 59. If approved, that would bring the lot total to 234 of 592.

Site Data Note # 8 cites “open space.” The applicant is reminded of the difference between “open space” and “common open space,” and we note that no common open space has been labeled on the plat.

The boundaries of Phase 2 and its common open space are not clearly delineated.

Another difference between the 4/18/05 Preliminary Plat and this Phase 2 Preliminary Plat is the absence of the lot areas and lot dimensions, as required.

Site Data Note # 10 references alleys, but none are depicted on the plat.

Why does Site Data Note # 7 reference the old SR zone?

Site Data Note # 9 needs to be corrected to reflect the ST zone and its requirements.

Site Data Note # 10 notwithstanding, the 10’ Street Tree Planting Easement must be shown.

Records indicate that a JD was previously completed. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation.

20% common open space is required in the ST zone.

If the Phase 2 area is 10.4 ac., per Site Data Note # 4, how can 102.79 acres of common open space be provided, per Site Data Note # 9?

The submission of future sections will necessitate an accounting of the balance due for open space.

Where is the neighborhood park referenced in Site Data Note # 25? Ms. DiPietro stated that this note should not have been on this plat.

Has the Charlestown Fire Company been consulted as to fire hydrant locations and the requested variance cited in Site Data Note # 23? Ms. DiPietro stated that they have not contacted the Fire Company but will.

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25 As previously commented, the proposed community center must be served by water & sewer systems approved by the Health Department. A major site plan submittal shall be required for the community center. Any major site plan must be approved prior to Final Plat approval(s). The requirements of §291 and Appendix A of the Zoning Ordinance must be adhered to.

26 47% was proposed, overall.
Site Data Note # 7 references a future E.M.S. site, where is it shown on the plat? Ms. DiPietro stated that this note should not have been on this plat.

The PFCP and Preliminary SWM Plan must be approved prior to the submission of the Preliminary Plat for review by the Planning Commission.\(^{27}\)

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.

The Homeowners’ Association, for maintenance of common open space, has already been established for improvements. $50 per each recorded lot in this Phase must be placed in escrow prior to recordation. Water allocation documentation must be received prior to Final plat review.

Sewer capacity for these 64 proposed lots must be verified prior to Final plat review.

The Final and Record Plats 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.\(^{28}\)

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 lots offered for sale.

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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\(^{27}\) 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. The PFCP and Preliminary Environmental Assessment were previously approved.

The FCP/Landscape Plan for Phase 1 (north of the stream) was approved on 4/29/08. A revised FFCP was approved on 12/11/09, and the Final Forest Conservation Plan for this phase was approved on 7/18/11. A revised Landscape Plan was approved on 12/14/09.

\(^{28}\) The Master Water & Sewer Plan identifies this site as W2 and S2.
Discussion ensued regarding the requirements/recommendations of the Volunteer Fire Company’s comments and requests.

The June TAC meeting ended at 10:05 a.m.

Respectfully submitted,

Jennifer Bakeoven  
Administrative Assistant  
Department of Land Use & Development Services  
Division of Planning & Zoning
CECIL COUNTY, MARYLAND
Division of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
MEETING MINUTES
Thursday, July 5, 2018
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 July 2018 meeting of the Technical Advisory Committee.
Due to a lack of agenda items, there was not an August 2018 meeting of the Technical Advisory Committee.
Present: Di Giacomo, Tony (LUDS/P&Z); Harmon, Lloyd (DEH); Wilen, Kordell (LUDS/DPR); and Bakeoven, Jennifer (LUDS/P&Z).

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

1. North East Commons, Concept Site Plan, Town of North East (Courtesy Review), MD 272 & Nazarene Camp Road, 5th Election District, Morris & Ritchie Associates, Inc.

Amy DiPietro, Morris & Ritchie Association, Inc., Betsey Vennell, Town of North East, Christopher Mink, CNA and Jeff Holcolm, Trammell Crowe Co., appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Concept SWM Plans must be submitted and approved prior to DPR recommending approval of the Concept Site Plan to the Town of North East.
2. The existing non-tidal wetlands must receive runoff from proposed stormwater BMPs to retain the existing hydrology for the ecological system.
3. With the grading and stormwater design, “All reasonable efforts, utilizing ESD to the MEP, must be made to avoid the redirection of runoff from a particular drainage area to another drainage area”.
   a. All outlets from stormwater management facility must discharge into an existing waterway or be design to be non-erosive from the outlet to the receiving waterway.
   b. Prior to the Preliminary SWM Plan approval DPR may request the outlet locations be staked in the field for verification of the existing conditions.
4. Identify all SWM easements on the Preliminary & Final Site Plans.
5. Show the proposed gas line easement on the Preliminary & Final Site Plans.
6. Unless the cul-de-sac is annexed or granted the necessary variances, the entrance improvements and road construction plans must be designed in accordance with the current Road Code, Standards and Specifications.
   a. All Road Code Variance requests must be submitted, prior to DPR recommending approval of the Preliminary Site Plan to the Town of North East.
   b. A portion of the proposed cul-de-sac will be within the Town of North East.
   c. Consider annexing the remaining portion of the proposed cul-de-sac to avoid confusion of maintenance.
7. All applicable Road Construction plans must be submitted prior to the Preliminary SWM Plan approval.
   a. The timing for the; road closure, construction of the proposed cul-de-sac, and construction of proposed Nazarene Camp Road will need to be shown on the road construction plans and on the sequence of construction on the erosion & sediment control plans.
   b. The Department of Public Works has requested that to the extent practicable, road improvements be designed from Baron Road to the proposed site.
8. DPR understands that the Town of North East 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.
9. The proposed water distribution system must be reflected on the sanitary sewer and road & storm drain plans.
10. The serving fire company must review all fire hydrant spacing and locations provided on final construction drawings.

11. The Road & Storm Drain plan, Sanitary Sewer plan, and a Mass and Final Grading plan must be submitted and approved prior to DPR recommending approval of the Final Site Plan to the Town of North East.

12. The sanitary sewer and utility plans must be designed in accordance with the current ‘Standard Specifications and Details for Water Mains and Sewer Mains’. The Sanitary Sewer and Utility Plans must be submitted for review prior to Preliminary SWM Plan approval.

13. Any proposed sewer lines that 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.

14. The proposed retail parcels must be served by individual private pump stations. In accordance with County policy, when the sewer lines from two (2) or more properties are connected the sewer collection system must be dedicated to the County.
   a. Cecil County will not accept a pump station that would serve only the three (3) retail properties.
   b. Cecil County’s sanitary sewer currently extends to rear of the NE Plaza strip stores. It may be possible to negotiate an easement and provide gravity sewer to the proposed retail properties.

15. All existing sanitary sewer lines within the proposed site will need to be properly capped and inspected by Cecil County.

Mr. Harmon read the comments from the Health 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 business offered for rent (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. Di Giacomo read the comments from CSCD:
- To date, Concept Stormwater Management Plans have not been received by CSCD. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with The Department of Land Use & Development Services as to the requirements of Stormwater Management and Erosion & Sediment Control Plans.

Mr. Di Giacomo stated that the North East Fire Company expressed concerns with the un-named road, sprinklers in the structures throughout and the absence of fire hydrant locations in the retail sites. Mr. Di Giacomo explained that he would recommend dry hydrants be installed in the stormwater management ponds to increase flow. The North East Fire Company agreed with the recommendation.

Mr. Di Giacomo read the comments from MDE:
The plan notes "water... allocations are required..." The plan also notes the site is in the Town of North East. No estimates of water demand were provided for review; however, the Town of North East has a large allocation that is not currently used. Assuming all water will be provided by the Town of North East community water system, I have no comments.

SHA comments:
I believe the concept plans that I saw at the North East Town meeting (8/13/18) had this info on it, but I will respond with I see as missing. Need to use SHA Standard curb & Gutter. No radius for the entrance is shown. Will need Accel/Decel lanes and also a left turn lane. Need to show dimensions on the entrance island.
Mr. Di Giacomo, LUDS – Planning & Zoning Division, read the comments of the department:
As a courtesy to the Towns in the County, the TAC from time to time reviews subdivision and site plan proposals – such as this.

- It should be confirmed that the Town’s Zoning Ordinance permits the proposed uses in the Town’s HC and HCOD zones.

- It should be confirmed that the proposed number of employee/passenger vehicle parking spaces, for each specific use, is within the minimum and maximum allowable limits in the Town’s HC and HCOD zones.

- The large “industrial building” is depicted with six (6) access points. Why do only two (2) of them have guard houses? Ms. DiPietro stated that once a use and/or tenant for the building is established, the decision on whether there is a need for a guard house and gates would be made.

- Will the location of the guard house at the industrial entrance closer to MD 272, and its resultant truck queueing, cause there to be access impediments to the retail sites on the north side of the related Nazarene Camp Road? Ms. DiPietro stated that they will be looking into it.

- It should be confirmed that the number of ADA parking spaces, bicycle and pedestrian access amenities, electric vehicle recharging spaces, and transit access design elements are consistent with the Town’s Zoning Ordinance for the HC and HCOD zones.

- Only one (1) of the proposed retail sites depicts ADA parking spaces. It should be confirmed that the Town’s Zoning Ordinance permits this omission for other two.

- It is recommended that final Site Plan approval be preceded by the approval of a bicycle/pedestrian/vehicle circulation safety plan. Potential pedestrian-vehicle safety conflicts should be identified, and MUTCD signage, other traffic control devices, and striping should be considered.

- Are the adjacent (only 75’ separation) industrial and retail access points from the relocated Nazarene Camp Road consistent with the Town’s ‘Street Code’ spacing/design requirements? Ms. Vennell stated that the Town has adopted the County’s Road Code; they will look into this requirement.

- The lighting plan should be reviewed for its adequacy, given the proposed mix of new uses. The Lighting Plan should be approved prior to the final Site Plan approval. The lighting plan should be consistent with the requirements of the Town’s Zoning Ordinance, such as any ‘dark sky’ requirements, for example.

- In conjunction with the circulation and access plan, 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.

- It is recommended that final Site Plan approval be sequenced after the TIS findings and recommendations have been distributed for review and comment. What is the difference between the referenced Phase 1 and the balance of the proposal? Ms. DiPietro stated that Phase I will consist of the Distribution Center and the relocated road and Phase 2 will be the retail pads.

- What is the proposed road/street name for the unnamed thoroughfare along the northern end of the industrial building site? It was part of the original Nazarene Camp Road. This issue should be resolved to the satisfaction of DES prior to final Site Plan approval.
• Will the TIS recommend a traffic control mechanism for the intersection of the dog-legged Nazarene Camp Road and the unnamed street that leads to the cul-de-sac and Leslie Road? If not, then what is proposed? Ms. DiPietro stated that a stop condition would most likely be used.

• Are there any future plans for a spur connection to the CSX rail line for intermodal access and connectivity? Mr. Holcolm stated that there are no defined plans but they will look into coordinating grade for potential connectivity with CSX.

• It should be confirmed that the Landscaping Plan is consistent with the requirements set forth in the Town’s Zoning Ordinance for the HC and HCOD zones.

• It is recommended that a Landscaping Agreement be executed prior to the issuance of any building permits.

• What is the basis for the information in Site Data Note # 12? Ms. DiPietro stated that the information is based on a GTA Wetland delineation.

• The Town of North East and Cecil County signed an “Assigning obligations under the Forest Conservation Act” agreement on 2/4/00.

• It is recommended that the Landscaping Plan and FCP be approved prior to the final Site Plan approval.

• Relating to Site data Note # 27, it is recommended that any agreements be reviewed by the Town’s attorney, and, if satisfactory, that they be recorded prior to final Site plan approval. What mechanism is proposed to be in place to ensure adequate maintenance by the BOA? Ms. DiPietro stated that a maintenance agreement would be in place for the shared facilities.

• It should be confirmed that any proposed signage is consistent with the provisions of the Town’s Zoning Ordinance for the HC and HCOD zones – in consultation with SHA and CCDPW – especially with respect to sight-distance issues.

• 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. Proposed fire hydrant locations behind truck trailer parking spaces may not be accessible in an emergency – or even visible.

• Pending comments from the North East Fire Company, dry hydrants should be considered at the SWM ponds.

• It should be confirmed that the proposed height of all proposed structures is consistent with the parameters of the Town’s Zoning Ordinance for the HC and HCOD zones.

• It is recommended that the details (e.g., bicycle and pedestrian access, parking, amenities) of the proposed public park be included as part of the approval of this Site Plan.

• What is the proposed disposition of the half acre not selected as a public park site? Ms. DiPietro stated that Trammell Crowe would retain ownership of it. The town of North East has decided to take the piece that is on Leslie Road, which will be reflected on future submittals. They will likely use that area that is on the relocated road for stormwater management or forest conservation. Mr. Di Giacomo advised that it may be possible to get some parking spaces along there as well.
• Will an amended Site Plan be required relating to the half-acre not selected as a public park site? Ms. DiPietro said that at this point, it will be nothing.

• Relating to Site data Note # 21, it is recommended that the relocation agreement be reviewed by the Town’s attorney prior to final Site plan approval.

• Relating to Site data Note # 16, it is noted that the validity of the FSD approval has expired.

• It is recommended that all/any required Special Exception / Variance numbers be shown on the approved site plan.

• It is recommended that the limits of the stream and wetland buffers be clearly indicated on the Site Plan – and that all required setbacks are observed.

• Relating to the half-acre not selected as a park, assuming that would be “Option #1”, has any consideration been given to using that location as a transit-accessible park-and-ride lot?

• Does the Town intend to assume any maintenance responsibility for the re-located Nazarene Camp Road?

• Relating to Site Data Note # 20, it is recommended that the referenced easement be secured and recorded prior to Site Plan recordation.

• Relating to Site Data Note # 22, water allocation must be confirmed prior to final Site Plan approval.

• It is recommended that the name of the water service provider appear on the Site Plan.

• Relating to Site Data Note # 22, sewer allocation must be confirmed prior to final site plan approval.

• Relating to Site Data Note # 20, one would inferentially assume that Cecil County will be the sewer service provider. Nevertheless, it is recommended that the name of the sewer service provider appear on the Site Plan.

Discussion ensued regarding sewer allocation and potential CSX connectivity.


Don Sutton, McCrone, Inc. and Bryan Racine, proposed owner, appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:

1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. Therefore, the Preliminary/Final SWM Plans must be submitted and approved prior to the Preliminary Plat being submitted for review by the Planning Commission.

2. Since structural stormwater management practices are proposed, add the following note to the Owners Certificate; “OWNERS hereby grant unto the Cecil County Department of Public Works (“DEPARTMENT”) or its agent and contractor for the right of entry at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the facility”.

3. Add a ten (10) foot wide drainage and utility easement along Theodore Road.

Mr. Harmon read the comments from the Health Department:
Plat is satisfactory. Well variance required and brought into compliance with most recent regulations (COMAR 26.04.04)

Mr. Di Giacomo read the comments from MDE:
The residential subdivision plat proposes for existing lots 1-4 to be removed and become part of lot 36a, which is marked as open space. Lot 1a would also be created. Site previously approved under Water Appropriation and Use Permit No. CE2008G005(01), which was issued to J.R. Crouse Holdings, LLC. This permit is no longer considered valid as the lots do not appear to be recorded and the use was never initiated in accordance with the permit conditions. Is J.R. Crouse Holdings, LLC still involved? A valid Water Appropriation and Use Permit is required to be obtained prior to plat recordation. An application is attached.

Mr. Di Giacomo read the comments from CSCD:
- Concept Stormwater Management Plans applicable to Bryan Racine have been received by Cecil Soil Conservation District on 8/7/18 and are currently under review. Plans were requested for approval on 8/16/18. To date, Preliminary Stormwater Management Plans have not been received by CSCD. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please

SHA comments:
Comments: I have no issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, read the comments of the department:
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 Concept Plat¹ (60 lots on 180.77 acres, at a density of 1/3.01) was approved on 8/19/02, conditioned on:
1) The calculations and LOS projections being revised (to take the athletic fields on Bard Cameron Road into account) the prior to the submission of the Preliminary Plat for TAC review;
2) A boundary line survey being done prior to submission of the Preliminary Plat;
3) Discrepancies in the depictions of wetland and wooded areas being rectified prior to the submission of the Preliminary Plat for TAC review;
4) General and Legend Notes being corrected prior to the submission of the Preliminary Plat for TAC review;
5) Proposed Road names being approved prior to the submission of the Preliminary Plat for Planning Commission review;
6) A Jurisdictional Determination being done prior to Preliminary Plat review by the Planning Commission; and
7) An area table being included in the Preliminary Plat submitted for TAC review.

¹ A similar Concept Plat proposal was tabled by the Planning Commission on 7/16/01, pending:
1) Receipt of the Natural Heritage letter and the approval of the Forest Stand Delineation, and
2) A Traffic Impact Study being performed on Theodore Road and Washington Schoolhouse Road in the vicinity of the proposed development.

Subsequently, that similar Concept Plat proposal was DISAPPROVED on 6/17/02. The Planning Commission wanted the developer to relocate the entrance to Drive B from Washington Schoolhouse Road to Theodore Road.
The Preliminary Plat, proposing only 54 lots on 181.71 acres, was approved on 7/19/04, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) A Final Plat check print being approved prior to submission of the Final Plat for Planning Commission review;
4) All acreage discrepancies being resolved on the Final Plat;
5) The FRAs being depicted on the Final Plat;
6) A note to the effect that proposed Lot 37 must be denied access to Washington Schoolhouse Road being included on the Final Plat;
7) A note to that effect that proposed Lot 36 cannot be further subdivided appearing on the Final Plat;
8) The FCP and Landscape Plan being approved prior to Final Plat review;
9) All details of the FCP and Landscape Plan matching those of the Final Plat;
10) Documentation of any required formal agreement between the developer and the utility to cross the utility easement being received prior to Final Plat approval;
11) Consistent with §186.1, the 10’ street tree planting easement being depicted and/or noted on the Final Plat; and
12) A mid-block turnaround being included on the Final Plat design for Farmstead Drive.

§4.1.17 of the Subdivision Regulations provided that Preliminary Plats were valid for two years from date of approval. Therefore, the 7/19/04 Preliminary Plat approval that was set to expire on 7/19/06 but was granted on 5/15/06, an extension extending Preliminary approval until 5/15/07. That extension was allowed to expire, but the Planning Commission granted a one year extension on 5/21/07, to expire on 5/21/08.

Relating to §2.6 of the Subdivision Regulations, questions arose regarding the subdivision name, “Racine Property”. The name Racine Estates is now recognized as the name by which this subdivision shall be known henceforth.

The Final Plat was approved on 2/16/10, conditioned on:

1) Health Department requirements being met;
2) DPW requirements being met;
3) The appropriate 100’ building setback being shown on Lot 45 on the Record Plat;
4) The note to the effect that proposed Lot 37 is denied direct access to Washington Schoolhouse Road being repeated on the Record Plat;
5) Deed restrictions prohibiting any further subdivision of Lot 36 being recorded and noted on the plat prior to recordation;
6) Recordation of any required formal agreement between the developer and the utility to cross the utility easement being received prior to recordation;
7) The 10’ street tree planting easement being again depicted and/or noted on the Record Plat;
8) 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;
9) A Homeowners’ Association for maintenance of common open space being established with $50 per recorded lot placed in escrow for improvements prior to recordation;
10) The contiguous operating farm notice again being included on the Record Plat;
11) The Landscape Agreement being executed prior to recordation;
12) Any required CoE/MDE permits being obtained prior to recordation; and
13) The Record Plat being signed and sealed.

There was no subsequent recordation.
This re-subdivision seeks to revise the still-valid 2/16/10 Final Plat to establish a new, proposed Lot 1A, by using 2.575 of the 3.348 acres now consisting of Lots 1-4. Thus there is a proposed net reduction of three (3) lots.

A new Lot 36A would be created from Lot 36 – which was the Large Lot in this bonus density approval. The current Lot 36 is 50.004 acres, and the proposed Lot 36A would increase to 50.777 acres – thus preserving bonus density approval (so long as the proposed common open space acreage is not reduced to take the total open space acreage below the 60% threshold).

In cases such as this, to ensure adequate technical review and Planning Commission oversight, it was determined that the path forward would be via a revised Preliminary Plat – to be reviewed by the TAC and approved by the Planning Commission.

Once the Planning Commission approves the revised Preliminary Plat, the subsequent step is the review and approval of a revised Final Plat, which, per §’s 4.2.3 & 4.2.4, is now an administrative function.

At such time as Racine Estates reaches ten (10) lots, the HOA must be established, and the owners of Lot 1A must become members thereof.

Are there any effects on the:
- SWM Final Plan?
- Final Forest Conservation Plan?
- Landscaping Plan?

Mr. Sutton answered no to all the above questions.

If so, then they (it) must be amended and approved prior to the submission of any Final Re-Subdivision Plat.

Any Landscape Agreement must be executed prior to recordation.

All previous deed restrictions must be amended to include Lots 1A and 36A, and delete Lots 1-4 and 36.

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 Record Plat.

Access to common open space between lots must be marked with concrete monuments.

Why hasn’t the AT & T easement been depicted on the plat? Mr. Sutton explained that it will be shown on future submittals.

All previous conditions of approval(s) carry forward, including # 10 of Preliminary Plat approval, relating to the AT & T easement. Although a cross-easement agreement was received on 4/14/08, referenced lot numbers may need revision.

The easement and agreement should be respectively depicted and referenced on the plat.

Covenants prohibiting the subdivision of the large lot (36A) must be recorded and noted on the plat prior to recordation (of that phase/section).
Proposed Lot 37 is denied access to Washington Schoolhouse Road. A note to that effect must appear on the Record Plat (of that phase/section).

A Racine Estates Homeowners’ Association for maintenance of common open space must be established with $50 per recorded lot being placed in escrow for improvements prior to recordation – when the ten (10) lot threshold is reached.

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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**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 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 resubmission by the subdivider at a later date. 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.

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.
   5. Total area of subdivision in the Critical Area.
   6. Total number of lots in the Critical Area.
   7. Residential density in the Critical Area.

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 streets, pedestrian ways, and common 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 easements, if they are in excess of a 5-ft 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 second.

i) Minimum area of each lot in square feet if under one acre or in acres if lot size is greater than one acre.

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 resubdivided 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 5 ft drainage and utility easements should be given by written note. The front building restriction line and the Critical Area Buffer restriction line should 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 the Planning Department shall be utilized.

q) A certification that 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 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 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 on a development of any new 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 Comprehensive Water and Sewer Plan. The Final (record) Plat shall also contain a statement, signed by the owner, that such facilities will be available to 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, if applicable.

w) Reservation of road rights-of-way.

3. Dorado Meadows, Major Re-Subdivision, Preliminary Plat, Phase 3, Lots 23-28, Calvert Road & Kelly Drive, 9th Election District, McCrone, Inc.

David Strouss, McCrone, Inc., appeared and presented an overview of the project.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:

1. The Concept Stormwater Management Plans were approved by DPR but have not received final approval from Cecil Soil Conservation District.

2. The Preliminary SWM Plans must be submitted and approved prior to the Preliminary Record Plat being submitted for review by the Planning Commission.
   a. All outlets from stormwater management facility must discharge into an existing waterway or be design to be non-erosive from the outlet to the receiving waterway.
   b. DPR may request the outlet locations be staked in the field for verification of the existing conditions.

3. Identify all SWM and Drainage easements on the Preliminary Plats.

4. The road and storm drain construction plans must be designed in accordance with the current Road Code, Standards and Specifications. The Road & Storm Drain Plans must be submitted for review prior to Preliminary Plat approval.
   a. Additional right-of-way at the northerly of Kelly’s Drive may be required for maintenance of the culvert installed in Phase 2.

5. The Road & Storm Drain Plans and the Mass and Final Grading Plans must be approved by DPR prior to submittal for Final Record Plat Approval.

6. If Road Code Variances are required, they must be requested prior to the Preliminary Plat approval.

7. All driveways accessing Kelly’s Drive must be paved at least to the right of way. 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. The Lot Grading Plan and Road Construction Plans must include notes to this effect.
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 Lot Grading Plan Construction Limits Note.
8.2 Requirements for Public Works Agreements.
8.3 Requirements for Stormwater Inspection and Maintenance Agreements.

Notes and requirements identified for record:

The Lot Grading Plan must include the standard construction limits note.

1. 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 325 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.”


3. An Inspection & Maintenance Agreement is required for the private SWM facilities.

Discussion ensued regarding the requirement of signatures on approved stormwater plans for future Planning Commission submittals.

Mr. Harmon read the comments from the Health Department:
Plat is satisfactory.

CCPS comments:
1. Bus service will be provided at County maintained Wilson Road at Galliac Drive only.
2. Schools in this attendance area are Calvert Elementary, Rising Sun Middle and Rising Sun High Schools.
3. Please refer to the Capacity Sheet to note the enrollment at Calvert Elementary and Rising Sun High – over capacity.

Mr. Di Giacomo read the comments from MDE:
The site was permitted under Water Appropriation and Use Permit No. CE2005G011(06), which is for up to 43 residential lots. This permit remains valid until January 31, 2020. As long as the total lots will be equal to or less than 43 lots, and the wells have been and will be installed in accordance with the permit conditions (spacing requirements), I have no comments.

Mr. Di Giacomo read the comments from SHA:
Comments: I have no issues or comments.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, read the comments of the department:
This project is in compliance with §3.9.1 of the Subdivision Regulations regarding public notification signs.

Zoning: NAR

Density: The Concept Plat proposing 50 lots on 152.8 acres, for a proposed density of 1/3.06, was approved on 8/16/04, conditioned on:

1) A JD being completed prior to Preliminary Plat review by the Planning Commission;
2) A boundary line survey being completed (or a signed and sealed copy being provided to OPZ) in conjunction with the preparation of the Preliminary Plat for density calculation purposes;

As of 1/1/07, bonus density was eliminated, and the NAR base density was lowered from 1/5 to 1/10.
3) The internal road names being approved prior to the Planning Commission’s review of the Preliminary Plat; and
4) A 30,000 gallon drafting tank being included in the common open space near to Wilson Road.

The Preliminary Plat, proposing only 41\(^3\) lots on 152.788 acres, for a proposed bonus density of 1/3.73 was approved on 4/20/05, conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) The GAP being issued prior to Final Plat review by the Planning Commission;
4) The FCP and Landscape Plan being approved prior to Final Plat review by the Planning Commission;
5) The details of the Final Plat and the FCP matching up;
6) 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;
7) Covenants prohibiting the further subdivision of the proposed large lot (Lot 41) being noted on the Final and Record Plats and recorded prior to recordation; and
8) Reduce the size of the cul-de-sac island by 10’ (5’ on each side) to improve the paved area for access of emergency apparatus.

A one-year Preliminary Plat extension was granted on 3/19/07; was to expire on 3/19/08.

This Final Plat is generally consistent with the approved Concept & Preliminary Plats.

The Final Plat was approved on 9/16/07 conditioned on:
1) Health Department requirements being met;
2) DPW requirements being met;
3) A permit being issued for the proposed stream crossing prior to recordation;
4) The Landscape Agreement being executed prior to recordation;
5) 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;
6) Covenants prohibiting the further subdivision of the proposed large lot (Lot 41) being noted on the Record Plat and recorded prior to recordation;
7) 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;
8) Sheets 1 & 3 on the Record Plat containing a legend explaining the easement shadings; and
9) The 10’ street tree planting easement’s being noted and explicitly labeled as such on the Record Plat;

Subsequently, first requested Final Plat revision was approved on 10/20/14, conditioned on:
1) All other conditions of the prior Concept, Preliminary, and Final Plat approvals remaining in force;
2) The owner’s installing a dry hydrant at the proposed SWM Pond #3 at the cul-de-sac of the proposed Galliac Drive;
3) The revised Final- and Record-Plats’ depicting, noting, and referencing a dry hydrant location at the proposed SWM Pond #3 at the cul-de-sac of Galliac Drive; and
4) The Homeowners’ Association’s being responsible for the maintenance and any repair of the dry hydrant.

Specifically, in the first Final Plat revision, pursuant to §172, the applicant requested to the removal of the fire suppression drafting tank, which the Planning Commission established as a condition of Concept Plat approval

\(^3\) The Preliminary Plat reviewed by the TAC had proposed only 43 lots.
on 8/16/04. Subsequently, a fire suppression drafting tank in the common open space near Wilson Road was depicted on both the Preliminary and Final Plats, as approved.

This second requested Final plat revision involves Phase 3, Lots 23-28, per the plat’s title block.

However, common open space is also involved – as must be reflected in the title block.

The applicant has not included a statement of purpose or a re-subdivision resolution, which will make it difficult for the Planning Commission to understand exactly what they are being asked to approve.

The changes from the original Final Plat are SWM-related and include modification to SWM design and the conversion of the proposed Sonalay Court from a County road to a private Mini-Road – with slight changes in dimensions and acreages as a result.

Subsequent to the first Final Plat revision, in cases such as this, to ensure adequate technical review and Planning Commission oversight, it was determined that the path forward would be via a revised Preliminary Plat – to be reviewed by the TAC and approved by the Planning Commission.

Once the Planning Commission approves the revised Preliminary Plat, the subsequent step is the review and approval of a revised Final Plat, which, per §’s 4.2.3 & 4.2.4, is now an administrative function.

If approved, then all other conditions of the prior Concept, Preliminary, and Final Plat approvals remaining in force.

If approved, then the Mini-Road Maintenance Association must be established prior to recordation, with the owners of Lots 23-28 becoming members.

If approved, then the Mini-Road Maintenance Association must remain separate and distinct from the Dorado Meadows HOA.

If approved, then the SWM Final Plan and the Landscape Plan must be approved prior to the submission of the Final Re-Subdivision Plat.

Proposed Lots 23-25 are denied access to Calvert Road. This must be reflected on the plat prior to any submission to the Planning Commission.

On slopes between 15 & 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities. Stream buffers and expansions thereof, and wetlands and buffers, have been shown.

Permits for the proposed intermittent stream crossing (in the vicinity of proposed Lots 22 & 23) must be obtained prior to recordation. The JD has been done.

The site contains no sensitive species’ habitats, though there are FIDS habitats.

A condition of Preliminary Plat approval was for covenants prohibiting further subdivision of proposed Lot 41 being noted on the Final and Record Plats.

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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 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.”
Access to common open space between lots must be marked with concrete monuments.

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

The FSD, approved on 8/11/04, has expired.

The 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 Record Plat.

The contiguous operating farm notice has been added to the plat.

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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Mr. Strouss asked if the FSD will need to be renewed. Mr. Di Giacomo said yes.

The September TAC meeting ended at 10:45 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Department of Land Use & Development Services
Division of Planning & Zoning
CECIL COUNTY, MARYLAND
Division of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
MEETING MINUTES
Wednesday, October 3, 2018
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 an October 2018 meeting of the Technical Advisory Committee.
Due to a lack of agenda items, there was not a November 2018 meeting of the Technical Advisory Committee.
CECIL COUNTY TECHNICAL ADVISORY COMMITTEE  
Wednesday, December 5, 2018  
9:00 a.m.  
County Administration Building  
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (LUDS/P&Z); Brown, Chris (CCSCD), Wilen, Kordell (LUDS/DPR); and Bakeoven, Jennifer (LUDS/P&Z).

Absent: Harmon, Lloyd (DEH); Peoples, Rob (MDE), Citizen’s Representative, Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Sullivan, Tim (SHA), Simpers, Charles (CCPS), Gould, Adam (Artesian Water), Lord, Stephen (Verizon Wireless) and Fire Chief Representative.


Bryan Morgan and Jon Sabatino, Greenman-Pedersen, Inc., Morgan Miller and Adele Cruise, Cecil County Public Library, and Dottie Mattern, Bancroft Construction, appeared and presented an overview of the project. Melissa Cook-MacKenzie for the Town of North East and Chris Mink, CNA were also in attendance.

Mr. Wilen, LUDS – Development Plans Review Division, read the comments of the department:
1. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. The Concept SWM Plans has been submitted and approved with comments. DPR will issue a recommendation for approval of the Concept Site Plan to the Town of North East.
2. As proposed, the existing non-tidal wetlands must receive discharge from the proposed submerged gravel wetland BMP to retain the existing hydrology for the ecological system.
3. Identify all SWM easements on the Preliminary & Final Site Plans.
4. The sanitary allocation must be requested prior to submitting the Preliminary Site Plan to the Town of North East.
5. The Sanitary Sewer Plan, and a Mass and Final Grading plan must be submitted and approved prior to DPR recommending approval of the Final Site Plan to the Town of North East.
6. The sanitary sewer must be designed in accordance with the current ‘Standard Specifications and Details for Water Mains and Sewer Mains’.
7. Any proposed sewer lines run that will be dedicated to Cecil County 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.

Mr. Brown read the comments from CSCD:
Concept Stormwater Management Plans applicable to North East Library have been received by Cecil Soil Conservation District on 11/27/18 and are currently under review. Conditional approval of the Concept SWM/E&S plans was sent on 12/3/18. To date, Preliminary Stormwater Management Plans have not been received by CSCD. All issues regarding Erosion and Sediment Control will be addressed on these plans. Please include Cecil Soil Conservation District in discussions with The Department of Land Use & Development Services as to the requirements of the Stormwater Management and Erosion and Sediment Control Plans.

Mr. Di Giacomo read the comments from the Health Department:
Water and sewer allocations required prior to Building Permit approval.
Mr. Di Giacomo read the comments from MDE:
North East Library - The plat notes all water will be provided by the Town of North East community water system; therefore, I have no comments.

Mr. Di Giacomo read the comments from Delmarva Power & Light Company:
Delmarva facilities also exist on the Wendy’s/Waffle House side of the road.

Mr. Di Giacomo stated that comments were not received from the North East Fire Company, State Highway Administration or Verizon. Ms. MacKenzie stated that once the Town receives the plan, they will forward a copy to the local fire company.

Mr. Di Giacomo, LUDS – Planning & Zoning Division, read the comments of the department:
As a courtesy to the Towns in the County, the TAC from time to time reviews subdivision and site plan proposals – such as this.

LUDS’s OPZ comments/questions are as follows:

- It should be confirmed that the Town’s Zoning Ordinance permits the proposed use in the Town’s HC zone.

- It is recommended that all required variance numbers, per General Note #15, be shown on the approved site plan.

- It should be confirmed that the proposed number of employee/passenger vehicle parking spaces, for each specific use, is within the minimum and maximum allowable limits in the Town’s HC zone.

- It should be confirmed that the number of ADA parking spaces is consistent with the Town’s Zoning Ordinance for the HC zone.

- Is a TIS required by the Town or SHA? Mr. Morgan stated that a SHA reviewed a TIS submitted by CCPL approximately one year ago which was subsequently approved.

- It is recommended that bicycle and pedestrian access amenities, electric vehicle recharging spaces, and transit access design elements be considered for inclusion, consistent with the Town’s Zoning Ordinance for the HC zone.

- It is recommended that final Site Plan approval be preceded by the approval of a bicycle/pedestrian/vehicle circulation safety plan – especially in the vicinity of the proposed loading dock area.

- Potential pedestrian-vehicle safety conflicts should be identified, and MUTCD signage, other traffic control devices, and striping should be considered.

- There is no pedestrian crossing striping between the library’s main entrance and the proposed main parking lot.

- Is additional pedestrian crossing striping warranted to internal parking areas to the west? Mr. Morgan stated that there is no sidewalk connectivity in that portion; pedestrians are directed to the opposite side.

- The only light poles depicted on the site plan are in the rear of the proposed library building.
• The lighting plan should be reviewed for its adequacy, given the proposed mix of new uses. The Lighting Plan should be approved prior to the final Site Plan approval. The lighting plan should be consistent with the requirements of the Town’s Zoning Ordinance, such as any ‘dark sky’ requirements, for example.

• Will the sidewalk out to Mauldin Avenue be lit at night? In the interest of safety and security, will it be monitored by CCTV? Mr. Morgan stated that a security and lighting plan have not yet been develop for this plan although he anticipates adequate safety measures in place including lighting. Ms. MacKenzie stated that the rest of the shopping center has lighting standards. This project will also need to adhere to the same standards.

• Who will be responsible for the maintenance for the sidewalk out to Mauldin Avenue? Ms. MacKenzie stated that it is the responsibility of the property owner.

• What are the two unlabeled small rectangles at the rear of the proposed library building? Mr. Morgan stated that they are dumpsters

• In conjunction with the circulation and access plan, 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. Ms. MacKenzie added that the dumpsters will need to be complete screened.

• It should be confirmed that the Landscaping Plan is consistent with the requirements set forth in the Town’s Zoning Ordinance for the HC zone.

• The Town of North East and Cecil County signed an “Assigning obligations under the Forest Conservation Act” agreement on 2/4/00.

• It is recommended that the Landscaping Plan and FCP be approved prior to the final Site Plan approval.

• It is recommended that a Landscaping Agreement be executed prior to the issuance of any building permits.

• 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 should be confirmed that any proposed signage is consistent with the provisions of the Town’s Zoning Ordinance for the HC zone – in consultation with SHA and CCDPR – especially with respect to sight-distance issues.

• The proposed use of pervious paving for employee and public parking areas is unusual. What mechanism(s) is (are) proposed to be in place to ensure adequate maintenance to keep it functioning properly? Mr. Morgan stated that they have installed porous concrete at other county facilities. There is an ongoing discussion on how to address the maintenance of those areas.

• It should be confirmed that the proposed height of the proposed structure is consistent with the parameters of the Town’s Zoning Ordinance for the HC zone.

• Water allocation must be confirmed prior to final Site Plan approval.

• Sewer allocation must be confirmed prior to final Site Plan approval.
• What is the ECCR Boundary that has been depicted? Mr. Morgan stated that ECCR stands for Easement, Covenants, Conditions and Restrictions. Some of the stores and the shopping center owner had come together to create this document above the requirements set forth by the Town in the planning stages, mainly addressing visibility, height and footprint.

The December TAC meeting ended at 9:42 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Department of Land Use & Development Services
Division of Planning & Zoning