Present: Steve O’Connor (LUDS/P&Z); Kordell Wilen, (LUDS/DPR); Teresa Gardner, (DPW) and Jennifer Bakeoven (LUDS/P&Z).

Joined via teleconference – Mari Markkula, (CCSCD); Rich Baker (MDOT/SHA); Dianne Battaglia (Town of Perryville).

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

1. Cedar Meadows, Courtesy Review for the Town of Perryville, Lots 1-81, Cedar Corner Road, Concept Plat, Northern Bay Land Planning, Engineering & Surveying Corp., Seventh Election District.

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

Mr. O’Connor read the comments from the Health Department:
Two statements need to be added to the plat

1. Public water and public sewer is available to all lots offered for sale.

2. Use of the community water supply and community sewerage system are in conformance with the county master water and sewer plan.

Mr. O’Connor read the comments from the Maryland Dept. of the Environment:
The plat shows water service will be provided by the Town of Perryville community water system. As long as the water system has determined it has adequate capacity to serve the development, I have no comments.

Mr. O’Connor stated that there were no comments received from the Army Corp. of Engineers, Verizon, Artesian Water Co., Department of Emergency Services, Public Schools, Fire Chief’s Representative and Delmarva Power. There were also no comments received from citizens.

Ms. Markkula, CSCD read the comments of the department: All issues regarding erosion and sediment control will be addressed on the environmental site design plans when they are submitted.

Mr. Kordell, LUDS/DPR, read the comments of the division:

1. The proposed development is located within the corporate limits of the Town of Perryville.
2. The Town will own the water distribution and sanitary sewer systems in this development as well as all proposed internal streets. The DPR recommends that the water, sewer and street designs meet or exceed the County’s standards. We also recommend that the Town request that the serving fire company review fire hydrant spacing and locations.

3. The Stormwater Management (SWM) must satisfy the current Stormwater Management Code. The Concept SWM Plans have not been submitted and it is recommended that Concept SWM be approved prior to submitting the Concept Subdivision Plan for Town of Perryville approval. DPR will issue a recommendation for approval of the Concept Subdivision Plan to the Town of Perryville.

4. An offsite Road Improvements plan must be approved by the DPR prior to submittal for Final Plat Approval. We request that the Town not approve the final plat until the DPR has approved the SWM plans as well any plans required for offsite road improvements to Cedar Corner Road.

5. Are you proposing to pipe the SWM pond discharge directly to Mill Creek? Mr. Pyles answered yes.

6. Identify all SWM and Drainage easements on the Preliminary & Final Subdivision Plans.

7. A sight distance submittal is required for the proposed access point on to Cedar Corner Road. Mark the center line location in the field to facilitate review of your submittal.

8. A Protocol Two Road Condition survey is required and must be submitted with a Road Improvements plan for Cedar Corner Road from the intersection with MD Route 40 to the end of County maintenance (approximately 0.28 miles).

9. The Department has serious concern about additional traffic flow through the CSX underpass on Cedar Corner Road. Therefore the Road Improvements plan must address traffic control at the CSX underpass.

10. Provide a traffic count on Cedar Corner Road in order to determine its correct classification (i.e. Minor collector, Major Collector, etc…).

Ms. Gardner, DPW, read the comments of the department:

1.) The stormdrain outfall pipe is shown within a “Proposed 30’ wide strip of land to be dedicated to Cecil County, MD (as measured from physical centerline of Cedar Corner Road)”. Maintenance of this area and all components (including conveyance systems) of the stormwater management facility shall be the responsibility of the property owners, not the County. Ensure there are adequate easements or other means to allow access for maintenance to the responsible parties.

2.) A downstream analysis from this outfall point may be needed to ensure that the existing channel within the County right of way is adequate and capable of conveying the anticipated flows in a safe and non-erosive manner and that downstream properties will not be impacted.

3.) Why aren’t ESD practices shown (it appears a pond is proposed)? Is this project grandfathered? Mr. Pyles explained that this would be a submerged gravel wetland rather than a SWM pond.

Mr. Baker spoke on behalf of MDOT / SHA:

Mr. Baker stated that there is a concern over the shoulder on the westbound land of Rte. 40 not being a full size lane. This could cause a dangerous situation should traffic back up onto Rte. 40 due the increase in traffic and the existing railroad overpass.
Mr. O’Connor read the comments submitted by Henry Dierker, SHA:
Based on the information provided, MDOT SHA has no objection to County/Town approval of the concept plan. MDOT SHA requires a Traffic Impact Study to be performed at the intersections of US 40 @ Cedar Corner Road, and MD 222 @ Cedar Corner Road.

Mr. O’Connor, LUDS /P&Z read the comments of the division:
As a courtesy to the Towns within the County, the Technical Advisory Committee (TAC) from time to time reviews subdivision and site plan proposals – such as this

The comments from Department of Land Use and Development Services (LUDS), Division of Planning & Zoning (PZ) are as follows:

The TAC previously reviewed a plan for this site entitled Cedar Corner on 8/5/2009. While that plan is very similar to one presented to the TAC today, this is a separate and distinct plan from the 2009 submittal.

The plan indicates that the site is within the Town’s Single Family Residential (R-1) zoning district. The zoning district should be confirmed.

As established by the County’s adoption of the 2012 Sustainable Growth and Agricultural Preservation Act’s tier map, this site is located within a Tier II1 area.

The project is located within a Priority Funding Area (PFA); and is outside a Priority Preservation Area (PPA).

The site is located within S-2 (future sewer, 0-2 years) sewer and W-1 (existing service) water service areas, per the 2019 Master Water & Sewer Plan.

The property is not located within a Critical Area district.

The site is not located within a Floodplain district per FEMA FIRM panel 24015C0133E effective May 4, 2015.

The site is located within the Perryville Fire Company (008) service area. As of September 13, 2019, the Cecil County Division of Planning & Zoning is requesting this information be placed on all subdivisions and site plans for the benefit of the State Department of Assessments and Taxation.

Note 3 indicates the minimum Bulk Area requirements as 10,000 square feet for minimum lot size, 70 feet for minimum lot width and 100 feet for minimum lot depth. The setbacks are noted as 30 feet - front, 30 feet - rear, and 10 feet – side yard. The height limitation is not noted on the plat. These dimensions, setbacks, and limitations should be confirmed with the Town.

During a previous courtesy review with Perryville, it has been noted that the town does have different provisions for setbacks on corner lots. It should be determined if corner lot setbacks apply to Lots 21, 71, & 75.

1 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.
If a minor subdivision is approved on the property after 31 December 2012, no further subdivision may occur unless it is located within a priority funding area and is designated for service within 10 years in the Master Water and Sewer plan.
While they are technically not at the intersection of two streets, the curvature of the streets effectively makes them corner lots.

The 16.5’ wide AT&T easement is proposed to be relocated along the rear property lines lots 50-62; and a Common Open Space (COS) parcel located between lots 56 & 57.

1. It is recommended that the relocation and reimbursement agreement between the property owner/developer and AT&T regarding the relocation of the existing AT&T easement and fiber optic line be recorded prior to plat recordation.
   
2. Since the AT&T easement will be traversing private property, will there be physical makers to indicate the location of the easement? Mr. Pyles answered yes.

The following items on adjoining property owner data should be corrected.

- The lands of Brown note that they own Parcel 562 (correct) and Parcel 37 (incorrect).
- Lots 1 & 2 from Minor Subdivision 3461 have been annexed into municipal limits. Therefore the zoning district should be updated to the appropriate district within the municipality.
- The adjoining property owner Alfred O. Wein, Jr. should be Alfred C. Wein, Jr.
- For the adjoining subdivision, Plat RRC 1/63 was superseded by RRC 1/75.

It is recommended that any Variances should be listed on the plan.

It is recommended that any administrative waivers that have been granted should be listed on the plan.

For the record what is to happen to the dwelling located at 1 Harvest Lane and the accessory structures on the east side of the property by 1281 Cedar Corner Rd? Mr. Pyles explained that the house located at 1 Harvest Lane has been removed and the accessory structures located on 1281 Cedar Corner Road will be removed.

The Town of Perryville and Cecil County have an assigning obligation under the Forest Conservation Act agreement. Therefore, the requirements for the Forest Conservation Act must be reviewed and approved by Cecil County LUDS/PZ.

A Forest Stand Delineation (FSD) must be reviewed and approved by LUDS/PZ. It is recommended that the FSD be approved prior to the approval of any Conceptual or Sketch Plat.

A Preliminary Forest Conservation Plan (PFCP) must be reviewed and approved by LUDS/PZ. It is recommended that the PFCP is approved prior to the approval of any Preliminary Plats.

A Final Forest Conservation Plan (FFCP) must be reviewed and approved by LUDS/PZ. It is recommended that the FFCP is approved prior to the approval of any Final Plats.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation and/or Reforestation 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.

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2 A Simplified FSD was approved on 7/15/2009. FSDs are valid for 5 years which may be extend. There has been no extension to FSD #706.
If afforestation and/or reforestation is required to meet FFCP requirements, then:
1. A cost estimate for the installation of plantings, and maintenance of new landscaping must be submitted and approved prior to record plat approval. This will be used for determining the amount of financial surety required.
2. A landscape agreement, with financial surety, must be executed prior to recordation.

As the project moves forward the preparation of the FSD and/or EA will inventory all the on-site environmental resources and will require a review letter from DNR’s Wildlife and Heritage Service to indicate if there are areas of Rare, Threatened, or Endangered (RTE) species on site.

This submittal proposes 5.606 acres or 16.80% of Common Open Space (COS). The applicant should verify with the municipality that is a sufficient amount of COS.

It is recommended that the required and provided amounts of COS be placed on Plat.

Have recreational opportunities within the COS been considered? Mr. Pyles answered yes.

On the COS parcel between lots 56 & 57, there is a parenthetical note of a “walking path”.
   1. Is it the intent of the walking path to connect into the 16.5’ easement as a further hiking recreational opportunity, similar to what has been established at Principio Business Park? Mr. Pyles said he had not considered that but will have a discussion about it.
   2. If not along the 16.5’ easement, where is the walking path going to take pedestrians? Mr. Pyles stated that the path will lead to Perryville High School.

If there are to be recreational opportunities or other physical improvements in the COS, then a financial surety is recommended to ensure the construction of the physical improvements.

It is recommended that a Homeowners Association (HOA) be established for the maintenance of common facilities. The Homeowners Association should conform with the requirements of the Corporate Charter Division of the Maryland Department of Assessment and Taxation.

It is recommended that the developer should:
   1. Provide and establish the organization for ownership, maintenance, and preservation of COS prior to recordation of the Plat.
   2. Establish an escrow account commensurate to the costs associated with the long-term maintenance, preservation, and improvement of COS.
   3. Provide covenants or other legal arrangements specifying that each owner in the development is required to participate in the ownership, maintenance responsibilities, fees, and improvements of COS; and
   4. Provide deed restrictions and/or covenants to ensure the purpose for which COS is provided.

It is recommended that the aforementioned items be reviewed by the Town’s counsel prior to review of any final plan by the Perryville Planning Commission.

It is recommended that the establishment of the HOA and recordation of the COS covenants be completed prior to recordation of the Plat.
The submittal indicates that there is a landscaping requirement by the note stating “Prop. 30’ wide Bufferyard B” along the road frontage of Cedar Corner Rd. The landscaping requirements for this project should be verified with municipality.

It should be verified if a separate Landscape Plan (LP) is required for any Buffer Area or Street Tree improvements.

If Street Trees are required it is recommended that 10’ planting easements be placed, outside the right-of-way, along both sides of all internal roads. It is also recommended that a note be added to the Plat to the effect that no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

It is recommended that the applicant execute an agreement including financial surety with the Town to ensure the installation and monitoring of required landscape improvements.

The plan notes 2.0 off-street parking spaces for each dwelling. These Parking specifications should be verified with the municipality.

Sidewalks are proposed on both sides of the proposed streets and along on the frontage of Cedar Corner Rd. Does the Town have any requirements about sidewalk maintenance? If so, has a note on the Plat notifying potential owners of the maintenance requirement standards been considered? Dianne Battaglia, Town of Perryville stated that she will verify the requirements.

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

A crosswalk is recommended for connecting the proposed sidewalks parallel to Cedar Corner Rd.

Has there been consideration of connecting Harvest Lane with the proposed Iris Way? A connection would provide for secondary access, traffic circulation, and remove a dead-end street. Mr. Pyles said that his clients are considering the connection. Ms. Battaglia feels that the connection would be beneficial although she would like to see the connection made after construction of the subdivision is complete.

If the aforementioned connection is made, it is recommended that the road name Harvest Lane continue from the adjoining development into this proposed development.

The road names Iris Way, Larkspur Boulevard, Poppy Lane & Lily Lane are not duplicative or analogous to any existing or approved road names in Cecil County.

All street names shall be approved by the Department of Emergency Services. Road names shall not be duplicative or analogous those used elsewhere in the County. Furthermore, all proposed suffixes and prefixes shall not deviate from the standards adopted by the United States Postal Service.

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3 For example, County Code states: *Maintenance of the sidewalks shall be the responsibility of the Homeowner, Property Owner, and/or Homeowners Association on whose property the sidewalk fronts*

4 In the previous submittal for this site the road names Andrew Ave, Clifford Ave, Highbrook Blvd, & Urban St were proposed. Since this review is only advisory these names will remain on the approved proposed name list until it is determined that they will not be used (i.e. plat recordation).
Is the access to lots that are located at intersections or have frontage in the traffic circle going to be limited? If so, it is recommended that the limited access points be placed on any final plat either graphically, or in the plat notes. Mr. Pyles stated that he would take a closer look at Lot 71.

The Maryland Department of Transportation, State Highway Administration (MDOT-SHA) reports that Traffic Impact Study (TIS) must be completed. It is recommended that the Town, the County, and MDOT-SHA are all in agreement as to scope of the study, the findings of the TIS and any road improvement requirements prior to final approval by the Perryville Planning Commission.

The Division of Plans Review (DPR) reports that the Stormwater Management must be addressed prior to Final Plan approval.

The Division of Plans Review (DPR) reports that the Grading Plan must be addressed prior to Final Plan approval.

A Concept Stormwater Management Plan (Concept SWM) must be reviewed and approved by LUDS/DPR. It is recommended that Concept SWM be approved prior to the approval of any Conceptual or Sketch Plat.

A Preliminary Stormwater Management Plan (Preliminary SWM) must be reviewed and approved by LUDS/DPR. It is recommended that Preliminary SWM be approved prior to the approval of any Preliminary Plats.

A Final Stormwater Management Plan (Final SWM) must be reviewed and approved by LUDS/DPR. It is recommended that Final SWM be approved prior to the approval of any Final Plats.

Any Public Works Agreements required by the County for Stormwater Management must be reviewed, approved and recorded prior to Final Plan approval. It is recommended that the recordation reference for those agreements be on the record plat.

Any Inspection and Maintenance Agreements required by the County for Stormwater Management must be reviewed, approved and recorded prior to Final Plan approval. It is recommended that the recordation reference for those agreements be on the record plat.

It is recommended that water allocation be granted prior to Final Plan approval.

It is recommended that sewer allocation be granted prior to Final Plan approval.

It is recommended that any required Public Improvement Plans (i.e. sewer plans, road plans, water distribution system plans, etc.) be approved prior to Final Plan approval.

It is recommended that any Public Works Agreements required by the Town be reviewed and recorded prior to approval of the final plan. It is recommended that the recordation reference for those agreements should be on the record plat.

It is recommended that any Inspection and Maintenance Agreements required by the Town be reviewed and recorded prior to approval of the final plan. It is recommended that the recordation reference for those agreements should be on the record plat.
It is recommended that the Final plan contain a statement, signed by the owner, to the effect that water and sewer facilities will be available to all lots offered for sale.

It is recommended that the Final Plan contain a statement, to be signed by the Health Department approving authority, to the effect that the use of community water supply and community sewerage system is in conformance with the 2019 Master Water and Sewer Plan.

School information:

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Mr. Pyles explained that in relation to the required Traffic Impact Study, the current conditions are not typical with every day travel. Discussion ensued regarding existing data and the request of a future meeting with Town, County and State officials to discuss traffic.

The May TAC meeting ended at 9:40 a.m.

Respectfully submitted,

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

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5 Source: FY2020 Education Facilities Master Plan (page 42)