

**Planning Commission  
Meeting Minutes  
June 27, 2022**

**ATTENDANCE:** Henry Barrett, Julie Rachel, Jim Baxendell, Al Fuller, Michelle Linkey, Dianna Battaglia, Amanda Paoletti

**Meeting called to order at 6:32 p.m.**

**APPROVAL OF MINUTES:**

The minutes for the April 18, 2022 meeting were unanimously approved as written.

**New Business:**

**Preliminary Site Plan – Wawa- Chesapeake Overlook – Chesapeake Overlook Parkway – Map 29E, Parcel 70, Lot 5, Zoned CEMUD – Applicant: Stewart Properties**

Amy DiPietro presented the Planning Commission with the proposed site plan for Wawa. She noted that the plan included 8 fueling stations, 7 electric charging stations, and a convenience store. MRA was currently in the process of receiving SHA approval for the proposed round-about.

There was a brief discussion about the exact location of the round-about, where Ms. DiPietro further clarified that the Wawa was located on the lot behind the current Chesapeake Overlook sign and the proposed round-about was located to the south-west of the lot on Chesapeake Overlook Parkway.

A member of the audience asked if the electric chargers were fast chargers, which Ms. DiPietro confirmed.

Ms. Dianna Battaglia provided her comments from the staff report.

Ms. Julie Rachel questioned if the Fire Department was concerned regarding the round-about. Ms. DiPietro answered that the SHA had already reviewed the turning radius for large vehicles in relation to the round-about. Ms. Michelle Linkey asked if they had used the size of our Fire Department vehicles or if they used a general measurement. Ms. DiPietro advised that a general truck size was used for the calculations.

Audience members questioned why the round-about was necessary, to which Ms. DiPietro explained that it was a SHA requirement which the developers would have avoided if possible. Mr. Jim Baxendell stated that if it was SHAs request, that the Town didn't really have a say.

Mr. Baxendell made a motion to recommend approval to the Mayor and Commissioners for the Preliminary Site Plan for Wawa at Chesapeake Overlook, Phase 3, subject to the foregoing recommended conditions, which included the following:

- 1. Proposed facilities (including building sizes, parking areas, etc.) may be subject to change based on final design and engineering.**
- 2. Storm water management must be designed, reviewed and approved by Cecil County per its Stormwater Management Ordinance.**
- 3. Water and Sanitary Sewer service will be provided by the Town of Perryville following Town specifications and details. Size of service lines shall be determined during final engineering and reviewed by the Town's engineer and engineering firm, AECOM.**
- 4. Final location of fire hydrants, valves, water lines, sewer lines, etc. shall be determined during final site design. Final site design must incorporate comments from the Perryville Fire Company.**

5. **Private road access and right-of-way shall be constructed in accordance with Cecil County Road Code and Construction Specifications.**
6. **Ingress and egress to the site shall be via Chesapeake Overlook Parkway at the round-about to Overlook Court. The roadway name must be approved by Cecil County EMS and the Mayor and Commissioners.**
7. **Since food will be served, an application to the Health Department will be required.**
8. **Construction drawings, once finalized, must be provided to the Town.**
9. **Landscape master plan defining the design for landscape, lighting, furnishings, amenities, circulation areas, usable open spaces, recreational areas, other common open space and pedestrian circulation areas must be approved.**
10. **The Master Signage Plan for the site must be approved.**

The motion was seconded by Ms. Rachel and all members voted in favor.

**Preliminary Subdivision and Site Plan– Richmond Hills – Charles Street – 22 Single Family Dwellings – Map 34B, Parcels 634, 696, 732, & 805. Zoned R1 & R3 - Applicant: Mitch Ensor – Baystate Land Services**

Mr. Mitch Ensor of Baystate Land Services presented the Charles Street proposal to the Planning Commission. He explained that the proposal was for 22 single family lots. The zoning was split zoning with 1/3 of the property being zoned R-1 and 2/3 being zoned R-3. He explained that there were 8 lots proposed in the R-1 section of the property and 13 lots proposed in the R-3 section. None of the lots had direct access to Charles St. A neighborhood park was proposed as well as walkways.

Kevin Meads of Aiken Ave. Ext. questioned how the proposal would affect traffic.

Mr. Ensor then introduced Mark Keeley of Traffic Concepts. Mr. Keeley provided information regarding the Traffic study. He advised that traffic counts were done in November of 2021, when school was back in session from Covid. He stated that there were 19 AM peak travels and 24 PM peak travels, which did not meet the requirements for a full Traffic Study.

Ms. Linkey questioned if Covid was taken into consideration with the overall counts.

Mr. Keeley stated that Cedar Corner, Cedar Meadows, Bainbridge, and Granite Cliffs were all considered during the development of the traffic study. He also indicated that the project did not meet the requirements for a Signal Warrant. Several members of the audience questioned the collected data and overall traffic counts.

Mr. Henry Barrett asked if this was a standard methodology approved by SHA. Ms. Rachel questioned if the study included Franklin Street and the shopping district across the street and Route 40. Mr. Keeley explained that traffic at those three locations was included in the study.

Mr. Baxendell questioned if the comments from the Town Engineer, Ralph Ryan, had been addressed. Mr. Keeley indicated that he had not seen those comments.

Several audience members questioned the date of the traffic analysis.

Mayor Matt Roath expressed concern that pedestrian traffic was not accounted for in the traffic analysis. He stated that people have died at this intersection and that this is very concerning.

Mr. Barrett asked why the study was done if the numbers did not warrant it. Ms. Battaglia explained that it was a Town requirement.

Mr. Ensor stated that if they had waited for when lockdowns were in effect, the counts could have been much different. He pointed out that the other projects that will be creating increased traffic, such as Great Wolf Lodge, were not being created by the current owner.

Mr. Ken Hadry of Frenchtown Road stated that the current roads were narrow and asked where the water would drain to. Mr. Ensor stated that the proposed road meets the current Cecil County Road code and will be curbed. He also stated that any storm water would remain on the site for treatment.

Mr. Baxendell asked if there were any comments from the Fire Department. The Fire Department had no additional comments.

Mr. Hadry expressed concern that runoff would affect Rustic Court, which always has significant runoff from the train tracks.

Gina Dasin of Charles Court expressed concern regarding people that utilize the street. She stated that fire hydrants get hit and utility lines have been damaged in the past. She also re-iterated Mr. Hardy's concern regarding narrow roadways.

Mr. Barrett asked Mr. Ensor if there were any construction precautions to prevent damage to existing properties. Mr. Ensor stated that they have been asked to prepare traffic pattern plans for construction.

Mr. Rachel asked if there was a possibility to access other streets. It was noted that the current subdivision of Richmond Hill previously had two additional exits, one over the railroad tracks and one directly onto Route 40, but both have been eliminated.

Ms. Battaglia presented the staff report, noting that this project has significant history, and that it has been to TAC and that Concept SWM plans had been approved by Cecil County. All conditions to move forward with the Preliminary Plan had been addressed. The lot sizes provided meet the requirement of the Perryville Town Code. A portion of the property is within the Chesapeake Bay Critical Area and a 10% improvement in water quality will need to be addressed. Road and Storm Drain Plans have been reviewed by Town Engineer Ralph Ryan. The proposed street name must be approved by the Department of Emergency Services and the Mayor and Commissioners. Landscaping will be required.

Mr. Barrett asked if the Town had accepted the Traffic Impact Study. Ms. Battaglia advised that there were concerns regarding the existing conditions and traffic patterns as they relate to Franklin Street.

Mr. William Huss of Charles Street asked if a traffic signal was possible. He stated that the distance between lights would be similar to that of MD RTE 272 in North East. Mr. Ensor replied that certain criteria was required to warrant a signal.

Mr. Baxendell asked if parking on the street was legal, not just for this subdivision, but in general.

Ms. Linkey stated that she lives on Franklin Street, and while she is not thrilled about the additional homes, she understands that if the developer meets the requirements, they can not deny the plan. She stated that the Planning Commission was stuck between a rock and a hard place with this particular plan. She asked Mr. Ensor if it was possible to consider other options, perhaps fewer lots or additional ingress/egress options.

Mr. Baxendell expressed concern regarding the grinder pumps and who would ultimately be responsible for them. Mr. Ensor explained that the pump responsibility would fall on the homeowner.

Mr. Jeff Riley of Freedom Development, the purchaser, spoke to the audience. He stated that they have been under contract for this property since 2018. They have done their due diligence with collecting information, but after hearing the concerns of the community, would like to request an extension so that they can look into the concerns better. Mr. Barrett asked the staff if the project was under any time constraints, which Ms. Battaglia advised the Planning Commission that they were not.

Mr. Fuller made a motion to table the project and it was seconded by Ms. Rachel. All voted in favor.

**General Discussion:**

Mr. Barrett advised the Planning Commission and staff that he would be resigning and moving away from the Town.

**Adjournment:**

Without objection the Planning Commission meeting adjourned at 8:07 p.m.

Respectfully Submitted,

Amanda M. Paoletti  
Planning Coordinator