

**Planning & Zoning
Meeting Minutes
May 24, 2010**

ATTENDANCE: Chairman Michael Fortner, Commissioner Michelle Linkey, Matthew Oberholtzer, Pete Reich, Bethany Brock, George Jack, Town Attorney Keith Baynes, Town Planner Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

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

Mr. Fortner began by stating there are no minutes to approve at this meeting so we'll start with new business.

New Business

File No. SP2010-02 – Frenchman Warehouse Preliminary Site Plan; PROPERTY OWNER: Frenchman Land Company, Inc., 160 Seneca Shore Road, Perryville, MD 21903; APPLICANT: R.J. Engineering Corporation; LOCATION: 950 Principio Furnace Road, Perryville, MD 21903; Tax Map 34, Parcel 89; Zoned L-2; 16.00 acres.

Mr. Robert Blomquist stated I'm here with R.J. Engineering Corporation and I'm functioning as the Project Manager here and I'd like to introduce you to Mr. Kordell Wilen who is a Project Engineer working on this project. Mr. Eric Dunn is the owner and is here to answer any questions and of course Mr. Wilen is here to help with that too. To give you some preliminary comments and then we'll get into any questions you may have. I'm pretty sure you're familiar with where this site is at MD 327 here and Route 7 and the IKEA warehouse is across the tracks. Back in 2006 we received Preliminary approval of the site plan at that time and the economic situation being what it was and some time went by and it kind of was a dormant project for awhile and now we decided to bring it back. Too much time has gone by where we're back for preliminary review again. Just to refresh ourselves here we have an existing warehouse here. It's very lightly loaded as far as people there, people are not there very often. There is a lot of storage going on. You can probably see a lot of those containers out front, and what we're proposing here is like a mirror image building right next to that. If you can imagine the building and the new would be just about the same as the other building and there's going to be some additional storage, perhaps Federal clients going to come here, and there's going to be three to five full time employees there and it's just going to be basically more of the same. And we're also, as part of the site plan, reserving the contingency to be able to construct a twenty five thousand square foot office building at some future date and the parking for that. Now the normal flow of traffic would be that the trucks would come in off of MD Route 7 back in here, unload, and then perhaps leave via MD 327. Now you can probably surmise that there's not going to be a lot of truck traffic here because it is a warehouse in that it is relatively infrequent, nothing like the IKEA site over here where you see a lot of traffic come out of there. So where we're at with the site right now we're coming back like I said for Preliminary review. We have

Stormwater Management for here from back in December 2008 and we have approval for the State Highway access on MD Route 327. We have the Erosion and Sediment Control Plan under review and once we satisfy the preliminary requirements we'll be ready to satisfy all the requirements for final approval for the site. It's not a lot of fanfare here, not a lot of frills, just a basic warehouse with a possible future office site and it's pretty basic. That's the basic overview and we'll take your questions.

Mr. Fortner asked are there any general point-of-fact questions.

Ms. Linkey indicated I just have a question, when you say infrequent truck traffic do you have any kind of number for that.

Mr. Blomquist responded yes, Mr. Dunn if you could help us a little more with that. My vision of that was say at max, a maximum of three to five trucks per day is what I had in mind.

Mr. Dunn stated I am the owner/developer of this site and can give you a little more information. The current building that is over at Principio is currently used to support some Government storage requirements. A lot of that is in support of testing operations for Aberdeen Proving Ground. We are currently working, and the reason, to give you some quick background on this, we had been through the process, waited a little too long I suppose and that's just an error. We waited a little too long to get this recorded, put in a bond letter, went back to the County and said we're ready to go to get this recorded, and the County said we'd like to see you just go back through the process and make sure everything is conforming with current regulations and standards and approvals. A dramatic setback in a lot of ways as far as time goes. But having said that the current building is used to support Government storage; there is currently two to three people in there at any given day. Most days there may be one person in there. And they're strictly what I'll call a depot facility for moving things out on occasion and then moving things back in, very little traffic. Anyone who spends a lot of time around the site can probably verify that for you. The building that is proposed, the other warehouse, is really pretty much the same thing. I'm currently working with some folks at Homeland Security office that has some strategic requirements for some what I'll call strategic stockpiling for emergency applications where they're just interested in storing things in case there is a dramatic problem in the Country. That's about all I can say about that right now. Now that is the proposed use and that is the proposed user. Having said that, can something change if the mission changes or the client changes what would that building be used for. Right now I can tell you pretty much the same thing, storage. Not what I'll call as in the old days when Coastal facility was there where they had trucks going back in and out moving motor oil for distributors on a daily basis with pretty regular truck traffic. I totally anticipate a Government client. There's a lot going on with BRAC. There's a lot of storage requirements that are necessary and amazingly enough, I'll just give you my two cents worth, there are very, very few warehouse of metal or tilt-up buildings in Harford County or in Cecil County that are available for use, very few if any. We have a real shortage of warehouse space, but my background and because of a lot of people I deal with, I primarily try to find Federal clients and in this case we do have a targeted

user for the facility and they're looking for a time frame to potentially be in this in about two years, eighteen months to two years. Eighteen months is very aggressive, two years to three years is pretty much the current plan that they have given me. Somewhere in that eighteen month to three year time frame. The other building out front which is really a two story office, proposed office use, is to support a lot of the contractors who will be working on Aberdeen Proving Ground. There will be, we think some extra space in there, maybe who knows, maybe the Town of Perryville might have a use for it at some point, I don't know. But right now we feel and in some of the talks we've had with certain folks, that there will be an influx in the next two to three years with folks that just need a small presence in a professional space. This would be Class B type office, very similar in fact almost a duplicate of what you see up here in Perryville right now with the medical facility. A brick or cultured stone façade, very nice, two story with an elevator so folks have a small professional space to conduct business. The warehouse will be metal in construction or will be what is called tilt-up construction which is very similar to what IKEA has, and it's very nice, what I call flat concrete tilt-up construction that is actually a step above what I'll call a metal building. So that gives you a flavor for what we're trying to accomplish here and as I said we've been through this process once and had all our approvals but we're forced to go through this again and we don't mind going through it again but if anyone has any questions for me.

Mr. Fortner asked the space between the two buildings, the proposed one and the existing one, is that going to be a walkway or is that going to be landscaped.

Mr. Dunn responded well if you notice right now the building was originally pre-graded to continue the existing building and make that one hundred thousand square feet. It's already been pre-graded and elevated. We had a separation here strictly for fire code flexibility, what I call fire code flexibility with a sprinkler system. We were going to construct it so it can easily be, if someone wanted to eventually take the whole building or if we had one user for the whole building that we could literally connect the two. That's the only reason that you see the separation in there. And that separation is the minimum distance we can use currently to have two separate buildings. Right now the user in the building is of a sensitive nature and there are current efforts right now to upgrade the exterior fencing to support some enhanced Homeland Security requirements as far as higher fencing with barbed wire on top and we're very sensitive to the fact that we want to increase the security presence of the facility.

Discussion continued about the proposed office building, and pavement shown around the facility. It may be sidewalk or an emergency exit or it may be a fire lane or something to that nature. It's there to show that we got approval for that much impervious area.

Mr. Reich asked what's currently stored in the existing building.

Mr. Dunn replied test items, strictly instrumentation. No hazardous materials.

Mr. Reich questioned what do you mean test items or instrumentation, there is a difference.

Mr. Dunn responded its items used to test underwater explosives at Aberdeen Proving Ground.

Mr. Reich asked and what's intended to be in the other building.

Mr. Dunn replied storage items. I don't know what they may be. In this case this would be medical equipment for emergencies.

Mr. Fortner asked any more planning type questions. I'll turn it over to Town Staff.

Ms. Skilling began with comments:

Project Review
FRENCHMAN LAND COMPANY, INC.

Background: The Preliminary Plan for this project was reviewed by the Planning Commission and URS (SP2006-02) on July 28, 2006. At the August 21 2006 Planning Commission meeting the Preliminary Plans were approved conditioned upon URS comment letter dated August 21, 2006. Due to the time frame of the previous reviews, addition of a 2-story 25,200 square foot office building, increased parking and increased impervious surface, the Preliminary Plan is being submitted for review.

Planning/Technical:

- 1. The uses of all proposed and existing structures should address (existing building 50,000 square foot warehouse, proposed 45,000 sf warehouse with 5,000 sf office space, and proposed office building).*

Ms. Skilling stated you've explained some of those and just to explain, this plan that is coming in does differ from what was approved before because it did not have the office building that is being proposed on this plan.

Mr. Blomquist replied I recall having a plan with an office building on it but I don't remember how many square feet it was but it may have been just a footprint.

Mr. Dunn responded I believe it was a footprint for an office building.

Ms. Skilling continued so that building is new and it's going to be a two story building.

Mr. Dunn questioned new as in new to the application. There was an office building shown in the original submission when we came here the first time.

Ms. Skilling replied first of all with that building you need to have some architectural rendering. You talk about what it's going to look like but we need the height, we have height restrictions or limitations so we need to know what the height is, general idea of the architectural design of the building. That's just the criteria we do for all our buildings. So that needs to be included with this, actually it should have been part of the Preliminary submittal.

2. *Article XVI, Section 274.5 - Parking: 156 with 6 handicapped required. There are only 154 spaces with 6 handicapped designated on the plan. The plan should be revised to provide the required spaces. Also, the parking facing Route 7 is within the BRL.*

3. *Section 283.2 – The rationale for loading and unloading spaces appear to be appropriate for the proposed warehouse. The Preliminary Site Plan should indicate truck circulation on the site so as to comply with standards in Section 283.3 which addresses safety and maneuvering convenience especially in light of the proposed office building.*

Ms. Skilling explained you're going to have truck traffic moving around and now you have an office building also for use.

4. *A discussion on the need for two access points needs to be addressed. Previous comments have been made regarding the access on Route 327. The heavy volume of truck traffic from Ikea, access to the Town Park and WWTP are major concerns to be considered. Truck circulation on site should be addressed to allow for ingress/egress to Route 7.*

Ms. Skilling continued you say there is limited truck traffic coming out of there but I guess my response to that is why then won't Route 7 just be appropriate for your access point.

Mr. Dunn replied I believe State Highway Administration required that, both for access to the site.

Ms. Skilling stated I do have comments here from State Highway as a matter of fact. They gave you approval to access onto 327 but in fact, and I'll read this because I just got this actually this afternoon. It is email from Gary Davis who handles our access permits:

I checked the site distance for the proposed entrance according to the plan dated 1/8/08 (which is the plan you had approved by State Highways) and the side distance was more than adequate. The AADT (499) is very low. I discussed it with Butch (Butch King, who is another person who handles access at SHA) and we don't think it is enough of a concern to deny them an entrance. I guess it is the Town's call. They do have an existing entrance onto MD 7.

So it really is the Town's call on this, whether we want this because Ikea Way yes is a

State highway but we have a real concerns on other things and several things working with the Town on Ikea Way, we have a Town Park that is heavily used, we have our Waste Treatment Plant off of that road which is accessed. We also have potentially the Fire Company and the Fire Company events, so the concern is for the Planning Commission is if there is limited truck access why do you need another access onto Route 327 which is a use that a lot has to do with IKEA, which is heavily truck used and they're talking hundreds of trucks in a given period of, or more, in a week. So that's a concern I think that was expressed with the previous plan and it's still a concern that I have.

Mr. Reich asked what are you saying, just with ingress and egress.

Ms. Skilling replied egress and ingress onto 327 because it appears that you could actually design the circulation around the warehouse to come in and out on Route 7 and that was my concern as whether that maneuvering could be done so that you come in, load or unload, and then go out of 7, instead of going in one, and out another, if you have such a limited number, three to five trucks per day.

Mr. Dunn responded a couple of comments, first of all that is what I believe is going to happen is as proposed, and in the approval process if we do end up having more trucks than I anticipate, I think it's prudent to approve more entrances for proper egress and ingress into the site. These folks have a security requirement. To come in either close to the building or to have another user that wants to come in and have access here, I just felt and I guess our engineers felt that having people that are coming in with trucks staying in what I call their so called zone was a prudent decision especially in fact based on the fact that we want to put an office building out here because there has to be a nice way for people to be able to come in and out of here which we felt based on the traffic flows was nice to come in the current entrance off of Route 7 and to have our truck people circulate and do their work over here in this area and have their own rather than flying through parking lots and people who are parking to use the offices was to use the entrance that we had originally proposed so they would have their own, what I'll call area, to get in and out of and have security for their trucks.

Ms. Skilling responded well I think that's important. That was never really expressed in this whole plan and I think that is something that the Planning Commission needs to understand a little bit more what your circulation pattern is and why you thought these two entrances, ingress and egress, to the site was important because it was brought up in previous plans by URS, our engineer, and concerns of the Planning Commission prior to this coming back.

Mr. Dunn replied I understand.

Ms. Linkey questioned so you want truck traffic coming in here and out here, correct.

Mr. Dunn responded no, well let me back up, the current entrance access to this building here there is a truck entrance and a double gate, fifty two foot wide entrance for the

trucks that work in the current building operate and hang out for use of a bad word.

Mr. Reich asked is that ingress and egress through there.

Mr. Dunn replied that is correct. For this building that will be their primary ingress and egress. Without having to cut another entrance I think is inefficient and maybe not safe to use that same entrance based on this minimal flow that these folks use at this building, to cut another entrance off of an entrance in essence, so that these folks who want to use the office have a direct path in and out. This would be their direct path in and out and then to have an area that totally supports what I'll call truck turnarounds and traffic over here for the proposed building that was the concept and that was the engineer's recommendation based on traffic patterns as they understand them.

Ms. Linkey questioned so who would be coming in over here (off Route 7).

Mr. Dunn responded that would be the user of this building here. The office people would come in over here (Rt 7) and would not go out over here (Rt 327) and the truck folks would hang out and come in here and go out here.

Ms. Linkey stated so you would have people coming in and out over here at Route 327.

Mr. Dun replied that is correct.

Ms. Skilling indicated to make it a little clearer for everybody, I think it's really important for you to document your circulation on site. How you propose these people to use these things because it's not clear on the plan and it is required in one of our sections that the circulation pattern between office type use and commercial use be defined. I think you need to make that clear because it is confusing. How you want this to work within, with the use of the office and it looks like you're saying too, these two buildings are almost going to be segregated in their use and circulation of truck traffic.

Mr. Dunn replied that is correct.

Ms. Skilling commented and that was not clear to me and obviously is not clear to them, to the Planning Commission. I'm talking about myself at this point because it's not clear to me. It needs to be very clear and we need to have that as part of your plan.

Mr. Reich stated it wasn't clear because that's not what I heard him say originally. I heard him say everything would ingress off of Route 7 and egress on 327, that's what I heard him say the first time. I'm a little bit concerned about your term, security of trucks. You used that term about that second building to provide security to the trucks, what does that mean.

Mr. Dunn replied well right now I'm using the current example which, once again I think the proposed use for the user is going to be slightly different but, if you notice they have trailers and special containers sitting outside for their use in transporting instrumentation

and just to have their stuff near their building or a new user having his own what I'll call area that he can concern himself with his own security and area and then have another gentleman who is currently in the building have their own area seemed to be prudent based on what I anticipate happening with the tenants.

Mr. Reich responded for me, when you say security, having worked and still work at Aberdeen Proving Ground, it starts talking to me of targets, of possible sites for foreign or terrorist attack. When you say security that's what it says to me.

Mr. Dunn stated no sir, when I'm talking about security I'm talking about physical security that you would have depending on what you're doing in the building that everybody would want regardless of whether it's a terrorist, a threat or a vandal.

Mr. Reich asked there's nothing going to be in these buildings that's classified.

Mr. Dunn replied that is correct. And I can tell you that Homeland Security inspects me every quarter to make sure the security is appropriate.

Ms. Skilling continued with comments:

5. All stormwater and sediment control plans must be approved by Cecil County DPW and a copy provided to the Town prior to Final Site Plan approval.

Ms. Skilling indicated we have never received the final Sediment and Erosion and Stormwater plans. We need to have those signed off by Cecil County DPW. We have to have a copy for our files.

6. Appendix A, Item 80 regarding Preliminary Site Plan information requires the submittal of preliminary architectural plans. The applicant should discuss the nature of the proposed addition, provide architectural renderings and submit building elevations prior to Preliminary Site Plan approval.

Ms. Skilling stated that was supposed to be submitted with the Preliminary Plan so you need to get those things in here so the Planning Commission can approve those as part of the Preliminary Plan. That's on our checklist and in the Appendix of our Zoning Ordinance these are requirements of the Preliminary Plan process.

7. A landscape plan must be submitted prior to Final Site Plan approval consistent with Article XVII Screening Shading, Landscape and Environmental. Per Appendix A this should have been submitted with the Preliminary Site Plan.

Ms. Skilling commented for lighting on the site there is residential across the street so we have to have a lighting plan. To show what are you going to do for lighting and security.

8. A copy of stormwater management and sediment and erosion control plans submitted to Cecil County DPW must be provided to the Town. The final approved plans must be provided to the Town prior to Final Site Plan approval.

9. *The location of fire hydrants must be noted on the plan and approved by the Town Fire Chief.*

10. *The square footage of the existing building should be noted on plan.*

11. *Water & sewer plans must be submitted and reviewed by the Town engineer prior to Preliminary Site Plan approval.*

Ms. Skilling indicated we will get them to our Town engineer for approval and we need this information so the Planning Commission can move forward with going to final review.

The plan as submitted does not meet the submittal requirements for Preliminary Site Plan as required in Appendix A of the Zoning Ordinance. It is recommended that the required information be submitted for review and approval prior to Preliminary Site Plan approval.

Due to the nature of the above comments, there may be additional comments after subsequent plan submittal and review.

Ms. Skilling continued we need additional information for the Planning Commission to be able to approve a Preliminary Site Plan because we don't have it all for this site. Also, I wanted to know with the parking to the northeast here along Route 7, is in the building restriction line so that's all impervious area within the building restriction line and basically that shouldn't have the parking within that area. So we need to know why because basically it's impervious area in that area, in that building restriction line.

Discussion continued regarding the plan shows BRL (building restriction line) where the parking is located along Route 7.

Ms. Skilling asked you're talking about fencing, you mentioned fencing with barbed wire along this area, you need to have that as part of this because we do have fencing requirements and limitations and we need to look at that section on fencing for commercial site to see what needs to be done and how. I don't know about barbed wire at top but that's something we need to look at that. You don't have that on the plan here so I did not know about any kind of fencing. I know there is fencing on there now but does it have barbed wire, I don't think it does.

Mr. Dunn responded a lot of it does.

Ms. Skilling indicated you need to check the recent Ordinance to make sure that's allowed, which it may be for this type of use.

Mr. Dunn asked out of curiosity what takes precedence as far as fencing, is it Town, is it County, is it Government.

Ms. Skilling replied anything in Town limits follows the Town's regulations.

Mr. Dunn asked is there a maximum security requirement or limitation.

Ms. Skilling responded we probably don't really have anything to cover that, quite honestly so we'll have to look at the regulation.

Mr. Reich indicated it's not a Government facility.

Mr. Dunn commented I understand, I guess my question then is there a maximum security limitation.

Ms. Skilling replied because we didn't know what the uses are and that's another thing when you submitted the plan we didn't know what the uses are, so it's very difficult to go through our Ordinance to figure out what you need to do here or to explain to us the uses so we can address those things. Now that we know the uses and you need to clarify that then I can go back and look at our fencing requirements or whether we even have anything that covers that, so we need to address that. And you need to let us know based on what you're going to require here so that we can address it. Like I say, I didn't have enough information on this plan to figure out the uses and that's one of my suggestions here we need to know what the uses are and it needs to be established so that we can follow up on those items. That is all I have. One of the things that I did mention because this Preliminary Site Plan still needs additional information, we need to get the additional information to do any preliminary approval here because we're lacking a lot of information so we can move forward.

Mr. Reich questioned the BRL says we can't put impervious surface in that area, correct.

Ms. Skilling responded well according to building restriction line it's saying you're not supposed to do any building construction there. I need to clarify in our Ordinance whether parking can go there but as far as I'm concerned anything we've had in the building restriction line, parking would not be allowed in that building restriction line.

Discussion continued about the number of parking spaces provided and what is required. Total spaces need to be recalculated to make sure it meets the requirement.

Mr. Blomquist stated your interpretation of BRL is something outside of which nothing can go, including any impervious area including parking. The way I understood BRL, you can't put construction in there, a building structure, I'm just not familiar....

Ms. Skilling interrupted the building restriction line you usually have access through for a driveway or something like that but to me building restriction means that when you put down a hard surface there that's construction in that area. I'll check it to be sure.

Discussion continued about BRL (building restriction line) and requirements if parking areas is considered a building structure. It will be clarified for sure.

Mr. Reich stated let me ask you something, Ms. Skilling can give you the list of things she just mentioned. Can you have all that stuff available by the third Monday of next month. What Ms. Skilling has tried to say nicely is we don't have enough information to be able to do Preliminary Site Plan approval. And the other thing we don't want to do is make it so difficult that you can't go forward in a relatively timely manner.

Mr. Dunn replied I appreciate your comment.

Mr. Reich indicated my opinion is I think we don't have enough as Ms. Skilling pointed out there's so much missing here, there's things we have to get back to you about, there's the fencing, but we need to find out if he needs triple strand Constantine wire, nine foot tall for his security, we need to check our fencing. I know that's not what you're asking for but with chain link fence with razor wire at the top, with six strands of barbed wire whatever it is, we have to check our fencing requirements.

Ms. Skilling replied I need to know, the Town needs to know the official use for those buildings so we can determine and if you're asking for security at that level I need to know that because there is nothing in here to tell me that and nothing in here to tell me what is going to be in the way of fencing at all. So that needs to be established so that we can determine and the Planning Commission can decide whether that is something that our Ordinance, or we even have in our Ordinance, and how we need to deal with it. So I need to get that information...

Mr. Reich interrupted I think something else that we need is to be absolutely sure there is no hazardous material be stored there in either building.

Mr. Dunn stated that's fine, you can take a tour anytime you want to.

Ms. Skilling commented I'll give you a copy of this. And we need to have at least a general design of what the office building is going to look like.

Discussion continued regarding the items that are needed for submission to include a rendering of the office building, a general design, a general landscaping plan so we know what's going to be a part of that, and it should include a lighting plan with that. It was suggested to look at Appendix A to see what is required for Preliminary submittal so that we can have the information. Then we will have enough information to be able to at least give a final review and the Planning Commission can make recommendations.

Mr. Reich commented I think this is a really good use for this piece of property being that it is in a kind of a warehouse type area. The thing is I don't think we have enough information to say anything about it.

Motion was made by Mr. Reich and seconded by Mr. Jack to table the Preliminary Plan pending receipt of required information. **All in Favor. Motion Passed.**

Discussion continued about the amount of time needed to get the information to the Town in order to be on the agenda for the next meeting. Allowance will be made to the time necessary for submittal of required information. Water and sewer plans need to be provided to the Town engineer for review. If all the necessary information is provided to the Town by the end of next week, June 4th, we will include it on the agenda for June.

(Five minute break.)

Mr. Fortner continued to the next item on the agenda:

File No. 2010-01 – Woodlands Perryville Final Site Plan Phase I; PROPERTY OWNER/APPLICANT: Doug Hill, Town Point Development; LOCATION: Pulaski Highway, Perryville, MD 21903; Tax Map 800, Parcels 4, 635, 622, Lots 1-6, 8-10, Parcel 820; Zoned MUD; 81.292 acres.

Ms. Stacey Ziegler indicated I am with Duffield Associates, we're the engineer for the project and Mr. Hill, the developer, couldn't be here tonight. You have seen this plan before and I wanted to point out to you some of the changes in Phase I that are represented here now verses maybe some earlier version of this that you have seen to show you what we're asking approval for, for Phase I at this point. I'll start out with the big plan here. Phase I includes building 9, 10, 11, 12, 13, 14, and 15, so that grouping of buildings. The roadway that comes through here is called Copper Beech Street and there are a couple of other roadways in that area. There is a mulched path that is proposed to connect Phase I down to Coudon Boulevard so people can get from one side of the property to the other even though we're only building the upper part at this point. There is some stormwater work that will happen down in this corner of the site that we show on the plan. That is for E & S control measures, a sediment trap is proposed there to drain portions of the site so it really is E & S control at this point and then eventually that will be converted to a stormwater management pond once Phase II of the site is developed. But I want to be sure that you know there will be some activity down at that part of the site as well even though the majority of the construction would be up here. So that's what Phase I includes along with there are obviously utilities being constructed, water and sewer that will be on Copper Beech Street, the main street coming through there and the water ties in up at Route 40 and also ties in behind building nine so that's all in the Phase I area. The sewer extends a little bit beyond the phase line in order to tie in to the existing sewer that is over here. The only thing utility wise that would extend beyond the Phase I line would be the sewer that continues down here where it ties in to the existing sewer that we're utilizing which is down in this area. So there is some utility work.

Ms. Skilling indicated I just want to make one point, the existing line they are tying into is an existing line which we call the abandoned line that Mayor and Commissioners allowed Woodlands to tie in for Phase I. It is an abandoned sewer line. URS did review

it and said it was adequate for use for Phase I and that is what they are tying into at this point, just Phase I.

Discussion continued about plans for grading on the site. The bonding has been done and E & S plans have been signed and approved. The grading plan has been approved and submitted five copies for signature and there is a letter saying they have been approved. The Public Works Agreement has not been signed yet and no Zoning Certificate has been issued yet.

Ms. Ziegler stated the abandoned sewer has been approved for Phase I. This design is such that once Phase II is constructed the sewer will continue to gravity sewer all the way down to Coudon Boulevard and when that system's installed Phase I can tie into that. There's no reconstruction of anything at all and it is designed to eventually tie in to Phase II and Coudon Boulevard, but this temporary sewer allows us to get started a little earlier. One change from an earlier Phase I presentation that was made, the phase line was further down below buildings seven and eight. In order to be able to build seven and eight, sixteen and seventeen, it required a temporary pump station being placed because those particular buildings couldn't drain by gravity for the sewer back to the existing sewer line so it required us to have to put in a pump station. After some discussions with URS and the Town it was decided that it wasn't in the best interest for the Town to have that as a temporary basis so we tried to come up with a different way to make that work and pulled the phase line back so that those buildings are no longer part of Phase I. So everything in Phase I can be sewered to the existing sewer line on a temporary basis. I want to talk a little bit about the phasing of construction for Phase I. Initially the road would be cut in down to the circle so we can get circulation in to go around the circle and back out so traffic can get in and out. The proposal is to start with building thirteen and work our way down the site because those buildings are the most visible and get more activity and visibility down on the site. As these buildings are constructed there will be on-site parking for these units. These are the live/work units and there is parking below grade for those, however there is not sufficient parking for all of the live/work units based on the ratio or requirement for the units. So as these are constructed there is potential for some shared parking with the parking lot across the street since these have different uses. As these buildings are constructed we will build the parking lot as well. This will provide adequate parking in addition to on street parking at the live/work units to provide the total parking needed. As you continue down the site, buildings ten and eleven will be built next. Once that's constructed, buildings fourteen and fifteen which are intended for commercial use would come later in the phase based on tenants and could be later in the phase. The only other changes are minor but they are significant. We've gone through design reviews with the Town and URS in terms of looking at the parking requirements, looking at safety issues and have looked at turning radiuses and made adjustments so fire trucks can get in and out and trucks can access the areas.

Discussion continued regarding the planned areas of sidewalks and grass line swales. Water comes off the parking lot and enters the swales and goes down to a stormwater inlet that is part of the stormwater system. All the grass swales are part of the stormwater management for the site. The whole stormwater and drainage system for this whole

project is draining to things such as rain tanks, bio-retention areas, all these new and innovative and creative things. This stormwater system meets new State requirements and although they don't have to, they've already moved in that direction. Green roofs is another potential where they can reduce the runoff and the amount of water that moves on site. Rubber sidewalks will also be a part of this project, that can be replaced instead of repaired. All of these things are part of the stormwater management for the site. The Town will not take over the sidewalks because we don't have the ability to manage that, in addition to the maintenance of the rain tanks. Management of these new innovative facilities will be handled by the management plan for the businesses or owners of the property, to maintain and make sure they are working and functioning properly. It is a little bit different and we need to learn how to deal with it because with the new Stormwater Regulations this is what is required. If the grass strips are graded properly the water will run off and will not be soggy or wet, it is not a swale designed that will hold water. The water is directed to catch basins for collection.

Discussion continued about site parking. With a mixed use development type project there will be different peak hours of parking demands and there will be joint use and sharing of the parking lot. The reduced parking capacity is consistent with LEED design. This project is being set up to be able to go through the LEED development program and one of the components of LEED design is looking at reducing the amount of parking that you are putting there, reduce the amount of impervious area and install more green area. The intention all along has been the different uses will allow flexibility for demand of the parking at different times.

Ms. Skilling reviewed comments:

Project Review
WOODLANDS – FINAL SITE PLAN REVIEW PHASE I

Background: *The Final Site Plan is being submitted for review. At the October 19, 2009 Planning Commission meeting a motion was made to approve the Preliminary Site Plan with a final review of comments from URS and Town.*

The Town has been working with URS, Duffield Associates, and Cecil County DPW regarding stormwater and public/private ownership of drainage from a public road due to the innovated stormwater systems being designed for the site.

General:

Prior to signing of the final site plan all the following approvals and agreements must be finalized:

- *Sediment and Erosion Control Plans*
- *Stormwater Management Plans*
- *Forest Conservation Plans*
- *SHA Access Permit*
- *Grading Plans*
- *Landscape Agreement*

- *Public Works Agreement*
- *Stormwater Maintenance & Management Plan*

Comments:

1. *Three complete sets of the Final Site Plan with all revisions must be provided for final review by the Town Planner and Town Engineer prior to Final Site Plan approval.*
2. *Final Access Permit from SHA must be received prior to Final Site Plan Approval.*
3. *Areas where grassed swales or bio-retention areas are adjacent to on street parking provide little space to exit vehicles to the right this should be addressed in the design.*
4. *The newly designed entrance from Route 40 must be approved by SHA and identified on all plans.*
5. *Stormwater Details – a detailed maintenance plan must be part of the business association and/or HOA. The stormwater system (including the use of rain tanks) has many good qualities, but maintenance is the key to its long term function. It is recommended that quarterly inspections the first year of operation and once yearly thereafter be incorporated in the plan. Also, the ability to flush the system to dislodge sediments should be part of the maintenance plan. Any damage to the Town roadway as a result of lack of maintenance would be the responsible of the management entity to repair. These items should be incorporated in the maintenance plan.*

Ms. Skilling stated some of these things we're talking about are relatively new and we're still working through some of these final phases of this project with Cecil County DPW and Duffield and one of the major things that we have accomplished or will accomplish in the end is there will definitely need to be a detailed maintenance plan and it must be associated with the business association or a homeowners association because you do have ownership here and/or businesses. That maintenance plan has to be submitted prior to Final Site Plan approval. We're going to have to know exactly how it's going to be maintained and managed because there are stormwater pipes underneath our road, and this is a conflict we have between old and new. In the past any drainage that comes off our road we have potential easements for managing that. Well these pipes are under our road so the homeowners association and what I've discussed in here is the stormwater management plan that's going to be developed although they have good qualities if something happens in that stormwater system, a backup with the drainage so our roads don't properly drain who's responsible and it will be the responsibility under this plan of the homeowners association or business association to repair our roads if they are not maintain properly the stormwater facility. The stormwater facility is all this water going to the drain tanks which have cleanouts that are being designed so that the cleanout and

the County is responsible. The key to this whole thing the Town has never been responsible for stormwater. That's always been the responsibility of the homeowners association and the County checks them to make sure they are working and functioning properly. So we never really had the obligation of runoff and stormwater, we just make sure it's approved by the County and the County has approved it. The difference here is you have stormwater pipes going under our road instead of running along the road and we're not going to maintain, we're not going to take care of that. All we're asking is just for the actual drive through lane, that's all the Town is going to be taking over, the road and the water and sewer underneath. So that's going to be a difference from what we have done in the past and that will be included in this plan of which has to be approved prior to Final Site Plan approval. The newly designed entrance from Route 40 was changed from previous plans and still has to be approved by SHA and it should be identified on all plans. Have you submitted or gotten back anything from SHA lately.

Ms. Ziegler responded not lately but this plan has been submitted with the right in, right out but we haven't heard anything back yet.

Ms. Skilling indicated right now it's planned for right in and right out off of Route 40. So until the other road is done right now they're looking just for a right out, right in to this site. And that final access permit has to be gotten before we can approve anything.

6. *The timing of construction of curbing and drainage inlets should be clarified as they relate to other phases on the east side of Coudon Boulevard.*

Discussion continued regarding the flow of stormwater on the site to a sediment trap which ultimately will be a sediment pond for the whole site down on the lower part of the project. There will be rain gardens behind the live/work buildings to collect runoff. As shown in the landscape plans the bio-retention areas will have plantings in that whole area to soak up a lot of water. All the maintenance of those will be part of a plan that is being put together that shows how all that will be maintained and managed.

7. *Parking: As discussed previously, shared parking was proposed to meet the parking requirement for the development. A discussion on the proposed shared parking and how it will be phased to meet the requirements of the existing construction phase should be discussed with the Planning Commission.*
Required parking 348
Proposed parking 278
Difference - 70 spaces

8. *Article XV. Section 256 Master Signage Plan – A master signage plan (MSP) shall be required on developments that involve more than one use on a single property or part of a unified development plan. The standards as set forth in this section should be followed in developing the master signage plan. An approved MSP must be submitted and approved for the development prior to receiving occupancy permits.*

Due to the nature of the above comments, there may be additional comments after subsequent plan submittal and review.

Recommendation:

Based on the additional comments, it is recommended that the Final Site Plan for Phase I be approved conditioned on final review by the Town and URS.

Ms. Linkey asked have all those other plans already been submitted.

Ms. Skilling replied they have submitted sections. Some things have changed since Preliminary and we have received the total plans for all the pieces that have changed in that plan. I need to review it and URS needs to review to make sure all comments are included in there so we can make sure we have all those things in a complete site plan.

Ms. Linkey questioned all the above plans that were listed, are you saying you have all those things.

Ms. Skilling replied no, but what I do have is Sediment and Erosion Control Plans. I don't have the Stormwater yet although it is being approved right now, and I do have Forest Conservation. If you remember we discussed Forest Conservation and they did not have to do anything because they have set aside all of that Mill Creek valley so they don't have an obligation. They do have a Forest Conservation plan that has been approved but they don't have to do anything because that is being set aside. Nothing is going to happen there. SHA access permit, I don't have that yet and they know that. These are just check off items that we will have and we must have prior to the Planning Commission signing the Final Site Plan or my recommending all of you to sign it. Grading plans have been submitted and will be approved from the County and we will have a copy of those. That will be with bonding from the County for that grading plan. Landscape Agreement, I'll have to develop that once the landscaping plan is finalized and reviewed and I do have that and have reviewed it. Bio-retention areas and the normal landscaping and street trees and building amenities are on the landscape plan and will be in the Landscape Agreement. The Public Works Agreement, the Mayor and Commissioners looked at one, approved it and there may have to be an addendum to it because of the roadway construction that we're going to take over verses what normally would be the total road right-of-way, which would include curb and gutter of which we are not going to take over. And the final thing is that Stormwater Maintenance and Management Plan, that has to be submitted as well, so we have to have that. So there's still some things obviously that will have to be done prior to Final Site Plan approval which is not unusual. We're still working towards getting those things done. But the plan as it is right now I think it's far enough along so that Phase I, conditioned upon all these things happening and final approval received as well as a final review of all the documents to be submitted as part of the complete package of Final Site Plan.

Mr. Fortner asked any questions or comments.

Mr. Jack questioned the outdoor amphitheatre, what do you envision that holding there as far as when it is in use.

Ms. Ziegler replied as far as in terms of the number of people, we have a couple of different items for that. I think it depends on whether a structure base is built or whether it's just a terraced lawn. There has been talk of a couple different ways as to how it's going to fit in with the architecture and other things that are still be finished. Fifty or sixty people, in that range is the number I've heard them talk about before.

Mr. Jack stated the only reason I bring that up is here we are with fifty to sixty more people for parking along with the spaces that are short already.

Ms. Ziegler responded part of it is intended for use of the people who live here and the people who are visiting already, it's a good point because having an event planned there to draw that many extra people, but I think the intention of that space is to be used by the residents.

Mr. Fortner asked this is going to be owned by the business association, the amphitheatre or is it going to be owned by the community or by the Town.

Ms. Ziegler responded it will be owned by the association.

Mr. Jack stated like the condos down there they have at certain times of year and it's only for condo owners and visitors but there is an outpouring of people at different times of year when it packs up considerably. What the intention is is one thing, but what really happens later on is another.

Ms. Skilling commented it is a walkable community and the hopes are in discussion is that people, if it's open to the public that it's close enough to Town that people can walk there. Parking could be a problem and how we address that, or how they address that in the end is eventually that building fifteen gets built if it's commercial, on the weekend or in the evening when any activity were there they may have to do a restriction. That is a consideration and the use of that may be limited to what's already on site, to the individuals on site for those reasons.

Mr. Fortner asked are there any more questions.

Motion was made by Mr. Jack and seconded by Mr. Reich to approval the Final Site Plan Phase I conditioned upon a final review by Town Staff and URS and all conditions are met. **All in Favor. Motion Passed.**

Discussion continued regarding open items that still need to be finalized and how to keep track. The motion is conditioned upon all items are completed, reviewed, and found acceptable by Town and URS. Before the Town can even sign off on the plans, all items have to be approved and copies signed off by all agencies prior to us moving forward.

Motion was made by Mr. Reich and seconded by Mr. Jack to adjourn the meeting at 8:10 p.m. **All in Favor. Motion Passed.**

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator