

**CECIL COUNTY TECHNICAL ADVISORY COMMITTEE**  
**Wednesday, September 5, 2018**  
**9:00 a.m.**  
**County Administration Building**  
**200 Chesapeake Blvd., Elk Room, Elkton, Maryland**

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), Simperts, Charles (CCPS).

**1. North East Commons, Concept Site Plan, Town of North East (Courtesy Review), MD 272 & Nazarene Camp Road, 5<sup>th</sup> 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.

**2. Racine Estates, Major Re-Subdivision (Racine Property), Preliminary Plat, Lots 1-4 & 36, Theodore & Washington Schoolhouse Roads, 5<sup>th</sup> Election District., McCrone, Inc.**

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 Plat<sup>1</sup> (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.

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<sup>1</sup> 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 3<sup>rd</sup> Thursday for review by the Planning Commission the following month.

'10 School information:	Elementary	Middle	High School
	Bay View	North East	North East
FTE	561	826	1110
Capacity	556	712	1009
% Utilization	101%	116%	110%

#### 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, 9<sup>th</sup> 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.

8. 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."*
2. A Public Works Agreement is required for the road & associated storm drainage construction and the public sanitary sewer collection system.
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,<sup>2</sup> 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;

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<sup>2</sup> 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<sup>3</sup> 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

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<sup>3</sup> 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.<sup>4</sup>

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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<sup>4</sup> 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 ft<sup>2</sup> 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 3<sup>rd</sup> Thursday for review by the Planning Commission the following month.

School information:	Elementary	Middle	High School
	Calvert	Rising Sun	Rising Sun
FTE	321	712	1129
Capacity	304	775	903
% Utilization	106%	92%	125%

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*