

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, April 6, 2016, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Harding, Aaron (CCDPW), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Brown, Chris (CCSCD), Graham, Daniel (Citizen's Rep.), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Carroll, Bill (SHA), Simperts, Charles (CCPS).

1. Charlestown Crossing Apartments, Phase II, 92 Units, Preliminary Plat, Pulaski Hwy, Morris & Ritchie Associates, Inc., Fifth Election District.

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

Mr. Harding, DPW, read the comments of the department:

- 1 The Concept Stormwater Management Plan was approved and signed on November 20, 2015.
- 2 The Department understands that the water supply for this development will be a private system. The water distribution system must be designed to meet or exceed the County's standards. This includes providing fire flow and pressure throughout the development and the use of ductile iron water pipe, where called for in the Water & Sewer Code, for distribution. The serving fire company must review all fire hydrant spacing and locations provided on final construction drawings.
- 3 Road & Storm Drain plan, Sanitary Sewer plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for final plat Approval.
- 4 It is understood that the internal streets & associated parking will be privately owned and maintained.
- 5 The sewer lines within the proposed apartment complex will be privately owned and maintained. This private sewer line will connect to the existing public sewer in West Claiborne Road.
- 6 An I&M Agreement is required for all SWM facilities.
- 7 Any proposed active recreation will require a list of equipment submitted to the Department of Parks and Recreation as well as a PWA to cover the same.
- 8 Public Works Agreements will be required for all infrastructure shown.
- 9 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:
 - 9.1 The Final Plat Lot Grading, and Lot Grading Plan Construction Limits Notes.
 - 9.2 Requirements for Stormwater Inspection and Maintenance Agreements.
 - 9.3 Requirements for Final Plat - Public Sewer Allocation.
 - 9.4 Requirement for Public Works Agreements

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and a note indicating that sidewalk maintenance will be required of the adjacent property owner (if sidewalks are required). The Lot Grading Plan must include the standard construction limits note.

- a. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - b. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance shown hereon. 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. An Inspection & Maintenance Agreement is required for the private SWM facilities.
 3. Developer must request and obtain a public sewer allocation from the Department of Public Works before submitting a final plat to the Cecil County Planning Commission for approval.
 4. A Public Works Agreement (PWA) will be required for any road work proposed within the County ROW, for the private sanitary sewer and for the sanitary sewer connection to the County system.

Mr. Harmon, DEH, read the comments of the department:

Documentation of the water allocation for this plat must be received from Artesian Water Company prior to final plat approval. Documentation of the sewer allocation for this plat must be received from the Department of Public Works prior final plat approval.

Final and records plats are required to have the following statements:

1. Public water and sewerage will be available to all lots offered for sale (by the owner's signature block).
2. Use of public water and sewerage is in conformance with the Cecil County Master water and Sewer Plan (by the Health Department's signature).

Mr. Di Giacomo stated that there were no comments received from the Citizen's Representative, State Highway Administration or the Fire Chief's Representative.

Mr. Di Giacomo, read the comments for CCSCD:

Preliminary Stormwater Management Plans were submitted to the Cecil Soil Conservation District on 3/28/16 and are currently under review. Preliminary Stormwater Management Plans must be approved prior to Preliminary Plat approval.

Mr. Di Giacomo read the comments from MDE:

The project proposed to connect to the Artesian Water Maryland, Inc. public community water system (Mountain Hill). As such, a Water Appropriation and Use Permit Application is not required.

Mr. Di Giacomo read the comments from CCPS:

1. CCPS will not enter the development with bus service. Bus service will be provided from County maintained roads.
2. Schools in this attendance area are Charlestown Elementary, Perryville Middle and High Schools. Please see attached information regarding capacity and enrollment.
3. Enrollment at Charlestown Elementary will decrease once the Perryville Elementary Addition/Renovation is complete for August 2016. Perryville Elementary closed for renovations in June 2014 and students were split between Bainbridge Elementary and Charlestown Elementary until the completion.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: The re-zoning of the site¹ of these proposed garden apartments², from M1 (light industrial) to RM (high-density residential), was approved on 8/15/15.

The Concept Plat was approved³ on 12/21/15, conditioned on:

- 1) All Health Department requirements being met;
- 2) All DPW requirements being met;
- 3) The detailed parking plan's being included within the Preliminary Plat, prior to TAC review;
- 4) The parking plan's including details relating to §278.2 and §279;
- 5) The open space sensitive areas thresholds' being calculated and included on the Preliminary Plat, prior to TAC review;
- 6) The requested (Site Data note # 17) design waivers relating to §28.4.a, §28.4.d, §28.4.h and §28.4.i being granted;
- 7) Site Data Note 16's reference to "MUTGD" signage being corrected to "MUTCD;"
- 8) All references to "multifamily Residential" for the RM zone being corrected to "High Density Residential;"
- 9) The Parking Schedule's ADA surface space count being made consistent with what is depicted on the plat;
- 10) The Land Use Summary's spelling of "residents" being corrected;
- 11) The correct nomenclature, "open space", being used in the entirety of all Preliminary and Final Plat submissions;
- 12) The correct spelling of "delineation" being used in Site Data note # 10 for all Preliminary and Final Plat submissions; and
- 13) Fire hydrant locations being selected in consultation w/Charleston Fire Co. and DPW prior to Preliminary Plat submission for TAC review.

Density: The RM zone⁴ permits a density of up to 14 du/ 1 ac. for apartments. This submission proposes 92 dwelling units on 6.77 acres for a proposed density of 12.99 / 1.

A boundary line survey has been completed, and previous misspellings have been corrected.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices

¹ This site generally corresponds to the original employment component "J" of the Charlestown Crossing PUD. Therefore, the density of these 6.77 acres stands alone, unencumbered by that established by the PUD's Special Exception.

² Apartment projects must be consistent with §28 of the Zoning Ordinance and §6.3 of the Subdivision Regulations.

³ This project location is situated within the 2010 Comprehensive Plan's Medium Density Growth Area land use district, and, as established by the County's adoption of the Sustainable Growth and Agricultural Preservation Act's tier map, this site is located within a Tier II area. Tier II areas are those planned to be served by public sewerage systems in locally designated growth areas needed to satisfy demand for development at densities consistent with the long term development policy after consideration of the capacity of land available for development including infill and redevelopment within the County. The County may only grant approval if all lots will be served by public sewer or if a minor subdivision is served by on-site sewage disposal systems.

⁴ Previous references to "Multifamily Residential" instead of "High Density Residential" have been corrected (condition # .

shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.⁵

Slopes greater than 25% must be shown on the Preliminary Plat.

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present.

Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. In this case, given the proposed wetland impacts, it must be obtained prior to Final Forest Conservation Plan approval.⁶ JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

The habitats of any rare, threatened, and endangered species must be avoided.

20% open space is required⁷ in the RM zone; 49% is proposed.

The "open space" sensitive areas thresholds have been calculated and included on the Preliminary Plat.⁸

Per §28.5.a (1), a minimum of 25% of the development envelope shall be landscaped.

Sidewalks have been shown. Striped bike lanes and back racks should be considered.

Per §28.5.a, a 25' Bufferyard standard C is required around the perimeter of the development tract. Site Data note # 17 'requests' a design waiver in this regard, which was granted by the Planning Commission in conjunction with Concept plat approval.

Bufferyard Standard C is required, outside the right-of-way, along the US 40 frontage.⁹

⁵ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."

⁶ Upon FCP approval, a grading permit can be issued. However, grading cannot be permitted in a wetland area unless an MDE/Corps permit to do so has been issued.

⁷ §28.6.b.

⁸ At a minimum, 15% of the required open space shall not consist of perennial or intermittent stream buffers, nontidal wetlands or buffers, steep slopes, or habitats of rare, threatened and endangered species. No more than 40% of the common open space required shall consist of those areas designated as nontidal or tidal wetlands.

⁹ No waiver is requested in this regard.

Have the fire hydrant locations been selected in consultation with the Department of Public Works and the Charlestown Fire Company prior to the TAC's Preliminary Plat review? Ms. DiPietro stated that she has met with the Charlestown Fire Company regarding the hydrant placement.

Apartment buildings shall be set back at least 20' from all parking areas and internal roads (§28.4.h) and 50' from arterial or collector roads (§28.4.i). Site Data note # 17 'requests' design waivers in these regards – already granted by the Planning Commission.

No apartment building can be constructed closer to any property line of the development tract than a distance equal to the height of the building (§28.4.d). Site Data note # 17 also 'requests' the previously-granted design waiver in this regard. The maximum length of an apartment building is 300 feet (§28.4.j).

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring.

Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

The FSD was approved on 9/17/04. It and the Conceptual Environmental Assessment¹⁰ were granted 5-year extensions on 12/6/10 and 11/4/15.¹¹ The Conceptual SWM Plan has been approved.

The Preliminary Forest Conservation Plan (PFCP)¹² and SWM Preliminary Plan must (shall) be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The final Forest Conservation Plan (FCP)/Landscape Plan¹³ and SWM Final Plan must (shall) be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

A revised Traffic Impact Study (TIS) is not recommended; however, based upon previous SHA comments on the PUD, at the very least, an updated signal warrant analysis seems justified.¹⁴ Mr. Harding added that the Department of Public Works agrees with the request of an updated signal warrant analysis.

¹⁰ A small portion of the Charlestown Crossing project is in the Critical Area.

¹¹ Thus, extension were extended until 11/4/20.

¹² A PFCP was approved on 2/14/05.

¹³ An FCP and Landscape Plan were approved on 4/29/08. A revised FCP and Landscape Plan were approved on 12/11/09 and 12/14/09, respectively.

¹⁴ CCDPW & OPZ do **not** recommend that an update be required for this 92-unit project. SHA has **not** voiced the need for an updated TIS for these 92 units.

The new Zoning Ordinance that was adopted in 2011, includes Accessibility and Parking Requirements in Article XIV.

The proposed number of parking is consistent with §274.9, which caps any excess at 20%.

Pursuant to §273.10, §273.11, and §274.9.b will any spaces be provided for use as electric vehicle recharging stations, as approved by the Maryland Electric Administration? Mr. Freeman stated that they would look into it.

§274.8 provides that “All multifamily residential subdivision site plans shall include a parking plan that includes a lighting plan in conjunction with a safe bicycle, pedestrian, and vehicular circulation plan.” Has that been included with the Preliminary Plat?

Will those needing ADA spaces be required to pay extra for a garage space? Ms. DiPietro said no.

How does this proposed design conform to the requirements of §278.2, regarding bicycle access and facilities, as well as §279, regarding access as relates to the Americans with Disabilities Act? Mr. Freeman stated that they are still working on the details of possible bicycle storage on the property. Ms. DiPietro stated that the appropriate grading will be done for accessibility and the required amount of ADA rooms will be included.

The legend needs a graphic to be depicted for the ESD areas.

The Master Water and Sewer Plan classifies this site as W2 and S2.

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

The Record Plat shall contain a statement to be signed by the Health Department, “approving authority”, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan.

The Record Plat shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all units offered for lease or rent.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

| School information: | <u>Elementary</u> | <u>Middle</u> | <u>High School</u> |
|----------------------------|--------------------|-------------------|--------------------|
| | Charlestown | Perryville | Perryville |
| FTE | 406 | 550 | 810 |
| Capacity | 292 | 860 | 944 |
| % Utilization | 139% | 64% | 86% |

RECOMMENDATION:

APPROVAL, conditioned on:

1) —

Preliminary Plat Requirements:

(a) The Preliminary Plat shall be submitted by the developer on paper and shall be clear and legible. The scale shall be no smaller than 1” = 100’ (1” = 200’ where the average lot size is greater than five (5) acres as approved by the Office of Planning and Zoning). When more than one (1) sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. Each sheet must have the surveyor’s

seal. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Preliminary Plat will be not considered complete if the boundary line survey has not been completed, the Traffic Impact Study (if required) has not been completed, the documentation of the completed jurisdictional determination (if applicable) has not submitted, and the Preliminary Forest Conservation Plan has not been approved prior to submittal of said Preliminary Plat (if in the Critical Area, a Preliminary Plat will not be considered complete unless the Preliminary Environmental Assessment has been approved prior to submission of said Preliminary Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Preliminary Plat will be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County's website, and if the submission fee, established in Appendix A, has not been paid. Incomplete Preliminary Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.

- (b) A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. (scale shall be no smaller than 1"=2000'), and conforming to Section 2.4.4 on the designation of the remainder. The tax map, block (grid), parcel number(s) shall also be shown.
- (c) The names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference shall be indicated. In the event that a historic district or other officially designated historic site adjoins the land to be developed, it shall be identified.
- (d) Title information:
 - 1. Proposed name.
 - 2. Scale of Plat (feet and meters).
 - 3. Location by election district, County and State.
 - 4. Date.
- (e) 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.
- (f) Northpoint. Indicate if true north.
- (g) Boundary of proposed subdivision.
- (h) All existing pertinent features either natural or manmade that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.
- (i) Existing topography at 2- or 5-ft contour intervals. Contour lines shall be indicated 100 ft beyond the subdivision boundary. Contours shall be based on government bench marks when available within 2000 ft of property or by estimation from USGS quadrangle maps. Data shall be stated in all cases and a reference or bench mark described on the plat together with elevation. Source of contours shall be stated on plat, such as, field run topo, or aerial topo, etc. Interpolation of contours from USGS quadrangle maps will not be accepted unless previously approved by OPZ.
- (j) Location, width, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements (to be indicated with dashed lines).
- (k) Location of existing and proposed utilities on or within 200 ft of the tract with approximate pipe sizes and directions of slope indicated (should include electric and telephone poles or towers).
- (l) The layout of all proposed and existing lots with approximate dimensions and minimum building line should be indicated. All major subdivisions must be provided with coordinates consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.
- (m) The preliminary layout of all proposed streets and pedestrian ways, including width of right-of-way, pavements, storm drains, and grades.
- (n) The approximate location, dimensions, and area of all property proposed to be reserved or temporarily reserved for public use, or to be reserved for use of all property owners in the subdivision, and the location, dimensions and purposes of any proposed easements, including drainage easements.
- (o) Zoning district classification of the tract or parcel being subdivided.
- (p) Existing and proposed (schematic) drainage system, including the type(s) of structures, the floodplain, proposed stormwater management facility locations, and any deviations from standards, consistent with Section 7.5.
- (q) Locations of the septic disposal area, proposed wells and percolation information are to be indicated in accordance with the specifications of the Maryland State Department of Health and Mental Hygiene when individual sanitary facilities are to be used. If community sewerage and/or water systems are to be used, such notation shall be made on the Preliminary Plat.
- (r) The total number of lots, area of lots, the density, the total area of any open space, the total area of any common open space, any add-ons, total area and types of right-of-way dedicated, and total area of subdivision shall be indicated in table form. All acreage shall be accounted for, per the boundary line survey, and the Preliminary Plat density shall not exceed the approved Concept Plat density.
- (s) In cases of condominium or multi-family projects (apartments, townhouses, etc.), the following additional items shall be shown:
 - 1. Approximate location of each building, setbacks from all streets (public or private), property lines and distance between buildings.
 - 2. Number and types of units in each building.
 - 3. Total number of Units and sub-totals of each type.
 - 4. Number of parking spaces in each off-street parking area, and the space to unit ratio.
- (t) Soil types shall be shown.
- (u) Perimeter of the entire parcel as well as the section requiring approval.
- ~~(v) For proposed subdivisions located in the Critical Area, the following additional information will be shown on the Preliminary Plat as applicable:~~

The April TAC meeting ended at 9:22 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning