

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, January 2, 2013
9:00 a.m.
County Administration Building
200 Chesapeake Blvd. Elk Room, Elkton, MD 21921

Due to a lack of agenda items, there was not a January meeting of the Technical Advisory Committee.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, February 6, 2013
9:00 a.m.
County Administration Building
200 Chesapeake Blvd. Elk Room, Elkton, MD 21921

Due to a lack of agenda items, there was not a February meeting of the Technical Advisory Committee.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, March 6, 2013, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Wilen, Kordell (CCDPW), Funk, Van (CCDPW), Harmon, Lloyd (DEH), Brown, Chris (CCSCS), Williams, Keith (FA) and Bakeoven, Jennifer (CCP&Z).

Absent: Graham, Daniel (Citizen's Rep.), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Latham, Cindy (MDE), Zeller, Rich (SHA), Langford, Ariana (CCPS).

1. Lands of Kevin & Theresa Reville, Lots 1-4, Fingerboard Schoolhouse Road, Preliminary Plat, Will Whiteman Land Surveying, Inc., First Election District.

MOVED TO THE APRIL 2, 2013 TAC MEETING.

2. Peninsula Industrial, N. Leslie Road, Concept Plat, Morris & Ritchie Associates, inc., Fifth Election District.

Phil Toliver, Morris & Ritchie Associates, Inc., appeared and presented an overview of the project.

Mr. Wilen and Mr. Funk, DPW, read the comments of the department:

1. It appears that the purpose of this plat is to create lots around existing structures on Parcels B & C. What if any development is proposed for Parcel A? Mr. Toliver said none at this time.
2. Do you propose to use the existing SWM pond to address any of Parcel A's SWM control measures?
3. Be advised that any development proposed for Parcel A and/or further development on Parcels B & C requires that SWM be addressed in accordance with the current Ordinance. That includes the requirement that the concept SWM plan must be approved by all reviewing agencies prior to submitting the concept plat to the Planning Commission for review.
4. Currently the department has outstanding issues with the existing SWM pond on this site. Until these issues have been resolved to the Department's satisfaction we will not recommend approval of the concept plat to the planning Commission.
5. Where do you propose to provide access to Parcel A onto/off of Peninsula Drive?
6. An entrance plan must be approved prior to the Department signing the record plat.
7. If the proposed development on Parcel A includes any sanitary sewer discharge a commercial sewer allocation and a sanitary sewer plan must be approved before the Department will sign the record plat.
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 Final Plat and Lot Grading Plan Construction Limits Notes.
 - 8.2 Requirements for Public Works Agreements.
 - 8.3 Requirements for Stormwater Inspection and Maintenance Agreements.

Notes and requirements identified for record:

1. The Final Plat must include the standard lot grading note and the 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 here on. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown here on. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - a. *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 251 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 road & associated storm drainage construction within the County R/W & for sanitary sewer work within the County R/W.
3. An Inspection & Maintenance and/or Micro Scale Practices Agreement is required for the private SWM facilities.

Discussion ensued regarding current Stop Work Orders on this parcel, given by DPW and what will be require to correct the violations before proceeding with this subdivision.

Mr. Williams, Fire Chief's Representative had no comments.

Mr. Brown, CCSCS, read the comments of the department.

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

Must have written commitment from Town of North East and Cecil County Department of Public Works for water and sewer allocations for this project.

If a pumping station is necessary, a permit to construct the pumping station must be obtained from Maryland Department of the Environment prior to Final Plat approval. The permit number must be on the plat, if applicable.

Final and Record 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 Cecil County Master Water and Sewer Plan (by the Health Department's signature).

Mr. Di Giacomo read the comments of SHA:

SHA has no objection to approval of this plan as there is no SHA right-of- way involved. When this site develops SHA may request a traffic impact analysis to determine the traffic impacts to the surrounding road network.

Mr. Di Giacomo read the comments of CCPS:

Cecil County Public Schools has no comments on the Peninsula Industrial subdivision item on the March TAC meeting agenda.

Mr. Di Giacomo provided the applicant with comments from MDE and Delmarva Power.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 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: M1

Density: The M1 zone does not specify a permitted density, per se. Rather, the number of lots that can be created from an M1 parcel of a given size is limited by building restriction line requirements, environmental features and requirements, and infrastructure.

This Concept Plat proposes 3 lots, labeled on the plat as "parcels," on 18.45 acres ('Parcel' A – 5.05, 'Parcel' B – 9.54, & 'Parcel' C – 3.86). Tax records indicate the acreage to be 18.748.

This parcel (TM 25, P 675) must be subdivided via the major subdivision process, because the minor subdivision potential has been exhausted. Parcel 675 was part of the old Parcel 417, the original Parcel of record.

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat.

§4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots or 25 or fewer acres. §2.0 allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

Structures 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 shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.¹

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. 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 final approval of any Site Plan for the proposed 'Parcel A.'

¹ 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."

Any Site Plan submitted for 'Parcel A' must adhere to the requirements set forth in §291 and Appendix A of the Zoning Ordinance. The applicant is advised to review §38.2.c in that regard.

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

The existing development on the proposed 'Parcel B' was approved on 3/1/83 when the 'Ryland Modular Systems' Site Plan was approved. Its storm water management pond is located on a portion of what is now proposed to be 'Parcel A.' If common open space is not used to accommodate this storm water management pond, then who will be responsible for the pond's maintenance and upkeep? Mr. Toliver said it will be a joint responsibility between all of the parcels.

If it is to be the owner of the proposed 'Parcel B,' then how will the owner of 'Parcel B' access the storm water management pond? Mr. Toliver stated that the owners will access through easements.

An approved Site Plan for the existing development on the proposed 'Parcel C' could not be found. Does the applicant know when those structures were built? Mr. Toliver said no. Does the applicant know whether those structures are served by any storm water management facilities? Mr. Toliver stated that the construction of the building preceded the SWM regulations.

The plat depicts a 20' wide road connecting the areas proposed to be 'Parcel B' and 'Parcel C.' It traverses a portion of the area proposed to be 'Parcel A.' Is that connectivity proposed to be preserved as an easement, or will it be expunged with the recordation of this proposed subdivision? Mr. Toliver stated that there would be an easement.

A portion of area proposed to be 'Parcel A' over which the roadway connectivity between 'Parcel B' and 'Parcel C' is cut off from the balance of the proposed 'Parcel A' is otherwise inaccessible because of the storm water management pond associated with the area proposed to be 'Parcel B.' Is access to that portion of the proposed 'Parcel A' intended to be through proposed 'Parcel C' from N. Leslie Road? If not, then how will that part of proposed 'Parcel A' be accessed? Mr. Toliver stated that there is no reason to access that area.

It is assumed that the proposed 'Parcel A' is intended to be accessed from Peninsula Drive, although that is not shown on the plat. If so, then the access point should be located directly across from Industrial Drive, in keeping with §7.2.E.5.

The setbacks, or building restriction lines, have not been shown. The applicant is advised, especially with respect to proposed 'Parcel A,' the yard requirements shown in Figure 1, page 25, ARTICLE II, §12 of the Zoning Ordinance.

This subdivision and any subsequent Site Plan must conform to the M1 requirements set forth in §38 of the Zoning Ordinance.

With regard to §7.4.1, dealing with lots shape, what is the rationale for the proposed panhandle shape of 'Parcel A,' since the panhandle portion will be essentially inaccessible and/or unusable?

No landscaping of the development envelope is required in the M1 zone, but bufferyards are required, per §38.3, along the road frontages of N. Leslie Road and Peninsula Drive.

What is the name and ownership of the road on the westerly side of the proposed 'Parcel A'? Mr. Toliver said it is Leslie Drive.

Sidewalks will not be recommended.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. The adjacent properties' zoning has not been shown.

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 and/or street tree requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to any Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

If the applicant proceeds with a Preliminary-Final Plat only, then all of the following must be approved before the Preliminary-Final Plat can be accepted for review by the Planning Commission:

- Forest Stand Delineation (FSD)
- Stormwater Management Conceptual Plan
- Preliminary Forest Conservation Plan
- Stormwater Management Preliminary Plan
- Final Forest Conservation Plan and Landscape Plan
- Stormwater Management Final Plan

The Preliminary Forest Conservation Plan (PFCP) 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 preliminary and final Forest Conservation Plans (FCP)/Landscape Plan and SWM Preliminary and Final Plans 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 and/or final Site Plan approval.

Deed restrictions for the long-term protection of the street trees and 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.

Any internal road names will need to be approved by the County 911 Emergency Center prior to Planning Commission review of the Preliminary Plat. Road names are required on Concept Plats, per §4.0.13 (h) of the Cecil County Subdivision Regulations.

Access to any common open space between lots must be marked with concrete monuments.

The use of common open space would trigger the need for a Maintenance Association for maintenance of common open space to be established with \$50 per recorded lot being placed in escrow for improvements prior to recordation.

The Final and Record Plats shall contain a statement 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 Master Water and Sewer Plan classifies this site as W1 and S1.

The Final and Record Plats shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale.

Documentation of water allocation must be provided by the applicant prior to the Planning Commission's review of the Final Plat, or final Site Plan approval.

Documentation of sewer allocation/capacity must be provided by the applicant prior to the Planning Commission's review of the Final Plat, or final Site Plan approval.

Documentation of all necessary easement agreements among the owners of the proposed lots will be required prior to the Planning Commission's review of any Final Plat. All easement agreement documents requiring recordation must be recorded prior to the recordation of the Record Plat.

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 3rd Thursday for review by the Planning Commission the following month.

CONCEPT PLAT REQUIRED INFORMATION:

- (a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall 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 prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.
- (b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
- (c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
- (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 owner or person representing owner who is responsible for preparation of the plat.
- (f) North point.
- (g) Boundary of proposed subdivision. This can be a deed plot.
- (h) Location, widths, 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 by dashed lines).
- (i) Location of existing utilities on or within two hundred (200) feet of the parcel.
- (j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
- (k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.

- (l) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission's review of the Concept Plat.
- (m) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.
- (n) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
 - 1. Approximate location of buildings.
 - 2. Total number of units in each building.
 - 3. Total number of off-street parking spaces and the space to unit ratio.
- (o) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
 - 1. Tidal and non-tidal wetlands;
 - 2. Streams (perennial and intermittent);
 - 3. Areas of steep slopes, highly erodible and other soils with development constraints;
 - 4. Shore and stream Buffer (110-foot or 200-foot minimum);
 - 5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
 - 6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
 - 7. Computation of the amount of acres in the Critical Area District; and
 - 8. The location and extent of existing and/or proposed shore erosion abatement approaches.
 - 9. The Conceptual Environmental Assessment.
- (p) All existing easements on the parcel(s) to be subdivided.
- (q) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.
- (r) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

The March TAC meeting adjourned at 10:15 a.m.

Respectfully submitted,

Jennifer Bakeoven

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, April 3, 2013, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Wilen, Kordell (CCDPW), Graham, Daniel (Citizen's Rep.), Brown, Chris (CCSCS), Latham, Cindy (MDE), Peoples, Rob (MDE), and Bakeoven, Jennifer (CCP&Z).

Absent: Harmon, Lloyd (DEH), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA), Langford, Ariana (CCPS).

Mr. Di Giacomo stated that agenda item #3 may eventually be annexed into the Town of North East therefore the comments read today will cover both an annexed and non-annexed project.

1. Lands of Kevin & Theresa Reville, Lots 1-4, Fingerboard Schoolhouse Road, Preliminary Plat, Will Whiteman Land Surveying, Inc., First Election District.

MOVED TO THE MAY 1, 2013 TAC MEETING.

2. Peninsula Industrial, Peninsula Drive, Concept Plat, Morris & Ritchie Associates, inc., Fifth Election District.

Phil Toliver, Morris & Ritchie Associates, Inc., appeared and presented an overview of the project.

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

1. It appears that the purpose of this plat is to create Lots 1 & 2 around existing structures on the original Parcel 675.
2. The existing SWM pond shown on Lot 2 will continue to address Lot 1's SWM control measures.
3. The SWM remediation plan must be formally submitted as the concept, preliminary & final SWM plans and be approved before the Department will sign the final plat.
4. The outstanding issues with the existing SWM pond on this site have been addressed so that the Department can recommend approval of the preliminary/final plat to the planning Commission

Mr. Wilen stated that DPW has seen significant improvement in regard to the SWM facility on the site. He feels that with various agreements in place, this project can move forward. Mr. Di Giacomo asked what DPW will require from the applicant for them to precede to the Planning Commission for review and approval. Mr. Wilen said that what the applicant has submitted to date will satisfy DPW's recommendation of approval but the condition will be that DPW has assurity, an I&M agreement and review fees being paid.

Mr. Brown, CCSCS, read the comments of the department:

- To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly.

Mr. Peoples, MDE, read the comments of the department:
MDE would like to confirm that the water service will be served by the Town of North East. Mr. Toliver said yes. Mr. Peoples asked if there are any existing wells on the site. Mr. Toliver said no.

Mr. Graham, Citizen's Representative, had no comments.

Mr. Di Giacomo stated that CCPS, Delmarva Power and the Fire Chief's Representative had no comments.

Mr. Di Giacomo read the comments for SHA:
SHA has no objection to plat approval as access to this site will be from a county road and there are no right-of-way impacts to SHA.

Mr. Di Giacomo stated that the representative from the Health Department was not attending the meeting today but their comments would be forwarded to the applicant.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 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: M1

Density: The M1 zone does not specify a permitted density, per se. Rather, the number of lots that can be created from an M1 parcel of a given size is limited by building restriction line requirements, environmental features and requirements, and infrastructure.

This Preliminary / Final Plat proposes 2 lots on 18.449 acres (Lot 1 – 9.544 & Lot 2 – 8.905). Tax records indicate the acreage to be 18.748.

This parcel (TM 25, P 675) must be subdivided via the major subdivision process, because the minor subdivision potential has been exhausted. Parcel 675 was part of the old Parcel 417, the original Parcel of record.

A boundary line survey has been done (per Note # 4).

§4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots or 25 or fewer acres. §2.0 allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

This subdivision must conform to the M1 requirements set forth in §38 of the Zoning Ordinance.

Structures 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

shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.¹

Mr. Toliver stated that the only slopes on this property is the man-made SWM pond.

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. 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 rare, threatened, and endangered species must be avoided.

The existing development on the proposed Lot1 was approved on 3/1/83 when the 'Ryland Modular Systems' Site Plan was approved.

An approved Site Plan for the existing development on the proposed Lot 2 could not be found.

The plat depicts a 20' wide road connecting the areas of proposed to be Lot 1 and 2. Is that connectivity proposed to be preserved as an easement, or will it be expunged with the recordation of this proposed subdivision? Mr. Toliver stated that there is an easement.

The setbacks, or building restriction lines, have now been shown. An existing building intrudes into the BRL on proposed Lot 2.

No landscaping of the development envelope is required in the M1 zone, but bufferyards are required, per §38.3, along the road frontages of N. Leslie Road and Peninsula Drive.

Sidewalks will not be recommended.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. The adjacent properties' zoning has not been shown.

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring.

¹ 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."

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

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to any Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

If the applicant proceeds with a Preliminary-Final Plat only, then all of the following must be approved before the Preliminary-Final Plat can be accepted for review by the Planning Commission:

- Forest Stand Delineation (FSD)
- Stormwater Management Conceptual Plan
- Preliminary Forest Conservation Plan
- Stormwater Management Preliminary Plan
- Final Forest Conservation Plan and Landscape Plan
- Stormwater Management Final Plan

Mr. Wilen interjected that the SWM Plan approvals requirement would not pertain to this subdivision because no disturbance or new development is proposed.

The Preliminary Forest Conservation Plan (PFCP) 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 preliminary and final Forest Conservation Plans (FCP)/Landscape Plan will be unnecessary. Any SWM Preliminary and Final Plans 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). Mr. Wilen stated that this project does not necessarily require SWM, the applicant is simply addressing a past violation.

Any Landscape Agreement must be executed prior to recordation and/or final Site Plan approval.

Deed restrictions for the long-term protection of any street trees and any 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.

The Final and Record Plats shall contain a statement 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 Master Water and Sewer Plan classifies this site as W1 and S1.

The Final and Record Plats shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all lots offered for sale.

Documentation of water allocation must be provided by the applicant prior to the Planning Commission's review of the Final Plat.

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

Documentation of all necessary easement agreements among the owners of the proposed lots will be required prior to the Planning Commission's review of any Final Plat. All easement agreement documents requiring recordation must be recorded prior to the recordation of the Record Plat.

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

Mr. Toliver asked who would be the grantee for the SWM easement agreement. Mr. Wilen said the County would be the grantee.

Discussion ensued regarding the recommended access easement for Lot 2.

3. Riverwoods at North East, 76 Units, Main Street Extended, Concept Plat, Bay State Land Services, Inc., Fifth Election District.

Mitch Ensor, Bay State Land Services, appeared and presented an overview of the project. Mr. Ensor stated that Rebecca Warrants and James Riggs with Riverwoods of North East, LLC was also in attendance. Mr. Ensor stated that this property is in the beginning stages of being annexed into the Town of North East.

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

1. It is understood that this property will be annexed in to the Town of North East and all our comments reflect that.
2. The Town of North East will own the water distribution system in this development. The CCDPW recommends that the water distribution system, including fire hydrant locations, be designed to meet or exceed the County's standards. The Town should request that the serving fire company review fire hydrant spacing and locations and require a PWA for the work associated with the water distribution system installation. The water lines must be reflected on the sanitary sewer plans and as-built plans.
3. This project must be designed to meet the requirements of the current SWM Ordinance. As such the applicant is required to submit concept, preliminary & final SWM plans for review and approval before the equivalent level plat is presented to the Town of North East for their review. We request that the Town of North East not except any of this development's plats for review until the equivalent SWM plan has been approved.
4. Railroad Lane is a private road. Do you intend it to remain so? Will it become a Town road? Ms. Vennell, Town of North East, said the road will not be transferred to the town.
5. We will require Road & Storm Drain plans for the intersection of N. Main Street Extended a County road and Railroad Lane a private road as well as the proposed improvements of Railroad Lane to support the proposed development. It appears that you intend to acquire an access easement from Parcel 294 to widen Railroad Lane. How wide is the proposed easement? This easement must be recorded prior to the Department approving the road & storm drain plans for

this project. These plans must be approved prior to submitting the final plat to the Planning commission for approval.

6. Have you determined what properties currently have the right to access Railroad Lane? Mr. Ensor said that all properties currently accessing Railroad Lane will continue to access this lane.
7. A Sanitary Sewer plan and if required Sanitary Sewer Pump Station plan must be approved prior to submittal of the final plat to the Planning Commission for approval. Discussion ensued regarding the possibility of adding other users to the proposed pump station.
8. If the pump station & force main become County owned/operated we will require a utility easement dedicated to the County along the force main and that the pump station be located on a parcel dedicated in fee simple to the County.
9. A Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
10. A sanitary sewer allocation request must be submitted to the DPW for review prior to approval of the final plat.
11. The Department requires that a Traffic Impact Study (TIS) be submitted for this project. The scope of the TIS must address the intersection of Railroad Lane, N. Main Street Extended and Cameron Road as well as Cameron Road at MD Rte 40 and N. Main Street Extended at MD Rte 40.
12. As this development will access N. Main Street Extended at an existing road intersection and the fact that N. Main Street Extended ends within less than 1,200' south of said intersection sight distance measurements will not be required.
13. The need for deceleration, acceleration and bypass lanes at the proposed N. Main Street Extended intersection must be addressed as specified in Sections 3.07 6), 7) & 8) of the Cecil County Road Code. However the Department will entertain the idea that with less than 1,200' of road south of the proposed entrance and the most likely egress/regress pattern running to the north to and from MD Rte 40 the need for a deceleration lane is greatly negated.
14. Existing legal access points onto Railroad Lane must be maintained and be kept a minimum of 75' away from the P.O.I. of the N. Main Street Extended intersection.
15. 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:

- 15.1 The Final Plat Lot Grading, Sidewalk Maintenance, and Lot Grading Plan Construction Limits Notes.
- 15.2 Requirements for Utility relocations.
- 15.3 Requirements for Public Works Agreements.
- 15.4 Requirements for Stormwater Inspection and Maintenance Agreements.
- 15.5 Requirements for Sewer Service Cleanouts – Location.

Notes and requirements identified for record:

1. The Final Plat must include the 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. *Final Plat:* “Sidewalk maintenance will be required of the adjacent property owner, as required by the Cecil County Road Code.”
 - c. *Grading Plan:* “No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 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. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer’s expense.

3. Public Works Agreements are required for the work associated with the construction of the streets & storm drainage, and public sewer system.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. All sewer service cleanouts must be designed to be outside of all paved or concrete areas on each lot and this must be shown on the utility plans.

Ms. Vennell said that the Town of North East is working with the developer on the annexation process.

Mr. Brown, CCSCS, read the comments of the department;

- To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly.
- Soil maps and reports on soil limitations have not been provided as they will need to be submitted by the engineer within the Storm Water Management review process.

Mr. Peoples, MDE, read the comments of the department. Mr. Peoples stated that if the water will be provided by the Town of North East, a water appropriation exemption will not be required. Mr. Peoples asked the applicant if there are any existing wells on the property. Mr. Ensor stated that he believes there are no wells but there is an existing septic tank. Ms. Latham stated that if either are found to be present on the property, they will need to be abandoned and sealed.

Mr. Graham, Citizen's Representative, read a letter that was received from an adjoining property owner requesting that a 6 foot chain link fence with barbed wire be put in place to keep from people trespassing on their property.

Ms. Vennell from the Town of North East stated that the Town is prepared to begin the process of having this property annexed into the town's jurisdiction. A hearing on the annexation will be held in June 2013 and they are hoping to have a decision rendered by August 2013.

Mr. Di Giacomo read the comments from Delmarva Power:

Delmarva records indicate that the first pole on Railroad Ln is owned by Verizon and tagged as 22. It is also tagged with a Delmarva number 37424/38501. The second pole on Railroad Ln east of N. Main St. Extended is owed by Delmarva and tagged as 37433/38500. All other poles beyond the first two poles are considered customer owned.

Mr. Di Giacomo read the comments from CCPS. See file.

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

This proposal is in compliance with §3.8 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: RM

Density: The RM zone permits a density of up to 14 du/ 1 ac. for apartments. This submission proposes 76 dwelling units on 11.585 acres for a proposed density of 6.56 / 1.

However, it is noted that this submission covers only Phase 1. [If annexed into the Town, then the allowable density under Town zoning will need to be determined.](#)

Apartment projects must be consistent with §28 of the Zoning Ordinance and §6.3 of the Subdivision Regulations. [If this site is annexed into the Town, then it is the Town's Zoning Ordinance and Subdivision Regulations that must be followed – which may, possibly, eliminate the need for separate Concept, Preliminary and Final Plats.](#)

[If the site and project remain in the County, then](#) a boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes.

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 shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.²

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. 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 rare, threatened, and endangered species must be avoided.

71.2% exceeds the open space requirements of the RM zone. However, it is again noted that this submission covers only Phase 1. [If annexed into the Town, then the open space required under Town zoning will need to be determined.](#)

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 (except in the NAR and SAR zones). The open space sensitive areas thresholds must be calculated for inclusion on the Preliminary Plat; [if annexed into the Town, then the open space sensitive areas thresholds required under Town zoning will need to be determined.](#)

² 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."

15 % landscaping is required in the RM zone.

Sidewalks are depicted; what about bike lanes? Mr. Ensor said that bike storage is included in the structural plans but no bike lanes were considered.

Apartment buildings shall be set back at least 20' from all parking areas and internal roads (§28.4.h).

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). The maximum length of an apartment building is 300 feet (§28.4.j).

A minimum 25' Bufferyard Standard C is required around the perimeter of the tract, as depicted (§28.5.b). [If annexed into the Town, then perimeter and other landscaping requirements of the Town must be adhered to.](#)

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of roads.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. The adjacent properties' zoning has not been shown.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts. [Again, if annexed into the Town, then perimeter and other landscaping requirements of the Town must be adhered to.](#)

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The Preliminary Forest Conservation Plan (PFCP) 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 Plan 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 street trees and 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.

The internal road names will need to be approved by the County 911 Emergency Center prior to Planning Commission review of the Preliminary Plat. Road names are required on [County Concept Plats](#), per §4.0.13 (h) of the Cecil County Subdivision Regulations. A TIS will be required prior to the TAC's review of the Preliminary Plat.

Final fire hydrant locations must be determined in consultation with the CCDPW and the North East Fire Company.

If not annexed into the Town, then the Clubhouse may be approved separately via the Site Plan. Whether approved as a separate Site Plan or through the subdivision review and approval process, the details must adhere to the requirements of §291 and Appendix A of the Zoning Ordinance. In addition, the Final Plat cannot be recommended for approval until after the Clubhouse Site Plan has been approved.

It is recommended that the lighting plan consider ‘dark sky’ infrastructure in anticipation of possible ‘dark sky’ lighting requirements being adopted by the Town and/or County.

The number and ratio of parking spaces to dwelling units have been provided and are consistent with the requirements of ARTICLE XIV.

However, ARTICLE XIV also speaks to bicycle accessibility. How are the requirements of §278 proposed to be met? If annexed into the Town, then it is recommended that bike and pedestrian access issues be carefully addressed.

The depicted access road from North Main Street is partially on an adjacent property. How, then, will access be effectuated?

The Record Plats shall contain a statement 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 Master Water and Sewer Plan classifies this site as W2 and S1.

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

Documentation of water allocation must be provided by the applicant prior to the Cecil County Planning Commission’s review of the Final Plat.

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

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 3rd Thursday for review by the Planning Commission the following month, in the event that the project remains in the County’s review and approval process.

School information:	Elementary	Middle	High School
	North East	North East	North East
FTE	512	726	1037
Capacity	542	712	1009
% Utilization	94%	102%	103%

**HEALTH DEPARTMENT COMMENTS FOR BOTH PROJECTS CAN BE
FOUND ON PAGES 12 & 13**

The April TAC meeting adjourned at 10:15 a.m.

Respectfully submitted,

Jennifer Bakeoven

MEMORANDUM

T.A.C. Meeting – April 3, 2013 (9:00 a.m.)

To: Records

From: Lloyd F. Harmon
Program Supervisor
Environmental Health Services

Date: April 1, 2013

2. Peninsula Industrial Park, 2 lots - Preliminary Final Plat

Must have written commitment from Town of North East and Cecil County Department of Public Works for water and sewer allocations for this project.

If a pumping station is necessary, a permit to construct the pumping station must be obtained from Maryland Department of the Environment prior to Final Plat approval. The permit number must be on plat, if applicable.

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 Cecil County Master Water and Sewer Plan (by the Health Department's signature)

3. Riverwoods at North East, 76 Units - Concept Plat

Must have written commitment from Town of North East and Cecil County Department of Public Works for water and sewer allocations for this project.

If a pumping station is necessary, a permit to construct the pumping station must be obtained from Maryland Department of the Environment prior to Final Plat approval. The permit number must be on plat, if applicable.

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 Cecil County Master Water and Sewer Plan (by the Health Department's signature).

Written details for the use of the Clubhouse must be submitted to the Cecil County Health Department to determine if any regulated activities are proposed.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE

Wednesday, May 1, 2013

9:00 a.m.

County Administration Building

200 Chesapeake Blvd. Elk Room, Elkton, MD 21921

Due to a lack of agenda items, there was not a May 2013 meeting of the Technical Advisory Committee.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE

Wednesday, June 5, 2013, 9:00 a.m.

**County Administration Building
200 Chesapeake Blvd., Elkton, Maryland**

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Graham, Daniel (Citizen's Rep.), Peoples, Rob (MDE), Smith, Jeff (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Harmon, Lloyd (DEH), Brown, Chris (CCSCS), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA), Langford, Ariana (CCPS).

1. Lands of Kevin & Theresa Reville, Lots 1-4, Fingerboard Schoolhouse Road, Preliminary Plat, Will Whiteman Land Surveying, Inc., First Election District.

Will Whiteman, Whiteman Land Surveying, Inc. and Ronnie Carpenter, Carpenter Engineering, appeared and presented an overview of the project.

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

1. Stormwater Management (SWM) must be addressed for the proposed development in accordance with the current SWM Ordinance. As such, the concept & preliminary SWM plans must be approved by the appropriate reviewing agencies prior to submitting the preliminary Plat for Planning Commission review.
2. A Road & Storm Drain plan for the private mini road and a Mass and Final Grading plan must be approved by the DPW prior to submitting the final plat to the Planning Commission for review.
3. Section 2.13 of the Cecil County Road Code applies to the proposed private mini road.
4. Adequate intersection sight distance must be verified and a formal submittal made. The Department will not recommend approval of the preliminary plat until sight distance for the proposed mini road/county road intersection has been approved.
5. Lot 1 must be denied direct access on to Fingerboard Schoolhouse Road and be so noted on the plat.
6. 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:
 - 6.1 The Final Plat and Lot Grading Plan Construction Limits Notes.
 - 6.2 Requirements for Public Works Agreements.
 - 6.3 Requirements for Stormwater Inspection and Maintenance Agreements.

Notes and requirements identified for record:

1. The Final Plat must include the standard lot grading note and if sidewalks are required, the note indicating that sidewalk maintenance will be required of the adjacent property owner. 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 here on. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown here on. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - a. *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 251 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 private mini road & associated roadside storm drainage ditch construction.

3. An Inspection & Maintenance and/or Micro Scale Practices Agreement is required for the private SWM facilities.

Mr. Graham, Citizen's Representative, had no comments.

Mr. Peoples, MDE, stated that a Notice of Exemption needs to be filed with MDE for this project. Mr. Peoples provided the applicant with an application.

Mr. Smith, DEH read the comments of the department:
Groundwater Appropriation Permit Exemption required from Maryland Department of the Environment with a courtesy copy sent to the Health Department.

Plat is satisfactory.

Mr. Di Giacomo read the comments of SHA:
SHA has no objection to plat approval as access to this site will be from a county road and there are no right-of-way impacts to SHA.

Mr. Di Giacomo stated that comments were not received from the following agencies: Delmarva Power, Fire Chief's Representative, CCPS and CC Soil Conservation Service.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 regarding public notification signs.

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: SAR & RCA

Density: The SAR zone permits a maximum density of 1 du/ 20 ac. This Preliminary Plat proposes 4 lots on 194.767 acres, for a proposed density of 1/48.69.

§4.0.1 of the Subdivision Regulations allows for the elimination of a Concept Plat for projects with fewer than 10 lots or 25 or fewer acres.¹

Has the boundary line survey been completed? A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes. Mr. Whiteman stated that a boundary line survey has been completed.

Per §4.1.20 (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."

The required §4.1.20 (r) data table must be added prior to the Preliminary Plat's submission for review by the Planning Commission.

¹ §2.0 of the Subdivision Regulations allows for a combined Preliminary-Final Plat if there are from 1 to 5 lots.

This Preliminary Plat proposes 4 lots on 194.767 acres, for a proposed density of 1/48.69, which is within the SAR zone's permissible density limit of 1:20.

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 III area.

CA Density: The RCA Critical Area overlay zone permits a maximum density of 1 du/ 20 ac. A portion of the proposed lot 4 is in the Critical Area's RCA overlay zone, but the proposed dwelling site is outside the Critical Area.

Per §4.1.20 (v), the Critical Area acreage is required to be included on the Preliminary Plat, as well as the number of lots proposed in the Critical Area. These data must be added prior to the Preliminary Plat's submission for review by the Planning Commission.

The proposed Critical Area density has not been stated on the plat; it is 1:188.527. That proposed CA density falls within the RCA overlay zone's permissible density limit of 1:20.

Per §196.1 and §196.1.a of the Zoning Ordinance, the Buffer in the RCA overlay zone is 200'. Per §4.1.20 (v) 5, the Buffer must be shown on the Preliminary Plat. The depiction of the Buffer, and any necessary expansions thereof, must be added prior to the Preliminary Plat's submission for review by the Planning Commission.

Per §196.3.g, the 200' RCA Buffer shall be expanded due to the presence of contiguous steep slopes, nontidal wetlands, nontidal wetlands of special State concern, hydric soils, or highly erodible soils.²

It appears that there may be some steep slopes in the Buffer.³ Mr. Whiteman said there are steep slopes in the Buffer but they are not labeled on the plat.

The Critical Area boundary line has been shown, as well as the limits of the 100 year floodplain.

Several graphics have been used on sheet 1 of 2 of the plat, but they are not accompanied or explained by a key or legend. A graphics key must be added prior to the Preliminary Plat's submission for review by the Planning Commission.

Trails are depicted on proposed Lot 4 that extend into the Critical Area and the RCA Buffer. All provisions and requirements of §196 and §197 must be observed.

Comments on this proposal from the Critical Area Commission (Julie Roberts) staff were originally received on 3/13/13.

The layout of the proposed lots in the Vicinity Map does not match that depicted on the plat. That discrepancy must be rectified prior to the Preliminary Plat's submission for review by the Planning Commission.

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

² These shall be depicted per §4.1.20 (v) 3.

³ This is **required** on the Preliminary Plat per §4.1.20 (v) 2.

shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.⁴

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. 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 (see General Note # 10).

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

No common open space is required for subdivisions proposing fewer than 10 lots.

No landscaping of the development envelope is required in the SAR zone, and no sidewalks are recommended.

Bufferyard Standard C is required, outside the right-of-way, along proposed Lot 1's road frontage of Fingerboard Schoolhouse Road, as is depicted on sheet 2 of 2.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. The adjacent properties' zoning has not been shown.

A Bufferyard Standard A will be required adjacent to any adjoining property on which an agricultural operation is occurring.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along the proposed Barclay Farm Lane mini-road – as is depicted on sheet 2 of 2. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

⁴ 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."

The Forest Stand Delineation (FSD), Preliminary Forest Conservation Plan (PFCP), Preliminary Environmental Assessment (EA) 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 Plan, Final Environmental Assessment (EA) 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).

Any Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the street trees and 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.

The internal road names will need to be approved by the County 911 Emergency Center prior to Planning Commission review of the Preliminary Plat. Road names are required on Concept Plats, per §4.0.13 (h) of the Cecil County Subdivision Regulations.

Access to any common open space between lots must be marked with concrete monuments.

A Mini-road Maintenance Association for maintenance of the mini road must be established prior to recordation, with the owners of all lots accessing the mini-road becoming members.

Pursuant to General Note # 11, it will be recommended that the Final and record Plat contain a note that proposed Lot 1 be denied direct access onto Fingerboard Schoolhouse Road.

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 3rd Thursday for review by the Planning Commission the following month.

School information:	Elementary	Middle	High School
	Cecilton	Bo. Manor	Bo. Manor
FTE	297	473	641
Capacity	350	601	643
% Utilization	85%	79%	100%

The June TAC meeting adjourned at 9:20 a.m.

Respectfully submitted,

Jennifer Bakeoven

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, July 3, 2013, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Harding, Aaron (CCDPW), Graham, Daniel (Citizen's Rep.), Harmon, Lloyd (DEH) and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Brown, Chris (CCSCS), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA), Langford, Ariana (CCPS).

**1. Lands of the Board of Education of Cecil County & North East Fire Company, Inc.,
Courtesy Review for the Town of North East, Add-On, Roney Avenue, Fifth Election District,
American Engineering & Surveying, Inc.**

Tim Granger, American Engineering & Surveying and Bill Streaker, North East Fire Company appeared and presented an overview of the project. Mr. Streaker stated that the North East Fire Company has no immediate plans for this added land other than maintaining it.

Mr. Woodhull, DPW, read the comments of the department:
The Department has no objection to the add-on minor subdivision proposed.

Mr. Graham, Citizen's Representative, had no comment.

Mr. Harmon, DEH, read the comments of the department:
Properties served by public water and public sewer. Health Department has no objection to add-on.

Future improvements may require water and sewer allocations.

Mr. Di Giacomo read the comments of MDE:
The site is located in an area to be supplied by public water; therefore, neither a notice of exemption nor a water appropriation permit will be required for final plat.

Mr. Di Giacomo read the comments received from SHA:
SHA has no objection to plat approval as access to this site will be from a county road and there are no right-of-way impacts to SHA.

Mr. Di Giacomo asked Perry Willis, CCPS, for comments. Mr. Willis stated that he had none.

Mr. Di Giacomo asked Betsy Vennell, Town of North East, for comments. Ms. Vennell stated that the Town had no additional comments.

Mr. Di Giacomo, P&Z, read the comments of the department:
This add-on minor subdivision is proposed in the Town of North East. The Cecil County TAC, as a courtesy to the towns in the County, reviews site plans and subdivision proposals within the towns' corporate limits.

The Office of Planning & Zoning's comments and questions relating to this Preliminary Plat are as follows:

- Town Zoning: R-1 (existing)
- Proposed use: Fire Station (?)
- It is recommended that if the specific "fire station" use (housing of apparatus, banquet/ social hall, parking, etc.), to which the new land would be put, would generate addition traffic or new patterns of vehicular movement, then the impacts of same on all modes of transportation in the immediate area be carefully analyzed in conjunction with any Site Plan approval or permitting.
- It is recommended that any necessary rezoning be completed as early as possible, but no later than prior to any future final Site Plan approval (if applicable).
- There is a stream depicted on the plat. It is recommended that the stream buffer be depicted.
- Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland impacts or stream impacts prior to recordation.
- Per General Note #7, this site is not in the Critical Area.
- It is recommended that the Town require a copy of the signed and sealed boundary line survey alluded to among the Site Data notes prior to approval.
- It should be confirmed that the setbacks, cited in General Note # 2 are consistent with the Town's Zoning Ordinance for the R-1 zone.
- It is recommended that the plat be checked to ensure that all requirements for Minor Subdivision Add-on Plats, as set forth in the Town's Zoning Ordinance and Subdivision Regulations, have been satisfied.
- Per General Note # 5, this project is exempt under §3.2N of the Cecil County Forest Conservation Regulations. (The Town of North East and Cecil County signed an "Assigning obligations under the Forest Conservation Act" agreement.)
- It should be confirmed, in conjunction with any future Site Plans or permitting, that any landscaping proposed is consistent with the landscaping requirements of the Town's Zoning Ordinance and Subdivision Regulations, especially with respect to street trees and any required bufferyards.
- It is recommended that no street trees, if any, be planted within 20 feet of sewer laterals and cleanouts, in conjunction with possible future development activities.
- It should be determined if any sidewalks are required, per the Town's Zoning Ordinance and Subdivision Regulations.

- It should be confirmed, in conjunction with any future Site Plans or permitting, that all aspects of any proposed site design and layout are consistent with the Town's Subdivision Regulations and Public Works street code.
- It should be confirmed, in conjunction with any future Site Plans or permitting, that the number of any proposed parking spaces falls with the minimum and maximum established by the Town's Zoning Ordinance and Subdivision Regulations.
- At such time as a future Site Plan might be submitted, it is recommended that water allocation be confirmed by the Town of North East prior to final approval.
- At such time as a future Site Plan might be submitted, it is recommended that sewer allocation be confirmed by the Cecil County Department of Public Works prior to final approval.
- It is recommended that it be confirmed, in conjunction with any future Site Plans or permitting, that any future site design be consistent with the Town's policies regarding possible bus stops/shelters and/or bicycle racks.
- It is recommended, in conjunction with any future Site Plans or permitting, that a lighting plan that emphasizes pedestrian safety and security be submitted and approved.
- It is recommended that consideration be given to requiring that the Record Plats contain a statement, 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, or, that such a statement be included on any future Site Plans (if applicable).

The July TAC meeting adjourned at 9:13 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE

Wednesday, August 7, 2013, 9:00 a.m.

County Administration Building

200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Harding, Aaron (CCDPW), Graham, Daniel (Citizen's Rep.), Harmon, Lloyd (DEH), Brown, Chris (CCSCS), and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA).

1. AutoZone, Store #4697, Courtesy Review for the Town of North East, Site Plan Pulaski Highway, Bergmann Associates, Fifth Election District.

Tom Davis, Bergmann Associates, appeared and presented an overview of the project. Mr. Bill Weisel, Town of North East representative, was also in attendance for the review.

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

1. A commercial sewer allocation request must be filled out by the Applicant and submitted to the Department for review.
2. The Stormwater Management (SWM) requirements for the proposed development must be addressed. Therefore, a concept, preliminary & final SWM plan must be submitted and approved prior to the equivalent level plat can be submitted for review by the Town's Planning Board (i.e. concept SWM plan approved before concept plat is approved.) We strongly suggest that the Applicant's Engineer take advantage of our SWM kickoff meetings held on the last Monday of each month to discuss your conceptual approach to meet the SWM requirements.
3. Where do you intend to connect to the County sewer main? A sanitary sewer plan will be required for the work involved with connecting to the county sewer main.
4. We understand that the Town of North east will provide water service to this site.
5. No road & storm drain plans are required as this site is accessed off of the existing private parking lot on lands of Kimeast Real Estate Investment.

Mr. Graham, Citizen's Representative, had no comments.

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

List utilities in general notes. Water and Sewer allocations are required before Site Plan approval.

Mr. Brown, CCSCS, read the comments of the department:

- To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. Please include Cecil Soil Conservation District in discussions with The Department of Public Works as to the requirements of the Stormwater Management Plans and submit plans accordingly. If it is determined that Stormwater Management was already addressed through the previous SWM plan for the shopping center, then a standalone Erosion and Sediment Control Plan will need to be submitted to the Cecil Soil Conservation District for review and approval.

- Soil maps and reports on soil limitations have not been provided as they will need to be submitted by the engineer within the Storm Water Management review process.
- A location map should be shown on the plat.

Mr. Di Giacomo read the comments from Delmarva:

The electric underground line shown on the plan originates from pole 37277/38450 and extends into the property as shown to a switching module 37279/38439 (not a transformer).

Mr. Di Giacomo read the comments of MDE:

1. The site is located in an area to be supplied by public water; therefore, neither a notice of exemption nor a water appropriation permit will be required for final plat.

Mr. Di Giacomo read the comments of SHA:

- The plan does not appear to propose access to US 40 from this site.
- SHA requests the opportunity to review a Traffic Impact Study to determine the impact to the surrounding road network. SHA requires six (6) copies of the study for our review. We will defer specific comments regarding potential improvements to US 40 until we've completed our review of the requested study.

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

This Site Plan proposal is in the Town of North East. The Cecil County TAC, as a courtesy to the towns in the County, occasionally reviews site plans and subdivision proposals within the towns' corporate limits.

The Office of Planning & Zoning's comments and questions relating to this Site Plan are as follows:

- Town Zoning: HC
- It is recommended that the Site Plan include a vicinity map.
- There is no signature block provided to document approval by the Town of North East.
- A vehicle/pedestrian circulation plan should be developed so as to be consistent with the pedestrian and vehicle flows on adjacent commercial sites and so as to reduce pedestrian-vehicle conflicts, potentially using a combination of striping and MUTCD signage. It is recommended that the circulation plan be approved by the Town prior to site plan approval.
- It is recommended that the Site Plan not be approved until an internal traffic circulation plan has been approved.
- It should be confirmed that the number of parking spaces (and ADA spaces) falls with the minimum and maximum established by the Town's Zoning Ordinance and Subdivision Regulations.
- From a safety and emergency response perspective, it is recommended that the Town not approve any site plan until after review and approval by the North East Fire Company and the Fire Marshall.

- Fire hydrant/standpipe locations should be consistent with the Town’s Zoning Ordinance and Subdivision Regulations, and/or comments provided by the North East Fire Company.
- It is recommended that the Town not approve any site plan until after review and approval of the fire suppression plan, including fire hydrant locations – with heavy emphasis on their accessibility and visibility.
- No interior street names have been provided.
- If any new street names are contemplated, they must be approved by the County 911 Emergency Center. It is recommended that any street name approvals be obtained prior to North East Planning Commission or staff review and approval.
- The Town of North East and Cecil County have signed an “Assigning obligations under the Forest Conservation Act” agreement. It is recommended that the Site Plan not be approved until the Landscape Plan and the Forest Conservation Plan have been approved. It should be confirmed that any landscaping proposed is consistent with the landscaping requirements of the Town’s Zoning Ordinance and Subdivision Regulations, especially with respect to any required bufferyards.
- It should be confirmed that the setbacks, landscaping, and structure heights are consistent with the Town’s Zoning Ordinance for the HC zoning district.
- It is recommended that the Site Plan not be approved until the Lighting Plan, consistent with those of adjacent commercial sites, has been approved. It is recommended that the lighting plan emphasize both pedestrian safety and security.
- Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland impacts or stream crossings prior to recordation. It is recommended that a final determination be made as to the necessity for a JD prior to final Site Plan approval.
- Any habitats of any rare, threatened, and endangered species on site in the area of proposed improvements should be avoided.
- It is recommended that no street/landscaping trees be planted within 20 feet of sewer laterals and cleanouts, if any.
- It is recommended that a Landscape Agreement be executed prior to recordation.
- It should be confirmed that all aspects of the proposed site design and layout are consistent with the Town’s Subdivision Regulations and Public Works street code.
- It should be confirmed that all proposed structure heights do not exceed the maximum height established in the Town’s Zoning Ordinance and Subdivision Regulations. No information in that regard has been provided.
- Stormwater management final plan approval must precede final Site Plan approval.

- Water allocation should be confirmed by the Town of North East prior to final approval.
- Sewer allocation should be confirmed by the Cecil County Department of Public Works prior to final approval.
- Has any consideration been given to providing bicycle racks and the striping of bike lanes? Mr. Davis stated that bicycle racks and striping of bike lanes have not been considered.
- It is recommended that all Variance numbers, if any, be shown on.

2. CCPS, Perryville Elementary School, Courtesy Review for the Town of Perryville, Renovations & Additions, Concept Site Plan, KCI Technologies, Seventh Election District.

Brian Morgan, KCI Technologies, Mary Ann Skilling, Town of Perryville, Ariana Langford, CCPS and Philip Conte, Studio Jaed, appeared and presented an overview of the project.

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

1. The Stormwater Management (SWM) requirements for the proposed development must be addressed. Therefore, a concept, preliminary & final SWM plan must be submitted and approved prior to the equivalent level plat can be submitted for review by the Town's Planning Board (i.e. concept SWM plan approved before concept plat is approved.) We strongly suggest that the Applicant's Engineer take advantage of our SWM kickoff meetings held on the last Monday of each month to discuss your conceptual approach to meet the SWM requirements.
2. The SWM plan for this project must also address any necessary repairs and/or maintenance, identified by the CCDPW, of the existing pond serving this site.
3. We understand that the Town of Perryville will provide water and sewer service to this site. As such Cecil County Department of Public Works (CCDPW) will not review those plans if any are proposed.
4. The CCDPW will not review the road & storm drain plans as this site is accessed off of Maywood & Maryland Avenues both of which belong to the Town of Perryville.

Mr. Graham, Citizen's Representative, had no comments.

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

Confirmation of adequate water and sewer allocations required before Site Plan approval.

Mr. Brown, CCSCS, read the comments of the department:

- A Concept Stormwater Management Plan has been submitted to the Cecil Soil Conservation District and is currently under review. Concept Plats should not be approved prior to approval of the Concept Stormwater Management/Erosion and Sediment Control Plan.
- Please remove the Cecil Soil Conservation District approval blocks from the plat. These blocks are only applicable to the Stormwater Management/Erosion and Sediment Control Plans.
- Soil maps and reports on soil limitations have not been provided as they will need to be submitted by the engineer within the Storm Water Management review process.

Mr. Di Giacomo read the comments from Delmarva:

The school's privately owned underground cables extend from Delmarva pole 33905/36917 to their private transformer.

Mr. Di Giacomo read the comments for MDE:

The site is located in an area to be supplied by public water; therefore, neither a notice of exemption nor a water appropriation permit will be required for final plat.

Mr. Di Giacomo read the comments of SHA:

SHA has no objection to plan approval as access is to a county road.

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

This site plan proposal is located in the Town of Perryville. The Cecil County TAC, as a courtesy to the towns in the County, occasionally reviews site plans and subdivision proposals within the towns' corporate limits.

The Office of Planning & Zoning's comments and questions relating to this "Concept Plan" are as follows:

- Town Zoning: R-1 (per General Notes #'s 2, 17 & 18)
- However, General Note # 27 alludes to the R-2 zone. What accounts for this apparent discrepancy? Mr. Morgan stated that is referring to the property to the west of this project.
- It should be confirmed that all existing structures are accurately depicted.
- It should be confirmed that the Town's Zoning Ordinance and/or Subdivision Regulations allows for site plan submittals to be titled 'Concept Plan' – suggesting a subdivision, rather than a site plan.
- Curiously, there is no signature block provided to document approval by the Town of Perryville.
- General Note #10.F and the plan's signature block for the County's Office of Planning and Zoning are confusing. Where do the Town's Zoning Ordinance and/or Subdivision Regulations allow for County approvals of site plans within the corporate limits of the Town? What formal agreement(s) between the County and the Town permit(s) that procedure? Mr. Morgan said this is an error and will be corrected.
- Cecil County and the Town of Perryville have not signed an "Assigning Obligations Under the Forest Conservation Act" agreement. Nevertheless, any FSD and FCP will be performed by the Office of Planning and Zoning as a courtesy to the Town, if requested.
- A vehicle/pedestrian circulation plan should be developed so as to reduce pedestrian-vehicle conflicts, potentially using a combination of striping and MUTCD signage. It is recommended that the circulation plan be approved by the Town prior to site plan approval.

- General Note # 18 reports that there are proposed to be 5 ADA parking spaces; however, only 4 ADA parking spaces are depicted on the site plan.
- General Note # 18 also asserts that the proposed parking are to be 9' x 18' in dimension; however, the 9 parking spaces in the “area for deliveries trash pick up and play” are longer than the standard 18'. Why is that?
- Regarding the “area for deliveries trash pick up and play,” trash pick up and play do not seem compatible or safe.
- It should be confirmed that the number of parking spaces falls with the minimum and maximum established by the Town’s Zoning Ordinance and Subdivision Regulations.
- Relating to the location of the proposed ADA parking spaces, it is recommended that an alternative, better location be explored. As is, even the site plan schematic depicts a school bus blocking the pedestrian crossing between the building and the proposed ADA parking space location.
- If any new street names are contemplated, must be approved by the County 911 Emergency Center. It is recommended that any street name approvals be obtained prior to Perryville Planning Commission or staff review and approval.
- It should be confirmed that the setbacks, floor area ratios, and building heights are consistent with the Town’s Zoning Ordinance for the R-1 zone (or R-2 zone).
- It is recommended that the site plan be checked to ensure that all requirements for site plans, as set forth in the Town’s Zoning Ordinance and Subdivision Regulations, have been satisfied.
- General Note # 29 suggests a net reduction in impervious surface cover. What is the intended disposition of the unlabeled parking area depicted on sheet C-102 of the Existing Conditions Plan? Mr. Morgan stated that this is the bus loop for the Middle School. Mr. Di Giacomo recommended to Mr. Morgan that he label it as such.
- It should be confirmed that any landscaping proposed is consistent with the landscaping requirements of the Town’s Zoning Ordinance and Subdivision Regulations, especially with respect to any required bufferyards.
- It is recommended that the Landscape Plan be approved prior to final site plan approval.
- It is recommended that a Landscape Agreement be executed prior to final site plan approval.
- It should be confirmed that all aspects of the proposed site design and layout are consistent with the Town’s Subdivision Regulations and Public Works street code.
- Given the new traffic patterns that this design will establish, especially at the Maryland and Maplewood Avenues intersection, it should be confirmed whether or not the Town’s regulations will require a Traffic Impact Study (TIS).

- The site plan schematic suggests that the school buses will loop around, counter-clockwise, exiting the site via the access point at the end of the westernmost lane in the proposed parking area at the SW corner of the site. It is recommended that the vehicle/pedestrian circulation plan carefully determine if that access point will be “exit only.”
- Likewise, it should be determined if the 4 proposed points of ingress and/or egress in so close proximity to one another are, in fact, consistent with the Town’s Subdivision Regulations and Public Works street code.
- Has any thought been given to closing off the proposed western access point to the proposed 20-space parking lot, given the proximity to the already potentially busy Maryland and Maywood Avenues intersection and access points? The back-up movements from the parking spaces on either side of what would likely become a cut-through lane appear precarious.
- If that access point remains, then the proposed location for the proposed “Monument Sign” near that exit should be carefully evaluated as to potential sight distance issues.
- Has any consideration been given to providing bicycle racks and the striping of bike lanes? Mr. Morgan said yes.
- From the emergency response perspective, has any consideration been given to restricting parking along the unnamed auto-access drive in the area of the school building? It is recommended that the Perryville Fire Company and the Perryville Police Department be consulted on that issue. Mr. Morgan stated that this lane is used for dropping off children therefore all cars will not be left unattended. The cars will only spend a minimal amount of time in that lane.
- Consideration should be given to soliciting review and comment by the Perryville Fire Company with respect to the layout and fire hydrant locations.
- Apropos of fire hydrants, no proposed fire hydrant locations are depicted on the site plan, and, in fact, no fire hydrant symbol has been depicted in the Legend on sheet C-001 for the ‘proposed’ situation.
- Fire hydrant/standpipe locations should be consistent with the Town’s Zoning Ordinance and Subdivision Regulations, and/or comments provided by the Perryville Volunteer Fire Company.
- Any required water allocation increase should be confirmed by the Town of Perryville prior to final approval.
- Any required sewer capacity increase should be confirmed by the Town of Perryville’s Department of Public Works prior to final approval.
- It is recommended that the site plan approval be contingent upon approval of a detailed lighting plan.

- Apropos of the lighting plan, no proposed light standard locations are depicted on the site plan, and, in fact, no light standard symbol is depicted in the Legend on sheet C-001 for the 'proposed' condition.
- It is recommended that any necessary variance or special exception numbers be shown on the plat.
- It is recommended that no street/landscaping trees be planted within 20 feet of sewer laterals and cleanouts.
- Stormwater management final plan approval must precede final Site Plan approval.
- It is recommended that any JD and MDE/COA permits be obtained for wetland and stream impacts prior to final site plan approval, if necessary.

Discussion ensued regarding the Stormwater Management plans that are required.

The August TAC meeting adjourned at 9:55 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning

**CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
MEETING AGENDA
Wednesday, September 4, 2013
9:00 a.m.
County Administration Building
200 Chesapeake Blvd. Elk Room, Elkton, MD 21921**

Due to a lack of agenda items, there was not a September meeting of the Technical Advisory Committee.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, October 2, 2013, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

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

Absent: Peoples, Rob (MDE), Graham, Daniel (Citizen's Rep.), Williams, Keith (FA), Brown, Chris (CCSCS), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA) Langford, Ariana (CCPS).

1. North East Volunteer Fire Company, Courtesy Review for the Town of North East, Tax Map 401, Parcel 17, Fifth Election District, Modified Site Plan, Landmark Engineering.

John Gonzales, Landmark Engineering, Betsy Vennell and Bill Weisel, Town of North East, appeared and presented an overview of the project.

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

1. The 455 SF proposed addition must be addressed for water quality in accordance with the Stormwater Management (SWM) Ordinance. Since this project will be less than 5000 sq ft., disconnect meets the stormwater. Mr. Woodhull recommended use silt fencing or something comparable during construction.

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

Health Department has no objection to modified site plan. A demolition permit may be required for the proposed demolition.

Mr. Di Giacomo read the comments of SHA:

SHA has no objection to plan approval as the existing entrance on MD 272 is adequate to serve the proposed additions.

Mr. Di Giacomo read the comments of MDE:

1. The site is located in an area to be supplied by public water; therefore, neither a notice of exemption nor a water appropriation permit will be required for final plat.

Mr. Di Giacomo stated that Delmarva Power, Citizen's Representative and Soil Conservation Service have no comments.

Also, no comments were received by the Fire Chief's Representative.

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

This site plan is proposed in the Town of North East. The Cecil County TAC, as a courtesy to the towns in the County, reviews Site Plans and subdivision proposals within the towns' corporate limits.

The Office of Planning & Zoning's comments and questions relating to this site plan are as follows:

- Town Zoning: R-1 (existing)
- Proposed use: Fire Station (site modifications)
- It is recommended that if the proposed modifications would generate additional traffic or new patterns of vehicular movement, then the impacts of same on all modes of transportation in the immediate area be carefully analyzed in conjunction with and prior to final Site Plan approval.
- It is recommended that any possibly necessary rezoning be completed no later than prior to any final Site Plan approval (if applicable).
- It should be determined if the Town's Zoning Ordinance and/or Subdivision Regulations allow the proposed diesel generator location to be placed in the stream buffer. If so, then that location should be carefully analyzed from a risk management perspective, and better, alternative locations should be identified.
- The proposed (diesel?) tank location should also be carefully analyzed from a risk management perspective, and better, alternative locations should be identified.
- Permits are required from the (US Army) Corps of Engineers and MDE for any possible non-tidal wetland impacts or stream impacts prior to recordation.
- General Note #14 establishes that a portion of this site is in the Critical Area. No comments have been received by OPZ from the Critical Area Commission staff. It is strongly recommended that, prior to final Site Plan approval; the Town contact the Critical Area Commission staff to determine if, for example, a Growth Allocation would be necessary. (Mr. Di Giacomo noted that when the TAC reviewed the add-on for this property, the plat stated that the property was not within the Critical Areas.)
- It is recommended that the site plan explicitly state if the area in the Critical Area is IDA or LDA.
- It is recommended that the Town require a copy of the signed and sealed site plan prior to final approval of same.
- It is recommended that the Town's R-1 zone building restriction lines be cited on the site plan.
- It is recommended that this Site Plan be checked to ensure that all requirements for Site Plans, as set forth in the Town's Zoning Ordinance and Subdivision Regulations, have been satisfied.
- It is recommended that a note be included on the Site Plan stating whether this proposal is, or is not, exempt per the Cecil County Forest Conservation Regulations.
- The Town of North East and Cecil County signed an "Assigning obligations under the Forest Conservation Act" agreement.
- It should be confirmed that any landscaping proposed is consistent with the landscaping requirements of the Town's Zoning Ordinance and Subdivision Regulations, especially with respect to street trees and any required bufferyards.

- It is noted that the new location of the relocated flag pole has not been depicted on the Site Plan.
- It is recommended that the Town confirm that the existing sign meets all current sign requirements and standards set forth in the Town's Zoning Ordinance and Subdivision Regulations prior to final Site Plan approval.
- It is recommended that no street trees, if any, be planted within 20 feet of sewer laterals and cleanouts, in conjunction with possible future development activities.
- It should be determined if any new sidewalks are required, per the Town's Zoning Ordinance and Subdivision Regulations.
- It should be confirmed that all aspects of the modified site design and layout are consistent with the Town's Zoning Ordinance, Subdivision Regulations and Public Works street code.
- It should be confirmed that the number of proposed parking spaces falls with the minimum and maximum established by the Town's Zoning Ordinance and Subdivision Regulations.
- It should be confirmed that the proposed new emergency services lobby would not create any sight distance or visibility issues for exiting emergency vehicles.
- If determined applicable by the Town and the Health Department, then it is recommended that water allocation be confirmed by the Town of North East prior to final approval.
- If determined applicable by the Town and the Health Department, it is recommended that sewer allocation be confirmed by the Cecil County Department of Public Works prior to final approval.
- It is recommended that it be confirmed that the modified site design is consistent with the Town's policies regarding possible bus stops/shelters and/or bicycle racks.
- It is recommended that a detailed lighting plan that emphasizes pedestrian safety and security be submitted and approved prior to final site plan approval. The final lighting plan should meet or exceed all Town requirements.

Ms. Vennell stated that she has received comments from the Critical Area Commission. She stated that Julie Roberts with the CAC remarked that it did not look like the buffer shown on the site plan reflected what the Town's Critical Area Maps show. Ms. Vennell concurs with Ms. Roberts findings. Mr. Gonzales stated that he used GIS data for the site plan. Ms. Vennell asked Mr. Gonzales to use the adopted maps for the site plan. Also, she would like the plat to reflect the stream running under the structure. Discussion ensued regarding the 110 ft. and 160 ft. Critical Area buffers.

Ms. Vennell also requested that the applicant look at the location of the generator and the propane tank.

Discussion ensued regarding the time frame of a North East Planning Commission submittal and the possibility of sprinkler plans for this facility.

The October TAC meeting adjourned at 9:26 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning

**CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
MEETING AGENDA**

Wednesday, November 6, 2013

9:00 a.m.

County Administration Building

200 Chesapeake Blvd. Perryville Room, Elkton, MD 21921

Due to a lack of agenda items, there was not a November meeting of the Technical Advisory Committee.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday, December 4, 2013, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Brown, Chris (CCSCS), Graham, Daniel (Citizen's Rep.), Harmon, Lloyd (DEH), and Bakeoven, Jennifer (CCP&Z).

Absent: Peoples, Rob (MDE), Williams, Keith (FA), Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), Zeller, Rich (SHA) Langford, Ariana (CCPS).

1. Chestnut Point Estates and Marina, 86 Sites, Concept Plat, Carpenters Point Road, T & M Associates, Fifth Election District.

Jim Copes and Larry Hughes, Developers and Doug Barry, T&M Associates, appeared and presented an overview of the project. Mr. Barry stated that this project is a proposed fifty-five (55) and over manufactured home park.

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

1. The CCDPW assumes that the water supply for this development will be provided by Artesian Water Maryland. The water lines must be reflected on the sanitary sewer plans and as-builts
2. The Concept SWM plan must be approved by all reviewing agencies prior to submitting the concept plat to the Planning Commission for review.
3. The Road & Storm Drain plan, Sanitary Sewer plan, and Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
4. No SWM practices/facilities may be located within the 100-Year Flood Plain.
5. While the 100-Year Flood Plain line has been shown the Department has a concern about possible impact on the constructability of the bioretention area adjacent to Sites 71-73.
6. Identify all SWM conveyance easements on the preliminary & final plats.
7. The applicant must maintain access to Chestnut Point Road Extended (private) and the dwellings it serves.
8. The roads & storm drains must be designed to maintain access for emergency vehicles in the 100-Year Flood Plain.
9. The Developer is responsible to submit an engineer's preliminary layout for the subdivision public sewer, including any pumping stations, to the Department of Public Works at least thirty (30) days prior to TAC review of a preliminary plat.
10. If a sanitary sewer pump station is required it must be located outside of the 100-Year Flood Plain and be on a fee simple lot dedicated to the Cecil County BOCC and so indicated on the final plat.
11. The sanitary sewer lines within this development must make maximum use of gravity flow.
12. A Benefit Assessment as well as Connection Fees will apply for these lots.
13. The department is concerned about the accessibility to the marina for all residence of the park and what is proposed for impervious surface. The department recommends using materials such as a porous pavement.
14. 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:
 - 13.1 The Final Plat Lot Grading, and Lot Grading Plan Construction Limits Notes.
 - 13.2 Requirements for Utility relocations.

- 13.3 Requirements for Public Works Agreements.
- 13.4 Requirements for Stormwater Inspection and Maintenance Agreements.
- 13.5 Requirements for Sewer Service Cleanouts – Location.
- 13.6 Requirements for Final Plat - Public Sewer Allocation.

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 251 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. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer’s expense.
3. A Public Works Agreement is required for the streets & storm drainage and public sewer system construction.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. All sewer service cleanouts must be designed to be outside of all paved or concrete areas on each lot and this must be shown on the utility plans.
6. 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.

Mr. Woodhull asked the applicant if the internal roads will be private roads. Mr. Barry said yes.

Mr. Graham, Citizen’s Representative, received calls from adjoining property owners. Their concerns include increased traffic, possible deteriorating road conditions and trespassing of their property. Mr. Copes asked Mr. Graham to pass on his telephone number to the neighbors for them to discuss the issues of concern.

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

Identify the water plant on the preliminary plat. If proposing their own public water supply, permit to construct the public water supply must be obtained from Maryland Department of the Environment prior to final plat approval.

If project is served by the Carpenters Point public water supply, written approval must be obtained from MDE stating that the Carpenters Point water supply is adequate to serve this project prior to final plat approval. All existing wells must be shown on the preliminary plat. Sewer allocation must be obtained from the Cecil County Department of Public Works prior to final plat approval. If using Carpenters Point supply, water allocation must be obtained from owner prior to final plat approval. Plans for the water and sewer lines must be approved by the Cecil County Department of Public Works to record plat approval. Show proposed water and sewer lines on preliminary plat and the closest existing sewer line.

Permit to construct the swimming pool must be obtained from the Department of Health and Mental Hygiene prior to issuance of a building permit. If the Clubhouse serves food, Food Facility Plans must be submitted to and approved by the Cecil County Health Department prior to issuance of a building permit.

Show existing or a proposed boat pump out facility on preliminary plat for the marina. A permit to construct a sewage pump station is required from Maryland Department of the Environment if a pump

station is needed. Written approval must be obtained from the Cecil County Department of Public Works to tie in boat pump out facility to the public sewer lines. Final and record plats must contain required statements for public water and sewage:

- Use of public water and public sewerage is in conformance with the Cecil County Master Water and Sewer Plan.
- Public water and sewer will be available to all lots offered for sale.

Demolition debris must be removed from property prior to review of a Preliminary Plat.

Mr. Brown, SCS, read the comments of the department:

- To date, Concept, Preliminary, nor Final Stormwater Management Plans have been submitted to the Cecil Soil Conservation District for review and/or approval. However, The Cecil Soil Conservation District has been in discussions with engineer and The Department of Public Works as to the requirements of the Stormwater Management Plans. Plans should be submitted accordingly as Concept Plats cannot be approved prior to approval of the Concept Stormwater Management/Erosion and Sediment Control Plan.
- Please remove the Cecil Soil Conservation District signature blocks from the Plat. The CSCD does not sign off on plat approvals. Additionally when submitting for SWM Concept Plan approval, the 2year approval should only be provided on the Final SWM plans. A reference has been provided.
- Please revise the soil summary. The correct hydric rating has not been provided for all soils. This is typically determined when the soils report is submitted with the Concept SWM plans.

Mr. Di Giacomo stated that no comments were received from the Fire Chief's Committee Representative.

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 road.
2. Schools in this attendance area are Charlestown Elementary, Perryville Middle and Perryville High Schools. Please see attached information regarding capacity and enrollment. See file.

Mr. Di Giacomo read the comments from SHA:

SHA has no objection to the proposed site access as access is to a county road. SHA requests the opportunity to review a Traffic Impact Study to determine the traffic impacts to the surrounding road network. We require six (6) copies of the study for our review. Copies of the Traffic Impact Study should be mailed to The State Highway Administration (SHA) Access Management Division (AMD) 707 North Calvert Street, Baltimore, MD 21202, 3rd Floor, Mail Stop C-302.

Mr. Di Giacomo read the comments from MDE:

Water Appropriation and Use Permit CE1968G010 is associated with the site, however, the permit is expired. Artesian Water Maryland, Inc. has applied to change the existing permit for this proposed use. A modified water appropriation permit must be obtained for the final plat.

Mr. Di Giacomo read the comments of the Critical Area Commission. See file.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 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: LDR, MH, MB & LDA

This submission proposes 86 dwelling units in the MH & LDA zones.

Ostensibly, these 86 dwelling units are proposed as a "manufactured home park," given that §78 of the Zoning Ordinance is cited in the Property and Zoning Summary table on Sheet 1 of 3. However, the title block does not reference a manufactured home park, and the proposed dwelling units are consistently referenced as "lots" rather than "sites."

Manufactured home parks must adhere to the provisions of §'s 29 & 78 of the Zoning Ordinance and §6.6 of the Subdivision Regulations.

Per §230-2 of the County Code, a manufactured home park license will need to be obtained.¹

The Plat's title block also references a marina; however, no details for the proposed marina have been provided and neither the precise delineation² of the MB-zoned portion of the property nor the total MB acres have been provided, either.

Per §6.6, the review & approval process for manufactured home parks is the same as that for subdivisions, requiring the review and approval of Concept, Preliminary & Final Plats.

This project location is now situated within the 2010 Comprehensive Plan's Low Density Growth land use district, as well as the LDR, MH, MB & LDA (overlay) zoning districts.

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.

Any proposed creation of new lots, or re-subdivision or lot reconfiguration, in the Critical Area mandates strict observance of §194.d (1), (2), (3), and (4).

Density: The LDR zone permits a density of 2 d.u./1 acre with community facilities. In this case, no dwellings are proposed on the LDR-zoned "Parcels" – 1, 4 & 5.

What is the planned, ultimate disposition of the LDR-zoned "Parcels"? Mr. Barry stated that those parcels will remain in the open space.

The MH zone permits a density of 6/1 in a manufactured home park.³ All 86 dwelling units are proposed in the MH-zoned "Parcels" – 2 & 3. Per the Density table on Sheet 3 of 3, the aggregate MH-zoned acreage is 24.78, yielding a proposed density of 3.47/1 (which is within the permitted 6/1).

¹ That can occur after the possible approval of the Final Plat(s).

² The Property and Zoning Summary table on **Sheet 1 of 3** does indicate that "Parcel 1" consists of both **LDR-** and **MB-**zoned land.

³ A density of **4/1** is permitted in either a manufactured home subdivision or a detached dwelling subdivision in the **MH** zone. As Chestnut Point Road is a private road, **lots** can be created on it only after a **Variance** has been granted.

The LDA overlay zone permits a maximum density of 3.99/1. Again per the Density table on Sheet 3 of 3, the aggregate LDA-zoned acreage in “Parcels” 2 & 3 is 17.45, yielding a proposed density of 2.41/1 for the 42 proposed sites (which is within the permitted 3.99/1).

However, the Density and tabulation tables on Sheet 3 of 3 do not reflect the fact that sites (lots?) 1, 28, and 37 are in the Critical Area. Therefore, while still within permissible density limits, 45 sites on 17.45 acres yields an LDA density of 2.58/1.

All development in the LDA-zoned portion of the property shall, at a minimum, strictly adhere to the provisions set forth in §200 of the Zoning Ordinance.

The MB zone is not a residential zone, per §37. Although the precise delineation of the MB-zoned portion of “Parcel” 1 has not been delineated, (from the perspective of density) none of the potential dwellings are, in fact, proposed to be located in any portion of “Parcel” 1.

Per §4.0.13 (o) 7 the computation of the Critical Area acreage is found in Sheet 3 of 3 in the Density table and the CA-Impervious Calculations table ⁴which could be gleaned from Site Data Note # 9 – which indicates that the Critical Area acreage is 29.53.

No MB-zoned acreage (including the marina) can be used to satisfy any common open space or open space requirement of the LDR or MH zones.

Either the proposed marina’s details must be provided or the marina’s reference in the title block must be dropped prior to any Concept Plat’s submission for review and possible approval by the Planning Commission.

Any specific marina proposal shall, at a minimum, require strict adherence to the provisions of §37, §169, §198 and §200.

Again, there is no MB area delineated on the plat. In addition, §4.0.13 (l) requires that the existing zoning classifications of adjacent parcels appear on the plat. That also has not been done.

Pursuant to §4.0.13 (b) & (f), a north arrow has been provided. However, it is common practice to include a reference for the north arrow other than “north”.

§4.0.13 (b) requires a vicinity map that indicates the location of the property and includes the tax map, block, and parcel numbers.

Pursuant to §4.0.13 (i), are there any existing utilities within 200’ of the parcel, and, if so, have they been depicted on the plat (Sheet 2 of 3)? Mr. Barry said they are the sewer and wells.

A boundary line survey must be done for the preparation of the Preliminary Plat for density calculation purposes. Mr. Barry had earlier mentioned that the boundary line survey will be conducted the approximately three (3) to four (4) weeks.

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

⁴ In the previous Chestnut Point Marina submission, the Critical Area acreage was affirmed to be 28.6 acres.

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. Per §4.0.13 (o) 3, areas of steep slopes, highly erodible soils, and other soils with development constraints must be shown on the Critical Area portion of Concept Plats. Are there any such areas on site, and have they been shown? Mr. Barry said there are none.

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'.

The Critical Area maps show that a portion of this site is classified Buffer modified. It must be verified that the buffer does not need to be expanded.

What is the purpose of the proposed paved roadway in the Buffer, and is it associated with access to the marina? Mr. Barry explained that this is an existing trail that will be maintained. The other existing trails will be removed for an impervious credit.

A 25' buffer is required around all non-tidal wetlands present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. 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 rare, threatened, and endangered species must be avoided.

15% open space is required (§78.4).

At a minimum, 15% of the required⁶ 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. The C.O.S. sensitive areas threshold must be calculated and included on the Preliminary Plat.

No MB-zoned acreage (including the marina) can be used to satisfy any common open space or open space requirement of the LDR or MH zones.

In addition, conformity with §176.2.a shall be required.

No more than 15% of the surface area can be impervious surface in the LDA.⁷ In addition, the "lot coverage" provisions of §200.13.e must be taken into account.

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 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 Per §29.3.c, §26.3.a, & §176.2c & d.

⁷ This must be demonstrated on any Preliminary Plat.

No more than 20% of the forest or developed woodland may be removed. When less than 15% of the site is in forest cover, at least 15% of the gross site area shall be afforested. No structure shall exceed 35' in height.

15% landscaping is required.

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of Carpenter's Point Road.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads and Chestnut Point Road. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

Water supply and sewer service notes, consistent with Sections 4.2.13 (t) & (u) of the Subdivision Regulations must appear on the Final and Record Plat stating that such services shall be made available to all sites.

The FSD must be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Forest Conservation Regs.). An Environmental Assessment (EA) is required for the area in the LDA zone⁸, with a Preliminary EA being approved prior to the Planning Commission's review of the Concept Plat. Mr. Di Giacomo added that the Conceptual Stormwater Management Plan must be approved prior to the Planning Commission's review of the Concept Plat.

The Preliminary Forest Conservation Plan (PFCP) must be approved prior to Planning Commission review of the Preliminary Plat (§6.2.B(1), Cecil County Forest Conservation Regulations).

The final Forest Conservation Plan (FCP) and Landscape Plan must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Forest Conservation Regulations).

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. The metes and bounds description of the FRA must be shown on the record plat.

The internal road names will need to be approved by the County 911 Emergency Center prior to Planning Commission review of the Preliminary Plat.

A Traffic Impact Study (TIS) must be completed prior to the TAC's review of the Preliminary Plat. It is important to note that the marina details must be an important component of the TIS analysis. If the proposed marina's details are not included, then it is possible that the Planning Commission will not consider the TIS requirement to be met, should this project reach the Preliminary Plat stage.

As Chestnut Point Road is a private road, the marina and adjacent access could be achieved only via a private road. What legal mechanisms are proposed in that regard? Mr. Copes stated that there are

⁸ Which is exempt from the Forest Conservation Regulations per §3.2.B.

existing ROW easements in place for those homeowners. Mr. Di Giacomo stated that the Planning Commission will need to look at documentation of the ROW easements as this project progresses.

How will parcels 349, 387 & 388 be accessed? Mr. Barry said those parcels will use the existing Chestnut Point Road.

How will the marina area be accessed in an emergency? Mr. Copes used a prepared diagram to show the proposed access to the future marina. He stated that he has spoke with MDE regarding the number of slips allowed. Mr. Di Giacomo advised the applicant to also contact the Critical Area Commission for their number of allowable slips as the two departments may differ.

The Master Water & Sewer Plan includes this area as W1 and S2.

Verification of water allocation and sewer capacity must be received prior to the Planning Commission's review of the Final Plat.

Should the project actually be proposed as a manufactured home subdivision, rather than as a manufactured home park, then, in that case, 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. Mr. Barry stated that this proposed project is a manufactured home park.

The Record Plats shall contain a statement 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 Comprehensive Water and Sewer Plan.

The Record Plats shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all condominiums and lots/houses offered for sale.

Approximately 14 dwellings are proposed within the 100-yr. floodplain. Per §233, those building sites can be approved only after a Variance has been granted. What steps have been taken in that regard? Mr. Barry stated that he believed, since the lots are fee simple and not subdivide lots, a variance would not be required. Mr. Di Giacomo stated that he would check with the Zoning Administrator regarding the variance requirement.

Fire hydrant locations must be selected in consultation with DPW and the Charlestown Fire Company.

What is the significance of the well depicted next to proposed Site 17, in the open space? This well belongs to Artesian.

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.

What is the proposed disposition of the existing structures? Mr. Barry stated that they will all be removed with the exception of the home that Mr. Copes is currently replacing.

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. However, because of all the issues, it is recommended that a modified Concept Plat first be submitted for TAC review, especially if marina details are added.

School information:	Elementary	Middle	High School
	Charlestown	Perryville	Perryville
FTE	224	558	789
Capacity	292	860	944
% Utilization	77%	65%	84%

CONCEPT PLAT REQUIRED INFORMATION:

- (a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall 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 prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.
- (b) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
- (c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
- (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 owner or person representing owner who is responsible for preparation of the plat.
- (f) North point.
- (g) Boundary of proposed subdivision. This can be a deed plot.
- (h) Location, widths, 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 by dashed lines).
- (i) Location of existing utilities on or within two hundred (200) feet of the parcel.
- (j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
- (k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.
- (l) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission's review of the Concept Plat.
- (m) If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.
- (n) In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
 - 1. Approximate location of buildings.
 - 2. Total number of units in each building.
 - 3. Total number of off-street parking spaces and the space to unit ratio.
- (o) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
 - 1. Tidal and non-tidal wetlands;
 - 2. Streams (perennial and intermittent);
 - 3. Areas of steep slopes, highly erodible and other soils with development constraints;
 - 4. Shore and stream Buffer (110-foot or 200-foot minimum);
 - 5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
 - 6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
 - 7. Computation of the amount of acres in the Critical Area District; and
 - 8. The location and extent of existing and/or proposed shore erosion abatement approaches.
 - 9. The Conceptual Environmental Assessment.
- (p) All existing easements on the parcel(s) to be subdivided.
- (q) Any existing cemeteries or burial sites on the parcel(s) to be subdivided.
- (r) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

2. Chesapeake Bay Golf Club, L.P., Lots 1-23, Concept Plat, MD Route 272, McCrone, Inc., Fifth Election District.

David Strouss, McCrone, Inc., and Andrew Barbin, Owner of Chesapeake Bay Golf Club, appeared and presented an overview of the project.

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

The Chesapeake Bay Golf Club, LP has been issued a stop work order for disturbing more than 5,000 square feet without approved plans or a grading permit. The Department of Public Works will not begin the review process of the concept ESD plans for this project until this violation is brought into compliance.

Mr. Graham, Citizen's Representative, explained that he received calls from adjoining property owners with concerns regarding the drainage from Yarmouth Lane that once use to drain to a pond. That pond will now have a home built in its place. Mr. Strouss explained that the sediment trap will be moved and the drainage will be redirected. There are no current structural concerns for the proposed house being placed where the pond once was. Other calls were concerning the fact that the current residents bought their home thinking that this land would remain as a golf course and not be further developed with additional homes. Mr. Barbin explained that hole 17 has always been a hole that has caused problems for the surrounding neighbors. This modification will correct the past problems that those homes have experienced. Mr. Strouss explained that the land will still be maintained to look like a golf course, hole 17 will just be modified.

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

Water and sewer allocations must be obtained from the appropriate utility providers prior to final plat approval. The allocation letter must contain the following information:

- The amount of flow allocated. If allocation is in phases, identify the phase of the project the current allocation is for.
- Identify if the allocation expires if it is not put into use by a given date.
- Identify if any water and sewer upgrades are needed to provide this allocation (pump stations, new mains, additional treatment) and if any Maryland Department of the Environment permits are required for these upgrades.

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

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

Submit a written description of the intended use of the proposed community building to determine water and sewer usage and if regulated food services are planned. Mr. Strouss stated that there is not a community building proposed. Mr. Harmon withdrew his comment regarding the community building.

Mr. Brown, SCS, read the comments of the department:

- A Concept Stormwater Management Plan was submitted to the Cecil Soil Conservation District 11/20/13 and is currently under review. Concept Plats cannot be approved prior to approval of the Concept Stormwater Management/Erosion and Sediment Control Plan.

Mr. Di Giacomo read the comments from CCPS:

1. Cecil County Public Schools will provide bus transportation consistent with what is currently being provided to this development.
2. Schools in this attendance area are North East Elementary, North East Middle and North East High Schools. Please see attached information regarding capacity and enrollment. See file.

Mr. Di Giacomo read the comments from MDE:

The site is located in an area to be supplied by public water; therefore, neither a notice of exemption nor a water appropriation permit will be required for final plat.

Mr. Di Giacomo, read the comments from SHA:

SHA has no objection to the proposed site access as access is to a county. SHA requests the opportunity to review a Traffic Impact Study to determine the traffic impacts to the surrounding road network. We require six (6) copies of the study for our review. Copies of the Traffic Impact Study should be mailed to The State Highway Administration (SHA) Access Management Division (AMD) 707 North Calvert Street, Baltimore, MD 21202, 3rd Floor, Mail Stop C-302.

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

This proposal is in compliance with §3.8 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: RM

The RM zone allowed for a density of 6/1 with community facilities, and the original Concept Plat was approved on 5/19/87 for 1440 units on 411 acres, for a density of 3.5/1.⁹

Revised Concept Plats were approved on 12/20/93, 6/20/94, 3/16/98, and 9/16/02.¹⁰

Those revised Concept Plats have all adhered to the originally-approved golf course community layout and density of 3.5/1; and they have reflected only slight changes in design and structure types around the golf course.

A revised Concept Plat, proposing 329 dwellings on 93.906 acres, for a proposed density of 3.504/1, was reviewed by the Technical Advisory Committee on 3/02/05.

Subsequently, on 3/19/12, a 'Presentation Plan' was presented to the Planning Commission. It was not an action item; rather it was an "information only" item. That 'Presentation Plan' was different than the 2005 Concept submittal that was reviewed by the TAC.

⁹ The RM zone, with community facilities, currently allows densities of 6:1 for single family units, 10:1 for duplex and semi-detached dwelling units, 12:1 for townhouses, and 14:1 for apartment units.

¹⁰ Concept Plats approved prior to 7/25/89 do not have a specified validity endpoint.

The Concept Plat submitted for review today is different from both the 2005 and 2012 submissions¹¹, and it apparently is intended to supplant¹² the 5/19/87 Concept Plat rather than merely revise it.

Therefore, if it is approved, then the developers must henceforth rigorously adhere to the provisions of §4.0.9, with respect to the duration of a Concept Plat's validity.

Again, this submission is different from those of 2005 and 2012 in two important ways. First, this Concept Plat has kept the golf course as an integral feature of the Chesapeake Club. Second, this submission seeks to maintain the Chesapeake Bay Golf Club property's acreage at the original 100.99 acres.

This project location is now situated within the 2010 Comprehensive Plan's High Density Growth land use district, but it still remains in the RM zoning district.

The RM zone, with community facilities, currently allows densities of 6:1 for single family units, 10:1 for duplex and semi-detached dwelling units, 12:1 for townhouses, and 14:1 for apartment units.

Given that those densities are not cited in Note #6, it may be that the proposed density of 3.6/1 is intended only for the 6.901 acres for which new development is depicted. If so, and if the intent is to adhere to the overall density of 3.5/1 and 1440 total dwellings, then that must be clearly articulated.

Likewise, if this is intended as the latest in the series of revisions to the 5/19/87 Concept Plat approval, then that, too, must also be clearly articulated. The first step in doing so would be to revise the title block.

A boundary line survey must be done in conjunction with the preparation of the Preliminary Plat for density calculation purposes.

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 I area.

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 shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.¹³

¹¹ OPZ consistently commented at those respective reviews that previous approvals were predicated upon a layout that was comprised of residential development surrounding a golf course on Parcel 2. In addition, on the Record Plat signed on 3/5/96 (C-73), Parcel 2 was clearly delineated as "recreational."

In 2005, OPZ then commented: "This proposal is not consistent with the previously approved Concept, Preliminary, and Final Plats. As previously stated, Parcel 2 was intended to remain a recreational parcel, and, therefore, has no density. Accordingly, this plat cannot be reviewed by the Planning Commission since all of the lots contemplated on the previously approved Concept, Preliminary, and Final Plats are on other Parcels, not Parcel 2. If this is submitted for Planning Commission review, then it will be returned to the applicant."

Subsequently, on 4/20/05 the Director of Planning and Zoning wrote a letter to the Chesapeake Bay Golf Club, L.P., in which the Director found that Parcel 2 of the Chesapeake Club was intended to remain recreational, has no permitted density, and could not be developed.

The Chesapeake Bay Golf Club, L.P. appealed to the Cecil County Board of Appeals the decision of the Director's 4/20/05 letter, and, on 7/26/05, the Cecil County Board of Appeals AFFIRMED, by unanimous vote, the decision of the Director of Planning and Zoning in this matter.

The Chesapeake Bay Golf Club, L.P. then appealed the 7/26/05 decision of the Cecil County Board of Appeals to the Circuit Court for Cecil County, and, in turn, on 8/17/06, the Circuit Court for Cecil County AFFIRMED the decision of the Board of Appeals.

On 3/19/12, OPZ reiterated the fact that previous Concept, Preliminary, and Final Plat approvals were predicated upon a layout that was comprised of residential development surrounding a golf course on Parcel 2 – which, itself, had no density.

¹² Note # 7 states that the new density sought is 3.6/1, rather than a continuation of the 3.5/1 that has heretofore been carried forward from the 5/19/87 approval.

¹³ 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."

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. 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 rare, threatened, and endangered species must be avoided.

Depending on the proposed dwelling type, either 15% or 20% open space is required in the RM zone.

Except in the NAR and SAR zones, 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 (except in the NAR and SAR zones). The C.O.S. sensitive areas thresholds must be calculated for inclusion on the Preliminary Plat.

In keeping with previous approvals, none of the Chesapeake Bay Golf Club property's 100.99 acres can be counted toward satisfying the open space requirement.

It will be a condition of any possible recommendation of approval that all subsequent Preliminary Plats provide a full accounting, in tabular form, of the aggregate open space requirement and the deficit or surplus thereto created by said Preliminary Plat. Mr. Strouss explained that this proposed subdivision intends to "stand alone" from the existing, previous Chesapeake Club subdivision. Mr. Di Giacomo explained that this information will still need to be provided for all 400+ acres.

It will also be a condition of any possible recommendation of approval that any subsequent Preliminary Plat's TAC review be preceded by a completed and reviewed, updated Transportation Impact Study (TIS). Mr. Strouss asked if the entire subdivision of the Chesapeake Club, in addition to this proposed subdivision needs to be included in the TIS. Mr. Di Giacomo said yes.

What is the intended disposition of the existing golf course maintenance building? Mr. Barbin said that it will remain.

15% landscaping of the development envelope is required in the RM zone.

Sidewalks are recommended on at least one side of all internal roads. Mr. Di Giacomo stated that other section of the Chesapeake Club subdivision has been modified in regard to this recommendation. He believe the Planning Commission may be satisfied if some accommodations are made for bicyclists and pedestrians were made other than sidewalks. Mr. Strouss stated that this section will be closed section with curb and gutter so sidewalks will be provided.

A Bufferyard Standard C is required, outside the right-of-way, along the road frontages of roads. A minimum 25' Bufferyard Standard C is required around the perimeter of the development tract.¹⁴

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. The adjacent properties' zoning has not been shown.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements. In areas with community facilities, no street trees shall be planted within 20 feet of sewer laterals and cleanouts.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

The Forest Stand Delineation (FSD) and SWM Concept Plan must (shall) be approved prior to Planning Commission review of the Concept Plat (§5.1.C, Cecil County Forest Conservation Regulations; §251.12, 2009 Cecil County SWM Ordinance).

The Preliminary Forest Conservation Plan (PFCP) 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 Plan 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 street trees and 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.

The internal road name "Barbin Way" has been approved by the County 911 Emergency Center.

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. Discussion ensued regarding whether this section will be included in one of the other section's HOA, possibly section H-1.

The Record Plats shall contain a statement 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 Master Water and Sewer Plan classifies this site as W1 and S1.

The Record Plats shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all lots/homes offered for sale.

¹⁴ No parking areas, roadways, or accessory structures shall be permitted within the 25 foot planted buffer.

Documentation of water allocation must be provided by the applicant prior to the Planning Commission's review of the Final Plat.

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

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 3rd Thursday for review by the Planning Commission the following month.

However, §4.0.4 notwithstanding, OPZ staff believes that it would behoove the applicant to (re)submit a clarified and corrected Concept Plat for an additional TAC review, and to obtain feedback from DPW, prior to proceeding to the Planning Commission for its review and possible approval. Mr. Strouss asked if this is a requirement. Mr. Di Giacomo stated that it is a suggestion but he warned that proceeding without hearing comments from DPW may be detrimental. Mr. Woodhull stated that once the stop work order is corrected, DPW will provide the applicant with the comments for today's review, not requiring the applicant to come back to TAC.

Mr. Di Giacomo reminded the applicant that all requirements for submittal of the Concept Plat for review by the Planning Commission, will need to be approved and received by Planning and Zoning by the deadline for submission. This includes the requirement of Conceptual Stormwater Management plan approval, with signatures. Otherwise, plats will not be accepted for review or placed on the Planning Commission agenda.

'05 School information:	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
	Elk Neck	North East	North East
FTE	460	851	1151
Capacity	514	721	1104
% Utilization	89%	118%	104%

'12 School information:	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
	Elk Neck	North East	North East
FTE	424	725	1078
Capacity	501	712	1009
% Utilization	85%	102%	107%

School information:	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
	Elk Neck	North East	North East
FTE	434	780	1005
Capacity	501	712	1009
% Utilization	87%	110%	100%

CONCEPT PLAT REQUIRED INFORMATION:

(s) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall 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 prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.

- (t) A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
- (u) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
- (v) Title information:
 - 5. Proposed name
 - 6. Scale of Plat (feet and meters).
 - 7. Location by election district, County and State.
 - 8. Date.
- (w) Name and address of owner or person representing owner who is responsible for preparation of the plat.
- (x) North point.
- (y) Boundary of proposed subdivision. This can be a deed plot.
- (z) Location, widths, 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 by dashed lines).
- (aa) Location of existing utilities on or within two hundred (200) feet of the parcel.
- (bb) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
- (cc) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.
- (dd) Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission's review of the Concept Plat.

The December TAC meeting adjourned at 10:30 a.m.

Respectfully submitted,

Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning