

**CECIL COUNTY PLANNING COMMISSION**  
**MEETING MINUTES**  
**Monday, August 19, 2024**  
**The Elk Room**  
**6:00 p.m.**

**PRESENT:** Chad Johnston – Chairman, Chris Bannon – Vice Chair, Bryan Dugger, Russ Johnson and Rebecca Hamilton (Ex-Officio).and James Perry – Alternate, Kevin Jensen, Esq., Aaron Harding (LUDS/P&Z) and Jennifer Bakeoven (LUDS/P&Z).

**ABSENT:** Charles Hicks and James Perry, Alternate.

**VOTE: CHAIRMAN AND VICE CHAIRMAN**

A motion was made by Mr. Bannon to nominate Chad Johnston as Chairman of the Planning Commission. Mr. Johnston declined the motion. Motion died for lack of second.

A motion was made by Mr. Johnston to nominate Christopher Bannon as Chairman of the Planning Commission. Mr. Bannon declined the motion. Motion died for lack of second.

A motion was made by Mr. Bannon to nominate Chad Johnston as Chairman of the Planning Commission. The motion was seconded by Russ Johnston.

All approve. Motion carried.

**SUBDIVISION:**

**No subdivision submittals were received for review by the Planning Commission.**

**SPECIAL EXCEPTION:**

**FILE: 4300 - APPLICANT:** Carl Dellose.

FOR: Special Exception renewal to operate a home occupation (FFL).

PROPERTY LOCATION: 842 Little Egypt Road, Elkton, MD 21921, Election District 4; Tax Map: 7, Parcel: 298, Lot 1.

PROPERTY OWNER: Carl, Jr. & Jessica Dellose.

PRESENTLY ZONED: Low Density Residential, (LDR).

Carl Dellose appeared and presented an overview of this application. Mr. Dellose explained that he was previously approved for a special exception to operate a home business that relates to his federal firearms license, in 2022. It took him approximately one year to get through the federal approval process and start the business. He stated that he sees customers approximately two days per week and by appointment only, and there is no signage displayed on the property for the business.

**WATER & SEWER PLANNING:**

Water & Sewer Planning have no objections.

COMMENTS IN FAVOR: None.

COMMENTS IN OPPOSITION: None.

**RECOMMENDATION:**

Staff recommended approval, for five (5) years.

A motion for approval with staff's conditions was made by Mr. Johnson.

The motion was seconded by Mr. Bannon.

All approve. Motion carried.

The next meeting for this application will be Monday, August 26, 2024, before the Board of Appeals.

**FILE: 4302** - APPLICANT: York Building Products Co., Inc.

FOR: Special Exception to conduct Mineral Extraction.

PROPERTY LOCATION: Carpenters Point Road, Perryville, MD 21903, Election District 5;

Tax Map: 35, Parcel: 608.

PROPERTY OWNER: Principio Iron Company L.P.

PRESENTLY ZONED: Northern Agricultural Residential, (NAR), Mineral Extraction B, (MEB).

Charles Shaller, Esq. with Baker Donelson and Kyle Hoffman and Jim Gawthrop from York Building Products appeared and presented an overview of the application. All applicants collectively presented a PowerPoint presentation (see file for copy).

Mr. Johnson asked for clarification on the expected truck route. Mr. Gawthrop stated that the trucks will enter and exit from Mountain Hill Road.

**WATER & SEWER PLANNING:**

Water & Sewer Planning have no objections.

COMMENTS IN FAVOR: None.

COMMENTS IN OPPOSITION: The following people spoke in opposition of this application: Reta Morgan Reynolds, 163 Woodall Road; Rachel Reynolds, 163 Woodall Road; Bryan Bailey, 1093 Carpenters Point Road; Harold Miller, 604 Mountain Hill Road; Barb Moringstar, 22 Carpenters Point Road; Cindy Witkowski, 121 Woodall Road; Kevin Wilson, 216 Greenbank Road; Darlene McCall, 212 Woodall Road; Steve Pazzynski, 32 White Oak Drive; Charles Boyle, 125 Woodall Road; Kathy Shirk, 143 Woodall Road; Jeff Ritter, 1150 Wild Duck Lane; Hugh Mentz, former owner of 592 Mountain Hill Road; Morgan Reynolds, 163 Woodall Road; EB Fockler, 57 Greenbank Road, all of Perryville, Maryland; Nelson Heisler McCall, 556 Baltimore Street, and Nelson McCall, Sr., 556 Baltimore Street, both of Charlestown, Maryland. Collectively, they have concerns with the effects to endangered wildlife, water quality, airborne dust, deterioration of Mountain Hill Road, debris from construction vehicles damaging vehicles, increased noise, increased traffic, underpass safety, pollution from equipment and construction vehicles, groundwater contamination, damage to wells on surrounding properties, increased damage to Seneca Point, diminished property values, the absence of tax value from this use.

Mr. Johnson asked how many trucks will travel the intended route each day. Mr. Gawthrop stated that approximately 87 truck loads will travel on Mountain Hill Road daily.

Mr. Johnson asked if any processing area would be conducted on Parcel 122. Mr. Gawthrop said yes.

Mr. Bannon asked if the trucks would travel through the underpass on Mountain Hill Road. Mr. Gawthrop said yes. Mr. Bannon asked how they will prevent independent contractors from using other surrounding roads. Mr. Gawthrop didn't have a response.

Mr. Bannon asked Mr. Gawthrop if York Building Products would be willing to enter into a contract with the County concerning the maintenance of Mountain Hill Road. Mr. Gawthrop said yes, there could be a shared agreement with the County for the portion of the road from Route 7 to the access point on Mountain Hill Road.

Mr. Bannon asked what proof the applicants have to support their claim that this use will have no adverse impact on the surrounding properties. Mr. Shaller stated that the issue with the property is there is no adverse impact on the value due to the zoning of the property being designated by a legislative action, specifically the County Council.

Mr. Bannon asked staff if an endangered species report is required for this type of special exception application. Mr. Harding stated that it will be included in the process of obtaining a mining permit through the Maryland Department of the Environment.

Mr. Bannon asked staff if the Planning Commission can require a Traffic Impact Study (TIS) to be completed before rendering a recommendation. Mr. Shaller explained that he has a current Traffic Impact Study for the Commission to peruse. See file for report. Mr. Shaller gave an overview of the TIS.

**RECOMMENDATION:**

Staff recommended approval.

A motion for the tabling of the application for one month to review the TIS was made by Mr. Bannon. The motion died for lack of a second.

A motion for approval was made by Mr. Johnson. The motion was seconded by Mr. Dugger.

Members voting in favor of the motion for approval were Messrs. Johnson, Dugger and Johnston. Members voting in opposition to the motion for approval were Mr. Bannon.

All approve. Motion carried.

The next meeting for this application will be Monday, August 26, 2024, before the Board of Appeals.

**GENERAL DISCUSSION**

None.

The meeting was adjourned at 7:40 p.m.

NEXT PLANNING COMMISSION MEETING: The next meeting will be on Monday, September 16, 2024, at 6:00 p.m. The meeting will be held in the Elk Room at the County Administration Building.

Respectfully submitted,



Jennifer Bakeoven  
Administrative Assistant  
Department of Land Use & Development Services  
Division of Planning & Zoning