

**Planning Commission
Meeting Minutes
August 21, 2023**

ATTENDANCE: Julie Rachel, Jim Baxendell, Al Fuller, Sabian Woodard, Raymond Adcock, Dianna Battaglia, and Amanda Paoletti

Meeting called to order at 6:36 p.m.

APPROVAL OF MINUTES:

The minutes for the May 15, 2023 and the July 17, 2023 meetings were unanimously approved as written.

New Business:

Richmond Hills at Charles Street – Final Site Plan – Applicant: Bay State Land Services, Inc., Owner: Farmers and Merchants Bank, Tax Map 34B, Parcels 0634, 0696, 0732, and 0805. 9.26 acres. Zoned R-1 & R-3.

Mitch Ensor, Bay State Land Services, Inc., presented the plat to the Planning Commission. He stated that the project was 22 single family homes in a mixed zoning area of both R1 & R3. He stated that the minimum lot sizes associated with those Zoning Districts were 10,000 sq. ft and 5,000 sq. ft. He indicated that the road would be public and that the sidewalks would be maintained by the individual lot owners or by the Homeowners Association. A portion of the sites were to be served with onsite Grinder Pumps, the SWM Plan is currently at the County for final approval, the Forest Stand Delineation has been approved by the County and the Forest Conservation Plan is currently at the County for review. Mr. Ensor stated that the Landscape Plan had been reviewed by the Town, and that as required, it would be updated to include a Coach Lamp on each lot. Open Space is provided with three additional parking spaces and a cluster mailbox.

Mr. Sabian Woodard asked for clarification on Coach Lamps, to which Mr. Ensor explained that they were similar to post lamps. Mr. Woodard also asked why the sidewalks were private. Mrs. Dianna Battaglia explained that is in accordance with the Cecil County Road Code, which is what Perryville follows. She noted that due to past issues with sidewalk ownership, the Town was being proactive and requiring that note to be on the Final Plat.

Ms. Battaglia reviewed the Staff Report with the Planning Commission. She stated that this project started in July 2019 by going to TAC at Cecil County. She noted that the Preliminary Plan was approved in 2022, and that the total units that are being proposed are less than what is permitted by right.

Ms. Julie Rachel had a question about why Cluster Boxes. Mr. Ensor explained that the Postal Service required Cluster Boxes for most new developments.

Ms. Rachel then opened the meeting for public comments.

M. Rothlingshofer of 531 Charles Street noted that everyone in the current development had decent sized properties. What size were these lots? Mr. Ensor explained that the lots closest to her would be at a minimum 10,000 sq. feet, while the ones at the back of the development would be a minimum of 5,000 sq. feet. She also questioned why the name Susky Ct. when all records indicate that Nell St. is the name of the road there.

E. Wilson of 25 Richmond Drive questioned why grinder pumps were necessary, and which lots had them. Mr. Ensor explained the bottom portion of the development had grinder pumps because they were unable to use gravity due to them being below grade. E. Prescott also asked who would maintain the woodlands, to which Mr. Ensor explained the HOA would be responsible for the wooded areas not on individual lots.

W. Huss of 510 Charles St. noted that there was a rotten Ash tree behind his home on the developer's property and asked for assistance with that.

G. Hughey of 556 Charles St. stated that the roads from Rte. 40 back were in horrible condition. He stated they were promised curbs and gutters and never got it. He wanted to know who was responsible for repairing the roads when they inevitably fall apart. Ms. Michelle Linkey (commissioners) stated that the roads were a Town of Perryville responsibility.

D. Walter of 15 Richmond St. asked who maintains the sidewalks. Mr. Ensor explained the Homeowners Association. Mr. Walter also asked if there would be a drainage swale between the development and his property, to which Mr. Ensor replied "yes."

G. Hughey asked how many SWM ponds were proposed. Mr. Ensor explained there was only one pond proposed.

C. Connor of 512 Charles St. stated that it is already difficult to exit the neighborhood. 22 new homes will make it more difficult. Commissioner Linkey noted that a Traffic Impact Study had been completed for the project. Unfortunately, it did not warrant any new measures, but the Town will consistently evaluate the site. She also noted that the proposed use was the least intrusive use for that property.

K. Walter of 15 Richmond St. noted that the right hand turn out of the development isn't the issue, it's the left-hand turn. She stated people coming down Rte. 222 get into the turn lane prior to the development. Ms. Battaglia noted that SHA had determined not enough accidents had occurred at the intersection to warrant a signal.

J. Miller of 110 John St. asked if the Traffic Impact Study was done while school was in session, noting that numbers would have been vastly different during Covid.

K. Gildner of 523 Charles St. asked if the project would affect his water pressure and if their water would have to be turned off at some point. Mr. Ensor noted that water would be briefly shut off to connect to the water lines, but AE COM had indicated that this project would have no effect on the water conditions of the neighboring properties. Mr. Ensor ensured Mr. Gildner that they would be given adequate notification for the time of the water interruptions. Mr. Gildner then asked what size the houses would be and if they would be for low income. Mr. Ensor stated the houses on the R-1 lots would be larger while the R-3 homes would be smaller. Mr. Ensor suggested that the homes would be market rate. Mr. Gildner also raised concerns regarding the local wildlife and traffic. He also questioned if the remaining development would be required to install sidewalks, which Mrs. Battaglia stated that it would be up to the neighborhood if they wanted to do so.

M. Linkey (Commissioner but speaking as a resident) of 624 Franklin St. asked about the hydrant test that AECOM had mentioned. Mrs. Battaglia noted that this was offered to the developers in lieu of standard testing due to time constraints. Ms. Linkey also asked if areas within a Forest Retention area had to remain untouched, which Mrs. Battaglia stated that they did. Ms. Linkey noted that the name Susky Court did not match the remainder of the neighborhood, Charles St., John St., Franklin St. and asked if it was possible to change the

name of the road to something more comparable. The audience all mentioned Nell St. as that is what is currently shown on maps.

With no additional questions from the audience, Mr. Sabian Woodard made the motion to approve the final site plan for Richmond Hills Charles Street conditioned upon consideration of changing the road name and meeting the recommended conditions, which are:

1. Developer's engineer to provide correspondence addressing the adequacy of the available flow and pressure to serve the needs of the project.
2. Approval of Stormwater Management and Sediment & Erosion Control Plans by Cecil County, with a copy provided to the Town.
3. Approval of Forest Conservation Plans by Cecil County.
4. Approval is received from the Critical Area Commission.
5. Meeting all requirements by Town, Cecil County and State, as applicable and stated in the Staff Report.
6. Grading permit, as required, is obtained from Cecil County.
7. Road name, Susky Court, approved by the Town Commissioners.
8. A Landscape Agreement shall be executed with surety, equal to cost of landscaping and installation, guaranteeing the required landscaping is installed and maintained in accordance with the approved Landscape Plan.
9. Amend Final Site Plan or Landscape Plan to include the required coach lamp.
10. Water & Sewer Construction Plans to show all low-pressure pump locations. Provide a copy of the Maintenance Agreement for the low-pressure sewer system, that outlines maintenance responsibilities.
11. Provide a copy of the Homeowners Association documents.
12. Final Plat is signed by all parties and recorded at Cecil County Land Records, with required copies provided to the Town.

The motion was seconded by Mr. Jim Baxendell and approved unanimously.

Ms. Battaglia noted that the subdivision also needed a vote.

Mr. Jim Baxendell motioned to approve the Final Plat for Richmond Hills Charles Street subject to the following conditions:

The Subdivision Plat was reviewed by the Planning Commission at meetings held June 27, 2022 and September 19, 2022, however staff can find no specific motion made pertaining to approval of the Subdivision Plat, with the following stated conditions:

1. A portion of the property is located in the Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area. Documentation shall be provided to assure a ten-percent (10%) reduction of predevelopment pollutant loadings.
2. Approval of a Preliminary Plat shall be valid for not more than two (2) years. Following completion of the required improvements the applicant shall prepare a final plat of the subdivision.
3. Ingress and egress to the proposed development is via Charles Street to Susky Court. Private roads are not permitted in any subdivision and require dedication to the Town after completion. The Town has no obligation to accept and make public any street unless all required improvements are constructed in conformity with required standards and specifications, and subject to inspection and approval.

4. Public utilities must be placed underground in accordance with the rules and regulations of the Public Service Commission of Maryland.
5. Storm water management and sediment and erosion control plans are approved by Cecil County.
6. Final Plat shall be prepared with signatures of Property Owner and Surveyor Statement. Signature boxes to include Town of Perryville Planning Commission Chairman, Town of Perryville Planning & Zoning Director, and Cecil County Health Department.
7. After approval and signatures are complete the Final Plat shall be recorded at the Cecil County Land Records. Town requires 1 Mylar, 2 paper copies and 1 digital version in addition to those copies required for Cecil County and others. After recordation the required number of Plats shall be returned to the Planning & Zoning Department.

The motion was seconded by Mr. Al Fuller and approved unanimously.

Old Business:

Adjournment:

With no further comments from the community and without objection the Planning Commission meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Amanda M. Paoletti
Planning Coordinator