

TOWN OF EMMITSBURG PLANNING COMMISSION

MEETING MINUTES of May 28, 2019

ATTENDING: Keith Suerdieck, Chairman; Frank Davis, Vice Chair; Mark Long, Secretary; Joyce Rosensteel and Glenn Blanchard, Town Commissioner.

STAFF: Zachary R. Gulden, MPA, Town Planner

1. Meeting called to order by Chairman Keith Suerdieck at 7:30 pm.

2. Pledge of Allegiance.

3. OPENING STATEMENT: Chairman Suerdieck made remarks about the importance of Planning Commission members being mindful of their roles and of arriving at decisions independent of influence from elected officials.

Later in the meeting, Town Commissioner Glenn Blanchard brought to the attention of the Planning Commission some discussion that took place at a March 29 regional workshop of the Maryland Planning Commission Association. At that meeting, it was stated that ideally elected officials who serve as liaisons to Planning Commissions should not vote on a matter as a Planning Commissioner if it later is to go before the Elected officials for a vote. Although the Town of Emmitsburg gives full voting rights to the Planning Commission liaison, Commissioner Blanchard stated that going forward he will likely abstain from votes on the Planning Commission, unless there is a tie.

4. DISPOSITION OF MINUTES: A motion to approve the Minutes of January 28, 2019 was made by Frank Davis and seconded by Joyce Rosensteel. The Minutes were unanimously approval.

5. OLD BUSINESS: None

6. NEW BUSINESS:

A. Conditional approval of the Rutter's Store #84 Forest Conservation Plan for consideration.

After a background presentation by Town Planner Gulden and a brief overview by Joe Ceci from Fox and Associates, Inc., the following Motion was made by Mark Long with a second by Frank Davis. Approved 4-0 with Glenn Blanchard abstaining.

Motion to conditionally approve the Rutter’s Store #84 Forest Conservation Plan with the following conditions:

1. The Applicant shall contribute to the Town’s Forest Conservation Fund in the amount of \$8,624.88 instead of purchasing Forest Buffer Credits through Frederick County. This contribution to the Fund shall be paid within 90 calendar days of the approval of the site plan in accordance with Town Code Section 16.48.160.
2. The Applicant must provide financial security in a form acceptable to the Town, in an amount of the estimated cost plus administration and inspection costs of 20 percent in order to guarantee afforestation / reforestation as shown on the plan in accordance with Town Code Section 16.48.180. The financial security shall contain a provision that the Town shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.

B. Conditional approval of the Rutter’s Store #84 Site Plan for consideration.

Town Planner Gulden gave an overview of the Site Plan and further explanations were given by Tim Bieber, Rutter’s Representative. Emmitsburg resident, Ashley Reed, gave some **Public Comment** and asked questions about the project.

Mark Long made the following motion with a second by Joyce Rosensteel. Motion was amended by Chair Keith Suerdieck, with second by Joyce Rosensteel, to include an 18th condition. Amended motion passed 4-0 with abstention by Commissioner Blanchard.

Motion to conditionally approve the Rutter’s Store #84 Site Plan with the following conditions:

Subdivision / Zoning

1. Curbs, gutters, & sidewalks shall be installed in front of all non-residential lots in accordance with Town Code 16.16.030.Q. Curb, gutter, and sidewalk shall be extended an additional 65 feet to the east of the two-lane entrance/exit (along all property owned by SPT Land, LLC). This requirement may be shown on the plan as a future improvement.
2. The Applicant shall clearly delineate the beginning and end of all future improvements (curbs, gutters, & sidewalks). A note shall be added to the plan that the Mayor, or his/her designee, may require the completion of all future improvements shown on the plan at any time.
3. Permanent iron monuments shall be set along the property line of all streets and roads at points of intersection, curvature or tangency, and at such points along the boundaries not already marked by monuments in accordance with Town Code Section 16.20.020.G. The proposed monuments and their coordinates shall be shown on the plan.
4. In accordance with Town Code Section 16.20.030:
 - a) Show Centerline Profiles on the drawing set.
 - b) Show Cross-Sections on the drawing set.
 - c) Show profiles for all Water, Sanitary, and Storm Drain Conduits – provide sizes on plans and profiles.
 - d) Photometric – ensure that spill-over light levels on to adjacent property are less than 0.2 footcandles.
 - e) Provide a base detail for light poles. Height of lighting is limited to a maximum of 20-feet.
 - f) Provide ownership and zoning for all adjoining properties and subject property.
 - g) Provided L/F references for all existing easements.
5. On sheet 1 of 10, the following shall be corrected:
 - a) General Note #2 shall be changed from “Sketch Plan” to “Site Plan.”
 - b) General Note #7 & Chart – the # of commercial use parking spots required and provided do not correspond with the chart on the right hand side of the page. 34 parking spaces are required (Town Code Section 17.08.140) and 57 parking spaces are provided on the plan.

- c) General Note #7 & Chart – the # of bicycle parking racks required and provided do not correspond with the chart on the right hand side of the page. Three bicycle racks are required per Town Code Section 17.08.140.H.1. One additional bicycle rack shall be added to the plan.
- d) Provide a sheet index.
- e) Provide certifications and signature blocks.
- f) Provide legend for the site plan package.

6. On sheet 3 of 10, the following shall be corrected:

- a) Correct overlapping text.
- b) Provide FFE of the proposed store/raised fuel islands/truck scale/UG tank pad.
- c) Provide size, type, and condition (Prop./Exist.) of all water and sewer lines.
- d) Provide water meter location and type.
- e) Provide and label fire hydrant locations.
- f) Label all sewer manhole structures and add flow arrows to plan.
- g) Revise the back angle from grease trap to proposed manhole. The angle should not be less than 90 degrees.
- h) The dumpster location is in close proximity to a utility pole within the Potomac Edison easement. Please provide correspondence with Potomac Edison to confirm acceptance of the placement of utilities and structures within the easement.
- i) Provide correspondence with AT&T regarding the underground fuel tank placement within the AT&T easement.
- j) The one-way entrance should be a minimum of 20-feet wide.
- k) The entrance of the one-way drive from MD Route 140 should be controlled and limited to restrict exiting vehicles from proceeding east on MD Route 140 by means of a raised median.
- l) Provide permanent traffic barriers or gates for the turnouts to parcels not being developed.

7. On sheet 4 of 10, the following shall be corrected:

- a) Show all SWM facilities and Storm Drain Systems on this plan.
- b) Provide sizes, flow arrows, and types of each storm drain conduit.
- c) Provide SWM tabulations in accordance with Frederick County and MDE requirements.
- d) Revise grading of SWM area so as not to encroach or disturb the wetlands or

wetlands buffer areas.

e) Provide SWM calculations and drainage area calculations demonstrating the hydraulics and run-off from the adjacent parcels is accounted for and conveyed to the outfall point.

f) Provide match line for waterline extension.

8. On sheet 5 of 10, the following shall be corrected:

a) The force main shall enter the Town's Headwork Facility from the southwestern corner.

9. The three handicapped parking spaces each show a width of eight feet. Parking spaces shall not be less than nine feet wide, nor less than 20 feet long in accordance with Town Code Section 17.08.140.B.

10. Two ADA handicapped accessible ramps and a clearly delineated pedestrian crosswalk/walkway shall be installed at the intersection of MD Route 140 and the proposed two-lane entrance/exit in accordance with the Maryland Accessibility Code and Town Code Section 17.08.140.G.

11. An additional fire hydrant shall be placed directly to the right of the tractor-trailer parking spaces.

Administrative

12. The Applicant must provide financial security in a form acceptable to the Town, in an amount to be approved by Frederick County, in order to guarantee construction of the improvements shown on the plan in accordance with Town Code Section 16.12.040.F. The financial security shall contain a provision that the Town shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.

13. All necessary Town (infrastructure, zoning, signs, grease trap, backflow preventer, etc.), County, State, and Federal permits must be approved, and fees/taps paid before any construction may begin.

14. The Applicant must obtain approval of the Erosion and Sediment Control Plan from the Catoctin/Frederick Soil Conservation District and furnish to the Town a copy of the approval in accordance with Town Code Chapter 15.20.

15. The Applicant must obtain approval of the Stormwater Management Facilities Plan from Frederick County and furnish to the Town a copy of the approval in accordance with Town Code Chapter 15.21.

16. The developer, to the Town's specifications, shall install all water and sewer lines in the development. The developer shall make all taps, and the regular tap fees currently in force shall be imposed.

17. Written notice of intent to start work must be provided to the Town no later than ten business days prior to the proposed start date in accordance with Town Code Section 16.20.020.L.

18. Final approval by State Highway Administration that is satisfactory to Town of Emmitsburg staff.

7. PUBLIC COMMENT: None besides previous comments made by Ashley Reed.

8. A motion to Adjourn the meeting was made Frank Davis and seconded by Joyce Rosensteel. Meeting was adjourned at approximately 8:26 pm.

Next scheduled Planning Commission meeting is June 20, 2019

Submitted by Mark Long, Secretary