

Town of Emmitsburg Planning Commission Meeting Minutes of August 30, 2021.

Attendance: Mark Long-Chair, Kevin Hagan, Joe Ritz-Commissioner Liaison, Glenn Blanchard-Secretary.

Absent: Bernard Franklin, Joyce Rosensteel

Staff: Zachary Gulden, Town Planner

1. Call to order:

The meeting was called to order at 7:00 PM.

2. Opening:

Pledge of Allegiance

3. Review and approval of Minutes

The minutes of 07/27/21 were approved unanimously.

4. Public Comments

None.

5. Review and Consideration of Agenda Items:

A. Old business

B. New Business

1. Village Liquors & Plaza Inn

Site Plan

File No. 2021-12

A motion was made by Glenn Blanchard to table this plan to a future meeting. The motion was seconded by Joe Ritz. The motion was passed unanimously, 4-0.

2. Marcasa Holdings, LLC. Property (Ripleigh's Creamery)

Site Plan

File No. 2021-13

A motion was made by Joe Ritz to waive the requirements of Town Code 16.16.110.c. The motion was seconded by Kevin Hagen. The motion was passed 4-0.

A motion was made by Joe Ritz to approve the Marcasa Holdings, LLC. Site Plan with the following conditions:

Site Plan

1. Add note beside the water valve symbol located on the southwestern property line that it ties to an abandoned water line.
2. A stop sign and stop bar shall be added at the exit of the lot.
3. A fence shall be added around the basement entrance or it shall be raised to grade for safety.
4. Add scale bar to plan.
5. Identify purple symbols (lights) on legend.
6. Clearly identify property line and add to legend (magenta color).
7. Clarify red spot elevations (existing or proposed).
8. Remove "Parking reduction granted by the Planning Commission on 11/30/2020" under General Notes.
9. Whenever a nonconforming use renovates or expands under §17.08.080, said use shall meet all the applicable requirements of this title unless otherwise allowed by the Board of Appeals; therefore, the proposed deck and patio on the western property line shall meet the 10' side yard setback in accordance with Town Code §17.08.130.
10. The new area for parking spots #9 and #12 and the loading zone shall be bituminous concrete (macadam) or concrete in accordance with Town Code §17.08.140.B.
11. The loading zone shall be not be less than 10' in width and 45' in length in accordance with Town Code §17.08.150.C.
12. The plan sheets shall be 24" x 36" and printed on typical plan paper in accordance with Town Code §17.48.050.A. & §16.24.020.B.
13. Provide the nature of the materials to be used on the structure's exterior in accordance with Town Code §17.48.050.B.4.
14. Provide information on water and sewer, to include on-site location and alignment in accordance with Town Code §17.48.050.B.5. Specifically, the water service from the water main to the building could not be found on the site plan. In addition, a proposed sewer line is shown. Provide size and additional information on the routing and manhole discharge into the Town's system.

Landscape Plan

15. Add Grid Ticks to three corners of the plan.
16. It is difficult to tell what is survey and what is proposed. Adjust survey to match color of existing contours.
17. All plantings shall be the same color to clearly show what is proposed (green).
18. Add scale bar to plan.
19. Major contours show red text and inconsistent sizing. Please have all existing survey information match in color, font, and size where applicable.
20. Clarify red spot elevations (existing or proposed).
21. Identify purple symbols (lights) on legend.
22. Identify dark shaded hatching on legend.
23. Eastern red cedars have a spread of 25' at maturity. Adjust to give them more planting room. If not enough room is available (i.e. dumpster pad), provide a slenderer evergreen tree.
24. Provide detail of fence if it will be used as a screening application on site.
25. Clearly identify property line and add to legend (magenta color).
26. All plant material shall have a callout with abbreviated scientific name & quantity (i.e. JV-1).
27. Plant schedule references bio retention landscaping. Please clarify if typo or if there is a proposed bio facility.
28. The landscape plan shall be designed and stamped by a State of Maryland landscape architect in accordance with Town Code §17.08.220.C.
29. Parking areas shall be adequately landscaped in order to provide shade, to screen vehicles from public streets, to reduce glare and noise within the development itself and shall be designed in accordance with Town Code §16.16.110 (§17.08.220.C.5.). Shade trees shall be added along the Eastern property boundary along the 9 parking spaces spaced 10' apart.
30. The red maple plantings shall be a minimum of 2-inch caliper and 6' planting height in accordance with Town Code 16.16.110.B.3. Update the proposed plant schedule on the Landscape Plan.
31. If approved, add a note to the landscape plan that states: "The Planning Commission granted a waiver of the requirements of Town Code §16.16.110.C., street trees, on 08/30/2021".
32. "Site Plan" shall be changed to "Landscaping Plan" on the Landscaping Plan.

Lighting Plan

33. Show all lighting and electrical conduit to lighting plan.

Administrative

34. A copy of a certified fire flow test from public hydrants within 1,000 feet of the project shall be provided to the Town to ensure sufficient fire flow exists to the proposed development in accordance with Town Code §14.04.140.B.1. The applicant should coordinate the test with the Town's Water & Sewer Superintendent.
35. The applicant shall evaluate the adequacy of emergency services (Fire, EMS, & Police) with the assistance of Frederick County Emergency Services and/or other Frederick County Departments. Documentation from these agencies shall be provided to the Town stating adequate coverage is available for the proposed project in accordance with §14.04.140.E.
36. The applicant shall provide the Town 2x paper and 1x PDF copies of the engineered certified as-built after project completion in accordance with Town Code §16.20.020.I.
37. The applicant shall submit to the Town the total proposed number of water and sewer fixtures from a Maryland certified plumber in accordance with Town Code §13.04.041 and §13.08.111. The Town Planner has provided the fixture charts to the applicant. The previous property owner has provided a certified existing sewer and water fixture count. This property is currently allocated 24 fixtures for water (1.6 ERU) and 24 fixtures for sewer (1.6 ERU). The applicant shall pay the current tap fee rates at time of zoning permit application if the proposed sewer and water fixture counts are in excess of the numbers stated in the previous sentence. Connections are not guaranteed for the project until such connections are purchased, or a multiyear tap agreement has been executed between the Town and the Developer.
38. The applicant must apply for and obtain the following permits through the Town:
 - Cross-Connection Control - A testable backflow prevention device shall be directly after the water meter (Town Code Chapter 13.17).
 - Zoning permit – signage (Town Code Chapter 17.38).
 - Zoning permit – change of use (Town Code §17.48.020).
 - Zoning permit – construction (Town Code §17.48.020).
 - Non-Domestic Pre-Treatment of Wastewater – A grease trap and/or grease interceptor system shall be installed (Town Code Chapter 15.36).A Frederick County building permit is also required as with any other local, state, or federal permits required by law.
39. The applicant shall pay such fees that are charged from time to time by the Town of Emmitsburg for further reviews or permits as may be required concerning the proposed development.

The motion was seconded by Kevin Hagen. The motion was passed 4-0.

6. Other Business:

The next planning meeting is set for Monday, September 27th, 2021, at 7:00 PM.

7. **Adjournment:** Meeting was adjourned at 7:25 PM.