



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811
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www.berlinmd.gov



**Town of Berlin
Planning Commission Agenda
June 13, 2018 6:00 PM
Berlin Town Hall – Council Chambers**

1. Call to Order
2. Agenda Adoption
3. Approval of Minutes – April 11, 2018
4. Preliminary Conceptual Site Plan presentation from M & G Route 50 Land, LLC. For Worcester County Tax Map No. 20, Parcel 47.
5. Comments from the Commissioners
6. Comments from the Chairman
7. Comments from the Public
8. Adjournment

Town of Berlin
Planning Commission
April 11, 2018

The Planning Commission Meeting for April 11, 2018 was called to order at 6:04PM by Chairman Chris Denny. In attendance were Chris Denny, Newt Chandler, John Barrett, Phyllis Purnell, Pete Cosby, Ron Cascio and Barb Stack. Staff present were Planning Director Dave Engelhart and Permit Coordinator Carolyn Duffy. Mr. Engelhart introduced the new alternate Mr. David D.J. Lockwood to the commission members.

Chairman Chris Denny called for a motion to adopt the agenda. Mr. Ron Cascio made the motion to adopt the April 11th, 2018 agenda. Mrs. Barb Stack seconded that motion and it was unamously accepted by the commission. Chairman Denny called for a motion to approve the minutes from the February 14, 2018. Mr. Newt Chandler made the motion to approve the minutes from the February 14, 2018. Mr. Pete Cosby seconded the motion and it was unamously accepted by the commission.

Chairman Denny called the next item on the agenda. Concept plan for Old Ocean City Blvd formerly the Atlantic Orthopedic Building. The applicant is Meeks Management LLC. Jeff Harmon with Becker Morgan Civil Engineering Group, Larry Sawyer to represent the potential owner of the property. Mr. Harmon stated that this project had been started around the year 2008 or 2009 and had been put on hold. They wanted to come back for concept approval. Mr. Harmon stated there had not been any changes to it. The building is 12,000sq. ft that would be built on the south side of Old Ocean City Blvd. They have adequate parking, a drop off lane and a small canopy. They met with Mr. Dan Wilson from State Highway and they would go over the entrance process. Mr. Harmon told the commission that storm water would be current. He stated originally when they had submitted they had trees on the property and forest conservation has been addressed. The site also had a wet lands permit the trees were cleared and land filled with that permit. He stated they were back seeking approval. He told the commission that they have elevations in their packets. It would be a two story building. It would be 8000 sq. ft. on the first floor and about 4000 sq. Ft. on the second floor. Brick water table hardi plank siding, architectural storefront windows, canopy at the drop off with some architectural elements to it with some exposed trusses. He stated colors had not been selected yet.

Mr. Harmon stated they had not submitted to any agencies as of yet wanted to come to the commission to get their thoughts and approval first. He asked if they had any questions. Chairman Denny asked if it would have a pool inside. Mr. Harmon stated originally when it was Atlantic Orthopedics there was a different need. The new owner is going to build it as a shell building until they find the right tenant to go in there it could be office or medical. Mr. Pete Cosby inquired about sidewalks that were shown and asked would grass be included. He stated they didn't have landscaping. Mr. Harmon told the commission they had not yet included landscaping but they knew that was something the commission would be interested in. When they get further into the design they would figure out what the landscaping would look like. Mr. Cosby stated they would like to see more monumental type trees along that boulevard. He said more substantial trees so when they have grown it would look like a boulevard. Mr. Harmon said they would look for more native trees.

Chairman Denny asked if they were looking for more than one tenant. Mr. Harmon stated it would depend on the need of the tenant. The thought was it could be broken into several spaces the first floor could be broken into two 4000sq ft. spaces and the second floor is 4000sq ft. by itself so it could be three tenants. Mr. Cosby asked about the west side parking area if it was pervious. Mr. Harmon stated that the thought for that was because of storm water to reduce run off. Mr. Ron Cascio stated that pervious is only pervious if it is maintained. In most cases it is not and asked when he does the calculations make sure he knows there are no provisions for that in a town that has storm water problems. Mr. Cascio asked if what they proposed was concrete and they would have to maintain it rigidly. Mr. Harmon stated he could discuss with the town the calculations.

Mr. Cascio asked about lighting he told Mr. Harmon only down lighting. He also asked about the HVAC unit's location due to another projects and the location of their HVAC units. Mr. Harmon stated the roof on their building would be slanted so the HVAC units would be ground units. He stated they haven't gotten that far yet. Mr. Cosby asked about signage. Mr. Harmon stated they have a monument sign shown on the west side of the building but no details. That is the location where the sign is proposed. Mr. Cosby stated they would like to see the sign details when they return. Chairman Denny asked if there were any more concerns. Mr. Engelhart stated they are here just for concept just to help them out when they come for final approval. Mr. Harmon stated they wanted to hear the commissions concerns. Mr. Cosby asked if they had given any thought to the roof color yet. He replied not yet. Mr. Cosby asked about the color of the building. Mr. Harmon replied he knew they didn't want a super bright building. He said this is not a national chain and you would want to appeal to who's looking. They would go with more neutral tones. Mr. Cosby asked about siding or brick. Mr. Harmon replied it would be real brick and would bring in a color rendering when they come for a final. Mr. Harmon thanked them for their time.

Chairman Denny called the next case on the agenda. Concept sketch review for a proposed residential subdivision to be located on Worcester County tax map 302 parcel 901 & 902 located on Burley Street. Mr. Cascio recused himself from the panel. Chairman Denny asked that the new alternate Mr. David Lockwood come up and take Mr. Cascio's place. Mr. Hugh Cropper stated he was the lawyer for the family. Mr. Chris Davis stated he was the brother of Tracey Collins. Mr. Robert Hand stated he had done the site design. Mr. John Collins husband of Tracey Collins was also present. Mr. Collins stated they were proposing a four lot subdivision on Burley Street. The property is almost two acres in size. They are proposing four lots that are at the rear. The concept is to have one common driveway. It would come from Burley Street and run across each property so they each could have the use of it. They are proposing street trees along Burley Street as well as the common access drive. He stated they have the forest conservation shown that complies with the county. There are two large trees on the property that they want to keep. He stated they wanted to come to the commission early so they could get feedback on the project.

Chairman Denny stated right now it's just one lot with a house on it. Mr. Collins stated they have deeds that say they have six platted lots and they are paying for two parcels. Mr. Engelhart stated they had been treating it like two parcels. Mr. Engelhart told the commission he didn't know if it was recorded with the clerk's office or not. Mrs. Barb Stack stated some deed

research would have to be done. Mr. Hugh Cropper stated the family is requesting the subdivision whether they have six lots or not. He stated it appears to be platted that way. They don't want six little houses on the lots. Mr. Cropper told the commission when they come back they would be able to tell them accurately. Mr. John Barrett asked about the driveway. Mr. Collins replied he was looking to do only one driveway. Mr. Chandler asked where the front and back yards were. Mr. Collins stated the houses could be turned. Chairman Denny asked who would maintain the driveway. Mr. Cosby asked Mr. Collins was he ready to commit to the one driveway as an affixed arrangement showing landscaping. Mr. Collins replied yes. Mrs. Stack asked if there was a reason he didn't want a small cul de sac. Mr. Collins stated they had tried many different ways but due to the cost. Mrs. Stack stated three drive ways would need to be set up differently. Mr. Cropper stated they would do an easement. Unless they come back with a declaration and say they are going to record this as a cross easement and that would be the condition that would be given.

Chairman Denny asked instead of trying to do three homes couldn't you do just two homes. Mr. Cropper stated right now they have six parcels that are spread out over three deeds. He stated they could sell the two lots as they are right now. He stated neither one of the lots meet the existing code. Discussion continued on the size of the lots. Mr. Collins stated they were trying to see what the best thing for Berlin was. Mr. Cosby stated you're on a 70 foot lot two acres and lots 2, 3, and 4 would be on part of the forestry. Mr. Cropper asked about the alley way that was called Commodore Street. Mrs. Patricia Dufendach sitting in the audience said she may be able to explain. She stated to the commission she was on the Parks Commission and the old Commodore Street was part of the walking path. Mr. Chandler stated if you can't access the street can't you get more with the two lots. Mr. Collins stated he was not going to give the lots away people are looking for something nice.

Mr. George & Susan DeGroft stated that it felt out of character with Burley Street. Mrs. DeGroft stated Burley Street was a nice place to raise a family. Single family homes back up to the park and this would add congestion to the streets. They would be more accepting of two houses built to the street. Mrs. Stack asked about a 30 foot easement drainage ditch if that would be feasible. Mrs. Patricia Dufendach of 30 Burley Street stated no subdivision on Burley Street. She said everyone walks to the park on the paper street. That would not be in character with the neighborhood. She also asked what the legal term for inundation was and would like to have an answer. Mr. Mitchell David, 5 Washington Street, wanted to know what he would be gaining. He thought it would cost more. He stated it should be infill for the tax base as we grow as a town. Mr. Chandler stated people come to town because they want the back yards. Mrs. Jennifer Neeb stated your passion is where you live and she said she was afraid of losing that. Mr. Barry Neeb told the commission they were getting ready to open a Pandora's Box. They have utilized their backyard since their children were little. You would be adding more traffic more parking on the street. He stated he stands in the way of the subdivision. Ms. Diane Frederick of 28 Burley Street stated the property next to her raised their property and now her property floods. Water in her basement and the back lot. She said she doesn't know what this would do to the other houses. Planning Director Dave Engelhart told the commission they wouldn't make any motion on this tonight. The applicant would come and bring a plat. Mr. Cosby gave his personal opinion he stated that flag lots were not good and would impact Burley Street. He stated it would set a precedence on Burley Street and throughout town. Mrs. Stack

agreed with that statement. Flag lots are not conducive and the last lot up to the park is not good. The neighbors want to see two houses on the street. Mrs. Neeb stated this would be for profit they don't live there we do. Mr. Collins stated he was concerned about the driveway and the easement. He stated if you have two houses you would have parking on the street. He thought it was a good plan. With there being no other comments from the commissioners, public or staff the chairman called for a motion to adjourn. Mr. Chandler made the motion to adjourn. Mr. Cosby seconded the motion. Meeting adjourned 7:18PM.

Respectfully Submitted,



Carolyn Duffy

Ernest Gerardi

5/31/18

9 Bay St., Berlin, Md 21811

Mr. David H. Engelhart CFM
Planning Director
Town of Berlin

Dear Dave:

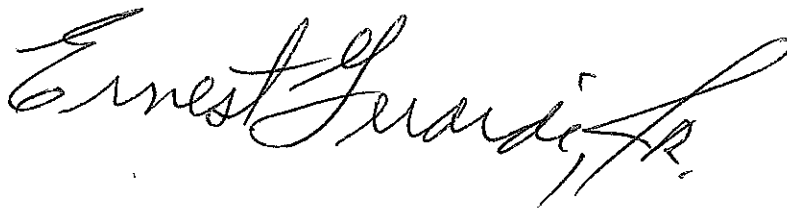
Enclosed is a copy of the Preliminary Conceptual Site Plan. Nothing is fixed, except the Farmers Market and the Convenience Store with a food component. It will depend on the market when we get there as to what we will be able to attract. This is exactly as it was when we met with you and the Zoning Board two years ago.

As I discussed at the prior zoning meeting and on three separate occasions with Mayor Gee and in one meeting with the Berlin's Director of Economic Development, Ivy Wells, the Convenience store will provide space for a display for Berlin's Businesses/ Events at no charge.

Also, at the meeting with the Zoning Board and the meetings with Mayor Gee, we stated that the town of Berlin would be granted, at no cost, a perpetual easement for the most western tip for signage/ other purposes it may chose. In fact, this dialog is what led to the Town's current entrance signs.

Dave, your Water and Sewer Dept has prepared an estimate of costs to bring water and sewer to serve the property.

Regards,

A handwritten signature in cursive script that reads "Ernest Gerardi". The signature is written in black ink and is positioned below the typed name "Ernest Gerardi".

David Engelhart

From: Joe Moore <jmoore@whmsh.com>
Sent: Friday, June 8, 2018 1:30 PM
To: David Engelhart; Carolyn Duffy
Subject: Tax benefits- M&G Route 50 Land LLC property into Berlin

Dave; the estimated tax benefits of the potential development of the Land into the Town of Berlin are as follows: (based on the Berlin present tax rate of .68 per \$100 of value) This is indicated by the *conceptual* site plan.

1. Present assessed value of raw land	\$240,000	\$1,632.00
2. Convenience Store development cost	\$950,000	\$ 6,460.00
3. Restaurant development cost	\$1,000,000	\$6,800.00
4. Potential auto Dealership	\$900,000	\$6,120.00
5. Retail space area	\$800,000	\$5,440.00
6. Potential Hotel (80 rooms)	\$8,000,000	\$54,400.00
7. Potential apartment building (36 units)	\$3,600,000	\$24,480.00
		<hr/>
		\$105,332.00

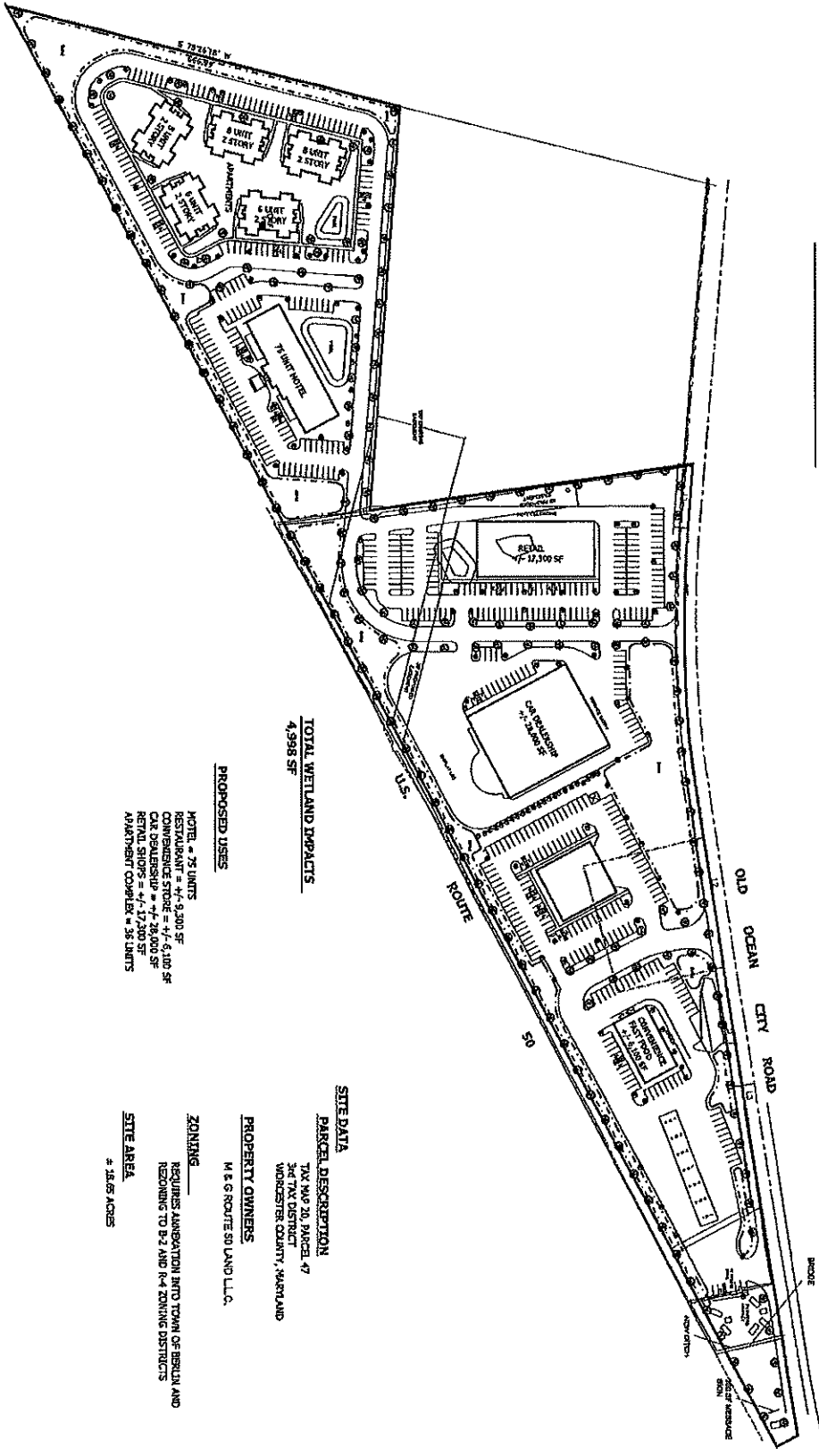
The assessed value of the improvements would be based on the estimated value of the construction so the above are necessarily estimates.

They are provided for the potential of value to the Town of Berlin in its tax base, not an actual number amount as the tax rate may change to alter the potential.

Joe

Joseph E. Moore, Esq.
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BERLIN GATEWAY



TOTAL WETLAND IMPACTS
4,998 SF

PROPOSED USES
HOTEL = 75 UNITS
RESTAURANT = 44,920 SF
CONVENIENCE STORE = 41,610 SF
CAJUN RESTAURANT = 17,800 SF
APARTMENT COMPLEX = 36 UNITS

SITE DATA
PARCEL DESCRIPTION
TAX MAP 20, PARCEL 47
3rd TAX DISTRICT
WORCESTER COUNTY, MARYLAND
PROPERTY OWNERS
M & G ROUTE 50 LAND L.L.C.

ZONING
REQUIRES AMBAGATION INTO TOWN OF BERLIN AND
REZONING TO B-2 AND R-4 ZONING DISTRICTS
SITE AREA
28.65 ACRES