

Public Hearings - Northeast Station

1990

MSA - 51830-81

P R O C E E D I N G S

1
2 Whereupon,

3 CHAIRPERSON LAGNER: I would like to call the
4 hearing to order and welcome you here this evening.

5 I would like to introduce Roger Williams from
6 Kent County. He's on the Critical Areas Commission; and
7 Vic Butanis on my left, who is from Harford County.
8 And I'm Kay Lagner from Cecil County.

9 Also this evening we have the mayor of North
10 East and the town administrator of North East, Melissa;
11 and Janet Gleisner, Planning Commissioner of Cecil
12 County; and Anne Hairston from the Critical Areas
13 Commission.

14 The purpose of this hearing is to hear public
15 comment, as required under Section 8-1809, as to
16 Critical Area Law. The Commission must make a decision
17 on the amendment within 90 days after submission to the
18 Critical Areas Commission.

19 The court reporter is recording the hearing,
20 which will be used to help the commission render a
21 decision. The record will be held open for one week to



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1 receive additional written testimony. This should be
2 sent to the Chesapeake Bay Critical Areas Commission,
3 West Garrett Place, Suite 320, 225 West Street,
4 Annapolis, Maryland 21401

5 MS. HAIRSTON: 275.

6 CHAIRPERSON LAGNER: Oh, I'm sorry, 275 West
7 Street.

8 MR. BUTANIS: Has anybody signed up to
9 testify?

10 MS. HAIRSTON: Was there anybody there who
11 wanted to testify on the subject of hearing tonight?

12 MS. GLEISNER: Yes. Am I supposed to sign up
13 to testify? We expected to give just a brief
14 presentation, we'll sign anyway.

15 MS. HAIRSTON: I'll ask you for comments
16 afterwards. Just, you know, put the -- identify the
17 issue for the record.

18 My name is Anne Hairston, and I'm staff for
19 the Chesapeake Bay Critical Area Commission. And the
20 hearing tonight is to just get any public comment for
21 the annexation of 11.2 acres of the critical area, from



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1 Cecil County to the town of North East.

2 The parcel in question is before you on the
3 map here. It's, as I said before, 11.2 acres of a
4 larger 80-acre parcel. Only the 11 acres are in the
5 critical area and our part of the amendment that we are
6 considering.

7 It's the Northeast Station parcel, care of BTR
8 Realty.

9 As Kay mentioned, this hearing is required
10 under the Natural Resources Article in Section 8-1809,
11 (g) and (h), which requires hearings for any program
12 amendments.

13 The annexation constitutes a program
14 amendment because of the changes in the maps in the
15 critical area programs of both Cecil County and the Town
16 of North East. And we are considering both of those map
17 changes tonight, simultaneously.

18 For the parcel we're discussing, there will be
19 no change in the critical area designation. It will
20 remain a limited development area. It is my
21 understanding that it is being rezoned from commercial



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1 to industrial zoning, commercial in the county to
2 industrial in the town.

3 The current use is just parking and storage of
4 tractor-trailers and that sort of thing, which, you
5 know, seems appropriate for some of the zoning that it
6 has received. Some of the previous uses were hotel,
7 motel and residents.

8 The proposed use after the annexation is, at
9 the moment, a shopping center, office, and perhaps
10 townhouses that are in the concept plan stage.

11 And there's also my understanding that there
12 may be some construction going on in the critical area
13 portion of the parcel.

14 One feature that the panel may want to pay
15 attention to is the presence of Stoney Run and a branch
16 that goes through the critical area. Most of Stoney Run
17 is outside of this portion of the critical area. It has
18 been identified as a fish spawning stream for several
19 species; a couple of species of herring and animal life.

20 Does Melissa Cook or Janet Gleisner have any
21 comments to add to that? Issues that we should be



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1 considering?

2 MS. GLEISNER: No, just I'd like, for the
3 record, to indicate that the County Commissioners have
4 approved the annexation and will also recommend the
5 approval of the program amendment to the critical area.
6 That the county will continue to work with the Town of
7 North East in providing the new services to make sure
8 that the development that occurs there is in compliance
9 of the critical area program. We have already met once
10 and run a review of their plans. We will continue to do
11 that as requested.

12 MS. HAIRSTON: Okay, thank you. The Critical
13 Area Commission has received all of the -- the official
14 notification and submission of the amendment. And it is
15 important that Cecil County work with the town, because
16 there's a lot of, you know, maps and services that are
17 shared.

18 MR. BUTANIS: How is this property zoned in
19 the county?

20 MS. GLEISNER: In the zone "commercial."

21 CHAIRPERSON LAGNER: We had just received in



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1 our letters that industrial -- that it would be named
2 industrial as well.

3 MS. HAIRSTON: All right, that was just
4 clarified today.

5 CHAIRPERSON LAGNER: Yes.

6 MS. HAIRSTON: Melissa, did you have anything
7 to say?

8 MS. COOK: The annexation was effective on
9 January the 4th, 1990. And our Planning Commission made
10 a recommendation on December 27th, 1989 to the present
11 commissioners to favorably accept the program amendment.
12 And our town board voted on January the 2nd, 1990, to
13 accept a program amendment contingent a upon a full
14 panel hearing from the Critical Area Commission.

15 And, as Janet indicated, we are working with
16 the County's Planning Office, and that is a part of our
17 program. It's part of our program language that we do
18 go through the Technical Advisory Committee, and we have
19 started that process on Phase I on this project, which
20 is outside of the critical area. However, we use it for
21 critical area or non-critical-area site plan reviews.



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1 MS. HAIRSTON: Does anybody else on the panel
2 have questions about the project, about what
3 implications the annexation will have for the critical
4 area program?

5 The town's program is, I believe, already
6 comprehensive enough to address all of the resources
7 that may be found. And that includes the full section
8 of -- protection areas, and forestry and agriculture.

9 MS. COOK; I believe, Janet, in my opinion,
10 our program as its written would not require any
11 language changes, because it is similar in nature --
12 word for word, virtually -- to the county. So, I don't
13 think there would be any need for any language change.

14 MS. HAIRSTON: From what I looked over, I
15 didn't see any need for it either.

16 MR. BUTANIS: Recognizing that this is not the
17 least bit relevant to why we're here, I was just curious
18 as to what the developer's plans were for the balance of
19 the parcel that's not included in the critical area. Is
20 that going to be residential?

21 MR. DIBITONTO: The one section is going to be



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1 a townhouse community of approximately 75 units, which
2 is the farthest piece, going to your left. We reduced
3 that number from what could have been put on there,
4 which was 146 units, down to 75 because we just don't
5 want to crowd it.

6 The one portion of it, the top portion up by
7 40, is going to be a shopping center, and the balance of
8 the property will be a high-tech business office park
9 for, basically, the electronics industry. Specific
10 design teams will be coming into the area from -- the
11 Ford Aerospace Company, for instance, wants to put a
12 specific design team in the area to service Washington
13 and Philadelphia. And this tract sits about midway
14 between the two cities, so it works out very well for
15 those kind of high-tech industry design groups.

16 MR. BUTANIS: Okay.

17 CHAIRPERSON LAGNER: Did you have anything to
18 say?

19 MR. JONES: No.

20 CHAIRPERSON LAGNER: Is there no further
21 comment?



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1 MR. BUTANIS: One last question. Is Mr. Lee
2 still acting as counsel for you?

3 MR. DIBITONTO: Michael still is, yes.

4 MR. BUTANIS: I was looking forward to giving
5 him a hard time this evening. He didn't show up.

6 (Laughter.)

7 MR. WILLIAMS: I will ask one question. You
8 said there would be limited construction within the
9 critical areas. Can you kind of expand on that a little
10 bit, as to what will be taking place?

11 MR. DIBITONTO: Well, basically, at this
12 point, we've stayed pretty much out of the critical
13 areas. We, I think, have two buildings?

14 MR. JONES: Yes, two lots proposed.

15 MR. DIBITONTO: Two lots in this -- let me see
16 if I'm right, Rob. In this area here of the critical
17 areas. Right?

18 MR. JONES: That's right.

19 MR. DIBITONTO: And the rest of it will be out
20 of the critical areas. And, in fact, we've decided not
21 to develop down in here at all. The reason being,



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1 Stoney Run acts as a buffer that completely isolates
2 this piece of property from that. We want to keep it
3 that way. It enhances the value of this property over
4 here, to keep it completely buffered. And it makes the
5 sales of those lots, or those townhouses, escalate.

6 Now, this is almost -- if you've been by
7 there, it's almost a pristine park, and we want to keep
8 it that way. So, we've given up development along here.
9 And we particularly stayed away from any of those areas
10 for that reason. So --

11 MR. BUTANIS: Are there any wetlands in there?

12 MR. DIBITONTO: There are some wetlands up in
13 here --

14 CHAIRPERSON LAGNER: And they have been
15 plotted.

16 MR. DIBITONTO: -- and they've all been
17 plotted, and we've stayed out of them. We're not
18 developing in any of them. We don't need that much land
19 cover for the project we're doing.

20 CHAIRPERSON LAGNER: There is no further
21 comments?



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1 MS. COOK: Just for the record, Anne will be
2 receiving a copy of our site plan. We will be going to
3 the Planning Commission the end of this month, and she
4 will be receiving a copy of our site plan, probably
5 within the next week to 10 days. So, that's --

6 MR. JONES: And the assessment.

7 MS. COOK: And the environmental assessment,
8 yes.

9 MS. HAIRSTON: With a cover sheet?

10 MS. COOK: Yes.

11 MR. DIBITONTO: We've also contracted with an
12 environmental engineer throughout this whole thing, and
13 he's been advising us on, you know, what areas we should
14 concentrate on, what areas we should stay out of, and it
15 pretty much fell pretty close to our original concept.
16 The property kind of tells you what it wants to do
17 anyhow. You just follow the natural fall of the
18 property. You don't have to crowd it, you don't have to
19 push it.

20 CHAIRPERSON LAGNER: Hearing no further
21 comment, the hearing is now adjourned.



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(Whereupon, at 7:15 p.m., the hearing was
concluded.)

(No exhibits.)



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C O N T E N T S

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<u>SPEAKER</u>	<u>TOPIC</u>	<u>PAGE</u>
CHAIRPERSON LAGNER	Introduction	3
MS. HAIRSTON	Identification of the Issue	4
	Dialogue between members of the Critical Areas Commission, Mayor Cook, and Planning Commissioner Gleisner.	6

E X H I B I T S

(None)



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