

NORTH EAST PLANNING COMMISSION

North East Town Hall Meeting Room
106 South Main Street, North East, Maryland 21901
Wednesday, May 6, 2015
7:00 PM

Chairman Brian Morgan called the Public Hearing to order at 7:00 P. M. Present included, Vice Chairman Mark Dobbins and Mike Kline. Also present was Lisa Rhoades, Planning and Zoning Assistant. Commissioner Eric Braley was absent from the meeting. Also absent from the meeting were

-MINUTES-

April 1, 2015 Meeting Minutes.

The Planning Commission accepted the minutes as presented.

-COMMENTS FROM THE PUBLIC-

None.

-NEW BUSINESS-

Mr. Kline made a motion to recommend the acceptance of the Town of North East 2014 Annual Planning Report to the Mayor and Commissioners, Mr. Dobbins seconded the motion and the motion was approved by all.

-OLD BUSINESS-

Pier One Restaurant:

Mr. Vincenzo Cirino, Pier One Restaurant, came to report on the on the status of the Pier One Restaurant's parking lot construction schedule, landscape schedule and stormwater/raingarden schedule.

Mr. Cirino stated he has the grading permit. Mr. Cirino stated he submitted the Landscape Agreement and the landscape escrow inspection deposit.

Chairman Morgan stated he appreciates the progress Mr. Cirino has made since the last time Mr. Cirino appeared before the Planning Commission at the April 1, 2015 meeting. However, during the April meeting, the Planning Commission requested Mr. Cirino bring in a detailed schedule for the Pier One parking lot construction, landscape and stormwater/raingarden.

Mr. Cirino stated the hot water heater broke at the Pier One Restaurant and it caused significant damage to the wall adjacent to the hot water heater. Mr. Cirino also stated he was unable to reach the landscaper he wanted to use and will be contacting another landscaper. Mr. Kline inquired if the hot water heater and wall repair would affect the completion of the parking lot. Mr. Cirino stated that hot water heater and wall will be replaced within the next week Mr. Cirino also stated Mr. Reynolds has two other jobs to complete before he can begin on the Pier One parking lot.

Chairman Morgan inquired if Mr. Cirino will be paving the parking lot or just installing the stone. Mr. Cirino stated he will be completing the project, the parking lot will be paved and stripped. Mr. Cirino stated Mr. Reynolds would be installing the raingarden as well.

Mr. Kline stated that Mr. Cirino was advised by the Planning Commission on several occasions that the Pier One Parking lot was not to be used until its completion but the parking lot continues to be use. In addition, Mr. Kline stated he believed Mr. Cirino does not appear to have any intention of completing the parking lot and Mr. Kline would like the use of the parking lot to stop immediately until the parking lot is finished.

Mr. Dobbins stated that Mr. Cirino was invited to the May 6, 2015 Planning Commission meeting to submit a detailed schedules for completion of the parking lot. Mr. Dobbins read Mrs. Vennell's letter dated April 6, 2015 which stated:

- Construction schedule including if you are requesting the phasing of the stone before the final blacktop and striping of the parking lot.
- Landscape installation schedule
- Stormwater management / rain garden installation schedule
- Construction authorization – prior to commencement of work

Chairman Morgan stated he is very concerned because Mr. Cirino did not bring in any information regarding the Construction Schedule, Landscape Schedule or Stormwater/raingarden schedule. Chairman Morgan stated we are 6 months to a year into this project and the area is being used as a parking lot but has not been given County or Town approval for the use. This entire area could become a mud pit. Mr. Cirino stated that the parking lot will not become a mud pit because he installed crush and run stone. Mr. Dobbins stated the Planning Commission requested that Mr. Cirino bring in a schedule and Mr. Cirino has not brought in a schedule and the Planning Commission required a schedule of when this project is going to start and when it will be finished.

Mr. Cirino stated people are not working with him and he cannot get the construction authorization. Mrs. Rhoades explained that the schedule he has been asked to provide this evening where to be part of the construction authorization.

Chairman Morgan stated that the Planning Office, staff at the Town Hall and the Planning Commission have worked with Mr. Cirino throughout this entire project. Mrs.

Vennell has met with Mr. Cirino multiple times to keep him on track with this project and the Planning Commission has been very patient. Chairman Morgan inquired when the construction will be started. Mr. Cirino stated the construction will be started by June 1, 2015 by Dennis Reynolds or another contractor. Chairman Morgan stated when the construction is started June 1st will the landscaping and raingarden also be installed. Mr. Cirino stated yes, everything will be finished by July 1, 2015. Mr. Cirino then inquired what if it is not done. Mr. Kline expressed concern that Mr. Cirino's question sounds as if Mr. Cirino has no intention of completing the parking lot.

Chairman Morgan stated the parking lot use must stop tonight. We have regulations that must be enforced and it is not appropriate for Mr. Cirino not to adhere to the same regulations as other business and residents within the Town of North East. Mr. Dobbins stated Mr. Cirino was asked multiple times not to use the Pier One parking lot and continued to use the unfinished parking lot. Chairman Morgan inquired how many employees Mr. Cirino has on staff at any given shift. Mr. Cirino stated approximately 7. Mr. Dobbins stated the Planning Commission is just asking Mr. Cirino to comply with the regulations and if Mr. Cirino feels his contractors are not working with him, then he needs to hold them accountable. Chairman Morgan stated Mr. Cirino has made good progress, to keep a positive attitude and keep moving forward with his project. Chairman Morgan stated if the parking lot is completed by July 1, 2015 as Mr. Cirino stated he will be in compliance with the Town and the project will be done.

Mr. Cirino stated he feels the Town put him in a bad spot and he has now had to use his retirement funds to finish the Pier One parking lot project. Chairman Morgan stated that he realizes this project turned into more than what was anticipated. Mr. Dobbins stated Mr. Cirino put himself in a bad spot by stalling in the middle of the project and using the unfinished parking lot which is a violation of the North East Zoning Ordinance. Chairman Morgan stated this is not a hardship for Pier One Restaurant employees to park elsewhere while the parking lot is being completed, as 1 ½ years ago no one was parking there. Chairman Morgan stated the Town will continue to work with Mr. Cirino however, the only vehicles permitted in the parking lot are construction vehicles working on the parking lot project.

Chairman Morgan inquired if the Planning Commission was in agreement that there should be no parking in the Pier One parking lot until the project has been fully completed. If vehicles continue to be parked in the parking lot as of May 7, 2015, the violation process will continue. The Planning Commission all concur.

In addition, Mr. Kline stated that if Mr. Cirino continues to use the Pier One Restaurant parking lot as of May 7, 2015 and before its completion, a citation should be issued. The Planning Commission concurred.

-REPORTS-

None.

-MISCELLANEOUS-

FEMA

Mrs. Rhoades reported an email was received from Kevin Wagner, Maryland Department of the Environment (MDE) stating that the recently adopted Floodplain Management Ordinance has been approved by FEMA and they will send a letter to the Town to confirm.

Heron Cove

Mrs. Rhoades reported Mr. Dan Speakman of McCrone Engineering, forwarded a letter dated May 6, 2015, regarding the Heron Cove project-concept Hydrology and Hydraulics Report Review. The letter was emailed to the Planning Commission.

Chairman Morgan stated the comment letter was very thorough. Mr. Dobbins and Mr. Kline agreed and there were no additional comments.

-ADJOURNMENT-

With no further business, Mr. Dobbins made a motion to adjourn at 7:54 p.m. Mr. Kline seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades
Planning and Zoning Assistant

Brian Morgan
Chairman