TOWN OF NORTH EAST

2014

ANNUAL PLANNING REPORT

May 2014

Prepared By:
Town of North East
Office of Planning and Zoning
for the North East Planning Commission

2014 ANNUAL PLANNING REPORT

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2014 ANNUAL PLANNING REPORT

TOWN OF NORTH EAST PLANNING COMMISSION

CERTIFICATE OF ADOPTION

In accordance with the provisions of The Annotated Code of Maryland – Land Use. Section 1-207. Annual Report – In General; the Town of North East Planning Commission hereby adopts the following Annual Report of the North East Planning Commission, filing same with the Mayor and Commissioners and the Secretary of the Maryland Department of Planning.

North East Planning Commission

Brian C. Morgan, Chairman

May 6, 2015

Date

MAYOR

Robert F. McKnight

VICE-MAYOR

Kena L. Koch

COMMISSIONERS

Eric B. Braley

Hilary A. Crothers-Moore

Kena L. Koch

Paul A. Stark

EX-OFFICIO TO THE PLANNING COMMISSION

Eric B. Braley

TOWN ADMINISTRATOR

Melissa B. Cook-MacKenzie

CLERK-TREASURER

Anne F. Fazio
(January-October)

DIRECTOR OF FINANCE AND ADMINISTRATION

Ken Natale
(October-December)

Planning Commission Members

Brian Morgan, Chairman

Mark Dobbins, Vice-Chairman

Commissioner Eric B. Braley, Ex-Officio

Michael Kline

Ranald Langille

NORTH EAST PLANNING COMMISSION

The North East Planning Commission, acting under authority granted by the Annotated Code of Maryland – Land Use. Title 2. Planning Commission. Subtitle 1. Organization and General Authority, regulates the development of land in the Town of North East. The Planning Commission consists of five members appointed by the Mayor and Commissioners. The Planning Commission's duties are outlined in the North East Zoning Ordinance and the North East Subdivision Regulations.

When the Planning Commission has business to conduct, they meet on the first Wednesday of each month beginning at 7:00 p.m. in the North East Town Hall Meeting Room, 106 South Main Street. In addition, special meetings or workshops may be held throughout the year. The Planning Commission meetings are open to the public.

PLANNING STAFF

Zoning Administrator

Melissa B. Cook-MacKenzie

Director of Planning

Betsy Vennell

Planning and Zoning Assistant

Bill Weisel
(January-February)

Lisa Rhoades
(March-December)

Secretary to the Planning Commission

Bill Weisel
(January-February)

Lisa Rhoades
(March-December)

Town Attorney

Dennis S. Clower, Esquire

Town Engineers

CNA, Inc.

Entech Engineering, Inc.

Contracted Services

Mark Gradecak, Gradecak and Associates

Patricia Lemmerman, ASLA Registered Landscape Architect

Severn Trent Environmental Services, Inc.

POWERS AND DUTIES OF THE PLANNING COMMISSION

The powers and duties of the North East Planning Commission are found in the North East Zoning Ordinance, Section 9-5. Powers and Duties of the Planning Commission.

1. The Planning Commission may:

   (a) Make studies and recommend to the Mayor and Commissioners plans, goals, and objectives relating to the growth, including annexations, development and redevelopment of the Town and develop a comprehensive plan in accordance with the provisions of Article 66B of the Annotated Code of Maryland.

   (b) Develop and recommend to the Mayor and Commissioners policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.

   (c) Make recommendations to the Mayor and Commissioners concerning proposed zoning classifications and reclassifications.

   (d) Hear and decide applications for land development and approve subdivision plats and site development plans.

   (e) Make recommendations to the Board of Appeals on special exceptions.

   (f) Prepare and forward to the Mayor and Commissioners an annual report in accordance with Article 66B of the Annotated Code of Maryland.

   (g) Exercise any other powers as set forth in Article 66B of the Annotated Code of Maryland.

2. The Planning Commission may adopt rules and regulations regarding its governing procedures and operations not inconsistent with the provisions of this Ordinance.

3. The Planning Commission may delegate authority for review and approval action to the Town Administrator as deemed appropriate.

NORTH EAST COMPREHENSIVE PLAN

The Comprehensive Plan is the official statement of the Mayor and Commissioners of the Town of North East setting forth policies concerning desirable future growth, which serves as a general guide to public and private development decisions. Once adopted, it becomes the basis for the preparation of specific policies, programs and legislation, such as zoning and subdivision regulations, and other actions, which implement the growth policies set forth in the Plan.

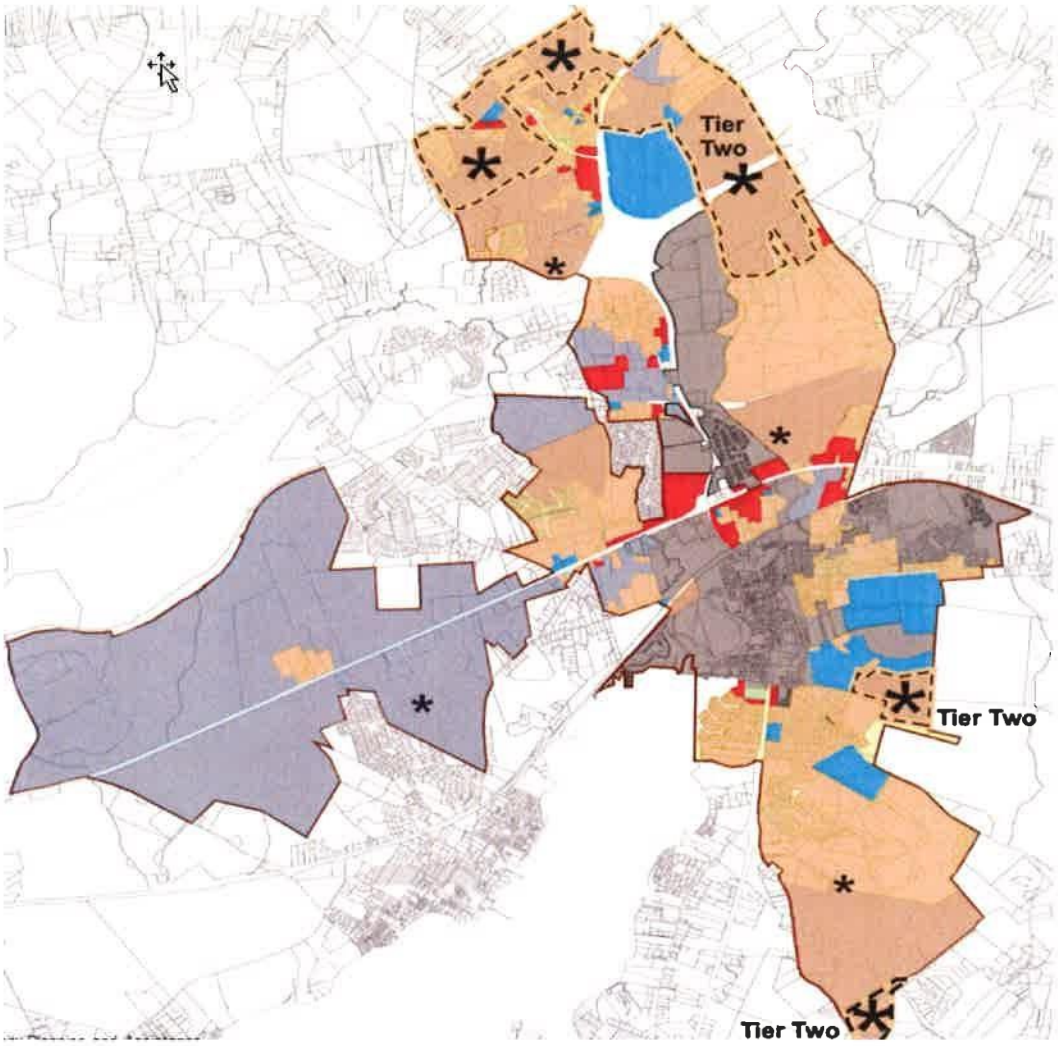
The Plan is comprised of several major elements that are prepared in such a manner that they form an integrated, unified document for guiding future growth and development. As a policy document, it is general, comprehensive, and long range in nature. It is comprehensive in that it encompasses the entire geographic area of the Town and includes all functional elements that bear upon its physical development, such as transportation, land use, and community facilities. It is general in that it summarizes policies and proposals but does not establish detailed regulations. It is long range in that it looks beyond current issues to problems and opportunities related to future growth over the next twenty years.

There were no amendments to the North East Comprehensive Plan in 2014.

Changes to Development Patterns in North East

There were no changes to the development patterns in North East in 2014.

Town of North East Growth Area Map



PROCESS IMPROVEMENTS

North East Zoning Ordinance Amendments

There were 3 amendments to North East Zoning Ordinance in 2014.

ORDINANCE 2014-03-01: An ordinance of the Mayor and Commissioners of the Town of North East for the purpose of amending the Town of North East Zoning Ordinance: Article 3. Definitions. Parking space-off street and Article 6-8. Parking regulations. Paragraph 3. (a.)Design standards; to delete the requirement for a 180 square feet off-street parking space size and to provide a minimum off-street parking space size of 9 feet by 18 feet. Amending section 6-29. Assisted living facilities/group homes. Paragraph 1. To delete the requirement for a residential group home to provide evidence of a state and federal license; amending paragraph 4: to delete conditions for a residential group home and adding a provision that large institutional group homes shall be subject to conditions of section 6-29. Amending paragraph 4.c. To delete the requirement for residential group homes to be subject to a 1500 foot distance requirement from other group homes and adding a 1500 foot distance requirement for large group homes/assisted living facilities. Amending paragraph 4.d. To delete the sign requirements for residential group homes and adding text which provides for permitted signs in article 7. Signs; deleting paragraph 5. Which provided for signs for large institutional group. Amending the table of contents, paragraph re-lettering and re-numbering, page numbers and index pages to reflect changes to the text. The Ordinance was approved by the Mayor and Commissioners on March 26, 2014 and became effective on April 5, 2014.

ORDINANCE 2014-12-01: An Ordinance of the Mayor and Commissioners of the Town of North East for the purpose of amending the Town of North East Zoning Ordinance: Article 5. District regulations. Section 5-4. "R-0: Residential-Office District Regulations. To delete paragraph 1.d. Private clubs, lodges and recreational buildings. Amending paragraph 1.e. To delete the provisions for hospitals, sanitoria, clinics, nursing homes and orphanages. To amend paragraph 4. To delete the reference to infill development. Amending article 6. Supplementary regulations. Section 6-26. Adult oriented commercial enterprises and services. To amend paragraph 7. To add smoke shops into the use classification. Adding definitions for smoke and/or smoking shops, smoke lounges and electronic vaping devices. Providing categories for electronic "e"-cigarettes, e-cigars and e-pipes; e-cigarette vaporizers, e-cigar and/or e-pipe vaporizers, vaporizer devices and/or shops; tobacco stores and/or bars; vapor shops, and similar uses and establishments. Adding a

new use category to Article 6-26. Adult Oriented Commercial Enterprises and Services. Paragraph 9. Bail bondsman office or bail bond agents and providing a definition which identifies this as a person or corporation that will act as a surety and pledge money or property as bail for the appearance of persons accused in court. Amending the table of contents, paragraph re-lettering and re-numbering, page numbers and index pages to reflect changes to the text. The Ordinance was approved by the Mayor and Commissioners on December 22, 2014 and became effective on January 1, 2015.

ORDINANCE 2014-12-02: An Ordinance of the Mayor and Commissioners of the Town of North East for the purpose of amending the Town of North East Zoning Ordinance: Article 7. Signs. Section 7-23. Electronic message signs and reader board signs. Amending paragraph 1. F. To add a provision for a time and temperature display. Amending paragraph 2. Institutional electronic message signs/reader board signs to remove the requirement of paragraph 1.c. And to add paragraph 2.e. To permit messages to change no more than once every 30 (thirty) seconds, and to add paragraph 2.f. To provide for time and temperature displays 24 hours per day and when located within a residential district, the brightness level shall be reduced from 10:00 p.m. to 6:00 a.m. Amending the table of contents, paragraph re-lettering and re-numbering, page numbers and index pages to reflect changes to the text. The Ordinance was approved by the Mayor and Commissioners on December 10, 2014 and became effective on December 20, 2014.

MEETINGS AND WORKSHOPS

The Planning Commission conducted 8 meetings and 1 workshop in 2014.

PROJECT STATISTICS

Minor Subdivisions Reviewed: 0

Site Plans: 2

Modified Site Plans: 2

Special Exceptions: 5

ROADS DEDICATED TO THE TOWN IN 2014

There were no public roads dedicated to the Town in 2014.

SUBDIVISIONS, SITE PLANS AND MODIFIED SITE PLANS

Transit Oriented Development Workshop: The Transit Oriented Development Advisory Committee and North East Planning Commission conducted a workshop to review public comments regarding the North East Transit Oriented Development Plan. The Committee made a recommendation to the Mayor and Commissioners to adopt the concept Transit Oriented Development plan and location for the transit site. The Mayor and Commissioners adopted the Transit Oriented Development Plan.

Pier One Parking Lot- Modified Preliminary Site Plan and Landscape Plan: Review of a 6,844 square foot parking lot to serve the Pier One Restaurant at 1 North Main Street, North East, Maryland: Owners: Vincent and Pamela Cirino. Also found on Tax Map 400; Parcel 139 and 371. General Commercial Zoning District. The North East Planning Commission conditionally approved the Preliminary Site Plan and Landscape Plan for Pier One Parking Lot.

Pier One Parking Lot – Modified Final Site Plan and Landscape Plan: Review of a 6,844 square foot parking lot to serve the Pier One Restaurant at 1 North Main Street, North East, Maryland: Owners: Vincent and Pamela Cirino. Also found on Tax Map 400; Parcel 139 and 371. General Commercial Zoning District. The Planning Commission conditionally approved the Modified Final Site Plan and Landscape Plan for Pier One Parking Lot.

AUTOZONE Concept Site Plan: for a proposed AutoZone located on Lot 2, North East Station Shopping Center. Applicant: AutoZone Development Corporation, 123 Front Street, Memphis, Tennessee. Property Owner: North East Station LLC, KIMCO Realty Corporation, 3333 New Hyde Park Road, New Hyde Park, New York. Also found on Tax Map 31, Parcel 1314. Zoning District: HC-Highway Commercial. The North East Planning Commission conditionally approved the concept site plan for the Auto Zone Store.

AUTOZONE Preliminary Site Plan for a proposed AutoZone located on Lot 2, North East Station Shopping Center. Applicant: AutoZone Development Corporation, 123 Front Street, Memphis, Tennessee. Property Owner: North East Station LLC, KIMCO Realty Corporation, 3333 New Hyde Park Road, New Hyde Park, New York. Also found on Tax Map 31, Parcel 1314. Zoning District: HC-Highway Commercial. The North East Planning Commission conditionally approved the preliminary site plan for the Auto Zone Store.

AUTOZONE Final Site Plan for a proposed AutoZone located on Lot 2, North East Station Shopping Center. Applicant: AutoZone Development Corporation, 123 Front Street, Memphis, Tennessee. Property Owner: North East Station LLC, KIMCO Realty Corporation, 3333 New Hyde Park Road, New Hyde Park, New York. Also found on Tax Map 31, Parcel 1314. Zoning District: HC-Highway Commercial. The North East Planning Commission conditionally approved the final site plan for the Auto Zone Store.

SPECIAL EXCEPTIONS

CASE A-2014-01-SE: Applicant, Kevin McDevitt, 8 Mauldin Avenue, North East, Maryland, is requesting a special exception for the purpose of opening a Pub/Restaurant at 26 South Main Street, North East, Maryland. Property owner: Maynard Bare, 1171 North East Road, North East, Maryland. Also found on Tax Map 400, Parcel 0270 in the General Commercial Zoning District. The North East Planning Commission recommended approval of the Special Exception, with conditions.

CASE A-2014-02-SE: Applicant, Kevin McDevitt, 8 Mauldin Avenue, North East, Maryland, is requesting a special exception for the purpose of obtaining an on premise alcohol beverage license for 26 South Main Street, North East, Maryland in conjunction with a Pub/Restaurant. Property owner: Maynard Bare, 1171 North East Road, North East, Maryland. Also found on Tax Map 400, Parcel 0270 in the General Commercial Zoning District. The North East Planning Commission recommended approval of the Special Exception with conditions.

CASE A-2006-05-SE: Applicant, Anthony Covatta, owner of the Black Pearl Restaurant, 2 South Main, North East, Maryland. Property Owner: 2 S. Main NE, LLC, PO Box 66, Havre De Grace, Maryland. Applicant requests a change of conditions for a previously approved Special Exception for the use of a restaurant. Applicant proposes to add an outdoor seating area with six tables (24 seats). The North East Planning Commission recommended approval of the request for a change of conditions, of this previously approved Special Exception, to the North East Board of Appeals.

CASE: A-2014-06-SE: Applicant, Greg Feld, 142 Conchester Highway, Aston, Pennsylvania 19014 is requesting a special exception for the purpose of installing an electronic message sign/reader board sign at 210 South Mauldin Avenue, North East, Maryland in conjunction with the North East Fire Company. Property owner: North East Fire Company Incorporated, 210 South Mauldin Avenue, North East, Maryland. Also found on Tax Map 401, Parcel 0017 in the Zoning District R-1. Single Family Residential. The North East Planning Commission recommended approval with conditions of the Special Exception, to the North East Board of Appeals.

CASE: A-2014-07-SE: A Special Exception application from owner, Hudson Benson, 88 Green Meadow Drive, Elkton, Maryland 21921 for the purpose of upgrading their current on premise Beer and Wine Alcohol Beverage License to an on premise Beer, Wine and Liquor Alcohol Beverage License to serve at the Port House Grill Restaurant, 15 North Main Street, North East, MD. Also found on Tax Map 400, Parcel 140. Zoning District GC. General Commercial. The North East Planning Commission recommended approval of the Special Exception to the North East Board of Appeals.

CONSTRUCTION STATISTICS

CONSTRUCTION	CONSTRUCTION AUTHORIZATIONS, PERMITS/LICENSES ISSUED/APPROVED
Single Family dwelling – new 121 Beech St 13 Viburnum Dr.	2
Townhouse dwelling – new 2 Blackgum Rd 4 Blackgum Rd 6 Blackgum Rd 8 Blackgum Rd 10 Blackgum Rd 12 Blackgum Rd	6
Apartment dwelling-new 100 Riverwoods Rd, Building B – 24 units 200 Riverwoods Rd, Building A - 14 units 300 Riverwoods Rd, Building C1- 24 units 800 Riverwoods Rd, Building C2- 14 units	76
Commercial building – new Riverwoods Clubhouse	1
Demolition	0
Addition/renovation to residential home	11
Addition/renovation to commercial building	10
Utility Building	11
Accessory Building	3
Deck & Access Ramps	7
Fence	15
Sign	21

Change of Use Authorization	4
Liquor License (from Beer & Wine to Full Liquor License) 15 N Main St- Port House Grill	1
Commercial Occupation License	14
Temporary Tent Events	2
Home Occupancy Permit 3-new homes / 23-renovations	26
Commercial Site Plans	1
Residential Site Plans	6
Pool	0
Pods, Dumpster	4

CODE ENFORCEMENT STATISTICS

Code Enforcement Letters Sent by Staff	121
Code Enforcement Calls by Staff to Property Owner regarding Violations	82
Citations Issued	0
Court Appearances	0

WATER SERVICE

New Water Service Agreements

Auto Zone, North East Station – 400 Gallons per day

Extensions granted for existing Water Service Agreements:

162 Razor Strap Road
106 Mechanics Valley Road
First Maryland Holdings (Chesapeake Club)
North East Commerce Center, Lot 5

READY TO SERVE CUSTOMERS

In 2014, the Town of North East reserved 118,633 gallons of water per day, for a total of 23 "Ready to Serve" customers.

In 2014, 7 units/1890 gallons per day within the Town's Corporate Limit and 52 units/14,070 gallons per day out of Town's Corporate Limit were transferred from "Ready-To-Serve", to the normal billing cycle, as a meter was installed to serve each of the subject properties.

DEEDS OF CONVEYANCE FOR WATER MAINS AND APPURTENANCES

North East Apartments LLC – New East Crossing
Lowe's Home Centers, LLC
College Crossing
Chesapeake Club Condominiums

PUBLIC WORKS AGREEMENTS

New Public Works Agreements
Riverwoods at North East
Bedrock, Phase 2

Extensions granted for Public Works Agreements
Northwoods Phase IV Subdivision
St. John Properties – Center Drive and Cul de Sac
St. John Properties – Lot 7 B North East Commerce Center
Ridgely Forest Phase 2

LANDSCAPE AGREEMENTS

The Planning Office processed 2 residential landscape agreements in 2014.

ANNEXATION

There were no annexations in 2014.

GRANTS

Chesapeake Bay Critical Area Grant $ 5,000.00

BUDGET

The Town operates on a fiscal year beginning July 1, 2013 and ending June 30, 2014. The operating budget for the Planning Office for the fiscal year 2014 was $168,985.00.

HAZARD MITIGATION PLAN

The Planning Office is a member of the Town of North East Hazard Mitigation Plan Committee, which was adopted November 7, 2005. The Plan identifies potential hazard, both natural and manmade, which could cause human, social or economic loss to the citizens and business of the Town of North East. The Plan identifies steps that could be taken to minimize the impact of these hazards to the community.

EMERGENCY RESPONSE PLAN

The Planning Office is a member of the North East Emergency Response Plan Committee, adopted November 7, 2005 and revised August 24, 2011. The Plan directs departments, agencies, offices and employees of the Town of North East, affected by the Plan, to review the document and identify their responsibilities during times of emergencies or disasters.

NORTH EAST COMMUNITY PARK PLAN

The Planning Office maintains a Master Park Plan for the North East Community Park. The Plan provides opportunities for potential donations from the public or from civic organizations to actively participate with landscape, trails, benches, and picnic tables. In 2014 the following donations were made to the North East Community Park:

1. Park Bench: One "In Memory" bench donated by Betsy Vennell

BOARD OF APPEALS MEMBERS

Gabrielle Oldham, Chairman

Sue Fye, Vice-Chairman

Maurice Tenney

Peg Hardin

Marian Martino

Valerie Combs, Alternate Member

BOARD OF APPEALS POWERS AND DUTIES

The Board of Appeals, acting under authority granted by the State of Maryland, Article 66B, consists of five members and one alternate member, appointed by the Mayor and Commissioners. The Board of Appeals duties are outlined in the North East Zoning Ordinance.

The powers and duties of the Board of Appeals are found in the North East Zoning Ordinance, Section 9-11. Duties of the Board of Appeals:

1. The Board of Appeals shall hear and decide:

    a. Appeals from any order, decision, requirement or interpretation made by the Zoning Administrator, Planning Commission, or Town Administrator.

    b. Applications for Special Exception Uses.

    c. Applications for Variances.

    d. Any other matter the Board is required to act upon by Town Ordinance.

When required, the Board of Appeals meets on the fourth Thursday of the month beginning at 7:00 p.m. in the North East Town Hall Meeting Room, 106 South Main Street. The Board of Appeals meetings are open to the public.

North East Board of Appeals Cases Heard in 2014:

Special Exceptions

Special Exception Cases heard by the North East Board of Appeals in 2014: 5

CASE A-2014-01-SE: Applicant, Kevin McDevitt, 8 Mauldin Avenue, North East, Maryland, is requesting a special exception for the purpose of opening a Pub/Restaurant at 26 South Main Street, North East, Maryland. Property owner: Maynard Bare, 1171 North East Road, North East, Maryland. Also found on Tax Map 400, Parcel 0270 in the General Commercial Zoning District. The Planning Commission recommended approval of the Special Exception, with conditions. The North East Board of Appeals approved the Special Exception, with conditions.

CASE A-2014-02-SE: Applicant, Kevin McDevitt, 8 Mauldin Avenue, North East, Maryland, is requesting a special exception for the purpose of obtaining an on premise alcohol beverage license for 26 South Main Street, North East, Maryland in conjunction with a Pub/Restaurant. Property owner: Maynard Bare, 1171 North East Road, North East, Maryland. Also found on Tax Map 400, Parcel 0270 in the General Commercial Zoning District. The Planning Commission recommended approval of the Special Exception, with conditions. The North East Board of Appeals approved the Special Exception, with conditions.

CASE: A-2014-06-SE: Applicant, Greg Feld, 142 Conchester Highway, Aston, PA 19014 is requesting a special exception for the purpose of installing an electronic message sign/reader board sign at 210 South Mauldin Avenue, North East, Maryland in conjunction with the North East Fire Company. Property owner: North East Fire Company Incorporated, 210 South Mauldin Avenue, North East, Maryland. Also found on Tax Map 401, Parcel 0017 in the Zoning District R-1. Single Family Residential. The Planning Commission recommended approval of the Special Exception, with conditions. The North East Board of Appeals approved the Special Exception, with conditions.

CASE A-2006-05-SE: Applicant, Anthony Covatta, owner of the Black Pearl Restaurant, 2 South Main, North East, Maryland. Property Owner: 2 S. Main NE, LLC, PO Box 66, Havre De Grace, Maryland. Applicant requests a change of conditions for a previously approved Special Exception for the use of a restaurant. Applicant proposes to add an outdoor seating area with six tables (24 seats). The Planning Commission recommended approval of the change of conditions for this previously approved Special Exception. The Board of Appeals approved this request, with conditions.

CASE: A-2014-07-SE: A Special Exception application from owner, Hudson Benson, 88 Green Meadow Drive, Elkton, MD 21921 for the purpose of upgrading their current on premise Beer and Wine Alcohol Beverage License to an on premise Beer, Wine and Liquor Alcohol Beverage License to serve at the Port House Grill Restaurant, 15 North Main Street, North East, MD. Also found on Tax Map 400, Parcel 140. Zoning District GC. General Commercial. The Planning Commission recommended approval of the Special Exception. The North East Board of Appeals approved the Special Exception.

Variances

Variance Cases heard by the North East Board of Appeals in 2014: 3

CASE A-2014-03-V: A variance application has been filed by property owners Melanie Preisendanz and Richard C. Baer, 23 North Main Street, North East. Tax Map 400, Parcel 130. Applicant is requesting a variance for the installation of a 200 square foot utility building, within the 25 foot Non-Tidal Wetland Buffer. Zoning Classification: "R-2" Two Family Home Residential District. Critical Area Designation: "LDA" Limited Development Area. The North East Board of Appeals approved the Variance, with conditions.

CASE A-2014-04-V: Applicants, Clyde W. Reynolds, Jr. and Suzanne A. Chinnici, 216 East Thomas Ave, North East, Maryland, are requesting a 27 foot rear yard variance for the purpose of installing a 12' x 24' accessory building three feet from the property line. Also found on Tax Map 401, Parcel 0407. Zoning District: R-1, Single Family Residential. The North East Board of Appeals approved the Variance, with conditions.

CASE A-2014-05-V: Applicants, AutoZone Development Corporation, 123 Front Street, Memphis, Tennessee. Property Owner: North East Station LLC, KIMCO Realty Corporation, 3333 New Hyde Park Road, New Hyde Park, New York. Applicant requests a 23.2 foot rear yard setback variance for the purpose of a parking area for the proposed AutoZone at 2520 Pulaski Highway, North East, Maryland. Also found on Tax Map 31, Parcel 1314. Zoning District: HC-Highway Commercial. The North East Board of Appeals approved the Variance, with conditions.

CECIL COUNTY GOVERNMENT – AGENCY SUPPORT

Stormwater Management

The Cecil County Department of Public Works administers and enforces the Cecil County Stormwater Management Ordinance within the Town of North East. Authority is provided in the Code of Ordinances of the Town of North East. Article 7. Stormwater Management Ordinance.

Erosion and Sediment Control

The Cecil County Department of Public Works administers and enforces erosion and sediment control within the Town of North East in accordance with the State Stormwater Management Regulations. The Town assigned the authority to Cecil County Public Works pursuant to the Code of Ordinances of the Town of North East. Article 6. Erosion and Sedimentation Control Ordinance.

Cecil Soil Conservation District

The mission of the Cecil Soil Conservation District is to provide information, technical assistance, and education in conserving the County's natural resources. The District is responsible for all of Cecil County and coordinates with the Cecil County Department of Public Works and with the Maryland Department of the Environment in conjunction with erosion and sediment control and grading plans.

Watershed Implementation Plan (WIP)

Town staff continues to be involved with quarterly meetings conducted by the Cecil County Department of Public Works Watershed Implementation Advisory Committee. The Advisory Committee is charged with implementing a plan to achieve sediment and nutrient reductions in Cecil County and responds to the Maryland Department of the Environment.

The Town provides semi-annual statistics of projects which assist with the implementation of the Watershed Implementation Plan. These statistics include the number of pounds of debris removed during street sweeping projects, the quantity of storm drain and catch basin clean-outs performed, and the pounds of debris removed; the quantity of Shore Clean Up at the Community Park and Critical Area Impervious Surface mitigations performed including any tree planting projects.

Elk and North East Rivers Watershed Association

In conjunction with the Cecil County Watershed Implementation Plan, and support from Cecil County Department of Public Works, the Elk and North East Rivers Watershed Association "ENERWA" formed in 2014. The ENERWA group meets at the North East Town Hall one evening per month from January through October. In 2014, ENERWA created a Mission Statement, elected Officers, formulated their by-laws and filed the Articles of Incorporation and the Application for Tax ID. ENERWA also established an ENERWA website and ENERWA Facebook page. In 2014 ENERWA volunteered with Project Clean Stream, and the International Coastal Clean-up Day. ENERWA also participated with the annual Cecil County 'Wade-In', conducted at the Elk Neck State Park by setting up their first public informational table.

Forest Conservation Act

In 1991, the State of Maryland required all municipalities with planning and zoning authority to establish their own local forest conservation program or to participate in such a program jointly with another entity with such jurisdiction.

Section 5-1063 (a) (4) of Title 5 of the Natural Resources Article of the Annotated Code of Maryland authorizes a municipality to assign to the County its forest conservation program obligations, provided the County concurs. The Town of North East exercised its rights pursuant to Title 5 and in January of 2000, the Board of Commissioners of Cecil County accepted its obligations. The Cecil County Office of Planning and Zoning shall have the right and authority to enforce fully the forest conservation program of the Town of North East within the corporate limits of the Town. All applications must be submitted to the Cecil County Office of Planning and Zoning and any and all applicable County fees must be paid by the applicant.

The Town of North East continues to coordinate its development approval activities for building permits, site plan approvals, subdivision plat approvals, and any grading and sediment control permits with the requirements of Cecil County's forest conservation program.

No building permit, final site plan, final subdivision plat, grading or sediment control permit shall be initiated or approved until the applicant has demonstrated compliance with the provisions of Cecil County's forest conservation program and received approval from the Cecil County Office of Planning and Zoning.

Cecil County Health Department

The Cecil County Health Department coordinates with the Town of North East with permitting with regard to public water installations and/or well permits both in the Corporate Limit and within the Town's Water Service Area. The Town also coordinates with the Cecil County Health Department regarding miscellaneous environmental matters. Prior to the release of permits from the Cecil County Health Department, approximately 87 inquiries were responded to by the Town of North East, to verify whether the Town of North East serves water to each of the subject properties.

Department of Permits and Inspections

In 1986, the Town of North East signed an agreement which authorizes the Cecil County Department of Permits and Inspections to:

- review all construction plans
- condemnation of property
- posting of unsafe structures
- enforcement of the Cecil County Rental Housing/Livability Code
- enforcement of International Building Code
- inspection
- licensing
- issuance of Hawkers and Peddlers licenses
- enforcement of the codes related to plumbing, electrical and mechanical installations.

In addition, inspections for compliance with the International Building Codes are conducted by the Department of Permits and Inspections. All Construction Authorizations received by Town Residents must be followed up with the receipt of a Cecil County Building Permit with the Department of Permits and Inspections. In addition the Planning Office verified and processed approximately 106 Occupancy Permits from the Department of Permits and Inspections.

Technical Advisory Committee

The Cecil County Planning Office conducts Technical Advisory Committee meetings each month, bringing together County and State agencies to review new development projects. As a courtesy, the Committee reviews projects within the Town of North East Corporate limit as a courtesy to the Town of North East.

STATE AND FEDERAL AGENCIES

Chesapeake Bay Critical Area Program

In 1984 the Maryland General Assembly passed the Chesapeake Bay Critical Area Protection Program. The Town of North East adopted its Critical Area Program June 26, 1988. The intent of the Critical Area Program is to provide special regulatory protection for the resources located within the Town of North East Critical Area and to foster more sensitive development activity for shoreline areas. The Town has adopted Critical Area Regulations and Critical Area maps.

Development activity, including but not limited to grading, clearing, sediment and erosion control shall not be permitted until the Town of North East makes specific findings that the proposed development or activity is consistent with the goals and objectives of the Critical Area Program.

The Town of North East submits quarterly reports to the Chesapeake Bay Critical Area regarding all development activities in the Critical Area.

U.S. Army Corp of Engineers

The U.S. Army Corp of Engineers assists the Town with inspections, projects and permitting and violations of projects within the Town of North East. The Town coordinates all Corp of Engineer projects with the Chesapeake Bay Critical Area and Maryland Department of the Environment.

Maryland Department of the Environment

The Maryland Department of the Environment assists the Town of North East with inspections, projects and permitting of applicable projects in the Town of North East.

Floodplain Management

The Maryland Department of the Environment and the Department of Homeland Security's Federal Emergency Management Agency (FEMA), assist the Town with the Floodplain Regulations. The purpose of the Floodplain Management Ordinance is to protect human life and health, minimize property damage, encourage appropriate construction practices to minimize future damage, protect individuals from unwittingly buying land subject to flood hazards, and to protect water supply, sanitary sewage disposal, and natural drainage. The prevention of unwise development in areas subject to flooding will reduce financial burdens to the community and the State, and will prevent future displacement and suffering of its residents.

Floodplain protection is achieved through the review of all activities proposed within identified floodplains and by the issuance of permits for those activities that comply with the objectives of the Ordinance.

In conjunction with the Maryland Department of the Environment, and the Department of Homeland Security's Federal Emergency Management Agency (FEMA), the Town of North East adopted new Floodplain Maps and Floodplain Management Regulations, effective July 8, 2013. The Regulations are located in the Town of North East Zoning Ordinance. In 2014, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided updates to the 2013 FEMA Floodplain Regulations, Maps and Flood Insurance Study. There was a 90 day appeal process provided in 2014, which provided an appeal opportunity for the owner or lessee of real property who believed that his or her property rights would be adversely affected by the proposed flood hazard determinations, on the sole basis that the proposed flood hazard determinations were scientifically or technically incorrect. The Town of North East did not receive any appeals during this 90 day appeal process. The Town is required to adopt the updated FEMA Floodplain regulations, maps and Flood Insurance Study in 2015.

Maryland Department of Planning

The Maryland Department of Planning provides land use planning and implementation guidance to support and assist local governments, communities, businesses, and organizations.

PlanMaryland

PlanMaryland is an executive policy plan which strives to better coordinate the smart growth efforts and programs of state government. In December 2011, the Governor filed PlanMaryland with the Secretary of State. During the coming year, state agencies will work to identify changes in strategy to achieve the goals of the plan and will work with local governments on delineating areas for future state investment, growth and preservation.

Sustainable Community Status

In conjunction with PlanMaryland, the Town's Planning Commission Consultant, Markus Gradecak, started work on the Maryland Department of Planning's application to obtain the Sustainable Community Status. The Sustainable Community Status takes the place of the Community Legacy program, which the Town received approval of several years ago. The Sustainable Community Status is expected to assist the Town with the ability to apply grant funding for designated projects. Application for this status will be submitted in 2015.

WILMAPCO

The Town of North East has been partnering with the Wilmington Area Planning Council, also known as WILMAPCO, with several transportation planning projects through the years. WILMAPCO provides the Town with technical assistance with the Comprehensive Plan, Zoning Regulations, Subdivision Regulations and the Road Code including monetary assistance for consultants, mapping, and transportation planning opportunities.

The Town of North East continues to request funding assistance for the next phase of the Transit Oriented Development Overlay District. The funding would provide the opportunity to write regulations specific to what this 'Overlay District' requirements are. The regulations will outline the Developments requirements, as well as possible incentives, the density requirements and incentives and outline the commercial component of the District.

Transportation

State Highway Administration - Maryland Transportation Authority

Purpose

The Town of North East has major routes serving the Town: US Route 40, MD 272 and MD 7, with Interstate 95 located adjacent to the Town's northern boundary.

The State Highway Administration coordinates with the Town regarding proposed projects in the Town's Corporate Limit and proposed projects outside

of the Corporate Limit which will have an impact to transportation system. In addition, the Town is provided the opportunity to outline to the Maryland Transportation Authority and the State Highway Administration, a "capital projects' list, both short term and long term, to identify improvements within North East and the North East growth area.

Transportation Requests

In 2014,

Maryland Bikeways Program

In coordination with WILMAPCO, and the Cecil County Government, the Town of North East was included in a grant obtained from the Maryland Department of Transportation 2014 Maryland Bikeways Grant. The grant will be utilized for Bicycle Racks, Bicycle Signing and Marking Plans on State roads, and requires a match contribution to the project. Since the grant was approved, WILMAPCO has been coordinating with the State Highway Administration and the Maryland Department of Transportation to receive approval of the signing and marking plans on the State roads. The project is proposed to commence in 2015.

State Highway Administration
Irishtown Road to Church Street Pedestrian Access Project:

A sidewalk Feasibility Study was prepared for this project in January 2013 for the Maryland State Highway Administration Office of Highway Development. The sidewalk project on MD 272, Mauldin Avenue is currently under design through the State Highway Administration's Innovative Contracting Division. A design review at 30% design completion was held in February 2014 and the design is scheduled to be 100% complete in 2015. The State Highway Administration has reported that the project is not currently approved for construction funding, however, it is a candidate for the FY 2016 construction program. The Town has requested Pedestrian Street lighting in the scope of work, which would be a cost-share endeavor, therefore, the Town will seek grant funding for the Town's portion of the costs.

Maryland Department of Transportation Pre-Tour Meeting

The Planning Office submitted a letter to the Maryland attended the Cecil County Pre-Tour meeting in October 2014 where the Maryland Department of Transportation Draft Consolidated Transportation Program FY 2015-2020 was distributed. The Town submitted a letter to Donald A. Halligan, Director with the following requests:

1. Pedestrian crossing at the intersection of Route 272 and Route 40; providing access from the North Side of Route 40 to the South side of Route 40. Please see attached letter dated September 9, 2014 from Mayor Robert McKnight regarding this project.

2. Sidewalk and pedestrian lighting installation along the east side of Mauldin Avenue from Irishtown Road to the existing sidewalk at Church Street.

3. Re-surface/Rehabilitation at East Cecil Avenue between Mauldin Avenue and Mechanics Valley Road.

4. South Main Street in two locations; the road is failing due to possible storm drain infrastructure.
   a. South Main Street and Wallace Avenue at the catch basin
   b. South Main Street at the Walnut Street crossover
      South Main Street intersecting with the Walnut Street crossover

5. Transit Oriented Development Plan and Rail Service: Identify the transportation impacts to the town in relationship to the State Highway systems.

State Highway Administration Route 272 Bridge over Amtrak:

Coordination between the State Highway Administration and the Town of North East has been ongoing in preparation for the proposed bridge construction project, over Amtrak. The Mayor and Commissioners have required that two lanes of traffic be maintained during the course of this two year construction project, although it is acknowledged there may be spot closures where there is only one lane of traffic open for short periods of time. Pedestrian lighting will be installed on the bridge which will match the pedestrian lighting in downtown North East. The sidewalk will match the existing stamped, colored sidewalk in downtown North East. Commencement of the project is proposed in spring 2015.

Cecil Transit

The Town continues to coordinate with Cecil Transit regarding transit services in North East. Cecil Transit currently passes through the Town of North East twenty-four (24) times daily Monday – Friday with 8 additional trips through town with their Saturday service. Cecil Transit's Perryville Connection - RT 2 operates Monday – Saturday with service from 6 AM – 7 PM. The Mid County Connection – RT 3 services the Town of North East Monday – Friday with service from 6 AM – 10 PM. Please go to www.ceciltransit.com for complete schedule information.