

BOARD OF APPEALS MEETING

July 27, 2020 @ Minker Hall

6:30 p.m.

ATTENDANCE: William Malesh, Timothy Parker, Mike Salmon, Tim Thompson, Wayne Kommalan, Dianna Battaglia, Planning & Zoning Director, & Amanda Paoletti, Planning Coordinator.

Also, in attendance: Pastor Reggie Sheppard – New Victory Christian Church, Carol Beresh – Court Reporter

Mr. Malesh called the hearing to order at 6:30 p.m.

APPROVAL OF MINUTES:

Without objection the minutes from the January 27, 2020 Board of Appeals meeting were approved with correction by quorum of attending members.

NEW BUSINESS:

SE2020-02: 515 Otsego Street – New Victory Christian Church

Pastor Reggie Sheppard was sworn in by Court Reporter Carol Beresh. The Pastor explained that the idea of the Special exception was to utilize the existing structure, which was located in the TC Zone, for a church. Additionally, the church planned to update the site to accommodate the Town requirements.

Mr. Malesh noted that the full plan was a massive project and asked Pastor Sheppard how the intended to provide funding. Pastor Sheppard explained that the membership and donations were how the church intends to tackle the projects.

Ms. Dianna Battaglia presented the staff report to be entered into record. In providing background information on the site, she stated that the church was previously located on Aiken Avenue and that they had currently acquired a 2-year lease for this site with the option to buy. She noted that some of the projects seen on the full plan are 12 years away. The Special Exception was to allow Pastor Sheppard to use the building and space for a Church. She also pointed out that the site had not been utilized since 2005.

Ms. Battaglia also stated that some things would need to be completed in order to provide safety to the site. She noted that the site is on the walking route to the local schools and as such, a sidewalk is needed. Also, there is no current driveway designation, so a parking lot would need to be provided for safety reasons. Ms. Battaglia stated that the Planning Commission recommended approval with recommendations, which include that;

- 1) The applicant must submit and obtain site plan approval for redevelopment of the existing building and related site.
- 2) The site plan must provide for adequate parking, including handicap spaces, and sidewalk connectivity for pedestrian access.
- 3) Required site improvements related to parking and pedestrian safety must be completed prior to issuance of Use & Occupancy.

- 4) The existing building shall be redeveloped substantially in accordance with pages 5-6 of applicant's Preliminary Programming for New Victory Christian Church.
- 5) Applicant shall produce evidence that all utilities are sufficient to serve the property to be redeveloped in accordance with the special exception.
- 6) The Town Department of Public Works shall coordinate utility connections to the building as per the Town of Perryville Water Distribution and Sanitary Sewer Collection Systems Supplemental Specifications.
- 7) All permits and approvals must be obtained from the Town, Cecil County and State agencies, as applicable.
- 8) The use will not constitute a nuisance because of noise or traffic.
- 9) Satisfactory inspection of the proposed building as renovated by the Fire Marshal and a copy of the report must be provided to the Town.
- 10) The completion of parking and pedestrian site improvements is required prior to Town approval for Use and Occupancy permit.
- 11) The applicant shall obtain Use and Occupancy permit approval prior to utilizing the building for occupancy.

Ms. Battaglia also noted that the Use and Occupancy Permit is provided by the County and forwarded to the Town for approval.

Mike Salmon stated that he understood the parking lot and sidewalk requirements but was confused as to how a phased renovation works. Ms. Battaglia explained that the renovations are related to the use and based on the Code. Pastor Sheppard explained that the majority of the renovations on the current structure are strictly cosmetic and didn't need permits. Lighting and Restrooms would require permits and the parking lot and sidewalk is currently under investigation by the Church.

Bill Malesh asked if this was the church that had received a Special Exception for a site on Aiken Avenue. Pastor Sheppard stated that it was indeed. Mr. Malesh also stated that the site is in a shape of disrepair and asked how many parishioners that Church has. Pastor Sheppard estimated forty. Mr. Malesh noted that this was a multi-million-dollar project.

There was no public comment.

Wayne Kommalan asked what happens if the funding doesn't come through. Pastor Sheppard stated that donations are the first avenue to fund the project, and what is not funded through donations will be funded by his family.

Tim Parker asked if they intended to install outside lighting. Pastor Sheppard stated that they are looking into it and noted that there is already one existing pole on site with no bulb. The Church intends to install lighting and cameras. Dianna Battaglia also noted that a lighting plan would be part of the permit.

Bill Malesh asked when the electric was last replaced. Pastor Sheppard stated that the electric had not been replaced and that there was already 200 amp provided to the structure. Electric receptacles, lights, and fuse boxes needed to be updated to modern standards.

Mike Salmon had no additional comments.

Tim Thompson stated that he was delighted with the project and noted that this structure has been an eyesore for a long time. He appreciates the Pastors enthusiasm and wishes him well.

Wayne Kommalan asked Dianna Battaglia who is responsible for installing sidewalks. Dianna explained that the developer of a property is responsible, not the Town.

There were no further comments.

A motion was made by Mike Salmon to recommend that council create a resolution to approve the Special Exception with the following recommendations:

- 1) The applicant must submit and obtain site plan approval for redevelopment of the existing building and related site.
- 2) The site plan must provide for adequate parking, including handicap spaces, and sidewalk connectivity for pedestrian access.
- 3) Required site improvements related to parking and pedestrian safety must be completed prior to issuance of Use & Occupancy.
- 4) The existing building shall be redeveloped substantially in accordance with pages 5-6 of applicant's Preliminary Programming for New Victory Christian Church.
- 5) Applicant shall produce evidence that all utilities are sufficient to serve the property to be redeveloped in accordance with the special exception.
- 6) The Town Department of Public Works shall coordinate utility connections to the building as per the Town of Perryville Water Distribution and Sanitary Sewer Collection Systems Supplemental Specifications.
- 7) All permits and approvals must be obtained from the Town, Cecil County and State agencies, as applicable.
- 8) The use will not constitute a nuisance because of noise or traffic.
- 9) Satisfactory inspection of the proposed building as renovated by the Fire Marshal and a copy of the report must be provided to the Town.
- 10) The completion of parking and pedestrian site improvements is required prior to Town approval for Use and Occupancy permit.
- 11) The applicant shall obtain Use and Occupancy permit approval prior to utilizing the building for occupancy.

Wayne Kommalan seconded the motion. All members voted "Aye" and the motion was carried unanimously.

ADJOURNMENT:

A motion was made by Tim Thompson to adjourn. The motion was seconded by Wayne Kommalan. All in favor. Motion carried unanimously and the meeting was adjourned at 7:08pm.

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Respectfully submitted,

Amanda M. Paoletti
Planning Coordinator