

**Planning Commission
Meeting Minutes
April 20, 2015**

ATTENDANCE: Pete Reich, Commissioner Ray Ryan, Robert Ashby, George Jack, Director of Planning & Zoning Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

Meeting called to Order at 6:30 p.m.

APPROVAL OF MINUTES:

Without objection the minutes for the February 23, 2015 Planning Commission public hearing and meeting were approved as written by quorum of attending members.

OPEN DISCUSSION:

Town website:

Some concerns were raised with the way information is presented on the Town website. Some users may have a hard time finding the Planning Commission and agenda. The heading Government is general, could be Town, State or Federal, and may want to change it to read Town Government. Agenda and Meeting Minutes are off to the right side in small letters and it doesn't attract your eye. Some Town personnel are able to update and add information but need to see how flexible it is.

Digital Plans:

Ms. Skilling commented now that we have the monitor here we'll get digital plans with submittals and be able to project the plans on the screen here during the meetings for everyone to see. Even if they (developer) bring the large sheets it's not quite as visible. We will see how it works with the presentations. You will still receive paper copies for review because you need to be able to read all the details. But with the presentations we'll try that and see how it works.

Resignation:

Ms. Skilling informed the board Mr. Larry Souder has officially resigned from his term as a member of the Planning Commission. We have received an application from a resident of Rustic Court, Frenchtown Crossing that has been forwarded to the Mayor and Commissioners and they will be looking at that at the next work session. She works as a clerk at Charlestown, has lived in Perryville for seven (7) years, and has experience in planning and zoning when previously employed at Port Deposit. If anyone knows of anyone who would like to serve on the Planning Commission, please have them contact us.

Frenchman Land project:

Ms. Skilling reported this is a warehouse on Route 7 and Ikea Way. It's a fifty-thousand (50,000) square foot warehouse building that is proposed to be built right next to the existing warehouse. It was approved by the Planning Commission a while ago. Final plans have been submitted and we're still waiting to get the Public Works Agreement finalized, all the other documents needed, put up the 4% and get the Public Works and Landscape Agreements signed and approved. Earlier they had to get an extension because they had to go back for storm water. We want to get everything finalized so they can move forward.

Cedar Corner project:

Ms. Skilling stated this is another project that will be coming in soon for review. Cedar Corner is eighty-one (81) residential lots on Cedar Corner Road. They will provide background of the project to bring us all up to date because it has been awhile. Nothing has been approved yet and nothing is final and they hope to move forward. Recently they went back to Mayor and Commissioners to request a reduction of the sales price that was stipulated in the Annexation Agreement. The Mayor and Commissioners decided to reduce it to \$275,000 as the minimum sales price instead of \$350,000, which is pretty high in the market right now. So that's where it is right now and the developer has indicated the market is starting to come up and thinks the time is right to build and sell the homes. One of the outstanding issues is where the pump station is going to go. It was going to go across the street on town property and when the new section of the cell tower went up we made sure there was still space for that if they could not do it on their site. Storm water had to be redone because it was under the old guidelines and the new regulations require new concepts now, environmental sensitive designs (ESDs) which are basically bio-retention areas. So they'll be adding some of those to the site design. The homes are pretty much the same as far as I know but when we get the plan I'll try to give as much background to explain. And if there are any difference, to explain what is coming in compared with what was already looked at to give you a better idea of the entire project. The reduction requested of Mayor and Commissioners is the base sales price of \$275,000. He can go higher but that is the base price. Speaking about number of lots, there was still questions about two lots at the corner at the roundabout. Open space area include the center area that was mainly for visibility to those homes which is very common in planning now to have that where it's open and visible instead of having open space way out in the back on the edges of the property. I believe the general layout of that plan is pretty much going to be the same but I haven't seen anything new or if storm water is going to take up more space and they may have to get rid of some lots. Eighty-one (81) is the maximum they can have so they can't go above that, as part of the annexation agreement.

Mr. Jack commented I'm surprised they didn't come back to the Planning Commission and seek advice on allowing a lower price of those houses.

Ms. Skilling responded it wasn't an obligation for the Planning Commission but an obligation of the Mayor and Commissioners.

Discussion continued regarding review of the request by the Planning Commission to be able to provide comments and make suggestions. That would show up in the minutes and could be read at the Mayor and Commissioners meeting and would give a little bit of weight to what he was saying, or not saying. It's nice to utilize the ones who have the expertise in that and for those issues like that we would maybe have some ideas.

Ms. Skilling indicated they did have a lot of marketing studies done and we researched Cecil and Harford county and areas nearby and the prices at the time were below their asking price. So it is a condition of the Mayor and Commissioners, they always have the right to say to go to the Planning Commission, and they could have done that.

Discussion continued about various studies done for projects in general, with no one there to defend it and not being able to find out where the data came from. The Planning Commission can make recommendations for studies to be done. You have the option to recommend making a marketing study in the area for housing and you could make a request to do that and ask Mayor and Commissioners to do that.

Mr. Ashby stated with eighty-one (81) houses going in on Cedar Corner Road, what is that going to do to the rail overpass. That is only one lane through there. That's a lot of traffic with 81 houses.

Mr. Reich responded that came up when we were reviewing the plan a year ago and you are absolutely right, we figured with 81 houses there's probably going to be 162 cars. There was a lot of discussion and one option was having that road one way down there.

Mr. Ryan replied there were three things that came from the County, they had three options: one, to have it one way going out to Route 40, another was to make it one way coming in from Route 40, and the third was to have a little traffic light there and you would proceed when your light was green. But the problem with that was traffic backing up on Route 40 and there's no room for that and no option for widening the road there. That road is all county basically from the area of Mr. Jack's house down to the tunnel.

Mr. Jack commented there are a lot of people, and I being one, opposed to any one way. It forces me into that major traffic jam on Route 222 in some form or fashion. I would rather deal with 162 cars coming in rather than having maybe 300 the other way.

Ms. Skilling responded the one way, those were the recommendations but I don't think the County liked the one way.

Mr. Ryan stated I think the County was saying we have these options, these are what they are, but they never did say which way they like the best. At the time they didn't have to make a decision.

Woodlands:

Ms. Skilling continued there are no updates for this development project. There have been inquires and we talked several months ago with someone who was going to put apartments over there but I have not heard anything since.

Dollar General:

The three year period for Mr. Patel starts on the day of Board of Appeals approval which was November 24, 2014.

Mr. Ashby commented he heard there are problems with access or other and Dollar General might fall through, whether it is an easement or right of way issue. There was something going on with that.

Ms. Skilling responded some of the problems they have is they don't like what we're requesting them to do for water and sewer lines. It involves the motel, Mr. Patel, and what they do ultimately. They probably didn't do their due diligence about where lines were and the Town didn't really know. Those buildings are pretty old and the lines were located. We're trying to work that out. I have not heard anything to that effect yet. That line runs all the way down through and under Perryville Station to Route 40, the old line feeds the motel and the liquor store. They might have to go under the road to Route 40 to tie into the existing lines there, water's on one side, sewer is on the other. I don't know how that line came to be underneath Perryville Station. It should have come along the road to the property because if something happened you have to tear up the whole parking lot. They did dye testing to figure out where it went so now we're a little clearer on that but whether they want to go through with this; it's a matter of who's going to pay for it.

Mr. Ashby asked rather than lose Dollar General, is there a secondary site they could have.

Ms. Skilling indicated we tried to convince them to go in the Mueller-Thyme building in downtown Perryville and two or three other sites but they were adamant to go to that site. The corner of

Route 40 and Mill Creek is another one and they didn't want to go to a suite in the shopping center. They want to own the piece of property. So they pushed for this location and we did make an amendment to our Zoning Ordinance to allow it to happen there with three smaller lots on Route 40 (Highway Corridor Unified Development). We'll see what happens.

Mr. Ashby commented he knows of someone who is looking for a site for a restaurant. He's not looking to build; he's looking for something to move into. I'll find his information because I want him to get an official phone call. He really wants to get a restaurant in the area. He was asking about Pasquale's but I'll call you tomorrow with his information.

Pasquale's:

Ms. Skilling indicated the property has been sold and the Town has received a transfer for it. Mr. Ken Byer came in and we did sign off on a liquor license for renewal to the new owner. We understand it's someone from Baltimore County, who had a business in Baltimore County.

Mr. Ryan commented I know Mr. Byer personally and according to the things I'm hearing, he is talking that the new owner is coming in with a sports bar. The trouble is they don't have parking so I don't know how they plan to deal with that.

Discussion continued about the downtown area traffic. Ercole's is doing good with the lunch time crowd. Traffic has dropped down considerably since the truck route opened to the back of the VA. Traffic has been reduced as cars are also using that entrance that brings them right at their work location and they don't have to drive all the way through Perry Point and save five minutes not having to drive through town.

Lower Ferry Park:

Discussion continued that project is on hold right now. It went out for bid but due to some inconsistencies Mayor and Commissioners want it rebid so eventually that will be done. Other property in Town to consider buying is the corner piece at Broad and Roundhouse. It has been purchased by the owner of the Riverwalk Marina and he now owns all the marinas down there, and he is actually looking at a water front restaurant.

Amtrak Rail Bridge:

Mr. Ryan reported I've been told the committee has agreed that we get it (granite from the old bridge supports) but I can't say anything else from Amtrak yet but they are aware that we want to do things with that granite. The granite itself, the stone, the date stone is coming to the Town but the rest of the granite, or most of it, has been claimed by Havre de Grace because they want to build a jetty. We continue to have committee meetings and we're back and forth on some things right now. Their wishes have gone to their council and our wishes have gone through our council and Amtrak doesn't tell us anything yet.

Ms. Skilling stated if we built a jetty on our side we could build it to protect all our marinas on our waterfront.

Mr. Ryan indicated Havre de Grace already have the plans in place, they've been dealing with this now for over ten years and they've had different studies done and all they need now is the money and they can say they'll have the money if they can get this granite to build the jetty. And we are at ground zero. We haven't even started anything yet. For our share of the granite, that's what we're trying to sell right now to the railroad is instead of them having to take down, load it up, send it somewhere else, and get rid of it, they would just put it right there on a barge and take it one hundred feet and dump it. It includes both the existing rail bridge supports and the old ones that

were left. I have been asking this question throughout the meetings that we've had with the public and on the council meetings. Nobody came to me and said they want granite, all they said to me was they wanted the date stone. These are recommendations to Amtrak but they can say you can take some, or no you're taking nothing. So that's what we're waiting to hear, what they decide to do. The committee wanted what they call an arch style bridge and the way the arch style bridge is setting up it looks like one of the pilings is going to land right where they want to reroute Otsego Street where it makes the turn underneath the railroad overpass and may be in the way to reroute that so they're looking at a different style for underneath. So the committee's going to revisit that and make a recommendation and take another look at the Havre de Grace side. I don't think there's going to be any changes over here. You won't even know it's a new bridge unless you look at it because this wye right here, there may be a little more straightening out but it's not going to change significantly. The height isn't going to change from what they've been telling us. The only thing that's going to be affected is Havre de Grace. Regarding the Town's train station, Amtrak says that's an entirely different project and they don't want to talk about it right now. What Havre de Grace wants is a train station in addition to the one in Perryville, having a commuter train station in Havre de Grace like it was a hundred years ago. Amtrak says that's not part of this and is a completely different project, not saying they wouldn't address it but the committee that's doing the bridge said they're not dealing with that, this is the bridge committee. As a member of this committee I can understand why you think there should be a train station in Havre de Grace because the location they want to put it at is perfect. As soon as you get off you're basically right at the edge of downtown, walk two blocks and you're in downtown. You can get all the foot traffic in the world at that point for after hours and drinks and things. But as a Commissioner for the Town of Perryville I have to vote no for this because there's a chance you're going to take away from us. At least we have commuters getting off here; we don't want to give them away. They think that having a connection between Aberdeen and Perryville is beneficial, Havre de Grace does. It may be beneficial to them but I think it's going to hurt Aberdeen and Perryville on ridership. These riders are from New Jersey, Delaware and Pennsylvania so they're not crossing over (river) to get here. The people on that side are probably going to Aberdeen so really I think the long run it would hurt Aberdeen more than it would hurt us but I don't want to take any chances. I'd rather try to find ways to help get businesses in town to keep the riders who are coming here happy when they get off.

Ms. Skilling commented if you didn't have a toll here that was outrageous we might pick more riders up. Almost fifteen years ago when we did the study for Lower Susquehanna it started from Havre de Grace wanting to come here to get on the train. There were a bunch of people who wanted to do that, be able to walk or ride their bikes across to get on that train.

Mr. Ryan stated and that's another recommendation we made, what to do or how to accommodate that foot, bike, even horse, traffic.

Discussion continued regarding the high toll and use of EZPass. The toll shouldn't be a factor for Havre de Grace people but so they don't have to deal with it they would probably go to Aberdeen. Aberdeen has a TOD plan that includes the train station with a whole concept for that area and they'll get money.

Hatem tolls:

Mr. Ashby commented the last meeting I was at I heard they are sending a letter to the State about the bridge, the tolls at the Hatem bridge. Has anything been done?

Mr. Ryan commented nothing that I would even consider talking about or nothing I would consider even being close to resolution. Other than we're looking at it, the County, the Town and other

businesses saying that toll is hurting us. The only thing that was done was a letter sent with response from the State, ok at this point. They hear us but no answer. Right now I don't think they're worried about it.

Discussion continued about the tolls and possible future increases. I-95 between Delaware and Baltimore City is paid for by those tolls, all the maintenance. 95 south of there is paid out of State funds, out of our tax dollars. The bridge over 95 here is probably one of the only ones that hasn't been updated; most of them over 95 have been updated over the years.

Commuter Parking:

Questions were asked if the Town had considered additional parking for the commuters anywhere.

Ms. Skilling responded we had some plans when we met with MTA with some ideas for parking. And plans for this site will include some additional parking here but the request was if they could help us with it and/or look at other sites in Town and they were looking to the south on Broad Street at an empty lot there and didn't think buying that piece of property would provide enough parking. Getting ingress and egress there would be difficult. And the other thing was decking, I suggested putting decking on top of the existing parking lot and they don't want to do that, they don't like that idea.

Mr. Ryan stated through the railroad committee we were very specific with a couple of suggestions. One was to close this tunnel right here and reconfigure the parking lot there so that the tunnel area becomes parking spaces, take some of those islands out over there and make space for additional parking. And along with that was across from Rodgers Tavern, across from Lower Ferry Park, where you now have that nice fence they put up so people don't walk on the grass, part of the landing on this side, make that a wall and push back the road far enough to make parking, make that a straight up and down wall, rock, concrete, whatever, make it look very nice to improve views to the Town to complement the park so they know they are at Lower Ferry Park and then along that wall on that side would become more parking that can be used during the weekends for Lower Ferry Park and during the week for MARC. Regarding a parking garage, there was consideration by the Mayor and Commissioners when we looked at the complex here for Town Hall and the Police station, when we built the parking area with Town Hall pushed in some off the tracks, there would be a parking garage between Town Hall and the tracks that people would go in and out. We looked at that financially with some recommendations made by department heads, and decided no; the best option would be to go with a ground level parking lot with no garage involved because of cost. MARC didn't want to be involved with that. Another topic brought up was at one point there was a possible sale of the mobile park here across the street and the person who wanted to put his business in there when he was buying it was to see if we could get some spaces in there for MARC train parking too. I thought he was looking at that as a good idea because you know if they use the parking spot they're going to walk in his coffee shop and get a coffee. So I think he was going to go for that but it didn't go through. So there's been several things tried and I can tell you from a commissioner point of view of building that parking garage and the expense involved on top of that I'm not willing to spend that money, I'm more of trying to find a way to get this town hall done, get this police station done and watch the expenses there. We're doing pretty good on the general fund side but we're not doing so good on the water and waste water side. Of course, those are two separate funds but we can't go overboard with this. We've done really good utilizing our casino funds to maintain and upgrade needed things. From a fire department point of view I don't want to see a parking garage in here. That just complicates things if we had a medical emergency or fire emergency.

Ms. Skilling commented most of the way you can cover expenses is to actually sell parking spaces and I don't think you're going to get that here. You might get metered parking.

Mr. Ryan responded I think what MARC or Amtrak thought was going to happen was we were going to get a parking garage and the riders would have to pay to park in the garage. Then the employees are going to stop using the MARC or they're going to go to their employers wanting more money because they have to cover parking fees or some combination thereof. And that was a concern of MARC's. We're probably going to lose people anyway if we don't have enough spaces and I think we already have. A part of this whole idea with getting the new train bridge was if it was going to affect the train station itself, and we were all over trying to get parking on the other side of the tracks and parking on this side changed. We even went so far if they had to change this wye interchange right here, these double bridges, while you're reconfiguring these double bridges how about we fix this problem underneath, level this road out a little bit and have more parking area down there, whatever we can do to redesign and then we find out they're not even going to touch this area.

Town Hall/Police Department Complex:

Mr. Ashby asked when the new building is built, the police station, town hall, what will they do with this building.

Mr. Ryan responded use of this building is still up in the air with a couple of things talked about. One, the obvious, is to raze it and make parking. Another thing was do we reconfigure it, sell it for an office building, do we keep it and rent it as an office building, so there have been other options out there. But I personally would say raze it, make parking.

Mr. Ashby commented we don't have a main street, there's nothing here. We have a nice library, why can't we do more out there.

Mr. Ryan replied my only concern with the Town buying more property is we have property now that we're not doing anything with. We have Ice House Park, Lower Ferry Park, and other places like that, we have plans but we're not doing anything with it. And to really help the water and waste water we need tax base. We don't want to have to keep raising rates because I hate to be the bearer of bad news but the budget is going to be approved at the May 2nd meeting and it's going to be another 4% increase in your water and waste water. We did check around with other towns and counties and we're second lowest property tax rate in Harford and Cecil county only above Cecilton and we're in the low three for water and waste water in this county. It would be great to have that space for parking and get MARC in here but once MARCs here they jump in their cars, they don't spend any money and they don't pay for parking so now we lose that tax base and we eat the cost of keeping the blacktop up.

Discussion continued regarding alternate forms of parking surfaces such as permeable pavers with sod areas, lets grass grow up through it, which creates other issues. It may be lower maintenance costs than blacktop but you still have maintenance costs. You have to create a good subsurface, with stone and rock, and the honeycomb type pavers are put on top, and that becomes compacted down and the grass comes up.

Verizon Cell Tower:

Construction has started at the fire house. Another plan was submitted and approved to increase the number of antennas from 12 to 15. During their application process Verizon had indicated they were still going to continue with Cedar Corner but that was a separate project.

Marc Train Maintenance Facility:

Ms. Skilling reported it's up to the Mayor and Commissioners at this point. The County has not given their authorization yet, and there were questions of some local residents making concerns about it and until the County makes a different decision they're not going to move forward. And our issue in the town is whether we'll give them water and sewer.

Mr. Ryan commented it's in the county so it's a county decision. The only thing they want from us is water and sewer. They are aware what the rates will be for out of town rates and where we want to have the pretreatment done as a result of some things that have happened in the past at the waste water plant. Another thing we have discussed is what's going to be done with all that property out front. They have a large amount of grassy area between the actual facility and Route 7 where they're going to build the mounds for sound deadening, so there were some questions about what to do with all that property. The Town submitted some suggestions and one was a dog park. I've been getting emails every other month asking when we'll have a dog park. It doesn't belong to the town but we were trying to get them to do something. And we would have to maintain it because the County will not. As far as we're concerned it can stay grass, if they want that area as a buffer zone. I personally think for their long term plans they need that property for something else, for expansion of that facility and tying the MARC to SEPTA which I understand will happen eventually. I see them wanting to do something, have additional facilities because of that. Whether it is SEPTA having a building in there or for MARC or whatever, they want that for a reason. There's a long term plan here that nobody knows about and we're going to see the immediate idea for the MARC station here right now and it's a small portion of it and it's not going to take up all that property.

Mr. Reich stated if they put a station in Elkton this station's lost.

Mr. Ryan agreed. The Jersey/Delaware people who come here now won't. And that's something we talked about in the Commissioners meeting and I even talked to the Mayor of Elkton. I want to explain though I know what he wants to do with his town I'm going to have to fight that because what it does to our travelers who come down to catch the train in Perryville, the Delaware, New Jersey people aren't going to come here.

Mr. Reich commented and the people in the local area, like North East, like Perryville, like Port Deposit, who work down the line and ride this train they may not even stop the train here.

Mr. Ryan indicated they'll stop it but I would say, how many riders and if the riders drop off then they won't stop it here. I don't know how many locals we have riding the train but I know when you come down the street there's a whole lot of Delaware and New Jersey tags, and even Pennsylvania. Right now that is a big part of our transportation initiative and in planning this Town we're involving MARC to keep that ridership up, to make it available when they finally got their coffee or newspaper and if we start losing that then any business that gets built here will probably suffer.

Ms. Skilling stated if they're going to spend and invest the money for the high-speed rail what they have to connect from here to Elkton isn't going to be in the near future. It's going to take a long time to get that connection, unless there is major pressure put on there.

Mr. Ryan commented and what they're talking about too is MARC, not Amtrak, making that connection between here and Elkton, they want the MARC ridership to people working in DC to be able to get up there, not necessarily the people on high-speed from Boston to DC.

Ms. Skilling indicated they're investing all this money that the short link is as crucial as the high speed.

Mr. Ryan stated to be able to come from Newark right to here, that would be nice but right now the talk is maybe SEPTA is willing to go to Elkton but not willing to come this far.

Ms. Skilling commented it all has to do with, the whole planning of the SEPTA line and this line to Elkton has to do with Newark. Newark is in the Wilmapco area and they are pushing it through Elkton because they want that connection. And that is my perspective on why it's Wilmapco verses Baltimore and we ought to move this way instead of that way. We're losing out on a lot of money by not having and by not being more involved with what's happening in this end of the county verses what happens at the Delaware end. We don't get the money.

Mr. Ryan indicated we're more associated with Wilmington than we are with Baltimore. I think it's going to grow that way. I don't know what the Federal Government's going to do, I don't know how much they can grow in DC, they're already overcrowded, and that's what's really affecting the riders right now as to what the Federal workers want, as far as the MARC. I'm hoping to get a connection from Delaware but don't want that train stopping in Elkton because that will hurt us. We've done a lot of things cooperatively with Wilmapco transit development, the bicycle trails, hiking trails, and including the train tracks. They're going to keep us in the loop. In the last week or so one of my emails came about a Wilmapco meeting. They're feeding us more information than the Baltimore side.

Ms. Skilling replied because we're not part of the Baltimore Metropolitan Planning. When I get plans, when this high speed came through, before I even saw it the State showed me one where the Baltimore Metropolitan Planning Area did at a meeting and it stopped at the Susquehanna River. And when the question came about Perryville in Maryland, they don't look at it as us being part of there because we're tied to the planning area of Wilmapco. It seems Maryland stops at the river. The financial obligation by the Federal Government to give money to Maryland goes that way a lot. A substantial amount of money doesn't go as much to Delaware because it's a smaller state with different kind of revenue. So when money is determined for where it's going to go, it's going to that way. We get very little now. In the past very little money went from Maryland to Wilmapco to support plans in progress.

Taxes:

Mr. Ryan stated I thought the fuel tax was for our roads, it came back as highway user funds and we've been fighting at the MML level to keep it sustainable where it's been the last couple of years. There was talk about it being even lower this year but I think it went back to what it was last year at a minimum but we don't have that definite number yet. But what we're being told by MML is we'll get at least the same as last year if not more. We're not losing from the highway user funds like we've done the last few years in a row.

Adjournment:

Without objection the Planning Commission meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator