

**Planning Commission
Meeting Minutes
August 17, 2015**

ATTENDANCE: Pete Reich, Commissioner Ray Ryan, Robert Ashby, George Jack, James McBreen and Planning & Zoning Coordinator Dianna Battaglia.

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

APPROVAL OF MINUTES:

Without objection the minutes for the June 15, 2015 Planning Commission meeting were approved as written by quorum of attending members.

Zoning Ordinance-revisions:

Ms. Battaglia explained at a previous meeting we've reviewed proposed revisions to the Zoning Ordinance (attached) and now we're continuing that discussion. The summary is the same as before with new revisions tonight in red font. A definition was added for Grocery Store to allow that type of use in Town Center. A lot of times business owners are researching the Table of Permissible Uses online and when they have a specific business they want to do such as a fish market, seafood, or small retail food market, if they don't see grocery store they think it's not permitted. There are other uses such as 2.112 Low Volume Traffic Generation that is permitted in Town Center and that category can be used for many types of businesses, but adding the definition and use in that category will help business when researching permitted uses. Not a Food Lion type store, 7-11 or Royal Farm but a small retail grocery store that, as included in the definition, less than 2500 square feet, and offer convenience type items for local residents. We've had a number of business owners inquire about the empty space at the other end of Ercole's where the old laundromat was. Other uses have been added to the Table of Permissible Uses as permitted: 2.102 Professional Offices, 2.103 Bakeries, small scale such as with a coffee shop.

Discussion continued regarding confusion and interpretation of uses and the need to also review definitions to understand the intention. Definitions explain the use. Other terms to use could be local market instead of grocery and review other local municipalities to use the same terminology for consistency.

Mr. Jack indicated regarding the proposed definition, "customers who purchase only a relatively few items" should be deleted as it doesn't add anything to the definition. Do you consider alcohol as a retail item that could be sold in a grocery store? Maybe that should be added to the definition.

Ms. Battaglia responded no sale of alcoholic beverages would be allowed as that is a separate license from the County. The Town would have to approve that use and local regulations restrict that in close proximity to school and church.

Discussion continued regarding permitted uses and conditions associated with each. If there are too many interpretations for a requested use and the Zoning Administrator is unable to decide, then it would come to the Planning Commission for determination and decision. Not all uses have specific conditions listed and may need to be created. Different zones such as C-2 have specific uses listed. Application for permit at Cecil County is required for many uses and reviewed by appropriate departments such as Health Department for food service. Continuing on page 3, 2.314 Shops for sale, service or repair of home appliances, office machines...., could be classified as 2.120 Business Services which is permitted in Town Center and consideration made to possibly combine the two uses. Some of the uses are redundant when trying to incorporate various types of uses and categories. On page 4, 2.700 Health Club, spa added in Town Center as PC. There are many businesses out there now such as exercise clubs, cross-fit training, gyms, yoga that could be classified as a health club.

Mr. Reich asked what about the area where the Farmers' Market is held? The Town is planning an amphitheater and possibly showing movies there and where is the permitted use for that.

Ms. Battaglia replied those are special events that the Town holds occasionally and they will be putting a structure there on town property.

Mr. Ashby stated to make sure the Town follows the regulations and can't just do whatever they want to do.

Mr. Reich indicated I have no problem with open-air drive in theatres and there's probably something in here under recreation and entertainment but I don't see anything that talks about that. There's nothing under amusement and entertainment for the use in that area, I understand it belongs to the Town but if we're going to build an amphitheater there it better be a permitted use there.

Ms. Battaglia responded the amphitheater isn't going to be a permanent use and there is a special events form that is used and goes through Town administrative staff for approval by the Mayor and Commissioners for those types of events that are held occasionally.

Mr. Reich replied but everything you've talked about as Town events are not fixed structures. The point I'm trying to make is occasional events like tree lighting, movies in the park, are not currently in fixed structures. I assume the Commission is going to be asked about this amphitheater that's going to be built or whatever just like we were talking about the Police Station and a new Town Hall. So I'm just saying I don't want somebody to come back saying the Town of Perryville can do anything it wants to do and should have to follow its own Ordinance. I don't want any hint of someone saying it's my property; I'll do what I want.

Discussion continued to check with Ms. Skilling regarding Lower Ferry Park and the amphitheater as an accessory structure similar to a pavilion that will be used for various Town events.

Mr. Ryan stated to continue with that same thought process 2.910 Open-air Markets and under Town Center there's absolutely nothing under there. And we're having a market down there from May to October every Friday.

Ms. Battaglia responded that was discussed that on Town property you can have a scheduled event such as the Farmers' Market and is encouraged from the State however if you put that use as permitted that means its allowed by right for anyone to set up a junk sale. So we have to be cognizant of the fact that if it's permitted then there's no leeway whereas if something comes in that would be appropriate, if it's a seasonal or temporary use, they would use the special event request form that is approved through the Commissioners. Page 7 is a correction and Page 8 11.400 Nurseries was added as permitted in the C-2, for a location on US40.

Mr. Ryan commented at our last meeting I was to take to the Town Board possible annexation of a portion of Cedar Corner Road and I have not done that. I will take care of that.

Adjournment:

Without objection the Planning Commission meeting was adjourned at 7:08 p.m.

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator