

**Planning & Zoning
Meeting Minutes
February 25, 2013**

ATTENDANCE: Michael Fortner, George Jack, Pete Reich, Henry Barrett, 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:

MOTION was made by Mr. Jack and seconded by Mr. Fortner to approve the January 28, 2013 Planning & Zoning Meeting minutes as written. (2 abstentions: Mr. Reich, Mr. Barrett not in attendance.) **Motion Passed.**

OLD BUSINESS:

February Draft Chapter 74 Subdivision of Land:

Ms. Skilling explained the revised draft document is now more consistent with Cecil County subdivision regulations because they review our stormwater, conduct inspections of stormwater and construction, and sediment and erosion control. And Town projects also go before Cecil County's Technical Advisory Committee (TAC). One of the changes is the Planning and Zoning Department will create a filing schedule for a developer to follow to meet submittal and review dates for all the various departments and agencies for their subdivision. Discussion continued regarding the subdivision process, review by the Planning Commission and approvals conditioned upon meeting all requirements. The developer is advised to meet with staff to work with them before proceeding with their concept. The draft has to be reviewed by the attorney, and when revisions are made I will track the changes so you will have that for your next review. Another revision that needs to be made is we have to have a public hearing at concept stage, and the developer also has to post the property of their intentions. A subdivided lot can't be sold until it's recorded so in order to develop the property, it has to be recorded.

Discussion continued with other members in agreement to use the time frame of two (2) years to accomplish recordation and that is consistent with the county. We will check with the engineer regarding geodetic control requirements (noted on page 74-25 of draft) because that information is important to have. If reference is made that the information provided is consistent with specific requirements, then we need to have those requirements somewhere. Page 27, Public Works Agreement, the Mayor signs the agreement so this section will be revised. The developer has to have a maintenance agreement and other requirements have to be in place before a Public Works Agreement is done. The record plat is signed by the Chairman of the Planning Commission, Director of Planning and Zoning, Health Department and the Town engineer. Page 29 requires more revision, and the number of plat copies will be determined during development of the filing schedule because the number can vary. You will see this again with all revisions highlighted and attorney comments as well and then we can move forward with the final document.

Ms. Skilling provided a brief update regarding the proposed Woodlands development; the land is for sale by Mr. Hill's partner. They had approval for the General Development Plan, the overall plan, as mixed use but now that approval has expired, the time frame has passed. And there was no final official approval of Phase I. Moving forward, if the partner comes in and says he wants to

develop the property as proposed in the General Development Plan, he will have to submit to the Planning Commission again. No subdivision plat was ever submitted for Phase I.

NEW BUSINESS:

Draft Floodplain Regulations:

Ms. Battaglia indicated the Town's draft document is based on the Model Floodplain Management Ordinance (Tidal) that was prepared by the Maryland Department of the Environment. This is required of all local jurisdictions to update their ordinances to fully comply with the requirements of the National Flood Insurance Program, to be compliant with revised Flood Insurance Studies and Flood Insurance Rate Maps. The maps have been updated and will become effective July 8, 2013. New regulations have to be in effect at that time. There will be a public hearing next month for this document and then it will go to the Mayor and Commissioners, who will also hold a public hearing. In order for the new regulations to be adopted in time, an aggressive schedule was developed to be in compliance by the effective date.

Ms. Skilling commented there were changes to the maps to show floodway designation along Mill Creek. Coordinates and elevations were put on the map and no new development can be in that floodway with different criteria. It does affect some areas: the waste treatment plant, some homes above and the fire company property, not the building, only a portion of the property along the edge. It will be almost impossible to get a variance to the floodplain because you're going to have to demonstrate, based on this survey and the information now available, proof that their information is wrong. There is a disadvantage that if we don't adopt this, the Town would lose their rating and everyone's insurance would go up. The Cedar Corner property is not affected by the floodway. Woodland's developer was aware of the floodway and accounted for it in their plan. The information about flood map revisions has been on our website for some time. FEMA has been working on this for two (2) years. The attorney has reviewed it and has some comments and we'll be addressing that this week and we'll track the changes. Another thing to consider is that we're not only affected by the rise of tide but also increased flow from the dam, and that was not taken into consideration in this study.

Next month's meeting will be a public hearing to review and hear any public comment. You will then close the public hearing, open the regular meeting and the first order of business is to make your recommendation to the Mayor and Commissioners. It will then be written as an ordinance, introduced at the next work session, then at the following Town meeting the Mayor and Commissioners will hold a public hearing, and vote on whether to approve it or not for adoption.

Motion made by Mr. Reich and seconded by Mr. Jack to adjourn the meeting at 7:40 p.m. **All in Favor. Motion Carried.**

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator