

**Planning & Zoning  
Meeting Minutes  
March 15, 2010**

**ATTENDANCE:** Chairman Michael Fortner, Commissioner Michelle Linkey, Matthew Oberholtzer, George Jack, Bethany Brock, Town Planner 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 Ms. Linkey to approve the February 16, 2010 Planning and Zoning Meeting minutes as written. **All in Favor. Motion Carried.**

**New Business**

Mr. Fortner indicated this submittal has been tabled by the applicant on March 10, 2010:

**File No. FP2010-01** – Revised Final Site Plan Woodlands Phase I; **PROPERTY OWNER/APPLICANT:** Doug Hill, Perryville Property Holdings, LLC, P.O. Box 249, Chesapeake City, MD 21915; **LOCATION:** Perryville, MD 21903; Tax Map 800, Parcels 4, 620, Lots 1-6, 8-10, 635; Zoned MUD, 78.294 acres.

Ms. Skilling stated I just want to let everyone know, as I started to review the project, and URS reviewed the project, some of the concerns that came back up were things dealing with mostly in the stormwater management. The innovative type things that are being put in the project which everybody agrees are really a good thing. They've actually had their stormwater approved. Cecil County has approved it under their new regulations and it's probably one of the first projects to be approved under the new stormwater regulations, which becomes effective May 4<sup>th</sup>. So this would go through based on the new regulations. But some of the things that are in that new regulation are quite new and innovative and creative and it's changing the way we're all thinking and engineers are having to deal with things that are in the public right-of-way. For instance, stormwater management and in Mr. Hill's project he has a lot of bio-retention areas. He has the rubber sidewalk and that is some of the things we take over. The inlets for the roads take the stormwater and move it to a whole system to pick up not only the road but pick up the sidewalks, parking lots, and roof runoff and go into their rain tanks and then ultimately it goes into a drainage area in the bottom. There are a whole lot of bio-swailes, bio-retention areas. The problems that we are running into, if you look at our standards and the general road layout and how we do easements and do road right-of-ways, these road right-of-ways now would encompass some of those stormwater management facilities. The bio-retention areas that are going to be planted have to be maintained. The sidewalks are included in there in that area of the road right-of-way, they would have to be included in there. We would normally take some of that over but now the Town may not want to

do that. In the past it has not been the Town's desire to take over stormwater management. It's been in the realm of the developer. In Woodland's case, they are more than happy to do that but I'm struggling with URS who is coming in with their engineering, the old school engineering, and how you refocus when you're designing something and coming up with ways to determine the road right-of-way and how the Town's going to take over that road verses not taking over everything else. So the reason I didn't send you my comments and URS's comments is we're having a meeting on Wednesday, March 17<sup>th</sup>, with URS and Mr. Hill, and I'm hoping to get Tim Whittie from Cecil County who approves stormwater management, because the County approves it but now we have to deal with it. I know all the towns have had meetings with Tim Whittie at the County with the new regs and one of the big things that we brought up was how this was going to impact how we deal with road right-of-ways and the taking over of these types of things. It's an issue because it's not how we normally do it and so this is what I'm struggling with now. I think the project is a good project. It has gotten a lot of notoriety. The County wants to use it as a demo project because it has all the elements of the new stormwater regs.

Mr. Fortner asked did the County approve their stormwater management. And URS is just reviewing as consultant engineers, right.

Ms. Skilling replied we don't have to accept what they're saying and that's where I'm sort of in the middle here. I have to convey to the Planning Commission and because it is a mixed use you have a lot of flexibility here. But I'm trying to work with URS who is giving recommendations that this should happen and this should happen and I'm like well wait a minute, you really need to look at the big picture here, not just the regulatory because the Planning Commission under the mixed use development has a lot of flexibility to do and change things within reason. What I have to do is to explain to Ms. Linkey so she can go to Mayor and Commissioners. We have to have this all worked out because in the end what I'm going to have to explain is what are we going to take over, what is the Town going to take over. When we get the public works agreement that explains how the Town takes over the roads and streets, and whatever, I'm going to have that all worked out. It's still very fuzzy right now. So that's what I'm trying to work on. I'd like to wait to send you my comments until we have this meeting on Wednesday and I'm just going to see how we come out, and I'm going to be sending both URS and mine, and try to indicate to you how these things are melding and how we're going to deal with it because it's going to tie up Mr. Hill if we can't come up with a resolution, and it's going to tie up all of the developments. Everything that comes in is going to stop. Do we have to change anything? If we're dealing with just a regular residential site, we may. In this particular case because it's a mixed use and there is some flexibility in the regulation itself now in adjusting for things like this. We have some flexibility there. But if it just came in for development, like Cedar Corner is a good example, they may have some real problems meeting it. Severe problems as a matter of fact.

Mr. Fortner asked do you think they'll be coming in next month. Do you think they'll be ready next month?

Ms. Skilling responded I'm hoping they'll be ready. I want them to move on so I'm hoping we'll have some of these things resolved. Like I said, we may have to discuss this to determine what we need to do because things are changing and we need to know how to handle it and we need to set policy of how we're going to deal with it. And this is going to be an example. It's going to be an example North East will be able to use, all the municipalities, even the County. Well the County is counting on it. So I just wanted to let you know that's why it was pulled. I didn't want Mr. Hill to have to come in to spend his time in here and engineer time and a whole lot of your time when in fact things aren't resolved yet. So other than that, things are moving along. Mr. Hill did get permission, and I have it in my write up, at the last Mayor and Commissioner's meeting to go forward with his grading permit, but he's not willing to move forward yet because he's in that limbo for the Final because once he does that and signs the Public Works Agreement it starts that twenty-four (24) month period. We want to have him a little further along and make sure he gets some of these issues resolved, even though he has an approved stormwater plan, and a sediment and erosion control plan, before he can move forward. Ms. Linkey wasn't there at the time but the vote was very interesting. It was approved, there were only three people, and it was a two to one vote.

Mr. Fortner asked was that for the whole erosion control....

Ms. Skilling replied it was to get a mass grading permit prior to final approval. Anyway, it's moving along and I want to get it going and like I said it's a good project. The other thing you have to look at too is this is supposed to be like a town. It's not supposed to look like Beacon Hill. The intent was never to have it look that way. That whole design concept is totally different. Like if you would take the foot print of the Town and move it somewhere else, it should look like a town.

Mr. Fortner indicated the second item on the agenda is discussion of Maryland Department of Planning required training.

Ms. Skilling commented you have a book that Ms. Battaglia put together. Please save them. We would like to have them back just in case any new person comes on board, it will be our training guide. I want to leave the option up to you whether you want to go through the training here, where we can go through some of it and talk about it or if you want to read through it and at every planning meeting if you have any questions you can just ask the questions and we'll talk about it.

The Planning Commission decided to continue the meeting to go through the education course and discuss sections as a group.

**Motion** was made by Mr. Oberholtzer and seconded by Mr. Jack to adjourn the meeting at 7:30 pm and continue with training session. **All in Favor. Motion Carried.**

Ms. Brock left the meeting.

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Discussion continued through Module Three. It was discussed that some members would register online and complete the questions before the next meeting. If not, we will continue discussing the rest of the education course at the next regular meetings.

Meeting ended at 8:20 p.m.

Respectfully Submitted,

Dianna M. Battaglia  
Planning & Zoning Coordinator