

**Planning & Zoning
Meeting Minutes
August 17, 2009**

ATTENDANCE: Chairman Michael Fortner, Bethany Brock, Pete Reich, George Jack, Matthew Oberholtzer, 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. Reich and seconded by Ms. Brock to approve the July 20, 2009 Planning and Zoning Meeting minutes as written. **Four (4) in Favor. Motion Carried.**

DISCUSSION

Mr. Fortner indicated let us proceed with our discussion of the Town's Comprehensive Plan.

Ms. Skilling stated just one clarification; this is not a public hearing. We are just going over the changes now so we can get ready for the public hearing which will be next month. Because there have been changes to the Comprehensive Plan since the beginning and again most of you, except for Mr. Fortner, none of you were involved with the original. So I was trying to get things together. Did all of you get copies that I emailed of the Comprehensive Plan? I thought I emailed the version that had the changes.

Mr. Fortner stated weren't there just a few people who had questions.

Mr. Reich said I didn't get anything. All I got were the minutes, the agenda, and the memo regarding tonight's meeting.

Ms. Skilling replied I know I sent it to Ms. Turgon because she wanted to see all the changes that were made in the original. The problem being a lot of you, and I know Mr. Reich you sometimes have a hard time getting large stuff to you at your job. Sometimes those things won't go through. I did have a version with some changes and Ms. Turgon was involved from the beginning. Some of the major changes that were done to the Comprehensive Plan from the beginning, between the time we had the last real meeting to now were obviously annexations. We had Happy Valley annexed which is on your map now. And we had Cedar Corner which is part of that Gotham Bush; if you look on the map you can see the different coloration on parcel 134. I rectified the IKEA piece that we annexed from Coudon where IKEA was, that was parcel 81. The other piece, which is parcel 43, had been on your growth map; that in fact is an easement on that piece of property. There is a conservation easement on that piece of property so parcel 43 is not in corporate limits but parcel 81 is. Those were the major changes. For you,

Mr. Jack and Mr. Reich, the future annexed growth area, the sort of salmon colored area, that is an area that is not calculated in many of the calculations in the Comprehensive Plan. It was an area that was requested by Mayor and Commissioners and ultimately came to the Planning Commission to have that added into our growth area, Perryville's growth area for future development. The Mayor and Commissioners at first did not want that and the Planning Commission did not include it and once we had done the calculations we felt that to go back and add that back in, it's a large piece of land, actually in fact we couldn't add it in anyway because it is such a large piece and we wouldn't have adequate water and sewer for it anyway. So we did not add it.

Mr. Reich questioned that is the Mt. Ararat Farms?

(Mr. Oberholtzer arrived at the meeting at 6:36 p.m.)

Ms. Skilling responded it is still Mt. Ararat Farms. And it is still owned by Walter Buck and Dwight. But they made a request to the Town to add it and we did. So it's really not in the calculations but we put it out there and you'll notice some of the terminology is Perryville's "sphere of influence". The owners wanted us to include it in our growth area verses the adjoining town of Port Deposit. So that is why it was added. The County has put it in our growth area as well in their map for the towns and it has been discussed. We did get a letter from Port Deposit concerned about it being right up against Port Deposit and I had discussed it with them when I worked for the Department of Planning, that was a discussion we had all along that there was no way that piece of land would or could be put in the Town because they would not and did not want it to be there. So they knew it all along that was going to be something that was going to happen. Anyway from our prospective it's obvious that is a large piece of land that we basically, we would have to have a new waste treatment plant to serve it. So you're talking way beyond potentially ten to twenty years out, who knows, it depends on what the people want to do. But we don't have water and sewer for it, quite honestly. So the growth area is rather large but considering the projected population for this area it isn't as large as it could be. It pretty much is the projections that Wilmapco had given us and they work with the Metropolitan Planning areas when they do transportation, and the State of Maryland indicated that it is large but they feel as though over time with BRAC and the other things happening in these areas that it could potentially easily come in. And we do have water and sewer to cover most of this area now. The other map that I gave you, the small one, these are Town-owned properties and I just had to change it for what they call now Ice House Park on Roundhouse Drive. They have acquired that piece of property from Mr. Meck and it's shown on the map now, as well as a piece of property that IKEA gave to the Town along Mill Creek below the road that goes back to IKEA. That was transferred to the Town too. So those pieces were added to the Town-owned properties. I'm still updating some of the other maps because my base map which is in this growth area map has to go through and be consistent with all the other maps. So what I have to change yet in the Comp Plan is going to be the roads, I'm going to have to extend some of those on my base map and I'm working on that, and the Perryville Land Use map. The land use map includes some of these areas but I need to be able to be able to, especially up around I-95 the new CEMUD that is there, the Commercial Entertainment area. It's commercial but

we need to make sure that we identify that it is a commercial entertainment verses just a commercial site and that will be modified. There were comments that came back from the Maryland Department of Planning and I'm working on those comments. They, basically these comments came back after the sixty (60) day review, quite a bit after the sixty (60) day review, and there is no legal authority that we have to accept these comments and to include them. I am going through a lot of them to make sure that there are some things in here that are referring to maps and things we definitely need to get straight because when I went through and changed some of the sizes of some of the maps my tables and page numbers changed a bit. So I'm correcting them and making sure they are right. A lot of these deal with coordination of what we consider our growth area and a lot of the TMDL's (Total Maximum Daily Load) that are being projected by the Maryland Department of the Environment. And basically they really don't have good numbers, to see what kind of nitrogen and phosphorus loads are being delivered to Mill Creek.

Mr. Oberholtzer asked is nitrogen and phosphorus the only TMDL's they're monitoring right now.

Ms. Skilling replied right now they are basing most of it on nitrogen and phosphorus. Nitrogen is the big one and because our waste treatment plant discharges into Mill Creek that will be rectified in our new waste treatment plant because the new plant is getting upgraded to reduce the nitrogen.

Mr. Oberholtzer asked are they also looking at sediment.

Ms. Skilling replied sediment is still obviously an issue down Mill Creek as a non point source which would be runoff from agricultural land. And we added it in there, we account for it, but really even though we know there is a lot of ag land coming down Mill Creek it's not necessarily our discharge of anything. Ours is more point source. Anything that comes out of a pipe basically is point source verses non point. So the sedimentation is an issue in Mill Creek. Most of those ag type, best management practices would be handled through soil conservation. We look at them, we mention it. If the TMDL's are showing sediment and sediment primarily moves, nitrogen attaches itself to soil particles, phosphorus can move, so if the soil's not moving, nitrogen doesn't move. So agricultural land if the soil stays in place it doesn't move, nitrogen isn't the source; it doesn't move with it. Phosphorus is mostly light and it still moves through agriculture just in runoff.

Mr. Jack asked who monitors that.

Ms. Skilling responded Department of the Environment. They monitor water, they sample water, and some of them have river keepers. Some of them use river keepers throughout and I don't know if we have one around here.

Mr. Jack questioned is there a backup check on that, for the Town itself to monitor?

Ms. Skilling replied we could. If we had a river keeper they would do that.

Mr. Jack stated we take what they say and that's it, is that correct?

Ms. Skilling responded MDE right now they are giving us the information and the data. Do we take everything that they say, not necessarily, and that's why this isn't legal yet as far as mandating that you do something about it. But we know that in the new legislation, this year's legislation, may require that MDE if they have concerns about runoff and pollution whether it be from the waste treatment plant, they can withdraw, they can require you to do things and upgrade. We're a lot ahead of the game, this Town. Because there is a new water plant and we have a new waste treatment plant that is going to come on line to meet all the new requirements, by 2010. So we're in a really good position from MDE's perspective for growth and especially for water. There are a lot of towns right now that aren't like Perryville because we have the ability to do things while the others cannot do now, even Cecil County. The County doesn't have adequate water. So I think we're ahead of the ballgame but to answer your question, MDE still is the one source. I'd like to see a river keeper if we could come up with somebody who wants to go and be the monitor and work with the Department of the Environment because then we would have a better source of knowing what really is going on. Kent County has one for the Chester River; Sassafras River has one for Cecil County actually and the Sassafras Water Shed which is Cecil on this side and Kent on the other.

Mr. Jack asked is that a volunteer position or is it a paid position.

Ms. Skilling replied well I think they get some money. I know the Sassafras River Association gets funding to monitor and to do some work on keeping track of what is happening in the water shed. And Mill Creek is a huge watershed. It really goes quite far if you look at it.

Mr. Jack indicated it would help with Town interests.

Ms. Skilling responded well if you don't have it, there are a lot of things that are happening at Mill Creek. It's not only that it is a historic watershed that picks up a lot of the old mills and Principio and a lot of the other old iron works there that run into the creek. If we could find somebody it would be worth asking more about it. If there are any of these corrections that are coming through and comments that I will make, I'll jot them down and send them to you. Some of them, they talk about sidewalks and bikeways and we already have some of those in our plan. And we talk about them, discuss them all the way through the plan about bikeways and walkways and how we're trying to, as part of our Zoning Ordinance, for new development to actually put public walkways wherever possible. That is mentioned in here but again they are looking just at the Comp Plan. They are not looking at all the regulations right now that we have in place. And quite honestly, when you do your Comp Plan and you have all these goals and objectives, you're supposed to go back and look at your Zoning Ordinance to make sure that it is consistent with what you're saying here in this Comprehensive Plan. Fortunately, what we did, we actually updated our Zoning Ordinance first and then we did our Comp Plan.

So we already had some of the things already done in the Zoning Ordinance that we said we were going to do in the Comp Plan. But we should probably look at those things again and highlight them. And as you think about it and you read this you should think about some of the things we have in our Ordinance, or do not have in the Ordinance, that we need to have because we've mentioned it in here. The one comment, I'll read you this comment because it was a very interesting comment that was made by the Department of Planning and was also expressed with Port Deposit, *"it is suggested that the plan be revised to reflect a more coordinated growth area planning effort with the Town of Port Deposit and the County on lands that are north of I-95, that are not already annexed into the Town of Perryville."* Reading from the comments *"It appears to this reviewer that the Mt. Ararat Farm area is expansive to the Town's growth needs and as such should be excluded at this time. The land areas to the south of Interstate 95 are logical growth areas for Perryville. For the Perryville Plan to indicate a "sphere of influence" on land that is adjacent to the Town of Port Deposit is without stated reason and inconsiderate of long range planning goals and visions that the Town of Port Deposit or the County may envision there."* This has already been worked out with the County. The County knew it and the County agreed to it and it is already in their plan. That's why we didn't respond to that.

Mr. Jack asked is this referring to the buffer zone, what they were talking about.

Ms. Skilling indicated the way it is right now with Mt. Ararat Farm when and if we do annex it, it would be a buffer anyway because that part of the land, a lot of that land has many site restraints: steep slopes, non-tidal and tidal wetlands. So a lot of it wouldn't even be developed. You wouldn't be able to develop it. And especially that side land because it slopes off pretty much but we would probably buffer it anyway.

Mr. Jack commented I don't know if this is the time to bring this up or not but I wasn't here at the last meeting but I was interested in the buffer zone between Port (Deposit) and Perryville and I didn't know if the Comprehensive Plan is a place where you would put such a buffer zone to indicate for future and you're talking about Mt. Ararat Farms right now and maybe that would be somewhere if our future is going to be stopped at that and we know it, it would be a way of indicating our future, to establish some kind of buffer in that area. I'm just thinking that would be a good gesture towards at least to Port (Deposit) at least from our perspective. I don't know what the relationship is between the Town of Perryville but I think it's one that should be a good relationship and maybe that could be part of something like that in the Comprehensive Plan. We know we're not going to annex and we're not going to try to annex anything other than that but say something about a nice buffer zone.

Ms. Skilling responded I agree and I think all along it was suggested that we didn't even want to put it in here. We didn't want it in there. I wasn't privy to all those meetings because Mark Gradecak was working on that then and I think there was a long discussion about that, if I remember, with the Planning Commission. When I was working with Mr. Gradecak on this plan, we were called constantly by Mr. Buck and he insisted it be in here. And we told him it wasn't up to us. We were only writing the words and we're

only writing what the Town wants and that's when they went to the Mayor and Commissioners and they indicated that they would put it in there but there were certain language to address it. There's also, in the Appendix I think, there is something that was added, a statement that was added in the back dealing with this situation. In the addendum on page 164, if you have it with you, this whole section, this whole part of the addendum was put in here to help explain a little bit more about that large growth area.

Mr. Reich asked is Port Deposit objecting because they want to put it in theirs.

Ms. Skilling replied I think they were objecting to the fact that it really just comes right up to the boundary of Bainbridge. It's the back end of Bainbridge. I think they assumed that we weren't going to jump over Route 222; that we would go to 222 but not over. I'm wondering if in this addendum, if we could put in there that the intent is that some sort of green belt or buffer would be put there. Why don't we try to put something like that in the addendum.

Mr. Jack stated I just think we ought to recommend something to that effect because I think it shows our intent.

Ms. Skilling commented to provide some kind of green belt or buffer area between the two. That would be the goals in the plan to do this should this piece of property come in. Why don't I try to write something, to incorporate some language in here and I'll send it to you. I think that is a good idea and a good suggestion. And it shows some good faith on us to consider what they said.

Mr. Reich indicated it's really this piece they're objecting to that goes over Route 222.

Mr. Fortner asked is that parcel 71? Are we talking about everything north of Route 222?

Ms. Skilling responded everything north of 222. Actually I think it's really the piece that goes across the street which is parcel 71, it goes over across 222. The map doesn't show Bainbridge. I should probably add that piece that shows Bainbridge up there but that is 71 and is part of the large piece and backs up to Bainbridge.

Mr. Jack stated between parcel 74 and all that. It looks like a boundary now but do we anticipate moving past that? It says future growth area. I was just thinking you have good wording in there by saying good faith by the Town or in good faith we establish something, a buffer zone between the two. And if that's the line we're talking about that goes across 222 to the right above 71.

Ms. Skilling replied yes, I think we should say something about that, an effort by the Town to create some sort of buffer on the north side of Route 222. I need to get that piece that shows that and Bainbridge. This is part of a clip that shows all of the parcels. I need to add that partial clip. The reason we didn't want to put all that in there because at this point it really is, as far as the Town is concerned it's sort of a mute point. We're not doing anything with it. We're just adding it because we were asked to add it. It's not

even being figured in all the figures or calculations for the Town right now. Because we couldn't annex it even if we wanted to because we don't have the ability to do that. You're talking that's a town in itself. If you look at the land area compared to the blue, which is what we already have, you're talking about a large area.

Mr. Jack stated but if we mention our intent that would go a long way with that.

Ms. Skilling replied I think we should state our intentions. I'll put it in there and run it by and I think the Mayor and Commissioners would agree that would address some of those concerns.

Mr. Reich commented that area that is noted as 0044, at the very bottom, is that Perry Point?

Ms. Skilling responded that is correct. It's not in corporate limits.

Mr. Reich answered I know that but it's a growth area boundary.

Ms. Skilling replied it is a growth area boundary because we do provide sewer to them, to Perry Point. And there is also a little village in there that at some point in time it was discussed by Mayor and Commissioners of trying to get that land.

Mr. Reich responded that is the reason why I'm bringing up the question. According to the paper now the VA is to sign or about ready to sign an unlimited, multi-year, seventy-five (75) year lease to develop housing for low income housing on there. I assume for veterans but I didn't see that.

Ms. Skilling indicated it is for veterans.

Mr. Reich asked how does that impact our Comprehensive Plan. I mean for seventy-five (75) years you can't touch that piece of property.

Ms. Skilling replied basically there is nothing we can do there anyway except the problem is, and the Mayor has addressed this with a letter to the VA, we do supply sewer to them. They've never asked us and never told us they were doing anything there. So if they sign this lease and contract, where are they going to get their sewer? We will not have, and I'm sure, let's put it this way; if we give up that much sewer to that facility, we have other areas in corporate limits that potentially we were going to allow to develop, and we may not be able to give it to them.

Mr. Reich asked like Happy Valley and Cedar Corner?

Ms. Skilling responded correct, and the gaming facility. The thing is that they, it is my understanding that there is an agreement with them to provide sewer to them, but it is also in the agreement that they need to request, if they are doing work over there, to get

more of our capacity. And if they have not made that request to the Town, we control flows over there, so we know how much they are using.

Mr. Reich asked is this something the Town lawyer has to get involved in, to say something in some agreement in writing legally, to say we're going to continue the sewer and now all of a sudden now they want to put five hundred thousand (500,000) town homes there? I know that is an exaggeration.

Ms. Skilling replied I don't know. I think it is an issue that the Town is going to have to address because it is one thing to provide it and now, knowing it's going to be not them, they are actually going to be leasing to someone else, a private entity, does the Town want to get involved with that. I mean we already have places where we've already annexed to supply water and sewer.

Mr. Reich stated I don't think the Town wants to get involved in it. My question is can the government force us to be involved.

Ms. Skilling responded I don't know. And that is what the question is, and that is why the Mayor is getting involved because it is a concern. Other changes we made is, and I think I've mentioned this, we did change the gaming, the CEMUD, we did change that land use in the Ordinance, in the zoning. And we also mentioned in the transportation part of this, is that the I-95 interchange needed major upgrades to allow for some of the development that is going on in that area. And not only the gaming facility but we're going to have Happy Valley, and it's got to be, quite honestly, if nothing is done within the next five (5) years, and I've written a letter to the County to put it in their Comprehensive Plan for a planned transportation element. If nothing within the next five (5) years isn't done at the I-95 interchange, nothing is going to happen up there and that is a major growth area for the County.

Mr. Jack asked do you mean for the casino?

Ms. Skilling replied the casino will be developed, but after that, I have five (5) Traffic Impact Studies right now that all say the same thing.

Mr. Jack questioned wasn't that part of their concern for the casino?

Ms. Skilling responded it was a concern, but they are addressing it now because they have been told by State Highways for access they have to do certain things.

Mr. Jack commented that's what we saw a couple of months ago. Has that been settled or is it still an issue for them.

Ms. Skilling stated it is not an issue now because they know what they need to do and what has to be done just to open the doors.

Mr. Reich asked does the State want us to pay for this?

Ms. Skilling replied the State wants them to pay for it.

Mr. Jack asked are they still willing?

Ms. Skilling responded we're working on that. We're working on how it's to be paid for. We had a discussion last week when the Gaming Commission came out for the land selection for their license, for Penn National, it was an issue that was brought up. Because they figure it's going to be about one point eight million dollars (\$1,800,000) to do what is needed, just the road improvements to that interchange. Now beyond that, we know the major thing that needs to be done is a four lane bridge over I-95. And that's going to put a little crunch in a lot of budgets. Penn National is basically, if they do these things they'll be able to open their doors once it's done and completed, based on what SHA has given them already. But the hotel may not go in right away. It might, but it may not, depending on what SHA has tomorrow as their new priorities.

Mr. Jack asked is this being addressed in our Comprehensive Plan now or is this something that needs to be done.

Ms. Skilling responded I put it in the Comprehensive Plan as a major transportation issue under transportation. It needs to be addressed because nothing's going to happen there and some of the major, especially commercial endeavors for the Town are up there.

Mr. Reich stated you've also mentioned you can't widen Aiken Avenue and to extend Coudon Boulevard across to 222. What happens north of I-95 with Route 275?

Ms. Skilling replied you have Bainbridge and you have some of the other development north of that, that are all going to be impacted by anything because they all have to come down to I-95. It's a major route for anything from the Pennsylvania/Maryland line.

Mr. Reich commented I don't think they can do anything at Port Deposit and then with Mt. Ararat, that is only a two lane road.

Ms. Skilling stated they have already told them they are looking at an exit out of Bainbridge to Route 275. There are already some roads and there are some right-of-ways there but not that wide. There is a large right-of-way at I-95 in front of the Stewart property.

Mr. Reich indicated Route 275 north, I guess they could put four lanes there.

Ms. Skilling replied what they'll do is just turn lanes, just exit turn lanes. There are lots of studies out there to determine various solutions. The real issue is we could do everything we want to do for our Town at that site, the gaming site, the rest of the Stewart property and get all the road improvements but that means it would just be for what we need for that site and still people wouldn't be able to make improvements.

Mr. Reich asked what about Route 40 and all that traffic.

Ms. Skilling responded it's all State Highway and that is actually in our Comp Plan too. At Route 40 and 222 because they, actually the Department of Transportation created that problem by putting in the toll booths where they are. Because there are people that come in off of I-95 and come down in Town and go back up 222. Anyway those issues are in the transportation section because they are major issues that need to be addressed.

Mr. Reich asked with what they are planning at Perry Point, is that going to affect what we had planned to do in our Comprehensive Plan.

Ms. Skilling replied I don't see anything in there that we can even mention at this point because the only thing that we've looked at is in the growth area, the Town would absorb some of that land and that looks like that's not going to be a possibility. But we have to leave it in there. This isn't a done deal yet. Apparently they are looking at that contract.

Mr. Reich commented my question is do we get the State, if they get it, do we have to take it out of our growth area?

Ms. Skilling responded not necessarily unless the Town wants to do that and just completely void them out. If it comes to an issue of water and sewer are we going to say you're not even in our growth area.

Mr. Jack stated this is only a plan.

Ms. Skilling indicated it can be modified and by the time it goes through public hearings; we have to send it away for sixty (60) day review, which we did that in the process before we go through public hearings. We had to send this out to Maryland Department of Planning and adjoining towns for review and we've done that. So now we're going through the public hearing. We've gotten comments back and we're going to public hearing next month. The Planning Commission has their public hearing; recommendations from the Planning Commission and anyone else that something needs to be changed, whatever. It goes to Mayor and Commissioners, and one of the things will obviously be the addendum that we are suggesting, and they hold a public hearing and once they hold their public hearing they have the option to accept it, the Comprehensive Plan as changed, or they can send it back to you to modify, change, or whatever. If they do nothing within I think its thirty (30) days, it becomes the law of the land.

Mr. Jack asked what does that mean, it becomes the law of the land?

Ms. Skilling replied it's a tool; that's all it is. It is a tool for the Town to look at for what did we say we want to do. It's just a planning tool. If we have it in here.

Mr. Jack stated that is the direction we want to go now.

Ms. Skilling commented they are the things, the goals, the objectives the Town wants to pursue over the next, it's projected out over the next thirty (30) years.

Mr. Jack commented but to answer his question that would still be one of our goals, no matter what they do over there because it would still be that we would like to get that land as part of our Comprehensive Plan even though it may not be feasible if they do what they do.

Ms. Skilling replied correct. I think the Town would like to think that, I think the goal of the Town was from what I gather from the Mayor and Commissioners since I've been working with them was that that land did not get lost or they didn't sell it off. That the Town wanted to at least have an option to determine what goes there. And there was discussion that the Mayor said in a letter, he was on the committee to determine what was going in there, he became part of that committee but then all of a sudden he was very unaware that this new RFP went out. We do have a trail that is going through there that they have agreed to put through Perry Point. I think we should leave it in the plan. If something dramatically changes we would go back and change that section and we can amend the plan. The plan can always be amended, it's just that we need to get it adopted so that we have something. The only thing that may be coming down the pipeline, like I said in the next legislative session, is what they are going to look at is if you do a project and you want to ask for State funds and you don't have it in here, they could say it's not in your Comp Plan.

Mr. Jack stated and that's the real objective of having this plan.

Ms. Skilling indicated they want to have a better feel of what you want to do and you will be stating it in here and they will use that as a tool for planning for the Town as well as the State. That's why I want to make sure that things like the interchange at I-95, Route 40, all these things are in there because we think they are important issues and should be addressed at the State level as well. Primarily State Highways; we don't have any control over it except to make recommendations to improve them. So are there any other questions.

(Ms. Brock had to leave the meeting at 7:15 p.m.)

Ms. Skilling asked any other questions as you were reading through or about it or changes? Like I said I'll get that addendum back to you and I'll try to email it to you.

Mr. Reich commented the other thing I brought up at the last meeting, and I forgot the answer, I must have read it in the minutes but I had mentioned why we weren't using Principio Creek as our boundary instead of Jackson Station Road. And you gave me an answer, but now I don't remember what it was.

Ms. Skilling replied I can't remember, Mr. Fortner do you remember why that was chosen as a boundary line.

Mr. Fortner responded no I don't.

Ms. Skilling commented I don't remember exactly why it was chosen other than the Planning Commission looked at those areas and I guess used that as the boundary. I have no idea why exactly it was chosen, to be honest with you. I don't remember.

Mr. Reich stated the reason why I said that and brought it up last month, was Jackson Station doesn't connect directly with 222. It stops short and connects to the old 222 which is Reservoir Road and it doesn't go over quite as far as 222 whereas Principio Creek does go fairly north to south all the way to I-95.

Ms. Skilling replied I think what they looked at is various areas, and potentially in some of those areas that are small lots that might want to come in because of failing septic. I just think they looked at that as the boundary line without having to go out into some large land. It could be also there are some farm land preservation areas in that region so it could be that we didn't want to go beyond that. We had to work with the County too and where they considered an area for growth and how far we could expand beyond that. And again, for instance if some of these properties decide beyond our growth area that they want to come in and be annexed into the Town at some point in time, it just means they could petition the Town for annexation but we would have to first change this map before they could do that. That's what this is all leading to and so we didn't want to make our growth area too big and in a lot of those areas out there they are a little larger. Considering I think the Town really wanted to expand along the waterfront more than going inland just because it becomes a more valuable piece of land and we knew that if Mt. Ararat came in, why do we want to go inland. Then also you start to get close to Charlestown. So to answer your question, I'm not exactly sure why. There was a line drawn and that was what we thought our boundary was and looked at acreage and the number of acres that would be incorporated when we brought it all in.

Mr. Reich stated I was just thinking that you have Jackson Station Road that goes across Route 40 and Principio Creek isn't more than another four (4) miles at the most.

Ms. Skilling responded I don't know. Right now if any of those pieces want to come in it just means we would have to modify our plan to bring them in.

Mr. Reich commented another thing is the sand and gravel pit that is down by Furnace Bay.

Ms. Skilling stated there were huge mineral extraction areas and also Charlestown picked up a lot in their growth area, they are expanding this way up to Route 40. You're getting close between Charlestown here and North East. Everybody's sort of moving in that whole area and it's all considered a growth corridor in the County's Comprehensive Plan.

Mr. Reich commented even along the water?

Ms. Skilling indicated they can include it, it's just that you have a lot of site restraints if it is on the waterfront. You have buffers and you have one hundred and ten (110) foot setback. Twenty five as a buffer and one hundred ten (110) along streams. And within towns, I know North East has a hundred ten (110) setback along their stream areas and Critical Areas is at one hundred (100) but that's only with tidal.

Mr. Jack asked maybe this isn't the time for this question but just looking at our growth map, what about Garrett Island? Why is that not considered a growth area that we would consider?

Ms. Skilling answered because nothing can happen there. If we had it as a growth area, what would we put there? It's federal property right now. It is in the County.

Mr. Jack said but so is Perry Point.

Ms. Skilling replied but Perry Point does have some residential and commercial. So that is different. Garrett Island is protected and I don't think you would be able to incorporate it without a lot of....

Mr. Reich indicated not all of it is in the County either.

Mr. Jack stated I'm just looking at what would benefit Perryville as far as a potential site whether we ever got it or not, it's like at Perry Point.

Mr. Reich commented it has to be growth area that has the potential to be built on.

Mr. Oberholtzer stated there are no services provided there.

Ms. Skilling responded that is correct and right now it's owned by Wildlife Refuge down in Cambridge and I know Commissioner Brown is trying to get it transferred over to the Wildlife Service but right now it's owned by the Federal Fish and Wildlife Refuge down in Cambridge who manages it and there is a disconnect because they're in Cambridge and they hardly ever do anything and they don't allow people on the island right now. I think that would be a hard thing to do, with the County number one, and the growth area you can't do anything with it. It would be open space, that's all.

Mr. Jack replied that is exactly right and I know there is at least one commissioner who is fighting to have it opened up so the public can go over there and do different things instead of getting ticketed like they were. And I'm thinking not everything that we put in the growth plan has to be somewhere where we can develop it to where it's a point that we're putting houses or giving water and sewer or something to that effect.

Ms. Skilling stated from my perspective that would open a lot of issues with the Federal people who are trying to keep it the way it is.

Mr. Jack commented it seems like the Town is spending some time on issues with that anyway.

Ms. Skilling responded I think we're making head roads with that direction to at least be able to give access to the public to that piece of property. And I don't know if you are aware of it, but Harford County, Havre de Grace, tried to annex that piece of property.

Mr. Jack replied I wasn't aware of that.

Mr. Fortner stated it was a couple of years back, wasn't it? Was there a dispute over whether it was in Harford or Cecil County?

Ms. Skilling stated no, it is in Cecil County but they could annex it if they wanted to.

Mr. Oberholtzer indicated they wanted to build something on it a while back, was it a hotel or something?

Ms. Skilling stated the owners of the property before they sold it wanted to do a hotel. It was bought actually rather cheap and then it was sold, there were a couple of partners. And then they sold it to the Federal Government. I can't remember it all now, but I know at one point Havre de Grace also made a play for it because it was in the paper that they wanted to annex it. Well, that didn't go over well with the County or with Perryville. Any other questions? Well, think about it. If you have anything that comes up, like I said I'll make those changes and get this finalized. I still have work to do to get the maps all corrected and making sure, if you come across any typos please let me know. I've gone through this so many times that I miss a lot. And I missed those page numbers that were missed.

Mr. Fortner asked when is our public hearing on this?

Ms. Skilling replied at your next meeting in September. It will be advertised in the paper and will be at the next meeting.

Mr. Fortner indicted this copy, if a resident wants to see it can they go online? If we're going to have a public hearing people should be able to review it.

Ms. Skilling stated we're going to have copies available and we'll get it online. By the time we put that public hearing notice out we'll have it online. I'd like to make some disks and rather they buy a disk to be able to use it instead of using paper for copies.

Mr. Reich asked why can't you just put it on our website?

Ms. Skilling responded that is what we will do. I just need to get things changed.

Mr. Jack stated there is something about reading this whole thing, a hundred-two hundred page document that you can't mark and follow.

Ms. Skilling indicated a paper copy is easier to mark up.

Mr. Jack stated I was thinking about people and if we say it's online or come to Town Hall to get a copy.

Ms. Battaglia commented not everyone has a computer either.

Mr. Fortner indicated people can print it themselves online.

Ms. Skilling stated it will be a PDF document so no one could change it obviously, and they could print it online and we'll have copies here.

Mr. Reich commented but if we had it on disk it might be good, because they could go to the library to view it.

Ms. Battaglia commented the legal notice will have it in there that a copy is available at Town Hall for their viewing and if they want to purchase a copy they can do that.

Ms. Skilling stated actually we have to make it available. The only reason I said disk, some people if they want to buy it a disk is going to be cheaper and they could print out only the pages they want.

Mr. Fortner asked will you have it available at the library? Will a disk be at the library or have a poster there or something.

Ms. Skilling replied we could have something at the library.

Mr. Fortner stated we haven't had a lot of public input and people coming to public meetings. We need to give public notice because if people are going to come here they need to know what the plan is and we need to do a presentation.

Ms. Skilling responded maybe we could suggest putting a copy in the library because also there will be maps there. The maps would be in color and easier to read.

Mr. Jack indicated I did have a question. It just came to my mind because you were talking through it. This section down here in Perryville that we own right next to the old milk plant that is now closed, that piece of ground. I observed in the Comprehensive Plan there is a part in there that says that we are going to be, that part of the projection is to build buildings on the front of that land. An amphitheatre I think on there of some description and then buildings in front of that land. Just me personally, as a Town resident, I was taken aback because that is one of the few pieces of land where we have that we, as a Town, can congregate in large numbers within the Town, what I would call the Town, besides the park. And have an amphitheatre to do something and I was really taken back that one of the proposals was to put, it looked like buildings in the front and a

street going through with trees and stuff like that. I'm not speaking from the Planning and Zoning board but as a resident, I'm against that.

Ms. Skilling replied let me explain. The front part of that piece of property along Broad Street is still owned by Mr. Linkous, who owns Owens Landing. And the so called walkway or street that goes through there was done to be as a focal point towards the waterfront. University of Maryland students designed that so that as you come down Broad Street, you are looking right out on the river. And that you would walk or in this particular case, drive, though it's not been finalized what we are going to do, you'd be able to see right through there.

Mr. Jack asked so the Town doesn't own the front part of that property?

Ms. Skilling responded we do not own the front. The Town owns three parcels, two of which were purchased for proposed open space and the other was given to the Town by the developers of all that property, Crouse, as part of their agreement. Three pieces the Town owns and the front piece is still owned by Mr. Linkous. Mr. Linkous has agreed to work with the Town on doing something along there which would be some retail stores with potentially some apartments above which is a popular thing right now. Retail shops may attract people that come into the Town in that downtown area and the rest is planned for a park. And once we get Rodgers Tavern and the pier done, which are out for bid, which actually I think they accepted a bid, and Rodgers Tavern is getting ready now. Once those things are done because they're going to use the property as a staging area for materials and equipment for the pier and once that's all done, then those pieces of property will be turned into a park.

Mr. Fortner stated there is also some green space for a Town Hall in this whole area. That is also planned for additional open space.

Ms. Skilling continued with discussion of future plans for Department of Public Works, Police Department, and Town Hall. I have a grant to plan for a transit facility to renovate this whole area to support our MARC station when they come in they need parking. The Public Works building will be moved from here and actually go out by the Water Plant. We're working on that right now and eventually have new facilities for Town Hall with a little park area and whatever else the Town may want. We're still in the planning stage. And what we would like to see in the area also are some retail shops and parking facility for the train station, to keep our people who come here to take the train and Town residents to be able to take the transit.

Mr. Jack indicated our churches have used that property on a yearly basis and what a great forum it is for people to come to and I just envision if they put an amphitheatre or something like that there how neat it would be.

Ms. Skilling replied it is very limited at the front of that piece of property and the rest of it is all open space and the plan is to put some kind of amphitheatre so you could have music in the park. It has to be a park. You can't put retail businesses in there. It has to

be park like. You can have some type of community building there but it has to be a park. That is what the acquisition was for.

Mr. Fortner stated back to the public hearing, on the day of the hearing, how would you like that structured? I mean can there be a little presentation or something for the public? Or are we going to just open this plan up to comments or....

Ms. Skilling responded I would like to try to highlight some of the parts; what is a Comp Plan, what some of the plans are, and highlight some of the things that we've done that were mentioned in here. Some of the things the Town wants to do and their vision for the future.

Mr. Fortner asked do you actually have a power point presentation planned or something like that?

Ms. Skilling replied I could do it as a power point and it would be easier to bring up, especially for maps to show some of the areas, the growth areas and talk about that a little bit. Talk about what a growth area is.

Mr. Jack commented explaining what the end result of the Comprehensive Plan is. It does show direction, it does show, it's a means by which we can get money from the State and wherever other sources, if we have a plan in action, so people understand the whole purpose of this. I had to read it a couple of times to understand the purpose, so you know someone else coming in here may or may not understand.

Mr. Oberholtzer stated there is just so much material here that maybe breaking it up to an overview of each section.

Mr. Fortner asked are you expecting other developments to submit for that meeting? Do we have anything else to review or do you think this will be the only item on the agenda?

Ms. Battaglia responded right now we don't have anything, but that can change.

Mr. Reich stated I would make a suggestion that we only do the Comp Plan that night because it is extremely important. I would like to make a motion that we limit our next Planning and Zoning meeting to be held in September to only have the public hearing for the Comprehensive Plan.

Mr. Oberholtzer responded I really think if other business comes up that we should address that as well.

Mr. Jack indicated I agree, if something does come up we should address it.

Mr. Reich commented the Comp Plan is so important that if we're here until eleven o'clock at night till everyone understands it. And I don't think we'll have time for other stuff if it comes in. I really don't. This is very, very important. The only thing that is

more important than this is our Ordinance. And we have to update those too, that's why I brought it up.

Discussion continued regarding the public hearing and a power point presentation and the important sections to highlight. The need to emphasize to the public what a Comprehensive Plan is all about and that it is a planning tool and that it is a requirement by the State to have such a tool and it does help to make the Planning Commission make decisions for types of projects. It was discussed that the presentation should give a basic understanding of the Comp Plan and to keep the presentation to about twenty minutes for a summary of the plan. Then at question time, the public could ask for more clarification. Most people are interested in revitalization of the downtown area and people like to know about future plans and that the Town is moving forward. That inspires people to want to live here and want to do business in the Town. The presentation will also be useful for new members of the Planning Commission to understand the purpose.

Discussion proceeded regarding training for Planning Commission members. It was also questioned if Town Hall will be adequate for the public hearing or if space would be needed similar to the CEMUD at the Perryville Fire House. The Town does have equipment and can do presentations at Town Hall and possible rearrangement of chairs for viewing. It was questioned if there is public interest in the Comprehensive Plan. There may be lack of public awareness to the process and that may be part of the problem. The public hearing should be advertised not only with the legal notice but should be posted in local businesses and Town locations (Post Office, Fire Company, VFW, Food Lion) for more public awareness, and should be noted on the Perryville sign on Aiken Avenue.

Motion was made by Mr. Jack and seconded by Mr. Oberholtzer to close the meeting at 7:50 pm. **All in Favor. Motion Carried.**

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator