

**Planning & Zoning Meeting
Minutes
February 19, 2008**

Attendance: Chairman Jack Heimberger, Michael Fortner, Betty Thompson, Priscilla Turgon, Matthew Oberholtzer, Evelyn Hansen, Commissioner James Hansen, Town Engineer Doug Lloyd and Planning & Zoning Coordinator Heather Erickson.

Meeting called to order: 6:30 p.m.

APPROVAL OF MINUTES

MOTION was made by Betty Thompson and seconded by Commissioner James Hansen to approve the January 22, 2008 Planning and Zoning Meeting minutes as written. Two (2) in Favor; Two (2) Abstentions (Michael Fortner and Evelyn Hansen); **Motion did not carry and will be reviewed again next month.**

NEW BUSINESS

Jack Heimberger stated that they have two items under new business. The first one is Perryville Property Holdings and the second one is a permitted use certificate. He stated that he is going to switch these two and allow the permitted use zoning certificate to go first because of the amount of discussion that they will probably have with the second one.

**File No. ZC2008-01- Permitted Use Zoning Certificate- Mom's Kitchen.
PROPERTY OWNER/APPLICANT: Charles R. Burkins & Susan Burkins;
LOCATION: 5412 Pulaski Hwy. (currently the Whistle Stop); Tax Map 800,
Parcel 78, Zoned C-2.**

Mr. Heimberger asked the representatives of the application to address the Board.

Rex Burkins introduced himself and his wife Susan Burkins.

Mr. Heimberger asked Mrs. Burkins what they are planning as far as upgrading the area out there.

Mrs. Burkins responded that they have put a handicap ramp out there. They will be putting lattice around the air conditioner outside and in the spring they will put down new carpet. This side of Route 40 will look as nice as the other side.

Evelyn Hansen stated that she has toured the business and they have redone everything and it is immaculate. The kitchen is very clean.

Mrs. Burkins added that the Health Department lady said that she deserved a gold star for what was done there.

Mr. Burkins added that the restaurant has been there for 25 years and they did not like the way it was declining. So, they took it over. One of the pet peeves of the officials from the Health Department to the Fire Marshall was that they had two exits there but with no proper exit. They wanted to put a handicap ramp in so that it was ADA accessible. But to do that they lost the whole sidewalk that they knew. They therefore applied to have a sidewalk go across there so that it is in accordance with the other businesses and to make the handicap ramp off of the parking lot onto the new sidewalk so that you are able to use the ramp. They also applied to reface the signs to change the name.

Mrs. Burkins stated that the business had declined so much that they did not want to keep the name.

Mr. Heimberger stated that he understood. One of the things that we are getting involved with now is the aesthetics of the Route 40 corridor. What we are trying to do is to get the corridor spruced up. There are a couple of things there in their area that we would like to see something done about. One of them is the metal storage container. Another would be the Jersey walls, which he understands the problem that they have with the Jersey walls but there are other ways of accomplishing that. And another thing is the signage out there. Quite frankly, if he went by there he would think that the place was out of business with the way the signs look.

Mrs. Burkins replied that they are working on it, but they are not millionaires and they can only do a little bit at a time.

Mr. Heimberger stated that he understands but they also have to understand what they are trying to accomplish. We cannot have a beautiful area on one side and the other side look as it has the last x number of years. He stated that he is not trying to belittle them. It just does not fit with what the Planning and Zoning people would like to see. One of the possibilities; and this is just his thought, and one where there would not be a lot of money involved would be if they could get rid of the Jersey walls and maybe put a rope pole barrier or chain pole barrier there.

Mrs. Burkins asked which Jersey walls he is speaking of.

Mr. Heimberger replied that they are the ones along the side of them and 7-11. Also, he is sure that it would be expensive to get rid of the storage container so he suggests putting up a fence or something that would enclose it like you would do around dumpsters.

Betty Thompson asked if it is possible to reposition it somewhere else on the property.

Mrs. Burkins responded no because it is too big and they sell furniture.

Mr. Heimberger stated that he understands and that these are suggestions that he thinks that the Board would like to see accomplished.

Mrs. Burkins asked what he is suggesting for the Jersey walls.

Mr. Heimberger replied that there may be other suggestions but he was speaking of poles in the ground with chain linking it, something to make it look a little more presentable. He understands that the problem that they have is that cars like to use that area.

Mr. Burkins stated that actually when they first put those Jersey walls there, there were those big railroad trucks, the ones that they actually get on the railroads. They had the car stops but they would actually drag those to the gas station and they would break into pieces. They would laugh about it; they thought it was comical that we could not stop them. That was the only way that he could stop them. He does not mind doing it now. He does not mind changing it, but it is completely different from what they are applying for. The restaurant is not even on the same property; the restaurant is 5412 and they are speaking of 5404. The second problem that they are asking about is the signs out front. If he could get some official help then he would not mind taking them signs out. But what happens is that with 7-11 everyone wants a doughnut and a coffee and these truck drivers and dump trucks line up so that they cannot even get carpet into the warehouse. He added that his wife has had two to three conflicts with these truck drivers. They have called the police on them and they will not stop parking there.

Mrs. Burkins added that the bridge police have actually helped them the most.

Mr. Burkins stated that if we could come up with some solution to stop the parking then they would gladly give the signs up. They run over their signs even if they drag them out. When it really gets bad they will have two tractor trailers and they cannot even get out of their own property until the drivers decide to come out of 7-11. He has asked the State Police and State Roads and they have put up signs but they even run over the no parking signs and tear them down with their dump trucks. They have tried extensively for the signs. He knows it looks trashy, but unless they drag those out when it really gets bad then they do not have any help. He added that they did get the CDL police and at one time they were really helping by writing tickets. Then they sort of backed off and the trucks came right back. He is willing to do anything if he is able to get some help to stop it. However, if it continues he does not have any recourse except to stick them back out there. As far as the Jersey wall, he does not have a problem giving them up even though it is a different business.

Mrs. Burkins asked if we can talk about that at another time.

Mr. Burkins stated that he already did away with the signs in front of the restaurant. He said that there were a lot of trashy signs out there and they already did away with them. He said that he does not have a problem with even addressing the trailer, but once again they are here about the restaurant.

Mr. Heimberger replied that he understands that but it is part of the corridor. It is one of the things that they would like to see done. If it is within their means and it does not cost them a lot of money to do it then we would like to see it done.

Mrs. Burkins replied that it is going to though.

Mr. Burkins stated that they would try it but if it starts again then he would put them right back up. He does not have any other recourse. They have even had people that came from that traffic light clear across the property 25 mph and they would run across you if you did not move. They think it is a thoroughfare. That is why they put the one fence up to stop them.

Mrs. Burkins added that they have run through that fence.

Mr. Burkins agreed and stated that they have been through it once or twice already and tore it completely down.

Mr. Heimberger asked who they are speaking of when they say "they." He asked if he meant truckers.

Mr. Burkins replied no, that a lot of it is cars but the trucks are their biggest problem, tractor trailers/10 wheelers. The bridge police have been really kind. They were ticketing and they have helped his wife twice when the tractor trailer said that they will park anywhere because we do not own the road. He told the guy that they do not own the road but they are sitting in between the two no parking signs, which is clearly marked and the man said that he will sit anywhere he wants.

Mrs. Burkins added that if deliveries for the warehouse have to leave because they cannot enter their warehouse to drop off their load of carpet, vinyl and ceramic then they will go back to Delaware and have to come back and it's another \$150. Now don't you think that things are expensive enough without having to add an extra \$150?

Mr. Burkins stated that their access to their warehouse works where they basically pull along the edge of the road because there is a big telephone pole in the middle so they pull along the edge of the road flip out into both lanes and then come into their warehouse. If anything is parked there such as a school bus, car, dump truck, they get a lot of these trailers with the lawn mowers on the back and the big pickups anything that is parked there prohibits them any deliveries. That is why the trashy signs are there. It is not because they want them.

Mrs. Burkins stated that speaking of lawn mowers that is another thing. She has called and they are telling her that her property is from the last electric line coming in and down is her property. They have been mowing this property for 38 years. Once or twice maybe in the summertime they will come and mow the grass. She asked what they do about that. That is at her expense and her time and she has to hire somebody and pay for gasoline.

Mr. Heimberger asked where she is speaking of.

Mr. Burkins stated that they have an island in front of the restaurant, right where they are talking about, where the trailer is. It is a huge island. It is probably 100 feet long by 15 foot wide.

Mr. Heimberger asked if it is their property or the State's.

Mr. Oberholtzer asked if it is in an easement.

Mr. Burkins replied that they have paid for it since 1970 and they have mowed it since 1970. When the State came out and said that we could not put a sign up there, he told them that if it is theirs then they can mow it and he will send them a bill for the last 30 years. Then they told him that they cannot mow it without their supervisor. So he told him to send their supervisor down. They didn't send a supervisor. They want him to maintain it, but they want the control over it. It does not happen that way. You cannot have the control over it if you do not own it. If he is mowing it then he feels that it should almost be squatter rights. They cannot make it trashy because here we are trying to make Route 40 nice looking so it's just another thorn in their side.

Mr. Heimberger stated that we have actually put restrictions on the buildings that are going up. It is part of our responsibility as Planning and Zoning to make sure that the corridor is cleaned up. He stated to Mr. Burkins that he appreciates the fact that he said that he would do what they can. At this point we will let it go at that. It may be something that needs to be taken up a bit further, maybe the commissioners. He asked Commissioner Brown and Commissioner Hansen if they can do anything about any of their problems.

Commissioner Brown replied that her wheels are turning. She stated that she can't do anything in this meeting but she can make noise at another one. One of the things that she will mention is that she understands what Mr. Burkins is saying about the trucks. They are fighting State Highway now on the other side of the road because they are parking there to go into the restaurants.

Mrs. Burkins explained how dangerous it is.

Mr. Heimberger stated to the Commissioners to let their wheels turn and if they can help these people in any way, shape or form that it would be greatly appreciated.

Mr. Burkins stated that they will try anything humanly possible to bring a stop to it.

Mrs. Burkins stated that they have problems with the back of the building. They have found Perry Point veterans sleeping there and drinking there. There are cigarette butts and beer cans there. It is a full time job just trying to keep the back halfway decent let alone the front of it.

Mr. Burkins added that in weather like this they really have to watch their rollback because they find them sleeping in there. They get under the carpet that they throw in there.

Mrs. Burkins added that they have to have a dumpster there.

Mr. Burkins stated that one night they found a fellow with his head froze in the mud. It had got soft one day and he fell in there and they had to call an ambulance. They do have their problems. He stated that he has one other question and they have not addressed it but he would like to bring it up while they are speaking. They also put in for a change that is being held up here for a change in the seating from 49 to 62. The reason that they wanted to do that is was not to increase inside but to have a couple outside tables for if the middle school wanted to come by. They put in ice cream machines and they are going to have sundaes and milkshakes.

Mr. Heimberger asked Ms. Erickson if she is aware of this.

Ms. Erickson stated that she is aware of this.

Mr. Heimberger asked how this is going to be accomplished.

Ms. Erickson replied that it is going to be a part of the patio and handicap ramp that they put out there, which was part of the patio application. What Mr. Burkins is speaking of is the Health Department had wanted their feelings on whether there was adequate water and sewer on that site due to the expansion. Yes there is, but she had told the Health Department that this application was coming before the Planning Commission. She stated that it was her intention to have the Board look at the additional seating and to say whether they thought it was appropriate, if there is enough parking and any other issues that they would like to address.

Mrs. Burkins stated that the gentleman that had the restaurant before them was allowed to have two tables by the Health Department, but they only used one. So there were twelve people allowed to sit outside anyway. Even though there was one here and one by the consignment shop. He told the girls at the consignment shop that if they needed it to put their stuff from the consignment shop on it then go ahead. So, they took it because he got rid of his ice cream machine. But when he did have it there were families that would come and sit around and it was nice. It was already there, so she does not know why they could not have it again.

Mr. Heimberger asked the Board for comments.

Mr. Oberholtzer stated that in terms to the parking, as long as it does not take out any of the parking that is currently there. He does not feel that there should be any additional parking and that they should encourage outdoor seating. Generally, he does not think that they require any additional parking spaces for outdoor seating since they will only be able to use it about three months out of the year.

Mrs. Burkins added that they already have people walking from Town to come get an ice cream cone.

Michael Fortner added that he thinks that outdoor seating would be a great addition.

Mr. Heimberger asked for further comments from the Board and from the floor.

Motion was made by Evelyn Hansen and seconded by Matthew Oberholtzer to approve File No. ZC2008-01, Permitted Use Zoning Certificate for Mom's Kitchen. **All in Favor; Motion Carried.**

File No. CP2008-01- Woodland Perryville. PROPERTY OWNER: Perryville Property Holdings, LLC.; APPLICANT: Town Point Development; LOCATION: Coudon Boulevard/Route 40, Perryville, MD; Tax Map 800 and 801, Parcels 3, 4, 15, 209, 820, 526, 586, 622, 635, Zoned C-2, R-2.

Jack Heimberger asked the representatives of the project to address the Board.

Doug Hill of Town Point Development addressed the Board. He stated that he would like to give us some background information on the conceptual plan and how they arrived at what they are presenting tonight and what they are seeking from the Town and area residents as they advance in the land planning process. The first thing that they have done is to create a mission statement for the project. It is something that they intend to use as a reminder to themselves and also to people who may come to be involved with the project over the next several years. He explained the mission statement of the project, which is to create a sustainable master planned community that provides a sense of place and identity while respecting the environment and enhancing the quality of life in Perryville, Maryland. He explained that they want to create something that is associated with the Town of Perryville and Cecil County as a special place and a place that people will want to go. This property is within 1500 feet, depending where you look, of the Chesapeake Bay, which is the largest watershed estuary in the world. It is something that has become more publicized in the last couple of years thanks to the media embracing environmentally sound construction practices with the U.S. Supreme Building Council and etc. He stated that Perryville, Maryland is a small town with a lot of history. It seems to him in the five years he's been around here that there are a lot of people who really like this Town and are committed to the Town. He feels that they would be remiss if they did not address the needs of the people in the Town first and foremost.

Mr. Hill explained the who, what, when and where's. Who? They want as many people involved in this process as possible. They have started making public presentations reaching out to area organizations to get them involved in their planning process. Earlier today they presented to Perryville Chamber of Commerce. He stated that there are a lot of things that he does not know about Perryville, the needs of the people in Perryville and it would be impossible for him to find it on the internet or from talking to one or two people. They feel that they need to reach out to the general public and get them involved. Information about the project can be found at Woodlandsperryville.com, which includes the schedule for the upcoming design charrette. This design charrette process is not new to the Planning industry in fact it was something that was created as part of modern revival cities in Europe. It is something that is an intense process. He pointed out on the charrette schedule that they are asking their staff to participate in 12+ hour days for five days, so it will be a long week. At the end of the week their hope is that they can take what they created and form a conceptual land plan and modify it to address the needs of

the Town and incorporate opinions and desires of the people. He explained the charrette schedule.

Mr. Hill stated that he is sure that the Planning Commission is aware of where the property is located. He added that he has started over. He explained that he took everything that they previously worked to secure approvals and he is basically recycling it. He started out by looking at aerials and topography maps and tried to get an understanding for what might be possible on the property. The analysis area includes properties that they do not own and properties that they will never own, for instance, the Woodlands Farm or the schools. However, they are going to be impacted by what they are attempting to do. So they really need to give credence to the surrounding land uses in order to create something that is compatible with what is already here. He stated that he also looked through research documents such as the studies done by the University of Maryland. They were very valuable to him when looking at what uses could and should be available to people in Perryville and this area of Cecil County.

Mr. Hill stated that this Mixed Use Development (MUD) ordinance was created in part for the Goldberg property. He read Section 109 of the zoning ordinance. First is to provide an attractive and varied living environment, which is a pretty broad statement but it gives you the sense of what the Town is looking for and that is that they do not want it all the same. They want something that is unique and has a clear identity for the Town of Perryville. Next is to provide a variety of building types and an overall more efficient use of land providing residential, commercial, services, and public uses within a well planned project. He stated that he thinks that we can see by the concept plan that they intend to do that. Next is to provide a comprehensive approach to utilities, roads, stormwater management, and landscaping. He explained that they will see during the charrette process that they have engaged outside professionals to help them as they approach the layout. Looking first at what is available to the Town in terms of access, utilities or road network and how to connect things. His first lean towards the roads, for instance, was to acquire Woodside Mobile Home Park. He added that he has that property now as the contract purchaser and they will be purchasing that property in 2008. It will give them the link that they need to Route 40. Next is to provide linkages and improvements where possible to adjoining streets and pedestrian systems. He stated that he feels that they have done as much as they can, given the geographic separation and the natural assets of the property, to create connections to the Town. When designing the concept plan he used the existing geometry of the Town's grid system for the angles of his roads. There was one building lot that he tried to purchase that now has a home on it on Aiken Avenue. That lot would not have been feasible for roadway access but good for pedestrian. Next, is to provide for design characteristics that promote integration of the development with downtown Perryville. He stated that this is kind of related to item 4, being able to walk somewhere if its reasonable weather is one thing, but being able to access downtown businesses that are here and vice versa is something that they are aiming to do in looking at transportation options for people that do not have cars or cannot drive. Therefore they have incorporated the transit center.

Mr. Hill stated that he would like to discuss the plan and the different districts that will be deemed when creating the project. The first section is considered to be their institutional district giving credence to the uses that are on that side of Coudon Boulevard with the middle school, Good Sheppard and the elementary school. The property there is approximately 5 acres, which some of it is buildable and they may be able to go through a permitting process to get more buildable, but at the end of the day it does not work because of the traffic flow. It is not a good property to develop for a commercial use. It is something that they felt could be used to improve public safety here in Perryville so they designated it as a police station, which could be used in combination with Cecil County if they are looking for a western Cecil County location. It is close to the highway, at the entrance to the schools and next to the library, which makes a lot of sense in their minds for a police station. Moving down on the same side of the road and thinking about buses, parents and children walking they kept residential uses off this side of the road. There is a school, which they intend to propose a K-8 school as a compliment to what is already there. They would like to see a charter school with a curriculum focused on environmental science given the proximity to the Chesapeake Bay and this which will become Mill Creek Park per the Town's Comprehensive Plan. He moved on to the next building, which would be a clock tower building. He would like to see it compliment the library. The library set the bar very high for them, which he is appreciative for and finds it to be a beautiful facility. Ms. Davis shared with him that in one month they had 600 people sign up for new library cards. The clock tower building here, that they would like to propose, could be used for government offices or a first floor YMCA.

Mr. Hill stated that some of the properties on the other side of Coudon they own and some they do not. Some of the property owners are here tonight. He stated that he has spoken to all of the property owners with the exception of Bob's III C's. When he designed the concept plan he designed it based on the existing property lines so that if for some reason they are not able to come to an agreement with a property owner they can eliminate their property from this plan, which would be reflected in the preliminary plan. At this point he does not know what is going to happen. Again, there are properties that they do not own nor will they ever. However, he needed to incorporate as much as they could in order to create the best possible project. He explained the peach area of the plan. These buildings are set up in close proximity to Coudon Boulevard. They are intended to be prominent and to act as a shield from the hundreds of trucks on Coudon Boulevard. It is a nice road but it is not a place where people are going to want to sit outside and have a cup of coffee as hundreds of trucks go by. He does not know what the truck count is now but he has noticed being out on the property that it has definitely increased. He explained that they are for professional office space or medical office space. He stated that he is courting some information technology companies. He pointed out a two story parking structure that is internal and is to have a landscaped roof, which is something that has been publicized recently. He stated that we may have read about what they are doing in Washington D.C. in terms of government mandates on green roof technology. There is no reason why they cannot apply the same thing to this project. It is more expensive of course but it makes for a better project in the end. Next will be a plaza. Imagine a plaza

on the third level, which is protected by the buildings. They intend to site a restaurant at the end of the plaza. He asked the Commission what they would like to see.

Mr. Heimberger replied something better than McDonald's at least.

Mr. Hill replied that it definitely will not be a McDonald's but he does not know what kind of restaurant it might be. That is part of what they want to hear from people in Perryville. For instance, a guy today at the Charlestown meeting said that he had never been to the Wellwood before but he thought they would have seafood there because it's Maryland and you are looking at the water. He reiterated that he does not know if it would be a national restaurant or a local restaurant.

Mr. Heimberger stated that his own personal opinion because he likes it is a Ruby Tuesdays or something like that because it caters to the family yet you have a nice bar. We do not have that type of thing here. The nearest restaurant of that type would probably be Elkton which is 15 miles.

Priscilla Turgon stated that the Gristmill is nice and it does cater to the family. She agrees that you have to see what the use is going to be and the economics before choosing a restaurant.

Mr. Hill replied that it would definitely be a family oriented restaurant. It would not be a throw down bar; it would be a family restaurant.

Mr. Heimberger stated that Mr. Hill really has little control over that at this point in terms of tenants. He asked if he would be searching for someone or if he is waiting for them to come to him.

Mr. Hill replied that first is employment. The housing, retail and everything else comes after that. The employer would say that our employees make this range of income and these are the type of things that they like to do. For example, if you have people who are in biotech like in Rockville it is totally different than if you go to Santa Cruz and you are in IT. It is dependent upon what the employers like and what the people here during the charrette process are going to tell us. They are open to all options.

Mr. Oberholtzer asked if this is going to be phased the way that he explained with the commercial first or if it will all be concurrent.

Mr. Hill replied that he does not know yet. He can tell us that he does have the interest of office and retail type tenants. He stated that during the design process there is a meeting just for prospective tenants. They have an optical center and a lasik surgery center that is interested in coming here they have sites in Elkton and Newark and it is a natural progression for them to come down here. He stated that the buildings that are in purple are to be designed as mixed use buildings, which some people refer to them as live over work space where you have retail on the first floor, office space on the second floor and the third floor would be loft style apartments. In terms of tenants there, it is something

that is unclear to them at this point. One of the biggest assets to the Town of Perryville is right across the street, the train station. That is one thing that they are pitching when they go out and talk to tenants is that if they can come here and maybe have a satellite office or a larger presence here they can be transported back and forth to the train station. Havre de Grace and Elkton do not have that yet. Within the past 6 months they have joined the Delmarva rail passenger organization and they are working with them to provide information about the rail and upgrades to the rail and how to make Perryville and the northeast more accessible to this location. The mixed use buildings give them the opportunity to offer something that is not currently here, which is small office space that is available to an area business. Say if it is an attorney or a sole practitioner they can buy that building, live there, maybe have retail and they rent the second floor for office.

Mr. Oberholtzer asked if they have an estimate as to how many residential lots would be involved with these retail buildings.

Mr. Hill replied 30.

Mr. Oberholtzer stated that is 30 in addition to the 30 apartments and the 60 mansion style apartments.

Mr. Hill responded that there is a total of 162 residential dwelling units on the property. The mixed use development ordinance calls for a base density of 2 dwelling units per gross tract area. They have between the mobile home park and what is known as the Goldberg property 83 acres. He sketched the plan, then counted the units and came up with 162 where 164 are permitted. He does not want to limit himself on any one thing and it is just ironic that it came out to that number.

Mr. Heimberger asked what it was before.

Ms. Turgon replied that she believes it was 120.

Mr. Hill replied that they had 121 townhouses in the previous plan.

Kyle Ulrich stated that he is not familiar with the local and state laws but he wanted to know what percent of those homes have to be section 8/low income.

Mr. Hill replied zero.

Mr. Ulrich stated that he was not sure if it was a mandate.

Mr. Hill replied that there is no federal mandate unless you seek government funding to build the project.

Mr. Ulrich asked if there is going to be government funding used to build on the property.

Mr. Hill replied that he does not know yet. He stated there could be but it is dependent on other things. He could work with Housing and Urban development for a financing package for a YMCA if he incorporates a housing component.

Mr. Ulrich stated that the reason that he asks is because he is not sure if he is familiar with Edgewood or Aberdeen, Maryland but those neighborhoods, he is sure, were well intended as he is sure his are but we have seen what has happened to them. They now have gangs, etc.

Mr. Hill asked why he thinks that is.

Mr. Ulrich replied that it is because it is low income housing.

Mr. Hill stated that it is because you have all the people in the same. They have no opportunity to aspire to anything else. Mr. Hill continued by stating that the property indicated in the aqua color they do not own. It totals about 9 acres and the uses are Bob's Seafood, Perryville Motel and Pure Indulgence Hair Salon. As everyone knows, the Colonial Honda building was recently demolished. He stated that he has spoken to Mr. Mackie and his partner and they are not interested in selling the property however they are willing to work with them to incorporate their property into the overall project. He moved on to the use of the big box on the plan. He stated that he does not know yet. It is not a grocery store, not a movie theatre or a Target. He does not know what it's going to be yet. It needs to be something that draws people to Perryville. It needs to be something that makes it a destination and a reason to come here because the small shop retail cannot be supported by what's here and with 200-300 people living on the property.

Ms. Turgon asked how big the proposed building site is.

Mr. Hill replied 60,000 square feet, two stories and the building has a footprint of 30,000 square feet. It has to be something that draws people here. He checked out a building in Frederick that was pretty neat. It is a furniture/anything he could find that was interesting store. It's a place where people go and find something that is unusual such as furnishings or houseware type stuff. There is nothing like that in this area unless you go to Elkton to Jaudelbaeur, which is a fine store but again it is 20 miles away. It has to be something that brings people to Perryville. Associated with that is another retail building which is about 10,000 square feet, which could be something along the lines of a Linens n' Things or a Staples. He pointed out the Ellersly Manor House, which is owned by the folks that own the Perryville Motel and is really the only piece of architecture on the property. It is an incredible structure with an 18 inch stone wall that separates the sections of the house, it has four staircases and 10 foot ceilings on the first and second floor. It is really a great building and he would like to see it restored to its original condition, placed on the national historic register and used as an information center for the project initially and ultimately as a meeting hall for area organizations.

Mr. Hill stated that the area indicated in orange on the plan is another big question mark. One of the things that western Cecil County does not have is a trauma center. He is

fortunate in that his project manager was a flight med and so he has really opened his eyes to the medical industry. Maryland State Police is in discussion with Jennifer Ewing of the hair studio, so they are already coming here. He would like to see that as a trauma center combined with some form of higher education. It is there preference to establish an emergency medical services training center. The EMS training center could be a place where fire companies, nursing, EMT's and others in the medical profession could go for continued education and different forms of training. It could also be available to the general public depending on the program. The concept is that they are close to the highway, it is a prominent building, it provides for something that is not here not only the trauma center but the education, it is a source of employment for people who are living within the project or in close proximity, and it is something that would be a compliment to the other uses in the project.

Mr. Hill pointed out another area on the plan, which he states is another question mark. It could be a conference center, which was something that was cited in the University of Maryland Study. He knows that the Principio Business Park is planning a conference center of a much greater scale. This conference center is about 18,000 square feet and would be something that could be used by office users. For instance, if you have a small business and you want to make a presentation it is very difficult to get people crammed into a small space and put up a projector. If they have a resource in the area whether they are teleconferencing with an office somewhere else or bringing in people for some sort of a training or making a presentation it would again be a community resource. Also, because you can't make it all just a conference center they would like to see it used as a movie theatre. It would not be a headline movie theatre but maybe a second run one where you could go and have a meal and watch a movie. There would be catering facilities as part of the conference center. Right now there are movie theatres in Friendship in Bel Air and Glasgow, Delaware. His father was very excited about a movie theatre and worked very hard to get one to operate here. However, the reality is that movie theatres are single use buildings. He knows one that he looked at a couple years ago and it has been dark now for nine years and it is just sitting there on the edge of the project. The rest of the shopping center is fine and thriving but the movie theatre did not make it. Eventually, the Developer will demolish it and put in something else. It is not something that you want to get stuck with here. Mr. Hill stated that these are the uses in what they consider their business/commerce district separated by a boulevard with buildings that would be relatively the same scale.

Ms. Turgon asked about the buildings shown in purple and how many proposed residences would be there.

Mr. Hill replied that there are three buildings each one would contain 8-10 units.

Ms. Turgon stated that this would bring the numbers up to 172 total.

Mr. Oberholtzer asked if the parking for that area is shown in green.

Mr. Hill asked if he was speaking of the plaza.

Mr. Oberholtzer replied yes.

Mr. Hill stated that they would park there and there would be bridges constructed on the second and third level.

Mr. Heimberger stated that he has done a great job on this. What he would really like to see is something that says "Perryville 3 miles" in between the signs on Route 40, which we do not have and we are the second largest town in Cecil County. However, the State did not see it fit to give us a sign that says "Perryville." This could do it for us. He appreciates the fact that he has left a lot of things open at this point. One of the things with a concept plan is that they give us their ideas and the Board gives them their ideas, but it is hard for them to do that at this point.

Ms. Turgon asked Mr. Hill what his plan is after they are done with this schedule (charrette), if they will go back to the drawing board with the input and redefine things or drill them down a little more.

Mr. Hill replied that this is the purpose of the community input. It is not always the case in this type of process that you start out with a concept plan. In this case he thought it was appropriate based on what he knows about the property and the area and what was identified by others. Again, he received the University of Maryland study, the comprehensive plan and input from Ms. Erickson and Chris Rogers in crafting this plan. Mr. Hill discussed the last section on the plan. He stated that they have cited a senior center. He understands that there is a small senior center here already, but seniors are often times displaced whether it is based on their income or their inability to be mobile. He feels that seniors need to be a part of this project because they are important people. They are people that can be available to watch a child for parents that are working. They are the people that sit at a coffee shop and tell you stories. He would like to see them incorporated in the project. The building would be a senior center with an activity center and daycare on the first floor and the second and third floor being apartments for seniors. Moving to the two smaller buildings to the east, one is a transit center. It's a simple building and a place where people who are working in those offices can be transported back and forth to the train station. As we all know the downtown is already taxed with parking issues. It is only going to increase. One of the employers that have been appointed to the project anticipates that over the next ten years they will have a projected 800 employees. He stated that he had a meeting with economic development and they said that Cecil County Economic Development really wants people to here in Perryville because it is closest to the Proving Ground but we have nothing to show them. There is a company that they are using now and they have 35 people living here now and they have a residency requirement of 300 people in order to meet the contractual obligations, which is a lot of people. They agreed especially when considering that they have to be here within six months. They said that the best stop that they have right now in Cecil County is the new library on Coudon Boulevard. There is going to be a lot of demand for people who work here. The transit center again is a means of giving people access to the train without necessarily having to drive a car or worry about parking. The other small building that is there they have cited as a newsstand. It could be a place where people go

and get a cup of coffee in the morning and a newspaper. It is another community resource and it is in close proximity to the offices and the residential uses. They cited the transit center next to the residential uses for obvious reasons so that people could walk down from their houses.

Mr. Hill explained the gold area along the boulevard. He stated that he has cited them as mansion style apartments. The planning and development ordinance calls for a maximum of ten dwelling units in garden type apartments. These would be 8-10 apartments constructed inside of what looks to be a 1920's style mansion house. It is something that will have prominent architecture along the boulevard and it will give people that are of lesser economic needs the sense of living in a beautiful place and a place that they can be proud of. It won't be a simple apartment building, it will add to the feel of the community. There are some very attractive homes along Aiken Avenue, on Main Street in Elkton and Union Avenue in Havre de Grace. That is the architecture that they are looking to borrow from, which is the vernacular of this region. The mansion style apartments and townhomes are serviced by rear alleys for service and parking. It is intentional because they want cars out of sight and off the street. They want pedestrians on the street in front of the houses. Facing the woods will be 26 townhouses, which is where they had townhouses previously. The building in green is again a question mark. It is largely dependent on the needs of the potential emergency medical services training center. It could be extended stay apartments for people looking for a furnished apartment coming in for a six month or one year assignment. Next is townhouses again but they will be of a different price point. He explained that they are also going to try to improve a trail system.

Doug Lloyd reviewed Chris Rogers comment letter to Denise Breder dated February 19, 2008.

General

- 1. The applicant should describe their planning approach and the upcoming planning process to the Planning Commission. The MUD approval process will be discussed in more detail with the Planning Commission.*

Mr. Llyod stated that Mr. Hill explained this a little bit earlier in his presentation. However, we probably need to discuss it further as this plan enhances in how it relates to the MUD regulations and the PUD processing requirements.

- 2. The Planning Commission should add any appropriate stakeholder for direct contact.*

Mr. Lloyd stated that he believes what Mr. Rogers had in mind was providing the names and contact information for all critical people who are going to be involved in this project.

- 3. The applicant should describe the ownership and/or contractual relationships they have with the owners of the various properties shown on the sketch plan.*

Mr. Lloyd stated that Mr. Hill has talked about what he owns and what he will never own and what he seeks to own. As the plan advances we will need a listing of parcel numbers, who owns them, the acreage, etc.

4. *Linkages should be stressed at all levels, including streets, trails and open space, as well as architectural appearance and scale appropriateness.*
5. *The applicant should describe how they plan to attract the public and semi-public uses to the project.*

Mr. Hill replied that the process is really the same as talking to an employer. They would tell them what they have to offer and ask if they are interested. In the case of the library, the library approached them. In the case of the police station there they have had limited conversations with the Cecil County Sheriff's Office.

Site Planning

1. *The proposed building at the north end of the site labeled as "Medical/Secondary Education" should be clarified with regard to how the two uses relate.*
2. *The YMCA and the Senior Center should be reviewed for opportunities to share facilities and be grouped together on one side of Coudon Boulevard.*
3. *The proposed Transit Center should be oriented to Coudon Boulevard for visibility and accessibility.*
4. *The proposed Pedestrian Path should be more fully developed on the Concept Plan and reoriented to the proposed Mill Creek Park side of the development in order to relate to and serve as part of the development and a proposed regional open space corridor. Bike facilities should be included and both should be linked to a Town bike/pedestrian system.*
5. *The large parking lot at the southern end of the site and labeled as "Common Areas, Boulevards, Parking, Plazas, and Public Space" should be centralized between two or more uses to take advantage of shared parking opportunities.*

Mr. Lloyd added that he believes in Mr. Hill's presentation he spoke of it as being more than just a parking lot.

Mr. Hill replied that the concept behind the parking lot was that when the library expands he does not believe they will have enough parking, soccer impacts the fields there and the number of people that utilize those facilities is only going to increase. It is not required for their contemplated uses, but he looked at it as a place where people can come and enter the park system, park there car there for the day go to the soccer game, shopping district and walk through the park, which is the reason for the large parking lot.

6. *Consider consolidation or reorientation of Public and Semi-Public uses in order to share common facilities, public spaces and parking. The uses suggested are:*
 - a. *Meeting Hall*
 - b. *Police*
 - c. *YMCA*
 - d. *Senior Center*
 - e. *School Sites*
7. *Visual coordination between different uses and phases need to be maintained, particularly with regard to architectural style and scale, landscaping and buffering, vehicular and pedestrian access, signage and the overall image of the project.*
8. *The Apartments colored green and adjacent to the Woodlands Boulevard circle are not included in the legend.*
9. *More detailed comments will be generated relative to utilities, access, sensitive areas, etc., as the plan proceeds through the various review stages.*

Mr. Heimberger asked for any questions or comments from the floor.

Al Sweetman asked what the regulations on open space are.

Mr. Hill replied that the maximum percentage of building coverage area is 35% in a Mixed Use Development. He explained that one of the things that he did when going through the concept plan was to build a model for evaluating that. He looked at the gross tract area, the footprints of the buildings and the ration because it was part of his thought process in approaching this. The plan that is front of them is a sketch but it is something that was based on the MUD ordinance and is something that could be approved as designed.

Matt Roth, 437 Sumpter Drive, stated that Mr. Hill mentioned the mansion apartments and he was wondering since they are somewhat connected to the Woodlands Farm if they are going to be modeled after the mansion house.

Mr. Hill replied that it is actually part of the architectural kit that they have prepared in advance to the charrette. It is definitely something that they want to use, not duplicate what is already there but design it to compliment what is there. For instance and he knows it is not in Perryville but the Principio Iron Master's house is a great building. He explained that there is only six of them so it is not going to be a long line of them.

Mr. Roth stated that he does not want to speak for everybody but in Perryville he thinks that we have relatively few things to hang onto and Principio is in his mind Perryville anyway.

Mr. Heimberger stated that it is also one of the concerns of the Board and rest assured that we see that things like that are upheld. One of the problems that we have is that when we try to find some type of an architectural means of having everything look alike there are so many things in here that it is impossible to do it. So what we are trying to do is trying to get things to meet.

Jill Sherrard, 1104 Cedar Corner Road, asked if the conference centers and community centers will be for the residents of Perryville or if it will be just for residents of this development.

Mr. Hill replied that the uses that are proposed are for the general public.

Ms. Sherrard stated that they are covering a lot of bases here, which is nice that they are trying to include everybody but it seems really big. What she is worried about is that she lives across the street and the traffic is going to be very negative on the already existing houses and infrastructure. She stated that she lives behind the Food Lion and she knows with that it totally changed her water and it is completely messed up now. She added that she has called the Town several times and nothing has been done. She is worried about the negative impact that this could bring to the existing citizens in regards to traffic and infrastructure. Maybe if they cut it in half because a lot of bases are covered. Like the Senior Center, we already have one.

Mr. Hill replied that it is kind of like a recipe. There are certain parts of the recipe that work but don't taste too good, but if you have all of the ingredients that you need, which is what he has tried to do here then it could work really well. In regards to the size of the project, they are taking what was 70 acres and adding 20 acres to it. He will grant them that the acreage that they are adding is more buildable than what they had before, there is 36 acres buildable. However, they are attempting to add properties that are enjoying highway frontage and adding different access points. They have tried to create something that will minimize the impact to what is already there in terms of the infrastructure and the roadway infrastructure with things like the transit center, which is a bus that will transport a dozen people to the train station and not 12 cars trying to make a left onto Coudon to get to the train station. It's not to say that there will not be additional traffic because there will be. This type of growth pressure is something that is commonplace in a lot of small towns. This project is designed to a scale of what he feels is already here, which is important so that it does not look like an after thought to the Town. It is to be an extension of the Town. He stated that he can appreciate her concern to the amount of growth, but he can say that change will occur in this area and this is Perryville's opportunity to participate in how the change will occur, which is what is behind the charrette. This is merely a starting point. The other thing is that this is not going to happen over night. This is going to happen over a period of five to seven years.

Mr. Heimberger stated that he believes that this plan looks like it would have less traffic than the previous one because they have more open space here than they did on the other plan.

Mr. Hill replied yes and no. The idea here is that if you live someplace that is very attractive, which is what they are trying to create here, people are more respectful. When you go to communities like these you see that people are in a different mindset. They are not in as big of a hurry to get from point A to point B because it is interesting to look around.

Mr. Fortner stated that it would not necessarily generate less traffic but there is more connectivity. With all of the other plans that we have looked at all of the traffic is kind of shoved onto Coudon Boulevard and out to Route 40. Whereas, this one you have different uses and different exits where it is not all going to go out to Route 40.

Mr. Oberholtzer stated that one of his concerns is that there seems to be a lot of impervious space here. He asked if they have done any sort of calculation as to what the amount of impervious space is versus the pervious space.

Mr. Hill replied that they have and one of things that he did not mention was that the parking will be constructed using overhead parking structures that are actually green roof sections over the parking bays. It is something that is being used now in Washington, D.C. It is something that is excellent for water quality and diminishes the storage volume because of flow rates. You can check out greenroofplants.com, they are located in Jarrettsville, Maryland and they are to be their vendor for this project.

Mr. Oberholtzer clarified that most of the large parking areas will be constructed in that manner.

Mr. Hill replied that they would be covered. He pointed out the interior parking structure. He stated that it is a two story parking structure with a landscaped plaza on the roof.

Mr. Oberholtzer stated that his other concern is the proposed environmental science school. He asked if there has been any contact with the Board of Education or whoever would be overseeing that to see if it is feasible and if not what other potential uses that may be.

Mr. Hill replied not yet. First this comes to the Town. What does the Town want to see? They prepare a concept plan and if the Town says that they do not want a school then he won't go to the School Board. If they do bless a school there because it's logical and makes sense for bus traffic and the number of people that are going to ultimately move to Cecil County then he will go to the School Board. He's in the same process in Harford County. The school operator of this type operates 52 schools in the United States and they operate it like a business.

Mr. Oberholtzer asked if it would be a private school.

Mr. Hill replied no. It's a charter school. Charter meaning that it is a public facility highly financed. That means that they will pay to build the structure and when the students show up then the County will pay them.

Mr. Oberholtzer asked who it would be open to.

Mr. Hill replied that it would be open to anyone in the County. It could also be used in conjunction with the three adjacent schools. For instance, if it's an opportunity for a curriculum that is not offered at the public schools like Homeland Security training or Environmental Science training then it is something that given the proximity is feasible. It's also logical to say that the people that are already in the school district here are the people that would attend.

Mr. Oberholtzer stated that he may be mistaken but he thinks that a lot of the students at the middle school are from other areas of the County and are bused in.

Mr. Hill replied that this is correct.

Mr. Oberholtzer stated that he is concerned about the availability of the students in this area.

Mr. Hill asked if he thinks that there are not going to be enough students.

Mr. Oberholtzer replied no that maybe there will be too many and there would not be enough availability.

Mr. Hill stated that in Harford County you cannot build anywhere except in Edgewood because people are scared to live there because they are all the same people, which is why he is planning a school there. It is a current need. You bring in a current solution and a private investment. There are certain steps beyond the Town of Perryville, a process that you need to complete in order to make the school happen. The first step in the process is to define the land uses here and then they can move to the next step.

Barbara Brown stated that she is speaking as a citizen not as a Commissioner. She stated that she has seen and heard this presentation three times and she is having some difficulties. The purpose of the charrette that they are organizing is for the purpose of the community and others to give them input as to what the Town wants. She stated that she has sat here this evening and watched Mr. Hill point to all these different colors and the things that he has defined but she also heard him say that he does not know what this and that are going to be. She has already had a number of citizens come to her and tell her what they want and she has not heard one thing in that regard. She is hoping that citizens will attend these meetings and will tell them what they want in their Town. She stated that she is going to give him some suggestions: a hardware store. We have to go to Aberdeen. Another suggestion is a post office. She knows that everyone gets heartburn over it because they don't want to take the post office out of here, which is fine if you don't have to go to it but if you do have to go there it is terrible. She thinks that Coudon

Boulevard is a perfect access point and is the center of Town. She feels it is something that needs to be looked at. She stated that those are some of the suggestions that she personally would like people to bring to the table. She stated that Mr. Hill pointed out a lot of things here but there are a lot of things that we that live here would rather have.

Ms. Turgon added that he is doing that. That is what the plan is. She thinks that it is really admirable to come out to the community.

Ms. Brown stated that her concern is that she hopes that the residents don't just sit back. They need to come out and let everyone know what they want.

Kyle Ulrich asked if there is anything being done to let citizens know like a flyer or newsletter because he knows that people do not always read the Town newsletter.

Mr. Heimberger replied that the newsletter is the only real way that we can get to the public. It would be nice to have a global e-mail address but that is impossible.

Ms. Brown asked Mr. Hill if he is planning on putting it in the newspaper.

Mr. Hill stated that they do have a press release that will go out this week not just to the paper here but regionally. He added that they have also applied for a sign permit to erect signs on their property, Mr. McFaden's property and RKS has agreed to allow them to use their sign. With permission from the Town they will be posting notices about the charrette hopefully by the end of this week. He stated that they have had 80 people sign up on the website for notifications. They will be using the internet to communicate not just for the charrette but for information about the project generally. Additionally, they have addressed letters to each member on the Board and about 125 other people for invitation to the breakout meetings. Those are some of the things that they are doing to communicate the opportunity behind the charrette. He knows from experience that the people that are there are the property owner, a couple of people from the government and people who do not want the development. You do not get positive input from people. This is the Town's opportunity to participate in creating something that helps people and the Town of Perryville. It's a neat little town. It has assets and potential.

Mr. Heimberger asked when the next newsletter is going out.

Ms. Erickson stated that she believes it is going out in the next week. She knows that they are trying to finalize it right now. She added that she is not sure if she could get something in there.

Mr. Heimberger stated that it would be nice to have something in there and have something on the front of it that says "extremely important information, please read."

Ms. Erickson stated that she can check into it.

Ms. Turgon asked if they have flyers.

Mr. Hill stated that they do not but he is willing to make them up.

Ms. Turgon stated that she is willing to take some and put them out around the condos.

Mr. Heimberger stated that they can put them at businesses too.

Mr. Oberholtzer suggested the marquis sign by the church.

Mr. Ulrich stated that he does not work for Mr. Hill, but he has sent out 150 emails to friends, residents, ex-residents and business owners to get people to get on this website and to tell them to join us at the charrette. He stated that on their part, Mr. Hill can do whatever he wants to but the fact is that most citizens have the feeling of "why would I, my opinion is not going to matter one bit." But this is an opportunity for us all to get everybody involved and at least give our opinion. He feels that it is more on their side as citizens to get everybody involved. They are not going to follow Mr. Hill because they do not know him. They are going to follow their friends and family members to go ahead and participate in this.

Mr. Heimberger stated that he had a lady tell him once that this Board has a lot of power and we can make things happen but we need to know what it is you want to happen. He stated to Mr. Hill that if he sees that they get some flyers then they will see that they get out.

Mr. Ulrich stated that this could be considered our new town center.

Mr. Heimberger stated that if you are familiar with North East you go up there and that is North East. Unfortunately, we do not have that here. This could be the beginning of it. It is a great little town and we wish we could do that here and we are trying but it is one step at a time.

Ms. Brown added that she thinks that it is an opportunity to eventually make this the town center because for years and years and years it has always been down here and there is a lot going on down here. It is going to happen and it will be totally different from what is happening there (Coudon Boulevard). Her feeling is that a town center is totally surrounded by other businesses or maybe larger businesses. She wants to see businesses down here but she wants them to compliment the people who live here.

MOTION was made by Evelyn Hansen and seconded by Commissioner Hansen to adjourn the meeting at 8:30pm. **All in Favor: Motion Carried.**

Respectfully Submitted,

Heather Erickson
Planning & Zoning Coordinator