

**Planning & Zoning  
Meeting Minutes  
September 20, 2010**

**ATTENDANCE:** Michelle Linkey, Michael Fortner, Ray Ryan, Matt Roath, Town Planner Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

**Meeting called to order at 6:35 p.m.**

**APPROVAL OF MINUTES**

- A. July 19, 2010 Planning & Zoning Meeting.
- B. August 16, 2010 Planning & Zoning Meeting.

Approval of minutes put on hold until next meeting due to quorum not present.

**New Business**

**CP2010-01** – Concept Plan Garrett Point; APPLICANT: Home Partnership of Cecil County, Inc., Conifer Realty LLC, 626 Towne Center Drive, Suite 205, Joppatown, MD 21085; PROPERTY OWNER: Farmers & Merchants Bank, 15226 Hanover Pike, Upperco, MD 21155; LOCATION: Charles Street/Richmond Street, Perryville, MD; Tax Map 800, Parcels 634, 696, 805, 732; Zoned R-1, R-3; 10.34 acres.

Mr. Fortner indicated first we'll have a presentation from the developer, point of fact questions but not any kind of questions that would lead to discussion or debate, presentation from Staff, more point of fact kind of questions and then we'll open it up to the public. After that we'll have a full discussion.

Mr. Pat Wagner, with Conifer Realty, stated we are a Rochester New York based firm with a local office in Columbia, Maryland. We're here as a co-developer with Home Partnership, and Frank Hodgetts is here representing them. They are based in Harford County. And also Doug Kopeck from C.N.A. which is a civil engineering firm. I think I should mention that Conifer has two projects under construction at the current time and over ten developments in the State of Maryland. We have quite a bit of experience here in the State of Maryland and one of the projects under construction right now is actually just a few miles from here in Northeast called North Creek Run and there's a lot of similarities to the development we are contemplating for this particular site. The other one is in Cambridge. It is a time of economic difficulty but we have projects under construction in two different places and we continue to seek new developments. Mr. Hodgetts is a co-developer in another development in Cecil County, Cedar Hill, which is also in the Town of Northeast. It is important to note that Mr. Kopeck has a long history with the site for Garrett Point which used to be referred to as the Richmond Hills site. It was previously approved for a development that included townhouses and single family

homes but because of the economy the developer never went forward with the development. Mr. Kopeck has a good eight, ten years of experience with that particular site and so is very well versed with all of the requirements. So what we're proposing is ultimately a joint development that includes both new construction of sixty two units, all multi-family for working families, and the renovation of forty eight adjacent units in the Richmond Hill Manor development. We are presently in the process of gaining site control of both sites and I want to emphasize that we do not at the current time have final site control of the site we're here to talk about but from our standpoint it is very important to us to get before the Town early on in the process to get feedback. So that's why we're here with the concept sketch plan phase to present what our ideas are for this site we'd like to propose so that we can get feedback before we get too far into the process. We expect to have site control very shortly for both the vacant land which is just a little under ten acres and then the forty eight unit Richmond Hill Manor apartment complex which is adjacent to the property. The existing units, the existing forty eight units, we anticipate acquiring and substantially renovating so that they will be integrated in appearance and upgraded with the new development. We also plan on creating a connection between Mansion Drive and the new road which will be accessed from Charles Street. So that will create better circulation within that neighborhood and give residents two different options for entering and exiting the community and hopefully keep the traffic down at any one point. We prefer not to put all the traffic at one particular point because that can lead to backups. The total new construction portion of this site we're proposing sixty two units, of which sixteen would be one bedroom, thirty three would be two bedroom, and thirteen would be three bedroom. Of the apartment units, half will be one bedroom and half will be two bedrooms. The remaining units are split between two bedroom and three bedroom townhouse units, either one or two story. I believe you received in your packet some information about what the proposed design looks like. That is actually the development plan for the units that we are building in Northeast right now. It's not the final elevations necessarily, as we go through the process we will refine them in collaboration with the Town. But we wanted to give you a flavor of the type of development and what it might look like. We plan on having a community building at the entrance of this site for a couple of reasons. One, we wanted to make sure that whatever was out on Charles Street which is primarily consisting of single family homes, single story, we wanted a building that was compatible with other houses along the street. So a single story community building looks very much architecturally like the existing homes up and down the street. Adjacent to that we plan on having a large open space recreation area that would have playground equipment for generally two different ages of children and then some open space where kids can play. Our visions for the site would be a space that not only the residents of our community could utilize but also kids who live in that neighborhood could also have a place to go and play. We don't see it as being a larger draw beyond the neighborhood but certainly it would be an open space where kids within the community in the immediate neighborhood can take full advantage of. Going southbound on the new entry road, we would start with the townhouse units which have on the ends generally a one story unit then two story units in the middle and once again to try and make the transition between the single story units that are along Charles Street and the apartment buildings that are actually further down so you can see the transition from the one and two story

townhouses and then a two story apartment building at the back of the site. The apartment buildings are all eight units each. They are smaller in size than the existing apartment building and they have the appearance of large single family homes. It's very similar to a prototype that we are building in Northeast. The overall density of the site of sixty two units is significantly less than the density at either of the existing multi-family developments that are nearby. Richmond Hills Manor right next door is roughly seventeen units per acre. The Richmond Hills Senior is a little less dense, it's twelve units per acre. By contrast our development is proposed at approximately six units per acre. So because of the townhouses and the small apartments it's significantly less dense than some of the other apartments in the neighborhood and the intent is really to create a housing type that blends well within the existing community. We present two different scenarios in terms of parking, one of which, Plan A would be a variance on what the Perryville parking requirement is but would be based on what we believe the demand for parking would be among our residents based on typical development, and it's also consistent with what Cecil County requirements are. Plan B is a version of the plan, the same layout, but it shows the full number of parking spaces that are required by the Town of Perryville. Obviously we come prepared to produce a development that meets in every regard what Perryville requirements are however what we wanted to illustrate here is some of the advantages of a scenario that still has quite a bit of parking spaces but not a whole lot of excess parking spaces, above and beyond what the residents would use. And typically in most of our developments we rarely have a demand for more than two parking spaces per unit even when you consider visitor parking. So the Perryville requirement comes in at about two point six spaces per unit whereas the Cecil County code requires closer to two point one per unit and also varies based on the one bedroom units. I talked to the property manager of Richmond Hills Manor next door and what she reports is all forty eight residents have at least one car and about twenty five percent of them have two. So that is well below two per unit and there should be plenty of ample parking already available at the existing development so that once we integrate the two, we might be able to take advantage of those surplus parking spaces as well and gives us a little more flexibility. We wanted to show the Town both scenarios so it doesn't really change the density overall, but what it does it changes the amount of impervious surface which increases our stormwater management requirements and it also creates a little less design flexibility and a little bit more asphalt. As you can see in the alternate plan, this is the plan (A) with fewer parking spaces and we created a round-about at the end of this street which is a nice feature similar to at the senior development and it's an open space that could be used by the residents.

Question was asked what the difference is between the two scenarios in total number of parking spaces provided. Plan B provides one hundred seventy which is the full amount required by the Town of Perryville and Plan A has one hundred thirty seven spaces based on the requirements of Cecil County.

Mr. Wagner continued the housing will all be rental. It will be geared towards working families. We know that this is an important time for creating housing for working families with BRAC relocation that is underway and with the new casino. There seems to be a real strong need for housing for people who work in retail, who work in schools,

police officers, government officials, etc. and what you would find if you would look at the demographics for the existing Richmond Hills Manor is a wide range of incomes and some very high incomes actually represented there. That's what we're anticipating here is really primarily focus on housing that is designed to be affordable to people who are working families. And some of which would go at slightly lower rents for people whose incomes might be a little bit lower and some would go at market rents, whatever the market will bear, and our anticipation would be over a thousand dollars a month, maybe as high as twelve hundred dollars a month. It really depends on what the market is at the time. So it really is not intended to be low income housing. It is intended to be geared towards people, working families, who either can't afford to buy a home or maybe just don't have a down payment together, or maybe new to the area but hope over time to be able to buy a home. Those are the basic facts that we wanted to explore with that and unless I've missed something important, I'd like to open it up for any questions.

Discussion continued regarding the development as rental only and managed by the development. The homes will not be sold individually and there will be no set-asides for Section 8, although one or two residents might have a section 8 voucher.

Mr. Wagner indicated Conifer Realty, in conjunction with Homes Partnership, will not only be developing the property but we intend to be the long term owners of the property and also property managers. And one of the greatest strengths about Conifer is our ability to properly manage developments. It's in our best interests to manage them well because frankly we plan to own them for long term so if they would run down then our investment runs down, whereas if they get better year after year our investment improves. So there is a very strong incentive to make good choices in terms of resident selection. We'll be doing a very thorough screening of all residents with background checks for all residents making sure, landlord checks, making sure they will be good residents and also that they will pay the rent in a timely fashion and then maintaining that development once people are in place to make sure that if there are any issues we deal with them proactively and aggressively so that the development becomes an asset to the surrounding community and not anything that people would be concerned about. From what I understand from the existing property manager, Richmond Hills Manor right now it is a very stable community. I don't believe that there have been any police reports or any serious incidents, and like I said the incomes are fairly high for the people who live there. I said the biggest issue right now with Richmond Hills Manor is just the way it looks. It's definitely in need of a major overhaul in terms of its appearance and that's what we plan to give it.

Ms. Linkey questioned you said Conifer maintains the apartments, of the ones that you have built and managed, what's the percentage that you continue to manage.

Mr. Wagner replied one hundred percent. We would not have anybody else manage our developments. That is true for other developers but most of our portfolio in property management is the property we still own.

Ms. Linkey continued but I mean you don't sell them off, you said when you start with something that it stays with you.

Mr. Wagner responded yes we do and we've also set up the townhouses to be subdivideable so that in the future we could sell those as townhouses at some future point. But that would be way down the road.

Ms. Linkey commented now adding sixty two units to that particular development, you realize there is only one way in and one way out of it as far as from Franklin Street. I live there and getting in and out of there is sometimes extremely atrocious to do that. Those are some very serious issues and I know that our community with the last developer we had quite a few people here about that. It is my understanding that SHA is not going to allow a light there and there's no way you can get it to connect.

Mr. Fortner commented that is a good comment but that's more discussion oriented so I'd like to turn it over to staff for comments.

Ms. Skilling responded they are good questions and we are trying to address them and that will have to be addressed. I'll go through some of the things as I reviewed this and looked back on some of these things that were discussed previously. One of the biggest things in the new procedures that the County is requiring that a plan at concept, once the Planning Commission would agree with the general concept, it has to go to the Cecil County DPW to look at for stormwater management and the main reason being that under the new stormwater regulations all these bio-retention areas and the credits and however you're going to get the credits to do the stormwater can vary within the development and things may have to be rearranged so that Cecil County DPW didn't want to have a project get so far along that in fact you may have to consider where roads are going to go or houses, so once the Planning Commission decides whatever their recommendations are here it still would have to go to Cecil County DPW and may come back to us in another form. So I just wanted to bring that to your attention. After this meeting and if we decide the Planning Commission wants to, whatever your decision is, the plan would have to be submitted by the developer to Cecil County DPW, this is my recommendation because this is a new process. But anything that you send to Cecil County DPW which would be this concept plan that it goes with a transmittal and that transmittal also gets sent to the Town so we know where things are going and that you have in fact made that submission, understanding that you do not own the property yet, I'm not sure you'd want to go to that until ownership is gotten. And also if you are considering the additional other parcel that is being added to this you may want to consider waiting for that.

#### *GARRETT POINT CONCEPT PLAN REVIEW*

##### ***Procedural/Administrative***

*Stormwater Management: The project is proposing various stormwater management (SWM) facilities for credits to meet the new regulations. Based on new procedures proposed by Cecil County DPW, any concept approval would be conditioned on Cecil County DPW review and approval for stormwater.*

*Therefore, the final design of this project may change to accommodate stormwater facilities, including the possibility of reduced impervious surfaces.*

*If the Planning Commission approves the basic Concept Plan, the developer must submit the Concept Plan to the following with a transmittal letter attached noting all departments to which copies were sent:*

- *Cecil County Department of Public Works*
- *Cecil County Health Department*
- *Cecil Soil Conservation District*
- *Perryville Planning Department*

### ***Planning Review***

*1. Property fronting Charles Street is zoned R-1 – remaining property zoned R-3. R-3 Zoning is primarily for multi-family dwellings and supporting uses at a higher density. A variety of housing types mixes including single-family, two-family, duplexes, townhouses, and apartments are encouraged in order to provide for a mix in housing prices, household size, age groups, and lifestyles. The proposed development provides for townhouses and apartment clusters. Architectural designs for both types were included.*

Ms. Skilling commented I can tell you I have seen a very similar design in Northeast. Actually what I have seen is a triplex that have a larger amount of units. They actually look like single family homes and they are rather tasteful looking. These are very similar to that and they do look more home like than just garden type apartments.

- 2. Per Section 205 Building requirements and relationship:*
- *f(4) No townhouse structures shall be closer than twenty feet to any interior drive or closer than fifteen feet to any off-street parking area.*
  - *(10) The front and rear facades of dwelling units in a townhouse shall be varied by changed yards of not less than three feet and variation in materials or design so that no more than three abutting units will have the same front yard depth and the same or essentially the same architectural treatment of facades and rooflines.*
  - *A minimum of twenty percent of the site shall be maintained in common open space areas exclusive of front, side, or rear yards in a location approved by the Planning Commission.*
- 3. Per Section 205.3 – Apartments and other multi-family development residential units shall be permitted in the R-3 with conditions. As a condition, the minimum of 30% of the total tract area shall be maintained as open area. Of the above 30%, 25% of the open area should be suitable for usable recreational space. This is particularly important due to the lack of recreational space in this area of the Town and the number of dwelling unit.*

Ms. Skilling indicated with apartments and multi-family dwellings you have a lot of

potential for young people and open space is really at a premium. In this area there are no parks except for at the high school. So we need to look at that for the people who are going to be here and the families who are going to be in this area. There is a lot of open space in the plan and also will be used for stormwater management. You have a combination to work in that open space for recreation as well as stormwater management. This is why we are getting into this situation where layout of a plan now is going to be so crucial in making that relationship between open space that are being required as well as stormwater management. And the recreational use of that open space because now it's also going to be used for stormwater management and various innovative bio-retention areas. So this issue of lack of recreational space in this whole region north of the Town, is concern for open space and presumably the open space or any recreational areas provided we'll talk about a little further. The development probably would cover that under a homeowners association.

4. *Per Section 238 – In general the dimensional requirements for apartments and townhouses are being met. Due to open space and stormwater requirements (to be determined), changes may be required.*

5. *Per Section 239 – Neighborhood Parks Required*  
*The plan proposes .31 acres (13,505 s.f.) for neighborhood parks. It is recommended that the rate of .015 acre per dwelling unit be used due to the number of units and potential for school aged children in the community. Section 240 and 241 should be used as guidance to determine the type of facilities appropriate for the development and ownership.*

6. *Article XVI Parking: Due to the number of units it is recommended that the Town's parking standard are met as proposed on Concept Plan B.*

Ms. Skilling continued I understand the County has a lesser amount of parking required but it appears to me in the Town and in this area there's not any way we can share parking except with the adjoining development and that could still be a consideration but I believe when you have townhouses that have two and three there is always more than one (car), usually we see two and three cars. You can go through Town right now and we have two and three cars pulling up on the grass. I don't think we want to see that, nor do you, in the area. I think we should stick with that unless we can justify shared parking with the adjoining and I would only recommend that if you reduce in the apartments where you have the one and two bedroom units, but not the townhouses.

7. *Article IX Zoning Districts:*  
*Part V Critical Area: The property is designated Intensely Developed Area (IDA). An environmental assessment must be submitted for the area within the Critical Area. The criteria set forth in conjunction with the Critical Area require that any development within the IDA be accompanied by practices to reduce water quality impacts associated with stormwater runoff that reduce pollutant loads from a development site to a level at least 10% below the load generated by*

*the same site prior to development. The worksheets demonstrating this reduction must be submitted for that portion of the project in the Critical Area.*

Ms. Skilling stated there was Growth Allocation that was given by way of a process for growth allocation to the Town for this area. I did check with the County and the County still considers it assigned to this property and it was designated as I.D.A. (Intensely Developed Area) so it is still designated IDA. It is forested area in the back so it would have to meet the criteria of the IDA which also would require an environmental assessment under the Critical Area Regulations and again the ten percent reduction in the calculations which is a requirement of critical areas for stormwater.

8. *The Garrett Point project proposes to connect to Mansion Drive as an alternative ingress and egress to the site.*

Ms. Skilling indicated this is a positive because there is two ways in and out of this site. That was a recommendation actually in the previous project that that would be a possibility if we could get through that area as a connection.

9. *The applicant should address the ability of Charles Street to accommodate traffic from the proposed development.*

10. *The internal roads should be consistent with the Cecil County road Code.*

11. *The preliminary plat should clearly indicate the entire road sections proposed for the development. Sidewalks should be provided along both sides of the internal road as well as street trees.*

12. *If open space is not dedicated to the Town, a homeowners' association should be formed for maintenance of these areas.*

13. *The use of the proposed community building should be clarified.*

Ms. Skilling commented I don't know whether that building would be just for the development. The Planning Commission might want to know whether it would be a community building for that whole area or is it proposed for just this new development.

Mr. Wagner indicated we are flexible with that to the extent that if there is demand within the community for that space we can certainly make it available.

Ms. Skilling stated we do have areas that definitely have the need. Community buildings are nice but I know this is a pretty large development too that probably we could use that site but it might be possibilities of use. I don't know if the Planning Commission feels strongly on that or not but at least there is the possibility there.

14. *A Traffic Impact Study and/or Traffic Signal Warrant Analysis for MD 222 and Franklin Street should be provided.*



Ms. Skilling continued we know there are concerns with Route 222 and 40, 222 at I-95 and this site, a signal at Franklin Street at one time was determined by State Highways not needed. But things have changed. It's been a long time since the previous study so I think for clarity and so that we know whether State Highways would consider a signal at that site because I know they are getting ready to do some planning along MD 222 and 40. So now is a good time to address that with State Highways.

*15. The Concept Plan should be submitted to Cecil County Technical Advisory Committee (TAC) prior to Preliminary Site Plan review.*

*Recommendation: Approval with conditions:*

- *Approval conditioned on meeting current stormwater regulations from Cecil County Department of Public Works prior to proceeding with the Preliminary Site Plan.*
- *Provide Traffic Impact Study and/or Signal Warrant Analysis for MD 222 and Franklin Street.*

Mr. Fortner asked any questions for Ms. Skilling. Is there anyone from the public? We'll move right on to discussion.

Ms. Linkey commented we discussed the traffic, the development that is there, there is already some drainage and stormwater issues related to the existing development, not the apartments, Richmond Hills, but the development that it would connect to. That is a major issue and I just have a concern for the amount of units in this area just because of the traffic situation. You're talking of adding probably close to a hundred additional vehicles going through there with the townhouses, the apartments. You'll have couples, single parents, teenagers, so you're looking at adding quite a number to what is already there. We already have drainage issues. I just really have a lot of concern about this particular development.

Mr. Wagner responded we are concerned with that as well and we will definitely be contracting with a traffic consultant. We've already talked to the traffic consultant that has done previous work within the County, within the Town, as recently as earlier this year regarding that very intersection so we've got some very good up-to-date data on the current status of that intersection and other proposals that could potentially impact that intersection and improvements that are contemplated as part of this other development. We will work with our consultant to make sure that our development, our new units don't unduly burden an already burdened traffic intersection. Just to give you a sense of the additional traffic and again it's all based on traffic study rules of thumb and how they access it but for the sixty two units, they estimated that roughly, between a morning peak hour trip that is generally between seven and nine, they estimated only an additional thirty five trips during that morning peak hour and then the p.m., the four to six, they estimated about fifty two trips some of which would be inbound, half or about thirty four inbound and half outbound. Their conclusion was, and this is very preliminary before we've done the full study, but they didn't think it would have a huge impact on that but

it's important for us to look at that particularly in light of all the other things going on. And so we absolutely want to make sure that we do everything that we can to minimize the impact on this existing community and make sure that the plans are in place for improvements to that intersection so that traffic flows smoothly. And the other thing we try to do is we always encourage mass transit to the greatest extent possible incorporating bus stops or promoting bus or shuttle bus use as part of our development plan and building shelters in some cases. I know that's not as big an issue in Perryville as it might be elsewhere but anything that we can do to encourage people to take shuttle buses or transit of any kind we try to encourage.

Ms. Linkey responded and the other thing about the trip counts, fifty two trips, I rarely let my son go out now to ride his bike because there's no sidewalks in the adjoining neighborhood. I don't let my child going out there up and down the road. I don't let him out there at all. The peak times for riding his bike would be at the same times as additional traffic. The amount of units is just extremely distressing to me.

Mr. Roath commented I appreciate the amount per acre and realize it's a concept plan but the amount of homes that are being proposed is the part that is hard to swallow.

Mr. Wagner replied it's pretty important for us as developers and in order to be successful we have to please our residents. They have to have places for those kids to go. The fewer places for kids to go, the more trouble kids get into. We always encourage active recreation in every one of our developments and that's why we're really focused on creating this amenity (community building) right here. Most people in that (existing) neighborhood have a back yard and a front yard that they can play in and that's the size of three whole lots essentially, three whole single family home lots that can be used for recreation and putting play structures there for kids to play on and putting fencing up to keep them out of the road and just having some basic unprogrammed open space where they can just run around, to us is extremely important in any development. So you will see the townhouses also have back yard area and also small pockets of open space throughout the development but having one consolidated large space where kids can go is critically important for us and that's something that was one of our primary goals as part of this site plan was to create that kind of a space.

Mr. Roath stated thinking about my personal experiences with the open space in that particular area, kids walking to middle school, playing in the fields and to go to school and its obvious there is going to be more traffic there which adds another safety issue with crossing Route 40. You also have to consider the back entrance with that unused railway that leads down into Town all of which adds to safety concerns as well for our children for the simple fact there is no supervision back there on that railroad. So the open space in that situation for your development would be extremely important in that aspect as well.

Mr. Wagner commented that's one of the reasons why we like to get before local boards early on in the process so they can identify what issues that we, not being from here, might not contemplate. So learning from you and thinking about the railroad and what

we can do to secure that area, looking at how kids are getting to and from school and making sure they have a good route to get there, those are definitely things we want to address as we move through the design process.

It was questioned whether this development is in the Highway Corridor Overlay district, which it is not.

Mr. Ryan indicated I just want to go over a little bit more to reiterate with Ms. Linkey the traffic as the main concern. I don't even know if there is any way to get through at the old car dealer place but to actually try to find a second way in and out of there besides Franklin Street to help ease some of that congestion, again I don't even know if that's even possible. Another thing too, what kind of use do you see with that community center and I'll give you an example, up at the community center at Concord on Mill Creek Lane looked at putting a little computer room and things like that in there for kids to keep them busy. Do you see something like that coming or is it an open general forum, meeting room or banquet room.

Mr. Wagner responded that footprint there is actually from a building that has been fully designed and is what we're building at North Creek in Northeast and what it includes is a large meeting area with fireplace, kitchen, a place where people can gather and have meetings and just do whatever, it's a nice flexible space. But it also has our property management offices, laundry facilities for those who don't have washers and dryers, a computer room and a fitness room. We've got exercise bikes, treadmills, and elliptical equipment in the fitness center and we have several computers set up with internet in the computer room. We also have high speed internet that we provide to all of our residents as part of the program to make sure that everybody has access to the internet.

Mr. Roath indicated you also said it would be open to the entire development regardless of whether it is your building or the existing.

Mr. Wagner replied it is something that we can make that available in a variety of different ways to the larger community. They might not have quite the same access that a resident would have but they would certainly have the ability to use it. And the same goes for the programs that we run out of the community space. We try and set up community programs for our residents, for example we have after school programs in virtually all of our developments where kids can go there after school, have a homework club, have something to do after school, and that is something that we could easily open up to the larger neighborhood if there are kids in a situation where they don't have anything to do right after school we could certainly incorporate them into the program.

Discussion continued regarding active programs already in place within the Town by the local Police Department and the YMCA for future contact by the developer.

Mr. Wagner indicated we hold a joint venture with the Boys and Girls Club in Cecil County and would love to talk to them or the YMCA. They have great programs and if we could integrate that at our site we'd want to talk to them.

Mr. Roath stated I have one more question, you are part of our Chamber of Commerce but I'm a little confused as to your role in this situation. I was under the impression that your job is more of a seeking-to-find working class home buyers and how to assist in ownership or to move towards ownership. Is there a process set up with you to counsel these folks since you say this is going to be owned strictly by the company itself, is there a process that you are setting up, I guess I'm a little confused in that.

Mr. Frank Hodgetts with Home Partnership responded we have been working for awhile with figuring out ways to help people at this level to actually get to the point to where they can actually own homes. So we see our role not only as a co-owner and co-developer, but we're best at it and because we've been in this community for fifteen years what we try to do is we see rental as a stop over if you will, you can get them to home ownership and that program becomes sort of a feeder into our home buying education and counseling, and also with some of our financing programs, to help people purchase homes. We know that we have set up a number of programs in Cecil County to help. At this point we've helped about sixteen families purchase homes in partnership with Cecil County Office of Housing as well as with the U.S.D.A. so we see this as an outgrowth of home ownership and it's a way to reach down and start to teach people the benefits of owning a home, building equity, putting down roots in a community and building from that. The other thing is we have a good follow-up program whereby if you buy a house through one of our programs we stay with you for five years. Being the co-owner and the co-developer of this we stay with people longer and that is our hope. That's what we're going to try to do. We're doing that up in Northeast.

Discussion continued about the location of the project under construction in Northeast at Cedar Hill, and the help to be provided to renters in the area.

Mr. Fortner commented back to the traffic, I have concerns as well about the traffic at 222, Franklin Street, and Charles Street. I was just out there today and if you're going in one direction and a car is coming in the other direction you have to try to negotiate over for that car to pass. It's a very minimal street. That's not your fault but unfortunately that development was built like that and hopefully we're working on plans for more connectivity in sidewalks and things like that and we'll have to look into that as the neighborhood develops. On workforce housing I think it's really refreshing that you are doing workforce housing. What I think is good about this project is that it is managed as one big property as opposed to a lot of town homes where a single landlord buys a townhouse and they rent it and you don't know their professionalism and they rent it and don't maintain the property. Here we have a little more assurance that it's going to be maintained well because they're going to maintain the whole property sort of like a condo development. They're investing in it and they will want to keep it up. That's encouraging in terms of how this will be managed. I also like the looks of the units, particularly the apartment building and how it looks like a single family home. I've seen designs that look even better and even more disguised than that, I think that's a good idea to do that. Some design recommendations, I would look into a design that has more of a neighborhood feel. First of all the round-about on Plan A I don't see as very valuable. A

round-about should be about coordinating traffic and traffic calming and this seems to be in the corner so I don't see the purpose in that. And also in terms of the parking I'm more in support of the reduction in parking spaces, but I would like to see more that you hide the parking. Put it behind the units doing like they do off of Roundhouse Drive where you have a single shared driveway and you can have the parking in the back. That allows you to keep sort of a neighborhood design in the rest of the development where you have a sidewalk, dual front doors with a sidewalk leading to a sidewalk and there's no traffic coming out of it, so it's all condensed into certain driveways that are used by multiple residents so all five town homes would have their one or two entrances, they could park in behind and you would have a pretty development. Right in front of this development is this big mass of asphalt and you're going to have cars parked there and it takes away from the neighborhood effect. It makes it look like a big shopping center type of thing. You should go for more of a neighborhood effect and do that by hiding the parking as much as you can behind the units so that when people park there would be an entrance back there.

Discussion continued about local town homes developments.

Mr. Fortner indicated just a basic design where you have townhomes close to the street and then people park in the back, it hides the parking and eliminates the need for big expanses of cement. Sidewalks are very important to make that walker friendly. A recent development we reviewed had a central park area where they had a little community center as well and the park is centralized around the neighborhood, and the neighborhood is built around the park. I think that is a good design. Here you have a more scattered shot all over. You might be able to get a better impact if you find a way to consolidate the parks, have the housing in their places, and then have like a consolidated park where you could do a lot of things, do some good design and maybe in this case where you have a lot of single family homes around it maybe you want a park where the park space is creating a buffer between the homes and the single family houses around it might be a better use than my idea. I like the idea of having a centralized park with houses built around it but maybe in this case you would have lesser problems by creating a buffer with the park.

Ms. Skilling indicated we are working closely with the transit in the Town for transit options and a lot of people we have found want to use the train especially in these kinds of units. We are working with the County, as well as the Town, working on some kind of transportation system within the Town so it would be very nice to have some area where you do have some building or some place where you have a bus stop in this area since there is a lot of people here to congregate. We could use that as another area where we could plan to have bus service in this area because that is becoming very important now in this area. I would like to see something here so we can accommodate a lot of the people because we have a lot of people in this area.

Discussion continued regarding bus service in the area. Charles Street and Franklin Street are narrow streets but buses do go through the area. It would be good to plan a bus stop somewhere on Charles Street. Possibility a shuttle type bus would be able to

meauver through the neighborhood better. The Town is working on a transit study to be able to accommodate the residential areas and what type of buses may be necessary to transport people to and from facilities.

Discussion continued regarding how far the development is from the old Honda dealership at the corner of Route 222 and Route 40.

Ms. Skilling stated that is another issue. Right now they are officially planning Route 40 and what is going to happen in that area. The Honda dealership has the site at the corner there and there are real concerns because of what State Highways is going to require on all four corners. There is a strip of land there as you are heading south on 222 when you get to 40 on the right, and I don't know for sure but I have seen recent plans where potentially that whole area may be consumed by State Highway. They are looking to acquire that area for potentially some road improvements there. SHA had asked if the Town would consider extending that (Aiken Avenue Extended) street so there would be egress and ingress but it really was to whatever potential business would be on that corner. There are a lot of issues with access at that corner. There was consideration to close one of the entrances. There are a lot of issues right now on that and what is actually going to be planned and what's going to be done but there are definitely some issues underway with a study to what is being planned for that whole intersection as well as with 222 and I-95. I think Route 40 is pretty much key in the plan right now.

Discussion continued about the intersection and large amount of car and foot traffic. Foot traffic is especially dangerous, with residents coming from Town walking to the local businesses. Some of the recommendations for businesses were to provide sidewalks for foot traffic but there are concerns with that area. Children are not allowed to walk across Route 40 to the schools because there are no crossing guards there so bus service is provided. The previous study was maybe from 2004 or 2005, and there is more traffic now from the shopping center. Time has changed and other things are going to be happening in the area but 222 and 40 is a real problem and has pretty much put the Town at a standstill in many ways.

Mr. Wagner responded we'll certainly take a look at that as part of our ongoing planning of the development. I get involved with the development layout and it takes almost twice as much road surface in a new development and you end up in certain places where we don't have a lot of space it's very hard to do and what we tried to do here is with the town houses to put alleys behind both rows of townhouses would literally double the road surface so that becomes a little difficult to serve the townhomes any other way or if we can with the apartment buildings, orient the apartment buildings closer up and have the parking pushed back a little bit.

Mr. Kopeck commented I was at the planning commission in Cecil County today for a project I'm working on for a few years called the Old Point Marina and one of the things that we are dealing with on that project is something that you folks are going to have to deal with regarding projects coming up and that is stormwater management water quality issues. A lot of the things that we suggest here are great ideas from a planning standpoint

but they're all adding impervious surfaces which is something the new MDE regulations are trying to reduce. I don't know how much you've looked into the new regulations, because it is somewhat new. The project that I referred to earlier was one of the projects that kind of got caught, it was in design, it was in the process and then the new regs came out and because of the new regulations which is causing, not necessarily difficulties but a whole new thought process from the County DPW, developers, and the planners standpoint. Double loaded sidewalks, sidewalks are great, but they add impervious surfaces so in some instances they just have one sidewalk, if at all. They are leaning toward open section roadways instead of closed section roadways, private roads as opposed to public roads, reducing road right-of-ways, reducing road sections so that we could add grass swales and ways to treat water within the road right-of-way. All these to be considered on sites like this. It can be done, it's just that a different thought process from all of us have to be aware of in the planning not only of this but any future jobs. Any of those alleyways and all those things are going to add to the impervious surface calculations which are going to cause conflicts all the way through the project.

Mr. Fortner responded so does the number of your units. You could reduce the number of units and do that as well.

Mr. Kopeck replied yes and then you've got to be aware of, I'm not speaking for the developer now but there is a breakeven point where you start reducing the number of units then the things we've been talking about in terms of amenities and improvements and everything else, it can't work, and in this economy, I don't know what the breakeven point is.

Ms. Skilling commented this Planning Commission is not new to the new regulations. We're dealing with Woodlands which is really very much into the new regulations and they have achieved a lot of the things that you're talking about in a dense area by coming up with innovative and creative things that are being used for experimental purposes as well. And yes, we are reducing our ability in the Town taking over areas, taking just the drive lanes and other things so we've had to deal with this quite often now with Woodlands. The Planning Commission has approved some rubber sidewalks, rain tanks as the main source of collecting subsurface, so we do have those things and we understand that and we're struggling with it. There are a lot of bio-retention areas at the casino so we're familiar with it. We understand that but it's achievable. But it is difficult and I understand it costs a lot of money to do these things in stormwater and the engineering to do it as well but I think from the standpoint of the Town we're looking at density, all the other amenities that we need in a Town we have to get some of these things because sidewalks are real important and we need to have the connectivity to get people moving about and we want parks so sidewalks are important. So we're hoping that you can design something, I know you've come up with some, the density yes is probably concern but there is a lot of open space here too. So if we can work to get some of these things more agreeable with the Town and to see if you can even get to the stormwater process. We know that is going to be an issue. And that's why Cecil County is pushing to make sure they see this at conceptual so that this may have to come back to us if it's totally changed or some other consideration.

Mr. Wagner commented I just want to say that one of the reasons we have these discussions early on is to consider the implications of stormwater management. Although I will say we have not done any design of stormwater management facility. We've been mindful of the requirements as it pertains to the layout with the hope of minimizing any necessary changes as we go through the design process we'll incorporate that and hopefully it won't necessitate a huge change or unanticipated issue.

Discussion continued about other properties in the area that could possibly be incorporated into the project. Green building techniques, LEED certification, and other energy savings was discussed and these elements are incorporated in every single development, with a very high level of energy efficiency. In New Jersey, the senior buildings have solar panels. The development plan includes rehabilitation of the existing apartment buildings, both interior and exterior, to be integrated as much as possible in terms of the aesthetics, incorporation of similar materials, colors and even design elements. The goal is to make them look like they were built with the rest of the project so when you drive in people won't get the impression that they're going to two different sites. The existing apartments are in good shape and very nicely laid out with fireplaces, which you rarely see in an apartment.

Motion was made by Mr. Ryan to approve the concept plan conditioned upon Ms. Skilling's comments, meeting current stormwater regulations from Cecil County DPW and provide a Traffic Impact Study and/or Signal Warrant Analysis for MD 222 and Franklin Street prior to proceeding with the Preliminary Site Plan.

Mr. Fortner asked is there a second to the motion. No second. What are our options?

Ms. Skilling indicated you can send it without a recommendation and they will have to come back once they get stormwater. They do not need a recommendation but Planning and Zoning has to approve the concept at least generally, to give guidance to a developer on some idea of a concept. And it is my feeling that when I read the regulations for the Planning and Zoning role in this whole process that to send a plan, a concept plan, to Cecil County DPW really circumvents Planning and Zoning authority. So my recommendation is that we need to act somehow. Now if you want to say that you want to send it on to Cecil County DPW, that you generally agree or not agree, or you want to send it to see what DPW and you also want to wait to see what the Traffic Impact Study says, you can do that. But I think as a Planning Commission it really undermines your authority to send something to Cecil County DPW or anyone in Cecil County without this Planning board making some decision on a concept plan.

Mr. Fortner commented but when we put conditions like the stormwater regulations or the traffic impact study, we don't have the results on that so we can't evaluate the results of that.

Ms. Skilling replied well you can put in there that you have to evaluate the results from that to make a decision.



Mr. Fortner asked they would have to come back with a concept plan with those results.

Ms. Skilling indicated before they can move to preliminary because they're going to need to know. And they going to get comments from TAC before moving forward with the preliminary. If you want to see it again, either in this form or when they get stormwater regulations to make some modifications based on some of your recommendations.

Mr. Wagner stated to add one thing about having the approval as put forth is it says to us that obviously there is concern that a formal traffic study be recognized. We plan to address that as we go through the process. That is not a problem but the concern is with not having approval of the concept and then having to move forward to get a good bit of engineering both for the traffic study and stormwater management we could get to the end of that and still end up even if they come out well. From our standpoint getting something back from the Planning board to generally support this concept but we have these concerns to us is critical as opposed to having to get these studies done before we can even get concept.

Mr. Fortner commented I agree with you there but the thing I don't like necessarily of the concept plan, I don't like layout. I think it needs to have more of a neighborhood design rather than a big apartment complex design. And so I'm not really satisfied with that. My recommendation would be that maybe you can come back with a neighborhood oriented design and then we could review that but there is still the traffic impact report. That will take a while.

Ms. Skilling indicated we're not going to get it right away and I would imagine it would take a little while although a lot of the data is already out there and I'm sure they could get the traffic impact study done fairly quickly because the data is there. The signal warrant may be a little difficult to get that. For the design, again if they redesign I think they're going to run into some of the issues that they're talking about: impervious surface, if they do some compact moving of buildings they could do that but again we've got the parking issue and the impervious surface requirements that's going to be a real issue. And that's something we maybe need to talk about in relation to stormwater management. How we're going to deal with that because if we do the movement of some of these buildings in more of a compact design with a park in the center you have the parking around it, it's going to take up more space. And that along with sidewalks, which we know we want, that's a given. So it's up to you. Do you think we need to have a design, maybe a discussion and come back with some design that you think is more compatible for residential or do you think we should send this on to Cecil County DPW. I think maybe the motion should be here does everyone think this needs to be redesigned. I like the idea of the community design and whether we can achieve it under the new stormwater regs is a question.

Mr. Ryan responded my motion died for lack of a second but I have to be honest, I like the plan. And I'm new to this board and I don't have all the ins and outs but the idea of the transition they're showing from the single family homes that are there now and

listening to what Ms. Skilling is saying about the possible major issues with the ability to do stormwater management, don't get me wrong, I like the neighborhood idea however I don't know if that is a possibility that will function in this particular land space and all that.

Mr. Roath commented I have a very hard time supporting it when the very obvious downfall is the traffic. It's no way to get around it. There's a significant traffic issue there now and as great as I think the actual design and your ideas are I just have a hard time giving support to it when I know there is an existing problem, not only a gigantic legitimate logistical issue but I know the people in that development who will voice much more loudly my concerns about that. I don't know how we give a vote to it when that's kind of just a promise.

Ms. Linkey reiterated I'm concerned with the number of units that you have. I agree as far as a more neighborhood plan but again I just have lots of concerns.

Ms. Skilling commented if you think that it should be redesigned in a more neighborhood environment, if that's how you believe that we should look at this in a redesign, then that's something the Planning Commission can say. Again that's something you can make a recommendation that they need to redesign this and meet the standard more oriented toward the community that you're looking for. But we'll never be sure until this is to Cecil County DPW for stormwater for the impervious surfaces. And you will never know until we get a traffic impact, we do have results from others, we know it is a failing system, so it's still all up in the air. The number of units are allowed for the community that we have here. The condition should be only apartments because that's the one condition in this R-3 that is stated in our Zoning Ordinance. So there are things here that are allowed, that if you don't like the design then maybe that's something that you need to say needs to be looked at.

Mr. Wagner indicated we've spent a lot of time looking at the site for various different alternatives and we've benefited from having not one but two or three different previous versions of site plans and there are two constraints that we face in looking at a site like this. We didn't spend a lot of time going through that but I think it bears a brief discussion. This right here is R-1 zone so that can't have apartments and that's one thing. This is the R-3 zone, and this is the Critical area. Our goal was to stay as far away from that as we could, while not staying entirely out of it, so once you factor in the critical area and the odd layout there is a very narrow area where you can put a road. None of the other developments that we've looked at made this connection here (at Mansion Drive). But that is something that we felt was critically important in order for circulation. We did not feel having all sixty two units coming out to one point without any other way of getting in or out was a good idea.

Ms. Linkey stated but there is only one way in at Franklin Street.

Mr. Wagner responded and in the context of the larger community and we'll look at that and make sure that there is an appropriate way of getting in and out of the development

and it may be beyond the capability of our development to correct an issue that's already there, but we can certainly coordinate with the planning. We can look at what other improvements are already on the drawing board for that area which I understand that part of the approval with one of the other developments that there is already is an enhancement at the intersection that we're talking about at least that's what the traffic planner told us. Regarding the round-about design, we put that there for a couple of reasons. If you go over to the neighborhood, we wanted basically a neighborhood plan compatible with the current neighborhood. Not a neighborhood plan that's appropriate for somewhere else. I'm a huge advocate of putting the parking in the back as much as possible that really complies with a neighborhood grid that you'd see more in a city and less in this particular neighborhood. The existing development pattern doesn't have outlets and so all the other houses have parking in the front or a garage. So because it was a combination of the existing fabric of the community, the way the whole neighborhood is laid out, we wouldn't be able to connect our alleys with anything else because there are no other alleys to connect with. The parking in front, just for the townhouses in that narrow area really became a necessary evil. There is not a whole lot of other alternatives that we can do about it however there are ways that we can litigate up here if we put these buildings on the street with the parking behind and we would do the same here if we could but we have a critical area there so there's just very little room to maneuver there. We put this round-about in because right next door there is a senior development called Richmond Hills Elderly which at the very end of it has a round-about exactly like that. And if you go down and take a look at it, it has benches and huge mature trees, it has grass, it is a very pleasant amenity for that site which is passive recreation, you're not going to play in it but it certainly is a place where residents can sit and certainly a place where you can have a neighborhood party, a street party.

Mr. Fortner commented all traffic roundabouts have a use. It guides traffic, and is traffic calming, and this is so far away you don't have any traffic calming effect out of it, so you really don't need it. You need it more up in the front if you were to have one, I'm not saying you need it to guide traffic, it's an alternative to like a crosswalk.

Discussion continued regarding traffic through the development and accessibility for emergency vehicles.

Mr. Roath stated I don't think we have any problems with the actual aesthetics of the actual buildings although the layout could be changed, but a redesign may not be cost effective. The end point is the intersection, that's my one sticking point. Again I have a very hard time supporting any type of building whether it's three luxury homes in that area but the fact is I think they have a problem with that intersection as it is right now. That's what I get stuck on. Your reputation and everything is very professional and it seems like it's something that can fit and I also enjoy the fact that the long term investment that your company is looking to make in our community, I like that very much. But personally it just keeps on coming back to that intersection, the fact that Route 40 and that intersection right there just is completely unsettling. To have other ways of getting into your specific development is great but it doesn't change the fact that you have this one entrance and one exit to the entire community which is already

inundated at certain times. And that's really what it comes down to I have a hard time getting used to support for the entire thing because of that one individual issue. Not because of your concept plan, not because of the aesthetics, not because of the new development, but for that one simple specific reason and because most of the people I talk to that live in that development are always yelling and screaming at me before I got on this board to make improvements.

Mr. Wagner replied I understand completely and our goal is the same goal of any of the other developments that are before your Planning Commission, every single one of the developments will put more traffic at that intersection, every single one of them. So what do you do? Do you not approve them, no, you place conditions on them that help utilize that new development on the issues that they're not really creating, the issues are already there, that's what we would like to do through our traffic study is to look at what the issues are, look at what can be done at that main intersection, and at the other intersection and figure out what things are already in the works and then after all this is done what's the situation going to be because we don't want to put people there who are constantly going to sit in traffic the second they get out of their neighborhood. Nobody wants that.

Mr. Fortner asked Ms. Skilling, your main objection to the concept plan is the traffic. You are concerned about traffic, should our action be to approve the recommendation on conditions like you wrote here.

Ms. Skilling responded if traffic is your main issue, get the information back so we can make a judgment on whether major things are going to have to be done here or whether in fact this, just like everything else that's going on here, we may not be able to move this project forward until some of these other things are taken care of. I think the thing is if you generally agree with the concept that the Planning Commission would like to see a Traffic Impact Study and a Signal Warrant Analysis done prior to the Planning Commission moving forward with this plan. They have to come back with the study so the Planning Commission can at least analyze the study and come up with some kind of decision on whether that will warrant the number of units to be able to even move forward because I don't know what State Highways are going to say. If it's going to be something that is going to cause a problem out there on 222 and just like some of the other projects we have in Town and before this project could even be moved forward. We're in the situation now.

Mr. Fortner stated so you are recommending to not recommend it if your issue is traffic and that is your primary concern. If you generally like the concept in terms of the apartments and the way they are laid out and the whole idea but you don't want to move forward because you don't know about the traffic and how that's going to impact.

Ms. Skilling responded if you move forward from here they could, once Cecil County DPW reviews it, then they could move forward with preliminary. You could say it needs to come back to you but they don't want to have to pay the money and I understand to do a plan for stormwater management because that's going to be a costly issue. And that's some of the concerns and dilemma we're getting into. If you generally approve the plan

and your main issue at this point is the traffic impact we should probably get the study before we move forward and they spend the money for any kind of stormwater management. Otherwise it's unfair for them to pay that kind of money to do stormwater management. They don't own the property yet so it will give time to get a study back to us and potentially if they can get it back to us by the next Planning Commission meeting. Basically it would be tabling, or recommendation that you do those two studies in order for you to move forward, the traffic impact study and the signal warrant study.

Mr. Ryan asked am I not understanding this that if we recommend that as well as stormwater management that in a month they bring back a traffic impact and signal warrant and we work on that, or consider that, but we still haven't recommended the total thing. Then in another month they may decide to go ahead and spend the money on stormwater management so they don't have to bring it all back to us at one time.

Ms. Skilling responded what they will do is bring back to the Planning Commission the study if you can get it done within the next month's meeting. It will come back to you to look at it and decide whether you can even move forward with this project if SHA is going to put a lot of conditions potentially on that intersection. If they're saying that certain things need to happen at that intersection, or not, depending on what they say, the Planning Commission can say ok we have the data, and at that point if you feel like you can move forward with this plan or in fact there is a substantial things that have to be done at that intersection which could be that a signal is going to be warranted, if that's the case SHA isn't going to put it up. So until we get that study we won't know that. So they will come back at the next meeting and this concept plan would be still under your review to see whether you can move forward with it.

Mr. Ryan commented they'll come back with a traffic study and then we'll look at it and say ok, now you've done that, go get your stormwater management. If we would recommend both of those conditions on the concept plan, it's up to them how fast they do one or the other in their own order but we will not even think about approving this in whole until those two things are back. Stormwater management is something that they have to submit at concept but basically they're not going to move forward with this concept plan until we get some resolution to them that we agree and approve this, the Planning Commission approves this concept. And right now it appears that the approval is in question because of traffic impact study and the signal warrant study that the Planning Commission would like to see first.

Mr. Roath asked do we need to make a motion to reserve approval until we see the traffic impact study and signal warrant study.

Ms. Skilling responded or you just table it and when you get the study back next month.

Discussion continued about tabling approval pending studies are received and reviewed, increased traffic concerns, problems with poor stormwater management in the existing development. New development would have to retain all stormwater management on

their site. It could be that some of what is proposed here may address some of the current issues.

Ms. Skilling indicated sidewalks should be included in any redesign, both sides of the street is questionable, but it is recommended that sidewalks be provided on both sides. Street trees are recommended and islands in the parking areas and the number of parking spaces. And they'll get to that when they get to the Ordinance because they'll have to go through those stages some of which I've mentioned here. And that really goes on to the final design. Other things for them to move forward are the number of units, the size of the units, streets, sidewalks, all that has to factor into their analysis of how you do stormwater, what are the credits you can get from impervious surface. That's why I'm encouraging, or at least looking at this as conceptual point so we can determine what they need to do to move on because it's no sense in sending this to Cecil County DPW if no one is agreeable to the design. But the traffic impact study will at least give you some information to determine what needs or may need to be done at 222 and Franklin.

Mr. Fortner tabled the concept plan pending more information is received regarding the traffic impact study and signal warrant study.

**Motion** was made by Ms. Linkey and seconded by Mr. Ryan to adjourn the meeting at 8:30 p.m. **All in Favor. Motion Passed.**

Respectfully Submitted,

Dianna M. Battaglia  
Planning & Zoning Coordinator