

**Planning & Zoning  
Meeting Minutes  
March 21, 2011**

**ATTENDANCE:** Michael Fortner, Pete Reich, George Jack, Matt Oberholtzer, Michelle Linkey, Priscilla Turgon, Ray Ryan, Town Planner Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

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

**APPROVAL OF MINUTES:**

**MOTION** was made by Ms. Linkey and seconded by Mr. Jack to approve the February 22, 2011 Planning and Zoning Meeting minutes as written. 2 abstained: Mr. Ryan and Ms. Turgon not in attendance. (Mr. Oberholtzer arrived after approval). **Four in Favor. Motion Passed.**

**OLD BUSINESS:**

**SUP2010-02** – Neff Subdivision Preliminary/Final Plan; APPLICANT & PROPERTY OWNER: David Neff, P.O. Box 765, Perryville, MD 21903; LOCATION: 618 Broad Street, Perryville, MD; Tax Map 801, Parcel 245; Zoned TC (Town Center); 1.432 acres.

Mr. Brad Fox from McCrone stated I am representing Mr. Neff regarding subdivision of his land around the existing post office building. Subdividing out the front portion around the post office and the rest of the lot in the back per his original agreement with the Post Office. That's why it's a little strangely shaped. We basically added on information to make it official. There is no new construction. There is a cross access easement out here to allow for access basically to both areas. Other than that it's just the subdivision line, everything is existing.

Ms. Skilling indicated just to further expound on what you just said, that cross easement, we recommended that because it's an adjoining access there and we want to make sure there is access to both parcels. Because it's only twenty five feet on the subdivision, it's an awkward parcel in the way it's being subdivided here but it was based on an agreement that Mr. Neff has with the post office. We need a copy of that agreement with the post office because that is the intent of this subdivision. It is in Town Center so we can make sure some of the standards for subdivision are a little more flexible and of course the Town always wanted the post office to be in Town. I think there is a ten year lease on it, is that correct Mr. Neff.

Mr. Neff responded a total of ten years, renewable after the first five, for another five. Actually it has already been approved.

Ms. Skilling commented so according to Mr. Neff that agreement the U.S. Postal Service is requesting they have an official subdivision of the parcel as per that agreement and that's why these line segments are close to that agreement. Mr. Fox has the agreement (four copies were given to Ms. Skilling). This is the agreement that Mr. Neff has with the Postal Service that started this whole process. All it really says in here is the metes and bounds. This is an Addendum to the agreement. Mr. Neff, this is just the legal description, there is not any official agreement like your agreement with the Postal Service on this because this is just giving me the legal description which is basically what is here.

Mr. Neff replied it speaks to the subdivision plan, that's the required metes and bounds off of the lease so that you can see that the metes and bounds on the drawing match the metes and bounds that the lease requires.

Ms. Skilling questioned this is an Addendum to the original agreement.

Mr. Neff responded that's what they sent me, that's all I can tell you.

Ms. Skilling stated this is just an Addendum from the U.S. Postal Service with the metes and bounds that apparently correspond to whatever agreement they have and it's literally just a description of the area that is on this subdivision.

Mr. Oberholtzer asked is that the easement agreement.

Ms. Skilling replied its part of Mr. Neff's lease agreement with the U.S. Postal Service, that's all this is. He leases this area to the U.S. Postal Service and apparently the Postal Service is asking for a subdivision with the metes and bounds stated on here.

Mr. Reich commented it was mentioned in your note to us that the Town hasn't received the easement agreement from Mr. Neff yet.

Mr. Neff indicated there is no easement, there is a lease, the only thing that actually pertains to the land itself is what Ms. Skilling has there.

Mr. Reich stated I thought we said last time we needed some kind of easement agreement because of the road going past that part of that property.

Mr. Neff replied they really do not lease the road going in to my shop area in the back. That is just something I have let them use for their convenience. Their right of way is on the other side of the post office but it makes the mail trucks have to come in, back up to the loading ramp and just makes more confusion. So years ago I said why don't you just come in the driveway, unload the mail on the other side, then drive on. But there is no easement at all.

Ms. Skilling clarified there is no easement between Mr. Neff and the Postal Service except for this easement which has to be recorded on this plat because we defined cross

easement. McCrone will have to do that written description to define this easement, this cross easement, and it will be recorded at the time of the subdivision. It has to be recorded as part of this subdivision.

Ms. Linkey asked you have to get that ahead of time.

Ms. Skilling replied before they can record anything that has to be given to us for that easement and we have to review it to make sure our attorney agrees with the easement as it is on the subdivision and once we get that then we can sign off on this. Now Mr. Neff is asking tonight for Preliminary/Final because basically there is nothing that's going to change here except I have to get that cross easement written or defined to me so we can get it approved by our attorney. But there is no need for this to come back again, I just need to get that information.

**Motion** made by Mr. Oberholtzer and seconded by Ms. Turgon to approve the Preliminary Plan, conditioned upon review of cross easement agreement and addendum to lease agreement by Town Staff.

**Motion** amended by Mr. Reich to approve the plan as a Final Plan. **All in Favor.**  
**Motion Passed.**

## **NEW BUSINESS:**

### **Review of Garrett Point charrette held on March 16, 2011**

Ms. Linkey stated I attended the charrette for Garrett Point last week. There were about fifty people in attendance from the community. It was brought up that it would be subsidized and they did talk about restricted verses unrestricted units, but I didn't feel they were really as up front as they could have been with that. I don't know if you know this but the remodel for Richmond Hills, the existing apartments, and the new Garrett Point, there are going to be two separate funding sources because of what's going on with Richmond Hills. I don't think they could qualify because the income is above the restricted amounts that the income would be. One of the things they were asked was if there were real background checks and they really didn't answer that so well but they did say there would be no felony convictions allowed to apply. They said they didn't see there was any problem with adding a new bus stop, there were issues about current school bus stops and parents waiting for their kids but I don't know if they have actually talked to the schools. For the most part the community's biggest issue was the traffic. And one person said it really well: if you have a five gallon bucket it doesn't matter if its one drop or fifteen drops, if it's filled to capacity it's going to spill. They felt the traffic impact study should have had the peak hours adjusted. Someone was concerned about the wildlife that is there and talked about how he had invested in that. Citizens also wanted to know how they would get construction equipment in and out, where would it be stored, would it be gated, how would they turn around, who would be responsible for any road damage during that construction and they answered that it would be gated and they have

methods of doing that. A citizen asked what the benefits were to the existing neighborhood and they responded it would provide housing for the elderly and affordable housing for single parents and the disabled, increase tax base, rehab the existing apartments, water and sewer hookups, and they did say they would give Twenty Thousand Dollars to the existing neighborhood for needed improvements. They were concerned where the water and sewer would be hooked up because apparently there are issues with low water pressure on Charles Street during peak hours. There were also concerns because there would only be two parking spots per unit. Some other concerns that were brought up for the neighborhood not necessarily relating to the specific development was maybe speed bumps, more lighting, increased police presence, clearing the bushes beside the Walgreens at 222 to open up for vehicular sight. I also talked to the Mayor and Ms. Breder and there are other people looking into maybe having a three way stop between Richmond and Franklin, that perhaps that might slow some people down.

Mr. Reich stated they don't stop at Aiken Extended so why would you think they would stop there.

Ms. Linkey responded I do realize that but I do stop and I think the majority stop. Are there other people who are going to run those stop signs, absolutely, but I thought it would be a fairly easy fix to put up two stop signs and maybe it would slow some people down, at least it would be better than nothing at all. So we're looking at that. I just wanted to give you a brief review of what happened at the charrette.

Ms. Skilling indicated just to let you know we do have a tape of the charrette if anyone wants to look at it, we do have a copy of it. They did video the meeting and we do have it available if anyone is interested.

Ms. Linkey stated I can forward my email that I sent to Mayor and Commissioners about this if you would like, but that's pretty much what we thought we would hear.

Mr. Reich commented my wife was there and so was one of our neighbors, and I had a long discussion with him and he was not happy. He thought they weren't straight forward and one of the guys was defensive from the beginning and got upset and mad.

Ms. Skilling indicated I think at the beginning there were a lot of tempers on both sides but I think everybody got a chance to say what they wanted to say and there were discussions back and forth. There were people from the other communities there, people from the senior as well as the other apartments. There were some people there who were vocal about it being a positive for workforce housing, and one, the concern of hers was being a single mother and not having a place to live, which is a typical comment from a lot of people who are looking for rental units.

Ms. Linkey responded and I'm not disagreeing with that, but again there are so many other issues. And the other thing is they keep talking about BRAC but a lot of the BRAC people wouldn't qualify for that because of their income level.

Mr. Reich stated my wife made a comment to me this morning when we read that in the paper, the people who are being moved down here for BRAC won't have a problem, guaranteed. They won't even come close to being eligible for that.

Discussion continued about the income levels for the various units for a wide range of salary incomes. Some of the units will be unrestricted, but the restricted units will be adjusted for a wide range of income levels.

Mr. Reich asked Ms. Skilling someone was supposed to present what we discussed in the last meeting at the Mayor and Commissioners work session, was that done.

Ms. Linkey responded I did.

Mr. Jack stated my concern is still about the old community and how this impacts the old community and will we do anything to ease that impact before we allow them to move forward. We're talking about water and sewer already being brought up, lighting being brought up, and I'm sure sidewalks are going to be another issue that will be brought up, and if we're not even considering any of that...

Ms. Skilling interrupted sidewalks was brought up and a lot of those people don't want sidewalks on their property.

Mr. Jack commented and that is why if we can conform to that, if that's what they want, but how do we know we're not impacting that other community when this comes in.

Ms. Skilling stated from my perspective the impacts that I see mostly in the community that is already existing is traffic, the main impact is traffic. This community could provide sidewalks for an area to walk because it will provide sidewalks all through this new community and actually connect to all the other communities because they're putting that street all the way through. So there will be a lot more area to walk where they don't have any now.

Mr. Reich indicated there is no place for children ages ten to fifteen to play outside activities in that community, nowhere, so there is another impact.

Ms. Turgon asked how does it impact them.

Mr. Reich responded the impact to the community is where do these ten to fifteen year old kids who live in the community, what are they going to do. They don't have anywhere.

Ms. Skilling stated I did hear from other people there and a lot of their issues and a lot of their problems or concerns are with taking away that piece of property because people did use it for their four-wheelers, and their parking of cars, and that was their recreation area. That was their recreation area but from the Town's perspective that is an infill lot. Do we turn everything down for the possibility? Are we only going to do parkland? So if that

community wants that to be a park, then they need to come to Mayor and Commissioners and say we don't want any development, that should be a new park, let's buy it. That's your alternative. The alternative if this isn't approved, we're going to get another development there I guarantee you.

Mr. Oberholtzer commented the only question I really have is for Ms. Linkey, you said you didn't believe they were up front about their funding sources, could you elaborate on that.

Ms. Linkey responded when they were asked whether it was Section 8 they did say that there would be no subsidies which is true but they really didn't discuss the restricted verses unrestricted and they didn't really discuss what the salaries would be allowed to come in.

Mr. Oberholtzer asked the maximum salaries or what.

Ms. Linkey replied there was a range of incomes allowed to go into that because you have to apply to go to these apartments or the townhouses. They have an application process and there are fifty five homes, whether it's the apartments or the townhouses, that would require you to be between Twenty Three and Forty Six (Thousand), don't quote me on the numbers but it was something around that number as your total income. It is not subsidized through any Section 8, HUD or anything like that but it is this range of salaries. They were not completely upfront about that. The citizens did ask and they kind of pushed the subject and in my opinion were not as forthcoming as they could have been.

Mr. Oberholtzer asked could it be possible that they may have not known, the organization.

Ms. Linkey responded no, at the Mayor and Commissioners, they provided a power point presentation at the last work session and they talked about what the income was, what would be restricted and unrestricted, all of those things and how all that would work. And I believe Commissioner Brown had suggested they meet with the existing development to talk about what their issues were which is why they had the charrette and why it came about. And so they are aware of what they're asking for because that's what they put in there to get their funding.

Ms. Skilling commented they did make a point to say this is not Section 8 housing. But as anybody else in Town, for any community anywhere no matter where it is, if an individual gets a voucher from Cecil County to say their income level is not adequate and they get a voucher, they can go anywhere and that voucher has to be accepted. You can not turn people down just because of income if they have that voucher. It's illegal. It's just like turning people down for anything. So I thought they were pretty clear about that, they can't turn them down. But it's not that type of housing. They did specify that type of housing is in the area, I think there was one in North East or Elkton that is considered Section 8 housing; the funding is low income, primarily low income, and this isn't.

There is flexibility with income, if you look at incomes for police, fire fighters, teachers, they're not making a lot. They would be considered for work force housing.

Mr. Oberholtzer indicated I think everybody has a right to a home, but when I hear about a company or a non-profit organization coming through and they really can't specify where their funding source is coming from I think that is a major cause of concern.

Ms. Skilling responded I think they are clear where they're coming from and where their funding is, because they're asking...

Ms. Linkey interrupted they did say they had to accept Section 8 vouchers, which is true for anyone, but they did not, basically their funding source is saying it will allow them to subsidize the rent for what it is, but it's not subsidized in and of itself. It's federal grant money, that's what it is and they said that, but as far as who would be eligible to apply for that development I do not believe they were clear as far as income level, who could go there, what kind of background checks, all those kinds of things, I don't think they were as clear as they could have been.

Ms. Battaglia commented they said there were going to be a certain number unrestricted units where it didn't matter what your income was, but then the median average income for this area they would have so many units based on twenty percent of that, thirty percent, forty percent, so they had a breakdown. There is a broad range to cover a lot of different people but they weren't specific. I thought it was just in general terms as to how they were going to divide it up.

Ms. Linkey replied yes, they were very general even though some of the citizens tried to get specifics.

Discussion continued about there are two separate projects, one for the rehabilitation of the existing Richmond Hills Apartments and another for rehabilitation of the senior housing at Carter Court. There are two different apartment complexes there. The developers are asking the Town for a letter of support and contribution for each project. Garrett Point will be utilizing two funding sources, one to rehab the apartments and the other to build the sixty-two units. They were originally hoping to do it in one grant and letter but because of the income levels of those living in Richmond Hills they have to go into two separate pots of federal funds so they need two separate letters of support, and some kind of funding contribution.

Mr. Oberholtzer asked if we can just get back to the original issue, my main concern is they haven't demonstrated they can even carry through with this project and that's my main concern. When I hear things like that it makes me nervous.

Ms. Linkey responded I don't think they specifically lied but I don't think they were as forthcoming as they could have been. I'm trying to show both sides of that.

Mr. Oberholtzer replied just for an example my wife works for a non-profit agency and they never get as much funding as they expect they're going to get, it's just how it goes. Like with her company that's one thing, but this is people's neighborhoods and people's lives on the line and it makes me nervous, that's all I'm saying.

Ms. Skilling commented Garrett Point aside, the other two communities will benefit one hundred percent by these two groups getting funding to rehab those developments. If you're not sure it's going to happen you should have been here today at Concord Apartments. They had their open house and dedication and I couldn't go because I had another meeting but they totally rehabbed all those apartments, made them nicer and as part of the process we asked them to do a little more, to add some more amenities. They have a community center now with computers in there for people to use and provide services there. They did some upgrades for our Highway Corridor Overlay Zone, they did some buffers, so when they do those rehabs not only do they have to do things to meet obviously the grant, but we can add all the other things that we need now because they're coming in for a permit to get the whole facility a lot better and we're better off in the end. And with the rehab of these two complexes, they are going to be upgrading them substantially. They have fireplaces in the apartments and they're going to rehab those fireplaces, they're going to be safer, and Ms. Battaglia told me today some of the tenants she spoke to indicated their electric bill was cut in half because of energy efficient equipment.

Mr. Oberholtzer stated but that has nothing to do with this project.

Ms. Skilling responded it doesn't but I'm saying it does in a way because they're trying to do both, it's a management thing. If they're managing these properties and they're doing these things to upgrade and keep them nice...

Mr. Oberholtzer interrupted with all due respect I live right across the street from Concord Apartments on Aiken Avenue and they were just horrendous for so long. And now they decide to fix them up.

Ms. Linkey stated it's a new management company that took it over.

Mr. Reich indicated I understand what someone has done some place else, but that's not the same group as Garrett Point. I don't have a problem with one phase of that program where they rehab all of those apartments, I don't have a problem with that. It's the same number of people, same number of vehicles, same problems. What I have objection to is the potential of one hundred twenty four more cars.

Ms. Linkey replied and it's up to this board to make that decision because this does not go to Mayor and Commissioners at all. It is up to you guys. You will approve the Preliminary Plan, you will approve the Final Plan so it is up to you to be that gate keeper because it does not go through Mayor and Commissioners.



Mr. Oberholtzer stated with all due respect I'm still not convinced they can even afford to finance this whole operation.

Ms. Linkey commented everybody has to get funding, that's normal. I'm just saying I don't think they were as clear to everybody. Everybody needs to get funding for different things, that's normal. I just don't think they were quite as open with the citizens of the community as they could have been, as clear. They were talking general when specifics was what the citizens were asking.

Mr. Oberholtzer asked so do you believe that they can afford to carry this project, do you think it will happen. Do you think they have the funding behind them to do it.

Ms. Linkey replied if this Planning Commission keeps approving the plans and the Town gives their letter of support and gives some kind of monetary contribution, they will get their funding and do what they say.

Ms. Skilling indicated they now have to go to Cecil County. Right now they are looking at storm water and they may have to modify it so it may have to come back to us. Impervious surface is an issue.

Mr. Oberholtzer stated that's what I'm saying is if they can't get it...

Ms. Linkey responded then it drops and nothing happens at all.

Ms. Turgon commented but we have to do what we have to do up to that point.

Mr. Reich stated we don't have to. They could come in with another plan and we can just say wait a minute what we've said to the Town is we want another access route into there before we can approve this plan. There's no plan to do that yet so we're not going to do that.

Ms. Turgon indicated but it's our job to make that input.

Ms. Skilling stated and they have a traffic impact study to do yet and we're looking at other access points to that property and we're also looking at the light, the possibility there would be a light for Franklin and 222.

Discussion continued regarding the volume of traffic at peak times and the wait time required for both left and right turns.

Ms. Linkey commented and just to clarify I did not present our talk from the last Planning & Zoning meeting, at the work session. It would have been presented at the Town meeting.

Mr. Reich stated I thought I heard at the Town meeting the Mayor asked when are we going to get the Planning and Zoning Board's recommendations for improvements to the Town. And the answer came back, at the next meeting.

Ms. Linkey indicated I had told the Town to expect some kind of information from the board as far as what we thought our priorities were to get things done around Town as far as infrastructure and I told them that would be coming at some point in time, isn't that what we had decided as a Commission, as a board. I let them know that but as far as to talk about Richmond Hills and Garrett Point I made the mistake in saying that it was presented at a work session but it was at the Town meeting and would be reflected in those minutes. That's all I was trying to clarify that it was in a different meeting.

Ms. Skilling responded and I think we had talked about that and I need some input because I have a list of priorities from everybody in Town that are already in our budget planning for things like sidewalks, roads, and we do have under our TOD actually where we do have sidewalks where we think we can do them. We're trying to make connections and place sidewalks where we need them, and that's part of our TOD plan too is sidewalks and trails. So as far as infrastructure are you talking road infrastructure, are you talking sidewalks, I'm not sure because to me that's a very, very broad thing about infrastructure; water, sewer, we've got tons of problems.

Discussion continued regarding five major things needed: water, sewer, storm water, electric, and roads. Not all residents are willing to give up some of their property for sidewalks. Storm water needs to be managed better in the area. Everything would have to be piped unless curb and guttering was done, which is expensive, but there are ways of doing it, and storm drains would also have to be put in. There are many new regulations in place and retrofits attempted many not be adequate. When retrofitting an existing community you are able to get credit for some of what is done.

Mr. Reich stated that's the kind of thing the Town needs. When I stood up here when they had the public meeting on how we're going to spend the casino money and I said that to the Mayor and Commissioners that I'd like to see you up the budget on roads and that kind of thing to look at things like another access into Richmond Hills, another issue about Gotham Bush and that railroad tunnel and how could we do something different about that. And that's what Mr. Jack is talking about is how do we upgrade the old system to at least those five major things. Trails are nice to have but not necessary, sidewalks are nice to have but not necessary. That's aesthetics in the Town, and that's great, but we've got to get those five basic things done first and then let's worry about the rest.

Ms. Skilling replied storm water and traffic is a big issue but how you alleviate the traffic is definitely a modification to some system, obviously 222 and Franklin. Storm water is pricy and we'd have to look at that as a drainage area. Garrett Point will handle the storm water and in fact it was discussed some of that will take away from what comes down the street right now because they have to deal with the drainage that goes onto that property. But we'd have to do major storm water and do drainage areas and sedimentation. We can

do that and if that's what you want to send to the Mayor and Commissioners but then you have to realize that's just one area, I'm going to call that whole community Richmond Hills.

Mr. Reich stated but my point was what are the things, my priorities of things that need to get improved in the Town. I wasn't talking about Garrett Point but I was talking about the Town in general. So whether Garrett Point facilitates the issue on Charles Street or not was not what I was saying, I was agreeing with Mr. Jack that I gave you the five priorities that I think the Town needs to consider for the older parts of Town.

Ms. Skilling replied that's right and they know that and the older part of Town is here as well. So where do we start. We do have in the budget right now to do some I&I studies in Town which is a severe issue in Town, we need to address it and that's what we're looking at.

Mr. Oberholtzer commented I live on Aiken Avenue and that road gets so backed up in the mornings and the afternoons with all the traffic. It's a main street and I live on that street and a lot of it is Perry Point traffic and traffic coming from the distribution center and everybody uses Aiken Avenue instead of Coudon Boulevard. It's constant and incessant and it backs up, I've seen it back up all the way to Broad Street sometimes.

Ms. Skilling responded I think the things you're talking about are things that the Town is working on. I think as a Town there are priority lists and you probably need to see all those priorities.

Mr. Jack stated I think the problem with the Town, from my perspective, is we put out fires instead of being proactive. If a development is coming in here is there anything we can change. Why we need to prioritize or figure out, to maybe identify the five things in the infrastructure which we could improve on in many different areas within the Town. I'm sure we can identify at least three areas within the Town that need those. I'm sure we could prioritize them and send them forward to the Mayor and Commissioners and say this is where we deem the money should go. Up at Garrett Point these are the problems as we see it and let's see if they have those problems and if they do have them how can we correct those problems. If you move over to Gotham Bush, that would be the second area maybe. The point is that if we have these places in Perryville what I was proposing some months ago was to try to identify them, prioritize them, and say this is a plan. And you had talked about a work session that we would do that and I'm still in favor of that.

Mr. Oberholtzer commented you've been talking about that for a long time and nothing ever happened.

Ms. Skilling responded and I think in order to get there you need to know all the other things that are already in motion because there are a lot of things that are budgeted, and to do all the things that we would like are way beyond our reach. What I would suggest more than anything, which is something that has been suggested to the Town is we need

to have a fund of which people pay in or a fund where you pay in when you build. It's like an impact fee. These things are building so the Town doesn't have to take it out of general funds to pay for something. We have a lot of priorities in the Town, severe ones I think because to me and maybe you're all not privy to it but when our sewer backs up in someone's home I think that's a problem. That's a severe problem this Town has to address immediately and that's a costly one, that's I&I.

Mr. Jack commented I'm not saying we go and directly do these things.

Ms. Skilling responded I think it would be nice to suggest things that need to be done and if the Planning Commission chooses that certain older parts of the Town, that's I know right now they're looking at this as being the old part of Town, this is the older part of Town.

Mr. Oberholtzer stated there are newer parts of Town that are just as bad.

Ms. Skilling replied exactly, there are and we do need to prioritize and I think we are trying to prioritize things. Route 40, 222, I-95, the whole scenario there, Aiken Avenue, the VA, where do we start.

Ms. Battaglia indicated and this is what happens. Because we had it on our agenda last month and we had a long discussion but we didn't get to listing the priorities.

Ms. Skilling commented my priorities may be different than your priorities.

Mr. Oberholtzer stated but problem areas, we may never get around to prioritizing them. All we do is sit around and complain about these problems.

Mr. Ryan indicated everyone is agreeing to the same five problems, it's the same five infrastructures. What we're not agreeing on is what parts of Town need to go first, second, third, fourth, for those priorities. What we need to do is stop sitting here and complaining about it, this twenty minutes of complaining we could have said to them take those five things and go to Gotham Bush first, and straighten out this, this, and this there, these are the problems. Let's do that and stop sitting here wasting our time over this, if it means another work session then let's have it. I guess for next month, right now we don't have anything on the agenda and that can change I guess, why don't we come back here next month. Come back here to the next meeting next month with ideas of those five things that need work somewhere in Town. Bring in your top three areas in this Town and we'll put them together.

Ms. Skilling commented if you just want to email us what you think, either Ms. Battaglia or myself, just email us what you think are your priorities and as a group, we have to do it as a group because it's not going to go anywhere. As a group we have to decide what your priorities and what you need to do, it's got to be a recommendation from the Planning Commission because we can only recommend. The funding part of it, it has to go to Mayor and Commissioners. I would hope that all of you or some of you go to the

Mayor and Commissioners work session to explain it. I can present it on your behalf but its better if all of you are there, or one of you or a couple of you.

Mr. Jack stated we also need your input as far as the top priorities within the Town itself. I don't think that Gotham Bush and Garrett Point would override somebody's sewer backup in their house, obviously I would not think that. But I have to know where those issues are within the Town. We need to know those issues to prioritize in a better way than just saying Garrett Point and Gotham Bush. Tell us where these places are and let's get together in a work session and figure it out.

Ms. Skilling stated we know right now I can tell you the one big problem, we talk about traffic all over Town, one of the biggest problems and causing the biggest impact in this Town is the VA, and we're trying to address that. Until we address that, Aiken Avenue, Coudon Boulevard, the whole issue of people coming in and out, the trucks coming in and out of Town, it's a severe problem. Another problem is I&I, infill and infiltration, this is water moving into our waste treatment plant by some unknown source. That's why we have to do the study. What they are doing at the facility over there where potentially it will impact the area, they're sending people out in the community, concern about the services they are providing to them. That's a major impact to our community.

Discussion continued about various problems around Town and proposed plans to build a new Town Hall with senior center. Infrastructure problems should be taking priority over new buildings, and what is the reason for building new. Town Hall is falling down around us and has many internal problems. It is listed as a priority in the budget but doesn't necessarily mean it will get done. The members are not against building a new Town Hall but want to understand the process. If anyone has any objections to things in the budget should go to the Mayor and Commissioners meetings and express your objections or concerns. Everyone is busy and attending meetings may not be feasible however you can also send emails to anyone on the Board or Town Hall to express your thoughts.

Ms. Skilling continued so right now for the next meeting, send me what your priorities are. When you say traffic, don't just say traffic. I know that's a problem, it's a problem everywhere in the State of Maryland. I want you to be specific, Franklin at 222, Route 40 and 222, downtown, try to be a little specific. If you think in general traffic, we're working on those things and I can address those things that we're working on that will hopefully long term alleviate that.

Mr. Jack commented and I'm not looking to make you or anybody else act on the defense on this but what I was looking for was a way of documenting the things that need to be done so that there will be some kind of priority within the structure of the Town so when money comes available we'll be able to say we need to get this done here and here, we've got a list.

Discussion continued that everyone has a list of priorities and it would be nice to combine all priorities to a planning list. All members should plan to come to the next

meeting with your list of priorities, and include public support, for discussion and to create the Planning Commission list of priorities for recommendation to the Mayor and Commissioners for implementation.

Ms. Skilling stated and I think from the planning perspective you are the group that sees these things. You see the problems that come in and you hear things, the fire department concerns and problems. So these are issues from the planning perspective and that's how you need to present it to Mayor and Commissioners. This is something we've looked at and we see these things coming back to us over and over and we need to look at these issues in consideration of other types of new development that are trying to come in. And also look at that new development for potential funding. If new developments come in they have to do things for impacts, so what do they do, it varies.

Mr. Oberholtzer asked after we come up with this list or whatever I would really like to see it open up to the public.

Ms. Skilling replied it would go before Mayor and Commissioners and that's where it would have to really get the input from the public. People can come to Planning Commission meetings. I think with Garrett Point the Planning Commission was the mechanism for which they should have come in here and all of you would have heard it and they would have had the opportunity because that's the way we work, before we do anything. They also had the opportunity at the TAC and that was in the papers. That is our process.

Discussion continued that people don't always have the time to attend various planning and town meetings. But if they feel strongly about something they should make the time to express their concerns and to ask questions.

Mr. Fortner indicated do we need to have a special meeting, a work shop or can we plan on the next meeting.

Ms. Battaglia commented why don't we just plan on the April meeting as being your discussion meeting. If we get in any projects, we'll have to tell them to wait until next month.

Mr. Reich agreed, let's make our next meeting that and not have anything else but that.

Ms. Skilling indicated I don't know of anything that might come in. I can give you a list of things that I know are being worked on. And Commissioner Linkey probably can give you all those priorities that are set up in the proposed funding mechanism for the Local Development.

Ms. Linkey responded with the LDC, you've got to remember the LDC is just a portion of what our budget is. That is not the only thing that we have for our budget. What was proposed at the last public hearing that is only for LDC money, that doesn't include the

other sources. I will talk to Aaron and I will talk to the Mayor as far as a list of priorities that we have as far as the Town.

Ms. Skilling replied we have a lot of the priority lists that are already there because we're doing budgets now so we know what we're asking for funding, we're putting it together now for fiscal year 2012. If you can send me things so I can see what your priorities are, and if there's any information I have to address it, either if it's in the works, and I can let you know the particulars of those things.

Mr. Oberholtzer asked do we need to formalize this as official.

Ms. Skilling responded we will have to formalize it yes as a recommendation to Mayor and Commissioners and then we can give it to Commissioner Linkey to give at a work session.

Ms. Linkey expressed although I echo and I do see both sides of every issue, including the charrette, every issue that we ever discussed, I think it's important that if we can have any kind of representation to qualify support. I think it's important to have others instead of just me reporting to Mayor and Commissioners. I report to the Mayor and Commissioners about what happens at this meeting at the Town Hall meeting, not necessarily at the work session. Now that doesn't mean nothing is brought up during the work session but that's where I do my report.

Mr. Jack questioned Ms. Linkey about the sign for the casino that went before the Mayor and Commissioners, can you report about that.

Ms. Linkey replied it was brought up at the work session so we cannot vote on anything at that time, I would say it's a toss up. I can't say which way I think the Board's going to go one way or the other. I do know it will have to be on the agenda for the Town meeting but I don't know if it's going to be on this one or the next one for a vote.

Mr. Jack asked do they realize that it was a six for to one vote against it and that the zoning prohibits such a thing and still there would be a split vote.

Ms. Linkey responded you can look at the minutes and yes, they do know that. I told them there was one person for the sign and I told them it wasn't twice the size allowed in the Ordinance but quite a bit more than twice the size. I talked about all the issues that were brought up here. I brought up Mr. Roath's issues as well but I strongly opposed said sign.

Mr. Jack asked is there anything we as a Commission could reiterate to the Mayor and Commissioners from our viewpoint here, could we send them another message, if it doesn't seem to be getting to them now maybe another vote of confidence to not recommend it...

Ms. Linkey replied the time to do that would be at the work session where it's open and where you can make public comment. I do not know if it's going to be on the next work session because during a Town meeting we do have comments from the floor so I guess you could do it then too.

Ms. Skilling indicated we did give them the minutes, we gave them the exact same information you received. The minutes were done so they would have all your comments and they got everything that was said. And again I can only say the way that CEMUD was written the Mayor and Commissioners have final say. And I don't know what that means if anything or whatever but I did check with the attorney and that's the way it was written. So we gave them all the information and that is a planning thing. And I have to say the Mayor did expressly say he wanted the Planning Commission to review it before he made a decision, or before the Commissioners made the decision. So that's why we did it and we sent them all that information and we did do the presentation which I thought was relevant for what Mr. Fortner and Mr. Reich's photos showed. They were very relevant and I think they understood that.

Ms. Linkey commented the pictures were presented in a power point so we did talk about that and the feeling and the tone and what we as a Commission felt was very much represented during our meeting to Mayor and Commissioners.

**Motion** was made by Mr. Reich and seconded by Mr. Jack to adjourn the meeting at 7:45 p.m. **All in Favor. Motion Passed.**

Respectfully Submitted,

Dianna M. Battaglia  
Planning & Zoning Coordinator