

**Planning & Zoning
Work Session Minutes
October 8, 2009**

ATTENDANCE: Mark Woodhull, Cecil County DPW, Kevin Geraghty, Cedar Corner LLC, James Keefer, MRA, Ray Ryan III, Perryville Fire Company, George Jack, Planning Commission, Town Planner Mary Ann Skilling, Planning & Zoning Coordinator Dianna Battaglia.

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

Cedar Corner Project

Ms. Skilling started with some of the issues, we need to go back since we really didn't get through some of the comments from the last time we had this discussion that maybe we would go through some of those as well. I don't know what you want to go through first, or let's start with Roads.

Mr. Mark Woodhull indicated the first item is the Cecil County DPW Protocol 2 Road Condition Survey and as was discussed at Cecil County's Technical Advisory Committee (TAC) when we saw this project, and then subsequent meetings, this would be required before the Preliminary Plat was submitted. We would have all the offsite road issues resolved. It was not needed before concept. The Protocol 2 Road Condition Survey requires a visual inspection of the road, and will require boring at a specified distance, two hundred fifty (250) feet to get a sense of what the base is. It's primarily designed to give us a snapshot of what the road is like and whether or not, a cross section anyway in depth, it meets road of adequate County standards to handle the traffic flow projected. We're not looking, at least not now, at widening the road. We're looking at improving drainage and we're looking at improving the durability of the road. That's what the Protocol 2 survey was going to tell us. And that ran basically from where the State Highway's right of way ends at the Route 40 intersection up to where the County's maintenance ends, which is just up past the entrance at Al Wein's house (on Cedar Corner Road). So that would be the extent of the survey area and submitted with that road condition survey would be an improvement plan, analyzing the results of the boring and investigation of the road side drainage, and presenting to the County what should be done in order to improve the road to a standard that will handle the traffic loading projected here. Our normal process if this was in the County, we would need to have that all approved, everybody agreed, primarily the applicant and the County Department of Public Works would come to an agreement as to what was going to be done, actually a scope of work, and we would have that spelled out on the Preliminary Plat. The next issue we had was the CSX underpass, and how to handle that with the additional traffic that will be projected with this subdivision. We had a submittal from Traffic Concepts and our response to that, we listened to three proposals, three different concepts, and one of which was one-way traffic and a change in traffic patterns. Those we were not satisfied with. We decided to go with the stop condition at the underpass. And part of the road improvements plan would be a submittal which shows some detail what is

proposed there, the location of the stop bar and stop sign and any other devices from MDSHA such as chevrons or other signage which was going to indicate the traffic flow there. That was what was resolved between the County and the applicant and that was done when we met on August 19th.

Mr. Geraghty responded and we had no issue with that. It is our intention to go ahead and do the Protocol 2. We're here to try to get some direction in terms of the plan from the Town, so we will be able to get a Preliminary to you. At that point I think it was stated during the TAC meeting that there had been a change recently in terms of when you deal with those Protocol 2 and those issues. Sometimes it was at Preliminary Plan approval rather than at submission of the Preliminary Plan but we understood that you wanted it now, which we are prepared to do. We had already submitted to the Town and changed it effectively from a Preliminary Plan to the Town to a Concept Plan to the Town and so we're here. So we're just trying to get through this concept portion with the Town before we do the Protocol 2 and resubmit to you. We certainly know that is one of our responsibilities.

Mr. Woodhull commented and we would just request that before you proceed with approvals later on, that you have heard from us that we are in agreement and we have an approved plan and the same with storm water. We certainly ask that you don't approve a Final Plat until you have a letter from us that says storm water management has been approved.

Ms. Skilling responded the Town agrees to do that.

Mr. Woodhull continued and you have done that in the past. We have been very appreciative of your efforts to make sure that something doesn't get missed in the shuffle there.

Mr. Ray Ryan indicated I have two concerns. You talk about this Protocol 2 for the roadway, which does not include widening of the road. That is a concern for the Fire Department. The width of the road right now we can't fit fire trucks through there right now with vehicles coming at us. Not at the underpass, that is a different issue. I'm talking about when we come up the s curve on Cedar Corner Road and come across Cedar Corner all the way up through here. We're pushing cars over into people's yards to make room for us to come through. Right now we're looking at about eight (8) foot wide for vehicles on average coming through there for fire apparatus. Ambulance is probably around six and a half (6-1/2) feet. And that has been a concern with us coming through there. Basically as it sits now with the development and now we're going to add additional cars and additional traffic on it, it becomes more of a concern. And the second concern which I know is going to be a big problem is the CSX underpass. I don't know that I, from the Fire Chief's point of view agree. While I'm happy with having two stop signs there, because I live on Harvest Lane, we can tell you now that they don't stop at these other stop signs up here.

Mr. Woodhull stated we are not the sheriff's department. The CSX bridge....

Mr. Ryan interrupted and I know that would be a major undertaking and very expensive to do that road, we're almost more in a practical point of view more in favor of doing one way in or out then we are at having stop signs. Because of the problems we have right now with getting people, one, to take their time to go through there, and two, stopping at stop signs that are already there, and in the past four months we've had two traffic accidents between the proposed building that you're doing and the CSX. That's just some concerns from my point of view.

Mr. Woodhull replied and we would welcome you to finalize those and submit them to the department.

Mr. Ryan stated I did submit some issues to the Town for the Cedar Corner project.

Ms. Skilling replied there are some issues that we have here.

Mr. Woodhull indicated I will take that to the County and we'll take a look at it.

Ms. Skilling commented it's a combination of road problems and other concerns.

Mr. Woodhull responded certainly we want to understand your concerns and one of the things, even without widening the pavement, we may be able to work shoulders in there, navigateable shoulders so that somebody could get over further to let you get by.

Mr. Jack questioned I don't know why this couldn't be widened all the way down through here.

Mr. Woodhull replied to be honest with you, we don't like them to widen roads where we don't have the ability to change the geometry to suit a new design speed, because you give a false sense of security to people. You give them a wider road, they feel more comfortable speeding in places, but the geometry hasn't changed to accommodate the additional speed. So they come to corners that they are unable to navigate.

Mr. Jack responded I don't care if it's wide or not wide, they fly down through there. And with a fire truck coming at you or another car, there was a tow truck last night and I know he was on the double line. You can't maneuver through there. And I don't see any problem with any of this land that I wouldn't think we couldn't widen down through there.

Discussion continued regarding the road and existing lots that were broken out by minor sub, and existing right of ways.

Mr. Ryan commented I would just like to make sure that when you are looking at your plan, and I don't understand all this Protocol 2 road stuff, but that there be given some more consideration when you go through all this, and look at some of these final or some of these suggestions on how we're going to settle out on all of this getting done. That we look at this as a possibility.

Mr. Geraghty indicated we have to deal with the County.

Mr. Woodhull stated we want to respond to your requirements and if we can get a copy of those comments, which you've already provided to the Town, we can review that. (Copy of Perryville Fire Company comments given to Mr. Woodhull). We'll present that to my boss and we'll take that into consideration.

Mr. Geraghty indicated the way that we approached this with the three alternatives that we proposed for the underpass, it doesn't matter to us which one of them, which approach that anybody wanted to address. We had ideas and then the idea was to get some feedback from the Town and the County.

Mr. Ryan commented with a one way in or one way out, I couldn't give you a solid answer, for me personally when I leave my home I hate 222 so no matter where I'm going I go down to Route 40 so I would like to have it going out. But when I'm responding to you from downtown, then I'm going up off 40.

Mr. Keefer stated and people taking 222 then they would be coming the other way.

Mr. Geraghty indicated the other thing is if you limit it to one way, you would limit it to one way only at the stretch from Route 40 to the bridge/underpass. That's really the only portion at all that would be getting changed to one way.

Mr. Ryan stated if people stopped at the stop signs I would be all in favor of it, but I just know from living up there now that's not happening.

Mr. Keefer commented what it does is it formalizes what should be happening now, stop, look, and then go.

Mr. Jack continued I'm going to ask this question whether it is feasible or not, I'm still going to ask it. It's on my mind and I say it all the time, is there no way that we can put another lane that would connect underneath the CSX and connect to a wider road here in that other section that runs over the water. There's no way to build a bridge in there out of metal and then lay something on it that would conform to go around and make it so we don't have to worry about one way, we don't have to worry about lanes, there's not an in or out problem because this one way business doesn't set out well from six to eight in the morning or four to six in the evening. It's just not a feasible time for the number of vehicles then.

Mr. Woodhull stated but it's not the only condition we have in the County. Blue Ball Road seems to function and Blue Ball Road is horrendous traffic compared to this. I mean it works as a yield or a no yield situation.

Mr. Ryan indicated but if they swing a little bit to the left in that lane they have a chance to see. We don't have that.

Mr. Woodhull replied I agree with you there. There is no visibility until you actually get there and you're taking a chance that your vehicle gets hit. But let me just say, in the engineering world there is nothing there that is impossible but degrees of feasible. But on degrees of feasible, you're talking about dealing with wetlands issues that this climate in Annapolis has become horrendously difficult and then any issues that you want to do any work in the right of way of CSX.

Mr. Geraghty commented there are floodplain issues as well. The floodplain doesn't move, in fact it would get worst if you put more things there, the floodplain would be over that road even further than it is now.

Discussion ensued regarding capital improvement projects, costs of those large projects, and loss of highway user revenue.

Ms. Skilling indicated we know there's a problem there and concern and short of getting the tunnel under the CSX, I don't know what we can do.

Mr. Woodhull continued and behind you is our snow removal people and we want their safety, your safety and their safety as much as we can to address. So we'll try to work with you on that.

Mr. Jack stated if there can be widening of that road in some areas I think it would help. It wasn't brought up before and it certainly isn't an issue that we should, or maybe the County could get things done and share costs between the various State and local agencies.

Mr. Woodhull indicated you would have to campaign with the County Commissioners to find a position in the capital improvements plan and it could be quite a distance out there and if that was the case, do you hold the developer at bay until that line item finally reaches the top and gets produced. Which quite honestly could be ten, fifteen years out. I don't see that working.

Mr. Ryan commented we're talking a lot about what happens basically from here out, or from the County line out, which I guess now we're going to have this property, does that road become Town road at Cedar Corner, as the County line moves back out closer to that underpass now.

Ms. Skilling replied this becomes, this part isn't in the County.

Mr. Ryan stated let's talk about from where the County maintenance stops up to basically 1010 Cedar Corner Road. That's the same width all the way through and I'm trying to bring a fire truck down, because I do have response from Havre de Grace, Port Deposit, and my station 16 at I-95 coming in that direction so I'm in the same boat. All the way through there, so now part of this problem is on the Town side.

Ms. Skilling replied and that becomes an issue where you have to have that sent to the County Commissioners to put that in the capital improvements and put it in the Comprehensive Plan, to say that is an issue. As far as I know that has never been put in our Comprehensive Plan as a long time issue. We need to look at that.

Mr. Woodhull responded you have wide, narrow, wide, and you still have that choke point on the Town's portion.

Ms. Skilling stated we did our Comprehensive Plan and this wasn't in the window of what was going on. And that is the kinds of the things that have to be gained as you go along, when issues come around. Well I think that has been expressed and we'll send comments when we get our minutes to you, to the Department of Public Works at the County to let them know these things were expressed.

Mr. Woodhull commented and tomorrow I'll present this to my boss and we'll discuss it and we'll certainly take that into consideration and more than likely be back in touch with you.

Mr. Jack asked was the County involved with the other end of the road.

Mr. Woodhull answered that is State.

Mr. Geraghty indicated to discuss with that I mean as I said previously we did the traffic impact study in accordance with the State guidelines which was submitted. I don't think that came up as a requirement during that, as a requirement of that traffic. But we've committed to do that. So we've committed to go beyond that. We just have to get the State to agree that we can do it. We have differences of opinion on whether or not (a traffic light) is warranted there. At the last meeting there were people vehemently against putting a traffic light there.

Mr. Jack commented that is one of the objectives to having a one way because at certain times the only way you can get out of there is under the underpass and you can't go back down there.

Mr. Woodhull responded you wouldn't want to make it one-way in because of that concern. Like you said at certain times you can't get out going south on 222 from Cedar Corner Road.

Mr. Keefer asked would the County reconsider, if the Town said and Emergency Services said we think it should really be a one-way out.

Mr. Woodhull responded yes, I don't see where we are tied in to the stop condition.

Ms. Skilling indicated that was a long conversation with the Town Commissioners during the annexation because a lot of people wanted to see something there but wasn't quite

sure what, but they talked about the one-way situation for a long time, and which way was the issue. And I agree, I think it would be best to have it one-way out to Route 40.

Mr. Geraghty stated the other thing that you do is that you take away that cut through traffic which can be significant just in regard to the volume on the rest of this road. So it's not just what happens at the underpass, it's what happens with the total volume of the road because whoever is coming through that way to go up to I-95 at this point is creating that volume on that narrow road that you're talking about and this would limit that.

Mr. Jack responded the same thing with whoever lives up in that area has to negotiate 222 in the evening instead of now here which is less volume.

Discussion continued about the best option for one-way traffic between the underpass and Route 40. It was discussed that one-way out to Route 40 may be the best option because it would be easier to control the drivers on Route 40. People coming down Cedar Corner who are not aware of the one-way condition would then have to turnaround and create another traffic hazard.

Mr. Woodhull stated we have that at least in writing from Traffic Concept's report so we'll take a look at it again.

Mr. Ryan commented I wouldn't make a recommendation of which is better, in or out, because if I talk to my wife she wants one thing, if I talk as the fire chief I want the other.

Mr. Woodhull indicated it certainly seems more conducive to making it one-way out to 40.

Mr. Ryan continued the fire apparatus drivers are very safe and if they have to make this turn, they can by law go the wrong way with due caution and we pretty much already stop right there anyhow when we're going through the underpass.

Mr. Jack commented I don't favor one-way however I'm not going to go against the process of the majority.

Ms. Skilling stated that was a big issue. One-way was something they really talked about during the annexation process.

Mr. Geraghty indicated one of the things that we had a problem with in the beginning when we were going through the annexation process was it is a County road, not a Town road, and the Town couldn't just make a decision and so really the County was the arbiter. They seemed to have made that decision at the meeting that they were open to modifying it but I think at least all three of those options have been aired to them, they have a priority of what they want and I think if they are told otherwise they'll reconsider.

Mr. Woodhull commented certainly changing it to one-way is not that big an issue, really the key is that it supports Emergency Services because that is what we look at first and

then, obviously for the driver's public safety. If you have any questions, call or email me.

Mr. Geraghty stated these people are going to be coming up this way generally in this direction. These people who are living over here are going to be over here. I think I counted there are seventeen (17) houses on this section of the street and I think there are ten (10) houses up at this corner and these people can get over here. They are talking about really twenty (20) houses maybe accessing this street on a normal basis. Most people are coming in to their houses in a different way. This is not a through street. It's a tee at the end so, that would limit things that we do with these modifications is everything that we did to slow traffic here makes people want to take these alternative routes to their house if they live on these roads. So what Mr. Keefer did, well the first thing we did we were listening to some of the things and we wanted to include some of those things that we hadn't quite gotten to quite yet so we fenced in this portion of the active open space and what I have proposed is a three and a half (3-1/2) foot tall aluminum estate kind of fence, that would limit what people were talking about such as the balls going in and out and kids just running right through during any activity.

Mr. Keefer commented especially where the tot lot is. There was concern about the younger kids running in and out of the tot lot.

Mr. Geraghty stated we gated it in five locations, one at the entrance here, this would be combined with the mail drop at the post office box, two in the center, and then two at the top. The fence would be see through so no potential problems with driver visibility. At each of these, and we have that same situation, but we don't have a fence proposed right now, we certainly would consider it if that was really what you wanted. We just didn't have it, so this could be the little kid active open area and this could be an alternative but we put in a volley ball court, we have horse shoe pits here, we have a tot lot. It's all fenced in. Each of these crosswalks is raised like a speed bump, so that additional traffic is slowed down, and it is signed. Then we have parallel parking here down the sides with these traffic calming bump-outs.

Mr. Jack asked did you say this is active open space.

Mr. Geraghty responded we were trying to listen to what you folks were saying at the meeting.

Mr. Keefer replied and one of the other things we did is we actually did a preliminary sizing of the storm water management. If you remember it was this entire area and actually doing some calculations on it it's not that big now. But we're showing, the cross hatching that you see are the areas we're proposing for Forest Conservation to meet the afforestation requirement.

Mr. Geraghty commented but in addition what we did was we've created a trail down here to connect the sidewalks here with the sidewalk here so that you could virtually walk around the whole neighborhood. Each of these areas we created into a little pocket parks.

This is going to be the emergency access area so what we would do is we'd have a stamped asphalt area for the fire trucks, it would be for the fire trucks to come through and this would be closed off by a gate with a Knox box on it so they would be able to go through. There would be benches over here on the outside of that area for the fire trucks to be able to go through so that this is a little pocket park that would be included in the neighborhood. Another little pocket park would be included also up here in this area which would go through to the school. So we have tried to spread them out a little bit and create one of the things that you talked about with the plan.

Ms. Skilling stated one thing that was brought up for the fire trucks is pavement, and I really don't want pavement in there. They do have these grid systems that are heavy duty that could be used for more pervious areas. The area would look better with something that is more pervious and not a paved area.

Mr. Keefer commented it could be that or it could be porous pavement.

Mr. Geraghty indicated when I suggested that before at the meeting that we had with the Commissioners for the annexation, they required pavement.

Mr. Keefer continued we talked about putting in those grass paver blocks and they didn't like that.

Ms. Skilling stated there is a grid system that is made heavy duty and it's made purposely for heavy duty things. It goes in the ground and it looks like just grass there.

Mr. Geraghty indicated this is just the concept. The fine details are still to be worked out but that is the concept.

Mr. Keefer commented while we're talking about this path, we have talked to the Board of Education and they said the kids would walk, they would not provide bus services to it and they also confirmed that their policy is they are basically just like a public park. That between dawn and dusk when they don't have programs going on at the school the public is free and welcome to use the facility.

Mr. Geraghty stated that brings up the other issue of the open space in terms of for the community but also in the overall sense is that the connection to this, the high school does have soccer fields, baseball fields, track, tennis courts, and all that stuff within easy walking distance, which we can provide a path to the community. So, there are reasons to have alternatives to that here as well.

Ms. Skilling responded that is what we were trying to do. At least the community would have their own little recreation area that they don't have to count on something else and I think that is the intent of what's in our Ordinance. If this community provides its own recreation, whatever it be, tot lots or whatever, conducive to the clientele. Are there going to be adults here, it's not the same as having kids, but I think its going to have a lot of young people.

Mr. Geraghty replied so that is what we tried to accomplish here. This again we're used to dealing with different levels of preliminary plans and concept plans where we regularly work. This is a little bit more detailed and this is the kind of conversation I think we wanted to get into, that we would normally not address in the Preliminary Plan.

Ms. Skilling commented now I know the Town wants to have these areas fenced and we have all this area out here that could potentially be used.

Mr. Keefer stated there is a balancing act between the afforestation requirement....

Ms. Skilling asked afforestation under Forest Conversation? They allow you to do trails.

Mr. Keefer replied yes that is correct. This trail could conceivably weave through here and it could be called passive recreation. And it would be, we would not fence that area.

Mr. Geraghty stated the real difficulty that we get to when we start talking about doing stuff like that is you have people living here and then you start to create pathways and stuff back here in the woods and you start to get teenagers and things back there in the middle of the night, then that becomes an issue. What we're trying to accomplish here was to connect the community through the trails to connect the pocket parks. What we did just as the plan sits now, I'm not counting anything for the trail, the active open space that we provide exceeds the higher level in your standards. So it exceeds the point zero one five (.015) acres that you require. So we exceed that. So the actual standard of point zero zero five (.005), the Planning Commission may up it based on the number of units, well we exceed that.

Ms. Skilling responded based on fifty units or more, and then there is the other, if you have young children using the facility and then that's what kicks in the other potential which you provided with the tot lot. I still don't like the idea of the tot lot in a median strip. I know you said it is big but I'm just going to show you this that I received from Mr. Fortner. He is also a planner and he sent this to me and most of this in these areas are green spaces and that is pretty big and they're not even being used for that purpose. This is something on the lower shore, in Delaware. This is a cross section of what they are, I think he said the width of the parcel is one hundred forty (140) feet, almost double the width and that's what you're looking at there. His idea was if it was a little larger...

Mr. Geraghty stated with regard to that take a look at the number of houses that that open space is being provided for. And the traffic on two way roads going on either side of that is going to be more.

Ms. Skilling replied but it also has a lot more; it has a club house, it has a lot more, and yes there are many more homes there but he was just trying to get the idea. Are these houses going to be side or front load garages....

Mr. Keefer responded we don't know what product it will be because we don't have a builder who has signed on. But what we've shown is a combination of either front loaded or side loaded and that depends on who the builder, and quite frankly which house somebody decides to buy.

Ms. Skilling indicated the concern we had was with backing out on the street and I see you did provide on street parking here because that was one of the issues but obviously if you have a two car garage you will need the extra space.

Mr. Geraghty stated we have provided turn arounds for houses before on lots where it has been a front load garage, typically it's only a five foot bump out that would do that on the lot.

Mr. Keefer commented typically when you're talking about this sort of traffic in some places you can back out on the road because these roads are not like backing out onto Cedar Corner Road or 222.

Ms. Skilling replied it talks about it in our regulations to exclude it. It could be a problem.

Mr. Jack asked how does that back out work if you extend the width of those areas to one hundred (100) feet.

Mr. Geraghty stated it doesn't effect it. Because what Mr. Keefer came up with which I thought was a great suggestion. So these right-of-ways are fifty (50) feet and the road widths are twenty-four (24), so there is twenty-six (26) feet of right-of-way towards the green area at the sidewalk. And so what Mr. Keefer came up with was the suggestion to say ok, let's do forty (40) foot right-of-ways with the same twenty-four (24) feet road bed.

Mr. Keefer indicated what we did is we held the right-of-way here and there and made them forty (40) which then brought everything out. So that this between the right-of-ways is now one hundred five (105), between curb lines, the interior where the fence would be set up.

Ms. Skilling responded that is a substantial difference.

Mr. Geraghty stated what it does is two things: it doesn't change the road dynamics because the roads are still the same, and I don't think anybody's going to need to widen these twenty-four (24) foot wide roads in the future.

Mr. Keefer responded and that is something that we need to talk about, what URS is commenting on. And you heard Mr. Woodhull saying, wider roads increase speed and it's true.

Mr. Geraghty indicated it doesn't change these roads at all, so these roads are the same dimension. It doesn't change any roadways at all. The only effect is the houses on these lots and on these lots will be closer together by ten feet.

Mr. Keefer responded and that is what this is showing. But across here the fronts of these houses are two hundred seventeen (217) feet apart.

Mr. Geraghty stated that widens this, that the front of this house to the front of this house is two hundred seventeen (217) feet, it's as far as from here to the front of that building (DPW). They are set back the same.

Mr. Keefer commented they still have the thirty (30) foot setback there even if it is a front loaded garage that way the cars will be able to park on the driveway without being across the sidewalk.

Mr. Geraghty continued again from a pavement standpoint, from all that stuff, it doesn't do anything. It just changes that dimension, the paper dimension here really, and it helps to achieve what you wanted here. Now the fence I think here does some to address what you are talking about with regards to the kids running out into the street. This part of the open space, would it be fenced as well, I wouldn't and would strenuously object to it. I'm trying to create a feel here for the neighborhood in terms of what people are going to be invited into. And I can see them wanting to come in here and play and do all that stuff but I can also see them wanting to congregate here and to have this a little bit more inviting than exclusive. And I think there are opportunities here. There may be kids going out here and playing catch and having little games here in this one. But again for the bigger stuff there is the high school right here with plenty of areas to play. And if you're going to play baseball I don't care how big it is, I don't want kids playing baseball on this with the cars going up and down the street because if they hit that baseball and it goes into one of those cars that's not good for anybody.

Mr. Keefer indicated there was a comment in URS's comments which we need to talk about it, but I think it would work very well to actually have this with the five way because these are not truly five way, this is one way, just separated. Also in that, this space is huge in terms of a round-about so it can actually be something more than the typical round-about like you see if you ride up to Rising Sun and look at any-round about up there.

Mr. Geraghty stated that difference in that twenty (20) feet came through to this. So as an entry point in the community, this becomes much bigger, a much bigger focal point in the community. So we've tried to address, tried to come up with some ways to address what you were talking about without trying to change the concept that we have for the plan and the community. And try to do something to satisfy both of us. And again if a fence were to go along this one it wouldn't be the worst thing but it wouldn't necessarily be the thing that I would want to, what I absolutely would want to do, but I would do it if it was necessary.

Ms. Skilling asked are you saying the houses over on the back end....

Mr. Keefer responded we've shown what this, I mean over here you have the thirty (30) foot front yard, you have forty (40) feet, and then you have another thirty (30) feet, so these houses are going to be a hundred (100) feet apart minimum with the thirty (30) foot front yard.

Mr. Geraghty indicated the minimum would be only hundred and ten (110) without the change. So it's not an overwhelming change from the percentage standpoint you're adding forty percent (40%) almost to this dimension here by taking away less than ten percent (10%) of the dimension on either side of this.

Ms. Battaglia asked is there parking available along there.

Mr. Geraghty answered yes, the road widths are the same exact thing. You're not even taking it off the lots, the lots are getting back space.

Mr. Keefer commented the only thing is we may have issues with the sidewalks. They may be right up to the property line or just a foot onto it. Depending on how much space we want to have from the curb to the sidewalk. If we want to leave a planting strip there, it could push it back, and we need to keep space for the street trees. We have to look at that in terms of the detail of how we really want to do that, whether the sidewalk is right behind the curb which a lot are like that, and the trees could go on the interior.

Ms. Skilling indicated you have to leave space for the sidewalk and have to allow space for the regrowth in there.

Mr. Keefer commented in most jurisdictions in Cecil County, you're required to record a ten (10) foot strip that is a landscape or planting and maintenance easement. So we would do something.

Ms. Skilling asked are you going to do four (4) foot walk ways.

Mr. Keefer responded yes. At this point we would really rather do this then the other just because it makes this bigger.

Mr. Geraghty indicated and it answers the open space for sure.

Mr. Keefer stated it makes this area twenty five percent (25%) larger without doing anything other than taking away some....

Mr. Geraghty continued and then we're far in excess of the requirements, obviously with the other one, and now with this, it's in excess of the requirement according to the open space. I think a lot of what you say in your Code is not only about play area and active open space but it's creating community. That's why we added the pocket parks.

Ms. Skilling replied I think this does a much better job because you're creating areas where people can congregate and you've added some little areas here. It seems to be a big trend that people like to have little spots to meet, and there are pocket parks being put in even in older communities now it seems to be the place where people like to get together. And the Town has that in our Comprehensive Plan to try to recreate some of these community parks and community areas, meeting places. I think that is key and this is a much better job at trying to get the intent of that whole section.

Mr. Jack commented you have to realize that I think some of the people that were here the other time were looking at more of having this side by side somewhere as a space and I understand your position, you don't want to change your eighty-one (81) homes that you're putting in there, that would be a big task to change. I'm just saying in terms of other people on the Planning Commission, what they were talking about at the time, as far as the width instead of having the length of it. That was the whole intent I think, that was part of the problem last time that we had, even with that section at the outset. I could see the ones that still thought it was a long strip and wanted to have it as one big space. I'm not saying that I don't like this, I'm just saying from that other perspective that was here the last time when we talked. I'm not proposing that, I'm speaking for someone else who did say that.

Ms. Skilling stated I think that their perception and I have to admit I would have said we need to eliminate some of these lots to provide that if you couldn't achieve it otherwise, and you would need to get rid of some, a lot or something, to be able to provide that. If you can provide it otherwise...

Mr. Keefer responded I think from their perspective too when you start to look at it and say what can you actually fit in this area. Is it big enough for, I mean if they didn't have tennis courts over there, you could fit a tennis court.

Ms. Battaglia commented it is easier to visualize. I like the idea that it is two separate areas. You can take your kids to play over there but the adults can have a meeting over here. It makes it easy for parents to take their kids, they can still see them, they are in the fenced area, and feel comfortable leaving them there.

Mr. Keefer indicated like if you're having a community cookout, a 4th of July gathering, with grills in that general area and kids playing in the other.

Mr. Geraghty stated I've been looking at a lot of developments to try and get some ideas and I've seen a lot of developments where the open space requirement is pushed back in some corner next to the storm water management pond adjacent to that so that they can eliminate stuff, it becomes neglected generally because it is usually a big field and even if it has a couple of basketball courts and tennis courts the parents don't want their young kids going there because the teenagers hang out there and it becomes not really used for what it was created to do. And even if it is big enough to play a pro football game on, nobody goes out and plays, and there are eighty-one (81) families here who if you get a quarter of the families, now you have fifteen (15) families of four (4) people each, they

can put together a football game. And I think that what we tried to do here was try to make it more than that.

Ms. Skilling replied I think when you have young people living in a community like this that have children they want to get out and this provides opportunity for them to get out with children not far from home. The homeowners association would have to do this because the Town would not take it over.

Mr. Jack questioned when you do a project like this, is it mandatory you have a homeowners association and is it mandatory that the association stays involved in the community and who oversees all that, or can the association just dissolve itself and say no we're not going to take care of it.

Ms. Skilling responded we require them to have that homeowners association by the time they get around to having occupancy, we have to have a copy of that association documents, if it's condos especially, that is a totally different arrangement.

Mr. Jack asked the fees that are usually collected from the homeowners, what do they usually run.

Mr. Geraghty replied it varies depending on how involved they are. Homeowner associations have many functions. A lot of them get together and they have golf outings, they do stuff and they do a lot of things together and those, they tend to be higher but there is always a landscape plan and other amenities, you know like we'll put in a gazebo, we'll do the tot lots and some of these other things and then we'll establish a budget and we'll initially manage it through MRA Property Management. They'll collect all of the money, they'll manage it, they'll get all of the landscape people, the maintenance people in here to take care of it and then when the homeowners association, when there are enough lots owned by people, they turn it over to them and they continue it. And hopefully they continue it.

Ms. Skilling stated the advantage for these people to do it is to maintain the value of their homes and the property. You spend that kind of money, you want to keep it that way.

Mr. Jack responded but you get some people who don't care.

Mr. Geraghty stated these people are going to care a whole lot. And one of the things is, I think that this will be a highlight coming into this community. Everybody in this community wants to see that maintained well, because when you think about it you're looking at three times from this building to that building when you come down, probably four times, stretch all the way down to that house and just think about the vista that house will have with that view. So that's what we tried to do in terms of addressing their primary issues that were discussed the other evening.

Ms. Battaglia asked how much is left in the back yard, for pool space.

Mr. Keefer stated they are one hundred twenty-five foot deep lots, so you've got a front yard of thirty (30), the rear has thirty (30).

Ms. Battaglia commented just looking at this lot here, with a side load garage and the main house is pushed even further back, there's not much room.

Mr. Keefer stated we're showing some reforestation back there, and when we looked at this preliminary and we need to do the final grading on it, but what we're trying to do is we're trying to make up some of the grade that is across this site, in this slope and this slope and flatten this out. You can see on this site it goes from 182 to 122 offsite. So we have fifty five (55) feet or something of fall across that site and we want to get this so that this is relatively flat usable area (active open space).

Mr. Geraghty indicated and as in any project I've ever worked on, including one and half (1-1/2) acre lots outside of Elkton, there are some pool lots and there are some that will not fit pools. If that is what you want then you go and you pick a lot and a house that you know fits with it and works well. And one of the things that we started to get to was how the communities blended. And I think what our concept was with that when we came in during the annexation discussion was on the periphery this community matches the community that is here. These lots match up, the front lots with the set backs here and the widths, match up to what the community there is, so until you're internal here within the neighborhood, it matches.

Mr. Jack asked is this a buffer yard up front here.

Mr. Keefer replied I believe it is a buffer yard B. What we're proposing is, there is hundred (100) feet widening then we'll taper back down to what it is on either side and then we have a monumental entrance that is eighteen (18) feet coming in, with twenty-four (24) right and left going out, and I think about a ten (10) foot wide island so that would be a median when you come in.

Mr. Jack asked will this still be the height of this relative to the road right now, because that is...

Mr. Keefer replied there's some grading that needs to be done.

Mr. Geraghty stated there will be grading. You have to come down to meet this road bed here at this location, so this road, we have a lot of space here between here and here to make sure that this grade meets this road from here out. We don't have any lots tying in here so we have this whole space to grade out to the road and make it nice.

Ms. Skilling commented the rest of it, the storm water management, obviously you have to get, but are you going to do, it's not going to be bioretention.

Mr. Keefer replied I don't remember what practice we're going to be using, but probably a dry.

Mr. Geraghty stated that is what we talked about.

Mr. Keefer indicated there is a comment in URS's response about the outfall from the storm water area and we talked to the County about it and the County is in agreement to the fact that the outfall down to the stream, in Cedar Corner Road.

Ms. Skilling replied I remember you talking about that at our meeting.

Mr. Keefer stated we actually show it on the plan, and what we'll probably do is we'll probably get this right-of-way dedicated and it will run in the right-of-way but then we might have to take it in the road bed.

Mr. Jack indicated that's a pretty flooded area when it rains heavy, without this community.

Mr. Keefer responded we are required to manage our storm water.

Mr. Jack stated the water coming down this side next to this property its pretty heavy coming down that little ditch they've got there.

Mr. Geraghty commented one of the things that will happen and I was going to say in that Protocol 2 is, when we get to do this and we're going to be taking this, we're going to have to put storm water management in here, so what will happen is we'll actually improve the water coming down here and I know the County at some point they may ask us with this problem here for inlets even, and that could tie in to what everybody was talking about with regard to Cedar Corner Road and a shoulder.

Mr. Keefer indicated and right now I think that ditch is probably because it's eroded down and even if we have to make it wider.

Mr. Geraghty stated in one way or another it could be over ground, it could be underground, but it will be improved in order to facilitate that, so I think that actually will help it. One of the things is in the end there are a lot of the things people don't like but we have to bring portions of those neighborhoods up to standards that they never had to meet to begin with. So we'll be doing some of that when we deal with Cedar Corner Road.

Ms. Skilling commented so as far as that URS statement, we'll have to deal with that, and we'll deal with that with the County too. And they weren't privy to a lot of that, and I'm still working with them to do a little more coordination.

Ms. Battaglia asked have you talked to the Post Office and they want one central mail location.

Mr. Keefer replied my experience with the Post Office is they always want one central box which is now on new projects, it's just easier for them to deliver. We are proposing gang boxes here. We're thinking we'll put all eighty-one (81) here and we're hoping people will walk there. And we are showing it here because we're thinking, we don't want people pulling off on the round-about.

Mr. Geraghty stated again with eighty-one (81) houses it's not an enormous subdivision and the neighbors are going to do what neighbors are going to do. It's going to get worked out. It's not going to be an imposition on outside things and the neighborhoods generally work it out pretty well. They get in a rhythm and it becomes the standard operating procedure pretty quickly.

Ms. Skilling asked you have significant sidewalks around, so has that been addressed.

Mr. Keefer stated there are sidewalks on both sides of the streets.

Mr. Jack asked about lighting along Cedar Corner Road, will there be....

Ms. Skilling commented we require street lights.

Mr. Keefer indicated what we would typically do throughout the community.

Discussion continued about Code requirements in Chapter 74 regarding coach lights. Section 74-29, G. (2) *To provide sufficient streetlighting and provide for energy efficiency, each new residence constructed on a lot....shall have installed a coach lamp controlled by individual residents.* Questions were asked as to what this requirement refers to: is it the porch light at the front door or a separate light pole located on the front property five or ten feet from the front door. If it is part of the street lights that's something that the developer would put in, but if its something that is part of the building permit, that would be part of the builder. The builder will need to know if this is a requirement. Ms. Skilling will check the definition for clarification.

Mr. Keefer stated typically what we do in a subdivision like this, there would be a light at every intersection and then we decide whether we want them in between. A lot of communities don't want the light pollution of anything more than that intersection.

Ms. Skilling commented the ones we like are what we have in Town here, the post lights.

Mr. Keefer stated we would have a light at the stop sign. A lot of times that's what you do, we might double it up in other areas, any place where there's anything you want at an intersection.

Ms. Skilling replied I think we need to talk about that, whether this is something that the Planning Commission needs to talk about it. We'll check it with the Code and Zoning Ordinance. We would have a standard to generally know what you need to provide.

Mr. Geraghty asked what do we do from here. We have the input of one person on the Planning Commission.

Mr. Jack responded our understanding was to try to come to some understanding for the initial concept and then it would go back to the Planning Commission.

Ms. Skilling replied it has to come back, so from this discussion I think the two scenerios that you've showed us and I think we should come back to it. I think this is a good one. These two scenarios are better obviously than the first and explain it to the Planning Commission.

Mr. Jack commented and your show and tell wouldn't be a bad idea again.

Mr. Keefer indicated the first one is what we were planning, but we just weren't showing the details so you weren't getting the full picture.

Ms. Skilling stated if you came back with something like this I think you'll get a lot more positive response than any of the others.

Mr. Geraghty commented I grew up in a community much bigger than this, a Town much bigger than this, and the community had these aspects in it, in a very similar way and I'm very excited about it. I don't want to just abandon the concept because I like it very much.

Ms. Battaglia asked Ms. Skilling are there any more of your comments that need to be addressed.

Ms. Skilling responded well I think we've covered them. You're not going to know more about the homes until you have a builder.

Mr. Geraghty replied I have to have homes that are going to be saleable in this environment and in this market and to the people who want to live here. It's not going to be post modern construction of concrete and steel. That's not what's going to be here. It's going to be colonial housing or brick or other siding materials.

Mr. Jack asked are they all going to be alike.

Mr. Geraghty answered it depends on what people pick. I'll bet you'll have ten choices and then they'll have options.

Mr. Jack asked let me ask you one question. Somebody's going to ask you this and I'm going to ask it now and you can figure it out when you come back. If you were to put these two areas together, where would you put it in this thing.

Mr. Geraghty responded I would tuck it down here and I'll tell you why. Because I have to sewer stuff from this and I have to pump it up there and I have grades to buck back

here, and I have grades to run back here and I'd tuck it away down there and it would not be all together. I would not be able to do it all together. And so what you would get is less.

Mr. Jack commented just think about that. If you wanted to, I don't want you wasting a whole lot of your time but I want you to think about where, if I wanted to make this design really, really neat and I wanted to put these side by side instead of that long path down there so it's a square, how does it change my concept of what I'm doing even if I had to alter maybe this.

Mr. Geraghty replied what I would say is this, I would answer it two ways. I would say, one, most likely it wouldn't be all together because it would probably not be feasible to all be together because that is a very big space. And you're talking about this space, even as it was, you're talking about seventy-five (75) by six hundred (600) so you're talking about taking six (6) lots out. So now I ask you guys a question. So if you said to me put it all in one strip and not so that it's wider necessarily, but so that it doesn't have the roads on either side. The issue wasn't so much that it was wider but it had roads on both sides, and put it somewhere where it doesn't have roads on both sides, I'd probably build something a little wider, it probably wouldn't all be together, and then what will happen is you'd have a community of roads with a couple of little pocket parks sprinkled in throughout here and cul-de-sacs and dead-ends and you'd have the same subdivisions that you get built everywhere else, without absolutely very little community feeling to it. Because you're trying to force a play area that honestly, nobody is going to use it.

Mr. Jack indicated you know why I'm asking. I'm not asking for a negative point of view, I'm asking you as a builder, if I said to you, I really want these in here and say you were doing building for me on my piece of land and I said I don't care about the houses, I care about the park. Do you see what I'm saying? From a positive, if I want to beautify this thing and make it so it would work with those things together, I'm not saying they're going to want to do that, I'm just saying that to me that is a question that someone is going to bring back up.

Mr. Geraghty responded and my answer would be this is the best plan to do that. I really want to work with you guys and I'm trying to adapt to what the input here is and trying to, and also make it a little bit better because obviously we didn't do nearly as good a job with that when we came in. I think that was the first thing. I think Mr. Keefer gave it a lot of thought with regard to the right-of-ways to try to enhance it. I think showing what we can do even than what we originally planned, takes it to a level that we didn't have before, adding the pocket parks and illustrating them, taking the storm water management down and doing the trail, addresses the things that are in your Code. The thing is I still have to do what I think is best within those things for my community to make it the best project that I can make of this space.

Mr. Keefer commented and from that there needs to be a certain volume of houses so the developer can even afford to add some of the amenities that we're talking about. To

build the trail that's offsite, to put in those things. You lose some of that when you start to talk about well let's put it all here. Well, if you put it all here...

Mr. Jack responded I want you to come back and say we did look at this but if we did this, this would happen and this wouldn't happen. But you can have this perspective if you desire.

Mr. Geraghty stated I can't give control like that because I wouldn't have Mr. Keefer work on something, twenty hours of his time, and then to get something back that I don't even like and then come in and say ok what do you guys like, and then I have three of you saying yes, and two of you saying no, and somebody in the middle.

Mr. Jack commented I'm just trying to think of the other perspectives that someone may bring up. I want to move this thing along.

Mr. Geraghty replied I hope that I've shown that we're trying to take what you said and take it in account.

Ms. Skilling responded I think the things that you have done have at least shown a little more effort in trying to meet some of the requirements on what we're trying to get to. I like the idea that you are trying to get some pocket parks throughout. I think it does achieve some of these things. Could you put it somewhere else, maybe put it within here, take the whole thing out and put a pocket park here, maybe. But will you achieve, I think the community type activities that you might get in here, I kind of like it. I do think that this will work. I like the idea that it is much bigger and a fence or a hedge.

Mr. Geraghty stated a hedge is impossible because it needs to be maintained and it is time consuming.

Ms. Skilling indicated a nice fence around there I can see it would help keep...

Mr. Jack agreed this is a better plan.

Ms. Skilling commented I would even say bring the other one, but I really think this is one that would be good.

Mr. Jack stated you haven't changed much except you've widened the open space area and put the pocket parks in.

Mr. Geraghty stated the only issue with this is your right-of-way isn't by Code. You will need to lessen your requirement with regard to that.

Ms. Skilling indicated I will look at that because we may be able to go less. It does go to Cecil County. I need to talk about that a little bit more. We're going to have to look at that.

Mr. Geraghty stated the reason we wanted to bring both plans and why I think we would bring both plans again, we wanted to demonstrate that under the original plan with the modifications we've made to the pocket parks, that we exceeded the requirement in regards to size, by Code, what you had, because we didn't want it to appear that we wouldn't, and had to reduce the right-of-way in order for us to meet the requirements.

Mr. Jack commented I didn't sense that the acreage for open space was the issue. That was not an issue, to me. As long as you meet the Code that we have, that is fine. Whether you exceed it or not, that is up to you. How you did it or how you do it was the issue that people were concerned with.

Mr. Geraghty stated I understand but I think we're enhancing it and try to give the open space a little bit more usability from the standpoint of what you want. And I didn't want you to think that reducing the right-of-ways we did was a means for us to meet something. It's purely to enhance the community and not to...

Mr. Jack indicated and you should say that when you present it.

Ms. Skilling commented I need to check to see what the standards are to see if we have to do something. But I know I talked to **Tony DiGiancomo** about some other items and I'll talk to the County and I know we have a minimum road right-of way that we will require.

Mr. Keefer asked Ms. Skilling, in terms of forest conservation do we go with the County.

Ms. Skilling replied the County will do it, delineate it and tell you what you need to do and then you determine where it is going to go and then we get that on the deed. It has to be recorded on a site plan.

Mr. Keefer stated in the County they have different ratings for different commercial, so we're dealing with an afforestation issue. In the County that is served by water and sewer that is ten thousand (10,000) square feet and that is ours, twenty thousand (20,000) is DR, twelve thousand (12,000) square feet for their SR, and fifty-five hundred (5,500) for DR lots on water and sewer, they're required to do afforestation at fifteen percent (15%). Is that what this would be?

Ms. Skilling responded I would leave it up to them because they follow our zoning that would be matching what their zoning is. We follow their regs. Before this was transferred in the annexation they looked at that as a R1, DR? I'll talk to them, and look at that, because I don't know how they do that with that. I've always dealt with David Black. I didn't handle Forest Conservation, I was in the Critical Area and we didn't have to do Forest Conservation. But I'll talk to Amanda about that.

Mr. Keefer asked are there provisions in the Town Code for landscaping for forest conservation.

Ms. Skilling replied there are and if you can send me copies digitally of this plan, I can send it out to the members before the meeting.

Mr. Geraghty stated I would like to actually present it. I would actually prefer to actually present it. Rather than distributing it, I rather present it.

Ms. Battaglia stated we should provide a copy of the minutes to the members.

It was discussed that the revised plan could not be on the October 19th meeting and the Planning Commission doesn't normally have work sessions. Submittals to be on the agenda must be received at least three weeks prior to the meeting.

Mr. Geraghty indicated we're trying to get the project moving along. We've owned the property for a long time. The annexation delayed it for awhile, and we're trying to get the property moving forward and every month, it's going to be six weeks from now, every month it's a big deal.

Mr. Keefer suggested an Addendum to what was already submitted. They haven't rendered a decision on the first one so they haven't acted on it.

Mr. Jack commented it was a concept plan.

Ms. Skilling stated so if you come back with a concept of one of those two and they agree with the concept, they agree with most of your plans, the only thing I have to do is work up with the right-of-way, and they agree with this, then you're good to go with the Preliminary and you're also good to go with the County.

Mr. Geraghty responded what I'm trying to do is get Town acceptance of the concept, then get on the next steps.

Ms. Skilling stated send your addendum plan to me and then we'll send it out to the Planning Commission with a copy of the minutes from this meeting so they have something when they come to the meeting they will know what is going to be addressed.

Work session ended at 8:30.

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator