

**Planning & Zoning
Meeting Minutes
September 21, 2009**

ATTENDANCE: Chairman Michael Fortner, Commissioner Michelle Linkey, Priscilla Turgon, Pete Reich, George Jack, Town Planner Mary Ann Skilling, and Planning & Zoning Coordinator Dianna Battaglia.

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

APPROVAL OF MINUTES

MOTION was made by Mr. Jack and seconded by Ms. Linkey to approve the August 17, 2009 Planning and Zoning Meeting minutes as written. **Four (4) in Favor. Motion Carried.**

New Business

File No. SE2009-01 – Recommendation to Board of Appeals for Special Exception for Impact Martial Arts; **PROPERTY OWNER:** Wood Properties; **APPLICANT:** George & Angel Celona; **LOCATION:** 1486 Perryville Road, Perryville, MD 21903; Tax Map 800, Parcel 39, Zoned NB (Neighborhood Business).

Angel Celona introduced her husband, George Celona, and we are requesting a recommendation to Board of Appeals to open a martial arts studio at 1486 Perryville Road. We have been involved with martial arts for over twenty-five (25) years combined and we have been operating under Impact Martial Arts for over a year now. And we would like to open a location in Perryville. We had a really good response so far with the community and we currently have a student base right now of over twenty-five (25) students.

Commissioner Linkey asked and that is just for here in Perryville?

Ms. Celona replied yes.

Mr. Celona stated when we first opened up we were looking, we wanted to open in Perryville over a year ago when we first started looking for a spot and it turned out we couldn't really find a good spot at the time but we ended up opening in Aberdeen. And we decided we would stay in Aberdeen, but we saw 1486 Perryville Road open up we decided to jump on it. A lot of our students are from Perryville and we thought it would be a good opportunity and since we've come over here we've had a lot of really positive response from the community. We went to the Perryville Picnic for the elementary school for the Panda Pals and we were talking to a lot of the elementary kids down there and their parents, telling them about what positive experience martial arts training could be for the kids and for them too. And we've had a lot of good reaction to it so we're

really excited that things go well and getting the Special Exception that we need for the building in the neighborhood business.

Mr. Fortner asked what sort of zoning.

Mr. Celona responded it is a Neighborhood Business (NB) and is not a commercial zone. So that was a point of contention was that we couldn't open because if you look at the zoning code there is nothing in there for a martial arts school.

Mr. Fortner asked if there were any questions, and comments from staff.

Ms. Skilling replied the Permissible Use table just did not identify this use but Ms. Battaglia has the Permissible Use table and there are several that are close to that type of activity.

Ms. Battaglia commented as I stated in your memo there is a low volume traffic generation that it could be considered but it is not listed specifically and that is permitted with conditions. And that means it has to go to Board of Appeals in order to get approval to operate. And then the Board of Appeals would give the conditions to have that use at that location. They were asked to come here to get a recommendation from you and then Board of Appeals will have their hearing on Monday, September 28, 2009.

Mr. Reich asked why is this not a neighborhood business.

Ms. Skilling responded it's not that it isn't, it's just that it's not listed in our Permissible Use table. When we go through this process and the Board of Appeals grants this or not, it could be added to our permissible use table. But right now it's not one of the items listed and we were not clear whether, where it would fit in and we just believe it would fit in this category, therefore we're asking the Planning Commission to allow, to make a recommendation to the Board of Appeals to because it's close enough. We feel as though it's within the range on our Permissible Use table and that though it should not be any problem with this type of activity in that neighborhood business zone.

Mr. Reich asked and the Permissible Use table for what again?

Ms. Skilling replied for the zoning district, the neighborhood business. We have a permissible use for all the different districts. It's a table that tells you about what can be there and this is not listed specifically and we couldn't find anything other than these categories.

Mr. Jack indicated 4.500 addresses that if you notice in your letter. I think it falls better there. It fits better I think because I don't know how you classify low-traffic but out on Route 222 it's not low traffic. That was another question I had about that whole area up there with twenty (20) or twenty-five (25) students as well as the traffic coming off Route 222 and back on peak times, I don't know how that lends itself to what you are looking for up there. There is only like twenty-some parking places and people in and out. I'm

just wondering, I'm not opposed to this use but I'm just asking these questions for the sake of the community up there, because at five o'clock in the evening when you are having your peak time or starting to, that is one heavy flow of traffic in and out of that little lot and all along 222.

Ms. Skilling replied there is a lot of traffic there but again from my perspective we have to look at why our traffic is right now. Would this use, obviously there will be more cars going in and out of there but long term hopefully up there the traffic flow coming back off of I-95, 40, and back up 222 but the use from that neighborhood, usually with neighborhood businesses it's not about area, where would you put it other than in there in the Town, I think that maybe we shouldn't be discouraging businesses who want to come in to operate their business for our youth and benefit.

Ms. Battaglia indicated I'm sure George and Angel Celona can probably explain it better but twenty-five (25) students aren't coming at the same time. They have classes for specific age groups so you might have five (5) students coming at five o'clock and then the next class would be at another time, and classes are to be held two nights a week and Saturday.

Ms. Celona stated right now we are looking at part time schedule of Tuesday, Thursday, and Saturday. We have four different classes right now and they are separate for each age group and our youngest students are four, five, six and seven years old. We actually have class caps. So there can be no more than eight (8) students in a class and then we have a youth class and then a separate adult class. There will be four (4) separate classes going on. They will all have traffic generation but it will not be going on at the same time. And the Saturday classes are in the AM with the same type schedule.

Ms. Linkey stated and is there not an issue with the liquor store next door or anything like that. I was just thinking with children going in and out of there.

Ms. Skilling responded I would imagine just from my experience of having children going places, the children will be dropped off in most cases and picked up, so they are going to be supervised. I don't see where that should be a problem. That is a parent thing, obviously the parents aren't having any issues because they are getting them here and I don't see where that is a big issue. There are liquors stores all in Town here.

Ms. Linkey said but it is right next to it.

Ms. Skilling stated just for the purposes of knowing, when you have children you drop them off and you are aware of where they are.

Mr. Reich asked Mr. Jack what classification did you think it was.

Mr. Jack responded I thought 4.500 because it talks about including associated educational and instructional activities, which I thought probably seemed a better fit

because that does require special exception. It seemed that would be the better fit for it because it defines exactly what is going on.

Ms. Skilling stated in the recommendation you may want to state both of those as potential. Either one of them or both. It's how you believe. It's just a recommendation to them because they are going to be reviewing it too.

Mr. Fortner asked any more discussion. Would someone like to make a recommendation?

Mr. Jack stated I would make a recommendation that it be put under 4.500, instructional activity.

Mr. Reich indicated I think we really do need something like this. It's a good outlet for the young folks and whichever one category the Appeals Board thinks makes sense to me doesn't really matter. I think we need to put it under something. I believe with Mr. Jack it really fits a little bit better because it is an educational system that is both physical and mental. I hope the Appeals board sees it the same way. I don't want to see it rejected it because we picked the wrong category.

Mr. Jack commented I don't think it would be not considered because of the category. My problem with the whole thing was just the parking area and the traffic up there. We have to look at the safety for the community and the safety of the children going in and out. Now they've explained that. If that was to grow into some large number, we go to great painstaking efforts to count parking spaces and all this thing for other businesses and if we have businesses taking over other areas and they don't have that level of review, with a major thoroughfare like that, we have to consider that for the safety of those individuals going in and out of there. So that was my concern more than anything else.

Mr. Celona responded part of what we want to do, we want to keep the classes small because that way we're going to give the best classes that we can. So if it becomes a problem and it becomes the point where the school is growing to the point where we have large numbers then we need to look at changing our schedule to match that. We don't want to get to a point, and the space isn't that large, where we have thirty (30) to forty (40) people in a class. It just won't work anyway. So I don't think it will get to a point where that is a major concern.

Mr. Fortner asked is there any more discussion.

Motion was made by Mr. Jack and seconded by Mr. Reich to recommend to the Board of Appeals to approve the use of Impact Martial Arts at 1486 Perryville, zoned Neighborhood Business, as per Section 4.500. **All in Favor. Motion Passed.**

Mr. Fortner introduced the next item on the agenda.

File No. SP2009-04 – Concept/Preliminary Site Plan Cedar Corner; PROPERTY OWNER & APPLICANT: Cedar Corner, LLC; LOCATION: 1 Harvest Lane, North side of Cedar Corner Road east of Ingleside Avenue, Perryville, MD; Tax Map 29, Parcel 134 and Tax Map 800, Parcel 667; Zoned R-1.

Ms. Skilling stated I asked them to put Concept/Preliminary on the plans because you looked at this plan during the annexation process you looked at it and they are trying to move forward but we really need to do concept first because that's what we do, the process to go through. So it really is now a Concept and then they will be coming back to you for preliminary. There are some issues here that we would have been addressing at preliminary but we need to address this as concept first.

Mr. Fortner commented so we're going to review the proposal and have public comment and make our own comments but we're not going to vote on it, is that still correct.

Ms. Skilling replied, correct, just review it at this point, yes. There are some issues we'll discuss that we need, that I need to bring forward to you just in process but I'll let him do the presentation and when I get to my notes I'll explain those to you.

Mr. James Keefer stated I'm a registered land use architect with Morris and Ritchie Associates and we're the engineers planning this project known as Cedar Corner. Also with me this evening is Mr. Kevin Geraghty from Cedar Corner LLC, the owner of the property, and also Amy DiPietro who is an engineer with Morris and Ritchie. This project has come before the Planning Commission for the annexation earlier this year. The plan is in fact is the one that was part of that process. One thing I would like to point out on this specifically is the result of the conversations that we heard at the Planning Commission meeting and/or the Mayor and Commissioners, that we have eliminated the actual public access off of the existing part of the plan and changed it to actually an emergency access only, that will be gated for emergency vehicles only. The land is a little over thirty-three (33) acres. We are continuing to propose eighty-one (81) units. That was part of the annexation agreement that we do not do any more than eighty-one (81) units, and that is still what we are showing. We're showing the neighborhood park as a village green type arrangement. I'll point to it here on the plan. Basically we changed the layout from what was previously done to create a monumental entrance that creates a center of the site with a round-a-bout that then has a one way street that surrounds a building green. Basically each one of these areas are about, they are a little over a football field in length, each one of these, and they're about a half of the width of a football field in width, about seventy-eight (78) feet actually. In those areas we don't have exactly what we are going to do, we gave thought to doing a gazebo, maybe for a bus stop that sort of thing. And also we would like to keep those areas open for community gatherings, for play areas, and just for a place for the community to congregate. There has been a forest stand delineation that has been approved by Cecil County. Phase I is seventeen (17) lots and those will be determined by what can be sewered by gravity. There's an existing sewer main at Harvest Lane. There is a manhole close to the property and basically we're going bring that down to it in addition to these two lots down here. And also as part of that, they're proposing to build a main drive, a

round-a-bout to act as access because again there will not be access off of Harvest Lane. We talked about the emergency access. And there is a, one of the comments I believe there was an attempt by staff, it talked about the right of way that crosses the property and that is currently in this location. If you look on this plan we talked to AT&T about it and they're not concerned about replacing any cables that are in it now but they want to retain right of way. So we're showing it on the plan as coming up and around the northern end of the property. If I could quickly, I would like to go through the memo that I have entitled Planning Commission Meeting, September 21st, Site Plan Review. Just to go through a group of points that I would like to provide you with information on that. It talks about the CSX Cedar Corner Road underpass. There have been meetings with the Town in conjunction with the traffic that is working on the project in coordination with State Highway Administration about the underpass at the CSX railroad. There are a number of alternatives that was brought forth to them. Here Cedar Corner Road is a Town road in that location and what the County has said they prefer is for it to become a stop condition in both directions so if somebody would drive here, stop, look, make sure that it is ok to pass and then go, and then the same thing going in the other direction. They talked about a traffic signal, they talked about mirrors but I think the jury's still out on that.

Mr. Jack asked they didn't talk about a bridge?

Mr. Keefer replied no, that was not thought to be a viable option.

Mr. Jack asked so they discussed stop signs as a more viable option than a bridge that would make it a two lane entrance and exit? I'm talking about another lane over the water connecting to the road so that there would be one going in and one going out. I'm talking about between the column in the middle and the water underneath, and it would go around and connect to that road.

Mr. Keefer replied no that wasn't considered.

Ms. Skilling stated the problem with this site is number one there is a stream there to get a permit to do those things, not that they're not necessary, but you probably would not get a permit to do that. To get the railroad to span the road underneath their existing track probably would be impossible. We've had issues where we've tried to talk about that sort of thing, so the alternative and these are some of the discussions that were talked about in the annexation, if I remember during that time, property owners were concerned about that movement through there and the alternative that the County, because it is a County road, suggested that this would be the best alternative considering, short of not doing anything at this area, because in fact it would be almost impossible to widen that road. Now they are going to be doing some amenities on the road that's not, you haven't seen all the plans yet and that's one of the things that I wanted to discuss with you because of the way the County now wants to handle things with issuing of permits from the reviewing of the plans where there is a County road involved, that they want to have contact at concept. They want to have a say in how things are going to be done with the design of that road prior to us approving this plan so there are things that are going to

have to happen on that road in order for the County to give approval and we will follow through, and then until we get the approvals here it would be conditioned upon the approvals from the Town. But to answer your question the stream is a real problem. It is so close to that stream that you can't even expand at all to the right into that stream buffer which is already in it. And to get a permit to do that with MDE would be impossible.

Mr. Jack indicated my problem, of course I live up there, but I'm not saying this because of that, but I'm saying it because it is a problem to the community. We're going to more than double the size of the community up there and we're going to have the same traffic no matter if we put a sign or we put markings on the road. We have the same little entrance and they're changing the exit to 222 and I know how these things go. We talk about them but everything is all said and done nothing happens, and we're still locked in to the same exit on 222 and along Route 40 with double the traffic, probably more than double the traffic going in and out of there.

Ms. Skilling responded the way the annexation plan was designed, there is a fee which the developer will be paying to the Town so once these things are done, even though the County approved, if the Town sees that there are still issues, that fee will be used to hopefully rectify any additional problems on that road. Now, what could happen, something could happen at 222 and Cedar Corner Road basically. I don't think there is ever going to be a light there at Route 40 and Cedar Corner.

Mr. Jack commented I wouldn't want to see a light there. To me there is only one solution and it certainly isn't the stop sign because all that does is back up traffic in either direction and if you double the amount of people going in there, I see that as a bottle neck. That is a growing area in there and more and more people are going in and out of there and to say we're not going to have a bottle neck, that is dangerous times. We know we're going to have a problem and I think just putting stop signs in there, I don't think that is good for the people in that community right now, we're the ones who will be living in that community.

Ms. Skilling stated we do have a Traffic Impact Study that was done. We do have that and if the Planning Commission wants to see that, you are welcome to have a copy, I have some extra copies, to look at that because it was generated on how many people were moving in the lane into Cedar Corner off 40 and then at 222 at different parts of the day. So we do have that information and I think, Ms. DiPietro there is some information that the County is requiring that protocol.

Mr. Geraghty commented I believe, and I think we addressed this during the annexation also and in the Traffic Group, we had agreed that there is sufficient right of way at 222 and Cedar Corner for an additional dedicated right hand turn lane. So there will be improvements made under our agreement.

Mr. Jack responded I didn't see that anywhere.

Mr. Geraghty stated even if its five (5) years down the road we're going to do this.

Ms. Skilling stated and because we are at conceptual, when you get to that preliminary we'll be looking at that because we do have a traffic impact and I'll make it available to all of you, that Traffic Impact Study, because particularly of interest is what are the numbers that are being generated on that road now verses what is going to happen when eighty-one (81) new homes are there.

Mr. Jack commented I don't mean this to favor but because it is conceptual and that is another avenue I think is in our, at least in my position to say, or the Board to think that because somewhere we have to have some relief of that traffic in there.

Mr. Geraghty stated I understand. We were at a catch twenty-two position and that's why we're here before you. And that position was we had to get annexed and have a plan before we could even go to deal with the traffic issue. The County controls that section of the road, not the Town, and in order to get in front of the County you had to do a traffic impact analysis. We couldn't address that issue until we had been annexed. There were some additional issues. We agreed to bond Fifty Thousand Dollars (\$50,000.) set aside to be used for future in ten (10) years if future problems existed because of the traffic flow increasing that could be attacked by the Town. My understanding is the Town still has to go to the County to figure out how to use that money for improvements. The traffic impact analysis that was done didn't necessarily indicate and obviously there is a lot of through traffic on that road that goes through from Route 40 that isn't associated with that neighborhood. So a dumping of the number of housing units would not double the number of trips through there because there is through traffic, just country traffic. So the County saw the traffic yield, the existing traffic with the traffic from the proposed development, and made a determination based upon traffic impact analysis that the appropriate way to direct the volume traffic coming through that underpass, the best case would be to put a stop sign there. So we had to go to them in order to get their approval for our access. To get this we had to do that. And the State Highway obviously controls 222 and Cedar Corner, that intersection, and we addressed that in the traffic impact analysis as well. And there will be improvements to that intersection that we will pay for.

Mr. Fortner commented I would be very interested to see what the County proposes for improvements to Perryville Road. I rode through there and counted houses but it seems like this is more than doubling the density that seems to be out of character but I don't think there is a good solution to that tunnel. You can't expand the tunnel because it would cost millions and when I use that road to cut through, it is nerve racking to me and more than double the amount of traffic there, but I just don't think there is a solution to it unless you somehow reconfigure the road or something. And I would like to see a sidewalk or something, there seems to be a lot of traffic on that road, and it's just a country road.

Mr. Jack stated in one sense we say, we talk about it's not going to double traffic and in the other sense, we say we're allowing eighty-one (81) homes, and we're allowing two (2) cars, and what if they have more than two cars in there, and are there going to be

places to park on the street. You know, here we're talking about at least two (2) cars per household, and we want room for three (3).

Ms. Skilling replied that is the reason that these items are brought before Planning Commission because they are Planning Commission issues. The Mayor and Commissioners looked at it and they made their annexation based on something, but these now become Planning Commission issues and that's why they are before you. Because the Planning Commission ultimately has the decision to look at the Zoning Ordinance and apply the regulations on this plan as you see and interpret our Zoning Ordinance. And that is where we are coming from to this point. It's the Planning Commission's authority to do this. So we're looking at these issues that were addressed and how I have addressed here and how I perceive them in number of units, number of homes verses and we'll talk about and discuss, because I think they are important issues for the Planning Commission to consider when you're talking about a development of this magnitude.

Mr. Fortner asked I just wanted to know, is there any conceivable approach to that road.

Ms. Skilling replied no, the only thing that could happen is potentially at 222 a light to allow people to flow through. I don't remember in the study, I know there are issues there that were already addressed at Cedar Corner with Woodlands.

Mr. Fortner started there are other concerns at the high school.

Ms. Skilling responded, yes at the high school that is the other.

Mr. Jack commented isn't there adjacent property that goes back up on the other side of the high school for access. Wouldn't it go across the tracks.

Mr. Geraghty indicated with the railroad tracks and the height of it just doesn't allow for that type of thing, an alternative access that would come through. The volume of traffic is the volume of traffic as such and I'll say that I've been through that underpass many times as well. And while it can be unnerving, I've had never had anybody approach from the other direction. I'm sure it occurs a lot but I've never had it occur. The County indicated that what was really probably already happening was the stop condition, where people are coming down and stopping because nobody would be crazy enough just to drive right through without stopping so they are trying to formalize this condition. But if it gets to a point where that is, and I'm not suggesting that it will, the underpass is well backed up because of the amount of traffic getting through there, the other intersections are going to get more traffic because nobody is going down there and wait. To some degree it's going to be self controlled, because the backup will cause people to take an alternate route which is 222. And I will be widening that.

Mr. Jack stated I will tell you that the underpass is the alternative route.

Mr. Geraghty responded right now, and I understand how quick that can change.

Mr. Jack indicated because trying to get out on Route 222 at peak times....

Mr. Geraghty replied and I understand but that would suggest obviously that there isn't all that much traffic there where you have to wait. And I understand the issue and after some point 222 I'm sure the State is going to want to revisit whether or not there would be a light which would....

Mr. Reich stated that would be heavy. Coming home every night up that road with a light at that intersection would cause the most ungodly backup on Route 40 that we cannot afford. Two lanes turn right now onto 222 and you're just barely at the top of the hill and you get another traffic light and then you get another one right at the high school. And the one at the high school tends to back up traffic sometimes. So it is not, especially at rush hour from four in the afternoon until about six there is an ungodly number of vehicles going up and down that road. And if they increase Bainbridge to thirteen hundred (1,300) homes, and other development in the future, that road will not be able to hold all the traffic.

Ms. Skilling indicated these are all big issues that are being considered and being addressed by the Town with State Highway. The casino has these issues. The Route 40, 222, I-95 intersection are major issues, and these are all major issues addressed in our Comprehensive Plan that we need to address. So, yes they are issues and it has been brought up in other projects.

Mr. Geraghty commented there is some marginal impact. The traffic study really shows and the traffic analysis show, and I didn't know you didn't have a copy I would have provided it to you, but certainly we will get one to you.

Ms. Skilling replied we have a copy. It's because we're conceptual right now. I wanted to get through this part and we have still things that are coming from the County that we need to cover the whole issue of these big issues and I have copies to supply to the Planning Commission.

Mr. Geraghty stated the marginal impact, the marginal amount of traffic was really not as significant as it is sounding. The number of traffic in terms of what the road base can actually take was not as significant as everybody makes things sound. It sounds like double, a horrible situation, but it's not really double. Because there is significant Town traffic which is a portion of what is happening with the traffic in that intersection. It's not as significant from a timing and a crunch standpoint as that percentage was initially. And you have to read the traffic analysis.

Mr. Reich replied yes I have to read that, but I'm leery of the fact that how do they know that there are drive through cars. Unless they have somebody physically standing there, and I doubt that, at both ends to say that car went all the way through to Route 40, or the other way around. For me it's a pain to drive through there because it has three stop signs so it does everything to impede my progress through there, plus I don't like going

underneath that tunnel although I have done it for years also, having lived here since 1958. So the problem is not total traffic, the problem is peak traffic. And I submit that if we've got a hundred and sixty-two cars within that area between six and eight in the morning, that's a lot of increase in traffic. And Mr. Jack I don't know how many people up there who both work in the area now but I know it used to be a considerable number of them that used to. Some of them have retired now. I need to read the traffic study because this just doesn't make sense. It doesn't intuitively make sense to me and it may be one of those weird things.

Mr. Jack stated some relief has to be given somewhere. I'm not saying that you have to have another road but somewhere there has to be some relief. So that at peak times which are in the morning and in the evening people can get in and out. Now, I don't know how that is done but I consider that a fair way to the community, to at least have something going for them that when you're putting eighty-one (81) homes on top of sixty some more that they are not problematic.

Mr. Geraghty responded and we address that issue, at least with regard to expansion of the Cedar Corner/Route 222 intersection, in order to relieve the bottlenecks that occur there.

Mr. Jack replied I like that option of a right turn in. That is something that always happens where they actually put a right turn lane out there.

Mr. Geraghty commented that is part of our presentation. If this goes through that is part of the improvements that we will be required to do. It's not will it happen, it will happen. I'll be required to do that. So that is how we've addressed that issue of that bottleneck and that increased traffic, by improving 222 and Cedar Corner Road.

Ms. Linkey asked you would have a right lane where?

Mr. Geraghty answered as you exit Cedar Corner Road and 222 instead of the two lanes that are there now, there would be three lanes. There would be a right turn only and a dedicated left turn lane.

Ms. Turgon commented the eighty-one (81) homes on that site, are we locked into that number?

Mr. Geraghty answered no. Under the density for the zoning that we came in for or were approved for, we had a plan showing a hundred (100) lots. We came in with a plan showing eighty-one (81). The Planning Commission and the Commissioners asked us if we would restrict the number of lots on the property to no more than the eighty-one (81) that were shown, which we agreed to. So under the zoning designation that this property has, we would have been able to have more lots under the existing zoning caps. So we're not required to do eighty-one (81).

Mr. Keefer commented and also as part of that, part of the agreement we've committed instead of having these lots that back up to the existing lots so that all the lot lines line up so only one property will be behind an existing property owner.

Mr. Geraghty said we did that so that it would provide continuity between the existing neighborhood and our neighborhood where someone doesn't have two back yards abutting them. They will only have one back yard running behind them.

Ms. Turgon stated they are all single family homes. And what is the price point.

Mr. Geraghty replied the requirement from the agreement during the annexation process, they would be a minimum price point of three hundred fifty thousand dollars (\$350,000.) and they would be twenty-five hundred (2,500) square feet, and will be two-story.

Ms. Skilling stated to go back, in the comments I made the eighty-one (81) single family units is the maximum amount of units that can go there. It is only based on the square footage of ten thousand (10,000) square feet which is allowed but that doesn't, again these are the kinds of things we have to look at and do they meet some of the other requirements here. Those things haven't been finalized from the Planning Commission but that was just a plan again very conceptual that they just used for the annexation.

Ms. Linkey asked and they have the thirty percent (30%) open space.

Ms. Skilling replied this particular site it is required to have the open space and it is determined. You have, generally open space, is the open space that you can actually take in the pond and they have taken in the center strip as the passive, it's more passive than the others consider active. So its how its spread out in the way of open space and that is a concern that has been expressed in here too. So, I think we need to look at open space, the kind of open space here for the types of units and the individuals who are going to be living here.

Ms. Turgon commented while the area appears positive and nice, my concern would be what other things are going to be there for the community.

Ms. Skilling responded if you look at this site plan right now there is the center median strip that is open space, but in the Ordinance and we can go through some of these things, we probably should have Mr. Keefer finish with his comments, but we can go through some of these others because this open space there was concern I have and that has always been a concern with projects. Now I can say in the annexation agreement also the developer has indicated that they would contribute one thousand dollars (\$1,000.) per home, per dwelling unit, to parks and recreation. It is not in lieu of though. But it is a contribution for our recreation in the Town of the one thousand dollars (\$1,000.).

Mr. Keefer stated to continue with the open space, let's just continue with that topic. We already discussed that these areas combined are about the size of a football field. They

are about three hundred thirty (330) feet long and about seventy (70) to eighty (80) feet wide.

Mr. Reich asked how do you consider that open space, because you didn't put a home on it.

Mr. Keefer responded well it is open space because what we doing here is we're creating a neighborhood village green.

Mr. Reich indicated you have two grassy places between two roads, which I call hazardous to little kids.

Mr. Keefer replied we don't see it that way. This would be very minimal traffic. The people who are going to be using this are going to basically be the people who live on it, who front on it. It's very similar to a lot of individual projects in and around the area. In addition to that we're also providing a connection to the school, Perryville High School, up here so you have access to the field, tennis courts, the track and all that, so we see that as a positive.

Mr. Reich asked and the Board of Education has agreed to let you, to let the people who live here use those facilities?

Mr. Keefer responded well we would have to investigate that.

Mr. Reich commented well why would you agree to put it in if they haven't approved it.

Ms. Skilling indicated you have to have special permission to go use facilities like that.

Mr. Keefer replied I don't know what they do there but I know that the schools in my area, that I go and play tennis at Havre de Grace High School and there are people running on the track while I'm playing tennis on there. I used to play all the time in Aberdeen where I grew up. So I don't know if there is a special restriction with this high school ground.

Mr. Jack stated so you are saying that the open space of the school would be the open space.

Mr. Keefer responded no, what we're saying is the mandatory open space is we're proposing double what is the smaller amount that's in your Code. There is a provision which is a minimum and it talks about the Planning Commission may require three times that for larger subdivisions and that larger subdivisions require a combination if they think it is necessary. What we're saying is that we are providing active open space more than double what that minimum requirement is plus there is the advantage that we have is that we are connected to, or directly adjacent I should say, to an existing recreational facility not too dissimilar to what is at the end of Ingleside Avenue. I believe there is a paved path from the end of this all the way over to the tennis courts. We are saying that

this community will have access and rightfully so, that if you have high school kids living here, when I was in high school I lived much further from the high school then this is and I walked.

Mr. Geraghty indicated it goes over to the high school, you can see it at the end.

Discussion continued regarding walking access from the proposed development to the high school. There is open lot access between lots 56 and 57 that is graded so there would be a gentle slope up that hill.

Mr. Fortner asked is there a chance the high school may block it from the kids walking it.

Mr. Geraghty stated there is a path that goes through if we can get the board to eventually approve an extension to our community to the path that could intersect with the other community and make it part of that. The idea here is a walkable community and to be able to use the facilities. I've lived in a community for along time and I've never been kicked off of a school field by one of the teams playing football and one of my sons plays tennis and we play catch and we've done that. The reason for the Code seemed to be to provide those kinds of activities for the community, as part of the open space. We recognize that. But what we tried to do here is take advantage of two things: one, our proximity to the existing facilities that are right there. Why duplicate things that are a hundred feet away or fifty feet away in some cases. And then take it to the next step, and take it to a design step that would be better for the community they would develop and for the neighborhood that we're developing. And to me it seems like to provide a place for people coming together. To have an area where people are going to have a party on July 4th for the community, it's not closing down some street and having kids run around, there's a park in the middle of the neighborhood to provide it. The intent is to provide a gazebo and do those kinds of things. When I was growing up, the town I grew up in didn't allow cul-de-sacs. We had a couple of streets that didn't go through, and they called them dead ends. They didn't call them cul-de-sacs. This is a box situation. People are going to be able to walk around the block outside their home without hitting a dead end. They are going to be out and that's why this is central to that, this design made that area central. Not that it is so small, it is seventy-eight feet wide, it's half as wide as a football field, and as long, each of those spaces. You can go out there and play catch, you can kick a soccer ball around, you can do all those things.

Ms. Linkey commented my neighborhood is set up similar to that and there is only one way in and one way out and pretty much the people who live there are the ones going in and out. I will not let my son even ride his bike on the road because people just fly through there and I think that you really need to think about that. Yes, you have seventy-eight (78) feet but kids run in and out and people drive whether they live there or not. And that is really something to think about.

Mr. Geraghty stated we have considered that and we talked about that in the neighborhood, and we talked about the road connects. We haven't talked to the school but we would prefer school buses didn't go down that boulevard. There are traffic

slowing designs where the curbs come out and narrow the road and you also have the pavers that would connect the one side of the street to the other. What we were trying to do is try to have a road design to provide it that would really indicate and slow traffic by design. By those curbs that come out and into the driveways to force someone to slow down and go around them. Those are the kinds of things that what we like to do in the final road design would be to incorporate them.

Mr. Keefer indicated you may have noticed them, or you may not have noticed them, but we are showing the roads at twenty-four (24) foot wide. As a method of traffic calming we're extending it at the one way and designating parallel parking along that way. Islands would come out and would have that traffic calming effect.

Mr. Fortner commented you also have that round-a-bout there that would be a traffic calming as well. I've seen that, I like what you're trying to do with the kind of boulevard park. I think that part could be bigger, or at least in a wider sense. Parts of that would work really well and if it was more a box square and then you would have the neighborhood kind of built around it and then it's sort of the central focus point for kids and other people in the neighborhood could go and play there, there's no houses on that side. All the houses face the park which I would think those would be the most valuable houses in this development to face the park, I would love to have that. I would rather see more of a box design than that boulevard design. To have a football like field that sounds like a lot but it just doesn't seem like it's going to be a lot because in comparing it to the other lots and it's just like additional front yard. And it's not much for a park that would have kind of amenities to have the kids feel safe on a tot lot there or something like that. There's not a lot of room there so if you combined it more into a larger box and built the neighborhood around that box and make that the center point you might be able to get another round-a-bout that way but it would also serve as people who come into it and you couldn't really build up speed because then they would have this block, the park that would be around, so they would have to turn and turn again and you would get that traffic calming and you would be able to keep your grid pattern which I think is good as you incorporate that brick pattern and keeping that grid based around the box park.

Ms. Linkey asked you have that as seventy-five (75) feet across? What is that distance? I'm trying to get a concept of how big that is. From home plate to first base is that ninety (90) feet, right. On a baseball field, a professional field, I understand, I'm just trying to get a picture of that space. It's really not that big. When you're a kid and you're running and playing. I think the square would be a much better idea.

Mr. Keefer stated we've incorporated those and done these designs and we've done a lot of rectangular designs with cul-de-sacs. It might seem bigger if it's a box with things around it but you're essentially, if it seems to make this narrower, this whole bit because it's so long, I think that is part of it. But to box it, what you're talking about is basically taking this, and it would only be about that.

Mr. Geraghty indicated these are all single family homes. All these homes are on a lot of ten thousand (10,000) square feet, some are bigger than that, but the kids play in their

backyards all the time. And this certainly can facilitate activities for children. But the one scenario and we wanted to incorporate a tot lot in here first and requirements and the dollars involved and all that would be indicated for zoning for small children but the other thing is people who have single family houses generally have the tot play area in their back yard.

Mr. Fortner responded but I don't like that. I would rather go to a park. I have a toddler and you have to spend a whole lot of money for that thing and I would love to have a tot lot there that I could walk. I have to drive to Perryville Park, or to Havre de Grace, or I go to the Perryville Outlets. People do that, it's the least better alternative to have your own little park. People would like to go to a community park and meet people, and you act like you're trying to achieve something and then you only provide an open grassy area and saying children will be playing in their own backyards. We want community areas.

Mr. George commented that is what we are trying to facilitate by having open space.

Ms. Skilling indicated first of all basically planning now like to see areas where communities like to have recreational areas where young people as well as old can get together. That's the problem and that's why our communities are failing. That's just from a planning perspective. You probably know that as well. So they like these areas where they can have pocket parks, places where people can bring their children, where families can get together. There are still people who don't work, stay at home mothers. These are what make the community, these spaces. That is why the Town has an open space requirement because the Town was created on these kinds of ideas and that's where we need to be for the community. In the Comp Plan, we talk about these things. We want community parks. The Town now has pieces of property downtown where they want to create a downtown park. And that's why when we're bringing these developments in, the attitude there being let's not only create something in Town for large recreational activities, like the little league and whatever, let's have communities that have congregating areas to congregate, get together, tot lots, whatever, and that's why it works well in this community. That's what I've always recommended to the Town during the Comprehensive Plan and projects.

Mr. Jack indicated and the reason I say that because it gives us the guidance when we look at something like this that may not conform to what the Town's perspective is so the future, when we have these developments we have something to go to. And I think it makes sense. Two strips long like this doesn't lend itself I don't think to what the Town's objective is when they form a community or establish a community such as this is going to happen. So that's why I wanted to ask that. The other thought I had was I heard somebody said thirty percent (30%) of this has to be open space. How close are they, how big is this property again?

Ms. Skilling replied the property is thirty-three (33) plus acres and they are only providing four point one (4.1), and a stormwater pond cannot be considered as part of the open space.

Ms. Turgon commented and I appreciate what you are saying about using high school and the athletic fields but in reality that really doesn't have anything to do with what we're looking at here. We have to get this configured so that it meets our concept of what we think this community should look like.

Mr. Geraghty replied I understand and I don't mean to completely disagree with you here. You certainly have guidelines which control lot size, control road width, you can control open space. There are a lot of things you can do. And I appreciate that you want to do what you believe is best for the community. I have a goal that is going to address those issues. And that is that if this development isn't attractive and it doesn't work I'm going to lose a lot of money and so from what you perceive as what you want should be in your zoning guidelines, not analyzed outside of that and then enhanced when I come to a Planning Commission meeting.

Ms. Turgon stated but it is, it is in the guidelines.

Ms. Skilling responded we have an open space regulations.

Mr. Geraghty stated I understand that and I will address them, but on the other hand, it's not up to you to design my project.

Mr. Reich replied it certainly is not, I agree with that. But when you put three point nine (3.9) acres of passive stormwater facility as open space doesn't mean what the Town intended by open space as evidenced if you would put a swimming pool in there and put concrete around it and make it a public pool which I know that is probably what you want but won't get you stormwater management and it's not a fishing pond either. So the point is if you have basically point nine six (.96) acres that you're suggesting that would make a park, and I'm suggesting, and we've all suggested, that's not the concept of a tot lot or the kind of park for young kids because there are roads there and I don't care what you say about slowing traffic down, kids can get killed at ten (10) miles an hour as well as thirty (30). To say you need this open space recreation use which is what is intended doesn't make sense to me. I can understand a couple of gazebos there, and let's put a group barbeque grill out there or maybe some picnic tables and adults can get together and have a couple of drinks or whatever and grill some steaks, got it, although they'll probably do that in their back yard. So that's what the intent is. The other thing to bring up is the thing for the public access for schools. I am very surprised, I can understand, high school students there, after school hours perhaps. I think we have to ask the Cecil County Board of Education but I would think that if you or I had a game on the grounds outside of school hours without permission and somebody got hurt the Town would be very upset about the liability issue. Now they may in fact let people on that track although they have fences around it so when it's shut you don't get on it. The last time I looked there were fences and gates around the tennis courts, getting on the football field is not problematic, you can get on it and you can get on it at the middle school too. Is that large stormwater management area necessary?

Mr. Geraghty responded every project that is going to come through here, that's going to be part of your test of open space.

Mr. Keefer indicated but it's not necessarily to be as shown. We did not design the stormwater yet, we've just shown an area for it.

Ms. Turgon commented my concern is that we have to make decisions based on our guidelines and there is another developer that came before us that he actually had to eliminate a building to be able to satisfy the requirement. So that's where I'm coming from.

Mr. Geraghty asked can you show us where the thirty percent (30%) requirement is in the Code?

Ms. Skilling responded there is an open space requirement in the section for the different zone. I don't have it right here. I don't know if it's based on zoning, that particular zone.

Mr. Keefer stated I was referring to the parks section.

Ms. Skilling stated there is a whole section on neighborhood parks which I've covered in my comments.

Mr. Geraghty indicated and even in your memo it says we met the minimum requirement for the neighborhood park as if it were allowed to be designed as we designed it.

Mr. Reich stated the memo says it does not meet the intent of the requirement.

Mr. Geraghty answered that's because of the roads around the open space.

Ms. Turgon commented but the point that I was trying to make with this issue was so you know, I don't think we're out of line when I say it is thirty percent (30%). It was my understanding that is is a requirement.

Ms. Skilling replied we do have a requirement. I'll have to look it up where that is stated in the Ordinance. I do know when I went through this the intent of that section talks about open space, there are several places where it talks about active and passive recreation. But when you read this section that I'm referring to here it is the intent of that whole section that it referred to of meeting that requirement. I have to look and find out exactly what it is. But it is the intent right now that it doesn't meet the requirement. We've always used the thirty percent (30%) but I'll have to look back into it again.

Mr. Geraghty stated I apologize if my plan doesn't meet the requirement.

Mr. Jack indicated I think we should look into it for sure. I think it is an issue that needs to be checked because if we want to follow with the Town's desires in setting up neighborhoods and to be consistent.

Ms. Turgon commented and we want to be consistent for all developments.

Mr. Geraghty responded I wouldn't have come in here and bothered you and spent the kind of money that I've spent already to come in here with a plan that has a quarter of the open space that we are required to have. And I know that wouldn't work anywhere. So we certainly came in here under the belief that we met the requirements that we were required to make.

Mr. Jack stated Section 239, 2. *says for purposes of this section, neighborhood park areas shall be 0.005 acres per residential unit and shall not be less than 5,000 square feet.*

Mr. Keefer responded and we've provided more than double that.

Ms. Skilling indicated but the intent of these parks, the community parks, under Article XIII, Section 240, 1. neighborhood park, that's where we were coming up with a lot of these issues. Because if you look at a neighborhood park when you read the section on neighborhood parks, what it's supposed to do, how it's supposed to meet that requirement, it's the intent of that to me, and this is my interpretation, it does not meet it by putting it in those median strips and putting it in and around storm water ponds. It doesn't meet it. You can't meet it in that requirement because that does not provide the kind of recreation that we would like in a community as expressed in this section. And for a development of eighty-one (81) units, again if you look at the number and how you base it on the number of children if you read that further, it talks about the potential of children under twelve (12) years old.

Mr. Jack read Section 240, 2. *Each development shall satisfy its neighborhood park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development. However, unless it appears that less than 5 percent of the residents of any development are likely to be children under 12, then at least 15 percent of the neighborhood park must be satisfied by the construction of "tot lots" (i.e., areas equipped with imaginative play apparatus oriented to younger children as well as seating accommodations for parents).*

Ms. Skilling continued and that is why I expected you to read this section to talk about a community type park. If you look at that whole section it expressly talks about this kind of community and how it should be designed.

Mr. Jack indicated and in number 4 of that section, *Each neighborhood park should be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding neighborhood it is designed to serve.*

Ms. Turgon asked is this different than what happened out on the water? Because we held them that they had to provide thirty percent (30%) open space.

Ms. Skilling replied their's was done by walkways that they were doing on the waterfront and all those walkways. That's how they achieved it. It's a different type of community.

Ms. Turgon responded I just remember we went at them though because they didn't have thirty percent (30%) open space so that's why they had to get rid of a building. I guess I'm getting confused about two different types of project.

Ms. Skilling replied that's different, that's not a community like this. That is a totally different kind of design. The waterfront community, a townhouse community, intermingled with the marina, it's a different standard. And we did make them look at the thirty percent (30%) for that because it was part of the water walk that we allowed them to do and it was mixed with what the intent we were trying to do of a waterfront park and to make that connection. That is why we stuck with that. We did not remove the building, the building is still there and is still an issue, but that is another project. The standard we're using here is basically the standard for this kind of development verses a development of townhouses on that waterfront.

Mr. Keefer indicated I'll read a portion of the Code, Section 241, 1. *The minimum common open space that shall be provided is as specified in Section 240.* And then back to Section 240 is where it talks about the purpose, those numbers that we've been talking about, either .005 or .015 acre per dwelling unit are the extent of the requirement for common open space.

Mr. Jack responded .005 is in Section 239. And I think where Ms. Skilling is coming from with Section 240, her perspective of what the requirement is for the community.

Mr. Geraghty stated and from a design standpoint we obviously differ. You say it has to be centrally located but you don't want any roads adjacent to it. I don't know how those two things come together.

Mr. Fortner indicated we want a centrally located park where people can play safely, not in a median strip where they can't. I don't know why that is so difficult for you.

Mr. Geraghty replied it is not difficult. That's not what I'm objecting to. What the issue is, you have this design in front of you and the size of seventy-five by three hundred, we have differences of opinion. I think it's pretty much big enough to be able to use, to play soccer or lacrosse, not an organized game. These aren't to replace recreational fields necessarily but for a pickup game. They are not on the scale of trying to provide a baseball field and a football field for eighty-one houses for people to go to.

Ms. Linkey stated and that's not what we're asking.

Mr. Geraghty responded but the scale of it is a good size, in itself it is a relevant size. If we need to redesign it, we're going to go and look to redesign it. We're not saying that we're not, but I'm trying to understand what it is. It has to be centrally located. I'm not saying that roads have to surround it but what I'm saying is it has to be centrally located

so people can get there safely. That means crosswalks, things like that. Those are the kinds of things that we've been talking about tonight. Provide the slowing mechanisms with crosswalks to provide the safety. We want the people to be able to get across the street. It was designed to fit into the community, it was designed to fit that stretch.

Ms. Linkey indicated so it was never meant to be used as a park.

Mr. Geraghty replied we're saying that it could be a neighborhood park.

Ms. Linkey responded but there is nothing there, just a couple of grassy strips.

Mr. Keefer stated that hasn't been determined exactly what is going to be there. And I don't think we're going to leave you with the idea that we're not going to put a tot lot there. What we said is what we're trying to provide per the Code. The Code talks about providing a tot lot unless we can demonstrate the age or a certain percentage of the age that we would incorporate a tot lot. I think if there is a desire that it should have a tot lot and the requirement is for a tot lot we would put it in. If we found that the Homeowners Association wanted it and if it was warranted for the residents, our demographics don't support that, maybe they would want it for their grandchildren, I don't know, but if there are professional people coming down for BRAC and they're leaving their families at home, you know that is a different demographic.

Mr. Fortner asked what was that space left for. Is it an appropriate space?

Mr. Keefer replied well we feel we did. We knew this was going to be an item of discussion and we have pictures from other developments and I actually pulled something off of the web. (Pictures were passed to the Planning Commission members to view.) Also included were pictures of some tot lots in Harford County that are basically on lots forty (40) by seventy (70). I've included pictures of some tot lots that are on lots that are approximately thirty-five (35) by seventy (70) and they are probably bigger than what we would do here. The pictures are from bigger communities that include a mixture of single family, townhouses, and an apartment type. The pictures were passed to get an idea of size of the areas. I think the length of our plan ends up skewing perception of it a little bit because you get that tunnel feel even though you're looking at something that is almost eighty (80) feet wide.

Mr. Fortner asked are these of the same site.

Mr. Keefer replied yes, but the pictures of the tot lots are at another location. Just to be clear we're not proposing to do the same but just to give you a rough idea. As you see from the aerial, the birds eye view there is actually a fountain in it with fish swimming around in it and plants growing in it. And it acts as a very nice gathering spot for that community.

Ms. Turgon commented but tonight our job is to....

Ms. Skilling replied well I think the consideration for this site is number one, conceptually does it meet the standard use for a community and the open space requirement. Are these units, eighty one (81) units, are there any flexibility there where we can meet some of these requirements. We don't know yet whether the storm water and whether they are going to have to use all that area for storm water, are there possibilities there. I think, from my perspective, to meet some of these they have to come up with a plan that addresses these things in some way. You need to include how you're going to address it, and it's obvious you all need to make a decision, do you think that they've met the intent and if not we need to have the problems addressed to come up with that and come back before the Planning Commission with something that you feel comfortable addressing. I really believe that whole section, when you look at it for a community, this doesn't to me, does not meet it. And I know for a fact in this Town, downtown here, this park back here that has a tot lot is packed with young kids, there are a lot of kids who use that. It is the only one around that I know of. And people use that, so we need to have these things in Town and in new communities.

Mr. Geraghty questioned you're not proposing that this is for use by the community at large?

Ms. Skilling responded no, but it needs to be for these people. You have eighty-one (81) homes there. These people are not even near anything down here in this part of the Town.

Mr. Geraghty commented and I can appreciate that.

Mr. Fortner stated it is a little country road and so they would have to drive to a park. We want them to drive as little as possible.

Mr. Geraghty replied I never said we weren't going to put a tot lot in here. One of the things that we had in the plans that we address, we talked about tonight was, and we actually looked at two locations. There is another little pocket park location on the front side there, there is an area there that would be possible for a tot lot on the front portion of the property so it is big enough, it certainly could serve that purpose.

Ms. Skilling stated I think where the Planning Commission is coming from at this point is does this conceptual plan, does it meet the requirements.

Ms. Linkey said it doesn't, you need to show us what your concept is for those areas. You haven't expressed to us exactly what you will provide and it's not on the plan at all.

Mr. Reich asked what is in the front, down in the left hand front there. What borders that. You talk about that whole area that is down on the left but what can it be used for, it borders on the road.

Mr. Geraghty stated there is an interior portion between two lots. I'm not saying, this would be a good location for a second one, not the only tot lot. You talk about what would be appropriate locations and we could spread them out.

Ms. Linkey indicated but you did say near the entrance and his point is that earlier about safety.

Mr. Keefer stated I was also pointing to some open areas between us and the other communities.

Mr. Jack asked is it appropriate to say what we think would meet our expectations for this kind of project. I must confess I don't understand what we need as far as requirement, but obviously some of us have a good picture of what they deem would be the perspective they see that may satisfy the requirement of the Town or at least our conception of what the Town would need. Does anybody have any idea of what they would do here in this project that may enhance it.

Ms. Turgon stated I think we need to leave it up to the developer to come up with the ideas and we present guidelines.

Mr. Jack indicated maybe guideline is the answer. That is what they are having trouble with. They say they are meeting the guidelines and we're saying they don't. Well if we say they don't, how do we fix that guideline. I guess that's what I'm saying.

Ms. Linkey commented I think what Ms. Skilling had said earlier that while they may meet some of the standards they're not meeting the intent which is for a neighborhood place for children and families to meet safely and you have verbally said what you're going to do to address these issues but our concern that while there is space there it's not necessarily really good usable space. There's just too many issues with it.

Ms. Turgon stated and I believe the definition of what is the amount of open space that they need to have.

Ms. Skilling indicated I think if you break it down the way you've done it, for the intent and the use, I think it talks in my write up here that this is what you need to do. It goes into a whole lot of calculation for that section, what a community park should be and I think if you can meet that and show it and demonstrate it then the Planning Commission has something to look at. But I don't think they're happy with the design for the purpose of a community and a community park to achieve what we look at for a community. It doesn't meet the intent of the section for the park.

Mr. Keefer asked is it because of acreage or because of the design, or both.

Ms. Skilling replied a combination of both, I think. Because what we talked about, the tot lot, the community pocket parks or whatever you want to call them. These are the kinds of things that are for a community.

Mr. Geraghty asked let me clarify this. I do want to ask this. When you start talking about the pocket parks, and pocket parks are I would imagine relatively small to define a pocket park.

Ms. Skilling responded they can be yes.

Mr. Geraghty asked and they could be scattered throughout the community and allow the community to gather in various places.

Ms. Skilling stated but I'm just saying that's just some scenario in this particular case. In this particular, that's another type of the way you meet that category of, it's the intent. But in this particular case my concern is of the eighty-one (81) units, it appears to me that a good majority or at least a number in our plan they are going to have young children there, in those eighty-one (81) units.

Mr. Geraghty commented as I said there are going to be some but these houses are going to be starting at three hundred fifty thousand dollars (\$350,000.). They're not going to be starter houses in Cecil County. And I've been to a lot of communities like this. I moved into a couple of communities where I had young kids and everybody in the neighborhood had young kids. Ten years later everybody in that neighborhood has teenage kids, and these communities evolve. I think that it is relative that areas be adaptable. So to be focusing on small children especially in a single family development where at least from what I see and those people having pools in their backyards and ten or fifteen percent of them having playground equipment in their backyard there has to be a balance. And I appreciate that. Longevity wise, what we tried to do here was to address, and what we thought we were doing when I took a look at what I had in my mind's eye, was community areas where people could gather, for kids to run around with their parents, not being sent there to play by themselves and have free rein playing in the street all the time. But a common area, and that to me is for the community as a place to come together. We obviously have a difference of opinion of what and how it's supposed to be sized, or how big it's supposed to be. It can't just be a place for a tot lot. It has to be more than that. We've tried to address that, I think. We tried. We may not have done it to your satisfaction but that's what we tried with. It is half a football field. You can kick a ball and play catch and play a small touch football game on half a football field. I think that we've tried to address that intent.

Mr. Fortner stated I don't really think we should have a whole lot of little tot lots all around the neighborhood. I would like to have it more centralized but the open space you provided I just don't think it's a very usable way. It just doesn't maximize the potential of that land. And to condense it more to more of a block, more of a square, whatever you have, you build it and have some play equipment for the young kids and you could also have the gazebo and the picnic tables and then just make it an all community area. Rather than scatter tot lots that as the neighborhood ages, you have a park that can adapt as the community changes. So I don't want you to get hung up on tot lots, but what you should get hung up on is usable open space. Something that people can use and it just doesn't feel like that is going to be that usable. It's not maximizing the benefit of it. It's

just going to be greenery that is going to get mowed and nobody is going to do anything on it unless you make it something usable. You want the community atmosphere there and the community by I think making it more a block like, making it a square where the road comes in, turns at the square block and you would have the park in the middle of it and hopefully the house faces it and hopefully you have front porches where people can sit.

Mr. Geraghty indicated the houses do face that open space now. That was the intent.

Mr. Fortner stated you want to have a place where people feel they are safe. You feel safe that your kids are being watched even if you're not keeping your eye on them every second because there are people on their front porches and other community members, but that space is just not usable though. With that it seems to be too condensed of a space and I think to reconfigure more of a usable space where you can have what you're talking about where it can grow with the community. Right there you're just going to have green space. It's just not wide enough. Those pictures you showed doesn't show considerable open space.

Discussion continued about the open space provided in the pictures. The pictures don't necessarily show exact size of the provided open space on the conceptual plans, and also don't show exactly the developer's future plans for the open space.

Mr. Geraghty indicated you have open space when you do townhouses because they are much smaller and condensed where you have open space that is between buildings that nobody owns and you can't fit a lot there. Some of that, what you're looking at, may be actually townhouse backyards that surround a tot lot. So that isn't all open space area, it's just what your mind's eye is seeing as part of it. Like you're looking down an area with backyards and you thought that the back yards were part of the open space. That's why what he's saying just doesn't exist. I understand what you are saying but I mean to what is it going to accommodate. It's not just going to accommodate people getting together. You have an idea of what's going to be accommodated. Is there going to be, it's not like going to a baseball game.

Discussion ensued about the proposed size of the open space to get a feel for that size. It was pointed out the planned open space area would be approximately three times the meeting room for width and then four times that for the length.

Mr. Keefer indicted I think we're going to be able to accommodate that, because it is so long. If we were looking at it like this and we said how big is that space and we said it's almost eighty (80) feet wide by one hundred and fifty (150) you would say that is six times the size of this room. I could throw a ball in that, you can have a little soccer practice with your son, you could play Frisbee golf in it.

Ms. Turgon commented I just think if you would go back and just meet the space requirements that Ms. Skilling identified and then whatever else you might have to do in addition to that but come back and meet what the requirements are.

Mr. Keefer stated I would put forth to you that we have met the requirements. The requirements state .005, actually it should be .015, it says the Planning Commission may determine, and that's up to you if you determine that it is what you require then we will. But that is the requirement and there are other areas that we can look at in this design to get up to that other third of an acre. We are at point nine six (.96) I think it is and we'll be required under that upper requirement of one point two (1.2).

Ms. DiPietro indicated but what it says is that it may require combinations of improved parks and recreational property, playground, and then in the other comments, and correct me if I'm wrong Ms. Skilling, if it is decided that there are going to be young children, then fifteen percent (15%) of that one point two (1.2) has to be tot lots correct?

Ms. Skilling answered I don't think it has to be tot lots, but it should be able to accommodate young people, a tot lot or something that is age appropriate.

Mr. Reich commented we've been arguing for an hour here and haven't gotten any closer and I think we ought to curtail that, and I want to ask a question. What do you design, forget the trees for a moment and I understand reforestation of open areas, what do you design around that area that would protect children playing there? I'm talking about those two areas you've got right there.

Mr. Keefer replied you could fence it. Well, you could have a board on board fence that has a screen in it if you want to be able to see through it. You could do a picket fence.

Mr. Geraghty stated a three foot tall fence, you could do a metal fence with gates that would enclose everybody inside. You walk in gates in certain areas so that you could enclose it. You could do lots of things.

Ms. Turgon asked you want to because of the traffic flows, you can't make that all together?

Mr. Keefer replied our thought was, well we had several thoughts about this. One is that we probably put a gazebo down here and that maybe if there is bus service to this area that there would be a central location for kids to be picked up or any kind of public transportation. And we also thought about maybe this area there would be a central mail box location or something like that, but also part of it is the means. If you live here, you don't want to have to drive this area to get back to your house. And if you don't provide a cut through here, this person not that they should but they could do that by going the wrong way. It's from a practical standpoint. We don't want to inconvenience the other people too much that they don't want to drive around.

Ms. Skilling commented could I suggest that it seems that these issues are still out there and to address, obviously the Planning Commission needs to address the concerns they have, and the intent of this section is community. It's to maybe come back with your plan that addresses some of these issues and it potentially what you think how you can achieve it maybe with reconfiguring the pond, no one has even talked about the fact that

you've got eighty-one (81) lots out here that could potentially could be used for other purposes, for recreation verses a lot for a home. Come back with something the Planning Commission can look at that they think is more appropriate for what we're trying to do for this purpose.

Mr. Fortner stated I think also density is going to be a big issue with this once the community is more involved. With the other houses in that area there, I think eighty-one (81) additional units in an area that's mostly small, that's a total lack for the rest of the community.

Mr. Reich indicated we as a board sat here and agreed that they could put up to eighty-one (81) lots in there, so we can't, to be fair we can't say no you can't put eighty-one (81) in there any more. But what we're talking about is how the land is used. Yes you can put up to eighty-one (81) lots in there but what we've been saying for an hour now is we want more open space, more recreational facilities. And so I think what Ms. Skilling is saying let's not argue about how many lots there are, let's....

Mr. Fortner stated but with the traffic this is going to change the character of the other developments, so that's a separate issue.

Ms. Skilling commented the only thing you looked at was eighty-one (81) lots as a maximum on this site. That's all that was specified there. How it was arranged is still an issue. The number of units is still an issue with the Planning Commission to make sure you meet the requirements. If you proceed forth with this as well, we have parking that I've addressed in here, the number of parked cars on an average if it's more than two, and we haven't even gone there yet. As far as how they're going to look like, front load garages or side load garages because those make a big difference on how you arrange parking. Because two houses coming right off of the street are going to back out on this street unless they have some way in their parking arrangement to have a turnaround. So those are still issues out there. So I would think that we need to look, they have the comments, these are in our Ordinance, and things that I think the Planning Commission still has to address and more than anything I think the developer has to address with the Planning Commission how you can come back with something that you all agree that meets the intent so those things that are a concern of everyone on the Planning Commission are addressed. But that again is up to the Planning Commission how you want to proceed with that. I think that one way to do it is to come back with a plan that they've addressed some of these issues and how they're going to meet it because then you'll see whether they can come back with a different plan that meets your goals and objectives and meets the intent.

Ms. Turgon asked do we need to make a motion for that?

Ms. Skilling responded not on the conceptual but I think you just need to say that this is a concept.

Mr. Reich asked does that storm water management need to be that big.

Ms. DiPietro responded we were told to get the ok with how to proceed here without investing a lot of time and money with the developer, before going into designing storm water facilities, road design grading, etc. We want to move forward with this layout with some confidence and go through your preliminary process which is another tool the Planning Commission has to say come back and say well where are we going to put the tot lot, or the gazebo, or how big is that storm water management facility going to be, and then we can look at your buffers, and your streams, and I think that is what we were hoping to get tonight was some kind of confirmation that we like where you're going.

Mr. Geraghty stated we clearly have to come back with a new concept. And that is what we'll do. We will probably not be in a position to change some things based on the assumption of storm water management yet. That may give us some flexibility at preliminary plan to have a plan that is better than it will be at concept. My last thing, so that when we work through this, I'll at least have a little confidence that we'll get closer next time. I'm trying to get a handle on this and I've heard a lot of things tonight about what the Code says and what the reception is of what everybody wants. We provided something that is long, I agree, but its seventy-five feet wide. We talked about providing some adequate space to do some of the things that the Code said needed to be done. Clearly we didn't put the gazebo on the plan, we didn't put the tot lot on the plan. Those can be added. But from an additional standpoint, what do you want us to be able to do. There is some value here that we are close to the high school. That there is for large venues this close to a facility for a community held baseball.

Ms. Linkey responded well I think that may be an amenity for a selling point for you to sell houses that close, as Planning and Zoning it doesn't matter, in my opinion.

Mr. Keefer stated what it does say is there are different types of amenities as to whether it is necessary. When you say an eighty-one (81) lot subdivision needs a tennis court, although not in this instance. I'm not saying you said this, but the Code lists that as one of possible amenities in a neighborhood park. So it's not specific that said where you have a hundred units you need to provide a tennis court, a basket ball court, a tot lot on this side and that side, it's only bringing forth suggestions as to what kind of amenities could be used. And I think we're looking at the value for that. We've created a plan that we feel is appropriate in terms of creating a central green space, a central gathering space. We've talked about many things but we just don't know what else you might be thinking that would be appropriate in this sort of space.

Ms. Linkey replied we have essentially said safety, usability, how you plan to use this open space. I don't have the concept because there's nothing on there. How are you going to keep kids safe, how are you going to get people out there, how are you going to have the park kind of feel because of all that is open grass.

Discussion continued about open space planning in other areas in and around Maryland.

Ms. Turgon stated I think we brought that up, I think density is going to be an issue.

Mr. Geraghty commented my understanding is that if we meet the zoning requirements, the design requirements, the lot size requirements, the open space requirements, the road requirements, then the density is going to be determined by your Zoning Code. It's those design requirements that we have to meet in order to determine what our density can be.

Mr. Fortner stated according to good design these types of things are going to have an impact with that and people are going to be living with this and if they don't show significant increase they are going to question them and so that will bring up the case as to why that little road there is going to be able to handle all this new traffic. It's not going to be that big of an impact to the community. I think it good, except for the open space problem, the fact that people, the kids in that neighborhood, at least the high school kids will be able to walk to school is a benefit to the community to have that and the good reason why that should be a residential neighborhood. I think it is good for the community and a good selling point for you and I think that is valuable. I guess Cecil County rendered their property, they don't allow use.

Ms. Skilling responded a lot of it depends on the school district. A lot of them do, some of them don't. You cannot speculate the fact the people here can use it. The Town can't say that.

Discussion continued regarding use of school facilities ball fields because they are groomed and maintained by them.

Mr. Jack stated we've taken up the better part of an hour or more with open space. The only thing I have a handle on is how much open space do they actually need. Is there a way we can possibly give them an idea of how much open space they actually need and do we want it all together as one part, and do you make it square, long, round. Is there any kind of guidance, I think it would be fair, I mean that's what they're asking for now. We've spent all this time on open space, what do we desire for this open space and how do we rectify the issues. We've been through this for awhile.

Ms. Skilling responded I think we have some general guidance here and we can work with them and if they want to come in and we can work with figuring out what is needed with the intent for community open space and see what we can do for reconfiguring or come up with some other ideas so that you can come back to the Planning Commission with a better plan, basically. And then to define exactly what is going to go in these areas for open space to meet the intent in our Ordinance.

Mr. Reich stated my personal issue is the safety of kids playing in the middle of those two roads. And that's why I brought up about what I picture in my mind that is different from these other folks was a wrought iron fence that went down through there with gates in it that a child couldn't get their head caught in but narrow enough that a soccer ball couldn't go through it. That's kind of the things that I was thinking about. I understand the turnaround, well guess what, it would be nice if that was all a solid piece to try to build a plan that's straight and not the other because the people in the back are going to

be mad they had to go all the way back there and have to go all the way around to come back out again. So I understand that. My issue's not necessarily that it's all in one place but it is usable. And I can't in my mind, based on that drawing, picture the usable in the sense of what you were thinking of, as open recreational space. I also picture sidewalks throughout the neighborhood.

Mr. Keefer responded there are sidewalks along the entire community.

Ms. Skilling indicate could I recommend that we get together with the developer to discuss all these issues, we know what they are, and see if we can come up with some solution to address the open space here and get back to the Planning Commission.

Mr. Fortner asked is there anyone from the public who wants to talk. I close the public comment portion of the meeting and we'll continue this discussion at another time.

File No. FP2009-04 – Final Site Plan Hollywood Casino Perryville; PROPERTY OWNER: Principio Iron Company; APPLICANT: Penn Cecil Maryland, Inc.; LOCATION: 20 Craigtown Road, Perryville, MD 21903; Tax Map 29, Parcel 70, Lots 1 & 2 (pending); Zoned CEMUD.

Mr. Bob McAnally began by stating what we have here is a Final Subdivision Plan prepared by G.W. Stephens and Associates on behalf of the Principio Iron Company. It's a hundred and forty-six (146) acre parcel on Route 222 right at the I-95 interchange and what we want to do is subdivide thirty point zero seven (30.07) acres for the casino lot as illustrated in green and another on six (6) acres or so for a hotel lot in the future which is in orange. We have an access road that lines up directly with the southbound ramp coming off of I-95 that will come out right here. This is an extension of Turnpike Drive and what the Mayor and Commissioners have decided they were going to name that street Chesapeake Overlook Parkway. So we're going to build a road into the site and dedicate that to the Town of Perryville. So in order to accentuate the subdivision we need to extend sanitary sewer system down to a connection. The water system is going to connect into an existing water line that comes out from the water tower which terminates at the corner of the site there. We have Final Site Plan and we have Preliminary Site Plan to the Planning Commission. We've had the Preliminary Site Plan approved by the Mayor and we have the Preliminary Final Site Plan for the casino site in front of the Mayor and Commissioners and you for your approval. The Final Site Plan is not substantially different at all; it's virtually the same as it was at Preliminary Site Plan except for improvements and recommendations recommended by the Town. So what is in front of you tonight is a subdivision. The Subdivision Plan was prepared by G.W. Stephens on behalf of Principio Iron Company. And there are two lots that we want to grade and the remainder is reserved for future development. The Mayor and Commissioners meeting is scheduled for October 6th.

Ms. Skilling stated and they do, right now we have the Final Site Plan that has been submitted, and the Final Site Plan does not vary at all from the Preliminary. Mr. McAnally addressed all my comments and URS has not responded with their comments

yet and they are still outstanding. There are still conditions before they get to the Mayor and Commissioners meeting. They are to get them to us by the end of the week and once we cover all those to make sure they have been addressed, we will go before Mayor and Commissioners meeting next month for the vote for the Final and approval. As part of that, the Planning Commission has the responsibility to look at the Subdivision and what is before you is the subdivision of these two lots within that parcel for the casino and hotel site, that will have to be transferred and approved. I think you have before you the information for the subdivision. I just want to go over some of these things that I have looked at for this subdivision:

Penn National Gaming is acquiring the parcel known as Lot 1 and Lot 2. The following information is provided for final consideration of the subdivision:

1. *Chesapeake Overlook Parkway is being designed to accommodate the entire build out and will allow connection to other phases of the CEMUD District. It is expected that the road will be dedicated to the Town and included in the PWA.*

Ms. Skilling stated there will be documents that will have to be finalized before we can sign off on this subdivision.

2. *The cul-de-sac as shown on the subdivision plan will be modified for Phase 1a and will be replaced with a tee turn around on the Final Site Plan. Subdivision regulations require cul-de-sacs to be planted. We felt due to the reconfiguration when other phases come on line, it would be best to provide the alternative.*

Ms. Skilling indicated because it is foolish to put in a cul-de-sac at this point that nobody is ever going to use, it's a lot of blacktop so we choose to do a tee turn around instead. Nobody should be going down that road because no one needs to because there is access to the site prior to the end of the road. We talked about this at the last work session with the Mayor and Commissioners as well.

3. *Easements – The following easements and documents need to be finalized:*
 - a. *Various Drainage and Utility Easements.*
 - b. *Various Storm water Access, Maintenance and Inspection easements (provided by the County and include in the Town agreements).*
 - c. *Modification of the Town easement to the water tower.*
 - d. *Forest Conservation Easements.*

Ms. Skilling continued these easements must be in hand and those documents will go along with the Subdivision. They have expanded the access to the water tower. This is an agreement that the Stewarts have with the Town and they are redesigning that road and repaved to have adequate access to the water tower.

4. *Water and Sewer – Phase 1a is expected to generate an average daily wastewater flow of 37,284 gpd (149 edus). Letter to Health Department indicating adequate W&S is available.*

Mr. Reich asked do we have a problem with that.

Ms. Skilling replied no, they are going through a water model and it seems adequate for that especially with the new tower, we don't have any issues with water.

5. *A notarized owner's certification, acknowledging ownership of the property and agreeing to the subdivision thereof as shown on the plat and signed by the owner or owners and any lien holders.*
6. *The 25' Common Area will be identified on the site plan and maintenance identified in the Development Covenants & Restrictions for Chesapeake Overlook.*

Ms. Skilling commented this was discussed at the last meeting and I think I have a copy in your plans so that there is this twenty-five (25) feet that is included now. It's a common area that we were waiting for Stewart to do because this is really part of, it's not necessarily part of Penn's site, but it is a design feature of the road basically. It's the area all along the road, where we've done the walking trail, it's part of the recreational areas, and it will be designed on their site and will be part of final site plan. It will be part of the covenants of the whole development. If you remember when we first started this we had that book that showed all the things that are going to be provided with the CEMUD, and one of them was the covenants, declaration of covenants for the whole development when it is all built out. It is this area and any of the other of the walking areas because there will be connectivity to all the phases.

Mr. Jack asked right now with just the casino there, will the responsibility all fall on them.

Mr. McAnally responded no it will fall on the park.

Ms. Skilling stated and they are developing it now, those covenants, because as part of this whole development project that was one of the things they had to do was to come up with a mechanism to take these things. So this part of it and any of these other would come through would have to be part of those covenants. And that's what we're working on now. And the Town, the Mayor and Commissioners would have to approve that, and it has to be recorded. There is one other thing that you didn't approve, in the modification of the casino building itself, there is a feature of the building, this feature here is being extended. It's a lighting feature that the architect wanted to extend and it's going to go to forty-six (46) feet, just this feature. So, it is six (6) feet above the forty (40) feet. As I mentioned part of the CEMUD allows the Mayor and Commissioners as, not an amendment to what we already approved, but it really is a revision to that because

it is just an amenity here. If that whole building was going to forty-six feet, that would be a problem, but it is only that one column.

Mr. Fortner asked is there a light on top of it?

Ms. Skilling replied there are going to be lights within it, a light up area, a lighting feature. I don't know why it wasn't included in there before, but it's just that one piece, nothing else of the building. The Mayor and Commissioners will revise that design feature of the building as part of their process, and that will be before them in October.

7. *Certificate of approval by the Health Officer of the means of providing water and sewage disposal services for the subdivision. (Letter being generated).*

Recommendation:

Conditioned on receiving the above mentioned documents, it is recommended that the subdivision of Lot 1 and Lot 2 of Chesapeake Overlook be approved.

Mr. Reich asked did you say that we need to address these comments and the URS comments as well.

Ms. Skilling responded the URS comments still need to be finalized for the Mayor and Commissioners to give final approval on the Final Site Plan. We've already conditioned the final site on them addressing them. I have to get all these comments back from URS to make sure they have all been addressed for Final Site Plan to get to Mayor and Commissioners. We're already indicated these things had to be done for the Final Site Plan. I just have to get comments from URS. My comments have been addressed on this site plan, as far as water and sewer issues some of these have been addressed, but I need to check them off with a final check to make sure the Final Site Plan is identical based on your comments before it goes to Mayor and Commissioners.

Ms. Turgon asked what is our goal for tonight.

Ms. Skilling replied your goal here tonight is to approve the Subdivision based on all the easements that need to be finalized before we can actually sign it. We have to make sure we have all documentation has been received. I need to check them off because I can't sign off on those, actually Mr. Fortner will sign for the Planning Commission and I just have to verify to make sure that all documentation are included in that subdivision.

Mr. Reich asked and all those things were included in the conditions as well.

Ms. Skilling responded correct. All these have to be addressed before Final Site Plan approval.

Mr. Reich questioned so what is the decision for tonight.

Ms. Skilling answered the decision tonight is just for the subdivision.

Ms. Turgon stated it is to make a motion that we approve this subdivision...

Ms. Skilling replied and conditioned upon all documentation are finalized prior to official signing of the final subdivision plan.

Ms. Linkey asked just one quick question, so we're not actually approving a Final Site Plan, we're recommending approval of a Subdivision upon approval of the Final Site Plan by the Mayor and Commissioners.

Ms. Turgon stated and all the conditions have to be addressed upon that approval.

Ms. Skilling replied correct, because they are still..., you already approved them; the Preliminary Site Plan based on certain conditions. Those conditions have to be met before any Final Site Plan goes further. And they are in agreement with that and I have to make sure that they're all addressed before Mayor and Commissioners because they are the final approval authority of the Final Site Plan in this CEMUD.

Mr. Jack asked how can we approve a subdivision of a plan that hasn't been approved yet?

Ms. Skilling replied you can subdivide each property out without finalizing a site plan because a site plan is only going to say what goes on the pieces of property. In this particular case we have that plan, the Final Site Plan being submitted to Mayor and Commissioners. The difference here is the way the CEMUD was established in how it is created, who makes final approval, and who makes final decisions. And basically the Planning Commission makes general decisions on, just like you would on any site plan for all the planning issues. The Mayor and Commissioners can and they do, make final approval on if there are some major modifications, they could send it back to you for the General Development Plan to be revised for major changes, for instance if these other site plans were approved from the General Development Plan as a substantial change it could come back to you saying we have to modify. It won't impact this, it won't impact the other phases.

Mr. Jack asked if the Preliminary Site Plan doesn't that include that subdivision on the Preliminary Site Plan? And we said this area is going to be used for this and this area, is that part of the preliminary?

Ms. Skilling replied that is the General Development Plan. That is what you approved, the General Development Plan. This is just one part of it, of the Phase I. What we're doing is only subdividing this out because they are buying the piece of property. Chances are this won't be bought by anybody, it may, but it may be that Stewarts may develop it. You can subdivide out a piece of property like this and have a plan on it that we're working on and just subdivide it out. But we can't finalize it, that plan, but in the meantime the Planning Commission has to approve a subdivision plan.

Mr. Jack stated I thought we were putting the cart before the horse.

Ms. Skilling responded we're not putting it before the horse, we're trying to get the Subdivision finalized so that when the Final Site Plan is approved they can be worked. Because Penn cannot do any work on this project until they own the property and the Final Site Plan has been approved.

Ms. Linkey stated so basically not the Final Site Plan, that's really not what we're doing. We're doing a Subdivision.

Ms. Skilling answered the only thing for the Final Site Plan, from your perspective, would be it is conditioned upon all those things you've already said.

Motion was made by Ms. Turgon and seconded by Mr. Reich to approve Subdivision Plan conditioned upon all documentation are finalized prior to official signing of the Final Subdivision Plan. **All in Favor. Motion Passed.**

Mr. Fortner asked any more discussion? Before we adjourn, what's going on with the Comp Plan now? Is that being delayed for another month.

Ms. Skilling replied that will be next month. We're going to have the Comp Plan as a public hearing. Also, anyone who wants to sit in on the Cedar Corner meeting to provide input is invited. I will get you a copy of the Traffic Impact Study. I did want to clarify some of the things in that traffic impact study for Cedar Corner because they were so complicated its really hard to make sense of some of the comments and the County came up with some good analysis of that impact study, so we need to probably put together things and look at it and it seems there were some things in there that were skewed.

Mr. Jack asked one more question. This doesn't pertain to the casino but how about the I-95, how is that coming along? Where does that fall in the realm of them continuing the process.

Mr. McAnally responded the initial phase for the casino of fifteen hundred (1,500) slots we have to add a second through lane on westbound 222, and we have to modify the signalization that exists there today. We have to provide another left hand turn into what is called Turnpike Drive today, we have to supply a left hand turn and an additional turn lane in the westbound direction of Bainbridge Road. Also we have to widen the exit ramp off of southbound I-95 to provide a second right hand turn lane so before we can open up the casino once it's approved and the estimated cost of that would be about one point five million dollars (\$1,500,000.) to improve that, and that is only for the casino at fifteen hundred (1,500) slots. Anything beyond fifteen hundred (1,500) slots will require additional improvements at that interchange, for additional slots and for the hotel. Before the hotel can happen additional modifications will need to be done to Route 222 and the interchange. The bottleneck that is in this area is the two-lane bridge over I-95.

Discussion continued regarding the site, the future hotel site, expansion of the casino, and the amount of substantial improvements that must be made for future development, and possibility of sharing expenses by all developers, including Bainbridge and other major projects that will impact the same interchange.

Motion was made by Mr. Reich and seconded by Mr. Jack to close the meeting at 9:00 pm. **All in Favor. Motion Carried.**

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator