

**Town of Perryville
Public Hearing Minutes
September 1, 2020**

ATTENDANCE: Mayor: Robert R. Ashby Jr., Commissioner: Timothy Snelling, Assistant Town Administrator: Cathy McCardell, Planning and Zoning Director: Dianna Battaglia, Police Chief: Robert Nitz, Town Clerk: Jackie Sample, Billing Clerk: Tara Blevins.

Remote Participation: Commissioner Linkey, Denise Breder, Debra Laubach, Town Attorney: Fred Sussman

Absent: Commissioners: Robert Taylor and Christina Aldridge

The Public Hearing in its entirety can be listened to on the Town's web site at www.perryvillemd.org.

The Public Hearing for The Community Park Annexation was called to order at 6:30 p.m. by Mayor Ashby.

Mayor Ashby stated that there was going to be Remote Participation and he was going to do a roll call to find out who will be participating remotely. Commissioner Snelling and Mayor Ashby were in attendance in person, Commissioners: Aldridge and Taylor were absent and Commissioner Linkey was attending via speaker phone. Mayor Ashby verified that Commissioner Linkey could hear him and that Commissioner Snelling along with the Mayor could hear Commissioner Linkey and that all votes taken will be by roll call vote.

Ms. Battaglia stated that the Public Hearing was for the Annexation of the Perryville Community Park and we will be going through the Annexation process tonight. There will be an introduction and presentation about the annexation and discussion between the Mayor and Commissioners and she will present comments received from Cecil County and the MD. Department of Planning. There will be an opportunity for the public attending remotely to provide comments, if you do not have a chance to make comments and think of something you can send her an email at dbattaglia@perryvillemd.org, and it also on the Town's website.

Ms. Battaglia presented an aerial shot of where the Community Park is located, which is surrounded by water on three sides and has always been our park and this is the process to officially recognize it within Town boundaries. The next picture shows the engineering and the total land area of 148.616 acres consisting of two parcels. The Municipal Annexation is the process of legally including within the corporate limits of a city or town any property that is outside of the municipality, so we are joining that with this process. There are requirements that must be followed by the State of Maryland and different agencies have been notified of this process and requirements. The area must be contiguous and adjoining to existing corporate limits and may not be located within another incorporated municipality or surrounded by another municipality. Consent from all property owners in that land, however, consent from property owners in the area to be annexed is not required here because there are no property owners in the area to be annexed. The elected body, being the Mayor and Commissioners are required to initiate a resolution proposing the annexation. The following resolutions were introduced at a

Special Meeting on July 21, 2020 as follows: Resolution 2020-06, the annexation resolution which includes the property description and a plat, Resolution 2020-07, which recognizes the annexation plan, along with Ordinance 2020-07 which creates the Open Space Zoning Classification for the park land.

Another requirement for the annexation is that once the new land is annexed, you cannot change the zoning designation for at least five years. We will be keeping the same Open Space Designation that it was designated in the County for open space and a letter was received from the County that no additional approval is necessary for that designation. A legal notice was published four times in the Cecil Whig advertising the Town Commissioners Public Hearing. Notifications were sent out the County and State agencies, and at the Planning Commission meeting held on June 15, 2020 the Planning Commission members recommended consideration for approval of Ordinance 2020-07 creating OS-Open Space Zoning Classification and at the August 17, 2020 Planning Commission Meeting reviewed and favorably recommended the Petition for Annexation documents.

After this Public Hearing when approval of the annexation is granted the annexation resolution will take effect 45 days after its enactment unless a petition for referendum is filed. The original and new corporate boundaries of the Town of Perryville will be registered with the Clerk of the Circuit Court of Cecil County and the Department of Legislative Services for the State of Maryland. Ms. Battaglia asked the Mayor and Commissioners for any questions or comments.

Mayor Ashby asked Commissioners, Snelling and Linkey if they had any questions or comments regarding the annexation of the Perryville Community Park, to which they did not.

Mayor Ashby asked if the Open Space Designation would include Lower Ferry and the property adjoining it to be included in the Open Space.

Ms. Battaglia responded that this process does not include Lower Ferry, but we can include Lower Ferry, however, we can designate Open Space to all of our parks if that is what we want to zone them as.

Commissioner Linkey asked for clarification regarding the Open Space Ordinance, thinking it was for the annexation.

Ms. Battaglia explained that it was a combination of both, it is for the annexation and to amend the zoning ordinance to add Open Space as a zoning designation.

Mayor Ashby asked for any comments from the State or County agencies if they were on-line.

Ms. Battaglia responded that she can address that, we did receive a letter from Cecil County regarding the proposed zoning designation and there are no further approvals required from the County. Today she received a letter from the MD. Department of Planning, with two comments, one was to confer with Cecil County, and the other comment was that this property

will be designated as PFA, which is a priority funding area, which is a law created in 1997 to direct States spending.

From the Floor

Mayor Ashby asked for any questions or comments through webinar and to state their name and address before making comments.

There were no comments from the public.

Commissioner Linkey asked for clarification that the Public Hearing was only on the Annexation.

Mayor Ashby responded that the ordinance was introduced at an earlier meeting.

Ms. Breder responded that the ordinance does not require the Public Hearing, which we are going to vote on later this evening, the ordinance is just part of the process because there was no Open Space Designation, so when you are annexing it you have to give it a zoning designation, so the planning department created the Open Space Designation so it would have one when it was brought into the corporate limits.

Mayor Ashby asked for any closing comments from the Commissioners.

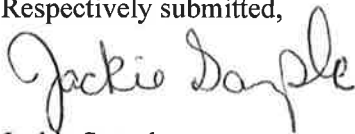
Commissioner Snelling stated that as the Planning Commissioner he has been involved in the meetings involving this and will be voting in favor of it.

Mayor Ashby stated that he is also in favor of this.

There were no further comments from the other board members.

Motion was made by Commissioner Snelling and seconded by Commissioner Linkey to adjourn the September 1, 2020 Public Hearing at 6:45 p.m. **All in Favor: Motion Carried.**

Respectively submitted,

A handwritten signature in cursive script that reads "Jackie Sample".

Jackie Sample
Perryville Town Clerk