

**TOWN OF ELKTON  
PLANNING COMMISSION  
FEBRUARY 6, 2012**

**PRESENT:** David Wiseman, (Chair) ; H. Fred Thomas, II; Sue Whitaker; Brad Carrillo; Asma Manejwala; Commissioner Mary Jo Jablonski, Ex-Officio; Clara Campbell, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

**ABSENT:** None

Mr. Wiseman called the meeting to order at 7:00 p.m.

**ACTION:** Motion was made by Ms. Manejwala to approve the minutes as written from the Planning Commission meeting on January 9, 2012. Motion was seconded by Mr. Thomas and unanimously approved.

**CASE # 1427 – REQUEST OF REBECCA SCOTT-RISPERS, 111 AUTOMOTIVE BOULEVARD, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION FOR A HOME OCCUPATION TO CONDUCT A DISPATCH OFFICE FOR A TAXI SERVICE. THIS ACTION CONCERNS PROPERTY LOCATED AT 111 AUTOMOTIVE BOULEVARD, ELKTON, MARYLAND, TAX MAP 312, PARCEL 2431, ZONED R-3**

Ms. Rebecca Scott-Rispers was in attendance to present this request. She stated that she had applied for a permit to operate a dispatch office from the den of her home at 111 Automotive Boulevard. She was informed that a special exception would be required. She noted that only one vehicle would be used initially and should the business expand she would lease an area for parking of additional vehicles.

Mr. Wiseman addressed Ms. Minner regarding whether the sign on the van is considered a sign and would require a permit. Ms. Minner stated that it would be considered a sign. Ms. Scott-Rispers stated that no other signage would be placed at the property.

Mr. Wiseman questioned Ms. Scott-Rispers as to whether she was aware that she needed a license for the business. She stated that she knew she needed a license from the Elkton Police Department and she was told the special exception was required prior to issuance of any license from that entity.

Mr. Carrillo questioned whether the Homeowner's Association at Chapel Run had given their approval of the business. Ms. Scott-Rispers stated that there was no requirement from the Homeowner's Association.

Mr. Wiseman asked if she had contacted her neighbors regarding the business. She stated that she had not contacted them but did not see any issues with the neighbors.

There was discussion regarding updates to the Zoning Ordinance with regard to signage.

Mr. Wiseman entertained questions from the Board. Ms. Whitaker inquired about what she would do when she needed more than one vehicle for the business. Ms. Scott-Rispers stated that she would lease space for any additional vehicles.

Mr. Wiseman entertained questions from the audience. There were none.

**MOTION: Motion was made by Ms. Manejwala to recommend approval of the special exception for the taxi dispatch office to the Board of Zoning Appeals with the stipulation that only one (1) taxi vehicle be allowed to be parked at this address. The motion was seconded by Mr. Carrillo and unanimously approved.**

**ANNEXATION HEARING – WILBER PROPERTY – WILBER PROPERTIES, LLC, WILLIAM Q. SAIENNI, AND WINSLOW LAND COMPANY, ET AL., CONSISTING OF APPROXIMATELY 60.235 ACRES MORE OR LESS, LOCATED ON RED HILL ROAD AND DELANCY ROAD AND FURTHER DESCRIBED ON TAX MAP 308, PARCELS 177, 178, 612, 179, 390, 1067, 737 AND TAX MAP 312, PARCELS 277, 733, 182, 183, 181, 661, 1093, 281, 328, 184, 267, 907 WHICH IS CURRENTLY ZONED “RM” (MULTI-FAMILY RESIDENTIAL) UNDER CECIL COUNTY ZONING. THE APPLICANTS ARE REQUESTING “R-3 (MULTI-FAMILY RESIDENTIAL) TOWN OF ELKTON ZONING UPON ANNEXATION**

Mr. Dwight Thomey was in attendance to address this request. He stated that a group of investors have or are in the process of acquiring the properties involved in the annexation request. There are approximately sixty (60) acres which would be annexed under the R-3 Town Zoning. This is the initial stage of the process and they would like to develop within Town limits because of the resources available within the Town.

He stated that they have acquired as many of the parcels as possible except for a few and would prefer that all the parcels be annexed into the Town and they are working to that end.

Mr. Wiseman inquired as to the number of units that would be proposed. Mr. Thomey stated that an approximate number would be around 500 units.

Mr. Wiseman asked what the Town’s stance is on the annexation. Ms. Minner stated that the Town is currently negotiating with Artesian to purchase additional water for growth and will be before the Mayor & Commissioners at their meeting this week. Another developer, who wishes to annex, has entered into a contract with United Water.

Ms. Minner discussed the requirements for change in zoning between the County and the Town. The type of zoning they are requesting is consistent with the existing County zoning.

Mr. Wiseman asked if this area is included in the Future Growth Area in the Comprehensive Plan. Ms. Minner answered that the area is included in the Town’s growth area.

Mr. Carrillo stated that if the area is annexed it would begin to assess taxes in July 2012. Mr. Wiseman confirmed the properties not currently included in the annexation request. Mr. Wiseman suggested that ‘creating an island’ might be an issue with the Planning Department requirements. There was discussion regarding which properties in the area are within Town limits.

Mr. Wiseman inquired how soon development might begin. Mr. Thomey stated that this was difficult to determine but that it would possibly be within a few years.

Mr. Wiseman voiced his concerns regarding traffic in the vicinity and suggested that the road would need to be widened. Mr. Thomey responded that State Highway Administration would make that determination. There was discussion regarding the type of units that may be proposed for the subdivision.

Ms. Manejwala questioned the fact that they mentioned mixed use and whether that would be allowed in this zoning. Mr. Thomey addressed the questions by saying that he was simply talking about the type of units to be placed as opposed to adding commercial endeavors as well as residential.

It was noted that the driving force behind the annexation was the availability of water and sewer. Mr. Carrillo questioned whether any guarantees have been made by the Town. Ms. Minner stated that no guarantees have been made by the Town. The applicant simply has the expectation that the Town will have water and sewer available for their annexation.

Mr. Wiseman opened the floor for questions or comment by the audience.

Kim McGaw of 333 Delancy Road questioned whether the Town really needed more building in that area. She noted the traffic concerns that currently exist especially since the Super Walmart opened. She pointed out that water costs and taxes are higher in Town than in Cecil County. She stated that there are numerous houses currently sitting vacant and additional empty houses won't be an asset. She suggested that they consider, at the very least, placing single family dwellings rather than multi family units.

William McGaw of 333 Delancy Road since 1979 added that since Turnquist, Buckhill Farms and Pine Valley Apartments were added on Delancy Road that trying to exit his driveway has been an ordeal. He pointed out that there is no turn lane entering Pine Valley and additional traffic at that location will be a danger if no changes are made to the road.

Tony Curosa spoke in favor of the annexation. He pointed out that they are not requesting any change to the zoning designated by the County. The zoning designation allows either 12-14 units/acre and they are requesting only 8 units/acre. He stated that their traffic engineer has already met with State Highway regarding modifications and where entrances/egress might be required. He discussed the major facilities fees and their reasoning for annexing rather than remaining in the County.

Kim McGaw responded that she understood the developer's perspective and that the Town may need revenue but she urged the Board to think about the fact that it would be better to have single family homes rather than multi-family homes. She wondered why they would want to be annexed when their taxes and water fees will be much higher than in the County.

William McGaw added that the revenue to the Town cannot put a price on a life and the decision to annex this property should not be about the money.

Fred Rau stated he has lived on Delancy Road since 1987. It used to be a quiet road and that is gone now. Since the development of the Walmart and other entities things have changed and you can't go back to that time. He said he is OK with the annexation but stressed the need to equip the road to handle the amount of traffic which will be created.

Mr. Wiseman entertained any additional questions or comments. There were none.

**MOTION:** Motion was made by Ms. Whitaker to recommend that the Mayor & Commissioners act positively with regard to the annexation for the Wilber property. The motion was seconded by Mr. Thomas and unanimously approved.

**UPDATE OF ZONING ORDINANCE AND SUBDIVISION REGULATIONS**

Ms. Minner stated that the updates for the Ordinance would be postponed until the next meeting so that the Board is given adequate time for their review.

**OLD BUSINESS** - None

**NEW BUSINESS** – Interviews are being held by the Mayor and Town Administrator for applicants for the vacancy on the Planning Commission.

Mr. Wiseman adjourned the meeting at 8:10 p.m.

**NEXT MEETING – MARCH 12, 2012**