

**TOWN OF ELKTON
PLANNING COMMISSION
February 6, 2017**

PRESENT: David Wiseman; G. Edward Ginder; David Fordyce; Rick Keane; Keith Thompson; William Muller; Mayor Robert J. Alt, Ex-Officio; Lisa M. Hamilton Blackson, Esquire; Jeanne D. Minner, Director of Planning

ABSENT: Theresa C. Thomas, Assistant Planner

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

ACTION: A motion was made by Mr. Ginder to approve, with corrections, the minutes from the January 9, 2017 Planning Commission meeting. The motion was seconded by Mr. Keane and unanimously approved.

REQUEST OF RICHARD DAYTON, 114 AUTOMOTIVE BOULEVARD, ELKTON, MARYLAND FOR A HOME OCCUPATION FOR A BARBER SHOP. THIS ACTION CONCERNS PROPERTY LOCATED AT 114 AUTOMOTIVE BOULEVARD, ELKTON, MARYLAND, TAX MAP 312, PARCEL 2431, ZONED R-3

Mr. Richard Dayton was in attendance to address this request. He stated that he wishes to place a barber shop in part of his garage at his home. He intends to place an entrance specifically for the shop so clients will not be required to go through his home. He will provide off street parking in his driveway which can hold up to 4 vehicles. Mr. Wiseman questioned whether he had contacted his neighbors. Mr. Dayton stated he had not mentioned it to any of the neighbors.

Mr. Dayton noted that his homeowner's association will be reviewing his request at their February 16th meeting. Mr. Wiseman inquired as to the hours of operation for the business. Mr. Dayton said it would be by appointment and therefore two clients at the most would be there at any given time. He hopes to group the clients together as much as possible. He will not be placing a sign.

Mr. Wiseman confirmed with Mr. Dayton that there would be State inspection once he receives an occupancy certificate from the Town and before he opens. The State will complete an annual inspection each year for his barber license and performs random checks throughout the year. He stated he would be the only family member involved in the home occupation.

Mr. Wiseman entertained questions from the Board. Mr. Thompson requested clarification regarding condition # 3 which notes 'changes to the outside of the home'. Ms. Minner stated that she felt a major change to the home is what the Ordinance would be addressing and she did not feel the addition of the door was a significant change.

Mr. Wiseman asked for comments or questions from the audience. There were none.

MOTION: Motion was made by Mr. Muller to approve the home occupation for 114 Automotive Boulevard contingent upon approval from the Homeowners Association and their continual approval in the future. The motion was seconded by Mr. Fordyce and unanimously approved.

REQUEST OF BRUCE E. PAYNE, 106 NEWARK AVENUE, ELKTON, MARYLAND FOR RENEWAL OF A HOME OCCUPATION FOR GUNSMITHING. THIS ACTION CONCERNS PROPERTY LOCATED AT 106 NEWARK AVENUE, ELKTON, MARYLAND, TAX MAP 306, PARCEL 2147, ZONED R-2

Mr. Bruce Payne was in attendance to address this request. He stated he is requesting a renewal of the home occupation he received last year. He noted he has not been very involved in this work due to a family illness. He said he received his Federal Firearms License (FFL) in July of 2016 and his license through the State Police in December of 2016. He confirmed that the State Police make an annual inspection of his home with regard to the business.

Mr. Payne stated the business involves light gunsmithing: basically cleaning and repairing of firearms which requires light tools. Mr. Wiseman asked if there had been any change to last year's request with regard to staging and materials. Mr. Payne said that nothing has changed. Mr. Keane asked if he would be selling or testing the firearms. Mr. Payne stated he would not be selling or testing any firearms. Ms. Minner asked if he has a secure safe for the firearms to which he replied he does.

Mr. Wiseman asked if Jeanne had received any complaints within the past year. She stated she had not received any complaints.

Discussion ensued regarding a timeframe for this home occupation. Mr. Wiseman entertained question or comment from the audience. There were none.

MOTION: Motion was made by Mr. Ginder to approve the home occupation for 106 Newark Avenue for a period of three (3) years contingent upon maintaining all required licensing and inspections from State and Federal agencies. The motion was seconded by Mr. Fordyce and unanimously approved.

OLD BUSINESS: Ms. Minner addressed an amendment to the Ordinance with regard to educational uses in the BI and BP zones. This would include trade, vocational, college and universities in the BI or BP zones as a matter of right. Discussion ensued. The general consensus of the Board was positive.

Mr. Wiseman pointed out that there is a truck at Tim's Used Tires with a sign and wondered if that is acceptable. Ms. Hamilton-Blackson addressed the legal aspect of this use. There will be a court hearing on 2/7/17 which will determine whether an occupancy certificate will be issued. It was also mentioned that the trailer on the site does not meet the standards set with regard to color and writing/advertisements on the trailers.

Ms. Minner noted that the Lidl project is continuing to work through the approval process with State Highway. She stated that State Highway now has an archeological division and there may be some delay in receiving State Highway approval through this division. Ms. Minner spoke with that department and provided them with information from a family member concerning the location of the house with respect to Foxwood Chase Boulevard. She added that the preliminary stormwater management plans have still not been received. The project will possibly be on the agenda for March.

Mr. Keane again mentioned the fence at the RMR property on Bridge Street. Discussion ensued. Ms. Minner will address the issue with the fence.

Mr. Ginder noted the vehicles on the grass at the Williams dealership. Ms. Minner noted that a number of dealership move vehicles toward the front on the weekends.

NEW BUSINESS: Election of Officers

MOTION: Motion was made by Mr. Ginder to nominate Mr. Wiseman as Chair of the Planning Commission. The motion was seconded by Mr. Thompson and unanimously approved.

MOTION: Motion was made by Mr. Thompson to nominate Mr. Ginder as Vice Chair of the Planning Commission. The motion was seconded by Mr. Keane and unanimously approved.

Mr. Thompson inquired about the property on Pulaski Highway where the methadone clinic was planning to move. Ms. Hamilton-Blackson stated that the State Highway requirements had never been completed and therefore the 180 days has passed. A special exception will be required if that use would wish to go into that location and the State Highway work would need to be completed.

The Mayor mentioned that PharmKent LLC would be making a presentation at the Mayor & Commissioners workshop on February 8th for a medical marijuana dispensary in Elkton.

The next meeting of the Planning Commission will be Monday, March 6, 2017.

There being no further business to discuss Mr. Wiseman adjourned the meeting at 7:42 p.m.

Respectfully submitted,

Brie Humphreys