

**TOWN OF ELKTON
PLANNING COMMISSION
September 11, 2017**

PRESENT: David Wiseman; G. Edward Ginder; David Fordyce; Keith Thompson; William Muller; Lisa M. Hamilton Blackson, Esquire; Theresa Thomas, Assistant Planner, Charles Bromwell, Director of Building & Zoning

ABSENT: Rick Keane

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

ACTION: A motion was made by Mr. Fordyce to approve the minutes from the August 7, 2017 Planning Commission meeting. The motion was seconded by Mr. Muller and unanimously approved.

PUBLIC HEARING – ORDINANCE 11-2017 – AMENDMENT TO TOWN OF ELKTON ZONING ORDINANCE, ARTICLE X SECTION 7, PERMISSIBLE USES TABLE, SUBSECTION 4 MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT; SUBSECTION 8 RESTAURANTS, BARS, NIGHTCLUBS AND ARTICLE XII, SUPPLEMENTARY USE REGULATIONS, SECTION 32 PRODUCTION BREWERY (4.110) AND PUB BREWERY (8.110)

Ms. Thomas explained that the purpose of the amendment is to address items which are not currently addressed in the Town Ordinance due to a request back in March concerning this type of use.

Mr. Wiseman asked if the specifics for the use would be dependent upon any subsequent requests relating to this type of use. Ms. Thomas stated they looked at the use in other communities and those communities did not state any specific conditions. The main concern is how it will affect the sewer treatment plant.

The sewer concerns for any use of this kind within Town limits are addressed in the Charter & Code under Title 13.12 which was included in the Board packets.

Mr. Wiseman inquired about the different determinations under this type of use. Mr. Bromwell noted that there are two determinations which the Town is addressing. State licensing types 5M & 6M, the first of which addresses producing and serving beer on the premises and the latter addresses the sale of food in conjunction with beer production and sales.

Mr. Wiseman questioned whether anyone requesting these types of uses would simply have to adhere to State regulations. Ms. Thomas noted that they would also have to apply for and be approved for a liquor license from Cecil County which controls the hours of operations as well as other requirements.

Mr. Wiseman asked who would monitor the discharge into the sewer system. Mr. Bromwell informed him the monitoring would be done by a third party hired by the owners of the business.

Mr. Wiseman inquired about the requirements for expansion of production levels. Mr. Bromwell noted that the regulations for a 5M license are unlimited but most businesses start out small.

There was discussion regarding the new brewery in Cherry Hill, Maryland. It was pointed out that the only difference between 5M and 6M is the addition of food service.

Mr. Wiseman clarified that the amendment being reviewed was simply to review the amendment and make a recommendation to the Mayor & Commissioners regarding whether the Board felt this is a use which should be added to the Zoning Ordinance. The amendment is for the C-2, C-3 and TC zones only.

Mr. Thompson asked how the discharge is measured. Mr. Bromwell explained it is done by chemical analysis. Ms. Thomas noted that limits are included in Title 13. Discussion ensued regarding how the fees are determined for this use.

Mr. Wiseman entertained questions or comment from the Board. Mr. Fordyce stated it appears the amendment is making sure breweries are in compliance with Title 13.

Mr. Wiseman entertained questions or comment from the audience.

Ms. Jessica Fincham questioned the fact that restaurants are putting through the system more that they would be with the brewery.

Ms. Fincham described the process and explained that the grain, after their use, would be provided to farmers in the area. The 'dead' yeast would be removed to the trash or put through the sewer system. She stated that only about a bucket of organic matter is left from a 20 barrel system. She stated she believed that the reason they are being included in this particular use is due to the fact that the word 'manufacturing' is included in the Title 13 description.

Mr. Bromwell added that this is included under an industrial use which is defined as part of the Federal Clean Water Act under State law. Mr. Bromwell noted that any change to the Charter and Code would have to be approved by the Mayor & Commissioners.

Ms. Fincham explained that they were also involved with the microbrewery in Cherry Hill, Maryland and went on to explain what the County requirements were for the business.

The entire process would be done at their location and they do not anticipate going over 200,000 gallons. Ms. Fincham stated their system is 180 gallons – three times a week. Each gallon of finished beer would use anywhere from 3 to 7 gallons of water.

Mr. Wiseman called for a motion regarding this amendment.

MOTION: Motion was made by Mr. Fordyce to recommend approval of Ordinance 11-2017 to the Mayor & Commissioners. The motion was seconded by Mr. Muller and unanimously approved.

OLD BUSINESS: None

NEW BUSINESS: There was discussion regarding the status of Shoppes at Elkton. There was discussion regarding trees being cut at the Village at Elkton Shopping Center.

There was a question about how long Red Hill Road would be closed.

Mr. Ginder inquired about Tim's Used Tires and the trailers. Mr. Bromwell noted their special exception has expired and they are supposed to come in for another special exception.

Mr. Wiseman noted the date of the next Planning Commission meeting is Monday, October 9, 2017.

There being no further business to discuss he adjourned the meeting.

Respectfully submitted,

Brenda Humphreys