

**TOWN OF ELKTON  
PLANNING COMMISSION  
DECEMBER 9, 2019  
MINUTES**

**Present:** Dave Wiseman; G. Edward Ginder; Keith Thompson; Rick Keane; William Muller;  
Lisa Blackson, Esquire; Jeanne Minner, Director of Planning

**Absent:** Art Blount

Mr. Wiseman called the meeting to order. The first item on the agenda is approval of minutes from the November 11, 2019 meeting. Mr. Wiseman called for a motion to make any correction or approve the minutes as written.

**MOTION:** A motion was made by Mr. Ginder to approve the minutes of the September 16, 2019 Planning Commission meeting as written. The motion was seconded by Mr. Thompson and unanimously approved.

**CASE # 1556 – ROBERT V. JONES REPRESENTING DELAWARE CARDIOVASCULAR ASSOCIATES FOR A SPECIAL EXCEPTION TO OPEN AND OPERATE A MEDICAL OFFICE USE. THIS ACTION CONCERNS PROPERTY LOCATED AT 106 E. MAIN STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 1167 AND ZONED TC (TOWN CENTER)**

Mr. Robert V. Jones, Esquire was in attendance to address this request. The special exception request falls under Article XII, Section 33 of the Town Zoning Ordinance. Mr. Jones explained this allows an existing physician's office of 3 or 4 physicians may relocate one time within the TC (Town Center) zone. He noted this cardiology practice has been in the Downtown area for a number of years and is an important practice to Union Hospital. Cardiovascular issues are a condition many people must deal with and this fact makes it important not only to people in Elkton but also in surrounding areas as well.

The reason for the move is due to an increase in clientele and therefore they need a larger space to accommodate their patients. As Union Hospital expands to provide for new patients the cardiovascular practice is expanding along with it. The Elktowne Center building is unique and with the upgrades in the past few years it is a perfect location. The build out for the Cardiovascular Associates will be several hundred thousand dollars in order to have a facility with the necessary space and accommodations for their specialized use.

The building is 28,000 square feet of above ground space with entrances at both Main and Howard Streets and is important to the Town's commercial offerings. Mr. Jones stated most buildings in the downtown are not large enough or don't have enough parking to accommodate the patient base for this particular practice and therefore it is uniquely fitted to accommodate their needs. Other benefits are they are in close proximity to the hospital and the owners desire good quality tenants.

Mr. Wiseman questioned if they are currently practicing on North Street. Mr. Jones stated their office is currently located at 215 North Street. Mr. Wiseman asked about the specific locations allowed for this use in the TC zone which is called out in the Ordinance. Ms. Blackson stated the commercial use needs to be above or below grade. It was determined that this use would meet those requirements.

Mr. Jones mentioned Delaware Cardiovascular Associates will be utilizing 3,000 square feet of the total building square footage.

There was discussion regarding whether they could ask patients to park at the rear of the building rather than along Main Street. It was determined that both patients and customers have the right to park at any public location.

Mr. Ginder inquired as to the hours of operation for the practice. Mr. Jones stated the office will be open Monday through Friday from 8:00 a.m. to 5:30 p.m.

Mr. Wiseman entertained any additional questions or comments from the Commission members. There were no other questions.

He opened the floor to questions and comments. There was no one in the audience to speak for or against this request.

**MOTION: Motion was made by Mr. Muller to recommend approval to the Board of Zoning Appeals for the special exception to open and operate a medical office use. The motion was seconded by Mr. Thompson and unanimously approved.**

**OLD BUSINESS** – Ms. Minner stated that she is anticipating receiving plans for the PUD for the January meeting. They will possibly be bringing in the PUD Overlay Floating Zone and Concept plans. She said she will be meeting with them on December 10<sup>th</sup> and she expects they will want to talk about what they will be submitting for the January meeting. She mentioned they stated they would be submitting concept plans for each section. Mr. Wiseman asked if the Commission members could receive the plans as soon as possible. She said she would have the plans to them right away but comments from herself and the engineers would be provided later. Mr. Wiseman stated he believed Councilman Bob Meffley was planning to attend the Planning Commission meeting as the representative for his district.

Discussion ensued regarding the submittal and review processes for the PUD. Ms. Minner mentioned the sections in the Critical Area on the west side of Frenchtown Road where the marina and the age restricted condos are being proposed. She went over the review process for the Critical Area sections.

Mr. Wiseman discussed the possibility of placing time limits on those who wished to speak during the meetings. He noted that time restrictions were placed when the PUD was discussed at the County meeting and he felt this would be a good idea in order to keep the meeting moving.

Mr. Keane asked if there is a timeframe that needs to be given. Ms. Blackson stated it is called out in the PUD section of the Ordinance and a general timeframe does need to be given for each section.

There was discussion regarding the infrastructure and when it needs to be placed. Ms. Minner stated it is likely it will be done in phases.

Mr. Ginder asked if Ms. Minner had received any information about the traffic study for the Dollar General. She stated she had not had an opportunity to follow up on that. Discussion ensued regarding when they would be open. Ms. Minner stated they want to be open before Christmas.

Ms. Minner mentioned there is a property on Main Street that is requesting to be annexed. Mr. Muller questioned their reason. She stated their septic systems are failing and they need to tie into the Town's sewer.

#### **NEW BUSINESS – Election of Officers**

##### **Nominations for Chair**

Mr. Ginder made a motion to reappoint Mr. Wiseman as Chair of the Planning Commission. The motion was seconded by Mr. Thompson and unanimously approved.

##### **Nominations for Vice Chair**

Mr. Thompson made a motion to reappoint Mr. Ginder as Vice Chair of the Planning Commission. The motion was seconded by Mr. Keane and unanimously approved.

The next meeting of the Planning Commission is scheduled for January 6, 2020. Ms. Minner reminded the board that the consensus of the commission at the previous meeting was to move the time of the meetings from 7:00 p.m. to 6:00 p.m. in 2020.

Discussion regarding having a closed meeting for legal counsel during the Planning Commission meeting ensued. Commission members asked how they should address questions they might have about the plans while they are reviewing them. Ms. Blackson stated any questions should be addressed to either her or Ms. Minner.

Mr. Wiseman asked if there were going to be any other items on the January agenda. There would be a few other items on the agenda. Ms. Minner mentioned First Gladwyne and noted they were making revisions to the original plan. They will be placing flex space as opposed to mini storage.

Ms. Minner discussed the order in which approvals are required for a PUD project. Discussion ensued regarding forest stand delineation, wetlands and the traffic study. There was discussion regarding possibly setting aside acreage for a school.

There being no additional items for discussion, Mr. Wiseman adjourned the meeting at 7:43 p.m.

Respectfully submitted,

Brie Humphreys

