

# The Mayor and Commissioners of the Town of Elkton

## MINUTES

September 18, 2013

The Mayor and Commissioners of the Town of Elkton (the “Board”) held their second regularly scheduled meeting in September on this date at 7:00 p.m. The following persons were present: Mayor Joseph L. Fisona; Commissioners Charles H. Givens, Sr.; Charles E. Hicks, V; Mary Jo Jablonski and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Acting Chief of Police Matthew Donnelly; Administration Office Secretary L. Michelle Henson and Town Attorney H. Norman Wilson, Jr., Esquire.

Mayor Fisona called the meeting to order and led the Pledge of Allegiance.

**ACTION:** The minutes of the September 4, 2013 meeting were approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Hicks and approved by all present with no corrections or amendments.

**ACTION:** The financial report and the bills submitted for payment were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

### **Severn Trent Environmental Services**

Water/Wastewater Treatment Services Report – Months of July & August 2013

Mr. Ken Benner, Area Manager, Severn Trent Environmental Services, presented the Water/Wastewater Treatment Services report for the months of July & August 2013. A copy of the report was placed in the record of the minutes.

Mr. Benner reiterated previously voiced concerns regarding impacts to the Town’s Water Treatment Plant (WTP) during flood events due to accumulated debris directly beneath the Delaware Avenue Bridge, and added that he shared his concerns with Mr. Chris Carski of the Maryland Department of Environment (MDE) Water Supply Program.

Mr. Benner reported that Terumo Medical Corporation had expanded processes at its facility, requiring the application for an Industrial User Permit with the Town.

Mr. Benner announced the 3<sup>rd</sup> annual Severn Trent sponsored golf tournament.

### **Town Administrator’s Report**

**Elkton Chamber & Alliance Request for Alcohol Waiver  
Downtown Fall Fest September 20 & 21, 2013**

Mr. George presented a request from the Elkton Alliance for a waiver of the Town's Alcoholic Beverage Restriction Ordinance in order to permit public consumption of alcohol during the Downtown Fall Fest scheduled for September 20 & 21, 2013.

**ACTION:** The request of the Elkton Alliance for an Alcohol Waiver for the Downtown Fall Fest scheduled for September 20 & 21, 2013 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Hicks. Mayor Fisona and Commissioner Givens voted in the affirmative. Commissioner Jablonski abstained from voting. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Aye

Commissioner Hicks: Second

Commissioner Jablonski: Abstained

Commissioner Piner: Motion

#### **Ordinance 8-2013 Elkton Zoning Ordinance and Elkton Zoning Map Presented for Introduction**

Mayor Fisona stated the owner of the property identified as Tax Map 320, Parcel 2390 noted an error on the draft Zoning Map, stating an 8-acre area should have been identified as R-3 Urban Residential Zoning.

Mr. George presented Ordinance 8-2013 Elkton Zoning Ordinance and Elkton Zoning Map for introduction. He stated the above referenced correction would be made prior to presentation for adoption.

**ACTION:** Ordinance 8-2013 Elkton Zoning Ordinance and Elkton Zoning Map were accepted for introduction on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

#### **Ordinance 9-2013 Subdivision Regulations – Presented for Introduction**

Mr. George presented Ordinance 9-2013 Subdivision Regulations for introduction. He stated no changes were incurred following initial review by the Planning Commission and Planning staff.

**ACTION:** Ordinance 9-2013 Subdivision Regulations was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

#### **Mayor Fisona's Report**

Mayor Fisona questioned if the Patriots Glen Golf Course sale was moving forward. Mr. George stated a company interested in purchasing the venue was in

discussions with MDE regarding a permit to draw water from the Big Elk Creek, which was necessary for irrigation of the grass.

Mayor Fisona announced he recently graduated from the Maryland Municipal League Academy of Excellence in Local Government.

Mayor Fisona announced a ribbon cutting ceremony at the Cecil Tech campus on September 26, 2013 from 3:00 p.m. until 5:00 p.m.

### **Commissioner Jablonski's Report**

Commissioner Jablonski announced that October 2013 is designated as Breast Cancer Awareness Month. She stated the Elkton Chamber and Alliance was planning to participate in the "Paint the County Pink" campaign.

### **Commissioner Piner's Report**

Commissioner Piner, referring to youth football activities at Meadow Park, stated several people parked their vehicles on both sides of the road, blocking the track and creating a hazard for walkers and runners, and said the practice also created a safety hazard for emergency response vehicles. He asked park visitors to be mindful of parking in either designated areas or on the right hand side of the road.

### **Commissioner Hicks' Report**

Commissioner Hicks, referring to a previous presentation by the Elkton Chamber & Alliance, questioned if the Board planned to take action regarding an economic plan for the downtown, and suggested discussion at a workshop meeting. He stated the Board needed to come up with a plan to attract viable businesses to vacant buildings downtown.

Commissioner Piner stated he visited downtown merchants on September 16, 2013 to get an understanding of their needs. He suggested other Board members speak with business people as well, in order for the entire Board to make an informed decision.

Commissioner Jablonski stated Elkton's Main Street could not compete with the many franchise businesses on Route 40. She stated the Board needed to create incentives for businesses to locate downtown. She said she wanted to have a representative from the city of Havre de Grace attend a Board meeting to provide perspective.

Commissioner Givens concurred with Commissioner Jablonski, questioning what other towns did for economic development. Commissioner Jablonski stated other towns invested in economic development, adding the Alliance budget was \$50,000, compared to other towns, some of which were as high as \$300,000.

### **Public Comment**

Mr. Andrew Whitehead stated he and his wife owned of 305 Landing Lane, which was currently under consideration for rezoning from R-O Residential Office to C-2 Highway Commercial. He stated he opposed the rezoning, as the reclassification would provide for the construction of a driveway next to his home in order to provide access for a proposed gas station. He stated the developer advised Mr. Whitehead's home would be worth more if zoned Commercial; he cited 2 Commercial properties to the north of his home that were vacant for more than a decade. He expressed concerns that his property value would fall if rezoned.

Mrs. Rebecca Whitehead reiterated her husband's comments, stating she was strongly opposed to the rezoning. She stated the developer advised that the Whitehead's home, if not rezoned, would create an "island" or "spot zoning", however the only reason this would occur would be if the developer's request to rezone the neighboring home was granted. She stated she supported the proposed business but did not want the driveway.

Mr. Andrew Whitehead reiterated his parents' comments, expressing concerns regarding security of his parents' home if the driveway were to be constructed. He stated the developer advised that the driveway would be for Landing Lane traffic only, and questioned how that could be enforced, saying motorists would enter and exit the gas station in any way that was most convenient. He stated the driveway traffic would pass within 10 feet of his parents' kitchen window.

Mr. Whitehead stated the developer's request for rezoning indicated it was to bring the property zones into conformance, adding there was no issue of conformity before the developer made their request for rezoning.

Mr. Whitehead expressed concerns regarding his parents' ability to sell their home in the future if the need arose. He stated the situation had caused his parents stress.

Commissioner Givens stated he visited the area and understood their concerns.

Mr. Robert Litzenberg, referring to a request to rezone 655 Bridge Street from B-I Business Industrial, to C-2 Highway Commercial, questioned the zoning classifications of properties located on either side of the parcel. Mr. George stated the adjacent properties were zoned C-2 Highway Commercial.

Mr. Litzenberg, referring to the request to rezone several parcels on property owned by Southside, LLC to R-3 Urban Residential, questioned the number of units that could ultimately be built on the property. He expressed concerns regarding impacts to the Town's water supplies as well as wastewater infrastructure. Mayor Fisona stated the owner of the property requested the rezoning as a "backup" plan in the event the development of a Planned Unit Development (PUD) did not move forward.

Mr. Litzenberg questioned the time limit for placement of a portable storage unit on private property.

**Motion for a Closed Meeting**

**ACTION:** Pursuant to State Government Article § 10-508 to (1) (ii) any other personnel matter that affects one or more specific individuals; Commissioner Jablonski made a motion for a Closed Meeting. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona announced that the public meeting would not reconvene.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 7:50 p.m.

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L. Michelle Henson  
Administration Office Secretary

AN AUDIO AND VIDEO RECORDING OF THIS MEETING RETAINED AT THE  
ADMINISTRATION OFFICE

Note: The minutes of regularly scheduled public meetings conducted by the Mayor and Commissioners of the Town of Elkton, following their approval, are posted at [www.elkton.org](http://www.elkton.org). The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921.