

**TOWN OF ELKTON  
PLANNING COMMISSION  
MAY 9, 2011**

**PRESENT:** Brad Carrillo; H. Fred Thomas, II; Sue Whitaker; Asma Manejwala; Clara Campbell, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

**ABSENT:** David Wiseman; Roger McCardell; Commissioner Mary Jo Jablonski, Ex-Officio

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

**ACTION:** Motion was made by Mr. Thomas to approve the minutes as written from the Planning Commission meeting on March 7, 2011. Motion was seconded by Ms. Whitaker and unanimously approved.

**UPDATE OF ZONING ORDINANCE AND SUBDIVISION REGULATIONS – CHRIS ROGERS OF URS; DRAFT REVISIONS – ARTICLE I THROUGH ARTICLE VIII**

Mr. Chris Rogers of URS addressed the Board regarding the draft changes to the first eight (8) articles to the Zoning Ordinance.

**ARTICLE I**

The main revision to this article was the update of the 12 visions to reflect the 2009 Growing Green legislation. Information regarding legal matters and disputes are contained in this article as well.

There were general questions and discussion regarding the role of the Zoning Administrator.

**ARTICLE II**

Questions regarding specific definitions (such as multifamily, townhouse and apartments, and shelter/homeless shelter) and their meaning/use were addressed as well as questions regarding the definitions of parking, religious institutions and satellite dishes and their location within the Ordinance.

An inquiry was made regarding the number of residents within any single family dwelling unit. Concerns were raised regarding ways to regulate the number of individuals within a single residence and it was decided Ms. Minner would explore the issue with other municipalities.

There was discussion regarding the definition of manufactured homes and mobile home district and mobile home parks, rights of way, and kennels and whether these definitions should remain where they are, be removed, edited or relocated to other sections of the Ordinance.

A question was raised regarding maintenance of sidewalks and Ms. Minner stated that she would look into the specific concerns. The subject of convenience stores and possible changes to the definition and location in the Ordinance was addressed specific to the downtown area.

### ARTICLE III

There was a question regarding Section 3, Quorum and Voting, and whether e-mail is considered ex-parte communication. Posting requirements for Planning Commission meetings were discussed.

There was discussion of Section 5 of Article III regarding changes which need to be made to the powers and duties of the Planning Commission. Mr. Rogers stated that he would review their questions and concerns and report back to them.

Mr. Carrillo asked for clarification regarding Section 13 and the role of the Zoning Administrator described in this section. There was a specific question as to the interchangeable use of the terms 'administrator' and 'staff' with respect to decisions made regarding questions within the Ordinance.

### ARTICLE IV

Questions were presented concerning the timeframe for release of bonds paid for the guarantee of satisfactory installation of required improvements.

### ARTICLE V

This section addresses the process for appeals, variances and interpretations and is mostly involved with the Board of Zoning Appeals. Mr. Rogers suggested changing the name to remove 'interpretations' from the title of this article and incorporating this section with Article II.

Mr. Rogers addressed changing the language for reapplication of variances to be the same as the language for special exceptions. This would deny reapplication for one year if either of these are denied.

### ARTICLE VI

Section 3 of this article will be reviewed by the Board of Zoning Appeals attorney.

### ARTICLE VII

Town Attorney will review this article.

### ARTICLE VIII

Both Jeanne Minner and Craig Trostle reviewed this article and were generally pleased with the language. There was some discussion regarding nonconforming lots and what can be placed on the lot of record according to the Zoning Ordinance.

Mr. Rogers stated that they are in the process of working with Jeanne to come up with some alternatives on how to structure the Ordinance to meet the goals and objectives set out by the Planning Commission.

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Mr. Rogers stated that the next submission will be design standard recommendations for the PUD district and some type of design standards for other residential zones. Discussion ensued regarding PUDs in the area and how they were presented.

**OLD BUSINESS:** None

**NEW BUSINESS:** Mr. Thomas inquired about the renovations at the McDonald's on Rt. 279.

Discussion ensued regarding the Elkton Senior Apartments and when they would be open.

Ms. Minner noted that the Planning Commission Journal was cut from the budget.

The next meeting of the Planning Commission will be on Monday, June 6, 2011. Ms. Minner stated that she would not be at the meeting and Ms. Thomas would be filling in for her.

There being no further items to discussion Mr. Carrillo adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Brenda Humphreys