

**TOWN OF ELKTON
PLANNING COMMISSION
MAY 11, 2009**

PRESENT: David Wiseman, Chairman; H. Fred Thomas, II, Vice Chair; Donna Short; Asma Manejwala; Sue Whitaker; Brad Carrillo; Commissioner Mary Jo Jablonski, Ex-Officio; Clara Campbell, Esquire; Theresa Thomas, Planner; Brenda Humphreys, Building & Planning Department

ABSENT: Jeanne D. Minner, Director of Planning

Mr. Wiseman called the meeting to order at 7:05 p.m.

CASE # 1367 – REQUEST OF MARILYN P. WALKER, SPECIAL EXCEPTION FOR HOME OCCUPATION, 308 SUBURBAN DRIVE, TAX MAP 312, PARCEL 2431, ZONED R-3

Ms. Marilyn P. Walker was introduced to the Board. She stated that she has maintained a beauty salon in her home since 2004 with a hiatus for the past year due to family issues. She stated that she would like to reapply to continue the home occupation.

Mr. Wiseman asked if there have been any changes at the residence or property, i.e., additions, size of salon, parking, signage, etc. Ms. Walker stated that there have been no changes.

Mr. Wiseman asked how long she has had the special exception. She stated that she has had the special exception for two years at a time but that she would like to change that in order to maintain the salon as long as she occupies the residence.

Ms. Campbell stated that the timeframe is sometimes for a shorter time in the beginning in order to be sure there are no issues which arise due to the special exception.

Mr. Wiseman entertained questions from the Board and the audience. There were none.

MOTION: Motion was made by Mr. Thomas to grant the special exception for the time that Ms. Walker occupies the residence. The motion was seconded by Mr. Carrillo and unanimously approved.

WILL WHITEMAN LAND SURVEYING, INC. REPRESENTING THE COUNTY COMMISSIONERS OF CECIL COUNTY, FINAL SUBDIVISION PLAT, TAX MAP 310, PARCEL 1204, ZONED C-1

Mr. Will Whiteman of Will Whiteman Land Surveying, Inc. and Mr. Eric Sennstrom, Director of Planning & Zoning for Cecil County were introduced to the Board. Mr. Whiteman noted that they are requesting a subdivision of two lots owned by Cecil County. He stated that Lot 1 contains structures which had been the former Purchasing building for the County and the lot size is approximately 1.2 acres. Lot 2 contains the Help Center, Child Advocacy Center, the former Housing office and 137 E. High Street which had been used for storage in the past.

Mr. Whiteman stated that they are not proposing any new construction or development. He noted that the County wishes to divest itself of Lot 1 and keep Lot 2. He mentioned that there are blanket easements shown on the plat, which have been reviewed by the Town's attorney with no concerns noted.

Mr. Wiseman inquired about the line shown through the center of the Mary T. Johnson building. Mr. Whiteman stated that years ago the County owned two parcels which had been added together.

Ms. Thomas stated that both she and Ms. Minner had met with Mr. Whiteman and Mr. Sennstrom several times and the Town has no issues concerning this request.

Mr. Wiseman entertained questions from the Board and the audience. There were none.

MOTION: Motion was made by Ms. Short to approve the Final Subdivision Plat for Cecil County as presented. The motion was seconded by Ms. Manejwala and unanimously approved.

ZONING ORDINANCE AMENDMENT 4-2009, STORAGE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS

Ms. Thomas stated that changes were made to the original submittal upon review of the amendment by Mr. Craig Trostle, Director of Building & Zoning and Mr. Richard Brooks of the Department of Emergency Services. Mr. Trostle suggested that the National Fire Protection Association (NFPA) standards would be sufficient regarding these materials. Ms. Thomas stated that they are proposing by the amendment that the applicant comply with current and future NFPA standards. She noted that the State would then make the necessary inspections according to their standards.

Mr. Wiseman entertained questions from the Board. Ms. Short questioned whether any subsequent changes to the NFPA standards would be adopted by the Town. Ms. Thomas noted that the current NFPA code is 2003.

There were not additional questions regarding this presentation.

MOTION: Motion was made by Ms. Manejwala to recommend approval of amendment 4-2009, Storage of Flammable & Combustible Liquids, specifically calling for adoption of the National Fire Protection Association Codes and all subsequent amendments. The motion was seconded by Mr. Carrillo and unanimously approved.

DISCUSSION ITEM – DAVID HOLDEN – SENIOR HOUSING PROJECT – HIGH STREET

Mr. Dwight Thomey, Attorney, Mr. David Holden & Ms. Maria Buckley of the Ingerman Group, Mr. John Fellows of McCrone, Inc., and Mr. Jim Haley of Haley & Donovan were introduced to the Board. Mr. Thomey stated that a letter was submitted to the Town regarding issues that need

to be addressed with reference to the Town Ordinance. The Ingerman Group will be presenting their project proposal for the Planning Commission's review.

Mr. David Holden stated that he is the development principal with the Ingerman Group. He noted that they work out of four states, Maryland, Pennsylvania, New Jersey and Delaware and he is based in Wilmington, Delaware. He stated that they are proposing a project for senior housing on High Street in Elkton. He mentioned that they participated in a statewide competition in 2008 where state and federal housing funds are allocated. They were one of only five submittals chosen for the state during that competition.

Mr. Holden stated that they manage several thousand of these projects and they would continue as owner for the life of the project. He provided pictures of other projects (Bladensburg, MD, Waldorf, MD, Camden, NJ and Wilmington, DE) to show the quality of the proposed project.

Mr. Jim Haley presented a visual tour of the proposed project. He noted that prior to proposing any project a full analysis of the area is completed in order to determine the amenities that exist within a quarter of a mile of the project. He highlighted the positive features of the project with regard to the building, including the fact that it is considered a 'green' building (roof & fiber cement siding w/20-25 year warranty), three-story lobby, viewing balcony, brick cladding and veneer, and landscaping package. Mr. Haley also presented the site plan and the amenities of the building.

Mr. John Fellows of McCrone, Inc. reviewed the amendments that would be required for placement of the building as proposed. The amendments would include the following: minimum lot size; minimum road frontage; minimum front yard setback; minimum side yard setback, lot coverage; minimum open space, building height and parking.

Discussion ensued regarding the proposed number of parking spaces on and off site. They are proposing 36 parking spaces onsite and 12 parking spaces offsite.

Mr. Wiseman asked if the State looks at the variances that will be required when the projects are reviewed. Mr. Holden stated that they do take variances into consideration when making the awards.

Mr. Wiseman asked the type of security system to be used. Mr. Holden stated that there would be card access as well as keyed entry requirements.

There was discussion regarding the income level required and the rental fees per month.

Ms. Thomas informed the Board that she contacted 62+ communities in both Cumberland, MD and Frederick, MD and both voiced some concerns over the changes made to their parking requirements for the projects.

Mr. Carrillo asked if the State award is time sensitive. Mr. Holden stated that it is and that their funding could be lost if the project is not completed within a given timeframe.

Ms. Manejwala asked if the design scheme was tied into this design or can it change. Mr. Holden stated that he has some flexibility in the design.

The consensus of the Board was that they would like to see the criteria given for the approval of the project from the State. The Planning Department was given the task of developing proposals for the project that the Board can review.

OLD BUSINESS:

Ms. Thomas stated that ERM would be providing a copy of the Draft Comprehensive Plan to the Planning Department within the next week and a half.

NEW BUSINESS:

Discussion of the Draft Comprehensive Plan will be scheduled for the June Planning Commission meeting.

Mr. Wiseman adjourned the meeting at 8:57 p.m.

Respectfully submitted,

Brenda Humphreys