

**TOWN OF ELKTON
PLANNING COMMISSION
JUNE 8, 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; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner; Brenda Humphreys, Building & Planning Department

ABSENT: None

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

ACTION: Motion was made by Ms. Short to approve the minutes of the April 6, 2009 and May 11, 2009 Planning Commission Meetings. Motion was seconded by Ms. Manejwala and unanimously approved.

**AMENDMENT 6-2009 – ARTICLE XII SUPPLEMENTARY USE REGULATIONS,
SECTION 29. HOUSING FOR THE ELDERLY OR HANDICAPPED (1.430)**

Ms. Minner stated that the developer for a senior housing project on High Street had appeared before the Planning Commission at the previous meeting. She noted that the project had been presented before the Mayor & Commissioners to seek endorsement of the project and the Board adopted a resolution. Subsequently Mr. Holden appeared before the State and was given funding for the project. Ms. Minner told the Planning Commission that at the time the Mayor & Commissioners endorsed the project it did not meet the criteria set forth in the Town Zoning Ordinance. She stated that she was approached by the Mayor and he stated that he would like to see amendments made to the Ordinance in order to ensure that the project could be built. She, therefore, is proposing these amendments for adoption to that end.

Ms. Minner stated that in order to ensure that the project will work at this location and see what effect it will have in this area, she is presenting the amendments as a special exception in the Central Business District only. The special exception would require the following restrictions:

1. Minimum lot size: 1.2 acres
2. Minimum front yard setback: Fifteen (15) feet
3. Minimum side yard setback: Ten (10) feet; forty (40) foot in aggregate
4. Minimum road frontage: One hundred fifty (150) feet
5. Minimum open space: Twenty (20) percent
6. Minimum lot coverage: Seventy five (75) percent
7. Minimum off-street parking spaces: .85 parking spaces per dwelling unit
8. The Board shall grant the application only upon finding that such use will not affect adversely the use or development of the surrounding area.

Mr. Wiseman stated that the decision made by the Planning Commission would be recommended to the Mayor & Commissioners. He asked Ms. Minner if she collected data for the setback criteria. Ms. Minner stated that she tried to make the proposed setback criteria consistent with the more dense type of development seen in the downtown area.

Mr. Wiseman asked if the same standard would apply if someone else applied for this use in the Central Business District. Ms. Minner stated that it would apply. Mr. Wiseman asked what the boundaries of that district might be. Ms. Minner stated that it is shown in the Comprehensive Plan, Central Business District, Map III-2 and that they would provide him with the information.

Mr. Carrillo clarified that the process would remain the same for this special exception as it would for any other special exception. Ms. Minner stated that he was correct. The Planning Commission would make a recommendation to the Board of Zoning Appeals. Mr. Carrillo stated that any request outside of the proposed criteria would need to be reviewed by the Planning Commission and the Board of Zoning Appeals. Ms. Minner stated that he was correct. Mr. Wiseman stated that some of the confusion lies in the fact that they were asked to look at the project prior to the standards being adopted. Ms. Minner clarified that the Mayor & Commissioners can make recommendations for amendments to the Ordinance at any time.

Mr. Wiseman entertained questions and comments from the Board or audience.

Mr. Dwight Thomey addressed the Board and stated that they believe they have a viable project and that it will be an asset to the downtown area. He noted that due to the way the project is being funded that they are trying to move it along at a brisk pace. He stated that there are still a number of requirements that need to be met in order to begin the project. He mentioned that just because the Board may approve this project does not necessarily mean another project of this type would apply.

Mr. Robert Litzenberg spoke in opposition to the manner in which the project was being presented. He felt that the Mayor & Commissioners and the Planning Commission are being pressured to approve this project too quickly. He stated that he was concerned about the parking issue with this project and where they would place the additional spaces required. Mr. Wiseman stated that the Board is not looking at this project in particular but at the section of the Ordinance relating to senior and handicapped housing.

Mr. Litzenberg asked if other towns had been contacted regarding their parking requirements for this type of housing. Ms. Thomas stated that she had contacted a number of communities (Frederick and Cumberland) and they did have some issues with reducing the parking to .5 parking spaces per unit.

There being no additional comments Mr. Wiseman closed the public hearing.

MOTION: Motion was made by Ms. Manejwala to approve the amendment to Article XII, Section 29 as written. The motion was seconded by Mr. Thomas with the remaining members voting as follows:

Mr. Carrillo – Yes

Ms. Short – No

Ms. Whitaker – Yes

Mr. Wiseman – No

The motion passed with four votes in the affirmative.

OLD BUSINESS: None.

NEW BUSINESS: Ms. Minner noted that there has been a request to change the definition of 'accessory use' in the Ordinance to include the following: A use which is clearly incidental and subordinate to a principal use of a structure and which is on the same lot or a contiguous lot with the same ownership. Ms. Minner stated that this amendment will be presented at the next meeting.

MICHAEL BAYER – COMPREHENSIVE PLAN MEETING – WATER RESOURCES ELEMENT & MUNICIPAL GROWTH ELEMENT

Mr. Michael Bayer of ERM addressed the Planning Commission. A draft copy of the Municipal Growth Element and the Water Resources Element had been provided to the Board.

Mr. Bayer reviewed with the Board the data and findings of each of those documents. He stated that he wished to talk with the Board about Land Use, Future Growth Areas and Town input to the County.

Mr. Bayer pointed out that the Town has been growing between 2-3% per year, which is a little faster than Cecil County as a whole with the slowest growth being between 2000 and 2005.

He stated that population projections to 2030 are 22,070 in Elkton and 154,950 in the County. In 2005 the Town population was 13,312 and the County population was 96,950.

Mr. Bayer reviewed the Household and Housing Unit Projections. He stated that the housing unit numbers will be larger than # of households. The projections are as follows for Town:

Existing households	2005 – 5,141	Projected households	2030 – 9,098
Existing housing units	2005 – 5,487	Projected housing units	2030 – 9,710

Mr. Bayer and the Board discussed housing within the pipeline and Mr. Carrillo noted that of the 3,278 proposed units that 2,500 of them involve the Planning Unit Development which has not been approved at this time. Mr. Carrillo pointed out that the PUD is a major factor in the Town's development.

The possible annexation areas of 2,913 acres were noted. Annexation areas would need to accommodate projected population growth and the boundaries would need to be simplified to provide Town services. Discussion ensued regarding priorities for future growth areas. Mr. Bayer mentioned that coordination with Cecil County is needed when determining future growth areas.

The following subjects were discussed with respect to the Water Resources Element: goals and objectives, drinking water, public drinking water demand and available drinking water demand.

Mr. Bayer looked at the available capacity of water in 2008 being 350,000 gpd and approximately 1,400 edu. The total projected demand by 2030 will be 3,034,439 gpd and approximately 12,138 edu. This leaves a deficit of 884,439 gpd and approximately 3,538 edu.

Planning Commission Minutes

6.8.09

Page 4 of 4

Ms. Minner noted that the Southfield Development is currently working on providing a well which will produce approximately 700,000 gpd which will reduce the deficit significantly. It was noted that the dwelling units proposed between now and 2030 is relative to the actual need within the next 20 years. Additional wells and a possible agreement with Artesian Water were also suggested as ways to meet the water demand.

Wastewater demand was mentioned with reference to availability, nutrient caps, nonpoint source loading, total nutrient loading, and impervious surface.

Mr. Bayer and the Board looked at the Land Use Map categories and whether any changes would need to be made according to the goals set down for any given area of Town. Mr. Bayer pointed out that Town and County zoning are similar in the proposed annexation areas.

Ms. Minner and Mr. Bayer had talked about adding a new category, Mixed Use, which would be a more intense office/commercial use. Other purposes for this category would be for economical development tool and pedestrian/transit oriented development. This could possibly incorporate different areas within Town limits.

Discussion ensued regarding future growth projections and areas where the Town feels it would be an asset for the Town to annex. Future road connections were discussed as well.

Dates for the next meeting for the Comprehensive Plan were discussed. The Land Use Element will be addressed at that meeting.

There being no further items for discussion the meeting was adjourned at 9:26 p.m.

Respectfully submitted,

Brenda Humphreys