

**TOWN OF ELKTON  
PLANNING COMMISSION  
MAY 12, 2008**

**PRESENT:** David Wiseman, Chairman; Donna Short;; H. Fred Thomas, II; Asma Manejwala; Clara Campbell, Esquire; Commissioner Mary Jo Jablonski, Ex-Officio; Jeanne D. Minner, Director of Planning, Theresa Thomas, Planner; Brenda Humphreys of the Building & Planning Department

**ABSENT:** Robert Litzenberg

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 7, 2008 Planning Commission Meeting. Motion was seconded by Mr. Thomas and unanimously approved.

**ACTION:** Motion was made by Ms. Short to nominate Fred Thomas for the Vice Chair position on the Planning Commission. Motion was seconded by Ms. Manejwala and unanimously approved.

**RJK ENGINEERING & ASSOCIATES REPRESENTING CECIL BANK, 200 NORTH STREET, REVISED FINAL SITE PLAN, TAX MAP 307, PARCELS 1463, 1332, 1264 & 1265, ZONED C-1**

Mr. Charles Sposato of Cecil Bank was introduced to the Board. He stated that his engineer met with Ms. Minner of the Planning Department concerning changes to the site and a new plat has been submitted. Ms. Minner noted that the handicapped parking has been moved closer to the building as required. She added that another parking space had been added along the East High Street parking area. In addition two landscape islands had been removed from the site. She stated that in looking at the layout and physically standing on the site there is an existing drive thru window along with 6 of the current 7 parking spaces that pre-existed this ordinance. She interjected that her concern is that the parking spaces along East High Street do not have a 24' wide two-way access aisle for 9 a.m. -3 p.m. parking. The layout of this parking, as mentioned, is pre-existing. They do have 10 feet of space between the last parked car and the access aisle as drawn and a little more room if you only add in the number of five stacked cars. The concern of ingress and egress still exists if there are five cars in the drive thru lane closest to the parking spaces but probably will not create an issue. Mr. Wiseman noted that this is employee parking only and therefore would only leave at lunch time and then after the drive through is closed. Mr. Sposato stated that they moved the primary stacking to the second lane. Ms. Minner stated that the Ordinance requires that the lane closest to the building be designated as the primary drive thru lane. Even with that requirement there is enough space to get one car in and out at a time. In trying to work with the applicant she did not feel it would be an issue.

Mr. Wiseman asked about the location of dumpsters. It was noted that the bank does not require a dumpster as the majority of their trash is shredded and the remainder is picked up by a service.

Mr. Wiseman asked about the comments concerning the canopy trees. Ms. Minner noted that a few comments are still left over from previous reviews. She noted that there are two fewer landscape islands and they are to replace some of the understory trees with canopy trees but that flowering understory could be accepted.

Ms. Minner mentioned that the handicapped access aisle is required to be 8' wide. Mr. Sposato stated that this would not be a problem.

Mr. Thomas asked if there will be a 'right turn only' sign exiting the property onto North Street. Ms. Minner stated that a sign will be placed and Mr. Sposato confirmed it as well.

Ms. Manejwala asked about the comment regarding the sanitary sewer lateral. Ms. Minner stated that if the lateral is near the proposed canopy structure then it would need to be shown.

Mr. Wiseman entertained any additional questions or comments. There were none.

**MOTION: Motion was made by Ms. Manejwala to approve the Revised Final Site Plan contingent upon compliance with all comments from the Town and KCI and contingent upon placement of the required canopy trees and the handicapped access aisle conforms to the 8' width requirement. The motion was seconded by Ms. Short and unanimously approved.**

**BOHLER ENGINEERING REPRESENTING ALDI, INC., 98 CHESAPEAKE BOULEVARD, REVISED FINAL MAJOR SUBDIVISION PLAN, TAX MAP 317, PARCEL 2441, LOT 1, ZONED C-2**

Mr. Justin Dunn of Bohler Engineering was introduced to the Board. He stated that they are requesting approval for the Revised Final Major Subdivision Plan. The main reason for this revision is to create a 20' public water easement for the additional hydrant that is required for a 6" water line that must be within 100' of the fire department connection.

Mr. Wiseman inquired whether there were any issues with any of the comments from either DPW or the Planning Department. Mr. Dunn stated that there was a comment regarding the hatching shown on the plan. Ms. Minner noted that clarification was made by the draftsman regarding this issue and simply needs to be made clear on the plans.

Ms. Minner noted a small matter regarding their sign within the Highway Corridor Overlay zone and would need to be reviewed by the Board and voted on accordingly.

Mr. Wiseman entertained any additional questions or comments. There were none.

**MOTION: Motion was made by Ms. Short to approve the Revised Final Major Subdivision Plan contingent upon compliance with all comments from the Town and KCI. The motion was seconded by Mr. Thomas and unanimously approved.**

**MOTION: Motion was made by Ms. Short to approve the proposed sign within the Highway Corridor Overlay Zone. The motion was seconded by Ms. Manejwala and unanimously approved.**

**MCCRONE ENGINEERING, INC. REPRESENTING ALEXANDRA'S VILLAGE, 701 EAST PULASKI HIGHWAY, FINAL SITE PLAN FOR RETAIL BUILDING, TAX MAP 316, PARCEL 2245, ZONED C-2**

Mr. David Strouss and Mr. Brad Fox of McCrone, Inc. and Mr. Dean Geracimos, Owner & Developer of the property were introduced to the Board. Mr. Strouss stated that they are before the Board to seek Final Site Plan approval. They were before the Board last month and received Preliminary Site Plan approval. He stated that they have addressed the comments from the Preliminary Site Plan review and this plan is essentially unchanged from that plan. They have addressed comments regarding the final site plan and construction drawings which have been reviewed by the Town and KCI. The project proposes an 18,500 sf retail commercial building. They are moving forward with addressing State Highway comments and are in the process of addressing hydraulic review comments for the drainage on Route 40 and have no issues with those comments. They have no issues with addressing comments from the Town and KCI but would like to discuss one of those comments. He stated that Ms. Minner gave a comment (#6) which recommended a sidewalk access at the northern end of the building from the parking lot to the improved section of Wilson Avenue. The owner has some issues with the security at that end of the building and would prefer not to have access to the street. They are proposing a fence to continue past the end of the building toward Route 40 securing the back end of the building to keep people from loitering around the rear of the building.

Ms. Minner stated that her concern is providing pedestrian access to nearby residences, other than by vehicle. Mr. Geracimos stated that an additional concern is shielding of the dumpster at that end of the building. He hopes to heavily landscape that area as well in order to deter people from accessing that end of the building. He stated that if necessary he would be willing to comply with the request. He noted that sidewalk will only be at the front of the building and he would prefer it to remain that way. There was some discussion regarding the location of the sidewalk and reasons for and against its location at the rear of the building. Ms. Minner is concerned that people will tear up the landscaping in order to take the nearest route to the front of the building. Mr. Geracimos stated that he is not opposed to placing the sidewalk but feels that it would attract more

foot traffic rather than deter it. Mr. Wiseman stated that if the majority of customers accessed the property by foot then he could understand the need for the sidewalk at the location requested.

Ms. Minner inquired about the forest conservation and what their current intention might be. Mr. Strouss stated that they are requesting to purchase their forest conservation at the Stony Ridge Forest Bank. Ms. Short asked whether this was acceptable. Ms. Minner stated that it was acceptable.

Mr. Wiseman asked whether they have recalculated the forest conservation area. Ms. Minner stated that the options are to either provide on site forest retention, on site afforestation, off site forest retention or off site afforestation or provide a fee in lieu. The fee in lieu money comes to the Town and they would find a place to provide this requirement.

Ms. Short inquired about the design waiver noted on the plans. Mr. Strouss stated that this waiver was approved on the Preliminary Plan and no other waivers are being requested at this time.

Ms. Minner asked if they are able to address KCI comments regarding storm water management issues. Mr. Strouss stated that they have no issue with any of these comments. He noted that they do have good filtration at the site.

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

Kay Michaels of 706 Delaware Avenue stated that they, as well as some of their neighbors, are glad to hear that access is closer to Route 40 because they are not happy about foot traffic being encouraged along Wilson Avenue. They are encouraged by the fencing they are proposing as security of the area.

There were no additional persons who wished to speak.

**MOTION: Motion was made by Ms. Short to approve the Final Site Plan for Alexandra's Village contingent upon addressing all comments from the Town and KCI and not requiring the sidewalk which was suggested in the comments. The motion was seconded by Mr. Thomas and unanimously approved.**

**MR. RICHARD STAPLEFORD OF 117 VINCE DRIVE REQUEST FOR  
SIDEWALK EASEMENT RELOCATION, TAX MAP 306, PARCEL 2447,  
ZONED R-3**

Mr. Richard Stapleford was introduced to the Board. He provided pictures to the Board which showed an easement being placed on his property at 117 Vince Drive. He stated

that the easement would be located immediately off the deck attached to his home. He stated that he feels this placement is in error and wished the Board to review his pictures and the recorded plat in order to remedy this situation. He stated that the location as shown in the pictures is unacceptable due to the fact that BMX bicycles are already using the dirt track which ends into the street at the bottom of his property. He is very concerned not only for his property security but for the safety of the young people who may choose to use the sidewalk upon completion for skateboarding or bicycling. He was before the Board to suggest a different placement of the easement.

Ms. Minner noted that the easement has already been recorded and mentioned that when the access was laid out on the plat the house was not shown. Mr. Stapleford stated that his yard is newly sodded and the other homes nearby are not currently occupied. Ms. Minner stated that the intent of the easement was to provide access to the playground in the open space and overflow parking. Mr. Wiseman asked if there is any other access to the open space other than this easement. Ms. Minner stated that you would have to walk around the townhouses or drive into the lot. Ms. Short inquired what Mr. Stapleford's remedy for the situation might be. Mr. Stapleford provided visuals to the Board showing his possible suggestion to remedy the situation, of which the developer is not in favor. There are numerous steps incorporated into the design of the sidewalk and he feels this creates a dangerous situation.

Mr. Wiseman addressed Ms. Minner concerning the options the Board might consider regarding this situation. Ms. Minner stated that if the easement is creating more of a safety hazard than an accessibility benefit then the developer can re-record the subdivision eliminating the sidewalk easement. Mr. Wiseman asked if Mr. Stapleford had spoken with the developer. He stated that he spoke with Mr. Kenny Simmons the day the sidewalk construction was begun and Mr. Simmons stated that he would prefer not to place the sidewalk. Mr. Davitt has not been contacted. It was determined that Mr. Davitt should be contacted regarding this easement and the possible correction that might be considered. Ms. Minner stated that she would contact the developer and work on this issue.

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

**MOTION: Motion was made by Ms. Manejwala to recommend that Ms. Minner contact the developer, Mr. Michael Davitt, to investigate a solution to the drainage and safety issues regarding the sidewalk easement on 117 Vince Drive. The motion was seconded by Mr. Thomas and unanimously approved.**

**CASE # 1348 – REQUEST OF MEETING GROUND, P.O. BOX 1029, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION TO PERMIT A PHILANTHROPIC USE IN THE C-1 ZONE. OWNER PROPOSES TO OPEN AN EMPOWERMENT CENTER. THIS ACTION CONCERNS PROPERTY LOCATED AT 401 NORTH STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 981, ZONED C-1**

**Ms. Donna Short requested to be recused from this case.**

Mr. Dennis Clower, Esquire and Ms. Alison Windle, Director of Administration & Finance for Meeting Ground were introduced to the Board. He stated that they regret that Rev. Carl Mazza is unable to attend as his wife is gravely ill. Mr. Clower stated that they did not expect or wish to be back before the Board. He stated that they were forced to file for a special exception by the decision of the Board of Zoning Appeals which the Court refused to overturn. That decision was that despite the fact that Meeting Ground is a religious corporation, governs itself as a church and is a recognized mission of the New Castle Presbytery and wishes to make use of this property in a way consistent with the church's mission and the mission of Meeting Ground that it required a special exception as a philanthropic institution. He stated there are constitutional arguments about it violating the free exercise of religion clause, arguments that it violates the religious land use and Institutionalized Persons Act of 2000 were not dealt with by the Court because they stated that we had not applied for the special exception and therefore had not exhausted our administrative remedies and that their only recourse was to apply for the special exception. He stated that they are therefore here to make this application.

Mr. Clower went on to comment on the Zoning Ordinance criteria for the special exception. He addressed Article IV, Section 6, Items 1-7. He stated that they did not feel this use will be in violation of item 1 which states 'That the establishment, maintenance, and operation of the special exception will not be detrimental to or endanger the public health, safety, convenience, morals, order or general welfare.' He added that the Mary Randall Center is an outgrowth of the rotating shelter program which more than 20 churches created through the cold months. They found that once the individuals staying at the shelter were released into the Town there was nowhere for them to go. The idea of the empowerment center, which Meeting Ground would own and operate, developed out of this need. The empowerment center was designed to house this program which would provide basic comfort (showers, food, etc.) as well as counseling, use of computers in order to help them work out their situation and get off the streets. He mentioned that the Mary Randall Center declaration of support and purpose, signed by approximately 27 churches, speaks about the center being part of the rotating shelter, but he pointed out that this is misleading as the center will not be used as an overnight shelter but will be in use only during the day. He pointed out two additional letters from the New Castle Presbytery indicating that the work of Meeting Ground with the homeless is supported by the church as a mission and is also together with various other churches. He provided the Board with a copy of the articles of amendment under which Meeting Ground left its position as a non-profit organization and was incorporated as a church.

He stated that he believed that this proposed facility would actually have a positive effect rather than a detrimental effect as noted in item 1 of the referenced criteria. Mr. Clower referred to the line of cases which started with Schultz vs. Pritts, regarding special exceptions. He stated that under that line of cases a special exception is presumed to be compatible with the zone and that if any adverse effect may occur that is not grounds to deny the special exception unless the adverse effects are shown to be much greater at this location than they would generally within that zone. He read a quote from Eastern Outdoor Advertising which stated "It is not whether a special exception or conditional use is compatible with permitted uses that is relevant in the administrative proceeding. The legislative body, by designating the special exception, has deemed it to be generally compatible with other uses. Moreover, it is not whether a use permitted by way of special exception will have adverse effects, adverse effects are implied in the first instance by making such conditional uses as special exceptions rather than permitted uses. It is whether the adverse effects in a particular location would be greater than the adverse effects ordinarily associated with a particular use that is considered by the agencies."

He stated that there is a pretty strong burden to turn down a special exception and that the Board would have to say why this is a worse place in the zone for the use.

Item #2 states "That the special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Mr. Clower stated that the same argument as given in Item # 1 would hold for this comment as well. They do not feel it will be injurious and therefore it would not be more injurious at this location than at any other location in this zone.

Item # 3 states "That the exterior architectural appeal and functional plan of any proposed structure will be so at variance with either the exterior architectural appeal and functional plan of the structures already construction or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood."

The only renovations that would be called for would be interior other than possible handicapped accessibility.

Item # 4 states "That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements shall be or are being provided.

The building utilities are supplied by Town of Elkton.

Item # 5 states "That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets."

They do not anticipate any significant vehicular activity.

Item # 6 states 'That the proposed special exception is not contrary to the objectives of the current Comprehensive Plan for the Town of Elkton.'

Mr. Clower referred to the Board as the experts in this area.

Item # 7 states 'That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located or to the special requirements established for the specific use.'

Mr. Clower stated that all the uses proposed for the Mary Randall Center are uses that are allowed in the C-1 zone.

Mr. Wiseman asked if any variances would be required for the special exception request. Mr. Clower stated that as a church there would be no variances needed but as a philanthropic use they would need variances for each of the conditions. Mr. Wiseman looked at the square footage requirements and stated that they would need to look at the number of people (possibly 50 to 100) who would be taking advantage of the center. He said that the goal of the ordinance would be to try to avoid a residential type dwelling being packed with that many people, the square footage would not allow it.

Mr. Wiseman asked how the participants would be transported to the facility. Mr. Clower stated that they would be transported by bus or van. Mr. Wiseman asked if there was a limit of the number of people at the facility during the day. Mr. Clower stated that they had no limit other than what the Town might place upon them.

Mr. Wiseman asked if there was any type of screening process for the participants. Ms. Windle stated that there is a screening process which takes place at the Men's Shelter on Main Street and the Women's Shelter on Delaware Avenue. The participants would need to meet a specific set of criteria in order to participate in the program.

Mr. Wiseman noted that they are stating that their intention is not philanthropy. Mr. Clower agreed as they are providing this facility under the auspices of a church. There was some discussion regarding the meaning of philanthropic. Mr. Wiseman noted that from his non-legal perspective the Board is reviewing this case to make a recommendation to the Board of Zoning Appeals. He stated that they need to try to interpret the Code and make their decision accordingly.

Ms. Manejwala inquired about overnight service at the facility. Her understanding was that there would be no overnight service. Mr. Clower stated that she was correct.

Mr. Wiseman addressed the conditions of the special exception and pointed out that they would not be able to meet any of the conditions called out by the zoning ordinance, including square footage, street frontage and setbacks. Mr. Clower stated that he was

correct and that each of these conditions would require a variance which would be heard at the May 22<sup>nd</sup> Board of Zoning Appeals meeting.

Mr. Wiseman stated that he felt the Planning Commission had been proactive in reviewing all the information provided due to the seriousness of this case.

Mr. Wiseman inquired whether Ms. Minner had any additional items which needed to be raised. Ms. Minner stated that she had no additional items to present.

Mr. Wiseman entertained comment from the audience.

Mr. Dwight Hair was introduced to the Board. He began by applauding Rev. Mazza and Meeting Ground for this ambitious endeavor, however, he is in opposition to the proposed location. He quoted an excerpt from the 'Loaves & Fishes' which stated that approximately 75 people would be serviced at this location from 8:00 am to 4:30 pm, seven days a week for breakfast and lunch, showers, laundry facilities and training. He stated that all these things are great but this property is small. He noted that Mr. Clower stated that if they wished to open a church or restaurant at this location they could. He stated that Judge Lidums noted that if they wished to open a nightclub at this location he could. Mr. Hair stated that he did not believe any of these uses would be feasible at this location. He stated that therefore he is opposed to the empowerment center at this particular location because 401 North Street is a private home. A few years ago the owner was allowed to open a cabinet shop at his home. He noted that when you take a public house like this, which he has done twice before himself, and make it public that all the rules change.

Mr. Hair continued regarding the need for a commercial kitchen in order to accommodate meals for 75 people twice a day. He stated that this would cost approximately \$80,000. In addition, to providing showers for both men and women would be approximately \$80,000. To open this location to the public requires handicapped accessibility in both the front and back. He added that he believed the house would have to be restabilized in order to accommodate 75 people. He stated that he needed to provide restabilization in a property he renovated according to the International and BOCA codes. He stated that he believed that a second access would be required from the second floor which would be very expensive. He felt that even if the Board approves this use at this location they would still not be able to open because they would be in violation of the Codes.

Mr. Hair referred to a situation 7 years ago where HUD and the Social Service Board were working in association and were addressing the homeless situation. They applied for and received \$2 million to build a homeless shelter. He stated that Meeting Ground was approached regarding helping with the shelter but they were not interested. Therefore, the Child Advocacy Center was built instead. He stated that he felt the Men's Shelter Board chose not to cooperate because he felt Social Services were trying to take over their building.

He referred to a recent time when the Elkton Alliance, Social Services, UHCC, CCC and Upper Bay Counseling met to organize and request HUD money for another endeavor. He stated that Rev. Mazza was not interested in participating in this endeavor. Mr. Hair stated that he felt the Town has taken a bad hit regarding some of the articles in the Whig lately and he sat down and reviewed five articles published in the Whig regarding different situations with homeless people. He stated that of the five articles not one of the incidents involved a resident of Cecil County. He stated that he did not believe that even if both Boards were to approve this use that the center would be able to open.

Mr. Wiseman entertained additional comment.

Mr. Gregory Dant of 246 East Main Street stated that he concurred with Mr. Hair that the local homeless need to be taken care of but he noted that the center is being advertised out of town. He agrees that the homeless situation needs to be addressed. He pointed out that it was stated that there are currently 25 homeless people in this area and if the center is providing meals for 75 people per day that 'someone' will be eating those meals. His concern is that we should not be attracting additional homeless to this area but that we should only address the needs and manage the homeless in this area. He stated that he did not feel the center should be located within the Town but suggested that the Corporate Center on Chesapeake Boulevard or near the treatment center might be a better location. He stated that we do not know who the homeless are and his concern is for the children in the Town. He stated that the police have told him that there are child molesters and pedophiles within the Town and some of them are living under the bridges.

Mr. Dwight Hair gave further comment regarding the meetings held regarding the shelter they were proposing. He stated that the County gave them property in the interim where the Housing Board used to be and the Election Board Building and they were going to place showers in the Election Board Building but they were turned down by the Meeting Ground.

Mr. Wiseman entertained any additional comments. There were none.

**MOTION: Motion was made by Mr. Thomas to recommend denial of the special exception based upon the following:**

- 1. Article IV, Part II, Section 6.2 of the Elkton Zoning Ordinance states "That the special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood." The Elkton Planning Commission has determined that the property located at 401 North Street was constructed as a single-family dwelling, and is adjacent to a neighboring single-family dwelling and a funeral home.**

**The Planning Commission finds that the applicant did not provide evidence of their ability to control the number of persons that would congregate or assemble at any one time to receive or participate in the large variety of services offered, such as**

**meals, bathroom facilities, showers, laundry, counseling, telephone and computers, transportation and religious services.**

**Therefore, the Elkton Planning Commission finds that the proposed use will be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, and will substantially diminish and impair property values within the neighborhood.**

- 2. Article IV, Part II, Section 6.7 of the Elkton Zoning Ordinance states, “That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located or to the special requirements established for the specific use.” The three (3) special requirements are found in Article XII, Section 41 of the Elkton Zoning Ordinance. They are:**
  - a. Total area: 25,000 square feet minimum. The site is 10,498 square feet and the Planning Commission felt the size of the site was not sufficient to support the proposed use.**
  - b. Frontage: 150 feet minimum. The site does not have the minimum frontage.**
  - c. Setback: 25 feet from all property lines. The existing structure is not 25 feet from any property lines.**

**The motion was seconded by Ms. Manejwala and unanimously approved.**

**RJK ENGINEERING & ASSOCIATES REPRESENTING CONCORDIA SYSTEMS, INC., 12235 BRENTFIELD DRIVE, RENO, NEVADA, PRELIMINARY MAJOR SITE PLAN, CORNER OF WARNER AND BELLE HILL ROADS, TAX MAP 304, PARCEL 2116, LOT 2, ZONED C-3**

Mr. Greg Kaski stated that he would be representing this client as his associate was unable to attend the meeting this evening. He stated that they have received comments from the Town and KCI and does not see any problems in addressing them.

Mr. Wiseman asked Ms. Minner if this was renamed. Ms. Minner stated that it use to be called Raj Mehta but that the new owner is Concordia Systems, Inc. She noted that they need to provide a completed water and sewer capacity form. Her understanding is that there are a number of uses planned for the building. Mr. Kaski stated that he did not believe any definite decisions have been made at this point. Mr. Kaski stated that they were aware that the proposed uses would have to be reviewed by Ms. Minner.

Mr. Wiseman entertained any questions or comments regarding this submission. There were none.

**MOTION: Motion was made by Ms. Short to approve the Preliminary Major Site Plan contingent upon compliance with all comments from the Town and KCI and provided the water and sewer capacity form is completed and submitted to the Town. Motion was seconded by Ms. Manejwala and unanimously approved.**

**OLD BUSINESS:** Ms. Minner will be meeting with a representative of ERM, the company contracted to help with the updates to the Comprehensive Plan. They will be creating a schedule to set up meetings to work on the updates. They are hoping to keep it down to less than 12 meetings.

Ms. Short asked if there was any update on the PUD. Ms. Minner stated that she has not had any contact regarding the PUD. The developer hired a new engineering firm but no new plans have been submitted. The first step in the PUD process will be the project coming before the Planning Commission and Mayor & Commissioners to request growth allocation. If the allocation is approved by the Town they would still have to come before the Critical Area Commission. They have received growth allocation approval from Cecil County. There was additional discussion regarding the standards the plan will have to go by and the fact that there would be no grandfathering available for this project.

**NEW BUSINESS:** Mr. David Gipson, Chief Operating Officer of Union Hospital, spoke to the Board regarding parking criteria and possible changes to the ordinance. He stated that they have had numerous meetings over the past few months and have provided all the parking requested by the Town for any of their projects. He noted that the hospital intends to come before the Board formally in June to look at possible changes to the Ordinance. He stated that in 1994 the parking requirement for a hospital had been 1 space per 800 sf. He stated that at the size of the current hospital it could be run with 250 parking spaces. When the Ordinance was changed in 1994 it stated that parking requirements were 2 spaces/hospital bed or 1 space/150 sf, whichever is greater. That would be 249 spaces and 2,000 spaces respectively. He added that clearly there is a discrepancy in the logic of these calculations. 2000 spaces in addition to the spaces built in support of the other buildings currently existing at the hospital would bring them up to 2400 and they currently have 1100 spaces with approximately 300 empty at any time during the day.

Mr. Gipson pointed out changes in the square footage requirements for patient space. These changes require additional square footage but do not service any more patients. He noted that there are more outpatient procedures currently which have changed over the last 15 years. There is also the fact that the Town Ordinance has changed over the years as well. He stated that they are currently at the amount of spaces which are necessary with approximately 1,020 spaces.

Mr. Gipson stated that they would be writing the amendment in such a way that had the buildings constructed since the 1994 Ordinance been built prior to those revisions (specifically at 1 space/250 sf rather than at 1 space/150 sf) then the current parking capacity would be closer matched.

There being no further items for discussion Mr. Wiseman adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Brenda Humphreys