

**TOWN OF ELKTON
PLANNING COMMISSION
JUNE 12, 2023
MEETING MINUTES**

Present: G. Edward Ginder, Keith Thompson, Paul Manuel, William Muller, Lisa Blackson, Esquire, Jeanne Minner, Director of Planning, Quinn Krenzel, Planner

Absent: Dave Wiseman, Ray Polaski

Mr. Ginder called the meeting to order at 6:00 p.m. He stated the first item on the agenda is approval of the minutes from the May 8, 2023 meeting. He asked if anyone on the Board had any revisions to the minutes. There being no corrections noted, Mr. Ginder called for a motion.

MOTION: Motion was made by Mr. Thompson to approve the minutes of the May 8, 2023 Planning Commission meeting as written. The motion was seconded by Mr. Muller with the remaining Commission members voting as follows: Mr. Manuel – Aye; Mr. Ginder – Aye. The motion passed unanimously.

PUBLIC HEARING – ORDINANCE 4-2023 – AMENDMENT TO TOWN OF ELKTON ZONING ORDINANCE, ARTICLE X PERMISSIBLE USES, 1.410 GROUP HOMES; 1.411 NOT MORE THAN 8 PEOPLE, PERMITTED IN C-1 (CENTRAL BUSINESS DISTRICT) ZONE

Ms. Minner stated the Town Zoning Administrator, Mr. Chip Bromwell, was approached by someone interested in the placement of a small group home in the C-1 zone. She noted that small group homes are generally allowed in all the residential zones, including the residential office zone as well as in the C-1 and TC zones. The C-1 zone is on the fringes of the Town Center zone. There are only a few areas of C-1 which are a leftover of the Downtown District which has since been converted to the Town Center zone. There are also a few small parcels at the end of West Main Street.

She stated that during a discussion with the Zoning Administrator he recommended allowing Group Homes in the C-1 district since they are surrounded by residential zones or the Town Center zone which both already allow group homes. She said there is no compelling reason to prohibit them especially if there are existing residential uses which border them. Ms. Minner noted that small group homes of fewer than 8 residents are considered single family dwellings according to the Fair Housing Act.

Mr. Thompson asked about the number of bedrooms required for a group home of 8 or fewer people. Ms. Minner stated that other regulations would apply for someone wishing to open a group home such as building codes, permits, and licensing, etc.

Mr. Manuel asked if there is an application which is pending for a group home or did something else precipitate this change. Ms. Minner confirmed someone wishes to place a small group home on the west end of Main Street. She stated the property where they want to place the group home is in the middle of a residential zone that allows it but this particular property is zoned C-1 and it is not allowed there whereas all the other parcels around it are zoned to allow it. Commissioner Broomell noted that these were properties owned by Dr. Hsu at one time.

Mr. Ginder asked what the different was between the two sections of the group home in the Ordinance. Ms. Minner stated there are more regulations for a larger group home (of 9-16 residents) because it would be similar to an institutional home.

Mr. Thompson asked if the Town should get rid of the C-1 Zoning District. Ms. Minner stated that is something that would be looked at during the next comprehensive rezoning. Ms. Minner also noted there are a few properties on Landing Lane which are commercial which used to be residential homes. They are not in the Town Center so that's why they were left in the C-1 zone.

Ms. Minner advised their decision would be a recommendation to the Mayor & Commissioners to amend the Zoning Ordinance to allow small group homes in the C-1 (Central Business District).

Mr. Ginder asked if there were any other questions from the Board. There were no additional questions.

Mr. Ginder opened the floor for audience comments. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Mr. Manuel to recommend approval to the Mayor & Commissioners to allow small group homes with not more than 8 people in the C-1 (Central Business District) Zone. The motion was seconded by Mr. Thompson with the remaining Commission members voting as follows: Mr. Muller – Aye; Mr. Ginder – Aye. The motion passed unanimously.

REQUEST OF TINA GENTRY FOR A HOME OCCUPATION – RIVERLY RAE JEWELRY. THIS ACTION CONCERNS PROPERTY LOCATED AT 114 ST. LOUIS DRIVE, ELKTON, MARYLAND, TAX MAP 027H, PARCEL 2229, LOT 65, AND ZONED R-2 (SUBURBAN RESIDENTIAL)

Ms. Tina Gentry of 114 St. Louis Drive appeared before the Board to address this request. She stated she and her daughter started a small hand crafted jewelry business. They use the home for making the jewelry, holding on to product until it can be sold online or at pop up shops. She stated they don't do any business out of the home other than making the jewelry.

Ms. Minner asked if she had a license. Ms. Gentry stated she applied for a trader's license with Cecil County and was told by them to contact the Town to see if she required anything additional. When she spoke to the Town she was informed she needed to appear before the Planning Commission to request a home occupation. Ms. Minner explained to Ms. Gentry that if her home address was used for the trader's license then that would trigger the home occupation criteria.

Mr. Ginder stated it seems she has addressed all the conditions called out for a home occupation in her submittal. Ms. Gentry advised the Board that she is not setting up a storefront at her home. She said it is a hobby she and her daughter enjoy doing together and they've turned it into a business. Mr. Manuel asked if there would be any signage at the property. Ms. Gentry said there would not be any signage or anyone coming to the home, except maybe friends who want to avoid the shipping fees.

Mr. Ginder asked if any other Board members had questions. Mr. Muller asked if there was any time limit on the home occupation if it was approved by the Board. Ms. Minner confirmed there was no time limit associated with the home occupation.

Ms. Gentry stated that should the business become profitable enough they would likely move into a storefront somewhere. She noted they just started the business in April. The Board members wished them the best in their business endeavors.

Mr. Ginder opened the floor for audience comments. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Mr. Muller to approve the home occupation for 114 St. Louis Drive. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Thompson – Aye; Mr. Ginder – Aye. The motion passed unanimously.

2022 ANNUAL REPORT TO MARYLAND DEPARTMENT OF PLANNING

Ms. Minner stated that they are required to submit an annual report to the State. She said that if there are under a certain amount of building permits that were issued then they can submit the 'short form'. Ms. Minner said she asked Ms. Krenzel to develop the report this year. Ms. Krenzel noted there were 13 residential home permits, 2 Ordinance amendments and 2 annexations in 2022. She stated that as part of the annual report, explanations and maps were also provided. Ms. Minner added that although there weren't many building permits issued for homes but there was a lot of other activity in Town. Discussion ensued regarding the number of residential home permits which had been pulled in past years.

Ms. Minner noted that Summit at Walnut Hill 2 will likely be applying for 21 townhouse permits in August.

MOTION: Motion was made by Mr. Thompson to recommend approval of the 2022 Annual Report to the Mayor & Commissioners. The motion was seconded by Mr. Manuel with the remaining Commission members voting as follows: Mr. Muller – Aye; Mr. Ginder – Aye. The motion passed unanimously.

OLD BUSINESS: Ms. Minner stated she is working on a few grant applications which are due at the end of June. Once she is able to complete the grants she will begin working on the RFP for the Comprehensive Plan update.

She stated she has three applications for the State Grant Funding for three different projects through Strategic Demolition funds:

- \$300,000 – Lead Paint Abatement at the Town Armory – to allow it to be used for public events
- \$ 60,000 – Extend a new 6" water line from North Street into the Old Town Hall for the Music Venue
- \$500,000 – Holly Hall Building - \$200,000 to purchase and \$300,000 for stabilization

Ms. Minner noted that \$250,000 was awarded to Clene Nanomedicine on Konica Drive in the Chesapeake Corporate Center which was highly supported by the Governor. She gave an update on the status of the work being done there. She stated they should begin installing new equipment in August.

Discussion ensued regarding the Holly Hall Building and the Town trying to get the owners to fix the property. Ms. Minner said in the past she had encouraged the Cordish Company, who are the owners of the property, to participate in the 6 to fix program who would assist them in getting money to make the repairs to the building. They were asked to clean up the property of all the debris blocking access to the building so it could be shown to potential buyers. Unfortunately, the owner has completed no work at the building and it continues to deteriorate.

Ms. Minner is now encouraging the owner to subdivide out the 3.7 acres where the Holly Hall Building is located from the Mall property which consists of approximately 2 acres. The deed restrictions say the property cannot be subdivided unless another nonprofit is assigned the preservation and responsibilities for enforcing the deed restrictions.

She explained that when Associated Cecil Endeavors dissolved they had funding left over and they gave the monies to Elk Landing. Elk Landing can now sign off on subdividing the property with the intent of preserving the Holly Hall Building. Ms. Minner stated John Downs is working with Cordish on getting an agreement signed. The property on which the Holly Hall building sits was appraised at \$200,000. The strip mall behind Holly Hall which sits on a little over 2 acres was valued at over \$1,000,000. They will be applying for \$200,000 for the property acquisition and \$300,000 for stabilization. If the Town holds on to the property, the next step would be to apply for Strategic Demolition funding to begin restoration of the building. Otherwise the thought was to provide a lease to a nonprofit like Elk Landing Foundation or the Friends of Holly Hall who might want to come together to restore the building and apply for funding through Maryland Historic Trust. If a nonprofit applies for funding through MHT they don't have to provide matching funding so they could get \$100,000 for each capital grant. They only give out \$600,000 so only 6 properties are able to benefit from these funds. If the Town applies they would have to match the funds. She said she believes that if they could just stop the weather from getting into the building it would help a great deal.

There was discussion regarding the extent of the fire damage at Minihane's building. Mr. Muller stated in his opinion the structural aspects of the building were not significantly damaged and could be restored and stabilized. Water damage was probably the most significant part of the damage.

NEW BUSINESS: Mr. Thompson had a question about placing fencing on his property on the Williams Street side. It was noted that his property is zoned C-2. Ms. Minner stated that since his property abuts other commercially zoned properties then the fence could probably be placed on the property line. She suggested he contact Mr. Bromwell to confirm setback requirements and get the permit.

Mr. Muller asked if the applicants who had come in for the home occupation had to pay to come before the Board. Ms. Minner stated there is no charge to be heard concerning a home occupation because it is not a special exception.

Mr. Ginder asked whether a home occupation is being run at a property in Elkton Heights. He noted there are four (4) work trucks at the location and where they are being parked causes vision to be blocked when making turns from Hunter Street onto Maryland Avenue. He asked if DPW could paint yellow curbs so that the vehicles cannot be placed so close to the end of the street to avoid that issue. Ms. Minner said she would approach Mr. Bromwell concerning having the curbs marked.

Mr. Ginder asked about a property on Elkton Boulevard and Bow Street where it appears there are untagged vehicles and the owner is doing automotive work out of the shed. There are numerous vehicles (3-4) at the location. There was a question regarding whether this was a code violation.

Mr. Ginder mentioned a property at the corner of Park Circle and Miller Street where there are 3-4 cars which are untagged and junk cars in the back yard that he uses for demolition derby. He wondered if there is a limit on the number of vehicles allowed at any one property.

Mr. Muller asked if there is any update on the demolition of the motel near where the 7-Eleven was proposed off of Maloney Road and Pulaski Highway. Commissioner Broomell stated that Mr. Bromwell has contacted the appropriate parties numerous times but they are not moving forward as fast as the Town would like. Mr. Muller mentioned there is still a storage trailer on site which has been there for some time.

Ms. Minner asked Ms. Blackson if she was aware of the status of the property. She stated that she knew the developers had pulled out of the project but she wasn't aware of any other information regarding the status. Ms. Minner stated she understood that recently the County has gotten involved and was contacting them as well. She stated Mr. Bromwell has been in contact with numerous people regarding these concerns. Mr. Thompson said he knew a contractor that would be willing to handle removal of the hotel.

There being no additional items to discuss Mr. Ginder stated the next meeting of the Planning Commission will be on Monday, July 10, 2023 and the meeting was adjourned at 6:40 P.M.

Respectfully submitted,

Brie Humphreys