

**TOWN OF ELKTON  
PLANNING COMMISSION  
MAY 7, 2012**

**PRESENT:** David Wiseman, (Chair); H. Fred Thomas, II; Sue Whitaker; Asma Manejwala; G. Edward Ginder; Clara Campbell, Esquire; Jeanne D. Minner, Director of Planning; Theresa Thomas, Planner

**ABSENT:** Brad Carrillo; Commissioner Mary Jo Jablonski

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

**ACTION:** Motion was made by Mr. Ginder to approve the minutes from the March 12, 2012 Planning Commission meeting. The motion was seconded by Mr. Thomas and unanimously approved.

**REQUEST OF PATRICE L. BURCHETT, 9 VINCE COURT, ELKTON, MARYLAND FOR A HOME OCCUPATION. THIS ACTION CONCERNS PROPERTY LOCATED AT 9 VINCE COURT, LOT 40, ELKTON, MARYLAND, TAX MAP 302, PARCEL 2467, ZONED RO**

Ms. Patrice Burchett was in attendance to address this request. She stated that she would like to start a home business and eventually open a store in Elkton once a location is acquired. Her business is called Sweetie Pie Surprises and consists of candy arrangements, gift baskets and small gifts. She will be providing personal delivery of the items to the customers.

Ms. Burchett stated that customers will not be coming to her home. She mentioned that she will also be attending flea markets, craft shows, quarter auctions, etc. No money will be exchanged at her home. There will be no signs in the yard relating to the business. She will be using one quarter of her basement for the business. There are no chemicals, etc. used in the process.

Mr. Wiseman asked how her supplies are delivered. She stated she will purchase her supplies at big lot stores for the time being. She noted that she works a full time job and this business is being done for relaxation and enjoyment.

Ms. Whitaker asked how soon she hoped to launch the business. She hoped to begin the business as soon as possible. Ms. Manejawala asked if any baking or cooking would be done. Ms. Burchett stated she uses prepackaged products due to health and hygiene issues. Mr. Wiseman asked if anyone else would be involved with the business. She stated that she will be the only person involved. Ms. Whitaker asked how the business would be advertised. She stated she would be using word of mouth, Facebook, etc. She will be beginning slowly at first and therefore will not be advertising in the paper, etc.

Mr. Wiseman stated he appreciated her going through the proper channels to request the home occupation. Mr. Wiseman asked if Ms. Minner had any questions. Ms. Minner asked if she would have any signage on her vehicle. She stated that she would not.

Ms. Burchett asked what the process would be if she advertised. Ms. Minner stated that there are specific sign allowances for residential zones. Whether she decided to place a sign in the yard or on her vehicle there would be specific requirements.

Mr. Wiseman entertained questions from the Board. Mr. Thomas inquired whether she had a website for the business. She mentioned that she has a website in progress but it is not online currently.

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

**MOTION: Motion was made by Mr. Ginder to approve the home occupation for 9 Vince Court. The motion was seconded by Mr. Thomas and unanimously approved.**

**REQUEST OF AMERICAN ENGINEERING REPRESENTING LANDS OF ROSELENA M. ROMANEK AND JAMES W. & FRANCES E. ROMANEK, FINAL RESUBDIVISION PLAT, 503 BRIDGE STREET, TAX MAP 310, PARCELS 1695 & 2035, ZONED C-2**

Mr. Tim Granger of American Engineering was in attendance to present this request. He explained the reasoning and specifics for the resubdivision and the relationship between the property owners. Two specific purposes for the changes are to formalize the access to the parcel owned by Ms. Leona Romanek and for maintenance of the existing sewer line.

Mr. Granger stated that an issue has come up with the current owner of Lena's Sub Shop property. She is not willing to sign the agreement as originally submitted to the Board. He stated that the only part of the submittal he wishes the Board to act upon is the .05 acre add on from Parcel 1695 to Parcel 2035. Mr. Wiseman asked if this clarification needed to be addressed in the motion. Ms. Minner stated that they would be voting on the plan as presented with changes (removal of the two proposed easements) as noted by Mr. Granger.

Mr. Wiseman asked about the comments received from KCI and the Town. Mr. Granger stated that they would be working on making the changes addressing those comments.

Mr. Wiseman entertained additional comments from the Board or the audience. There were none.

**MOTION: Motion was made by Ms. Manejwala to approve the Final Resubdivision Plat with changes pending regarding the 30' sewer easement and 40' access easement and addressing all outstanding comments from the Town and KCI. The motion was seconded by Ms. Whitaker and unanimously approved.**

**REQUEST OF FAIR HILL ENGINEERING REPRESENTING DAVPO, LLC & FAIR HILL BUILDERS, INC., OVERLOOK AT WALNUT HILL, EXTENSION OF REVISED PRELIMINARY – MAJOR SUBDIVISION PLAT, TAX MAP 306, PARCELS 2143 & 2429, LOT F, ZONED R-2 & RO**

Mr. John Mascari of Fair Hill Engineering was in attendance to address this request. He stated they are requesting an extension of the Revised Preliminary Major Subdivision Plat for Overlook

at Walnut Hill. He stated it is a ten (10) lot subdivision with single family attached units. They received a two year extension of preliminary plan approval in July 2010. The market has not been good to sell single family lots and therefore they are again requesting a two year extension. He stated that his goal is to be 100% completed for approval this time next year.

Mr. Mascari stated he received comment letters and had a question regarding the letter of June 25, 2010 from KCI. He questioned a comment regarding a buffer yard requirement along the road between the existing townhouse lots on Mike Court (Lots 45 & 46). This Town comment was discussed at the last meeting regarding the Ordinance not allowing a bufferyard in the side yard of a townhouse. He noted that there is not much room along this road and these townhouses. He stated that he believed they had stated at the last meeting that they would meet with Ms. Minner and propose whatever planting they could in that area. He stated he believed the Planning Department noted that the Ordinance does not allow buffer yards in the right of way either. He noted a dilemma regarding where the bufferyard can be placed. He is therefore asking for a waiver to the bufferyard requirement for Lots 45 & 46. After discussion it was decided that voluntary screening could be placed since both properties are owned by the same entity. Mr. Mascari stated the plantings could be placed just outside the easements.

Mr. Wiseman suggested that those changes be made prior to the next submission. Ms. Manejwala asked if the same would be true for Lot 46 as well. Mr. Mascari stated she was correct.

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

**MOTION: Motion was made by Ms. Whitaker to approve a two year extension of the Revised Preliminary Subdivision Plat for Overlook at Walnut Hill, contingent upon addressing outstanding comments from the Town and KCI and addressing changes noted in June 25, 2010 letter from KCI as well as changes made in the bufferyard terminology for Lots 45 & 46. The motion was seconded by Ms. Manejwala and unanimously approved.**

#### **UPDATE OF ZONING ORDINANCE AND SUBDIVISION REGULATIONS, CHRIS ROGERS OF URS, REVISIONS TO ARTICLE X PERMISSIBLE USES TABLE**

Mr. Chris Rogers of URS was in attendance to address this submission. Ms. Minner stated that the Planning and Zoning departments have not completed their review of this article and therefore they have not provided any comments from those departments.

Mr. Rogers stated that this initial presentation is mainly showing the changes to the Town Center zone with respect to the permissible uses table. He noted that the intent of the Town Center zone is more about the form of the zone (scale, setbacks, pedestrian facilities to buildings, etc.) rather than the uses permitted in that zone. The majority of the uses will be permitted by right in this zone and conditions will be provided within the zone itself rather than for the specific uses within the zone. He reviewed some of the uses that would require conditions.

Ms. Minner stated that she felt more review was needed at the staff level for this section and therefore they would put this section back on the agenda for the next meeting. Discussion ensued regarding specific questions and suggestions with reference to the table.

**OLD BUSINESS** – Ms. Minner stated that the PUD was moved forward by the Mayor & Commissioners at their meeting. They still need to submit for preliminary and final before the Planning Commission. She stated that she believes they will probably break the project up into phases. Discussion ensued regarding the PUD and regulations regarding the PUD zone in the current Zoning Ordinance as well as the decision made by the Mayor & Commissioners at their recent meeting regarding the PUD. There was a request from the Board that Ms. Minner look into the legal ramifications of the Planning Commission and Mayor & Commissioners meeting to discuss the next submission of the PUD prior to the plan being forwarded to the Mayor & Commissioners.

There was some discussion regarding the vacant property ordinance.

**NEW BUSINESS** – None

**NEXT MEETING – JUNE 11, 2012**

There were no additional items for discussion and Mr. Wiseman adjourned the meeting at 8:13 p.m.