

CECIL COUNTY PLANNING COMMISSION

Meeting Minutes

April 20, 2015

12:00 p.m.

Present: Pat Doordan, Chairman; Ken Wiggins, Vice Chairman; Wyatt Wallace; Geoff Doyle; Bill Miners; Chad Johnston; Joyce Bowsbey, (Ex-Officio); Clara Campbell, Esq.; Lloyd Harmon; Mark Woodhull; Eric Sennstrom; Tony Di Giacomo and Jennifer Bakeoven.

Absent: Tom Mullen – Alternate; and Kordell Wilen.

Call to Order: Chairman Doordan called the meeting to order at 12:00 p.m.

Approval of the Minutes: Mr. Wallace made a motion for approval of the minutes. The motion was seconded by Mr. Johnston. All approve. Motion carried.

1. FY 2016-2020 – Capital Improvement Program – Amendment – Gilpin Manor Elementary School replacement.

Craig Whiteford, Budget Manager, Cecil County Finance Office, and Perry Willis, Cecil County Public Schools, appeared and gave an overview of the amendment proposed for the CIP for FY 2016-2020. Mr. Whiteford explained that this project was originally in the proposed CIP for FY 2017. This amendment proposes to move the project to FY 2016.

Mr. Willis stated that both County and State funding would be used for this project.

Discussion ensued regarding other past rebuilds of area schools and the possibility of costs exceeding expectations.

Mr. Whiteford explained that the Elkton Branch Library and the proposed new Gilpin Manor will work in conjunction with parking. He stated that the Library has concerns with the current lack of sufficient parking spaces. Mr. Willis believes that if the parking areas are combined, the lack of parking spaces will be resolved.

The Office of Planning & Zoning, Dept. of Public Works and the Health Department offered no comments on the amendment.

Staff recommends approval as the staff finds that the CIP amendment is consistent with the County's Comprehensive Plan.

Chairman Doordan asked if anyone would like to speak in favor or in opposition of this CIP amendment. No one spoke.

A motion for approval, stating the consistency of the plan's amendment with the County's Comprehensive Plan was made by Mr. Wallace.

The motion was seconded by Mr. Wiggins.

All approve. Motion carried.

2. Charlestown Crossing, Phase 1C, Townhouses, Lots 1-37, Charlestown Crossing Blvd., Final Plat, Taylor Wiseman & Taylor, Fifth Election District.

Project tabled until the end of the meeting.

General Discussion:

Mr. Doordan explained that he has had some proposed changes to the procedures of the Planning Commission to improve efficiency. He instructed Mr. Sennstrom to draft the changes (see pages 4 & 5). They are as follows: 1) Concept and Preliminary Plat extensions be granted administratively by the staff; 2) Final Plat approvals will be granted administratively by the staff; 3) Daytime and evening agendas to be combined; 4) Staff reports to be streamlined.

Mr. Wallace stated that he agrees with the first item. He feels that the staff can handle the Concept and Preliminary extension requests. Discussion ensued regarding public comment for the extensions granted administratively.

Mr. Wallace then stated that if the staff agrees with combining the day and evening meeting agendas, he also has no problems with this change. Discussion ensued regarding whether to hold the meetings in the daytime or the evening. The majority felt that the evening would be the best fit, to allow for public participation. Normal daytime agenda items would be heard first on the agenda followed by the Special Exception and Rezoning applications.

Mr. Wallace also agreed with the staff's reports being streamlined. Mr. Di Giacomo and Mr. Woodhull both stated that their comments are currently streamlined as they only read specific sections of the prepared comments. They felt that, should the comments be any more streamlined, important information may be missed. All of the prepared comments are put into the meeting minutes but not all the information is read at every meeting. A summary of past approvals and dates along with what is expected of the applicant in the current phase is what the Commission would like to see. Mr. Di Giacomo stated that with some projects, hearing the background is essential, especially if the project has a long standing.

Discussion ensued regarding whether to schedule the time of the meetings on a month-to-month basis versus a consistent time. Ms. Campbell felt that the meeting times should be consistent rather than determined on a month-to-month basis.

The Commission discussed the possibility of changing the start time of the meeting should it be held in the evening. There was concern regarding whether the public would be able to attend the meeting if they start time was moved up. They feel that there are already established avenues that the public can use to voice their opinion at the meetings if they are unable to appear in person. The majority felt that 6:00 pm should be the start time for future Planning Commission meetings.

Mr. Wallace explained that in regard to the third item, he felt the Planning Commission should continue to approve/disapprove Final Plats. Mr. Johnston felt that the Final Plat is more of a technical step in the approval process therefore the staff should have the power to approve/disapprove. Discussion ensued regarding the responsibility of the Planning Commission members as they understand it as it relates to reviewing plats.

An unofficial poll was taken by the Planning Commission to get a consensus on who favors the number 3 item regarding staff approving/disapproving Final Plats.

Members in favor included: Johnston and Doordan.

Members in opposition included: Doyle, Wallace, Miners and Wiggins.

Chairman Doordan asked Mr. Sennstrom to put together a proposal to include only items 1, 2 & 4 for review at the June Planning Commission meeting.

The Commission decided to consider the #2 agenda item as withdrawn due to the applicant's failure to appear.

The April Planning Commission meeting adjourned at 12:57 p.m.

Respectfully Submitted

*Jennifer Bakeoven
Administrative Assistant
Office of Planning & Zoning*

[addition]

{deletion}

Subdivision Regulations

Section 3.3 – Appeal

Any person aggrieved by any action of the Planning Commission pursuant to these regulations{, taken after October 1, 1992,} may appeal to the Circuit Court in accordance with the Maryland Rules of Procedure. **[Any person aggrieved by the action of the Director of Planning and Zoning in the extension of a concept or preliminary plat may appeal to the Planning Commission.]**

4.0.10 – {Initial} Extensions of Concept Plat approval may be granted by the Director of Planning and Zoning for one (1) year upon application by the developer. {For subsequent applications, the Planning Commission may, at their regular monthly meeting, grant an extension of the approval of a concept plat for one (1) year upon application of the developer.} If granted, said extension shall run for one (1) year at the end of the month from the date and month in which said extension is granted. In connection with such request, the {Planning Commission or} Director shall consider the following:

- (a) Change in the zoning classification of the property.
- (b) Change in the Zoning Ordinance.
- (c) Change in the Subdivision Regulations.
- (d) Change in the Comprehensive Plan.
- (e) Change in the Critical Area designation of the property.
- (f) Change in the Critical Area program.
- (g) Change in the Forest Conservation Regulations.

A request for extension of the approval of a concept plat shall be filed no later than {the date of the submission deadline for the Planning Commission meeting prior to the expiration of said Concept Plat, as established in Appendices A and B of these Regulations}**[one week prior to the expiration date of said Concept Plat.]** An expired Concept Plat has no status and any further consideration or review submission shall be treated as a new application.

4.0.11 – The applicant shall receive written notice of the {Planning Commission’s}**[Director of Planning & Zoning’s]**action regarding the requested extension, whether approved or denied.

4.1.17 – {Initial}Extensions of Preliminary Plat approval may be granted by the Director of Planning and Zoning for two (2) years upon application by the developer. {For subsequent applications, the Planning Commission may, at their regular monthly meeting, grant an extension of the Preliminary approval for two (2) years.} If granted, said extension shall run for two (2) years at the end of the month from the date and month in which said extension is granted. In connection with such request, the {Commission or} Director shall consider the following:

- (a) Change in adjoining land use.
- (b) Change in street or highway plan.
- (c) Change in zoning or subdivision regulations.

A request for extension of a Preliminary Plat shall be filed no later than {the date of the submission deadline for the Planning Commission meeting prior to the expiration of said Preliminary Plat, as established in Appendices A and B of these regulations}[**one week prior to the expiration date of said Preliminary Plat**]. An expired Preliminary Plat has no status and, therefore, cannot be extended.

4.1.18 – The applicant shall receive written notice of the {Planning Commission’s}[**Director of Planning & Zoning’s**] action regarding the requested extension, whether approved or denied.