

## **Minutes of the August 7, 2007 Planning Commission**

Meeting called to order at 6:00 P.M. by Chairman Toby Gearhart. Planning Commission members Mickey Newport, Margaret Haven, and Martin Sokolich were present. The following were also in attendance: Joe Mangini, Town Manager; Nancy Gearhart, Town Commissioner; Missy Vanskiver, Asst. Clerk; Shane Johnston, Zeb Brodie, Alexander Brodie, Dale & Betty Jean Mumford, Kevin Shearon (DMS & Associates), Tommy Vendemia, Trip Donovan (Lane Engineering) and Steve Horne (Elm Street Development).

### **Approval of the Minutes** –

Margaret commented on how any changes to future minutes should be formatted; there was some discussion. A motion to approve the minutes of June 20, 2007 was made by Mickey, seconded by Margaret, unanimously approved.

### **Town Manager's Report**

The Town Managers Report was postponed until the August meeting due to the number of items currently on tonight's agenda.

### **Old Business**

Weese PWA – Joe stated that all infrastructure will be private, and that change will be incorporated before the PWA is presented to the Commissioners (approx. Sept. 10<sup>th</sup>). Mickey asked if the water lines for the sprinklers would bypass the water meters. Joe said that he would mention the sprinkler question to Jack Hall. The correction of 'Talbot County' to 'Caroline County' was also mentioned. A motion recommending approval with the stated changes was made by Margaret, seconded by Mickey, unanimously approved.

Walnut Farms PWA – Toby stated that when this project was starting, Chuck Emerson had wanted to annex his property which is adjacent to the area of Walnut Farms. There was discussion at that time about an easement for an alley and a storm water management area which both properties would share. Joe stated that if an easement is requested on the Walnut Farms property, the recorded plat would have to be changed, and the status of the Emerson project is somewhat unclear. Kevin Shearon asked if the question is about connecting the two SWM areas. He said that in order to create one pond, the Lister Estates fallout pipe/line would have to be severed. Joe said that in that case, an amendment to the subdivision would also be required. Kevin also mentioned that each SWM pond should have its own maintenance agreement. Joe stated that the PWA was not signed originally due to the developers' financial reservations and the time limits involved once a PWA is signed. Martin asked what, if any, was the issue now with the PWA. A motion to approve the Walnut Farms PWA was made by Margaret, seconded by Martin, unanimously approved.

Ali's Cove (Cow Barn) Subdivision – Kevin Shearon presented the revised subdivision plans. There was discussion about the plans and Toby asked about the interior. Kevin Shearon stated that MDE requires the creation of forebays for SWM ponds and explained the rip rap section near the SWM area. Nancy stated that according to the plans it appears as if the SWM pond covers the area at the front of the property and asked if it would be possible to have bench areas around the SWM pond. Kevin said he didn't see why not and discussed the slope around the SWM area. Joe stated that the plans reflect the dedication of the actual Cow Barn to the Town, and stated that must happen in order for the property to be developed as presented. The property

owner, developer, and town have all agreed to that; and it is the reason the project has been done this way. There was some discussion concerning the project. Martin asked about the HOA issue. Kevin stated the way the project is currently designed the SWM area, the 40 ft. road right-of-way, and the afforestation area will all go to the town; there is currently no HOA for this project. A motion to approve the revised subdivision plan was made by Martin, seconded by Margaret, unanimously approved.

### **New Business**

**Brodie Shopping Center Preliminary Site Plan** – Kevin Shearon also presented plans for the Shopping Center to be located at 204 E. Sixth Street. He stated the plans offer two entrance/exit areas, and that the right-of-way was left open. There was discussion about the right-of-way. Kevin said that they still have to go through the formal permitting process for two two-way entrances, but it was Nancy asked about the location of the SWM area. Margaret asked about more plantings. There was some discussion; Joe recommended that this be considered for approval for both the preliminary and final site plan. Margaret asked whose responsibility it was to replace the fence. Kevin said that it is Mr. Brodie's responsibility, and that if it is not included, it will be as part of the agreement. There was some discussion concerning the fence. Mickey asked if the length of the depressed curb could be increased; Kevin said it could be. A motion to approve the preliminary/final site plan with the fence and curb considerations was made by Mickey, seconded by Margaret, unanimously approved. Kevin said that he will send a lighting plan along with building elevations later.

**Preliminary Subdivision Plan & Lot Line Revision (Ridgely Park)** – Trip Donovan (Lane Engineering) presented plans relocating the existing lot line. This is necessary to facilitate the land transfer; nothing else moves with it. The owner of the property will remain the same; they are trying to avoid purchasing part of the property which creates a subdivision in of itself. All members present were in favor of the lot line revision. Trip stated that there were issues discovered during the survey; as a result an 8' dedication along Liberty Street has been included on the new plat. There was discussion concerning the paved area and the right-of-way area along Liberty Street. Trip said they have met with Caroline Soil Conservation District and MDE to try to maximize ponds and drainage to make them as much an amenity as possible. He said they received an initial blessing on all the ponds as presented, with the exception that the water surface elevation in some ponds be slightly higher than others. Also, the thought is to help keep ground water at the same elevation as the stream channel; that would be a condition of the permit for approval to disturb the stream channel. MDE has given a preliminary approval and a permit application should be submitted within a week; Caroline Soil Conservation District is ok with the plans and they have an engineer in Salisbury who will review the plans. Joe asked what the total water acreage is; Trip said it is 6.72 acres. Trip said they will be meeting with Marian Honecny regarding forest conservation issues.

Changes to the preliminary subdivision plan were presented by Trip. Regarding the entrance from North Central Avenue, there will still be a boulevard section, however there is no longer as broad a separation. There will be a smaller monumental entrance than originally planned. State Highway has required the entrance/exit be aligned with the Ridgeway entrance. There was some discussion concerning entrances and pedestrian traffic. Toby asked Dale Mumford if he had comments while Ridgely Park was still being discussed. Dale stated that he is concerned that with 400 homes, 800 cars will be leaving within 2 hours of each other, and it will be a traffic nightmare on Central Avenue and Sunset Boulevard. He said these and other traffic issues need to be addressed properly. Toby stated that there are a lot of different traffic issues being

addressed in different ways. Joe said that there needs to be an analysis of the traffic impact on the greater Ridgely urban corridor. Joe has talked to Dave Kibler from Greensboro and the county about this study; he said Ridgely needs cooperation from other towns and the county. Joe said Ridgely is stepping to the plate to get this study done. Joe said it needs to be done, but doesn't want to rush to do it just to be able to say it's been done.

Dale Mumford also expressed his concerns about 11 Sunset Boulevard. He said that Section 19.3 of the Zoning Ordinance deals with nonconforming structures and addresses setbacks. He said the building was vacant for years and now needs to be conforming or go to the Board of Appeals for a variance. Toby asked Dale to what does he think the building is not conforming; it is located in an industrial zone. Dale said that building needs to have parking for employees, along with off-road loading and unloading, and these issues should have been addressed before an occupancy permit was issued. There was discussion concerning storage of building materials along First Street adjacent to the building, aesthetics, fences and trees. Joe said he will talk to Mr. Good the next day.

Joe asked Steve Horne if he had anything to add concerning Ridgely Park. Steve offered to review the schedule that they are hoping to achieve. Steve said there has been a significant amount of engineering performed, and they are looking for preliminary plat approval as soon as the Planning Commission deems it feasible. Approximately 85% of the total engineering work has been done; plans containing final engineering work will be submitted soon. They are ahead of schedule as far as engineering is concerned, and would like to get the project started soon. They would like to get the infrastructure in soon, not to overbuild, but so that they are poised to keep the timeline as discussed with the Planning Commission, including contributions to town and the WWTP upgrade. Steve said they would like to break ground the first of next year. Bonds would need to be posted and a grading permit would need to be obtained 30 days prior to the ground breaking; meaning final approval would need to be granted within the next 90 to 120 days, probably closer to 90 days, if the Planning Commission is comfortable with that time line. Steve said they are willing to get plans in very soon so URS can review as soon as possible. Joe asked if preliminary approval at the end of August would be ok; Steve agreed. There was discussion on scheduling the next meeting on August 29<sup>th</sup> instead of August 22<sup>nd</sup>. Joe stated that the project can not languish, the WWTP upgrade and the water tank both need to be addressed. Nancy asked how many phases there would be in Ridgely Park. Steve said four to five; the first phase will include approximately one fourth of the total lots. There was discussion concerning the first phase design, including the monument/sign at the Central Avenue entrance. It was clarified that the pool will not be public; it will be by membership only. There was discussion concerning the infrastructure and WWTP upgrade. Steve Horne thanked the Planning Commission for working with them on the Ridgely Park project; he said they are very excited about the project.

### **Commission Roundtable Discussion**

Shane Johnston said he put in an agreement for the GIS data with the county a few weeks ago, but has not yet received a response. He said he is just going to get the data on his own and start mapping. Shane said this is really the information gathering phase, and distributed information containing a revised timeline. Shane said after his discussions with Mark Gradecak (MD Dept. of Planning), it was decided the first phase would be to put together the Comprehensive Plan with the Municipal Growth Element. Shane also recommended submitting that to the state in an effort to get the plan adopted as quickly as possible. The Water Resources Element could be done after that, then do an amendment to the plan with a complete adoption of everything needed

by Jun 2009. The deadline for the Water Resources Element is October 1, 2009. There was discussion about a planning workshop retreat sometime in September, possibly the 15<sup>th</sup>. Shane said he would like to have an aerial map for the workshop retreat. Shane also stated that he feels there should be an explanation of the town's responsibilities until House Bill 1141.

**Adjournment**

It was decided that the next meeting will be August 29<sup>th</sup>. At 9:03 a motion to adjourn was made by Mickey, seconded by Martin.

Respectfully Submitted,

Missy Vanskiver  
Asst. Clerk