

Commissioners of Ridgely

Public Hearing Development Rights & Responsibilities Agreement/Ridgely Park February 15, 2007

There was a Public Hearing held in the Ridgely House on the above date at 7:00 pm. Linda Epperly-Glover, President; Nancy Gearhart, Commissioner; Chuck Hunter, Commissioner; Joe Mangini, Town Manager; David Crist, Supt. of Water/Wastewater; Merl Evans, Chief of Police; Jack Hall, Town Attorney; Carol Balderson, Town Clerk; Pete Johnston, Planning Consultant; Joe Stevens, Attorney for Ridgely Park; Steve Horne, Elm St. Dev., and Jack Kontgias, Ridgely Park; were present. List attached of other attendees.

Opening Comments – Joe Mangini said Ridgely Park is a major project for the Town of Ridgely consisting of 403 houses. The project has gone through a lot of public meetings. They have gone through annexation; a concept plan has been approved by the Planning Commission; there was a revised concept plan reviewed and approved by the Planning Commission; and there have been ordinances presented, advertised, and adopted.

Purpose of the Public Hearing - The Development Rights and Responsibilities Agreement sets out certain requirements from the developer and certain requirements from the Town. We have an ordinance that was passed over six months ago that gave us enabling legislation to allow the Commissioners of Ridgely to enter into a DRRA. The ordinance provides for a Public Hearing for the citizens so they can hear the presentation from the developer, what is required in the DRRA, and can offer support for or comments in opposition to this agreement. There are some issues that need to be addressed.

Presentation/Explanation of the DRRA by Ridgely Park – Joe Stevens said he wanted to explain the DRRA. Back in the mid 90s the Md. State Legislature was facing a problem with planning and land development projects. Under Md. law until a project begins construction under validly issued permits the local government can change the regulations on that project. For large projects this is quite a risk. After the construction of one phase, the regulations could be changed for the second phase. Additionally, local governments who were working with developers could only require the developer to provide public improvements that were generated directly as a result of the development. The Md. Legislature said let's do a contract zone where a developer comes in and provides a project, goes through some initial proposals, and goes through a process where they get an agreement with the jurisdiction. The Town can, in return for entering into that agreement, require the developer to do things they might not otherwise be required to do for the general benefit of the public. This is outside the scope of subdivision approval which hasn't happened yet. What the developer gets out of this is that the contract says the Town can't change the rules or the regulations on them at some future time. Mr. Stevens passed out copies of an Executive Summary of the DRRA. He introduced Steve Horne to go over the public facility improvement aspects of it. Steve Horne presented the key financial items being proposed. There were certain things agreed upon in the Annexation Agreement, a couple of things have been added.

Financial Info

Rails to Trails - \$250,000
Park Ave. Right of way Improvements \$25,000
Pavilion Tot Lot/Landscaping (Cow Barn fields) - \$100,000
Cow Barn Rd. Improvements - \$440,000
Public Safety Impact Fee - \$403,000
Parks/Rec. Impact Fee/General Fund Contribution - \$403,000
Water & Sewer Connection Fees – Waived
Wastewater Treatment Plant (300,000 gpd) - \$4,600,000
Water Tower - \$600,000
Total - \$6,821,000

Joe said what the Town wanted was a new treatment plant and a 500,000 gal. water tank. We've asked Ridgely Park to do that in lieu of us having to do it. Joe said the cost for the Town to do the water tank would be \$1.7 million. That would come from all of us. Same thing for the plant itself. There are water and sewer connection fees, but that would only cover half the cost of what we need to do. We need to do the tower. The state says we need a day's supply in the air and we are lacking in that now.

Rick Schwab asked if there are overruns is the Town picking that up?

Joe said we have discussed that. The Commissioners do not want to take any loans out to cover anything.

Steve presented a second chart.

Value of Remaining Capacity

Approximate number of sewer connections remaining in new plant at
300 gpd – 114

Value to Town of each connection in today's dollars - \$6,750

Value of remaining capacity in new treatment plant - \$769,500

Total Financial Contribution in Proposed DRRA - \$6,821,000

Total Benefit to Town of Ridgely - \$7,590,500

Joe said with a plant of 300,000 gpd, we have 80 units scheduled now to be built, 403 units from Ridgely Park, and 114 residences/commercial at no cost to the citizens.

If there are any cost overruns they should be minimal. We have money in the bank now from impact fees for sewer. This is money for capital expenses. Each of those 80 units will bring in \$6,750 ea. (\$540,000) to be applied to those expenses. Impact fees have to be used for capital projects. Water fees are about \$4,750 ea. We need to get these projects done and at minimal or no cost to the current citizens of Ridgely.

Joe said for every unit that comes into town you are looking at about \$2500 ea. coming in to the general fund each year; property tax, personal income tax, highway user fees, and cable fees. There will also be money coming in from building permits.

Toby Gearhart pointed out that the construction of the wastewater treatment plant will begin immediately while Ridgely Park is being built and by the 185th home it will be complete.

Joe said the original engineering estimates for the cost to the Town for a water tank is \$1.7 million; a treatment plant is \$8.5 million (\$10,200,000). There is a company we are looking at at the present time, and Md. Dept. of the Environment is looking at, that could do both of these at half this cost. That company, Joe and David, will be meeting with URS next week to match apples to apples and figures.

Arlene Hege asked if there was enough water and sewer allocation now to do 184 homes. Joe said there is enough allocation for 148 homes now at 300 gpd. That includes those projects that are sitting there and aren't started yet. One project has not locked into water and sewer. We still need to address this issue.

Joe said the next question will be what if the 185th home comes and that's it. What will be included in the DRRA is a bond for a letter of credit which will say that all this has to be done, and if for some reason the project doesn't get finished, the Town will finish it with Ridgely Park's money.

Rick Schwab asked about a timetable for building houses.

Joe said once the DRRA is approved everyone starts working to that end.

Joe said if we use this new company for water and wastewater it will be the first one in Md., and one of the things we would be looking for is strong support from the State for design review, permitting review, etc.

Steve said they hope to get the engineering in place this year. Once they get through the DRRA and the engineering approvals its real close to breaking ground. Hope to get started late this year.

Joe said if the meeting next week goes well, the next step would be a call to MDE to fast track the process.

President Epperly-Glover thanked everyone for coming out. This shows a community of support. She encouraged folks to speak up. State your name and address.

Joe said the Commissioners will not be making a decision tonight. After tonight if anyone has any questions or concerns he would appreciate it if folks would let him know. Tonight is not the limiting time. Would like to act on the DRRA in the next 30 days.

Comments of Support – Orrell Saulsbury presented copies of his thoughts to the Commissioners. He stated that he is a lifelong resident of the Town of Ridgely, has served as a Town Commissioner, served on the Planning Commission, is a former business owner in the Town, and one of the property owners involved in this project. He has entered into an agreement to sell to Ridgely Investments. Strongly supports it. He and his wife have a financial interest in it, but being a lifelong resident of the Town and being active in the Town's business in the past (and continuing to be) they also have an interest in what is right for the Town of Ridgely. They feel this is the proper method for growth. They have been impressed with the development plans they have seen. They feel it gives the Town what they asked for in preliminary zoning meetings. The Planning Commission said they wanted to see an expansion of the town core, Victorian

architecture, porches on the front of the homes, side or rear-facing garages, and a continuation of the grid and alley system. They will be the closest neighbors to this development. They aren't going anywhere. The developers have made extensive financial commitments to the Town. They need to move forward; if it's not going to happen they need to know that and move on. Urged the Commissioners to adopt the DRRA.

Comments of Opposition – Joe read an email received from Betty Jean and Dale Mumford since they could not attend the hearing. He read: “I’m sorry that we will be out-of-town on the evening of the 15th but hope that you can enter my concerns in the record.

I am very concerned over the traffic issues relating to the Ridgely Park development. I read the Adequate Public Facilities Review and wanted to comment on the inadequacy of the Roads section: I do not see that the roads issue is adequately addressed. 400 new residences generate an estimated 1600 to 2000 trips daily.

I fear that the congestion will be further compounded by the land fill trucks, Schuster’s vehicles and the tech park traffic. Central Avenue, Railroad nor Sunset can absorb the impact. We need a 312 bypass! The Town should require the developer(s) to create a proper roads network and not rely upon existing streets to the detriment of citizens of Ridgely. DESIGN OF A BYPASS SHOULD BE A PRECONDITION TO PLAN APPROVAL AND SHOULD REQUIRE CONSTRUCTION BEFORE CONSTRUCTION OF NEW HOMES BEGIN.”

David Hege agreed with Mr. Mumford’s concerns. In addition, he is concerned about education facilities and the fact that the Town won’t pick up half the extra fees to build new schools and safe passage of the kids to cross the street.

Closing Comments – Joe thanked everyone for coming out. Extended his open door to folks to come in and talk about this project. It will change Ridgely, hopefully for the better.

Joe said the issue of the 312 bypass involves the State government and the County government. It does not involve any Ridgely projects except for Ridgely Park itself. One of the things he would like to propose for the Commissioners to consider is the fact that we could undertake a feasibility study to see whether or not a 312 bypass is warranted utilizing private and public funds. He will be meeting with SHA officials in the next couple of weeks. Even if our Commissioners said they want a bypass, it will be paid for by the Town of Ridgely. It will connect two state roads so the State has to be onboard. In order for it to get out to the state road for access it has to go through county, so the County has to be onboard. If any one of those jurisdictions say no, it doesn’t matter what we do about a bypass. We want to do projects that will benefit the Town but we don’t want our people to pay for those projects. He said he has already started talking to our engineers about this.

Commissioner Gearhart said Ridgely Park had a traffic study done a while back, but it didn’t say anything about a bypass. It did not take into consideration any commercial traffic either.

Joe said whenever you look at a bypass going around a town you need to consider the impact it has on your commercial businesses.

Toby Gearhart said Ridgely Park has been designed with multiple entrances keeping the grid system. This is a great example of Smart Growth, Traditional Neighborhood Development, with houses built on the same size lots as around town concentrating growth in the town. This helps preserve the agricultural character of Caroline County. If you build a bypass you eat up a lot of acres.

Commissioner Hunter said he's been here 20 years and intends to stay here. This is a decision that should be made by the people who live in town. You need to talk to Joe, or someone here, if you have any concerns. This is a big thing for Ridgely. We have issues now with our water and wastewater systems. There are some big positives along with the negatives.

President Epperly-Glover said she agrees with Commissioner Hunter. Think about it and if you have questions call or come up here. Talk to the Commissioners. All three Commissioners are available. Talk to your neighbors about what is happening.

Everyone needs to be informed. The Commissioners need to know what people think. Joe said before the developers went before the Planning Commission and the Commissioners, they sat down with him, the Director of Public Works, and the Supt. of Water/Wastewater. They told the developers what they needed, and advised them on how to do the project knowing what our people wanted to see. This is a really good project.

Commissioner Gearhart said she has a considerable list of her concerns. She will submit them in writing.

Cathy Schwab asked about a consultant for the Town.

Joe introduced Pete Johnston.

Meeting adjourned at 8:04 pm.

Respectfully submitted,

Carol A. Balderson
Clerk

