

## Commissioners of Ridgely

### Minutes March 5, 2007

The March Town Meeting was 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 Mangini; Jack Hall, Town Attorney; David Crist, Supt. of Water/Wastewater; Merl Evans, Police Chief; and Carol Balderson, Town Clerk; were present. List attached as to other attendees.

President Epperly-Glover called the meeting to order with the Pledge of Allegiance and a moment of silence for our military people.

**Minutes** – Commissioner Hunter made a motion to approve the minutes of February 5 and February 15, 2007 as submitted, seconded by Commissioner Gearhart. Passed.

**Treasurer's Report** – Treasurer reported a General Fund balance of \$212,455.11, Sewer Fund - \$352,232.89, and Water Fund - \$43,153.86.

**Payment of Bills** – Commissioner Hunter made a motion to pay the February bills as submitted, seconded by President Epperly-Glover. Passed.

**Police Report** – Chief Evans introduced two new police officers; Vincent Squitieri and Christopher Birely.

Town Clerk swore in Officer Squitieri and Officer Birely.

**Public Works & Water/Sewer Report** – David Crist reported 48 days of holding capacity in the lagoons. Reported on month's activities.

Joe reported that Robin is expected back in to work tomorrow.

**Other Board/Commission/Committee Reports** – **EDC** – John Balderson reported they have had a lot of good discussions regarding what they would like to see in town. Joe has been talking with a gentleman who is probably going to build some things in town. Joe, Commissioner Gearhart, Portia Dunst, and he attended a DEBD meeting in Hurlock last week. It was an interesting meeting. The State has money that could help with some of this stuff. They will be having quarterly meetings hosted by the municipalities; Ridgely will be hosting the next one, probably in June.

**Parks/Recreation Special Committee** – Commissioner Gearhart said a special committee was set up to work on a plan of recommendations as to what they would be spending \$100,000 for. Ridgely Park is going to contribute to the Cow Barn Athletic Park. Basically, what they would like to do is apply that money to grants so they can double or triple the money. Everything is very expensive. The three main things are playground equipment, excavating for another field, and a snack shack.

There will be another meeting this week. They will probably be meeting every week until they get everything laid out. The County Parks & Rec. is going to assist with writing grant proposals.

**Planning & Zoning Commission** – Joe reported they met on February 28. They reviewed the Ridgely Park Development Rights & Responsibilities Agreement. They recommended approval to the Commissioners with some modifications/changes.

Final approval was given for Walls subdivision, to split the house off from the pharmacy. A building permit was approved for Eastern Shore Overhead Doors located at 11 Sunset Blvd. They have 40 employees.

Also on the agenda, was a 5-unit shopping center to be located at 204 E. Sixth Street (between Quality Car Care and the cemetery). There is to be a Subway, possibly Dunkin' Donuts and a couple of restaurants, etc. The property is under contract. The owner requested allowance of drive-in establishments in that zone. The Planning Commission recommended that an ordinance be introduced. He would like to get started in the next month or two.

Tree Commission – Commissioner Gearhart said they are making plans for the Arbor Day plantings in April. They have ordered 15 trees. They will be inviting the Boy Scouts. The Lions Club and 4-H have offered to help with the plantings this year.

Rails to Trails Advisory Committee – Joe reported they met on Feb. 26. They were supposed to have someone from the Rails to Trails National Conservancy attend and talk to them about how they could help with the project. That person could not attend. Sylvia Ramsey from the State was going to come in their place but was unable to make it either. The State has to get permission from the federal government to move the easement rights from the Md. Dept. of Transportation to DNR so that we can get into the picture.

The next meeting will be March 20.

Ridgely Historical Society – Commissioner Gearhart said they talked about the Strawberry Festival. They are going to have an entry in the parade and have a booth to try to recruit more members. Talked more about the brick project. Also talked about looking into plates to sell for the 140<sup>th</sup> Anniversary.

Joe reported that the grant applied for with Eastern Shore Heritage (\$2500) was turned down. He said the Caroline Co. Arts Council has some funds available.

Joe asked for short recess. (He dressed up in St. Patrick's Day outfit.)

Joe gave his State of the Town Address. (copy attached)

**Old Business** – President Epperly-Glover read a letter received from Brenda Walls in which she stated she would like to have a competition for a Ridgely Town Postcard. Folks would have a month to submit an 8 x 10 matted picture to Ridgely Pharmacy. Photos would be displayed at the pharmacy and the Town Office. Town Commissioners would choose the top three photos. There would be prizes for the top three.

Joe said Brenda would really like to do this.

Commissioner Gearhart said she would like to have the pictures displayed at the Strawberry Festival.

President Epperly-Glover made a motion to approve the request, seconded by Commissioner Gearhart. Passed.

**New Business** – Ordinance #302 – “An Ordinance of the Commissioners of Ridgely to Amend the Town of Ridgely's Zoning Ordinance”

Joe read the proposed ordinance which would allow for drive-ins that do not sell or serve alcoholic beverages in the Highway Commercial District (C-3). This has been recommended by the Planning Commission.

There will be a Public Hearing, probably on April 2.

Consideration of Approval of the Development Rights and Responsibilities (DRRA) for Ridgely Park – Jack Hall presented an ordinance for the DRRA. He handed out clean

copies with last week's Planning Commission recommendations. These changes have not been discussed with the developer.

Joe said the DRRA is an agreement between the developer and the Town government. It is needed because this will be a long-term project (10 to 15 years) and this provides protection for the developer so that new government will not be able to change the project in process. There were some commitments made by the developer in the Annexation Agreement and those are incorporated in the DRRA. The Town gets funding for Rails to Trails, the Athletic Park, new 300,000 gal. wastewater treatment plant (\$4,825,000), \$375,000 toward new water storage tank, work on several streets, impact fees for public safety, general fund monies, etc.

Joe reported that: 1) the DRRA can be amended, 2) the Concept Plan approved by P & Z can be changed, and 3) the only Town commitment to wastewater is providing it for the first 184 units.

Joe said he doesn't think the first house will be built in Ridgely Park for 1-1/2 to 2 years. He said one of the main issues is transportation. There are other things coming too that could impact transportation: the Mid-Shore Business Park, the Schuster project, the county landfill, and development in Greensboro and Goldsboro. He said the Town will be requesting that the developer undertake a traffic impact analysis study of the entire area serving the greater Ridgely focus to determine exactly what needs to be done.

All entities adding to the situation should be involved; including the county government and other developers.

Joe reported there was a 6-acre lake planned for Ridgely Park, but that got broken down into 5 or 6 smaller lakes due to wetlands. The Town is still requesting that at least one of the larger ponds be habitat for fish. The other one would be mainly for recreational purposes.

A swimming pool is shown on the recent plan. Originally, the open space was to be turned over to the Town. There is concern about the swimming pool. It was agreed that the Home Owners Assoc. (HOA) should handle the swimming pool issue, but provide membership for anyone in the Town of Ridgely who would like to use the pool. Rules would need to be approved by the Town Commissioners.

Joe said he feels it's a good document. Feels there will be changes. Commended David on his assistance with this project.

Jack Hall proposed striking "and enjoyment" from Section 9. (Easements). Currently reads "...use of such easements will not interfere with the owner's use and enjoyment of the property".

Mr. Hall said the transportation issue has been addressed in the most recent document copy.

Commissioner Gearhart referred to Section 5.3 – Rails to Trails Park Improvements – and asked if the \$250,000 could be given to the Town in two years rather than three. She would like to see a design of what they have in mind on that and decide if we want to take a cash contribution and do the work ourselves, or they do the construction.

Steve Horne (Elm Street Dev.) said they want to work with the folks involved. Open to suggestions.

Commissioner Hunter said this process is encumbered tonight. He has received three copies of this agreement.

Joe said what Commissioner Gearhart is coming up with is some points that she wants to make. The agreement they have in front of them is what the Planning Commission is recommending and he is supporting that. Any Commissioner has the right to question anything in there, and add to or subtract from.

Commissioner Hunter said he doesn't see how this agreement could be voted on tonight with Ridgely Park's approval.

Joe Stevens (Attorney for Ridgely Park) said you have the document in which you incorporate changes you want to see. If you act on that tonight you are saying this is what you are going to accept. You haven't executed the document; it's not a final document yet. They will take that and respond as diligently and as quickly as possible. From what they have seen so far, they are pretty close to the same page. They would produce a final document for signatures.

Commissioner Gearhart questioned an omission in Section 5.6 – Pedestrian Trail System which had been discussed at a P & Z meeting with Ridgely Park represented.

She also questioned Section 5.7 – Concessionaire Pavilion, Tot Lot and Associated Landscaping – payment to be made prior to the issuance of the 101<sup>st</sup> building permit.

The committee would like to use the \$100,000 in conjunction with other grants. They need to go to the County with a budget request and need a time frame.

Paul Zanecki (owner) said the reason for using the building permits is that they are investing huge sums of money in this project and in order to make it work they have to stage increments of the infrastructure through the permits. The building permit criteria is there so that they know the cash flow is there. What they are looking for tonight is approval of this document so they can move forward. They can't do anything without this document.

Joe Stevens said those changes can be agreed to by the Commissioners and they will look at it.

Commissioner Gearhart said in Section 6.4 – Oak Street Improvements – P & Z included sidewalks and that has not been added.

Commissioner Gearhart expressed concern about sewer allocations. She also said some entrances to Ridgely Park will go across the railroad tracks and those areas need work.

Commissioner Hunter also expressed concern about sewer issues. 184 units may work on paper but rain is a big factor. He is afraid the funds allocated will not cover the costs for a 300,000 gal. plant, and is afraid the Town will end up picking up the tab for the shortfall. Not enough information from Aqueonics that the plant will be there for that price.

Commissioner Gearhart said URS has evaluated this system and they have made recommendations of things they wanted to see upgraded, added, etc. and this added to the cost. This brought the cost to \$4.825 million. Don't know what MDE will do with it.

Joe said there is a potential to obtain funds from DBED for the water tower since it is an economic development project. The Town possesses funds now for sewer. Will also have funds to address additional costs for the water tank.

Joe said the real problem with the wastewater treatment plant is rain water. The proposed system will be enclosed. Feels strongly that MDE will work with the Town.

Joe said concerning the WWTP, the first year will probably be permitting and the second year construction. At the same time we will be working on the storage tank. Thinks the water tank will be up and functioning before Ridgely Park is into its second or third year.

An application is already in for the water storage tank.

President Epperly-Glover made a motion to approve the DRRA for Ridgely Park, seconded by Commissioner Hunter. Approved unanimously.

**Public Comments** – Elsie Ebling asked about the status of other housing projects.

Joe replied the Weese Town House Project of 7 units is pending a Public Works Agreement. It has been approved. Probably will get started in the next month or so.

Ridgeway Estates Subdivision has 16 units – also needs a PWA. There are some issues with water and sewer. Walnut Farms Subdivision of 20 units is in limbo along with 128 Walnut Street Subdivision of 3 units. Cow Barn Town House Project of 36 units is actually tied to Ridgely Park.

Joe reported that David has assured him the well will be up and running by the end of spring.

Bramble is planning to be in here the end of March/April and finished by the end of the month.

Melvin Faulkner asked about the Lister brick house and entrances/exits to and from the development.

John Balderson said Sunrise Distribution will now be Medifast Distribution.

Cathy Schwab requested site plans be displayed for changes or future developments. It is easier to understand.

Commissioner Gearhart said they are still working on the new web site.

She also publicly thanked the Fire Dept. for their quick response to a fire at one of her rental houses Saturday night.

President Epperly-Glover adjourned the meeting at 9:05 pm.

Respectfully submitted,

Carol A. Balderson, Clerk