

Minutes of the May 28, 2008 Planning Commission

Meeting called to order at 6:00 P.M. by Chairman Toby Gearhart. Planning Commission members Martin Sokolich, Mickey Newport, and Margaret Haven were present. The following were also in attendance: Joe Mangini, Town Manager; Chuck Hunter, Town Commissioner; Kathy Smith, Town Commissioner; Missy Vanskiver, Asst. Clerk; Todd Elliott; Shane Johnston; Archie Carroll, and Nancy Gearhart (in at 8:28).

Approval of the Minutes

A motion to approve the minutes of April 23, 2008 was made by Margaret, seconded by Martin, unanimously approved.

Town Manager's Report

Joe gave an overview of the building permits report, stating approximately \$10,000 in building fees have been collected, and he referenced the WWTP Capacity Management Report.

Development Projects – Joe provided an update on current projects.

Weese Town House Project – Rodger Weese will continue to pursue his 7 unit town house project, and may be coming back to the Planning Commission to discuss the project further. The project was initially set up as a condo-type project (private infrastructure), but may now want to do separate lots. Joe referenced the Weese project PWA and said he is waiting to hear something from Mr. Weese.

Ridgely Park – This project is pending the WWTP upgrade.

Ridgeway Estates – The bond and PWA is in place, and work has already started at that location. Joe stated the Ridgeway covenants have been received and look fine, however there are storm water management issues. Joe said that he and Jack Hall have discussed the covenants and the SWM issues. Joe recommends the storm water management area be the responsibility of the HOA. He also recommended that the town not take possession of the carriage house, and use the money to put towards the Cow Barn Park. The last estimate on moving the building was approximately \$60,000. The \$8,000 to be received from Schuman was to defray the cost of moving the carriage house. Joe said that neither the Little League President nor the Chairman of the Parks and Recreation committee want to keep the carriage house. There was discussion about the timeline (one year from date of signing addendum) associated with moving the carriage house. Toby said that JOK Walsh has an idea for the building.

Margaret asked if buildings have been approved yet. Toby said one has been approved. There was discussion about house styles and plans. Martin asked about the covenants and if the Planning Commission was going to recommend approval to the Commissioners. Joe feels the covenants are fine. Martin asked why the town would want an HOA formed. He said he thought the notion was that the town didn't want a subdivision coming in as anything other than part of the community. Jack said that if the covenants include that the HOA maintains the SWM area, the town has a way to address it; if it is not maintained by the HOA, the town can maintain it and add it to those property's taxes. There was some discussion about covenants, open space, the storm water management area, and trees. It was agreed to table this issue until the next meeting.

Walnut Farms – They are still ready to go; their allocation has been paid.

128 Walnut Street – This project is scheduled to start this summer.

Municipal Capital Projects

WWTP Upgrade – The Commissioners will be dealing with the loan on June 2nd. Approvals have been received from three banks. A letter from the State has also been received, indicating the town is eligible for funding.

Water Storage Tank – No news; the County is still unable to find a suitable acre to give to the town that doesn't include wetlands.

Rails to Trails – A number of meetings have been held, including meetings with citizens. Another meeting is scheduled June 10th at 7:00 to review construction plans and wrap up certain details to get the project out to bid. The first installment of grant funds/reimbursement has been received.

Municipal Public Safety Building – Joe has received information from Chief Evans as far as the police side of the building – design, etc. Joe is still awaiting information from the fire department.

EDC Projects – Eddie's Restaurant would have been opened a couple weeks ago, but it has been delayed due to the health department's schedule. There was brief discussion concerning Mr. Brodie's building at 204 E. Sixth Street. The daycare center at 2 N. Maple should be open within the next couple months.

Old Business

208 Caroline Avenue – Todd Elliott – Joe stated that this project was part the MDE situation, but Don Wilson stated that it would be ok to transfer the lot (allocation). Mr. Elliott stated that he now owns the property. Toby asked if the existing structure would be demolished. Mr. Elliott said yes. He also provided a conceptual house plan, stating that he is trying to keep in line with the existing streetscape. Toby asked when construction is scheduled to begin. Mr. Elliott said that the plat should be recorded within 30 days, and he hopes to apply for a building permit at the next meeting. From the date the building permit is issued to product completion should be approximately 75 days. A motion to approve the final subdivision was made by Martin, seconded by Mickey, unanimously approved.

Cow Barn Property – Archie Carroll stated he has a great affection for this town, mentioned his involvement in the town for many years, to include the procurement of the Ridgely House, and provided an overview of the current situation regarding the Cow Barn. He asked the Planning Commission to consider the possibility of the subdivision of the property. Mr. Carroll reviewed the issues concerning water and sewer availability. Toby stated that property in that zone has a minimum lot size of 20,000 square feet. An exception was granted for the Cow Barn property as part of a quid-pro-quo; town houses generally aren't permitted in that zone. If someone were to buy the property and demolish the Cow Barn, they would not be able to build 36 town homes; it would revert back to the 20,000 sq. ft. minimum lot size. Mr. Carroll referenced Ridgely Park and the size of those lots. Toby stated that Ridgely Park is a TND, as defined in the town's ordinance. Mr. Carroll said as part of the agreement, the town has wanted the Cow Barn, but no help has been offered.

Martin stated that when Mr. Carroll first came in with his proposal for the property, the Cow Barn was an important structure, somewhat of an icon of the community, that it needed to be preserved, and the

most expedient way to do that was for the town to get the Cow Barn. Now it is understood that it would be a while before the Cow Barn is restored, and it will take a considerable investment to make that happen. Perhaps if the town had some assurance that the preservation would be done correctly, it may be easier to proceed with the subdivision. One way to do that might be for the town's Historic Commission to create a historic designation for the Cow Barn. Martin asked if that designation would help Mr. Carroll. Mr. Carroll said he would be interested in hearing more, and asked if he would still be the owner. Martin said that it would have to be done before any subdivision is done. There was additional discussion concerning the proposed uses of the building and the property. Joe said he wants to remind everyone that the property won't be able to be subdivided until Phase I of the WWTP upgrade has been completed; MDE won't approve the subdivision. There was further discussion about a historic designation, and what that might entail.

Comprehensive Plan Update – Shane Johnston provided an update on the Comprehensive Plan, stating that it is speeding along, and he is now working on the Land Use portion of the Plan. There was discussion concerning various parts of the Plan, Design Guidelines, and Rails to Trails.

106 W. Railroad Street – There was discussion concerning the draft of Resolution for a Retail Ready Rehabilitation District. Changes to the text were recommended. A motion to approve the resolution as amended was made by Mickey, seconded by Martin, unanimously approved. Chairman Gearhart abstained from the vote.

207 Park Avenue – Joe gave an overview of his recent conversation with the property owner, Ms. Raikes. There was discussion concerning the property, including the possibility of using Urban Renewal funds.

Adjournment

At 9:30 a motion to adjourn was made by Mickey, seconded by Martin.

Respectfully Submitted,

Missy Vanskiver
Asst. Clerk