

**Cecil County
Oversight Committee
Meeting Packet**

September 30, 2009



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Agenda and Meeting Information

**CECIL COUNTY COMPREHENSIVE PLAN
CITIZEN OVERSIGHT COMMITTEE**

**Meeting Agenda
Wednesday, September 30, 2009, 6 p.m.
Cecil College Technology Center Room 208
One Seahawk Drive
North East, MD 21921**

I. Call to Order	6:00
II. Approval of Minutes	6:05
III. Old Business	
Administrative Matters	6:10
Continue Discussion of Draft Comprehensive Plan Chapters	6:20
Adjourn	9:00



Oversight Committee Meeting Minutes

CECIL COUNTY COMPREHENSIVE PLAN CITIZEN OVERSIGHT COMMITTEE
MEETING MINUTES
16 September 2009

Present: Bennett, John; Broomell, Diana; Cairns, Ed; Clewer, Jeff; Colenda, Sarah; Denver, John; Derr, Dan; Doordan, B. Patrick; Edwards, Sandra; Gell, Robert; Gilley, Paula; Jackson, Ann; Kilby, Phyllis; Lane, Diane; Polite, Dan; Priapi, Vic; Smyser, Chuck; Snyder, Linda; Stewart, Gary; Strause, Vicky; Tapley, Donna; Thorne, Owen; Walbeck, Carl; Whiteman, Will; Wiggins, Kennard; Bayer, Michael – ERM; Graham, Clive – ERM; Di Giacomo, Tony; Sennstrom, Eric

Absent: Buck, Walter; Bunnell, John; Butler, Eileen; Day, Shawn; Deckard, Donna; Duckett, Vernon; Ellerton, Vaughan; Folk, Patricia; Pugh, Mike; Rossetti, Rupert; Shaffer, Henry; Whitehurst, Dan

Observers: Mattix, Cheryl – Cecil Whig; Thompson, Vernon – Cecil Co. DED

Call to Order: Dr. Lane called the meeting to order at 6:07 p.m.

Approval of Minutes: Motion was made by Paula Gilley to approve the 19 August 2009 meeting minutes. The motion was seconded by Vicky Strause. All members present voted in favor of motion. Motion carried.

Old Business: Dr. Lane provided a report on her updates to the Planning Commission and Board of County Commissioners. She stated that she provided a summary of the 19 August meeting and the public forum. Public comment and Town comments received by the COC will be forwarded to both the Planning Commission and Board of County Commissioners for their edification. Dr. Lane also noted that the meeting dates between now and 14 October 2009 are fluid as ERM is drafting the remaining chapters. Dr. Lane said that the remaining chapters will most likely be ready for a meeting on 30 September 2009. The COC will meet on 30 September 2009 with 7 October 2009 on hold if needed for a meeting. Additionally, Dr. Lane reported that the Board of County Commissioners would like to meet with the COC on 14 October 2009 to express their gratitude for the COC's efforts and hard work over the last two (2) years.

New Business: Clive Graham announced that he would like to move chapter by chapter for comments on the draft plan. He requested that edits be sent to P&Z for forwarding to ERM. Mr. Graham stated that the draft plan needed to be consistent with the concept plan and that the COC needed to point out areas of deviation. Mr. Graham recommended the group point out factual errors, and inconsistencies with the subcommittee goals, but not to get bogged down in minutia. Discussion ensued on the recent activity data, the use of population data for 2010, as the current population and revisions to make the content clearer.

Clive Graham queried the COC as to whether there were any comments or questions on the introduction and legal requirements. Ed Cairns questioned whether the language was accurate since the group voted

not to include the Towns' comments. Mr. Graham noted that resolution will occur with the Planning Commission and Board of County Commissioners review, therefore the language was accurate. Kennard Wiggins noted that the COC should be described as a 41 member group. Ed Cairns suggested listing the various groups or organizations that each member represents. Dr. Lane interjected that that detail of information was not provided when the COC was appointed and should not be included. Discussion ensued on Chapters 2 and 3 with comments focusing on edits to improve clarity of meaning and to remove any ambiguity that the COC perceived to be present. Mr. Graham stated that rewrites will address the COC's comments relative to edits, color contrasts on the maps, discrepancies in the tables, and typos. Mr. Graham provided the COC with a revised Table 3.1 explaining that it contained a new rural residential category. This table is attached to the minutes.

John Bennett noted that the language on page 3-18, third paragraph, dilutes the growth cap resolution. Clive Graham noted that the plan's language was written to include flexibility and perhaps it should move to page 3-30 under policy and action. Dr. Lane interjected that the original language in Mr. Derr's motion will be checked to ensure accuracy. Discussion moved on to Chapters 4 and 6. Comments were received regarding improvements to clarity of meaning, eliminating confusion in the tabular data, improvements to data organization, and color contrasts in the maps. Dr. Lane noted that she had received comments from Rupert Rossetti who was unable to attend this evening's meeting. She conveyed those comments to the COC and will provide them to each member. Phyllis Kilby noted that it is important to consider Mr. Rossetti's comments. Discussion moved to the repercussions of the State's new stormwater management regulations.

Dr. Lane announced that the COC will meet on Wednesday, 30 September 2009 at 6:00 p.m. at Cecil College to review the remaining chapters. The meeting will most likely occur in Room 208 of the Technology Center pending confirmation of availability.

Adjournment: Motion was made by Sarah Colenda to adjourn. The motion was seconded by John Denver. All members present voted in favor of motion. Motion carried. Meeting adjourned at 8:01 p.m.

Next Meeting: 6:00 p.m., Wednesday, 30 September 2009, Cecil College

Respectfully Submitted:

Eric S. Sennstrom, AICP
Director – Planning & Zoning

Cecil County Land Use/Land Cover (REVISED)

Land Use	1973		2007		Change, 1973-2007	
	Acres	Percent	Acres	Percent	Acres	Percent
Development Lands	16,334	7%	53,193	24%	23,015	141%
Low Density Residential	8,768	4%	20,116	9%	11,348	129%
Medium/High Density Residential	1,531	1%	6,441	3%	4,910	321%
Commercial/Industrial	1,655	1%	4,812	2%	3,157	191%
Rural Residential ¹	n/a	n/a	13,844	6%	n/a	n/a
Other Categories ^{1, 2}	4,380	2%	7,980	4%	3,600	82%
Resource Lands³	206,325	93%	169,748	76%	(36,577)	(18%)
Agriculture	112,729	50%	85,248	38%	(27,481)	(24%)
Forest	91,259	41%	81,547	37%	(9,712)	(11%)
Wetlands	2,337	2%	2,953	1%	616	26%
Total⁴	222,659	100%	222,941	100%		

Notes:

1: Rural Residential and Transportation categories were not included in MDP's 1973 Land Use/Land Cover dataset

2: Institutional, Extractive, Open Urban, Beaches, Bare rock, Bare Ground, Transportation

3: Excludes Water

4: The change in overall land area is likely due to changes in MDP's mapping techniques and shifts in shoreline.

Sources: Maryland Dept. of Planning 1973, 2007 Land Use Land Cover datasets

Comments on DraftCompPlanchapters9Sep09 - Rossetti

Page	Section Acronyms	Original	Comment / Recommendation	Category
1.1	1.1	These new visions are the State's land use policy, and local jurisdictions are required to implement the visions through their comprehensive plans and implement them through the zoning ordinance and other regulations:	Either substitute something for the first implement or delete " implement them"	Nit
1.2	1.3	The Maryland Departments of Planning (MDP), Transportation (MDOT), and the Environment (MDE) each provided technical assistance and contributed data used in the Plan.	APM also consulted DNR ... who ran some models on Green Infra. They deserve a mention	Clarity / Completeness
1.2	1.3	The COC was made up of 41 County residents.	Not true .. Several are from out of county	Substance
1.3	1.4	Supporting documents, reports, data and memoranda are in the appendix to this plan that is available in electronic format, or from the Cecil County Office of Planning and Zoning, which also has paper copies.	Supporting documents, reports, data and memoranda are in the appendix to this plan which is available in electronic format, or from the Cecil County Office of Planning and Zoning, which also has paper copies.	Nit
2.2	2.2	Both Chester and Lancaster Counties have been experiencing suburban growth from the Philadelphia metropolitan area.	Lancaster too? From Phila?	Question
2.2	2.3	History	There is no mention of Port Deposit as an important trans-shipment point for New York & PA "produce" that was floated down on the spring tides. Surely this deserves a line or two.	Clarity / Completeness
2.4	Map 2.2		Why not show Cecil the same way as you depict the other counties? This would be much more enlightening and more easy to understand	Clarity / Completeness
2.4	Related Plans	Surface Water Supply Study for Cecil County Designated Growth Area (2006)	There is also a 2006 Groundwater Study for the Growth Area. Should be in Ben's list .. If not, send me an email.	Clarity / Completeness
2.7	2.6.1	As of 2010, Cecil County's population is estimated at approximately 103,800,	As of 2010, Cecil County's population, including municipalities , is estimated at approximately 103,800 Throughout, need to make it clear when you are treating the county as a whole and when you are just dealing with the unincorporated areas	Clarity / Completeness
2.8	Table 2.2		Can we show the job figures for the towns / rest of county as well?	Clarity / Completeness
3.3	Table 3.1		Can you indent the subordinate Land Uses, as you've done in Table 4.1, so that the subtotals are easier to understand	Clarity / Completeness
3.3	Protected Lands	The remaining easements were acquired through the Maryland Department of Natural Resource's Forest Legacy program and the County's Purchase of Development (PDR) program.	The remaining easements were acquired through the Maryland Department of Natural Resource's Forest Legacy program and the County's Purchase of Development Rights (PDR) program.	Clarity / Completeness
3.3	Protected Lands	To date, more than \$40 million has been spent to protect land in Cecil County. 2	2 should be a footnote	Nit
3.3	Protected Lands		What about a Map?	Clarity / Completeness
3.3	Protected Lands	The Sassafras RLA features prime agricultural land and productive farming operations. More than 75 percent of the area is defined as prime agricultural soils. Fair Hill includes the 5,600- acre state-owned Fair Hill Natural Resources Management Area and the Cecil County Farm Museum and Conservation Education Center, an 84-acre property acquired by Cecil County in 2002	Need to also highlight the prime ag soils in the northern area. My understanding is that they are better than the southern area soils and less susceptible to drought. See 4.3.6. Ask Dan D., Dan P. & Phyllis K.	Substance

Comments on DraftCompPlan chapters 9 Sep 09 - Rossetti

Page	Section	Original	Comment / Recommendation	Category
3.5	Map 3.2	Notes: Villages are PFAs; This Comprehensive Plan recommends the deletion of four villages shown on this map (see Section 3.5.3).	Notes: Villages are PFAs; This Comprehensive Plan recommends the deletion of four villages shown on this map since they are now subsumed into the Growth Area (see Section 3.5.3).	Clarity / Completeness
3.7	Table 3.4		Can you indent the subordinate Land Uses, as you've done in Table 4.1, so that the subtotals are easier to understand	Clarity / Completeness
3.6, 3.7	Table 3.4		Can you restate the Table to include the towns, or provide a summary table	Clarity / Completeness
3.8	Table 3.5		Can you indent the subordinate Land Uses, as you've done in Table 4.1, so that the subtotals are easier to understand	Clarity / Completeness
3.8	3.3	The four major growth categories are differentiated by density: High, Medium-High, Medium, and Low. Growth Areas are designated on the Future Land Use Map as High, Medium-High, Medium, Low, Mixed Use, Employment, and Town. These are the areas where the County wishes to encourage and attract growth and development. They are currently served by public water and sewer service or are intended to be served in the future.	The four major residential growth categories are differentiated by density: High, Medium-High, Medium, and Low.	Clarity / Completeness
3.11	3.4		Is this strictly true in the Low Growth Areas .. I though this was not a given for them?	Substance
3.13	2nd para	By concentrating residential, industrial and commercial growth, the County can reduce the cost of providing public infrastructure – by making it more efficient – and limit impacts to the environment.	By concentrating residential, industrial and commercial growth in the Growth Corridor , the County can reduce the cost of providing public infrastructure – by making it more efficient – and limit impacts to the environment.	Substance
3.13 - 3.14	X-over para	Fast tracking development applications in the growth corridor was also cited which, while feasible, needs to be consider the equity concerns of development that is effectively delayed due to the fast tracking of other applications.	Fast tracking development applications in the growth corridor was also cited which, while feasible, needs to consider the equity concerns of development that is effectively delayed due to the fast tracking of other applications.	Nit
3.14		High growth areas comprise about two percent of the County, or approximately 4,100 acres.	Would you add the Percent of the Growth Area for each of the subordinate categories	Clarity / Completeness
3.16	2nd para	Mixed use development is a mix of one or more of the following on one or site across several sites : residential, commercial, business, service, civic and open space. True mixed use development integrates the different the different uses horizontally (on the same site) or vertically (in the same building). The main streets of Cecil County's towns are examples mixed use areas.	Mixed use development is a mix of one or more of the following on one site or across several sites : residential, commercial, business, service, civic and open space. True mixed use development integrates the different uses horizontally (on the same site) or vertically (in the same building). The main streets of Cecil County's towns are examples of mixed use areas.	Nit
3.16	5th Para	The Comprehensive Plan envisions an 80 percent residential and 20 percent non-residential mix in the Mixed Use Residential district, and a 30 percent residential and 70 percent employment mix in the Mixed Use Employment district.	Is this % by land area, or some other factor	Clarity / Completeness
3.18	1st para	The County will also continue to support the economic viability of farming, forestry and related business activities such broadening the list of permitted value-added agricultural related enterprises (see Chapter 4, Economic Development).	The County will also continue to support the economic viability of farming, forestry and related business activities such as broadening the list of permitted value-added agricultural related enterprises (see Chapter 4, Economic Development).	Nit

Comments on DraftCompPlanchapters9Sep09 - Rossetti

Page	Section	Original	Comment / Recommendation	Category
3.18	2nd para	To support the PPA, existing tools such as development clustering and the transfer of development rights program will need to be strengthened, especially in the Rural Conservation area.	Think you need to back off this a bit ... there is a fairly healthy debate that we did not have about clustering in Rural Areas. This got introduced at the public forum and should likely have some weasel words about some broad-based committee to	Substance
3.18	Bullet 2	Residential and other non-agriculture development must be served by on-site sewer and water facilities. Private shared sewer facilities may be permitted, and are encouraged in that they can provide more opportunity to preserve open space areas	This is also one of those contentious issues. MDP has been vehemently against these	substance
3.19	1st & 5 paras	The Rural Conservation area makes up about 43 percent of the County, or approximately 95,800 acres.	The Rural Conservation area makes up about 43 percent of the County, or approximately 95,800 acres.	Nit
3.19	5th Para	The Rural Conservation area makes up about 28 percent of the County, or approximately 95,800 acres. where protection of agricultural land resources is considered most feasible and of the highest priority.	The Rural Protection area makes up about 28 percent of the County, or approximately xx,xxx acres. Why is this of the highest priority ... best soils and drought resistance in north. See 4.3.6	Substance
3.19	5th Para	The County and other partners have been quite successful in preserving land in the Resource Protection area and there are some large blocks of protected land	Don't dismiss the Fair Hill Rural Legacy Area and their accomplishments	Substance
3.19	5th Para	The designation of an area as a Mineral Extraction area is an interim designation. After mineral extraction is complete, a special study and possible plan amendment will determine the future use of the land, taking into consideration the type and intensity of adjacent land uses and the availability of infrastructure and services.	The designation of an area as a Mineral Extraction area is an interim designation. After mineral extraction is complete, a special study and possible plan amendment will determine the future use of the land, taking into consideration the type and intensity of adjacent land uses, the availability of infrastructure and services, and the impact on water quality and environmentally sensitive areas.	Substance
3.23	3rd para	(filling in spaces between development).	(filling in spaces between existing development).	Clarity / Completeness
3.27	3.6.3	Clustering Discussion	Might be sensible to define Open Space ... and Common open Space, so that folks know what you are talking about. Stuff in the cluster development or the balance of the property that has useable farmland?	Clarity / Completeness
3.27	3.6.4 1st para	A viable TDR program will be key to achieving several of this 2010 Comprehensive Plans goals.	A viable TDR program will be key to achieving several of this 2010 Comprehensive Plan's goals.	Nit
3.30	para f.	f. Consider establish minimum development densities in portions of the Growth Corridor.	f. Consider establishing minimum development densities in portions of the Growth Corridor.	Nit
4.1	4.2 3rd para	Growth pressures from more populous areas are evident. Between 2000 and 2010, the county's employment increased 30 percent while its population rose 20 percent.	Is this the right way round?	Clarity / Completeness
4.3	Table 4.2		Why leave out county & town gov'ts as employers?	Clarity / Completeness
4.7	4th para		Elk Neck also a big destination for birders ... hawk migration	Clarity / Completeness
4.10	4.2.3 3rd para	SBDC services include assisting small businesses with financial, marketing, production, organization, engineering and technical problems , and feasibility studies.	SBDC services include assisting small businesses with financial, marketing, production, organization, engineering and technical solutions , and feasibility studies.	nit
4.11	2nd para	This plan offers six recommendations	The EDC Strat Plan or the 2010 Comp Plan?	Clarity / Completeness
4.11	Last para	Each of the industrial parks existing buildings, ranging in size from 5,000 to 600,000 square feet, available for occupancy.	Each of the industrial parks has existing buildings, ranging in size from 5,000 to 600,000 square feet, available for occupancy.	Nit

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Page	Section	Original	Comment / Recommendation	Category
4.16	1st para	The 2007 Cecil County Strategic Plan	The 2007 Cecil County Strategic Plan for Econ Development? .. There were rumours that the Commissioners also had one ..	Clarity / Completeness
4.17	1st para	Mid-Shore Regional Council	Should include the Upper Shore Regional Council, with John Dillman, I think	Clarity / Completeness
4.18	caption	Kilby Creamery produces ice cream using milk from its Rising Sun dairy.	Kilby Creamery produces ice cream using milk from its Colora dairy. Ask Phyllis	Clarity / Completeness
4.19	4.4	As of 2010, the County does not have a commercial fisheries industry.	What about folks like Mike Menjamin in North East? Article in a recent Whig.	Clarity / Completeness
6.3	6.3.2 2nd para		A bit convoluted, how about starting the para with the footnote ...	Clarity / Completeness
6.3	6.4.1 2nd para	Geologic formations in the Piedmont region, to the north and west of the Fall Line are not suitable for large-scale groundwater withdrawal due to the presence of fractures and other irregularities.	Geologic formations in the Piedmont region, to the north and west of the Fall Line are not suitable for large-scale groundwater withdrawal due to the reliance on fractures and other irregularities.	Nit
6.5, 6.6	Table 6.1, 6.2		Are Harbour View, Meadowview/Highlands & Pine Hills still public facilities? Where is Mountain Hill?	Clarity / Completeness
6.8	Paras 5 & 6		Very much like the statements re. reliability & consistency.	
6.10	6.4.4 2nd para		Should we also consider recharge areas?	Q. for Ben
6.10	Last para	Aquifers in these locations may be productive enough to serve a significant portion of the Growth Area, particularly the Elkton area.	May be? Should this be the subject of a specific study?	Substance
6.12	4th para	Interconnection may also be needed to ensure redundancy in case of system damage or failure.	Interconnection may also be prudent to ensure redundancy in case of system damage or failure.	Nit
6.12	6.4.6 1st para	MDE's proposed wellhead protection areas in Cecil County are shown in Map 6.2 .	MDE's proposed wellhead protection areas in Cecil County are shown in Map 6.3 .	Nit
6.13	Map 6.3		Does this include Mountain Hill. If not, contact Cindy Latham	Clarity / Completeness
6.14	6.5.1 1st para	Map 6.3	Should be Map 6.4	nit
6.15	1st para	All public systems currently have excess capacity, although a few, such as Chesapeake City and Port Deposit, are close to their limits.	All public systems currently have excess capacity, although a few, such as Chesapeake City and Port Deposit, are close to their limits and Rising Sun is constrained by a consent order	Clarity / Completeness
6.19	1st para		Table 6.5 shows Seneca Point. Para refers to North East River .. These are one and the same .. Need to be consistent throughout	Clarity / Completeness
6.19	last para	To ensure adequate discharge capacity after 2030, wastewater service providers in the County must identify and secure funding, permits, and the land necessary to implement these new disposal options.	To ensure adequate discharge capacity after 2030, wastewater service providers in the County must identify and secure funding, permits, and the land necessary to implement these new disposal options, and the county should take the leadership role .	Substance
6.20	Table 6.7	N/A	Replace N/A with TBD ...	Clarity / Completeness
6.22	1st para under bullets	Another option for addressing the Rising Sun WWTP's deficits could include interconnection to one of the County's other ENR facilities.	What about looking into a Tertiary Treatment Wetland as another alternative?	Substance
6.23	1st para under bullets	Extension of sewer service to the Carpenters Point area (a known area of failing or inadequate septic systems) could generate credits for as much as 7,398 lbs per year of nitrogen, or 0.81 MGD.	This is already underway Check with Scott F.	Clarity / Completeness
6.24	2nd para	In this system, effluent is treated at a BNR or ENR WWTP	Does it have to be BNR or better?	Clarity / Completeness
6.24	3rd para	Other smaller applications of tertiary treatment wetlands can be found throughout Maryland.	Really?	Clarity / Completeness

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Page	Section	Original	Comment / Recommendation	Category
6.24	5th Para	Within Cecil County, up to 450,000 gallons per day of treated effluent from the Meadowview WWTP will be used for seasonal dry weather conditions to irrigate the Newark Country Club golf course in Delaware.	NCC is moving just north of Meadowview into Cecil County .. Up Appleton Road.	Clarity / Completeness
6.25	6.6.1 2nd para	and the County should revise its Stormwater Management Ordinance as necessary to incorporate these revisions.	This is underway	Clarity / Completeness
6.26	5th Para	For each watershed, the state's goal is to develop a Watershed Restoration Action Strategies (WRAS) for each Category 1 and Category 3 watershed.	Is this still the case? They go in and out of funding and fashion!	Clarity / Completeness
6.26	3rd para from bottom	the Maryland Department of Natural Resources (DNR) conducts annual water quality sampling at several locations in Cecil County.	DNR does the biological, MDE does chemical sampling	Clarity / Completeness
6.27	4th bullet	Complete protection of the County's two rural legacy areas	Got another word for complete?	Clarity / Completeness
6.27	6th bullet	Based on the State's Clean Water Action Plan, the primary candidate watershed in Cecil County would be the Upper Elk River.	Why? Explain in footnote	Clarity / Completeness
6.27	2nd para from bottom	The County may wish to consider making "denied access" the default designation for all such public health-related sewer extensions,	Carpenter's Point extension is under way	Clarity / Completeness
6.28	1st para	Aggressively pursue development of water resources infrastructure in growth areas.	The County should consider making "denied access" the default designation for all such public health-related sewer extensions,	Substance
6.33	6.8 1st para	Aggressively pursue development of water resources infrastructure in growth areas.	Aggressively pursue development of water resources infrastructure in the Growth Corridor	Substance
6.34	8. 1st bullet point	New surface water impoundments, particularly on Principio Creek	New surface water impoundments, particularly alongside Principio Creek	Clarity / Completeness