

**CECIL COUNTY COMPREHENSIVE PLAN OVERSIGHT COMMITTEE  
 AGRICULTURE, PRESERVATION and MINERALS (APM) SUBCOMMITTEE  
 MEETING MINUTES  
 September 9, 2008**

<b>Member</b>	<b>Present</b>
Diana Broomell	X
Shawn Day	X
Sandra Edwards	X
Phyllis Kilby	X
Daniel Polite	X
Vic Priapi (Vice Chair)	X
Owen Thorne (Chair)	X
John Bennett	X
Donna Deckard	
Robert Hodge	X
Rupert Rossetti	X

<b>Other Attendees</b>	<b>Affiliation</b>
Ben Sussman	ERM
Dan Derr	Member, CPOC
Wayne Stafford	Concerned Citizen
Randy Hutton	Member, CPOC

**Call to Order** – Tuesday, September 9, 2008 at 6:30 p.m., Cecil College, North East Campus TC 205, Technology Building.

**Old Business** –

Minutes for the July 10, 2008 minutes approved unanimously. The August 14<sup>th</sup> meeting minutes are deferred until the next meeting so there is more time to review.

Rupert Rossetti read the letter to Diane Lane from Christine Conn, Department of Natural Resources, Director of Strategic Land Planning, regarding the reliability of the Green Infrastructure Study conducted by the Conservation Fund. (See attached.)

John Bennett – Randy Hutton did an excellent presentation to the Land Use Subcommittee on agriculture especially in Queen Anne’s County. He focused on issues that might relate to Cecil County.

Next meeting is scheduled for October 9 and Mr. Bennett has arranged for the speakers. Problem with scheduling speakers due to vacations but it was recommended that Christine Conn be invited. Office of Planning & Zoning will have a representative at the meeting to advise the committee on current sensitive areas in the county in order to assist the committee in developing specific recommendations. Another possible speaker is Dr. Hairston-Strang to speak on public management of forests.

John Bennett: Supposedly the Governor will appoint a group to study the 1990 Forest Conservation Act revision. This may have an impact on what we are discussing now. The legislature has set this up but the Governor has not yet appointed. Local authorities do have the ability to make the forest conservation laws stricter than the state standard but not weaker. Many of the urban counties along the I-95 corridor have made changes particularly on the size of the specimen trees that have to be identified in a forest stand delineation. The state says 30” and many of these counties say 24” and over have to be identified.

Shawn Day: DNR did indicate that Dan Rider and Wayne Suydam would be attending the meeting.

Chairman Thorne: We have been talking a lot about soils. This fits into agriculture, forestry, conservation – we need a speaker to educate us on soils. Dan Polite is our expert on soils, what do you recommend?

Dan Polite: There is general soil information on Cecil County available. If the group feels they would like to have some background knowledge on soils, I can arrange something. Quality of soil is important and when they are evaluating applications for preservation they do look at this. This issue is overlooked by a lot of people. When you look at where the optimum yield soil is located, the growth corridor is in the correct place because it's your worst optimum yielding soil. The northern and southern part of the county is where all of your crops are growing and you can see it on maps that is where your best soils are located. Ben Sussman (ERM) has already heard from us on the Water Resources Committee that we need to preserve the northern part of the county just as much as the southern portion. So we are trying to come up with a fourth scenario that will entail that northern half of the county as a resource protection area also.

Diana Broomell: At the Infrastructure and Transportation Meeting, Mike Bayer agreed to do the fourth scenario by taking the Rt. 273 area out of the growth district.

John Bennett: I would like to ask Ben where we see the subcommittee going once we get past the scenario process other than refining and finalizing our goals and objectives. How long are we going to meet? If we are going to meet into 2009, what is the purpose? Is it to cover new issues?

Chairman Thorne: It would be nice to meet to get more speakers in to educate us on certain topics.

Phyllis Kilby: It would be nice to make some recommendations on implementation because people around here have done their homework and have a good amount of knowledge.

Chairman Thorne: And we don't know who the commissioners are going to be in 2009 when this plan comes to the table. There will be planning commission hearings, public hearings, commissioner hearings and we'll have an opportunity to have input even after the comp plan is put together.

Ben Sussman: My understanding on the level of input you have involves your developing the goals and policies that will go in the comp plan. Regarding the scenarios, it's general input.

Robert Hodge: There was a Chair and Vice-Chair meeting on September 2. What was discussed at that meeting?

Chairman Thorne: That will be discussed in some of the things that Ben will share with us this evening. We did talk about scheduling and it was pointed out there would be another full day meeting on October 15 besides the first one on September 17 at 1 p.m.

Rupert Rossetti: The other thing is that we will then start meeting every month as a full committee.

Chairman Thorne: When we get close to more detail on these maps we will need to be knowledgeable on the soils and forests so we can make specific recommendations. According to the document provided by ERM on the timeline, we have input down at the bottom on policy recommendations throughout November and December.

Rupert Rossetti: Michael Bayer will be using a new timetable. At each of the general oversight meetings, two of the subcommittees will report. Land Use and Infrastructure and Transportation will report first.

Chairman Thorne: That brings us to another important item: we need to generate a document to put forth as our official position.

Ben: Water Resources did produce such a document but I'm not sure if it's required for every committee.

Chairman Thorne: We are responsible for two elements: sensitive areas and priority preservation areas. Sensitive areas we do not currently have in our comp plan so we are counting on ERM for guidance. Agriculture and preservation are the two items we are primarily covering. Mineral extraction was given to another committee but I wouldn't mind talking about mineral resources or use of mineral lands. From what I understand, Economic Development is covering mineral extraction. Can anyone tell me what has been discussed on this subcommittee?

Randy Hutton: Only where the districts are and that they haven't changed. Going back to ag and preservation, I think that's deceiving. People think it's one thing.

Chairman Thorne: Preservation isn't just ag, it's also critical, forested, and watersheds areas.

Diana Broomell: And we just discussed at our last meeting that the continuation of the ag industry is contingent on economic development.

Chairman Thorne: Is economic development looking at ag?

Randy Hutton: Yes.

John Bennett: Preservation includes reducing pressure on the rural areas of the county to insure the continued viability of the county's agricultural and forest economy.

Chairman Thorne: When we consider ag preservation, we haven't seen the soils yet and we don't know if we are preserving the right area. We heard that the fall line area (growth corridor) is generally the worst soil. There may be some tweaking that needs to be done.

Randy Hutton: After we have completed our goals and we get into policies and regulations, that's when we can apply our recommendations.

Ben Sussman: When you do your goals it will be broad statements of what is desired. The next level is policies which will address ways on how to put those goals into actionable tasks. After your comp plan is written it's followed by updates to your ordinances and regulations. It is also the job of the CPOC to specifically make recommendations on what the changes will be in the ordinances and regulations. So the comp plan isn't a statement of what we believe in, there are concrete recommendations that when the commissioners adopt, they have committed to making changes in the law.

Chairman Thorne: What we saw last time, twenty years went by and many of those recommendations were not adopted. For instance, the TDR Ordinance was adopted quite a while ago and nothing is happening. Our recommendation is for them to revisit the document to make it work. But is it our job to rewrite the law or should we strongly suggest that they revisit it and find a way for them to make it work?

Ben Sussman: I think it's reasonable to say "revisit the TDR Ordinance".

Chairman Thorne: But you don't get anything if you don't ask for it. We have a list of 31 goals that were submitted by members of the committee. Some we have considered and others we have adopted but there

is additional material we have not covered yet.

Rupert Rossetti: Could someone work on this list of goals to combine related goals?

Chairman Thorne: I hesitate to do that job because I should be more of a guiding hand. But I would like to be kept in the loop.

John Bennett: I'll do it. Once I put together the refined list I will email out for comments.

Shawn Day: Maryland Department of Planning had mentioned that certain counties were using priority watersheds in their planning process for prioritizing and looking at their scenarios. If you look at the watersheds in this county and you look at their priority ranking for sub watersheds, for cost share programs, preservation programs – where you have a higher value for watersheds is where you will probably find your better soils. There is a lot less watersheds than soil types in this county. I would like to throw that information out there for this committee to consider. It's not to discount the soils and we could probably do a watershed overlay for the maps.

Rupert Rossetti: How are the watersheds prioritized? By the Use classification?

Shawn Day: Generally you use the 6 digit which is the larger watershed or the 8 digit.

Rupert Rossetti: At the 8 digit level are they usually classified #3 trout stream?

Shawn Day: What I do isn't usually based on the classification of the stream. It's for the watershed itself, the feeder stream that feeds into it, and where the watershed eventually feeds into. We do have guidance because some of the programs we use for cost share assistance or stewardship incentive programs, conservation reserve enhancement programs - there are priority watersheds identified that we work from.

Phyllis Kilby: What's the criteria for priority preservation?

Shawn Day: That I'm not sure of but our Office of Sustainability would be able to answer.

Dan Polite: It depends on what State Program is being used. The Sassafras River has a high priority as a watershed so that gets a different funding source as a higher priority down in the southern part of the county. Same with the cover crop program. In Kent County there were 3 priority watersheds in the cover crop program. So it depends on what program the funding is coming from. They get more money with the conservation/security program and other federal program that farmers can sign up to get money.

Shawn Day: One of the things forestry is doing, we use our priority watersheds list for landowner services for developing and implementing forest management plans or stewardship plans. That is something that just started within the last 3 years that we were required to shift based on priority watershed.

Rupert Rossetti: In Cecil County.

Shawn Day: One of the priority watersheds is in the North East River. Also on Sandy Run on the 274 corridor. It was one of the areas that we did some of the first conservation tree plantings in the county.

Randy Hutton: The importance of that is the watersheds stay consistent and soils don't. If you go across the field with a plow, you've got 5 or 6 different soil types.

Dan Polite: Your correct but the soil types would be grouped together such as the highest yielding to the lesser productive. Unfortunately our data from the 1976 soil survey is outdated. There really is no way to conduct any type of data to figure how much each crop is going to produce as far as yields. It changes year to year. So it's not false information but it's a good representation of what type of soil is capable of producing a certain yield. The tie in for what we are discussing you can look at the priority watershed list to look for the profitable soils or if the soils are sustainable for good industrial economic farming and agriculture. Once you see that you can start visualizing where you need to do your preservation. It's a tool that has some science behind it. I have maps that I'm going to hand out (regarding watersheds and soils) and also give to Ben so he can give it to his staff at ERM to help them determine where are these priority preservation areas.

Chairman Thorne: I would like to hear more about soils and maybe we can work into our December Meeting. If you guys (Shawn Day, Dan Polite) would like to organize a presentation beyond what was discussed this evening, let me know.

### **New Business –**

Ben Sussman, ERM Consultant to discuss the 3 scenarios.

Ben Sussman – You're going to be choosing one of the three concepts on how you want the county to grow for the next 50 to 100 years. After you make that decision in October, then you get more specific on how we are going to get there. Right now we are on a much more general level. ERM and staff have developed 3 scenarios. Right now we are making sure you understand the 3 scenarios and get your feedback as well as on September 17 and then on October 15 you will actually choose the preferred scenario. The kind of feedback ERM needs right now is for the subcommittees to answer these three questions: 1. Do any or all of these scenarios meet the goals of the subcommittee or can the goals be accomplished through any or all of these scenarios? 2. Are these scenarios reasonable? You may not like them but could they happen? 3. If not, is there a fourth scenario that hasn't been considered? ERM understands at this point there probably will be a fourth scenario but it's important to understand what the scenario will include. You can either let me know tonight or put together a policy document and email it to ERM. Water Resources gave me feedback during their meeting and that will all go into our refinement process. At the all day meeting you will get a chance to see the visuals. There you will make comments as individuals not as a subcommittee. At the meeting in October we will have four scenarios and we will run them through the choosing by advantages which is a methodology for making decisions. Michael Bayer has done this before so he will be leading this discussion in October. Right now I want to quickly walk you through the scenarios. One change that was made from a development area to a mixed development is the gravel quarry areas on Bouchelle and Quarry Road after the county suggested that change.

Chairman Thorne: I don't know why we need to reconsider it being an employment center. It seems reasonable to be an employment center. There's a lot of truck traffic off of that Quarry Road. They have their own bridge over North East Creek and it's a big area.

Robert Hodge: I don't think it will have employment uses after they're done extracting the minerals. It's a tremendous hole in the ground and it could hit water and fill up. Also, there is no exit off of I-95 near there.

Chairman Thorne: That whole area we refer to as Newark West, that's in all 3 scenarios as if it's a given. Right now it's all farmland everything above the CSX Railroad. The county was supposedly in negotiations with Artesian Water on this area.

Ben Sussman: It is our understanding that the agreement has been signed and that area will have sewer.

John Bennett: According to the Land Use members, the property east of the Susquehanna and north of I-95 has been annexed by the town of Perryville and no longer in play.

Ben Sussman: These maps were sent out at the beginning of the month before meeting with the subcommittees. There will be changes to the maps because of the feedback but they haven't been updated yet. On the 17<sup>th</sup> you will see the most significant changes.

John Bennett: How do you define resource in your dark green area. We know it's a state planning term but their definition is very broad.

Ben Sussman: Your priority preservation areas are primarily ag and forest and to some degree mineral. Your PPA's will be the dark green areas but everything that is dark green is not necessarily a PPA. It also recognizes State documented sensitive areas. Just because there isn't green following a creek doesn't mean we can't protect the creek. This is just a broad policy area. When we get into more detail, that's when we can incorporate the other concerns.

Rupert Rossetti: So we could as a subcommittee in a recommendation say we need a sensitive area overlay? Your admonition to us earlier was if you want it to happen you need to ask for it.

Ben Sussman: The structure is already in the regulations.

Chairman Thorne: If you have a sensitive area overlay, you could require a wider stream buffer or something else when you develop the land to give it greater protection.

Ben Sussman: You could do that through a subdivision ordinance.

Chairman Thorne: Problem with the ordinances is you say everything in this particular zoning has to follow this particular rule. That provides all types of problems for land owners.

Phyllis Kilby: Visuals are much easier to absorb especially for the planning commission to use and open to less interpretation.

Ben Sussman: Sensitive areas and flood plains are defined in the State law. They must be included in the comp plan. They are mapped and ready to be displayed. Wetlands are federal.

Chairman Thorne: So you're saying these protections are already in place at the State level. But I still like Rupert's idea about delineating an overlay map to say these areas are special and will require extra protection when we make development decisions. Mr. Bennett, add that to our list of goals or policies.

John Bennett: We have critical areas now as an overlay and that is fairly easy to pull up.

John Bennett: Where are we with the towns? Michael was hoping to have a conversation with the towns before the 17<sup>th</sup> to see how the towns were reacting to the scenarios and what their plans were.

Ben Sussman: I don't have an answer to that because it's not something I have been involved in.

John Bennett: I guess we move forward with the information we have now for the September 17<sup>th</sup>

meeting even though the information may be different with the towns.

Rupert Rossetti: Yes, except we do have input from Mayor Bunnell (Cecilton) and Dr. Gell (Charlestown) who are on the Oversight Committee. The next Council of Governments Meeting is on the 25<sup>th</sup> and the intent is to review the scenarios there. Water Resources will have to do follow up with the towns and we will request input on the scenarios.

Randy Hutton: I was at Elkton's Town Meeting when Michael Bayer was there because he is overseeing Elkton's Comprehensive Plan. They're going to be done in June so they will have input for us.

John Bennett: Have they moved forward with their plans to annex the Elkton West site?

Randy Hutton: 51% of the people would have to approve Elkton's annexation and now that the county is there, there is no reason for them to move forward.

Shawn Day: So we've mapped Rising Sun's build out but they still don't have their water issues resolved.

Ben Sussman: We have mapped the potential build out of Rising Sun without their input.

Robert Hodge: They have bigger plans for growth with their town than we do.

Ben Sussman: Once again we look at are these rational scenarios for the future: could they happen? Just to move on with what is common in the scenarios – right now Marc Service stops at Perryville and the plans show that it will move up to a Station in Elkton with an additional stop in Charlestown and North East. Stewarts has volunteered to construct a new station but these maps don't reflect the Charlestown Station yet. Again, this is the 50 to 100 year build out of Cecil County.

Chairman Thorne: Marc has it in the next decade if they can get the funding.

Ben Sussman: The orange areas on the map are development on public water and sewer. The light green is what we are calling rural suburban. That's a terminology change which means new development can occur out there at lower densities but none of the new development would be on public water and sewer. It's a growth boundary. If a development needs to be put on public water and sewer because their system failed, that would be available in situations like that. The dark green area are the resource lands.

Diana Broomell: Is the light green area like a transition area?

Ben Sussman: I wouldn't call it a transition area but I would think it's fair to say that it is less dense than the growth area but not as intensely preserved as it was originally.

Diana Broomell: Is there a transition area?

Ben Sussman: Not explicitly. The transition would kind of occur in this area but the density would be pretty diverse. You would have density in the development area of 40 units per acre and the densities in the rural area are right now 1 to 10 in the ag area and I think it's a possibility that the density would be even lower in the future.

Rupert Rossetti: I would have to say that the term rural suburban doesn't go with a density of 1 to 20.

Ben Sussman: Not all of it would be 1 to 20 though.

Chairman Thorne: So there is a transition area.

Ben Sussman: Transition in part. It's the areas that are not going to be as sparse.

Diana Broomell: We were encouraged to divert growth to the growth areas and to identify specific areas for growth (to avoid encroachment). That doesn't sound specific.

Ben Sussman: I can tell you that last week I've sent to the State what areas would be zoned what so they could do the growth simulation models. But it's a good question on the transition area.

Chairman Thorne: Yes, because right now it looks like you might have 1 to 20 directly adjacent to industrial areas, heavy commercial areas and high density residential. The problem you see there is you get a lot of rezonings.

Diana Broomell: Don't we want to be specific about where growth goes in relation to where our water and sewer infrastructure are located?

Ben Sussman: Yes, and we are specific.

Chairman Thorne: Water and sewer will not be provided in the light green areas except in an emergency to bail out a failing septic. If we could make that firm and stick to it that would be great but that is where we have gotten ourselves in trouble in the past.

Ben Sussman: The red is the employment centers. It's where we see new employment being concentrated. The red area on 273 would be a new facility (Du Pont). Another new area is in Perryville near I-95 where the slots facility would go.

Robert Hodge: Is Bainbridge on the map for development?

Ben Sussman: Where you see the red stripes, it signifies mixed use. These areas have the potential of residential and nonresidential activities. Rather than being too specific on the use, it's better to call it mixed development.

Sandra Edwards: But Bainbridge has been annexed by the town of Port Deposit so why isn't it gray?

Ben Sussman: We show the towns two ways: One with the gray and the other with the dashed line. It has a significant impact on the county as a whole. What these scenarios will do is generate numbers: people within parts of the county, various jobs – which leads to transportation modeling and water resources modeling.

Diana Broomell: With mixed use are you able to get an accurate number?

Ben Sussman: With Bainbridge we have a ball park number and I think we do with Stewarts as well.

Rupert Rossetti: Bainbridge certainly has a well defined number of houses (1,250).

Ben Sussman: The gray is the town development which is saying there will be development there and possibly more development within their boundaries but the county doesn't say what is residential and



what is business.

Rupert Rossetti: So the 2,500 homes that are going to be on Frenchtown Road doesn't factor into your analysis at all?

Ben Sussman: They do. The State is running their growth models using the town's numbers as well as ours.

Chairman Thorne: While we are on towns, let's talk about the change with Cecilton between the map we were issued and the map on the wall.

Ben Sussman: The original map you have doesn't show the growth areas of Cecilton and it was pointed out to us that they were thinking about some type of growth. We included the two areas of potential zoning on the north and south side of the town. The town itself may end up with different growth areas but in terms of numbers I don't think it's going to be drastically different. All the towns show some growth area. The asterisk is failing intersections and they are all on Rt. 40. Rt. 40 and 213 is probably the worst. There are 3 interchanges for I-95 in the county (222, 272 and 279) and the scenarios show either one or two additional interchanges. Gas lines on I-95 and Rt. 40 need to be upgraded. The Amtrak line is in bold to indicate future Marc service.

Now I'd like to go over each of the maps. The Growth Corridor Scenario Map basically represents the policy statement that growth in the County would occur between I-95 and Rt. 40 and some of the towns (Rising Sun, Chesapeake City and south of Elkton). Even after a preferred scenario is chosen, there will be details that need to be worked out. The resource lands are south of the C & D Canal and everything else north of the C & D Canal that isn't some kind of development is rural.

Scenario 1 assumes that the county build out would be 67,500 additional households. That is the number that has been generated by the State of Maryland based on looking at every parcel in the county, looking at the zoning, determining how many houses you could have, how many do you already have, therefore how many do you have additional. Then you have to figure out where they will go. They do it for residential but not for non residential. This is a very long term vision for the county. Based on the information, in theory there could be 57,000 new houses in the county if there are no changes made to the zoning law. That would cause a lot of problems if that happened so the theoretical exercise is an important one.

John Bennett: That's something I have not heard before so I would like to clarify. You're basically taking the 1990 plan and extending it out. What you're saying on Scenario I is that there will be a down zoning regardless. Maybe as much as 1 to 50.

Ben Sussman: On a resource land perhaps we could go 1 to 40. In the rural urban areas we're not ready to put a number on that yet. There obviously has to be some compensation to the landowner for the down zoning and one answer is a TDR Program that actually works. One of the big obstacles has been infrastructure in the growth areas. Right now it's not your job to worry about the details of how it's going to work. As you move through the comp plan process, implementation is a priority and the policies deal with implementation.

Chairman Thorne: So you're saying these scenarios only work with implementation tools put into place.

Benn Sussman: That's true for any comp plan.

Diana Broomell: A household represent 2.5 people which makes it 168,750 new people.

Rupert Rossetti: But that's our total build out in 50 to 100 years. One of the questions that Clive posed is how many do you want. You work it from there.

Ben Sussman: Keep in mind the theoretical capacity of that number but in many ways it is designed to be a wake up call. In Garrett County they found they had capacity for 250,000 additional people. That county realized their land use policies needed to be stricter so some of the capacity gets cut down.

Diana Broomell: Was there any feedback from the Maryland Department of Planning regarding the growth corridor now expanded to include everything to the right of 213 and then both sides of 273 going into Delaware? Are we expanding our growth area too much?

Ben Sussman: I have not heard specifics but I'm sure they'll have comments.

Chairman Thorne: When will they have an opportunity?

Ben Sussman: Official State comments are when we accept the comp plan.

Chairman Thorne: Really, so they don't get involved until we are pretty much done.

Ben Sussman: No, because they are in this process. The Maryland Department of Planning is hopefully running these scenarios through their growth simulation models. They are also trying to determine in a more detailed picture where the growth will go. They will help determine traffic impact and water resource impact, etc. So they are involved. This county is currently on the radar of MDE and DNR.

Chairman Thorne: That's why I was hoping to get some feedback from them before we put all this together and send it to the Commissioners.

Ben Sussman: I think there will be opportunities to do that.

Diana Broomell: If we as a subcommittee determine we would like to preserve that area on 273, is it unusual that preserved land has water and sewer running through it?

Ben Sussman: Yes. While development will happen there, it doesn't mean every tree will be obliterated.

Chairman Thorne: But you have to fit 67,500 additional households into that map. The greenbelts map will have some high densities in there.

Ben Sussman: That's what Rupert was getting at (how much growth do we want?). Let's move on to the second map: Growth Centers Scenario. Part of why we have MDE doing their projections is because if it comes back 43 units per acre, we'd have to change something.

Chairman Thorne: What could change is the 67,500 houses number. That's the direction I'm going in.

Shawn Day: If we're looking to plan for the next 20 to 30 years, why aren't we using more realistic numbers instead of saying total build out.

Ben Sussman: We are going to the end point first. It doesn't happen in every comp plan but our feeling as the county's consultant is that this is the county's defining plan. This is the one that sets priorities. A

comp plan cycle technically is 1 to 6 years depending on how updated the county wants to be. But there are some plans that stand for a lot longer and in 6 to 8 years you have to review it and tweak it. That's not what is happening here. This is a new vision for the county in a lot of ways so that's why we are doing this. Here is an opportunity for the county to say that number is too high.

Shawn Day: It does when at looking at the maps and growth is corralled into the growth corridor, the perception is that everything is helter skelter. That puts people on edge. They don't like to see certain areas go. There has got to be some areas that we are going to have to trade off.

Randy Hutton: I argued with Clive that the numbers were not realistic.

Ben Sussman: It's based on zoning and the existing laws on the books.

Chairman Thorne: And they have looked at every parcel in the county and what's already on the ground. So that number is a very realistic number of what will happen if we don't make changes.

Ben Sussman: It's theoretical but it's not pie in the sky. Obviously there has to be certain site conditions that make that number different.

Rupert Rossetti: From a water resources perspective, it would be interesting to the scenarios run to see how much water and sewer we will need for that population and the non point source pollution impact.

Diana Broomell: It could be that the model indicates we couldn't possibly handle that much growth.

Rupert Rossetti: We should have that information for the October meeting.

Ben Sussman: So this scenario has the same build out for houses and jobs but the growth is pulled in a little bit more. The urban open space corridors on Rt. 40 is part of the growth corridor but it's a break in within it. It's a place for parks and open space. There could be some development in there but the intent is not to develop at the same intensity of what is next to it. It's to provide grouping of growth on the growth corridor for example you have the Perryville/Pt. Deposit group, North East/Charlestown group, and the Elkton group. That's the basic policy of this scenario. Not a lot of changes north and south of the growth area. There were a couple of ways that the areas were delineated. 1. Where are the areas not yet developed in the growth corridor. 2. Other places where the relatively undeveloped area coincides with something resembling a growth area. So in this case Principio Creek with its flood plains, wetlands and stream buffer. This area (North East) has North East Creek running through much of it. Again it's an area that isn't fully developed yet but is considered developed. The idea is that it can be a link in an urban area and Elk Neck.

Chairman Thorne: What density are you talking about in that urban open space area? 1 to 10 or 1 to 20.

Ben Sussman: I don't know. Very low but I can't put a number on it yet but I would lean toward 1 to 10. However, if there were subdivisions proposed that kept more of the open space, that should be a consideration. It's a part of the growth area but not a part that provides a break.

Rupert Rossetti: Would we be targeting open space money for those park areas?

Ben Sussman: Yes. The last scenario would have a different assumption - that the build out for the county is lower than 67,500. This lower density could happen for any number of reasons. It could happen because of a slump in the housing market, build out over a very long term, BRAC will not be as

big as everyone suspected, or the people of Cecil County say 67,500 homes are too much. The scenario doesn't answer why it would happen, it only answers how we could grow. The key points are the growth areas are even smaller, the resource land is expanded to a lot bigger area. In addition to just south of the C & D Canal which currently has the lowest density zoning in the county you've got areas north of the C & D Canal. The former urban open space is now a part of the resource lands. The area of Principio Creek conservation area is now extended to include Stewart's property. The Rising Sun, Chesapeake City and Cecilton growth areas are smaller. Employment would be less because the development overall would be less. The Fair Hill Rural Legacy Area is not preserved in all 3 scenarios and we will go more into that on September 17.

We're thinking the fourth scenario is one that shows a lot of this area (NAR) as resource land. That's in recognition of the tributary streams and quality soils. It also represents the desire and need to stop the fragmentation of what's there to the greatest degree possible. Part of the reason for the rural suburban area is that the land is fragmented already so it's harder to delineate what's preserved and what's already developed. There's very clearly a need for a fourth scenario to do that.

Chairman Thorne: Much of our agriculture industry is in that area also.

Ben Sussman: As we are doing this fourth scenario, would there be any interest in picking areas south of the C & D Canal for growth? Instead of making that resource land, make it rural suburban. The reason is that the development pressure down there is much less.

John Bennett: But there is a lot of development pressure coming from Middletown, Delaware.

Chairman Thorne: Especially where Bridge 301 cuts through the county on the southeastern corridor.

Ben Sussman: What about a resource land that is north of Chesapeake City? What I am trying to avoid is designating too much of the county as resource land because that further squeezes the box of what has to go into the growth area.

Chairman Thorne: I am not comfortable saying that about that area south of Chesapeake City and north of the Bohemia River. There's a lot of areas already preserved.

Diana Broomell: I think we should have a lot of resource land.

Ben Sussman: I don't think we can show a growth scenario with no rural residential at all but we can show one with more resource land.

Chairman Thorne: The rural suburban zoning really concerns me.

Sandra Edwards: There should be another zoning designation in between resource land and rural suburban.

Rupert Rossetti: The issue with 301 is that it's the headwaters of the Sassafras and it's a priority watershed.

Ben Sussman: So the question tonight is do all or any of the scenarios represent what could happen with growth and how do they measure up to your goals.

Chairman Thorne: I hope the fourth scenario does because I don't see any of our goals adequately

covered by even the Greenbelt Scenario. I do appreciate the vision that went into that scenario with those two corridors. Residential properties are much more valuable to those closer to recreational areas.

Shawn Day: There's a whole lot of acreage of land that you haven't included that is zoned by the federal government. The Army Corps of Engineers dredge areas but they are managed by DNR under memorandums of understanding. Garrett Island is actually a part of the Black Water National Wildlife Refuge. We should identify these areas. I would be much more comfortable with the fourth scenario if we actually started designating our green hubs. Right now we have our rural suburban areas for development. If we put this maximum area up there and that's the plan we go with, we've eliminated our green infrastructure plan because we have no green hubs. We need to prioritize, list and map them. That way we can determine what our development density should be in those green hubs.

Ben Sussman: So you're saying this resource category should include green hubs, land already preserved and ag land.

Shawn Day: I don't think we should say that all the state owned lands are green infrastructure because it's something like what the State did 75 to 100 years ago when they purchased that property.

Diana Broomell: You would get a more accurate scenario of what you want to do by including the green infrastructure in the resource land category.

Shawn Day: The scenarios that we have now don't incorporate the Green Infrastructure Plan and Clive spent the last meeting defending it.

Chairman Thorne: The letter which was read to us from Christine Conn, was very clear on the importance of the study. I'm looking at the green infrastructure plan and I'm seeing areas in the north western corner that need to be dark green as well as the North East Creek area in the middle of the county.

Shawn Day: In Conowingo you have the girl scout camp (Belle Manor) and Exelon owns a large chunk of property, the girl scout camp in Cecilton, boy scout camp (Camp Horseshoe), Camp Rodney - these are all preserved lands and these camps are not going anywhere.

Chairman Thorne: I am questioning the need for the light green on most of the map.

Phyllis Kilby: By shading the NAR light green your excluding farms currently in the priority preservation areas from getting into an easement program later.

Shawn Day: Not necessarily. A lot will be determined according to priority watersheds.

John Bennett: To be eligible for MALPH they have to be a designated a Priority Preservation Area (PPA).

Ben Sussman: The PPA is the area the county says we will preserve. The county has to show that 80% in the PPA area can be preserved.

Rupert Rossetti: We have a goal right now to preserve 55,000 acres.

Sandra Edwards: The 2010 goal is 50% more preserved.

Ben Sussman: This is different. The PPA is necessary to maintain certification for your county's ag

program. So they need you to do the plan to maintain the certification. The certification makes you eligible for certain types of funds: agriculture and transfer tax.

John Bennett: The 80% preserved doesn't mean acquisitioned by the county. There's a whole list of preservation programs.

Chairman Thorne: Is a working farm considered ag.

Ben Sussman: If it has ag zoning. If it has 21 acres or greater.

Chairman Thorne: So we need to designate it, get it rezoned and then we are fulfilling our requirements.

Ben Sussman: The County doesn't have to buy it all but the comp plan will have to show a growth level to where the 80% can be achieved.

John Bennett: So you're saying the comp plan has to max out the 80% we are indicating we want to preserve. I don't see that as too terribly a high bar. The way you said it originally was that we have to preserve 80% and that would be difficult.

Ben Sussman: But to maintain the ag certification over the long term the county has to show progress.

John Bennett: But the ag certification would count towards new MALPH approval. That's ongoing, I assume, I don't think the county is going to be backing away from that at all.

Diana Broomell: Have we always been ag certified?

Sandra Edwards: Not in the late 90's. We had to have a program (PDR for example) and show that you had goals for preserving through land use and other initiatives and then it had to be evaluated that you were likely to achieve your goal.

John Bennett: When you look at that north west area at the MALPH districts that have already been approved and the ones that are pending, there's a considerable amount of acreage already.

Robert Hodge: I don't think you can achieve that goal because of the areas that have been developed around it.

Chairman Thorne: We're talking about 80% in the areas that have not been developed yet.

Ben Sussman: As I said, the PPA will be green but not all the green will be red. You're calculating the 80% on what might be developed. You can include what is already preserved. You can say we have a 20,000 acre PPA, we have to preserve 80% of it which is 16,000 acres. 8,000 is already preserved so we only have to preserve 8,000 more acres.

John Bennett: It also says the elements must be large enough to support the kinds of agricultural operations that the county seeks to preserve. So if we're not seeking to preserve large contiguous lots for ag operations but the smaller farms and nurseries, it seems to me that the law allows you to break up the large areas into smaller PPA's into those kinds of ag operations.

Phyllis Kilby: I think that's the difference between the north and south. South has the larger, traditional farms and in the north you see smaller ag operations.

Chairman Thorne: And that's a function of the land because of its geography and the geology.

Rupert Rossetti: Can we look at the contiguous areas for Watershed A, B and C? These boundaries are pretty irregular but they define logical areas that we want for PPA.

Shawn Day: Essentially a lot of your models here with these scenarios are based on property lines and delineation along a state highway.

Ben Sussman: When a preferred scenario is chosen, those lines can be changed.

Chairman Thorne: How do we want to respond as a subcommittee on the proposed scenarios?

Rupert Rossetti: Probably one or two would not meet our goals. They don't show any preserved land or the hubs and corridors.

Ben Sussman: All the scenarios don't have to meet your goals as long as at least one does.

Phyllis Kilby: Can you please translate the households to people because it makes more of an impact.

Ben Sussman: I can do that.

Rupert Rossetti: I would like to suggest a fourth scenario where you end up with a halo around the northern rural legacy area.

Chairman Thorne: If you look at the eastern and southern boundary of this area it shows water and sewer right up to this boundary.

Ben Sussman: That's going to be tough because that is the boundary of the legacy area and the boundary of the Artesian Agreement. So the halo would be inside the rural legacy area.

Rupert Rossetti: You certainly don't want to do that but there is a real threat having water and sewer next to the legacy area.

Chairman Thorne: We talked about keeping our ag certification with the State and that is one of the things they don't want you to do: high density up against your legacy area.

Ben Sussman: That's not high density; they're quarter acre lots.

Chairman Thorne: That's if you don't have any roads, open space or anything else in the neighborhood. All you can build in this area are apartment houses and town homes under current zoning.

Diana Broomell: Two of your maps don't show Fair Hill as preserved.

Ben Sussman: We did talk about whether it should be shown as preserved in all three.

Sandra Edwards: They do show the Fair Hill Resources Management Area on all of the maps but not the Fair Hill Rural Legacy Area. In fact, not all of this area is protected.

Shawn Day: Fair Hill needs to be dark green on all of them.

Robert Hodge: I would have to agree that one map looks worse than it is because it doesn't show any lands that are protected such as Elk Neck State Park.

Ben Sussman: Scenarios 1 and 2 are similar in where the growth area is but not the amount of the growth or the shape of the growth area which shows what an icon the location of the growth corridor has been. Now there are people who are interested in changing that.

Shawn Day: There is going to be 21 different variations of maps that 41 of us are going to have to agree on through this process, correct?

Ben Sussman: Everyone is providing details. ERM is going to take all of that feedback and apply it to the scenarios which is brought back to the October meeting. Toward the end of the October meeting if we chose a scenario as a committee but we wanted to apply certain goals to it, there will be an opportunity to apply and see the outcome that evening. So every scenario doesn't have to have every piece.

Chairman Thorne: Do I hear a motion that each of the scenarios is something we can realistically see the county looking like?

John Bennett: I would move that we move forward with the 3 scenarios with the additional recommendations which we have provided to Ben.

Chairman Thorne: I would like to modify the motion to indicate that scenarios 1 and 2 do not show any preservation areas above the canal. The indication there is that the entire portion above the canal is a development area. That is not consistent with our goals.

Robert Hodge: Your definition of the development area is 1 in 20?

Chairman Thorne: One of the things we've said is the next county commissioners are going to have to vote to change the zoning. Will it happen? I say we ask for a larger amount of the county to have PPAs.

John Bennett: Aren't you going to be working on a fourth scenario showing more PPAs?

Ben Sussman: Yes. But I have to say scenarios 1 and 2 are the least preservation oriented and need to have more dark green.

John Bennett: I'll accept that as a friendly amendment.

Chairman Thorne: What I'm concerned about is that we're making planning documents and we're not saying that anything north of the canal is a resource land that is worthy of our highest level of protection.

Ben Sussman: Not in the first two scenarios but it is in the 3<sup>rd</sup> and the soon to be drafted 4<sup>th</sup> scenario.

Motion is seconded with friendly amendment.

Vote is unanimous.

Dan Polite: Here are the maps I discussed earlier which gives you a representation of what we are needing to consider in the county. It shows your NAR, SAR, MALPH Districts, your highest yielding soils are in blue. The growth corridor is in white which is not our highest yielding soil. On the southern



part of the county are where a lot of the MALPH Districts and prime soils are located. The green buffer is your critical area.

Wayne Stafford: Dan, did you include on your map land that has been protected by the county?

Dan: I got those layers from David Black (County) but, you're right, they should have been included. The upper portion of the map shows lands in the PPA district and people have volunteered to put their lands into preservation if there is money available.

Wayne Stafford: I would like to stress to this subcommittee that we need to promote the TDR Program because the funding for the MALPH is here one day and gone the next.

Chairman Thorne: Yes, we need that TDR Program to work.

Wayne Stafford: To make the TDR Program work you need the receiving areas. Some of you are against the Elkton West Privatization.

Chairman Thorne: No, Elkton West is fine. The Elkton North and East is what I'm concerned about. It wasn't a part of the original proposal and to this day if you go to the county website and look at the map, you won't see anything around Appleton or in that area.

Wayne Stafford: This is what is going to preserve our ag land if we get TDRs established.

Rupert Rossetti: Dan were you the one saying to tie preservation funding into new households? Each one of those needs to be put out into the rural areas and there is a requirement for somebody to purchase that right from a landowner over there.

Chairman Thorne: In order to buy you must purchase development rights.

Wayne Stafford: You might be required to get PDR's if you applied for increased density. However, to apply for increased density you have to have public sewer and water.

Chairman Thorne: I like what you're saying but with the special taxing districts they could bring water and sewer in everywhere that's not NAR or SAR. They don't have to purchase development rights and they get the maximum density because of the water and sewage. We have a broken system right now that needs to be fixed. That's why I'm serving on the comp plan committee. Right now there's no pattern and it's just going to get worse. What I want to see is very firm designations for development and preservation. When I see all that light green up there, that's what we have right now.

Wayne Stafford: I wanted to bring to the subcommittee's attention that there is going to be a statewide comprehensive plan rezoning and the Governor wants to appoint a person who would look at each county's comp plan and check to see if it matches the state plan. If it doesn't, that county will have to redo their comp plan.

Meeting adjourned at 9:06 p.m.