

CECIL COUNTY PLANNING COMMISSION
MEETING MINUTES
16 March 2009

Present: Doordan, B. Patrick; Janusz, Joe; McDowell, H. Clay; Mortimer, William; Wallace, Wyatt; Demmler, Rebecca – Ex-officio; Houston, Clifford; Sennstrom, Eric

Absent: Edwards, Guy; Wiggins, Kennard; Dempsey, Gale

Call to Order: Chairman Mortimer called the meeting to order at 7:00 p.m.

Approval of Minutes: Motion was made by B. Patrick Doordan to approve the February meeting minutes with the revision under the Summerford application to read “unanimous disapproval” rather than “approval”. Motion was seconded by Joe Janusz. All members present voted in favor of motion. Motion carried.

Cecil County FY 2010-2014 Capital Improvement Program: Al Wein, Craig Whiteford, W. Scott Flanigan and Eric Sennstrom appeared to present the FY 2010-2014 CIP. Mr. Wein presented an overview of the schedule changes in the creation and public hearings for the CIP. The process has moved from the Fall to the Spring in an effort to synchronize with the preparation of the operating budget. The Board of County Commissioners will hold their public hearing on the CIP on 24 March 2009. Craig Whiteford provided a summary of the contents of the document and highlighted specific projects contained in each departments section. Mr. Flanigan provided an overview of the Department of Public Work’s portion of the CIP including bridge replacement, solid waste, and water and wastewater projects. Discussion ensued regarding replacement of bridges over the CSX rail line, federal funding assistance, schedule of bridge replacement, and reasons for the time it takes to replace a bridge.

Staff recommended approval of the FY 2010-2014 Captital Improvement Program.

Motion was made by B. Patrick Doordan to approve the FY 2010-2014 CIP. Motion died for lack of a second.

Motion was made by Joe Janusz to recommend disapproval the FY 2010-2014 CIP over the allocation of funds to various projects (Elkton High School stadium, Detention Center, Wastewater projects) and to divert funds to the public school portion of the document. Motion was seconded by Wyatt Wallace. H. Clay McDowell, Joe Janusz and Wyatt Wallace voted in favor of motion. B. Patrick Doordan was opposed. Motion carried.

2008 Planning Commission Annual Report: Eric Sennstrom presented the Planning Commission’s Annual Report for calendar year 2008. Director Sennstrom provided a summary of the contents of the report and briefed the Planning Commission each of the sections contained therein.

Motion was made by Joe Janusz to adopt the 2008 Annual Report. Motion was seconded by Wyatt Wallace. All members present voted in favor of the motion. Motion carried.

Text amendments – Subdivision Regulations: Eric Sennstrom appeared to present the proposed text amendments to sections 4.08, 4.0.11, 4.0.12, 4.1.17 & 4.1.18 of the subdivision regulations. Director Sennstrom stated that the concept plat revisions will add greater clarity to the regulations in regard to what the Planning Commission is approving when a concept plat is being reviewed. The revisions to the preliminary plat sections will extend the initial preliminary plat approval period and extend the period by which approved preliminary plats can be extended. These changes will permit projects to meet the ever increasing regulatory burden without the necessity of requesting frequent extension of approvals.

H. Barry Montgomery spoke in favor of the proposed changes.

Staff recommended approval.

Motion was made by B. Patrick Doordan to recommend approval. Motion was seconded by Joe Janusz. All members present voted in favor of motion. Motion carried.

Text Amendment – Master Water & Sewer Plan: Eric Sennstrom appeared to present the amendment to Section 4.1.9B of the 2004 Master Water & Sewer Plan. Director Sennstrom indicated these changes are being promulgated by the Department of Public works to reflect the contemplated expansion of the North East River Advanced Wastewater Treatment Plant. The expansion will increase the plant's capacity from the present 2.0 mgd to 3.7 mgd. In order for the Maryland Department of the environment to review the expansion and issue the requisite permits, the project must be in conformance with the Master Water and Sewer Plan. Discussion ensued on methods to deal with the Chesapeake Bay nutrient caps.

Staff recommended approval.

Motion was made by B. Patrick Doordan to recommend approval of the text amendment. Motion was seconded by Wyatt Wallace. All members present voted in favor of motion. Motion carried.

Rezoning – Goss Montgomery Partnership: H. Barry Montgomery and Jeff Sellars appeared to present the request to rezone property (TM 10 Parcels 81 & 479) from Town Residential (TR) to Business General (BG). Mr. Montgomery explained that there have been substantial changes in the area, specifically since the last comprehensive rezoning, and that there have been substantial changes within the town of Rising Sun. Mr. Montgomery also stated that it was a mistake to zone the property residential in 1993 as the area is not conducive to residential development.

Diane Marousek appeared to speak in opposition to the proposed rezoning. She cited too much traffic, too much trash, too many accidents as reasons why this should not occur. Ms. Marousek also indicated

the former Martin's grocery store is vacant and that should be developed before these properties are rezoned. Lastly, she posited the rezoning would decrease property values.

Discussion ensued regarding the existing zoning in the surrounding area.

Staff recommended approval of the request based on a substantial change in the character of the neighborhood since the last comprehensive rezoning.

Motion made by Joe Janusz to recommend approval based on a substantial change in the character of the neighborhood since the last comprehensive rezoning. Motion was seconded by B. Patrick Doordan. Doordan, Wallace and Janusz voted in favor of the motion. H. Clay McDowell voted in opposition. Motion carried.

Adjournment: Chairman Mortimer adjourned the meeting at 8:05 p.m.

Respectfully submitted:

Eric S. Sennstrom, AICP
Director – Planning & zoning