

PLANNING COMMISSION MEETING
September 21, 2009
7:00 p.m.

PRESENT: Mortimer, (Chairman), Doordan, (Vice-Chairman), Janusz, Wiggins, Edwards, Wallace, Demmler, (Ex-officio), Sennstrom, Houston, and Dempsey.

ABSENT: McDowell, (Alternate).

MINUTES- Motion made by Janusz, seconded by Doordan and unanimously carried to approve the Monday, August 17, 2009, 7:00 p.m., minutes as mailed.

TEXT AMENDMENT:

Amendment to the Cecil County Forest Conservation Regulations.

Sections 5-1601 thru 5-1612 of the Natural Resources Article, Annotated Code of Maryland to enact Forest Conservation Regulations and a Forest Conservation Technical Manual and provide for the administration enforcement.

Eric Sennstrom, Director of Planning and Zoning presented this amendment on Forest Conservation Regulations. The Legislature of the State of Maryland in the last session has changed the requirements of the Annotated Code of Maryland pertaining to Forest Conservation regulations; the changes have mandated the local jurisdictions must amend their regulations to stay consistent with the states regulations. Language is being added to Sections 5-1601 thru 5-1612, attached and in file for reference.

Health Department Report: No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

REZONING:

FILE:2009-06APPLICANT: Michael Jopson.

PROPERTY LOCATION: S/S Pulaski Highway, Elkton, MD 21921.

ELECTION DISTRICT: 5, TAX MAP: 32, PARCEL: 422.

PRESENTLY ZONED: Development Residential, (DR).

REQUEST: Request to rezone 15.6309 Acres from Development Residential, (DR) to Business General, (BG).

PROPERTY OWNER: Michael L. Jopson.

Keith A. Baynes, Esquire, 210 East Main Street, Elkton, MD representing Michael L. Jopson 266 Bear Christiana Road, Bear, DE, to rezone 15.6309 Acres from Development Residential, (DR) to Business General, (BG) on the south side of Pulaski Highway, Elkton, MD. This property sits south of Route 40, panhandle lot, and sits approximately 800' off Route 40 with the entrance near the International Truck Facility. Mr. Jopson shares the entrance with parcel 423, (Nell B. Privett). Mr. Jopson would like to put some self-storage units on this property and/or a computer shop for networking. Route 40 borders this property to the north and the Amtrak Railroad tracks to the south with commercial and a few residential areas to the east and west. There is

no water and sewer available to this property. This property is located within the Development District of the Comprehensive Plan and there has been substantial change in the character of the neighborhood since the last Comprehensive Rezoning along with five (5) other rezoning's in the area. Mr. Jopson stated there would not be a lot of traffic on any given day; traffic would be throughout the month. This parcel was purchased 26 years ago and has never been developed.

Health Department Report: No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

SPECIAL EXCEPTIONS:

FILE: 3473 – APPLICANT: Edward L. Newell, Jr.

FOR: Special Exception for placing a cemetery on private property.

PROPERTY LOCATION: 135 St. Judes Lane, Conowingo, MD 21918, Election District: 8, Tax Map: 9, Parcel: 532.

PROPERTY OWNER: Edward L. & Elizabeth Newell, Jr.

PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Edward L. Newell, Jr., 135 Saint Judes Lane, Conowingo, MD stated he has a 30-Acre farm in rural western Cecil County. Mr. Newell would like to create a small family plot (15 to 20) on his property. The property location is on high ground and there will be trees planted for screening the plots. He will follow the State of Maryland guidelines and there will be perpetual care. This will be a family plot only, not commercial.

Health Department Report – There are no Department of Health and Mental Hygiene or Maryland Department of the Environment regulations specifically regulating the establishment of a cemetery. The funeral director must file proper Burial Transit Permit for internments.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: Cliff Houston, Zoning Administrator read into the minute's two (2) letters in opposition from Michael C. Jackson, 179 Saint Judes Lane, Conowingo, MD and Timothy A. Adams, 179 Saint Judes Lane, Conowingo, MD, see attached and file for reference.

FILE: 3477 - APPLICANT: Robert L. Jackson.

FOR: Special Exception to locate a doublewide manufactured home for security purposes.

PROPERTY LOCATION: 565 Kirk Road, Elkton, MD 21921, Election District: 4, Tax Map: 13, Parcel: 39.

PROPERTY OWNER: Robert L. Jackson.

PRESENTLY ZONED: Northern Agricultural Residential, (NAR) / Business General, (BG).

Robert L. Jackson, 565 Kirk Road, Elkton, MD would like to locate a doublewide manufactured home for security purposes. The doublewide will be located in the Business General, (BG) portion of the property.

Health Department Report: Hansen Permit 2009-00130 for security doublewide mobile home proposes to tie into the septic system installed under D3620. This is satisfactory to our office for the proposed use.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:

TEXT AMENDMENT:

APPLICANT: Cecil County

FOR: Amendment to the Cecil County Forest Conservation Regulations.

Staff recommended approval.

ACTION: Motion made to approve by Edwards, seconded by Wallace.

VOTE: All in favor, motion carried.

REZONING:

APPLICANT: Michael Jopson.

FOR: Request to rezone 15.6309 Acres from Development Residential, (DR) to Business General, (BG).

Staff recommended approval based upon a substantial change in the neighborhood since the 1993 Comprehensive Rezoning.

ACTION: Motion made to approve with staff conditions by Janusz, seconded by Wallace.

VOTE: All in favor, motion carried.

SPECIAL EXCEPTIONS:

APPLICANT: Edward L. Newell, Jr.

FOR: Special Exception for placing a cemetery on private property.

Staff recommended approval.

ACTION: Motion made to approve by Wallace, seconded by Doordan.

VOTE: All in favor, motion carried.

APPLICANT: Robert L. Jackson.

FOR: Special Exception to locate a doublewide manufactured home for security purposes.

Staff recommended approval for two (2) years or as long, as applicant owns the property and operates the business, whichever shall sooner occur.

ACTION: Motion made to approve with staff conditions by Janusz, seconded by Doordan.

VOTE: All in favor, motion carried.

GENERAL DISCUSSION: Planning Commission members discussed the proposed Comprehensive Plan, not needed on the record.

The meeting adjourned at 7:35 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, October 19, 2009, at 7:00 p.m.

Respectfully submitted:

Gale L. Dempsey, Administrative Assistant
Office of Planning and Zoning