

PLANNING COMMISSION MEETING

September 18, 2006

7:00 p.m.

PRESENT: Brown (Chairman), Bowsbey, Doordan, Clark, Knutsen, McDowell (Alternate), Sennstrom, Slicer, Houston and Dempsey.

ABSENT: Mortimer, Kilby (Ex-officio).

MINUTES- Motion made by Knutsen, seconded by Doordan and unanimously carried to approve the Monday, August 21, 2006, 7:00 p.m., minutes as mailed.

**TEXT AMENDMENT:** Master Water and Sewer Plan Amendment- Woodlawn Estates, LLC

Michael Burcham, McCrone, Inc. along with Don Jackson are representing Woodlawn Estates, LLC on the Master Water and Sewer Amendment being presented this evening. They request that the 60,000 gpd peak discharge capacity be amended to 101,500 gpd to accommodate a future spray irrigation system. The spray irrigation system is being designed to manage a portion of the existing sewage flows for the community of Woodlawn Mobile Home Estates and the projected sewage flows from the future community of Warwick Orchards.

Joyce Bowsbey asked if this is the maximum capacity.

Don Jackson answered “yes” 101,500 gpd is the maximum capacity. A letter from The Maryland Department of the Environment marked exhibit one, attached and in file for reference.

Don Jackson stated that Bridgeville, Delaware has this same system and it has worked very well with no problems.

Health Department Report – Maryland Department of the Environment approval and construction permits required for upgrade of sewage treatment facility and for proposed spray irrigation system.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**PROGRAM OPEN SPACE:**

Ed Slicer, Manager of Parks and Recreation presented the following:

FOR: Town of Elkton, (Meadow Park Playground), John P. Stanley. LOCATION: John P. Stanley Memorial Park, Delaware Ave., Elkton, MD FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

The Town of Elkton is proposing to supplement and replace children’s recreational equipment in John P. Stanley Memorial Park (Meadow Park). This will improve the most widely used public park in the Town of Elkton. This project specifically involves the replacement of older, deteriorating, individually centered units

with a larger multiple activity, ADA accessible composite unit. Application attached and in file for reference, marked exhibit two.

Mary Magaw, Elkton Parks and Recreation Department stated the Town of Elkton will be taking out some of the older equipment because it is not safe. This unit will be one unit with swings and other equipment.

Health Department Report – No comment required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

FOR: Town of Rising Sun, Diddie Richardson Park Upgrade. LOCATION: Diddie Richardson Park, Rising Sun, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

This project consists of the acquisition and installation of new recreational facilities for the Diddie Richardson Park. These items include safety measures required by industry standards for the protection of the residents of Rising Sun. Application attached and in file for reference, marked exhibit three.

Health Department Report – No comment required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

FOR: Town of Rising Sun, Community Park Upgrade. LOCATION: Community Park, Rising Sun, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

This project consists of the acquisition and installation of new recreational facilities for the Town of Rising Sun Community Park. These items include safety measures required by industry standards for the protection of the residents of Rising Sun. Application attached and in file for reference, marked exhibit four.

Health Department Report – No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

Josh Brown, Chairman of the Planning Commission recused himself.

FOR: Town of Elkton, Elk Landing Acquisition Phase 2. LOCATION: East side of Landing Lane, Elkton, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

Ms. Jean Miner, Planning and Zoning Director for the Town of Elkton is requesting installments five (5) and six (6) out of seven (7) for this project. The proposed project involves the fee simple acquisition of approximately twenty (20) acres of land situated to the north of the historic Hollingsworth House on Landing Lane. These twenty (20) acres will be purchased for open space purposes. This tract was originally part of a 68-acre tract of land. Ms. Miner stated that they had sold the Thomas Jefferson letter for \$180,000.00 to help with the

restoration of the Historic Elk Landing. This project of Elk Landing has been a huge success and has brought a lot of money into the Town of Elkton. Application attached and in file for reference, marked exhibit five.

Health Department Report – No comment required.

COMMENTS IN SUPPORT: Judge Wilcox supports the Elk Landing project.

COMMENTS IN OPPOSITION: None.

FOR: Town of Chesapeake City, New Beck's Landing Overlook/Boardwalk. LOCATION: 208 Bohemia Ave., Chesapeake City, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

This project consists of a 9'6" Overlook and 12' wide Boardwalk for the Town of Chesapeake City. This project is handicapped accessible and the deck will have seating and lighting. Waterways improvement money and Town money have paid for the eight (8) slips – four (4) of which are transients and four (4) are leased. This projects ties in three (3) waterfront parks and will benefit all residents and visitors. Application attached and in file for reference, marked exhibit six.

Jack Ritter, Town Councilman for the Town of Chesapeake City would like to stress this project as being good for the Town. There is an overlook at this location which looks over the basin. There are always people strolling along this piece of property and the boardwalk has benches for visitors to sit on. This project is a big plus for the Town of Chesapeake City and the Town appreciates the funding.

Health Department Report – No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

FOR: Town of Chesapeake City, Little League Community Park Basil Avenue. LOCATION: 100 Basil Ave., Chesapeake City, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

The numbers of teams that play in Chesapeake City are growing each year. In order for them to play ball, lights are required on the senior boy's field which is located well away from the road and also well away from any residences. The lights will be directed to the field only and will be off by 10:00 p.m. each evening. Application attached and in file for reference, marked exhibit seven.

Jack Ritter, Town Councilman for the Town of Chesapeake City stated he has been involved with Little League for forty (40) years. The Singerly Field is very important because it would enable the League to bring in more boys in that senior age group. This would also be a big plus for the Town of Chesapeake City and himself for being involved for so many years. There are between 160 to 170 boys and girls that use these ball fields.

Clay McDowell questioned the percentages on the sheet in the packet.

Ed Slicer, Manager of Parks and Recreation stated there was a mistake made and it will be corrected before this goes before the County Commissioners. See correction attached and in file for reference.

Health Department Report – No comments required.

COMMENTS IN SUPPORT: Patricia Garrett, 114 Rhode Island Ave., Earleville, MD stated she is in favor of the Chesapeake City projects.

Rex Potter spoke about the Chesapeake City Little League. Not only would the Chesapeake City League be serviced by the lights but the Town of Cecilton would also be affected. At the present time they are the only Town (Chesapeake City) that has only one lighted field.

COMMENTS IN OPPOSITION: None.

FOR: Town of Cecilton, Cecilton Park Connector Road Part II. LOCATION: East Main Street, Cecilton, MD. FUNDING: Reimbursement funds available FY 2006-07 from the Department of Natural Resources, Program Open Space, Edward W. Slicer, Board of Parks and Recreation.

Cecilton Park consists of 29.6 acres. Cecilton has the only park located south of the C & D Canal in Cecil County. Part II of this project will cross a drainage swale and continue into a large parking lot that can be utilized by patrons for the pavilion, tennis courts, ball fields, volleyball court, horseshoe pit overflow parking from the basketball courts and soon to be playground and tot lot. This second entrance will help with more visitors every year. Application attached and in file for reference, marked exhibit eight.

Health Department Report – No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**HISTORIC DISTRICT DESIGNATION:** Rehert Center, 103 Rehert Lane, Port Deposit, MD 21904

Eric Sennstrom, Director of Planning and Zoning made this presentation. Application and pictures attached and in file for reference. This property would be eligible for a property tax credit of ten (10%) percent.

Health Department Report – No comments required.

COMMENTS IN SUPPORT: Suzette Honore Jackson, 178 Liberty Grove Road, Port Deposit, MD stated she has lived next to this property all her life and this Early 19<sup>th</sup> Century Home is in great shape. The house is absolutely beautiful. This property deserves to be in the Historic District Designation.

COMMENTS IN OPPOSITION: None.

**SPECIAL EXCEPTIONS:**

**FILE: 3248 - APPLICANT:** Mark A. Gilbert.

FOR: Special Exception for a home occupation to operate a small engine repair shop.

PROPERTY LOCATION: 1056 East Old Philadelphia Road, Elkton, MD 21921, Election District: 5, Tax Map: 32, Parcel: 108.

PROPERTY OWNER: Mark A. Gilbert.

PRESENTLY ZONED: Development Residential, (DR).

Mark A. Gilbert, 1056 East Old Philadelphia Road, Elkton, MD stated he had an accident in November a couple of years ago and lost his arm. He has done auto body work his whole life, which he is not able to do anymore. He worked for Purnell's Body Shop for a year after his accident and could not keep up with the pace since he lost his arm, and he got laid-off. He has worked on machinery his whole life and can not find any other kind of

work, so he would like to have a small engine repair shop at his home so he could work at his own speed. He has been to several schools in the last few months for small business development. His hours would be from 8:00 to 5:00 and there would be very little traffic. As far as noise goes it would not be any louder than a lawnmower for two to three minutes occasionally. Mr. Gilbert has a 15' x 24' garage attached to his house. He is sole proprietor presently but after he gets the business up and running he can get a grant for his business from the Disability Program from the Government so he could move to another location and could hire an employee or two. He is approximately 20' from his closest neighbor.

Health Department Report – Sanitary Permit No. 4015 issued in 1964 for existing dwelling; minimal increase in water usage for proposed use – satisfactory.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**FILE: 3258** - APPLICANT: George & Joyce Gray & Karla Howell.  
FOR: Special Exception to locate a singlewide manufactured home for hardship purposes.  
PROPERTY LOCATION: 2816 Biggs Highway, North East, MD 21901, Election District: 5,  
Tax Map: 19, Parcel: 41.  
PROPERTY OWNER: George & Joyce Gray & Karla Howell.  
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Karla Howell, 2816 Biggs Highway, North East, MD would like a special exception to have a singlewide manufactured home for her son and his family to live in. Her husband is disabled since November 2005. They have a small ten (10) acre farm from her parent's farm of eighteen (18) acres, in which they raise beef. Her 21 year old son has moved back home with his family and now seven (7) people are living in one house. Ms. Howell's father is 75 years old and he needs help with the farms. Her son will be helping maintain the property and harvest the corn and the hay.

Bob Knutsen asked how close the trailer will be to another house.

Karla Howell answered about 100' from another house and will not be visible from Rte. 274. Ms. Howells husband has short term memory loss, so he can not be left alone and that is another reason she needs her son and family close by.

Health Department Report – No application received for water and sewer approval.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**FILE: 3260** - APPLICANT: Cecil County Tourism.  
FOR: Special Exception to locate a Visitors Center and the Tourism Offices.  
PROPERTY LOCATION: 1192 North East Road, North East, MD 21901, Election District: 5,  
Tax Map: 19, Parcel: 416.  
PROPERTY OWNER: Cecil Community College.  
PRESENTLY ZONED: Suburban Residential, (SR).

Debbie Graham, Office of Economic Development, Sandy Turner, Tourism Coordinator and Chris Valuckas, representing Cecil Community College. They would like to present an application for a special exception to locate a Tourism Office and Visitor center at 1192 North East Road, North East, MD, (known as the Pink

House). This house is located right next to the Covered Bridge on Rte 272. The County Offices are going to be moving in a year or so to the Upper Chesapeake Corporate Center in Elkton. They do not feel that is a conducive location for a Tourism Office and Visitors Center. The Pink House is conveniently located and easily accessible.

Sandy Turner from Economic Development stated this will give the Tourism Office an opportunity to have greatly needed additional office space and storage space. Tourism will also have the opportunity to see visitors and be able to speak to them about Cecil County. There will not be a lot of people coming into the Tourism Office and Visitors Center so they will have the time to give people the quality of service needed. They can give customers information of where to go and functions that are going on in Cecil County. The hours would be Monday thru Friday and in the near future they hope they would be able to be open on some Saturday's and Sunday. Cecil Community College owns the building and they have entered into an agreement with the Tourism Office to use this house for eleven (11) but not more than twenty (20) years. Visitors could visit an attractive setting after the Pink House has some renovations. Cecil County would be paying for the renovations that need to be done and when they were finished using the Pink House the College would pay back the County for the money they had spent on renovations.

Chris Valuckas stated the College has not executed a lease agreement with Cecil County at this point in time.

Health Department Report – Based on a site visit conducted in April 2006, satisfactory for proposed use with upgrade of well and septic system.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: Jim Mock, 1187 North East Road, North East, MD is in opposition to this because it will decrease property values and make the traffic worse than it already is on Rte. 272. He feels this will be a bad idea.

Ronald Gamble, 4050 Fridays Lane, Owings, MD stated the property he owns is directly across the road from the Pink House 80 Gamble Lane, North East, MD. He is opposed because of the amount of traffic and it is not keeping with the character of the surrounding neighborhood, (zoned Suburban Residential), (SR). There would be significant cost to the County to install a parking lot and access road to the property. This property is adjacent to the Gilpin Falls Covered Bridge which is need of repair and people are forbidden to cross it due to it being unsafe. If people would be coming to this Visitors Center they would want to walk over to the Covered Bridge and someone may get hurt since it is not safe. In his opinion this is a commercial enterprise.

Josh Brown, Chairman stated this would be similar to the Chamber of Commerce Office.

Sandy Turner, Tourism Coordinator stated there will never be billboards on I-95 advertising; this will be just a small Visitors Center and Tourism Office.

Debbie Graham, Office of Economic Development stated they do not envision traffic increasing, people on I-95 will continue to stop at the Chesapeake House. The people that are traveling through from Pennsylvania on Rte 272 will be the people to stop at the Visitors Center.

Clay McDowell needed some clarification of the way the application request was written (conference center) on the section that was sited.

Cliff Houston, Zoning Administrator stated the original section was incorrect and should be noted that it be Section 118 instead of Section 54.4-3.07.0300-Conference Center. This will be so noted in the recommendations.

Doris Trimble, 379 Old Bayview Road, North East, MD bought her property in 1956 and when she bought her property she was told that current Rte 272 would eventually be a dual highway. Ms. Trimble is very concerned about the Covered Bridge that if a bad storm comes through it will be blown away. This would be a major loss to the community if something like this happens and the Cecil County Commissioners have not done anything about the repairs even though the residents have asked for this numerous times. This house is very historical, so please don't change the character of the area, leave it a nice historical home.

**FILE: 3263 - APPLICANT:** Quality Septic Service.

**FOR:** Special Exception for in home business.

**PROPERTY LOCATION:** 973 Tome Highway, Port Deposit, MD 21904, Election District: 7,  
Tax Map: 23, Parcel: 31,32 & 64.

**PROPERTY OWNER:** Debra Kay Niebel.

**PRESENTLY ZONED:** Suburban Residential, (SR).

Robert Niebel, 973 Tome Highway, Port Deposit, MD stated he has lived at this property for five (5) years would like to have an in home business for his septic service. Mr. Niebel is on call 24 hours a day 7 days a week. This would be very convenient for him to have this at his home since he gets called out all different times of the day and night. Mr. Nieble garages in his 40' x 60' garage three (3) tanker trucks, one back hoe and one dump truck.

Health Department Report – Sanitary Permit R2651 issued in 2001, satisfactory for proposed use with upgrade of well and septic system.

**COMMENTS IN SUPPORT:** None.

**COMMENTS IN OPPOSITION:** None.

**RECOMMENDATIONS:**

**TEXT AMENDMENT:**

**APPLICANT:** Michael Burcham, McCrone and Don Jackson representing Woodlawn Estates, LLC  
**FOR:** Master Water and Sewer Plan Amendment- Woodlawn Estates, LLC

Staff recommended approval.

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

**VOTE:** All in favor, motion carried.

**PROGRAM OPEN SPACE:**

**APPLICANT:** Cecil County Parks and Recreation Open Space Program.

**FOR:** Program Open space – Projects listed below:

1. Town of Elkton, (Meadow Park Playground), John P. Stanley
2. Town of Rising Sun, Diddie Richardson Park Upgrade.
3. Town of Rising Sun, Community Park Upgrade.
4. Town of Elkton, Elk Landing Acquisition 2.
5. Town of Chesapeake City, New Beck's Landing Overlook/Boardwalk.
6. Town of Chesapeake City, Little League Community Park Basil Avenue.

7. Town of Cecilton, Cecilton Park Connector Road, Part II.

Staff recommended approval on all seven (7) items.

**ACTION:** Motion made to approve with staff recommendations on all seven (7) items by Clark, seconded by Doordan.

**VOTE:** All in favor, motion carried.

**SPECIAL EXCEPTIONS:**

**APPLICANT:** Mark A. Gilbert.

**FOR:** Special Exception for a home occupation to operate a small engine repair shop.

Staff recommended approval for two (2) years.

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

**VOTE:** All in favor, motion carried.

**APPLICANT:** George and Joyce Gray and Karla Howell.

**FOR:** Special Exception to locate a singlewide manufactured home for hardship purposes.

Staff recommended approval for two (2) years or as long as applicants own property and son resides in manufactured home.

**ACTION:** Motion made to approve with staff conditions by Knutsen, seconded by Clark.

**VOTE:** All in favor, motion carried.

**APPLICANT:** Cecil County Tourism.

**FOR:** Special Exception to locate a Visitors Center and the Tourism Offices.

Staff recommended approval for a Tourism Office only.

**ACTION:** Motion made to approve with staff conditions by Knutsen, seconded by McDowell.

**VOTE:** All in favor, motion carried.

**APPLICANT:** Quality Septic Service – Debra Kay Niebel.

**FOR:** Special Exception for in home business.

Staff recommended approval for two (2) years limited to three (3) trucks.

**ACTION:** Motion made to approve with staff conditions by Bowlsbey, seconded by Knutsen.

**VOTE:** All in favor, motion carried.

**GENERAL DISCUSSION:** None.

Meeting was adjourned at 8:30 p.m.

**NEXT PLANNING COMMISSION MEETING:** Monday, October 16, 2006, at 7:00 p.m.

Respectfully submitted:

---

Gale Dempsey, Administrative Assistant  
Office of Planning and Zoning