

CECIL COUNTY PLANNING COMMISSION

Meeting Minutes September 21, 2009

Present: Bill Mortimer, Chairman; Pat Doordan, Vice Chair; Wyatt Wallace; Guy Edwards; Ken Wiggins; Mark Woodhull; Tim Whittie; Clara Campbell; Fred von Staden; Rebecca Demmler; Tony Di Giacomo; Eric Sennstrom; Jennifer Bakeoven.

Absent: Joe Janusz; H. Clay McDowell, Alternate.

Call to Order: Chairman Mortimer called the meeting to order at 12:02 p.m.

Approval of the Minutes: Mr. Edwards made a motion for approval. The motion was seconded by Mr. Wallace. All approve. Motion carried.

1. Wilson Property, Lots 1-10, Rowland Road, Final Plat, CNA Engineers, Seventh Election District.

Chris Mink, CNA, appeared and presented an overview of the project.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR

Density: The Concept Plat, proposing 4 minor subdivision lots and 6 major subdivision lots on 32.82 acres,¹ for a proposed density of 1/5.47, was approved on 1/17/06, conditioned on:

- 1) The boundary line survey being completed prior to the TAC's review of the Preliminary Plat; and
- 2) The JD being completed prior to the Planning Commission's review of the Preliminary Plat.

The Preliminary Plat was approved on 5/17/06, conditioned on:

- 1) Health Department requirements being met;
- 2) DPW requirements being met;
- 3) Common open space being labeled and referred to as such;
- 4) Documentation of all necessary easement agreements with AT&T being submitted prior to the Planning Commission's review of any Final Plat;
- 5) Errors in Note # 26 being corrected;
- 6) The FCP and Landscape Plan being approved prior to the Planning Commission's review of any Final Plat; and
- 7) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

¹ Site Data column Note # 8 indicated that 4 Minor Subdivision lots were not invoking §2.4.1, so 4 acres (1 for each proposed Minor Subdivision lot) were deducted from the total 36.82 acres, leaving 32.82 acres – based upon which, the 6 proposed major subdivision lots yielded a proposed density of 1/5.47.

Because (per §4.1.17) Preliminary Plats are valid for two years from date of approval, a one-year extension was granted on 4/21/08, and a two-year extension was granted on 4/20/09 – extending Preliminary validity until 4/20/11.

This Final Plat is generally consistent with the approved Concept and Preliminary Plats.

On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.² Slopes > 25% have been depicted.

Stream and wetlands buffers have been shown. Permits are required from the (US Army) Corps of Engineers and MDE for any non-tidal wetland and stream impacts prior to recordation. The JD requirement has been satisfied.

15% common open space is required; 15.58% has been proposed.

Bufferyard Standard C is required, outside the right-of-way, along the road frontages of Dr. Jack and Rowland Roads.

The required 10' street tree planting easement has been shown on the plat. Note # 19 should also reference street trees, as well as planted bufferyards.

The FSD was approved on 10/4/05 and revised on 2/27/06.

The PFCP was approved on 5/12/06. Forest retention areas have been shown.

The FCP/Landscape Plan was approved on 5/24/07. It is currently in the process of being revised, but it has not yet been approved.

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the street trees & Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat.

Access to common open space between lots must be marked with concrete monuments.

A Homeowners' Association for maintenance of common open space must be established, with \$50 per recorded lot being placed in escrow for improvements, prior to recordation.

A Mini-road Maintenance Association for maintenance of the mini road must be established prior to recordation, with the owners of Lots 6, 7, & 8 becoming members.

Documentation of necessary easement agreements with AT&T has been provided; therefore, the 4th condition of Preliminary Plat approval has been satisfied.

Any existing buildings must be removed prior to recordation.

The contiguous operating farms notice has been provided in Note #9.

² The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."

Mr. Woodhull, DPW, read the comments of the department:

All plans are approved and all Agreements executed for this project. The only administrative issue that remains outstanding is the correct identification of the fee simple dedications of the variable width strip of land along Dr. Jack Road and the 30' wide strip of land along the Rowland Road frontages on the record plat. The DPW will not sign the final plat until this issue has been resolved to the satisfaction of the Department. Submit a check print for review prior to submitting the plat for recordation.

Mr. Doordan read the comments of the Health Department:

A Groundwater Appropriation Permit exemption has been filed with Maryland Department of the Environment.

The existing well on lot 10 must be abandoned and sealed by a licensed well driller prior to signing of record plat. Final plat is satisfactory.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Di Giacomo read the recommendation of the staff:

APPROVAL, conditioned on:

- 1) Health Department requirements being met;
- 2) DPW requirements being met;
- 3) Any documents relating to easement agreements with AT&T that require recordation being recorded prior to the recordation of the subdivision plat;
- 4) The Mini-road Maintenance Association for maintenance of the mini road being established prior to recordation, with the owners of Lots 6, 7, & 8 becoming members;
- 5) The Landscape Agreement being executed prior to recordation;
- 6) The Homeowners' Association for maintenance of common open space being established, with \$50 per recorded lot being placed in escrow for improvements, prior to recordation;
- 7) Deed restrictions for the long-term protection of the street trees & Forest Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
- 8) Any existing buildings being removed prior to recordation;
- 9) The revised FFCP/Landscape Plan's being approved prior to recordation; and
- 10) Note # 19 also referencing street trees and bufferyards.

A motion for approval with conditions was made by Mr. Doordan.

The motion was seconded by Mr. Wiggins.

All approved. Motion carried.

2. The Potter's Clay, Phase 1, Lot 9 & Phase 2, Lots 1-8, Weavers Meadow Road, Final Plat, Will Whiteman Land Surveying, Inc., Eighth Election District.

Will Whiteman, Land Surveyor and Doug Roark, owner, appeared and presented an overview of the project.

Discussion ensued regarding the proposed "Clover Meadows" subdivision in relation to this project.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR

Density: The Concept Plat, proposing 9 lots on 59.725 acres, for a proposed density of 1/6.36, was approved³ on 6/19/06, conditioned on:

- 1) The JD being completed prior to the Planning Commission's review of the Preliminary Plat;
- 2) The boundary line survey being completed prior to the TAC's review of the Preliminary Plat; and
- 3) The proposed road name, Ark Drive, being approved prior to the planning Commission's review of the Preliminary Plat.

The Preliminary Plat was approved on 3/17/08, conditioned on:

- 1) Health Dept. requirements being met;
- 2) DPW requirements being met;
- 3) The 100' Bufferyard A setback being depicted on the Final Plat;
- 4) The conservation easement's graphic being explained on the Final Plat;
- 5) The FCP/Landscape Plan being approved prior to Final Plat submission;
- 6) The 10' street tree planting easement's being noted and depicted on the Final Plat;
- 7) The owners of P.49 being provided a signature line on the Final and Record Plats, as they will need to sign, as an add-on is being proposed to affect their property;
- 8) Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) being recorded & noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final & Record Plats; and
- 9) The contiguous operating farm notice being included on the Final and Record Plats.

This Final Plat, now dividing the project into a Phase 1 & a Phase 2, is generally consistent with the approved Concept and Preliminary Plats.

The road designation must be made consistent. At one point it is Weaver Meadow Road and at another point it is Weavers Meadow and Weaver Meadows Road.

A plat note indicates the "owner and developer" to be Jerry D. Roark.

However, the plat's owner certification signature block indicates the owners to be J. Douglas Roark and Elaine P. Roark.

The plat cites the owners of Parcel 49 as Jerry and Elaine Roark. The owners of P.49 will need to sign the record plat as an add-on is being proposed to affect their property.

If the owners of Parcel 49 are actually the same as those of Parcel 366, then why wasn't the new building lot created by the proposed add-on from Parcel 366 to Parcel 49 included as the tenth proposed lot in The Potter's Clay subdivision? Mr. Whiteman said the parcels have the same ownership.

The plat cites the owners of Parcel 679 as Douglas and Elaine Roark. The owners of P.679 will need to sign the record plat as an add-on is being proposed to affect their property.

The boundary line survey has been completed.

³ The NAR zone then permitted a density of 1 du/ 5 ac. No bonus density was sought.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.⁴

Slopes greater than 25% were shown on the Preliminary Plat.

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, a JD is recommended to be done prior to Final Plat review by the Planning Commission.⁵ The JD is required to be completed prior to recordation.

Common open space has been reserved for SWM and the cul-de-sac bulb island. Access to common open space between lots must be marked with concrete monuments.

A Homeowners' Association for maintenance of common open space must be established, with \$50 per recorded lot placed in escrow for improvements, prior to recordation.

No landscaping is required in the NAR zone, and no sidewalks were recommended.

Bufferyard Standard C was not required along the Weaver's Meadow Road frontages because Weaver's Meadow Road is functionally classified as a local road. A Bufferyard Standard A had been shown, but not the 100' setback. The depiction of the 100' buffer on the Final Plat was a condition of Preliminary Plat approval. Why is the Bufferyard Standard A no longer shown at the rear of proposed Lots 2, 3 & 4? Mr. Whiteman said there is no agricultural presence there.

The contiguous operating farm notice has been included as Note # 9.

The 10' 'street tree planting easement' must be shown on the Record Plat. Only a 'planting easement' is shown on this Final Plat. Where feasible, the natural vegetative equivalent may be used to satisfy the bufferyard and street tree requirements.

The FSD was approved on 5/31/06. The PFCP was approved on 2/20/08.

The FCP/Landscape Plan was approved on 8/18/09.

A Landscape Agreement must be executed prior to recordation.

⁴ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."

⁵ Per the Planning Commission's policy, established on 3/20/95 and revised on 1/16/96, so long as the wetlands are in the common open space or the forest retention area or the large lot, a **JD** need not be done.

Deed restrictions for the long-term protection of the street trees & Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes & bounds description of the FRA being shown on the Final & Record Plats.

What is the nature of the Natural Conservation Area shown on proposed Lot 1, and why isn't it referenced in either of the plat's non-disturbance notes? Mr. Whiteman said the nature of it has to do with SWM. It is not an easement, it is an area set aside to be left alone.

The new road name, Arc Drive, has been approved.⁶

A joint access easement must be established prior to recordation for P. 730 for access to proposed Lot 9.⁷

Mr. Woodhull, DPW, read the comments of the department:

All plans for this project are technically complete and only administrative issues remain outstanding. The Department will not sign the final plat until the administrative issues have been addressed to our satisfaction. Submit a record plat check print for review prior to submitting the plat for signature.

Mr. Doordan read the comments of the Health Department:

A Groundwater Appropriation Permit Exemption has been filed with Maryland Department of the Environment.

Final Plat is satisfactory.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Di Giacomo read the recommendation of the staff:

APPROVAL, conditioned on:

- 1) Health Dept. requirements being met;
- 2) DPW requirements being met;
- 3) All notes or references to Parcel 366's owner(s) being made consistent prior to recordation;
- 4) The Landscape Agreement's being executed prior to recordation;
- 5) The 10' street tree planting easement's being noted and depicted on the Record Plat;
- 6) The owners of P.49 being provided a signature line on the Final and Record Plats, as they will need to sign, as an add-on is being proposed to affect their property;
- 7) The owners of P.679 being provided a signature line on the Final and Record Plats, as they will need to sign, as an add-on is being proposed to affect their property;
- 8) Deed restrictions for the long-term protection of the street trees & Forest Retention/ Afforestation Areas (FRAs) being recorded & noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Record Plat;
- 9) The contiguous operating farm notice being included on the Record Plat;
- 10) The Homeowners' Association for maintenance of common open space being established, with \$50 per recorded lot being placed in escrow for improvements, prior to recordation;
- 11) The Permit or JD (associated with Lot 9) being obtained prior to the recordation of Phase 1;
- 12) A joint access easement 's being established and recorded prior to recordation for P. 730 for access to proposed Lot 9; and
- 13) Deed restrictions for the long-term protection of the Natural Conservation Easement being recorded & noted on the plat prior to recordation.

⁶ The old road name, Roark Drive, was previously approved.

⁷ If any upgrades or alterations are made to the existing lane's crossing of the non-tidal wetlands, then permits will be required from the USACE and MDE.

Discussion ensued regarding the conditions set forth by the staff in the recommendation.

A motion for approval with conditions was made by Mr. Doordan.
The motion was seconded by Mr. Wallace.

All approved. Motion carried.

3. Sun Valley Estates, Lots 1-26, Valley Road, Concept Plat Extension, McCrone, Inc., Fourth Election District.

Mike Burcham, McCrone, Inc., appeared and presented an overview of the project.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SR

Density: The SR zone permits a maximum base density of 1 du/ 1 ac., or 2/1 with community facilities. The Concept Plat, proposing 26 lots on 13.17 acres, for a proposed density of 1.97/1, was approved on 9/21/06, conditioned on:

- 1) The boundary line survey's being completed prior to TAC review of the Preliminary Plat;
- 2) Documentation of the JD's completion being received prior to the Planning Commission's review of the Preliminary Plat; and
- 3) The Natural Heritage letter's being received prior to PFCP approval.

§4.0.09 of the Cecil County Subdivision Regulations provided that Concept Plats shall be valid for two years from date of approval. Therefore, the 9/21/06 approval of the Concept Plat was extended on 9/20/08 and is set to expire today. If another extension is granted, it shall extend Concept validity until 9/21/10.

§4.0.10 of the Subdivision Regulations stipulates, "The Planning Commission may, at their regular monthly meeting, grant an extension of the density approval of a Concept Plat for one (1) year upon application of the developer. If granted, said extension shall run for one (1) year from the anniversary of the original date of approval. In connection with such request, the Commission shall consider the following:

- a) Change in the zoning classification of the property.
- b) Change in the Zoning Ordinance.
- c) Change in the Subdivision Regulations.
- d) Change in the Comprehensive Plan.
- e) Change in the Critical Area designation of the property.
- f) Change in the Critical Area Program.
- g) Change in the Forest Conservation Regulations."

Staff reports that there have been no such pertinent changes.

Mr. Woodhull, DPW, read the comments of the department:

The Department has no objection to the extension requested. The outstanding comments from the September 21, 2006 & September 15, 2008 Planning Commission meetings still apply but will not

be read at this time. The proposed roads must be designed to meet the current Cecil County Road Code. Additionally, the Water & Sewer lines would need to be designed to meet whatever the code at that time is and the Applicant is advised that if the SWM and E&S Control plans for this project are not approved (i.e. signed) by May 4th 2010 the new SWM Ordinance will apply and the SWM plan must be designed to meet its requirements:

- 1.** A SWM plan, Road & Storm Drain plan, a Sanitary Sewer System plan, a Water Distribution System plan, and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval. The fees for design review of this project must be provided at the time of first design submittals.
- 2.** This property is outside of the Master Water & Sewer Plan (MWSP) coverage area. Therefore the applicant will need to request an amendment to the MWSP Plan. If this site is brought into the Master Water & Sewer Master Plan, applicant must obtain an allocation for public sewer and water prior to final plat.
- 3.** No water or sewer allocation is available to this site at this time. The comments that follow presuppose that the Applicant somehow remedies this lack of available capacity.
- 4.** The ability of the existing water distribution system, together with the proposed extensions, to provide adequate fire flow and pressure must be demonstrated through an update to the Engineering Report of Meadow View – Highlands Water System Analysis prepared by George, Miles, & Buhr, LLC in October 2004.
- 5.** Will this site require an onsite lift or pumping station to connect to the Highlands WWTP?
- 6.** Any sanitary sewer lines run outside of County ROW must be ductile iron and located in a utility easement of sufficient width to allow access.
- 7.** What is the proposed disposition of the existing structures on site?
- 8.** The applicant must provide a Protocol 2 Road Condition Survey & Road Improvements Plan for Valley Road. The extent of this survey will run this sites northern most road frontage to the intersection with Barksdale Road. The Department may require the applicant to perform off-site upgrades to Valley Road based on the findings of this condition survey. The extent & nature of the improvements must be approved by the Department prior to submitting the preliminary plat for Planning Commission approval. At a minimum the developer shall upgrade Valley Road for a distance of 100' either side of the point of intersection between the proposed entrance and Valley Road. The developer must make a legitimate good faith effort to obtain all ROW required to accomplish these improvements. This effort must conform to Section 3.07.15 of the Road Code Guidance Manual. The applicant may seek a variance to these requirements if after these efforts the applicant is unable to obtain the necessary ROW.
- 9.** Applicant must provide sight distance measurements for the Valley Road access and have DPW approval prior to submitting the preliminary plat for Planning Commission review.
- 10.** Have you had any discussions with the adjacent property owner in regards to your proposed connectivity? This Department is aware of a conceptual layout for the Estates at Barksdale property and a street stub is shown into this site. The stub adjacent to Lots 9, 10, & 11 should be terminated at the P.C.'s of the intersection without the need for a Tee-Turnaround.
- 11.** With lot frontages of less than 75' being proposed, Section 2.07 of the Road Code requires that a curbed road section be used throughout the development. With closed section road and the size of these lots the Department will require that a 30' wide pavement section be constructed within the 50' ROW proposed (see Standard Detail R-6A).
- 12.** Lots 1 & 26 must be denied access to Valley Road along their entire road frontage. Add a note indicating the same to the final plat. And both lots must also be denied access to the proposed road for the first 75' as measured from the point of intersection with Valley Road. All denied access must be identified on the Final Plat as well as the Lot Grading Plan.
- 13.** Any Tot Lots or active recreation areas required by the Planning Commission must be included in a PWA and have approved construction plans.

14. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:

- 14.1 The Final Plat Lot Grading and Lot Grading Plan Construction Limits Notes.
- 14.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
- 14.3 Compliance with Section 3.07.15 of the Cecil County Road Code.
- 14.4 Requirements for Utility relocations.
- 14.5 Requirements for Public Works Agreements.
- 14.6 Requirements for Stormwater Inspection and Maintenance Agreements.
- 14.7 Requirements for County Roads.
- 14.8 Requirements for Driveways.
- 14.9 Requirements for Final Plat - Public Water & Sewer Allocation.
- 14.10 Requirements for Sewer Service Cleanouts – Location

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note. The Lot Grading Plan must include the standard construction limits note.
 - a. *Final Plat:* “A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW.”
 - b. *Grading Plan:* “No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein.”
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county’s SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Section 3.07.15 of the Road Code requires that Valley Road be upgraded to a for 100’ either side of the proposed entrance. The extent & nature of upgrades will be determined after reviewing the Protocol 2 Road Condition Survey & Improvements plan. The design engineer must address the requirement for minimum acceleration, deceleration, and bypass lanes. Any right-of-way acquisition necessary shall be performed by the applicant and at the applicant’s expense.
4. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer’s expense.
5. A Public Works Agreement is required for the streets & storm drainage, and public sewer & water systems proposed.
6. An Inspection & Maintenance Agreement is required for the private SWM facilities.
7. The street ROW entrance tapers must be offset 25’ from the ROW point of intersection and be straight lines, per 7.2.12.E.3 of the Subdivision Regulations.
8. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.
9. Developer must request and obtain a public water & sewer allocation from the Department of Public Works before submitting a final plat to the Cecil County Planning Commission for approval.
10. All sewer service cleanouts must be designed to be outside of all paved or concrete areas on each lot and this must be shown on the utility plans.

Mr. Doordan read the comments of the Health Department:

The Cecil County Health Department has no objection to Concept Plat extension.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Di Giacomo read the recommendation of the staff:

The GRANTING of a one (1) year extension, to expire on 9/21/10.

A motion for the granting of a 1 year extension was made by Mr. Doordan.

The motion was seconded by Mr. Wallace.

All approved. Motion carried.

General Discussion:

Chairman Mortimer stated that the proposed discussion regarding the Comprehensive Plan Committee that was to be held at the Planning Commission's September 22, 2009 worksession will be discussed at the evening Planning Commission meeting on September 21, 2009. During that discussion, Chairman Mortimer would like the commission to conducting once a week meetings through the fall.

Chairman Mortimer asked for clarification from Mr. Sennstrom and Ms. Campbell regarding the omission of swearing in applicants and the public at the evening Planning Commission meetings. Discussion ensued.

Mr. Sennstrom stated that Scott Flanagan, Director of DPW, would like to give an overview to the Planning Commission members regarding the proposal to convey the Town of Port Deposit's waste water to the North East River Advanced Waste Water Treatment Plant at the October Planning Commission meeting. Chairman Mortimer asked that Mr. Flanagan give his presentation at the daytime meeting. Mrs. Demmler asked that this presentation be advertised for public notice. Mr. Sennstrom said it would be advertised in the local paper.

The September Planning Commission meeting adjourned at 12:41 p.m., motioned by Mr. Wiggins.

Respectfully Submitted:

Jennifer Bakeoven