

MINUTES OF A MEETING OF THE PLANNING COMMISSION
TUESDAY, DECEMBER 18TH, 2018

PRESENT: Chairman Rob Maricle, Vice Chairman David Parmelee, Rico Aiello, Doug Moore, David Ambrose, Steve Jamison, Carvel Wright, Mayor and Council Liaison Rick Byrd

Staff Member(s): Town Planner / Zoning Administrator Ethan Strickler, Town Manager Paul Mantello

PRESIDING: Chairman Maricle called the meeting to order at 7:35 p.m.

APPROVAL OF MINUTES

Rob Maricle asked the commission if they had any questions or comments on the November 27th minutes, and hearing none declared the minutes from the November 27th, 2018 Planning Commission meeting approved as presented.

UNFINISHED BUSINESS

EASTERDAY RE-ZONING BNRZ18-01(Rev) – Discussion following the Public Hearing

David Parmelee encouraged everyone who attended the Public Hearing to return to future meetings and Public Hearings regarding the Easterday Map Amendment Request. Robert Maricle reiterated that there are a lot of agencies involved with several reviews of development related plans and proposals, and encouraged the residents at the meeting to continue to attend Public Meetings. Parmelee stated that the Commission always have meetings on the 4th Tuesday of every month. Town Planner Strickler stated that he was going to begin posting staff reports online, as he did for this meeting, alongside agendas and minutes for the meetings. Rico Aiello thanked audience members for coming and that their comments help the Planning Commission.

Town Planner Strickler went over logistics for the future meetings and hearings regarding the request. He stated that the Planning Commission has 30 days to send a recommendation to the Mayor & Council before they have a Public Hearing regarding the topic. Strickler stated that a final vote on the request would hopefully be held in February. The Mayor & Council needs a recommendation from the Commission before putting this topic as an agenda item on the Mayor & Council's workshop. Strickler recommended moving the January Planning Commission meeting from the 22nd to the 15th.

Carvel Wright made a motion to move the January Planning Commission meeting from January 22nd to January 15th, Rico Aiello seconded, and the motion carried unanimously.

Strickler noted that this schedule change prevented the scheduling of a special meeting for an earlier date. Chairman Maricle stated that the commission would take further public comments on this agenda item at the end of the meeting.

Chairman Maricle stated that the Town has specific procedures it needs to follow with respect to the process of the map amendment request.

NEW BUSINESS

FLETCHER'S GROVE – Amended Concept Plan BNCP18-02(Rev) – BNCP18-02 was previously on the June 2018 agenda (see June 2018 minutes)

Jim Draper and Bill Brennan spoke on behalf of this amended Concept Plan. Town Planner Strickler displayed his staff report and maps using the computer, projector, and monitor. Bill Brennan presented the revised concept plan and spoke about the history of Dean South, including past approvals, because of its inclusion into the revised concept plan presented at the meeting. Bill Brennan addressed some of the notes from the staff report, including construction timing for Chase Six, Stormwater Management, Sidewalks, and other future site development issues (including phasing).

The group also spoke about the Courtney Property and the number of overall taps the developer has to develop the property (91 taps). The developer and the commission also spoke about road standards for the property, including local roads, minor arterials, etc. Mr. Brennan stated that \$500 to \$600 per foot (for finishing Chase Six Boulevard) was

probably close to accurate. Bill noted that they still needed to go to the Board of Appeals in Boonsboro for a Special Exception for single family homes. Staff and the developer then spoke about how no standards exist for lot sizes and setbacks for multi-family, semi-detached dwellings in the MR zone.

Chairman Maricle stated that the revised concept plan meets the developers annexation agreement, and that the developer has all of the approvals to move forward to the Board of Zoning Appeals. The group then had a brief discussion about some of the details involved with future development, including sidewalks along Maple Avenue. Bill Brennan asked the Planning Commission to think about where they wanted the major pedestrian crossing from the development to the school (and mentioned that crossing would be at either Chase Six Boulevard or further south from Dean South).

PLANNING AND ZONING UPDATES

OTHER DEVELOPMENT UPDATES – *Idea of Stormwater Benefit Charge for New Development, Stormwater Conference (Dec 10th) recap, High Convenience Store*

Ethan gave the Planning Commission an update on High's Convenience Store. He stated that they would be submitting a Site Plan Application in the coming weeks, and the commission would be reviewing this in the near future. He reiterated that no commercial development can take place on the Easterday property until the state highway improvements are completed and that no residential development can take place on the property until approved by the Mayor & Council. Strickler then noted that the Town is able to impose additional restrictions or conditions on any approvals related to this property and any map amendment approvals. He stated that the Commission should think about this as it pertains to buffers, land donations for a park, and other topics discussed during the public hearing and the meeting.

Strickler then gave a recap of the stormwater conference that people from the Town attended on December 10th. He spoke specifically about staff's early ideas concerning funding stormwater programs. He brought up the idea of a Stormwater Benefit Charge, and asked the commission to consider this idea as something pertinent to the Town and for the Mayor & Council and BMUC to consider. Parmelee stated that this was a good idea because we should acquire funding for stormwater programs from impact fees from new development.

FUTURE ORDINANCE UPDATE

Strickler stated that the Town was going to need to develop standards for the placement and aesthetics of 5G Towers within the municipal boundaries of Boonsboro. The Town was informed of this by Mr. Wantz, the Town's attorney. Council member Weaver stated that it was his understanding that they would be placed on existing poles in Town. Other Council Members and the Mayor provided their opinions of what they knew was happening on this topic in other jurisdictions.

Strickler stated that the Town does not have a policy regarding notices for adjacent property owners for development applications. Robert Maricle stated that he thought the Planning Commission should schedule a workshop to draft a policy in early 2019. February, or whenever the commission has a full 7 members again, would be an appropriate time to schedule this workshop.

JANUARY 2019 PLANNING COMMISSION MEETING

The January Planning Commission meeting was moved to January 15th @ 7pm. Chairman Maricle encouraged the commission to think about their ideas regarding the Easterday property and the Preserve at Fox Gap, LLC map amendment application.

David Ambrose

Robert Maricle let the commission know that David Ambrose, who has served the Town as a member of the Planning Commission for over 25 years, was retiring from the Planning Commission. His last meeting would be this meeting, December 2018.

CITIZEN COMMENTS

Eric Kitchen noted that he was interested about the potential for a new stormwater benefit charge for new development.

Tony Nally asked the commission question about standards for lot sizes. Strickler read the requirements out of the zoning ordinance. He also asked about how the setbacks were adjusted for smaller lot sizes. He then brought up the validity of the developer agreements, specifically with respect to the Easterday property. Chairman Maricle stated that the Easterday property's agreements are in default, and that the default would be taken into account. Tony noted that if the agreements were in default, then the Town could alter the price of the benefit charges the developer would owe the town for any future development.

Chairman Maricle stated that they were speaking with Bill Wantz to make sure they can add conditions to any approvals for approving a map amendment request. Strickler stated that they cannot change the benefit charge rates for King Road Associates or Fletcher's Grove, as these two developers never defaulted on their development agreements. Strickler noted that, ultimately, the Mayor & Council has the power to decide on whether an agreement in default was null and void, and that the Planning Commission could provide a recommendation.

Mary Ernst asked how many taps Easterday has paid for to date. Town Planner Strickler stated that Easterday has purchased 8 residential sewer taps to date.

Another resident asked whether or not the Fletcher's Grove developer was going to have to do Dean South or Dean North first. Chairman Maricle stated that the Commission would have to see what makes the most sense once they see future site plans and final plans.

Another resident spoke about the issue of lot sizes, driveways, and large vehicles in the Sycamore Run neighborhood, and that this should be addressed for any future development.

Mary Ernst asked the commission about whether Boonsboro had a certain amount of growth it wants to attract, and asked about schools. Rob Maricle then began a conversation about APFO and school mitigation, including about how the county takes these ordinances into account.

COMMISSION MEMBER COMMENTS

None.

ADJOURN

Chairman Maricle declared the meeting adjourned at 8:53 pm.

Respectfully submitted,

Ethan Strickler,
Town Planner / Zoning Administrator