

SUDLERSVILLE PLANNING COMMISSION WORKSHOP MINUTES February 5, 2007

The Planning Commission (PC) of Sudlersville held its workshop meeting on Monday, February 5, 2007. Four PC members were present; Mr. W. Thomsen Brown arrived late. Mr. Dan Garret, Ms. Rachel Weedman and Ms. Faye Williams informed Ms. Laura Stahl, Clerk/Treasurer prior to this meeting that they would not be able to attend. Also in attendance were Town Commissioner E. T. Kimble and Mr. David Teel, Circuit Rider/Town Manager.

Mr. Brown had not arrived at this time; therefore, because a quorum is needed to hold an official meeting, Ms. Elter said the PC would discuss things. She said that the meeting would become an official workshop if a fourth person arrived. Because a quorum was not in attendance, Ms. Elter dispensed with the Pledge of Allegiance.

The first topic for discussion was the letter to the Town Commissioners asking them to send a letter to the Queen Anne's County Planning Commission (QAC PC). The purpose of this letter is to ask the QAC PC to read and consider the Sudlersville Comprehensive Plan (SCP) as they move forward in approving developments in the northern part of QAC. The members of the PC reviewed and edited the letter. Ms. Elter pointed out that a quote directly from the SCP was included in the letter, which said that Sudlersville would like to be consulted with as they consider approval of any developments within the areas identified on Map 1 as being in the proximity of Sudlersville.

Mr. Brown arrived for the meeting during the review and editing of the above referenced letter.

There was some discussion about whether or not 3 members of the PC constituted a quorum. Commissioner Kimble said that 3 members of the PC did so constitute, according to the Sudlersville Zoning Ordinance (SZO). Ms. Elter said discussion had occurred on this topic a while back and she recalled that 4 constituted a quorum.

Returning to the letter, Ms. Elter asked if there were any other changes. None were offered, so Ms. Elter said she would e-mail the letter to Ms. Stahl for the Town Commissioners' review and approval. Ms. Craft-Walls made a motion that the PC submit this letter, concerning the Town of Sudlersville's Comprehensive Plan (SCP), to the Town Commissioners of Sudlersville to have a copy of the SCP with the letter mailed to the QAC Commissioners (QACC) and QAC PC. Mr. Ford seconded the motion. The motion was unanimously approved.

Ms. Elter said she was informed by the Maryland Municipal League (MML) that workshops could be conducted the same as an official meeting, having motions and approving items. Ms. Elter asked if there was anyone who believed otherwise. Commissioner Kimble explained that as long as the workshop was properly advertised, that was correct.

Next, the PC discussed Mr. Cal Gray's subdivision. Ms. Elter said she had spoken with Mr. Gray, asking him to move one of the access roads to another lot in order for it to connect to the sewage treatment. She said he was favorable to doing so. She explained that this way, when the Merrick property is developed, this road will connect to that development.

Mr. Teel brought up the issue of the ditch that runs through Mr. Gray's property. Mr. Teel pointed out that Mr. Gray's first plan submitted in 2003 shows the ditch, with some crossovers, going completely through the property. Mr. Teel said the next plan, dated August 2004, shows most of the ditch, with some of it disappearing into piping. In the September 2006

**SUDLERSVILLE PLANNING COMMISSION
WORKSHOP MINUTES**

February 5, 2007

plan, the ditch has disappeared completely. Mr. Brown pointed out that they added a row of homes where the ditch was located on the previous plans. Mr. Teel said that the plan also shows houses in a wetland area. Ms. Craft-Walls said they did not get approval for that; no-one gets approval for the wetlands. Ms. Elter said that they moved them out and covered up the ditch. Ms. Elter said that Mr. Gray had a study conducted by the Army Corps of Engineers (ACE). That study said it was just an upland ditch and that they could pipe it. Mr. Teel said the study did not say anything about the ditch; that is what raises the concern. Mr. Teel suggested that they let the ditch be counted as open space, include his reforestation area in the stream buffer, and leave it there in some form and, if he needs to cross it 2 or 3 times, that's fine. Mr. Teel said that to just let him take the ditch away is a nightmare waiting to happen. Ms. Elter confirmed what Mr. Teel suggested, that the PC ask Mr. Gray to revise his current plan to look more like his April 2003 submission, leaving much of the ditch in tact, that he can count that as open space along with the forestation. Mr. Teel added that they should also say that much of the ditch is to be used for service drainage. More discussion followed about the ditch.

Ms. Elter asked if the PC should invite him to attend the next PC meeting to discuss his plans. Mr. Teel said that Mr. Gray has expressed interest. Mr. Gray sent an e-mail to Mr. Teel asking what he has to do next. Mr. Teel said he informed Mr. Gray about this PC meeting. Ms. Elter asked Mr. Teel to invite him to the next PC meeting. Mr. Teel said he would.

Mr. Ford asked what Ms. Elter thought of the most recent plan. Ms. Elter said she liked that he removed the cul-de-sacs and every lot now has an alley. The only thing Ms. Elter said she wanted him to do was to move one of the access lots over, in order for it to be a continuation of the Foxxtown entrance. This would make it easy to connect to the sewage treatment plant road and to create an access road below Mr. Clarence Darling's house to Route 313. This would provide a road around the traffic light. And if only the small parcel was developed, but the rest of the Merrick property was left undeveloped, the town would still get a road out of the deal.

Mr. Teel pointed out that one item Mr. Gray has been alerted to, but which has not pursued with him, is that the town needs space for a waste water treatment plant (WWTP). Mr. Teel indicated that the first choice would be the corner of the Merrick property that is cut off by the ditch; the second choice would be a piece of Mr. Gray's property; the third choice would be on the far side, though Mr. Teel does not know who owns that. Ms. Elter asked if Mr. Teel wanted the PC to mention the WWTP. Commissioner Kimble said that they should tell Mr. Gray about the needed land for the WWTP because Mr. Gray should not be expected to prepare another plan without knowing all of the information beforehand. Ms. Elter asked how much land was needed. Commissioner Kimble said 5 acres is what is needed. Ms. Elter then asked if Mr. Teel wanted the PC to suggest to Mr. Gray that he could put houses out to the front of Norwood Estates. Mr. Teel said yes.

Ms. Elter pointed out that the PC had asked Mr. Gray to put a recreation area into his subdivision. Mr. Teel said that Mr. Gray needs 1/10 of an acre of open space, then 10% of that has to be active recreation. Ms. Elter asked if the PC should leave it up to Mr. Gray to place that recreation area into the plan somewhere. Mr. Teel said yes. Ms. Elter asked how best to communicate with Mr. Gray, inviting him to attend the next PC meeting, by letter or e-mail. Mr. Teel said an e-mail could be sent. Ms. Elter said she would draft up everything discussed during this meeting and she would send it to everybody. Mr. Teel recommended that she say open with something like "the plan is very close to our desires and we really like it", then provide

**SUDLERSVILLE PLANNING COMMISSION
WORKSHOP MINUTES**

February 5, 2007

him the items discussed. Mr. Teel said the ditch should enhance property values because it would be a nice stream running through there.

The official town map was next discussed. Ms. Elter pointed out the line of the greater planning area. Ms. Elter said that if the Willis Farm, behind the school, is for sale, this might be a good opportunity to mark connecting roads from Route 300 to Route 313. Ms. Elter told the PC members that Mr. Chris Frawley of Rettew, the town's engineering firm, has offered to draw up the official town map. Ms. Elter said Rettew would prepare a proposal, so she did not know at this time how much this would cost. Mr. Ford said he spoke with the Town Commissioners about this. There is no money, Mr. Ford said, available for this at this time. Ms. Elter said he should be allowed to submit the proposal because someone might donate money to cover the cost. Mr. Ford pointed out that Mr. Mark Gradecak said he could prepare the official town map at no cost to the town, and he felt that was the direction the PC should go. Ms. Elter said that since no proposal had been received from Rettew, the PC could ask Mr. Gradecak to perform the service. Ms. Craft-Walls said that when the proposal comes in, it can go on file; at least we would have it on file.

Mr. Teel said that the PC should send a letter to Mr. Gradecak asking him to help the PC prepare an official town map, give him upcoming meeting dates and ask him to advise when he can meet with the PC, and what the PC should have for him when he is here.

Commissioner Kimble said the town does have the money to pay for the services of Rettew. Ms. Craft-Walls agreed, saying that a minimal amount of money was involved, not several thousand dollars. Mr. Ford said Commissioner Faust said there was no money available for this service. Ms. Elter pointed out that Commissioner Faust was not present when this was discussed. Commissioner Kimble said someone else said that. Ms. Craft-Walls asked if a financial report was given to the Town Commissioners every month or not. Commissioner Kimble said there was none; the Town Commissioners do not know where the town stands financially. Mr. Teel said he believed Ms. Stahl was distributing these every month to the Town Commissioners. Commissioner Kimble said she was not. Commissioner Kimble said that to prepare this map, it should not cost more than \$2,000. Ms. Elter said that the largest cost would probably be the QAC recording fee.

Ms. Elter said she was looking at the quadrant south of town on the west side, to connect Route 300 to Route 313. Ms. Elter said the access road to the WWTP was already marked. Ms. Elter said that that WWTP road could, as the Gray property is developed, connect to the Foxxtown road eventually. It could also continue along the farm lane, behind Ms. Elter's house. It could come out south of Ms. Elter's house and cross over to meet Elevator Road. It could also continue downward and go out, where the farm road currently goes out, just north of Lucas Marsh's place. Ms. Elter said she believes this way the PC knows there is no problem with crossing any streams, but she did not know the topography of the town.

Commissioner Kimble said a stream would have to be crossed. Ms. Elter asked if it was the stream the WWTP road crosses. Commissioner Kimble said it was; it would have to be crossed again. Commissioner Kimble pointed out that there was a piece of ground there where the road comes out of the lagoon and comes down next to Mr. Gray's property. The road bends twice, and then comes out. Part of that, Commissioner Kimble said, is the Merrick Farm. Ms. Elter said she knew that. Ms. Elter said that would move traffic between Route 313 and Route 300 on the southwest side. Commissioner Kimble said it could, at some point.

**SUDLERSVILLE PLANNING COMMISSION
WORKSHOP MINUTES**

February 5, 2007

Ms. Elter turned to the east side of town, pointing out that the PC could propose a road between the Godfrey's property and Super's property. If either sells, the road could then come in and connect out to Elevator Road. Mr. Teel asked if that avoids the park. Ms. Elter said it did. Ms. Elter said it could go around the rear of Mr. Friel's subdivision, depending upon what Mr. Friel will be doing with the rest of his property. Discussion followed about the PC proposing roads from county zoned subdivisions into the town limits. Ms. Elter said that she was concerned about providing easy access to future businesses, like grocery stores that could come into the town. Ms. Elter recommended adding a proposed road from Route 313, north of town, to connect to Cemetery Road. There was much discussion about which properties this proposed road would be crossing.

Ms. Elter asked Mr. Teel if he thought the PC had enough time to have both Mr. Gray and Mr. Gradecak on the agenda for the next PC meeting. Mr. Teel said he thought they should try. Ms. Elter said she would visit the QAC Assessment and Taxation office to purchase a couple of maps.

Ms. Craft-Walls asked if the PC wanted to approve the minutes for the January 16, 2007, meeting. Ms. Elter said they should wait until the next PC meeting because the minutes for that date have a paragraph repeated in them.

Ms. Elter asked Mr. Ford for clarification on the decision of no homeowners' associations being allowed. Ms. Elter wanted to know when that was agreed upon. Mr. Ford explained that the Town Commissioners decided that at one of their meetings. Ms. Elter asked if that had to be in the SZO. Mr. Teel responded that it was a matter of policy. Ms. Elter said that then the town would be paying for such things as mowing of the subdivisions' open spaces and maintaining liability insurance. Mr. Teel said there was another option for that. Ms. Elter asked if that was through a special taxing district. Mr. Teel said yes. Mr. Teel said the primary problem with homeowners' associations is that they become political entities. Ms. Elter said that she was not certain that the town wanted to say that there would be no homeowners' associations; rather, that it is preferable not to have them. There may be a time, Ms. Elter said, when one was needed. Mr. Brown said that these new residents would be coming in as residents of Sudlersville, not Foxxtown, not this, not that. They would be citizens of Sudlersville. Ms. Elter said that this then means that all open space will be mowed by the town; the town will take responsibility for the liability insurance if children are hurt on the playground and that kind of stuff. Mr. Ford said that the town would still have it. Ms. Elter said that was not true if there was a homeowners' association. Mr. Brown said that if that was true, they would not be members of the town. Ms. Craft-Walls asked if QAC would need to pass a special tax district ordinance. Mr. Teel said the town would have to do it, not QAC. Mr. Teel explained that the developer, before conveying a property, agrees with the town to create a special tax district. At that point, 100% of the taxpayers of that community agree to this. Thereafter, the town may levy, each year, taxes necessary to maintain those things specified in the tax district.

Mr. Ford made a motion to adjourn. Ms. Craft-Walls seconded the motion. The meeting was unanimously adjourned.

Respectfully submitted

David Teel, Circuit Rider/Town Manager