

PLANNING COMMISSION MINUTES
February 15, 2006
7:30 p.m.
Trappe Town Hall

The regular Planning and Zoning Commission meeting was opened by Chairperson Edgar Harrison at 7:30 p.m. Planning Commission members present were Mr. Jerry Adams, Mr. Norm Fegel and Mr. Don Haring. The minutes of the previous Planning Commission meeting were approved, by consensus, as amended by adding Mr. Don Haring's name to the list of members present. All were in favor.

PERMITS ISSUED:

T-05-06 – Karen A. Knopp – 29374 Greenfield Avenue – Shed #2
T-06-06 – Donald & Brighte Mentzer – 29240 Maple Ave. – Sunroom

PERMITS PENDING AND ZONING ISSUES:

None

OLD BUSINESS:

Highway Commercial Mixed Use District (HCM)

Mr. Harrison opened the discussion by stating that the Town Council has sent the HCM District back to the Planning Commission with some minor amendments. Brynja Booth, Town Attorney, mentioned that the Town Council and Planning Commission both have the same concerns which include not encouraging HCM development to happen too soon and when HCM development does occur, that it been designed right. Using a map, Attorney Booth pointed to the three properties that the HCM district is planned for which includes the portion of the Bremer property currently zoned C-2, the Trappe Gas and Go property, and the Trappe Frozen Foods property. Attorney Booth acknowledged that lack of Town sewer to these properties is a limiting factor, but we need to make sure the properties are protected with the HCM district. Attorney Booth added that the commercial design guidelines that were adopted will protect any redevelopment of the existing C-2 property.

Mr. Don Haring repeated an objection he had with the original draft of the HCM district regarding the allowance of high density housing. Mr. Haring was also concerned that it would be hard to turn down a housing component in the HCM district once it is permitted by the bill. Mr. Hall and Attorney Booth added that the housing component is not a required part of the HCM district and Edgar Harrison stated he believed the Planning Commission could turn down a project. Mr. Harrison suggested that the Planning Commission remain focused on the proposed amendments by the Town Council, and Mr. Hall reminded Mr. Haring that the original bill received a unanimous favorable vote by

the Planning Commission. Mr. Adams commented that the PUD Plan process will require several public hearings and Town Council approval which will give the public ample opportunity to comment on a housing element of a project. Attorney Booth added that the process is the same as what the Trappe East PUD plan has just completed. Mr. Haring still expressed his concerns that one of the use areas in the HCM district would still allow housing. Mr. Harrison reviewed the required percentages of each use area which he noted that after the required areas are designed only 30% is left for residential uses.

Attorney Booth confirmed that the process of the HCM District would allow the town to say that it did not want housing on the highway. Mr. Hall repeated his earlier comments that residential uses are not one of the required use areas. Mr. Harrison stated that the housing component is meant to blend or transition a commercial area into an adjoining residential area. Mr. Haring noted that he currently has Highway Commercial uses backed up to his property and that he would rather be next to commercial uses than high density housing.

A motion was made by Mr. Adams to accept the HCM district as amended by the Town Attorney. The motion was seconded by Mr. Fegel. The motion passed by a three to one vote with Mr. Haring casting the only no vote.

Village Redevelopment Plan – Moore Rentals, LLC

Representing Moore Rentals LLC, Mr. Tom Davis explained the general site design which includes both R-1 and C-1 zoned property. He stated that the Moore's are proposing this development under the Village Redevelopment Sub-Area and the project includes 23 town homes and approximately 15,600 square feet of mixed commercial use which would be first floor retail and second floor office space. Mr. Davis stated that the applicants are asking for sketch plan approval so they may go to the next step and seek Board of Appeals approval for the Special Exceptions needed as required by the Village Redevelopment Sub-Area. Mr. Davis pointed out several features on the site plan including the storm water management areas and the parking. He noted that more detailed storm water plans will be submitted later and that the number of parking spaces proposed is 110 which is enough given the mixed use nature of the development.

Mr. Adams asked about the Greenfield Avenue entrance. Mr. Davis explained that the Greenfield Avenue access is for pedestrian and emergency services access. The other access points via the Main Street right-of-way and the Maple Avenue entrances were discussed as vehicular entrances.

Mr. Fegel asked if there was enough room for fire trucks to maneuver inside the project. Mr. Davis said he has not calculated the fire truck turn radius yet. He will complete the fire truck radius needs once he gets a template from the fire department.

A discussion began to refresh the Planning Commission's memory on why the Greenfield Avenue entrance was only for pedestrians. Mr. Davis said he was told all along that the

entrance was only for pedestrian and emergency access. Mr. Hall added that paving the Greenfield Avenue entrance pushed the envelope on the impervious surface limits. Mr. Adams also reminded the Planning Commission of the fire department request to leave enough space in the back of the residential buildings for a stretcher. Mr. Davis said that he has not designed the project to that level of detail, but he believes there should be enough room. Mr. Harrison added that neighboring residences to the back of the project want some vegetative buffering.

Mr. Davis also stated that the commercial use was scaled back a little bit in order to meet the fifteen foot setback requirement from neighboring residential property.

In response to a question from Mr. Adams, Mr. Davis stated that the town homes would be in condominium ownership, not fee simple lots. Mr. Davis stated that there would be limited common element areas such as porches and that there would be other restrictions for fences. Fee simple ownership is for only the building.

Mr. Hall noted that the delay to this point was because the Moore family was waiting to resolve the purchase of the old water tower property. They did not want to proceed with further engineering and design without first completing the property transfer.

Mr. Hall added that the plan has evolved to include better parking, setback changes for the commercial buildings, and other minor tweaks.

A comment from the audience suggested standardizing the fire hydrants. Mr. English stated that the fire hydrant issue is resolved. Mr. Hall reminded Mr. Davis that the fire department also requested a continuous loop fire hydrant system.

Mr. Hall explained the approval process with the Board of Appeals concerning uses of the property. The Planning Commission will review the project again for preliminary and final subdivision approval. Mr. Hall added that the storm water engineering review will be handled by Davis, Bowen and Friedel, a soil conservation plan will be submitted to the Talbot Soil Conservation District, and DNR will review the forest conservation plan.

Mr. Adams motioned to approve the concept plan for Moore Rentals, LLC and to make a recommendation to the Board of Appeals that they approve the Special Exception uses and also approve a waiver of the six (6) off-street parking spaces. Mr. Haring seconded the motion. The motion passed unanimously.

Construction Standards Comments

Mr. English thanked Mr. Adams and Mr. Harrison for their comments regarding the proposed new construction standards. Mr. Haring said he will have his comments to Mr. English within a week. Mr. English asked that any other comments be given to him soon since he will be asking the Town Council to introduce the new construction standards at a future Town Council meeting.

Discussion of a Proposed Use for the Bramble Property

Mr. Hall explained that a local real estate agent has a client that would like to subdivide the lot into two lots and construct two single family model homes. Mr. Hall asked the Planning Commission to make a determination if the model home use would comply with the R-1 zone which is strictly for single family residential units, or is it considered commercial. Mr. Hall's recommendation is that it would be considered single family residential as long as there is no significant office use in the model homes. The owner is requesting guidance from the Planning Commission before they begin an expensive environmental study on the Bramble property.

Mr. Hall suggested that if the Planning Commission concurs with his recommendations that the landowner be required to subdivide the property into two lots and that they submit their proposed homes for village overlay review.

Mr. Adams stated, and Attorney Booth agreed, that if there is no relief needed and all setbacks can be met, the landowners do not have to submit their building plans for a village overlay review. Mr. English added that setbacks from Route 50 may be established by the existing setbacks on adjoining property. Attorney Booth cautioned the Planning Commission to not make someone do something that the ordinances don't require them to do.

Mr. Adams asked if there would be an office and, if so, does that make it commercial? Mr. Hall noted that an office use could not qualify as a Home Occupation since the model home is not the primary residence of the proprietor.

Mr. Haring raised the issue that if a commercial use already exists, than can't a commercial use continue. Attorney Booth and Mr. English replied that there is no commercial use on the Bramble property. As the discussion continued, the Planning Commission realized that they were confusing the Village Overlay Zone with the Village Redevelopment Sub-Area which does not extend further south than the post office.

Mr. Hall said that the property could only be subdivided into two lots because of how the lot is shaped even though there is enough square footage for three lots. The road frontage on Main Street will only allow two lots.

The Planning Commission reached a consensus that model homes without a sales office use are permitted in the R-1 zone. They also agreed that the lot should be subdivided into two lots as recommended by the Town Planner.

Minor Subdivision Concept Plan Review – Charles Adams

Mr. Hall explained the two lot subdivision plat submitted by Mr. Charles Adams. The property is R-1 and is not in the Village Overlay Zone. Mr. Adams is asking for concept plan approval. Mr. Hall and Mr. English recommended that the right-of-way be increased to 50 feet to meet the Town's road standards incase the road becomes a public

street in the future. The increased right-of-way would only be in the open field area behind the homes on Main Street. Mr. English also asked that a plat note or deed state that the lots have a right to access and use the right-of-way.

Mr. Jerry Adams asked when the sewer connection fees are paid. Mr. Hall responded that the connection fees are paid before the building permit is issued. Mr. Jerry Adams suggested collecting the fee now so the applicant can reserve his capacity. Attorney Booth stated that if the applicant waits too long to build a house than the sewer capacity may not be available. Mr. Hall reminded Mr. Jerry Adams that sewer rates and payment procedures are a Town Council issue, not a Planning Commission issue. From the audience, Mr. Moore stated that paying the connection fee up front would be cost prohibitive for multi-lot subdivisions.

Mr. Harrison commented that the request is for a straight forward minor subdivision. Mr. Fegel motioned to approve the concept plan for Mr. Charles Adams including the recommendation that the right-of-way be increased to 50 feet in the open field area, that a public works agreement be signed, and that a plat note or deed be added to state that the people living on the new lots have a right to access the private road. The motion was seconded by Mr. Jerry Adams. The motion passed unanimously.

The meeting was adjourned at

ANNOUNCEMENTS:

February 20, 2006 – Town office is closed for President’s Day

March 1, 2006 – Public Hearing 7:00 p.m. Ordinance 1-2006 Sale of Excess Town Property – Old Water Tower Site

Respectfully submitted:

Approved by: Edgar Harrison, Chairperson

Joedy Cecil, Clerk