

PLANNING COMMISSION
September 20, 2006
Trappe Town Hall
7:30 p.m.

The regular Planning and Zoning Commission meeting was opened by Chairperson Edgar Harrison at 7:33 p.m. Planning Commission members present were Mr. Bobby Quidas, Mr. Don Haring, and Mr. Norm Fegel. The minutes of the previous Planning Commission meeting were unanimously approved.

PERMITS ISSUED:

T-34-06 – Tyrus Albert Brannock, Jr. – 3953 School St. – Shed
T-35-06 – Justina Pinkett – 29240 Murray’s Lane - Shed

PERMITS PENDING AND ZONING ISSUES:

None

OLD BUSINESS:

Moore Village Redevelopment Plan:

Ms. Angela Healy presented new renderings showing changes requested by the Planning Commission at the previous meeting. The new renderings showed perspective views from Maple Avenue and from Main Street into the project. Ms. Healy noted the perspective drawings were done by Mr. John Moynahan. Ms. Healy also explained a possibility for upgrading the right-of-way entrance from Main Street. She acknowledged that any improvements would first have to be approved by the current owner of the right-of-way. Ms. Healy reviewed the orientation of the entrance features, brick wall (5 Feet), and pavilion compared to the town house crescent and commercial building. Ms. Healy also presented a new rendering of the town house crescent which showed second floor balconies on some of the residential units.

Mr. Don Haring voiced his preference for the second floor porches as a way to break up the monotony of the crescent. Mr. Harrison stated he liked both the front and rear façade of the commercial building and congratulated Ms. Healy on her work. Mr. Jonathon Moore said he liked the second floor porches, but emphasized that the option for porches would only be on certain units to make sure there was some symmetry to the building. Mr. Haring said he did not believe each unit should have a second floor porch. He added that the location of each second floor porch should be up to the builder more so than the buyer to make sure the building looks good.

Out of respect for Mr. Jerry Adams who was unable to attend the meeting, Mr. Harrison read a letter submitted by Mr. Adams in which he expressed his continued concern over the repetitive nature of the crescent façade. In addition to the letter, Mr. Adam's submitted pictures that showed a central architectural feature on other crescent style buildings. Mr. Adams noted in his letter that he prefers a building with a central architectural feature to draw attention to the center of the building. Ms. Healy said the difficulty with Mr. Adams' request is the location of the pedestrian walkthrough and the scale of the building. Mr. Harrison repeated Mr. Adams' concerns for the benefit of the public and the Planning Commission. Mr. Harrison said that Mr. Adams' letter also expressed serious concern that the current design may be in violation of the Design Guidelines.

The Planning Commission appreciated Mr. Adam's letter, but the consensus seemed to be that the second floor porches would be enough to improve the faced treatment. Mr. Fegel motioned to approve the site plan contingent upon the appropriate use of second story porches as approved by the developer. Mr. Quidas and Mr. Haring seconded the motion. The motion passed unanimously.

After the motion, Ms. Healy introduced Mr. Tom Davis for an update of the storm water designs. Mr. Davis stated that sheet flow from the main building will be handled through a bio-retention area which incorporates, below a vegetative cover, sand, gravel and perforated pipes. Mr. Davis mentioned that the use of bio-retention areas is a preferred design of the Maryland Department of the Environment for water quality requirements. Mr. Davis explained that the water that enters the perforated pipes would drain to the town's storm drain system through the land the Moore's purchased to gain access to Greenfield Avenue. Mr. Davis stated that the use of bio-retention areas and vegetation in strategic locations allows the site to not use a wet pond which some neighboring residents expressed concern about. The vegetation will also add aesthetic qualities.

In order to address water quantity requirements, Mr. Davis plans to use a series of "check dams" to direct water during larger rain events. In response to a question from Mr. Harrison, Mr. Davis explained the path of the storm water through pipes and the use of improved drainage swales.

Mr. Hall spoke for Ms. Carol Lange and her concern about improving drainage along the rear property line of the homes on Greenfield Avenue. Mr. Davis said he plans on widening the existing swale on the Moore's side of the property and plant vegetation that is sustainable in wet environments.

Mr. Harrison asked about the duration or lifespan of the piping system proposed by Mr. Davis. Mr. Davis stated that perforated piping has been used for over 20 years, but the main focus today from the Maryland department of the Environment is on water quality improvements to benefit the Chesapeake Bay. Mr. Harrison was concerned that there really has not been long term experience

with the piping proposed. Mr. Davis agreed with Mr. Harrison stating that it is critical that the piping system be installed correctly during construction by a quality grading contractor and during good weather conditions. Mr. Davis also said pretreatment methods such as pea gravel help keep the pipes from clogging up, but there is no real long term experience with the bio-retention perforated pipes. If any excavation is needed, Mr. Davis said that the pipes are fairly shallow.

Mr. Hall said that he believes that Mr. Davis' design is innovative and that Davis, Bowen and Freidel would be the review agency for the engineering. Mr. Fegel asked about the rainfall calculations used for the design. Mr. Davis said the required calculations are for a two year rain event for about 3.3 inches of rain fall which requires 7,000 cubic feet of storage. Following Mr. Davis' presentation, the Planning Commission had no negative comments.

HCM District Discussion

Mr. Fegel asked for Mr. Hall's opinion on why the HCM District has not been applied to the land planned for the HCM District even though the legislation was adopted by the Town Council.

Mr. Hall stated in response that he does not believe the HCM District should be applied to any land at this time for several reasons. The first reason given by Mr. Hall was that he believes there is not an imminent threat of development for the parcels likely to be designated for HCM uses and that the remaining sewer capacity also reduces the likelihood of imminent development. Mr. Harrison stated his disagreement with Mr. Hall's assessment of the threat because sewer capacity issues can be overcome with engineering and that although the current owners of the land in question may not wish to develop, any unexpected change in ownership could quickly change development interest in the parcels owned by the Bremer family. Mr. Hall acknowledged that Mr. Harrison's scenario was possible.

Mr. Hall briefly reviewed the process of floating zones such as the HCM District and he explained that the greatest benefit to the floating zone process is the ability to hold zoning approval as the town's trump card until a development project is approved and all DRRA negotiations are finalized. If an HCM district is applied to land before a project is approved, the HCM District essentially stops acting like a floating zone and acts more like a Euclidian Zone which takes away power from the Town Planning Commission and Council to negotiate and debate over detailed design review features and DRRA exactions. Mr. Hall used the PN process for the Lakeside development as an analogy to help explain his opinion on why floating zones should not be applied until the Town is absolutely sure it is ready to approve a development project.

Mr. Hall noted that he understands the concern that the Bremer C-2 property may develop under the C-2 standards, but he reminded the Planning Commission that the Town Zoning Ordinance now has extensive design guidelines in place that would apply to the C-2 zone. Mr. Hall concluded his remarks by stating that he is afraid that if the HCM District is applied before a development project is approved, that the result would be the removal of the power of a floating zone and by default create a Euclidian zone.

At the request of Mr. Fegel, Mr. Hall explained the floating zone process in detail in which he emphasized that floating zones are not applied to land until a development project is completely approved by both the Planning Commission and Town Council. Mr. Fegel asked Mr. Hall if the HCM District has been adopted. Mr. Hall assured Mr. Fegel that the HCM ordinance is now part of the Zoning Ordinance.

Mr. Harrison stated that Mr. Hall's comments were the best argument he heard to date for reasons not to apply the HCM district to annexed land that isn't already commercial. However, Mr. Harrison correctly stated that the Bremer property is already zoned C-2 and that even with the design guidelines that we have in place, a developer really only has to meet the requirements of the C-2 District. Mr. Harrison asked the question "Why would a developer even want to go to the requirements of the HCM District when the C-2 District which already exists on the property requires so much less?"

Although Mr. Hall agreed that Mr. Harrison made a very good point, Mr. Hall suggested a solution to the concern may be the down zoning of the Bremer property to R-1 or something other than C-2 to take away any potential commercial threat. Mr. Harrison said he would support a down zoning to solve the threat. Mr. Harrison repeated his concern of having C-2 just sitting on the Bremer property waiting for a developer.

Following the discussion, the Planning Commission asked Mr. Hall to request a work session with the Town Council soon after the New Year to discuss the issue.

NEW BUSINESS

None

ANNOUNCEMENTS:

September 27th – Pit Beef Day

October 9th Town Office will be closed for Columbus Day

October 21st Fall Community Festival, Yard Sales & Flea Market – 8:00 to 5:00
p.m.

October 27th Special Trash Pickup

The meeting was adjourned at 8:25 p.m.

Respectfully submitted:

Joedy Cecil, Clerk

Approved by: Edgar Harrison, Chairperson