

**FRUITLAND PLANNING COMMISSION  
TUESDAY, FEBRUARY 3, 2009  
MINUTES**

The Fruitland Planning Commission met at City Hall on Tuesday, February 3, 2009, with the following in attendance:

MEMBERS

Chairman Leland Bonneville  
Annette Noble  
Derek Bland

CITY OFFICIALS AND STAFF

City Manager John McDonnell  
Solicitor Andrew C. Mitchell Jr.  
Public Works Director Cooper Townsend  
Utilities Director Joe Derbyshire  
Code Enforcement Officer Danny Scholl  
Councilmember Richard Tull  
City Clerk Diane Nelson

GUESTS

Tim Bourcier of Davis, Bowen & Friedel  
Brock Parker of Parker & Associates  
Kenny Mills  
Eric Davis  
Bob Marvel

Mr. Bonneville called the meeting to order at 7:02 p.m. and asked for comments or changes to the minutes of January 6, 2009. There being none, Ms. Noble moved to adopt the minutes as written. Mr. Bland seconded and the motion was approved by a three to zero vote.

**Old Business**

**1. Comprehensive Plan Update**

Fruitland's Comprehensive Plan was discussed during a work session held today by Wicomico County Council that was attended by City Manager McDonnell, Tim Bourcier of Davis, Bowen & Friedel, and County Planning representatives Jack Lennox and Gary Pusey. Messrs. McDonnell and Bourcier presented their report.

- Fruitland was commended for thoroughness and timeliness. Fruitland (population approximately 4500 people) was second only to Sharptown (population approximately 670 people) in submitting a Comprehensive Plan Update well ahead of the October 2009 Deadline.
- The 200,000 gallons of allocated capacity that Fruitland has earmarked for Wicomico County at the Fruitland Wastewater Treatment Plant was noted.
- General questions were addressed; a specific request for more detail on the growth areas was also addressed.
- The Comprehensive Plan Update becomes a working document for Fruitland, to be routinely reviewed every six years; however, it can be amended as needed if a request for annexation is made outside a designated growth area. Presently, Fruitland's growth areas still match the County's growth areas; there has been a reduction in growth areas from the 1998 County Plans and Metro Board Plan. House Bill 1141 provides for mediation if the City and the County do disagree on growth areas.
- State agencies' reviews of Fruitland's Comprehensive Plan update have been completed.

After general discussion, the Planning Commission recommended adoption of the Comprehensive Plan Update to the City Council on a motion by Ms. Noble that was seconded by Mr. Bland. The motion carried on a three to zero vote.

## **2. Critical Area Update**

Solicitor Mitchell reported that the City received a letter indicating certain things that had to be done by January 31, 2009. After joint review of the letter, Solicitor Mitchell and Amanda Pollack of George, Miles, and Buhr (GMB) both agreed no action was required from the City; several examples were cited that supported their opinions.

Mr. Mitchell further summarized how Fruitland came to have a streamline critical area plan that also included pertinent details from recent communication with Maryland Department of Planning (MDP) specific to Fruitland's critical areas.

### **Holly Hills Update**

Solicitor Mitchell delivered a status report on the Holly Hill Subdivision.

- The infrastructure remains incomplete.
- An estimated \$10-15,000.00 dollars would be needed to complete the developer's punch list.
- Financial issues that include foreclosure are plaguing the developer.

Based on an agreement that exists between Bijan Sapoorian, the developer, and Farmers Bank of Willards, his bank, \$900,000.00 was to be escrowed to underwrite the completion of the infrastructure; therefore there may be sufficient funds set aside to complete the punch list.

Solicitor Mitchell will continue to monitor this situation.

## **NEW BUSINESS**

### **Kenny Mills – Final Plat Submission for Camden East**

Brock Parker of Parker and Associates, along with Kenny Mills and Eric Davis, presented the final plat submission for the Camden East Subdivision.

- The final plat presented was a 39-unit development that included both townhouses and single family homes, with street lights and sidewalks planned in accordance with Fruitland's guidelines.
- Split zoning (R1C and R2) that allowed for both townhouses and single family homes was discussed in conjunction with the planned locations for each dwelling type.
- Parcel A was designated as a "pocket park," a public use area to be maintained by the Homeowners' Association.
- Parcel B was dedicated to Storm Water Management Facilities for both Camden East (Kenny Mills) and West Cedar Lane Commercial Shops (Eric Davis); coordination of the Storm Water Management between the two developments provided not only adequate storm water outfall for both projects, but drainage for those commercial parcels that were otherwise hydraulically landlocked.
- Catch basin locations were noted in conjunction with Storm Water flow.
- Cul-de-sac radius and hydrant placement were both discussed in conjunction with Fire Department standards.
- Landscaping was planned to replace trees lost to construction.

- The project has been submitted to GMB for what is anticipated to be a final review with recommended approval; any final comments or recommendations from GMB would be addressed by the developer, incorporated into the project, and if necessary brought back before the Planning Commission.
- Notation was made to move the northernmost property line for Lots 6-9 approximately two inches, correcting a 14 square foot shortfall for these lots that required 17,000 square feet.

The Planning Commission adopted the final plat submission for Camden East, with the corrections and legal notations necessary, on a motion by Mr. Bland that received a second from Ms. Noble and passed on a three to zero vote.

### **GENERAL DISCUSSION**

Director of Utilities Joe Derbyshire gave an update on the Infiltration and Inflow (I&I) project, flow calculations, Allocation of Capacity, and equivalent dwelling units (EDUs) in conjunction with both approved subdivisions and those under consideration. Discussion followed regarding the 200,000 gallons (Allocation of Capacity) earmarked for Wicomico County relative to both subdivisions under consideration and the planned new middle school.

### **ADJOURNMENT**

With no further business to discuss, Ms. Noble moved to adjourn and Mr. Bland seconded. The motion was approved by a three to zero vote and the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Diane C. Nelson  
City Clerk

Approved:     March 3, 2009