

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

The Fruitland Planning Commission met at City Hall on Tuesday, March 3, 2009 at 7:00 p.m. with the following in attendance:

*Chairperson Leland Bonneville, Derek Bland, Annette Noble, and Robin Townsend.*

Also present were:

*City Manager John F. McDonnell, City Solicitor Andrew C. Mitchell Jr, City Clerk Diane C. Nelson,  
Code Enforcement Officer Daniel M. Scholl Jr, Utilities Director Joseph P. Derbyshire, Public Works Director P.  
Cooper Townsend, and Councilmember Richard F. Tull.*

Our guests included:

*Brock Parker of Parker & Associates, Eric Davis, Robert Marvel, and Sheila Nichols.*

Chairperson Bonneville called the meeting to order at 7:02 p.m. and asked for comments or changes to the minutes of February 3, 2009. There being none, Mr. Townsend moved to adopt the minutes as written. Mr. Bland seconded and the motion was approved by a three to zero vote. [Ms. Noble was not present at the time of this vote]

**OLD BUSINESS**

**1. Eric Davis Commercial Property – Final re-subdivision plat (Combine two existing lots on W. Cedar Lane)**

Brock Parker presented the final re-subdivision plat for the commercial property that is basically an extension of the Camden East project that the Planning Commission approved on February 3, 2009; the commercial property fronts on Cedar Lane across from Big Lots. This plat eliminates an interior lot line and formally adds the portion of Warrior Avenue that had been formerly closed; it consolidates the tract into one large contiguous block of land. This 6-unit commercial property will require six equivalent dwelling units (EDUs), according to City ordinance calculation of EDUs.

After discussion, Mr. Bland moved to approve the final re-subdivision plat that combines the two existing lots on W. Cedar Lane into one large contiguous block of land; Ms. Noble seconded, and the motion carried on a 4-0 vote.

**2. Eric Davis – West Cedar Lane Commercial Shops – Final plat submission**

Mr. Parker presented the final plat for the West Cedar Lane Commercial Shops; the plat included one parking space for each 200 square feet of development.

City Solicitor Mitchell noted that this was the same property the Planning Commission had recommended to the Board of Zoning (BZA) appeals in November 2008 for approval of a variance request for relief from the greenbelt requirement; the BZA subsequently granted Mr. Davis the variance on November 18, 2008.

After discussion, Mr. Bland moved to adopt the final plat as submitted *with* the parking plan, amended to reflect Wicomico County and not Worcester County; Mr. Townsend seconded and the motion was approved on a 4-0 vote.

## **NEW BUSINESS**

### **1. Sign Ordinance – Discussion item**

City Solicitor Mitchell summarized how the current sign ordinance had evolved in segments over time, as the result of specific issues arising regarding billboards and then portable signs. At present there is virtually no regulation for signs that are not billboards or portable; a recent dispute before the BZA identified several areas that need to be addressed in the ordinance regarding issues of size, setback, electronic/flashing, and imposition on other buildings.

Mr. Mitchell requested permission to explore expanding the sign ordinance, with input and guidance from Code Enforcement Officer Scholl as well as the Planning Commission and those in the business. Commission members granted permission, by consensus but without vote, for Mr. Mitchell to proceed with exploring expansion of the sign ordinance.

### **2. Other**

Mr. Bland reported that as a member of the Mid-Atlantic Green Technology Association, he was assisting the association in organizing a regional Green Technology Conference to be held in Ocean City, MD in November 2009; in researching green technology and potential vendors for the conference, small wind turbines for residential use surfaced as a topic for discussion.

Mr. Bland cited how accessible these turbines are to the public, with installation completed in a day; because of this accessibility, he requested the Planning Commission consider the wind turbine issue prior to someone bringing a specific request before the Commission for a ruling. He further noted that the Maryland Department of Energy has a *Draft Model Small Wind Ordinance*, a six page document that commission members may find helpful as they begin to consider this issue and how it might affect Fruitland. The Commission directed Solicitor Mitchell to look into this issue.

## **GENERAL DISCUSSION**

Fruitland resident Sheila Nichols voiced her concerns about youth in the community due to Fruitland's lack of a community center; she also offered her volunteer services in helping raise funds for a community center. Discussion regarding the Recreation Commission's current basketball program as well as the new community center initiative led to referring Ms. Nichols' name and contact information to the Recreation Commission. Some misinformation about a specific incident concerning the basketball program was corrected.

## **ADJOURNMENT**

With no further business to discuss, Mr. Townsend moved to adjourn and Mr. Bland seconded. The motion was approved by a four to zero vote and the meeting adjourned at 7:50 p.m.

*Diane C. Nelson*

Diane C. Nelson, City Clerk

*Approved, April 7, 2009 dcn*