

**FRUITLAND PLANNING COMMISSION
TUESDAY, SEPTEMBER 7, 2010
MINUTES**

The Fruitland Planning Commission met at City Hall on Tuesday, September 7, 2010 at 7:00 p.m. with the following members in attendance:

Chairman Leland Bonneville, Derek Bland, Theodore O. Lokey, and Annette Noble.

Also present were:

City Manager Rick D. Konrad, Assistant City Manager/City Clerk Diane C. Nelson, Chief of Police Michael J. Phillips, Utilities Director Joseph P. Derbyshire, Public Works Director P. Cooper Townsend, Code Enforcement Officer Joe Vogel, City Solicitor Andrew C. Mitchell Jr, and Councilor Richard Tull.

Our guests included:

Richard Demers, Rick Bertin, Lonnie and Janis Dail, Jim and Lisa Razzano, John Nelson, Jamie Peterman, Amber Kline, Melissa and Paul Revel, Ed and Brenda Dickerson, David W. Milligan, Bob Marvel, Elmo Butler, Nick and Barbara LaSorsa, Mark Glushakow, Kelly Draper, Tiffany Baxter. Shawn Beach, Matthew Solava, Michael and Deborah (Peterman) Dryden, Douglas E. Draper, Jr., Meagan Dryden, Mikayla Dryden, Anna Batista, Jon Benton, Sr., Don Wallace, Wallace and Pat Peterman, Mary and Dan Nelson, Fruitland Fire Chief Robin Townsend , and Charles and Nina Bennett. .

Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the July 6, 2010 Planning Commission Meeting, noting that there had been no August 2010 Meeting; he called for additions or corrections. As there were none, **Mr. Lokey moved to adopt the minutes as presented; Mr. Bland seconded and the motion passed on a four to zero vote in favor.**

OLD BUSINESS

1. New Bennett Middle School – Progress Update (City Manager Konrad)

City Manager Konrad reported that he and Assistant City Manager Nelson had recently met with Wicomico County Board of Education (WCBOE) representatives, including Superintendent Fredericksen, to determine the status of the New Bennett Middle School project slated to be built in Fruitland; the Board provided a copy of the Traffic Study Report and underscored the Board's commitment to open communications and an effective partnership with the City as the project moves forward.

Chairman Bonneville yielded the floor to Fruitland Fire Chief Robin Townsend, who shared his comments regarding Fire and Emergency Medical Service (EMS) access to the new middle school during and after construction in conjunction with evolving traffic patterns and increased traffic flow; he expressed his desire to be included in the Planning Stages of this project in order to assess and be responsive to any and all Fire/EMS issues that could arise in conjunction with the project.

2. Proposed All Terrain Vehicle (ATV) Park Facility – Conceptual Plan – Discussion Item (Wallace Peterman)

Wallace Peterman, along with Dan and Mary Nelson, presented Plans for Conceptual Approval of an ATV Recreational Park Facility at the July 6, 2010 Planning Commission Meeting at which time after discussion, there was consensus among Commission Members, Staff, and Developers that an onsite demonstration was appropriate prior to any further efforts to gain Conceptual Approval for the project.

Mr. Peterman and Mr. & Mrs. Nelson are before the Planning Commission this evening as a follow up to the August 26, 2010 demonstration in order to discuss various aspects of the event and again seek Conceptual Approval for the ATV Park Facility.

Discussion included decibel levels during the demonstration, City Noise and Nuisance Ordinances, permitted uses for the C-3 zoned property and demonstration of the facility as a permitted use, potential need for water and sewer, projected traffic flows associated with the facility and the need for a comprehensive engineering study, and numerous comments for and against the advent of the facility by Planning Commission Members, the developers, and concerned citizens in attendance at the meeting.

There was consensus among Commission Members that in addition to the Developers qualifying the facility as a permitted use on the property, a comprehensive engineering study would need to be completed and submitted for the Commission's review before any Conceptual Approval could be granted for this project.

NEW BUSINESS

1. Variance Request – Red Wing Manor (Adam Glushakow)

Mark Glushakow presented a variance request on behalf of property owner Adam Glushakow, who could not be present this evening. Mr. Glushakow indicated that although the development was originally planned as a rental community, there are now several homeowners in the development, including the homeowner adjacent to the property being considered for a variance request in preparation for sale as an owner occupied dwelling.

After discussion, there was consensus among Commission Members that the variance request was not de minimis, nor was there a recognized hardship warranting the variance request be granted; therefore it was suggested that should Mr. Glushakow wish to present his variance request to the Board of Zoning Appeals (BZA) with the recommendation of the Planning Commission, he might consider splitting the variance between the front and rear of the property, presenting a lesser variance to be considered by the neighboring property owner at the rear of the property. Mr. Glushakow indicated his preference to pursue the Commission's recommended course of action in hopes of securing an endorsement from the Commission at a subsequent meeting, prior to appearing before the BZA.

2. Fruitland Primary School Traffic Plan – Discussion Item

City Manager Konrad acknowledged Commission Members' receipt of Final Plans for Fruitland Primary School's Proposed Traffic Plan, noting that the City was working with the WCBOE to resolve Stormwater Management issues since traffic before and after school is a serious problem which needs to be addressed.

With no further business to discuss, **Mr. Lokey moved to adjourn and Mr. Bland seconded. The motion was approved by a four to zero vote in favor and the meeting adjourned at 8:12 p.m.**

Diane C. Nelson

Diane C. Nelson, Asst. City Mgr. /City Clerk

Approved, October 5, 2010 dcn