

The Fruitland Planning Commission met at City Hall on Tuesday evening, June 7, 2011 at 7:00 p.m. with the following members present:

Chairman Leland Bonneville, Derek Bland, Paul Bradshaw, and Annette Noble

Also present at the table were:

City Manager Rick D. Konrad, Assistant City Manager / City Clerk Diane C. Nelson, Public Works Director Joseph P. Derbyshire, and City Solicitor Andrew C. Mitchell Jr.

Our guests included:

Keith Dashield and Brock Parker of Parker and Associates

Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the May 3, 2011 Planning Commission Meeting, calling for additions or corrections. As there were none, **Mr. Bradshaw moved to adopt the minutes as presented; Ms. Noble seconded and the motion passed on a four to zero vote in favor.**

~~As there was no Old Business to discuss, Chairman Bonneville proceeded to New Business.~~ *[Amended prior to approval]*

OLD BUSINESS

1. Report on Wicomico Housing Authority (WHA) (Solicitor Mitchell)

City Solicitor Mitchell provided background information and then summarized the current status of WHA properties located within Fruitland City limits in conjunction with monies owed the City and property rehabilitation issues with several of the properties; he acknowledged that monies should be forthcoming to the City, which will in turn reinstate the Federal funding to the WHA for use in administering the program and rehabilitating properties.

City Manager Konrad will follow up with WHA on the Seven (7) boarded up properties and report back to the Planning Commission.

2. Camden Landing Update (Solicitor Mitchell)

City Solicitor Mitchell summarized that the final Public Works Agreement had been completed and then sent to the Developer, and that City Manager Konrad had been contacted by the Developer's Bank, thereby indicating that the Developer had been to the Bank regarding the Letter of Credit.

Messrs. Mitchell and Konrad then updated Commission Members on the status of the easements and those issues still to be resolved; Solicitor Mitchell anticipates he will complete preparation of the easements by the end of this week.

Solicitor Mitchell acknowledged the Developer's request to recoup the part of the cost of putting in water and sewer to the Development that will run past other vacant properties, making those other properties then assessable by the City for Front Footage Fees; Mr. Mitchell then outlined how the City would administer the Developer's request over a Ten (10) Year period with no interest, which is allowed by City Ordinance.

3. Partial Annexations (Solicitor Mitchell)

City Solicitor Mitchell summarized for Commission Members the information which he had shared with the

Council at the May 10, 2011 Meeting which was that State Government Article 23A §19 (t) of the Maryland Annotated Code was amended in October 2009 to allow municipalities a two-year window to annex properties which have been partially in City limits for more than Three (3) years, are not larger than Five (5) acres each, and do not represent aggregate acreage of more than Twenty-Five (25) acres for all parcels, without the customary landowner concurrence to annexation or the possibility of having to go to referendum. The two-year window expires September 30, 2011.

At the Council Meeting, he and Deputy Treasurer Caton had both spoken to the long standing arduous nature of hand amending bills for properties with varying City services which are partially in the City and then had requested Council authorization to actively work on the annexation of approximately one dozen properties; Council then authorized him by consensus, but without vote, to work with Ms. Caton on the annexation process as requested and to report back to Council at the June 2011 Meeting with more comprehensive information prior to a Council vote on the proposed annexation.

NEW BUSINESS

1. Re-Subdivision of Lots 22A, 23A & 24A of Rowens Mill (Brock Parker)

Brock Parker provided background information on the Development and previous re-subdivision requests prior to summarizing the circumstances which led to his presentation of the current re-subdivision request on behalf of Blair Rinnier and Rowens Mill, which is to reduce the footprint of Lot24A by Twelve (12) Feet and to re-distribute those excess Twelve (12) Feet between Lots 23A and 22A to increase the footprint of each of those lots.

Mr. Parker acknowledged that all lots would remain conforming lots and Mr. Derbyshire acknowledged that water and sewer service had not yet been installed at any of the lots.

After discussion, **on a motion by Mr. Bland that was seconded by Ms. Noble and approved by a four to zero vote in favor, the Planning Commission recommended to the City Council the approval of the Re-Subdivision of Lots 24A, 23A & 22A of Rowens Mill as presented.**

2. Other

City Manager Konrad generated discussion by providing an update regarding the status of a Camden Avenue property which had been the subject of complaints because people were purportedly living in campers on the property due to livability issues with the dwelling; he then outlined a recommendation that both he and Solicitor Mitchell endorsed for addressing the issue. The recommendation would be responsive to the complainant as well as offer the homeowner a viable option to deal with the issue through the Planning Commission and in compliance with City Ordinances and Code. The homeowner may be prepared to appear before the Planning Commission as early as the July 2011 Meeting.

GENERAL DISCUSSION

Final comments generated discussion on the status of a Camden Avenue property holding daily yard sales which had been discussed at the May 2011 meeting, the status of the 2010 Census results for Fruitland, and the possibility of retiring the Sewer Front Footage charge after the Forty (40) Years concludes, as was originally presented to residents during the initial installation of Sewer Service in Fruitland.

With no further business to discuss, **Mr. Bradshaw moved to adjourn and Ms. Noble seconded. The motion was approved by a four to zero vote in favor and the meeting adjourned at 7:38 p.m.**

Diane C. Nelson

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

Approved, July 5, 2011, dcn