

MINUTES
Town of Easton Council Meeting
December 6, 2010

PRESENT AT CONVENING

Mayor Robert C. Willey
Council President John F. Ford
Councilmember Kelley K. Malone

Councilmember Pete Leshner
Councilmember Leonard E. Wendowski

IN ATTENDANCE

Also in attendance were the Town Manager Mr. Robert F. Karge, Town Attorney Ms. Sharon VanEmburch, Mr. Zach Smith Long Range Planner and Town Clerk Mrs. Kathy Ruf.

CONVENING

At 7:00 p.m., President Ford called the meeting to order.

OPENING PRAYER BY MS. MALONE AND PLEDGE OF ALLEGIANCE.

Ms. Malone opened the meeting with prayer and led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF NOVEMBER 15, 2010 MEETING.

Upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, minutes of the November 15, 2010 meetings were approved.

ITEMS BY MAYOR WILLEY.

Mayor Willey discussed receiving a grant for the Easton Police Department for overtime to combat crimes.

RESIGNATION OF MR. BERNARD A. CHEEZUM, JR. FROM THE TALBOT COUNTY HOUSING COMMISSION.

Mayor Willey stated that he had received Mr. Cheezum's resignation and he is seeking replacements for Housing Commission appointments.

APPOINTMENT OF MR. ROGER BOLLMAN TO THE TREE BOARD.

Upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, Mr. Bollman's appointment to the Tree Board was approved.

Mayor Willey stated that Mr. Bruce Phillips and Mr. William Cook's resumes are forthcoming for consideration on the Tree Board.

The Town Council will be hosting a breakfast 7:30 a.m. Wednesday morning to meet members of the Talbot County Council.

Mayor Willey stated that tipping fees will be increased by \$3.00 per ton for the new transfer station.

Mayor Willey presented a sketch of the RTC Park proposal. He stated it is what we expect to present to DNR Open Space to substantiate the grant request.

Upon motion by Mr. Wendowski, seconded by Ms. Malone and carried unanimously, the sketch plan was approved as presented to be submitted to Project Open Space.

ITEMS BY THE TOWN MANAGER.

APPROVAL OF BID FOR ZERO TURN DIESEL POWERED TURF MOWER FROM RIO DEL MAR OF EASTON.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, the bid from Rio Del Mar was approved in the amount of \$12,099.00.

Mr. Karge discussed leaf pickup. Public Works is continuing the effort.

Mr. Karge stated that the IT contractor has asked to be made to a full-time temporary status so that the town can perform tax withholding. He stated that it will be no marginal cost increase except for a social security match.

Upon motion by Mr. Wendowski seconded by Mr. Leshner, and carried unanimously, approval was granted.

Mr. Karge wished everyone a Happy Holiday season.

ITEMS BY THE TOWN ATTORNEY.

Ms. VanEmburch discussed the Affordable Housing policy. She stated that the Town has covenants. She discussed the 15 years which are currently necessary in the program. Affordable Housing Board has recommended a seven year control period for Ashby Commons due to the market rate being so close to the affordable rate. Ms. VanEmburch stated that the Affordable Housing Board has asked that the timetable be changed from 15 years to 7 to 15 years.

Ms. VanEmburch stated that there will be an Affordable Housing Workshop on December 15 at 6:00 p.m. to introduce the Affordable Housing program to potential applicants.

RESOLUTION NO. 5972, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT TO ALLOW A HEDGEROW ON THE RAILS TO TRAILS PROPERTY ADJACENT TO THE DIXON SQUARE COMMUNITY."

Upon motion by Ms. Malone seconded by Mr. Wendowski and carried unanimously, Resolution No. 5972 was approved unanimously following a roll call vote.

RESOLUTION NO. 5973, "A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE BY TOWN OF EASTON, PURSUANT TO THE MARYLAND ECONOMIC DEVELOPMENT REVENUE BOND ACT, AS ITS LIMITED OBLIGATIONS AND NOT UPON A PLEDGE OF ITS FAITH AND CREDIT OR TAXING POWER, OF ONE OR MORE SERIES OF ITS BONDS (AS DEFINED IN SUCH ACT) IN AN AMOUNT NOT TO EXCEED \$27,200,000, FOR THE PURPOSE OF (A) REFUNDING THE OUTSTANDING TOWN OF EASTON VARIABLE RATE DEMAND/FIXED RATE REVENUE BONDS (WILLIAM HILL MANOR FACILITY) SERIES 2008A, 2009A AND 2009C ISSUED IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$26,745,000, ..." (SEE RESOLUTION NO. 5973 FOR COMPLETE TITLE).

Upon motion by Ms. Malone seconded by Mr. Leshner and carried unanimously, Resolution No. 5973 was approved unanimously following a roll call vote.

PUBLIC HEARING TO CONSIDER THE APPLICATION OF REMCO PROPERTIES, LLC (THE OWNER/DEVELOPER) FOR THE ADDITION OF 111.73 ACRES TO THE WATERSIDE VILLAGE SHOPPING CENTER PUD. THE SITE IS PRESENTLY ZONED I-1 SELECT INDUSTRIAL AND LIMITED COMMERCIAL (CL). WATERSIDE VILLAGE IS LOCATED ON MARLBORO AVENUE ON THE WEST SIDE OF MARYLAND HWY. 322 (EASTON PARKWAY). THE PROPOSAL IS TO ADD 166,500 SQUARE FEET OF COMMERCIAL SPACE, A 138 ROOM HOTEL, AND 120 RESIDENTIAL APARTMENTS (ONE, TWO AND THREE BEDROOM) IN SEVERAL BUILDINGS. THE NEW CONSTRUCTION WILL BE LOCATED ADJACENT TO THE EXISTING WATERSIDE VILLAGE SHOPPING CENTER ALONG MARLBORO AVENUE BEHIND THE TARGET STORE.

At 7:22 p.m., President Ford asked that the meeting be recessed until Mrs. Cook could be present.

At 7:29 p.m., Mrs. Cook joined the meeting.

At 7:29 p.m., President Ford reconvened the meeting.

At 7:30 p.m., President Ford opened the Public Hearing.

Mr. Zach Smith discussed the application of Remco Properties. He stated that the retail space component is actually more than what was advertised.

President Ford stated that he will keep the Public Hearing open and asked that the Public Hearing Notice be re-advertised with the correct retail space noted.

Mr. Smith stated that the Planning and Zoning Commission voted 4 to 1 to approve the application. Planning staff commended the applicant in regards to how they had accepted the Planning Commission's suggestions and implemented everything in to their plan.

Mr. Smith discussed the 12 conditions the Planning Commission had proposed.

Mr. Ryan Showalter was present on behalf of Remco Properties. Mr. Showalter introduced Mr. Bill Stagg, Mr. Michael Clemmer, and Mr. Greg Gambrill.

Mr. Showalter discussed the process of the proposed PUD project approval.

Mr. Stagg, Lane Engineering discussed the history of the project and presented the proposed site plan.

Mr. Stagg discussed the zoning of the property and the future land use. He discussed how the project coincides with the Comprehensive Plan. He discussed stormwater management areas and parking fields. Mr. Stagg displayed proposed project sites and discussed the components of the site.

Mr. Stagg stated that the project will have access to the street with a clear door and be more inviting than the architectural in Phase I. He stated they intend to have visual interest with each store.

Mr. Stagg stated that the proposed Phase 2 project is smaller than Phase 1.

Mr. Stagg discussed the traffic study. He stated that a light is proposed after further build out.

Mr. Wendowski asked for clarification on the proposed apartments.

Mr. Stagg stated that the apartments will be three story garden apartments; walk up units, 12 units per building, 10 buildings, 4 units per floor. The price will be market rate unit and will have no garages.

Mr. Leshner asked why the mixed uses are so segregated and why not mixed use products.

Mr. Greg Gambrill from Remco stated that they do not intend to compete with downtown or create another downtown.

Mrs. Cook asked how long it will take to build out Phase II. Mr. Gambrill stated approximately 10 to 15 year process. Mrs. Cook asked what it is about the economy that makes them want to proceed.

Ms. Malone asked about process and controls to ensure that the product that is approved is actually what is built.

President Ford stated that his concern with Phase 2 is the potential for pressures on the town center.

Mr. Gambrill stated that they intend to produce a store product that will keep shoppers in town. The stores they are marketing are larger scale stores than what is downtown.

At 8:18 p.m., President Ford opened the Public Hearing for public comments.

Mr. Ken Court, 213 Brookletts Avenue, Easton discussed the residential units and stated he had concerns with room for cars and trees.

Mr. Stagg discussed parking and open areas on the proposed plan.

Mr. Bruce Armistead, 114 Bay Street, Building C, Easton was present on behalf of Greyblock Partners. He stated that they are not opposed to the BET proposal but concerned with the traffic impact on the Greyblock property. Mr. Armistead stated that the traffic study is based on a series of assumptions. Mr. Armistead stated that his client is requesting a safeguard requirement to provide an access easement between the rear of the Greyblock property and the Phase II of the BET for vehicular access and utilities.

Mr. Armistead stated that they propose to implement Condition No. 6 for vehicular access. He stated that employers will benefit from employees having the access.

President Ford discussed a service road to connect three properties that abut phase II.

Mr. Peter Clelland of Remco Properties discussed the connectivity of roads. He stated that the funding of the connectivity of roads was not overlooked. Mr. Clelland stated that they had contributed a sizable amount to connect the current Phase of the project to Commerce Drive and Brooks Drive.

Mr. Tom Alspach, 295 Bay Street was present on behalf of Talbot Preservation Alliance. Mr. Alspach asked for clarification on who the applicant/developer is.

Mr. Showalter stated that Remco Properties is the applicant and BET is the development consultant.

Mr. Alspach stated that what has been developed is not what was originally proposed. He stated that the bar has been raised regarding current properties.

Mr. Alspach asked the council to make it a condition that the approval be exactly what was proposed in the application.

Mr. Alspach provided to counsel negotiations that were agreed upon between TPA and Phase I in return for concessions.

Mr. Alspach reiterated that the easement is still not in place after 15 years.

Mr. Showalter discussed the agreement of the letter.

Ms. Diane Welty, 28700 Hope Circle, Easton; asked that the council not approve Phase II. Ms. Welty asked that the proposal be tabled and asked them to come back in a year. She asked the council to not approve a blank check. Ms. Welty stated that she does not want to see more retail developed than what is in the downtown.

Mr. Richard Grieves, Post Office Box 945, Easton; discussed connectivity and safety issues. He discussed the transportation goals and objectives of the Comprehensive Plan issues. Mr. Grieves stated that this could provide an opportunity to take pressure off St. Michael's road. Mr. Grieves stated that he would like to work with town to make a connective road.

Mr. John Sener, 118 South Street, Easton; stated that it would be counterproductive to approve the proposal as presented. He stated that the downtown does not need the pressure of additional commercial retail space or more sprawl.

President Ford stated that the Public Hearing would be left open until the next meeting. He asked the applicants to provide some resolution or progress with the owners on the connectivity issue of the property on Route 33.

Mr. Greg Gambrell discussed tenants that want to do deals but are not willing to invest time until something is approved. He stated that they need something tangible to give to tenants.

Mr. Michael Clemmer, 29085 Airpark Drive, Easton discussed the history of Phase I and the changes that had occurred and the reasons behind the difference in plans.

At 9:03 p.m., President Ford stated that the meeting would be continued during the next council meeting scheduled for December 20.

ITEMS FROM MEMBERS OF THE COUNCIL

Ms. Malone thanked Mayor Willey for his interpretation and submission of the RTC property. She wished everyone a safe holiday season.

President Ford stated that the next Council workshop will be scheduled in January.

Mr. Wendowski stated that the Planning Commission would like to have workshop to see if they are in sync with where the council intends for them to be going.

President Ford encouraged everyone to respond to Easton Volunteer Fire Department, Inc. fundraising effort.

At 9:08 p.m., President Ford convened into Closed Session for legal advice and acquisition of real property.

ADJOURN

At 9:24 p.m., upon motion by Mr. Wendowski seconded by Ms. Malone, President Ford adjourned the regularly scheduled meeting.

Kathy M. Ruf, Town Clerk