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TOWN OF EASTON, MARYLAND
Easton Town Hall
14 S. Harrison Street

October 20, 2014

PRESENT AT CONVENING

8 Mayor Robert C. Willey
9 Council President John Ford
10 m Councilmember Megan M. Cook
11 Councilmember Kelley K. Malone
12 Councilmember Pete Leshner
13 Councilmember Leonard E. Wendowski, Sr.

Also present was the Town Manager Mr. Robert F. Karge, Town Attorney Mrs. Sharon VanEmburch, Town Planner Mr. Lynn Thomas and Town Clerk Mrs. Kathy Ruf.

OPENING REMARKS BY MR. LESHER AND PLEDGE OF ALLEGIANCE.

Mr. Leshner gave opening remarks and led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES OF OCTOBER 6 MEETING.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the October 6, 2014 meeting were approved as written.

ITEMS BY MAYOR WILLEY.

Mayor Willey stated that the town is hosting the Local Government Advisory Committee meeting at the Tidewater in December.

CONFIRMATION OF MR. KEVIN GIBSON'S APPOINTMENT TO THE HISTORIC DISTRICT COMMISSION.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, Mr. Kevin Gibson's re-appointment to the Historic District Commission for a term of three years was approved.

Mr. Wendowski asked for information regarding the Avalon's negotiating team.

ITEMS BY THE TOWN MANAGER.

Mr. Karge discussed No Parking signs on South Street. He stated that it is becoming more congested due to construction.

Mr. Karge reminded residents about leaf collection. He asked that leaves not be pushed into curbs and gutters.

APPROVAL OF APPLICATION FOR TEMPORARY CONCESSION FOR 2014 WATERFOWL FESTIVAL.

Upon motion by Leshner seconded by Mrs. Cook and carried unanimously, the Temporary Concession application for the 2014 Waterfowl Festival was approved.

APPROVAL OF 2014 WATERFOWL FESTIVAL TRANSPORTATION PLAN.

Upon motion by Mr. Leshner seconded by Mrs. Cook and carried unanimously, the 2014 Waterfowl Festival Transportation Plan was approved as outlined in a letter from Mr. Carl Treat, WFF Transportation Chairman and recommended by Easton Police Department.

MR. RYAN SHAY TO ADDRESS COUNCIL REGARDING SPEED CAMERA PROGRAM.

Mr. Ryan Shay was not in attendance.

MS. MARY YATES, WASHINGTON COLLEGE AND SHOREPOWER TO ADDRESS COUNCIL REGARDING RESEARCH AND BASELINE ENERGY AND FUEL CONSUMPTION FINDINGS ON THE SUSTAINABILITY INITIATIVES APPROVED BY COUNCIL.

Mr. Briggs Cunningham, Washington College, discussed the Shore Power Project. He discussed the Towns that are now on board. Mr. Briggs stated that after county governments, they will try to partner with public schools.

70 Ms. Mary Yates discussed tracking energy data.

71
72 President Ford discussed the data and stated that the council needs time to digest the information. President Ford
73 asked if they are available to update the council further down road.

74
75 **ORDINANCE NO. 644, "AN ORDINANCE OF THE TOWN OF EASTON GRANTING THE**
76 **APPLICATION OF TRED AVON, LLC FOR AN AMENDMENT TO THE EXISTING PLANNED UNIT**
77 **DEVELOPMENT KNOWN AS TRED AVON SQUARE SHOPPING CENTER UNDER THE**
78 **PROVISIONS OF THE EASTON ZONING ORDINANCE."**

79
80 Upon motion by Mr. Wendowski, seconded by Ms. Malone and carried unanimously, Ordinance No. 644 was
81 approved.

82
83 **PUBLIC HEARING (CONT'D.) ON THE REQUEST OF PENGUIN VENTURES, LLC TO ENTITLE**
84 **THE DEVELOPMENT OF 114 RESIDENTIAL APARTMENT UNITS PROPOSED TO BE**
85 **CONSTRUCTED ON THE SUBJECT PROPERTY VIA THE PLANNED UNIT DEVELOPMENT (PUD)**
86 **PROCESS. AS A RESULT OF COMMENTS MADE AT AND SUBSEQUENT TO, THE ORIGINAL**
87 **HEARING, THE APPLICANT HAS MADE REVISIONS TO THE PROPOSED PUD, WHICH AMONG**
88 **OTHER THINGS RESULTS IN A REDUCTION OF THE PROPOSED UNITS FROM 114 TO 96.**

89
90 At 7:15 p.m., President Ford opened the public hearing.

91
92 Mr. Thomas discussed the history of the project. Mr. Thomas stated that the Brant Court project has received a
93 favorable recommendation from the Planning Commission.

94
95 Mr. Richard Tettlebaum, Chairman of the Planning & Zoning Commission was present and stated that the one
96 thing the Commission recommended was that the Stormwater Management recommendations from Davis Bowen
97 & Friedel should be accomplished irrelevant of the PUD approval.

98
99 Mr. Ryan Showalter and other representatives were present on behalf of Penguin Ventures.

00
01 Mr. Glass highlighted the major changes to the site plan. He stated that discussions have occurred with the
02 community. He discussed the time spent on reevaluating the design. Mr. Glass stated that they have decreased the
03 number of units proposed to 40 - one bedroom units and 56- 2 bedroom units. He stated that the parking lot has
04 been shaped different with 162 spaces required; 175 provided. Mr. Glass stated that they have reduced the number
05 of units and reoriented the parking lot. Mr. Glass discussed the design of the HVAC units with the louvered canopy
06 to deflect noise. Mr. Glass discussed providing open space, pavilions and tot lots.

07
08 Mr. Glass discussed neighbors' concerns related to the project and changes the developer has agreed to.

09
10 Mr. Glass discussed the drainage issues that exist in the Carlton Business Park.

11
12 Mr. Glass stated that the road into the project will be a private road with maintenance and snow removal by the
13 developer. He stated that they plan to erect trash totes that will have private waste services.

14
15 Discussion occurred regarding recycling. It was explained that recycling goes with trash pickup; these services
16 cannot be a-la-carte.

17
18 Mr. Wendowski discussed a central area for garbage pickup and a private hauler coming in to the development for
19 waste collection.

20
21 President Ford asked the Town Attorney to address the garbage pickup and private road issues in proposed
22 legislation in language that protects future councils and citizens.

23
24 Mr. Eric Catellier, AIA, Project Architect at AWB Engineers Salisbury, Maryland took the oath.

25
26 Mr. Leshar asked for clarification regarding materials.

27
28 Mr. Catellier discussed building materials and stated that these units will be high end rentals. The one bedroom
29 will be approximately 800 square feet, the 2 bedroom approximately 1000 square feet. Each unit will have its own
30 balcony.

31
32 President Ford opened the Public Hearing for public comment.

33
34 Mr. Larry L. Yeatman, 119 Tred Avon stated his daughter owns a townhouse in Waylands. He asked what the
35 process is from here after this hearing.

36

37 President Ford discussed the process. He stated that a consensus from the council would be taken on the
38 application at the next meeting. The Town attorney would draft legislation from the outcome of the consensus to
39 be enacted on November 17.

40
41 The fence as requested by Talbot Post 70 of the American Legion was discussed. Mr. Glass discussed the
42 permitting process and the improbability of foot traffic going thru wetlands.

43
44 The timetable for the proposed construction was discussed. Mr. Glass stated that Phase 1 would be constructed first
45 on the north end. Construction would not occur until summer or thereafter.

46
47 Ms. Elizabeth Dawkins, 11 Thorogood Lane, asked if soil has been tested to see how deep the water is. Ms.
48 Dawkins discussed the application.

49
50 President Ford asked that comments from Iris and Bill Giraudo be entered into the record.

51
52 At 8:21 President Ford closed the public hearing. He stated that written comments can be sent to the town office.

53
54 President Ford stated that a straw vote would be taken November 3 then legislation would be voted on at the
55 November 17 meeting.

56
57 **PUBLIC HEARING (CONT'D.) FOR RESOLUTION 6033 ("ANNEXATION RESOLUTION") WHICH**
58 **WAS INTRODUCED AT THE JULY 7, 2014 TOWN COUNCIL MEETING AND WHICH HAD AN**
59 **ORIGINAL PUBLIC HEARING ON SEPTEMBER 2, 2014. THE REQUEST IS TO ANNEX**
60 **APPROXIMATELY 125.057 ACRES LYING CONTIGUOUS TO THE EXISTING BOUNDARIES OF**
61 **THE TOWN OF EASTON.**

62
63 At 8:24 President Ford opened the public hearing.

64
65 Mr. Thomas discussed zoning and the rationale for changing the proposed zoning.

66
67 Mr. Thomas stated that the changed legislation would treat one parcel, lot 20 which is within critical area, as A1
68 and BC for the remainder and leave issues regarding the Critical Area parcel for down the road.

69
70 The Town Attorney stated that the county has approved the comprehensive water and sewer amendment. She
71 stated that the property is eligible for hookup.

72
73 Mr. Thomas summarized the difference in BC (Business Commercial) and the county's light industrial.

74
75 Mrs. Elizabeth K. Dawkins, 11 Thorogood Lane, addressed the council regarding who initiated the annexation.

76
77 Mrs. VanEmburch stated that a group of town and property owners decided to pursue annexation into the town for
78 the possibility of expansion of their business.

79
80 Mrs. Dawkins asked what the cost of the annexation is to the Town of Easton. She stated that there should be a
81 better use of the Mistletoe Farm.

82
83 The Town Attorney clarified where the proposed annexation is.

84
85 At 8:59, President Ford closed the public hearing.

86
87 **RESOLUTION NO. 6033, "A RESOLUTION TO ANNEX CERTAIN LANDS OWNED BY VARIOUS**
88 **OWNERS AND COLLECTIVELY KNOWN AS TALBOT COMMERCE PARK LOCATED ON THE**
89 **NORTHEAST SIDE OF GLEBE ROAD AND CONSISTING OF 125.057+ ACRES OF LAND, MORE OR**
90 **LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF**
91 **THE ANNEXATION."**

92
93 Upon motion by Ms. Malone seconded by Mr. Leshar and carried unanimously, Resolution No. 6033 was passed.

94
95 **RESOLUTION NO. 6034, "A RESOLUTION TO CREATE A SPECIAL TAXING DISTRICT**
96 **ENCOMPASSING CERTAIN LANDS COLLECTIVELY KNOWN AS TALBOT COMMERCE PARK,**
97 **IN THE TOWN OF EASTON, LOCATED ON THE NORTHEAST SIDE OF GLEBE ROAD AND**
98 **CONSISTING OF 125.057+ ACRES OF LAND, MORE OR LESS, FOR THE FINANCING OF THE**
99 **CONSTRUCTION OF NEW INFRASTRUCTURE IMPROVEMENTS TO THE AREA."**

00
01 Upon motion by Mr. Leshar seconded by Ms. Malone and carried unanimously, Resolution No. 6034 was passed.

02
03 **ORDINANCE NO. 642, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL**
04 **ZONING MAP OF THE TOWN OF EASTON TO APPLY ORIGINAL ZONING CLASSIFICATIONS OF**
05 **BUSINESS COMMERCIAL (BC) AND AGRICULTURAL (A-1) TO THE TALBOT COMMERCE PARK**

06 **PROPERTY ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. 6033 LOCATED ON**
07 **THE NORTHEAST SIDE OF GLEBE ROAD AND CONSISTING OF 125.057+ ACRES OF LAND,**
08 **MORE OR LESS.”**

09
10 Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, Ordinance No. 642 was passed.

11
12 **RESOLUTION NO. 6037, “A RESOLUTION OF THE EASTON TOWN COUNCIL IN SUPPORT OF**
13 **THE TOWN OF EASTON’S COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR**
14 **EXTENSION OF INFRASTRUCTURE TO TALBOT COMMERCE PARK.”**

15
16 Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, Resolution No. 6037 was passed.

17
18 **REVIEW OF INVOICES TOTALING \$730,290.46.**

19
20 Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, invoices totaling \$730,290.46 were
21 approved.

22
23 **ITEMS BY MEMBERS OF THE COUNCIL.**

24
25 Mr. Wendowski asked that a signed copy of the DRRA be forwarded to the Council.

26
27 President Ford stated that a Public Hearing on the proposed Food Hub will occur November 17 at 7:15 p.m.

28
29 Mrs. Cook stated that she had the pleasure of planting trees with Easton Utilities Wednesday. She stated that 24 street
30 trees have been added to Glenwood Avenue.

31
32 Mayor Willey discussed the Leadership and Government Class he will attend with the third grade.

33
34 **ADJOURN.**

35
36 At 9:15p.m., upon motion by Mr. Wendowski seconded by Mr. Leshner and carried unanimously, President Ford
37 adjourned the regularly scheduled meeting.

38
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40 _____
41 Kathy M. Ruf, Town Clerk