

**FRUITLAND PLANNING COMMISSION
TUESDAY, JULY 7, 2015
MINUTES**

The Fruitland Planning Commission met at City Hall on Tuesday, July 7, 2015 at 7:00 p.m. with the following members present:

Chairman Leland Bonneville, Derek Bland and Darlene Kerr.

Also present were:

City Solicitor Andrew C. Mitchell Jr. and Administrative Assistant Linda Powell.

Our guests included:

Bob Marvel, Councilor Chuck Nichols, Brock Parker of Parker & Associates and Scott Turner.

Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the June 2, 2015 Planning Commission Meeting, calling for additions or corrections. As there were none, **Mr. Bland moved to adopt the minutes as presented; Mrs. Kerr seconded and the motion was approved by three votes in favor.**

OLD BUSINESS

1. Fruitland Falcons Proposed Sports Complex Development

Prior to Mr. Brock Parker's presentation of the Falcons' Comprehensive Development Plan for their proposed athletics complex, City Solicitor Mitchell reiterated on two previous items that had come before the Commission. One being the determination of whether the proposed sports complex would be a permitted use in the R1-C zoning district and two, the request from the Falcons to include the additional land, from the football field to South Brown Street, in their lease agreement as the latter issue was still unclear. Solicitor Mitchell stated that he had not been able to locate a current signed lease or the referenced exhibit describing the perimeter of the leased area. Solicitor Mitchell further stated, in an effort to bring resolve to the matter, that he had located a 2008 lease agreement that referenced 1½ acres and an unsigned 2010 lease agreement that referenced 3½ acres and questioned whether the increased acreage in the 2010 lease agreement may be due to the inclusion of the additional land that was being requested and, if that was the case, would eliminate the need to draft a new lease. In response, Mr. Parker stated that he was not sure of the specifics of the Falcons' lease agreement or if anyone had one accessible.

Mrs. Kerr stated that the Recreation Commission had already made the decision, at their April and May meetings, to deny the Falcons permission to lease the additional land and that there was no need to take the matter before the City Council.

As various comments continued on the preceding matter, the conversation eventually turned to the Falcons' current proposed sports complex. Mr. Parker began to explain how the Falcons planned to proceed with the project, stating that it would occur in two phases. He stated that during phase one, it was the Falcons' desire to develop all the ballfields during the initial staging of all the necessary equipment and to establish the perimeters for the parking areas (*parking will remain on grass*). Also, some sort of buffering would be placed at the back of the sports complex to alleviate as much

disturbance as possible for the East Fields community. He further stated that the Falcons would not be constructing the entrance drive or placing any structures on the property during the initial phase of the project. Finally, Mr. Parker, along with Mr. Scott Turner of the Fruitland Falcons, stated that it was the organization's overall desire to maintain a favorable environment for the residents of the neighboring area as well as the athletes.

Mr. Bonneville then asked if there was a motion to make a recommendation for approval of the Final Comprehensive Development Plan for sports complex. Solicitor Mitchell then advised that according to city protocol in the approval process of development plans of this nature, it should be noted that there will be no allocation of water and sewer service for the proposed project at this time.

Finally, Mr. Bland made a motion that the Commission make a recommendation to City Council to approve the Fruitland Falcons Final Comprehensive Development Plan for athletic complex without allocation of capacity of water and sewer. Mrs. Kerr second and the motion was unanimously approved by a three to zero vote in favor.

2. Annual Planning Report

Administrative Assistant Powell informed the Commission that she had received a reply from Tracey Gordy of the Maryland Department of Planning, in response to the City's submission of its annual planning report. Mrs. Gordy thanked the city for its continued efforts to comply with MDE's request and confirmed that the report had met the minimal requirements of the State as it relates to Fruitland's previous year's development patterns. Mrs. Gordy also included with her letter a separate form that needed to be completed that would provide her agency with information on the progress of our Comprehensive Plan update. Administrative Assistant Powell also informed the Commission that an effort had been made to contact the local office for further clarification on the additional requested information but, as of to date, had not received a response.

Solicitor Mitchell reiterated that as the State has extended the Comprehensive Plan update period from six to ten years, the City has plenty of time in which to start the review process.

3. Proposed New Home Occupation Definition Update

Solicitor Mitchell stated that as of the last meeting the proposed New Home Occupation Definition was basically ready to be sent on to the city council for review. He further stated that on June 3rd a final draft had been emailed to Administrative Assistant Powell for disbursement to the Commission for review in preparation for a final vote at the July meeting.

As everyone was satisfied with the final draft, Mr. Bonneville asked for a motion to make a recommendation to City Council to approve the proposed New Home Occupation Definition as presented. Mr. Bland then suggested that the Commission wait to vote on the measure until Mr. Pearce returned from vacation. All were in agreement with Mr. Bland's request.

Mr. Bonneville then asked for a motion to postpone the vote to make a recommendation to the City Council to approve the New Home Occupation Definition. **Mr. Bland made a motion to postpone the vote to make a recommendation on the New Home Occupation Definition until the August meeting, Mrs. Kerr second and the motion was approved by a three to zero vote in favor.**

4. Other

Mrs. Kerr informed the Commission that she had been in contact with a resident of the Meadowbrook subdivision, who had questions and/or concerns about the alleged landscaping business located on Emily Drive. The individual was questioning city policies as it relates to home occupations. There were concerns about trucks parking along Emily Drive and equipment being parked and/or stored on the property. Mrs. Kerr also stated that the individual was interested in coming before the City Council to discuss the ongoing issues concerning the homeowner's business related activities.

NEW BUSINESS

No new business was discussed.

General Discussion

None.

With no further business to discuss, **Mr. Bland moved to adjourn and Mrs. Kerr seconded. The motion was approved by a three to zero vote in favor and the meeting adjourned at 7:30 p.m.**

Submitted by,

*Linda J. Powell
Administrative Assist.*

Approved 8/4/15