

# The CLUE

## Calendar of Events

**Wednesdays, October 14, 21, 28 (also Monday, Nov. 2), at 5:30 pm**

Planning Commission work sessions on the draft new Comprehensive Plan

**Monday, October 19, at 12 noon and 7 pm**

Planning Commission (County Admin Building)

**Thursday, October 29, 7 pm**

Elkton Transportation Visioning Workshop (Elkton Municipal Building)

**Tuesday, November 10, 7 pm**

CLUA Meeting (Rising Sun Library) *Are changes needed in the new Comprehensive Plan? If so, how do we make them happen?*

**In This Issue:** New Comprehensive Plan (p. 1); CLUA Survey (p. 2); Rail Transportation in Cecil County (p. 2); Status of Artesian Suit (p. 3).

## Planning Commission Now Reviewing New Comprehensive Plan

The Planning Commission is now holding weekly work sessions to review the draft new Comprehensive Plan for the county. The Citizens Oversight Committee, which has had responsibility for the plan over the last two years, goes "out of business" this month, handing the plan over to the Planning Commission. The Planning Commission begins its work sessions at 5:30 pm to make it convenient for Planning & Zoning staff to attend. These meetings, like all PC meetings, are open to the public and have been advertised. The ground rules are that these are working sessions and the public may not formally comment, but the commission nevertheless has entertained an occasional observation from the "peanut gallery" where appropriate, especially if recognized expertise is present.

CLUA encourages its members to attend, to observe, and to keep the sunlight of public involvement shining on this process. The Planning Commission has a minimum of sixty days to review the plan and it will include a public hearing in January after the holidays. In the end, the final product will be a recommendation to the Commissioners.

## Please Take the CLUA Survey!

The CLUA Board would like to get your views on what CLUA has been doing and what our priorities should be in the future. Rupert Rossetti has created a short (11-question) online survey, at [http://www.surveymonkey.com/s.aspx?sm=HJ65vqoCsMYbY14P3flwdQ\\_3d\\_3d](http://www.surveymonkey.com/s.aspx?sm=HJ65vqoCsMYbY14P3flwdQ_3d_3d). We're asking everyone receiving this newsletter — whether you are an “official” CLUA member or not — to take the small amount of time needed to complete the survey. This is a very direct way that you can influence what we spend our limited time on. Please help us find out what *your* priorities are. Thanks!

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## More on Rail Transportation in Cecil County

The MDOT Consolidated Transportation Program (CTP) “Tour” meeting, which was the public’s yearly opportunity to voice their preferences for transportation investments in Maryland, was held on Friday afternoon, September 25, in the County Administration Building. The Consolidated Transportation Program is Maryland’s six-year capital budget for transportation projects managed by the Maryland Department of Transportation.

Despite the awkward time of day, CLUA had good representation at the meeting, and all the citizens and public officials who testified emphasized the need to expand commuter rail in Cecil County. The principal need is a third parallel track running for about 8 miles between Perryville and North East along the Amtrak Corridor (which may require some new bridges), along with refurbishment of the station in Elkton. Beyond that, MARC will need new cars and locomotives.

The Board encourages Cecil County citizens to write to the MDOT Secretary and other public officials (including Senators Mikulski and Cardin, who can influence the use of economic stimulus funds) urging that this seemingly simple project be given a top priority. The address to use for MDOT is:

The Hon. Beverly Swaim-Staley  
Secretary, Maryland Dept. of Transportation  
7201 Corporate Center Drive  
Hanover, MD 21076

Some “talking points” for a letter would be:

- Cecil County is the only break in commuter rail along the entire East Coast from Fredericksburg, VA, to Boston.
- The main new project, for 8 miles of track along an existing Amtrak right-of-way, and an upgrade of an existing rail station, seems trivial compared to most transportation projects (a “no-brainer”).

- Use of transportation funds for new highways is self-defeating, because residential development always follows the new highways and road congestion is never actually reduced. New Jersey has refocused its transportation projects toward rail transit because of this effect.
- Expanded commuter rail here will stimulate the Cecil County economy.
- Most existing roads in Cecil County do not need to be resurfaced and the money would be better spent on a rail project in the county. Road resurfacing does not provide new employment or economic opportunities.

For a virtual tour of the Cecil County Amtrak right of way, see [http://cecillanduse.org/resources/Cecil\\_passenger\\_rail.pdf](http://cecillanduse.org/resources/Cecil_passenger_rail.pdf) (note: 5.9 Mbytes).

**Visioning Workshop on Elkton Rail Transit:** On Thursday, October 29, at 7 p.m., at the Elkton Municipal Building (2<sup>nd</sup> floor), there will be a meeting to “Envision a Transit Ready Elkton”. The flyer for the meeting states, “We invite you to a Visioning Workshop to shape the future of downtown Elkton. The concerns and ideas you express will be the basis for readying Elkton for successful future rail service and developing a strategy to enhance Elkton as a unique community.” The meeting is jointly hosted by the Town of Elkton, Cecil County, and the Wilmington Area Planning Council (WILMAPCO). See <http://www.wilmapco.org/Elkton> for more information. This represents another opportunity to voice our support for expanded rail transit in Cecil County.

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## Status of the ARCA-CLUA Suit Against the Artesian Deal

ARCA and CLUA have appealed the recent decision by Judge Campen in the local Circuit Court favoring the County Commissioners’ actions to sell water and sewer facilities to Artesian Water Co. Our appeal does not oppose awarding the original “Elkton West” contract to Artesian (for which it legitimately bid in response to a public RFP), but challenges the backroom expansion of the franchise area into “Elkton North”, sale of facilities in that expansion area to Artesian, and Commissioner Lockhart’s actions in secretly maneuvering the deal to benefit Aston Pointe. Our challenge is legally supported by the Maryland Code that says the Commissioners may only sell facilities “when they are no longer needed for public use” (MD Code, Art. 25, sec. 8 & 11). Two consolidated cases were decided by Judge Campen, who first gave an opinion that the Commissioners could not arbitrarily change the plain meaning of the words “public use”, but in a later decision he ruled it okay because the Commissioners had decided they no longer needed the facilities for public use. After some letter exchanges between attorneys, the appeal seeks assignment to a higher court, which will be one of the state appeals courts.

— Ed Cairns

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**Let us hear from you!** The CLUE belongs to you. We'd like to know what you have to say. What are your concerns and interests regarding Cecil Land Use? Tell us about your pet peeves, your ideas for improvement, people you'd like to praise, process suggestions, new problems identified, new opportunities arisen, or new challenges to face. Speak up, and share with us. Write to the editor at [gkaplan@zoominternet.net](mailto:gkaplan@zoominternet.net)

*The Cecil Land Use Alliance newsletter is published periodically under the auspices of the Board of Directors. It is provided to all members, directors and available to the public at large. Suggestions and articles are welcome. They should be submitted to the editor by e-mail to [gkaplan@zoominternet.net](mailto:gkaplan@zoominternet.net), or by mail to P.O. Box 215, Colora MD 21917. We encourage our readers to visit our website at <http://cecillanduse.org>*

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