

Cecil Citizens Land Use Forum Record of Proceedings

Preface:

In the autumn of 2005 a group of concerned citizens began to meet with an eye towards the future of land use in Cecil County. Our aim was to provoke discussion about the planning and preparedness of our County and its response to the increasing pressure for development, the swelling population, the quality of our lives, and our environment. Representatives from a dozen or more civic groups and interested organizations participated in the planning for three Citizen Forums on this topic of interest.

Our emphasis is on the citizen. There are other venues that represent the interests of various government and commercial groups, but none where the ordinary citizen can be heard. What evolved was an attempt to educate and inform the populace to the issues facing us. The planners naturally wanted to broaden the base of knowledgeable people and get them engaged on this important issue. It was hoped that an open discussion would lead to a positive and pro-active response to land use in Cecil County. Democracy is a participative endeavor and it requires an informed citizenry.

A series of three forums was planned, each with a different theme. The first, on January 9, 2006, was an attempt to outline the concerns and problems faced by the County. It was both a report card of the status quo, and a peek into the future. It was designed to be inter-active and to involve the audience.

Our second forum on April 26 addressed the concerns raised at the first forum and provided possible solutions to the issues and answers to the questions raised.

Our third and final forum (July-Sept) will attempt to address the implementation of the solutions devised at our second forum. It will seek ways to provide a workable process that addresses the concerns of the citizens.

Cecil Citizens Land Use Forum II, April 26 2006: Solutions and Tools

The Cecil Citizens Land Use Forum was introduced by Mr. Rupert Rossetti, an experienced volunteer moderator.

British by birth and a US citizen since 2000, Mr. Rossetti has been a resident in the USA since 1978. After 17 years in Houston, he and his wife moved to a farm outside Port Deposit in 1994, where they have a small vineyard, cut hay, keep bees and maintain woodlands and wildflower meadows as wildlife habitats and streamside buffers.

He worked for Conoco and DuPont for 30 years before retiring in late 2004. Mr. Rossetti has served on the Cecil County Economic Development Commission since 2001. A geologist by training, he is actively engaged in watershed protection in several organizations. In addition, since retiring, he has used his consulting, facilitation, presentation and meeting management skills to assist several local groups in the development of their Long Range Strategy and Work plans; He served as the meeting resource for a local citizens' group, the Partnership for Cecil County.

Mr. Rossetti welcomed the attendees and laid down the ground rules and safety requirements and expectations of the participants and attendees. He thanked the sponsors, organizers and presenters.

Meeting Ground Rules

- Honor time limits
- Take care of your own needs & be considerate of others
- Seek first to understand
- No personal attacks
- Submit concerns and questions on the 3*5 cards
- Cell phones off or on mute ... or ... \$10 donation to the Friends of the Library

The evening's agenda included:

Presentations:

An Introduction by *Eileen McClellan, Ecostrategies*
Choosing a Better Future

Ramon Benitez – Community Planning Tools: How to use community planning tools, Realistic Regulations and Development Policies

Karen McJunkin, Elm Street Development: How to build traditional neighborhoods

Q&A with speakers

Panel Discussion

Choosing a Better Future by Dr. Eileen McLellan

Dr. McLellan first became interested in land use while growing up in her native Britain. She has over fifteen years experience with environment, land use, and community development issues at the federal, state, and local level, most recently of the Shore as Chester Riverkeeper and with the Eastern Shore Land Conservancy. She is now the principal of EcoStrategies, a consulting firm that helps citizens, businesses, and local governments develop plans, policies, programs and projects to create more sustainable communities.

Ms. McLellan's message was along the lines of "you get what you deserve". She is an advocate for active participation by the community in the planning and development process. She cautioned against allowing growth to occur without forethought. She suggested that communities think about what they want.

She counseled that we need dialog and discussion regarding livable places where kids can walk to school, in safety and comfort. Citing Chesapeake City as an example of how we can create a better future. She opined that we'd probably like to find ways to preserve farmland, natural beauty, park and critical environmental areas. We can create strong healthy communities with complete neighborhoods, green spaces, and strong economies – if we participate in the process. Communities need active input into the development process. She emphasized the costs of poor development. Ideally a community should decide how, where and when it wants to develop and grow. Then the kinds of development needed to support those goals will be attracted. Her message was the regulations should drive development, and not the developers.

She discussed a planning process she labeled Community voices, community choices: It includes the following stages:
Assessment, Visioning, Planning, Policy review, project design review and implementation

Assessment

Environmental and community assessments;
Community indicators and benchmarks;
Audits and scorecards; and
Recommendations for change.

Visioning

Community empowerment and engagement;
Facilitating community dialog;
Goal-setting;
Capacity-building.

Planning

Planning for:
farmland protection;
green infrastructure;
watershed restoration;
habitat conservation;
hazard resilience;
neighborhood revitalization; and
parks and greenways.

Policy Review and Design

Reviewing and designing:
Environmental protection, LID and hazard mitigation ordinances;
TDR, land preservation and resource stewardship programs;
Sustainable agriculture initiatives;
TMDL implementation strategies.

Project design review and implementation

Providing support for community greening, waterfront revitalization, and
ecological restoration projects;
Conservation design for development/redevelopment sites;
Creating tools and standards for development review.

For more information:

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Ramon Benitez, St Johns Properties

15 years experience with the US Army Corps of Engineers, a development director with MI Properties, Aberdeen. Mr. Benitez holds a Computer Science degree, and has construction experience. He resides in Howard County. He has a background grounded in the environment and knows the consequences of poor development.

His focus was on community involvement which he labeled as essential.

He discussed Prince Georges County issues with the National Capitol Planning Commission and contrasted their problems with the more successful sister county of Montgomery County. He contrasted their working tools and planning success. He said, " It is time to use Montgomery County tools in Prince Georges County. Why can't we in Cecil County do what they are doing there? More people want to live where you live. If you like it here, so will others. You've got to plan for that and have growth policies. I'm an agent of the future and I can share insights on how to be successful in planning. I know consequences of poorly planned development. "

"We must be involved in shaping the policies that guide us. -- At these kinds of forums. Get smart in land development - and my business (of developing). Not an expert, just knowledgeable. If you like your community, then do this as your civic duty for responsible development. Concentrate density where density needs to be. "

Karen McJunkin: Is good development possible?

Ms. McJunkin has 18 years in the Baltimore/Washington area as a developer. She is a regional partner with Elm Street Development, one of the largest privately-held residential builders in the Baltimore/Washington region. She oversees land acquisition and development activities in Anne Arundel, Charles County and the Eastern Shore of Maryland. Karen has served as the Secretary of the Board of Directors of the Home Builders Association of Maryland and the past President of of the Anne Arundel County chapter. In addition, she serves on the Board of the Scenic River Land Trust and served on the governor's Smart Growth Collaborative. Karen has an MBA from the University of North Carolina and a BS in Finance from the University of Virginia.

Ms. McJunkin opened by declaring that developers do not prefer ugly communities. She placed the blame for poor developments squarely on the community. She argued that poorly written regulations have the effect of encouraging and requiring things that add time and money to the process - so developers take the path of least resistance.

Ms. McJunkin avowed that good design requires the courage by developers to plan for it, communities to allow it, and then to implement it.

She says she has seen many comprehensive plans implode when it couldn't get implemented. Western Shore population pressure and lack of new building opportunities have helped to create this situation. In Queen Annes County they developed a large master plan. Commercial development tied up large pieces of land in growth areas on Kent Island, Stevensville, Chester, Grasonville, Queenstown, and Centerville. Over 4000 permits were issued. After the 2002 election, development was severely limited to just 400.

The Adequate Public Facilities Ordinance they implemented applied to communities larger than 19 units. As a result they have not had development in designated growth areas, mostly in projects of less than 19 units. .

Queen Anne's County

- From March 2002 to October 2004: (18 Mos.)
- 277 lots approved in 21 communities
- 19 of 21 communities contained less than 19 lots
- 17 of the 21 were in the "Ag" or "CS" zone
- None were in priority funding areas
- The 21 communities comprised properties totaling 2,381 acres, gross density 8.6 acres per lot = sprawl

Denton MD, Caroline County got the growth pressure deferred from Queen Annes County as a result.

Q. What is the best way for the community, the developers and the government to get to a meeting of the minds and get the strength and the resolve to follow through?

A. Ramon Benitez – Acknowledge the need for growth and development. . Understand the laws of supply and demand and the need for the planning process. Acceptance of what you want to happen. Pressure will come – moderate the speed of change to suit the community. The right conditions, willing parties, education of the issues – establish a dialog.

Eilleen McLellan – Understand what you will get from the orders on the books. What planning and zoning drives from developers. Visualizing rather than abstractions.

Q. How can we incentivise affordable housing construction?

Karen McJunkin – Jurisdictional regulations, especially those associated with high density development. It depends on your definition of "affordable". Limited supply makes market forces drive up prices.

Eillen McLellan- Affordable housing and affordable lifestyle are part of the equation –commuting distance, and other factors also come into play.

Q. How do we fix poorly planned development after they already exist?

Ramon – We work big projects. Bad development equal "brownfields" to me. Tear it down. If it is way below potential low density sprawl, then make another use for the best and highest value. Higher density, smaller lots, etc. The problem

is that not everyone agrees. One acre lots in Howard Co. – scrape away every house math solution, but not everyone wants that. Identifying what the community wants is the problem.

Eilleen McClellan – start with abandoned shopping centers.

Panel Discussion

Commissioners Phyllis Kilby, William Manlove, Nelson Bolender, Senator Pipkin, Cecilton Mayor Brunell, Delegate Smigiel, Perryville Mayor Jim Everhardt , Delegate Sossi

Q. What do you believe is Cecil County's most valuable asset, and what are its greatest needs?

Sossi – people, that's why we invest in education. Our greatest need is transportation affordable housing, roads, and education.

Jim Everhardt – our best asset are our natural resources. Our needs – jobs, schools, and transit.

Smigiel – our very resources are driving the attraction of folks to Cecil County.

Brunell - Our greatest asset is open space, our water fronts and the draw of dollars for tourism. We need to preserve our open spaces. He cited Route 213, a national scenic byway. We should plan to preserve scenic vistas in the planning phase.

Pipkin –asset is the diversity of living experience in Cecil County. There is not too much buy-in among those actually in the growth areas. We will grow lots of pushback.

Bolender – location, location, location is our biggest asset and also our biggest problem. It hurts us because we don't have the infrastructure in our growth corridor, and that must change.

Manlove – our land, and rivers, and our rural heritage – Our biggest challenge is to preserve our wonders, but accommodate growth.

Kilby – We have the most productive farmlands on the East Coast – You've got to know where your food comes from and preserve farmland near the metro areas. This is a resource and an asset not to be squandered. We must diversify our economic development and develop value-added resources to take care of small businesses. We have a rich history/heritage and we must grow it for the future, and protect small towns. We also need to provide a diversity of housing for our workers

Q. Infrastructure – How should we pay for our needs?

Kilby – Public/private partnerships have been discussed many times, including excise taxes, and impact fees.

Manlove – There is more than sewer and water to infrastructure – we must work more with private public concerns, and have targeted spending to attract more industry. Preserving our agriculture is the best deal we can do.

Bolender- We met with Audrey Scott at a meeting of the Maryland Department of Planning, in (Bowie) Prince George's County. New roads are new developing problem in Prince George's County. We need to consider an impact fee to foot the bill. We need impact fees.

Pipkin – Impact fees are not a magic bullet. The fastest growing parts of the state have the biggest impact fees. "Lets make those outsiders pay", is not realistic. 62% of our transfers are inter-county. There is already significant residential growth in Cecil County. Impact fees are not the answer.

Brunell – It shouldn't cost the residents of Cecil County one nickel to pay for increased infrastructure . We need more tools, like APFOs to control and make the cost "a wash" to the taxpayer.

Smigiel – APFOs, TDRS, PDRs etc. are the tools we need. We must insure impact fees go to the right places, and are not squandered on other purposes. The transfer tax brings in \$1.4 million, but only less than \$1 million goes to its intended purpose. The rest goes into the general fund.

Everhardt- There is an APFO group working on this. Very promising.

Sossi – APFOs would welcome development as a cash cow for needs.

Kilby – Rebuttal: We are the fastest growing county. Growth eats at your budget more police, more libraries etc. get added incrementally. APFO will not work without a dedicated funding source. We can box ourselves in under an APFO requirement, and it must be very carefully crafted.

Commissioner Mark Guns (from audience) – Infrastructure is the key. We can disagree on how to pay. The bottom line is elected officials must work together to make this work in the growth corridor.

Q. Is it wise to buy water from another state? Can we get it from the towns?

Bolender – We're trying and it's under discussion.

Kilby – Capital water is working on diversifying supplies (drought) Susquehanna reservoirs and other untapped resources – a critical element. We must be careful on how and where we develop. Recharge areas building over headwaters etc .

Manlove – We are working on it, and we should be drilling wells, but it is not that simple. We need dedicated sources and I'm nervous about crossing state lines.

Q. Is the Comprehensive Plan adequate for present and future growth, and should we revisit this plan again?

Guns – We've already done PDRs and now we are looking at TDRs. We need all the pieces of the capital improvement plan, or it's not going to work.

Smigiel – I don't understand why the state bill I introduced became a county bill and was then turned down by the commissioners.

Bolender – We have put money into the PDR program and we're working on the TDR – This should be decided locally, not by Annapolis.

Smigiel – It's our job to do the things local won't do as quasi-local officials

Guns – No comment. It's between Annapolis and Elkton.

Kilby – We do need to revisit the Comprehensive Plan. It's time. Do it in a thoughtful way, not a six month fix, but a year long commitment. Involvement should be well managed to insure that everyone is heard.

Sossi – We need citizen input.

Q. For the municipalities –what are the benefits and downsides of annexation by municipalities?

Everhart – We gain something from the developer – entertaining a couple of annexation requests. We'd ask - Why do we want you? What will you do for us? There is a range of things that they will provide; fixing inflow problems, roads and streets in Perryville. Downside – stretches your services. New folks come here for low cost housing and the rural nature, but they want cops, a Starbucks, streetlights, and sidewalks.

Brunell – You face the increased costs of goods and services, and upgrade costs of sewer and water infrastructure. Increases costs to existing residents. Rate studies, grants, and others to pay off a 30 year loan for upgrades. It is hard to sell. That's why we need APFOs.

Bolender- Municipalities and the County must be in agreement.

Pipkin – We recently passed a far-reaching growth bill at the state level. Bringing the counties and municipalities together. Developments that were shot down by the county are accepted by the municipalities. There is a lot of “shopping” projects by the developers and vice versa. We must also address water issues.