

Cecil County Citizens Land Use Forum Questions and Concerns January 9, 2006

The questions and concerns below have been transcribed from the 3x5 cards distributed and collected during the Cecil Citizens Land Use Forum at the Cecil Community College. Some people have volunteered their names and signed their questions in which case, they are so noted. Most chose not to sign their cards.

Bonus Density:

Why do we reward developers with higher bonus density in our agricultural areas? Shouldn't we be giving these kinds of incentives for building in the growth corridor?

Answer: Bonus density is not a given, it is considered a tool to negotiate with developers for community enhancements that effects the entire development and surrounding area. Bonus density is considered on a case-by-case basis.

Comprehensive Plan:

What is the County's plan to provide the necessary infrastructure to meet the needs of growth? Don Craig Rising Sun

In the Cecil County Planning Process, it seems the only document taken into consideration is the zoning regulations. According to Maryland law, how does the County comprehensive plan fit into the Planning Commission's deliberations?

Answer: The County Commissioners have been working very aggressively with towns and the private sector through the County to fund our public infrastructure in the growth corridor. We have upgraded our sewer facilities in the growth corridor. We formed an infrastructure committee to examine this issue. The County is also looking into finding our own water resources on county property.

County Commissioners:

Why is Cecil County pro-development at all costs?

Four years ago I was in this very same room at a Forum discussing the very same issues. Nothing I have seen has changed as far as the County Commissioners (Democrat and Republican) response to uncontrolled growth. It still appears that developers and realtors have a stronger influence than citizens. Even if this is only a perception how do we get them to listen? We still have a chance to do it right!

APFO – Adequate Public Facilities Ordinance - what are the holdups in getting this implemented? Why hasn't this been done already?

Answer: The County has a Comprehensive Plan and zoning regulations for subdividing property. All projects must meet the criteria and guidelines set forth in these documents. We do not have the right to deny a property owner's right to develop their property if the project meets those requirements.

An Adequate Public Facilities Ordinance has been discussed with the County's municipal governments, and we are in the process of working on an ordinance.

Downzoning:

Would changing the NAR/SAR five acres/house to 30 acres per home help or hurt efforts to maintain our quality of life? If so, how much can we influence our commissioners?

Answer: Downzoning tends to reduce the equity in their property, which effects their borrowing power and ability to farm their land. You cannot impose your quality of life issues on the backs of the farmers and land owners that have worked very hard and struggled to keep their property. That is definitely not the right thing to do.

Farmers Concerns:

What can be done to protect the small (30-100 acres) farm owner who wants to keep his farm but is slowly being assessed and taxed at higher and higher rates?
George Balog- North East

Choice is of paramount importance to all landowners especially farmers. How are you proposing to protect farmers land use choices? Mary Scheeler

What can residents of Cecil County do to ensure all of our farm land is not developed?

Answer: Farm owners need to continue looking for ways to produce a product and find ways to make it financially viable to continue farming. That doesn't necessarily mean your children will continue to farm the property. They will make their own choices.

Leave the Comprehensive Plan and density in NAR and SAR alone. Put additional funds in land preservation programs, and leave the choice up to the land owner. Residents can lobby the State delegation for more revenue for land

preservation programs to give the farmers a choice. The County is putting one million per year to help with this issue.

Growth Corridor:

Along with incentives provided to developers to build in the growth area, shouldn't there be restrictions and detriments to building outside those areas?
Robert Moreland Elkton MD

Why with current growth areas designated, is more growth occurring outside the growth areas? James Baker Elkton MD

Developers will want to develop in areas that the general public wants to be: Seashores and rural pastoral tracts of land. How do we make the growth corridor a more desirable place to live to relieve pressure on these other areas? Michael Goetz.

Answer: If you impose restrictions and detriments on building outside the growth areas, you are effectively taking away the land owner/farmer's property rights and choices for their land. There are people who may choose not to live in the growth areas. The last time I checked this was a free democracy and it's all about your freedom and choices. You can make living in the growth corridor more desirable by adding walkways, parks, transportation, trees, etc., and there are people who prefer this type of environment. However, that choice may not be right for everyone. There are people who desire the peace and tranquility of living out in the country or living near the water, and they deserve the right to have that quality of life.

Housing:

How do you answer the rising cost to rent a decent place to live in Cecil County? Poor are using more of their income to pay rent. What is your answer to least cost?

Answer: The County has approved affordable housing developments for senior citizens in Rising Sun and North East. There is an affordable housing development being built in Rising Sun for working families. The County provided tax credits for these projects.

Impact Fees:

Why doesn't Cecil County have an impact fee per each new house when most MD counties have enacted a fee?

Answer: Cecil County does not have impact fees or an excise tax because our State Delegation will not introduce the legislation. Approximately three years ago, this was one of my initiatives. I wanted to put the burden of improving infrastructure for development on the new homes being built. This is not a new initiative for me I have tried over and over again to get this passed. I accompanied President Bolender on February 27 when he spoke before the Budget and Tax Committee in Annapolis. I support reducing the Homestead Property tax provided there is an amendment permitting us to institute an impact fee or excise tax on new development in Cecil County.

Jobs /Opportunity:

How can we best capitalize economically on the opportunity to foster "rural industry" such as equine, tourism, farming etc... to avoid ending up looking like New Castle County?

Can economic progress at the same rate under either "smart growth" or "poor growth"? Does "smart growth" stunt the economy?

Answer: One opportunity that came before us was the Slots Bill, which would have supported the equine industry and their supporting industries, such as farming, tourism, blacksmiths, veterinarians, etc. Farms would have supplied pastures, hay, straw, barns, etc. for the horse industry and this would have provided another way to save our farm land. The County now has a tourism department and funding is provided for promotion and advertising.

Economic progress should continue in the growth corridor and the plan could be helped along with water infrastructure. We provide tax incentives to these areas.

Open Space:

As population increases and open space declines, preservation of parkland becomes more vital than ever. How can this fit with the required growth in housing to support a growing population?

Parkland should be maintained for its primary purpose: recreation, open space and wildlife preservation and unfettered access to those that paid for it: private citizens. None of these goals or purposes should be compromised for the

purposes of economic development. What will Cecil County be doing to maintain parkland for future generations without resorting to privatization? Michael Goetz

Answer: I formed a Parks and Recreation Ad Hoc Committee to study options for parkland in the County. The group made recommendations, which the County Commissioners are in the process of reviewing. Providing recreational parks and activities throughout the County is very important to me. I have requested 500,000 per year in our budget to purchase large tracts of land for parks. The County owns approximately 150 acres called the Chesland property that was purchased over 20 years ago. It was not being developed as a park and after eight years of working with groups and the other Commissioners the park is finally being developed for soccer fields, football fields, baseball fields, and tennis courts. There will also be a walking trail for walkers, runners, bike riders, roller bladders, and dogs provided on the property.

The County is in the process of developing Brownie Shore as park land that will provide a fishing pier, boat ramp, bath house and picnic areas for families. There is another park area in Conowingo off of Route 222 that will offer similar recreational activities.

Based on a recommendation from the Ad Hoc Committee, the Commissioners' have met in this budget year and decided to form a new Parks and Recreation Department and hire a Director.

Planning and Zoning Commission:

It's not unusual for Cecil C. planning commission/commissioners to review between 15-20 developments per month!

There should be a minimum specified time period for the details of any proposed changes to County Plans or Ordinances to be reviewed by the Office of Planning and Zoning, and examined by the public. Currently, at least for amendments to the master Sewer and Water Plan, this is not the case. Details for MS&WP do not have to be available prior to the hearing before the Planning Commission either for OPZ staff or public review. cursory review by OPZ the night of a Planning Commission hearing is inappropriate and a disservice to County residents.

The Planning board often says it must rule for a project because they have to follow the rules, not public sentiment. How are rules established and how can they be changed to let public sentiment play a role?

Should there be a residency requirement to serve on the Planning and Zoning Commission?

The Planning and Zoning Commission appears to represent developer's interests. Why don't we make them accountable to the citizens and elect them?

Often during the construction of new development there are questions/concerns regarding violations or potential violations of codes or good building practices with regards to protection and conservation of the land and water resources of Cecil County. i.e. improperly installed or no silt barriers and other protections. How many resources are dedicated to identifying these issues and correcting them? Both through stop work orders, fines, sanctions and county bans for further business within the county?

Does County planning have a process for citizen input similar to this process (tonight)/ How do they institutionalize citizen input pro-actively?

Answer: There is no fixed number of reviews. Plans are reviewed on a month-to-month basis depending on how many are submitted.

The Planning and Zoning Department advertises 15 days prior to the first public hearing.

Sub division regulations and zoning ordinances are based on the Comprehensive Plan, which is reviewed every 6 years.

To my knowledge, non-residents are never considered to serve on the Planning Commission.

The Planning Commission makes decisions based on County regulations and past case law. No favoritism is shown. It really does not matter to me whether the members are elected or appointed. If you choose elected, you must go to the Delegation in Annapolis and request a change to State Law 66-B.

County Code Compliance inspectors inspect all projects in Cecil County. MDE tests for water draw down and issues permits.

Citizens can participate in the public hearing process during the Planning Commission meetings and submit their concerns to the citizen representative for the Technical Advisory Committee (TAC).

Resources:

Water Supply – Is the State concerned? Is the county? I have neighbors in those \$300,000 houses that can't use /access water aquifer. Shouldn't we consider this a fundamental resource for growth?

What will be added to the plan to correct the county landfill problem which will be compounded by additional growth? Despite the odor problem – the life of the landfill should be shortened because of the added intake.

What is the County's plan to provide the necessary infrastructure to meet the needs of growth? Don Craig Rising Sun

Answer: The Maryland Department of the Environment regulates the pull down on any new development over 10,000 per day withdraw.

There is new technology now available such as mining the old landfill so they can be reused. The County is looking into collecting and using the landfill gases in county vehicles.

Schools:

At what rate are the schools going to be able to keep pace with growth?

Where is the County going to place all the new incoming children within the existing schools and districts?

Please comment on the important consideration of our public school system when developing. R. L. Price

Answer: School growth has been an ongoing process that has been steady at approximately 700 new building permits per year. It has ups and downs from year to year. The Board of Education watches this very closely and makes recommendations to the Capital Improvement Planning Committee.

Taxes:

Is development increasing traffic, our taxes, and burden on our schools?

How can we continue to allow development of houses that generate about \$2000 in real estate taxes and cost about \$17,000 per year (2 children) in school expense alone, plus other infrastructure costs?

Answer: There is a break-even point with the cost of new homes compared to the cost for services. The cost of new homes is above the break-even point.

Transit:

Can you talk about the impact of extending MARC service to Elkton and possibly linking MARC to SEPTA in Cecil?

Answer: It would be very beneficial to our County if Septa and Marc could link together. This transportation choice would cut down on motor vehicle traffic and congestion.

Visual Heritage:

For those areas slated for housing development, why not require more aesthetically pleasing designs; incorporating more open spaces and sustainable environmentally friendly technology?

Answer: Developers are starting to move in this direction with projects such as Charlestown Crossing and the Villages of North East, 55 and over active adult community. The Herron Lake development is also a mixed-use community.

Zoning:

Approval or disapproval recommendations by the Office of Planning and Zoning for zoning ordinance or plan changes should not reside solely with the Director of the Office of Planning and Zoning. They should have a carefully weighed staff review. Decision making by one person, after perhaps only cursory review of such important matters is simply not appropriate and can lead to erroneous interpretations and oversight errors detrimental to the County.

Answer: Zoning is the duty of the Planning and Zoning Department. Employees are hired to be fair, impartial, unbiased, balanced and objective. If an applicant does not agree with a decision, their recourse is to file an appeal with the Board of Appeals.

There are guidelines and procedures one has to follow all through the planning and permitting process. You have to set aside 60% for open space if a project is over a certain threshold if you want bonus density. MDE requires a draw down of water to see if new development will have any impact on surrounding well properties for 10,000 gallons for more. Sediment and erosion plans require silt fencing to be installed. The county employees 3 or 4 Public Works inspectors, 2 Planning and Zoning inspectors, and 4 or 5 Permits and Inspection inspectors. The County issues stop work orders and fines if the guidelines and procedures are not followed.

Citizens may provide their comments and thoughts by participating in the Technical Advisory Committee and Planning Commission meetings.