

April 10, 2014 – 7:00 p.m.

The regular meeting of the Mayor and Council of the Town of New Market was held April 10, 2014 at the Grange Hall, 14 South Alley, New Market, MD, with Mayor Winslow Burhans presiding. Members of the Council present were Michael Davies, Dennis Kimble, Rita Mueller, Jake Romanell, and Shane Rossman.

CALL TO ORDER: The meeting was called to order at 7:05 p.m.

APPROVAL OF MINUTES

Minutes will be approved at the next meeting of Mayor and Council

Public Hearing

**Resolution 2014-02 – Smith-Cline Annexation &
Resolution 2014-03 – Delaplaine Annexation**

Public Comment was given by the following:

- *Mark Kulis, 6410 New London Road, Audubon Society – Spoke about impact of development on the 100 Acre Woods and the Audubon property. The Audubon Society would like to be involved in the development phase in order to minimize the impact on the wildlife on those properties and surrounding areas.*
- Jesse Sutton, 144 W. Main Street, New Market – Supports the annexation.
- Joe Oliverio, 208 Quaker Way, New Market – Supports the annexation.
- Jeff Green, 407 William Plummer, New Market – Supports the annexation.
- *Pam Abramson, Bailey Court, Monrovia, MD, RALE (Residents Against Landsdale Expansion) – Against the annexation.*
- *Betsy Smith, 11258 Crickenberger Road, Cleanwater Linganore – Against the annexation.*
- Rick Fleshman, 2 W. Main Street, New Market – Supports the annexation, however, has some changes he would like to see in the execution.
- Todd Hansen, 105 Spring Blossom Way, New Market – Supports the annexation.
- Robert Slivinsky, 107 Spring Blossom Way, New Market – Supports the annexation.
- Wade Danner, 5627 Queen Anne Court, New Market, MD – Supports the annexation.



- Aaron Gordon, 420 Orchard Crest Circle, New Market – Supports the annexation.
- Jim Higgs, 17 E. Main Street, New Market – Against the annexation.
- Gayla Wheeler, 75 W. Main Street – Understand the need for bypass and expansion, but would like some immediate concerns addressed.
- Nancy Fleshman, 2 W. Main Street – Supports the annexation but would like changes to the type of housing to be built.
- Walter Olson, 13 W. Main Street, New Market – Supports the annexation.
- Rick Lane, LOUYAA President – Supports the annexation.
- Jan Gordon, 420 Orchard Crest Circle, New Market – Supports the annexation.

The public hearing was concluded.

Council Comment:

- A comment made during the Public Hearing that there are no mitigation fees is incorrect. The mitigation fees are laid out in the Annexation Agreement. These fees are used for items such as schools.
- New Market has the toughest Forest Conservation ordinance in the county. Currently we have had to bank some of the Forest Conservation funds as there is not enough acreage to plant.
- Delaplaine has no homes or PUD and will be an “Economic Flex Zone.”
- The traffic study that was conducted with the State Highway and the County had 77 AM trips that go south of 75, and 94 PM trips coming up 75.
- Once Streetscape is complete the Town will take over the ownership of Main Street and they will be able to set the speed limit. Streetscape is a 4.9 million dollar project that will replace the current sidewalks on Main Street with ADA compliant sidewalks, as well as fix drainage issues.
- A lower density of homes on the Smith-Cline property will not build a bypass.
- The Planning and Zoning and HDC/ARC committees will control the plan development and the types and styles of homes.
- The Maryland Department of Planning and the Maryland Transportation Department both endorsed the plans for annexation.
- Schools are funded through the impact fees and recordation fees for each of the new homes.
- If the annexation is overturned, the developer has the option (and has said they would exercise the option) to go to the county to build on the same property. The Town would have no say over the type or style of home, the pace of development, etc. There would be no expansion of the tax base. The current plan with Smith-Cline property and the Delaplaine with the all the required right of ways for the parkway would be null and the chance for the bypass would be lost.
- This annexation and construction of the New Market Parkway would not have been possible without the cooperation of the Board of County Commissioners, Mr. George Delaplaine and the Delaplaine Trust.

Decision: Councilmember Romanell made a motion to adopt the Smith-Cline Annexation Plan as submitted.

Second: Councilmember Mueller

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

Decision: Councilmember Kimble made a motion to adopt the Delaplaine Annexation Plan as submitted.

Second: Councilmember Romanell

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

An executed copy of the Memorandum of Understanding between the Town and County for the New Market Parkway has been returned to the Town. The Board of County Commissioners has given their consent to the zoning for both the Delaplaine and Smith-Cline properties.

Decision: Councilmember Mueller made a motion to authorize the Town to participate in the Smith-Cline Annexation Agreement.

Second: Councilmember Davies

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

Decision: Councilmember Rossman made a motion to authorize the Town to participate in the Road Construction Agreement with Miller and Smith.

Second: Councilmember Romanell

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

Decision: Councilmember Mueller made a motion to authorize the Town to participate in the Delaplaine Annexation Agreement.

Second: Councilmember Kimble

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

Decision: Councilmember Romanell made a motion to adopt Resolution 2014-02 – Smith-Cline Annexation.

Second: Councilmember Mueller

Discussion: None

Vote: *For* – 5 (Rossman, Davies, Romanell, Mueller, Kimble) *Against* – 0. *Abstain* – 0
The motion passed.

Decision: Councilmember Mueller made a motion to adopt Resolution 2014-03 – Delaplaine Annexation.

Second: Councilmember Davies

Discussion: None

Vote: For – 5 (Rossman, Davies, Romanell, Mueller, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

Public Comment:

Rick Fleshman, 2 W. Main Street, New Market – Mr. Fleshman gave an update on recent visit from Mr. Michael Day of the Maryland Historical Trust with regards to the accessibility of properties along Main Street.

Tom Hyde, Miller & Smith – Mr. Hyde expressed his appreciation to all involved in the annexations as well as the current Orchard project. He also stated that numerous public meetings would be held by Miller & Smith to address questions and concerns about the upcoming project. He will notify Town Hall with dates and times of these meetings.

Continuance: Motion made by Councilmember Romanell to continue the meeting on Thursday, April 24 at 7:00 pm at the Town Hall.

Second: Councilmember Davies

Discussion: None.

Vote: For – 5 (Rossman, Davies, Romanell, Mueller, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

Respectfully submitted,

Debra Butler
Clerk to Council

Supporting Documentation
For These Meeting Minutes
Is Found In
“Meeting Packets”