

Public Hearings - Easton - Critical Area Protection Program Sec 8-1809 1987 MSA-51030-10

CHESAPEAKE BAY CRITICAL AREA COMMISSION

PUBLIC HEARING

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IN THE MATTER OF: :
EASTON CRITICAL :
AREA PROGRAM, :
SECTION 8-1809. :

Tuesday, October 13, 1987

Pursuant to Notice, the above-entitled hearing was held before the CHESAPEAKE BAY CRITICAL AREA COMMISSION, at the Municipal Building, Easton, Maryland, commencing at 7:06 p.m., there being present:

ON BEHALF OF THE COMMISSION:

- CONSTANCE LIEDER, Secretary, Department of State Planning, Chairperson
- G. STEELE PHILLIPS, Commission Member
- SHEPARD KRECH, Commission Member
- RONALD ADKINS, Commission Member
- KEVIN SULLIVAN, Commission Staff

REPORTED BY: GEOFFREY L. HUNT, NOTARY PUBLIC

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P R O C E E D I N G S

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2 CHAIRPERSON LIEDER: I would like to call this
3 meeting to order. We're here tonight -- today is
4 October the 13th, 1987. We're here to hear a public
5 comment on the town of Easton's Critical Area plan.

6 The purpose of this hearing is to allow anyone
7 who wishes to speak to make comments about the plan,
8 which has been proposed by Easton. This panel is here
9 just to hear the comment, and transport those hearings
10 back to the Commission. This panel does not make any
11 findings, in particular, but I do want to tell the
12 audience that the Commission will probably make a
13 decision on the local program within 60 days of this
14 hearing.

15 We have a court reporter here. We have a
16 record being kept. So, there will be records available
17 for anyone who wishes to know. The record will be kept
18 open for one week, in addition, to receive written
19 testimony, and that written testimony should be mailed
20 to the Commission Chairman, Solomon Liss, in care of the
21 Chesapeake Bay Critical Area Commission, 580 Taylor

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1 Avenue, Annapolis, Maryland, 21401.

2 I would like to introduce the members of the
3 panel. We have Steele Phillips from Dorchester County;
4 Dr. Shepard Krech from Talbot County; I'm Constance
5 Lieder; Ronald Adkins from Somerset County; and I would
6 like to call attention to -- in our audience, we have
7 Eugene Price, president of the town council; and we have
8 Roger Judd, the town engineer; and Chris Kehoe, the town
9 attorney. We also have with us Tony Redmond, the
10 consultant who prepared the plan for the town of Easton.

11 I have nothing else to say. Is there anyone
12 who wishes to speak?

13 MR. REDMOND: I'll make one comment, as the
14 town consultant working on the program; and that is,
15 simply, to point out so that the record will reflect
16 that the town has conducted a more heavily attended
17 public hearing some six to seven weeks ago, which was
18 held here at the town office, at which time I had made a
19 formal presentation of all of the components of the
20 local program, and had responded to questions, and
21 answers were provided at that time. That may, in part,

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1 explain why we're going to have a short hearing, I
2 think, tonight.

3 CHAIRPERSON LIEDER: I think we also should
4 point out that the panel did meet with town officials,
5 and with the consultant, toured the area, and have had
6 their -- any questions they had about the program
7 addressed and answered.

8 MR. JUDD: I guess there is one -- excuse me --

9 CHAIRPERSON LIEDER: Yes, sir.

10 MR. JUDD: I guess there is one thing, on
11 behalf of the town, if there are funds available, we
12 would like to go on record as requiring, or requesting
13 at this time in the preliminary stage, obviously, the
14 allocation of appropriate funds for the implementation
15 of this program when it is adopted.

16 MR. KRECH: Yes, Madam Chairman, I would like
17 to make one comment; and that is -- that I made earlier
18 this afternoon; and that is, I think the town of Easton,
19 and the Planning Commission, and the planning
20 administrator over there have really made a sincere
21 effort to comply with the criteria, and we thank you.

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1 CHAIRPERSON LIEDER: Well, I suppose we could
2 read this as support for the plan in the attendance at
3 the hearing.

4 I suppose we ought to keep the hearing open
5 for a few more minutes to allow anybody who might come
6 the opportunity --

7 MR. JUDD: I didn't introduce myself, and I
8 think you all know I'm Roger Judd, the town engineer;
9 and I act in the capacity of a consultant to the
10 Planning Commission, and our Board of Appeals, among
11 other chores. Mr. Redmond has acted as the Planning
12 Commission, or the town's consultant for the preparation
13 of this plan, and, certainly, the vast amount of the
14 effort into bringing this thing together was his, in
15 conjunction with the Planning Commission; and I would
16 have to say that perhaps one reason the Planning
17 Commission is not better represented here this evening
18 is that they went through about a two and a half to
19 three hour hearing this afternoon on a subdivision,
20 which was just outside the Critical Area. I know they
21 have been interested in the program, and they are

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1 extremely interested in how the program will be
2 administered.

3 I would make one pitch, if you will, for what
4 I thought was a reasonable approach to the
5 implementation of the plan; and that is, the idea of an
6 overlay zone, which will, in effect, do just that --
7 overlay our existing, or any revised zoning within the
8 Critical Areas -- and I asked Tony Redmond, our
9 consultant, to -- in the implementation stage, to find
10 methods whereby we can put the appropriate checks, if
11 you will, within our existing administrative procedures:
12 subdivision review, special exceptions, and so forth so
13 that we would not have a whole other set of regulations
14 to go to, if you will.

15 I think that if we are going to do an
16 effective job in administering this program, that that
17 is the way that it can be done with certain references
18 within our existing building permit procedures,
19 subdivision procedures, and so forth; and I think that
20 we have approached that from that direction, and I hope
21 that, if there is any possible way to simplify that

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1 procedure, that we can achieve that, but it is going to
2 be extremely difficult to administer the program as
3 effectively as I'm sure that the Commission would like
4 to see it administered, and we would like to see it done
5 just that way: through additions to our standard
6 procedures -- application procedures.

7 I think that's pretty much what we have tried
8 to outline, and I believe that the panel has requested
9 the staff, and the Commission has requested that we be
10 more specific on where we're going to make those
11 insertions, or additions in our existing regulations,
12 and that's fine. I would like to see it, as well, so
13 that we can put that on our checklist, and the staff can
14 catch those things as they go by in their normal course
15 of review for those kind of applications. And I just --
16 I think that it's important to make it -- obviously, you
17 want to meet the criteria and administer the program,
18 but I think it's important to make readily
19 administratable, if that's the proper word. That's
20 really -- I would ask that some consideration be given
21 to that not only for the town of Easton, but for other

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1 jurisdictions, as well. Thank you.

2 CHAIRPERSON LIEDER: Do you want to put
3 anything in the record about how you advertised the
4 hearing tonight so that --

5 MR. KEHOE: No, Madam Chairman. I frankly
6 don't know how the meeting was advertised.

7 MR. SULLIVAN: The Commission advertised it in
8 the --

9 CHAIRPERSON LIEDER: Yes. Okay. All right.

10 MR. JUDD: I did, as far as advertising --

11 CHAIRPERSON LIEDER: I apologize. I just
12 wanted to make sure that there was advertisement so that
13 that's in the record.

14 MR. JUDD: That's certainly my understanding
15 that the Commission handled that part of it. In
16 addition to that, I did notify, through an internal
17 memorandum, the members of the town council, the
18 Planning Commission, and the consultant -- here this
19 evening for this purpose.

20 CHAIRPERSON LIEDER: There being no further
21 testimony, then, I'll adjourn the hearing, and thank you

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1 all.

2 AUDIENCE: Thank you.

3 (Whereupon, at 7:15 p.m., the proceedings
4 in the above-entitled matter were adjourned.)

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CERTIFICATE OF NOTARY

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I, Geoffrey L. Hunt, the officer before whom the foregoing testimony was taken, do hereby certify that the witnesses whose testimony appears in the foregoing transcript appeared before me; that the testimony of said witnesses was taken by me by magnetic tape and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

Geoffrey L. Hunt
Notary Public in and for the
State of Maryland

My Commission Expires:

July 1, 1990

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SIGN IN SHEET

NAME & ADDRESS

Do You Wish
To TESTIFY?
YES | NO

• Chris Kehoe

PO 1146

Easton Md 21601

✓

• Roger C Judd

16 219 N. Washington St

Easton Md 21601

✓

• MARKUS GRADECK

DSP- 120 BROADWAY

CENTREVILLE, 21617

• EUGENE W. PRICE

P.O. Box 495

EASTON, MD. 21601

✓