

Public Hearings - Chesapeake City - Critical Area Plan 1988 MJA-51936-31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE CHESAPEAKE BAY
CRITICAL AREA COMMISSION
CHESAPEAKE CITY, MARYLAND

CRITICAL AREA PLAN FOR THE
TOWN OF CHESAPEAKE CITY

109 Bohemia Avenue
Town Hall
Chesapeake City, Maryland

Monday, March 28, 1988

The above-entitled matter came on for hearing
pursuant to notice.

BEFORE:

JAMES E. GUTMAN, Chairman

APPEARANCES:

LOUISE LAWRENCE
WALLACE D. MILLER
KAY LANGNER
MAYOR ELLIS KIRK
RAYMOND BATTERESBY

P R O C E E D I N G S

1
2 CHAIRMAN GUTMAN: My name is James E. Gutman, and
3 I'm with the Critical Area Commission. And tonight I'm
4 going to be serving as chairman of the continuation, I
5 think one might call it, of the meeting that we had here
6 a number of weeks ago where we talked about the critical
7 area plan for the town of Chesapeake City.

8 This again is an opportunity for those who are
9 residents in the city to comment on the plan. Before doing
10 that, I'd just like to have a few introductions. First of
11 all, and very important, is our reporter. We've got a court
12 reporter because everything that is said we do want to keep
13 a record of, so that appropriate responses can be made to
14 any questions that might come up.

15 So with us tonight is Kevin Reppen -- Reppenhagen.
16 I'm afraid I slaughtered his name and I apologize. And now
17 I would like us to mention that we have additional members
18 of the Critical Area Commission that make up this panel.
19 And I'm going to ask my fellow panel -- panel members to
20 introduce themselves, letting you know just what represen-
21 tation they provide to the commission. Louise, if you
22 would first.

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 MS. LAWRENCE: My name is Louise Lawrence. I
2 represent the Maryland Department of Agriculture.

3 MR. MILLER: Wallace Miller, I'm representing
4 Kent County.

5 MS. LANGNER: I think everybody here knows me.
6 I'm Kay Langner from Chesapeake City.

7 CHAIRMAN GUTMAN: And my name is James E. Gutman
8 and I'm a commissioner at large for the western shores --
9 counties. All right. Tonight I think we will not have
10 again a presentation of the plan, but rather, I'd like to
11 have the opportunity for those who have read the plan or
12 who have questions so they can be heard. Initially, however,
13 Mr. Mayor, if you would, do you have anything that you
14 would like to say at this time -- at this point?

15 MAYOR KIRK: No I don't. I think all we had was
16 taken care of several weeks ago. And you approved the whole
17 project and sent it on; so I think everything's in good
18 shape.

19 CHAIRMAN GUTMAN: All right. Well, very fine.
20 All right, well, suppose we proceed on the list that I
21 have. Nobody has indicated that they wish to talk, but there
22 are a couple blanks where I'm not quite sure whether

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 Mr. Hill has anything to say or anyone else at this time
2 would care to speak about the plan for the -- for the town.
3 So this is your chance to speak up; and if you do, there's
4 a microphone here you'll use.

5 Well, second call. We're anxious to know what
6 your feelings are. If you have a problem, we would be glad
7 to hear of it. Or of course, if you care to send in written
8 comments, we usually keep the record open for another 30 --
9 another 10 days for those who would like to write in com-
10 ments about the plan. Those comments would go to the
11 Chairman of the Critical Area Commission, and that's
12 Solomon Liss. His last name is spelled l-i-s-s. He is
13 the Chairman of the Chesapeake Bay Critical Area Commission.
14 And his address is 580 Taylor Avenue. Their offices are
15 on D-4 in the Tawes Building, and that's in Annapolis.
16 The zip code is 21401. I can repeat that if anybody needs
17 it.

18 In any event, we'll keep the record open for an
19 additional -- for 10 days from tonight, if anybody cares to
20 write in comments on the plan. Well, second call. Is any-
21 one wish to speak up at this point on the plan for the town?

22 (Off record discussion.)

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 CHAIRMAN GUTMAN: I -- I'm not sure just when
2 the clock started, but I'm reasonably sure that within 40
3 days the commission will vote on the plan. I might just
4 mention what the process is for those who might not be
5 familiar. The plan was submitted to the commission. The
6 staff reviews the plan. We also look at it from the per-
7 spective of whether there is legal sufficiency to the plan,
8 that it meets the criteria from a legal point of view. And
9 in addition, the plan is reviewed by other departments
10 and other units of state government to see if it does in
11 fact serve the objective of the -- of the legislation.

12 Generally there's a 40 day period that is utilized
13 for that review and for any further negotiation with the
14 consultant who may have put the plan together. And then
15 it goes for the -- to the full commission for their evalua-
16 tions to either approve it; -- it needs some modification;
17 or out right, say that it has to go back for further work
18 before it can receive approval.

19 All right. I think this is going to be my third
20 and last call for comments, for questions, for advice to
21 the panel, if any. We're open to hear your point of view
22 if you care to express it at this point.

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 MR. MILLER: Just as a matter of record, Jim,
2 you're trying to figure out when the program was sent in.
3 I note by one of the cover pages that Chesapeake City anti-
4 cipated submittal of its program in January of '88. So
5 I have to assume it was probably done.

6 CHAIRMAN GUTMAN: Oh, it -- it had been received.
7 I just don't know what that closing date is.

8 MR. MILLER: I'm not sure.

9 CHAIRMAN GUTMAN: All plans, incidentally, for
10 all jurisdictions in the critical area must be approved by
11 the 11th of June. And from what I've heard back at the of-
12 fice, I think this plan -- similar to the one for Cecil
13 County is pretty well along for approval from staff review.

14 I have not heard of any major difficulties thus
15 far. This will be my third call for those who would like
16 to comment or ask questions on the record or have any
17 advice that they care to have a part of this evening's
18 proceedings. I do not see any hands raised. I do not see
19 anybody jumping up to -- on their feet or even pounding on
20 the table here. So I think at that -- at that being the
21 case, I'll now declare the formal portion of tonight's
22 proceedings concluded. We will stay around for a minute or

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 two if anybody wants to ask informally about any aspect of
2 the -- this.

3 MR. MILLER: Mr. Chairman, I'd like to take the
4 opportunity to thank these very cooperative people tonight.

5 CHAIRMAN GUTMAN: I think they must have read
6 somebody's mind that they'd like -- that some of us may like
7 to get back home too at an early hour.

8 MAYOR KIRK: No, see, we had this -- a long time
9 ago.

10 MR. BATTERESBY: I would like to say something.

11 CHAIRMAN GUTMAN: Sure.

12 MR. BATTERESBY: I think Mr. Pugh and his
13 associates have done a real good job for the panel in this
14 critical bay thing. And I think it should be really noted
15 as -- ..

16 CHAIRMAN GUTMAN: Well, Mr. Pugh I know did some
17 very fine work. I was aware of his efforts here at the
18 town. He worked on another town within, I've forgotten
19 the name; but fairly -- fairly close to you. We've received
20 -- commission, and true, he is one of the consultant's
21 who's done very well for us.

22 All right. I want to thank all of you for coming.

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

1 Thank my fellow commission members for traveling up here
2 tonight. And let's hope that when the commission and
3 staff finishes their review, there will be very little
4 additional effort that has to be made. I think you.

5 (Whereupon, at 7:30 p.m. on Monday, March 28,
6 1988, the hearing adjourned.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

FREE STATE REPORTING INC.

COURT REPORTING • DEPOSITIONS

D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

C E R T I F I C A T E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

This is to certify that the foregoing transcript
in the matter of: Chesapeake City Critical Area Plan

BEFORE: JAMES E. GUTMAN, Chairman

DATE: March 28, 1988

PLACE: 109 Bohemia Avenue, "Town Hall", Chesapeake City,
Maryland 21915

represents the full and complete proceedings of the afore-
mentioned matter, as reported and reduced to typewriting.

Kevin R. Reppenhagen
Kevin Richard Reppenhagen

jm