

Public Hearings - Crisfield

1988

MSA_51830-34

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

CRITICAL AREAS COMMISSION

CRISFIELD

February 19, 1988

FREE STATE REPORTING INC.
COURT REPORTING & DEPOSITIONS
D.C AREA 261-1902
BALT. & ANNAP. 974-0947

PROCEEDINGS

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

UNIDENTIFIED SPEAKER: I guess we're here to see about, with the panel here, about the Critical Areas. And I guess I should introduce to you Mr. Ron --.

UNIDENTIFIED SPEAKER: Karaki?

UNIDENTIFIED SPEAKER: I got close. Thank you.

MR. KARACHIC, and I represent Baltimore City on the Critical Areas Commission, and if I may, I'd like to introduce the other panel members who are represented as on the Commission.

First we have sitting next to Mr. Brown, is Ron Hip -- , representing Baltimore County.

To Mr. Hippendale's right is Dr. Sheppard Krec. Dr. Krec represents Talbot County.

To Dr. Krec's right is Bill Box -- . Mr. -- represents Wicomico County, and directly to my right is Ron Atkins, who represents Somerset County.

On behalf of the Critical Area's Commission, I would like to welcome all of you here this evening, and thank you, and thank the City of Crisfield for allowing us the opportunity to hear public comments this evening. The purpose of this hearing is specifically for public

1 comment on Crisfield's local program, and that
2 requirement is pursuant to Section 8-1809 of the Critical
3 Areas law.

4 According to that law, the Commission is
5 required to make a decision on the local programs, within
6 90 days of the submission of that program.

7 Now, under normal circumstances, a Court
8 Reporter would be here and would be keeping a record and
9 transcribing the individual speakers. However,
10 fortunately, we do have a fill-in, and so that all
11 testimony is being recorded, and a record will be kept of
12 this proceeding.

13 Now, the record will be kept open on the
14 proceeding for a period of one week following this
15 hearing, so additional comments, statements or records
16 can be mailed directly to the Commission for that one
17 week period, and those additions will be made part of the
18 record. And let me give you the address where that
19 additional information can be mailed. The address is to
20 the Commission Chairman, Solomon Lisp, Chesapeake Bay
21 Critical Area Commission. The address is 580 Taylor
22 Avenue, D-4, Annapolis, Maryland. And the zip code is

1 21401.

2 The complete public record of this proceeding
3 will be kept at the office. I would like to thank Mr.
4 Brown for introducing me, and I would also like to thank
5 Mayor Scot for giving us the opportunity to be here this
6 evening.

7 I'd also like to recognize Tom -- , the
8 City's Attorney, and thank him for his assistance.

9 There's some....very brief rules for speakers.
10 We would ask that you approach the recording device, so
11 that you can be understood, and that your comments be
12 limited to three to five minutes. We also request that
13 the comments be limited to the program as a whole, and
14 not any specific property problem that you may or may not
15 have.

16 At this time I'd like to introduce the City
17 Consultant, Pete Johnson who has some comments regarding
18 this local program.

19 MR. JOHNSON: As Ron mentioned, my name is Pete
20 Johnson, and I'm the consultant with Redmond Johnson
21 Associates, out of Easton Maryland, Land Planners. When
22 Somerset County hired consultants to do their Critical

1 Area program, they hired the firms of Rogers, -- -- ,
2 Redmond Johnson Associates, and Greenspring Environmental
3 Design, and as part of that progress, we were also
4 contracted to prepare a Critical Area Program for the
5 City of Crisfield and Princess Anne.

6 The hearing tonight is on the City of
7 Crisfield's Critical Area Program. This is a hearing
8 that is....actually covers two hearings at one time. One
9 being the hearing that's required by the Critical Areas
10 Commission Panel, the other one being the first hearing
11 here in the City on the draft program.

12 Normally, what would happen is, and it's still
13 going to happen, is there a draft program, there are
14 hearings, they are an opportunity for the Town officials,
15 the City officials, and an opportunity for the panel to
16 get comments on the draft, and then it will be sent up to
17 the Critical Area Commission, they will review it, they
18 will make comments, request revisions if anything in the
19 program is not consistent with the criteria, it will come
20 back, and those revisions will be made.

21 Once the program is approved by the Critical
22 Area Commission, there will be a final public hearing, an

1 adoption public hearing, held here in the City. So this
2 is the beginning of a hearing process.

3 Secondly, I wanted to say that tonight we have
4 the Critical Area Map here, and there in the back
5 here....a series of overlay maps that show where the
6 Critical Area is, what the land management
7 classifications are within the critical area, where the
8 habitat protection areas are, all of the things that we
9 are required to map as part of the Critical Area Program.

10 After the hearing, there will be an opportunity
11 to....for everybody to come up and take a look at those
12 maps. Myself, Barry Griffith of our staff will stay
13 here, and we will try to answer any questions that you
14 may have about the programming, but I'm not going to try
15 and answer those up front.

16 Also, I want to point out so that everyone here
17 is aware that the City of Crisfield, under the criteria,
18 is permitted, or under the law, for a jurisdiction to
19 request that certain areas be excluded from the critical
20 area program, and that the City of Crisfield intends to
21 request exclusion for a portion of the City from the
22 Critical Area Program, and that that area

1 is....corresponds to the area that is known as the
2 Maritime Industrial Park here in the City. It runs form
3 about 7th Street here, over to the other side of the
4 small boat harbor. So that there will be an exclusion
5 request that goes up with this Program when it's sent to
6 the Critical Area Commission.

7 Generally, what we've prepared is a Critical
8 Area Program that we feel as consultants meets all the
9 requirements of the Critical Area Criteria. All of the
10 mapping has been done. The City has been categorized
11 into three land management classifications which are the
12 IDA areas, or Intensely Developed Areas, which are shown
13 in red; the Limited Development Areas, which are shown in
14 yellow, and the Resource Conservation Areas, which are
15 shown in the green color.

16 In addition as part of the City's Program, we
17 will be requesting a buffer exemption for certain
18 portions of the City, which are shown in blue.

19 The buffer exemption areas are areas where
20 that....that 100 ft....100 ft. of the critical area,
21 where it's normally required that nothing....nothing
22 occur and that natural vegetation be maintained, but

1 development's already occurred there anyhow, so that
2 we'll be requesting an exemption from that 100 ft. set
3 back, if you will.

4 The Program has been on file here in the City
5 now for a couple of weeks. After the hearing, the
6 Program will be remain here, so if you want to....need to
7 get a chance to take a look at it, read through it, see
8 what it says, formulate your comments, the record's going
9 to be open with the Critical Area Commission, so that
10 they will accept those comments. Again, as I said, we
11 will answer any questions about the Program later on.

12 Thank you --

13 MR. BROWN: Thank you. I have the sign in sheet
14 for this evening's hearing, and there is an indication
15 that I have no name of an individual who wishes to
16 testify. AT this time time I would call for any one who
17 wishes to comment on the local program, and if you would,
18 step up to the microphone, and identify yourself by name,
19 and also by address.

20 Is there any public comment this evening? Any
21 public comment for the panel?

22 UNIDENTIFIED SPEAKER: -- I probably need

1 to make some explanation of --

2 MR. BROWN: Alright.

3 UNIDENTIFIED SPEAKER: --

4 In, ah....1960 as part of a urban renewal study,
5 a -- area of the City was identified. And at that
6 time it consists of 107 acres. It ran from, in other
7 words, the depot, the end of the dual highway, up to
8 Colin Street, which is approximately the area where
9 Fourth Street, on the other side of the highway, where
10 you turn back out on to the divided highway, from Main, -
11 -- .

12 As a result of that study, one of the ideas that
13 came forward was the need to develop an industrial base
14 to the City. Somerset County traditionally, for the,
15 since that period of time at least, has had double digit
16 unemployment. Recent calculations through the
17 unemployment office has indicated that of that double
18 digit, which is often in the 20 to 30 percent range, at
19 least seasonally, that of unemployment, two thirds of it
20 is in the southern end of the County. Crisfield is the
21 one that really suffers from the unemployment, on a
22 seasonable basis, and it's even more evident now with the

1 growth that's taking place in the Princess Anne area.

2 We're the ones that are having that problem. We
3 have a few major industries here, -- -- , Carver Hall,
4 Mrs. -- , the seafood industry, and the hospital.
5 And those are our major employees. We are a waterfront
6 community, a working waterfront community, and the
7 dollars that flow here are the result of seafood.

8 That industry has no great stakes now. It's not
9 had a great year for some time, either on the oyster or
10 the clam or the crab side, either....either one.

11 The result of that 1960 study, efforts were made
12 to begin an industrial park. One hundred seven acres
13 were considered to be too much to undertake. There were
14 some initial taxes taken to begin eliminating the
15 blighted area, some of the substandard housing, other
16 substandard building. A building code was adopted. A
17 zoning plan was adopted. There was initial application
18 put in for economic development assistance to go ahead
19 with Maritime Industrial Park in that location, and at
20 that time there were insufficient indications that there
21 would be businesses that would locate there.

22 That continued effort, however, resulted in a

1 development of a Maritime Industrial Commission, which
2 was then looking at two proposals. One for a major port
3 facility at Jersey Island, which is the RCA area, as
4 you....that you would know of, and the other was an
5 inland facility, several miles inland, with a....over the
6 dock....loading facility here in Crisfield, place not
7 particularly identified, but possibly also at Jersey.

8 All criteria that would justify the
9 establishment of that kind of port facility were found
10 wanting. The cost of building such a facility,
11 environmental considerations aside, the physical costs,
12 did not justify it. The interest, although, apparent,
13 was not elaborate enough to have the kind of employment
14 from which you could pay back the deck costs, even with
15 all the grant funds, which were then available.

16 The City stood back and said what can we do to
17 increase our employment base. I have....I believe,
18 served four mayors. We had a hearing three years ago at
19 which all the mayors I had been served, and the prior
20 mayor, who had served in that period, from 1960 on, were
21 all present in support of an application for a Maritime
22 Industrial Park at the Limited Development Area between

1 7th Street and Quinn Drive.

2 That hearing was conducted by the Examiner,
3 Hearing Officer -- , of the Board of Public Works,
4 and the Corps of Army Engineers, a dual hearing.

5 We had one person who stood in opposition to
6 that, from outside the County. No other opposition
7 comments were received at that point.

8 Subsequently we did have some environmental
9 concerns expressed, which we think that we answered. We
10 acknowledged that there was going to be some damage to
11 wetlands that would have to be dredged and filled. We
12 think we have an abundance of wet lands in this County,
13 but the damage is going to occur.

14 Nevertheless, we were not prepared to, at that
15 point, with the dollars that we saw in hand and
16 available, be able to offer mitigation, and we really put
17 the project on hold, I guess we're going into the fourth
18 year of that now, until this year. Now the dollars we
19 believe are there to build this Industrial Park. They
20 are there to be able to mitigate the damage that would be
21 created to those wetlands, and we would expect to
22 mitigate.

1 When the Critical Areas Law was proposed,
2 representatives of the City appeared before the --
3 Committees making the consideration of this bill, and we
4 expressed at that time the concern for this part, that it
5 was absolutely necessary to provide jobs in a community
6 that had double digit unemployment, seasonable
7 unemployment of up to 30 percent, to the work force, and
8 to increase the tax base of this City if we were going to
9 be able to continue to offer the services that were
10 necessary.

11 The Legislature put a provision in for the
12 exclusion of an area for Maritime Development Activity.
13 We believe that this meets the criteria of that
14 exclusion. I believe it was created specifically for the
15 City of Crisfield. There are certain conditions that are
16 going to have to be met by the City when this is
17 constructed.

18 We have already been told there are going to be
19 such conditions by the Department of Natural Resources,
20 and their recommendations to the Board of Public Works,
21 and have an intimation of virtually the same kinds of
22 conditions from the Corps of Army Engineers.

1 Our reason for requesting an exclusion, I think
2 is very simple, and one that I think that makes a lot of
3 common sense, and that is, we're going to have meet the
4 very same criteria. We're all going to have to answer
5 already to the Corps of Army Engineers and to the
6 Department of Natural Resources on these conditions
7 alone, which we think will be more stringent than those
8 you would impose in the Critical Areas Commission.

9 We don't need another source to answer to. One
10 more person to have to check off. We got into a box
11 where at one time the Corps wouldn't rent permit until
12 the Board of Public Works said it....it's the kind of
13 thing that will drive a logical man to drink.

14 We would ask that you not add one more category
15 to that. The funding groups are going to have their
16 conditions as well, and we're aware of that. Whether
17 it's Housing and Development, whether it's the State of
18 Maryland, the Department of Economic Employment
19 Development, the Economic Development Administration, or
20 the Environmental Protection Agency. They're all going
21 to be there. The applicable environmental agencies and
22 groups did in the past, and I'm sure again, will make

1 comments to the Corps, which will adequately serve the
2 environmental needs of the.....

3 We are aware of the need for mitigation. We are
4 aware of the need to control sediment. We are aware of
5 the need to control erosion. There is one other very
6 definite need in this particular site, and that is the
7 need to control incursion of high water, during storm
8 tides, and we have had storm tides here in the City
9 during this same period of time, and this particular
10 sight was the source of those storm tides.

11 Somewhere along the line, some kind of
12 protection has got to be given, this would do that. What
13 we are talking about doing at this point is cutting down
14 the side of the park from originally 107 to 43 to 25.
15 Twenty-five is what we're proposing right now. The
16 actual wetlands bill will be about half of that.

17 There will be a tidal basin dredge. The fill --
18 will be contained in that manner by the dredging. It's
19 good material. It will work, and it will not degrade the
20 water in our opinion. We are having assessments done to
21 make sure that that is correct. There may indeed be a
22 necessity for environmental impact statement.

1 If that is the case, then again I would indicate
2 to you, that we, because we derive our income from the
3 seafood industry, have before and do assure again the
4 citizens of this City that we don;'t want to do anything
5 to injure that industry, at any time, and much less now
6 when it is already in the position that it is in.

7 We again ask that you consider our exclusion,
8 and I'm talking with you as the panel members who are
9 here. We are aware that we will have to go through a
10 hearing process before the full commission, but because
11 you were able to come down today and take some view of
12 the City, I wanted to point out to you why this is so
13 necessary, and to remind you of the things that you saw.

14 I think most of you saw the small boat harbor,
15 which is at one end of this sight, an intensely developed
16 area, has it's own different kinds of problems. I think
17 you saw the, what we call the seafood lab sight, which
18 has been conveyed to the City for the purpose of
19 developing as a maritime industrial sight, an intensely
20 developed location.

21 On the other side we have shore transportation,
22 a barge repair facility, one of the two that's still

1 available in Maryland on the Chesapeake. A vital
2 industry to the maritime interest that use our waterways.

3 But it is nevertheless an intensely developed
4 sight. This location is bounded by the sewage treatment
5 plant. In fact, one of the reasons why this location was
6 chosen was because this cove was already in a safety area
7 because of the sewage outfall location, at the end of 7th
8 Street, so shell fish cannot now be harvested here
9 because of that safety belt. Not because that there is
10 anything wrong with the -- or the water, but simply in
11 order for that safety protection.

12 If you're going to locate something, do it where
13 you already have a safety zone, because if you can best
14 protect the rest of the environment.

15 We will comply and have adopted sediment control
16 ordinances, erosion control ordinances, and we expect
17 that our own enforcement of those ordinances as well as
18 the assistance of the State and Federal Agency in making
19 sure that other ordinances are enforced, such as the air
20 pollution control, will ensure that the environment will
21 be adequately protected.

22 Again, I would indicate to you that we think

1 that it is vital to the economy and health and well being
2 of our citizens for this to be excluded. It is....has
3 been a long process, since the 1960's, in going forward
4 with this, we can almost see the light at the end of the
5 tunnel now. We don't need another agency to answer to on
6 this one, when we know the same protection will be
7 already in the standards.

8 MR. BROWN: Thank you Mr. Scott.

9 MR. BRUCE: Bruce.

10 MR. BROWN: I'm sorry, Mr. Bruce.

11 Is there at this point any public comment?

12 MR. -- : I'm Bill -- of -- -- , and
13 I'd just like to enforce what Tommy said, that we do have
14 a 30, up to 30 percent unemployment in Somerset County,
15 and eliminating this zone from the Critical Areas
16 Commission would be a great benefit to this end of the
17 County, and we would like to see that go ahead and
18 develop into, that whole area being developed, and I
19 think that can happen, and must happen. Anything you can
20 do to consider that we'd appreciate.

21 MR. BROWN: Thank you. Is there any further
22 public comment?

1 Before you close the hearing, representing
2 Somerset on the Commission, I would just like to point
3 out to my fellow members, who are here tonight, that the
4 City should be commended for opting to not exclude it's
5 entire boundaries from the Critical Area, similar to our
6 neighboring City of -- -- . They had that
7 available to them, as I understand the law, and chose at
8 this point not to. Instead, I think, they chose to focus
9 on an area that is reasonable to be considered to be
10 excluded, and I would for the record like to make sure
11 or direct your attention to that option they chose not to
12 follow.

13 Any further public comments? I'd like to
14 correct a slight oversight in the introduction of the
15 panel. I neglected to introduce Ed Philips, who is a
16 member of the staff of the Critical Areas Commission --
17 to this area. My apologies.

18 Is there any further public comment? There
19 being no further public comment, this hearing is now
20 adjourned. Thank you very much for your consideration
21 and attention this evening.

22

aa Jones
Critical Areas
Commission
Public Hearing



SIGN IN SHEET

Crisfield Public Hearing

NAME & ADDRESS

Do You Wish
To TESTIFY?
YES | NO

• Valerie Swift

Secretary

City of Crisfield

2

• Joyce Morgan

Clerk - Treasurer

City of Crisfield

X

• Jesse W. Carmine

Bldg. Inspector

City of Crisfield

X

• ~~Leslie~~ N. F. Stone Crisfield

X

• Leslie Wilson

Somerset Herald - Reports

Crisfield

X

• Phil Herald

Crisfield

X

• Nelson Brice

Asbury Ave

Crisfield

X

• J. Matanzas

13 Anne Street RD

Crisfield

X

• ~~Richard~~ H. Brown

CITY COUNCILMAN

X