

Public Hearings - Secretary

1988

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DEPARTMENT OF NATURAL RESOURCES

CHESAPEAKE BAY CRITICAL AREAS COMMISSION

PUBLIC HEARING

August 22, 1988

Town Hall
Secretary, Maryland

FREE STATE REPORTING INC.

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D.C. AREA 261-1902

BALT. & ANNAP. 974-0947

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P R O C E E D I N G S

1
2 MR. GUTMAN: All right. My name is James E. Gutman.
3 I am a member of the Critical Area Commission and I will
4 tonight serve as the Chairperson for this hearing that
5 is being conducted by the Critical Area Commission. Our
6 purpose is to hear from the citizens of the Town of
7 Secretary concernign the plan that's been developed by
8 Redman & Johnston. These are consultants to the Town who
9 have prepared not only the text in the plan, but also the
10 map. You may notice that the map, which may later be
11 referred to is here on the wall to my right.

12 In attendance tonight are two additional members
13 of the Commission and I think I'm going to ask both of
14 them to introduce themselves, identifying the County which
15 they represent on the Commission. Tom, please.

16 MR. JARVIS: Thomas L. Jarvis, Caroline County.

17 MR. PHILLIPS: Steele Phillips, Dorchester County.

18 MR. GUTMAN: Also in the matter of introductions,
19 we have a member of the Staff of the Commission with us,
20 Mr. Ed. Phillips who has reviewed this plan and will be
21 providing to the Staff of the Commission -- will be

1 providing staff comments to the consultants prior to the
2 Commission itself taking any action on the plan.

3 I would like us to mention some additional indi-
4 viduals who are present and would ask that if the Mayor,
5 his Honor Walter Collins, would care to make any remarks,
6 we would be pleased to hear from him.

7 MAYOR COLLINS: I don't have any remarks at this
8 particular time.

9 MR. GUTMAN: All right. Let me know, sir, if at
10 a later point you do have something you wish to put on
11 the record. James Traverse is also with us, a member of
12 the Town Commission.

13 MR. TRAVERSE: I don't have anything at this
14 time, sir.

15 MR. GUTMAN: All right. I apologize for my
16 pronunciation, but I believe it is Mr. Lewis Wanex?

17 MR. WANEX: Wanex, yes.

18 MR. GUTMAN: I beg your pardon. Sir, would you
19 have any comments that you would care to make at this
20 point?

21 MR. WANEX: No, not at this time.

1 MR. GUTMAN: All right. Well, if later on please
2 do let me know.

3 MR. WANEX: I sure will.

4 MR. GUTMAN: And further, just to have everyone
5 be aware, the proceedings tonight are being recorded by
6 a court reporter, Mrs. Breta Bernstein will be taking down
7 everything on the record so be assured if you have comments
8 we will certainly address them in a timely fashion.

9 After tonight's meeting the record for comment
10 on the plan will remain open for approximately a week
11 so that those who may have anything that they care to
12 provide in writing to the Commission can do so as long as
13 they get their comments into the Commission no later than
14 the 31st of the month, this would be Wednesday a week,
15 and it would be by 4:00 p.m. Comments should be sent
16 to the Chairman of the Commission --

17 MR. PHILLIPS: Could you make that noon, sir?

18 MR. GUTMAN: It will be changed to noon instead
19 of 4:00 p.m.

20 MR. PHILLIPS: That is so we can act on that on
21 that Wednesday if we so desire.

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1 MR. GUTMAN: A correction. We will hold the
2 record open until noon on Wednesday, August 31st. Com-
3 ments -- written comments should be submitted to the
4 Chairman of the Critical Area Commission and that would
5 be Judge Solomon Liss, whose last name is spelled L-I-S-S,
6 c/o Chesapeake Bay Critical Area Commission, Chesapeake
7 Bay Critical Area Commission, 580 Taylor Avenue, D4,
8 Annapolis, Maryland 21401.

9 All right. Generally we do have some rules that
10 we abide by during these hearings. I don't intend to
11 be strict, but we try to keep comments down to five
12 minutes. We wish to make sure that comments that are
13 made do relate to the plan and that's this volume that
14 some of you may be familiar with in gray, and comments
15 regarding the Critical Area Act itself are really not the
16 thrust of tonight's hearing. We are principally interested
17 in what you think of the plan that's been put together
18 by the consultants and that plan is designed to meet the
19 criteria established by the General Assembly developed
20 by the Critical Area Commission.

21 I think what we will do now is to provide an

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1 opportunity to the consultant to briefly explain what they
2 have done in developing the plan for the Town of Secretary
3 and I'll ask that they try to hold their presentation
4 to no more than twenty minutes.

5 MR. GRIFFITH: Thank you, sir, and members of the
6 Panel. I don't think it will take that long.

7 MR. GUTMAN: And your name for the record, please?

8 MR. GRIFFITH: Oh, my name for the record is
9 Barry Griffith. I'm representing the firm Redman/Johnston
10 & Associates of Easton, Maryland and with me here tonight
11 is Mr. Peter Johnston, a principle in our firm.

12 To start a brief chronology of the events that
13 have led to the preparation of this plan, the first
14 draft was prepared by our firm March 4th and submitted
15 to the Town for their review. In preparing the draft
16 we actually did the Land Management Classification Mapping,
17 the IDA, LDA, RCA Map, and we relied upon maps prepared
18 for the Dorchester County that took into account the
19 natural resource features that affected the Town.

20 After our submission of the draft to the Town on
21 March 4th, we came to the Town and gave a briefing on the

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1 program and explained to the Town Commissioners exactly
2 what the program meant in terms of development in
3 Secretary and so forth and then shortly after that a
4 public hearing was held on or about May 11th. Later in
5 May the draft of the Critical Area Program was submitted
6 to the Critical Area Commission for their review and in
7 June the Town received back the Critical Area Commission
8 comments that were approved at a meeting in Annapolis.

9 The program was subsequently revised to address
10 those comments and recommendations and resubmitted to
11 the Critical Area Commission in July. That's been the
12 action to date and I will point out that the comments
13 that were sent back to the Town basically were very minor
14 in nature. Really no substantive changes to the content
15 of the program. These changes were made and I believe
16 that you will find upon your review of the program that it
17 is complete in all of its requirements relating to the
18 law on the criteria.

19 Just a short brief about the Town and its program.
20 Secretary is basically a built out small community. As
21 you can see from the map the majority of land that has

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1 been classified is in the Intensely Developed Area cate-
2 gory with about sixty-nine acres in that category, sixty-
3 two acres in the Limited Development Area, which basically
4 consists of some undeveloped larger parcels. The entire
5 shoreline of the Town has been designated as a Buffer
6 Exemption Area due to the nature of the development present
7 along all reaches of the shoreline. There is no Rural
8 Conservation Area within the Town.

9 In is anticipated --

10 MR. GUTMAN: Excuse me. You use the word "Rural
11 Conservation", did you intend to say resource?

12 MR. GRIFFITH: Resource. I'm sorry, sir. Resource
13 Conservation Area. It's anticipated that any extensive
14 new development in the Town would probably be a function
15 of annexation of lands currently outside of the Town
16 boundaries within the County jurisdiction presently.

17 Other than what I have just said, I think that
18 you would find in reviewing the program the Town has no
19 significant problems with what's being proposed in the
20 program. There doesn't seem to be any extremely contro-
21 versial issues related to the program. It's fairly

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1 straight forward and to the point, I believe. I would
2 be happy to answer any questions then if anybody has one.

3 MR. JOHNSTON: Barry, were there any significant
4 resource on the mapping that was done by Norman Day?

5 MR. GRIFFITH: No, there was not.

6 MR. JOHNSTON: So, there's no major wildlife,
7 plant-wildlife habitat?

8 MR. GRIFFITH: That's correct.

9 MR. JOHNSTON: No threatening danger, none of
10 those types of issues?

11 MR. GRIFFITH: None of those were identified that
12 exist within the Town limits.

13 MR. JOHNSTON: Okay.

14 MR. GUTMAN: All right. We'll now entertain
15 either questions or comments. If anyone has any problems
16 or if they have a position they wish to put on the record,
17 we will be glad to take them at this point.

18 MAYOR COLLINS: I've got one question as Mayor of
19 Secretary. I would like to know if and when the Town
20 did, if ever, decide to annex property outside of the
21 Town limits naturally, would it fall under the County's

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1 jurisdiction as far as Critical Areas, or will we have to
2 adopt another policy to cover that?

3 MR. GUTMAN: I'll let Mr. Phillips answer that.

4 MR. ED PHILLIPS: If you would annex property
5 outside of the Town limits, then that would be your
6 property and the ordinances that you adopt in conformity
7 with the criteria would then apply to the annexed section.
8 If what you would have to do would have to go through the
9 amendments of your plan in principally your maps to
10 include this area, and that then would make that part of
11 the Town and the ordinances that you have would apply to
12 that section. So, it would be under your jurisdiction
13 but you would have to amend your maps to include the
14 additional area that you would take in and if you did
15 change the classification which would be different from
16 what the County has classified it, then you would have to --
17 that would be included as part of your amendment to your
18 plan and your maps. So, it would come under the jurisdic-
19 tion completely of the Town.

20 MR. GUTMAN: All right. Are there other comments,
21 does anyone care to state a position. All right, seeing

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1 no one indicating that they wanted to speak further on
2 the record, it's my intention to adjourn the hearing. So,
3 without objection the hearing now stands adjourned.

4 (Whereupon, the hearing was
5 adjourned at 7:26 p.m.)
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C E R T I F I C A T E

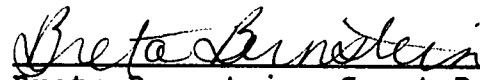
This is to certify that the foregoing transcript in the
matter of: Public Hearing

BEFORE: CRITICAL AREAS COMMISSION

DATE: August 22, 1988

PLACE: Secretary, Maryland

represents the full and complete proceedings of the
aforementioned matter as reported and reduced to typewriting.


Breta Bernstein, Court Reporter

FREE STATE REPORTING, INC.

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SIGN IN SHEET

Do You Wish
To TESTIFY?
YES | NO

NAME & ADDRESS

Thomas L. Jarvis Comm. Member Caroline County		
H. Steele Phillips Comm Member Dorchester (Virginia)		
Louis Hanes Secretary Town Commissioner Dorchester County		
James F. Ferguson JAMES TRAYERS Barry Griffith		✓
Peter Johnston Walter R. Fuller Mayor of Secretary		
Edward P. Phillips CBCA Comm.		
Conely Steel Secretary		

FILE WITH TRANSCRIPT