

Public Hearings - St Michael's - Program Amendment 1999 MSA-S1830-69

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CRITICAL AREAS COMMISSION

IN RE:

ST. MICHAEL'S PROGRAM AMENDMENT

Tuesday,  
July 18, 1989

Town Office  
St. Michael's, Maryland

The parties met pursuant to notice at 7:00 p.m.

BEFORE: ROBERT PRICE, Chairman

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A P P E A R A N C E S

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Robert Price, Chairman

Pat Pudelkewicz

William Corkran, Jr.

Tom Jarvis

Stan Brewer

Jean Weisman

George Wilson, Jr.

P R O C E E D I N G S

1  
2 CHAIRMAN PRICE: This is a hearing before a panel  
3 of the Critical Areas Commission in regard to a program  
4 amendment for the City of St. Michael's. In accordance  
5 with the critical area criteria all program amendments have  
6 to be approved by the Critical Areas Commission. And this  
7 case as you'll probably hear a little later, this is an  
8 amendment to the underlying or actually the critical area  
9 ordinance, overlay ordinance for the town of St. Michael's  
10 which was held sometime early part of 1989 and actually was  
11 adopted by the town I think in February, 1989 but did not,  
12 was not submitted to and has not as yet had critical area  
13 approval.

14 Seated to my left is Mr. William Corkran who's a  
15 member of the Critical Areas Commission from Talbot County  
16 and to my right Mr. Tom Jarvis who's a member of the  
17 Critical Areas Commission from Caroline County. And I'm  
18 Robert Price, a member of the Commission from Queen Anne's  
19 County and we were appointed as a panel to hold a hearing.  
20 After the hearing is concluded tonight, we'll leave the  
21 record open for -- is there any time deadline on this?

22 MS. PUDELKEWICZ: It's left open for one week,  
23 the record.

24 CHAIRMAN PRICE: All right, then the record will  
25 be left open until July 25 for any written comments you

1 wish to submit. And they would be submitted to the  
2 Critical Areas Commission in Annapolis, Maryland. Seated  
3 in the back is Miss Pat Pudelkewicz who's a member of the  
4 Critical Areas staff and if you wish to get the exact  
5 address as to where to send written comments, you can see  
6 her after the hearing. What we would -- the way we like to  
7 proceed would be to have I suppose a presentation by  
8 Mrs. Weisman. And following that, anyone who has any  
9 comments that they wish to make to the panel, well feel  
10 free to step forward and make the comments. So  
11 Miss Weisman, do you want to proceed?

12 MS. WEISMAN: Sure. How this started was we  
13 received a memo from the consultants that prepared a plan  
14 for us showing us that we had an error or an omission in  
15 our plan and we were a little more restricted than the  
16 Commission required us to be and that we would be able to  
17 take private slips and piers from the general buffer  
18 regulations and leave it just community slips and piers.  
19 After we received their memo we went ahead with our regular  
20 town hearings and pursuant, we adopted it. I believe I  
21 sent the amendment to you all and that's when you all --  
22 after it was passed, the Commission picked up that we had  
23 gotten more approval on it. So now we're backtracking,  
24 going through the steps for your hearing and then the town  
25 will have another hearing to adopt it.

1 CHAIRMAN PRICE: Okay, does anybody have any  
2 questions of Miss Weisman?

3 MR. CORKRAN: No, I have no questions.

4 CHAIRMAN PRICE: Tom?

5 MR. JARVIS: (Nods no)

6 CHAIRMAN PRICE: We have two other people  
7 present, three other people present. Do any of you wish to  
8 make any comment in regard to the proposed amendment?

9 MR. BREWER: (Nods no)

10 CHAIRMAN PRICE: Pat, do you have any comment you  
11 wish to --

12 MS. PUDELKEWICZ: No I don't.

13 CHAIRMAN PRICE: Well, there being no comment I  
14 guess we can conclude probably the shortest hearing we've  
15 ever had.

16 MR. CORKRAN: Sounds like they have things in  
17 shape in St. Michael's, doesn't it?

18 CHAIRMAN PRICE: Yeah, that being it, thank you  
19 all for attending.

20 MS. WEISMAN: I do have a question. When we  
21 first learned that we had made this error, that whoever I  
22 talked to told me that the Commission was working on a  
23 process that maybe you wouldn't have to go through this  
24 process for such a minor change. Has anything more come  
25 about with that yet?

1           CHAIRMAN PRICE: No, I think they're still  
2 working on it but I don't think to correct this requires a  
3 legislative -- act of the legislature because it's part of  
4 the critical area legislation and really not part of the  
5 criteria. And I can tell you my personal view and that is  
6 just like your zoning ordinance, if you want to change one  
7 word in it you've got to set routine, you know a  
8 recommendation and public hearing and I'd be surprised  
9 unfortunately as to who is to say what's insignificant. I  
10 guess that's the problem. Pat, you were going to say  
11 something?

12           MS. PUDELKEWICZ: Right now the Program Amendment  
13 sub-committee has been proposing a possible change to the  
14 critical area law to do just as you said, to the process  
15 whereby certain minor changes which have no significant  
16 impact or only a change in what happens on the land with  
17 just like a rewording or a comma or just some very little  
18 minor technical change could not have to go through the  
19 public hearing process. But that would involve actual  
20 change in the law which requires the General Assembly to  
21 review it. And we're working on a draft of that now but it  
22 will be up to the whole Critical Area Commission to decide  
23 whether they want to even go in that route.

24           But if there is a change it would occur in the  
25 General Assembly this coming session. But right now it's

1 just in draft form, in draft ideas which the Commission has  
2 not even acted upon yet.

3 CHAIRMAN PRICE: Okay, thank you all.

4 (Whereupon, at 7:09 p.m., the hearing was  
5 concluded.)

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