

Public Hearings - Betterton - Public Comment 1990 MSA - S1830-72

BEFORE THE STATE OF MARYLAND
CRITICAL AREAS COMMISSION

: IN THE MATTER OF: :
: :
: HEAR PUBLIC COMMENT :
: AS REQUIRED UNDER :
: SECTION 8-1809 OF THE :
: CRITICAL AREA LAW. :
: :

Tuesday, January 30, 1990

Pursuant to Notice, the above-entitled hearing
was held before KATHLEEN LANGNER, COMMISSION MEMBER for
the Critical Areas Commission at Town Hall, 3rd Avenue,
Betterton, Maryland 21610, commencing at 7:30 p.m.,
there being present:

CRITICAL AREAS COMMISSION MEMBERS:

THOMAS JARVIS, Caroline County
WILLIAM CORKRAN, Calvert County

ALSO PRESENT:

CARLYN C. SORGE, Mayor
MARGO TURNER
JOHN E. NUNN, III
CATHY E. ROBERTS, BOARD MEMBER
C. "PAT" MORRIS, BOARD MEMBER
DONALD L. OWENS, BOARD MEMBER

REPORTED BY: MARVIN W. GATZ, NOTARY PUBLIC

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P R O C E E D I N G S

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2 MS. LANGNER: I'd like to call the hearing to
3 order and welcome you all.

4 I'd like to introduce Bill Corkran, on my
5 left, who is from Calvert County and Tom Jarvis, on my
6 right, who is from Caroline County. And I'm Kay Langner
7 and I'm from Cecil County.

8 The purpose of the hearing is to hear public
9 comment as required under Section 8-1809 of the Critical
10 Area Law. The Commission must then make a decision on
11 the amendment within 90 days after it is submitted to
12 the Critical Areas Commission.

13 A court reporter, on my right, is recording
14 the hearing, which will be used to help the Commission
15 to render a decision.

16 The record will be held open for one week for
17 any written testimony, and if anyone would like the
18 address, they may see me or Pat and we'll give them
19 that.

20 Now, if Mr. Nunn would give us a short
21 synopsis of the amendment.



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1 MR. NUNN: Okay.

2 The amendment to the Betterton Critical Area's
3 Program, which is the purpose of this hearing, was
4 brought about as a result of a review of the current
5 Betterton ordinance and the opinion of the attorney
6 general that there was a problem with the way of
7 Betterton's amendment process and the amendment process
8 for the ordinance and the process for growth allocation,
9 in that what happened under the old ordinance was that
10 the mayor and council were not required to make a
11 decision, either yes or no, on a project before
12 submitting it to the Critical Areas Commission.

13 The purpose of these amendments dealing with
14 the program, dealing specifically with growth allocation
15 and the amendment process, these amendments were
16 proposed by the Critical Areas Commission staff -- well,
17 the Critical Area staff. They've been reviewed by the
18 planning commission and been recommended by the planning
19 commission in the form that they are in resolution 90-1.
20 And, essentially, what this does is it requires the
21 mayor and council to make a decision on an application



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1 for growth allocation prior to submitting the
2 application to the Critical Areas Commission for their
3 review and for their either approval or disapproval of
4 the project.

5 This, in effect, closes the problem that was
6 felt by the Critical Areas Commission with respect to
7 the Betterton ordinance, because Betterton, prior to
8 this amendment, did not require a vote by the mayor and
9 council on amendments to the Critical Areas Program or
10 on applications for growth allocation. That's the first
11 part of this resolution.

12 The second part of the resolution deals with
13 the number of typographical errors that are listed page
14 by page, that were found in the ordinance after review
15 by the staff. And those changes have been made. And
16 the attached pages that would be substituted after the
17 changes have been made are attached to the resolution.
18 I don't think that it's really -- they're not
19 substitute changes, they're changes that should have
20 been picked up, perhaps, on editorial, and typographical
21 changes.



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1 But the main purpose and the main reason for
2 this hearing is to amend our growth allocation and our
3 amendment process, so that there will be a decision made
4 by the mayor and council in each instance, with respect
5 to an application for growth allocation or a process to
6 amend the Critical Areas Ordinance and the zones. So
7 that's what it entails.

8 And through the cooperation with the Critical
9 Areas Commission, we are holding a joint hearing to kind
10 of try to expedite things in this case.

11 MS. LANGNER: Is there anyone who has any
12 comments? Anyone who would like to speak?

13 Well, hearing no comments, I would just like
14 to say again that you do have one week to send any
15 written testimony, if you would like to, to the Critical
16 Areas Commission.

17 And I guess the hearing is adjourned, unless
18 you have anything?

19 MR. CORKRAN: I have nothing.

20 MR. JARVIS: No, I have nothing.

21 MS. LANGNER: All right. Our hearing is then



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1 adjourned.

2 (Whereupon, at 7:45 p.m., the above-
3 entitled hearing was adjourned.)

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CERTIFICATE OF NOTARY

I, MARVIN W. GATZ, the officer before whom the foregoing testimony was taken, do hereby certify that the testimony that appears in the foregoing transcript 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; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony was given; 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.

Marvin W. Gatz

MARVIN W. GATZ
Notary Public in and for the
State of Maryland

My Commission Expires:
July 1, 1990



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