

The Commissioners of St. Michaels

Special Public Session

March 3, 2009

Present:

Commissioners Joanne Clark, Michaels Brady, Robert Snyder, Donna Hunt and Philip Dinkel, Town Manager Cheril Thomas, Codes Enforcement Officer Deborah Renshaw, Administrative Clerk Sabrenia Yohn, Town Attorney Karen Ruff, Secretary Dorothy Olley, and approximately six members of the public.

Call To Order:

President Clark called to order the special working session of the Commissioners of St. Michaels at 3:20 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building (Town Office), 300 Mill Street. The Pledge of Allegiance was recited.

Announcement of Prior Closed Session:

President Clark noted that the Commissioners had met in closed session at 1:00 p.m. pursuant to Maryland Code, State Government Article §10-508, (a), (7) to:

- consult with counsel regarding a request from Windward Investment, LLC for growth allocation for 130,154 sq. feet (2.099 acres) changing the Critical Area land use classification from Limited Developed Areas (LDA) to Intensely Developed Areas (IDA) pursuant to the St. Michaels Code, Section 340-28 (Growth Allocation). The property is identified on Talbot County Tax Map 200 as Parcels 1785 and 1783 fronting on Chesapeake Avenue and generally known as Chesapeake Reach; and
- to discuss administrative matters, specifically, staff assignments.

Deliberations and Direct Findings:

President Clark reviewed the record of two previous public hearings on the matter of Windward Investment's request for growth allocation and asked if the Commissioners had any questions. Commissioner Snyder asked for an explanation of the requirements that distinguish LDA and IDA designations. Mrs. Renshaw provided clarification. Commissioner Brady expressed his concern that the storm water management proposed by the project was insufficient to deal with a three-inch rain event. Ms. Renshaw said she would review the Town's storm water management ordinance to determine if there was any reference to a rain event larger than one inch. President Clark then called upon Attorney Ruff, who reviewed step-by-step the request for growth allocation. The Commissioners agreed that the applicant had met all criteria, but that conditions should be added to address Commissioner Brady's concerns regarding the storm water management plan. Commissioner Snyder made a motion that the applicant had met all required criteria and directed Attorney Ruff to construct the Findings of Fact to include conditions noted by the Planning Commission and during the meeting. Commissioner Hunt seconded the motion which passed on a vote of 5-0 in favor.

Comments from the Public:

President Clark asked if there were any comments from the public.

- Attorney for the applicant, Sarah Everhart, suggested that the Commissioners consult with Town engineers on the storm water management issue as they had reviewed and approved the plan.
- Phil Jones expressed concerns regarding the lack of ability of the public to question the applicant's experts.

The Commissioners of St. Michaels
March 3, 2009

- Langley Shook of Tricefields echoed Mr. Jones concern and further indicated that he was disappointed that the Commissioners had not sought a development plan with superior environmental benefits.

Comments from the Commissioners:

President Clark and the other Commissioners praised the Public Works Department for their snow clean-up operation on Sunday and Monday, March 1 and 2, 2009.

Adjournment:

There being no further comments from the Commissioners or the public, President Clark adjourned the meeting at 4:45 p.m.

Respectfully submitted,

Dorothy C. Olley
Assistant Town Clerk