

St. Michaels Planning Commission Workshop
St. Michaels Town Office
300 Mill Street
January 15, 2019
1:30 P.M.

Present: Chairman Dennis Glackin, and members Carol Parlett, Helen Levin, Paulette Florio, and Jeff Knapp, Commissioners Joyce Harrod, and Michael Bibb, Zoning Officer Kymberly Kudla, Town Manager Jean Weisman, Kristin Greenaway, President of the Maritime Museum and her assistant, Katherine Ferguson, Zoning Consultant Peter Johnston, and two members of the public, Tad DuPont of Locust Street, and Douglas Rollow of Water Street.

Call to Order:

Chairman Glackin called the meeting to order at 1:30 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland.

Workshop: Zoning Code Rewrite (Consultant Peter Johnston, Peter Johnston and Associates.

Mrs. Weisman said that Kristin Greenaway wanted to meet with Planning Commission members to review the Maritime Museum's long range plans, and discussed dates and times. Chairman Glackin noted there were supplemental materials provided to the group that included Mr. Johnston's proposal. The discussion from the last meeting resumed with Article 8, Section 340-57, Museum, page 4. Ms. Greenaway said she was hoping to address two issues – accessory uses with regard to (1) the store and (2) food services. Ms. Greenaway said the Museum feels that regulations impacting the store and food services are anticompetitive and should be removed. Ms. Greenaway said there should be no set square footage constraint on the new store, which would be located inside the new welcome center building, because the size and design of the store was yet to be determined. Ms. Greenaway also said that the restrictions on both the store and the food service do not support the goal of economic development as outlined in the Town's Comprehensive Plan. Ms. Greenaway reiterated that the constraints on the store and serving food on the museum campus were unfair and anticompetitive, and counter-productive to the Museum's future. Ms. Greenaway said she had brought along a one-page concept proposal for a leased café inside the welcome center that would serve daily food, such as coffee, pastry, and perhaps food from local restaurants, such as pizza from Ava's or ice cream from Justine's. She emphasized that a cafe was not a restaurant.

Chairman Glackin called for comments from the members. Member Paulette Florio said that in the past, the Town's Business Association and the restaurants did not want competition from the Museum, but that this proposal was totally different, using local business should they choose to participate. Member Florio added that the Museum already serves food five times a year at their special events.

Chairman Glackin noted that the workshop had generally agreed at their last meeting to leave the food and store regulations in place, but that the group was open to looking at alternatives. Chairman Glackin asked what the Museum would be selling in the new store. Ms. Greenaway said they would be selling exactly the same merchandize and concept, perhaps a little bit larger space might be needed or not, depending on how all the interior space of the Center was

configured. Chairman Glackin said he believed that these two issues needed to be addressed in the code and have limitations, but that perhaps changes could be made that would be satisfactory for the Museum and the Town. Chairman Glackin asked Ms. Greenaway to come back to the group with a more detailed proposal. Member Knapp agreed, saying the Museum should give the group something they could work with and debate. Chairman Glackin noted that the Code re-write was going to take quite some time and if the Museum submitted something within the next couple of months, that was more than sufficient. Member Knapp thanked Ms. Greenaway for putting forward her café proposal and that the zoning re-write group would re-visit both issues. Members Knapp and Florio and Commissioner Harrod indicated that St. Michaels was a much busier place than in years past and perhaps the regulations should reflect changing times.

Chairman Glackin called upon Tad DuPont, who opened a discussion on the Mill Property and the HRZ zone. Mr. DuPont said that the Mill Property had expanded the number of retail shops since the zoning for it was created, and that the use of the property is currently the best it has ever been, with more visitors, and a better parking situation. Mr. DuPont said his concern was the regulations on making a product on-site in order to sell it. Mr. Johnston said that the winery, distillery, and brewery are complex because of state licensing and limitations on what and how much can be made or sold. However, Mr. Johnston said the draft Permitted Uses Table in the Town's Code has now been changed so that the HRZ zone allows retail sales, which covers all the businesses in that zone. Chairman Glackin said that the group was also working to resolve the café vs. restaurant distinction and was leaning toward combining the two as there was little difference except size. Chairman Glackin called upon Mr. Rollow, who had no comments.

Chairman Glackin said he would like to take a few minutes to discuss the zoning survey that was distributed to residents. He asked if there were any comments or feedback on the results. Member Florio said she had answered a few questions from people, and in general, people seemed pleased to have received the survey and to be included in the process. Chairman Glackin said that on the two controversial issues - accessory dwelling units and the short term rentals - he had found the respondents were generally in agreement with what the re-write group had decided to do. Chairman Glackin asked if any of the members had seen anything in the results, particularly on accessory dwelling units or short term rentals, that made them want to go back and re-visit those issues. Chairman Glackin said he questioned whether accessory dwelling units should be limited to existing structures, and new structures prohibited. Member Knapp said he thought the conditions for both should be reviewable. Member Parlett agreed, saying that if a person had the space and met all the requirements, they should be allowed to build a new structure. The members discussed the current time frame in the code for short term rentals in the CC zone and agreed it needed to be updated to accommodate overnight stays. Doug Rollow of Water Street said that residents had come to him asking what the policy was on short term rentals on Talbot Street because they thought it discouraged affordable housing. Mr. Johnston said there are currently parallel policies, one encourages keeping structures historically viable and one encourages keeping the buildings in the commercial district financially viable. Affordable housing, Mr. Johnston said, is being addressed through the changes being made to the accessory dwelling unit policy. Mr. Rollow said he understood, but that the Town should be ready to respond to that question publicly. Chairman Glackin briefly reviewed the demographics of the surveys so far, but said there are still more responses coming in.

Chairman Glackin then continued with the review of the supplemental use regulations, and asked if there were any questions regarding the regulations for building-mounted solar energy systems. After a discussion among the members of height requirements in different areas, Mr. Johnston suggested removing the three-foot height restriction and replacing it with a statement that the panels must comply with the building height limitations of the zone the property is in, and not exceed one foot above the highest point of the structure. The members reviewed ground mounted solar systems, agreeing that such systems must meet side and rear setbacks and have a maximum height restriction, which Mr. Johnston said he would research.

The members next discussed antennas and/or antenna towers like those used by amateur radio operators, and agreed to update the language, adding “full spectrum” and the same maximum building height and setbacks as for accessory structures. The members also agreed that a special exception could be granted for antennas taller than 35 feet for ham operators.

Chairman Glackin opened the discussion of “microcell networks.” Mr. Johnston explained that these were booster kits to extend the range of cellular service, and were usually installed on cable, phone, or light poles. The members and Town Manager Jean Weisman were in agreement that the Town did not want to encourage such installations as the equipment was unsightly and overly large and the consensus was to eliminate the category and let state and federal regulations prevail.

The members discussed the “adult business” category, which Mrs. Weisman said did have to have a regulatory category in the Town’s code. Mrs. Weisman said this category and language had been thoroughly vetted by the Town’s attorneys when it was added a few years ago. The members decided not to alter or change the regulations. As there were no conditions for “Veterinary care/grooming”, this section was eliminated. Mr. Johnston said that other sections or categories where there were no conditions would also be eliminated.


Chairman Glackin opened discussion of Page 12 – “temporary fairs or carnivals sponsored by charitable, civic, educational or social organizations,” noting that it would be the final discussion for today’s workshop. Mrs. Weisman said this category was included to cover the Fire Department’s sponsorship of a carnival for fundraising purposes. It was decided that the category heading should remain in the code, but all verbiage eliminated and replaced with a reference to Chapter 250 “Licensing and Permitting.”

Chairman Glackin said the next workshop would be February 5th at 1:30 p.m. in the Town Office meeting room. Mr. Johnston said the review would be the next sequential Article.

Adjournment

The meeting was adjourned at 3:40 p.m.

Minutes approved by a 4-0 vote in favor on 24th day of Jan, 2019


Dennis Glackin, Chairman