

# THE COMMISSIONERS OF ST. MICHAELS

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## Waterways Management Advisory Board Tuesday, June 11, 2019 at 4pm Town Office

Call to order – John Marrah opened the meeting at 4:02pm.

Present: John Marrah, Roy Myers, Mark Van Fleet, Planning and Zoning Officer Kymberly Kudla and Town Manager Jean Weisman. Mark Welsh was not in attendance.

Approval of minutes:

Member Marrah made a motion to approve the minutes of May 14, 2019 as submitted. The motion was seconded by Member VanFleet and carried on a vote of 3:0 in favor.

OLD BUSINESS:

- Review of Building permit #5186: Paquin–980 Ruscello Vista Court (Paquin lot 12) Foster 962 San Domingo Court (Foster lot 11) – Install 3 boat lifts and a floating platform. Lateral Lines – Waterway Approval #5069 and #4988. Submitting an application to MDE – pending

Chairman Marrah noted that Paquin lot 12 is seeking approval to place 2 boatlifts on lot 12 and a boatlift and floating platform on an existing mooring pile at lot 11. However, the mooring piling is nonconforming as it is in the exclusion area as well as across the property line. The method for the lateral line (B) was previously approved as the fairest of all at a time when boatlifts were not permitted in the “other waters” of the Town. Member Myers recalls the approval was granted under the condition that the neighboring property owner provide a letter of consent.

Chairman Marrah recommends applicant not build boat lifts on the outside 2 pilings but on the second 2 pilings which would put the 2 outside pilings in the setback area and not in the adjacent property. This would require a letter of consent from lot 10. Member VanFleet was in agreement.

The number of permitted slips was discussed. Ms. Weisman cited definition of slip and critical area regulations of the zoning code concluding that the intent of zoning is to allow 1 boat lift/slip per household.

Chairman Marrah made a recommendation to deny permit# 5186, request 2 permits one for each property owner. Each application limits itself to 1 boat lift incorporated in the existing approved slips none to be attached to pilings that are not on the property of the requested owner and there be no more than 1 boat lift per property owner and no floats. Motion seconded by Member VanFleet and carried on a vote of 3:0 in favor.

Members suggest continuing a discussion on floats, clarification of boat lift/slips, piers and finger piers. Member Myer volunteered to draft language to be reviewed at the next meeting.

NEW BUSINESS:

- Review of Building permit #5223: Town of St. Michaels/SHA – Reconstruct “T” head pier, dredge 300 cubic yards of material, construct 50’ long by 7’ wide floating pier and a 15’ long by 5’ wide kayak/canoe launch.

- Chairman Marrah noted that all required permits have been issued; this review is the last step in granting the approval to reconstruct the pier at Back Creek Park. Members discussed lateral lines.
- Chairman Marrah made a motion for application #5223 for the Town of St. Michaels, Md. to issue the permit utilizing last course method C for lateral lines on the southern side of the construction of the dock and recognize that no lateral line impact on northern side of the Waterman's dock or the kayak ramp as there are no adjacent properties nearby for either of the proposed structures. He added that previously approved are the extensions beyond the ¼ was of the waterway limits that was approved by this body and the state permitting agencies. Motion seconded by Member Myers and carried by a vote of 3:0.

Member Van fleet commented on RV/Camper parking and lack of parking in harbor.

**OLD BUSINESS:**

Review of Building Permit #5214: George Sass – 220 E Chestnut Street – Remove two existing finger piers and construct 30ft x 6ft wide pier, 30ft x 3ft finger pier and 16ft x 10ft floating platform and replace 74ft of bulkhead.

Chairman Marrah was in support of the application except for the floating platform. Members discussed details of the application. Member Myers requested clarification of the locations of the lot line, lateral line and pilings showing a proposed floating pier consistent with those in the Harbor.

It was suggested researching satellite data from previous years in regard to the floating docks.

Chairman Marrah made a motion to deny application #5214 as submitted. The recommendation to applicant is to submit application with lateral lines changed using correct property lines (last coarse method), one proposed pier consistent with other floating piers (4'-5' in width), keep and maintain other finger pier to be consistent with other finger piers in Harbor and provide details of mooring pile locations and documentation of who owns mooring piles located at edge of property line.

**Other matters from Advisory Board or Staff:**

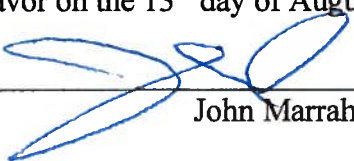
Discussion of floating docks: Member Van Fleet has documented 19 fixed/non-fixed floating docks in the harbor. Chairman Marrah noted that 1-2 docks are appropriate along Water Street however the question is if they were permitted by Town or State, Ms. Kudla tasked to research determining status of permits.

Next meeting date: Tuesday, July 9, 2019 at 4pm in the Town Office.

Ms. Kudla also suggested drafting language for clarifications to the Code for boat lifts/slips and floats and definition of pier/finger pier.

The meeting adjourned at 5:42pm.

Minutes approved as submitted by 4:0 vote in favor on the 13<sup>th</sup> day of August 2019.

  
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 John Marrah, Chairman