

CHARLESTOWN PLANNING AND ZONING COMMISSION  
MINUTES  
April 5, 2012  
7:00pm

Chairman Rogers Clements called the meeting to order at 7:00 p.m. The attendance included Rogers Clements, Ursula Boudart, Dave Jarinko and Wib Pumpaly.

Approval of Minutes –

- February 23<sup>rd</sup>, 2012 – Due to a lack of quorum of board members that were present during the February 23<sup>rd</sup> meeting, the approval of these minutes were postponed.
- March 8<sup>th</sup>, 2012 – After a moment to review, Dave Jarinko motioned to approve the minutes as written. This was approved 3-0.

**New Business**

Considerations regarding property at 235 Frederick Street – Terry Lee – Mr. Lee did not appear for the meeting.

Permit 12-20 - Construction of Deck – 115 Revelation Road – Shawn Fortune – After a brief discussion, Mr. Jarinko motioned to approve Permit 12-20. This was approved 3-0.

Dr. Gell arrived for the meeting at this time.

Permit 12-21 – Fence & Patio – 523 Water Street – Wellwood Restaurant – Mr. Pumpaly explained that this permit has been approved by the Historic District. The present board members discussed a previous issue with the concrete pad at this property which had been grandfathered because it had been installed so long ago. Mr. Rogers explains that the plans do not indicate any setbacks which would need to be reviewed. It was explained that the new structure would have to be a minimum of 15 feet from the street (Water Street). The approval of this permit was put on hold until the submitted information can be clarified.

Permit 12-22 – Replace Window/French Door – 235 Frederick Street – Terry Lee – Mr. Pumpaly advised that the Historic District has approved this permit. Dr. Gell motioned to approve permit 12-22. This was approved 4-0.

Permit 12-24 – Lawn Shed – 640 Baltimore Street – Donna Mattison – After a brief discussion, Mrs. Boudart motioned to approve permit 12-24. This passed, 4-0.

Permit 12-25 – Replace Driveway – 308 Baltimore Street – Prosper & Ursula Boudart – After a brief discussion, Mr. Rogers motioned to approve permit 12-25. This was approved 4-0.

Shed Placement in Forest Conservation Area – 40 Theresa Lane – Jim Gerkin – Mr. Pumpaly presented that he spoke with the County Forest Retention representative and was advised that buildings are not permitted in Forest Retention Areas. He spoke with Amanda at the County Planning and Zoning and was advised that the resident could apply for a special exception. Mr. Jarinko states that the Town hasn't decided on how they would handle easements. Mrs. Boudart advises that the county would supersede the Town's approval. Mr. Pumpaly suggests that the resident requests an exception with the county. He also stated that the county will not approve a permit without an approved Town permit. Mr. Jarinko then explains that this is why the Town needs to decide on how they will be handling easements before they can approve a permit. Mr. Pumpaly suggests to the resident that he speak with the county to at least get a conditional approval while the Town decides how they are going to handle easements.

### **Old Business**

Discussion Regarding the Administration of Easements in Charlestown – Mrs. Boudart mentioned that Mr. Capano’s wife delivered a document to each board member but Mrs. Boudart doesn’t believe it has much to do with their subject matter but has more to do with the operation of the water and sewer system. Mr. Pumpaly expressed that he researched online, spoke with Perryville, Elkton and some of the Planning and Zoning Board members and most places across the U.S. approval is determined on a case by case basis and the homeowner is to sign a letter stating that, if needed, the removal of a structure would be done immediately and replacement would be at their expense. Dr. Gell states that in this case, the builder has built the fence and should remove it. Mr. Pumpaly stated that the builder who installed the fence is no longer in business. Mrs. Boudart stated that Ryan Homes, the current builder in this area, has offered to move the fence so that the adjoining lot can be graded properly. Mrs. Boudart states that a letter should be sent to the homeowner stating that if the fence ever needs to be moved in the future, it would be at her expense. Greg, from Ryan Homes, asks the Town to require the homeowner to sign a document stating she has approved for Ryan Homes to remove and reinstall the fence.

There being no further business it was moved to adjourn the meeting and all agreed.

Respectfully submitted by Christina Jackson; Town Clerk.