

CHARLESTOWN PLANNING & ZONING COMMISSION MEETING Minutes

June 7, 2018 – 6:00 pm

The meeting was called to order by Rogers Clements, Chairman. Present were Rogers Clements, Patricia Clements, Ken Confalone, Bert Gay and Town Administrator Wib Pumpaly. Absent was Tom Durange

Bert Gay moved to Approve the minutes of May 3, 2018, seconded by Ken Confalone. Approved 3-0 with one abstention.

Old Business

- “Zoning Violation” Market Street Café. Mr. Pumpaly received two letters this week from the attorney of Mr. Reed. Mr. Clower, the town attorney and Mr. Pumpaly have talked. We have done a survey and the property in question is not anywhere near town land. It sits on a piece of residential property and has a commercial use. In October of 2017 Mr. Clower sent a letter that Ms. Mann would be sending a letter to the owner of the Market Street Café stating that the venue needed to be moved to the commercial portion of their property. Mr. Pumpaly stated that while they had not moved the structure, the site has not been used. Is a boat OK on residential property? Yes, there are boats all over sitting on residential property. We feel that while the structures and seating are still on the property, they have complied with our letter and have ceased to have events on the residential portion of the property so are in compliance with our zoning code. If they were to host events there then they would be in violation. A letter can be sent by our attorney in response that we feel the zoning letter sent in October has been complied with.

New Business

- Joan P. Callaghan – Revision of Permit #18-21 **(519 Calvert St.) (H)** This was approved by the board some months ago and she is asking for a revision. She is putting in a brick patio instead of a concrete patio. The HDC has approved the permit. Ken Confalone moved to approve, seconded by Bert Gay. Approved 3-0 with one abstention.
- Joan P. Callaghan – Enclose Portion of Existing Deck - #18-38 **(519 Calvert St.) (H)** This has been approved by the HDC. Rogers Clements moved to approve, seconded by Ken Confalone. Approved 4-0.
- Cheryl O’Sullivan – Concrete Pad - #18-36 **(13 Theresa Lane)** Rogers Clements moved to approve, seconded by Ken Confalone. Approved 4-0.
- Dean Babajko – Finish Basement (All Interior Work) - #18-37 (Approved by Administrator) **(129 Steamboat Ct.)** Rogers Clements moved to approve, seconded by Ken Confalone. Approved 4-0.

- Alex Robinson – Lawn Shed - #18-39 (**141 Cool Springs Rd.**) This is pending HOA approval. Rogers Clements moved to approve, seconded by Bert Gay. Approved 4-0.
- Keystone Homes – House/Garage - #18-40 (**159 Steamboat Ct.**) Bert Gay moved to approve, seconded by Ken Confalone. Approved 4-0.
- James Paul – Construct Porch - #18-41 (**310 Baltimore St.**) (**H**) This has HDC approval. He wants to extend the roof of an existing shed to cover his kayak. Rogers Clements moved to approved, seconded by Ken Confalone. Approved 4-0.
- Mike Gustafson – Plastic Yard Container - #18-42 (**816 Bladen St.**) Ken Confalone moved to approve, seconded by Rogers Clements. Approved 4-0.
- Wellwood Restaurant – Ice Cream Stand on Leased Property - #18-43 (**523 Water St.**) (**H**) This has HDC and Commissioner approval. Mr. Clements asked who owned parcel 462? The town. The proposed ice cream stand is on parcel 450, which is zoned exempt commercial with no property tax. If the property would be used for a commercial money making entity property taxes would be owed. How much would the property tax an estimate would be \$400 - \$500. Mr. Metz stated he would pay the tax if that is what it takes. Will the structure be permanent or be removed? It would be permanent as it would have water and electric. It would also become the property of the town. Mr. Clements stated that the town (Commissioners) need to decide if they will pay the property tax. Mr. Metz again stated that he (the Wellwood) would pay the property tax. Mrs. Clements feels that we cannot move forward until the Commissioners make a decision. Mr. Confalone asked if we have a problem otherwise. What are the setbacks to be? There will be no deck for seating. The landscaping will still be there in pots. Mr. Gay stated that the only problem seems to be a needed amendment to the lease. Ken Confalone moved that the ice cream stand is approved conditional upon financial concerns being met with the leaseholder, seconded by Patricia Clements. Approved 3-0 with one abstention. Patricia Clements asked that the entire package for the permit with a corrected plot plan be presented to the Commissioners at their next meeting to give them the whole picture. Ms. Mann asked what the cost would be for a recording of this meeting. Mr. Pumpaly is not sure, you can check with office staff with a FOIA request.
- R&P Property Management – Renovate Interior (4) Apts. - #18-44 (**300 Market St.**) (**H**) This has HDC approval. Has the closing gone through? Can we approve it without knowing the assessed value? Will it need a sprinkler system? With the new owners still have the assessed value as stated at the present time or will it be less? They should just do one apartment at a time. We could approve pending a new assessment. Tabled until a new assessment is available and the settlement is finalized.
- Keystone Homes – House/Garage #18-45 (**171 Cool Springs Rd.**) Bert Gay moved to approve, seconded by Ken Confalone. Approved 4-0.
- Keystone Homes – House/Garage #18-46 (**144 Steamboat Ct.**) Bert Gay moved to approve, seconded by Ken Confalone. Approved 4-0.

- Terry Jenkins – Concrete Pad #18-33 (**219 S. Ogle St**) The pad is to be used for a basketball court. Ken Confalone moved to approve, seconded by Bert Gay. Approved 4-0.
- Charles Murphy – Replace Porch #18-47 (**304 Cecil Street**) (**H**) This has HDC approval for the porch but not the fence. Ken Confalone moved to approve as per HDC without the fence, seconded by Rogers Clements. Approved 4-0.
- Norman Graham – Replace Roof #18-48 (**420 Tasker Lane**) Ken Confalone moved to approve, seconded by Rogers Clements. Approved 4-0.
- Terry Jenkins - Hot Tub #18-49 (**219 S. Ogle St.**) The hot tub will set on gravel and a decorative plastic base. Bradley Electric will be doing the hook up. Rogers Clements moved to accept, seconded by Bert Gay. Approved 4-0.
- Jesse Neustadter – 24 x 12 Deck #18-50 (**325 Market Street**) (**H**) This has HDC approval. Ken Confalone moved to approve, seconded by Bert Gay. Approved 4-0.
- Clifford Bell – 28 x 36 Pole Bldg. #18-51 (**#6 Salvation Circle**) There is an existing building shown on the plat that will be removed. The state has approved with regard to the non-tidal wetlands. Rogers Clements moved to approve, seconded by Ken Confalone. Approved 4-0.

There are houses in Cool Springs that are putting up basketball hoops along their driveways and some are actually in the town right of way or streets. The HOA has sent letters to demand removal and support the town taking action.

David Dahlstrom with the Maryland Department of Planning is working on the updating of Section 150 and 175 of the Planning Code and will do it for nothing. We worked with him for quite awhile and then the process stopped. He has asked Mr. Dahlstrom to start the process again. Would you like to get together with him as an entire board or a sub committee meeting which would not have to be advertised. Mr. Pumpaly suggests that we get together after the MML Summer Conference with a small group. He can meet on Tuesdays, Thursdays and Fridays. Rogers is available. Bert is wondering what the time commitment is?

Mr. Joe Carey has a petition going around about the property at 619 Bladen and the condition is it in. The concern is that the work has stopped, but the owners have now boarded up the windows and the outside stairwell making the property looking derelict.

Will Rebecca be replaced? Mr. Confalone advocates that we replace her for such things as 619 Bladen and other violations of the code.

There being no further business to discuss Rogers Clements moved to close the meeting, seconded by Patsy Clements. Approved 4-0.

Respectfully submitted,

Debbie Myers, Town Clerk

Approved 7-5-2018