



MINUTES

March 18, 2024

5:00 PM

The Board of Appeals met on March 18, 2024, at 5:00 p.m. in the County Commissioners Hearing Room. Board members in attendance were Chair Dr. Albert Townshend, Member John Massey, Member Joan Horsey, and Alternate Member David Hill.

Thomas N. Yeager, Esq., Acting Board Attorney; William Mackey, AICP, DPHZ Director; Carl Gerber, AICP, Deputy Director; and Mark Carper, LEED Green Associate, Associate Planner were in attendance.

Applicants in attendance included Greg Watson, Alex Dolgos, Kyle Lindstrom, Lynn Winkler, Doug Sample, Gerald Dockstader, and Eric Colliflower. Kim Righi, Finance Director, and Mitch Mowell, Esq., represented Minary's Dream Alliance.

Members of the public who attended and signed in on the sign-in sheet included: Brad Applebaum, Elizabeth Clark, Karen S. Colliflower, Susan Crooks, Jim Cummings, Karen Kemp-Dockstader, Russ Frymiare, Bob McGinnis, Mary McGinnis, Pat Nugent of Washington College, Dr. O'Connor, School Board Member Frank Rhodes, Shore Rivers Riverkeeper Annie Richards, Nathan Shroyer, and Claudia Wayne.

Other members of the public who spoke at the meeting, identified themselves verbally, but did not sign in included: Mary Alice Ball, Russel Braundmeier, Wanda Boyd, Rachel Carmody, Gretchen Mann, Susan Newton-Rhodes, and Jasmine Robinson.

The meeting was called to order at 5:00 pm by Chair Townshend. A moment of silence was observed in memory of the Board's recently deceased attorney, Chris Drummond.

The Board first heard testimony from online participants Elizabeth Clark and Greg Watson who had been unable to testify at the January 22, 2024, hearing regarding Mr. Watson's appeal of the Planning Director's decision to deny a permit for a stone revetment at 12594 Coopers Lane in Worton.

Ms. Clark, an adjoining property owner, described issues with a prior living shoreline project on a neighboring property that had failed after several years despite being built by a reputable firm.

Mr. Watson stated he had consulted with four contractors, none of whom recommended a living shoreline for the site, and that he was seeking to protect his shoreline and dock.

After deliberation, Member Horsey made a motion to rescind the Board's January 22, 2024, decision affirming the Planning Director's denial. The motion was seconded by Member Massey and passed unanimously. Member Horsey then made a new motion to reverse the Planning Director's decision and

Adopted on August 19, 2024

allow the installation of 45 linear feet of stone revetment along the shoreline at 12594 Coopers Lane. The motion was seconded by Member Massey and passed unanimously.

Next, the Board considered the application of Jill Gaumer and Lynn Winkler for a pier length variance to install a 10' x 14' platform at the end of their existing pier at 24251 Drayton Landing Drive in Worton. Doug Sample of Riptide Marine Construction represented the applicants, stating the platform was needed for safer boat docking and that the pier would not be extended further into the creek. Staff noted that state and federal approvals had been obtained. After discussion of the variance criteria, Member Massey made a motion to grant the variance, which was seconded by Member Horsey and passed unanimously.

Finally, the Board heard the appeal of Gerald Dockstader and Eric Colliflower on the Planning Director's decision on permitted uses at Minary's Dream Alliance, 9155 American Legion Road in Chestertown.

Member Joan Horsey recused herself from this appeal involving Minary's Dream Alliance (MDA). Alternate Member Daid Hill sat for this item.

Neighbors and members of the public spoke both for and against the appeal. Key issues discussed included consistency with the 2021 court order, septic capacity, tents/camping, and impacts on the neighborhood. Other members of the public asked questions from the audience, which was not considered as testimony.

Kim Righi, Finance Director for Minary's Dream Alliance, confirmed the organization's non-profit status. Mitch Mowell, Esq., presented arguments opposing the appeal. Following Mr. Mowell's presentation on behalf of Minary's Dream Alliance, members of the public were allowed to conduct cross-examination.

Deputy Director Carla Gerber clarified that the two appealed issues were 1) the sacred space / labyrinth / outdoor classroom area and 2) the parking lot, both of which the Planning Director determined to be permitted uses in the Critical Area Residential zone, subject to site plan review. She explained the difference between permitted and non-conforming uses.

The Board determined the Planning Director was correct in finding the appealed uses are permitted uses in the zoning ordinance. Member Massey made a motion to agree with the Planning Director's determination. Member Hill seconded. The motion was passed. Member Horsey had recused herself and did not vote.

The meeting was adjourned at approximately 8:40 pm.

/s/ Albert S. Townshend
Dr. Albert Townshend, Chairman

/s/ W. A. Mackey
William A. Mackey, AICP, Director DPHZ

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