

QUEENSTOWN COMMISSIONERS
December 18, 2019

PRESENT: Commissioner Al Hardee, Commissioner Holger Schuster, Administrative Assistant Aaron Horney, Town Attorney Lyndsay Ryan. President Thomas Willis, Jr. and Town Manager/Clerk Amy Moore were absent.

REGULAR MEETING CALLED TO ORDER AT 7:00 PM

PUBLIC HEARINGS CALLED TO ORDER AT 7:01 PM

ORDINANCE 19-06 – AN ORDINANCE OF THE COMMISSIONERS OF QUEENSTOWN TO AMEND ARTICLE VIII, SECTION 95 TITLED TABLE OF HEIGHT, AREA AND BULK REQUIREMENTS OF THE QUEENSTOWN ZONING ORDINANCE TO PERMIT ACCESSORY STRUCTURES WITH A MAXIMUM HEIGHT OF 26 FEET IN THE R-1 AND R-2 ZONING DISTRICTS PROVIDED THAT THE HEIGHT ACCESSORY STRUCTURE DOES NOT EXCEED THE HEIGHT OF THE PRINCIPAL STRUCTURE

ORDINANCE 19-07 – AN ORDINANCE OF THE TOWN OF QUEENSTOWN AMENDING ARTICLE XVI, SECTION 192 TITLED CHANGES AND AMENDMENTS OF THE QUEENSTOWN ZONING ORDINANCE TO REVISE THE PROCESS TO AMEND THE QUEENSTOWN ZONING ORDINANCE BY ELIMINATING THE REQUIREMENT OF ADVERTISING IN THE NEWSPAPER THE PUBLIC HEARING BEFORE THE PLANNING COMMISSION

ORDINANCE 19-08 – AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND ARTICLE XII, SECTION 122 OF THE QUEENSTOWN ZONING ORDINANCE TITLED “EXPIRATION OF BUILDING PERMIT” TO CLEARLY ESTABLISH THE TIME PERIOD FOR EXPIRATION AND TO ESTABLISH CIRCUMSTANCES PERMITTING THE RENEWAL AN EXISTING BUILDING PERMIT

ORDINANCE 19-09 – AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND SECTION 88 OF THE QUEENSTOWN ZONING ORDINANCE TO REQUIRE A PERMIT FOR THE PLACEMENT OF FACILITIES OR UTILITIES IN, UPON, OR OVER THE SIDEWALKS AND THE TOWN RIGHT OF WAY AND ADOPT SPECIFIC REGULATIONS APPLICABLE TO ABOVE GROUND FACILITIES INCLUDING COMMUNICATIONS FACILITIES, SMALL CELL FACILITIES, AND WIRELESS SUPPORT STRUCTURES IN, UPON, OR OVER THE SIDEWALKS AND THE TOWN RIGHT OF WAY

PUBLIC COMMENTS:

Ms. Ryan informed that Pat Bowell inquired about the regulation of cell towers outside of the Town right of way at the last meeting. Ms. Ryan informed that these installations are already regulated by the Queenstown Zoning Ordinance and are only permitted in the “I” zone and in the “CS” zone under special exception and must go through established zoning and permitting processes. The small cell structures are only permitted in the town right of way and would be regulated by the proposed Ord. 19-09.

Pat Bowell inquired about the language in proposed Ord. 19-08 on page 2 section C-1 regarding “detracting of value of surrounding properties” – what mechanism and who would determine if a property’s value was diminished? How would they make that determination?

Ms. Ryan informed that the zoning administrator would make the determination.

Ms. Bowell stated she doesn't agree with unqualified official making the determination- would be opinion as to value being decreased- wording is vague and open to interpretation- would like the wording removed from the ordinance.

Commissioner Hardee stated agreement with Ms. Bowell that the wording should be changed.

Ms. Ryan stated the applicable language in question could be stricken from the ordinance and the ordinance could then be passed.

Commissioner Hardee stated language should be struck from ordinance and move forward with it.

With no more public comments, Commissioner Schuster motioned to adjourn the hearings at 7:13 pm. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay

GUESTS:

PUBLIC WORKS: Aaron Horney

- Correspondence from White Marsh detailing their concerns regarding the WWTP membranes ongoing condition and related correspondence from manufacturer Ovivo. Suggests I&I issues be addressed sooner rather than later. Ms. Ryan and Commissioner Schuster will schedule meeting with White Marsh
- Lane Cole advised the new dump truck body had been installed, truck was picked up and was currently in the process of having flashing warning lights and new bumper installed on the truck. Old body was sold for scrap. Should be pleased with new truck body.
- New Public Works Employee Bryan Miller started on Dec. 2.

PLANNING: Phil Snyder

- Advised they are starting a volunteer group after January to study and inventory sidewalks and other things in town as part of the trail plan work. Starting to see trails becoming more important as communities expand and trail interest increases. Will probably have monetary figures for Commissioners by next budget cycle. Commissioner Hardee also suggested looking into State and Federal grants for trails.

FINANCE COMMITTEE: Pat Bowell

- No Finance Committee updates.
- Pat Bowell informed the Commissioners She taught "If I were the Mayor" to 3rd and 4th graders as part of an essay contest at Kennard Elementary School as part of MML's certification process for next year.

TOWN MANAGER/CLERK-TREASURER:

Treasurer's Report –

General Fund Checking -	\$180,206.80
Water/Sewer Fund Checking -	\$115,779.63

Minutes –

Adoption of minutes from Oct. 23, 2019 and Nov. 20, 2019 were tabled until January 2020 meeting.

Correspondence/Other – Aaron Horney

No correspondence other than previously discussed during Public Works.

OLD BUSINESS:

- I&I Project- Commissioner Schuster stated he and Town Manager/Clerk Amy Moore would be meeting with Town Engineer Bob Rauch Dec. 19 to discuss issues with some metal connectors in the lines that should be addressed before lining can take place. Further discussion on problems with I&I needing to be addressed in light of White Marsh concerns regarding membranes at the plant.
- Water Tower & Infrastructure Project- Ms. Ryan stated she has attempted contact with Peter Dudley several times about meeting with Bob Rauch regarding surveying the property for the tower and to discuss revising the offer- has not heard back. Bob Rauch is ready to proceed with survey upon hearing from Mr. Dudley. Don't want to incur the expense of a survey if Mr. Dudley is not following through. Commissioners ready to explore other options regarding tower location if no more is heard in the next few weeks.
- Commissioner Schuster motioned to have reading of the first sentence of each of the titles of proposed Ords. 19-06 through 19-09 to be sufficient as the full titles of each ordinance for adoption purposes. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay
- Commissioner Hardee motioned to adopt Ordinance 19-06, as was presented during the public hearing. Motion seconded by Commissioner Schuster. VOTE: 2-aye, 0-nay
- Commissioner Schuster motioned to adopt Ordinance 19-07, as was presented during the public hearing. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay
- Commissioner Schuster motioned to adopt Ordinance 19-08, as was presented during the public hearing, with corrections previously discussed regarding language about detracting of property values. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay
- Commissioner Schuster motioned to adopt Ordinance 19-07, as was presented during the public hearing. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay

ATTORNEY UPDATES: Lindsey Ryan

No updates other than as previously discussed regarding Dudley property for water tower.

PUBLIC COMMENT:

No public comments received.

There being no further business at this time, Commissioner Schuster motioned to adjourn the regular meeting at 7:31pm. Motion seconded by Commissioner Hardee. VOTE: 2-aye, 0-nay

Respectfully submitted,


Aaron R. Horney
Administrative Assistant