

**Town Council of Centreville**

**February 25, 2021**

**7:00 p.m.**

**MINUTES**

The February 25, 2021 Town Council meeting was called to order at 7:00 p.m. by President Timothy E. McCluskey at the Liberty Building located at 107 N. Liberty Street, 2<sup>nd</sup> floor meeting room. The following members and staff were present: Timothy E. McCluskey, President; Steven K. Kline, Vice President; Robert R. Hardy, Jr., Jeffrey D. Kiel, and Shelby C. Anania, Members; Steve Walls, Town Manager; Chief Joe Saboury, Centreville Police Department; Clifford Matthews, Director of Public Works; Sharon VanEmburch, Town Attorney; Karen Luffman, Finance Officer; and Carolyn Brinkley, Town Clerk.

- Following the Pledge of Allegiance and a moment of silence, Mr. Kline made a motion to approve the February 4, 2021 meeting minutes, as amended. Ms. Anania seconded the motion, which passed unanimously.

Closed Session Statement

(i) The Town Council met in closed session on Tuesday, February 18, 2021 at 6:34 p.m. via a Zoom call to consult with counsel to obtain legal advice on a legal matter in accordance with the Maryland Open Meetings Act. (ii) All five members of the Town Council voted to close the session. (iii) The authority to close the session is found in Section 3-305 of the General Provisions Article.

(iv) The Town Council discussed the following topics:

- Consult with counsel – discussed legal advice on a development agreement and a zoning matter.

Actions: No actions taken.

The following members and staff were present via Zoom call: Timothy E. McCluskey, President; Steven K. Kline, Vice President; Robert R. Hardy, Jr., Jeffrey D. Kiel, and Shelby C. Anania, Members; Steve Walls, Town Manager; and Sharon VanEmburch, Town Attorney.

The meeting adjourned 7:37 p.m.

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(i) The Town Council met in closed session on Tuesday, February 25, 2021 at 6:12 p.m. at the Liberty Building, 107 N. Liberty Street, 2<sup>nd</sup> floor meeting room to discuss personnel and consult with counsel to obtain legal advice on a legal matter in accordance with the Maryland Open Meetings Act. (ii) All five members of the Town Council voted to close the session. (iii) The authority to close the session is found in Section 3-305 of the General Provisions Article.

(iv) The Town Council discussed the following topics:

- Personnel – interviewed a candidate for a Board or Commission vacancy.
- Consult with counsel – discussed legal advice on a developer agreement and on a zoning matter

Actions: No actions taken.

The following members and staff were present: Timothy E. McCluskey, President; Steven K. Kline, Vice President; Robert R. Hardy, Jr., Jeffrey D. Kiel, and Shelby C. Anania, Members; Steve Walls, Town Manager; Sharon VanEmburch, Town Attorney; and a candidate for a board/commission position.

The meeting adjourned 6:56 p.m.

Citizens Comments

- No citizen comments provided.

Appearances

a. Board and Commission Oath of Office

- Mr. Hardy made a motion to approve Jennifer Holdgreve as a member of the Board of Supervisors of Elections for a three-year term expiring, April 2024. Mr. Kiel seconded the motion, which passed unanimously.

- Mr. Kline made a motion to approve Chriss Chisolm as a member of the Board of Supervisors of Elections for a three-year term expiring, April 2024. Mr. Hardy seconded the motion, which passed unanimously.
  - Mr. Kline swore in Jennifer Holdgreve as a member of the Board of Supervisors of Elections.
- b. Centreville Ethics Commission Presentation
- Martha Herman, Chair and Carrie O'Connor, Vice Chair of the Centreville Ethics Commission made a presentation on the mission, members, and goals of the Commission.

### Old Business

- a. Ordinance 01-2021 – Text Amendment – Agriculture Uses in the Planned Business District (PBD) – Second Reading
- Mr. McCluskey read Ordinance 01-2021 for the purpose of amending the Town of Centreville Zoning Ordinance, which is Chapter 170 of the Town Code, to add agriculture as a permitted use (subject to limitations contained herein) in the Planned Business District (PBD).
  - Mr. McCluskey stated the Centreville Planning Commission forwarded a favorable recommendation to the Town Council for Ordinance 01-2021.
  - Ms. Brinkley will schedule a public hearing for the March 18<sup>th</sup> Town Council meeting.
- b. Ordinance 02-2021 – Text Amendment – Moratorium – Accessory Structures over 400 S.F. – Second Reading
- Mr. Kline read Ordinance 02-2021 for the purpose of adopting a temporary moratorium on the issuance of permits for accessory structures in excess of 400 square feet.
  - Mr. McCluskey stated the Centreville Planning Commission forwarded a favorable recommendation to the Town Council for Ordinance 02-2021.
  - Ms. Brinkley will schedule a public hearing for the March 18<sup>th</sup> Town Council meeting.
- c. Tax Set-Off / Tax Differential – Discussion
- Mr. McCluskey reported that the information submitted to the County Commissioners was included in the Council's packets. This information was due February 23<sup>rd</sup> and was anticipated to be discussed at last week's Town Council meeting, which was cancelled due to weather.
  - After some discussion, Mr. Hardy stated he was in favor of keeping the difference between last year's differential and this year's differential. For example, if last year was \$.11 and this year is \$.13 the Town would give the \$.11 back to the residents and keep the difference of \$.02.
  - Mr. Kline stated that he was not in favor of not giving the full tax differential back to the citizens. He felt that the Town needed to look at what we would need the money for, earmark it, and then build a case to the County Commissioners and citizens. Mr. Kline was not in favor of any decision, other than back to the citizens, this year until the new Council Members can get a better understanding of the budget.
  - Mr. Kiel stated he was in favor of giving the full tax differential back to the citizens.
  - Ms. Anania stated she was in favor of giving the full tax differential back to the citizens.
  - Mr. McCluskey clarified if the Council would like to revisit this item during the budget work sessions this year.
  - Mr. Kline is in favor of considering this in the out years, but not this year.
  - By consensus, the Town Council decided to table the discussion on tax differential/tax set-off until this year's budget meetings.
- d. Volunteer Appreciation Dinner
- Ms. Brinkley reported that all volunteers on the Town's boards and commissions received a Town of Centreville mask and \$20 Centreville Dollars.
  - By consensus, the Town Council tabled this discussion until a May meeting.
- e. Employee Appreciation Breakfast
- By consensus, the Town Council tabled this discussion until a May meeting.
- f. 2021 Fireworks
- The Town Council requested the fireworks company be contacted to reserve the date and to contact the Board of Education regarding the reservation of the high school parking lot.

- Preparations will begin for the Family Fun Day and as the date gets closer, the Town Council will determine if it will be held based on any COVID-19 restrictions.
- Ms. Anania requested to be a part of the planning committee for this event.

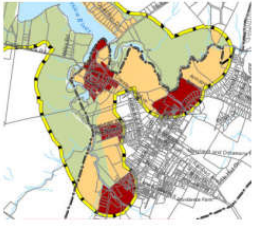
New Business

- Ordinance 03-2021 – North Brook Phase III – Deed of Dedication – First Reading
  - Mr. McCluskey read Ordinance 03-2021 for the purpose of authorizing the acceptance of the rights of way including roadways in the North Brook Phase III Subdivision and consenting to the conveyance of the 6.6-acre proposed park in the Phase II of the North Brook Subdivision to be conveyed directly to the North Brook Phase II Homeowners Association, Inc. in lieu of a conveyance to the Town; in compliance with the Charter of the Town of Centreville, Article III, Section 301, paragraph 46, and all matters related thereto.
- Park Advisory Board Annual Report
  - The Park Advisory Board submitted their annual report for review by the Town Council.
  - Ms. Anania highlighted items within the report:
    - A loblolly pine near Creamery Lane and a hickory tree along Millstream Park were designated as Maryland Champion Trees.
    - Ms. Mileski initiated discussion about adding artwork/sculptures to the Millstream and Wharf parks.
    - Southeast Creek Lawn and Landscape was awarded a second-year Park Landscape Maintenance Agreement.
    - Christmas decorations were wonderful again this year.
- Carter Farm Discussion
  - Mr. McCluskey made the following presentation:



### Critical Area Law

- The Chesapeake Bay Critical Area was established in 1985 to **improve water quality, protect the wildlife habitat, and reduce impacts of human activity on sensitive lands.** Included is all land area within 1,000 feet of the Mean High Water line of tidal waters and tidal wetlands. It also includes the waters of the Chesapeake Bay, tidal areas, and the land beneath these tidal areas.




### Centreville & the Critical Area

- Centreville is framed by the Corsica River and the following branches: Mill Stream, Yellow Bank and Three Bridges.
- Within municipal limits, approximately 369 acres are within the Critical Area.
- The Critical Area Law provides 3 classifications of land:
  - RCA (Resource Conservation Area)
  - LDA (Limited Development Area)
  - IDA (Intensely Developed Area)



### RCA, LDA, IDA

- All land within the Critical Area, except for land owned by the federal government, is assigned one of three land classifications based on the predominant land use and the intensity of development at the time it was mapped.
- RCAs make up approximately 80% of the Critical Area and are characterized by natural environments or areas where resource-utilization activities are taking place.
- Limited Development Areas (LDAs) are areas characterized by low or moderate intensity development, but that also contain areas of natural plant and animal habitats.
- Intensely Developed Areas (IDAs) are defined as areas of twenty or more adjacent acres where residential, commercial, institutional or industrial land uses predominate.
- All three classifications are found in the municipal limits of Centreville.




### What type of development is allowed?

- **RCA:** Land uses are the most restrictive. Generally, lot coverage is limited to 15% of the project. New commercial, industrial, and institutional uses are not permitted. Residential density is limited to one dwelling unit per 20 acres.
- **LDA:** Generally, lot coverage is limited to 15% of the project. Development on steep slopes is prohibited and stormwater management is required.
- **IDA:** Areas of concentrated development where little natural habitat occurs. The main focus is on improving water quality.

### Times Change, Land Uses Change

- As time goes on, land uses may change and growth could occur in the critical area.
- The original 1985 Critical Area law understood this and provided for reclassification guidelines.
- These guidelines are called "Growth Allocations".



## Growth Allocation

- Growth allocation is a process whereby local jurisdictions are allowed to approve additional growth and development in certain parts of the Critical Area by changing the Critical Area classification from RCA to either LDA or IDA or from LDA to IDA. Growth allocation is used to accommodate more intense land uses and development than what would have been permitted based on the existing classification. Each county is allotted a finite number of acres that can be used to reclassify land. Requests to use growth allocation must go through a rigorous review and approval process at the local level and must be approved by the local governing body. Following local approval, growth allocation requests must be submitted to the Critical Area Commission for review and approval.

## Centreville's Growth Allocation Allotment

- Each county was given an allotment equal to 5% of their total RCA Acreage.
- Queen Anne's County Critical Area Program specifically targeted 75% of its available growth allocation for use within designated growth sub-areas, of which Centreville is one.
- Queen Anne's County provided the Town of Centreville with 186 acres of their total.
- To date, the Town of Centreville has used zero acres:
  - The Carter farm proposal from 2015 would have used 40 acres
  - Growth Allocation would have changed this area from LDA to IDA

## Why would the Town approve a Growth Allocation?

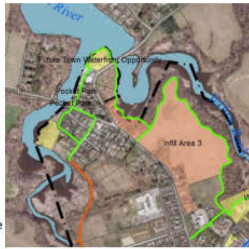
- Smart Growth principles dictate that growth should occur where there is existing infrastructure (schools, shopping, government offices, etc).
- Centreville also has a fully operational wastewater treatment facility.
- Allowing infill growth preserves other critical area to remain undeveloped.
- The Town would receive a benefit for this allocation via a DRRA (Developers Rights and Responsibilities Agreement).
- Without a reclassification, only 15% of the property could be developed:
  - (46 acre parcel, this is about 7 acres, which would include ALL impervious surfaces: roads, sidewalks, houses, driveways, patios, etc)

## How does the process work?

- Developer must be in compliance with the Town's zoning ordinance, including Chapter 170-30 Critical Areas and petition the Town for the growth allocation.
- The Planning Commission has a public hearing and reviews and approves the site plan and subdivision plan in accordance with the Town's Zoning Ordinance.
- The Town Council holds a public hearing on the request.
- The Town Council publishes 'findings of facts' supporting or refuting the developers request.
- The Town Council introduces and passes an ordinance granting approval which includes the findings of fact and any additional provisions/conditions on the approval.
- The Town applies to the State Critical Area Commission for reclassification.
- State Critical Area Commission makes a determination and sets conditions for approval.
- The Town would typically enter into a DRRA with the developer, which would also include a public hearing.

## How does the process work at the Critical Area Commission?

- The Town submits its Growth Allocation Application which includes the Ordinance approving the growth allocation, including the site plan/subdivision plan, conditions, etc.
- The Chair of the Critical Area Commission can either approve and forward to the Commission for concurrence or convene a full Commission meeting to hear the application.
- The Commission can impose conditions of approval:
  - What were the conditions on the previous application?
  - The Commission was very concerned that the developer would not construct the publicly accessible perimeter trail requirement and they specifically conditioned approval on this trail.



## What did the Town request in the previous growth allocation application?

(see Exhibit I, Ordinance 02-2015)

- Conformance with the site plan as approved.
- Cash payment per lot for town improvements.
- Required amenities (parks, walkways, etc).
- Architectural guidelines.
- Adherence to stormwater BMP's.
- Required infrastructure improvements.
- Timeline for completion.
- Any other requests or conditions the Town deems necessary.

## Further Reading

- Town of Centreville 2009 Community Plan
  - Chapter 2: Community Profile
    - Chesapeake Bay Critical Areas
      - Pages 2-13 through 2-15

### TOWN OF CENTREVILLE



Community Plan  
2009

DESIGNED BY  
2013 Lane-Walker  
Centreville, Maryland

QUINCY ARCHITECTS  
DESIGNERS OF THE TOWN OF CENTREVILLE  
COMMUNITY PLAN  
1400 Eastwood Drive  
Centreville, Maryland

## Questions?



- Ms. VanEmburch explained the intent and purpose of a Development Rights and Responsibility Agreement.
- Mr. McCluskey discussed the current zoning for the Carter Farm property as a Traditional Neighborhood Development zone which was changed 2014.

## Reports of Boards and Commissions

### a. Centreville Park Advisory Board

- Ms. Anania stated the Park Advisory Board met via Zoom on February 2<sup>nd</sup> and discussed the following:
  - A bar be installed at the kayak launch ramp to help people when getting in and out of their kayak.
  - Restoring the basketball court at Millstream Park.
  - Communicating with the family of John and Nancy Covert on ways to honor their memory.
  - Multiple calls were received regarding bulbs out on Christmas lights. Many of the Christmas lights will be replaced for use next year.
  - Tree Board will meet next Tuesday, March 2<sup>nd</sup>.

### b. Council of Governments

- Mr. Kiel reported the COG will be meeting on March 10<sup>th</sup> for the tax set-off/tax differential discussion with Queen Anne's County.

### c. Maryland Municipal League

- Mr. Hardy reported that he received information from MML regarding dog parks.
- There was discussion regarding the MML Summer Conference which will be begin on June 27<sup>th</sup> in Ocean City. The conference will be limited to 400 participants and only two (2) people from each municipality will have the opportunity to attend. It was decided that Mr. Hardy would attend as the liaison with MML.
- By consensus, the Town Council requested this topic be placed on the March 4<sup>th</sup> agenda for discussion about who will be the second person to attend.

### d. Planning Commission

- Mr. McCluskey reported that the Planning Commission met the previous week and discussed the following:
  - Forwarded a favorable recommendation to the Town Council for the accessory structure moratorium.
  - Approved the site plan for a storage warehouse on Little Hut Drive.
  - Reviewed the preliminary site plan for GTI at the business park.
  - Reviewed the preliminary site plan for lot E-1 at the business park.
  - Forwarded a favorable recommendation to the Town Council for agriculture uses in the Planned Business District.

## Reports of Department Heads

### a. Town Manager

- Mr. Walls reported the following:
  - Signed a lease agreement with AB Indiana who will be placing an antenna on the North Brook water tower to provide internet services to those interested.
  - Reviewed the Technical Advisory Committee (TAC) schedule that will allow staff additional time to review incoming projects as well as allow the Planning Commission additional time to review. TAC will consist of staff members and consultants for the Town.
  - The Finance Department paid off the Queenstown loan and deposited the remaining \$72,000 from the CD into the permanent fund.

### b. Chief of Police Report

- Chief Saboury reported the following:
  - Reviewed the January, 2021 statistical report for staff, Council, and the public.
  - The 3<sup>rd</sup> speed camera will be deployed on Railroad Avenue on February 26<sup>th</sup>.
  - The 4<sup>th</sup> speed camera was submitted to the Maryland State Highway Administration for approval.
  - The actuarial study for LEOPS is still in process.
  - Torchio Architects, Inc. is measuring the Centreville Wharf Building to begin plans for possible relocation of the Police Department.
  - The new Administrative Assistant begins Tuesday, March 2<sup>nd</sup>. Chief Saboury thanked the Town Council for supporting the request to hire an administrative assistant.

### c. Town Clerk

- Ms. Brinkley reported the following:

- Centreville Main Street received the Maryland Strong Economic Recovery Initiative (MD SERI) grant in the amount of \$147,526. A total of \$132,300 will be used as direct business support for a micro-grant and \$15,226 will be used for indirect business support to fund a bonus card program for the ShopCentrevilleMD Community eGift card program. It is projected the micro-grants will be awarded in amounts up to \$3,500. The grant requirements stipulated that no more than 15% of the funds could be used for indirect business support.
- The application opened up on Wednesday, February 24<sup>th</sup> and 16 applications have been received.

#### Citizens Forum

- No citizens provided comments.

#### Council Roundtable

- Mr. Kiel thanked Mr. Matthews for his staff for salting the ice around town. He also thanked Chief Saboury for his officers as he always sees them around town and appreciates them being visible to the public.
- Mr. Hardy gave praise to Chief Saboury for his officers as well. He suggested if the Town does a salary study, staffing levels need to be looked at as well. A speed survey has come out to check the speed of internet. Mr. Hardy asked everyone to go to <https://maryland.speedsurvey.org/> to determine internet speed. This survey will help the State better understand the needs.
- Mr. McCluskey stated he would not be in attendance at the March 18<sup>th</sup> meeting. He was asked to join the Queen Anne's County Rebranded Committee. He stated all presidents of the councils/commissions in QAC were asked to participate.

#### Motion to Adjourn

There being no further business, Mr. Kline made a motion to adjourn the February 25, 2021 Town Council meeting. Mr. Kiel seconded the motion, which passed unanimously. The meeting adjourned at 8:25 p.m.

Respectfully submitted,



Carolyn M. Brinkley  
Town Clerk

#### Council Action Items:

1. Approved the February 4, 2021 meeting minutes, as amended.
2. Approved Jennifer Holdgreve as a member of the Board of Supervisors of Elections for a three-year term expiring, April 2024.
3. Approved Chriss Chisolm as a member of the Board of Supervisors of Elections for a three-year term expiring, April 2024.
4. By consensus, the Town Council decided to table the discussion on tax differential/tax set-off.
5. By consensus, the Town Council tabled the discussion on the Volunteer Appreciation Dinner until a May meeting.
6. By consensus, the Town Council tabled the discussion on the Employee Appreciation Breakfast until a May meeting.
7. By consensus, the Town Council requested the Maryland Municipal League Summer Conference topic be placed on the March 4<sup>th</sup> agenda for discussion about who will be the second person to attend.