

Meeting Information

Date: 3/16/23

Location: Ruritan

Time: 6:00PM

Note Taker: Rachel Carballo

Meeting Type: Burkittsville Planning and Zoning Commission

Attendees: Michael Robinson, Kevin Cromer, Paul Koch, Rachel Carballo, Jamee Robinson, Jad Drake, Paul Gilligan, Ben Sauers from SMC, Matt Morrison, and Jeanette DeLude (joined online).

Agenda Items, Decisions, and Details

Meeting called to order at 6:17pm by Chair Jamee.

Rachel moved to approve the agenda. Kevin seconded.

Rachel approved the minutes and Kevin seconded.

SMC Revised Plat

Public Comment: Paul Gilligan - regarding the revised plats we should make sure there are no easements or right of ways. Ben needs to sign the plat to indicate he accepts it. I have no objection other than that as long as the streetscape is kept the same.

Jeanette - when they file it with the courthouse the three requested items by P&Z need to be included in their paperwork.

Rachel motioned to approve the plat and Kevin seconded. Jamee voted to approve, as well.

Comprehensive Plan Community Survey

The survey will include questions about business opportunities and also items that were brought up in the town meeting this month, regarding their top concerns, such as infrastructure.

Paul G. - people should be asked - at what cost to you do you want this? It may cost \$18 million to go on municipal water. Ask residents: what would you suggest to improve septic or water? How much are you willing to spend to clean up onsite systems?

Matt - why ask about housing? Building new houses in town is not allowed.

Jamee - if people say they don't want housing then that adds legitimacy to our comprehensive plan.

Paul G.- Residents own the sidewalks in front of their home. Some people don't know that.

Kevin - a cesspool collapsed and there are risks. Our wells and septic are next to each other and we might want to investigate proactively.

Jamee - we had a meeting on Monday to educate them on septic and wells.

Kevin moved to approve the survey and Rachel seconded.

Recruitment

Paul expressed interest in joining P&Z, though we have to have an odd number and Debbie Burgoyne has also expressed interest.

Michael - we can add that to the next agenda to approve Debbie and Paul.

AirBNB ordinance

Jamee - Our goal is to make sure that people are not taking advantage of the AirBNB to make small, long-term apartments. We also want to make sure there aren't party homes with noise and cleanliness issues.

Paul G.- You need more definition on some of this. The Department is which department?

Jamee - The mayor.

Paul G. - 14 days is short.

Kevin - 30 minutes away is a little harsh. Maybe we should change it to 30 miles.

Paul Koch - we had an issue in Annapolis with people buying up homes and being absent.

Jeanette - owners register moroso as a safety thing, so the town has contact information for the owner.

Matt - Will we ever have enough that a number needs to be assigned to a registration?

Jamee - This is to prevent companies from buying up houses for this.

Matt objected to the sign on the building with the registration number. Jamee agreed that that piece can be eliminated.

Jamee - Auxiliary unit dwelling status allows a child of the owner to live in it and has different rules regarding an AirBNB. A tiny home is different from mobile homes (which are not allowed in town).

Paul G- the minimum safety requirements are reasonable, but who does the inspection?

Jeanette - Part of the International Property Maintenance Code. You can say that it has to be done every year or so. I can train a staff member to do that or I can do it. It can be enforced, you just have to decide how to enforce it.

Paul G - each one has to be defined much better than this because you are saying you're going to do an inspection.

Jamee- If someone is not in compliance, do you give them x number of days to comply.

Paul G. pointed out that old homes may not meet the requirements because they usually only have one stairwell.

Kevin - I would give number three more thought.

Paul G. - why would short-term rentals be more firmly regulated than long-term rentals?

Jamee - we can add rules for long-term rentals.

Paul Koch - in old homes, your ceiling may not be 7 feet tall.

Matt - we may not have egress windows that are big enough, because people want to maintain the historic nature of the town.

Jenaette- you can adopt the IPMC with amendments to suit the town's history.

Jad - we should define what a corporation is.

Septic Ordinance

Kevin - cesspools can be a significant risk. They can also present an environmental hazard because they don't filter the water like a septic tank does. Our wells may also be an issue, but I think taking care of some of the septic questions would solve our well questions too and it could pose a risk of sinkholes.

Jamee - This would create a system to have residents report to the town that they have had their septic serviced once every three years. We have questions about tracking when septic tanks would be serviced and that would be put on the mayor's office.

Bill Susa (wrote in a comment in advance of the meeting) - I'd like to see the issue of gray water into the street be addressed. There are several homes that do this in town. All of this gray water ends up in the water way.

Nancy - I thought if the well was working well, the bacteria will eat it up and pumping it too often is not good for the system.

The number of years allowed between maintenance could be based on how many people live there and rental properties would need it more often.

Jamee - The county suggests 3-5 years based on the size. I think it's reasonable to say check it out every 5 years.

Jeanette - you can tell people they can't let their system fail because it contaminates people's properties. The MD Dept of the Environment would be who you report to and they would investigate.

Paul G. - I would be careful of the word failure. A failure is any system that is not up to standards. I would recommend that we clarify what a failure is.

Jeanette will look into the language of failure to let us know what language we should use.

Jamee - the fee needs to be substantial enough that people will adhere to it, but I don't want it to be a fee that is overly burdensome. A 30-60 day warning period would apply

Jeanette - \$100 isn't unreasonable. The fine needs to cost more than the inspection.

Paul G- a pump might have hit \$300

Jamee - OK so maybe a \$350 fine. We will have to include that the septic drainage is by a licensed inspector.

Jad - What does an inspection consist of?

Jamee- yeah, what is the criteria for meeting the inspection?

Paul G. - a gray water system is bathtubs and sinks that are not sanitary systems, they probably should go into the septic system because the bacterial load in those systems can be almost as big as the sanitary system.

Nancy - I bought my house in 1986 and the driveway goes over the septic tank.

Jamee- I imagine you are grandfathered in.

Paul G - it applies to the pipes and the tile field, not the septic tank.

Jamee - we can add in language to grandfather in something that has already been created

Kevin - should we add in more language about evidence of failure?

Jamee- Jeanette is going to do that.

International Property Maintenance Code

Jamee - given our concerns with Airbnb I think we should table that for next time, so we can discuss those simultaneously.

Next steps

Jamee - P&Z now meets on the first Thursday of the month. The next P&Z meeting will be April 6th, 2023 online at 7pm

The next Town meeting will be May 8th at 7:30pm.

Kevin motioned to adjourn and Rachel seconded.

