

Meeting Information

Date: 8/2/21

Meeting Type: Burkittsville Planning and Zoning

Location: Online - Zoom

Attendees: Jayme Marshall, Kevin Cromer, Rachel Carballo, Jillian Savage, Paul Goldstein, Michael Robinson, Mayor Deb Burgoyne, Paul Gilligan

Time: 7:00PM

Note Taker: Rachel Carballo

Agenda Items, Decisions, and Details

Meeting called to order 7:03pm

Introductions. Michael Robinson is our new commission member. Jayme will do his orientation soon.

1. Agenda approved. June minutes approved – Jillian made the motion to approve. Kevin seconded.
2. Zoning Administrator Report
 - a. Enforcement: There are a few properties being followed up with for code violations. 201 East and 1 West. They have 15 days to respond to the letters. No corrective action has been made. If citations are needed, Paul has spoken to the town attorney about how to issue them. Paul will have one more discussion with the attorney before issuing the citations. A first letter was sent to 1 East. They responded and said that they are interested in correcting things. They requested more time to comply and the extension was granted.

A letter will also be sent to the owner of the untagged vehicle parked behind the apartment building.

Language will be added to explain that a lien on the property may be added, as a result of the town paying for the work and billing the property owner. Paul expressed that citations must be consistent and fair.

In relation to hoarding situations, Paul clarified that in cleaning up, weeds will be dealt with, but the inside of an owner's property will not be inspected.

Mayor Deb mentioned that other towns around the country have created ordinances to combat hoarding situations.

- b. Guyton Farm: Jayme and Paul spoke to Anne Bradley the Ag Preservation administrator for Frederick County regarding the deed on the Guyton's property. Anne said that they are proposing a public process for the review of properties subject to the rural legacy program. Anne would participate in the review of subdivisions, a preservation planner and a historic registry personnel from the state would also give input and public opinion would also be allowed. The town can participate through written testimony or public testimony. Anne would reach out to the applicant indicating that they must participate in this process. The subdivision will come before planning and zoning; but we should wait for the county process before we, as a town, deliberate and make a decision.

Their decision is not binding, the town can decide differently. If the Rural Legacy program says no, the Town probably cannot override it, if they vote yes, then the town can still say no.

Sowers dropped off a plat, but they have not completed an application. The county's process will give us more information to work with and answer questions such as the right of way issue of the 50' section on the western side of the property. The right of way issue was something that was flagged to the county in the conversation that Paul and Jayme had with them.

Our ordinances call for a public meeting and advertisement in a public newspaper and the county is going to take care of that for this property.

Gilligan said that Kim Grant is in charge of preservation reviews, regarding the Rural Legacy program. The owner, Ben Sowers, has intended to subdivide the historic property and sell the house and some grounds to Matt Morris. Gilligan suggested that Matt ask Ben to give him 2.5 acres, Matt said 2 acres is in the contract. 2.5 acres would allow the homes frontage to be preserved. It can impact the historic village and its viewshed. Everyone would have to sign off on this, including Ben, Matt, Rural Legacy, the State, and the town. All contracts can be changed. Matt would like the additional 2.5 acres.

Mayor Deb - Matt doesn't want the expenses of the barns. The barns are in the Historic Village.

Mayor Deb – We have a Master Plan for the street, which does not include a turn lane, if the intention of the 50' swath is to become a road/driveway.

- c. Beaver Property: Our draft demolition ordinance cites that the applicant should first seek advice from a county preservation non-profit, then the applicant would apply for a demolition permit from the county before it goes before the mayor and council for a final vote. If we believe this ordinance is valid, we could encourage the applicant to come to the town P&Z, but it is not required. What does the town want? How can the town get what it wants? If the town has an interest in preserving the building, what would be the best path in achieving that? Perhaps, have a discussion with the applicant. The Legacy Foundation is the non-profit who will determine if the property is historic and salvageable. The town could hire an engineer to see what's required to preserve it. A second issue is whether a subdivision is required. They want to have separate deeds for the properties. The property line goes right through one of the homes. It reads on property maps as two properties and they are already taxed separately. It is Mayor Deb's understanding that the area where the home is being removed will be absorbed into the property beside it.

Council will discuss at their next meeting whether the town will put in an offer on the building that the Beaver's want to demolish.

Paul will talk to the town attorney to look at regulations and confirm that Paul is reading them properly, then Paul will advise the owners on what steps they should take, such as contacting the Legacy Foundation.

Mayor Deb- the house being demolished, does not have indoor plumbing.

- d. Website - Mayor Deb is not satisfied with the website. It is not up-to-date. We need a content manager. She wants current events to be visible. Mayor realizes that the website is not P&Z's

job, so she informed us that she is taking back control of managing it. The council will be responsible for getting a content manager and will now be in charge of the website going forward.

- e. Ordinances/Municode Next steps: The town signed the contract today. Kevin tried to keep the numbering system as preserved as possible. The Council will need to approve it, but P&Z needs to read through it one more time before it is sent to the Council. P&Z needs to send a list of questions of things we want the Council to verify. Kevin would like a meeting to agree on how to codify and merge to gain consensus across P&Z and Council. A Workshop took place on August 17 to discuss numbering and final questions.

Other Notes and Information

Commission meeting: Tuesday, September 7, 7:00 pm

Town meeting: September 13, 7:30 pm