



PUBLIC HEARING: 6:50 PM

Ordinance O-23-16, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Chesapeake Beach zoning code regarding Design Standards for Townhouses.

Ordinance O-23-17, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Chesapeake Beach zoning code to add a new Section 290-23, “Standards of Compatibility”.

Ordinance O-23-18, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Town Code of Chesapeake Beach regarding Urban Forest.

Ordinance O-23-19, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Town Code of Chesapeake Beach regarding Chapter 22 Elections.

Ordinance O-23-20, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the Code of Chesapeake Beach by repealing and reenacting, with amendments, Sections 25.1., 25-3.B., 25-5, 25-12, 25-16.A., 25-21.B., 25-23.B., 25-27.B., 25-30, 25-31, 25-32, 25-33., 25-34, 25-36, 25-37 and 25-38; and repealing Sections 25-35, 25-39 And 25-40; and adding new sections 25-20.F. and 25-38.

**TOWN COUNCIL MEETING
AGENDA
JULY 20, 2023**

- I. Call to order and roll call.
- II. Pledge of Allegiance.
- III. Approval of the agenda.
- IV. Public Comment on any item on the agenda.
- V. Public Comment
 1. Gary Coldsmith
- VI. Approval of the minutes of the June 15, 2023 Town Council Meeting.



Approval of the minutes of the July 11, 2023 Special Town Meeting.

Approval of the minutes of the July 11, 2023 Informational Work Session.

VII. Special Presentation – “Become One Project”

VIII. Petitions and Communications

- A. Town Administrator’s Report
- B. Town Treasurer’s Report
- C. Town Engineer’s Report
- D. Calvert County Sheriff’s Office Twin Beaches Deputy’s Report
- E. North Beach Volunteer Fire Department

IX. Resolutions & Ordinances

- A. Vote on Ordinance O-23-16, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Chesapeake Beach zoning code regarding Design Standards for Townhouses.
- B. Vote on Ordinance O-23-17, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Chesapeake Beach zoning code to add a new Section 290-23, “Standards of Compatibility”.
- C. Vote Ordinance O-23-18, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Town Code of Chesapeake Beach regarding Urban Forest.
- D. Vote on Ordinance O-23-19, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the language of the Town Code of Chesapeake Beach regarding Chapter 22 Elections.



- E. Vote on Ordinance O-23-20, an ordinance of the Town Council of Chesapeake Beach, Maryland, to amend the Code of Chesapeake Beach by repealing and reenacting, with amendments, Sections 25.1., 25-3.B., 25-5, 25-12, 25-16.A., 25-21.B., 25-23.B., 25-27.B., 25-30, 25-31, 25-32, 25-33., 25-34, 25-36, 25-37 and 25-38; and repealing Sections 25-35, 25-39 And 25-40; and adding new sections 25-20.F. and 25-38.
- F. Introduce Ordinance O-23-21, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending Article III, Zoning Districts, Subsection 290-10, Land Use Table, and Subsection 290-11, Conditions and Standards for Conditional and Special Exception Uses. **Set Public Hearing.**

X. Report of Officers, Boards and Committees

- A. Planning & Zoning Commission
- B. Board of Appeals – A hearing is scheduled for July 31, 2023.
- C. Chesapeake Beach Oyster Cultivation Society
- D. Climate Change Advisory Group
- E. Economic Development Committee
- F. Green Team
- G. Kellam’s Revitalization Committee
- H. Twin Beaches Opioid Abuse Awareness Coalition
- I. Walkable Community Advisory Group

XI. Unfinished Business

XII. New Business

1. The Town Council to consider the re-appointment of Larry Brown to the Planning and Zoning Commission.
2. The Town Council to consider appointing Rachel Larsen Weaver to the Planning and Zoning Commission.



3. The Town Council to consider appointing Amy Everett to the Board of Appeals.
4. The Town Council to consider providing one-time capital improvements allocation of funds using ARPA to address food insecurity in the amount of \$100,000 to the Ladies of Charity and \$100,000 to Bayside Baptist per the approved Town Council \$200,000 earmark at the December 15, 2022 Town Council Meeting.
5. The Town Council to consider providing a one-time capital improvement allocation of funds to the Twin Beaches Library in the amount of \$100,000 in ARPA funding.
6. The Town Council to consider awarding a contract to Windmill Farms an amount not exceeding \$195,000 from the FY24 General Fund Capital Improvements line item to complete three capital improvement projects, i) a pocket park on 29th street, ii) a pocket park at the B street overlook, and iii) a 26th street trail connection. The Town will be reimbursed \$150,000 through State of MD grant funds.
7. The Town Council consider approving a FY24 Capital Improvement expense from the Chesapeake Beach Water Reclamation Treatment Plant (CBWRTP) Fund in the amount of \$22,051 so that the materials can be purchased from FSI Industries to add the platform needed on the generator for safety reasons.

XIII. Public Comment

XIV. Council Lightning Round

XV. Adjournment



**MINUTES OF THE
TOWN COUNCIL MEETING
JUNE 15, 2023**

I. Lawrence P. Jaworski, Council Vice-President called the meeting to order at 7:00 p.m. In attendance were Dr. Valerie Beaudin, L. Charles Fink, Margaret P. Hartman (in attendance remotely), and Gregory J. Morris, Council Members, Holly K. Wahl, Town Administrator, Sharon L. Humm, Town Clerk, Todd Pounds, Town Attorney, Carla Richard, Operations Manager, James Berry, Public Works Manager, Josh Stinnett, WRTP Manager, Wayne Newton, Town Engineer, and Lieutenant Hollinger. Absent was Patrick J. Mahoney, Mayor, Keith L. Pardieck, Council member, Brittany Moran, Town Treasurer, and Code Enforcement Officer, Dennis Burger.

II. Pledge of Allegiance. Council Vice-President Jaworski led the Pledge of Allegiance. He also wished his daughter a Happy Birthday!

III. Approve the Agenda.

MOTION: Councilwoman Beaudin moved to approve the June 15, 2023 Town meeting agenda. Seconded by Councilman Morris, all in favor.

IV. Public comment on any item on the agenda.

1. Linda Draper 8193 Windward Key spoke in support of the Urban Forest ordinance.
2. Frank White 8180 Mackall Road, St. Leonard, MD addressed the Council on an issue he has been dealing with in regard to two homes he has built on Elm Lane.

V. Approval of the minutes of the May 18, 2023 Public Hearings.

MOTION: Councilwoman Beaudin moved to approve the minutes of the May 18, 2023 Public Hearings. Seconded by Councilman Fink, all in favor.

Approval of the minutes of the May 18, 2023 Town Council Meeting.

MOTION: Councilwoman Beaudin moved to approve the minutes of the May 18, 2023 Town Council meeting. Seconded by Councilwoman Hartman, all in favor.

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Approval of the minutes of the May 18, 2023 Closed Session.

MOTION: Councilwoman Beaudin moved to approve the minutes of the May 18, 2023 Closed Session, Seconded by Councilman Fink, all in favor.

Approval of the minutes of the June 6, 2023 Informational Work Session.

MOTION: Councilwoman Beaudin moved to approve the minutes of the June 6, 2023 Informational Work Session. Seconded by Councilman Fink, all in favor.

VI. Petitions and Communications –

- A. Calvert Health** – Jeremy Bradford, new CEO and President of CalvertHealth was present to introduce himself to the Town Council. He took a few moments to speak about the hospital, and top initiatives to include, cancer care, behavioral health, bariatric services, and a robotic program. The Council welcomed Mr. Bradford to the area and thanked him for coming and sharing the information concerning the hospital.
- B. Calvert Library Foundation** – Mark Frazer, Co-Chairman of the Calvert Library Foundation fund-raising committee and Melissa Gray, Twin Beach Branch Manager, were present to bring the Council up to date on the progress of the new Calvert Library. The 18,000 square foot space is four times the size of the current branch and expects to have over 60,000 visitors annually. Mr. Frazer stated there are sufficient funds to construct the facility, however, the fund-raising campaign that he is bringing before the Council tonight will be to equip and fund the facility to be a true 21st century library to serve northern Calvert County. The Foundation is looking to raise \$500,000 for this cause. Ms. Gray shared with the Council the new features of the Twin Beaches branch and ideas and interests received from the public. In closing remarks, Mr. Frazer asked if the Town would consider being a donor of \$100,000.
- C. Town Administrator's Report** – Ms. Wahl submitted the attached written report. Ms. Wahl reported the upcoming fireworks display scheduled for July 3rd will have music synchronized to the display this year through Calvert Broadcast so you will be able to live stream as you watch the display. The fireworks will be displayed on two barges out from the Veterans Park and can be easily viewed from various locations in Town. Also, the Town received word today from State Highway that sometime shortly after the 4th of July they will be shutting down Rt 261 near Bayfront Park both southbound and northbound with a detour through Summer City Boulevard to Old Bayside. Ms. Wahl addressed questions from the Council on report items and gave a update on the federal dredge work. Councilman Morris inquired if there was any discussion with State Highway on the median at 260 near the Octagon. Ms. Wahl stated it was discussed resulting in several options.

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- D. Operations Manager Report** – Ms. Richard submitted the attached written report and was present to address Council. Ms. Richard thanked all those that were involved in the Memorial Day ceremony. Councilwoman Beaudin is requesting a discussion on the water park rates and the ability for Council to have a say in setting rates.
- E. Public Works Report** – Mr. Berry submitted the attached written report and addressed questions from the Council on report items. Mr. Berry updated the Council on the status of the Richfield Station water tower logo.
- F. Water Reclamation Treatment Plant Report** – Mr. Stinnett submitted the attached written report and was present to address the Council on report items.
- G. Code Enforcement Report** – Mr. Burger submitted the attached written report but was not present to address the Council. Ms. Wahl wanted to congratulate Mr. Burger for his efforts in regard to a court case that was held this week that was successfully resolved.
- H. Town Treasurer’s Report** – Ms. Moran submitted the attached written report but was not present. The Council was pleased to see the ARPA allocation chart included in the report.
- I. Town Engineer Report** – Mr. Newton submitted the attached written report and was available to address questions from the Council.
- J. Deputy’s Report** – Sergeant Moran submitted the attached written report. Lieutenant Hollinger was available to address the Council’s questions. The Lieutenant stated that they are finalizing their operations plan for the fireworks and briefed the Council on a vandalism incident that took place in Chesapeake Village. He introduced Sergeant Stephen Moran, the new Sergeant of the Twin Beaches. The Council welcomed the Sergeant to Town.
- K. North Beach Volunteer Fire Department** – The attached written report was submitted. Council Vice-President Jaworski commented that the Fire Department held a Celebration of Life for Matt “Mad Dog” Weber on Saturday June 10th with well over 700 people in attendance. Mr. Jaworski read a proclamation from the Town of Chesapeake Beach.
- L. Mayor’ Report** – No report.

VII. Resolutions & Ordinances:

- A. Introduce Ordinance O-23-16, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the Town of Chesapeake Beach zoning ordinance, Article V, Section 290-19M, Design Standards for Townhouses. **A public hearing will be held at the July 20, 2023 Town Council meeting beginning at 6:50 pm.**
- B. Introduce Ordinance O-23-17, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the Town of Chesapeake Beach zoning ordinance, article V by adding a **8200 BAYSIDE ROAD, P.O. BOX 400 CHESAPEAKE BEACH, MARYLAND 20732**



- new section titled “Section 290-23, Standards of Compatibility”. **A public hearing will be held at the July 20, 2023 Town Council meeting beginning at 6:52 pm.**
- C. Introduce Ordinance O-23-18, an ordinance of the Town Council of Chesapeake Beach, Maryland, to protect, preserve and promote the Urban Forest of Chesapeake Beach by establishing an Urban Forest program. **A public hearing will be held at the July 20, 2023 Town Council meeting beginning at 6:54 pm.**
 - D. Introduce Ordinance O-23-19, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending Chapter 22 Elections Code. **A public hearing will be held at the July 20, 2023 Town Council meeting beginning at 6:56 pm.**
 - E. Introduce Ordinance O-23-20, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the ethics code to comply with MD CODE ANN. General Provisions. **A public hearing will be held at the July 20, 2023 Town Council meeting beginning at 6:58 pm.**

VIII. Report of Officers, Boards and Committees:

- A. **Planning & Zoning Commission** – Ms. Greengold submitted the attached written report.
- B. **Board of Appeals** – No hearing was held.
- C. **Chesapeake Beach Oyster Cultivation Society** – Ms. Alexander submitted the attached written report.
- D. **Climate Change Advisory Committee** – Councilman Jaworski reported the Coastal Resiliency Task Force met on June 7th and again earlier today to discuss the Town’s coastal resiliency plan. The plan sets out steps that the Town needs to take to mitigate the impact of climate change and sea level rise. The first draft is on track to be completed soon. The Coastal Resiliency Steering Committee is scheduled to hold its next meeting June 22nd, 6 pm, virtually, and all are welcome to join in. They will discuss the draft resiliency plan. The Town continues its participation in the EPA sponsored CREAT, which last met on May 31st.
- E. **Economic Development Committee** – Councilman Jaworski reported Calvert County Economic Authority met on June 19th discussing the business appreciation week activities, the draft zoning ordinance being prepared by the County Planning and Zoning, update on the redevelopment of the former Armory property in Prince Frederick, and the ongoing feasibility study of the bay passenger ferry. Next meeting is scheduled for July 10th. Next County Economic Advisory Commission meeting is July 12th. Mr. Jaworski reported the Rod n Reel Resort has moved into phase III and looks forward to the finished development although, the old Rod n Reel restaurant, which has served this town since 1946, will be missed. Co-chair Morris capped it off by stating the QBC is opened up over there with great food and a fantastic environment.

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- F. Green Team Committee** – Councilwoman Beaudin submitted the attached written report. She thanked the Green Team for their efforts in the Urban Forest Ordinance and partnering with the Town Administration and Town Landscaper on various projects within town. The Team’s next meeting is June 28th, 6:30 pm at the pavilion near the water park.
- G. Kellam’s Revitalization Committee** – Councilman Morris reported a meeting was held with the Town Administrator earlier today getting an update on where things are with the Kellam’s Plan and highlighting their goals. Mr. Morris stated it was a very productive meeting and is excited to move forward. Co-chair Fink also shared his enthusiasm in seeing things come together, designing the space in a way to get the most enjoyment out of it. He reported that Kellam’s Field is open and available for use, so get out and take advantage.
- H. Twin Beaches Opioid Abuse Awareness Coalition** – Councilman Pardieck submitted the attached written report but was not present.
- I. Walkable Community Advisory Group** – Councilwoman Hartman reported the Group met on June 5th and reviewed State Highway actions and is happy with the progress. She looks forward to the new crosswalks. The next meeting is scheduled for July 31st at 6:30 pm.

XI. Unfinished Business: None.

X. New Business:

1. The Town Council to consider awarding a contract to Pleasants Construction, Inc. in the amount of \$92,186.07 from the FY23 General Fund budget ARPA allocation as designated by the Town Council as a priority #1 project.

MOTION: Councilwoman Beaudin moved to approve awarding a contract to Pleasants Construction Inc. in the amount of \$92,186.07. Seconded by Councilman Morris, all in favor.

XI. Public comment was received by:

1. Mary Lanham of the Rod n Reel Resort expressed concern regarding the earlier announcement of the closure of 261 @ Bayfront Park and asked to be advised of any further updates.
2. Cheryl Emery of Mary Ann Drive, Owings, MD expressed concerns regarding the matter between the Town and the Beach Bucs, and the water park rates. She asks the township to re-evaluate those rates to make it more affordable for the citizens.

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XII. Council Lightning Round:

1. Dr. Beaudin commented that she went to the Beach Elementary walk-through today and will be sad to see the old school torn down. She stated the school will be selling bricks from the old school building and funds raised will go to enhancing the new playground with benches, tetherball, and such. She mentioned a new program available called the Affordable Connectivity Program. This program helps connect families and households struggling to afford internet service if you meet certain requirements. She looks forward to further discussion on the Bayfront Park restrictions and water park rates. Lastly, she extended an invitation to anyone that would want to discuss any town issue. Feel free to contact her.
2. Mr. Fink reiterated that Kellam's Field is open for public use and for folks to take advantage of the green space. He is in support of discussing opportunities to make the water park more accessible for out-of-towners that could possibly involve local businesses. Lastly, as mentioned in the past, he believes in civility. We are all neighbors and need to be respectful of each other.
3. Mr. Jaworski echoed Dr. Beaudin's comments on the Beach Elementary ceremony today. Important to remember is that part of that building was built in 1964 so it's been a part of our community for a long time. In closing, he looks forward to seeing everyone at the fireworks on July 3rd!
4. Mr. Morris commented that we are blessed to live in a community with a state-of-the-art elementary school and a state-of-the-art library. He commented on the Memorial Day ceremony at Veterans Park. The Town is very patriotic, and a lot of military families live here. This year was especially moving for him. The weight and depth of the sacrifices that memorial day represents, the incredible flag flying in the park, the military present, and the guest speakers created an emotional service that he respected.
5. Ms. Hartman had no comments.

XIII. Adjournment:

There being no further comments, the meeting adjourned at 9:15 pm on a motion by Councilwoman Beaudin. Seconded by Councilman Fink, all in favor.

Submitted by,

Sharon L. Humm
Town Clerk

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**MINUTES OF THE
SPECIAL TOWN MEETING
JULY 11, 2023**

I. Patrick J. Mahoney, Mayor, called the meeting to order at 5:45 p.m. In attendance were Dr. Valerie Beaudin, L. Charles Fink, Lawrence P. Jaworski, Gregory J. Morris, and Keith L. Pardieck, Council members, Holly K. Wahl, Town Administrator, Sharon L. Humm, Town Clerk, Todd Pounds, Town Attorney, Brittany Moran, Town Treasurer, James Berry, Public Works Manager, and Josh Stinnett, Water Reclamation Treatment Plant Manager. Absent was Margaret P. Hartman, Council member.

II. **Pledge of Allegiance** – The Mayor led the Pledge of Allegiance.

III. **Town Council to consider authorizing the Mayor to enter into a contract with JOHNSTON CONSTRUCTION COMPANY to remove a portion of the damaged concrete overhang on the CBWRTP solids handling building and relocate existing guard rail sections in the amount of \$17,201.34. This award will replace the Town Council awarded contract to GTH Masonry, Inc. in the amount of \$28,890.00.**

MOTION: Councilman Fink moved to approve authorizing the Mayor to enter into a contract with Johnston Construction Company to repair damaged concrete overhang on the CBWRTP solids handling building and relocate existing guard rail sections in the amount of \$17,201.34. Seconded by Councilman Pardieck, all in favor.

IV. **Town Council to consider authorizing the Mayor to purchase a new dump truck per the FY24 approved budget from Sport Chevrolet Co Inc. in the amount not to exceed \$65,000.**

MOTION: Councilwoman Beaudin moved to authorize the Mayor to purchase a new dump truck in an amount not to exceed \$65,000. Seconded by Councilman Fink, all in favor.

V. **Adjournment:**

There being no further comments the meeting adjourned at 5:54 p.m. on a motion by Councilwoman Beaudin. Seconded by Councilman Pardieck, all in favor.

Submitted by,

Sharon L. Humm
Town Clerk

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**MINUTES OF THE
TOWN COUNCIL INFORMATIONAL
WORK SESSION
JULY 11, 2023**

- I. Patrick J. Mahoney, Mayor, called the meeting to order at 6:00 p.m. In attendance were Dr. Valerie Beaudin, L. Charles Fink, Lawrence P. Jaworski, Gregory J. Morris, and Keith L. Pardieck, Council members, Holly K. Wahl, Town Administrator, Sharon L. Humm, Town Clerk, Brittany Moran, Town Treasurer, Todd Pounds, Town Attorney, James Berry, Public Works Manager, Josh Stinnett, WRTP Manager, and Christopher Jakubiak, Planning Administrator (in attendance remotely). Absent was Margaret P. Hartman, Council member.
- II. **Pledge of Allegiance** – The Mayor led the pledge of allegiance.
- III. **Informational discussion on the following:**
1. **Rachel Larsen Weaver – Candidate for the Planning and Zoning** – Ms. Weaver was present to introduce herself to the Town Council and expressed her desire to serve on the Planning Commission. She spoke briefly about herself and addressed questions from the Council. The Council thanked Ms. Weaver for her willingness to step up and volunteer for the vacancy on the Commission.
 2. **Amy Everett – Candidate for the Board of Appeals** – Ms. Everett was present to introduce herself to the Town Council and expressed her desire to serve on the Board of Appeals. She spoke briefly about herself and addressed questions from the Council. The Council thanked Ms. Everett for her willingness to step up and volunteer for the vacancy on the Board.
 3. **Town of Chesapeake Beach Coastal Resiliency Plan**- Mr. Jakubiak was present remotely to provide an overview of the draft Coastal Resiliency Plan. Also present was Mr. Foltz, Chair of the Coastal Resiliency Steering Committee. Mr. Foltz stated the Plan lays out some strategics on how to look at coastal resiliency and the effects of sea level rise that the Town will experience. Mr. Jakubiak presented a PowerPoint focusing on two different areas in town applying strategics and techniques that would address flooding / sea level rise issues. Mr. Jakubiak addressed questions from the Council.



4. **Zoning Text Amendment, RV-1 commercial uses at Horizons on the Bay** – Mr. Jakubiak addressed the Council on this item. The Council reviewed and discussed this zoning text amendment at a previous work session and directed it be sent to the Planning Commission for their recommendation. The Commission reviewed the zoning text amendment at its July 5th meeting and unanimously approved restoring commercial use to the Horizons on the Bay building as drafted by the Zoning Administrator.

5. **Chesapeake Beach Water Reclamation Treatment Plant (CBWRTP) generator access platform** – Ms. Wahl stated an additional generator access platform is needed at the Plant. This additional platform will provide the safety to personnel that is necessary when accessing the generator and will meet OSHA standards. This project will cost \$22,051.00 and costs will be incurred in the FY24 Capital Improvement line item of the CBWRTP.

6. **Calvert Library Foundation Request for Funding & Food Insecurity Request for Funding** – The Mayor commented on both of these funding requests. He is of the opinion that it is a worthwhile cause to feed those in need, especially children, and put books and learning tools in their hands. We have the opportunity and ability through our ARPA funding to contribute to these worthy causes that will make a dramatic difference in the lives of children, families, and citizens. The efforts of the Ladies of Charity Food Pantry, Bayside Baptist Food Pantry, and the brand-new Twin Beaches Library are great resources for the Town to support. Staff are recommending the Town Council consider a one-time allocation of \$100,000 to each. Staff addressed questions from the Council.

7. **Request for Proposal (RFP) Pocket Parks** – As previously mentioned in the past, the Town received grant funding from the State of Maryland in the amount of \$150,000 for the installation of three (3) pocket parks. Public outreach was conducted to receive feedback from the public and residents residing near the parks, on features the Town residents would like to see at these locations. An RFP was released, a pre-bid meeting was held, with three bidders in attendance. Ms. Wahl presented a slide presentation that displayed the three pocket parks and provided details on each. Ms. Wahl addressed questions from the Council.

8. **Chesapeake Beach Water Park** – Ms. Wahl presented a slide presentation addressing the Chesapeake Beach Water Park. This presentation shared background knowledge of the Park, going back to its inception. The presentation provided an administrative overview of goals to understand priorities moving forward, fiscal impact as related to challenges and unique constraints, and steps to move the Park forward. Mr. Berry

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shared information with the Council regarding ongoing maintenance projects and infrastructure issues. Ms. Wahl provided data of admission revenues broken down by day, other revenues, and guest attendance. Finally, Ms. Wahl provided density modeling of the water park at different capacity levels in a standing room view, ranging from 250 occupants up to 1,500. Very eye-opening for those that seek to increase the capacity from our current level which is 500. Also available was Savannah Richardson, Aquatics Manager, who addressed safety in the Park. Ms. Wahl addressed questions and concerns from the Council.

IV. Council Lightning Round –

1. Mr. Pardieck reported the next meeting of the TBOAAC will be held on Thursday, July 13th at the Northeast Community Center at 6 pm. They will continue discussion on the Sculpture Project, noting four artists have been identified to provide models of their sculpture ideas.
2. Mr. Morris expressed his appreciation to Ms. Wahl for the fantastic fireworks display.
3. Mr. Jaworski echoed colleague Morris's comments on the fireworks. Thank you, Ms. Wahl! Great work and great display! On another note, Mr. Jaworski announced the Calvert County Economic Development Authority met yesterday and the Economic Development Advisory Commission meets tomorrow. He will provide an update at the Town Council meeting next week.
4. Mr. Fink also thanked Ms. Wahl for the fireworks. He stated he had guests come in and everyone enjoyed the display. Mr. Fink looks forward to future conversations on the Coastal Resiliency Plan and the Water Park.
5. Dr. Beaudin commented that she feels lucky to live in a small town!

V. Adjournment:

There being no further comments the meeting adjourned at 8:32 p.m. on a motion by Councilwoman Beaudin. Seconded by Councilman Morris, all in favor.

Submitted by,

Sharon L. Humm
Town Clerk

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Town Administrators Report – June 2023

I. UPCOMING REQUESTS FOR PROPOSALS:

Safe Routes to School (SRTS) 100% design phase and construction drawing RFP: The RFP was sent to the SHA-MDOT for approval. SHA MDOT sent back modifications required of the RFP. The Town requested a meeting with SHA MDOT to discuss the modifications – the meeting date is pending. RFP release pending final approval.

Pocket Parks RFP: The Pocket Park RFP was released on eMMA Maryland Marketplace Advantage Sourcing Project: **BPM038247** on the Town website and print media. A mandatory pre-bid meeting will be held on June 21, 2023, at 9:00 AM at the Chesapeake Beach Town Hall located at 8200 Bayside Rd Chesapeake Beach, MD 20732 where three bidders were in attendance. The Town issued clarifications to the bidders and received sealed proposals on July 13, 2023, for Town Council consideration.

Miller Loveless Park at Kellam’s Field: The Town Council will be presented with proposals for tot lot equipment and a low impact park concept in the coming months. The proposals will include the site work necessary to address stormwater issues at the location. Storm drain approval /permitting is expected within the next 60-90 days.

II. WALKABILITY & COORDINATION WITH SHA:

Project	Summary
Safe Routes to School (SRTS)	The Town Council authorized the execution of the Safe Routes to School SRTS Memorandum of Understanding (MOU) to complete the 100% design and construction drawings for the sidewalk project extending sidewalks from Beach Elementary School to "F" street along Old Bayside Rd and South along RT 261 to Chesapeake Village Boulevard. The MOU provides that the State funds 80% of the design cost and the Town funds 20% of the design cost with the State determining the breakdown in costs.
Safe Walkway along RT 261 near the NBVFD	The Town Council authorized the Town Engineer to complete a feasibility study of this walkway for submission to the State in coordination of a new safe crossing connecting Chesapeake Beach and North Beach in a currently unsafe area. The feasibility study is the first step in starting the conversation with the State on the project. The Town completed the same



Town Administrators Report – June 2023

	<p>study to initiate the SRTS project currently in the 100% design phase with SHA MDOT.</p> <p><i>The walkable community was provided with an update on this project during the June Walkable Community Committee meeting.</i></p>
<p>Safety at existing intersections on State Highways in Town</p>	<p>The Town Administration has contacted SHA MDOT to coordinate a meeting to discuss safety concerns at several intersections of Town to include Rt 261 and Rt260 and Rt260 and Mears Ave. Residents are asked to continue to use caution in these areas to maintain visibility of these high pedestrian areas. SHA confirmed that their traffic engineer visited the intersections and has insight to share.</p> <p><i>The Town held a meeting with SHA MDOT on June 1st.</i></p> <p><i>RT 261 & Mears</i> - During the meeting the Town / SHA discussed a recent study completed of the RT 261 / Mears Ave intersection. SHA MDOT agrees that additional safety measures should be in place at this intersection. The State will be implementing an LPI Leading Pedestrian Interval at the intersection to give pedestrians time to cross. SHA is upgrading crosswalks to continental style to increase appearance to pedestrians. SHA is installing signs to further notify turning cars of pedestrians in the crosswalk.</p> <p><i>RT 260 / RT 261</i> – During the meeting the Town / SHA discussed the need to install pedestrian warning signs (sign dimensions 30x36) on horizontal traffic poles, the need to change crosswalk painting to continental.</p> <p>Crosswalk on RT 261 near the firehouse – <i>the crosswalk will be changed to continental to be more visible.</i></p>
<p>Delineate a C street walkway between Baycrest and Horizons at the unopened alley</p>	<p>The walkable community committee states a permeable surface would be preferred. The Town is reviewing options for this.</p>



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III. SUSTAINABILITY:

a. Energy Audit

The Town is currently engaged with students at the University of MD who are assisting the Town in conducting an energy audit. The Town has listed all assets to calculate the Town's carbon footprint and determine ways the Town can improve efficiency. The University of MD expects the audit to be complete soon.

b. Sustainable Maryland Designation

The Town Administrator has coordinated with Calvert County Government on the Sustainable Community Designation for the County by including the Town of Chesapeake Beach plans for increased sustainability. These factors include walkability, green spaces, parks, preservation of trees, the Town's efforts to establish design and compatibility standards and efforts to become a tree city.

The Town submitted a renewal application for the Sustainable Maryland Designation.

IV. FEDERAL DREDGE WORK STATUS:

The U.S. Army Corps of Engineers, Baltimore District (USACE), awarded a contract in August 2022 (W912DR22C0037) to White Lake Dock & Dredge, Inc. for the South Jetty Rehabilitation and Maintenance Dredging Contract in Fishing Creek, located in Chesapeake Beach, MD.

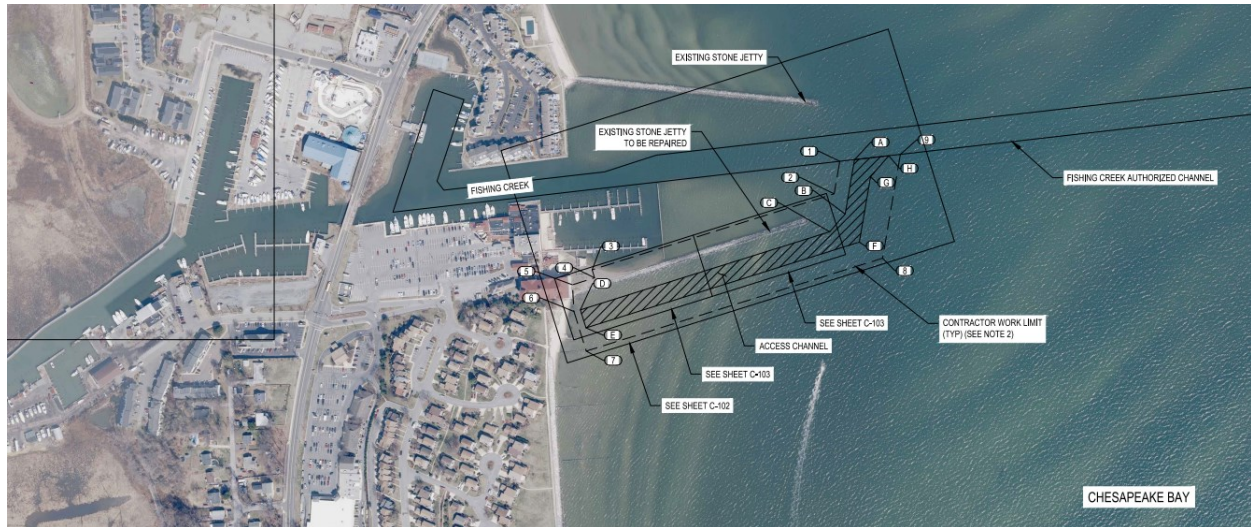
The dredging portion of the contract was completed with subsequent surveys verifying that approximately 28,000 cubic yards of dredged material was removed from the Fishing Creek federal channel. The USACE determined that the costs incurred during the dredging portion of the contract exceeded the original survey estimates used for budgeting purposes. The USACE subsequently conducted an internal review and determined that the remaining funds will not support the required specifications to rehab the south jetty portion of the Fishing Creek project. On June 2, 2023, the USACE terminated the work under contract W912DR22C0037. The contractor will be instructed to remove all materials and equipment from the project location.

The Town was notified by the USACE that future work is dependent on receiving additional project funds. The USACE expects to request additional funds to allow for completion of the south jetty rehabilitation in future fiscal years.

The Town coordinated a meeting with the USACE and the State of Maryland to understand next steps with the project. It is stated that approximately \$3M in funding will be needed to complete the project.



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Source Army Corps of Engineers

V. PUBLIC WORKS:

Report by Jay Berry, Public Works Administrator

Water leak- Public works replaced two failed water main valves located at C St and Old Bayside rd. and 27th and F St.

Wet wells-we completed scheduled maintenance to the route 261 flow meter. B St wet well parts have arrived, and we will take the station offline to complete both check valve change outs.

Water meter/MXU- We continue to collaborate with our treasurer to prioritize meter change outs as meters arrive. We are still back ordered and short on meter stock.

Flushing- We will have completed flushing by the time of this council meeting. This round of flushing had its share of difficulties. There were unanticipated water main failures and a couple valve failures that caused complications. A lot of residents experienced brown water this round of flushing due to these failures. I thank them for their patience and understanding. By replacing these failing saddles and valves flushing in the future will be less disruptive, benefiting not only public works but also all town citizens.

Ball fields – We have received and installed all components for the scoreboard and have worked with Steve Jones from Buck’s organization to make sure everything is working properly, thank you Steve!

Water Park – Has opened and I am working with staff to isolate one propulsion pump to control a leak. The propulsion is now isolated, and this pump and plumbing must be addressed in the off season.



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PW Trainings- Next training is scheduled for August.

The Heritage – I have done a final walk through, and the Town will be meeting with the developer soon for partial bond release and turnover.

Town welcome sign – We are rebuilding the panel and conduit at the 260-welcome sign. This panel also feeds the “CB” brick work, Christmas lights, and irrigation. This work is now complete.

Richfield Station water saddle replacement- We have moved our crews to Bay View Hills. I plan to have a detailed report in our September Council meeting to go over this entire saddle replacement project and answer any questions.

Emergency calls – We received several calls about brown water after hours. We responded to two calls for water leaks. One on the homeowner’s side and one that was a Town water main valve that we have now repaired.

VI. CHESAPEAKE BEACH WATER RECLAMATION TREATMENT PLANT (CBWRTP):

The Town of Chesapeake Beach will hold its quarterly CBWRTP partnering meeting on July 19th at the Chesapeake Beach Town Hall. The Town will also hold a coordinating meeting with the Town of North Beach and Calvert County Government to discuss flow measurement and future connections running to the CBWRTP on July 19th, 2023.

Report by Josh Stinnett CBWRTP Superintendent:

WRTP Staff performed scheduled regular preventative maintenance checks and services as scheduled through the asset management program, which generated work orders for routine (daily/weekly/monthly), scheduled (based on equipment runtime), predictive (based on equipment readings), and corrective repairs for equipment based on readings, pressures, or time in service for equipment in the plant.

WRTP Staff performed monthly inspections of the Plant Combination Air Valves, which are critical to ensure the proper operation of pumped/suction lines throughout the Plant. Routine cleaning of the clarifier weirs and channels has continued as the weather has warmed and algae growth has increased, for the sections where covers have not yet been installed. Routine safety inspections were conducted for the Plant eyewash stations and on-site monthly fire extinguisher inspections.

WRTP Staff performed routine monthly inspections of the Denitrification Filter cells as per the O&M manual. This involved observing the filter units during a backwash cycle, to assess the sequence of events and timing for the process to ensure that the program operates properly. Observations were made during this cycle to ensure that there were no “dirty spots” that may indicate that the filter was not being cleaned properly during



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backwash, or “hot spots” where the media appears to be boiling which may indicate upset gravel or short-circuiting of the media. Staff also observed the filter as it was drained to identify if the media was level, if there were any cavities or cracks in the media bed, and that no heavy layers of mud or other indication of insubstantial cleaning were observed. This could be caused by the excessive application of chemicals or algae accumulation.

WRTP Staff performed scheduled maintenance for lubrication of RAS Pump #1 and #3 pump bearings, Clarifiers #1 and #2 Worm Gear Sub-Assemblies, and Influent Channel Bar Screen bearings. WRTP Staff coordinated with DPW Staff for the Quarterly Cleaning and Inspection of the Town gravity flowmeter located in the sanitary sewer manhole in front of Horizons on the Bay, with no issues reported. Quarterly cleaning of the UV Banks began on June 5th and was completed on June 9th.

WRTP Staff performed investigative work to identify an observed reduction in flow capacity with Influent Pump #2. Likely causes range from issues with the variable frequency drives (VFDs), pump blockage, or blockage in the check valve. Testing was performed to confirm no issue with electrical controls from the VFDs controlling the pump. Power input and output readings appeared normal. A comparison with Pump #3, which is the same size pump and is set up to pump to the SPT, was made using #3 to pump to the Plant. Comparative power readings between Pumps #2 and #3 were made when checking the VFDs, and this would further confirm a lack of power supply issues. Flow rates from #3 were normal. Manual opening of the #2 check valve was performed, and the flow rate for pump #2 improved to normal levels, with a large clump of rags being found shortly thereafter in the Influent Channel barscreen located just downstream. Based on the flow increase and the rags at the screen, it is assumed that rags have accumulated on the flapper located inside the check valve. Work is planned to remove the access plate from the check valve and remove any accumulated rags and debris. Due to the size of the access plate and hardware, this work will require planning to accommodate the downtime for the work.

[Moonshot Missions](#) and facilitated a meeting between Grant Program representatives from MDE and the Plant Superintendent, the Town Administrator, and Town Engineer. This was to establish communications and processes/procedures with MDE regarding obtaining grant funding for the Headworks Improvement project.

Johnston Construction has continued work on the Clarifier/Filter Cover project proceeding to Clarifier #2 and the Filters and Clearwell. Below are before and after pictures of Filter #1 and Clearwell showing grating and some mats.



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Filter #1



Clearwell

Work is currently approximately 1 week ahead of schedule, with final work still pending for Clarifier #2 covers, handrails, access ladder for Clearwell, and mats to be fully installed. Work is scheduled to be completed around the beginning of September.

Miller Electric completed the start-up and training for WRTP Staff for the operation and maintenance of the newly installed Sludge Finder 2 blanket sensors.

Fidelity Power Systems conducted maintenance on the Plant Emergency Generator as part of the service contract. Technicians conducted an oil change as per the 4-year scheduled timeline for this service based on semi-annual oil condition analysis, and coolant replacement as per the maintenance schedule.

Industrial Monitoring and Controls Systems (IMACS) conducted the final work for the inclusion of the remaining three power monitors in the Plant. This allows monitoring of the power supply to the Return Activated Sludge Building, Denitrification Filter Building, and the overall power entering the Plant. Kroeger Electric was contacted to conduct minor work for the installation of conduits in the Solids Handling Building to tie in the power monitor for the Main Power supply, located in the electrical room, to the nearest network



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switch located on the upper level in the Press Room Control Panel. The inclusion of these power monitors has provided a means by which to assess the current Plant power demands, and any power anomalies experienced. Data is currently being compiled relating to power demands for the buildings monitored, and this data may be utilized in the future for assessment of the feasibility of installation of solar panels to handle portions of the Plant.

Facchina conducted the installation of the replacement servers for the Plant SCADA system. IMACS is tentatively scheduled to start work to upgrade the two servers and PLC software to current versions to allow the program to run on the new servers.

Wheltech conducted the annual flowmeter calibrations for the flowmeters located in the Plant. This is a requirement of the MDE Discharge Permit.

Evoqua Water Technologies performed work to replace a bad seal in the intermediate drive section of Clarifier #2 between the worm gear and the final drive. Work required a shutdown of the clarifier for a day, and physical removal of the worm gear, primary reducer, drive motor, and intermediate drive. Once the unit sections were re-installed, oil was added to the unit and observed the next day to confirm the leak was resolved.

McCrone Engineering was on site on July 7th for a preliminary walk-through with their structural engineer to review site conditions of the existing wetwell for the Headworks Improvement Project. WRTP Staff were able to provide copies of the original plan sheets from 1982 for the construction of the Headworks facility, which provided vital information as to the structure of the existing wetwell. Follow-up work is planned by McCrone to conduct two core samples of the concrete to confirm the presence of an existing slab under the sloped portion of the wetwell.

The Shellfish Protection Tank was utilized twice during this period. This was for the heavy rainfall on June 21st to 22nd for a total of .346 MG from 2.45” of rainfall, and July 9th for a total of .129 MG from 1.17” of rainfall.

No incidents were reported in the plant’s Solids and Handling Operation. The present Solids Hauling Contract will expire on August 1, 2023, with options for renewal for two additional one-year periods.

The WRTP had no SSO spills but did have a full Filter Bypass to report for this month’s meeting. On June 20th, 2023, at 06:15, Plant staff identified a bypass state for our Denitrification Filter system as a result of a failure in the four filter influent pumps. Mitigation processes were started to prevent further flows bypassing the filter system, by redirecting the Plant flow to our Shellfish Protection Tank while troubleshooting was performed to identify the cause of the fault. Through checks of our SCADA system, and the HMI panel controls, it was determined that there appeared to be a power fluctuation from the BG&E supply at ~22:00 on June 19, 2023. This resulted in a fault in the PLC program causing the system to lock into a manual mode for



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the Denitrification system. With the pumps not operating, the level in the Denitrification Influent wetwell went to an overflow level, which allowed the flow to be redirected from the filter influent wetwell and directly to the UV Disinfection channel, bypassing the filter units. Verbal contact was made with MDE at 08:22 on June 20th, and a written report was sent by email on June 21st. Bypass flow was calculated using our SCADA data for the Filter Influent and Plant Effluent flow meters. The calculated bypass flow is .163 MG. Sampling was conducted on the flow bypassing the filters, before disinfection, for nitrate (NO₃), ammonia (NH₃), and total phosphorus (TP); and after disinfection for fecal, pH, dissolved oxygen, and total suspended solids (TSS). In-house lab results showed a slight increase in TSS over normal. The results were as follows:

NH ₃	0.04 mg/L
NO ₃	1.15 mg/L
TP	0.37 mg/L
TSS	4.0 mg/L ¹
D.O.	9.3 mg/L
pH	8.2
Temp.	23 °C
Fecal	<1 MPN (Read on 6/21/2023 ²)

Additional samples were collected at a point prior to final discharge by our composite sampler for our weekly samples, picked up by our contracted lab on the afternoon of June 20, 2023. Testing was performed for Biological Oxygen Demand (BOD₅), Total Kjeldahl Nitrogen³ (TKN), NH₃, Nitrite + Nitrate (NO₂ + NO₃), TP, and Ortho-Phosphorus (OP). Lab results were received on June 26th, 2023. Lab results showed no appreciable change in discharge over normal. The results are as follows:

BOD ₅	Not Detectable
NH ₃	Not Detectable
TKN	0.7 mg/L
TP	0.18 mg/L
OP	0.14 mg/L
NO ₂ + NO ₃	Not Detectable

Once the issue was resolved, work was performed to address the deficiency with alarm callouts for this instance. An alarm was set up in our SCADA system that would call out if the level in the Denitrification Wetwell exceeded the High-High level mark. This would be an effective alarm for both pump failures, and

¹ Average TSS YTD 0.7 mg/L (Permit limit of 15 mg/L max weekly average)

² Fecal Testing using Colilert 18 testing takes 18-22 hours for results.

³ TKN is the sum of organic nitrogen and ammonia compounds.



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any instance where influent flows exceeded the capacity of the Filter Influent pumps. The alarm was evaluated at 11:30 on June 20th and found to be effective.

Future Projects:

To complete working on setting up an inventory of priority spare parts. Continued training on maintenance of plant equipment. Conduct a review and update of Plant SOPs to fit with the appropriate procedures for use of equipment and processes for Plant operation. Additional work to refine some of the process control systems to make the Plant more energy efficient.

VII. TOWN ASSETS:

- **Kellam's Field:** Town submitted a variance request to Calvert County Government in order to obtain a permit for the installation of an approximately 430' of 18" HDPE storm drain across the ball field. The work will include the installation of a concrete precast storm drain inlet on the receiving south end. A rip rap channel will be discharging into a small sediment pond on the North end. Plans are underway to adjust the fence to convert the baseball diamond into open green space. This work will be completed at the same time as the storm drain to minimize interruption and repeat work related to the fence re-alignment.

Kellam's Field is open Monday – Sunday! Come out and enjoy the green space! To view more information on Kellam's Field please click [here](#).

- **Bayfront Park:** Bayfront Park remains closed to the public and open to Town residents, NBVFD, and the Twin Beach Deputies.
- **Chesapeake Beach Water Park:** The [Chesapeake Beach Water Park](#) is in operation for the season offering day passes, season passes, birthday parties, swim lessons, rentals, and new family passes.
 - a. Town Tuesdays:** Mayor and Town Council of the Town of Chesapeake Beach announce “Town Tuesdays” at the Chesapeake Beach Water Park! For the 2023 Water Park season, Town of Chesapeake Beach residents receive free admission to the Chesapeake Beach Water Park from 3:30-5:30 PM. *Proof of residency is required.*
 - b. Safety:** While safety is a concern for all our Chesapeake Beach Water Park Staff it is the primary focus of our Lifeguards. Join us by saying thank you to our Lifeguards on August 1, 2023, as we observe Lifeguard Appreciation Day at the Water Park. When attending the Park, please say an extra **“Thank You!”** to the lifeguards that keep our Park safe all season long!



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Did you know that our aquatics staff are trained in first aid beyond just water safety. There was an incident at the park this season where a young child lost consciousness upon entering the Park. Aquatics management, Savannah Richardson, Cierra Harrison, and Jodi Przybocki quickly acted and administered first aid to the child. As Park management called 911, the child regained consciousness and needed oxygen. The team continued to monitor and care for the child until emergency services arrived. our aquatics management team is trained in administering Narcan (Naloxone)? The proper use of this medication can reverse an opioid overdose. Our team is trained to recognize an opioid overdose, administer Narcan, and care for the individual until emergency services arrive.

The Chesapeake Beach Water Park, patrons, staff, and community are thankful for our unsung heroes every day. Thank you for all that you do and more!!!

- c. **Planning:** The Town Council reviewed current constraints of the Chesapeake Beach Water Park during the July 11, 2023, Town Council Work session. To view the presentation please click [here](#).
- d. **Further engagement of Town residents while looking forward to a fun and safe 2023 season for guests and staff:** The Town is seeking to engage Town residents to hear feedback on how residents envision the Chesapeake Beach Water Park as we plan for short- and long-term improvements.

VIII. GRANTS:

1. **Pocket Park funding for \$150,000 with \$0 match for three pocket parks:** In progress for award via eMMA source # **BPM038247**.
2. **Parks and Playgrounds Infrastructure Grant for the Kellam's Tot Lot at \$150,000 with \$0 match:** The Town continues to work through the scope of work to renovate the Miller-Loveless Park at Kellam's field. Funding is received from the Maryland Department of Natural Resources Local Parks and Playgrounds Infrastructure Improvements and a Maryland Capital bond through the support of Senate President Emeritus Thomas V. Mike Miller, Jr. Improvements include addressing stormwater, new children's play area equipment and new senior playground equipment. Thank you to the Board of County Commissioners for their support of these projects. The Town will start this project once the Town receives permit approval for the storm drain.
3. **Safe Routes to School SRTS 100% design:** The Town continue to work towards starting the work for the 100% design and construction drawings for the SRTS grant to build sidewalks from Beach Elementary School to Chesapeake Village and a portion of Old Bayside Rd. The Town Engineer



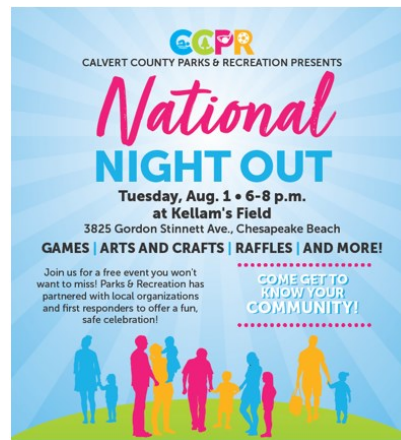
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and Town Administrator are working to satisfy the States requirements for the RFP for review and approval.

4. **Coastal Resiliency Grant:** The Town held multiple public engagement sessions to engage citizens on the impacts of coastal resiliency through a grant funded by Maryland Department of Natural Resources. For information on the Committee's work and to view updated flood [mapping](#) please visit the Town's website [here](#). To view the draft Coastal Resiliency plan please click [here](#).
5. **CREAT Coastal Resiliency Technical Assistance:** The Town of Chesapeake Beach joined the City of Crisfield and the City of Cambridge on May 31st in Annapolis for a roundtable discussion and presentation of each municipality potential adaptive measures to address impacts to critical infrastructure due to flooding. The Town staff will be able to highlight our need for adaptive measures to potential funders. To view the Town of Chesapeake Beach presentation please click [here](#).

V. TOWN EVENTS:

- 1) **National Night Out:** The Town is thrilled to be a sponsor for Calvert County Parks & Recreation's **National Night Out** again this year, Tuesday, August 1st from 6-8pm at Kellam's Field. National Night Out is an annual gathering of communities to promote police-community partnerships. This event is free and will offer games, arts and crafts, raffles, and more! Come get to know your community and first responders!



- 2) **Taste the Beaches is back:** Taste the Beaches is better than ever and now ON TOUR! The Town of Chesapeake Beach Economic Development Committee is taking the event to one of our businesses - Abner's Crab House! You won't want to miss the delicious food from our local



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restaurants and vendors, wine and beer from local breweries and wineries, live music from local favorites, and so much more! Stay up to date on the event by tuning in [here](#).



VI. TOWN PERMIT ACTIVITY:

<i>Permit #</i>	<i>Address</i>	<i>Improvement</i>
2023-41	7544 Bayside Rd.	Daycare Sign
2023-42	8705 C Street	Replace exterior flooring
DENIED	3917 14 th Street	Driveway (bluestone)

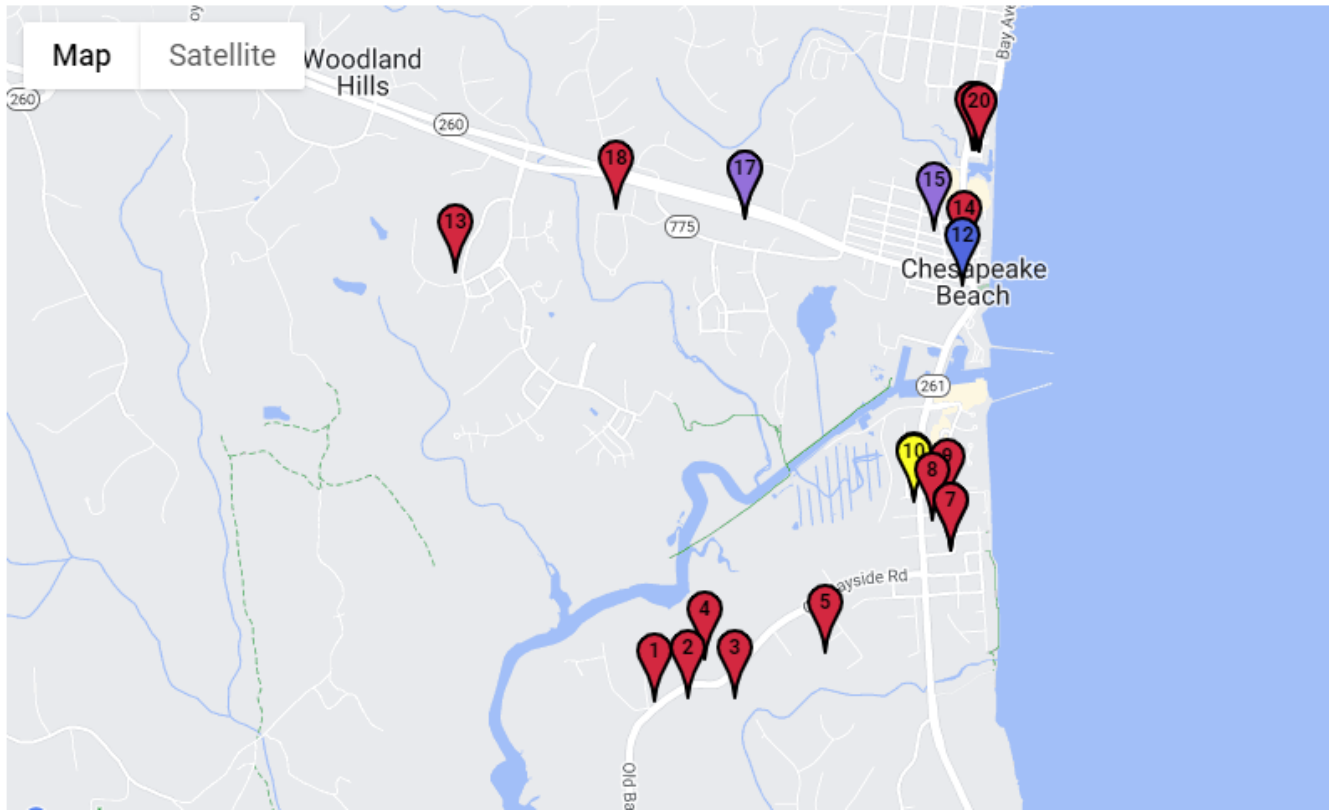
VII. CODE ENFORCEMENT ACTIVITY:

See Exhibit A attached.



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Exhibit A Code Enforcement Reporting of OPEN CASES



	Case Number	Date	Location	Status	Violations
1.	CE22-82	11/18/2022	7516 OLD BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	115-3 Dangerous Buildings - Failure to Comply, Exterior Structure - Lack of minimum general maintenance, Failure to maintain a building, structure or premises, Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard
2.	CE22-66	07/27/2022	7603 OLD BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Administrative Citation Issued	Exterior Structure - Lack of minimum general maintenance, Property Maintenance - Minimum Maintenance Requirements
3.	CE23-17	03/20/2023	7685 OLD BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Stop Work Order	Zoning Permit Required, Failure to Obtain a Rental License, Zoning Infraction



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4.	<u>CE23-10</u>	02/16/2023	7509 H ST CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Inoperable Vehicle
5.	<u>CE23-4</u>	01/23/2023	3605 12TH St CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to Obtain a Rental License
6.	<u>CE23-24</u>	05/04/2023	7524 C St CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to Obtain a Rental License
7.	<u>CE19-91</u>	11/14/2019	7524 C St CHESAPEAKE BEACH, MD 20732	Inspection	Property Maintenance - Sanitary Maintenance - Vehicles, Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris, Sanitary Maintenance, Property Maintenance - Minimum Maintenance Requirements
8.	<u>CE23-3</u>	01/23/2023	3907 16TH St CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to Obtain a Rental License
9.	<u>CE22-81</u>	11/16/2022	7626 C St CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	115-3 Dangerous Buildings - Failure to Comply, Failure to maintain a building, structure or premises, Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris, Property Maintenance - Sanitary Maintenance - Grass, Minimum Housing Standards - Broken or Defective Windows and Door Openings, Minimum Housing Standards - Condition of the Premises A (3), Exterior Structure - Lack of minimum general maintenance
10.	<u>CE23-23</u>	05/04/2023	7634 BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to Obtain a Rental License
11.	<u>CE18-10</u>	05/18/2018	7636 BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard, Property Maintenance - Minimum Maintenance Requirements (B), 200-6 Violations and penalties for Property Maintenance, Property Maintenance - Sanitary Maintenance - Grass, 115-3 Dangerous Buildings - Failure to Comply, Foreclosure, 115-3 Dangerous Buildings - Failure to Comply
12.	<u>CE22-54</u>	06/28/2022	3919 E CHESAPEAKE BEACH Rd CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to Obtain a Rental License, Property Maintenance - Minimum Maintenance Requirements , 115-3 Dangerous Buildings - Failure to Comply, 115-3 Dangerous Buildings - Failure to Comply
13.	<u>CE23-21</u>	05/01/2023	2536 RICHFIELD CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Property Maintenance - Sanitary Maintenance - Grass, Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris
14.	<u>CE23-16</u>	03/20/2023	3915 27TH St CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris
15.	<u>CE23-7</u>	02/06/2023	3814 28TH St CHESAPEAKE BEACH, MD 20732	Stop Work Order	Zoning Permit Required, Property Maintenance - Minimum Maintenance Requirements , Sanitary Maintenance



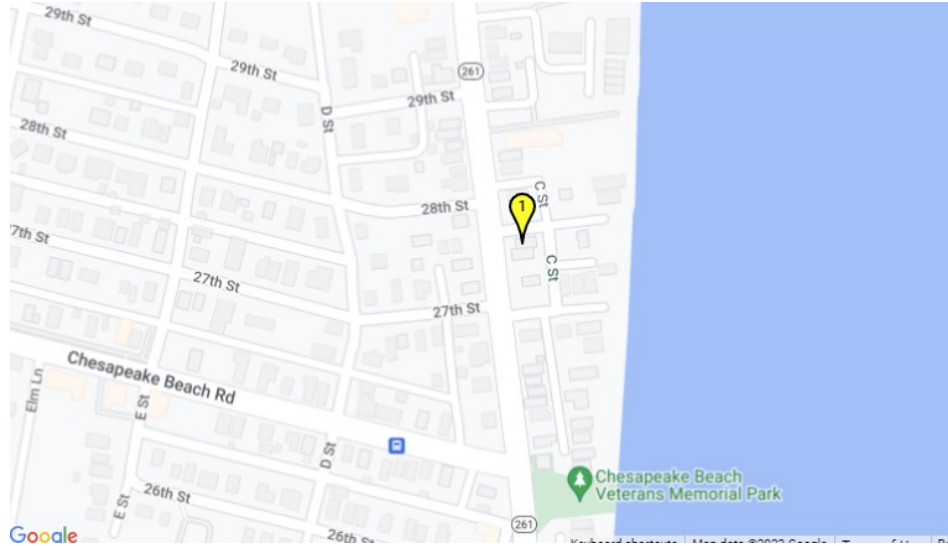
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16.	<u>CE22-51</u>	06/15/2022	3325 E CHESAPEAKE BEACH Rd CHESAPEAKE BEACH, MD 20732	Administrative Citation Issued	Failure to Obtain a Rental License, Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard, Exterior Structure - Lack of minimum general maintenance, Failure to maintain a building, structure or premises, Sewer is Backed Up, Waste/Sewer Back Up, Property Maintenance - Minimum Maintenance Requirements , 115-3 Dangerous Buildings - Failure to Comply, Sewer/Water Manual Violation, Property Maintenance - Minimum Maintenance Requirements (B)
17.	<u>CE23-27</u>	07/14/2023	3325 E CHESAPEAKE BEACH Rd CHESAPEAKE BEACH, MD 20732	Complaint Filed	115-3 Dangerous Buildings - Failure to Comply
18.	<u>CE22-80</u>	11/07/2022	2952 HERITAGE Dr CHESAPEAKE BEACH, MD 20732	Awaiting Zoning Permit	110-15: Steep Slope Construction on or Adjacent to, Zoning Permit Required, 110-15: Steep Slope Construction on or Adjacent to
19.	<u>CE22-19</u>	03/07/2022	4024 SEA GATE CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to maintain a building, structure or premises, Property Maintenance - Minimum Maintenance Requirements
20.	<u>CE22-18</u>	03/07/2022	4020 SEA GATE CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to maintain a building, structure or premises, Property Maintenance - Minimum Maintenance Requirements
21.	<u>CE22-16</u>	03/07/2022	4012 SEA GATE CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to maintain a building, structure or premises, Property Maintenance - Minimum Maintenance Requirements
22.	<u>CE22-15</u>	03/07/2022	4008 SEA GATE CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to maintain a building, structure or premises, Property Maintenance - Minimum Maintenance Requirements
23.	<u>CE22-14</u>	03/07/2022	4004 SEA GATE CHESAPEAKE BEACH, MD 20732	Notice of Violation Given	Failure to maintain a building, structure or premises, Property Maintenance - Minimum Maintenance Requirements



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Code Enforcement reporting of Closed Cases



Case Number	Date	Location	Status	Violations
1. CE23-25	05/04/2023	8309 BAYSIDE Rd CHESAPEAKE BEACH, MD 20732	Closed: Voluntary Compliance	Failure to Obtain a Rental License



Town of Chesapeake Beach
Treasurer's Report
 Town Council Meeting
July 2023

Current Activities:

- Ongoing close out of FY23, along with preparation for the annual audit. Audit fieldwork is scheduled to begin in September and will conclude at the end of October.
- FY23 4th quarter utility bills were sent to property owners on Friday, July 14th. Outstanding balances are due August 14th.
 - New utility rates will be implemented during the 1st quarter of FY24, with bills distributed mid-October.

ARPA Funding Status:

- ARPA funding was further discussed during the May 9th and July 11th work sessions. Additional information can be found here:

https://www.canva.com/design/DAFhIAz6djM/EewUguB6JtF-MScpSbD_Q/view?utm_content=DAFhIAz6djM&utm_campaign=designshare&utm_medium=link&utm_source=publishsharelink

Note: costs do not include all projects discussed with Town Council, only the allocated projects

Reconciliation of Funds Allocated from ARPA	
5,943,338	Total funds awarded
(200,000)	Food insecurities & food pantry services* - GF
(100,000)	Calvert Library Foundation* - GF
(92,186)	Storm Drain Replacement - GF
(750,000)	Saddle Replacements - UF
(500,000)	Meter Replacement - UF
(350,000)	Fishing Creek Wet Well - UF
3,951,152	Remaining Funds

**Pending approval by Town Council during the Town Council meeting on July 20th.*

392,186	Total - General Fund
1,600,000	Total - Utility Fund



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(410) 266-3212 • Fax (410) 266-3502 • www.messickandassociates.com

Town of Chesapeake Beach

Engineer's Report 7-12-23

From: Messick Group, Inc (MGI)
Wayne A. Newton, P.E

Below is the monthly update of projects and upcoming action items to be completed by our office:

Fishing Creek Dredging:

Action: Project stopped. Meeting scheduled with the Army Corps to discuss next steps and potential re-start. Messick to be in a support role as needed.

Richfield Station:

Action: No Change from last month. M&A attended a meeting on site with the owner, and his attorney, along with Holly Wahl, Todd Pounds and Jay Berry. This meeting was intended to address steps required to provide update sureties for the yet to be completed work as well as remedial work identified by the Town. The developer is completing cost estimates to update the sureties for Town review. Once those estimates are approved, the developer will provide updated sureties and will begin repairing the current deficiencies.

261 Sidewalks:

Action: Waiting for additional approvals from SHA to proceed with the RFP. 100% design RFP prepared and sent to SHA for review. NEPA approval is complete. RFP for design services to be advertised once SHA approval is received. M&A updated the 30% design level cost estimate for current economic conditions and sent it to SHA for their uses in computing the required minority participation. Waiting for SHA authorization to proceed.

Heritage:

Action: Project is nearly ready for acceptance by the Town and close out of permits by the County. Meeting scheduled 7/14 to review.

Kellams Field:

Action: Calvert County variance to storm drain design and resubmittal of grading permit is being submitted 7/14/23. The County has indicated they will approve the request. Final bid documents for RFP release for the tot lot and storm drain as a combined project are complete. The Pocket Park/Pathway project has been split out and included as a part of the pocket Parks bid currently out for bid. MDE is ready to issue the wetlands license and approval once the County issues the grading permit.



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WRTP UV Protection RFP

Action: Messick is filling the contract management role overseeing the construction. Johnston Construction is making good progress and is on schedule to complete in late August.

Flood Resiliency Plan

Action: Messick assisted the task force and steering committee to create recommendations for each projected area of impact within the Town due to Sea Level rise. Draft report is out for review and comment.

Water Park

Action: M&A created a participant density exhibit. Due to the lack of response from the pool contractors, we are working on a repair concept using fiber reinforced epoxy to repair the above water structure. A site meeting is being coordinated with Paddock staff to discuss specifics. Scanning of the site to create a 3D model of the existing conditions completed and ready for design.

Pocket Parks

Action: B Street Pocket Park plans and RFP documents are out for bid. 29th Street park plans are complete and out for bid. Kellams Pocket Park was included in the bid package.

Water Reclamation Plant Headworks

Action: The Headworks Design has begun. McCrone is working with plant personnel to complete the study phase and sizing the facilities.

Messick, Holly & Josh Stinnett met with MDE staff and Moonshot Missions to review funding options.

Route 261 Pedestrian Path

Action: Messick is preparing the 30% design documents for SHA review and request for funding.

Old Bayside Water Tower

Messick performing intermittent settlement analysis of the tower footings. No apparent settlement identified to date.

Water Reclamation Plant Pump Replacement

Messick is working with plant staff to review RAS pump replacement requirements. Recommendations anticipated in August.



CALVERT COUNTY SHERIFF'S OFFICE

TWIN BEACHES PATROL

Date: July 5, 2023
To: Sharon Humm
From: Sergeant Stephen Moran
Re: Sheriff's Office Report-Chesapeake Beach

In June of 2023, the Sheriff's Office handled 246 calls for service in Chesapeake Beach. This is down from 288 calls in May of 2023.

Twin Beach deputies had 678 self-initiated (patrol checks = 612, follow-up investigations = 19, traffic stops = 47)

Twin Beach deputies received 246 calls for service by other means (citizens, alarm companies, etc)

Call Breakdown for the 288 calls, we handled:

- **Destruction of Property**

- 06/13 – Several DOP (Spray Paint) – Lawrin Court – Under Investigation
- 06/13 – DOP (Spray Paint) – Middle Ground Ct – Under Investigation
- 06/13 – DOP (Spray Paint)– Chesapeake Village Blvd – Under Investigation

- **DUI/DWI**

- 06/06 – DUI/DWI – Route 260 at Route 261 – 1 arrested

- **Assault**

- 06/09 – Assault – Gordon Stinnett Ave – 1 Arrested
- 06/22 – Domestic Assault – Gordon Stinnett – No further Police Action
- 06/28 – Assault – Mears Ave – Juvenile fight – Complainant wishes no further

- **Trespass**

- 06/04 – Trespass – 3 Juveniles entered the water park after hours – 2 arrested

- **Narcotics Violations**

- 06/14 – CDS – Traffic stop Chesapeake Station yielded CDS – 1 arrested for distribution
- 06/19 – CDS Violation – Subway – Under Investigation

- **Burglary**

- 06/10 – Burglary – Beach Elementary – 2 Juveniles / Unable to charge (12 years old) Nothing Damaged, Nothing Stolen

- **Theft**

- 06/09 – Theft – E Chesapeake Beach Rd – Under Investigation
- 06/18 – Attempted Theft – Delores Ct – 1 Arrested
- 06/23 – Theft – CVS – Under Investigation
-

- **Miscellaneous**

- 06/16 – Harassment – Harrison Blvd – Under Investigation
- 06/22 – Industrial Accident – Mears Ave – No further Police Action
- 06/27 – Sexual Assault – Under investigation
- 06/28 – Death Investigation – Gordon Stinnett – No further Police Action
- 06/30 – Overdoes – Bayside Rd – Handled by EMS

June 2023 Calls for Service Chesapeake Beach

Call Type	Month	Year	Call Type	Month	Year	Call Type	Month	Year
911 Hang Up	54	181	Firearms Complaint	0	3	Relay	1	8
Abandoned Vehicle	0	4	Fireworks Complaint	0	0	Robbery	0	1
Accident	5	44	Found Property	2	8	Search Warrant	0	2
Alarm	2	25	Fraud	1	9	Sexual Assault	1	1
Alcohol Violation	0	0	Harassment	2	12	Sex Offender Registry	0	0
Animal Complaint	7	16	Illegal Dumping	0	0	Special Assignment	1	20
Assault	2	5	Industrial Accident	1	1	Stalking	0	0
Assist Motorist	7	34	Indecent Exposure	0	0	Stolen Vehicle	0	0
Assist Other Dept	5	19	Intoxicated Person	0	0	Summons Service	6	28
Assist Sick/Injured	8	22	Kidnapping/Abduction	0	0	Suspicious Person	5	24
Attempt to Locate	19	92	Loitering	0	1	Suspicious Vehicle	7	20
Burglary	1	3	Lost Property	0	0	Tampering with MV	0	0
CDS Violation	2	2	Loud Party/ Music	2	6	Telephone Misuse	0	0
Check Welfare	10	48	Mental Subject	3	5	Theft	11	16
Conservor of Peace	2	5	Missing Person	2	4	Traffic Complaint	12	36
Destruction of Property	8	20	Neighborhood Dispute	4	5	Traffice Control	15	106
Death Investigation	0	2	Notification	0	1	Traffic Enforcement	1	19
Disorderly	10	45	Parking Complaint	1	27	Trespassing	0	8
Domestic	5	33	Person with Weapon	0	0	Unauthorized Use MV	0	0
Escort	1	1	Police Information	15	72	Unknown Problem	0	1
Eviction	0	2	Protective/Peace Order	3	7	Violation Protective Order	0	2
Fight	2	6	Prowler	0	0	Warrant Service	0	5
						Total Calls	246	1064
	Month	Year		Month	Year		Month	Year
DUI Arrest	1	3	CDS Arrest	1	5	Other Arrest	7	30
Civil Marijuana Citations	0	4	Non Fatal Overdose	0	1	Fatal Overdose	0	0
Patrol Checks	612	3450	Traffic Stops	47	351	Follow Ups	19	41
**** Notes ****								
Deputies assigned to the Twin Beach Patrol handled 145 calls outside of the Twin Beach Patrol Area in this month. (These calls include off duty responses, calls handled to and from work, special events, overtime assignments, special unit assignments, calls while working a shift, etc. The Computer Data System has no way of classifying the on shift or off shift status of an officer when handling a call for service.)								

June 2023 Calls for Service North Beach

Call Type	Month	Year	Call Type	Month	Year	Call Type	Month	Year
911 Hang Up	14	87	Firearms Complaint	0	0	Relay	2	10
Abandoned Vehicle	0	1	Fireworks Complaint	0	0	Robbery	0	0
Accident	1	11	Found Property	0	4	Search Warrant	0	0
Alarm	2	16	Fraud	0	1	Sexual Assault	0	0
Alcohol Violation	0	0	Harassment	1	2	Sex Offender Registry	0	0
Animal Complaint	6	12	Illegal Dumping	0	4	Special Assignment	6	18
Assault	0	1	Industrial Accident	0	0	Stalking	0	0
Assist Motorist	4	17	Indecent Exposure	0	1	Stolen Vehicle	0	0
Assist Other Dept	0	2	Intoxicated Person	0	0	Summons Service	5	17
Assist Sick/Injured	4	16	Kidnapping/Abduction	0	0	Suspicious Person	6	12
Attempt to Locate	14	45	Loitering	1	2	Suspicious Vehicle	1	4
Burglary	0	1	Lost Property	1	1	Tampering with MV	0	0
CDS Violation	0	1	Loud Party/ Music	0	1	Telephone Misuse	0	0
Check Welfare	12	36	Mental Subject	0	2	Theft	3	8
Conservor of Peace	0	4	Missing Person	1	6	Traffic Complaint	0	5
Destruction of Property	4	12	Neighborhood Dispute	0	3	Traffice Control	0	1
Death Investigation	2	3	Notification	0	0	Traffic Enforcement	1	28
Disorderly	6	23	Parking Complaint	4	13	Trespassing	8	10
Domestic	2	25	Person with Weapon	0	1	Unauthorized Use MV	0	0
Escort	1	4	Police Information	4	35	Unknown Problem	0	1
Eviction	0	4	Protective/Peace Order	1	6	Violation Protective Order	0	2
Fight	0	0	Prowler	0	0	Warrant Service	0	2
						Total Calls	117	521
Call Type	Month	Year	Call Type	Month	Year	Call Type	Month	Year
DUI Arrest	0	1	CDS Arrest	0	1	Other Arrest	1	17
Civil Marijuana Citations	0	2	Non Fatal Overdose	1	1	Fatal Overdose	0	0
Patrol Checks	205	1439	Traffic Stops	15	125	Follow Ups	4	20
**** Notes ****								



June 2023

Fire = 54

AFA = 5

Brush = 0

EMS Assist = 27

Working Fire =

(Chimney, House, Barn, vehicle, ETC)

Hazmat = 1

Investigation = 3

MVA = 2

Helicopter Landing = 0

Service = 13

Water Rescue = 3

Fire Calls dispatched in the Town of Chesapeake Beach = 43

Fire Calls dispatched in the Town of NB = 11

March Fire Drill: Auto Extrication II – Special Considerations

Fundraising: Bingo

Community Events: President Matt Weber Service; Chief Ronnie Tyrell Service



EMS = 105

Chest Pains = 10

Diabetic Emergency = 3

Fire Standby = 1

Motor Vehicle Accident = 2

Traumatic Injury (Non-MVA) = 27

Overdose = 1

Psychiatric = 3

Abdominal/GI = 5

Respiratory Distress = 16

Seizures = 1

Stroke (CVA) = 5

Unconscious Subject = 17

Other Non-Emergent = 14

EMS Calls dispatched in the Town of Chesapeake Beach = 81

EMS Calls dispatched in the Town of NB = 24

December EMS Drill: Airway Management & Breathing

Passed:
Effective:

ORDINANCE O-23-16

AN ORDINANCE
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,
TO AMEND THE LANGUAGE OF THE CHESAPEAKE BEACH ZONING CODE
REGARDING DESIGN STANDARDS FOR TOWNHOUSES

WHEREAS, Chesapeake Beach, Maryland (the “Town”) is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town of Chesapeake Beach has adopted zoning regulations since 1972 into its Town Code; and

WHEREAS, The Town Council desires to amend the Chesapeake Beach Zoning Code as it relates to design standards for townhouses; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

1. The Zoning Code of Chesapeake Beach is amended for design standards for townhouses per the attached language hereby incorporated herein by reference as Exhibit “A”.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on _____, 2023, that a public hearing was held on _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and _____ votes of approval and _____ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council _____ (*approved/disapproved*) the passage of this Ordinance this ____ day of _____, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this ____ day of _____ 2023. This Ordinance shall become

Passed:
Effective:

effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council VP

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

Amendment to the Town of Chesapeake Beach Zoning Ordinance, Article V, Section 290-19M, Design Standards for Townhouses.

Purpose: to incorporate new standards applicable to both townhouse and multi-family developments, revise certain existing standards, and reorganize and re-number the section.

New text is shown in: **BOLD CAPS**
Removed text is shown in: ~~Strikethrough~~

M. Design Standards for townhouses **AND MULTI-FAMILY DEVELOPMENTS OF THREE OR MORE DWELLING UNITS.**

(1) Setbacks BETWEEN BUILDINGS.

- (a) Purpose. The purpose of setbacks is to ensure that residents in the community and surrounding area will receive sufficient light and air and will be able to maintain privacy and freedom from disturbances within the area. However, the strict application of setback requirements can discourage innovation and promote unnecessarily monotonous site designs. Therefore, flexibility is incorporated into the following provisions in order to enable designers to address the problems of light, air, privacy and freedom from disturbance from traffic and neighbors through the use of techniques other than setback requirements.

- (b) Basic requirements for building-to-building setbacks **IN TOWNHOUSE AND MULTI-FAMILY BUILDINGS:**

Front building to front building	35 feet
Rear building to rear building	50 feet
Side building to side building	60 feet*
Front building to rear building	75 feet
Front building to side building	50 feet
Rear building to side building	30 feet
Corner to corner	30 feet*

*A break between **BLOCKS** of **FIVE** or fewer units may be reduced to a minimum of **15** feet, **IF THE PLANNING COMMISSION FINDS THE REDUCTION IS NECESSARY TO ACHIEVE BETTER OVERALL DESIGN OR AN IMPROVED ARRANGEMENT OF OPEN SPACE.**

(2) Exceptions. If all of the following conditions are met, building-to-building setback requirements may be **MODIFIED**:

- (a) **THE PLANNING COMMISSION FINDS THAT THE REDUCTION OF BUILDING-TO-BUILDING SETBACKS ENHANCES OPEN SPACE FOR SCREENING, BUFFERING, OR COMMON USE OF THE SITE, AND IS IN COMPLIANCE WITH 1(a).**
- (b) Private outdoor spaces, if provided, are visually screened from each other and from public travel ways (vehicular and pedestrian) to a height of at least four feet. (To qualify, screening must be permanent, year-round and require little to no maintenance.)
- (c) Windows of individual units do not directly face each other unless a minimum of 25 feet is provided between windows.
- (d) At least one wall of each unit is provided with windows looking onto a space at least 50 feet square (50 feet by 50 feet).
- (e) Each unit is designed to ensure adequate ventilation.
- (f) No distinction is made, in terms of exterior siding and trim, between fronts, sides and rears of buildings.
- (g) ~~Approval is granted from the Department of Public Safety.~~ **THE CALVERT COUNTY FIRE MARSHALL HAS REVIEWED THE PLAN SHOWING THE PROPOSED BUILDING-TO-BUILDING SETBACKS AND HAS NO ADVERSE COMMENTS.**

(3) Building setback from streets.

- (a) Purpose: to provide a visual and sound buffer between buildings and roadways.
- (b) Within townhouse or multi-family developments served by private streets, the setback from all streets shall be 25 feet minimum.

Exception. A setback reduction to no less than **15 feet FROM A PRIVATE STREET** may be approved in cases where a specialized site design warrants a reduced setback, and the **PLANNING COMMISSION FINDS THAT THE COMPATIBILITY STANDARDS SET FORTH IN SECTION 290-23 ARE MET**

(4) Building setback from adjacent property.

- (a) Purpose: to protect the privacy of existing residents; to provide a visual transition between different housing densities and to help ensure compatibility with the existing character of the neighborhood.
- (b) The minimum setback **TO ANY FRONT, SIDE, OR REAR LOT LINE** shall equal the height of the building, or 30 feet, whichever is greater. If variable roof heights are utilized, the average height of the building at the boundary to adjacent property shall be used to establish minimum setbacks.
- (c) **EXCEPTION. THE SETBACK FROM FRONT, SIDE, OR REAR LOT LINES MAY BE REDUCED TO THE MINIMUM ALLOWED IN THE ZONING DISTRICT WHERE THE PROJECT IS PROPOSED IF THE PLANNING COMMISSION FINDS THAT THE COMPATIBILITY STANDARDS IN SECTION 290-23 ARE MET AND THE REDUCTION HAS NO ADVERSE IMPACT ON NEIGHBORING PROPERTIES.**

(5) Size and scale and building mass.

- (a) To avoid monotonous linear development, townhouse and **MULTI-FAMILY DEVELOPMENTS** shall be in small clusters designed as neighborhood units. A cluster shall not include more than 50 **DWELLING** units.
- (b) The number of **TOWNHOUSE** units in a **BLOCK SHALL** be limited to a maximum of **six** units.
- (c) **THE NUMBER OF DWELLING UNITS IN A MULTI-FAMILY BUILDING WITHIN THE RV-2 DISTRICT SHALL BE LIMITED TO EIGHT UNITS EXCEPT THAT THE PLANNING COMMISSION MAY APPROVE A BUILDING WITH MORE THAN EIGHT UNITS, UP TO THE MAXIMUM OTHERWISE ALLOWED BY THIS ORDINANCE, UPON A THIRD PARTY EVALUATION OF ARCHITECTURAL DESIGN COMPATIBILITY AS AUTHORIZED IN SECTION 19-23C(4) OF THIS ORDINANCE.**
- (d) Offsets at party walls and/or front and rear facades and/or similar devices are required to visually reduce building mass and create individualized spaces (courtyards, seating areas, etc.) for both townhouse and multifamily projects. ~~If techniques other than offsets are utilized, building elevations prepared by a registered architect will be required.~~
- (e) **EACH STORY OF THE END UNITS OF A TOWNHOUSE BLOCK OR THE SIDE OF A MULTI-FAMILY BUILDING SHALL BE ARTICULATED WITH WINDOWS AND PROJECTIONS (SUCH AS PORCHES, BAY WINDOWS, BALCONIES, ETC.) TO AVOID MONOTONOUS BLANK WALLS.**

- (f) EACH UNIT OF A TOWNHOUSE DEVELOPMENT SHALL BE PROVIDED WITH ACCESSORY STRUCTURES SUCH AS FRONT PORCHES, REAR DECKS, PATIOS, AND FENCING THAT PROVIDE A UNIFIED PRESENTATION FOR THE OVERALL DEVELOPMENT PROJECT AND THESE SHALL BE PROVIDED AT THE TIME OF INITIAL PROJECT DEVELOPMENT.
- (g) TO PROVIDE PRIVACY, SECURITY, AND SAFE PLAY AREAS, EACH INDIVIDUAL TOWNHOUSE UNIT WILL INCLUDE REAR AND SIDE YARD FENCING THAT SHALL BE COMPATIBLE WITH ANY BOUNDARY FENCING OF THE DEVELOPMENT.
- (h) ALONG WITH THE REQUIRED SITE PLAN, THE DEVELOPER SHALL SUBMIT A LANDSCAPE DESIGN PLAN PREPARED BY A REGISTERED LANDSCAPE ARCHITECT FOR PLANNING COMMISSION APPROVAL WHICH SHALL PROVIDE FOR AN ORGANIZED AND UNIFIED DEVELOPMENT AND INCLUDE RENDERINGS OF PROPOSED TREES AND SHRUBS AT FULL MATURITY.
- (i) THE DEVELOPMENT SHALL PROVIDE VARIETY IN THE ARCHITECTURE TO ADD INTEREST AND CHARACTER AND USE HIGH-QUALITY BUILDING MATERIALS TO CONTRIBUTE TO SUSTAINED QUALITY AND SENSE OF PERMANENCE.
- (j) THE DEVELOPMENT SHALL PROVIDE VARIETY IN THE ROOF FORM, MASS, SHAPE, AND MATERIAL CHANGES TO CREATE VARIATIONS IN PLANES.
- (k) IN AREAS WITH A RELATIVELY SMALLER SCALE CHARACTER, THE UPPER LEVELS OF TOWNHOUSE AND MULTI-FAMILY BUILDINGS SHALL BE STEPPED DOWN TO BRING THEM INTO COMPATIBILITY WITH SMALLER SCALE BUILDINGS.
- (l) THE DEVELOPMENT OF LARGER COMPLEXES SHALL FEATURE VARIATIONS IN ROOFLINE, BALCONY PLACEMENT, WINDOWS, AND CHIMNEYS AND WHERE UNITS ARE CLUSTERED IN ONE STRUCTURE, THEY SHOULD HAVE VARYING FRONT SETBACKS, STAGGERED ROOF PLANES, AND VARIETY IN ORIENTATION.
- (m) ALL ROOFS OF TOWNHOUSE AND MULTI-FAMILY BUILDINGS SHALL BE SLOPED IN A MANNER COMPATIBLE WITH STRUCTURES IN THE NEIGHBORHOOD BUT SHALL NOT BE LESS THAN 15 PERCENT.

(6) PARKING.

- (a) PURPOSE: TO ENSURE PARKING AREAS DO NOT MONOPOLIZE THE OVERALL SITE DEVELOPMENT, THAT THEIR IMPERVIOUS SURFACES ARE MINIMIZED TO ONLY THAT NECESSARY, AND THEY ARE INTEGRATED INTO THE OVERALL PROJECT DESIGN.

- (b) PARKING SHALL BE LOCATED AT THE REAR OR INTERIOR OF A DEVELOPMENT SITE WHERE POSSIBLE AND THE PLACEMENT OF PARKING LOTS THAT FRONT THE STREET SHALL BE AVOIDED, BUT IF APPROVED, ANY PORTION OF A STREET-FRONTING PARKING AREA SHALL BE SET BEHIND A MINIMUM 10-FOOT WIDE LANDSCAPING STRIP AND SCREENED FROM THE STREET.
- (c) DECIDUOUS SHADE TREES SHALL BE PLANTED, IN PROTECTED PARKING LOT PLANTING BEDS SIZED FOR THE TREES' MATURE SIZES, AT A MINIMUM RATIO OF 1 TREE PER 7 PARKING SPACES.
- (d) MULTI-FAMILY AND TOWNHOUSE DEVELOPMENTS MUST INCLUDE 2.5 PARKING SPACES PER DWELLING UNIT IN ADDITION TO ANY REQUIRED HANDICAP ACCESSIBLE PARKING SPACES. IF THE PLANNING COMMISSION FINDS THAT THE SPECIFIC OCCUPANCY OF THE PROPOSED PROJECT WARRANTS A REDUCTION IN PARKING, THE REQUIREMENT MAY BE REDUCED.
- (e) ON SITE GUEST PARKING MUST BE INCLUDED IN ALL MULTI-FAMILY AND TOWNHOUSE DEVELOPMENTS WITH THREE OR MORE HOUSING UNITS AT A RATIO OF A MINIMUM OF ONE SPACE FOR EVERY SIX PARKING SPACES.
- (f) TANDEM PARKING SPACES ARE PROHIBITED IN TOWNHOUSE AND MULTI-FAMILY DEVELOPMENTS.
- (g) WHERE ON-STREET PARKING IS READILY AVAILABLE, AFTER ACCOUNTING FOR EXISTING USE, OR WHERE SUCH PARKING COULD BE PROVIDED OR ENHANCED THROUGH DEVELOPER IMPROVEMENTS TO THE PUBLIC STREET, THE PLANNING COMMISSION MAY PERMIT A COMMENSURATE REDUCTION IN THE ON-SITE PARKING REQUIREMENTS THAT OTHERWISE WOULD HAVE APPLIED.
- (h) SNOW STORAGE AREAS SHALL BE PROVIDED FOR SNOW CLEARED FROM PARKING AND DRIVEWAYS SURFACES.
- (i) TOWNHOUSE OR MULTIFAMILY DEVELOPMENTS MAY ALLOW FOR SURFACE PARKING OR FOR PARKING BELOW GRADE BUT SHALL NOT PROVIDE PARKING IN A STRUCTURE ABOVE GRADE LEVEL.
- (j) FOR MULTI-FAMILY STRUCTURES, PARKING AT GRADE LEVEL MAY OCCUPY NO MORE THAN 50% OF THE BUILDING'S FOOTPRINT.

(7) PEDESTRIAN ACCESSIBILITY.

- (a) PURPOSE: TO PROMOTE WALKING AND CONNECTIVITY BETWEEN HOUSING DEVELOPMENTS AND THEIR NEIGHBORHOODS, AND TO ENSURE THE SAFEST AND MOST CONVENIENT ROUTING FOR OCCUPANTS AND VISITORS INCLUDING CHILDREN AND INDIVIDUALS WITH DISABILITIES.
- (b) BUILDINGS SHALL PRESENT A FAÇADE THAT ENCOURAGES INTERACTION BETWEEN THE BUILDINGS AND THE STREET BY INCLUDING ENTRY FEATURES, WINDOWS, AND LANDSCAPING ALONG THE STREET SIDES OF THE BUILDING.

- (c) SITES SHALL HAVE OBVIOUS AND DIRECT PEDESTRIAN ACCESS WAYS BETWEEN BUILDING ENTRANCES AND ADJACENT STREETS / SIDEWALKS, PARKING AREAS, AND OPEN SPACE FEATURES.
- (d) FRONT YARDS SHALL INCLUDE AN ENTRANCE SEQUENCE BETWEEN THE SIDEWALK AND THE BUILDING INCLUDING ELEMENTS SUCH AS LAWN, LANDSCAPED BORDERS, LOW FENCES AND HEDGES, SHRUB PLANTINGS ALONG THE BUILDING WALL AND PORCHES.
- (e) FENCES, SIGNAGE, GATES, BOLLARDS, PLANTED AREAS, AND TOPOGRAPHY SHALL BE USED TO ASSIST AND GUIDE USERS IN NAVIGATING THE SITE IN A PROSCRIBED MANNER WHILE SIMILARLY IMPEDING OR DISCOURAGING UNDESIRABLE MOVEMENTS WITHIN THE PROPERTY.
- (f) DEVELOPMENT PROJECTS SHALL DESIGN AND INSTALL A PUBLIC SIDEWALK ALONG THE FULL STREET FRONTAGE(S) OF THE SITE UNDER THE TERMS OF A TOWN PUBLIC WORKS AGREEMENT. THE DEVELOPER MAY BE REQUIRED TO DEDICATE LAND OR PEDESTRIAN EASEMENTS TO THE TOWN TO MEET THIS REQUIREMENT.

(8) LIGHTING.

- (a) PURPOSE: TO ENSURE SITE LIGHTING PROVIDES A SAFE AND SECURE HOUSING COMMUNITY THAT RESPECTS THE AMBIENT LIGHT LEVEL CONDITIONS AND CHARACTER OF THE NEIGHBORHOOD, AND PREVENTS GLARE, EXCESSIVE LIGHT LEVELS AND THE INTRUSION OF ILLUMINATION FROM THE SITE.
- (b) PHOTOMETRIC PLANS SHALL BE PROVIDED FOR THE ENTIRE SITE DOCUMENTING THE PROPOSED HORIZONTAL ILLUMINATION ON THE SITE AND THE VERTICAL LIGHT TRESPASS AROUND THE PERIMETER OF THE SITE. THE PLAN SHALL REFLECT ADHERENCE TO THE GUIDELINES AND RECOMMENDATIONS OF THE ILLUMINATION SOCIETY OF NORTH AMERICA (IESNA) LIGHTING HANDBOOK (MOST CURRENT EDITION).
- (c) PARKING AREAS AND ENTRY DRIVES SHALL BE ILLUMINATED TO FACILITATE PEDESTRIAN MOVEMENT, SAFETY, AND SECURITY.
- (d) POLE LIGHTING SHALL BE PLACED TO ACHIEVE MAXIMUM ENERGY EFFICIENCY, HAVE A MAXIMUM HEIGHT OF 14 FEET, AND SHALL BE SHIELDED FROM THE SKY (FULL-CUTOFF).
- (e) PEDESTRIAN-SCALED LIGHTING (SUCH AS BOLLARD LIGHTING, STEP LIGHTING AND POLE MOUNTED LIGHTING) SHALL BE PROVIDED FOR ALL ONSITE WALKWAYS.
- (f) ACCENT AND ARCHITECTURAL LIGHTING SHALL BE USED TO HIGHLIGHT SPECIAL FOCAL POINTS SUCH AS BUILDING AND SITE ENTRANCES AND SIGNAGE.

- (g) BUILDING LIGHTING MAY BE PLACED ON THE SIDE OR REAR OF A MULTI-FAMILY BUILDING ONLY BUT SHALL BE LOCATED BELOW THE EAVE LINE AND NO HIGHER THAN 14 FEET FROM GRADE AND SHALL BE SHIELDED FROM THE SKY (FULL-CUTOFF), GLARE FREE, AND SHIELDED FROM ADJACENT PROPERTIES.
- (h) DETAILS AND SPECIFICATIONS ON ALL SITE LIGHTING FIXTURES AND POLES SHALL BE PROVIDED WITH THE SITE PLAN AND SHALL DEMONSTRATE THAT THE PROPOSED LIGHTING IS ARCHITECTURALLY INTEGRATED WITH THE BUILDING STYLE, MATERIAL, AND COLORS.

(9) SUSTAINABILITY.

- (a) PURPOSE: TO PROMOTE HOUSING IN ARRANGEMENTS AND DESIGNS THAT MAXIMIZE ENERGY EFFICIENCY AND MINIMIZE IMPACT TO AREA WATER QUALITY.
- (b) SITE LIGHTING FIXTURES SHALL BE ENERGY EFFICIENT, SHALL UTILIZE LED LAMPS FOR ENERGY EFFICIENCY AND LONG LAMP LIFE, AND HAVE PHOTOSENSITIVE TIMERS.
- (c) BUILDING ORIENTATION: WHENEVER PRACTICABLE, BUILDING SHALL BE ORIENTED WITHIN 20 DEGREES OF NORTH/SOUTH AXIS, WITH 90% OF SOUTH FACING GLAZING SHADED FROM THE SUN AT NOON ON JUNE 21 WITH OVERHANGS, AWNINGS, VEGETATION, OR AUTOMATED SHADING DEVICES, AND UNSHADED FROM THE SUN AT NOON ON DECEMBER 21.
- (d) TO THE EXTENT PRACTICABLE, THE FLOOR PLAN OF DWELLINGS SHALL BE ORIENTED ON AN EAST/WEST AXIS WITH DAYTIME LIVING PORTIONS RELATED TO THE SUN TO CAPITALIZE ON NATURAL LIGHT AND PASSIVE SOLAR HEAT.
- (e) THE SITE'S STORMWATER MANAGEMENT SYSTEM SHALL BE DESIGNED WITH AN EMPHASIS ON STORMWATER INFILTRATION, BIO-RETENTION, AND OPEN CHANNEL CONVEYANCE, WITH AS LITTLE CONVENTIONAL PIPED CONVEYANCE AS POSSIBLE.
- (f) NATIVE TREES AND SHRUBS SHALL BE THE PRIMARY MEANS FOR BUFFERING AND SCREENING REQUIRED BY SECTION 290-21D OF THIS ORDINANCE.

(10) THE MINIMUM TRACT SIZE FOR TOWNHOUSE OR MULTI-FAMILY DEVELOPMENTS SHALL BE 20,000 SQUARE FEET.

(11) COMMON OPEN SPACE SHALL BE PROVIDED IN THE MANNER PRESCRIBED BY SECTION 290-19N OF THIS ORDINANCE.

Passed:
Effective:

ORDINANCE O-23-17

AN ORDINANCE
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,
TO AMEND THE LANGUAGE OF THE CHESAPEAKE BEACH ZONING CODE TO ADD A
NEW SECTION 290-23 STANDARDS OF COMPATIBILITY

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town of Chesapeake Beach has adopted zoning regulations since 1972 into its Town Code; and

WHEREAS, The Town Council desires to amend the Chesapeake Beach Zoning Code to add a new Section 290-23 Standards of Compatibility; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

1. The Chesapeake Beach Zoning Code is amended to add Section 290-23 Standards of Compatibility per the attached language hereby incorporated herein by reference as Exhibit "A".

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on _____, 2023, that a public hearing was held on _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and _____ votes of approval and _____ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council _____ (*approved/disapproved*) the passage of this Ordinance this ____ day of

Passed:
Effective:

_____, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this ____ day of _____ 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council VP

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

Amendment to the Town of Chesapeake Beach Zoning Ordinance, Article V by adding a new section titled "Section 290-23, Standards of Compatibility".

Purpose: to add a new section called "Section 290-23, Standards of Compatibility", creating seven required compatibility standards applicable to new developments and regulations on their purpose, applicability, and administration, and to re-number the subsequent sections in Article V.

New text is shown in: **BOLD CAPS**
Removed text is shown in: ~~Strikethrough~~

SECTION 290-23 STANDARDS OF COMPATIBILITY

A. PURPOSE AND DEFINING CRITERIA.

THE PURPOSE OF APPLYING STANDARDS AND REQUIRING FINDINGS OF COMPATIBILITY IS TO ENSURE THAT THE SITE PLANNINGS, BUILDING DESIGN, AND LANDSCAPE FEATURES OF NEW DEVELOPMENT COMPLEMENT THE NEIGHBORHOOD WITHIN WHICH THEY ARE PROPOSED. THESE STANDARDS SHOULD PROMOTE HISTORIC AND ENVIRONMENTAL FEATURES RELATED TO OUR UNIQUE NATURAL SETTING, AS OUTLINED IN THE TOWN'S COMPREHENSIVE PLAN. COMPATIBILITY IS ACHIEVED WHEN ADJACENT LAND USES DIFFERING IN FUNCTION, SCALE, AND INTENSITY COMPLEMENT THE SURROUNDING NEIGHBORHOOD.

B. APPLICABILITY.

1. THE PROVISION OF THIS SECTION SHALL APPLY TO PROPOSED DEVELOPMENTS REQUIRING SITE PLAN APPROVAL.
2. IN THE REVIEW OF CATEGORY 1 SITE PLANS THE PLANNING COMMISSION SHALL MAKE FINDINGS WITH RESPECT TO A DEVELOPMENT'S CONSISTENCY WITH THE COMPATIBILITY STANDARDS IN THIS SECTION.

3. IN THE REVIEW OF CATEGORY 2 SITE PLANS FOR SINGLE-FAMILY DETACHED HOUSES, THE PLANNING AND ZONING ADMINISTRATOR SHALL MAKE FINDINGS WITH RESPECT TO A DEVELOPMENT'S CONSISTENCY WITH THE COMPATIBILITY STANDARDS.
4. THE APPROVING AUTHORITY SHALL FIND THAT EACH OF THE COMPATIBILITY STANDARDS IS MET PRIOR TO APPROVING A SITE PLAN.

C. ADMINISTRATION.

1. THE PLANNING COMMISSION SHALL TAKE INTO CONSIDERATION EACH OF THE FOLLOWING IN ITS EVALUATION OF COMPATIBILITY:
 - a) EACH STANDARD IS ACCOMPANIED BY A STATEMENT OF EXPLANATION TO BE USED BY THE PLANNING COMMISSION (OR ZONING ADMINISTRATOR) AS GUIDANCE IN APPLYING THE STANDARD.
 - b) SOME STANDARDS MAY HAVE GREATER IMPORTANCE AND APPROPRIATENESS TO PARTICULAR DEVELOPMENT SITES AND SURROUNDING CONDITIONS THAN OTHER STANDARDS.
 - c) IN THIS SECTION THE TERM NEIGHBORHOOD MEANS THE AREA ADJACENT TO AND EXTENDING FROM THE PROPOSED DEVELOPMENT SITE TO A DEFINABLE BOUNDARY, WHICH MAY BE A MAJOR STREET, AN AREA OF SIGNIFICANT LAND USE CHANGE, OR A MAJOR NATURAL FEATURE THAT VISUALLY SEPARATES ONE AREA FROM ANOTHER. THE PLANNING AND ZONING ADMINISTRATOR SHALL PROVIDE THE PLANNING COMMISSION WITH A RECOMMENDATION AS TO THE BOUNDARIES OF THE NEIGHBORHOOD FOR THE APPLICATION OF THE COMPATIBILITY STANDARDS.
 - d) NEIGHBORHOOD CONTEXT IS ESSENTIAL FOR THE APPLICATION OF THE STANDARDS BUT THE ABSENCE OF A SPECIFIC PRECEDENT FOR A PROPOSED DEVELOPMENT PROJECT WITHIN THE NEIGHBORHOOD SHALL NOT BE A BASIS FOR DISCOUNTING THE STANDARD OR FOR FINDING THE DEVELOPER HAS NOT MET THE STANDARD.
2. COMPLIANCE WITH COMPATIBILITY STANDARDS SHALL NOT BE GROUNDS FOR FAILING TO MEET THE MINIMUM DEVELOPMENT REQUIREMENTS AND OTHER REGULATIONS OF THIS ZONING ORDINANCE.

3. UPON ESTABLISHING FINDINGS WITH RESPECT TO EACH COMPATIBILITY STANDARD, THE PLANNING COMMISSION MAY DIRECT THAT REVISIONS BE MADE TO THE PROPOSED DEVELOPMENT FOR ITS FURTHER REVIEW AND MAY APPROVE A SITE PLAN ON THE CONDITION THAT SUCH REVISIONS BE MADE.
4. FOR ANY MULTI-FAMILY HOUSING DEVELOPMENT WITH GREATER THAN 8 UNITS IN A BUILDING, OR ANY NON-RESIDENTIAL BUILDING EXCEEDING 10,000 SQUARE FEET IN SIZE, THE PLANNING COMMISSION IS AUTHORIZED TO RETAIN THE SERVICES OF A THIRD-PARTY ARCHITECTURAL DESIGN REVIEW BY A MARYLAND REGISTERED ARCHITECT OF THE PROJECT'S ADHERENCE TO COMPATIBILITY STANDARD D6 (IN THE SUBSECTION BELOW); THE COST OF SUCH REVIEW SHALL BE BORNE BY THE DEVELOPER.
5. EVERY APPLICATION SHOULD INCLUDE A THOROUGH ANALYSIS OF EXISTING CONDITIONS ON AND ADJACENT TO THE SITE. ANALYSIS SHOULD INCLUDE A CAREFUL EVALUATION OF: PHYSICAL PROPERTIES, SPECIAL ISSUES AT THE LOCATION, NEIGHBORING ENVIRONMENT, NATURAL FEATURES, AND VISUAL CHARACTER.

D. COMPATIBILITY STANDARDS.

THE DEVELOPMENT OF A PROPERTY SHALL BE DESIGNED TO ACHIEVE THE FOLLOWING COMPATIBILITY STANDARDS AND THE PLANNING COMMISSION SHALL ESTABLISH WRITTEN FINDINGS WITH RESPECT TO EACH OF THEM.

1. THE GENERAL ARRANGEMENT AND ORIENTATION OF PROPOSED BUILDING(S) AND SITE IMPROVEMENTS ARE PATTERNED IN A SIMILAR MANNER AND IN HARMONY WITH THOSE IN THE NEIGHBORHOOD.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THE DEVELOPMENT PATTERNS OF A NEIGHBORHOOD ARE CHARACTERIZED BY STREET LAYOUT, LOT SIZE AND CONFIGURATION, BUILDING ORIENTATION, NATURAL TERRAIN, AND VEGETATION (MOST NOTABLY TREES). NEW DEVELOPMENTS SHOULD RESPOND TO AND INTEGRATE SUCH COMPONENTS FROM THE NEIGHBORHOOD INTO THE SITE DESIGN AND CONTINUE ESTABLISHED STREET PATTERNS BY CONNECTING STREET WHERE POSSIBLE, ARRANGE LOTS AND BUILDING LAYOUTS TO REFLECT ADJACENT BUILDINGS, AND INCORPORATE NATURAL TERRAIN, VEGETATION, AND PLEASANT VIEWS.

2. BUILDING AND PARKING LAYOUTS REINFORCE EXISTING BUILDING AND STREETScape PATTERNS AND ASSURE THAT THE PLACEMENT OF BUILDINGS AND PARKING LOTS HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: A NEIGHBORHOOD STREET PROVIDES AN ORGANIZATION OF BUILDING FORMS AND OPEN SPACES THAT CREATE PREDICTABLE PATTERNS REFERRED TO HERE AS RHYTHM. SUCH RHYTHM IS CREATED BY THE INTERVALS BETWEEN BUILDINGS AND OPEN SPACES AND IS THUS INFLUENCED BY THE LENGTH OF BUILDINGS, THE WIDTH OF SIDE YARDS, AND THE PLACEMENT OF OPEN AREAS. THE ESTABLISHED RHYTHM SHOULD BE PROTECTED TO THE EXTENT POSSIBLE AND WHERE VARIATIONS IN THE RHYTHM MIGHT OCCUR THROUGH THE PLACEMENT OF DIFFERENT BUILDING FORMS OR OPEN SPACES, TRANSITIONS SHOULD BE GRADUAL. TRANSITIONS FROM ONE RHYTHM TO ANOTHER SHOULD NOT DISRUPT THE OVERALL APPEARANCE OF THE NEIGHBORHOOD AS SEEN ALONG THE STREET.

3. THE OPEN SPACES OF THE PROPOSED DEVELOPMENT REINFORCE THE OPEN SPACE PATTERNS OF THE NEIGHBORHOOD IN FORM AND SITING AND COMPLEMENT EXISTING OPEN SPACES, PARKS, FORESTED BUFFERS, AND PRESERVED SPACES.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: OPEN SPACES ON A DEVELOPMENT SITE CAN REINFORCE THE NEIGHBORHOOD'S ARRANGEMENT BY PROVIDING A FOCAL POINT OR LANDSCAPE SETTING FOR SIGNIFICANT STRUCTURES, VIEWS, OR ACTIVITIES, BY CONTAINING RECREATIONAL FEATURES, OR BY CONNECTING THE PROJECT TO THE LARGER NEIGHBORHOOD THROUGH GREEN SPACES OR A COMMUNITY TRAIL. BUILDINGS, PARKING LOTS, AND CIRCULATION ROUTES ON A SITE CAN BE ORGANIZED TO CREATE MEANINGFUL ON-SITE OPEN SPACES AND LANDSCAPE AREAS THAT ENHANCE DESIGN QUALITY AND INTEGRATE THE SITE INTO THE NEIGHBORHOOD.

4. SIGNIFICANT FEATURES OF THE SITE INCLUDING BUT NOT LIMITED TO DISTINCTIVE BUILDINGS, FORESTED BUFFERS ALONG ROADWAYS, OR SCENIC VISTAS ARE ELEMENTS TO BE PRESERVED IN THE DESIGN OF SITES, NOT TO BE OBSTRUCTED OR MINIMIZED THROUGH THE PLACEMENT OF BUILDINGS, STRUCTURES, OR VEGETATION.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: PROMINENT BUILDINGS AND SITE FEATURES PROVIDE REFERENCE POINTS AND CONTRIBUTE TO THE OVERALL AESTHETIC QUALITY AND IDENTITY OF A NEIGHBORHOOD. THESE MAY BE LOCATED ON THE DEVELOPMENT SITE ITSELF OR MAY BE VIEWABLE THROUGH THE SITE. EITHER WAY, SIGNIFICANT FEATURES SHOULD BE INCORPORATED INTO THE PROPOSED SITE DESIGN AND RETAINED TO THE GREATEST EXTENT POSSIBLE.

5. THE PROPOSED LANDSCAPE DESIGN COMPLEMENTS THE NEIGHBORHOOD'S LANDSCAPE AND STREETScape PATTERNS AND REINFORCES ITS FUNCTIONAL QUALITIES.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THE TERM "LANDSCAPE" HERE MEANS THE VISIBLE FEATURES OF AN AREA AND HOW THEY INTEGRATE WITH NATURAL AREAS, STREETS, AND BUILDINGS. IN CONSIDERING LANDSCAPE, SUCH FACTORS AS THE PATTERNS OF FRONT LAWNS, THE BUFFERING OF BUILDINGS WITH VEGETATION, THE AMOUNT OF OPEN SPACE ON LOTS, THE DENSITY AND PLACEMENT OF TREES AND SHRUBS ON A LOT, THE USE OF FOUNDATION PLANTINGS ALONG BUILDINGS, AND USE OF STREET TREES. A NEIGHBORHOOD MAY HAVE A LANDSCAPE APPEARANCE THAT DISTINGUISHES IT FROM OTHER AREAS. THE USE OF SPECIES IS RECOMMENDED IN THE LANDSCAPE DESIGN.

6. THE PROPORTIONS, SCALE, MASSING AND DETAILING OF THE PROPOSED BUILDINGS ARE IN PROPORTION TO THOSE EXISTING IN THE NEIGHBORHOOD SUCH THAT THE OVERALL EFFECT OF NEW DEVELOPMENT IS TO SUPPORT AND REINFORCE THE ARCHITECTURAL SETTING OF THE NEIGHBORHOOD.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: A COHESIVE AND ORDERLY RELATIONSHIP BETWEEN EXISTING AND PROPOSED BUILDINGS CAN BE ACCOMPLISHED WHEN NEW DEVELOPMENT USES PREDOMINANT ARCHITECTURAL CHARACTERISTICS FROM THE NEIGHBORHOOD. THE OVERALL EFFECT OF NEW BUILDINGS SHOULD SUPPORT AND REINFORCE THE ARCHITECTURAL SETTING OF THE LOCATION. THE INTENT OF THIS STANDARD IS NOT TO REQUIRE THAT EXISTING BUILDING STYLES BE COPIED.

"PROPORTION" REFERS TO THE RELATIONSHIP BETWEEN ELEMENTS WITHIN A COMPOSITION SUCH AS THE RELATIONSHIP BETWEEN WINDOWS AND THE WALL. "SCALE" REFERS TO THE SIZE OR EXTENT OF A BUILDING OR ITS ELEMENTS, RELATIVE TO SOMETHING ELSE, USUALLY ITS SITE OR THE BUILDINGS NEARBY. "MASS" REFERS TO THE PHYSICAL FORM OF A BUILDING AND THE EXTENT TO WHICH IT APPEARS SOLID. "MASSING" REFERS TO STRATEGIES THAT BREAK DOWN SOMETHING MASSIVE BY INSERTING VOIDS THAT CREATE RELIEF, BY ADDING ELEMENTS THAT PROJECT A LIGHTER ELEMENT IN FRONT OF A MORE MASSIVE ONE (A BUILDING WALL), OR BY USING MATERIALS AND ARCHITECTURE DETAILS TO BREAK DOWN A BUILDING INTO COMPONENT PARTS THAT ARE MORE READILY APPRECIATED. SCALE, PROPORTION, AND MASSING DO NOT IMPLY MAKING ONE THING THE "THE SAME" AS ANOTHER. IN APPLYING THIS STANDARD, IT IS CORRECT TO ASK: IS THE ARRANGEMENT OF THE PROPOSED BUILDING ELEMENTS COMPARABLE TO THAT SEEN ON OTHER BUILDINGS.

7. EXTERIOR SIGNS, SITE LIGHTING, AND ACCESSORY STRUCTURES SUPPORT A UNIFORM ARCHITECTURAL THEME AND PRESENT A HARMONIOUS VISUAL RELATIONSHIP WITH THE SURROUNDING NEIGHBORHOOD.

EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THESE ELEMENTS OF SITE DESIGN NEED TO BE COORDINATED WITH EACH OTHER AND WITH THE NEIGHBORHOOD GENERALLY. UNCOORDINATED SITE IMPROVEMENTS CREATE VISUAL CLUTTER AND ARE DIFFICULT TO INTEGRATE WITH THE NEIGHBORHOOD. DISCERNMENT IN THE SELECTION, PLACEMENT, AND USE OF ON-SITE IMPROVEMENTS AND ACCESSORY STRUCTURES MUST BE USED TO AVOID DAMAGE TO THE AESTHETICS OF THE NEIGHBORHOOD.

ORDINANCE O-23-18

AN ORDINANCE
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,
TO AMEND THE LANGUAGE OF THE TOWN CODE OF CHESAPEAKE BEACH
REGARDING URBAN FOREST

WHEREAS, Chesapeake Beach, Maryland (the “Town”) is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town Code for Chesapeake Beach was adopted May 26, 1972; and

WHEREAS, The Town Council desires to amend the Town Code of Chesapeake Beach as it relates to Urban Forest; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

1. The Town Code of Chesapeake Beach is amended to establish an Urban Forest Code Section per the attached language hereby incorporated herein by reference as Exhibit “A”.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on _____, 2023, that a public hearing was held on _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and _____ votes of approval and _____ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council _____ (*approved/disapproved*) the passage of this Ordinance this ____ day of _____, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this ____ day of _____ 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor’s approval or

Passed:
Effective:

seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council VP

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

URBAN FOREST

- § 112-1. Purpose.
- § 112-2. Applicability.
- § 112-3. Tree Board.
- § 112-4. Prohibited acts and permits.
- § 112-4.1. Permit standards.
- § 112-4.2. Tree removal standards and replacement.
- § 112-5. Official street tree species.
- § 112-6. Enforcement.
- § 112-7. Exceptions.
- § 112-8. Appeals.
- § 112-9. Appeals procedure.
- § 112-10. Factors considered on appeal.

§ 112-1. Purpose.

The purpose of this chapter is to protect, preserve and promote the urban forest of Chesapeake Beach, which is part of a larger ecosystem which contributes significantly to air, noise and visual pollution control, moderates climate extremes, promotes sound energy conservation, and has significant aesthetic value affecting property values and the community's quality of life; and to establish a Tree Board to regulate the planting, maintenance and removal of trees in public places, and certain trees located on private property.

§ 112-2. Applicability.

The following trees are considered to be part of the Town's urban forest and are subject to the provisions of this chapter:

A. Public trees which are those trees in the public rights-of-way or on property owned by the Town or any governmental agency, including all trees in the public domain in Chesapeake Beach.

B. Trees worthy of preservation which are:

(1) Trees on private property with trunks that measure at least fifty (50) inches in circumference at four and one half (4-1/2) feet above ground level.

(2) Trees on private property with trunks that measure at least seventy-five (75) inches in circumference at four and one half (4-1/2) feet above ground level, if located more than fifty (50) feet from a public street or sidewalk.

C. If a tree divides into branches at less than four and one half (4-1/2) feet, the trunk shall be measured immediately beneath the dividing point.

D. This chapter shall also apply to trees, regardless of size or location that were planted:

(1) Pursuant to a reforestation requirement contained in a decision granting a permit by any government or governmental unit,

Exhibit "A"

- (2) With government funding, or
 - (3) Pursuant to government programs.
- E. Removal of a tree shall include not only actual removal of a tree but also effective removal through a damaging or other intentional action or omission resulting in the death of a tree within one year of the action or omission.

This Chapter shall not exempt any person from compliance with Chapter 290 of the Town Code, Zoning, and in particular the regulations governing, and permit requirement related to, tree and forest removal and planting in the official Critical Area District, or Article X, Forest Conservation of Chapter 290. In the event of conflict between these regulations and this Chapter, the strictest standards or regulations shall apply.

§ 112-3. Tree Board.

- A. Creation. There shall be created a board to be known and designated as the "Tree Board" composed of six (6) members. Said members shall be appointed by the mayor and confirmed by the Town Council. A minimum of two (2) members shall be from the Town Green Committee. One (1) member shall be a Town of Chesapeake Beach employee as designated by the Town Administrator. The term of office of the members appointed by the Mayor shall be three (3) years. All non-Town employee members shall serve without pay. Non-Town employee vacancies caused by resignations or otherwise shall be filled by the Mayor and confirmed by the Town Council.
- B. Duties and responsibilities. It shall be the responsibility of the Board to study, investigate, counsel and assist the Town's designated employee in developing and/or updating a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public and private areas, as defined in § 112-2 B-E of this chapter. Such a plan will be presented annually to the Town Council and upon their acceptance and approval shall constitute the official comprehensive Town tree plan.
- C. Operations. The Board shall choose its own officers, make its own rules and regulations, and keep records of its proceedings. A majority of the members shall be a quorum for the transaction of business.
- D. The Tree Board shall prepare an annual report summarizing its activities, shall recommend changes in the law or other actions that the Mayor and Town Council may wish to take to protect and promote the urban forest; and shall notify the Mayor and Town Council of significant events related to the urban forest.
- E. The Tree Board shall perform the functions described in §112-4 and §112-9 below.
- F. "The Town shall retain, upon the advice of the Tree Board, a tree arborist who shall review applications pursuant to this ordinance and make recommendations to the Tree Board of any action. The Tree Board shall have ten (10) days to revise the arborist recommendation by setting the application in for a hearing or the recommendation is hereby accepted by the Town."

§ 112-4. Prohibited Acts and Permits.

- A. No person shall remove or destroy or cause the removal or destruction of a public tree or a tree worthy of preservation, as defined in § 112-2 of this chapter or undertake construction or other action that significantly and permanently detracts from the health or growth of a public tree or a tree worthy of preservation without first having obtained a permit from the Town of Chesapeake Beach which shall only be issued upon the presentation of an application. However, upon a determination by the Town that a tree protected by this Ordinance should be removed, pursuant to the tree being diseased, dead, dying or a hazard as outlined in § 112-4.1(A), the person/entity responsible for the tree or its removal shall be exempt from obtaining a permit to remove the tree, but shall not be exempt from any of the removal and replacement requirements in Section 112-4.2 of this Chapter.
- B. The Tree Board shall develop an application consistent with this chapter for a tree removal permit.
- C. The Tree Board shall have the discretion to solicit public opinion upon the application for a permit.
- D. Ordinarily the Director of Public Works or his/her designee shall be the municipal arborist unless the Town Administrator determines otherwise. The Town Administrator or the municipal arborist shall receive all permit applications and shall immediately notify the tree board which shall issue a recommendation regarding the application within the time frame stated in the notice or no later than forty-five (45) days.
- E. After the time for the tree board response has expired, the municipal arborist or his/her designee shall issue or deny a permit and may add reasonable conditions to the issuance or denial of such permit. This permit decision shall be in writing notifying the applicant of the right of appeal and be immediately mailed or delivered to the applicant.
- F. The property owner shall prominently display each tree permit, where it can be easily seen from the street as soon as possible after it is obtained and until seven days after tree work has been completed.
- G. Upon any evidence of a violation, the municipal arborist or other agent designated by the Town shall notify the Tree Board. The Town and the Tree Board shall investigate and if warranted the Town will issue a citation of municipal infraction.

§ 112-4.1 Permit Standards. The Town shall ordinarily issue a permit if one (1) of the following conditions applies:

- A.
 - (1) The tree is diseased beyond restoration, insect infested beyond restoration, or injured beyond restoration.
 - (2) The tree is dead or dying.
 - (3) The tree constitutes a hazard to the safety of persons or property that cannot be addressed by using current tree care ANSI Z Standards (American National Standard Institute).
 - (4) The tree or its roots are encroaching on or could cause damage to Town infrastructure.
- B. The Town shall also consider the following factors before deciding on a Permit:

Exhibit "A"

- (1) The overall health of the tree.
- (2) The potential hazards associated with the tree.
- (3) The desirability of preserving the tree by reason of its age, size or outstanding quality, such as uniqueness, rarity or status as a landmark or species variety.
- (4) The degree of hardship suffered by the landowner.
- (5) The extent to which the area would be subject to environmental degradation due to removal of the tree or trees.
- (6) The extent of the tree canopy in the immediate area.
- (7) The applicable Town zoning, County, and state law.

C. The Town is authorized to consult with experts concerning any of the above conditions. Any expert who is not a Town Employee and who is consulted about a tree must do so separate of any work to remove or replace the tree. The contractor evaluating the tree may not bid, perform other services and/or profit directly or indirectly as to any work on the tree in question.

§ 112-4.2 Tree Removal Standards and Replacement. If a tree measure seventy-five (75) inches in circumference at the four and a half (4-1/2) feet above ground level an applicant or his/her agents shall require written proof and furnish a copy thereof, that the persons(s) removing a tree is/are bonded and insured.

A. An applicant may be required to replace any tree that is removed pursuant to a permit. Such replacement shall occur within one hundred eighty (180) days after issuance of a permit and may be in the following form:

1. Tree for tree replacement, a like number of trees removed, a like number of trees replaced.
2. Specified percentage of canopy cover, replacement by trees, which at maturity will approximately duplicate the crown size of the trees removed. Replacement shall be on the applicant's property or on public properties within Chesapeake Beach at the Town's discretion.

C. The Town of Chesapeake Beach shall attempt to adhere to the tree-replacement provisions of this section following its removal of trees protected by this ordinance on Town property or right-of-way.

§ 112-5. Official street tree species.

The official street tree species for Chesapeake Beach are those tree species listed in the current edition of Street Tree Factsheets, published by the Maryland Department of Natural Resources, **as may be supplemented from time to time by the Tree Board upon receipt of advice by a professional arborist.**

§ 112-6. Enforcement. A. Municipal infractions.

- (1) Any of the following shall constitute a municipal infraction for which a citation may be issued:
 - (a) Doing any of the acts prohibited in § 112-4 without a written permit.
 - (b) Any noncompliance with the terms of an issued permit including conditions regarding removal and replanting of trees.

Exhibit "A"

- (2) The fine for each violation of §112-6A(1)(a) shall be three hundred dollars (\$300.00) per tree affected, plus fifty dollars (\$50.00) per inch of tree circumference greater than fifty (50) inches, measured at four and one-half (4-1/2) feet above ground level, with a maximum fine of one thousand dollars (\$1,000.00) per tree affected; and a fine of one thousand dollars (\$1,000.00) for each repeat of that offense.
 - (3) The fine for failing to comply with the terms of a permit or failure to replace a tree if the tree was removed without a permit shall be three hundred dollars (\$300.00) per tree affected, plus fifty dollars (\$50.00) per inch of tree circumference greater than fifty (50) inches, measured at four and one-half (4-1/2) feet above ground level, with a maximum fine of one thousand dollars (\$1,000.00) per tree affected; and a fine of one thousand dollars (\$1,000.00) for each repeat of that offense.
 - (4) In the event the tree has been removed so that no accurate measurements can be taken to assess the fine, the fine, at the discretion of the municipal arborist, shall not exceed one thousand dollars (\$1,000.00) per tree.
- B. It shall be a misdemeanor to do any of the following:
- (1) Any of the acts forbidden by §112-4(a) of this chapter to three (3) or more trees within six (6) calendar months, whether such trees are located on the same property.
 - (2) Removal of or harm to any tree that was subject to a permit request after the permit has been denied.
- C. A misdemeanor violation under 112-6(b) shall be punishable by a mandatory fine for each tree affected of two hundred dollars (\$200.00) plus one hundred dollars (\$100.00) per inch of tree circumference greater than fifty (50) inches, to a maximum per tree of two thousand dollars (\$2,000.00) or such other greater maximum as may be permitted by state law. The fine may be suspended only upon a finding that the violation was the first offense by the party charged, and that there was no willfulness involved.
- D. Injunctive relief *may* be sought to prevent the removal of trees for which a permit is required, where no such permit has been obtained. Mandatory injunctions may be sought to enforce any condition contained in a permit and to require replacement of trees.
- E. Remedial Action
- (1) Whenever any person is in violation of this Chapter, is acting without a permit in violation of this Chapter or is failing to comply with the terms and conditions of a permit issued pursuant to this Chapter, in whole or in part, the municipal arborist or designee may issue a written order to stop work on the project including the removal of or damages to trees, until the violation or failure to comply is corrected to the Town's reasonable satisfaction. In the event any Town employee discovers anyone removing or seriously damaging a public tree or a tree worthy of preservation, the employee is authorized to order an immediate temporary stop work by oral order. Within forty-eight (48) hours the temporary stop work order shall expire, unless the municipal arborist or designee issues a written stop work order and posts it in the property.
 - (2) Continuing work in violation of any order issued pursuant to this subsection shall constitute a misdemeanor punishable by a one-thousand-dollar (\$1,000.00) fine and/or seven (7) days in jail.

Exhibit "A"

For each tree that is damaged or removed in violation of an order there shall be a separate chargeable offense. Each day that work continues to be done shall also constitute a separate offense.

(3) A written order issued pursuant to this subsection posted on the property, in a conspicuous location, shall be sufficient service upon all persons physically on the property. A posted notice shall not be removed except under the authority of the Town Administrator or designee.

§ 112-7. Exceptions.

No permit shall be required when performing professionally accepted tree maintenance as outlined in the ANSI Z Standards (American National Standard Institute), except in the case of tree removal. **§ 112-8. Appeals.** An applicant who is denied a permit by the municipal arborist or designee or who objects to the conditions in the permit may appeal the decision by filing the appeal to the Town Administrator in writing within twenty (20) days of the municipal arborist's decision.

A. The appeal shall be heard by a three-person appeals panel ("Appeals Panel"), consisting of the Town Administrator, who shall chair the appeals panel, and two other members appointed by the Mayor, one of whom shall not be an employee of the Town. The appeals panel shall have the authority to affirm, reverse, or modify the decision of the tree arborist, including the conditions in the decision of the municipal arborist if, after a hearing, the appeals panel finds that such action will not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of this chapter.

§ 112-9. Appeals procedure.

A. Upon the filing of an appeal, the Town arborist shall within ten (10) days transmit to the town Administrator the record pertaining to the appeal. In addition, the property shall be posted with a sign, which shall include the case number, nature of the application, and the date, time and place of the hearing. The sign shall be located so as to be readable from the roadway abutting the property and should be placed five (5) feet from the sidewalk, if one exists, or five (5) feet from the curb or the edge of the paved portion of the street if there is no curb. In the case of lots abutting more than one (1) street, a sign shall be posted for each abutting street.

B. At the hearing, any party may appear in person or by agent or by attorney. The decision by the appeals panel shall be made within sixty (60) days following the hearing.

C. In exercising its powers, the Appeals Panel may affirm the denial of a permit, may direct that a permit be issued, or may order that a permit be issued upon such conditions, terms or restrictions as the appeals panel may deem necessary in keeping with this chapter.

D. A recording shall be made of all appeal hearings and records shall be kept of the Town's examinations and other official actions, all of which shall be filed in the office of the Town Administrator and shall be a public record. The decision of the appeals panel shall be final.

§ 112-10. Factors considered on appeal.

The Appeals Panel shall consider the following factors in deciding whether to approve, disapprove or modify the decision of the municipal arborist:

Exhibit "A"

- A. Those specified in § 112-4.1 above if relevant to the appeal;
- B. The reasons cited by the applicant for wanting to remove or destroy the tree;
- C. The reasons, if any, cited by residents who are either in favor of or in opposition to the issuance of the permit;
- D. Whether tree clearing is necessary to achieve proposed development, construction or land use otherwise permitted under the Town Code, and the extent to which there is no reasonable alternative;
- E. Whether the applicant proposes reforestation.
- F. Hardship to the applicant if a permit for the requested action is denied.
- G. The desirability of preserving a tree by reason of its age, size or outstanding qualities, including uniqueness, rarity or species specimen.
- H. Such other relevant matters as will promote fairness and justice in deciding the particular case.

Passed:
Effective:

ORDINANCE O-23-19

AN ORDINANCE
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,
TO AMEND THE LANGUAGE OF THE TOWN CODE OF CHESAPEAKE BEACH
REGARDING CHAPTER 22 ELECTIONS

WHEREAS, Chesapeake Beach, Maryland (the “Town”) is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town Code for Chesapeake Beach, adopted on May 26, 1972, includes Chapter 22 Elections; and

WHEREAS, The Town Council desires to amend Chapter 22 Elections; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

1. The Elections Code for Chesapeake Beach is amended to reflect recommended changes to the Elections Code per the attached language hereby incorporated herein by reference as Exhibit “A”.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on _____, 2023, that a public hearing was held on _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and _____ votes of approval and _____ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council _____ (*approved/disapproved*) the passage of this Ordinance this ____ day of _____, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to

Passed:
Effective:

Section C-310 of the Charter this ____ day of _____ 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council VP

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

Chapter 22

Elections

[HISTORY: Adopted by the Town Council of the Town of Chesapeake Beach 6-14-2007 by Ord. No. O-07-3 (Ch. 16 of the 1997 Town Code). Amendments noted where applicable.]

GENERAL REFERENCES

Voter and candidate registration, nomination and election — See Charter, Subtitle 6.

Article I

Definitions

§ 22-1 Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

POLL BOOK

A POLL BOOK IS AN ELECTRONIC DEVICE USED TO CHECK-IN VOTERS DURING ELECTION. THE POLL BOOKS ARE LOADED WITH CHESAPEAKE BEACH VOTER REGISTRY FROM THE MARYLAND UNIVERSAL REGISTRATION SYSTEM. DURING ELECTION MULTIPLE POLL BOOKS ARE NETWORKED TOGETHER TO ALLOW DATA ENTERED INTO ONE (VOTER CHECK-IN) TO BE SHARED WITH ALL.

REGISTRY

The list of registered voters qualified to vote in Town elections comprising a list of Chesapeake Beach voters from the Maryland universal registration system maintained and provided by the Calvert County Board of Elections and a Town supplemental voter list created and maintained by the Chesapeake Beach Board of Elections of those voters who are registered to vote only in Town elections.

[Amended 6-6-2016 by Ord. No. O-16-15; 12-19-2019 by Ord. No. O-19-16]

§ 22-47 Counting absentee ballots.

[Amended 12-19-2019 by Ord. No. O-19-16]

- A. The Board ~~shall enter all absentee ballots received into a poll book~~ **VERIFY THAT EACH VOTER THAT SUBMITTED AN ABSENTEE BALLOT DID NOT VOTE IN PERSON ON ELECTION DAY.**
- B. Within 48 hours after polls are closed, the Board, judges selected by the Board, and official challengers will meet at a prearranged time and location to count absentee ballots.
- C. When directed by a Board member, an absentee ballot may be removed from the ballot envelope that is signed by the registrant and shall be placed in a box designated specifically for paper ballots. Ballots shall be removed from the box at random for hand-counting and recording of the vote. If available, the use of a ballot scanner/tabulator is authorized for absentee ballots in lieu of or in addition to hand-counting.
- D. No person shall be permitted to cast more than one ballot of any nature, and the Board shall reject any envelope which contains more than one ballot or any ballot envelope of any qualified voter who has already voted.

Article VI
Conduct of Elections

§ 22-49 **Illegal electioneering.**

[Amended 6-17-2010 by Ord. No. O-10-10; 6-16-2016 by Ord. No. O-16-5]

No person is permitted to engage in electioneering, or to campaign, distribute election-related materials, or post any campaign or referendum materials (including signs):

- A. In a polling room; or
- B. With respect to Town Hall when used as a polling place, within any area designated as a prohibited area on the diagram provided by § ~~22-87~~ **22-85**.

§ 22-51 **Election judges.**

- A. Board members and judges. Each member of the Board shall serve as an election judge. In addition, the Board may appoint any persons qualified under Subsection B of this section to serve as election judges should it deem it necessary. [Amended 6-17-2010 by Ord. No. O-10-10; 12-19-2019 by Ord. No. O-19-16]
- B. Qualifications for appointment. An individual can be appointed and serve as an election judge if the person: [Amended 6-17-2010 by Ord. No. O-10-10]
 - (1) Is currently registered to vote in Town elections;
 - (2) Is not currently a candidate for office in any election contest;
 - (3) Is not currently serving in public office; and
 - (4) Takes the oath of office prescribed in Subsection C of this section.
- C. Oath. Each election judge shall take an oath of office, administered by a member of the Board, in the following form: "I, _____, do swear (or do affirm) that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and laws thereof; and that I will be faithful and bear true allegiance to the Town of Chesapeake Beach, Maryland, and support the Charter and laws thereof; that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of election judge according to the Charter and laws of Chesapeake Beach; and that I will not directly or indirectly receive profits or any part of the profits of any other office during the term of my acting as an election judge." [Amended 6-17-2010 by Ord. No. O-10-10]
- D. Duties. Except for the division of duties required by § 22-52, each election judge shall be responsible for supervising the activities in and around the polling place, opening the polls, closing the polls, voter identification and determining voting status, instructing voters, supervising the assistance of voters, maintaining and supervising the use of the voter registry/poll books, official ballots, specimen ballots, ballot boxes, ballot scanners, voting machines, voting booths, supervising challengers and official challengers, making challenges, determining challenges (~~by majority vote~~), maintaining decorum, and enforcing the provisions of the Charter and this chapter with respect to matters relevant to the election judge's duties as stated herein. [Amended 12-19-2019 by Ord. No. O-19-16]
- E. Arrival of judges prior to polls opening. ON ELECTION DAY ALL JUDGES SHALL ARRIVE AT POLLING PLACE AT LEAST ½ HOUR BEFORE THE OPENING OF THE POLLS. At least two Board members acting as election judges shall be present. ~~at Town Hall and shall meet there on election day, 1/2 hour before the opening of the polls.~~

- F. ~~Substitutes. If any election judge is not present 15 minutes after the time fixed for the opening of the polls, the election judge or judges present shall fill the place of the absent election judge by appointing in his place a qualified person. One election judge shall administer to the substitute judge the required oath.~~ IN GENERAL, after the polls are opened, ~~no ALL election judges is permitted to leave~~ WILL REMAIN AT the polling place until the ballots have been cast and counted and the STATEMENT OF VOTE ~~returns~~ completed. EXCEPTIONS SHALL BE APPROVED BY AN ELECTION BOARD MEMBER. ~~If absolute necessity compels the absence of an election judge, before such judge leaves he must appoint some qualified person to act in his place until he returns, having first administered the required oath. A record of the appointment and swearing in of each substitute, the reason for the substitution, and of the time such substitute began and ceased to serve shall be preserved. When an election judge who was required to leave the polling place returns, the substitute election judge shall cease to act but should not leave the polling place until the ballots have been cast and counted and the returns have been completed.~~
- G. Removal. The Election Board shall promptly investigate each complaint it receives regarding the fitness, qualifications, or performance of an individual appointed to be an election judge under Subsection B of this section and shall remove any election judge so appointed who is unfit or incompetent for the office.
- H. Power of arrest. Each election judge has the authority to keep the peace, and to cause any person to be arrested who has committed any breach of the election laws or who has interfered with the conduct of the election or the counting of the ballots. It is not necessary that a majority of the election judges concur in the arrest; each judge has his or her own authority to order an arrest. It is the duty of all officers of the law to obey the order of any election judge to arrest a person who has interfered with the election or to prevent a person from interfering with the legal election processes.

§ 22-60 Citizen challenges.

[Amended 6-16-2016 by Ord. No. O-16-5; 12-19-2019 by Ord. No. O-19-16]

Persons other than official challengers, who desire to challenge the vote of any person inside the polling place, may be permitted by the election judges to enter the room to issue a challenge. Two or more election judges may limit the number of persons allowed in the room for such purpose, and any person who enters the room for such purpose must immediately leave the room once the challenge is decided. This section applies to both regular and special Town elections.

§ 22-62 Resolution of challenges.

[Amended 6-16-2016 by Ord. No. O-16-5; 12-19-2019 by Ord. No. O-19-16]

A person who issues a challenge shall be required to state his or her reasons for the challenge. The challenger and the challenged voter shall be sworn and questioned. If a majority of the Board of Elections are of the opinion that the challenged voter is the person who was registered and is qualified to vote, his or her vote shall be received. If the challenge to a voter is sustained or Board members are not immediately available, the person seeking to vote shall be given the opportunity to apply for a provisional ballot.

§ 22-63 Challenge resulting from registry errors.

[Amended 12-19-2019 by Ord. No. O-19-16]

The fact that a voter's name is wrongfully spelled on the registry, or that he or she has given a wrong initial or more initials than he or she has, or that one or more of his or her initials is omitted, or that he or she states his or her initials or given name in a different way from the way in which it is registered, or that there is an error in the number of his or her residence on the registry shall not affect his or her right to vote, as long as two or more of the election judges are satisfied that he or she is the person who did actually register, and that

Exhibit "A"

he intended to register his true name and residence.

§ 22-67 Statement of vote.

[Amended 12-19-2019 by Ord. No. O-19-16]

As soon as the vote has been counted, an unofficial report of the vote shall be made and a statement thereof may be posted on the door of Town Hall. The statement will identify the number of absentee and provisional ballots received but not yet canvassed.

§ 22-68 Publication of returns.

The Board shall publish and make available to the public copies of the complete election returns after the Board has certified the final results in accordance with the Town Charter.

**Article X
Appendix**

§ 22-87 Designation of areas where electioneering is permitted.

[Amended 12-19-2019 by Ord. No. O-19-16]

- A. When election is held at North East Community Center, designation of electioneering areas are controlled by Calvert County.
- B. When election is held at Chesapeake Beach Town Hall, electioneering is permitted in the locations shown in following photo **OR AS MODIFIED BY ELECTION BOARD.**

ORDINANCE NO. 0-23-20

AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, TO AMEND THE CODE OF CHESAPEAKE BEACH BY REPEALING AND REENACTING, WITH AMENDMENTS, SECTIONS 25.1., 25-3.B., 25-5, 25-12, 25-16.A., 25-21.B., 25-23.B., 25-27.B., 25-30, 25-31, 25-32, 25-33., 25-34, 25-36, 25-37 AND 25-38; AND REPEALING SECTIONS 25-35, 25-39 AND 25-40; AND ADDING NEW SECTIONS 25-20.F. AND 25-38.

WHEREAS, the Town of Chesapeake Beach Ethics Commission has recommended to the Town Council of Chesapeake Beach numerous revisions to the Town’s Ethics Ordinance; and

WHEREAS, the Town Council has determined that the revisions recommended by the Town Ethics Commission reflected in this Ordinance are in the public interest.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Town Council of Chesapeake Beach, that Sections 25.1, 25.3.B., 25-5, 25-12, 25-16.A., 25-21.B., 25-23.B., 25-27.B., 25-30, 25-31, 25-32, 25-33., 25-34, 25-36 and 25-37 of Chapter 25, “Ethics, Public”, of the Chesapeake Beach Code, are repealed and reenacted, with amendments, to read as follows:

Chapter 25 Ethics, Public

Article I Applicability, Purposes, and Definitions

§ 25-1 Applicability.

The provisions of this chapter apply to all Town elected and appointed officials, candidates for election, employees, and to appointees to boards and commissions of the Town, TO THE EXTENT PROVIDED IN THIS CHAPTER.

§ 25-3 Definitions.

B. Specific definitions:

* * *

BUSINESS ENTITY

A person or company engaged in business, whether profit or nonprofit, regardless of form.

CHAPTER

THIS CHAPTER 25 OF THE CODE OF THE TOWN OF CHESAPEAKE BEACH.

CLOSE RELATIVE

One's parents, spouse, domestic partner, siblings, and children.

* * *

Article II Ethics Commission

§ 25-5 Terms.

The currently serving Commissioners were appointed in ((2017 to five-year terms)) 2022 TO TERMS EXPIRING IN APRIL, 2023, MARCH, 2025, AND MARCH, 2027. FOR PURPOSES OF THIS SECTION 25-5, THE FIRST MENTIONED TERM SHALL BE DEEMED TO END OR HAVE ENDED IN MARCH, 2023. ((The terms of the current Commissioners are continued.)) Upon the expiration of the terms of the current Commissioners, ((one member of the Commission shall be appointed to a one-year term, one member shall be appointed to a three-year term, and one member shall be appointed to a five-year term. Upon the expiration of each of those terms,)) appointments shall be for three-year terms. AT THE EXPIRATION OF A TERM A COMMISSIONER SHALL CONTINUE TO HOLD OFFICE UNTIL THE COMMISSIONER'S SUCCESSOR IS APPOINTED AND TAKES OFFICE.

Article III Conflicts of Interest

§ 25-12 Records.

A. The Town Clerk or other Town official designated by the Mayor shall maintain, and make available for public review electronically:

- (1) ((Financial)) PUBLIC disclosures made to it;
- (2) Statements of recusal or exception; and
- (3) With redactions to protect invasions of privacy, advisory opinions it issues.

B. ((Financial)) PUBLIC disclosure statements must be retained for at least four years from the date of receipt.

§ 25-16 Advisory opinions.

A. Appearance of conflict of interest. Where conduct ((presents)) MIGHT PRESENT an appearance of a conflict of interest, any covered person, whether or not involved in the conduct

Passed:
Effective:

giving rise to an appearance of a conflict, may obtain an advisory opinion from the Commission as to whether there is an actual conflict of interest.

§ 25-21 Exceptions.

B. A person who is disqualified from participating under ((Subsection A)) §§ 25-17 THROUGH 25-20 shall disclose the nature and circumstances of the conflict and may participate or act if:

- (1) The disqualification leaves a body with less than a quorum capable of acting;
- (2) The disqualified official or employee is required by law to act; or
- (3) The disqualified official or employee is the only person authorized to act.

§ 25-23 Employment, SERVICE and financial interest restrictions.

B. A covered person may not be employed by or have a financial interest in, any entity:

- (1) That is subject to the authority of the Town; ((or))
- (2) That is negotiating or has entered into a contract with the Town((.)); OR
- (3) THAT REQUESTS OR RECEIVES, OR IS LIKELY TO REQUEST OR RECEIVE, A GRANT OR OTHER FUNDING FROM THE TOWN.

§ 25-27. Gifts.

B. A covered person may not knowingly accept a gift, directly or indirectly, from ((a person)) AN ENTITY that the ((official or employee)) COVERED PERSON knows or has ((the)) reason to know:

- (1) Is doing business with or seeking to do business with the Town;
- (2) Has financial interests that may be substantially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the covered person; ((or))
- (3) Is engaged in an activity regulated or controlled by the Town; OR
- (4) HAS REQUESTED OR RECEIVED, OR IS LIKELY TO REQUEST OR RECEIVE, A GRANT OR OTHER FUNDING FROM THE TOWN.

**Article IV ((Financial Disclosure)) PUBLIC DISCLOSURES by Elected Officials,
Candidates for Election, and Appointed Officials**

§ 25-30 Coverage of article.

This article applies to:

- A. All local elected officials and candidates to be local elected officials;
- B. ((To the appointed officials listed above in the definition of "appointed official" in § 25-3))
APPOINTED OFFICIALS; and
- C. Where a position is filled through a contract with a firm, effective one year from the adoption of this chapter, the firm itself.

§ 25-31 Requirement to file.

Those covered by this article shall file the ((financial)) PUBLIC disclosure statement required under this section with the Commission, on a form provided by the Commission, and signed as true under penalty of perjury.

§ 25-32 Deadlines.

A. Deadlines for incumbent elected and appointed officials.

- (1) An incumbent elected or appointed official shall file a ((financial))PUBLIC disclosure statement annually no later than April 30 of each year for the preceding calendar year.
- (2) An individual who is appointed to fill a vacancy in an office for which a ((financial)) PUBLIC disclosure statement is required and who has not already filed a ((financial)) PUBLIC disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.

* * *

B. Deadline for statements by candidates for elected office.

((1))_Candidates for elected office, including incumbents, shall include a ((financial)) PUBLIC disclosure statement, COVERING THE PRECEDING CALENDAR YEAR AND THE CURRENT YEAR UP TO JULY 31, along with their declaration of candidacy which is filed with the Town Clerk at least 56 days prior to the election ((see § 22-26A)) IN ACCORDANCE WITH § 22-26 OF THIS CHAPTER. IF THE DECLARATION OF CANDIDACY IS FILED BEFORE JULY 31, THE CANDIDATE SHALL BY AUGUST 15 FILE A REPLACEMENT DISCLOSURE STATEMENT COVERING THE PERIOD THROUGH JULY 31. ((The Board of Elections may not issue a certificate of candidacy for a candidate that has not provided a financial disclosure statement at least 56 days prior to the election.

Passed:
Effective:

- (2) The Town Clerk shall forward the original signed disclosure form to the Ethics Commission and a copy of the disclosure form to the Board of Elections with the candidate's declaration of candidacy.
- (3) Prior to the 42nd day before the election, the Commission shall inform the Board of Elections of any case in which the financial disclosures of a candidate were facially incomplete or defective and provide copies of any correspondence with the candidate regarding the matter.)

§25-33 Content of statement.

Each statement must include schedules providing the following information:

- A. Interests in real property. For appointed officials, the addresses of interests in real property located in the Town of Chesapeake Beach, or within 10 miles of the boundaries of Chesapeake Beach. For elected officials AND CANDIDATES FOR ELECTION, a list of all interests in real property, wherever located, and for each property of the ((elected official)) FILER a statement of:

* * *

- (6) The identity of any other ((person)) ENTITY with an interest in the property.

- B. Interest in business entities. For appointed officials, the name and address of any business entity((, other than mutual funds,)) doing business with the Town, in which the filer has a financial interest. For elected officials AND CANDIDATES FOR ELECTION, the name and address of any business entity, ((other than mutual funds,)) regardless of whether or not it does business with the Town, in which the filer has a financial interest, and for each entity, a statement of:

* * *

- (6) Interests in mutual funds AND EXCHANGE TRADED FUNDS may be excluded from the disclosure of corporate interests otherwise required by this subsection.

* * *

- D. Indebtedness to entities doing business with the Town:

- (1) A list of all liabilities, excluding retail credit accounts, to ((people)) ENTITIES doing business with the Town owed at any time during the reporting period by the COVERED person; or by a close relative if the ((person)) RELATIVE was involved in the transaction giving rise to the liability.
- (2) For each liability reported under this subsection, the schedule shall include:

Passed:
Effective:

- (a) The identity of the ((person)) ENTITY to whom the liability was owed and the date the liability was incurred;
- (b) The amount of the liability owed as of the end of the reporting period;
- (c) The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
- (d) The security given, if any, for the liability.

E. Gifts:

- (1) Each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one ((person)) ENTITY who does business with or is regulated by the Town.
- (2) For each gift reported, the schedule shall include a description of the nature and value of THE GIFT AND the identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.
- (3) Each instance in which the filer solicited, or facilitated the solicitation of, a gift to the filer or anyone else.

F. Sources of earned income:

- (1) The name and address of each place of employment and of each business entity of which the filer or a close relative was a sole or partial owner and from which the filer or a close relative received earned income at any time during the reporting period.
- (2) A minor child's employment or business ownership need not be disclosed if the ((agency)) ENTITY that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
- (3) Appointed officials need provide information only as to entities located in the Town or doing business with the Town.

G. Close relatives: A list of the close relatives of the ((reporting person)) FILER employed by the Town in any capacity at any time during the reporting period.

* * *

Passed:
Effective:

§ 25-34. Commission review and enforcement.

The Commission shall review the ((financial)) PUBLIC disclosure statements submitted under this article and shall notify ((an individual submitting the statement)) THE FILER of any omissions or deficiencies, INCLUDING A FAILURE TO SIGN OR A FAILURE TO COMPLETE EACH FORM, which the ((individual)) FILER shall remedy within one week after notice((, except that in the case of a candidate for election, such remedy shall be prior to the 43rd day before the election)). THE COMMISSION SHALL INVESTIGATE ANY VIOLATIONS OF THIS CHAPTER WHICH APPEAR TO BE REVEALED IN A FILER'S DISCLOSURES.

Article V Enforcement

§ 25-((36))35 Commission investigation of possible violations.

Based on a complaint filed with it, information PROVIDED IN PUBLIC DISCLOSURE STATEMENTS OR developed in connection with a request for an advisory opinion, or on its own review of ANY OTHER information available to it, the Commission may investigate possible violations of this chapter.

§ 25-((37))36 Potential criminal offense.

If the Commission finds that there are reasonable grounds to believe that a covered person may have committed a criminal offense, such as bribery, perjury, corrupt behavior, or other misconduct in office, it shall promptly refer the matter to an appropriate prosecuting authority((, and stay its own investigation)). IF THE REFERRAL OCCURS BEFORE THE COMMISSION HAS REACHED A DECISION UNDER § 25-38, THE COMMISSION SHALL IMMEDIATELY STAY ITS PROCEEDINGS UNTIL INFORMED BY THE PROSECUTING AUTHORITY THAT THE STAY IS NO LONGER NECESSARY.

§ 25-((38))37 Informal resolution.

If the Commission determines, based on consideration of the matter, including the answer of a covered person, by a unanimous vote of all members then serving, that there is a reasonable basis for believing the conflict of interest or ((financial)) PUBLIC disclosure provisions of this chapter have been violated, it shall make an effort to resolve the matter informally.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Town Council of Chesapeake Beach, that Sections 35, 39 and 40 of the Chesapeake Beach Code, Chapter 25, "Ethics, Public", are repealed as follows:

Article V **Enforcement**

((§ 25-35 Fees for failure to timely file financial reports.

The Commission may assess a late fee of \$2 per day for a failure to timely file a financial disclosure statement required under § 25-31 of this chapter. The Commission may petition the circuit court for an order compelling payment of an assessed fee.))

((§ 25-39 Judicial enforcement.

A. If efforts to resolve the matter informally are unsuccessful, the Commission may petition the circuit court to enforce compliance and punish violations.

B. The court may:

- (1) Issue an order to cease and desist from the violation;
- (2) Void an official action taken by a covered person with a conflict of interest prohibited by this chapter when the action arises from or concerns the subject matter of the conflict, provided:
 - (a) The court deems voiding the action to be in the best interest of the public;
 - (b) The legal action is brought within 90 days of the occurrence of the official action; and
 - (c) The official act does not appropriate public funds, impose a tax, or provide for the issuance of a bond, a note, or any other evidence of public obligation.
- (3) Punish a violation of any provision of this chapter by a fine of up to \$5,000. Each day that a violation of this chapter continues shall constitute a separate offense.))

((§ 25-40 Disciplinary action.

A covered person found to have violated this chapter is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.))

AND BE IT FURTHER ORDAINED AND ENACTED, by the Town Council of Chesapeake Beach, that new Sections 20.F. and 38, be and they hereby are added to the Chesapeake Beach Code Chapter 25, "Ethics, Public", to read as follows:

Chapter 25 **Ethics, Public**

Article III **Conflicts of Interest**

§ 25-20 **Specific conflicts: parties.**

A covered person may not participate in any matter in which any of the following is a party:

- F. AN ENTITY THAT REQUESTS OR RECEIVES, OR IS LIKELY TO REQUEST OR RECEIVE, A GRANT OR OTHER FUNDING FROM THE TOWN.

Article V **Enforcement**

§ 25-38. **ENFORCEMENT.**

- A. IF ATTEMPTS AT INFORMAL RESOLUTION FAIL, AND THERE ARE NO MATERIAL FACTS IN DISPUTE, THE COMMISSION WILL, AFTER AN OPPORTUNITY FOR THE RESPONDENT AND OTHER INTERESTED PERSONS TO MAKE ARGUMENTS, ISSUE ITS DECISION.
- B. IF THERE ARE MATERIAL FACTS IN DISPUTE, THE TOWN, UPON REQUEST OF THE COMMISSION AND WITH THE CONSENT OF THE TOWN'S BUDGET AUTHORITIES, MAY CONTRACT WITH A QUALIFIED PERSON TO HOLD A HEARING AND RECOMMEND FINDINGS OF FACT TO THE COMMISSION. THE COMMISSION AFTER AN OPPORTUNITY FOR THE RESPONDENT AND OTHER INTERESTED PERSONS TO MAKE ARGUMENTS, SHALL ISSUE ITS DECISION.
- C. IF THERE ARE MATERIAL FACTS IN DISPUTE BUT FUNDS TO CONTRACT WITH A QUALIFIED PERSON TO HOLD A HEARING ARE NOT PROVIDED, THE COMMISSION MAY DETERMINE, BASED ON THE NATURE AND EXTENT OF THE FACTUAL DISPUTES, WHETHER TO HOLD A HEARING CHAIRED BY ONE OF ITS MEMBERS AND GO FORWARD TO ISSUE A DECISION AS ABOVE OR, IN THE ALTERNATIVE, CLOSE THE CASE WITHOUT A DECISION.
- D. A DECISION BY THE COMMISSION MAY PROVIDE APPROPRIATE REMEDIES AND PUNISHMENTS. THESE MAY INCLUDE:
- (1) ASSESSING A LATE FEE OF \$2 PER DAY, NOT TO EXCEED \$500 IN TOTAL, FOR A FAILURE TO TIMELY FILE A FINANCIAL PUBLIC DISCLOSURE STATEMENT REQUIRED UNDER § 25-31 OF BY THIS CHAPTER AND FOR A FAILURE TO TIMELY REMEDY ANY DEFICIENCIES WHICH THE FILER WAS NOTIFIED OF UNDER § 25-34. THE COMMISSION MAY PETITION THE CIRCUIT COURT FOR AN ORDER COMPELLING PAYMENT OF AN ASSESSED FEE;

Passed:
Effective:

- (2) ISSUING AN ORDER OF COMPLIANCE DIRECTING THE RESPONDENT TO CEASE AND DESIST FROM THE VIOLATION;
 - (3) ISSUING A REPRIMAND;
 - (4) RECOMMENDING TO THE APPROPRIATE AUTHORITY TO SUSPEND PAYMENT OF SALARY OR OTHER COMPENSATION PENDING FULL COMPLIANCE WITH THE ORDER OF THE COMMISSION; AND
 - (5) RECOMMENDING TO THE APPROPRIATE AUTHORITY OTHER APPROPRIATE DISCIPLINE OF THE RESPONDENT, INCLUDING CENSURE OR REMOVAL IF THAT DISCIPLINE IS AUTHORIZED BY LAW.
- E. UPON REQUEST OF THE COMMISSION AND SUBJECT TO THE AVAILABILITY OF FUNDS, THE TOWN MAY FILE A PETITION FOR INJUNCTIVE OR OTHER RELIEF IN THE CIRCUIT COURT FOR CALVERT COUNTY. THE COURT MAY:
- (1) ISSUE AN ORDER TO CEASE AND DESIST FROM THE VIOLATION;
 - (2) ORDER SUSPENSION OF PAYMENT OF SALARY OR OTHER COMPENSATION PENDING FULL COMPLIANCE WITH THE ORDER OF THE COMMISSION OR OF THE COURT;
 - (3) ORDER REMOVAL OF THE RESPONDENT FROM HIS OR HER POSITION IF THAT DISCIPLINE IS AUTHORIZED BY LAW;
 - (4) IMPOSE A FINE OF UP TO \$5,000 FOR ANY VIOLATION OF THE PROVISIONS OF THIS CHAPTER.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the ___ day of _____, 2023, that a public hearing was held on the ___ day of _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and ___ votes of approval and ___ votes of disapproval were cast. The majority of the Council _____ (*approved or disapproved*) the passage of this Ordinance this ___ day of _____, 2023. This Ordinance shall become effective the latest to occur of 20 days after approval by the Mayor or approved by the Council over the mayor's veto, seven days after the last required publication, or seven days after approval by the State Ethics Commission.

Passed:
Effective:

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council Vice-President

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Underlining indicates amendments to the Ordinance.

((Double parentheses)) indicates matter deleted from the law

~~Strike Out~~ indicates matter stricken from the Ordinance by amendment.

*** indicate omission of existing text not modified by this Ordinance.

ORDINANCE O-23-21

**AN ORDINANCE
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,
TO AMEND THE LANGUAGE OF THE ZONING CODE REGARDING COMMERCIAL USES
IN THE RV-1 ZONE**

WHEREAS, Chesapeake Beach, Maryland (the “Town”) is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town has a Zoning Code that has adopted zoning regulations since 1972 into its Town Code; and

WHEREAS, The Town Council desires to amend the Chesapeake Beach Zoning Code as it relates to commercial uses in the RV-1 Zone; and

WHEREAS, The Planning Commission and the Town Council find that further expansion of the RV-1 Zone for commercial uses would be contrary to the adopted Town Comprehensive Plan.

WHEREAS, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

- 1. The zoning code for Chesapeake Beach is amended for commercial uses in the RV-1 Zone per the attached language hereby incorporated herein by reference as Exhibit “A”.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on _____, 2023, that a public hearing was held on _____, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and _____ votes of approval and _____ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council _____ (*approved/disapproved*) the passage of this Ordinance this ____ day of

Passed:
Effective:

_____, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this ____ day of _____ 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor’s approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

Patrick J. Mahoney, Mayor

Lawrence P. Jaworski, Council Vice-President

Valerie L. Beaudin, Councilwoman

L. Charles Fink, Councilman

Margaret P. Hartman, Councilwoman

Gregory J. Morris, Councilman

Keith L. Pardieck, Councilman

Exhibit “A”

AMENDMENT TO THE TOWN OF CHESAPEAKE BEACH ZONING ORDINANCE, Article III, Zoning Districts, Subsection 290-10, Land Use Table, and Subsection 290-11, Conditions and Standards for Conditional and Special Exception Uses

PURPOSE: To revise the above referenced sections to designate certain commercial uses as “permitted with conditions” within a duly approved and existing non-conforming mixed commercial/high density residential building in the RV-1 District.

New text is shown in: **BOLD CAPS**
Removed text is shown in: ~~Strikethrough~~

1. RE: Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto.

A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

OFFICE OR CLINIC FOR MEDICAL OR DENTAL EXAMINATION OR TREATMENT OF PERSONS AS OUTPATIENT, INCLUDING LABORATORIES INCIDENTAL THERETO.

B. Amend Section 290-11, Conditions and Standards for Conditional and Special Exception Uses as follows:

Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto: conditional use in the NC, TC, PC, and MC Districts, subject to the requirements of the district where located except as herein provided:

AND WITHIN THE RV-1 DISTRICT IT SHALL BE A CONDITIONAL USE, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:

(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.

2. RE: Retail establishment carrying one type of interrelated goods, such as a bookstore, gift shop, florist shop.

A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

RETAIL ESTABLISHMENT CARRYING ONE TYPE OF INTERRELATED GOODS, SUCH AS A BOOKSTORE, GIFT SHOP, FLORIST SHOP.

B. Amend Section 290-1, Conditions and Standards for Conditional and Special Exception Uses by adding the following:

RETAIL ESTABLISHMENT CARRYING ONE TYPE OF INTERRELATED GOODS, SUCH AS A BOOKSTORE, GIFT SHOP, FLORIST SHOP: CONDITIONAL USE IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:

(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.

3. RE: PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE, REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS.

A. Amend Subsection 290-10, Table 1, [Land Use Classifications](#) to make the following use a Conditional (C) use in the RV-1 District:

PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE , REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS.

B. Amend Section 290-11, [Conditions and Standards for Conditional and Special Exception Uses](#) by adding the following:

PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE , REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS: CONDITIONAL USE IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:

(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.

4. RE: ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO

A. Amend Subsection 290-10, Table 1, [Land Use Classifications](#) to make the following use a Conditional (C) use in the RV-1 District:

ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO

B. Amend Section 290-11, [Conditions and Standards for Conditional and Special Exception Uses](#) by adding the following:

Passed:
Effective:

**ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO: CONDITIONAL USE
IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE
DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:**

**(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND
OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-
FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND
RECORDED PRIOR TO JANUARY 20, 2005.**



OFFICE OF THE PLANNING COMMISSION

TO: Mayor and Town Council
FROM: Kathleen Berault, Chair, Planning Commission
DATE: July 20, 2023
RE: Planning Commission Meeting Report

The Planning and Zoning Commission held its election for the position of Chair and Vice-Chair. Kathleen Berault was elected Chair and Cindy Greengold was elected as the Vice-Chair.

The Property Manager from Horizons on the Bay spoke at the Meeting seeking a Zoning Text Amendment which would restore the right to allow specific Commercial Uses there. These uses were previously permitted (with conditions) since 2005. In September and November 2022, the Town Council adopted a comprehensive set of zoning Text amendments and a new zoning map via Ordinance No. 0-22-12 and 0-22-13 which removed Commercial uses at the site.

From its inception in 2005, Horizons on the Bay was designated as a Commercial/Residential Condominium building with ground level floor areas assigned to Commercial uses in a High-Density area. It has now been rezoned RV-1. Without a text amendment, Commercial uses are not permitted in an area designated RV-1. The Planning and Zoning Commission recommended a revision to the language which would allow Commercial uses to be restored to Horizons on the Bay.

The review of the Town of Chesapeake Beach's Critical Area Program continued. Discussion of the Buffer area, its definitions, and the expansion of the footage for protection and safeguarding the area occurred.

It was determined with the implementation of the Comprehensive Plan, stricter regulations in flood areas, based on sea level rise is warranted to safeguard the Buffer and Critical Areas.

The creation of a Tree Ordinance to protect and preserve trees, especially in the Critical Area, will be revised and updated. The Town Planner will add a section addressing the definition of trees as well as sanctions for the removal of them without proper application. Trees must be safeguarded regardless of the zone they are in. Review and deliberation of this Ordinance is set for the 26 July meeting.

A letter will be prepared to the Mayor and Town Council from the Commission to preserve and ensure the upkeep and maintenance of the Tennis Courts on Beach Elementary grounds.

The Commission intends to complete the process of review and revision to the Critical Area Program on July 26, 2023.

Chesapeake Beach Oyster Cultivation Society Report

July 2023

Chesapeake Beach Town Council Meeting

CBOCS has had no activity in July. In August we will start organizing the fall 5th grade field trips to Fishing Creek.

Green Team Committee Meeting Minutes

June 28, 2023

The meeting was called to order at 6:35 on the benches in front of the town hall.

Attendees:

Linda Draper

Melanie Crowder

Madeleine Blake

Joannie Martin

Annette Taylor (new member)

Joanne Mattingly (new member)

Sally Bissell

Tree City

- Linda opened the meeting by describing her presentation at the June 15th town council meeting for the Tree City ordinance. The council will vote in July on whether to adopt.
- Melanie suggested that, after the vote, the Tree City committee meet with Holly to discuss next steps, complete the application, and revisit the five-year plan that she received six or eight months ago.
- Mel outlined the planned planting of ten trees at Bayfront Park and five at the water tower. They should be chosen and planted in the fall.
- The budget committee includes Melanie, Linda, Sue Alexander, and Ken Rasmussen (but all are welcome to join!)
- Mel mentioned that there has been talk of hiring an arborist to evaluate our tree situation at Bayfront Park, especially the proliferation of vines which have been removed by some on the committee but will now be done by the town landscaper. She feels that we should allow the Bayfront Park trees to recuperate for a year and engage the arborist to assess the overgrown trees on the Fishing Creek trail near the pollinator garden.
- Joanie reminded the group that the brochure boxes along the trail and near the pollinator garden have broken covers so the brochures will be damaged by weather. Linda to check with Valerie Beaudin to see that these are replaced.

Walkability Committee and Kellam's Field Renovation

- Madeleine reported that Walkability Committee, of which she is a member, met with a landscaper from Annapolis who made recommendations for plantings at various pocket parks within the community. She would like to see the Green Team members included in talks regarding best practices.
- Melanie also expressed concern that the Kellam's Field project has not conferred with the Green Team for advice on tree ideas for the parking lot. Pink dogwoods have been mentioned as a preferred tree but Mel, as a Master Gardener, recognizes that this would be a poor choice for the parking lot beautification.

Upcoming Events for Town Calendar

- Paddle and Pickup is set for October 5, 2023
- Requesting February 24th for an environmental program on the watershed sponsored by both Green Team and CBOCS to be held at the Northeast Community Center.
- Melanie again suggested renowned Patuxent River Park scientist Greg Kearns who is a popular and vibrant speaker.
- Spring Cleanup is set for April 20, 2024.

Paddle and Pickup

- The committee bandied around some excellent ideas on how to increase attendance and fun at this fall event.
- Madeleine to take the lead on this working with our new members Joanne and Annette, and Joanie
- Annette to check with Abner's about availability of their food truck.
- Check with local commercial entities for involvement, possibly get some volunteer entertainment.
- Linda to check with Val about having a banner made that could be displayed at Veterans' Park so that more folks driving through town become aware of the Green Team's activities.

Tree Survey

- Evaluation of the tree survey has been tabled until winter when we can meet indoors around a table so that we can all spread it out, see it, read it, and discuss.

New Business

- Melanie reported that Holly had received a call from a citizen concerned about the preservation of Bay Front Park. Discussion ensued about the possibility of hiring goats to work their way through the dense weeds at Bayfront. Linda mentioned that this project would be great PR for the town as The Washington Post has covered other communities that have done this. Melanie said that there

are currently three companies advertising goat services in Calvert County. We will encourage investigating the possibility.

This meeting was adjourned at 7:30 pm

The next meeting of the Green Team will be at 6:30 pm on Wednesday July 26th at the pavilions at Kellams Field.

Twin Beach Opioid Abuse Awareness Coalition Report 7/13/2023

On June 13, 2023, the Twin Beach Opioid Abuse Awareness Coalition conducted a public business meeting at the Northeast Community Center and discussed past and future projects to continue our work to raise awareness about the opioid epidemic, connect people with appropriate resources, and reduce the shame related to this public health issue. Attendees included: Jane Benitz, Randy Georgemiller, Sandy Mattingly, Andrea McDonald-Fingland and Keith Pardieck (Chairperson). The next meeting is scheduled for August 11, 2023, 6 pm, at the Northeast Community Center; all are welcome. If you are interested in joining the group, please come to a meeting or contact Keith Pardieck (kpardieck@chesapeakebeachmd.gov).

- **Public Outreach Events**

- Farmer's Market -- TBOAAC sponsored an outreach table at the NB Farmers' Market on July 8. Participants included Randy Georgemiller and Sandy Mattingly. They had 13 substantive conversations and a request for Narcan training at future events. The next Farmers' Market outreach event will take place on August 19, 8-11 am and will include purple lightbulb distribution in preparation for "Light Up The County Purple" event on International Overdose Awareness Day (Aug 31).
- TBOAAC Glow Vigil – North Beach boardwalk, August 31, 7:30-9 pm. See below for more details.
 - Local purple bulb distribution dates and locations:
 - Sneade's Ace Hardware, Owings
 - Saturday, Aug 5, 10 am - 2 pm
 - Saturday, Aug 12, 10 am - 2 pm
 - Saturday, Aug 26, 10 am – 2 pm
 - North Beach Farmer's Market, Sat, Aug 10, 8 am – 11 am
 - Roland's Grocery, Ches. Beach, Sat, Aug 13, 11 am – 2 pm
- Taste the Beaches – Abner's Crabhouse, Sept 9. Pardieck to request an outreach table.
- NBVFD Open House – October. Benitz to request an outreach table.
- RecoveryFest – CCHD and CAASA, Anne Marie Gardens, September 9.

- **Opioid Abuse Awareness Sculpture Project**

- TBOAAC received a \$10,000 Planning Grant from Maryland State Arts Council and \$3000 from the CCHD Local Behavioral Health Authority for this project. TBOAAC received 6 artist applications. After review of the artists' qualifications and voting by the selection committee, four artists were selected to move on to the second round and provide a scale model of their sculpture concept for scoring and selection of a final sculpture concept.
- The four artists/artist teams selected are:

Twin Beach Opioid Abuse Awareness Coalition Report 7/13/2023

- Gary Jameson, North Beach; Ali Mirsky and Christopher Duffy, Ashton; James O'Neill, Edgewater; Thomas Sterner, Westminster
 - On June 14, 2023, the TBOAAC Sculpture Selection Committee met with the four artists/artist teams to review the sculpture project rules and timeline, tour the Mark R. Frazer Sunrise Garden where the final full-sized sculpture will be installed, and award each team a check for \$1500 for model development.
 - TBOAAC will be applying for a \$30K Project Grant from MSAC to further support this effort. The Town of North Beach is administering grants for this project. We are also accepting donations to support this project.
 - Final sculpture selection will be announced at the 2023 Glow Vigil. The final sculpture to be completed and installed at Mark Frazer Sunrise Garden in North Beach by August 31, 2024 and unveiled at the Glow Vigil.

- **International Overdose Awareness Day (Aug. 31, 2023), Glow Vigil event at North Beach Boardwalk (third year), and Light Up the County Purple (CAASA)**
 - 2023 IOAD theme: "We See You"
 - Glow Vigil Agenda (August 31, 7:30-9 pm, North Beach Boardwalk Pavilion):
 - First Responder Recognition – Jason Phelan, Supervisor, Crisis Response Coordination, Calvert County Behavioral Health
 - 2023 Award Winners (nominated by their peers) announced.
 - Overdose Awareness/Memorial Sculpture Project – Mark Frazer
 - Artists introduced and their sculpture models unveiled.
 - Final artist selection announced.
 - Memorial Reading of Names – Sandy Mattingly
 - "Lost Souls" Memorial Exhibit, Mark R. Frazer Sunrise Garden
 - Local addiction resource providers (e.g., CCHD, CAASA, Celebrate Recovery) will be present and available to provide awareness, prevention, and recovery information, and Narcan training upon request.

- **TBOAAC outreach brochure.** Reviewed second draft of new TBOAAC outreach brochure, and we are working on a third draft.

Presented by the Twin Beach Opioid Abuse Awareness Committee and Calvert County advocacy partners.



International Overdose Awareness Day

Glow Vigil

Thursday, Aug. 31 • 7:30-9 p.m.
North Beach Pavilion, North Beach

Join us as we honor the memory of our loved ones lost to overdose death.

International Overdose Awareness Day is a global event to raise awareness that overdose death is preventable and to reduce the stigma associated with drug-related death. This day also acknowledges the grief felt by family and friends remembering those who have died or had a permanent injury as the result of a drug overdose.

GUEST SPEAKERS

"We See You" - First Responder Recognition

2023 Award Winners Announcement
(nominated by their peers)

Jason Phelan, Supervisor, Crisis Response Coordination
Calvert Crisis Response (CCR)
Calvert County Behavioral Health

Overdose Awareness/Memorial Sculpture Project

Artist introduction and unveiling of the sculpture model.

Mark Frazer, Former Mayor of North Beach
Founder of Sunrise Garden, North Beach

MEMORIAL READING OF NAMES

Sandy Mattingly, Calvert County Mom

Board Member

Calvert Alliance Against Substance Abuse, Inc. (CAASA)

Committee Member

Twin Beach Opioid Abuse Awareness Committee

MEMORIAL EXHIBIT

"Lost Souls" at the Mark R. Frazer Sunrise Garden (lighted photo display), a family and friend tribute #weseeyou.

Email Sandy Mattingly at sandy.otse@yahoo.com to submit names and photos, or for more details about the event. Names and photos from previous years events will be included.

FREE LOCAL RESOURCES

Local prevention, treatment and recovery information will be provided by:

- CAASA
- Calvert County Behavioral Health (Narcan training)
- Calvert County Mobile Crisis Team
- Celebrate Recovery

#END
OVERDOSE





International Overdose Awareness Day

light Calvert County purple



Thursday, Aug. 31 has been recognized as International Overdose Awareness Day, a global event to raise awareness that overdose death is preventable and to reduce the stigma associated with drug-related death. The Calvert Alliance Against Substance Abuse (CAASA), Twin Beach Opioid Abuse Awareness Committee and Calvert County Behavioral Health are seeking to bring awareness to this ongoing crisis by lighting Calvert County purple – the awareness color for drug overdose and the opioid crisis – on International Overdose Awareness Day.

Show your support by picking up a purple lightbulb at one of the participating locations below:

Aug. 5, 10 a.m. to 2 p.m.

Sneade's Ace Home Center
11861 HG Trueman Road
Lusby

Sneade's Ace Home Center
1750 Prosper Lane
Owings

Aug. 7, 11 a.m. to 2 p.m.

Calvert Library Southern Branch
13920 HG Trueman Road
Solomons

Aug. 12, 10 a.m. to 2 p.m.

Sneade's Ace Home Center
11861 HG Trueman Road
Lusby

Sneade's Ace Home Center
1750 Prosper Lane
Owings

Aug. 13, 10-11 a.m.

Emmanuel Church
3800 Old Town Road
Huntingtown

Aug. 13, 11 a.m. to 2 p.m.

Roland's Grocery
7875 Bayside Road
Chesapeake Beach

Aug. 16, 10 a.m. to 1 p.m.

Calvert Library
850 Costley Way
Prince Frederick

Aug. 19, 8-11 a.m.

North Beach Farmers Market
9010 Chesapeake Avenue
Chesapeake Beach

Aug. 19, 10 a.m. to 2 p.m.

Sneade's Ace Home Center
11861 HG Trueman Road
Lusby

Sneade's Ace Home Center
1750 Prosper Lane
Owings

Aug. 24, 10 a.m. to 1 p.m.

Calvert Library
850 Costley Way
Prince Frederick

Aug. 26, 10 a.m. to 2 p.m.

Sneade's Ace Home Center
11861 HG Trueman Road
Lusby

Sneade's Ace Home Center
1750 Prosper Lane
Owings



To: The Honorable Mayor and Town Council

From: Holly Wahl, Town Administrator

Subject: Food Insecurities

Date: July 10, 2023

I. BACKGROUND:

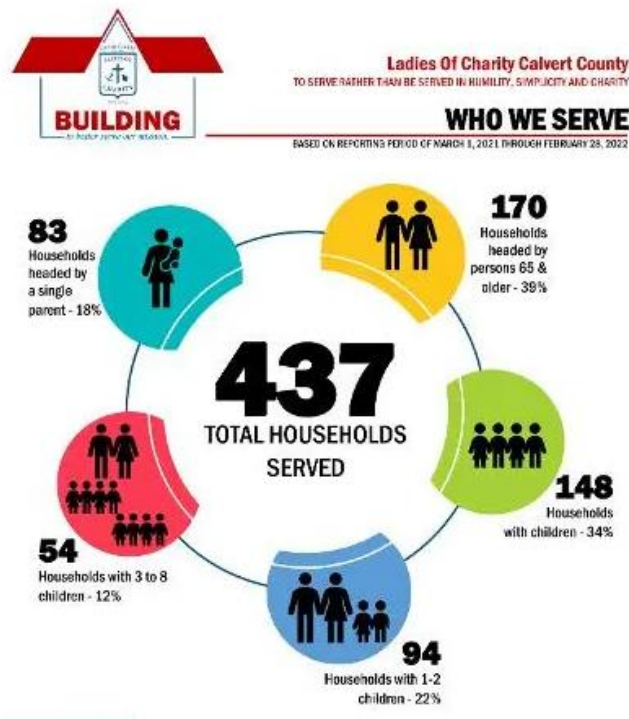
The Town of Chesapeake Beach received \$5,943,337 in American Rescue Plan Act funds. The Town Council has prioritized several areas to utilize ARPA funding. The Town's ARPA fundings has reimbursed the Town for expenses incurred for the Twin Beach Deputies and support provided for the North Beach Volunteer Fire Department. This reimbursement has provided for the availability of funds for projects as determined by the Town Council.

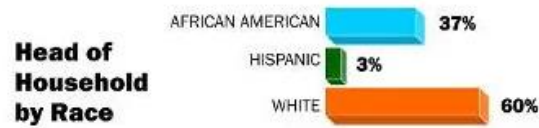
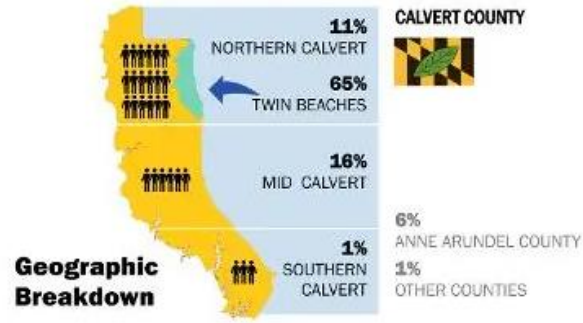
In the December 2022 Town Council meeting the Town Council approved the allocation of \$200,000 in funds made available through ARPA to be allocated to food insecurity and food pantry services projects that directly serve the citizens of the Town of Chesapeake Beach.

II. FOOD INSECURITY PROJECTS:

- a) **Ladies of Charity:** The Ladies of Charity are operating without a proper building as their 80-year-old building has structural issues. A new building is required to continue to provide services to the community, of which 65% of services are provided to the Twin Beach area.

Services include food insecurity, serving the elderly, serving the youth.





In 2021:

- 443 families visited the Pantry 3,832 times
- 171 backpacks of school supplies were given to children
- 665 holiday meals were provided
- 630 HeartFELT meals were provided to food insecure children
- More than 200,000 lbs. of food were distributed, representing 166,667 meals.

b. Bayside Baptist Church:

The Bayside Food Pantry is open every Saturday from 9:30 to 11:00 AM. In addition, the church is open daily to assist those who need food on a case-by-case basis and is available as a local shelter in case of natural disasters, etc. The number of local families that come through the food pantry varies from season to season, and week to week. However, on average the church assists somewhere between 40-70 families weekly. The church projects this number to increase as the economy and inflation still affects those in the community. The church has seasonal dinners/lunch including our annual Thanksgiving dinner which averages 150 people.

In addition to canned goods, toiletries, etc., the pantry distributes meat, eggs, and milk. The church partners with some local farms for fresh vegetables when they are in season. Currently, there is also a big need for storage and refrigeration of these items as the church has been working from home based/donated refrigerators and cooling and need a commercial ice maker and freezer for the church to help with storing items as they come in. Regarding the food, there are times when items are donated, but many times the church relies on donations to cover this expense.

The church requests that the Town Council consider the following request to help with these expenses for the food pantry:



Food, etc.:	\$2,000 month (\$24,000 yearly)
Commercial Ice Maker:	\$6,000 (One-time expense)
Commercial Fridge/Freezer:	\$6,500 (One-time expense)
	\$36,500

Bayside Baptist funding the construction of their outreach center totaling \$1,200,000 in improvements and have approximately \$600,000 in debt repayment for the outreach building.

III. FISCAL IMPACT:

It is recommended that the Town Council consider allocating \$100,000 in one-time capital improvement funds to the Ladies of Charity organization to provide the infrastructure necessary to provide services to Twin Beach residents in need through. It is also recommended that the Town Council consider making a one-time capital contribution to Bayside Baptist in the amount of \$100,000 to cover current capital expenses and to offset the current debt repayment on their outreach facility to provide those services to Town residents.



To: The Honorable Mayor and Town Council

From: Holly Wahl, Town Administrator

Subject: Calvert Library – Twin Beaches Branch

Date: July 10, 2023

I. BACKGROUND:

The Twin Beaches Library is underway with its relocation to the Town of North Beach through a capital improvement project to make substantial improvements to program space offered to the community. The Town of Chesapeake Beach has been a longstanding supporter and partner of the Twin Beaches branch through an annual grant that covers a portion of the rental expense for the library. The Town of Chesapeake Beach is a party to the lease agreement along with the Board of County Commissioners. The annual grant totals approximately \$45,000 of Town of Chesapeake Beach taxpayer funds a year to support the library at its current location. The lease agreement is expected to be terminated by the Town and County when the Twin Beaches Library relocates to the new building as the library space will no longer be needed for program offerings.

The Calvert Library is requesting that the Town Council consider a capital contribution of \$100,000.

II. CAPITAL CONTRIBUTION:

The funds requested from the Town are detailed as covering expenses for community access, to include:

- Create an interactive play area for children to develop crucial early learning skills.
- Purchase a sound booth for recording and podcasting.
- Create a Memory lab with digitization equipment.
- Acquire a mobile teaching kitchen.
- Purchase numerous tech and creative tools for Makerspace.
- Purchase technology equipment for a 100-person meeting room

III. FISCAL IMPACT:

The requested contribution is not currently accounted for specially in the FY24 Town of Chesapeake Beach budget; however, the Town has an American Rescue Plan budget line item that can provide the basis of funding needed. The current allocation of ARPA funds are as follows:

Reconciliation of Funds Allocated from ARPA	
5,943,338	Total funds awarded
(200,000)	Food insecurities & food pantry services - GF
(82,813)	Storm Drain Replacement* - GF
(750,000)	Saddle Replacements - UF
(500,000)	Meter Replacement - UF
(350,000)	Fishing Creek Wet Well - UF
4,060,525	Remaining Funds

* costs do not include all projects discussed with Town Council only the allocated projects



To: The Honorable Mayor and Town Council
Subject: Pocket Park RFP
Date: June 14, 2023

From Holly Wahl, Town Administrator

I. BACKGROUND:

The Town of Chesapeake Beach received grant funding from the State of Maryland in the amount of \$150,000 for the installation of three (3) pocket parks. The pocket parks are identified in coordination with the Town of Chesapeake Beach Walkable Community Advisory Group. The Town Administration conducted public outreach related to the pocket parks to determine the features that the Town residents desire at the three (3) locations. Public feedback was obtained through surveys and in person outreach sessions at the Chesapeake Beach Town Hall where residents residing near the pocket parks participated by providing valuable feedback related to the features that would be offered within the spaces.

The Town of Chesapeake Beach posted an RFP on eMaryland Marketplace Advantage (eMMA) **Sourcing Project: BPM038247**. The Town held a pre-bid meeting on June 21, 2023, at 9:00 AM at the Chesapeake Beach Town Hall. Three bidders were present at the meeting.

Due to the number of clarifications requested from bidders, the sealed proposal deadline was extended to July 13, 2023.

Sealed proposals were received on July 13th at 9 AM and were opened publicly in the Town Council chambers.

II. PRICING:

BID FORM: WINDMILL FARMS, LLC.

PART 1 - LUMP SUM BID ITEMS

ITEM	DESCRIPTION	UNIT	TOTAL PRICE
1	B Street Park Improvements – The Bid Price includes all work, labor, tools, equipment, bonds, sureties, materials, overhead, profit, commissions and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.	LS	\$119,740.00
2	29 th Street Park Improvements – The Bid Price includes all work, labor, tools, equipment, bonds, sureties, materials, overhead, profit, commissions and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.	LS	\$79,855.00
3	26 th Street Trail Connection - – The Bid Price includes all work, labor, tools, equipment, bonds, sureties, materials, overhead, profit, commissions	LS	\$29,950.00



	and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.		
TOTAL LUMP SUM BID			\$229,545.00

PART II ITEMIZED PRICING

ITEM	DESCRIPTION	UNIT SIZE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
3	Additional Aluminum Rail	LF	50	\$145.00	\$7,250.00
4	Additional Benches	EA	2	\$1,990.00	\$3,980.00
5	Additional Segmental Wall	SF (Face)	150	\$40.00	\$6,000.00
6	CR-6	CY	20	\$40.00	\$800.00
7	#57 Stone	CY	10	\$40.00	\$400.00
8	Silt Fence	LF	100	\$2.00	\$200.00
9	Permanent Seed & Mulch	SY	200	\$3.25	\$650.00
10	Steel Concrete Bollard	EA	6	\$500.00	\$3,000.00
11	Tree – Red Maple 2” Cal	EA	6	\$325.00	\$1,950.00
12	3” Bituminous SC Asphalt	SY	5	\$49.00	\$245.00
13	4” Dense Grade Aggregate	SY	5	\$40.00	\$200.00
14	Materials Allowance	LS	1	\$10,000.00	\$10,000.00
TOTAL LUMP SUM & FIXED PRICE BID					\$264,220

BID FORM: STORMWATER MANAGEMENT SOLUTIONS

PART 1 - LUMP SUM BID ITEMS

ITEM	DESCRIPTION	UNIT	TOTAL PRICE
1	B Street Park Improvements – The Bid Price includes all work, labor, tools, equipment, bonds, sureties, materials, overhead, profit, commissions and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.	LS	\$133,833.00
2	29 th Street Park Improvements – The Bid Price includes all work, labor, tools, equipment, bonds, sureties, materials, overhead, profit, commissions and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.	LS	\$240,373.00
3	26 th Street Trail Connection – The Bid Price includes all work, labor, tools, equipment, bonds,	LS	\$60,185.00



	sureties, materials, overhead, profit, commissions and incidental items required to complete the B Street Park Improvements complete and in-place to the satisfaction of the Town.		
TOTAL LUMP SUM BID			\$434,391.00

PART II ITEMIZED PRICING

ITEM	DESCRIPTION	UNIT SIZE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
3	Additional Aluminum Rail	LF	50	\$100.00	\$5,000.00
4	Additional Benches	EA	2	\$3,500.00	\$7,000.00
5	Additional Segmental Wall	SF (Face)	150	\$125.00	\$18,750.00
6	CR-6	CY	20	\$55.00	\$1,100.00
7	#57 Stone	CY	10	\$55.00	\$550.00
8	Silt Fence	LF	100	\$12.00	\$1,200.00
9	Permanent Seed & Mulch	SY	200	\$2.00	\$400.00
10	Steel Concrete Bollard	EA	6	\$2,500.00	\$15,000.00
11	Tree – Red Maple 2” Cal	EA	6	\$750.00	\$4,500.00
12	3” Bituminous SC Asphalt	SY	5	\$100.00	\$500.00
13	4” Dense Grade Aggregate	SY	5	\$100.00	\$500.00
14	Materials Allowance	LS	1	\$10,000.00	\$10,000.00
TOTAL LUMP SUM & FIXED PRICE BID					\$498,891.00

III. ALTERNATIVE PRICING:

Windmill Farms provided alternative pricing options for cost savings to the Town. These items are:

B Street Pocket Park cost saving measures:

Item	Cost Savings
#1 No installation of the split faced block on either side of the foundation	\$30,000.00
#2 Use large planters as spec'd for the Town currently rather than planter boxes	\$8,000.00
#3 Install a 12” split faced wall block with a finished top cap in lieu of concrete walls	\$2,500.00
#4 Asphalt the parking areas from the road surface to the existing foundation.	\$2,500.00



IV. RECOMMENDATION:

It is recommended that the Town Council award a contract to Windmill Farms for an amount not exceeding \$195,000 from the FY24 General Fund Capital Improvements line item. The cost incorporates the lump sum price for project 1, 2, and 3 and deducts the cost savings measures of item #1, 2 and 3. The Town will be reimbursed \$150,000 of these costs.



To: The Honorable Mayor and Town Council

From: Holly Wahl, Town Administrator

Subject: Chesapeake Beach Water Reclamation Treatment Plant (CBWRTP) Generator Access Platform

Date: July 11, 2023

I. BACKGROUND:

OSHA 1910 standards require an access platform for the access doors on both sides of the generator. The specific standards that require the access platform 1910.28(b)(1)(i) regarding a need for fall protection and 1910.25(b)(7) regarding standards for stairways.

Not having an additional access platform on the generator could pose a safety issue if someone opens one of the access doors without a platform to get more light in the enclosure or ventilation. If this were to occur, it could possibly put someone at risk of falling out of the enclosure.

II. GOAL:

Install an additional platform to provide additional access and safety to personnel.

III. SCOPE OF WORK:

Install a second platform on the other side of the generator.

IV. FISCAL IMPACT:

The expected material cost for the platform is \$ 22,051.00. If approved by the Town Council these costs would be incurred in the FY24 Capital Improvement line item of the CBWRTP.

V. RECOMMENDATION:

It is recommended that the Town Council consider approving a FY24 Capital Improvement CBWRTP Fund expenditure in the amount of \$22,051 so that the materials can be purchased from FSI Industries to add the platform needed on the generator for safety reasons.



**** STOR-DECK MEZZANINES ****

**20 Technology Way
West Greenwich, RI 02817
PHONE: (800)421-0314 FAX: (401)421-5679**

www.FSIndustries.com

CUSTOMER: Chesapeake Beach Sewerage Plant
8550 Bayside Road PROJECT: Chesapeake Beach, MD 20732
Chesapeake Beach, MD 20732
ATTN: Josh Stinnett

SPECIFIED USE OF MEZZANINE: Storage
SPECIFIED METHOD OF MATERIAL HANDLING: Hand Carry
SPECIFIED WHEEL LOAD: 0
*****SEISMIC DESIGN*****

STOR-DECK MEZZANINE PHYSICAL DESCRIPTION:

DECK SURFACE: 1 in. Aluminum 19SG1-4 I-Bar Swage-Locked Bar Grating with 3/16
Bearing Bars on 1 3/16 Centers

SECTION I

SIZE IN ft: 16.00 X 4.25
COL CTR ft: 15.33 X 3.58
DECK HT in: 53.00
CLR HT in: 42.00
LEVELS : 1 STOR - DECK
LOAD CAP : 150 PSF
MAXCOLLOAD: 50 PSI
COL SIZE : 4 in sq X 0.19
BASEPLATES: 8 in sq X 0.50
DK SUP CTR: 21.5 in
DECK BEAMS: 10"
MAIN BEAMS: 10"
FRAME COLOR: Mill Finish Aluminum

****DISCLAIMER****

THE MEZZANINE LISTED ABOVE IS QUOTED AS A CAPITAL EQUIPMENT COMPONENT. FS INDUSTRIES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR COMPLYING WITH ANY FEDERAL, STATE, OR LOCAL BUILDING CODE REQUIREMENTS. FS INDUSTRIES DOES NOT IMPLY OR ACCEPT RESPONSIBILITY FOR CONFORMANCE TO ANY CONSTRUCTION SPECIFICATIONS OR REQUIREMENTS OTHER THAN THOSE SPECIFICALLY STATED ABOVE. FS INDUSTRIES DOES NOT IMPLY OR ACCEPT RESPONSIBILITY FOR THE DESIGN OR CONSTRUCTION ADEQUACY OF THE USERS BUILDING, FOOTINGS, FOUNDATIONS, SLABS, OR FLOORS TO DISTRIBUTE AND SUPPORT COLUMN LOADS SPECIFIED ON FSI DRAWINGS OR THOSE LOADS ACTUALLY CREATED BY USER LOADING.



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Handrail & Kickplate: 22 Linear Feet Provided
2 Rail OSHA Type - Mill Finish Aluminum
VERTICAL LADDER QTY: 0
TOTAL # OF STAIRS PROVIDED: 1 AS DEFINED BELOW

QTY	NAME	DESCRIPTION
1	str-1	TYPE: OSHA-17 DRAWING: AL773-A-017 HEIGHT: 53 WIDTH: 36 WEIGHT: 347 HORIZONTAL RUN: 48 1/16 DEGREES: 42.92 TREAD: (#82) I Bar Aluminum 9 13/16 in X 1 1/2 in X 1/4 Bars #19-SGI-4 Swage FINISH: Mill Finish Aluminum

PRICING TOTALS

MATERIAL COST (LESS OPTIONS) F.O.B. WEST GREENWICH RI	\$	20,699.00
ESTIMATED FREIGHT COST - (M0) Chesapeake Beach, MD 20732 - Flatbed Del.	\$	1,352.00
***Please be aware that freight rates are extremely volatile and large swings may occur from time of quote to time of shipment.		
TOTAL SHIPPING WEIGHT -		1565
INSTALLATION NOT QUOTED - ESTIMATED MAN HOURS TO INSTALL -		16
TOTAL DELIVERED	\$	22,051.00

**SUBJECT TO THE CONDITIONS LISTED ON PAGE 3

Sales tax is applicable for shipments to the following states:

AL, CA, CT, FL, GA, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, NC, NJ, NM, NY, OH, PA, RI, SC, TN, TX, UT, VA, WA and WI

QUOTE SUBMITTED BY: Justin Boisclair Email: jboisclair@fsindustries.com
NO OPTIONAL EQUIPMENT SPECIFIED

PAYMENT TERMS & DELIVERY

TERMS: Net 30 Days
PRESENT LEAD TIME ON APPROVAL DRAWINGS IS 2 WEEKS ARO.
PRESENT LEAD TIME (SHIP DATE) ON THIS MEZZANINE IS APPROXIMATELY 8 WEEKS AFTER RETURN OF SIGNED APPROVAL DRAWINGS.

PRICING VALID FOR 30 DAYS



**** STOR-DECK MEZZANINES ****

**20 Technology Way
West Greenwich, RI 02817**

PHONE: (800)421-0314 FAX: (401)421-5679

www.FSIndustries.com

INSTALLATION PRICING CONDITIONS:

- 1) UNLOADING MATERIAL AND TRANSPORTING TO ERECTION SITE BY Customer/Others
- 2) FORKLIFT (IF NECESSARY) TO BE SUPPLIED BY Customer/Others
- 3) ERECTION SITE AREA - Clear and Level

- 1) MEZZANINE SHALL BE A STOR-DECK MEZZANINE DESIGNED AND MANUFACTURED BY FS INDUSTRIES 20 TECHNOLOGY WAY WEST GREENWICH RI 02817.
- 2) MEZZANINE SHALL BE DESIGNED AND MANUFACTURED TO CONFORM TO OR EXCEED THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (**OSHA**).
- 3) MEZZANINE SHALL BE FREE STANDING WITH WALL TIES AND/OR SWAY BRACES PROVIDED TO PRECLUDE LATERAL SWAY.
- 4) APPROVAL DRAWINGS OF FRAMING PLAN AND DECK PLAN SHALL BE SUBMITTED TO THE OWNER OR TO OWNER'S REPRESENTATIVE PRIOR TO FABRICATION.
- 5) INSTALLATION DRAWINGS AND COMPONENT DESCRIPTIONS SHALL BE PROVIDED AND INCLUDED WITH SHIPMENT.
 - 1 in. Aluminum 19SG1-4 I-Bar Swage-Locked Bar Grating with 3/16 Bearing Bars on 1 3/16 Centers WITH NO TOP LAYER TOP LAYER
- 6) STAIRS SHALL BE MANUFACTURED TO CONFORM TO THE SPECIFICATIONS LISTED ON PAGE 2. WELDED HANDRAILS SHALL BE 1 1/2 IN. X 11 GA. SQUARE TUBING.
- 7) FINISH: ALL ALUMINUM STRUCTURAL MEMBERS SHALL BE MILL FINISHED.

CC:House