

March 14, 2006

The Denton Town Council held a special meeting on this date at 6:30 PM, to hold a public hearing on the Crouse Park re-development project particularly pertaining to the Visitor Center location. This meeting was held at the Denton Police Department at 100 N. Third Street, Denton, MD .

At 6:30 PM Mayor Branson opened this special meeting with the Pledge of Allegiance.

In attendance:

Denton Town Council Members - Mayor Branson, Councilwoman Stockley and Councilman Foster and Gregory. Councilman Horsey was absent.

Planning Commission Members - Frank Fluharty, Valerie Miller and Jake Holmes. Members David Gray and Doris Walls were absent.

Town Attorney - Brynja Booth

Staff - Terry Fearins, Karen Monteith and Jennifer Shull

Mr. JOK Walsh and Ellis Davison of the DDC

Roby Hurley, State of Maryland Critical Area Circuit Rider

Carol D'Agostino - Public Information Consultant

Members of the public: Catherine Belknap, Herb Belknap, Andrew Myers and Margaret Myers

(See sign in sheet for further details)

Public Hearing

At 6:30 PM the Mayor opened the public hearing to provide an overview of the project and allow for public comments on the proposed redevelopment of Crouse Park to include the placement of the Visitors Center within the 100' Critical Area Buffer.

Mr. JOK Walsh of the Denton Development Corp. did a presentation about the visitor centers project explaining the findings of facts in support of the placement of the visitors center within the 100' buffer.

Mayor Branson asked for comments from:

Denton Town Council and Planning Commission Members

Mr. Frank Fluharty asked if the DDC had looked into putting the visitors center on the south side of the bridge where the Restaurant is proposed and Mr. Walsh advised that the other area was too small.

Mr. Holmes questioned the size of the exemption area and if this had impacted the necessity to intrude into the buffer. He was advised that the area was limited, and yes, had influenced the building placement..

Mr. Fluharty asked about the basketball courts and was advised with the proposed re-development that the courts would be removed.

**Caroline County Government - there were none
State and County Planning Agencies**

Mr. Roby Hurley from the Maryland Dept. Of Planning, the Critical Area Circuit Rider, made a presentation about the Critical Areas role in the site planning process.

Members of the General Public

Mr. Belknap of 113 S. 2nd St. asked if this project included the elevated boardwalk that was talked about sometime ago that would go by his property. Mr. Walsh advised that it is not part of this plan.

Mr. Myers of 10161 River Landing Rd., raised a concern about how this would affect the water during high tides and stormwater management.

Mr. Walsh advised that this project can go about 1' above high tide level.

Mr. Hurley advised that the Storm water quality is exempt, and that is designed to reduced the impervious surface as much as possible. The project includes a multi pond facility that will be designed to handle stormwater using best management practices.

Mayor Branson read aloud a letter received form Mrs. Lee S. Frye of 306 S. Fifth Ave., in which she raised a concern about the future of the basket ball courts.

With no further comments Councilwoman Stockley made a motion to close the public hearing at 7:22 PM, seconded by Councilman Gregory, the motion passed unanimously.

Special Meeting

New Business

Agenda #1 - Crouse Park Visitors Center

The Town Council will make a findings of fact regarding the placement and construction of a Visitor's Center at Crouse park within the 100" critical area buffer. These findings along with the comments form the Planning Commission will be forwarded to the State Critical Area Commission for a hearing of concurrence to take place April 5th. The State Critical Area Commission has the ability to give the Town of Denton an administrative approval called a "Conditional Approval" for site specific projects.

The Denton Town Council made the following findings of facts:

- (1) *That there exist special features of a site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;*
 - **The site is peninsula shaped surrounded on three sides by tidal waters, multiple layers of buffers greatly reduce the area of hard ground available for public access, water dependent activities and the infrastructure needed to support these activities.**
 - **Crouse Park is a man-made area of three acres. Historically, the park is a man-made elevation built up over a 200 year period by efforts, including landfill activities, aimed at creating and maintaining a causeway. In 1791 the causeway ran to a ferry landing. From 1813 to present the causeway ran to various types and sizes of bridges. When the current Maryland Business Route 404 bridge was erected in 1979, additional fill was added on the north side of the causeway, thereby creating the current dimensions for the small park.**

- The site is constrained by the Maryland Business route 404 bridge which is a mammoth structure which traverses the park from east to west. This greatly limits size and placement of infrastructure and the visitor's center, and affects all decisions regarding public access and water dependent activities.

- Existing boating industry uses the boat ramp to launch large locally constructed vessels, and the length of these vessels 70' + necessitate full use of the existing impervious surface and grass to negotiate a safe launch. The launch process involves loading the yacht on a boat trailer which is secured to large pickup which in turn is secured to a weighted dump truck. This combination is over 100' long and requires substantial area, paved and grass, perpendicular to the ramp to execute a launch. There is no alternative site on the Eastern Shore for these launches due to the height of wires above area roadways. Specifically, the Heritage center must be placed as far north as possible (immediately adjacent to the non-tidal wetland buffer) in order to avoid it interfering with the yacht launches.

- There presently exist two buildings: an open sided pavilion and restrooms which serve the boating public. These items would continue to remain to serve those boaters and fisherman as it has in the past.

- The stormwater management area has been moved out of the buffer to an area between the existing road and proposed parking lot and will treat both existing and proposed impervious surfaces.

(2) *That the project or program otherwise provides substantial public benefits to the Chesapeake Bay Critical Area Program;*

- ***The location of the visitors center is visible from the Route 404 bridge which is a key component of the visitor center funding.***
- ***The visitors center is placed closer to the water for educational components as is recognized in the Criteria and the Towns Program, Section A129-11***
- ***Protects sensitive areas from intrusion by the wandering public by providing decks to allow view of vegetation and river.***
- ***Provides progressive stormwater management measures at the site thru Best Management Practices incorporated into the design.***
- ***Provides interactive education thru interpretive signage on native species.***
- ***Provides improved public access to the Choptank River.***
- ***Protects and improves the capabilities for launching large yachts constructed in Denton.***

(3) *That the project or program is otherwise in conformance with this subtitle.*

Through the use of Buffer mitigation and on site stormwater management, the project is otherwise in conformance with this subtitle.

Councilwoman Stockley made a motion to support the visitor center as proposed and adopt the findings of fact in support of the placement of the visitors center within the 100' buffer, seconded by Councilman Foster, the motion passed unanimously.

Staff will look at other options within the town for relocating the basketball courts.

Councilman Gregory asked that more information be provided to Mr. Myers regarding his concerns about the stormwater management and the change in the tide., Staff will have Mr. Al McCullough the site engineer follow up with Mr. Myers.

With no further discussion, Councilman Gregory made a motion to close this meeting at 7:29 PM, seconded by Councilwoman Stockley, the motion passed unanimously.

Respectfully submitted,

*Karen L. Monteith
Clerk-Treasurer*