

Town Council Meeting/Workshop  
December 12, 2016

Present: Harry Sampson, Tom Morris, Bill Miners, Mayor Dean Geracimos, Frank Vari, Trudy Carter, Town Attorney Tom Yeager.

Staff: Sandra Edwards Town Manager, Rob Bernstine Project Manager, Valerie Walls Clerk/Treasurer

The Mayor called the meeting to order at 6:30pm followed by the Pledge of Allegiance.

Minutes:

**MOTION:** Bill Miners made a motion, seconded by Harry Sampson to approve the minutes from the November 14, 2016 meeting. Aye: 4 Nay: 0 Abstain – Harry Sampson –did not attend; motion carried.

Winterfest Decorating Competitions

Winner North Side Jamie Faulkner & Julie Sprout \$150 Gift Card & Sign

Winner South Side George Watson \$150 Gift Card & Sign

Business Winner: Blue Max Inn ½ page ad with Cecil Guardian

People's Choice Bob & Debbie Miller \$150 Gift Card & Sign

Public Hearing

**MOTION:** Frank Vari made a motion, seconded by Trudy Carter to open the Public Hearing. All in favor, motion carried.

The Mayor gave ground rules for hearing. The applicant will go first, Council has the right to ask questions and then the Public to ASK questions. Council then will have an opportunity to ask more questions if needed. Questions will be asked and answered with respect. There is a sign-up sheet to make comments, it will close at 645p. When you are asked to come up and comment, please give your name, address and whether or not you are a resident. You will have five minutes. Afterwards, the Council will be able to comment or discussion and possibly vote.

***PUBLIC HEARING-***Rezoning request received from property owner Mt. Nebo Valet Services, Inc. for property known as Lot 2 Chesapeake Village, consisting of 15.45 acres and located of Second Street. The subject property is currently zoned Traditional Neighborhood Development (TND). The proposed zoning is Village Commercial (V-2).

*Note: Comments are summaries and NOT verbatim.*

Dwight Thomey (attorney for applicant)– Before purchase, this was a leased property used as parking lot for twenty years. Requesting to be rezoned to include building storage and a possible boutique hotel in the future. The property is already being used as a parking lot. The Town's major business interest is tourism – with inadequate parking. The applicant believes that having a zoning category and not having property in it was an error. It makes sense to zone this property as V2 instead of TND. This change is not going to bring any more traffic than if 100 or more homes were developed there. Gianmarco is open to turning this into a town asset, parking available to everyone, upgrading the access of getting in and out of it, easier for everyone to use.

Gianmarco Martuscelli- The property was rezoned in 2012, the commercial part of TND was not included, neither was satellite parking.

Councilman Sampson – the future boutique hotel you mentioned, how large would this be? Timeframe?

Dwight Thomey – It would be limited by the code/parking environmental considerations; down the road – seven to ten years.

Mayor- it's generally 100 rooms or less for a boutique hotel

Gianmarco Martuscelli- under 80 rooms.

Councilman Morris – No questions

Councilman Miners – No questions.

Mayor – Property is now zoned TND, and you want V2 for parking, storage and a hotel. Lack of parking, we don't have V2 property – TND - redid comp plan – TND did have commercial use, new one does not.

Town Attorney Yeager – neither plan had satellite parking with the CDO was adopted in the TND.

Councilman Vari – There are three of us here that were sitting on Council when this was done, and it's not a mistake. Satellite Parking – the ordinance is a working document. The question is we want to preserve Chesapeake City as it is, and we know we need the parking. No questions at this time.

Councilwoman Carter-No questions

Questions from the audience

Resident (Karen Stabenow)- we have parking in Town, how could it be a mistake? If the parking lots use has changed, wouldn't it be grandfathered?

Resident– how long can a property be grandfathered?

Town Attorney-For grandfather – was it being used for parking under the old, as long as it was used, it's grandfathered. As long as it's been used for the parking.

Non-Resident (Gwen Clayton Mt. Nebo Road) who takes care of the parking - the alarms, policing it, cleaning it up at 12, 1am in the morning?

Dwight Thomey – If the restaurant owns it, they would. If expanded to joint to the Town, discussions would have to follow after that decision.

Gwen Clayton Your letter states self-park, so you would be taking care of it?

Gwen Clayton Where is the hotel going to be since my property backs right up to the property and I'm affected more than anyone else?

Dwight Thomey– we're really far from deciding that at this time

Gwen Clayton: you're in my back yard, and it's considered an invasion of property.

Town Attorney Tom Yeager: This is not a hearing on site plan, it's whether mistake in zoning or change in character to change the zoning.

Gwen Clayton: when Dr. Levin and his partners had it, the entire area was for parking what happens with the other part now?

Dwight Thomey: no idea what the other half is doing or when.

Chris Curran Bohemia Avenue: Parking meters – how many spaces back there? Where does the \$\$ go?

Gianmarco Martuscelli—over 300. The money, if done in conjunction with Town, the Town would receive their share

Paul Clayton – Most people going to Chesapeake Inn – how would you handle handicap, or senior citizens –

Dwight Thomey- will not eliminate Valet services; only reducing the valet parking

Gwen – MT Nebo Valet – why is it used? Emergency back up route for parking?

Mayor Dean Geracimos: will need traffic Study

Dwight Thomey – haven't gotten that far in the planning for specific

Follow up questions from Council – none.

Testimony

Jayne Foard – doesn't want to be first – wanted more information.

Resident Lee Hutton – 305 Biddle Resident – letter present at the last meeting (November 14, 2016). We do need that parking lot – we just don't want it changed to V2. We just don't want the rest. 17 years on PZ – made wrong decisions and regret them. Please think about it.

Resident Carolyn Blevins 727 Mt Nebo -In newspaper applicant needed another permit. Permits requested and given and now it is the largest nightclub in the area. (Gave pictures) of what she looks and listens to loud music five months of the year every day. Opposes the change to do whatever he wants to.

Resident Karen Stobano – 618 Biddle St – new resident. Friends that live on Mt. Nebo – at the intersection 2<sup>nd</sup> & Mt. Nebo – very dangerous cross walk right now. Cannot see the wisdom or need for rezoning. Finds it problematic for larger numbers of pedestrians crossing. Why a commercial zone

for undeveloped land surrounded by homes? Have to wonder how large the hotel would be – some boutique hotels have 250 rooms, pool, parking.

Gianmarco Martuscelli – been here for 20 years, questions the fear of hotels and what would happen. I've invested more money than anybody – over 8 million dollars into the town – how can you want more tourists where will they park? Stay? Why would we want a hotel to be ugly? – it would be state of the art – I spent over \$3 million for ballroom. It will bring more people to this town – it's growing. Put in provisions – go right ahead. Overlooking property? PZ wouldn't allow a structure to be put to disturb housing? Cannot pave it, it's illegal– can't use it after 3 days of rain or 2' of snow. Would love to partner with the Town to bring money into Town. We have two large venues for weddings 2 parties of 150 people – there's no rooms – people staying in Middletown or North East and being shuttled into Town. Why not keep in the people, along with their money in our Town.

Dwight Thomey – it's natural to fear change – if you look at this Town – it's changed a lot of the last 30 years – can't stand still, either move forward or backward. Cannot have a Tourist destination without parking or somewhere to stay; wonderful assets in this Town – this zoning change would allow it to be enhanced

Non-Resident Suzie Campbell Mt. Nebo Road handouts given to Council. has anybody been up to see the open space and quality, the serenity and their quality of life? Changing the open space to commercial, diminishing property values? Anybody want this in their back yard? This would bring a negative impact on our entire neighborhood. Spot zoning – rezoning is not in conformity, commercial in the center of TND green space?

Resident Chris Curran – yielding his time

Resident Rebecca Mann – Urges Council to consider changing TND definition back to 2009 definition, it would accomplish Gianmarco's present goals for parking and apply for a Special Exception for the boutique hotel, instead of changing it to V2 that would allow all those other uses.

Non Resident Bill Campbell Mt Nebo: planning and zoning recommending denial; it's about whether or not a mistake was made. Deny rezoning. Yields his time.

Resident Frank Hill Former Mayor – Money spent on 213 to encourage business development and parking. Understands TND, and Gianmarco needs parking. – TND reason was to keep it a small village type area. Spent a lot of nights here in PZ twice a week to make these decisions. We made the decision that commercial businesses should be on 213, you remember this, several of you were there when the decision was made. We don't need the commercial stuff in Town.

Resident Cindy Ortt: 316 Biddle Street. A mistake wasn't made in zoning; it was allowing a business to become so big. Cannot enjoy Winterfest – it looks like a carnival across from me (Chesapeake Inn). You should have worried about parking a while ago. It's a little late for all of this, you're only adding insult to injury.

Resident Bill Staker 528 Biddle St –The Chesapeake Inn was never to expand to the size it has. It was supposed to stay the original size of the building that burnt down. Ball room is not supposed to happen. He created his own problem with parking. Use gravel instead of black top. Hotels should stay on 213, not in town. Parking lots instead of historic buildings. This property was never intended to grow past the footprint.

Non-Resident Gwen Clayton – moved here before the Inn was built. She's fine with stones and paving. Will put up with the dust; cloud of dust at night ; hopes for a traffic study and an emergency exit. Have waited up to ten minutes getting to get out of the street. Depreciation of property is a big concern, along with the quality of life. Small shops on the building – not hotels. Use the sisters property for hotels. Gianmarco doesn't live here, the squeeling wheels, disruption, etc. he's not affected. People pulling into the driveways looking for parking. Water breaks because of the traffic it's not built for that. The car alarms go off every night – when the valet is gone who takes care of the alarms then?

Non Resident Paul Clayton – commercial development that he doesn't understand. If PZ already voted down, why are we here? People crossing the street pedestrian traffic, families, handicapped? Possible stop light? Police it another way. Very distressed because the property values will go down – who pays for that? Yields the rest of his time.

Jayne Ford – from her heart – in 1970 this town was not the town it is today. You didn't want to raise your family in. A group of us got together called themselves – Federated women. Federation period. Federated Ladies – we got busy – was ridiculed for saving the town. Criticized because of not including north side, worked with the historic committee. Gave seed money \$5000 – working under a Historical name. Maintaining the small town feel. Very proud of and loves Chesapeake City. TND is good enough for her and serves her purposes. Thanking the Mayor and Council. We have an outstanding mayor he's done a lot for this town.

#### Comments from Council

Harry Sampson– no questions

Tom Morris-not comfortable making a decision tonight.

Bill Miners– none

Dean – Appreciates everyones input – while it may not seem like it all the time – the most important thing here is the quality of life in Town comes first and foremost. Wants to confirm in the testimony 2012 dropped the parking TND definition –mistakes by the Town. The town for years, one of the biggest things is parking. Whether the Inn was here or not, parking is a problem. We've been urging the Inn to purchase the property to make it parking. Refraining from personal comments made during testimony only to state that they are baseless.

Frank Vari – CDO is a working document, it can be changed, amended, altered. The satellite parking may have been overlooked, it wasn't a mistake to keep it TND. TND will satisfy his parking. Text amendment is the way to go.

Trudy – has not questions.

Bill Miners – heard a lot of information – we need to take these comments under consideration.  
Postpone any vote until next month.

**MOTION:** Tom Morris made a motion, seconded by Harry Sampson to close the Public Hearing. All in favor, motion passes.

Will vote at January 9, 2017 meeting. Council will be allowed to have discussion among them selves, the time for the public discussion has been closed.

**MOTION**

Bill Miners made a motion, seconded by Frank Vari to close the meeting. All in favor, motion carried.

Respectfully Submitted



D. Valerie Walls, Clerk/Treasurer



Dean Geracimos, Mayor