

TOWN COUNCIL MEETING
SEPTEMBER 7, 2022

Council of Trappe Meeting: President Newnam called the meeting to order at 6:00 pm. Council members Brian Schmidt, Tonya Pritchett and Walter Chase were present. Attendees for the Town: Billing/Zoning Administrator Cheyenne Foster and Town Attorney Lyndsey Ryan.

Agenda: Commissioner Pritchett made a motion to approve the agenda as presented. Commissioner Chase seconded the motion and it was unanimously approved.

Minutes: Commissioner Chase made a motion to approve the August 3, 2022 minutes as presented. Commissioner Pritchett seconded the motion and it was unanimously approved.

Clerk's Report: President Newnam stated that the Clerk's Report, General Fund and Enterprise Fund budgets are in the Council's binders and recorded with the records.

Public Works: President Newnam stated that the public works report is in the Council's binders and filed with the records. President Newnam stated that Jesse is going to be cutting some trees on Harrison Circle.

Planning & Zoning: Commissioner Schmidt stated that they discussed Mullikin Lane and the Planning Commission recommended that the road remain a two-way street as is. There is an issue of the 50-foot right-of-way and it appears that some of the bushes and structures on both sides of the street are in the 50-foot right-of-way. The Planning Commission discussed the HOA documents for Lakeside and moving some of the amenities from Phase 1C to Phase 1A. At this time the Planning Commission is waiting on Rauch to come back with some of the required documentation for this change. Planning Commissioner Diefenderfer mentioned that he is concerned about where the Town of Trappe sign is going to be located at Lakeside due to access and maintenance. Ryan Showalter stated that the developers are open to suggestions on the location.

Communications: Commissioner Schmidt stated that Critchlow Atkins dropped off a thank you plaque for the Town, thanking the Town for the Non-Profit grant. Commissioner Schmidt stated that Attorney Ryan has been working on obtaining \$500,00 in grant funds from the Midshore Regional Council to help with the pump station upgrade project and the lagoon dredging expense. He thanked Attorney Ryan, Commissioner Chase, President Newnam and Administrator Braband for all their hard work on this project and is hopeful that the Town receives the funds.

Attorney Updates: Attorney Ryan stated that the application was submitted to the Midshore Regional Council a few weeks ago and hopefully the Town will know sometime in October if they were awarded the funds. The Town will have 2 years after receipt of the funds to spend them on the projects. The County Council was very supportive in giving this money to Trappe. Attorney Ryan stated that the Town is still waiting to hear about the park parcel conveyances from the County.

Executive Session: President Newnam stated that an executive session was held on August 3, 2022 to obtain legal advice.

ORDER OF BUSINESS BEFORE THE COUNCIL

Resolution 2-2022: A Resolution of the Council of Trappe to adopt the 2022 Talbot County Hazard Mitigation & Community Resilience Plan as the Hazard Mitigation Plan for the Town of Trappe was read by President Newnam. Commissioner Chase made a motion to adopt Resolution 2-2022. Commissioner Pritchett seconded the motion.

VOTE:

Schmidt – Y Newnam – Y Pritchett – Y Chase – Y

Motion approved

Request to change Mullikin Lane to a one-way street: President Newnam stated that a letter was received from a resident on that street asking the Council to consider making the street one-way. The Council referred the matter to the Planning Commission and the Planning Commission’s recommendation was to leave the street as is. A petition was presented to the Council with 15 signatures asking to leave the street as is. Mr. Sullivan mentioned putting up no parking signs on the street. Planning Commissioner Harrison stated that any parking on the street would be illegal anyway because there is no designated parking on that street and the Sheriff’s department would be responsible for enforcing that. President Newnam asked if there any additional concerns about the trees blocking sight and Mrs. Potter stated that there is still an issue with trying to turn onto Mullikin from Rt. 50 even with the bushes being cut by the property owner. Mrs. Potter stated that going out onto Rt. 50 is also a concern because you must go out beyond the bushes to see. Commissioner Pritchett made a motion to leave Mullikin Street as is, a two-way street.

VOTE:

Schmidt – Y Newnam – Y Pritchett – Y Chase – Y

Motion approved

Atlantic Broadband/Breezeline Franchise Renewal Proposal: Attorney Ryan stated that this issue needs to be tabled until next month as the Town is still negotiating with the Breezeline. Breezeline has accepted most of the terms except for interruption of services and the penalty if a representative does not show up after an appointment was made. Breezeline wants proof that an appointment was set and that the was a no show. Attorney Ryan requested that if anyone had this issue to please notify the Town office so it can be brought to Breezeline’s attention. Commissioner Pritchett stated that they are supposed to call with a time block before they are coming but she has not had an issue with them not doing so.

Lakeside – HOA documents – Declaration of Covenants, Conditions and Restrictions for Lakeside at Trappe and Supplemental Community Design Guidelines: Ryan Showalter stated that Lakeside will have a set of Covenants that primarily provides structure for the Homeowner’s Association. Mr. Showalter stated that any spaces that are not owned by individual residents or transferred to the Town will be owned by the Homeowner’s Association. The HOA will charge an annual fee to maintain them. The HOA will also establish rules for living in the community that will maintain the character of the community. The HOA will manage the Architectural Review Committee (ARC). Lakeside will be governed by two layers of regulations – the first is the Town’s Planned Neighborhood District that the Town Council approved and applied to this development as well as the Town’s Design Guidelines – the second will be the HOA’s more

detailed set of guidelines that will regulate more than what the Town Zoning does. A homeowner would submit their proposal to the ARC first, who would review the Town's Zoning and the Community guidelines and if approved they would issue a certificate that would accompany the building permit application submitted to the Town. The DRRRA requires that the developer provide the Town with the HOA documents for review before they are recorded and that has been done. There have been a few comments received from the Town Attorney and they have been addressed. President Newnam stated that he doesn't have any issues with the documents, after discussing with others who live in an HOA controlled development, they appear to be in line with other communities. Commissioner Schmidt stated that he feels that while it is inline with other developments, it is a little too restrictive. Commissioner Schmidt asked what the paragraph about Queen Elizabeth meant. Mr. Showalter stated that there is a rule in the English Common Law called the Rule Against Perpetuities, which is a rule that can invalidate certain provisions that apply to a title to a property unless rights vest within a certain period of time. This is from a law that was done 600-700 years ago. It probably is not of any consequence to the documents, but it is in there just to remove any doubt. Commissioner Pritchett stated that this is a living document so that as the HOA comes into existence, there will be officers and they will vote and decide the changes to the community. Mr. Showalter stated that the Declaration of Covenants and Restrictions is forever but that it is what creates the legal framework. The rules for the community and design guidelines are subject to change. This is just a start of the guidelines. Commissioner Pritchett made a motion to accept the Declaration of Covenants, Conditions and Restrictions for Lakeside. Commissioner Chase seconded the motion.

VOTE:

Schmidt – Y Newnam – Y Pritchett – Y Chase – Y

Motion approved

Public Questions/Comments:

Attorney Ryan suggested that the Town set up a workshop to discuss the ARPA funds and will discuss with Administrator Braband to circulate some dates. Commissioner Pritchett asked for guidance documents. Attorney Ryan stated that she will get information together for the Council.

Tyrone Wilson – Mr. Wilson stated that he has an issue with parking on Diamond Street. People are playing soccer on Sundays and parking on Diamond Street and blocking his driveway. President Newnam stated that they will pass the information along to the Sheriff's Department and ask them to take a look. Mr. Harrison stated that Mr. Wilson is correct. When the parking lot at Home Run Baker is filled, they will then fill up the surrounding streets. Mr. Harrison stated that there is inadequate parking there and when it was originally designed there was supposed to be a culvert installed that would allow additional parking.

Mr. Kane – Mr. Kane complained about the cost of the water bills again.

Rose Potter – Mrs. Potter asked Mr. Showalter about recreational parking at Lakeside. There is a possibility that there will be an issue with parking there as well.

There being no further business to discuss, Commissioner Schmidt made a motion to adjourn the meeting at 6:42 pm. Commissioner Pritchett seconded the motion and it was unanimously approved.

Respectfully submitted,
Erin Braband, Town Administrator/Clerk
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