

**NORTH EAST BOARD OF APPEALS-
North East Town Hall / 106 South Main Street
Thursday, April 27, 2017
7:00 P.M.**

Chairman Gabrielle Oldham called the meeting to order at 7:01 p.m. Present for the meeting included members Peg Hardin, Marian Martino and Raymond Mitchell. Also in attendance were Betsy Vennell, Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Sonny Tenney and Melissa Cook-MacKenzie, Town Administrator were absent from the meeting.

-MINUTES-

July 14, 2016

Ms. Martino made a motion to approve the minutes as presented with minor corrections submitted by Mr. Tenney, Ms. Hardin seconded the motion and the motion was approved by all.

-COMMENTS FROM THE PUBLIC-

None.

-OLD BUSINESS-

None.

-NEW BUSINESS-

Public Hearing

Case A-2017-01-V: A variance application has been filed by Virginia Harless, 301 Merry Street, North East, Maryland 21901, also found on Tax Map 0400, Parcel 0240. Zoning Designation: "R-1", Single Family Residential. Applicant is requesting a 2 foot height variance for the purpose of installing a 6 foot privacy fence in the front yard and side yard.

Chairman Oldham opened the public hearing at 7:04 p.m.

Ms. Kimberly Dacey, certified court reporter, swore in Virginia Harless. Chairman Oldham inquired if Ms. Harless would like her application be part of the record. Ms. Harless stated yes.

Ms. Harless described her property as having a road bordering the front and both sides of her property as well as being exposed to a road near the rear of her property. Ms. Harless explained that other homes in her development have privacy in the back yard but hers does not. The purpose of this 2 foot height variance request is to ask for permission to install a 6 foot fence for privacy. Ms. Harless stated she lives alone and sometimes feels uncomfortable because everyone can see her if she is outside in her yard, from neighbors to public transportation. There is no privacy behind her home as

she backs to a vacant lot and another neighbor's rear yard. Ms. Harless explained she would like to install a fence only on one side yard for privacy as there is little land behind her home. The proposed fence will be 15 feet 8 inches from Merry Street and 15 feet from River Road as she does not want to impair the view for drivers stopped at the stop sign on River Road. Ms. Harless stated she plans to have Home Depot professionally install the Vinyl stockade fence and added there are other vinyl similar fences in the area. Ms. Harless stated that she has done many renovations on this property since purchasing it a short time ago and stated the fence will add value to the property.

Ms. Oldham stated the images of the proposed fence clearly show the proposed location of the fence and the request is very clear. Ms. Oldham referenced the memo from Ms. Rhoades dated April 13, 2017 stating Mr. Tenney's comments regarding this case. Ms. Oldham reported Mr. Tenney suggested that some landscaping along the front of the fence could be installed. Ms. Harless replied she had recently installed some landscaping in the front of the property and therefore she had no plans of installing any additional plantings at this time as it would be a lot for her to maintain. There are two additional reasons Ms. Harless would like to have a privacy fence installed: 1. a neighbor of hers is a mentally challenged young man who was always in her yard. 2. another neighbor is a registered sex offender. Ms. Harless does not want to cause hard feelings with her new neighbors but at the same time would like to enjoy the same privacy other properties around her have.

Chairman Oldham closed the meeting at 7:17 p.m.

The Board of Appeals concurred that landscaping in front of the fence would not be necessary as Ms. Harless stated she recently installed some landscaping in front of the home.

Mr. Mitchell made a motion to approve the 2 foot variance request to install a 6 foot vinyl fence without additional landscaping on the subject property. Ms. Hardin seconded the motion and the motion was approved by all.

-REPORTS-

Mrs. Vennell reported that we have a new Board of Appeals member, Mr. Raymond Mitchell.

-MISCELLANEOUS-

None.

-NEXT MEETING-

May 25, 2017

Ms. Hardin will not be able to attend the May meeting.

Mrs. Vennell stated there are two cases to be heard at the May meeting:

Electronic Sign

Case A-2017-02-SE: Special Exception application from North East United Methodist Church, applicant proposes to replace existing sign with an electronic sign.

Two Board of Appeals members, Chairman Oldham and Ms. Martino stated they are affiliated with the North East United Methodist Church or have been in the past and inquired if they should recuse themselves from this meeting. Mrs. Vennell reported she would consult with Mrs. Cook-Mackenzie, the Zoning Administrator as to whether or not. This is an Ethics Board decision.

Alcoholic Beverage License

Case A-2017-03-SE: Special Exception application for the purpose of obtaining an on premise alcohol beverage license for 510 South Main Street.

Ms. Vennell reported the applicant is associated with Chef's Kitchen. An Occupational License application was given to the applicant but it has not been submitted. Therefore, the Planning Office is not aware of what type of restaurant is being proposed. Ms. Vennell stated she has received an application from the Cecil County Liquor Board. After comparing the new application with the previous liquor license application for this property, Ms. Vennell discovered that the previous application was approved for Beer and Wine, while the new application was for Beer, Wine and Liquor.

Jacob Tome School

The Jacob Tome School has applied for a special exception for the use of a school with the addition of a new gymnasium and a height variance for the gymnasium. Chairman Oldham added the existing gymnasium is more comparable to an auditorium. The Jacob Tome School will be submitting a Concept Site Plan.

Amtrak Bridge - Route 272

Ms. Martino inquired about the Bridge over Amtrak on Route 272, has there been any updates as she has seen survey markers. Ms. Vennell stated that they are scheduled to start this summer.

North East Library

Ms. Vennell reported the new library will be starting the planning phase of the library in July 2017.

-ADJOURNMENT

Mr. Mitchell made a motion to adjourn the meeting at 7:42 p.m. Ms. Martino seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades
Planning and Zoning Assistant

Gabrielle D. Oldham
Chairman