

## **Critical Areas Commission Hearing, Town of St. Michaels, 4/1/04**

A panel from the Critical Areas Commission, chaired by an official of DNR, held a public hearing on two St. Michaels Town Ordinances and an award of Growth Allocations for Miles Point development.

The meeting started at 7 p.m. The attorney for the Town of St. Michaels, Michael Hickson, gave background information on the two ordinances and answered a few questions from the panel. No public comments were made on these two ordinances, saving their comments for the Miles Point project.

Growth Allocation for Miles Point (Midlands) proposal began about 8 p.m. Michael Hickson again outlined all the history of this project including the mediation efforts. The developer, George Vilanos spoke, a representative of Environmental Concern gave a complete presentation on the development of 2 acres of wetlands. Michael Pullen, attorney for the County Council, spoke in opposition to the award based on Bill 933, approved by the Council, that withdraws all Growth Allocations from the Towns.

By 9 p.m. (2 hrs. of sitting and waiting) the public was finally allowed to speak at this "Public Hearing" and each speaker was allocated 5 min. The first presenter was a representative of Bay Hundred Alliance, attorney Thomas Demming. He was allowed 5 min./group he represented. He developed a strong argument based on Critical Area law that applies to Intensely Developed Area (IDA) such as the Midlands project, that the Town "shall" require a 300-ft. buffer, and this development has only a 100-ft. buffer. He also indicated that the Critical Areas Law also focuses on the human impact of an IDA and therefore recognizes that volume of people have a negative impact on the land and water, not all of which can be mitigated by small development of a park and wetlands.

Tom Alspach followed this speaker and emphasized this fact and that the St. Michaels sewer treatment plant's currently has serious problems in handling the existing load. In addition, he stated that the bio-retention ponds that are planned would not provide filtering of the runoff, a main source of pollutants for the Miles River.

Unfortunately, this observer had to leave at 9:30, after hearing only 2 "public" opinions.

It was clear that the "Public" had to wait a long time (2 hours) listening to proponents before they had an opportunity to speak and many attendees had to leave. The newspaper report omitted any mention of attorney Thomas Demming, who had a major presentation (see above) and listed Tony Redmond as a proponent, although he has been employed by the Town as a Planner. The paper also reported that the hearing lasted "over 4 hours", finishing after 11 p.m.

The Critical Areas Commission will receive comments until April 14, 2004 and can be sent to:

CAC

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