

1 May 2, 2019



2
3 **Talbot County Short-Term Rental Review Board**
4 **Final Decision Summary**

5 Thursday, March 7, 2019 at 1:00 p.m.
6 Community Center, Wye Oak Room
7 10028 Ocean Gateway, Easton, Maryland

8 **Attendance:**

9 Commission Members:

- 10
- 11 Scott Kane, Chairman
- 12 David McQuay, Vice Chairman
- 13 Tammy Broll
- 14 John "Jack" Hall
- 15 Martha W. Suss
- 16

17 Staff:

- 18
- 19 Mary O'Donnell, Assistant County Attorney
- 20 Mary Kay Verdery, Planning Officer
- 21 Miguel Salinas, Assistant Planning Officer
- 22 Elisa Deflaux, Environmental Planner
- 23 Carole Sellman, Recording Secretary
- 24
- 25

26 **1. Call to Order** - The Chair called the meeting to order on March 7, 2019 at 1:00 p.m.

27
28 **2. Decision Summary Review** - Mr. Hall mentioned that the minutes were revised to
29 add Mr. Kupersmith. Mr. Kane stated he preferred to have a more positive rather than a
30 passive statement in the Decision Summaries related to "Call to Order". Mr. Hall moved
31 to approve the minutes as amended, Mr. McQuay seconded the motion. The motion was
32 carried unanimously.

33
34 **3. Old Business**

- 35 a. Mary O'Donnell made an amendment to Jean and William Edwards ST-688-
36 EDW; final decision with conditions. Mr. Kane asked that they vote on the (3)
37 three applications in the decision individually for final approval. Mr. Kane called
38 for a motion to approve the Edwards decision as amended. Ms. Suss made the
39 motion to approve as amended, Mr. Hall seconded the motion. The motion was
40 carried unanimously.
- 41
- 42 b. Susanne and David Fyffe, ST-748-FYF; final decision with condition that the
43 sewage disposal system is approved. Mr. McQuay made the motion to approve,
44 Mr. Hall seconded the motion. The was motion carried unanimously.
- 45
- 46 c. Jackie Fletcher, ST-175-FLE; final decision with condition the sewage disposal
47 system is approved. Mr. Hall made the motion to approve, Ms. Suss seconded the
48 motion. The motion was carried unanimously.
- 49
- 50 d. Mr. Kane asked staff when would the Rules of Procedure would be scheduled
51 before the County Council. Ms. O'Donnell responded March 12th.
- 52
- 53 e. Mr. Hall addressed a letter received specifically from Mr. and Mrs. Doll where
54 they raised the question of an appearance of conflict of interest. He stated the

55 question is whether or not someone on the Board has a direct financial interest in
56 the outcome of the decision; a disqualification under the ethics ordinance. Mr.
57 Hall observed that the ordinance recommends that one Board member be
58 someone who is involved in the leisure industry and another member be someone
59 who has a home in a community where there is a short-term rental. He noted that
60 neither is by that reason alone grounds for disqualification.
61

62 Mr. Kane added that another conflict of interest could be if a Board member is
63 related to an applicant. In such a case, he stated, they would need to be recused
64 from the discussion. He noted an applicant on the docket today was named Kane
65 and he is not related to the applicant.
66

67 4. New Business

- 68
- 69 a. Luisa and Brendan Gallagher - ST-215-GAL, 21587 Chicken Point Road,
70 Tilghman, MD 21671, (Map 44A, Parcel 34, Zoned Village Mixed).
71 Ms. Deflaux presented the staff report for the Short-Term Rental license
72 application. Ms. Gallagher described her application as a two-bedroom
73 application with potential for a possible third bedroom. The Board recommended
74 approving the application for two bedrooms and the applicant can come before the
75 Board at a later time to add the third bedroom.
76

77 The Board called for public comments. Individual that spoke was Ms. Susan
78 duPont. Written comments were received by the Board from Susan H. duPont.
79

80 **Mr. Hall made a motion to approve the STR application for two bedrooms**
81 **for Luisa and Brendan Gallagher at 21587 Chicken Point Road with staff**
82 **conditions, seconded by Mr. McQuay. The motion carried unanimously.**
83

- 84 b. Susan Kane - ST-746-KAN, 7463 Bozman Neavitt Road, Bozman, MD 21612,
85 (Map 39, Grid 2, Parcel 125, Lot 12, Zoned Rural Residential). Ms. Deflaux
86 presented the staff report for the Short-Term Rental (STR) license application.
87 Ms. Kane gave some history on her property and application and stated she is
88 having the window corrected to pass safety inspection. She noted that she had an
89 approved STR license in 2018 but missed the date to refile.
90

91 The Board called for public comments. Individuals that spoke were Susan duPont
92 and Robert Haase. Mary O'Donnell spoke in reference the 2003 International
93 Residential Building Code is in effect for the STR safety inspections. Written
94 comments were received by the Board from Ms. Susan duPont.
95

96 **Mr. Hall made a motion to approve the STR application for Susan Kane,**
97 **7463 Bozman Neavitt Road with staff conditions, seconded by Ms. Suss.**
98 **Motion carried 4-1 (Ms. Broll opposed).**
99
100

101 Langdon Estate, LLC - ST-737-LAN, 7373 Tilghman Island Road, Sherwood,
102 MD 21665, (Map 38-5-41, Zoned Rural Conservation). Ms. Deflaux presented the
103 staff report for the Short-Term Rental license application. Zach Smith represented
104 the Applicant. Mr. Smith gave history on the property and stated it was an ideal
105 location for an STR and noted the age of the home resulted in the windows not
106 meeting safety inspection requirements. Mr. Smith asked that the Board grant a
107 conditional approval with the property not issued a license until the windows were
108 installed to be compliant with safety requirements.
109

110 The Board called for public comments. Individuals that spoke were Jesse
111 Hammock and Susan duPont. Jesse Hammock, representing John Groupe, IV,
112 who owns property in the Langdon Farms subdivision, raised an objection about
113 the completeness of the application because of the failure to include reference to
114 restrictive covenants applicable to the subject property which prohibit its use for
115 commercial purposes. He offered three documents which were received into
116 evidence, the first being the restrictive covenants, the second being a clarification
117 of those covenants, and the third being an amendment to the covenants. He urged
118 that the application be denied. Mrs. duPont had offered written comments prior to
119 the hearing and supplemented her written statement verbally at the hearing.
120

121 **Mr. Hall motioned to defer for thirty days, seconded by Ms. Broll. Motion**
122 **failed 3-2 (Broll, Hall, Suss opposed).**
123

124 **Mr. Hall motioned to approve the STR application with conditions, seconded**
125 **by Ms. Suss. Motion failed 3-2 (Broll, Kane, McQuay opposed).**
126

127 **Ms. Broll made a motion to table the application pending completion of the**
128 **safety of the window repair. Motion failed for lack of second.**
129

130 **Mr. Hall made a motion for the Board to defer action on the matter for 30**
131 **days to give it further consideration, seconded by Ms. Broll. Motion carried 4**
132 **- 1 (Suss opposed).**
133

134 **Break 3:40 p.m. - Reconvened at 3:50 p.m.**
135

- 136 c. Annette and Dale Miller - ST-851-MIL, 8512 Doncaster Road, Easton, MD
137 21601, (Map 33, Grid 5, Parcel 90, Zoned Rural Residential). Ms. Deflaux
138 presented the staff report for the Short-Term Rental license application.
139 Mr. Miller gave history on his property and spoke on behalf of his application.
140

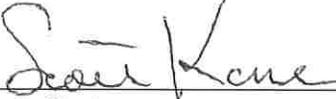
141 The Board called for public comment. Individuals that spoke were Ann Harding,
142 Pat O'Shea, Susan duPont and Robert Haase. Written comments were received by
143 the Board from Susan duPont, Ann Harding, Steve Forrer, Debbie and Greg
144 Leber, and Pat and Neal O'Shea.
145

146 **Mr. Hall moved to approve the STR application for Mr. and Mrs. Miller,**
147 **8512 Doncaster Road with staff conditions, seconded by Mr. McQuay.**
148 **Motion carried 4-1 (Broll opposed).**

149
150 **Other Matters for Discussion - None**

151
152 **5. Adjournment**– Ms. Suss made a motion to adjourn the meeting, seconded by Mr. Hall
153 and carried unanimously. The meeting was adjourned at 4:50 p.m.

154
155 Read and approved by the Board on 5/9/2019.

156
157 
158 _____
159 Chairman
160