

**PUBLIC HEARING
PROPOSED AMENDMENTS TO ARTICLE X OF
THE CHESTERTOWN ZONING ORDINANCE
AUGUST 19, 2013**

Mayor Bailey called the public hearing to order at 7:00 p.m. In attendance were Council members James R. Gatto, Linda C. Kuiper, Mabel Mumford-Pautz and Mauritz Stetson, W. S. Ingersoll, Town Manager, Kees de Mooy, Zoning Administrator, Jennifer Mulligan, Stenographer and guests.

Mayor Bailey read the Notice of Public Hearing proposing amendments to Article X of the Chestertown Zoning Ordinance Sign Regulations as follows:

“The Mayor and Council will hold a public hearing at 7:00 p.m., Monday, August 19, 2013 for the purpose of presenting Ordinance 07-2013 Amending Article X Chestertown Zoning Ordinance Sign Regulations. There are six amendments proposed in the Ordinance, some allowing signs with a verified historic precedent and other defining, describing, and prohibiting certain types of electrified signs, mainly in C-2 zoning. The hearing will take place at Town Hall, 118 N. Cross Street. Citizens are encouraged to attend and make written or oral comments on the amendments. The Ordinance is available for review at the Town Office or can be supplied electronically.”

Mayor Bailey asked that everyone please sign in. She said that since there were a large number of people at the meeting, if a speaker was representing a group they would be permitted six (6) minutes to speak. Any individual wishing to speak to the group's presentation would be permitted three (3) minutes to speak.

Mr. Phillip Dutton, President of the Board of Trustees of the Garfield Center for the Arts of the Prince Theater read a statement into the record (copy attached to original minutes). He asked that the Town Council ask the Planning Commission to consider sign language that would allow LED screens exclusively at all theaters in Chestertown reasonable restrictions.

Mayor Bailey stated that this hearing was an informational session where testimony would be taken. The matter would be discussed at a future hearing.

Ms. Kate Bursick of 214 Hilltop Lane and Managing Director of the Garfield Center for the Arts read a letter into the record by Lucia Foster, Producing Artistic Director of the Garfield (copy attached to original minutes).

Mr. Jim Landskroener read a letter into the record from Pam Ortiz, former member of the Planning Commission and attorney for the State of Maryland, as follows,

“I do want innovations that keep the Town economically viable but preserve what makes small communities like ours healthy places to live, which includes preserving the pedestrian-oriented, diversified, distributed economies at a human scale that characterize the Chestertown of the past. Scale matters, but so does critical mass. You need the former for life to be humane; you need the latter for it to be viable. Personally, I think

the Garfield, which contributes so much to our community, fits both. It is part of the organic life of the Town, drawing people to it and nourishing the lives of those that live here and suggesting a future of where the arts are integrated into our economy and our social relationships. It also connects us to the past. Architecturally, to the Town's aesthetic heritage and to the critical roles movies played in the past generations of our Town in particular. And, as a poignant reminder that the arts can divide as well as unite. We should permit the use of technology to support the viability of key institutions like the Garfield, when and where it is appropriate and in such a way that honors the social aesthetic and economic viability of the Town."

Mr. Landskroener stated that as someone who is a part of the performing arts community, the arts are important and anything that the Council could do to help would be appreciated.

Mr. Jay Yerkes, Board of Trustees member of the Garfield and owner of Yerkes Construction, stated that there was a lot of debate in the community on this issue and said that creativity and experimentation be allowed for the Garfield Center as they would be responsible with the signage and respectful of the concerns of the Town.

Mr. Steve Frohock, Vice President of the Historical Society of Kent County and resident of Maple Avenue, stated that the \$400,000.00 was going to be spent to bring the Bordley building up to code and creating a new headquarters for offices, library and a learning center. He said that amendment 3 talked about the definition of a sign and was revised to include, "televisions, computer screens, projections screens and programmable LED signs installed on the face of a building or located within 6' of a window and seen from a public way". He said that they were planning on computer animated screens depicting the Battle of Caulk's Field, which would be inside the building and asked that the Town make sure that the wording of the ordinance allow something like that.

Ms. Holly Geddes of 122 N. Queen Street stated that theaters were a special case due to their changing productions. She said that there should be a better understanding of what theaters required. Ms. Geddes stated that the Historic District Commission approved the sign twice, under restrictive circumstances. The DCA also asked for the sign to be permitted. Ms. Geddes stated that she and others took a petition supporting the LED sign to residents in the area and only one person on Queen Street did not sign the petition.

Ms. Lani Seikaly, President of River Arts, read a statement into the record (attached to the original minutes). She said that River Arts wanted to exhibit video art and educate the community about the programs and opportunities available at River Arts via electronic images.

Mr. Zane Carter, Vice President of River Arts stated that marketing and public outreach must advertise in the most cost efficient method available. He said that this now means using digital displays as they can be produced inexpensively and viewed instantly. He said that messages can be revised and updated as necessary without incurring additional costs. He said that graphic standards could be created and adopted for imagery displayed, rather than outlawing use of the most practical signage device ever developed.

Ms. Carla Massoni read a letter from Leslie Prince Raimond of the Kent County Arts Council into the record in support of digital displays (attached to the original minutes).

Ms. Massoni also read a letter from Marilee Shumann of the Tree of Life Gallery of American Craft on Cannon Street in favor of the digital displays (attached to the original minutes).

Ms. Massoni read a statement into the record as both a business owner and resident in the historic district (attached to the original minutes). She asked for a moratorium on the proposed sign regulations. to allow time for a committee to be formed to study it and bring the stakeholders most affected by the changes together with experts at the State and National level.

Mr. Alex Smolens, owner of Atlantek Computer Systems located in Washington Square, stated that he originally had a store on Morgnac Road, which had a programmable LED sign, 6' wide by 18" tall. He said that he received zoning enforcement letters regarding the sign, was told by a lawyer friend to ignore them, and was eventually fined \$200.00 for the display of the LED sign. Mr. Smolens stated that between 50% to 75% of the stores in C-1 zoning are in direct violation of some part of the code. Photos were presented to the Council in violation of the code (attached to the original minutes). He requested a general review of the law for the larger commercial district and asked that enforcement policies be done justly and with an even hand.

Ms. Kelly Castro of 207 S. Cross Street stated that she was an artist and Adjunct Professor at Washington College. She worked with video art. She shared a photograph from Venice with a gallery showing video images of falling water next to an old cathedral. She said it showed that contemporary art in an old city can work. She presented an article titled "Fast Forward Video Art" (attached to the original minutes). She said that video art has been around since the 1960s and is not a new phenomenon.

Mr. Alex Castro, Adjunct Professor at Washington College, Director of Kohl Gallery and Director of Sandbox Initiative at Washington College said that he just received a grant funded by the Mellon Foundation for \$575,000.00 engaging both the community and the college and said that he would have a pop-up exhibition space in Chestertown. He said that he would like to show videos done by artists. He said when there were monitors with art; the video itself was the art. He said that extended to other art such as holograms, and should not be reviewed as disparate from the Historic District.

Mr. Michael Lane, Chairman of the Historic District Commission, stated that the HDC promotes the proposed changes to the Sign Ordinance because they clarify and update several definitions in the Ordinance. He said that only the Garfield Center's LED sign resulted in major discussions about signage and what was implied or intended. He said that the proposed changes provide clarity for several areas of the current ordinance.

There being no further public comment, Mayor Bailey adjourned the meeting at 8:00 p.m.

Submitted by:


Jennifer Mulligan
Stenographer

Approved by:

Margo G. Bailey
Mayor

**Statement from the Board of Trustees of the Garfield Center for the Arts
at the Prince Theatre.**

Town of Chestertown – Sign Ordinance Public Hearing

August 19, 2013

Ladies and Gentlemen,

My name is Philip Dutton. I am President of the Board of Trustees at the Garfield Center for the Arts at the Prince Theatre.

Concerning our request for a marquee and sign, the following is a statement approved by the Garfield Center Board of Trustees.

We are appreciative of the temporary permit granted by the Town for the marquee at the Garfield Center for the Arts. We are equally appreciative of the Historic District Commission's enthusiastic approval of our marquee, despite the Judge's ruling in Mr. Balaban's suit. After reviewing the historical evidence we provided which includes documentation of the New Lyceum's signs in the historical period, the Planning Commission has proposed language which would permit our marquee signs. We encourage the Town Council to accept this language proposed by the Planning Commission.

Concerning the LED screen we have proposed, we recognize three primary issues:

First, our original application for the sign requested an "exception" to the sign ordinance. This seemed reasonable to us since the Garfield is the only non-profit historic theatre in the county and has a unique mission and needs. We learned of and understand the issues that exceptions to ordinances can create. We believe there are ways to solve these issues.

Second, there is a valid issue about the "slippery slope" created by granting approval for an LED sign at the Garfield Center. Again, we think there are ways to manage this.

Third, there is the issue of whether an LED sign is an appropriate technology for our town and specifically for the Historic District.

We will briefly address these three issues.

Concerning exceptions in the sign ordinance, there are already specific regulations in the sign ordinance that apply to theaters in the C-1 District. During Kees DeMooy's testimony at the Planning Commission meeting on February 20, Commissioner Betley asked, and I quote directly from a transcript of that meeting, "*What alternatives may exist that would allow for The Garfield to have a resource that fulfills their need for that dynamic display without compromising the rights and – the rights of the other business owners and the aesthetics of the community?*"

August 19, 2013

Mr. DeMooy responded and I quote from his testimony, [underlining added] *“Well, we do have sort of a precedent, I guess you might call it, when the Chester Five theaters came to Chestertown in 1996 the Planning Commission, Bill Ingersoll at the time, brought up the fact that they had requested marquee signs, that are the same white signs with black lettering that they have at their theater, because obviously you can’t have a theater and not be able to advertise their shows. So the Planning Commission made a positive recommendation. They held a public meeting and they took it to the Mayor and Council, and the Mayor and Council actually created an ordinance that I didn’t know existed, but in research just this past Friday (– because we are in the process of digitizing all of the Town’s minutes, the records going back as far as we have records for, so) we were able to track down the Planning Commission meeting and subsequently the Mayor and Council meeting and then the ordinance, which for some reason never was codified. So it doesn’t appear in the ordinances, but it is part of the Zoning Ordinance, that in the C-1 District that type of sign was permitted for the Chester Five, for theaters in general in the C-1 district. At the time that the Mayor and Council were deliberating about this Mabel Mumford asked does this extend to the C-2 District, which is where the theater is – where the Prince Theater at that time was located, and the response was no. And that’s because the Prince Theater had their sign, which was already grandfathered. So there was no need to extend that to C-2, so one option would be to take that existing ordinance and tweak it to allow that - MS. BETLEY: To allow that language to include both C-1 and C-2? MR. DE MOOY: C-1 and C-2.”*

So, Kees is suggesting that language could be written to permit unique signs for ALL THEATERS in the C-1 and C-2 zones.

Later during the Planning Committee meeting, Ms. Williamson asked, *“...the overwhelming concern that I have is not being able to prohibit other organizations from being able to do the same thing without providing favoritism, without essentially doing spot zoning.”* Mr. Cerino responded, *“But the city’s already done that. They’ve done that at theaters. The key there is how you define it broadly. I think the mistake the application makes is to say it’s only for The Garfield. If this was language that said, look, theaters in Chestertown are allowed to have limited amounts of these – they can only be directed at pedestrian scale, it can only be lit for this level, it can only change with this frequency, certain letter types are only approved.... Now you’ve set that limitation – you say C-1, C-2 zoning, you’ve got two buildings in town that have it. It’s clearly defined, and is not preferential. Another theater gets built somewhere, they would be entitled to that, but you’ve not made language that says for that particular use this is what is permitted. It’s not only them – it’s just two theaters.”*

You will not find a reference to this alternative in the minutes of the Planning Commission’s meeting. These quotes came from a transcript of that meeting. All that is reported is a “no” vote with no alternative options for your consideration.

So, Kees confirms that language already exists specifically for theater signs and suggests that language could be written to permit ANY theater to have a back lit letter board sign. Chris then confirms the existing zoning language for theatres only and offers that language written for all theatres would address any preferential treatment challenges. This addresses the first two issues we noted above, i.e. the ordinance would not be an exception, but would apply to all theaters. And secondly, it would nullify the risk of other businesses, non-profits or institutions from requesting an LED sign, i.e. the slippery slope.

Now to point number 3 concerning the appropriateness of an LED sign in the Historic District, our community has created and empowered the Historic District Commission to rule on what is or is not appropriate within the historic district. This is the HDC's purview, they are trained to make these decisions, and they have voted twice that the LED screen we propose along with the operation manual that defines how and when the sign can be used is appropriate in the Historic District. The HDC accepted oversight responsibility for the operation of the sign as well. Should Town Council approve changes in the sign ordinance that would permit an LED sign at the Garfield, the HDC would have the opportunity to vote yet again on the appropriateness of the Garfield sign given the recent court ruling.

Ladies and Gentlemen, the sign we have proposed is the modern equivalent of the large, colorful movie posters that occupied the same space under the marquee in years past. A very good case can be made, and has been made by historic preservation professionals, that an LED sign more accurately represents what was there during the historic period of significance, i.e. the movie posters, than the back lit letter board sign that came along in the 50's, well after the historic period of significance.

Chestertown can continue to move forward by balancing preservation and innovation. We can adopt appropriate technology without sacrificing our history. We have LED street lights now instead of gas lamps. There are parking meters now, but not during the historic period of significance. The Garfield Center has been called the anchor tenant of downtown Chestertown and the Town's Comprehensive Plan encourages supporting key organizations that contribute to the vitality and future of our town. Our donors have invested over \$2 million in the Prince Theatre building for the benefit of the entire community, but the Garfield Center must earn the revenue to keep the lights on and the salaries paid. A functional, efficient, tastefully operated LED sign tucked under the marquee at the Garfield will not diminish the historic charm of our town. Responsible leaders in conjunction with invested citizens can figure out ways to keep up with the times while not spoiling the historic feel and appearance of this beautiful town.

I hope the Mayor and Town Council will agree that the Garfield Center is a highly desirable and valuable institution in our town, and that we do a wonderful job both

preserving the past, literally, with our gorgeous building and, figuratively, as a reminder of the social and cultural history of the Town's past. The Garfield Center is not a commercial business. It is a struggling non-profit with a small, overworked staff and with hundreds of volunteers and supporters working tirelessly to enrich this community. A list of our accomplishments and undertakings is attached to the script of this testimony. In 2012 among other things the Garfield produced 25 days of theatrical productions, 14 concerts, a film festival and 5 other films, a 5 week summer camp for 38 kids, 16 rental events, 10 Open Mic Nights, revived the Jazz Festival, partnered with the National Music Festival, hosted our first artist-in-residence, hosted the 2nd Community Block Party, and involved more than 9,000 hours of volunteer service. 2013 is on an even more ambitious pace. We need your help to continue to be successful and to contribute to the success of our town and historic district. Just like our other partners, the National Music Festival, the Sultana, Jazz Fest, the Tea Party and others, the Garfield needs the Town to be its partner as well, to help it thrive and contribute to a vital, thriving Chestertown.

To close, our preferred outcome would be for Town Council to ask the Planning Commission to consider zoning ordinance language that would allow LED screens at all theaters in Chestertown with reasonable restrictions. I expect that there are other courses of action that you may consider. Our town will need to continuously manage the balance between technology, commerce and history so that our community will thrive for the next 300 years. We understand that this issue is about more than just the Garfield Center which is why it is so important and why a wise and reasoned outcome is so important.

As it stands right now, the Garfield is a theatre with no sign to announce its events other than the myriad posters taped to the door and window glass. The Garfield needs your assistance and partnership to figure out a path that will benefit us all. A technicality in our application need not waste all the time, energy and treasure that has been invested in this issue. Thank you.

The Garfield Center for the Arts

2012 Accomplishments:

- Established our non-profit as The Garfield Center Foundation of The Garfield Center for the Arts at the Prince Theatre
- Produced 25 days of theatre productions
- Co-produced 1 Film-Festival and screened 5 other films
- Produced 14 concerts/non-theatre entertainment
- Produced the 9th annual Playmakers' Summer Camp featuring 38 Playmakers
- Produced 16 rental events
- Held 42 days of on-site education
- Held 8 days of off-site education
- Hosted 10 Open Mic Nights
- Held 12 meetings of the Live Playwrights' Society
- Hosted 8 First Friday events in the Kohl Lobby
- Held 6 days of off-site entertainment
- Produced 6 world premieres
- Completed our Kohl Lobby renovation project
- Completed our Marquee restoration and return
- Completed an emergency roof repair project with local and family foundation support
- Hosted a 2nd annual Community Block Party
- Awarded 2 recipients with the Kenny Award: Lester Barrett Jr. & Chestertown RiverArts
- Hosted our 1st International Artist-in-Residence, Indian filmmaker Preeya Nair
- Involved more than 9,000 hours of volunteer service
- Successfully revived the Chestertown Jazz Festival
- Hired a full-time Managing Director & a part-time Event Coordinator
- Added 4 new Board Members
- Partnered with more than 12 community organizations to co-produce events

Select 2013 Undertakings:

- A second successful year of sponsorship and partnership with the National Music Festival
- Our 10th year of Playmakers' Summer Camp and our 1st year of our new musical theatre initiative, Playmakers' MUSICAMP – which is full!
- Another year of off-site educational opportunities with Kent County Middle School and the Carter Center
- A round of in-depth strategic planning and development planning for our Board
- Secured funding from Eastman Chemical to sponsor our Open Mic Nights
- The successful performance of the Pulitzer Prize-winning Play *Crimes of the Heart*
- Partnerships with the Kent County Arts Council, local musicians and artists, etc.
- A 9th year of our Short Attention Span Theatre (10-minute Play Festival) and a 1st year of "Hey! What a Minute!" 1-minute Plays
- A 2nd year of a revived Chestertown Jazz Festival
- Added 3 new Board Members

NOTES FOR HEARING ON LED SIGN

- Thank you for the opportunity to address this issue from the point of view of GCA staff and GCA based volunteers who are actively involved in the theatre almost every day of the year, interacting with our community and working towards meeting our mission:

TO ENRICH AND INSPIRE MD's UPPER EASTERN SHORE COMMUNITY THROUGH ARTS & ENTERTAINMENT, CULTURAL ENRICHMENT AND PERFORMING ARTS EDUCATION.

- All year long we strive to create, implement and promote high quality programming that provides a diverse array of entertainment, education and enrichment opportunities – at affordable prices (many times free) both inside and outside of our theatre building. In average month, we have 3 free event nights, 4 ticketed event nights, multiple workshop and rehearsal nights, plus provide a home for the events of other organizations. (That's a lot of events for one little building, and a lot of events to promote.)
- We do all this because we believe that a vibrant community arts center can strengthen, empower and enrich our community - on cultural and interpersonal levels, and also on an economic empowerment level. Communities in Georgia, DC, Virginia, Pennsylvania, New York, South Carolina, Chicago and Detroit can point to their own theatres whose vibrant activities helped revitalize neighborhoods – socially and economically. Although our upper Eastern Shore community is smaller than many just referenced, we've noted that our theatre, too, has been able to make a significant impact on the quality of life in this region in under 10 years.
- This has not happened by accident. On the contrary, Our theatre has had a positive impact on our community because our staff and dedicated volunteers diligently work to make a difference every day. We strive to use all of our resources as carefully as possible so that we might be able to meet the needs of our community and serve our mission, the last sentence of which calls us to STEWARDHIP OF THE BUILDING:

AS STEWARD OF THE PRINCE THEATRE BUILDING, THE FOUNDATION ENSURES THE VIABILITY OF THIS VALUABLE COMMUNITY ASSET.

- We know that we are unique in the region – for what we offer, where we offer it, and how we communicate what we offer. We know that we are helping cultivate creativity and develop community connections in a town that is historic. In some ways that poses challenges and some ways that provides us opportunities. Regardless of the historic nature of our

surroundings, we still need to be as wise about utilizing technology as possible, and we still need to compete in a contemporary economy.

- What we're asking for today is consideration of finding a compromise such that we may best utilize modern technology to continue to enhance and inspire our community. True, we could continue to get up on a ladder and change a letterboard multiple times a week/month to promote our programs, but I'd like to ask the question: WHY? In an age where our young people are learning to use technology in our theatre and in our public school classrooms and at a time when we are hope to inspire our community towards economic vitality - WHY is it important that we hold on to an antiquated means of promoting our shows on our building. If the answer is: because it makes our town feel/look good - from a historic nostalgia sense- Then I ask us all to consider what our community might stand to lose if we were to ~~spend~~ spend all our ~~energies~~ energies on preserving nostalgia instead of finding creative solutions to move our community forward

Last weekend we produced a youth musical production - with 29 campers - entitled *THE BEST LITTLE THEATRE IN TOWN*. Although we don't have much competition on this title in this town, we do have some competition from the wide variety of activities in this community. As we strive to provide even more programming and opportunities for our youth and adults, we will run out of space on a stagnant letterboard. And, thus, we appeal to you that we may be able to find a compromise that will enable us to utilize our technology resources to the best of our abilities such that we may remain *THE BEST LITTLE THEATRE IN TOWN* - one that our entire town can be proud of.

THANK YOU.

Lucia Foster

Response to Sign Ordinance Language on behalf of RiverArts Town Council Meeting on August 19

My name is Lani Seikaly and I am the president of Chestertown RiverArts. I am here to express concern that the new sign ordinance language might jeopardize our plans to exhibit video art and to educate our community about the programs and opportunities available at RiverArts via electronic images. It is important to us to be able to exhibit contemporary video art as well as to advertise our exhibitions and programs via multi-media.

RiverArts is coming up to its one-year anniversary in our newly renovated space at 315 High Street behind Dunkin Doughnut at the end of the breezeway. It has been a challenge for us to let visitors on High Street know that we are located at the end of the alley. Our good neighbors, Hegland Glass, right across from RiverArts share our interest in hanging signage to show folks walking along High Street there is a reason to walk down the alley to find us. But the sign ordinance has prevented us from hanging a banner sign visible to the street. The approved signage in that alley is an unattractive, wrought iron bracket with a small hanging sign that in no way represents the contemporary, artful and upscale image we would like to portray. Nor can it be seen from High Street. And since we have a strong interest in encouraging visitors to come down the alley to find us, it is ironic that the two largest signs in our alley are "no trespassing" signs. I believe it is in the mutual interest of all of us to help visitors find our arts center and any other open shop that might be of interest to tourists.

Our gallery front is one large stretch of windows with views of our gallery and gift shop always visible. Our windows are our vehicle for telling folks who we are and what we do. Utilizing a video of changing slides in our window would assist us in clearing out the multiple paper posters that currently show what we have on exhibit and what classes we are offering. Showing those posters in one continuous slide show seems a preferable use of our window front over a dozen posters that might provide the same information but add a large amount of clutter.

I believe we all share a common interest in both preserving the beauty of our historic buildings and creating a vibrant downtown filled with art and educational media that invite the community and visitors to participate in our downtown. To this end I believe that the new wording for the sign ordinance needs to be reconsidered and that a group representing multiple stakeholders should relook at how to reach this goal without restricting contemporary media as an important tool in marketing our town and our non-profit and for-profit businesses.

My colleague, Zane Carter, who is vice president of RiverArts and a chair of our marketing committee will elaborate on our concerns.

As Vice President and marketing chair of RiverArts, and as a member of the communications committee, it is my responsibility to tell RiverArts' story to the public. I take this responsibility quite seriously, as marketing communications and public outreach has been my profession for more than forty years. During that time I have helped many corporations, institutions and nonprofit organizations communicate their messages using the most cost-efficient and effectual methodologies available. Increasingly, this has meant using digital displays — and the reasons are obvious. Digital communications can be produced quickly and inexpensively and viewed instantly on illuminated displays that don't require costly external lighting. Using digital communications reduces production costs and eliminates the delays, materials and transportation expenses, and the waste that result from printed communications. But the most compelling reason is that, over the course of a few minutes, one sign can communicate several different messages.

For RiverArts, this means we can eliminate the hassle and expense producing a new poster for every exhibition, event, class, lecture and educational program we offer, and the clutter of posters that fill our windows. It also means that we can update and revise messages as necessary without incurring additional costs.

To arbitrarily eliminate the use of such devices places undue burden and expense on every business and organization whose survival is contingent on the ability to tell their story to prospective customers or donors.

Allowing the use of illuminated displays need not detract from the historic character of Chestertown. With the flexibility to display any image, from a painting of George Washington to an antique engraving or an eighteenth century oil lamp, it is clearly not the digital display that should be at issue here. The issue is the content. Chestertown should follow the example of leading businesses and organizations around the country and develop graphic standards for the imagery that may be displayed, rather than outlawing the use of the most practical and cost-effective signage device ever developed.

Creating graphic standards is not a complex undertaking. By developing a few simple guidelines, such as selecting an array of approved colors and type fonts, and by disallowing such elements as moving type, rapid transitions and live-action video, the town can ensure uniform and attractive signage that serves all of its stakeholders. And Chestertown has a variety of stakeholders with a variety of stories. The stories of Chestertown include its rich history, its scenic riverfront, its attractive residences, its vibrant arts community, its venerable college, its vital tourist industry, and its diverse and resilient businesses. Stakeholders from all sectors should have a voice in developing graphic standards for the signage that enhances the community and serves their needs.

By focusing on the appearance and content of signage rather than the display platform, individual stakeholders will be able to select the most practical and effective communications platform for their particular message, while maintaining consistent visual character throughout Historic Chestertown. We are asking the Town Council to allow the use of internally illuminated signage and to empower a committee of stakeholders from across the community to devise thoughtful graphic standards that ensure a consistent and attractive appearance across all display platforms.



PO Box 330, Chestertown, MD 21620
410-778-1149
kentcountyartscouncil@verizon.net
www.kentcountyartscouncil.org

To: Town of Chestertown

Leslie Prince Raimond

From: Kent County Arts Council, Leslie Prince Raimond, Executive Director

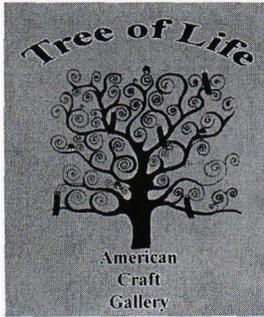
Re: Sign ordinance hearing

Date: August 19, 2013

We are writing to express our concern that limitations will be put in place that will curtail the use of video as a means of artistic expression. Our local art galleries and commercial establishments could use this media for display and story-telling to great advantage.

If artistic standards and use-guidelines are in place, this media can enhance a presentation without compromising the aesthetics desired by those governing the historic districts of Chestertown.

Digital formats fill our lives in many ways, and are powerful tools of our culture. We should embrace this, and use it in ways that preserves our town's quiet beauty, yet celebrates its move into the 21st Century.



**TREE OF LIFE GALLERY OF
AMERICAN CRAFT**

**312 CANNON STREET
CHESTERTOWN, MD 21620**

To the Town Council of Chestertown:

I would like to express my concerns about the proposed changes to the town's sign ordinance that address the use of video screens and other lighted, moving signs. I have two concerns.

I am part owner in a gallery in Chestertown, the Tree of Life Gallery, on Cannon Street. While we have no immediate plans to use video or lighted signage, it is certainly possible that we may want to in the future, to draw customers to our location, a crucial factor in our success.

Also, as an artist and gallery owner, I would like to keep the option of video art and display open for artistic reasons. As Alex Castro has expressed, digital media are important avenues for contemporary artistic expression, and legislation to discourage them would be going in the wrong direction for the town. We should strive to include the most vibrant and exciting arts we can.

I am proud of Chestertown's beauty and I appreciate the care and study that has gone into keeping downtown as elegant and gracious as it is. But there has to be a careful balance to nurture the businesses that make Chestertown a desirable place to live, as well as visit, so that our businesses don't stagnate. The arts community in Chestertown contributes strongly to the liveliness of downtown, and I think it is important to stay contemporary and cutting edge.

Let us be proactive in ways that will make all our businesses thrive. I encourage the town to revisit the changes to the sign ordinance, as pertains to video projection and art. I believe we can agree to guidelines that that will enhance the business opportunities in town as well as giving artists the freedom to explore the most contemporary media.

"If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him." John F. Kennedy

Sincerely, .


Marilee Schumann

August 19, 2013
Chestertown Town Council Meeting
Sign Regulations

Carla Massoni
MASSONIART GALLERY
203 High Street
Chestertown, MD 21620
410-778-7330

Carla Massoni
209 North Water Street
Chestertown, MD 21620
410-778-5758

Comments:

I would like to extend my thanks to Nancy McGuire, President of the DCA for circulating the proposed changes to the sign regulations to the members of the DCA, also to Kees de Mooy, Assistant Zoning Administrator, for his thoughtful assistance as I attempted to understand the layers of meaning in the regulation language.

I consider myself fortunate to live in a community where citizens volunteer their time and energy to serve on the Historic District Commission, the Planning Commission and the Town Council. I applaud the work done to preserve all that is best about Historic Chestertown.

Three months ago I met with Joe Karlik and architects Ken Schiano and Paula Beall to design a way to deal with the challenges of running a business housed on the second floor of a building in the historic district. Limited to a small sign and having essentially no window frontage - only a front hallway - the task was complicated.

Due to the expansion of Evergrain and the addition of their outdoor seating, what once were three distinct store fronts essentially became one to the passerby. I am pleased with the success of Evergrain and wish them only the best. A neighboring business owner nixed my efforts broaden the doorway by visually connecting the alley fence next to my existing entrance by adding a decorative grille thus bringing the height and the eye to the existing signage. The current signage rules and regulations provided no wiggle room for other innovation.

Karlik suggested an LED flat screen panel to take the place of the painting I traditionally place at the front door. The screen would display on a fifteen second rotation each of the paintings and sculptures in the upstairs gallery. The screen would be within the confines of the gallery - not outside. I made the structural

changes and researched the computer program and screen I would need to purchase. I installed a floor to ceiling mirrored wall (\$600) to visually open the small area up. Fortunately, I was unable to complete my purchases before being made aware of the new ruling on regulations being proposed.

As I delved further into the proposed changes, I noted several areas of concern that I feel must be addressed as we move forward. I would like to comment on those I feel are particularly related to the arts community.

1. The 30-day period for temporary signs and displays is too short a period for most arts oriented programs. The costs involved in mounting exhibits limit the number we can offer. Most exhibits run for a longer period of time than the 30 day allotment.

2. Under "Prohibited Signs" - pennants, banners, streamers and all other fluttering, spinning or similar type signs and advertising devices are prohibited" section of the regulations - and one not up for consideration - please note:

For the last year, the Greater Chestertown initiative and the DCA have been exploring ideas to support the stabilization and contribute to the growth of Downtown Chestertown. We have invited speakers, sought out the expertise of consultants, conducted visits to other historic small towns, and brainstormed with local stakeholders. Casey Wilson, statewide counselor with the Small Business and Technology Development Center, encouraged us to embrace new methods of communication and animate our downtown commercial districts.

One of the most discussed ideas was to use the simple banner to draw people through the commercial district. Highlighting retail, arts organizations including galleries, theaters, arts education, and our environmental resources - rails to trails, parks, running paths, parks and boating, as well as our historical sites - GAR, Kent County Historical Society both the Bordley and the Geddes Piper, Janes Church, Sultana etc. Our branding team had hoped to create a well-constructed, aesthetically pleasing program using color-coded banners to move the public throughout the town. We knew we would need approval by town officials and hoped to create a feasible plan. Will opportunities for innovative solutions such as these be summarily denied?

3. The section of the ordinance dealing with LED signs located within a structure creates many problems. Keyes assured me that my use of the technology featuring the images of the art in the gallery would be allowed even though my screen would be only inches away from my glass fronted door. I am grateful that I will be allowed to use this new technology - but at the risk of causing myself potential damage - I question whether my "image" of a work of art i.e. a painting or sculpture - is different from an "image" of a virtual house tour used by realtors. Will future town officials deem my "artwork" a sign? The devil is always in the details.

SIGN – A structure, display or device that is arranged, intended, designed or used for advertisement, announcement, identification, description or direction. Included under this definition are television and computer screens, projection screens, and programmable LED signs installed on the face of a building or located within six (6) feet of a window and seen from the public way, such as a street or sidewalk.

SUMMATION

The next five to ten years will present us with numerous opportunities and challenges. We have a joint initiative underway for development of the waterfront with Washington College. We have plans on the books and initiatives under development for partnerships with the College utilizing arts and environmental groups that will engage citizens of all ages. We will need to animate our spaces and encourage participation in ways our culture – both young and old - easily embrace.

The use of technology in signage and by the arts and business communities will continue to expand. What might be state of the art today will be obsolete in 5 years. Historic communities all over the world – many of them considered UNESCO World Heritage Sites – are embracing new technologies while preserving cultural treasures. When I was visiting in Nancy, France – the Place Stanislas was the site of a fifty-foot tall video installation projected on the surfaces of four major structures within the square – to the delight of visiting tourists, and restaurateurs – all participating in an technology driven event celebrating their heritage.

I encourage the town council to grant a moratorium on the proposed sign regulations and allow a committee to be formed bringing the stakeholders most affected by the changes together with experts at the state and national level – i.e. tourism and economic development advisors, National Trust for Historic Preservation consultants, National Endowment for the Arts advisors, Main Street advocates and other town advisors who may be dealing with these issues in their own historic towns.

I encourage our leaders to remain flexible. We will have many signage issues to address as they relate to creating a dynamic “wholeness” to all Chestertown offers. The commercial area of Historic Chestertown is a very small area - there is no question that it will require regulation and not everyone will be pleased with every

decision. But I fear that in an effort to eliminate "loopholes" - we are moving in a direction that will not provide opportunities for innovation and flexibility.

If we enact these proposed changes to the regulations, it will be too easy to say "no" to new ideas. The answer we could be given when coming before the HDC, or the Planning Commission or the Town Council could be laced with an attitude of fait accompli. "We just reviewed these regulations in 2013 therefore we will not take your proposal under advisement."

We are all working to hard for a town we love to establish roadblocks unnecessarily.



Computer Systems

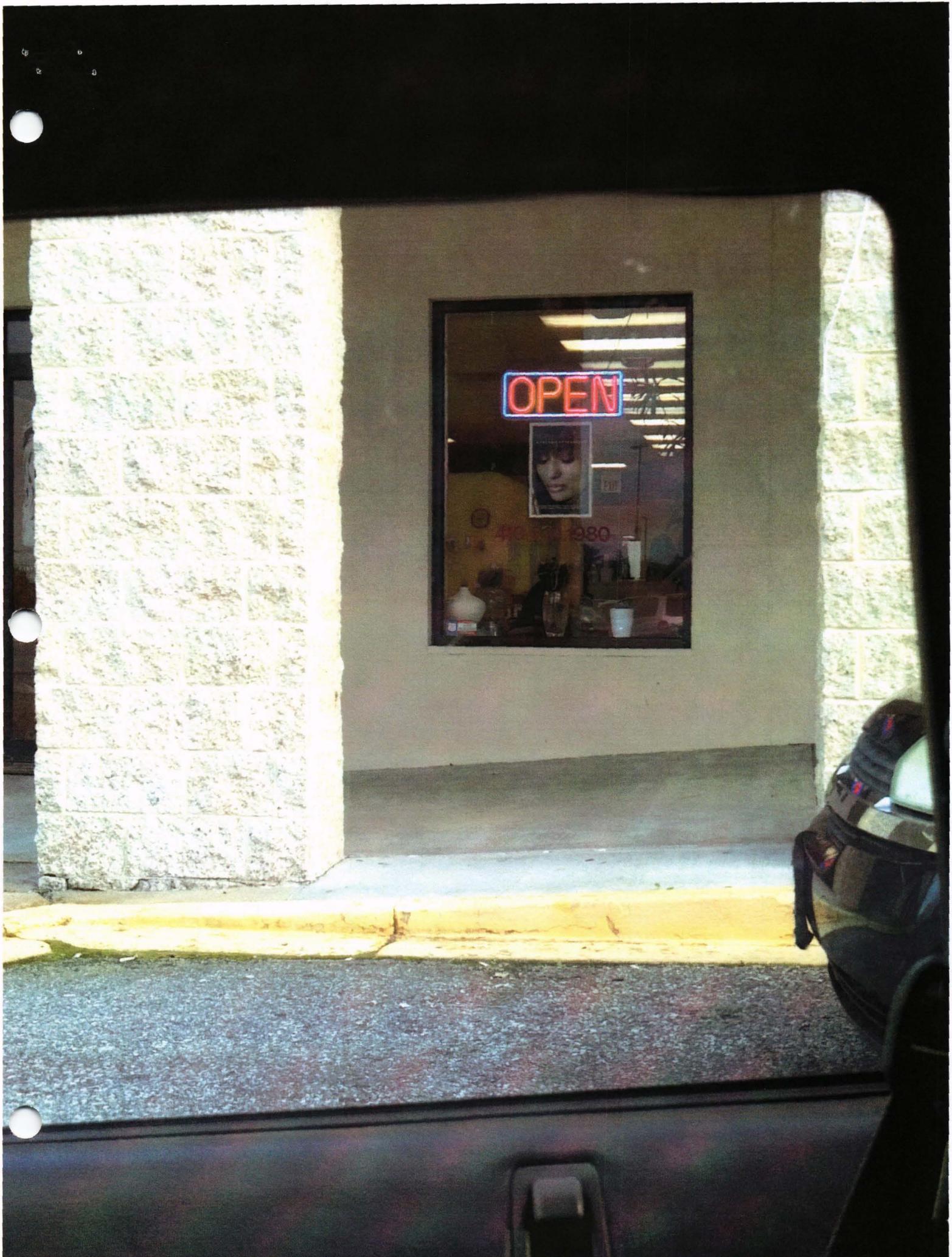
Apple &
PC Repair

OPEN

Apple & PC
Repair & Sales
Laptops
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Tablets
Smartphones





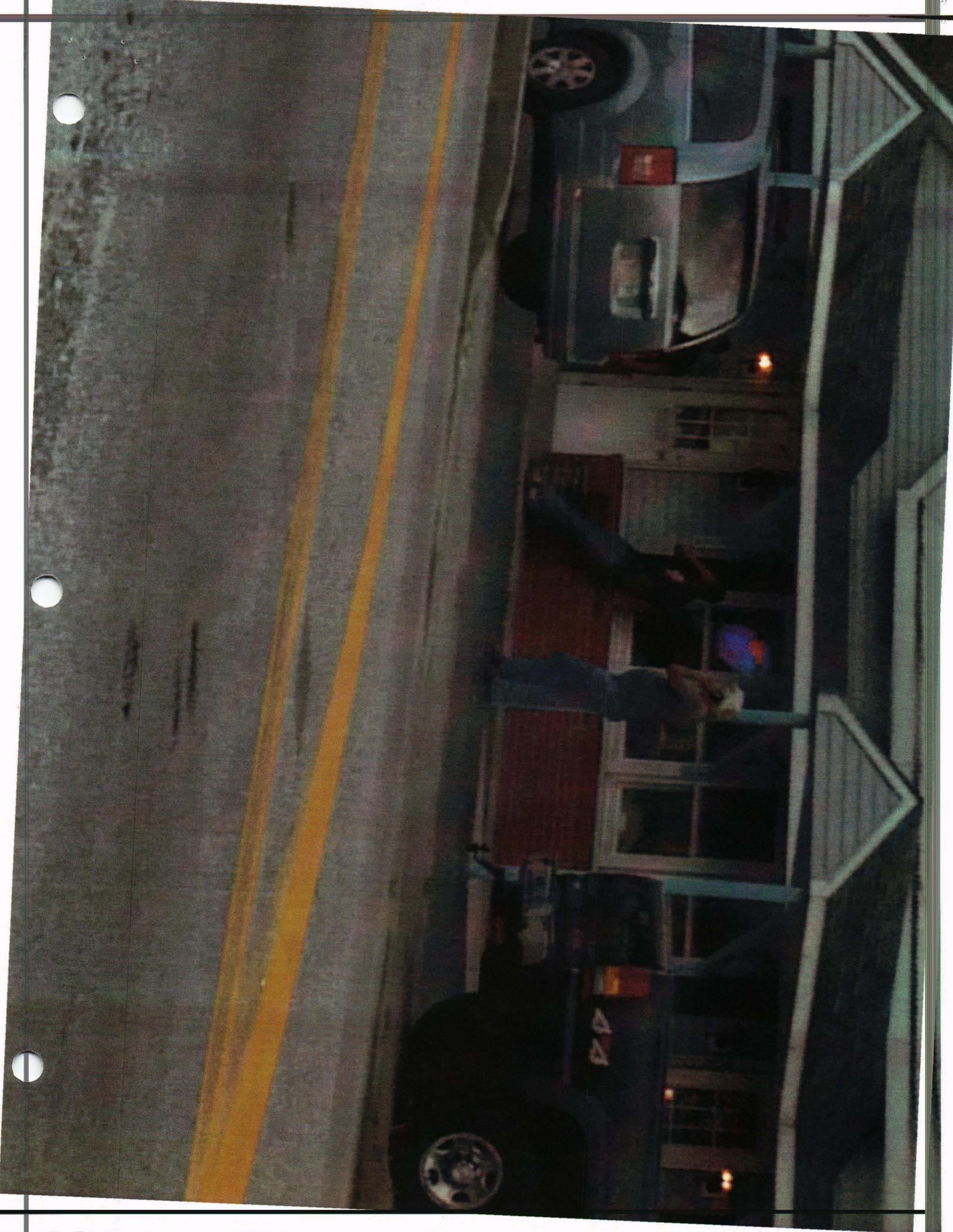





**PEOPLES
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6:45







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64

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ST. PAULI GIRL

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Mailbox

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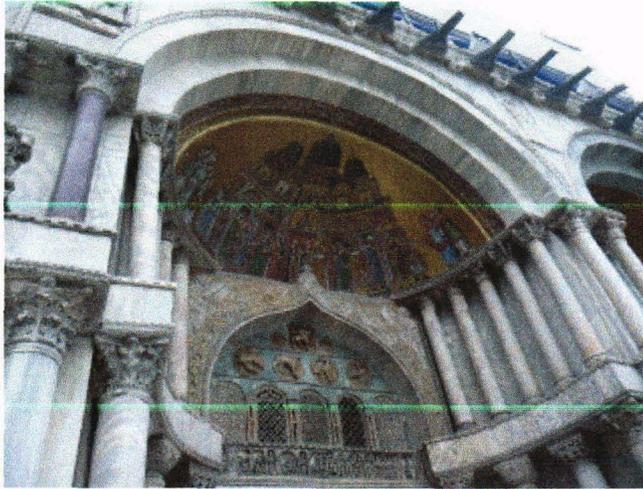


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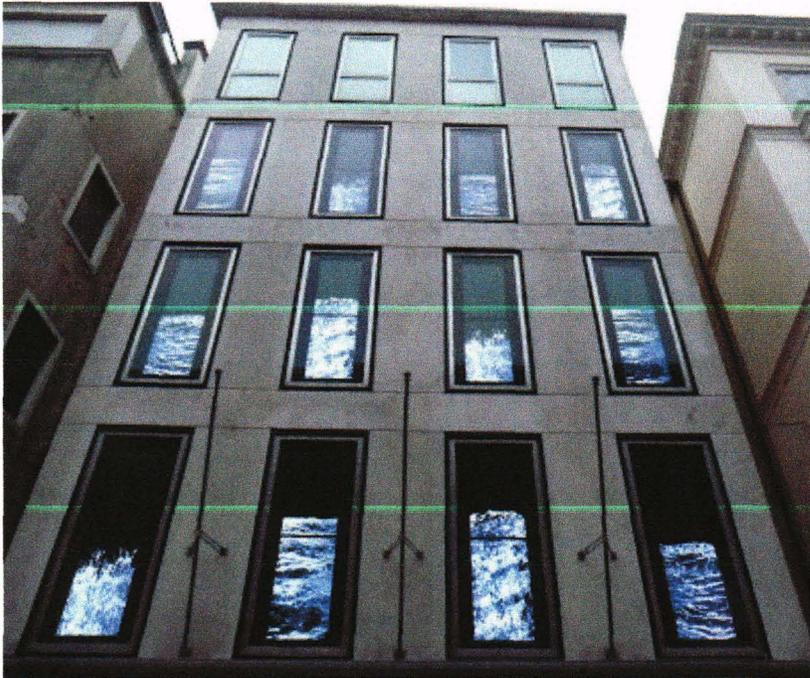


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Mosaics on outside of Basilica

We also walked by a gallery with a video in each window of moving water. Very appropriate for a sinking Venice.



[[http://2.bp.blogspot.com/-](http://2.bp.blogspot.com/-fQZp1AUCeSc/T6blqr0KCil/AAAAAAAAACms/btiqlg55mQM/s1600/22+video.jpg)

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Windows above an art gallery

We were able to find our way back to the apartment. On the way, we passed a lovely old building housing Santa Maria Novella soaps and skin products (one of my favourites)

Fast forward video art

Artists love it as a medium, but are collectors and dealers too busy for time-based work at an art fair?

By Anny Shaw. From Armory daily edition

Published online: 04 March 201

Eating it up: AES+F's Feast of Trimalchio, priced at €140,000 at Anna Schwartz Gallery (P94/1161)

Video art has often been under-represented at art fairs, proving problematic for dealers to show and sell. The size of many installations and the technology needed to screen or project images and sound in a satisfactory way at a busy fair has, until recently, ruled out the idea for many dealers—who are unsure that collectors have the time to watch the works, anyway. But where others see pitfalls, Ed Winkleman and his business partner Murat Orozobekov have spotted an opportunity, launching Moving Image—an art fair devoted entirely to contemporary video, which opened to coincide with Armory Week on 3 March. “We wanted to present a fair that responded to a comment I had from a New York-based critic a couple of years ago,” says Winkleman.

“[The critic] said he never watches videos at art fairs—he just doesn’t have the time.”

In a cavernous space in Chelsea, Moving Image features 40 works from around 30 galleries, plus big sofas to encourage fair goers to dwell a little.

Videos have been popping up more and more at major art fairs, installation challenges aside. This December, Art Basel Miami Beach set aside a section devoted to the medium called Art Video, with viewing pods designed by Tom Postma.

In collaboration with the Armory Show and Volta NY, the School of Visual Arts Theatre is hosting Artprojx Cinema, a programme of over 80 artists’ films and videos from more than 40 galleries participating at the fairs, as well as international public arts organisations and curators.

A slew of films and videos are also on view at Piers 92 and 94. London’s Rokeby Gallery (P94/1501) is presenting a video by Conrad Ventur on six monitors that re-edits 13 of Andy Warhol’s “Screen Tests”. “There are limitations to showings videos at an art show, but these are virtually still images, so that works. We were tempted by the Moving Image show, but we can’t split ourselves,” says gallery co-founder Edward Greenacre. An edition of three is priced at \$20,000.

Anna Schwartz Gallery (P94/1161) from Australia is displaying videos by Shaun Gladwell, Daniel von Sturmer, and AES+F. “It wasn’t a decision based on medium,” says owner Anna Schwartz. “Video works can be very affordable and accessible. People are just desperate for them.” AES+F’s 68:15-minute video, Feast Of Trimalchio, is on sale for €140,000, while on the

lower end Ian Burns' sculptural *Across the Nile v.2*, 2011, which incorporates found objects, is priced at \$15,500.

Collecting video art

Despite the relatively recent popularity of videos at art fairs, there are a handful of longstanding, heavyweight collectors of video art. Most notably, Pamela and Richard Kramlich from San Francisco, who were pioneers in the field. They started collecting in the 1980s and founded the New Art Trust in 1997, which is devoted to the medium and supports research and scholarship at, among others, London's Tate, the Museum of Modern Art in New York, and the San Francisco Museum of Modern Art. Another patron is Julia Stoschek from Düsseldorf who began collecting media art in 2004 and has amassed around 400 works.

Video art collecting has historically been the preserve of major museums rather than individuals, however. It is not hard to find evidence of the importance that institutions now place on the medium. In December, the Smithsonian American Art Museum in Washington, DC opened a permanent exhibition of media art. "Watch This! New Directions in the Art of the Moving Image", includes work ranging from Nam June Paik's *9/23/69: Experiments With David Atwood*, 1969, to Cory Arcangel's *Video Painting*, 2008. New York's PS1 Contemporary Art Center is currently showing "Modern Women: Single Channel" (until 2 May), again an exhibition drawn from the museum's holdings, which features 11 female artists, including Lynda Benglis, Valie Export, Pipilotti Rist and Carolee Schneemann. "Across the board museums are definitely paying attention to time-based work," says Winkleman.

As technology has advanced and the hardware has become smaller and more reliable, video art has become more accessible. "As the medium becomes digitised, it's easier and more flexible to install and it runs without maintenance," says John Hanhardt, the senior curator for media arts at the Smithsonian American Art Museum. "We have plasma screens with Bill Viola's work, so it can hang on the wall in a domestic space, right next to a painting or photograph." He says such changes are having an effect on the private market, too, adding that video work "is very easily folding into the private collectors' domain. It's fundamentally changing."

UK collector Frank Cohen, who owns around 15 multi-media works including a Viola video, agrees that plasma technology is beginning to change the way collectors view video art. "You still don't see a great deal of video art in most people's homes, but what you do see will be on plasma screens," he says.

Hanhardt, who began curating video in the early 1970s, establishing the film department at the Walker Arts Center in Minneapolis in 1972 before going on to head up the film and video

department at New York's Whitney Museum of American Art in 1974, says the shift in attitudes towards collecting video, even in museums, has been gradual. "It's a change that has been going on for a long time, but it expands more and more with every generation and the change becomes more permanent," he says.

Video art first emerged in the mid-1960s. In 1963, Paik had his first exhibition at the Galerie Parnass in Wuppertal, Germany, in which he presented upended television sets broadcasting distorted signals, including his first television sculpture, *Zen for TV*, 1963. That year, Sony released the Portapak, the first portable video tape recorder and player, which enabled the medium to be brought into the artist's studio. "The Portapak became this instrument by which artists could control, remake and rethink the moving image," says Hanhardt. But it was in the early 1970s, with the advent of alternative artist spaces in the US, that video art really took off. "It became increasingly accepted internationally in the 1970s. It really began to be recognised and was constantly developing as a technology in terms of its portability and its ability to be installed in a variety of spaces," says Hanhardt.

One of the major issues for museums and collectors has been the difficulty in preserving video art because of the speed with which technology has developed—video-tape technology has been updated over 50 times in analogue format, and several more times in digital format, since the 1960s. "Changing technology has understandably given collectors pause for thought," says Winkleman. The digitisation of video works, however, is having a beneficial impact on preservation. Artists are dealing with the issue by giving collectors "the most current and up-to-date platform that they want the work to be seen on, [and] also a hard drive with the raw files so that, should the technology become obsolete, the collector can easily keep exhibiting the work from the raw files," he says.

Dominant position

"Twentieth-century art history is going to be rewritten through the moving image," says Hanhardt. "The history of video and film is being recognised as extremely important because it had an impact on all the arts. Dance, literature and architecture were all affected by the moving image."

As critics and curators continue to explore the history of video art, artists are increasingly turning to the media. "Even if [artists] are predominantly making sculpture or painting," says Winkleman, "we are seeing more and more artists using video as part of their practice." Hanhardt also observes a near universal take-up of video and film. "Today [video art] is an art form that many generations of artists are moving to because it's flexible; it allows them to explore issues of representation that they can't in other media," he says.

DVD to go

While big name multi-media artists are commanding high prices at auction—Paik's television sculpture, *Rocketship to Virtual Venus*, 1991, sold at Christie's Honk Kong last May for \$372,353, and Doug Aitken's 2000 video installation, *I Am in You*, sold at Phillips de Pury New York for \$176,500 last March—there is still a sense that the market needs to catch up.

"Video art hasn't really broken through because it's not friendly for homes, it's more for showing in museums and exhibition spaces," says Cohen. "The problem with video is that you have to have a house to accommodate it. If you have hundreds of video works, how and where do you display them?"

For collectors still nervous about taking the plunge, however, there are clear benefits, not least video's easily portable format. "You can just pop it in your handbag," said one Brazilian collector, keen to avoid expensive import duties into the Latin American country. "That's why it's so popular here," he says.

The advantages extend to dealers too. As Winkleman points out: "What's really nice for a dealer is that there is no shipping involved. They can just bring their DVD with them on the plane and they're ready to go."

Alex Castro is an artist and architect. At Washington College he is Adjunct Professor of Art, Director of Kohl Art Gallery, and Director of the SANDBOX Initiative at Washington College. SANDBOX is the College's new program for creativity in the environment and was recently funded \$575,000 by the Andrew Mellon Foundation. The program is directed toward collaboration among artists and scientists, and seeks to inform and include students of Washington College as well as the citizens of Chestertown and the neighboring area.

Castro is the founder and principal Castro Arts LLC, an architectural firm specializing in museum design and museum exhibit design. He is the designer of the Visionary Museum in Baltimore and the Charles Theatre and is directing the redesign and renovation of the historic Senator Theatre, also in Baltimore. Castro is the designer of roughly 75 museum exhibits. His clients include: Los Angeles County Art Museum; Kuwait National Museum; Cape Coast, Ghana Museum; Saint Louis Art Museum; Smithsonian Institution; High Museum, Atlanta; Corcoran Gallery of Art, Washington; Moscow Museum of Art; and the San Antonio Art Museum.

Castro's own artwork is in the collection of many museums and private collections, including the National Gallery of Art, the Baltimore Museum of Art, the Corcoran Gallery of Art, the Newberry Library, and the Brooklyn Museum.

He holds a Masters in Architecture from the University of Pennsylvania and Bachelor of Arts from Yale University.

Kelly Parisi Castro is a photographer and video artist. She is Adjunct Professor of Art at Washington College. She has exhibited her work in New York, Washington DC, Minneapolis MN, Arlington VA, and College Park, Dowell, Cumberland and Chestertown, MD. She is a 2013 Fellow at the Virginia Center for Creative Arts, Amherst. She holds a Bachelor of Fine Art from the Maryland Institute College of Art and a *Master of Fine Art in Fiction Writing* from Spalding University, KY.

PUBLIC HEARING
8/19/13

PLEASE SIGN IN:

NAME	ADDRESS	E-MAIL
1. CHRISTINA SHOWALTER	126 NORTH QUEEN ST	rufusandco@earthlink.net
2. LAURA DRONS -	202 Calvert / 200 High St.	LJDrons@gmail.com
3. Kathryn Bursick	214 Hilltop Ln.	kbursick@garfieldcenter.org
4. Lucia Foster	Water St.	lfoster@garfieldcenter.org
5. Mel Rapelyea	17 Bayside, Betterton	mrapelyea@me.com
6. PAUL SHOWALTER	126 N. QUEEN ST	rufusandco@earthlink.net
7. Philip Dutton	2404 Clifton Dr. Worton MD	philip.dutton@gmail.com
8. Robert Kramer	241 71 Kinnards Point Worton, MD 21678	Kramerconsult@aol.com
9. STEVE FLOHOCK	107 MAPLE AVE, OTM 21620	
10. Jim Landskroener	108 CEDAR ST	jlandskroener@verizon.net
11. Charles Athey	547 HIGH ST	charles.athey@gmail.com
12. JAX VERKES	112 S. Cross	jax@dyerkesconstruction.com
13. CARLA MASSONI	209 N. WATER ST	carla.massoni@gmail.com
14. MARIAN W. WYBLE	219 HIGH ST	wyble2@verizon.net
15. Holly Geddes	122 N. Queen St	hgeddes@hotmail.com
16. Judy Kowl	170 BOX 166 Betterton MD 21610	
17. ZANE CARTER	PO BOX C WORTON 21678	zcarter@atlanticbb.net
18. Barbara Jorgensen	209 Wash Ave	bjorgensen209@verizon.net
19. David Bursing	209 WASH AV	dbursing209@verizon.net
20. Michael Love	531 High St	
21. Deborah Love	531 High St	
22. DANIEL MENEFF	507 comit	
23. PETER HECH	217 High St	phrech@thelink.com
24. Peter Newlin	109 Church Alley	Peters.ChurchArch.com
25. ALEX CASTRO	207 S. CROSS ST #300 CHESTER TOWN, MD.	
26. Vic Pfeiffer	112 High St. Citown	pfeiffish@aol.com
27. Lani Serkaly	7740 Country Club Lane	laniseikaly@me.com
28.		
29.		
30.		
31.		
32.		
33.		
34.		
35.		
36.		
37.		