

STAFF REPORT

TO: Mayor and Town Council
FROM: Lawrence P. DiRe, Town Manager
DATE: November 20, 2023
SUBJECT: Item 8a, b, c Town Manager's Report

Town boards, commissions, committees' activity report

Town boards, committees and commissions are established in state legislation or are empaneled by the mayor and council to provide expertise and support for a variety of town services and functions. Some of them meet on a regular basis while others convene as needed. In any event, the work of these groups is in the public interest and all meetings are open to the public. As noted in the Collaboration section of the recent strategic planning questionnaire comments, several responses expressed interest in and concern over, the working of various groups existing in "silos" and not sharing common or pertinent information that may best serve the Chestertown community as a whole. Staff recognize that point of view and in the interest of meeting the need expressed will provide capsule updates of these meetings. These capsules do not constitute draft or adopted minutes but rather serve as recaps. The current capsule is as follows:

Planning Commission - The Commissioners met on November 15, 2023 for their regular monthly meeting. The first half hour was devoted to the comprehensive plan update, this was followed by the regular meeting where the Starbucks site plan received final approval, and the Radcliffe Manor residential conceptual site plan was reviewed.

Tree Committee - Met on November 9th to discuss the status or the draft revised tree ordinance (with the clerk's office), working with Main Street and ShoreRivers to locate the planting of three hundred new trees in town over the next two years, and the physical condition of numerous trees around town.

Ethics Commission - The Commissioners held a meeting on November 14th to consider a complaint and the chair conducted the annual organizational ethics training also that date.

Public Arts Committee - The committee met on November 14th for their regular monthly meeting. Agenda items included a funds report, Woicke collection update, and discussion of possible partnership with the Starr Center for a project at the Customs House building.

Sleeping Shelter

As a follow up to the November 6th mayor and town council night's discussion I have determined two locations where the box may be an appropriate fit. One is in the town marina parking lot located next to the kayak rack. The other is on the town trail at the recently repaired section near Mill Street. Both of these locations are close enough to town facilities where town

staff, or at least the proximate presence of town staff, may help keep the box safe and secure while not occupied. Since the box is on wheels some consideration has to be given to being located on a paved surface. No doubt any location will have detractors and raise serious concerns about sanitation (personal and public) and safety. I have these concerns as well and prefer the box be placed on the private property of someone willing and able to provide the safety, sanitation and security of the box and any occupant. Short of locating the box in the police department parking lot, which I do not recommend or support, the box presents risk of being moved and\ vandalized while uninhabited and is still dangerous for any occupant due to the town's inability to provide all day and night monitoring.

Native Vegetative Growth

Chapter 54 of the town code of ordinance (attached) regulates the height and overall growth of brush, grass, and weeds on any lot within the town limits. The ordinance is clear about the maximum plant height of eight inches, above which is a violation punishable by a fine of the cost of the town cutting the lot for compliance. Recently a town resident reported changing his front yard growth from lawn grass to native wildflowers and other native vegetation including trees, bushes, and shrubs for bird and insect habitat. This resident also reports ceasing to use chemical treatment poisons for pest and weed control. The resident requests a review of the existing ordinance and staff finds this a reasonable request.



CHAPTER 54: BRUSH, GRASS AND WEEDS

Section

- 54-1 Maintenance of property free from weeds or noxious matter required
- 54-2 Removal of weeds or noxious matter; notification
- 54-3 Noncompliance with notice; subsequent action and costs
- 54-4 Violations and penalties

§ 54-1 MAINTENANCE OF PROPERTY FREE FROM WEEDS OR NOXIOUS MATTER REQUIRED.

No owner of any lot, place, or area within the town, or the agent of the owner, shall permit on the lot, place, or area, or upon any sidewalk abutting the same, any weeds, grass, or deleterious, unhealthful growths or other noxious matter that may be growing, lying, or located thereon. Further, the owner or agent of any lot, place or area within the town shall keep the property free from weeds, noxious plants or grass growth in excess of eight inches.

(Prior Code, § 54-1) (Ord. 08-2013, passed 10-7-2013)

§ 54-2 REMOVAL OF WEEDS OR NOXIOUS MATTER; NOTIFICATION.

The Mayor and Council are hereby authorized and empowered to notify, in writing, the owner of any lot, place, or area within the town, or the agent of the owner, to cut, destroy and/or remove any weeds, grass, or deleterious, unhealthful growths or other noxious matter found growing, lying, or located on the owner's property or upon the sidewalk abutting the same. The notice shall be served by registered mail and addressed to the owner, or agent of the owner, at his or her last known address.

(Prior Code, § 54-2)

§ 54-3 NONCOMPLIANCE WITH NOTICE; SUBSEQUENT ACTION AND COSTS.

(A) *Noncompliance; removal by town.* Upon the failure, neglect, or refusal of any owner or agent so notified to cut, destroy, and/or remove weeds, grass, or deleterious, unhealthful growths or other noxious matter growing, lying, or located upon the owner's property or upon the sidewalk abutting the same within ten days after receipt of the written notice provided for in § 54-2 of this chapter or within five days after the date of the notice in the event the same is returned to the town post office because of its inability to make delivery thereof, provided that the same was properly addressed to the last known address of the owner or agent, the Mayor and Council is hereby authorized and empowered to pay for the cutting, destroying, and/or removal of the weeds, grass, or deleterious, unhealthful growths or other noxious matter or to order the removal by the town.

(B) *Payment of costs.* When the town has effected the removal of the obnoxious growths or has paid for their removal, the actual cost thereof, plus accrued interest at the rate of 6% per annum from the date of the completion of the work, if not paid by the owner prior thereto, shall be charged to the owner of the property on the next regular tax bill forwarded to the owner by the town, and the charge shall be due and payable by the owner at the time of payment of the tax bill.

(Prior Code, § 54-3)

§ 54-4 VIOLATIONS AND PENALTIES.

(A) Any person, firm, or corporation violating any of the provisions of this Code of Ordinances shall be deemed to be guilty of an infraction and, upon conviction thereof, shall be fined as specified in § 86(B) of the Charter of the town.

(B) Each day that the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(Prior Code, § 54-4) (Ord. 6-95, passed 11-6-1995)