

**SHARPSBURG MAYOR AND COUNCIL**  
**\*AMENDED MEETING MINUTES**  
**MARCH 4, 2024**

The Mayor and Council of Sharpsburg, MD held their monthly meeting on Monday, March 4, 2024 in the Council meeting room of Town Hall located at 106 E. Main Street in Sharpsburg. In attendance were Mayor Russell Weaver, Vice Mayor Jacob Martz, Councilmembers Ed Beeler, Joseph Kudla, John Hammond and Mia Parsons and Robbie Waters. Also in attendance was Town Clerk Debra Smith and Zoning Administrator Tim Lung was present via zoom.

**CALL TO ORDER AND PLEDGE** Mayor Weaver called the meeting of the Mayor and Council to order at 6:00 PM with the Pledge of Allegiance led by Councilmember Parsons followed by a moment of silence.

**MOTION TO AMEND THE AGENDA-** Mayor Weaver asked for a motion to amend the agenda to move the Roulette/Downey Request for Alley Access from Unfinished Business to the beginning of the agenda to obtain public comments. **Motion** by Councilmember Beeler, second by Councilmember Kudla to approve. Motion carried.

**Roulette/Downey Request for Alley Access**

Zoning Administrator Tim Lung stated that a request submitted to the town by Mr. Lee Downey in January 2024 for issuance of a permit to provide access to the property from a Town owned alley located behind W. Chapline Street for a proposed new single-family dwelling to be constructed on an existing lot of record which is located in the County and has alley frontage. The matter was tabled at the February meeting pending comments from the Planning Commission which also included input from the Sharpsburg Volunteer Fire Department have now been submitted as follows;

- The Sharpsburg Volunteer Fire Department provided a written opinion\* stating inadequate access to the proposed site would not be possible for modern fire apparatus
- The Sharpsburg Planning Commission submitted a written opinion\* to the Mayor recommending denial of the request for safety concerns due to inadequate fire/rescue apparatus, would benefit from town infrastructure without paying town taxes.

*\*written opinions incorporated as part of these minutes.*

Mayor Weaver opened the floor for citizen comments.

Those speaking in favor spoke first.

- Lee Downey read his letter of request into the record, adding that the lot has a well but no sewer and requested that because the lot previously had a home on it, that it be grandfathered in.
- Chris Shaffer of 17802 Miller Sawmill Rd stated that he had no issues with the request.
- Justin Holder submitted an email in favor of providing the alley access request. This was read into the record by Mayor Weaver.
- Ron Vertrees of 127 E. Main Street stated that he was neither in favor nor opposed, and stated that annexation should be a condition of approval.

Those in opposition were provided an opportunity to speak.

- Cathy Hull of 229 W. Chapline Street stated that property would have to be taken from her in order to widen the alley. They also would not be paying town taxes.
- Barb Lubinski of 307 W. Chapline Street asked how citizens learn about town meetings such as the one occurring tonight. Mayor Weaver stated that the agenda is posted and minutes are posted as well on the town's website and in the Town Crier.
- Heidi Vertrees of 127 E. Main Street would like to see alleys preserved.
- Claudine Marcum of 305 W. Chapline Street stated that the alley is not wide enough for fire apparatus.

Mayor Weaver asked for Council comments.

- Councilmember Hammond; the town would be setting a precedence if voting in favor.

- Councilmember Beeler; would not be paying town taxes or upgrading the alley.
- Councilmember Waters; Would need to take property away from town tax payers to widen the alley to accommodate a non-town tax paying property.
- Vice-Mayor Martz; Cannot widen the alley for fire, rescue or garbage access and also a violation of the town's ordinance\* *if it were to be in town.*
- Councilmember Kudla; widening the alley is not feasible
- Councilmember Parsons; Following the recommendation of the Planning Commission

Mayor Weaver gave Mr. Downey an opportunity to offer a rebuttal. He stated that he would abide by the town's decision.

**Motion** by Councilmember Kudla, second by Councilmember Hammond to deny the request for alley access by Mr. Lee Downey. Motion carried by unanimous vote.

**APPROVAL OF MINUTES** - February 5, 2024 Regular Minutes – **Motion** by Councilmember Waters, second by Councilmember Kudla to approve. Motion carried.

**APPROVAL OF FINANCIAL REPORTS** - February 2024 Financial Report -**Motion** by Councilmember Waters, second by Councilmember Beeler to approve. Motion carried.

#### **ZONING ADMINISTATORS REPORT – Tim Lung**

- Waiting for the end of the compliance period on zoning compliance notice issued regarding (junk) on property along the south side of East Antietam Street.
- Waiting for the end of the compliance period on zoning compliance notice issued regarding a zoning violation (unpermitted business) on property along the south side of West Main Street.
- Continue to wait for a response from the State Highway Administration regarding the sight distance issue at the corner on Church St (MD 65) and E. Main St. (MD34).
- Responded to a question regarding permitting to replace an existing dwelling on property at E. Antietam Street.
- Reviewing information regarding adoption of a yard sale ordinance.
- Developing a citizen Zoning/Code violation complaint form. Will present a draft at the April meeting.

#### **MAYORS REPORT – Mayor Weaver**

- Wells - Contract in place, site selected and drilling to begin in March.
- Historic Park - Frederick Seibert and Associates has finished detailed design and provided Town with final estimates of project admin, management costs and total costs.
- Big Spring –We are resubmitting during this cycle. We also are in process of executing a new deed for the third time.
- Boyer House – Brian Kane will edit sales agreement to reflect last SHAF feedback. Oversight committee needs to form/meet.
- Streets & General Maintenance – Great job of addressing recent winter storms!
- Community Park – Recovering costs from Project Open Space. Park is open. See Robbie's report.
- Lutheran Cemetery – Committee forming with Mia leading.

#### **CORRESPONDENCE**

MML – City of Hagerstown, March 25th

Donation Request: Bridge To Caring, Inc. – **TABLE** until next meeting

#### **COUNCIL MEMBERS REPORTS**

**Councilmember Parsons** – stated there are 2 trees to be replaced on Main Street. Briefly touched on the proposed preservation of the Lutheran Cemetery management plan.

**Councilmember Waters** – obtaining cost of paint for town curbs.

**Vice Mayor Martz -**

**Big Spring Grant**

- Submitted updated budget for Big Spring grant
- Obtained updated letters of support
- Final grant application submitted for review

**Community Events**

-Attended and delivered remarks at Battleview’s 30th anniversary commemoration. Event was also attended by representatives from Congressman Trone’s office and County Commissioners.

**Memorial Day**

- Created and posted to town website parade forms which may be completed and submitted completely online.
- Created an event poster for distribution.
- Received confirmation for use of elementary school
- Second Keynote Speaker added to morning program - COL Richard Hembrock
- Received over 20 completed parade participant applications so far
- We are now accepting orders for books and book sponsorships, order forms are available.
- Received final cost estimate and submitted flight plan for aerial flyover to Flight Operations Director
- Next committee meeting is Tuesday, March 5th at 6:00 pm

**Councilmember Beeler: Sharpsburgh Museum of History/Town of Sharpsburg**

- January’s Attendance: 118
- Security
- Fundraiser – 2023-2024 – our goal: \$10,000 our total as of to date is \$1213.00 +\$500 for sign
- Artifact room - The four new cases are finished with new displays and are working on our last case and then waiting on our signs to finish this room. And then some staff will be working on the outer displays.
- Volunteers – Still in need of volunteers.
- Donations – We are to get two major donations but until they are here, I’ll only say we are to get them.
- Re-Grand Opening/ Ribbon cutting will be on April 5-6, 5<sup>th</sup> will be a reception/tour for all our sponsors and dignitaries and the 6<sup>th</sup> will be our ribbon cutting /tour for the general public.

**Councilmember Hammond** -Inquired about the time to bring the new well online. Mayor Weaver stated 6months to 1 year. Also asked if the town has been fully reimbursed for tree removal on a foreclosed property in town. The Town Clerk will verify.

**Councilmember Kudla** – will be meeting with FSA regarding the water situation at S. Church and E. Antietam Streets. Installed one of the radar signs on E. Main Street. Will schedule the street sweeper after the bulk clean up.

**COMMUNITY PARTNERS**

**M. Deputy Watkins – Resident Deputy**

Elementary school - 7 checks.	Total sheriff’s office events in February - 155
Park - 1 check.	Disorderly conduct - 1
Little league field - 1 check.	Burglary - 0
Bank lot - 1 night.	Theft from motor vehicle - 0
Traffic Enforcement - 3 hours.	Theft - 0
Calls for service - 11.	Suspicious person - 0
Call outs - 1.	Undesirable - 0
Town meeting - attended.	Malicious destruction of property - 1

**Park Advisory Board** - Chris Vincent – the new Superintendent has been appointed.

**UNFINISHED BUSINESS**

**Atlantic Security System Service Agreement for Parks – Motion** by Councilmember Hammond, second by Councilmember Waters to not purchase the full - service parts and warranty agreement at an annual cost of

\$2,277.00 because that money would be better invested in a full replacement in 3-5 years. Motion carried. Also discussed was the creation of an equipment replacement policy.

### **NEW BUSINESS**

**Annual Fishing Rodeo** – Councilmember Waters stated that the rodeo would be held on Saturday, April 27<sup>th</sup> from 7-10 AM. R. W. Waters will provide the hot dogs. **Motion** by Vice-Mayor Martz and second by Councilmember Kudla to donate \$500 for the event. Motion carried.

**Spring Bulk Pick Up** – Looking at mid-May. Will confirm and advertise.

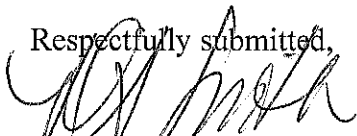
Mayor Weaver stated that he will be on a leave of absence for approximately 30 days and all matters will be handled by Town Clerk Debra Smith and Vice-Mayor Jake Martz.

**Motion** by Vice-Mayor Martz, second by Councilmember Waters to close the meeting at 7:20 PM. Motion carried.

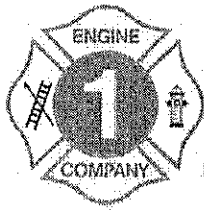
### **April 1, 2024 Meeting Action/Agenda Items:**

- Alley Naming
- Review of On-hold Projects

Respectfully submitted,



Debra Smith  
Town Clerk



Sharpshurg Volunteer Fire Company Inc.  
110 West Chapline Street  
P.O. Box 297  
Sharpshurg, MD. 21782

Station (301) 432-6321

Fax (301) 432-5167

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Dear Sharpshurg Zoning Administrator

On behalf of the Sharpshurg Volunteer Fire Company (SVFC), we would like to thank you for alerting us to potential new structures in Sharpshurg and soliciting our input regarding providing public safety services. Our staff has looked at the potential building from several aspects affecting safety. From a water supply perspective, primary water supply for fire incidents would be supplied by the Town's hydrant system. Incoming apparatus would be laying out large diameter supply line from the hydrant located at the intersection of W. Chapline St and Snyders Landing Road and proceeding west on Snyders Landing and making a right on the alley and proceeding to the residence. This hose lay would total 850-1050 ft to the residences. The primary hydrant mentioned has a current capacity of 1456 gal/min which would be adequate fire flow for a structure up to 4,368 square feet of above ground occupancy.

Next, we looked at accessibility. Currently the proposed structures have some challenges here. Modern fire apparatus cannot make the turn to the alley network between 221 and 223 W. Chapline St. With the removal of street parking in front of 221 W, Chapline St. additional access could be obtained, but we doubt that would be desired by the property owner. Further detailed analysis would still have to be conducted for this option. Alternately, emergency access would have to be made from adjacent to the auto shop at 311B W. Chapline St. Under NFPA 1 and the International Fire Code, fire access roadways must be 20ft wide with a vertical clearance of 13ft and 6in. The road must be an all-weather surface designed to withstand the imposed load of fire apparatus (in this case the largest primary unit would be Shepherdstown's Aerial with a GVW of 74,800lb). The proposed alley usage would require either an alternate exit or a turnaround as it exceeds 150ft from W. Chapline St./Snyders Landing Rd. I am

2/29/2024

Sharpsburg Mayor and Council,

The Sharpsburg Planning Commission reviewed the letter and accompanying information provided by Lee Downey at the December 2023 town council meeting. Mr. Downey is requesting the town grant a permit for access through a town alley for the purpose of developing a lot within the county adjacent to the town. Planning also reviewed the letter providing a review by the Sharpsburg fire department.

The planning commission recommends denying this permit for the following reasons:

1. **Safety.** Per the Town request, the Sharpsburg Volunteer Fire Company evaluated the proposal using consensus, NFPA 1 standards and determined the site currently lacks adequate fire/rescue apparatus access.
2. Granting this access permit is precedent-setting and contrary to the town's past stance on house site entrances/driveways from alleys.
3. Citizens have spoken against this use.
4. The town does not benefit from the development of this lot. It does not add to our tax base, yet the household will benefit from use of town infrastructure.
5. This is unplanned development.

Thank you for the opportunity to comment,

Sharpsburg Planning Commission

Patty Hammond, chair

Matthew Ryan

Clay Hertzog

Vernell Doyle

Mia Parsons