

Chesapeake Beach Civic League General Meeting Minutes of 17 September 2009

- 1) The meeting was **called to order** at 7:12 p.m.
- 2) The following officers and committee chairs were in **attendance** at the meeting:
President & Neighborhood Park and Lakes Committee Chair – Heidi Janicki
Vice President – Brad Sike
Secretary & Webmaster – Bob Costello
Treasurer – Pat Costello
Adopt-a-Street/Lake – Darryl Stubbs
Architectural Preservation & Zoning Committee Co-Chair – Mark Walker & Bruce Johnson
Bayfront Advisory Committee (BAC) Liaison & Historian – Wally Damon
Block Captains Committee Co-Chair – Linda Jarman
Business Liaison – Kim Schmidt
Shore Drive Community Coalition Liaison & Safety & Neighborhood Watch Committee Tri-Chair –
Steve Kohler

Also in attendance were 49 other voting members, for a total of 60 voting members, establishing a quorum for conducting business.

- 3) President Janicki **opened the meeting, welcomed** the members in attendance, and **introduced the Executive Board.**
- 4) The **Pledge of Allegiance** was said.
- 5) **Corporate sponsors were acknowledged** by Kim Schmidt.
- 6) **Reading and approval of Minutes:** Secretary Costello read the minutes from the August 20, 2009 Working Meeting. The minutes were approved for the record.
- 7) **Treasurer's Report:** Treasurer Costello reviewed the Treasurer's report, which is attached below.
- 8) **New Business:**
 - a) Committee Chairs:
 - i) Kim Schmidt was nominated for the Newsletter Editor, and Pat Barner was nominated for the CCO Representative.
 - ii) They were both voted upon and unanimously elected to those committees.
 - b) Green Parrot Grill (GPG):
 - i) Heidi Janicki presented the following additional background information:
 - (1) She discussed receiving a call about the anonymous letter.
 - (2) Heidi was later informed that Joe Bouchard, Louis Jones, the city Police Department, and the Virginia ABC had all been sent a copy of the letter.
 - (3) She received some phone calls in support of the letter and some calls opposed to what was stated in the letter.
 - ii) Charlie Coombe, representing neighbors with complaints against the GPG, made the following comments:
 - (1) He has nothing against the Richards.

- (2) Safety: Parking problems is the biggest safety concern due to the vehicles, including large trucks parking perpendicular to the street which impede the safe passage of both vehicles traveling on Lookout Rd and pedestrians.
 - (3) Loud Music: There bands playing almost every night. The GPG license is for no loud or amplified music.
 - (4) Patrons of the GPG are urinating on the property of neighbors, and when confronted complain that the bathrooms inside are full.
 - (5) Work Permits: Who in the city gave the GPG permits for the major modifications of the front and side porch additions?
 - (6) The Richards stated in January 2006 that they would “remain open only until midnight”. Ever since the establishment opened, they have been open until 2:00am.
- iii) Laurie Richards, representing the GPG, made the following comments:
- (1) She became aware of the problems when this anonymous letter was circulated.
 - (2) She wants her patrons to enjoy their visit, and she wants to keep the residents happy.
 - (3) The GPG does have a restriction on amplified music, which they agreed to with the ABC Board, but they did not have to agree to it. One ABC agent told her that the current restriction means that no music may emanate from a speaker. They have tried to keep the music at a level that does not bother the neighbors, but the GPG is now submitting a request to the ABC for a new Liquor License that will not prohibit the playing of amplified music.
 - (4) Concerning safety issues, there was never a sidewalk on the GPG side of the road. Cars are being parked now the way they were parked when the property was Frankie’s. GPG has also hired security to keep patrons under control.
 - (5) Frankie’s always had an awning running completely around the building.
- iv) Craig Carmen, representing the Virginia ABC, made the following comments:
- (1) Going back a few years, he explained the relationship between the ABC and the GPG. The ABC agent who attended the January 19th 2006 meeting, Ms. Crystal Stump, has left the ABC, since then, the area of Chesapeake Beach has been a vacant territory not assigned to an ABC agent.
 - (2) A few months ago, a complaint was made to the ABC Board concerning drunken patrons. Mr. Carmen was assigned to follow-up on the complaint.
 - (3) In November 2005, three people Mr. Richards (Laurie’s dad), Laurie Richards, and Ms. Burton, sent a request for a liquor license. Later, Ms. Burton sent a letter to the ABC saying that they would agree with playing no amplified music.
 - (4) He attended the GPG and observed a band playing and determined that they were playing amplified music—guitars plugged into speakers on tripods. He made three additional trips to the GPG and determined that they are violating the restriction on amplified music. He issued a letter of violation to the GPG.
 - (5) After discussions with Laurie Richards, the three parties who have the GPG liquor license submitted a request for a new license with no restrictions.
 - (6) The violation will have a hearing, and only after that is done will the request for a new liquor license be scheduled. That would then have a hearing open to the public.

- v) Bruce Johnson stated that the GPG has submitted a letter to the city's planning department concerning modifications to the patio, deck, and roof. Once the city planners review this, it will be scheduled for a Planning Commission hearing.
- vi) Steve Kohler presented stated that he talked to the city traffic and engineering about a stop sign at the intersection of Lookout Rd and Seaview Ave, next to the GPG. The city traffic and engineering department indicated that the parking easement along Lookout Rd. goes up to the edge of the GPG building and that the city has sent a letter to the GPG concerning a violation of parking in front of the GPG.
- vii) Mark Walker stated that he did attend a meeting with Laurie Richards and the CBCL Executive Board. He has not been solicited by the GPG, but he did offer the idea of sound deadening panels that could be created and inserted into the window spaces when bands are performing. He noted that the GPG installed two sets of doors at their entrance, which does help deaden some of the sound.
- viii) The issue was opened to comment from members.
 - (1) Stewart Smokler disliked the anonymous letter. He believed that it could have been sent by a competing business. He would like to see the GPG granted an opportunity to fix the problem.
 - (2) John Huls questioned how the GPG could be allowing parking into the city's easement.
 - (3) Laurie's attorney spoke saying that he disputes how far the city easement runs. He noted that the parking is the same as what it had been when it was Frankie's. He noted that they will take down a list of people to contact when dates for state and city hearings are determined.
 - (4) Jary Gershon said that he is hearing a whole lot of loose ends on this. These loose ends will take months to clear up, but the GPG now knows that some residents are ticked off about things. He does not feel that the CBCL should make any decisions until after we have resolution on these loose ends.
 - (5) Shari Glenn asked whether the amplified music will be continuing while this is all under review. She said that it is a little hard to sleep when the music is that loud, since her bedroom faces up against the GPG. Mr. Carmen indicated that he will not be issuing future violations.
 - (6) A gentleman asked whether the GPG would discontinue amplified music, and the answer was no.
 - (7) S. Catherine Girard would like to know how anyone else would like to live next to the GPG where there is loud music plays until 2:00am and the noise of loud cars and motorcycles can be heard until 2:00am.
 - (8) Wally Damon said that when the Richards met with the CBCL, they said that they would have a restaurant in the spirit of Frankie's. He thinks that GPG should do something about these problems.
 - (9) Chris Philips noted that he and his partner own a business in Chic's Beach. He stated that during the week, there are acoustic guitar bands that play at GPG and they are not noisy.
 - (10) A gentleman wondered how much of this is guilt by association. He thinks that GPG is being blamed for all the noise in the area.
 - (11) A woman stated that noise is part of living in the neighborhood.

- ix) A motion was made by Brian Camden and seconded for the CBCL to formally endorse the request for a new ABC license. Much discussion ensued.
- x) A motion was made by Floyd Williams and seconded to table the motion made by Brian Camden. A vote indicated 35 in support and 16 opposed to tabling Mr. Camden's motion. Therefore, Brian Camden's motion is tabled.
- xi) It was discussed that prior to voting on any motions about the GPG, the CBCL will publish in their newsletter that the issue will be discussed

9) **Old Business:**

- a) VB Comprehensive Plan Update: The Comprehensive Plan update will be published in the paper. Right now our type of neighborhood is called a "Primary Residential Area." They are changing the terminology for all of these types of areas in the city to a "Suburban Area." The only change in the definition is that the "Suburban Area" includes preservation. There is a call by the Planning Department to designate thirteen areas the Shore Drive area as a "Suburban Focus Area" which will lead to further studies of the areas, where the community provides input. One member recommended that the city post signs encouraging the use of the bike path installed through Bayville Farms rather than riding on Shore Drive.

10) **Committee Reports:**

a) *Special Focus Committees:*

- i) Adopt-A-Street/Waterway: Darryl Stubbs requested assistance for conducting the clean-up this Saturday at 9:00am.
- ii) Architectural Preservation & Zoning: Nothing to report.
- iii) Historian: Nothing to report.
- iv) Merchandising Committee: Wally Damon displayed an example of our new CBCL t-shirts for sale.
- v) Neighborhood Park and Lakes Committee: Water Quality--Heidi Janicki reported that Jackie Weitzel and the committee have submitted a request for a mini-grant that would give the CBCL \$1,000 for Water Quality Management.
- vi) Pride-In-Community Committee: Not present.
- vii) Safety & Neighborhood Watch Committee: Committee Tri-Chair Steve Kohler reported that the on behalf of members, he asked the city what it would take to get a stop sign installed on Berrie Circle in place of the yield sign. The city said that based upon the low volume of traffic and the streets being dead-end streets that the city will not make a change at this time.

b) *CBCL Operational Committees:*

- i) Block Captains Committee: Nothing to report.
- ii) Business Liaisons: Nothing to report.
- iii) Meeting Coordinator: Not present.
- iv) Membership Committee: Position Vacant.
- v) Newsletter Editor: Nothing to report.
- vi) Webmaster: Nothing to report.

c) *Partnering Organizations:*

- i) Bayfront Advisory Committee (BAC) Liaison: Liaison Wally Damon reported that at the last BAC meeting drawings were shown about the new \$90M bridge which will replace the Lesner Bridge. Pedestrian pathways and lighting was discussed.
- ii) CCO Representative: Pat Barner provided a CCO report which is attached below.
- iii) Shore Drive Community Coalition Liaison: Steve Kohler reported the following:
 - (1) Officer Elections—They are looking for a President and a Treasurer for 2010.
 - (2) Sand Replenishment by Cape Henry—At the least meeting, it was reported that as a result of court decisions in favor of the city, the city is going forward with the sand replenishment from sand obtained through dredging the entrance to the Lynnhaven Inlet.

11) **More New Business:**

- a) Officer and Director Liability Insurance:
 - i) Treasurer Costello discussed the possibility of purchasing Officer and Director Liability Insurance for the CBCL. She had contacted a couple of companies about the insurance. She was given an estimate of \$600 from one company and recommended purchasing the insurance for the CBCL. A motion was made to concur with Treasurer Costello's recommendation for the CBCL to purchase Officer and Director Liability Insurance. The motion passed one vote short of unanimous.

12) The **meeting adjourned** at 9:23 pm.

Respectfully submitted,

Bob Costello,
CBCL Secretary