

FREQUENTLY ASKED QUESTIONS ABOUT HIGHLAND BEACH

(August 2021)

The following are just some of the more commonly asked questions about Highland Beach, aka HB, aka The Beach. Be sure to visit www.highlandbeachmd.org for general as well as detailed information about The Beach, HB News, the HB Calendar of Events, HB ordinances, permit requirements, forms, etc. This document will be periodically updated.

• **What are some of the unique characteristics of Highland Beach?**

Highland Beach was founded in 1893 as a summer resort and sanctuary for African Americans by Laura Douglass and her husband, Charles Douglass, the youngest son of Frederick Douglass. The most famous black man of his time, Frederick Douglass would have become a resident had he not died in 1895 before Twin Oaks—the summer home that his son Charles was building for him—was completed.

The Beach became a gathering place for educated blacks, including many of the well-known blacks of the time and later years. Among the residents and guests were—Paul Robeson; Judge Robert Terrell and his wife, Dr. Mary Church Terrell; Booker T. Washington; Robert Weaver; W.E.B. Du Bois; Paul Laurence Dunbar; Langston Hughes; E. Franklin Frazier; and later, author Alex Haley just to name a few.

When Highland Beach was incorporated in 1922, it became the first African American municipality in Maryland. It is also believed to be the first African American summer resort in the United States. It is now a town of both summer and year-round residents who choose not to permit commercial establishments. There are approximately 80 homes, many of them still owned and occupied by descendants of the original settlers.

Highland Beach is a waterfront community bordered on the north by Black Walnut Creek and the community of Bay Ridge, on the east by the Chesapeake Bay, and on the south by Oyster Creek and the community of Venice Beach. A beautiful 600-foot sandy beachfront on the Chesapeake Bay—including a large pier and playground for children—is enjoyed by its citizens.

Highland Beach has its own Planning and Zoning Commission which can set regulations that may be more stringent than those required by Anne Arundel County. A major factor in maintaining the character of Highland Beach is the requirement of a two-lot minimum to build a home (enacted in the early 1990s). This requirement also has the significant added benefit of limiting impervious surface and the resulting stormwater runoff. By having more vegetated land, the land can better absorb, filter, and recharge groundwater when it rains.

The Beach is home to the Frederick Douglass Museum and Cultural Center (FDMCC) and the Terrell/Langston Library of African American History and Culture (see more information below).

Highland Beach continues a tradition of environmental consciousness consistent with its heritage. From its earliest days, citizens have practiced environmental stewardship, e.g., composting and maintaining the natural wooded character of the community.

With the construction of its “Green Town Hall”—which has received the U.S. Green Building Council’s highest ranking of LEED Platinum—Highland Beach is on the leading edge of environmental stewardship and energy conservation. The Town Hall stormwater mitigation features include green roof plant modules covering two-thirds of the roof, rain gardens, rain barrels, and permeable pavers. Rain barrels mitigate runoff on the remaining one-third of the roof; and half of this section of the roof contains 30 solar panels for 7.35 kilowatts of power. And the original solar panels on the roof of the Town Hall have been relocated and reused at the FDMCC, for 2.65 kilowatts of power.

Several rain gardens have been installed, beachfront restoration has been implemented, and forested land has been preserved. A photo inventory of several of the town’s environmental initiatives is posted on the “Environmental Stewardship” pages at www.highlandbeachmd.org.

Along with the privileges of living in a beautiful beachfront peninsula in the Critical Area, come the responsibilities of co-existing with wildlife and protecting the unique environmental characteristics of Highland Beach.

• ***What does it mean to live in the Chesapeake Bay Critical Area?***

All of Highland Beach is located within the Chesapeake Bay Critical Area, i.e., the land area 1,000 feet inland from tidal water or tidal wetlands. Property owners in the Critical Area are not allowed to build or deforest within the 100-foot buffer along waterways.

“In 1984, to safeguard the Bay from the negative impacts of intense development, the Maryland General Assembly enacted the Chesapeake Bay Critical Area Protection Program, a far-reaching effort to control future land use development in the Chesapeake's watershed. The ribbon of land within 1000 feet of the tidal influence of the Bay was determined to be crucial because development in this "critical area" has direct and immediate effects on the health of the Bay.”

“The Critical Area Law requires that each local jurisdiction identify and provide for the establishment, preservation, and maintenance of Habitat Protection Areas. These areas include: a naturally vegetated 100-foot buffer (the Buffer); nontidal wetlands; the habitats of threatened and endangered species, and species in need of conservation, and their habitat; significant plant and wildlife habitat; and anadromous fish-spawning areas.”

Visit <http://dnr.maryland.gov/criticalarea/Pages/background.aspx> for more information about the Critical Area Protection Program.

• ***What is the governmental structure of Highland Beach?***

Highland Beach has a mayor and four commissioners that each serve four-year staggered terms as **non-paid volunteers**. Together they make decisions regarding the various municipal functions and budget for HB. **See the *Charter of the Historic Town of Highland Beach* for details on the legislative functions of the mayor and four commissioners (aka the “Board”).**

Board of Commissioners positions are:

Public Works
Government Operations
Planning and Zoning
Finance

Additional HB Boards and Commissions are:

Board of Appeals
Board of Elections
Public Ethics Commission
Planning and Zoning Commission
Frederick Douglass Museum and Cultural Center

The goals and objectives that have guided HB, and will continue to guide HB in the future, are reflected in a robust Comprehensive Plan 2020, which reflects the concerns, priorities, and desires for the Town for its current and future residents. The 2020 Plan updates and expands upon the 1990 Plan, recognizing what has been accomplished since 1990, and adding additional material for a more comprehensive understanding. In particular, the Plan includes pertinent material from the Anne Arundel County, Maryland, 2018 Hazard Mitigation Update, and from the Annapolis Neck Small Area Plan. Both documents provide valuable insight into the character, nature, and challenges at The Beach. The Comprehensive Plan 2020 can be downloaded from the “Board of Commissioners Meeting Agendas and Journals” page at www.highlandbeachmd.org.

The Board holds meetings once a month (currently via Zoom due to COVID-19); and the meeting agenda is posted on the Highland Beach website at least 24 hours before meetings are held (generally at 11 a.m. on the third or fourth Saturday of each month). Board deliberations are conducted according to Robert’s Rules of Order.

• *Who is the Town Manager, and what does she do?*

The new Town Manager, Ms. Lisa Miller Scott, reports to the Mayor for assignments to facilitate town business. Routine duties include notifying residents of Board meetings, setting up and running Zoom meetings, preparation of vouchers for all bills and deposits, preparation of Board journals, and maintaining the official files of all Board materials. Residents may contact her at lisamillerscott@gmail.com to facilitate the following:

- Provide completed “HB Sponsored Event Request Forms” to reserve the Town Hall or beachfront for special events.
- Reserve parking at the RainScaping Park.
- Request a resident, guest, or vehicle pass.
- Request a spot on the Bruce Ave. kayak stand, or to notify the town if the stand is at capacity.

• *Why not record citizens’ comments in the journal during monthly Board meetings?*

Although residents may attend Board of Commissioners meetings, the primary purpose of the meeting is for the Board to conduct the business of the town. The meeting is not primarily a meeting to engage the residents. The journal, in particular, is to capture pertinent votes and

other business of the Board, such as reviewing the journal of the previous meeting and accepting it into the official record, and going over the treasurer's report for the month.

And although it isn't required that the Board allow comments from citizens during any part of the Board meeting, the Board provides an opportunity for citizen engagement prior to the start, and again at the end, of the business portion of the meeting. Not only is it not the purpose of the Board meetings, it's also a slippery slope to attempt to accurately record citizens' comments, to record the exact words and tone, and later correct disputed notations; and it distracts from the official business portion of the Board meetings.

• *What's the difference between a Municipality, a Homeowners' Association, a Citizens' Association, and a Special Benefit Community District?*

The Town of Highland Beach—a municipality

Every citizen is governed by laws established at various levels of government, starting of course at the Federal level, then the state, county, and city or town. Generally speaking, each higher level of government imposes laws and requirements on all of the lower levels of government. What is not addressed at a lower level of government is generally the province of the next higher level of government. Also, a lower level of government cannot, generally, pass a law inconsistent with the higher government authority.

Here in Anne Arundel County, there are only two local municipal authorities, the City of Annapolis and the Town of Highland Beach. Each has the ability to impose taxes and to establish, e.g., police protection, public works facilities, streets maintenance, fire protection, schools, etc. These expansive services are in fact provided by the City of Annapolis, while a much more limited set of services is provided by the Town of Highland Beach. The differences are reflected in the tax rates, with Annapolis having higher local taxes compared to Highland Beach, and lower County taxes compared to us. The town, necessarily due to our small size, relies upon the County for most services, and this is reflected in our taxes.

Certain other benefits accrue to chartered local government. The cost for upkeep and maintenance of roads, e.g., is offset by roads funds provided to municipalities. We are also able to apply for some grants, particularly from other units of government, that may not be available to non-government entities, or to non-profit 501(c)3 entities.

What Is a Homeowner Association (HOA)?

- A homeowner association (HOA) is an organization that makes and enforces rules and guidelines for a subdivision, planned community, or condominium building.

- The members of a homeowner association are the residents of the subdivision, community, or building; some communities require mandatory membership for individuals that purchase property in the zone.

- Run by a board of directors, HOAs typically collect monthly or annual fees to pay for common area maintenance and the upkeep of facilities.

- HOAs may impose fines on non-compliant homeowners.

Citizens' Associations

Generally, these associations are social organizations and do not have the powers to tax or to impose fees. In Highland Beach, the Citizens' Association continues to be integral to the legacy and spirit of community that we have enjoyed since our establishment as a community. The history of our community has progressed hand-in-hand with the dedication and commitment of the Citizens' Association to celebrate and promote the continued viability of The Beach. We recognize that many communities which were once similar to The Beach, no longer exist. The fact that our communities (including Venice Beach) not only still exist, but are thriving, is a testament to the continued need for and work of our citizens to foster and continue that spirit of comradery that is key to maintaining the community for current and future generations.

Special Benefit Community Districts

These Districts were established by the County to provide unincorporated areas the ability to impose mandatory taxes upon properties located in the district, in order to provide services that otherwise would not be provided. Generally, such services may be specific to the unique requirements of a given area. There are, moreover, stipulations on what can be paid for with the funds, subject to requests and approvals by the County. The flexibility that governments enjoy in how to spend taxpayer funding is generally not available to SBCDs. Nor are such districts eligible for certain funds, such as provided by the state for streets maintenance. And while a municipality does not pay taxes on municipally owned property, that benefit is not extended to SBCDs.

• *What is the social organization of Highland Beach?*

Many citizens of Highland Beach are members of the Highland Beach Citizens Association (HBCA), and many are not. The HBCA sponsors many social activities such as the biennial family picnic, the annual Fourth of July parade and picnic, and children's activities. The purpose is to promote the interest, concern, and welfare of the residents of the The Beach. Membership is open to all eligible persons. There are three types of memberships including: Residential, Lot Owners, and Corporation. The current membership fee is \$50 annually.

- Residential Memberships (those persons with houses) are open to all property owners and adult members of their families eighteen (18) years and older. (One membership covers all who dwell therein.)

- Lot Owners Memberships are open to those property owners who have lots without houses.

- Corporation Memberships are limited to that group (or groups) approved and sanctioned by the Board of Commissioners who have a permit from the Board to establish and operate as a corporation in Highland Beach.

Meetings are held once a month beginning in May and extending through September or October, on the third Saturday of said months in the Town Hall (currently via Zoom due to COVID-19) unless otherwise announced.

- ***What about the Frederick Douglass Museum and Cultural Center?***

The Frederick Douglass Museum and Cultural Center, housed in "Twin Oaks"—the summer cottage built in 1895 for Frederick Douglass—was purchased and restored in the 1980s. In 1995, the State of Maryland and Anne Arundel County acquired the property and deeded it to the Town of Highland Beach as a memorial to Frederick Douglass, one of Maryland's most famous sons. Its mission is to promote a greater understanding of the life and work of Frederick Douglass and his family; to identify, document, and preserve the social and cultural histories of Highland Beach and Venice Beach; and to make these resources available for information and research. Docents, under the direction of the Museum Director Dena Sewell, conduct tours and arrange exhibits related to the history of The Beach. The town is also fortunate to have the services of a 501(c)3 nonprofit organization, the Frederick Douglass Museum and Cultural Center, Inc., with Executive Director Jean Langston and its own Board of Directors.

- ***What about the Terrell/Langston Library?***

In 2016, the Terrell/Langston Library of African American History and Culture was established in the Highland Beach Town Hall. Spearheaded by Ray and Jean Langston—whose generous gift of historic books made creation of the library possible—the library is named in honor of the Langston family and early HB resident Dr. Mary Church Terrell. Dr. Terrell was one of the first African American women to earn a college degree, and became known nationally as an activist for civil rights and women's suffrage. The library serves as a resource for researching the history of The Beach and, more broadly, the African American experience from the earliest days of this country.

- ***Can I reserve the Highland Beach Town Hall?***

Yes, if you are a resident. Details are listed on the "HB Sponsored Event Form" which can be downloaded from the "Applications and Forms" page at www.highlandbeachmd.org.

A non-refundable fee of \$250 must be paid to the town at least 30 calendar days in advance of the event date.

- ***Who can use Highland Beach roads?***

The general public can drive through Highland Beach, however, we don't have on-street parking (unless there is a special event or guests who need to be accommodated by parking only on one side of the street). This curtails traffic due to a lack of on-street parking opportunities; and traffic control personnel are better able to determine who belongs and who doesn't.

- ***What does Traffic Control do?***

Traffic Control monitors both foot and especially vehicular traffic on weekends, Memorial Day through Labor Day (this is sometimes extended to start earlier and end later in the year). They

especially monitor who is allowed on the beachfront and who is not. They help create a more secure environment, especially during the busy summer months. (HB is much quieter during the cooler and cold months.) The cost of traffic control is shared two-thirds by HB and one-third by VB.

• ***How is parking accommodated?***

- **HB and VB residents should obtain a car pass.** Visitors do not need car passes. The Board strongly encourages all residents to display car passes to facilitate traffic control when passing the booth, and as a courtesy to vehicles that may be waiting behind you. Many people already have car passes. Please look for your pass before requesting a new pass and abide by the limit on the number of passes provided.

- **Residents are requested to alert traffic control if they are expecting multiple guests.** You may also elect to provide a list of your guests to traffic control. A list of guests will facilitate the flow of traffic pass the traffic control booth.

- **Since we don't have on-street parking,** your guests are requested to park only on one side of the street, if they can't park on your property. As the streets are narrow, everyone's cooperation is requested so that vehicles can pass safely in both directions.

- **Residents can reserve the front section of the RainScaping Park for overflow parking** when they have guests that can't park on their property. The RainScaping Park has space for up to eight cars in the front fenced-in section if cars are parked horizontal to the street, four on each side, leaving the center section open for entry and egress.

- **Golf carts parking along the beachfront should display a HB or VB sticker** to make it easier to discern authorized users of the facilities. Golf carts are not allowed on the beach, except for handicap access.

- **Obtaining resident, guest, and car passes and reserving the RainScaping Parking area:** Please remember that at least one week notice is needed to fulfill pass and parking reservation requests. The-day-before and same-day requests are not sufficient notice. Email requests to the Town Manager, Lisa Miller Scott at lisamillerscott@gmail.com. Requested passes will be left in an envelope with your name at the traffic control booth for pick up Friday through Sunday.

• ***Who can use Highland Beach outdoor public spaces?***

Generally, the residents of HB and VB and their guests. However, due to its small size, the Bruce Avenue pier and boat launch are only for use by residents of HB and their guests. Also, the kayak stand is only for use by residents of HB.

• ***Who can use the beachfront?***

Our sandy beachfront and large pier are for the benefit of Highland Beach and Venice Beach residents and their guests (provided they have a guest pass). A beachfront playground is provided for the children of the community. Please note that the beachfront is closed after dark.

If inappropriate use of the beachfront, or other areas, is observed, please alert Traffic Control (if they are on duty) or call Anne Arundel County police to report a serious infraction.

- ***What is the current beachfront pass system?***

- **Highland Beach residents receive one resident pass and one guest pass per household.**

- The guest pass covers a maximum of nine guests. Ten or more guests requires a permit. Guests must display a guest pass.

- **Venice Beach residents receive one resident pass per household.** Venice Beach residents should also be present with their guests on the beach and large pier—up to nine individuals.

- ***Can I reserve the beachfront for special events?***

Yes, if you are a resident. Details are listed on the “HB Sponsored Event Form” which can be downloaded from the “Applications and Forms” page at www.highlandbeachmd.org.

A non-refundable fee of \$250 must be paid to the town at least 30 calendar days in advance of the event date.

- ***What are the restrictions regarding swimming in the Chesapeake Bay?***

Anne Arundel County’s Health Department’s Preemptive Rainfall Advisory states that **“After rainfall of 1/2 inch or more, all Anne Arundel County beaches are under a no swimming/no direct water contact advisory for at least 48 hours due to predicted elevated bacteria levels from rainwater runoff and increased health risks.”** Learn more at <https://aahealth.org/beach-swimming-guide/>.

- ***Do I need a permit to make changes to my property, e.g., build a house, add an extension to my house, add a fence, add a gravel or asphalt parking area, add a shed, add a swimming pool, etc.?***

Generally, you will need a permit first from Highland Beach, and second from Anne Arundel County for these types of projects.

Before applying for a building permit, applicants should refer to the requirements detailed on the “Planning and Zoning Ordinance—Dimensional Requirements” document, which can be found on the “Ordinances and Other Documents” page at www.highlandbeachmd.org.

The “Building Permit Application” and the “Building Permit Appeal” can be downloaded from the “Applications and Forms” page at www.highlandbeachmd.org.

• *When is a Vegetation Management Plan (or Buffer Management Plan) required in the Chesapeake Bay Critical Area?*

Since the mid-1980s, property owners in the Critical Area are not allowed to build or deforest within the 100-foot buffer along waterways. “Any disturbance in the 100-foot or expanded buffer will require a buffer management plan approved by Anne Arundel County Inspections and Permits. Disturbance includes cutting or removing vegetation (trees, shrubs, vines) and any grading or filling activity. In addition to a buffer management plan, a property owner may need approval from the Department of Inspections and Permits. This approval comes in the form of a grading permit for disturbances greater than 5,000 square feet. For disturbances under 5,000 square feet, a property owner may seek approval of a more simplified, standard grading plan (also known as standard lot sheet) instead of a grading permit.” –Anne Arundel County, <https://www.aacounty.org/departments/planning-and-zoning/development/critical-area-program/>

One of the ways that a county inspector discovers a violation is through the reporting by a neighbor. By not complying with the regulations, the violator(s) could be subject to a substantial fine and remediation of the infraction.

Visit <http://dnr.maryland.gov/criticalarea/Pages/background.aspx> for more information about the Critical Area Protection Program.

• *How can I learn more about Highland Beach environmental initiatives?*

Visit the following pages on the Highland Beach website—www.highlandbeachmd.org:

- Platinum Certified (Green) Town Hall
- Highland Beach RainScaping Park
- Environment—Stormwater Mitigation and Restoration Projects, Open Spaces, and Recreational Facilities
- Environment—Beachfront Erosion Control and Restoration Projects

• *Will the County Animal Control remove unwanted animals on my property or in the community?*

“Anne Arundel County Animal Control no longer provides nuisance wildlife trapping or pick up services to the public. However, the Department of Natural Resources has over sixty (60) licensed and approved wildlife contractors to serve the citizens of the county.

“These privately contracted and approved wildlife professionals will now be providing nuisance wildlife trapping and removal services for Anne Arundel County residents and businesses experiencing problems with nuisance wildlife occurring outside of homes and businesses. Additionally, a wildlife trapping phone line is staffed offering tips and advice on nuisance wildlife by the U.S. Department of Agriculture. The number is: (877) 463-6497.

“Anne Arundel County Animal Control will continue to respond to reports of wildlife confined inside of homes and businesses.” —<https://www.aacounty.org/services-and-programs/nuisance-wildlife-trapping>.

For a listing of DNR approved wildlife contractors servicing Anne Arundel County, visit https://dnr.maryland.gov/wildlife/Pages/plants_wildlife/nw.aspx.

Two additional sources of information are:

<https://www.humanesociety.org/resources/what-do-about-foxes> and

<http://www.aaanimalcontrol.com/professional-trapper/city/md-annapolis.htm>

Hint: An ammonia-soaked rag tossed at the entrance to a fox den, or in a garbage can they frequent, will deter them, as well as racoons and other critters. And there are commercially available products made to deter nuisance animals.