

The Capital South County

WRYR claims county unfairly blocks efforts

By JOSEPH BULKO, For The Capital

WRYR project manager Mike Shay is pretty sure his preservation-minded radio station doesn't have a fan in county government. For the second time in 18 months, WRYR, 97.5 FM, an offshoot of South Arundel Citizens for Responsible Development, has complained that the county has unfairly blocked efforts to record meetings in south county.

"Any public meeting, open to conventional media, should also be open to WRYR," said Mr. Shay, who's also SACReD's vice president.

On Friday, the grassroots group filed a complaint with the Open Meetings Compliance Board, claiming that Administrative Hearing Officer Stephen LeGendre illegally banned the low-power station from taping and broadcasting a Dec. 9 hearing on the controversial Crandell Cove senior housing complex.

Mr. LeGendre declined comment yesterday, saying he hadn't seen the complaint yet.

He presided over a hearing requesting an extension of Crandell Cove's two-year-old variances and special exceptions to build 32 apartments and several other buildings on about 4.5 acres of a 25-acre parcel just off Franklin Manor Road in Churchton.

The lot, which sits on Deep Cove Creek, is 86 percent forested and completely within the state Critical Area, a 1,000-foot buffer along tidal tributaries of the Chesapeake Bay. More than half of the site, split-zoned R1 (residential) and open space, is in a federal floodplain.

SACReD is concerned about the environmental impact of the project on nontidal wetlands and the floodplain and the precedent the project could set for development in South County.

A spokesman for the Open Meetings Compliance Board couldn't be reached for comment. The office is closed until Monday.

SACReD filed a similar complaint with the board in July 2003, claiming the county violated the Open Meetings Act by refusing to let WRYR broadcast its tape of a meeting of the Franklin Point-Shady Side Parks Master Planning Committee.

The board dismissed the claim, but the county later granted the radio station the right to record that meeting as well as those that followed. In the current case, SACReD claims the Dec. 9 public hearing was subject to the Open Meetings Act, which mandates that such hearings be open and encourages the broadcasting of public hearings.

According to Mr. Shay, Mr. LeGendre refused his request to record the hearing shortly before it began, saying he didn't have enough notice. Mr. Shay said he's taped many other previous meetings, and there were no special technical requirements that would have necessitated advance notice for the recording process.

A free, county-produced recording of the hearing was made available eight days later, but SACReD deemed that too late for a current news broadcast to the community, according to the complaint. WRYR maintains that without Mr. LeGendre's prohibition, it would have provided the community with a professional broadcast in a timely fashion.

SACReD is asking the Open Meetings Compliance Board to remind the county that the public is allowed to record and broadcast future administrative hearings. SACReD is a nonprofit organization committed to building sustainable and environmentally responsible Chesapeake Bay communities.

WRYR's signal extends generally from Edgewater to Tracys Landing on this side of the bay.

"WRYR can record hearings and rebroadcast them in their entirety so that the public can make their own determination about the issues," said station manager Chris Pokorski.

*Published December 30, 2004, The Capital, Annapolis, Md.
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