

Public Hearings - Oxford - Critical Area Program

1987

MSA - 51830 - 18

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STATE OF MARYLAND  
CHESAPEAKE BAY CRITICAL AREAS COMMISSION

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OXFORD, MARYLAND :  
:   
CRITICAL AREA PROGRAM :  
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Monday, October 12, 1987

Pursuant to Notice, the above-entitled hearing was held before the Chesapeake Bay Critical Areas Commission, at the Municipal Building, Main Street, Oxford, Maryland, commencing at 7:00 p.m., there being present:

MEMBERS OF THE COMMISSION:  
JUDGE SOLOMON LISS, Chairman  
RUSSELL BLAKE  
G. STEEL PHILLIPS  
DR. SHEPARD KRECH, JR.  
HOMAN HALLOCK

KEVIN SULLIVAN, Commission Staff

TONY REDMAN  
Redman/Johnston Associates

REPORTED BY: MARIAN C. HUNT, NOTARY PUBLIC

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P R O C E E D I N G S

1  
2 CHAIRMAN LISS: May I have your attention,  
3 please. Ladies and gentlemen, welcome to the hearing in  
4 connection with the proposal for the Critical Area  
5 Program to be adopted by the Town of Oxford. Those of  
6 you who have signed the sheet, we appreciate it. For  
7 those of you who have not yet signed, before you leave  
8 this evening, please be kind enough to give us your name  
9 and your address so that we will have a record of those  
10 who did attend the hearing.

11 I note on the information sheet that we have  
12 here that no one has indicated that they wish to  
13 testify. That does not mean that you may not make any  
14 statement that you choose to make. When you're ready to  
15 make the statement, if you would just raise your hand  
16 and take a seat at the table immediately in front of us,  
17 you may speak into the microphone. Whatever is said  
18 will be recorded.

19 A copy of what is said will be furnished to  
20 the Commission and will be available to those persons  
21 who are here this evening or to any other person at the

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1 offices of the Commission in the Tawes Office Building  
2 in Annapolis for a period of at least 30 days after this  
3 hearing. We will keep the record open for an additional  
4 week so that anyone who wants to file a written  
5 statement will be able to do so merely by writing to the  
6 Critical Areas Commission at the Tawes Office Building  
7 in Annapolis, Maryland and asking that your statement be  
8 included with the record made either in support of or  
9 opposed to the program as proposed by the Town of  
10 Oxford.

11           The purpose of the hearing this evening is to  
12 give anyone who wishes to be heard an opportunity to  
13 make any statement they choose to make. We will not be  
14 taking up individual properties. The question of  
15 whether or not an individual property should or should  
16 not be designated as it has been in the plan as prepared  
17 by the staff of the Planning Commission and/or the  
18 consultant is a matter to be worked out on a local  
19 basis, and the Commission cannot and will not interfere  
20 with that. However, we are prepared to answer any  
21 questions that may be asked of us at the office of the

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1 Commission, and if you have any questions that you do  
2 want to ask, we would be more than pleased to answer  
3 them as soon as we can.

4 May I introduce to you some of the people who  
5 are here with us this evening. I first want to say that  
6 we are grateful to the Commissioners of the Town of  
7 Oxford who have been very generous and kind with their  
8 time. I'd like to introduce Clarence Pusey, one of the  
9 Commissioners of the Town of Oxford, if he will stand  
10 please and take a bow. I'd also like to introduce  
11 Aileen Vreeland. Thank you very much. And from the  
12 Planning Commission, Carol S. Brinsfield, III and  
13 William T. Sawyer, also of the Planning Commission, and  
14 Mr. Albert Gibson, a member of the Planning Commission.

15 From the Critical Areas Commission, the panel  
16 which is handling the hearing this evening is made up of  
17 four members. There was a fifth member who was  
18 designated who is not here this evening, but the Statute  
19 requires only that three of the five members be present,  
20 and since we have four of the five, the requirements of  
21 the Statute have been complied with. The four who are

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1 present are Judge Solomon Liss, Chairman of the Critical  
2 Areas Commission; Dr. Shepard Krech, at-large member of  
3 the Commission; Steel Phillips, Steel here with  
4 Dorchester County; and Russell Blake. You're with  
5 Pocomoke City.

6 MR. BLAKE: Yes, sir.

7 CHAIRMAN LISS: And these are the four men who  
8 are prepared now to hear from you. We're delighted that  
9 you're here this evening, and anyone who wishes to make  
10 a statement, we'll be glad to hear it. The plan is  
11 available for those of you who may not have seen it at  
12 the offices of the County Commissioners. And is it also  
13 available at the Planning Commission?

14 MR. GIBSON: The same source, essentially.

15 CHAIRMAN LISS: So that it can be seen in this  
16 building.

17 MR. GIBSON: Yes.

18 CHAIRMAN LISS: All right. For anyone who may  
19 not have seen the plan who wishes to have an opportunity  
20 to look at it, it will be available here in this  
21 building. Now, I make one more point to you. As I

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1 understand it, there already has been a hearing on the  
2 plan held by the County Commissioners and the Planning  
3 Commission. We have this hearing which is scheduled  
4 tonight. There will be one other hearing, assuming that  
5 the Commission approves the plan subject to such minor  
6 changes as may be made as a result of what we hear this  
7 evening. We will then notify the local authorities that  
8 we have approved the plan. It will then be advertised  
9 again, and there will be a final hearing before it is  
10 implemented by the local authorities, so that you will  
11 have had three opportunities to be heard on the  
12 adoption of the plan.

13 With that explanation having been made,  
14 anyone who wants to be heard, we'll be delighted to hear  
15 from you. Yes, ma'am.

16 MS. STANLEY: I have a question.

17 CHAIRMAN LISS: Would you identify yourself,  
18 state your name and --

19 MS. STANLEY: Jennifer Stanley. I'm a  
20 resident of Oxford. My question is when do you think  
21 this final implementation, or final hearing -- what is

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1 the time frame?

2 CHAIRMAN LISS: Well, assuming that the  
3 changes that are to be made as a result of this hearing  
4 and the hearings that have preceeded are referred to our  
5 staff -- Mr. Kevin Sullivan is here from our staff.  
6 He's seated in the rear. And Mr. Tony Redman, who is  
7 the consultant who is working for the Town of Oxford.  
8 These two gentlemen will be getting together one day  
9 this coming week, this week. They will make certain  
10 recommendations for changes so that some problems that  
11 we may have and some problems that the consultant may  
12 have with changes that we may want to have made will be  
13 worked out. The matter will then be referred to the  
14 Commission. There will be a notice of a hearing, and  
15 the Commission will then be furnished with the final  
16 program as suggested to be adopted. I would venture to  
17 say that that will come up for disposition at the second  
18 meeting of the commission in November, and assuming that  
19 the Commission -- and remember, the Commission is made  
20 up of 26 members, and a majority of those members must  
21 approve before the program can be approved and adopted.

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1 But assuming that the majority does approve, then the  
2 matter would be referred back to your local  
3 representatives for disposition. Now how soon they  
4 would want to advertise it is really their prerogative,  
5 and I would not want to step on their toes, but I would  
6 certainly image that certainly within five to six weeks  
7 after they've gotten it the hearing should have been  
8 held, whatever changes required to be made in the  
9 ordinances should have been made. And I would  
10 certainly think that between the second week in November  
11 and the first week in January you ought to be ready to  
12 implement it.

13 MS. STANLEY: Thank you. Now I have another  
14 question. I have attended a meeting in Annapolis and at  
15 the time when Oxford had already submitted its plan, and  
16 I think the rest of the people in the room would like to  
17 hear this. Oxford was one of a very few communities  
18 that got their plan in on time. Am I not correct?

19 CHAIRMAN LISS: Yes. Oxford is to be  
20 congratulated. You did a good job and got it in on  
21 time, and we're very grateful to you. We've got 60

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1 jurisdictions that we must hold hearings in between now  
2 and June of 1988, and if you can imagine running around  
3 to 60 different places and listening to the various  
4 questions and problems that come up, it has not been an  
5 easy task. But we're pleased to say that approximately  
6 15 plans have now been received by the commission, which  
7 means that 25 percent of the plans have been submitted.  
8 Baltimore City's plan was the first one which was  
9 approved, and it is presently being implemented by the  
10 City Council of Baltimore City. Prince George's County  
11 comes up for approval in the second meeting of the  
12 Commission in October, and based on the presentation  
13 which they made last week, we have every reason to  
14 believe that the probabilities are that they will be  
15 approved. And then Oxford -- is it Greensboro?  
16 Greensboro, St. Michael's, Easton, Kent County, Rock  
17 Hall. I can't say them all from memory. Betterton and  
18 Millington, will all be coming up for approval, and I  
19 would venture to say that given the same kind of time-  
20 table that we ought to be able to have them disposed of  
21 by the first of January. Disposed of in the sense of

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1 improved and implemented.

2 MS. STANLEY: Well, I guess it would be  
3 appropriate for me to make a statement at this time,  
4 since I have the chair. I'd like to compliment you, the  
5 Commission, and also the Town of Oxford, because I was  
6 one who was very pessimistic that Oxford would get off  
7 on a running start, and they were slow, but they did it.  
8 And I'm very happy that we have a critical areas plan.  
9 I feel very dedicated to the idea of protecting the Bay,  
10 and I think that as all citizens of the United States we  
11 have the proudest thing that we have, or the thing that  
12 we should be proudest of are our natural resources, and  
13 we'll never replace them unless we protect them. And we  
14 might look at the Bay as a park, and I think this  
15 critical areas plan is very important to implement, and  
16 I hope that the rest of the communities follow suit. I  
17 think it's very important.

18 CHAIRMAN LISS: Thank you very much. Let me  
19 say to you I have a confession to make to you. When we  
20 first started this program, I remember we got a letter  
21 from the County Commissioners or from the Town

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1 Commissioners of Oxford, and I forget what the question  
2 was, but there was some kind of question that was asked.  
3 And we were sort of having a debate between us. I think  
4 one of the questions was who was going to pay for the  
5 consultant. Right? And when I got that letter, I  
6 thought to myself, "Boy, we got trouble now." And if  
7 anybody had said to me that Oxford was going to be one  
8 of the first ones to have the program completed and to  
9 have it approved, I would have never believed it, and I  
10 want to apologize to you. It just shows you that if  
11 you're smart enough to keep your big mouth shut, you  
12 just don't get in trouble. We worked that out very  
13 quickly, and the relationship between Oxford and the  
14 Commission has been excellent, and we are grateful to  
15 the town, and for that matter to the county, which has  
16 been very cooperative. And we hope that it will  
17 continue to be in the future.

18 One thing that I do want to say to you, those  
19 of you who are here and who may have questions, our  
20 office is open all the time. We have a very devoted  
21 staff. If you have a question and your local people are

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1     haaving some problem in answering it, don't hesitate to  
2     call us. We don't guarantee we can answer all your  
3     questions, and very frankly, we're not going to be  
4     stepping on the toes of your local people, because we  
5     don't want to usurp their powers. But if we can help  
6     either the local representatives or you, don't hesitate  
7     to call us, because that's what we're there for, and  
8     we're grateful to you if you call us and sort of give us  
9     a chance to correct any misapprehensions made.

10            Yes, sir.

11            MR. PUSEY: My name's Clarence Pusey. I'm one  
12     of the Commissioners. Aileen Vreeland, Mrs. Vreeland, is  
13     our President, and Homan Hallock, who was late, is most  
14     recently elected member. I want to thank you and your  
15     members of the Critical Areas Commission, and as Mrs.  
16     Stanley said, express our gratitude for the service that  
17     you have rendered and the help that you have given. I  
18     have a general feeling that I think most of the people  
19     of Oxford are very sincerely behind a critical areas  
20     program, knowing what the Bay means to this community as  
21     well as the rest of the state and adjacent states.

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1 I only have one word of caution, and you put  
2 your finger on it when we wrote in, "Who's going to pay  
3 for it?" We're going into, for a village, which it is,  
4 heavy expenses on a number of things, which is not your  
5 problem; that's ours. But on the implementation of  
6 Oxford's critical area program, I would like to say that  
7 with the excellent work of our consultant, Tony Redman,  
8 who I think has done a tremendous job and reasonable,  
9 and he's incurred a lot of costs in this, too, that you  
10 keep it somewhat simple in the implementation so it  
11 doesn't take a battery of lawyers or staff experts, just  
12 so an intelligent town clerk can say to any applicant,  
13 "This is what the revised zoning ordinance says about  
14 the critical area program." It doesn't take a  
15 mathematician or somebody to figure it out. If it's  
16 kept reasonably simple, it'll work to everybody's  
17 benefit, and I'm very sincere about that. Thank you.

18 CHAIRMAN LISS: I appreciate that, and we  
19 agree with you. We don't want to have technical experts  
20 getting a big salary in order to tell people what to do.  
21 What we have done, and incidentally Kevin Sullivan is

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1 one of the people who's responsible for this -- He got  
2 up a memorandum which explains the critical area  
3 program in layman's language. It's available at our  
4 office. Anybody who wants a copy is welcome to get a  
5 copy. I think if you read that, you'll understand  
6 pretty much what we're trying to do.

7 Other than that, we have gone to the  
8 state, and we have said to the state, the local  
9 subdivisions are not in a position to pay for  
10 implementation. We want you to include the cost of  
11 implementation in the next year's budget. They've done  
12 that for 1988. We have every reason to believe they'll  
13 continue to do that in the future. All we have to do,  
14 and this is something you have to help us with -- The  
15 only thing you have to do in order to make sure that the  
16 Governor includes the cost of implementation in his  
17 budget is to make him aware of the fact that you want  
18 this program to succeed. If he knows that this is  
19 something that you want, and if he gets enough  
20 correspondence from Oxford and from all of these other  
21 areas that say we think the program is good and we want

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1 to be sure that it's implemented because it doesn't mean  
2 anything unless it is implemented, then it'll make it  
3 easier for us to go to the Governor and to the  
4 legislature and say, "Look, this is what it's going to  
5 cost. You can't expect the Town of Oxford or the Town  
6 of Millington, or the Town of Greensboro to pay these  
7 costs. They're not able to do it. The state ought to  
8 do it. It's a state proposition, and it's for the  
9 benefit of everybody in the state." And I have a  
10 feeling that we'll have no problem. But if the Governor  
11 gets the idea that he's forcing this down your throat,  
12 and if he gets the idea that he can refuse to implement  
13 it and have you not get upset about it, then it's the  
14 squeaky wheel that gets the oil. And depending on how  
15 loud you squeak, that's how much oil you're going to  
16 get.

17 MR. PUSEY: That's a very good point, Judge  
18 Liss, because in a community this size, when you talk of  
19 hearings and advertisements about these things and the  
20 rewriting which the Planning Commission will start, and  
21 they'll most likely need some help on it, but the

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1 rewriting of the zoning ordinance to include this, the  
2 advertising, the hearings, you're talking of several  
3 thousands of dollars, I suspect, in cost which was never  
4 budgeted for. And we're at a stage that this is serious  
5 to us budgeting. So your point is well taken; we should  
6 let the Governor know we're behind this program and  
7 would like his continued support. Thank you.

8 CHAIRMAN LISS: Thank you Mr. Pusey. Anyone  
9 else? Yes?

10 MR. BLOOD: I'm Bill Blood, and I'm chairman  
11 of the Historic District Commission, and we're in the  
12 process of working with the Maryland Trusts and the  
13 National Register to work out our guidelines. Of  
14 course, this is sort of a selfish interest on mine, but  
15 I would like your idea of possibly a moratorium on any  
16 construction around here until such time as the critical  
17 area has been approved and accepted by the town,  
18 because it would be to our advantage in the Historic  
19 District to have a moratorium on any building in here  
20 until we get all our guidelines ready. So I just want  
21 to know how you feel about this subject.

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1           CHAIRMAN LISS: Mr. Blood, let me tell you  
2 something. My mother told me a long time ago, don't  
3 ever get involved in family fights. (Laughter.) This  
4 is your responsibility and not ours.

5           MR. BLOOD: Well, I just thought --

6           CHAIRMAN LISS: I really can't -- it wouldn't  
7 be fair for our Commission to attempt to dictate to you.  
8 The only thing I can say to you is this: that's a local  
9 question, and certainly there's nothing to prevent you  
10 from doing it. On the other hand, I'm not going to  
11 suggest that you do it, because not only would it not be  
12 fair, but with 26 members on the Commission, that have  
13 never been approached on that subject I'd have to be  
14 stupid to say, "Yes," or "No."

15          MR. BLOOD: All right. Thank you.

16          CHAIRMAN LISS: Anyone else? If there are no  
17 others who want to be heard, I hate to call the meeting  
18 closed --

19          MS. FELLOWS: I have a question.

20          CHAIRMAN LISS: Yes, ma'am. Did you want to  
21 say something.

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1 MS. FELLOWS: I just had a question. I'm  
2 Sunday Fellows, and I live here in Oxford. I'm not  
3 really up to speed on everything that's going on in  
4 Queen Anne County, but I've read enough to be concerned  
5 that they're trying to implement a lot of take-backs. I  
6 don't mean to pose a real broad question about it, but  
7 is that a threat to the other communities who are  
8 complying?

9 CHIRMAN LISS: Well, you are right, in that we  
10 have a problem with Queen Anne's County. They are  
11 attempting to not follow the criteria. First of all,  
12 the Commission I think legally would have no right to  
13 approve a program which doesn't follow the criteria, so  
14 that I don't see how the Commission could approve what  
15 they're proposing. The suggestion has been made that  
16 the Commission be given more flexibility, which is  
17 another way of saying, "Give the Commission power to do  
18 what we want it to do." At least so far as I'm  
19 personally concerned, I think that would be a mistake,  
20 because it would then become a political battle, and it  
21 would be a question of how much political pressure could

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1 be put on the Commission to change its rules.

2 One thing that I want to say to you. The one  
3 problem that they have insisted on and that they're  
4 fighting, and this is really the only problem, because  
5 all of the other items I think could be worked out -- is  
6 this business of one house per 20 acres in the RCA Zone.  
7 We have said that we want to implement the criteria, put  
8 them in place, and see how they operate. If after a  
9 period of two, three years down the road it appears that  
10 this is too restrictive, we're not stupid. We're not  
11 going to sit there and let thta happen. We will be the  
12 ones who'll be in the forefront suggesting some changes.  
13 But to change before you've even begun to use the tool  
14 that you've been given is ridiculous; it doesn't make  
15 any sense. And, frankly, I just don't understand why  
16 Queen Anne's insists it's going to do what it wants to  
17 do "come hell or high water." If they want to do it,  
18 they'll have to do it against the wishes of the  
19 Legislature, because the Legislature said differently  
20 last year on May 13, 1986. That's a date I'll never  
21 forget, because we finally got that adopted after two

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1 years of fighting around. And we don't have the  
2 authority to do it and to change it now.

3 And incidentally, let me make a point to you.  
4 Here you are in Oxford, and I don't know how much you  
5 paid Mr. Redman to prepare your program, but suppose  
6 Queen Anne's succeeds in what it wants to do and all of  
7 a sudden Queen Anne's program is different from  
8 everybody else's. You know as well as I do that every  
9 other jurisdiction is going to want the same thing.  
10 That means that all of the work that we've done, all of  
11 the money that we've spent goes down the tube. We'll  
12 have to start all over again. And it means that the  
13 cost and the time and the expense are just thrown out  
14 the window, and you don't know whether this would have  
15 worked or would not have worked. Now all we're asking  
16 is for a little patience and for a little willingness to  
17 accept us at our word. Somehow Queen Anne's doesn't  
18 believe us.

19 You know, I think at some point there's going  
20 to have to be some kind of acceptance of the fact that  
21 we're acting in good faith. The members of the

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1 Commission are not developers. The members of the  
2 Commission are not farmers. They're members of the  
3 Commission, and what they've done they've done by big  
4 majorities. For example, Baltimore's program was  
5 approved by a vote of 18 to 1. I would venture to say  
6 that every action that the Commission has taken has been  
7 approved by the same kind of majority, and I really hope  
8 that sooner or later reason will apply and we'll be able  
9 to work together. If we can't, then we'll have to fight  
10 it out. We don't have much choice, and whatever happens  
11 happens. And that's incidentally when hearing from you  
12 will mean a great deal. So by all means, keep  
13 yourselves informed as to what's going on.

14 MS. FELLOWS: Thank you.

15 CHAIRMAN LISS: Anyone else? Yes, ma'am.

16 MS. STANLEY: Jennifer Stanley, again. I have  
17 a question that has come up in two hearings that I've  
18 attended, one with Oxford's hearing and one with the  
19 county hearing. And that is the issue of buffer strips,  
20 and I guess what I'm asking for is some information that  
21 would explain what a buffer strip does and why the

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1 Commission arrived at the decision they did regarding  
2 the buffer strip. And I wonder, is this something Kevin  
3 could supply me with?

4 CHAIRMAN LISS: Yes. Kevin Sullivan is our  
5 scientific advisor, and --

6 MS. STANLEY: Well, could he answer that now?

7 CHAIRMAN LISS: By all means. Kevin?

8 MR. SULLIVAN: First of all, a buffer strip is  
9 required by the critical areas law. A section of the  
10 original law said that it's a mandatory part of the  
11 critical area program, and a concept of a buffer strip  
12 is twofold. One is to provide a filtering mechanism to  
13 radiate between land runoff and receiving waters. And  
14 that concept is based on some research done here in  
15 Maryland and other places in the East over the last ten  
16 years or so looking at vegetated buffers as one of  
17 several ways preventing deleterious runoff from any  
18 receiving waters, so it was a water quality objective.  
19 The second has to do with habitat, and the importance of  
20 buffers there has to do with the special characteristics  
21 of repairing vegetation, that is vegetation that's right

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1 along a stream bank or right along the Bay or between  
2 uplands and wetland areas. The Bay area needs plant and  
3 animal communities, and the Commission felt that those  
4 areas over the United States have been lost at a  
5 tremendous rate over the last 30 or 40 years, and the  
6 Commission suggested again a buffer as a way of  
7 maintaining those kinds of communities for plants and  
8 animals. So there's a twofold purpose for having  
9 vegetated buffers.

10 CHAIRMAN LISS: And, of course, the practical  
11 answer to it is -- I'm not a scientist, but I'm sensible  
12 enough to know that when you build right next to the  
13 water and you're using the land right next to the water  
14 without a buffer, without a strip to filter out what you  
15 put in, then all of the dirt, the outfall, the garbage,  
16 whatever it is that is the natural result of the use of  
17 the land, goes directly from the land into the water and  
18 creates the kind of place where you can't raise fish,  
19 wildlife, and what you've been trying to do.

20 MS. STANLEY: Well, Judge Liss, you're a  
21 layman. I'm the same person. I think the same way, but

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1 we have people right here who deny that that has any  
2 effect.

3 CHAIRMAN LISS: Well, they deny it, but every  
4 scientific study tht's been made says different.

5 MR. SULLIVAN: We can send you some  
6 literature.

7 MS. STANLEY: I'd love to have some, because  
8 we are -- I mean, that's the kind of argument that we're  
9 getting, just absolutely blatant denial of it having any  
10 function.

11 CHAIRMAN LISS: I'm sure. Developers will  
12 tell you, incidentally, that the farmer does more to  
13 harm the water than the developer does. Don't believe  
14 it. Don't believe it, for several reasons. Sure, if  
15 the farmer is not required to use best management  
16 practices, if the farmer can do what the landowner does  
17 and do what he damn well pleases, then you'll get the  
18 same result if you're just going to let anybody do  
19 willy-nilly what they please.

20 But this law has teeth in it. It says that  
21 every farm in the State of Maryland which is in the

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1 critical areas must have best management practices  
2 installed within five years from the date that the law  
3 was finally passed. And the only reason we gave them  
4 five years to do it is because there just aren't enough  
5 people to go out and get every farm in the critical  
6 areas worked out so that the best management plans can  
7 be installed. Now when those are installed, when you've  
8 got your vegetation filter installed, and when you've  
9 got your catch basins installed, and when you've got  
10 your provision against the overuse of fertilizer, and  
11 when you've got all of the other protections, then  
12 believe me the developer does a great deal more damage  
13 than the farmer does. And look, the truth of the matter  
14 is we don't want either of them damaged. What the  
15 developer has to recognize is that just because he  
16 bought a hundred acres of land, he did not buy a hundred  
17 acres of the Chesapeake Bay.

18 The Bay belongs to the people of the State of  
19 Maryland. The use for which it's made is for the  
20 benefit of the people of the State of Maryland, all of  
21 them, even those people who live in Baltimore or those

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1 people who live in Cumberland, or those people who live  
2 immediately adjacent to the Bay. And the sooner we  
3 learn that and the sooner we understand that this is a  
4 beautiful place that is an inheritance for our  
5 grandchildren and our great grandchildren, the better  
6 off we're going to be. And with all due respect to the  
7 people who've been telling me, and I've heard this over  
8 and over again, "I bought this land as an inheritance  
9 for my children." Well, that's fine. I'm glad to hear  
10 it. I have no objection to your leaving an inheritance  
11 for your children, but at the same time I'd like to make  
12 sure that my children get a little piece of that  
13 inheritance, too. Because they have a right to use the  
14 Chesapeake Bay as much as you, even though you bought a  
15 hundred acres of land.

16 MR. PHILLIPS: Judge, may I make a comment.

17 CHAIRMAN LISS: Yes.

18 MR. PHILLIPS: Thank you for the comments so  
19 far. Maybe some of you don't know it, but I am  
20 a farmer, and I assume that maybe some of your questions  
21 about the filter strip was aimed at farming.

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1 MS. STANLEY: Farming, but just even people  
2 saying in town there's no benefit.

3 MR. PHILLIPS: Filter strips to work to the  
4 advantage of the landowner, too. Besides the water  
5 quality benefits, they can save edgebacks from eroding  
6 and maintenance problems, and true, the filter strips  
7 may not stop the nitrogen from going into the water too  
8 much, but they will stop phosphorous because phosphorous  
9 is attached to the soil. Filter strips properly  
10 maintained will stop soil from moving.

11 They have a very good demonstration brought up  
12 a Wye Institute at the University of Maryland  
13 Agriculture Experimental Station where they actually  
14 make rain. They have an irrigation system over a strip  
15 of land that is bare, a worked ground, and they have the  
16 same situation side by side where they make it rain on a  
17 grass filter strip, and they have this come down into a  
18 catch basin or a catch vehicle where you can see the  
19 difference. And when they make it rain there, you can  
20 really see the benefit of a filter strip or a grass  
21 versus bare soil. It's amazing what it can show you.

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1 So there are advantages even to the landowner.

2 MS. STANLEY: Well, I believe you. I just --  
3 it's very hard to argue.

4 CHAIRMAN LISS: Any other person who'd like to  
5 be heard? If not, we appreciate your being here this  
6 evening, and we're going to call this meeting closed,  
7 and Kevin will be in touch with Tony Redman, and you  
8 will be hearing from us fairly soon. We appreciate  
9 your kindness, and let's hope that we're all of us going  
10 to have an asset to be proud of in the future.

11 (Whereupon, at 7:50 p.m., the hearing  
12 was concluded.)

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