

Public Hearings - Calvert County - Critical Area Amendments 1990 MSHA - 51830 - 73

BEFORE THE CALVERT COUNTY PROGRAM AMENDMENTS PANEL

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IN THE MATTER OF: :
CRITICAL AREA PANEL :
PUBLIC HEARING ON :
CRITICAL AREA AMENDMENTS :
89-1, 89-2, 89-3, 89-4, 90-5. :

Monday, July 30, 1990

Pursuant to Notice, the above-entitled hearing was held before SAM BOWLING, CHAIRMAN of the Calvert, at the County Amendment Panel, Commissioners Hearing Room, Prince Frederick Courthouse, Prince Frederick, Maryland 20678, commencing at 7:05 p.m., there being present:

PANEL MEMBERS PRESENT:

SAM BOWLING, CHAIRMAN
LOUISE LAWRENCE
BOB SCHOEPLIN
MICHAEL WHITSON

ALSO PRESENT:

DR. DAVID BROWNLEE,
Environmental Planner,
Calvert County

SUSAN LAWRENCE BARR, Secretary

BETSY RUSSELL, Halle Enterprises

JACK UPTON, Chesapeake Lighthouse Developers

REPORTED BY: DOTTIE GARRISON, NOTARY PUBLIC

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CRITICAL AREA COMMISSION



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1 generally allow two weeks for additional public comment,
2 written comment, if you chose to submit some.

3 Dave, would you like to go ahead?

4 MR. BROWNLEE: I would let everybody know
5 there is an agenda up here on the seat; and the first
6 case, Critical Areas Amendment 89-1, there's a staff
7 report on the second chair here, if you'd like.

8 And all of these have gone to the Calvert
9 County Planning Commission and Board of County
10 Commissioners and have been approved by them previously.

11 Okay, I'll go on into the first one, which
12 deals with Halle Marina, Breezy Point, and what we'd
13 like to do here is establish a buffer exemption area.
14 When the county set up its program, it designated
15 certain areas having particular characteristics as
16 buffer exemption areas.

17 Okay, there's cites such as lack of natural
18 buffers, presence of bulkheading on the property, lack
19 of submerged aquatic vegetation in the area, to what
20 extent the property was used for marine related
21 activities, and so with that they designated -- the



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1 county designated certain areas. And it seems Halle
2 Marina was not appointed at that time, though it meets
3 those criteria. It's been a marina since the 1930s. It
4 expanded with its boat basin in the '40s and '50s, and
5 is presently being revitalized as, you know, intense
6 marine use. It's designated marine commercial, and so
7 we support the designation of this area as a buffer
8 exemptioned area.

9 Any comments from the public on that?

10 CHAIRMAN BOWLING: Anybody have anything they
11 want to say about it?

12 MS. RUSSELL: We're all with Halle. Halle
13 Enterprises.

14 MR. BROWNLEE: This is a map of Halle Marina.
15 This is the Chesapeake Bay. This is Plum Point Creek
16 going back with a boat basin here. And there's a boat
17 -- buffer exemption area -- is this area here, going
18 around the marina, not the outside portion which hasn't
19 been disturbed.

20 MR. WHITSON: It's all bulkheaded, Dave?

21 MR. BROWNLEE: This basin is all bulkheaded.



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1 This is a dredged spoil area in here. Much of this area
2 has been spoiled in the past through dredge spoils. The
3 Army Corps of Engineers and the State have abandoned
4 that area as wetlands to allow grading to go in there
5 and filling in this area as a decimated area in the
6 past.

7 This is a marsh area back here, which is being
8 preserved and maintained, and we may even do some
9 enhancement on that as they further develop the property
10 -- ask for some enhancement.

11 This is all bulkheaded through here, and here
12 they're putting in a new jetty. There's an existing
13 jetty on this side. It doesn't come out as long as the
14 other. They're putting in a stone abutment to come out
15 to match the other side here. So, right now, it fills
16 up with sand coming in from the south. So they do have
17 permits to do that, and I guess they'll begin that
18 fairly soon.

19 MS. RUSSELL: We've been requested by the
20 Department of Natural Resources to provide a harbor area
21 for their Department of Natural Resources police boats,



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1 so we're speeding up our program, somewhat, and from the
2 Governor's Office of Economic and Community Development
3 they would like us to proceed on making some
4 improvements because there's been a lull in the housing
5 industry locally.

6 CHAIRMAN BOWLING: Please identify yourself
7 for the court reporter.

8 MS. RUSSELL: I'm Betsy Russell with Halle
9 Enterprises.

10 CHAIRMAN BOWLING: Thank you.

11 Mike, any questions?

12 MR. WHITSON: None.

13 MR. BROWNLEE: Okay. We'll do Critical Areas
14 Amendment 89-2. And there's a staff report on,
15 actually, 89-2 and 3, right here. I have a full staff
16 report. It says only 2 at the top, but it is 2 and 3.
17 89-2 and 89-3.

18 In 89-2, we're simply trying to bring the
19 County Critical Areas map into a line with the State
20 Title Wetlands map, which has the line of the critical
21 areas on it. It was brought to our attention by a



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1 person developing property along the line, and so we
2 began processing this change early on.

3 We are in the process of changing all of our
4 maps. Let me briefly explain to the panel members.
5 When we began mapping the critical areas, before we had
6 State wetlands maps available to us, we set our critical
7 areas lines 1,000 foot from tidal water, and then later
8 on received the State wetlands maps. And for some
9 reason, the changes weren't all made, or I don't know if
10 any were made, but we do have a lot of discrepancies
11 between where there is the State line and our line.

12 Our regulations require that we use the State
13 line. Our ordinance says we will be using that, so
14 tonight we'll be looking at changing the line on the
15 full first district. And a few isolated cases, like
16 this one that were brought to our attention early, we'll
17 be doing separately. And then the second and third
18 districts, we have completed the maps. We haven't taken
19 them to our public hearing yet. You'll be seeing those
20 in the future.

21 But, in this case, the red line is the new



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1 critical area line. This is the new wetland line --
2 well, actually not new. It's the State wetland line is
3 here. State critical areas line here, where our
4 published maps are here for the wetlands, and here for
5 the critical areas.

6 CHAIRMAN BOWLING: You're actually reducing
7 the size of the critical area.

8 MR. BROWNLEE: In this particular spot. We
9 have it going both ways, as you'll see when we look at
10 the first district. And this person here, developing
11 this property, brought it to our attention. As, you
12 know, they're developing that property they were getting
13 a -- this is an R-1 area, and they are developing this
14 section now and hope to expand this way.

15 MS. BARR: What is the name of that project?
16 Sam's probably seen it.

17 MR. BROWNLEE: It's the Lighthouse --

18 MR. UPTON: Chesapeake Lighthouse.

19 MR. BROWNLEE: Chesapeake Lighthouse. So, in
20 this case, we're simply going to amend the line to
21 reflect the State wetlands map.



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1 That's my presentation.

2 CHAIRMAN BOWLING: Any comments?

3 MR. UPTON: The only comment that we made at
4 this presentation --

5 CHAIRMAN BOWLING: Please identify yourself.

6 MR. UPTON: Yes, sir. Jack Upton on behalf of
7 Chesapeake Lighthouse Developers and Forestry
8 Development. We had pointed this matter out to the
9 county some time ago, and then, subsequent to the
10 initiation and the development, again, approached the
11 planning office. Quite obviously, we're here in full
12 support of the recommendation.

13 CHAIRMAN BOWLING: Louise? Mike?

14 MR. WHITSON: No.

15 CHAIRMAN BOWLING: Bob hasn't been here long
16 enough.

17 Dave, was there any public comment on this one
18 way or the other?

19 MR. BROWNLEE: No, sir.

20 CHAIRMAN BOWLING: No comments?

21 MR. BROWNLEE: Making it easy --



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1 CHAIRMAN BOWLING: We'll go on to the next
2 one.

3 (Whereupon, there was a discussion off
4 the record.)

5 MR. BROWNLEE: Critical Area No. '89-3 is the
6 Ship's Point Research Park. This is down in Lusby.
7 Again, it's a case of an error in mapping we'd like to
8 correct. In this case it's not the line, but the
9 designation, and the fact that it was listed as a buffer
10 exempt area but was not mapped as a buffer exempt area.
11 So, it's just correcting an error.

12 CHAIRMAN BOWLING: It was listed but not
13 mapped.

14 MR. BROWNLEE: Right, it was listed under our
15 list of buffer exempt areas, but not put on our official
16 maps. This is Ship's Point Research Park here. Mill
17 Creek and Solomon's is here, to give you an idea of
18 where it is.

19 MR. WHITSON: Pretty intensely developed area
20 to start with.

21 MR. BROWNLEE: This is the parcel, and part of



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1 it was mapped as LDA. Part of it is mapped as LDA by
2 mistake. It should all be IDA -- this one whole parcel.
3 In the mapping it got shifted such that some of these
4 parcels were IDA, and part of this was LDA. This is all
5 here -- they want this to be IDA as well. And these
6 parcels here that look like they're falling in the IDA
7 should be LDA. Mainly, what we're changing is this
8 parcel IDA, and everything else is LDA, and adding the
9 buffer exempt along this site.

10 CHAIRMAN BOWLING: With the rapidity with
11 which we made some of those changes when we did the
12 original mapping -- and I was part of the Calvert County
13 panel -- and I can understand how these things happen,
14 because some of it changed, just bing-bing-bing, just
15 like that.

16 MR. BROWNLEE: And the scale on the critical
17 area of our map is such that it's difficult to pinpoint
18 those parcels.

19 CHAIRMAN BOWLING: Because we had two complete
20 different philosophies about mapping at that time. The
21 commission had one spelled out in law, and Calvert



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1 County had a different one. And we needed to reconcile,
2 so that's how some of these came about, I'm sure. Any
3 questions?

4 MR. WHITSON: No.

5 MR. SCHOEPLEIN: It's an industrial park now
6 and has been there for sometime.

7 MR. BROWNLEE: Research park.

8 MR. SCHOEPLEIN: Research park.

9 MR. BROWNLEE: I don't know if there's a lot
10 of activity. It was the port for the Liquid Natural Gas
11 Plant, and then they had, I think, several minor
12 activities in there. I'm not fully up to what exactly
13 is going in there. We do have ships coming in at
14 times. I don't know all the activities there, but it is
15 a research and industrial facility.

16 Critical Areas Amendment 89-4: Revisions of
17 the definition of the forest and developed woodlands.
18 The definition that we like to use for a forest is, you
19 know, "a biological community dominated by trees and
20 other woody plants covering a land area of one acre."
21 It use to be one acre. We'd like to change that to a



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1 thousand square feet or more. This also includes
2 forests that have been cut, but not cleared. And add:
3 "Areas commercially harvested of forest cover in the
4 critical area will be considered forested for
5 development purposes."

6 The main reason for these changes is the fact
7 that we have a lot of existing subdivisions that have
8 not been developed. Most of the lots are less than an
9 acre. People come in and develop them; they actually do
10 not come under the definition of a forest because
11 they're less than an acre; therefore, they can clear up
12 to 85 percent of the lot, keeping the 15 percent of any
13 lot must be forested. So they could clear up to 85
14 percent of the forest. We could lose forests, or areas
15 of forests, that way. So we wanted to, you know, change
16 the regulations such that we would at least have
17 replacement and have some limits on what could be
18 replaced.

19 I did hand out a little further justification
20 for the proposed changes to the critical area just
21 tonight, and a little chart of impact of change. We



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1 chose to set a size to the definition of a forest
2 because, if you don't, trying to implement the
3 definition of a community becomes difficult. You know,
4 a single person could be a community with all the
5 bacteria, et cetera, within it. So one tree might be a
6 community. Someone else might argue, "Well, you need,
7 you know, foxes, and raccoons, everything running
8 around. The whole thing is community and it really has
9 to be 20 acres."

10 So, to set a size, we thought was important.
11 We chose a thousand square feet. It's roughly the size
12 of an average house, and it would create a noticeable
13 opening in the forest canopy. That's why we chose the
14 thousand square feet.

15 We also propose to protect those small lots --
16 I should look on the chart. Say you had a quarter acre
17 lot -- on the left. And if they were limited to
18 clearing 30 percent, they could only clear, you know,
19 3,267 feet. We thought that might be difficult to
20 actually get a house, driveway, et cetera, in an area
21 that small. Well, we thought it was appropriate that



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1 5,000 square feet may be sufficient to build your house,
2 driveway, et cetera, and if that might be a reasonable
3 limit, then, everybody who wanted to build a house on
4 their lot should be granted that area of clearing.

5 Now we are asking for replacement of all
6 clearing. Okay, if it's greater than a thousand square
7 feet, we want replacement. If it's up to 5,000 square
8 feet or under 20 percent, we want it on a one-for-one
9 basis. Beyond that, we'll apply the one and a half
10 times as the law states.

11 CHAIRMAN BOWLING: On a small lot it might not
12 be practical for them to replace that thousand square
13 feet.

14 MR. BROWNLEE: On a small lot?

15 CHAIRMAN BOWLING: On a small lot.

16 MR. BROWNLEE: Right.

17 CHAIRMAN BOWLING: What does he do then?

18 MR. BROWNLEE: He pays fees in lieu.

19 CHAIRMAN BOWLING: Fees in lieu, okay.

20 MR. BROWNLEE: For replacement elsewhere in
21 the critical areas. All right, we wouldn't -- under



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1 that 5,000 square feet, we wouldn't require replacement
2 on site unless there was a particular area that was
3 appropriate. If he did have an area on his lot, that
4 would be our first choice, especially in the buffer.
5 We'd ask him to plant that first. And, then, if he, you
6 know, didn't have room elsewhere, then we'd take fees in
7 lieu. But that is first choice is first to look on
8 site. Can he place anything there? Many of these lots
9 are fully wooded to begin with, and there's actually no
10 place for them to replant at all.

11 MS. BARR: Isn't there a breaking point for
12 your fees in lieu? Like up to a certain amount it's so
13 much?

14 MR. BROWNLEE: Okay. If it's the standard 20
15 percent, or on this case under 5,000 square feet, it's
16 two cents a square foot. And that's based on replanting
17 seedlings, and that's using the recommendations of the
18 forester. So, with any reasonable clearing, we would
19 ask for a replacement with seedlings. In addition, any
20 replanting of the 15 percent, where you have nothing and
21 you want to plant 15 percent, well, that's for seedlings



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1 and bonded up to two cents.

2 Now, if they want to go beyond 20 percent, or
3 if they need for some reason to clear an area in the
4 buffer, say, for access, then we're asking for the
5 larger trees to be planted somewhere else, and that's
6 the 40 cents a square foot. We would use that at that
7 point. And it's a little complicated if you go between
8 your 20 and 30 percent. For the first 20 percent you
9 get it at two cents a square foot. Of course, the total
10 area is 1-1/2 times now, and anything between the two,
11 we charge 40 cents a square foot.

12 MR. WHITSON: Sure, right.

13 MR. BROWNLEE: It's a little complicated. But
14 it gives them the benefit of the 20 percent at the lower
15 price.

16 MR. WHITSON: You're going to be explaining
17 that one a lot.

18 CHAIRMAN BOWLING: I'm sure you are.

19 MR. SCHOEPLEIN: You're examining the
20 situation on a lot-by-lot basis? You've got the square
21 feet here.



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1 MR. BROWNLEE: Right.

2 MR. SCHOEPLIN: And so on a quarter acre lot
3 you would permit up to 5,000 square feet?

4 MR. BROWNLEE: Right, because the -- yes,
5 right. For a half acre lot?

6 MR. SCHOEPLIN: For whatever it was.

7 MR. BROWNLEE: We're at a quarter. For a
8 quarter, the limit of 30 percent would be 3,267. So
9 that would be less than the 5,000, so, with our change,
10 we would allow them to go up to 5,000.

11 MR. SCHOEPLIN: That's what I meant.

12 MR. BROWNLEE: Right. But for the half acre
13 lot, you actually could go to 6,534.

14 MR. SCHOEPLIN: There is a frustration here
15 between trying to save the trees as they are and,
16 obviously, permitting a reasonable home site. Does the
17 property holder have 5,000 square feet to play with, so
18 to speak, to build a two-story house and use an extra
19 thousand square feet elsewhere for site lines or
20 something like that? Is that possible?

21 MR. BROWNLEE: Yes. Yes, that 5,000 square



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1 feet is his to use as he wishes. That's a maximum
2 amount; and if he needs more than that, then he has a
3 hardship. Of course, he could go for a variance. But
4 the law would allow him to go up to 5,000 square feet in
5 any way that, you know, he could manage it. We have a
6 limit of four stories in the county. That would limit
7 him there.

8 MR. SCHOEPLIN: No, I was thinking of plat
9 line.

10 MR. WHITSON: Outside of a variance, does the
11 county plan on having any other kind of mitigation,
12 other than going to the Board of Appeals or whatever the
13 equivalent is here?

14 MR. BROWNLEE: We don't. I understand some
15 counties, if you go beyond the 30 percent, you pay three
16 times or something. That wasn't in our law.

17 MR. WHITSON: Well, actually, I mean less than
18 that. Is there any administrative mitigation that can
19 be done in lieu of --

20 MR. BROWNLEE: No. We would try it. You
21 know, we would like to set something up like that. We



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1 have so many Board of Appeals cases. We wanted to
2 handle some of those administratively: the ones that are
3 routine, that happen all the time, we expect them to
4 happen.

5 We got back from the Critical Areas Commission
6 that it wasn't within the law to do that without
7 changing the law. So, yes, we would like to handle a
8 lot more administratively, if we could. But, at this
9 point, you know, we can't. It means a lot of the cases
10 go to the Board of Appeals.

11 MR. WHITSON: Is the greatest effect of this
12 going to be sort of the older, grandfathered subs like
13 the Redchester -- Long Beach, White Sands Beach. Is
14 that the older?

15 MR. BROWNLEE: Definitely.

16 MR. WHITSON: Yes, the small lots.

17 MR. BROWNLEE: That's our limit to lot size,
18 and, of course, there's quarter acre lots of R-1 in the
19 critical areas. Okay, when someone subdivides a larger
20 parcel, then when he subdivides, we'll be applying all
21 the criteria for the larger lot. And they would be



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1 placed on a plat. So, actually, these exemptions and so
2 forth will only apply to existing lots.

3 What we ask for is square footage of clearing,
4 square footage of impervious surface in advance, or
5 evenly distributed among the lots, so that the person
6 buying the lot knows in advance that they are limited
7 to clearing 20 percent of their lot, because the guy
8 used, you know, so much for the road. So, in the new
9 subdivisions, that'll all be handled at subdivision
10 level and spelled out in terms of clearing and
11 impervious surface.

12 But we do have a large number of existing lots
13 that we think we're losing forest because if someone
14 clears 5,000 square feet, the cost to them is \$100 at
15 two cents a square foot. So it's not a large cost to
16 any one property owner, but we do get replacement, and
17 right now we're not.

18 CHAIRMAN BOWLING: You have restrictions on
19 clearing in the buffer, don't you?

20 MR. BROWNLEE: We do have restrictions. We're
21 real weak, right now, on our penalties. The three times



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1 for illegal clearing doesn't show up in the buffer
2 section. So, I think we're very weak, and we made
3 recommendations that, you know, that be changed. And we
4 do have some -- I have another set of amendments coming,
5 including buffer management plan, which spells out, adds
6 fees and so forth, for that. This would help some, and
7 if they clear more than a thousand square feet in the
8 buffer, then we can hit them with three times because
9 that would be a forest and be illegal now. So this gets
10 us a little closer.

11 CHAIRMAN BOWLING: Little more leverage.

12 MR. BROWNLEE: We've had someone -- that's
13 another reason for this is that penalties -- we've had
14 someone go out and clear eight-tenths of an acre in the
15 critical areas, and we can't do anything. It's not a
16 forest. You know, it's maintained 15 percent, but
17 that's it. You know, he can go scot-free, and first
18 we're trying to hit him with all these fees, and he can
19 go back and say, "Well, it's not a forest."

20 CHAIRMAN BOWLING: Under your old definition
21 it wasn't.



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1 MR. BROWNLEE: Right.

2 MR. SCHOEPLEIN: I'm catching up here. In a
3 subdivision situation, does each and every lot have to
4 meet these requirements, or does the entirety of, say, a
5 five-lot subdivision have to meet these requirements?

6 MR. BROWNLEE: See, when you subdivide, you're
7 usually more than five acres. So, you're a large
8 number. So the 5,000 exemption doesn't really hold.
9 You have to meet all the criteria. Limit to 20 to 30
10 percent clearing. 15 percent impervious surface if
11 you're LDA or RCA. So, they don't actually get into
12 here except for existing lots because we'd address that
13 at subdivision level.

14 MR. SCHOEPLEIN: Now, when they're mitigating,
15 elsewhere in the critical area, Calvert County has
16 sufficient land --

17 MR. BROWNLEE: Well, actually we haven't even
18 planted our first tree yet. But we setting up a
19 committee, hopefully, this -- in August -- to have the
20 trees planted this fall. And we're setting up the
21 committee to make recommendations to the commissioners



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1 on what policies, how we prioritize and choose sites.
2 And then the same committee, hopefully, or a similar
3 committee, would continue meeting twice a year, once
4 before the growing season for the fall planting and once
5 before the spring planting, and choose sites.

6 So those policies and so forth are not
7 established now. We hope to do that next month and get
8 it going, so we get some planting this fall.

9 MR. SCHOEPLEIN: Do you have a tree planting
10 program, other than exclusive of the Critical --

11 MR. BROWNLEE: There's the Green Shores. I
12 know that our county doesn't, no, but that the Forest,
13 Park, and Wildlife does, through Green Shores, et
14 cetera. I don't know how much area we'll have will show
15 up. You know, we'll set a priority, and we'll allow
16 private land as well, as long as it's not required to
17 plant because of development. You wouldn't plant them
18 there -- as well.

19 CHAIRMAN BOWLING: Any more questions? We
20 have no audience to tell -- to submit. So, I guess,
21 Dave, probably we have to leave the record open for a



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1 couple of weeks anyway. So we would not be able to
2 present these at the next commission meeting, which is
3 the day after tomorrow.

4 MS. BARR: Oh, we can't?

5 CHAIRMAN BOWLING: No.

6 MS. BARR: Because you have to leave it open
7 for two weeks?

8 CHAIRMAN BOWLING: We have to leave it open.
9 It'll have to be the meeting following.

10 MR. BROWNLEE: That's fine. And we have one
11 other amendment.

12 CHAIRMAN BOWLING: Oh, I'm sorry. I thought
13 that was it.

14 MR. BROWNLEE: There a critical area in the
15 90-1.

16 CHAIRMAN BOWLING: Okay.

17 MR. BROWNLEE: And this is to change the
18 critical area line in the first district from our
19 present map to the critical area line on the State
20 wetlands maps. We have Tax Map numbers 25, 28, 30
21 through 40, 42 through 45, and 47. So parts of these



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1 maps might be a little bit in the second district. We
2 want to change those as well, since they're on the tax
3 map. But mostly it's in the first district.

4 There's nobody here to ask if they want to see
5 a particular map.

6 MR. WHITSON: Would you like to see a map?

7 MR. SCHOEPLIN: I would like to see what
8 you're doing. That's great.

9 MR. BROWNLEE: Okay, so the red line is the
10 new line. The black is the old. And you see it often
11 jumps back and forth on either side.

12 MR. WHITSON: You've carefully checked this
13 map over for accuracy, right?

14 MS. BARR: Oh, right. With a fine-toothed
15 comb.

16 MR. BOWLING: Compared it to the areas, right?

17 MS. BARR: Oh, yes.

18 (Whereupon, there was a discussion off
19 the record.)

20 MR. BROWNLEE: We did send them up for review;
21 they were adopted. You know, we have had some problems



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1 with critical areas line, the transfer zone coming in,
2 ours being further out --

3 MS. BARR: Is that transfer zone included in
4 -- what district is that in?

5 MR. BROWNLEE: Second district. We have those
6 done now. We just have to take them to public hearing.

7 MS. BARR: Good.

8 MR. BROWNLEE: So, in that case we had a
9 transfer zone. The county's policy so far has been that
10 they have adopted these maps, gone through public
11 hearing, critical areas has approved them -- that these
12 are the official maps -- and we have to go through a
13 change to go to the State wetland line.

14 CHAIRMAN BOWLING: Even though we're required
15 to observe the State wetland line by law.

16 MR. BROWNLEE: That's right.

17 CHAIRMAN BOWLING: So that binds anyway.

18 MS. BARR: Well, this is the county's
19 position.

20 MR. BROWNLEE: That's the county position,
21 okay. I know my position; that's the county position,



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1 okay. In this case it looks like it's mostly closer in,
2 so it would be less critical areas.

3 CHAIRMAN BOWLING: That's right. Seems you
4 might have to look at your growth allocation computation
5 to see if maybe we need to take a little away.

6 MR. BROWNLEE: Maybe they'd give us some; we
7 don't know yet.

8 (Laughter.)

9 MS. BARR: Get my plenimeter out and start
10 a --

11 CHAIRMAN BOWLING: It probably won't change
12 anything.

13 MR. BROWNLEE: They can figure it out on the
14 computer, though, and they will be redoing that.

15 MS. BARR: That's what caused all the problems
16 in the first place.

17 MR. BROWNLEE: The computer? I think you have
18 the idea.

19 CHAIRMAN BOWLING: Well, this is really
20 something the commission asked you to do, isn't it?

21 MS. BARR: Yes, I have old letters, I think,



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1 probably recorded before Dave was with the county, just
2 saying that there were problems with the maps. From way
3 back. Unfortunately they have surfaced.

4 MR. BROWNLEE: I came in right as this was
5 being adopted in November of '88. We adopted it in
6 December. I don't know a lot of the history. I'm
7 learning.

8 MS. BARR: Good. Me, too.

9 MR. BROWNLEE: And that was the final
10 amendment.

11 MR. BOWLING: That's the final amendment. Any
12 questions?

13 PANEL MEMBERS: (No response.)

14 CHAIRMAN BOWLING: With that, I'm going to
15 declare this meeting at an end. I've already been
16 through the spiel about, you know, two weeks to submit
17 written comments to the commission. So, we will
18 probably take this up, not at the next commission
19 meeting, but at the following commission meeting.

20 (Whereupon, at 7:40 p.m., the above-
21 entitled hearing was adjourned.)



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C O N T E N T S

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E X H I B I T S

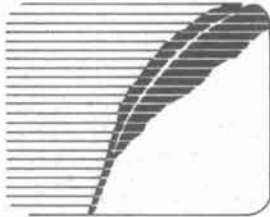
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Critical Area Commission
275 West Street
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Annapolis, MD 21401
ATTN: Peggy

Dear Peggy:

Enclosed please find the Certificate of Notary sheet for the hearing of July 30, 1990, in the matter of Critical Area Panel Public Hearing on Critical Area Amendments 89-1, 89-2, 89-3, 89-4, 90-5. Please attach it to the original transcript.

Thank you.

Very truly yours,

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CYNTHIA G. KNUTSEN
Secretary

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CERTIFICATE OF NOTARY

1
2 I, DOTTIE GARRISON, the officer before whom
3 the hearing was held, do hereby certify that the
4 testimony was taken by me by magnetic tape and
5 thereafter reduced to typewriting by me or under my
6 direction; that said testimony is a true record of the
7 testimony given; that I am neither counsel for, related
8 to, nor employed by any of the parties to the action in
9 which this testimony is taken; and, further, that I am
10 not a relative or employee of any attorney or counsel
11 employed by the parties hereto, nor financially or
12 otherwise interested in the outcome of the action.

12 *Dottie Garrison*

13 DOTTIE GARRISON
14 Notary Public in and for
15 the State of Maryland

16 My Commission Expires:

17 April 14, 1994

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