

Commission Meetings : Corresp.

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Portico project delayed

By JEFF McCULLEY
Staff Writer

EASTON — Nearly two years after the Easton Board of Zoning Appeals granted a special exception for "Portico at Easton," an empty field remains where the ambitious retirement community was to go.

On 283 acres owned by Woodland Farms, Inc.'s president, Frank M. Hardy, near Papermill Pond, developers planned to build a 904-unit condominium complex with a golf course, swimming pool and tennis courts. The appeals board granted a conditional special exception for the project on Nov. 26, 1985, and a year later, when no ground had been broken, gave the developers a one-year extension.

Recently representatives of the Portico Development Corp., Inc., appeared before the board to give a project update. The appeals board chairman said the developers wanted to clarify what constitutes obtaining a building permit, a condition that is supposed to be met by the Nov. 26 deadline.

"What they said was if they started in on the grading by then, would that satisfy us. And we said it would," said Chairman Walter W. Claggett.

Robert D. Rauch, a consulting engineer on the project who is himself one of the limited partners, said last week that a Virginia corporation, Penroc, Inc., is contracting to buy Portico. He said the project has been delayed since the resignation of the general partner who was acting as developer, Peter Alevra of Santa Barbara, Calif.

"It's a substantial project. It takes the right developer," said Rauch, who predicted this spring as the earliest construction could begin.

The delay is not out of the ordinary for such a large project, according to Easton Town Engineer Roger C. Judd.

"It's not unusual in my experience to have projects that have been approved linger on," Judd

said. With all the amenities involved in Portico (the appeals board is requiring a bond "or other financial guarantees" for the utility extensions, roads, golf course and clubhouse, before work can start on the condominiums), Judd said, "there's quite a bit of money that has to be invested up front."

While Portico remains an unimproved field, other residential projects are moving along that, while not as large in scope as Portico, could add many new houses to the Easton real estate market.

The largest of these, "Hamp-ton Forest," would be down the road from the Portico property on Route 333. The developer, Alliance Development Co., has submitted a plan to divide 198 acres, of mostly wooded residential property east of Route 333 near Waverly, into 301 lots. Alliance, which is represented by LaMotte Properties of Easton, is seeking plat approval for the first phase of the project — 54 lots, most approximately 20,000 square feet large.

Easton Realtor Bill Wieland and Lyle Graham have submitted plans for "Thread Haven," a 60-lot subdivision at the intersection of the Easton Parkway and Peachblossom Road, near the Easton Middle School. The entrance to the development would be off Peachblossom, west of the YMCA.

The property, 39 acres, is zoned residential. Plans call for 11 acres to be held in reserve. Wieland said the lots range in size from 15,000 square feet to almost 1.5 acres. Lots on the east side will be screened from the middle school ballfield by an undulating, landscaped berm, 4 to 8 feet high, planted on top with trees, he said.

Chapel Farms Partnership, which gives its address in care of Fortress Company in Rockville, received final plat approval last week for six lots on the south side of Chapel Road, about halfway between Route 50 and

Portico at Easton project delay

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North Washington Street. The Chapel Farms property, which is 77.7 acres in its entirety, abuts the Delaware Railroad right of way to the west.

Site plans for the project show the property would ultimately be subdivided into 204 lots. The six lots approved last week range in size from 10,020 square feet to 19,933 square feet.

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Cecil Whig Oct 5th

Rezoning may test critical area law

County to decide North East case

Write a letter to Janet Amundin

By Joy Gwillim
Whig Staff Writer

The strength of the state's controversial new critical area regulations will be tested next week when the county commissioners vote on a rezoning change for a North East property that's partially located in a critical area zone.

Two North East men, Ralph Lanphar and David McDaniel, Monday asked the county commissioners to consider changing the zoning on contiguous parcels of property from residential to commercial so they can build retail sales and professional offices.

Lanphar's property is located on the southeast side of Md. 272 below Irishtown Road. The Shady Beach Trust property, represented by McDaniel, is at the corner of Irishtown Road and Md. 272. The properties together total about 3.2 acres.

The Shady Beach Trust property is on the edge of the boundary of the town of North East, and across the street from a boat dealership. McDaniel described it as being "catty-corner" to Flagship Yachts. The Dorden Apartments are located in back of the trust's land.

Both men said their property

has become an "island" which is zoned residential, but surrounded by commercial enterprises.

For that reason, they said, the zoning should be changed.

The county's planning commission disagreed with them. The chief of zoning inspection, Patrick Conway, said the commission recommended that the rezoning be disapproved.

Conway also read a letter from the director of planning and zoning, Janet Gleisner, who pointed out that a change to commercial zoning would give the county less control over density, or how many units of construction a builder could plan.

Gleisner said that the commercial businesses around the land in question were within the town of North East and that no zoning changes had been done within the county's jurisdiction.

McDaniel told the commissioners he thought the proposed construction would have little effect on the critical areas land since it was only a "minute" portion of the Shady Beach Trust property. It is .65 of an acre, or a little less than half. The land does not have access to Md. 272.

Whether that access could be

(See *Rezoning* Page 4a)

Rezoning—

(Continued from page 1a)

developed is something the county needs to know, Conway said. The critical areas land is located in the portion of the trust property along Md. 272.

This part of the critical area land is actually a buffer zone, or Limited Development Area, and not waterfront. An LDA still requires county approval for site plans.

County Commissioner Clair E. "Chips" Carrick Sr. said he thought the commissioners would probably approve the rezoning next Monday.

He said he also felt the amount of land involved was too small to have much environmental impact on the critical areas.

Public info articles

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sometime in the next 14 months.

Build by the Bay—by the Rules

A MARYLAND developer who had set out to construct new dwellings on the Chesapeake Bay has found out from a state judge that Maryland is serious about its law limiting development to protect the waters of the bay and the animal habitats on its nearby shores. In a ruling cheered by officials and citizens who have been pressing for environmental protections, Judge Marvin Smith rejected a challenge to the state's critical areas law. This law limits development to no more than one house per 20 acres within 1,000 feet of the bay. The significance, as Maryland Attorney General J. Joseph Curran Jr. notes, is that the court has upheld "the cornerstone of our intensified efforts to protect the environment."

In the case, a Talbot County developer had sought to develop 200 acres along the Miles River, a Chesapeake Bay tributary west of Easton. The county planning commission approved his plan in part, but recommended barring all construction on 40 acres where bald eagles and Delmarva fox squirrels are found. To meet a

deadline for submitting development plans under the critical areas law, the developer agreed not to build on the 40 acres, the judge says in his ruling. Once those plans were approved, the developer asked for a waiver of the restriction; it was turned down by an appeals board. The developer then filed suit alleging that this amounted to an unconstitutional deprivation of property without compensation, and that he was forced to accept the agreement under duress to meet the deadline. The judge didn't rule on the constitutional issue, but did hold that there was no duress and that the county had followed correct procedures.

The message is twofold. Maryland has put in place a reasonable protection, not some off-the-wall bill shielding any living thing from being touched by humans; and the state has not let this law be undercut by waivers, exceptions or special favors. This one case alone won't convert the bay area into a sparkling clean haven for fish and wildlife, but it is another key piece in Maryland's complex and serious effort to rescue an extraordinary area from lethal ravaging.

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"If it stays
cut." Parker

Another critical area: bids

Procurement laws apparently ignored

By Thomas W. Waldron
Evening Sun Staff

The state Critical Area Commission wrote the book on enforcing Chesapeake Bay environmental laws but has a lot to learn about the state's procurement and bidding laws.

The commission apparently ignored a host of bidding and procurement laws last year when it informally hired a computer consultant without a contract and without competitive bidding.

The result was a bill for \$35,108 and some quick revisionist paper work.

The state Board of Public Works tomorrow will consider a request from the commission to pay the consultant's bill, several months after his work was actually completed.

"This is very weird and strange. Somebody dropped the ball out there and didn't realize there was paper work that needed to be done," said Richard L. Andrews, an administrative officer in the Department of Budget and Fiscal Planning. "It looks like a case where the people at the Critical Areas Commission were in a hurry and they weren't procurement people."

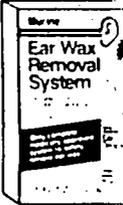
The consultant in question is Brookes-Baker Inc. of Fort Worth, Texas. The company came to the commission's attention in early 1987 when the company was working for the city of Annapolis, trying to put on computer all the properties in the city, according to Solomon Liss, the commission's chairman.

Since the commission needed similar data processing work to keep track of bayside development, the commission began working with the Texas firm, Liss said.

There was no bidding process, however, and no contract signed, according to state officials.

In the midst of the work, as commission officials and the consultant struggled to get the computer program working, the commission received a bill for \$70,000, Liss said.

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"We told him we weren't going to pay it," Liss said.

After a few meetings, the state and the consultant settled on the \$35,108 figure, which included payments for consulting services as well as for an IBM computer and some software, Liss said.

In the typical procurement process, a consulting contract would be put out for competitive bidding and competing companies would be judged on their experience and proposal for handling the job.

Board of Public Works approval would not have been necessary in this case, Andrews said, because the contract fell below the \$100,000 minimum required under state law.

Board approval is required now, though, to correct the earlier irregularities, Andrews said.



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Lawsuits draw focus of town's attention

by Sande Kimball

Bayside town Chesapeake Beach found April to be a month plagued with lawsuits tied to development in the area.

On April 11 the town and Arthur Beard Engineers Inc., of Vienna, Va., were named as co-defendants in a \$2 million suit filed by the contractors for expansion work on the Twin Beach Sewer Treatment Plant. Chesapeake Beach served as lead agency in that treatment plant which serves the interjurisdictional area including Chesapeake Beach, North Beach and unincorporated portions of Calvert County.

The suit, filed by PESSOA Construction Company of Bladensburg, alleges that the town and engineers "breached the express provisions of the agreement, the specific representations and the implied duties of fair dealing and good faith as well as industry standards" by failing to grant to PESSOA necessary change orders or other directives they needed to have a reasonable time in which to complete the contract work.

The suit also outlines charges that the town deliberately and willfully or

maliciously misrepresented conditions and the actual scope of the job.

PESSOA attorney Christopher M. Kerns of Washington, D.C., also claims in the suit that his client lost "business, goodwill and reputation" because the town withheld a \$600,000 payment.

Town attorney Cynthia Hitt said the town has 30 days to file an answer and that answer will be a denial of all the allegations.

Town Takes Action Against Developer

On April 20, town attorney Hitt filed suit against Bay Venture Partnership for recording a subdivision plat that the town officials say is "lacking in performance of some of the conditions placed on it" by the town's planning and zoning commission.

The partnership is made up of Citistate Corp., One Zero Inc., VTP Bay Inc. and River's Edge Inc.

Bay View Hills subdivision named in the suit, drew speculation nearly 18 months ago when residents of the beach area learned that the Australian based Citistate, along with Chesapeake Beach resident Robert Rodgers, Washington, D.C.

resident Gail Montplaisir and Veronica Pickman of Chesapeake Beach, Solomons and Bethesda, planned to build 100 townhomes and 200 semi-detached homes on an 85-acre parcel known as the old Stinnett farm.

The project has been reduced in scope by the town's Critical Area Plan.

Conditional final approval of the subdivision plan was granted by the town planning and zoning commission on Dec. 8 but some modifications to the plat were required

before recording would be allowed, the town attorney alleged in the suit.

The suit alleges that Rodgers removed the plan from the town office when it should have remained in the town's hands and failed to return it even after repeated requests were made.

Hitt said the town is willing to negotiate with the developers and that resolving the suit is just a matter of unrecording the plat.

Rodger's action was "sufficiently serious to warrant legal action," Hitt said.

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file
Studies
Econ
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By J. Henson — The Capital

Despite steep real estate prices, Gay Carls of Bay Ridge says life on the water makes every day a vacation.

SUPPLY AND DEMAND

Waterfront prices skyrocketing, but buyers still there

By TOM KRISHER
Staff Writer

When Gay Carls and her husband decided to sell their Howard County farm to a developer, they did it with the dream of buying a home on the tranquil waters of Chesapeake Bay.

With a large profit from the farm, the price of waterfront property really didn't matter, and they settled on a \$585,000 home in Bay Ridge.

"We just knew that we loved the water. That's where we decided we'd end up," she said. "You can't get anything cheaper. It's beautiful land."

Even with the huge price tag, Ms. Carls says life on the water makes every day a vacation.

"I have this theory about water. It's very tranquilizing. It's peaceful."

The soothing effect of the water appeals to many, and their life-on-the-water-at-any-cost mentality — coupled with bayside development restrictions — has driven the

"Waterfront is waterfront, and people pay very high dollars for waterfront properties . . . They buy what they want."

price of waterfront homes into an upward spiral beyond the imagination of even the most seasoned real-estate agents.

Both agents and government officials who deal with property values see no end to the skyrocketing appreciation, with the possible exception of large undeveloped tracts.

"It makes you wonder when it will end. We asked that question several years ago and it doesn't seem likely it has slowed down," said Kenneth H. Tschantre, supervisor of the state Department of Assessments and Taxation office in Annapolis.

Tschantre is the man in charge of fixing real estate values for tax purposes in the county, and he says waterfront values have risen steadily, much faster than the value of homes not on the water.

"Waterfront is waterfront, and people pay very high dollars for waterfront properties," said Anita E. "Buddy" Eckard, assistant manager of the Annapolis office of Long and Foster Realtors. "People don't buy what they need. They buy what they want."

Mrs. Eckard recalls telling a friend a few years ago that she would turn in her real-estate license if a waterfront home sold for its lofty asking price.

"I lied," she said. "It did sell for that price."

The value of a typical waterfront home between the Magothy and South rivers rose 58 percent from 1981 to 1986, said a Rutgers University professor studying waterfront land values for the state Critical Area Commission.

(Continued on Page A16, Col. 4)

The Capital, 5/18/88

Waterfront prices rising

Ecological concerns contribute to upward spiral

(Continued from Page A1)

That typical waterfront house, generated by a complex mathematical model, is 10 years old, has 2,000 square feet of space, is of average quality and sits on two acres of land, said Patrick Beaton, a professor with the university's Center for Urban Policy Research.

Beaton, who is studying waterfront prices statewide, said the house would have sold for \$164,000 in 1982. In four years, its value appreciated \$89,000 to \$253,000, according to his detailed study of the values based on sales records.

Although the seemingly insatiable demand is the largest contributor to the increase, Beaton says the Chesapeake Bay Critical Areas Law is also a major factor.

The law, which restricts development within 1,000 feet of the bay or its tidal tributaries, in some cases limits the number of homes that can be built to one per 20 acres.

The restrictions are designed to limit development in an effort to protect the fragile bay.

By limiting building on what little land is vacant in the county, the critical-areas law has created a waterfront land rush for existing homes and undeveloped small parcels, Beaton said.

"I think a lot of it is insanity," he said. "They panic because the land is being used up."

Beaton collected his data from the assessment office last year, when 1986 was the last complete year available. Inadequate data is preventing him from surveying the rest of the county and Annapolis, he said.

Based on a mathematical comparison with the rise in values of the same "typical" house that isn't on the water, Beaton said he has been able to calculate the effect of the critical-areas law on the price of the hypothetical waterfront house.

If under the same development regulations, waterfront property values typically rises at the same rate as inland properties, he said.

"Waterfront will go up about the same rate under no different regulatory scheme," he said, contending his figures are backed by studies from New Jersey to Virginia.

According to his formula, the critical areas law drove up the value of the typical waterfront home by \$14,000 in 1984, when the law was enacted.

In 1985, the law was responsible

VALUE OF WATERFRONT HOMES

YEAR	NON-WATERFRONT	INCREASE	+	+	WATERFRONT	INCREASE	+
'81	NA	—	—	—	\$160,000	—	—
'82	\$108,000	—	—	—	\$164,000	\$4,000	2.5
'83	\$119,000	\$11,000	10.2	—	\$181,000	\$7,000	4.3
'84	\$125,000	\$6,000	5.0	—	\$205,000	\$24,000	13.3
'85	\$132,000	\$7,000	5.6	—	\$209,000	\$4,000	2.0
'86	\$145,000	\$13,000	9.8	—	\$253,000	\$44,000	17.4

Source: Maryland Critical Area Commission study

for pushing up the home's value by \$17,000, and it drove the market price up by \$32,000 in 1986 as waterfront land became more scarce, Beaton said.

Both Tschantre and Mrs. Eckard say the skyrocketing prices have continued into 1988, with Mrs. Eckard estimating the average increase from 1987 to 1988 at 25 percent to 28 percent.

Since appraisals for tax purposes are based on market values, taxable values of waterfront homes have also jumped, which will mean higher property taxes for the homeowners, Tschantre said.

While critical areas have added to the boom for existing houses and smaller parcels, they may have devalued many of the remaining large waterfront tracts by reducing the number of homes that can be built on them.

Calvin Gray, president of Gray and Smith Builders and Developers in Severna Park, tells a story of Swan Point, a 108-acre tract with 60 acres in the critical area along the Severn River near Round Bay.

Original plans for the land in the critical area called for 20-25 homes, but because the deal wasn't closed to buy the land until after the critical-areas law was enacted, Gray's firm was limited to only three homes on the 60 acres.

By contrast, his firm is building 32 exclusive homes on 65 acres in the critical areas at Bluff Point on the Severn, off Benfield Road, because it was subdivided prior to the law.

The land in Bluff Point would sell for \$500,000 to \$650,000 per acre or 1½ acres, Gray says.

Although he can sell only 20-acre lots in the critical area of Swan Point, Gray says he won't get 20 times the Bluff Point price.

"Twenty acres certainly isn't

worth 20 times that," he said. "It's certainly not worth 10 times that. People aren't going to pay \$5 million for a lot."

Mrs. Eckard agrees that landowners who missed development before critical areas have lost money.

"I'm sure that there are cases where landowners may, in fact, have lost \$1 million for protection of the bay," says Mrs. Eckard.

But Tschantre said no one has made the argument yet that critical areas have devalued their land.

Assessors do not consider critical areas in determining value of lots because the county's critical areas plan is not finalized, he said. The county is currently under an interim plan.

No one will know exactly how many homes can be built on lots until the plan is approved by the County Council and the Critical Area Commission, and Tschantre doesn't want to speculate in setting the value.

Tschantre also said that demand for 20-acre lots could rise, pushing values of land in the critical areas higher, not lower.

In the meantime, it appears the escalation of the price of waterfront homes and of buildable small lots will continue.

Beaton said the waterfront market is driven primarily by corporate executives retiring with large bonuses who seek to live on the bay.

Many of the executives are from New York or New Jersey, where real-estate prices are even higher and executives consider prices on the bay to be reasonable.

"I can see the market maintaining itself in the Chesapeake Bay as long as there are retirees coming out of corporate America," he said. "It depends essentially on the demographics of our age force."

Centreville council ignores Critical Areas law

By William Rodgers
Critical Areas Watch

The last days of May brought shocking news to that hardy but diminished band of Centreville citizens who hoped, against mounting evidence to the contrary, that the Critical Areas laws would rescue local government from its conceits and folly.

Twice in the last days of May, we have been battered by conniving Town Council realities that deserve an investigation on the order, if not the scale, of the special federal prosecution inquiries that illuminate the repugnant excesses of the Reagan administration in Washington.

The conduct of the Centreville Council and its committees needs to be studied and its practices examined to stop the course on which it appears to be compulsively directed.

As a prelude, there was word

that Barry Perkel, County Planner here at age 24, resigned to go back to school, a move some of us hoped would catch on among our town elders.

Then came a somewhat disguised meeting that caught us Wharf Watchers napping. The Town Council gave Arthur Kudner another helpful lift toward circumventing environmental laws by invading the town's small, jammed parking lot harbor with a development project bordering on madness. For several years our cooperating council has done everything else for Mr. Kudner but his laundry and dry cleaning. Then he gets this gratuitous bonus.

The worst was yet to come. Before the month was out Town Manager Scott Hancock let it be known he had orchestrated a *fait accompli*. It seems the town signed a contract of sale, conditional on circumventing Critical Areas Laws, to sell 2.3 acres of

land and a couple of buildings owned by the town at the site of the abandoned electric plant at the north end of Centreville, for an unheard-of low price.

The selected buyer is Tidewater Specialties, maker and seller of plastic decoys and hunting supplies, which is to get all the land and the structures along a stream (Gravel Run) where the town wells are located for a knock-down price of \$145,000 — reduced from an appraisal price seven years ago of \$250,000.

The banks of the fresh water stream, which empties into the harbor, is buffer zone territory (R2) on which manufacturing and industrial activity is forbidden. However, the obliging Centreville Council — ever accommodating to mauraders — is in effect selling new zoning along with the property. As for the Critical Areas requirements, contempt prevails. It's our town, as the saying goes, and we don't

like anybody telling us what to do.

Nevertheless, there are beguiling questions. The head of the mail order company chosen to acquire this property claims they don't really manufacture things but assemble plastic decoys and hunting service items. Thus, there was reason for Hancock and his employees to knock \$100,000 off a previously appraised price. The 40 percent discount produced the selected buyer, it seemed, in minutes. A local professional woman showed up a few days after the story appeared in an out-of-town newspaper, and wanted to buy the property for use as a day care center. Scott Hancock affably declared that was a wonderful idea and would be very good for the town — but alas, Sorry about that...the deal was closed and a contract signed!

An interesting aspect of the day care center proposal was that no change in zoning was re-

quired, the land could be buffered as required, no environmental restriction stood in the way and, as Hancock said, use of the property in such a desparately needed service would honor, not befoul, the territory. For even if, as the favored buyer said, no manufacturing was to be undertaken, the fact is that if zoned for manufacturing, the value of the property would shoot sky high and the new owner could sell it as a manufacturing site. Most Centreville folks who go placidly along with their Town Council are unfamiliar with such matters. Council members smugly say "People trust us." If that's true, we are being swindled and an immediate investigation is needed more than ever.

The town-owned property sale is a disgusting scandal. Any real estate sales person could, if zoning is sold with the deal, market that property as it stands for well above the \$250,000 appraisal

made in 1981. Land values have more than doubled in that time.

Then there is another issue at stake here. The 2.3 acres the town is selling in an outrageous dereliction of duty were a gift to Centreville — half of it in the 1880s by the Turpin family and the other half in 1952. A covenant stipulates the property was to be used for water resources only, or returned to the donor or his heirs. It was not to be handed out in some grubby deal. So there is a foul stench to this.

Centreville's government should be brought to some sort of trial or inquiry. Its council members and the town manager do not own this historic waterway land. They have, it would seem from the evidence, betrayed us all. If this is not the case, let them defend their position in open inquiry. I see the council as inadequate, conspiratory and in contempt of essential laws.

Many to miss bay-help deadline

By Timothy B. Wheeler
Evening Sun Staff

Two-thirds of the counties, cities and towns bordering Chesapeake Bay will miss this month's deadline under the critical-area law for enacting state-approved shoreline development controls.

With nine days left to meet the 1984 law's June 11 deadline, only 20 of 60 bay area localities have in place the required land-use programs for protecting the estuary's water quality.

Those with the required plans are Baltimore City and Anne Arundel, Baltimore, Harford, Cecil, Kent and Prince George's counties. Also, Perryville, North East, Port Deposit, Charlestown, Pocomoke City, Easton, Oxford, St. Mi-

chaels, Cambridge, Betterton, Millington, Rock Hall and Greensboro.

The state Critical Area Commission has begun notifying tardy jurisdictions that it will impose its own land-use regulations unless they quickly resolve problems the panel has with the local plans.

"We're going to keep the pressure on," said Solomon Liss, the panel's chairman.

Under the law, 16 counties and 44 municipalities must draw up regulations limiting development in the "critical area," up to 1,000 feet from the shoreline of the bay and the tidal portion of its tributaries. In pristine "resource conservation areas," state land-use criteria permit only one home per 20 acres.

The 26-member commission voted yesterday to inform

Calvert, St. Mary's and Talbot counties and the town of Chesapeake Beach that it plans to take over the task of developing their critical-area programs, either because of unresolved disputes about their content or because they are incomplete.

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See AREAS, D10, Col. 3

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AREAS, From D1

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Some local officials, especially in mostly rural Eastern Shore and Southern Maryland counties, have complained that the critical-area law and accompanying land-use criteria are vague and unduly restrictive. But Gov. William Donald Schaefer has rebuffed their appeals for more flexibility, saying they must comply with the law before trying to change it.

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Environmentalists are worried, however, that the commission may

relax its requirements of the localities in its desire to finish reviewing their plans.

They cited the commission's approval two weeks ago of Cecil County's program, which would permit more new development on pristine waterfront land than allowed under the commission's "growth allocation" guidelines.

Bunker said Cecil's plan would permit three or four times as many homes to be built in undeveloped areas than envisioned in the commission guidelines. He said he feared that other counties would seek similar variances.

"The counties have whittled away at [the growth allocation guidelines], and the commission feels

they have to approve something," contended Scott Burns, a lawyer for a group of Queenstown citizens concerned that Queen Anne's County may follow Cecil's lead. That county's plan is still being revised.

Liss, however, denied that the extra latitude given Cecil would set any precedent. Cecil's program was approved on a "one-year trial basis," with no more than 70 acres to be developed, he explained.

Cecil's critical area program is unique, Liss said, because developers would have to compete for the right to build on pristine waterfront. Other jurisdictions are unlikely to win similar concessions, at least until Cecil's experience had been reviewed, he said.

Metro

THE EVENING SUN, THURSDAY, JUNE 2, 1988

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D1



**Wiley A.
Hall 3rd**

Crying Uncle until it hurts

Once I might have called Nelson T. Botile, mayor of the black South African township of Soweto, an Uncle Tom.

But I was young and stupid then and inclined to be mean.

"Uncle Tom" was the worst thing one black could call another, akin to being called a French collaborator in World War II. It meant a "sell-out," a traitor, someone who betrays the interests of his kind out of fear or greed.

Indeed, there are blacks in his own country who call Botile a collaborator and refuse to acknowledge his office. And during a short visit here in this country, at least one black American has hinted as much.

"I thought to myself, 'Who is this small man to judge me?'" said Botile angrily yesterday in the Washington offices of

Many to miss bay-help deadline

By Timothy B. Wheeler
Evening Sun Staff

Two-thirds of the counties, cities and towns bordering Chesapeake Bay will miss this month's deadline under the critical-area law for enacting state-approved shoreline development controls.

With nine days left to meet the 1984 law's June 11 deadline, only 20 of 60 bay area localities have in place the required land-use programs for protecting the estuary's water quality.

Those with the required plans are Baltimore City and Anne Arundel, Baltimore, Harford, Cecil, Kent and Prince George's counties. Also, Perryville, North East, Port Deposit, Charlestown, Pocomoke City, Easton, Oxford, St. Mi-

chaels, Cambridge, Betterton, Millington, Rock Hall and Greensboro.

The state Critical Area Commission has begun notifying tardy jurisdictions that it will impose its own land-use regulations unless they quickly resolve problems the panel has with the local plans.

"We're going to keep the pressure on," said Solomon Liss, the panel's chairman.

Under the law, 16 counties and 44 municipalities must draw up regulations limiting development in the "critical area," up to 1,000 feet from the shoreline of the bay and the tidal portion of its tributaries. In pristine "resource conservation areas," state land-use criteria permit only one home per 20 acres.

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See AREAS, D10, Col. 3



Renovations — not evictions — in Catonsville

Mercury plunges in wake of storms

Cooler weather arrived on schedule overnight, knocking more than 40 degrees off yesterday's daytime high and breaking the three-day bake-off that had Baltimore cooking in record heat for two days.

The relief arrived with a strong cold front that pushed south out of upstate New York behind a line of severe thunderstorms. Highs today were expected to be near 70. Highs tomorrow and Saturday will stall in the 60s, with showers possible each day.

The downtown high at 2:40 p.m. yesterday tied the 97-degree record for the date set two years ago. The official thermometer at Baltimore-Washington International Airport reached only 91 degrees, two degrees short of the airport record for the date, achieved in 1986 and 1987.

The temperature dropped to 58 degrees at the airport by 6 p.m. today.

The highs yesterday were identical to those reached Tuesday, although Tuesday's 97-degree reading downtown broke the

previous record for the date by one degree.

The heat was relatively dry and breezes were abundant, helping to keep the misery index under control.

The relative humidity at BWI at 3 p.m. yesterday was only 41 percent. The wind, meanwhile, was blowing from the west at 17 mph, with gusts up to 30 mph.

June has been an especially hot month in Baltimore during the past four years. Weather Service records show that 11 of the 30 daily record highs for June in downtown Baltimore have been set since 1984.

Seven other record highs for June were set in the 1950s, six in the 1920s.

While the heat records have been toppling, cold records for June have been much more durable, suggesting, perhaps, a general warming trend.

For example, no record June highs set downtown during the 1800s survive. (The June 10 record of 98 was set in 1964, not 1864 as printed yesterday in the June almanac. Official record-keeping downtown began in 1871.)

But seven record lows for June set during the 1880s and 1890s still stand.

A similar pattern of relatively recent record highs and older record lows can be seen in the July and August records, and even in January data.

Fourteen 19th century record lows for July still stand and 12 for August. Only three record highs for July and August have survived from the 1800s.

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AREAS, From D1

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FRIDAY, August 28 1987

County 'irresponsible' on environment Environmental advisory board criticizes commissioners

Kamil Ismail
Staff Reporter

In a stinging address Tuesday afternoon, the Calvert County Environmental Commission characterized the county commissioners' attitude to environmental concerns as patronizing and irresponsible.

The board also said there exists a "lack of understanding...at the top administrative levels in Calvert County government."

The environmental board described progress in environmental issues as "isolated," and "disappointing."

The board's address was a response to a July 7 statement in which the county commissioners had cited progress in some environmental matters and pleaded that a shortage of funds limited progress in other areas.

"We are...very disappointed by your collective response," said Environmental Commission Chairman Philip Mohler.

In February, Mohler's commission had criticized the county on four fronts: the lack of an aggressive public program for creating parks; the lack of local concern for the muddying of waterways during construction; the inadequacy of environmental education among school children; and the lack of attention paid to environmental concerns during the approval of development projects.

The environmental commission says the commissioners have answered none of their criticisms.

Though the county has hired one new sediment control inspector, the lack of training and concern among supervisors of the program dooms it to failure, says the environmental board. And though money to buy parks is in short supply, the county does not have a written plan for acquiring land when money is available, says the board.

Both James Dowell, the current supervisor of sediment control inspections and James Wood, ex- See ENVIRONMENT, Page A-7

Gott comes in for worst

Kamil Ismail
Staff Reporter

County Commission President John Gott received an especially biting criticism from the environmental commission which said he improperly meddled in the operation of county government.

In April, the commission and developer Michael T. Rose had battled over setbacks aimed at protecting the waters of Back Creek in Solomons. In a joint meeting aimed at resolving their conflicts, Rose and three county boards toured the waterfront at Solomons Landing and then hammered out a compromise.

But at that meeting, the county's environmental planner, Vivian C. Marsh, had had a gag order placed on him by Gott, via Marsh's boss Frank Jaklitsch.

Marsh was told to keep his mouth shut, according to the environmental commission and other sources.

When he refused to do so, Marsh was issued a letter of reprimand for insubordination. After a subse-

quent reprimand, Marsh received a five-day suspension.

That action has infuriated the environmental commission. And since Gott acted without the consent of the other four county commissioners, his fellow members on that board are equally perturbed.

"That shouldn't be," fumed County Commissioner William Bowen. "It takes a five-body board to make decisions."

Gott sat silent and unsmiling throughout the meeting except for asking Environmental Commission Chairman Philip Mohler once if he was finished. After the meeting, he refused comment on the allegation that he illegally censored Marsh.

Commissioner Barbara Stinnett said she had not been aware of the censure of Marsh that resulted from Gott's maverick action.

"I'm really burned about it," she said. "I feel that since it was based on one person's direction, it was improper and illegal. I certainly hope it doesn't happen again."

See GOTT, Page A-7



Commission President John Gott received harsh criticism at Tuesday's meeting.



Kamil Ismail

Mohler...county is failing on the environment

Teacher readies for opening day

Suzanne White
Staff Reporter

First grade students who parade into Dotty Schenk's colorful and highly imaginative classroom Monday may just think they are

New Crop of First Graders. The artwork is a burst of color, and each child's name is written out on a small carrot. Bathroom passes for boys and girls are waiting on a desk across from the poster. Science, social studies and language books are tucked and inside each

Environmental policies assailed

ENVIRONMENT, from A-1
pected to be named as new supervisor shortly are not properly trained and don't really care about the environment, said Mohler.

The board also called for the creation of a separate division to

review the environmental impact of new development.

Mohler said environmental concerns were suppressed by the existing system, and urged the full utilization of the county's environmental planner.

Added environmental commis-

sioner James Sanders, "Calvert County is at a crossroads. We want to move forward. We can do that adequately and continue to keep what we have."

But without proper care of the environment, Sanders said, economic development and tourism would also suffer.

Board members criticize Gott

GOTT, from A-1
Commissioner Joyce Terhes also objected to Gott's restriction on Marsh.

The president of the board, she said, "should speak only when he has the consensus of the remaining members."

But the environmental commission was especially concerned about the muzzling of Marsh at a time when environmental concerns were in conflict with the desires of a developer. This diminished his role as a viable planner, that commission said.

"Without an uncensored and strong individual within county government to promote environmental protection and management," said Mohler, "(development) pressures will potentially override those of long-term environmental benefits."

Transfer zone program criticized for lack of parity

TRANSFER, from A-1
Concerned Citizens Association, and one of the leading voices in favor of a revamping of the program. "Our schools are in terrible shape, population-wise. If you're going to double density in the Third (District), you should preserve farmland in the Third."

That is unlikely to happen.

Says Thomas Starkey, an attorney who is a leading advocate of the program, "The intent of the program was to preserve agricultural land in the county as a whole. The problem is you can't very well have a good farming operation in the midst of a residential development. Farmers have problems with people. Most of the farms that are viable are away from residential development. The places where you want to put the lots are in the north, where it is easy for commuters. I don't think you'll ever have a lot of agricultural preservation in the Third District; it's too profitable to build, even as a five-acre subdivision."

The profit in developing transfer

opers.

Until a few months ago when the price rose, she estimates, transfer rights were selling for between \$800 and \$1,000. Since it takes five rights for an additional housing lot, Kelley estimates that builders were spending about \$4,000 to \$5,000 to gain a new lot, which is worth \$35,000 to \$45,000.

At public hearings before the designation of transfer zones, neighbors often object to smaller lots in their midst, saying this would reduce their property values and cause congestion. Though most agree the zones have an impact on the provision of county facilities, proponents of the program say a transfer zone development is virtually indistinguishable, aesthetically, from an ordinary development.

"A two-and-a-half acre lot is a large lot for a residential dwelling," says Starkey.

Especially so since a vast number of lots developed in the county are an acre or less, having being built under residential zoning or

combined with dropping prices of tobacco puts a strain on farmers just starting out.

Most younger farmers supplement their incomes with a regular job, to assure themselves of a steady paycheck.

Hall's son Wesley doesn't know how many generations his father's tradition will continue into.

"I'm glad to see it not being built up," he says of the farm. "You're not going to stop progress, though. If people want to build, they're going to build."

But because development rights for the Hall farm have been sold, it cannot be built upon. Because the rights have been used, there are more houses in Fox Chase than there would have been otherwise. The concentration of housing into intensive pockets which is one result of the program has been assailed as the fuel in a growing problem. The preservation of farmland, the other result, has been hailed as a success.

Without the transfer of development rights, land such as Hall's farm and Fox Chase could both

Teacher prepares for new crop

TEACHER, from A-1
The first lesson on the agenda is that of Leo, a droop-eared rabbit who got ridiculed by other rabbits because he was different. The story, Schenk said, is designed to set the tone for the year. "It is OK to be different," said the teacher, explaining the message in the story.

ber Two: Everyone in this school has the right to learn. Schenk said it comes in handy when she is forced to reprimand youngsters who run down the hallway screeching, chatter endlessly to friends or whizz paper airplanes over everyone's heads.

Rule Number Three is serious. No one has the right to hurt another person or thing. This one, Schenk said, covers childlike offenses like writing on the walls, taking school books apart and clobbering others.

phy gained over the years is simple. Each child works to their best potential, and home and school should be a partnership.

One project she worked on during the summer was a communication book that will go home to parents each day. She wants to get them involved in the process of teaching their children as much as possible. Inside the book will be tests, words the youngsters are working on and school bulletins.

During the day the youngsters will be introduced to Schenk's rules of the classroom and learn a secret code that not only keeps the children in control, but gives them a chance to engage in a special game with the teacher.

New to Schenk's classroom is a "Lost and Found" basket, a tip she found in an educational magazine. "A good teacher becomes an excellent observer and a thief from other teachers," said Schenk, referring to how teachers trade off ideas with others in the field. "It takes a lot of work parents don't see, but educators see it right away."

Schenk is expecting 28 first graders Monday. Earlier, she called all the parents and told them to have their child bring a stuffed toy the first day. The toys serve as security and will later be part of the introduction process used to break the ice. Her mother is planning to be there as a "trouble shooter and gopher" shuttling youngsters to their assigned classroom.

The game goes like this: When Schenk says "One," the children freeze wherever they are and look directly at her. "Two" means they are to stand behind their assigned chairs, and "Three" translates into sit down and put your head on the desk. "They love it," Schenk said. "They think it's great, and a big joke."

This is Schenk's second year teaching first grade in the county. She had the grade for five years in Prince George's County before she decided to stay at home at raise her two girls. She has studied early childhood education and is certified to teach kindergarten through eighth grade. Her philoso-

Standing in the middle of a cluster of small, empty desks and surrounded by an array of creative teaching tools, Schenk sighs. "Children learn from their environment and by being exposed to what is around them." But the big question is whether they will have fun learning. "I hope, I hope, I try to make it fun."

As for the rules, well, Schenk thinks it is never too early to teach the children that some actions carry consequences. Rule Number One: Mrs. Schenk has the right to teach, which establishes her as an authority figure. Num-

ber Two: Everyone in this school has the right to learn. Schenk said it comes in handy when she is forced to reprimand youngsters who run down the hallway screeching, chatter endlessly to friends or whizz paper airplanes over everyone's heads.

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Gray's family content with verdict

VERDICT, from A-1
The couple shared a 9-year-old son, Junior; Peggy's daughters said it was her hope that she one day would get her son back. The son was in Ward's custody at the time. She had a room ready for him with blue carpet. Perhaps the most sobering aspect of the tragedy was something Peggy's mother, Dorothy Pinkney, said while sitting around the table. She knew in her heart that Peggy, her oldest daughter, was scared. Before her death, she read the Bible more than usual.

"She knew he was going to kill her," said Pinkney, a spitfire little woman who made it clear numerous times she did not want Ward

going to happen," said Joy, who then did not realize anything was wrong.

Peggy's Bible was kept open until the day she died. "She used to always tell me she found comfort in the Bible," Joy said. "She used to always call me baby."

Their mother moved into the house Nov. 23. Those seated around the table said she worked beyond normal hours to get boxes unpacked and the house in order. They said she knew.

Peggy was still unpacking when Ward kicked open the front door, denting the wall, and ran through the house searching until he found her. Joy, who was in the same

family members, said justice was served. "I felt if the jury had any sense at all they would have said he was guilty," she said. "I feel with what he's got, God will give him the rest." Ward, 40, now faces a life in prison.

Darrell, who called Peggy "Mama Gray" and described the months that followed after the shooting a living nightmare, best summed up the family's feelings when the verdict was delivered.

"Her presence was with us and once the verdict came down, it was a burden lifted off the family. You could feel a heavy high like Peggy saying, 'Finally it is over. I can rest now.'"

Sarah P. J. D.
THURSDAY, SEPTEMBER 1, 1988

Morning Sun

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articles

Critical area may thwart planned Harford landfill

By S. M. Khalid
Harford County Bureau of The Sun

BEL AIR — Part of a controversial landfill proposed last month for Joppatowne falls within the state's critical areas and may have to be abandoned, county officials said.

County officials were told Monday that about 24 acres of the proposed 80-acre landfill at the Harford Sands Rubble Fill in Joppatowne are in the critical area.

Under state law, sanitary and solid-waste disposal sites are prohibited from critical areas, protected lands adjacent to the Chesapeake Bay. The state Chesapeake Bay Critical Area Commission will have the final say on whether the project qualifies as a sanitary or solid-waste site.

In July, the administration recommended that the landfill be added to the county's solid-waste management plan, a move that drew the ire of several Joppatowne residents. They cited traffic congestion at the proposed site, possible ill effects on ground water and property values, and the dumping of possibly dangerous materials.

Last month, the County Council voted 7-0 to delay its decision 45 days pending recommendations from a community fact-finding panel.

Robert D. Dillon, chairman of the eight-member fact-finding committee, said yesterday that he and other Joppatowne residents were encouraged by the determination that the site is within a critical area.

"The County Council now has an opportunity to show citizens that they are concerned," Mr. Dillon said. He said he hoped community pressure would result in a "safe and limited operation at Harford Sands."

Larry G. Stancill, owner and operator of the Harford Sands site, questioned the committee's motives. "I don't look upon this group as a fact-finding committee," he said. "Mr. Dillon has told me that his purpose is to stop this project. He said he wants to cost me enough money to bankrupt me."

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LARRY G. STANCILL
Harford Sands owner

Mr. Stancill, who said he had lost \$40,000 because of the delay, talked with county officials about the landfill.

Under the plan, the 4.1 million-cubic-foot gravel pit will be turned into a landfill for trees and other construction debris. Asbestos, several other hazardous materials and tires would be banned. After the pit is filled, the site would be covered with dirt, landscaped and turned into a park.

State laws allow land reclamation in critical areas, which would allow the dumping of dirt and trees. But the fate of the project could hinge on how the state and the county define it.

"I think the whole key turns on whether the Critical Area Commission can define what kind of fill which is being proposed," County Administrator Georgia F. Hodsdon said. "There is no specific reference in state or county laws to a rubble fill."

County Planner William G. Carroll said, "The county is considering whether Harford Sands is an appropriate site for a rubble fill."

County Council Member Barbara A. Risacher, D-District A, who represents Joppatowne, has opposed the landfill. She could not be reached yesterday for comment.

The county is reviewing the situation and is expected to make a decision on whether to withdraw the plan before the matter is re-submitted to the County Council Tuesday.

Sarah
Fy Jone

THURSDAY, SEPTEMBER 18, 1986

file
Public info
Harris

Harford council votes 4-2 for Joppatowne landfill

By S. M. Khalid
Harford County Bureau of The Sun

BEL AIR — Despite vigorous opposition from local residents, the Harford County Council has amended the county's waste-management plan to include a controversial rubble landfill proposed in Joppatowne.

The amendment, approved Tuesday night on a 4-2 vote with one abstention, designates the 80-acre Harford Sands site as the location for a rubble landfill. But the operation, which involves burying construction debris, cannot begin until plans for the landfill are approved by the state.

Opponents of the project, who packed the council chamber to argue that the rubble fill would contaminate ground water, snarl traffic and lower property values, were dismayed by the vote.

"I think it's a blow to the community," said Robert D. Dillon, a strident opponent. "We should get away from burying this stuff. This matter is not over. The state still has to permit this operation and we will work closely with them."

But Harford Sands owner Larry G. Stancill, whose family has mined sand at the site for 46 years, said he was pleased with the decision.

"I talked last week with the [state] and nobody over there has expressed any concern over a properly run landfill," he said. "If the state says to me that I can't put anything in the area, then I'll put something else in."

Voting to approve the landfill site were Council President John W. Hardwicke and council members Joanne S. Parrott, R-District B, John W. Schafer, D-District C, and Frederick J. Hatem, D-District F.

**"I think it's a blow to
the community."**

ROBERT D. DILLON

Council members Barbara A. Risacher, D-District A, and G. Edward Fielder, D-District E, voted against the measure. Councilman J. Robert Hooper, D-District D, abstained.

Since the rubble fill was proposed last month at a public hearing, debate on the subject has been intense and often bitter.

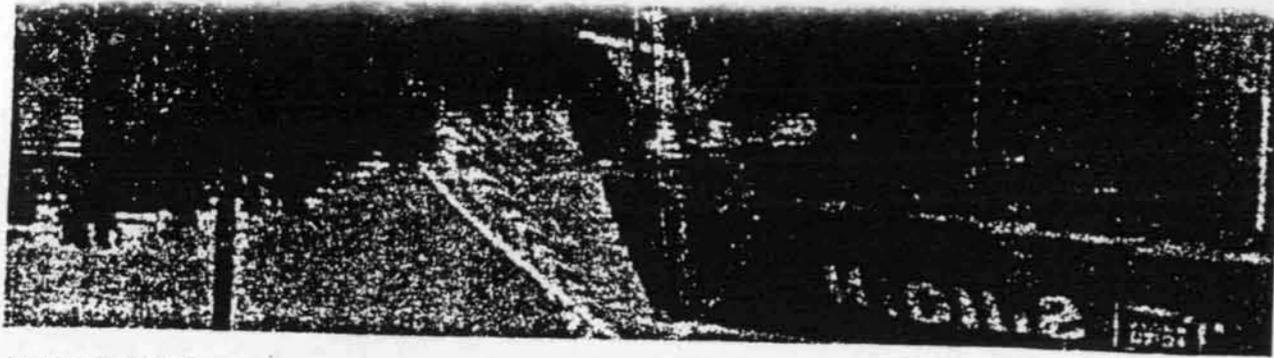
In August, the council voted 7-0 to delay action on amending the waste-management plan and appointed an eight-member citizens fact-finding committee to review the proposed rubble fill.

Last week, the county government was informed that 24 of Harford Sands' 80 acres may fall within the state's critical-area zone along the Chesapeake Bay, which, if true, could scuttle the plan.

On Tuesday, the fact-finding committee released a four-page report of recommendations that the county place various restrictions on the rubble fill and warned of ground water contamination found at other state rubble fills.

With the council approval, the proposed rubble fill will now go to the second and third stages of the state's permit process — which call for environmental impact and engineering studies.

County officials said the permit process could take two to three years. Mr. Stancill said he will continue to mine sand from the site pending a decision by the state on the rubble fill.



LAKE CHARLES—A lake begins to form in front of the Highs store on Charles Street over the weekend. Unusually high rainfall drenched the county Saturday and Sunday.

The county line...

Another star is born

Those darn theater people, always playing to the audience. It was during the first act of last Wednesday's final dress rehearsal for the Port Tobacco Players' Show of Shows that Sherry Hayes Jones, from her seat in the audience, first felt that the birth of her first child might be unexpectedly soon. But it was during a Linda Badgely high note that Jones knew it was time to head for the hospital. That Robin Elaine Jones decided to begin making her debut at the Players' theater in La Plata is not surprising. Her parents are both PTPers, Sherry having met Michael Jones on stage. Mom, dad and the 6-pound, 6-ounce Robin are home in Waldorf and happy and their fellow PTPers are awaiting all three Jones to return to the theater.

Gambling board complete

County wants critical area changes

Charles County Times Crescent 9/16/87

BY PETER DURANTINE

CENTREVILLE, MD.—Seven counties, including Charles, have found serious flaws in the state's critical area program and have decided to seek amendments to the legislation, which is to take effect June 1, 1988.

In a meeting held at Queen Anne's County annex building and called by St. Mary's County Commissioner Robert T. Jarboe, officials from the Southern Maryland counties and three lower Eastern Shore counties—Somerset, Dorchester, and Wicomico—discussed problems

the critical area program has presented for their individual jurisdictions.

"Each one of us has a particular problem or several problems with the critical areas," said Calvert County's director of planning and zoning, Frank Jaklitsch.

Jaklitsch's comment summarized concerns the 17-member group of county commissioners, planning directors and administrators have with the program. The group believes "flexibility" is the answer to their concerns.

"We have flexibility in 66B...[but] we don't have flexibility

in the critical areas," Queen Anne's County Administrator Robert Sallitt remarked.

State law code 66B is enabling legislation that allows counties to plan and zone according to their jurisdiction's needs. According to Sallitt and other officials, the critical area program sets universal guidelines that inhibit proper planning for the various jurisdictions.

Specifically, the program requirement that single family homes be restricted to one home for every 20 acres is what concerns counties such as Somerset and Wicomico, where growth and development is relatively

slow compared to Anne Arundel or Prince George's counties.

"They wanted one-and-20 to protect themselves from themselves," said Wicomico County planning director Bill Livingston. He told the group it was "aiming" to require counties like Somerset and Wicomico to abide by the one-and-20 rule.

Livingston added, however, that speaking for Wicomico County, "we don't want to take away the one-and-20...but we've got to have alternatives."

see CRITICAL, page A-2

School board urged to build schools sooner

BY JANE NORFOLK

Due to quicker than anticipated growth in the northern section of the county, school board staff members recommended last week that the board of education speed up planned construction of schools in that area.

At the new Daniel of St. Thomas Jenifer Elementary School in Waldorf, enrollment was 100 students higher than expected and the school's opening had been expected to provide a cushion for growth, but an enrollment of 590 is very close to the school's rated capacity of 650.

noted an increase at Matthew Henson Middle School due to western county growth which is expected to accelerate due to widening of Route 210 and the Mattawoman sewer line.

Under the school construction program in place for nearly seven-teen years, planning, which includes

tributed more than \$2 billion to school construction, it has not been able to fully meet needs and has a sizeable backlog of projects amounting to almost \$1 billion, and Schaefer noted in announcing the task force, other state institutions have been neglected because so

said a spokesman for the National Weather Service, the tropical rain effect "is rather unusual."

According to the weather service, approximately five inches of rain fell on the region between early Saturday morning and late Sunday afternoon. The heavy rains were a combination of moist air followed by a weak area of low pressure that appeared Friday and a weak warm front that arrived Saturday.

These atmospheric changes, joined by a cold front approaching from the west and upper air disturbances,

adding that "301 south of La Plata in the northbound lanes was [also] under water.

"We had a crew out Saturday during the peak of it," he said, explaining that roads were cleared by 11:30 that night.

"We had some trees down as well," he remarked about the rain's effects. When asked if there had been any severe damages, Hancock responded, "not that we can determine."

Wayne Swann, spokesman for Southern Maryland Electric

without power for several hours.

"We had four crews working from early Saturday morning until noon [Sunday]," explained Swann, who said most of the power outages were caused by lightning and trees falling across power lines.

Power-outage problems were not all La Plata experienced over the weekend. According to Doug Brown, director of parks and planning for the town, "we had quite a few problems."

see STORM, A-9

ing the challenges had
Bailey turned to Allegany

gressing in the four months I've
been here," he said.

Bill Bailey, the county's administrator.

Counties seek CRITICAL change

Continued from Page A-1

The group indicated it agrees with the critical areas program and does not want the existing legislation dismantled, but only amended to allow each county an alternative plan for saving the bay and stimulating growth and development.

"Give us a little flexibility to let us make it [critical area program] work," remarked Frank Gerred, director of planning and zoning for St. Mary's County.

Queen Anne's County, however, has already taken the initiative and prepared its own alternative plan, which provides for one-and-five instead of one-and-20.

"We found the one-[and]-five would do a better job for us," said Barry Perkel, director of planning for Queen Anne's County. He explained the county has seen approximately 500 new units built in the last six years.

Another difference in Queen Anne's critical area plan as compared to the state's is a 300-foot shore buffer as opposed to the state's 100-foot buffer.

What prompted Commissioner Jarboe to call the meeting, which was held in Centerville because of its central location, was the state's reforestation requirement.

With only 3,856 acres of forest in Queen Anne's County, said Perkel, reforestation is a practical and conducive requirement. But in Charles or St. Mary's County, which are heavily forested, officials indicated the reforestation requirement becomes impractical and burdensome.

"It doesn't make sense to enforce reforestation in a county that is largely forested," remarked Gerred, whose county has over 12,000 acres of forestland.

Although Queen Anne's County has produced a critical area plan different in many aspects to the state's program, Sallitt believes that "what we're doing is in the best interest of the state."

When it was learned at this summer's Maryland Association of Counties conference that Queen Anne's County had devised its own

critical area plan by disregarding a number of requirements through expanding on some and readjusting the numbers on others, other counties around the state began rethinking their own plan.

Maintaining a population of approximately 30,000 and with over 39,000 acres of land in the critical area, Queen Anne's plan calls for more forest care and less land disturbances than the state's program.

"Our zoning ordinances are extremely strict, but do offer a lot of options," Perkel said, explaining that their plan also imposes "very strict environmental standards."

On the fringe of Baltimore and Washington commuting areas, Queen Anne's realized the state's critical areas program was not conducive to their jurisdiction's needs when they began their comprehensive plan three years ago.

"The notion that they want a zoning ordinance for 1000 feet for 16 jurisdictions to work across the board is ridiculous," remarked another Queen Anne's planner, Joe Stevens, about the state's ubiquitous program.

The seven jurisdictions indicated they are for the spirit of the critical area law, but find it does not address the individual needs of each county.

"We believe in the goal of the critical area," Charles County Commission President Thomas "Mac" Middleton said, his remark echoed by the rest of the group.

As Commissioner Jarboe indicated, however, each county is "different" and to meet the goals of the critical area, "we need flexibility."

Middleton said that Charles County was receptive to changing the one-and-20 requirement, but that he would need to discuss it with the other two Charles County commissioners before and if any decision is made.

"It would behoove us to seek a higher density," he said after the meeting.

Other concerns discussed during the meeting were the possible legal

problems the program could pose with landowners.

"I don't want to see St. Mary's County dragged into court," remarked Jarboe. Another fear is the possible high cost for enforcing the program once it's in place.

"What is it going to cost the individual counties to enforce it?" Calvert County Commissioner Joyce Lyons Terhes asked the group.

According to Perkel, who spent three years drawing up Queen Anne's plan, enforcing the critical area law "is almost physically impossible."

It was agreed that each member of the group would return to their respective county and discuss the meeting's agenda. Letters would then be sent out to all counties informing them of the group's meeting and its plans for seeking amendments to the critical area program.

Middleton told the group he would personally contact Prince George's County Executive Parris Glendening and inform him of the group's proposal.

Afterward, plans for a concerted effort will be formulated to bring their concerns before the governor, who they hope will recognize the need for more flexibility in the legislation.

"We acknowledge there is a problem, but can't we find another solution to the same objectives," said Perkel.

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at disasters along on the were relatively nil," ac- Jones, who said the worst in New York's Hudson 1,021 lives were lost "General Slocum" in ere was a whole lot of that led to "Slocum" re, he explained. ggest disaster on the occurred in 1873 with the of "Wawaset" which and ran aground near point. There were 72 lives

the 1950s and early '60s, samboats were used sole- ating excursions. In 1957, the last passenger steamboat, "District of "sailed the river—"She steamer built expressly r," Jones explained. the last excursion steam- nt Vernon," sailed from tall, but its voyage and of others are re-lived in photographs, log books s that Jones has spent time collecting. For him, in an interest, it's a love:

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OBITUARIES

Bentley, Holt to campaign for George Bush

Women will co-chair state committee

By Michael Ollove

George Bush's presidential campaign yesterday named U.S. Representative Helen Bentley, R-Md.-2nd, and her former congressional colleague, Marjorie S. Holt, as co-chairwomen of the vice president's Maryland campaign.

Mr. Bush's son, George Bush Jr., a senior campaign adviser to his father, announced the appointments at a news conference in the lobby of the University of Baltimore Law Center, which was attended by about 50 supporters of the vice president.

The younger Bush, who at 41 bears a striking resemblance to his father, said there are not any plans yet for the vice president to campaign in Maryland before the March 8 primary, but he expected his father would be in the state "about as much as anywhere else." The Maryland primary is on the same date as Super Tuesday, when 16 states will hold presidential primaries.

The vice president already has made some fund-raising forays into Maryland. Mrs. Holt said the Bush campaign has raised more than \$300,000 in campaign contributions here. One Baltimorean, J. Carter Beese Jr., vice president of Alex. Brown & Sons, hosted a \$1,000-a-head reception for the vice president at his Baltimore County home earlier this year.

Mrs. Bentley, Maryland's senior Republican officeholder, said she decided to support Mr. Bush's candidacy because of her compatibility with his views and their longtime political acquaintance. "I owe George Bush," she said. "He and his wife, Barbara, were very generous with their time when I was running and needed help in 1984 and 1986."

Asserting that Mr. Bush carried Maryland in the GOP primary in 1980, Mrs. Bentley said that the vice president should be perceived as the front-runner in the 1988 Maryland primary.

Actually, Mr. Bush lost the 1980 primary to Ronald Reagan by almost 13,000 votes. The arrangement for distribution of delegates left each of the two with 15 delegates.

Mrs. Holt, who in January retired from the House of Representatives after seven terms, said Mr. Bush's various high-level posts in federal government — congressman, CIA director, ambassador and vice president — qualified him as the GOP's best-prepared candidate in the Republican primaries. "George has had more foreign policy experience than anyone else," she said. "I've met with heads of state around the world, and I know the respect and trust they have for him."

Aside from Mrs. Bentley and Mrs. Holt, the campaign yesterday named Jack Moseley, chairman of the board and president of U.S.F. & G. Corp., and Henry Berliner, president of Second National Federal Savings Bank in Annapolis, as senior advisers to Mr. Bush's Maryland campaign.

The campaign also announced members of the Bush campaign's 22-member steering committee in Maryland, which is headed by Barbara Taylor, a Republican activist from Montgomery County. The committee includes state Senator and Carroll Whip Raymond E. Beck, R-Morristown; Melvin Bilal, a Republican lieutenant gubernatorial candidate last year; former U.S. Representative Lawrence J. Hogan Sr., and state Delegates A. Wade Koch, R-Baltimore County; John Leopold, R-Anne Arundel, and Elizabeth S. Smith, R-Anne Arundel.

Man given 25 years in abuse of children

A 35-year-old East Baltimore man — turned in by his young daughter's classmates — was sentenced to a total of 25 years in prison yesterday after pleading guilty to sexually abusing the 7-year-old girl and her 13-year-old brother.

The man, whose name is being withheld from this article to protect his children's privacy, has been jailed since Dec. 3, said Joan L. Bossmann, director of the city state's attorney's sexual crimes unit. He pleaded guilty to four charges July 31.

Judge Mabel E. H. Hubbard sentenced him yesterday to 20 years for the second-degree rape of his daughter, along with a concurrent five-year term for sexual child abuse of the girl. He also received a 20-year concurrent term for a second-degree sex offense against his son, as well as a consecutive 5-year sentence for sexual child abuse of the boy.

The total of 25 years in prison was requested by the prosecution. The abuse of the two children occurred over a two-year period from December 1984 until his arrest in December 1986.

Ms. Bossmann gave credit to the 7-year-old's classmates for ending the abuse: When the young girl told them what her father had been doing to her, the children knew it was wrong and told their parents — who immediately reported it to school officials.



View across Corsica River of old Centreville wharf, where developer seeks to put inn, restaurant, and town houses.

Wetland advocates vie with Centreville developer

By Pat Emory
Special to The Sun

CENTREVILLE — From their home at the top of the river bank, Jerry and Penny Lins look out on green meadow — where Centreville once proposed to build a ball field and park — and on marshes where deer often rest in tall reed grass and ducks congregate on a tidal pond.

"I remember seeing that ball field [on a map in the town office] and thinking 'It's a place for my kids to play,'" reflects Jerry Lins, who eight years ago bought the 1877 river captain's house where the Lins now live.

"There's a lot of life in the marsh," says Mrs. Lins. "We see muskrats swimming, Mallard ducks with their ducklings, and three blue herons. We enjoy watching the birds come in to roost at night. We spend a lot of time on the back porch, enjoying the view."

This filled-in river bottom — deep enough in the late 19th century for an old sea captain to anchor his boats below his house — may soon present the Lins a view of asphalt driveways and the tops of expensive town houses and business offices.

That is the proposal that Arthur Kudner, the owner of Tidewater Publishing Corp. and Cornell Maritime Press, unveiled before the town recently. The Centreville businessman proposes to build an inn, a "four-star" restaurant and 16 town houses on the old wharf overlooking the Corsica River and another 14 town houses across Watson Road, overlooking the marshland and Yellowbank Creek.

The proposal has divided town

"We see muskrats swimming, Mallard ducks with their ducklings, and three blue herons. We enjoy watching the birds come in to roost at night."

PENNY LINS

residents like no other issue in recent history. Almost 80 town and county residents, including some of Centreville's most prominent citizens, were listed in a newspaper advertisement supporting the project, while opponents filed suit in circuit court against Mr. Kudner and the town.

Most residents agree on one thing: The inn and restaurant would be a welcome improvement on the riverside where abandoned warehouses — used in the days when schooners shipped produce and fertilizer between Baltimore and Centreville — were razed in the last decade, leaving several acres of broken concrete flooring which even the opposition's attorney, Willard Parker, described as "looking like the Beirut Airport."

"It's a blighted area, and I thought it would serve the town well to have it developed," Mr. Kudner said.

But adjacent land owners and 40 members of the newly formed Critical Areas Watch Group, which has been monitoring the town's critical areas plan, argue that all of the town houses would be subject to periodic flooding and that the 14 town houses proposed for the marshy side of Watson Road would violate the town's proposed critical areas

plan. Wetlands maps indicate that the area is subject to two feet of flooding every 10 years, but during a hurricane, flood levels have been recorded as high as 5 feet.

Mr. Kudner addresses the flooding problem by proposing to raise the first-floor levels at least eight feet above the ground and putting parking underneath the town houses and restaurant. Opponents say this does not address the problem of what to do with residents during a flood.

"During a flood situation, people have got to be evacuated, their cars are under water, and there's a chance for personal injury," argues Ben Berliner, an Annapolis builder who lives in town.

Meanwhile, a sort of race has developed between two separate sets of hearings that could determine the fate of Mr. Kudner's project. At the same time as hearings are being held on Mr. Kudner's requests for zoning changes and special exceptions to cluster the town houses, other hearings are being held on the town's critical areas plan — required by the state to improve water quality by limiting development along the Chesapeake Bay and its tributaries.

Part of Mr. Kudner's project could be jeopardized if the critical areas plan is passed first. Using state wetlands maps, Mr. Berliner calculated that Mr. Kudner would have only a half-acre facing the marsh to build on — room for only one structure — if he has to meet the critical areas regulation that calls for a 100-foot buffer in front of marshland.

Town Manager Scott Hancock said that Mr. Kudner could still get his town houses built if the critical areas law passes first. "You can modify the buffer as long as you mitigate for it," Mr. Hancock explained.

For more than a decade, town residents have talked of revitalizing the town wharf where the only use now is a public ramp on county land. While other small towns, such as Solomons and St. Michaels, turned old packing houses and other commercial buildings into museums and tourist attractions, Centreville's quarter-mile-long wharf fell into disrepair and residents of its old rundown captain's houses were often dubbed "wharf rats."

Centreville recently acquired a small lot on the opposite end of the wharf from Mr. Kudner's proposed restaurant and inn. This property is likely to become one end of the town's proposed mile-long nature trail along the Corsica's tidal wetlands — a scaled down version of the plan that once included all the land that Mr. Kudner now owns.

"The wharf is the orphan of Centreville; it's the area of town that was neglected," reflects Mrs. Lins, as the marsh reeds reflect silver in the morning breeze and the cacophony of the birds builds until it drowns out the noise of traffic.

Highway crashes kill 3 people in Maryland

By Sheridan Lyons

Three Marylanders — including a Waldorf man who drove three miles in the oncoming lane — were killed yesterday in accidents on state roads.

In Harford County, a 19-year-old Havre de Grace man died instantly in a head-on accident on Route 136 near Trappe Road, outside Bel Air, when he failed to make a turn and skidded into the path of a northbound 10-wheel truck.

Timothy Lee Childress of the 100 block of Robin Hood Road was driving a 1976 Mercury Bobcat when he hit a loaded trash truck driven by Wayne Douglas Peyton, 37, state police said.

A witness said the man, who wasn't wearing a seat belt, had begun to speed about a mile before the crash. His car hit an embankment and came to rest facing south in the northbound lane of Route 136, in the path of the truck. Mr. Peyton, the truck driver, was not charged in the 8:30 a.m. accident.

State police also were investigating an accident on Route 301 in Charles County in which Ernest Brooks Jr., 45, was killed when he drove his car for three miles into the path of oncoming traffic and collided with a vehicle carrying a Northeast Baltimore couple.

Mr. Brooks, of the 400 block of Sandwood Drive in Waldorf, was pronounced dead in the scene of the 1 p.m. accident in Mattawoman.

The couple was identified as David L. Brown, 55, and his wife, Eirelle, 30, of the 1400 block of Carswell Street. Mr. Brown was being treated for right arm wounds at Physician's Hospital and his wife was being treated for face and leg wounds at Washington Hospital Center.

Also yesterday, state police reported a fatal accident at 1:20 a.m. on Route 34 in Sharpsburg in which a 23-year-old Keedysville man was killed when the car in which he was a passenger ran off the road, struck a tree and overturned.

The victim, Richard Lee Ecton Jr., was traveling east in a 1983 Chevrolet Z-28 driven by James Ripple, 22, of Sharpsburg, when the car ran off the right side of the road, hit a tree and overturned. Mr. Ripple was treated at Washington County Hospital and charged with driving while intoxicated.

Hospital seeks to start up incinerator after being closed for pollution violations

By Michael J. Clark
Howard County Bureau of The Sun

Howard County General Hospital, which was ordered in April to shut down its infectious waste incinerator because of pollution violations, is seeking permission to start burning waste again after spending \$30,000 to improve the system.

The hospital, which was fined three times in 1986 for violating emission standards, wants to get a state permit and begin burning waste within 10 working days, said Ralph Snyder, vice president of operations.

He said Howard County General already was planning to shut down the incinerator before it was ordered closed by the county Health Department in April.

"It had been due for preventive maintenance, and we were just a couple months late because of construction delays at the hospital," he said.

A public meeting is set for 7:30 p.m. tomorrow at Hawthorn Neighborhood Center in Columbia at which state and county officials will hear public testimony and respond to citizen concerns before taking action on the permit request.

"We are seriously concerned about the safe disposal of the facility's waste," said Jane Parrish, village manager of the Hickory Ridge Community Association, which represents 3,500 area households. "We want it to be operated properly so there is no black smoke and no chance that dangerous particles might be released into the atmosphere."

She said there were occasions when incineration left "soot so thick on cars in the hospital parking lot that you could write your name on it."

In March, Ms. Parrish sent county environmental officials an article from the February 1986 issue of Pollution Engineering magazine in

Public meeting on permit request set for tomorrow in Columbia.

which two engineers argued that recent studies show "pathological wastes are not as completely destroyed [by incineration] as originally thought."

"In fact, the burning process itself can be a source of infectious waste emission, as can the residue remaining in the incinerator after the waste is burned," wrote authors Gerald Rich and Kenneth Chery.

But W. Bradley King, chief of pathology at Howard County General, said yesterday there was "absolutely no chance" pathogenic material would be emitted during the burning of wastes by the hospital incinerator.

He said there was "much more danger in trucking [waste] out. There is always danger of the waste getting lost or leaking out. Even if the burn is incomplete, the temperatures are in excess of 1,800 degrees Fahrenheit and would destroy any pathogenic material. Nothing will withstand that temperature."

Since the incinerator was shut down, the hospital has hired a firm to haul its waste to Baltimore for incineration.

Ray Feldmann, deputy director of public affairs with the state Department of Environment, hedged when asked if pathogenic material could

League sets dinner

The League of Women Voters has scheduled its annual dinner for prospective members at the Peale Museum, 225 Holliday St., from 7 p.m. to 9 p.m. today.

be emitted by the hospital's incinerator on occasions when it did not meet state air standards.

While it is "unlikely" that pathogens could escape, he said "I can't say it is impossible. Most pathogens would be destroyed at even lower than peak temperatures."

Mr. Feldmann said when the hospital was cited for violations in the past it was because the incinerator had "trouble meeting the state standard for particulates and at times there were poor combustions, resulting in smoke."

Carl R. York, chief of engineering services for the state Air Management Administration, told Ms. Parrish in a letter last year "it is generally agreed that combustion at 1,600 to 2,000 degrees Fahrenheit will disinfect any material and produce an inert ash."

Sister Joseph, retired teacher, is dead at 92

Sister Mary Joseph Walsh, S.S.N.D., a retired teacher and a former vice provincial for Puerto Rico of the Eastern Province of the School Sisters of Notre Dame, died Sept. 20 at St. Joseph Hospital, after being injured in a fall.

Sister Joseph, who was 92 and lived at the motherhouse of her order on North Charles Street, retired from teaching in 1969. At that time she was a member of the faculty at St. Maria Goretti High School in Hagerstown.

She had also taught at St. Mary School there and at schools in New Jersey and Massachusetts and at several schools in Puerto Rico during a teaching career that began in 1912.

Before returning to the continental United States in 1951 she had served as principal and religious superior at schools in Puerto Rico and during World War II served as vice provincial at the request of the local bishop.

The former Clara Elizabeth Walsh was a native of Cumberland and was a sister of Bishop James E. Walsh, the first Maryland bishop and the last Western missionary in China, who was imprisoned there for 12 years before his return to this country in 1970.

Bishop Walsh died in 1981 at the age of 90 at his order's seminary in Maryknoll, N.Y.

Sister Joseph was a graduate of St. Patrick's High School in Cumberland, and she studied in extension programs of Notre Dame College, at the Catholic University, at the University of Puerto Rico and at the College of the Sacred Heart in Puerto Rico where she earned her bachelor's degree in 1947. She entered the School Sisters of Notre Dame in 1912.

She is survived by a sister, Julia Werner of Cumberland, and many nieces and nephews.

A Mass of Christian Burial was offered Wednesday at Villa Assumpta, the motherhouse on North Charles Street.

J. Leo Parks Sr. Owned auto shop

Services for J. Leo Parks Sr., retired owner of an automobile supply and repair business in Northeast Baltimore, will be held at 11 a.m. tomorrow at the Ruck funeral establishment, 5305 Harford Road.

Mr. Parks, who was 81, had lived since 1984 in Green Point near Secretary on the Eastern Shore. He was killed Saturday in an automobile accident on U.S. 50 near Cambridge.

He retired in 1967 as owner of the Hamilton Auto Supply and Garage, which he started in 1931.

Earlier, he worked as an accountant and operated a small grocery store.

A native of Hoopers Island, who went to high school in Cambridge, he came to Baltimore as a youth to attend the Eaton and Burnett Business College.

In addition to working on automobiles in his business, he collected antique cars and rebuilt an old bus as a motor home in which he took trips to Florida and Canada.

He had been active in the Hamilton community of Baltimore and was a former president of the Gibbons Club and the Fathers' Club of the Hamilton Recreation Association. He was a member of the Hamilton Improvement Association.

His wife, the former Catherine Heying, died in 1982.

He is survived by a daughter, Kathleen P. Frampton of Perryville; a son, James L. Parks Jr. of Bel Air; and five grandchildren.

More obituaries on Page 4B.

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file

Editorial

Farewell to the father of Critical Areas Act

The people of Maryland lost one of their most dedicated public servants, and the Chesapeake Bay its best friend, when Judge Solomon Liss died Tuesday at the age of 73. Everyone who cares for the future of our state and its most precious natural resource will miss him sorely.

Judge Liss' career was distinguished by more than three decades of selfless and productive public service. He served on the Baltimore City Council (1954-62), as Chairman of the Maryland Public Service Commission (1964-68), as a circuit court judge (1968-76), and on the bench of the State Court of Special Appeals (1976-84). But he will undoubtedly be best remembered for his pioneering work as Chairman of the Chesapeake Bay Critical Areas Commission.

In July of 1984, when Judge Liss was only three months shy of a well-earned retirement, Gov. Harry Hughes, calling him "the perfect person" for the job, tapped him to head the commission destined to hammer out one of the most controversial pieces of legislation in Maryland history.

Although the respected jurist freely admitted that he had "no special expertise" on environmental issues, he also had no preconceived notions and no axe to grind. "I hope to have the wisdom of Solomon," he said when appointed. "I'm looking forward to the challenge."

And what a challenge it was! Judge Liss brought harmony and consensus to a disparate, contentious group of two dozen commission members: farmers, watermen, developers, environmentalists, foresters, rural and urban politicians, as well as people from the Eastern Shore and the western shore. A master of diplomacy, he repeatedly reconciled the conflicting agendas of his committee members and forged compromise after far-reaching compromise. "He worked tirelessly for compromise," said Assistant Attorney General Lee Epstein, who worked for the commission. "He wasn't a person who hardened positions."

It was seldom easy, and Judge Liss understood and withstood the grumbling of those who didn't get their way. "If both litigants left the courtroom dissatisfied," he said during his years on the bench, "it usually meant we did our job right."

And many a Maryland heavy hitter *did* leave the commission's hearing room dissatisfied. Ever mindful of the seriousness of his task, the judge stood firm against many a powerful adversary: Maryland Secretary of Agriculture Wayne A. Cawley Jr. and the Maryland Farm Bureau, who led the fight to exempt farmers from regulation of runoff pollution; foresters who wanted to clear cut timber right up to the shoreline; developers who saw waterfront homes and dollar signs where the commission saw endangered species and fragile ecosystems; and virtually the entire Eastern Shore legislative delegation.

But so adept at consensus building and diplomacy was Judge Liss that he could be chased down the street by an angry mob of special interests, all the while making it look as though he were leading a parade.

The judge's patience and negotiating skills made admirers out of even his enemies. "We probably disagreed on more issues than we agreed on," said longtime Critical Areas Act opponent Del. Daniel M. Long (D-Somerset). "But I came to respect his abilities."

We seldom disagreed with the man aptly described by the Associated Press as "the driving force behind state efforts to preserve undeveloped land around the Chesapeake Bay," and we can think of no one who has done more to safeguard its future. We are deeply saddened, for his sake, that he did not live long enough to witness the fruits of his labors. Yet we are gratified, for the sake of ourselves and future generations, that he lived long enough to chart a course that will keep the Bay and its shoreline viable and beautiful for years to come.

Godspeed, Solomon Liss.

Liss' bay work capped lifetime of service

By Michael Wentzel
and Timothy B. Wheeler
Evening Sun Staff

Solomon Liss, an eloquent and genial man known for his skills at the speaker's podium, from the judge's bench and even on the dance floor, died yesterday of an apparent heart attack.

Liss, 73, chairman of the state Critical Area Commission and a retired judge of the Maryland Court of Special Appeals, collapsed as he was walking to a legislative hearing in Annapolis on the progress of the state's effort to protect the Chesapeake Bay shoreline from overdevelopment. He was pronounced dead at Anne Arundel General Hospital.

Gov. William Donald Schaefer, who served with Liss on the Baltimore City Council 30 years ago, came to the House office building where Liss lay upon hearing the news and

watched silently for a few minutes as paramedics tried to revive the judge.

Schaefer later issued a statement saying the state had lost "one of its greatest public servants" and he had lost "a dear and personal friend of many years."

Funeral services for Liss will be held at 10 a.m. tomorrow at the Beth Jacob Synagogue, 5713 Park Heights Ave. He will be buried at the Beth Jacob Cemetery in Finksburg.

Liss' long career in public service began as a Baltimore police magistrate in 1943. He developed a reputation as an eloquent liberal during two terms on the City Council. He became known as a compassionate judge and a skilled settler of cases during eight years on the Supreme Bench of Baltimore, now the Circuit Court.

"He was more than just a good judge," said Judge Harry A. Cole of the Court of Appeals

who served on the Supreme Bench with Liss.

"He had a common touch. He felt for the little guy. He understood his needs," Cole said. "I'm not saying he was a bleeding heart or a soft judge. He could reach down and understand a person's predicament and set up guidelines for restoring that person to a productive life. That's my measure of a judge."

Liss capped his record of public service as chairman of the Critical Area Commission. His political skill and diplomacy were credited by many with getting the program set up despite opposition from developers and local officials from rural Southern Maryland and the Eastern Shore.

Former Gov. Harry R. Hughes, who appointed Liss commission chairman in 1984, said the retired jurist was "the perfect person" to

See LISS D7, Col. 1

Liss' efforts for the bay capped lifetime of public service

LISS, From D1

lead the state's effort to limit development within 1,000 feet of the bay shoreline.

"I don't know anybody else that could have done it as well as he did," Hughes said. "He was intelligent, politically savvy. He really performed wonders in getting that program through."

With patience and a generous dose of humor, Liss guided the 25-member commission and its small staff through the complicated and controversial process of drawing up criteria limiting development and prodding local governments into adopting them.

"It's just a question of whose ox is going to be gored," he explained at one meeting. "We're here to try to make sure what has to be done is done as equitably as possible."

Robert R. Price Jr., a Centreville lawyer who served as commission vice chairman, said Liss never missed a meeting of the panel through 4½ years, and he hailed the judge's "ability to be neutral and be a leader."

Liss cajoled reluctant local officials to draw up development controls and refereed disputes over the law's interpretation between environmentalists and local interests.

"His legacy will be a critical area law in Maryland that can stand firmly now," said William C. Baker, president of the Chesapeake Bay Foundation, which gave Liss its Conservationist of the Year award in 1985.

Twenty-two of the 60 counties, cities and towns required to adopt Critical Area programs still have not done so, four months after the June 11 deadline. And there have been several attempts by shore legislators to relax the law. But Baker said he believed the program would survive the loss of Liss.

"It's beyond the point where those who would like to weaken it will be able to do so. It is an institution now in this state, an accepted means [of] protecting the bay," Baker said.

Price will take over as acting chairman of the commission until Schaefer appoints a replacement. The tardy counties, cities and towns all should be in line by the end of the year, said Sarah Taylor, executive director of the commission.

A rotund man who weighed nearly 300 pounds, Liss, who lived in the Falstaff community of northwest Baltimore, also cultivated a reputation as an actor, singer and teller of stories and jokes.

"He loved to dance and he was very graceful on the dance floor, especially for a man of his size," said Cole.

Liss served as a toastmaster and emcee for many organizations. Baltimore Circuit Court Judge Edgar P. Silver described him as "Maryland's George Jessel."

Liss first acted as a student in a play at what is now Towson State University. He produced and directed plays and sang Yiddish folk songs at festivals. He acted with the old Jewish Educational Alliance Players. He appeared in a tutu in a version of Swan Lake. He sang an Italian aria in one performance and played a convicted bookmaker in a comic farce.

"It's fair to say that I am a ham — though a fully kosher ham," Liss said.

The son of immigrants from the same town near Kiev, Russia, who met and married in Baltimore, Liss graduated from City College in 1931 and the University of Baltimore School of Law in 1937.

He was appointed a police magistrate in the Southern District in 1943. In that office, he demonstrated a creative approach to justice. When drunks were brought before him who were not violent, he required that they deposit \$2 in the poor box before he dismissed the charges.

Elected to the City Council in 1955, Liss became an outspoken liberal voice. In 1956, he introduced legislation that would have prohibited discrimination in hotels and other public accommodations. He received threats on his life and supporters told him the proposal was "political suicide."

"If that is so, if a person can't espouse on this floor what he believes in, then I am ready to be a civilian and I don't care if I am a member of this body or not," he said then.

Former Gov. Marvin Mandel, a longtime friend and political colleague, said Liss never feared speaking his mind.

"He was an early opponent of the death penalty and an early supporter of civil rights and human rights," Mandel said. "He made no bones about how he felt and he was very eloquent."

Liss served two terms on the council but failed in a bid for the office of City Council president in 1963. In 1964, he was named chair-

man of the state Public Service Commission.

In 1968, former Gov. Spiro T. Agnew named Liss a judge on the Supreme Bench. He served eight years. As a judge, he often called for gun control laws, expanded use of drug clinics and community-based programs for juvenile delinquents.

In 1976, Mandel appointed his old friend to the Court of Special Appeals, where Liss served for eight years.

Liss' first wife, Gertrude Natch, died in 1962. Survivors include his wife, the former Florence Frahm; three daughters, Debra Tyrangiel of Baltimore, Linda Hirshberg of Del Mar, Calif., and Marcia Caplan of Baltimore; two sons, Jeffrey Liss of Chevy Chase and Steve Gilden of Baltimore; a sister, Sarah Avery of New Rochelle, N.Y., and 11 grandchildren.

Fern Shen contributed to this story.



THE SUN/WALTER M. MCCARDELL JR.

JUDGE SOLOMON LISS

Solomon Liss collapses, dies in Annapolis

By Michael Ollove
and Liz Bowie

Solomon Liss, the unceasingly good-humored son of Russian Jewish immigrants whose artful diplomacy led to landmark protections for the Chesapeake Bay, died yesterday after collapsing in a legislative hallway, the victim of an apparent heart attack.

A one-time Baltimore City councilman, state appellate court judge, and chairman of the Maryland Public Service Commission, Judge Liss was on his way to deliver a progress report to a legislative oversight committee of the Chesapeake Bay Critical Area Commission about 10 a.m. when he had difficulty breathing, according to Pat Vermillion, a communications operator on the Annapolis complex security force. She tried to help him to a hallway bench, but

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Solomon Liss

LISS, from 1A

the former Court of Special Appeals Judge collapsed before reaching it.

Rescue workers, responding within minutes, put Judge Liss on a heart "thumper" and administered drugs, shock treatment and manual heart massage. He was taken by ambulance to nearby Anne Arundel General Hospital, where he was pronounced dead at 10:56 a.m. He was 73.

Gov. William Donald Schaefer, notified shortly after Judge Liss' collapse outside the House Appropriations Committee office, walked from the State House to the House Office Building and leaned against a wall, silently observing the rescue workers' attempts to revive Judge Liss.

When the judge was carried from the building on a stretcher, the governor returned to the State House, his head bowed, declining to comment.

Mr. Schaefer and Mr. Liss had been friends for more than three decades, having served together on the City Council in the 1950s.

The governor later issued a statement: "I am deeply saddened by the sudden and tragic death of Judge Liss. The state of Maryland has lost one of its greatest public servants and I have lost a dear and personal friend of many years."

Throughout the day, numerous public officials, environmentalists, judicial colleagues and friends, some of them overcome with emotion, eulogized one of the jolliest, most popular public figures on Maryland's landscape in the last several decades.

...ates.
"He was that rare combination of intellect, fairness and practicality," said Benjamin R. Civiletti, who sat with Judge Liss on a University of Maryland task force assembled to deal with student drug use at College Park. "He found solutions rather than problems."

Said Representative Benjamin L. Cardin, D-Md.-3rd. "He was a person who always put everyone else's well-being above his own. . . . You can't fill his shoes. It won't be done."

Aside from his public duties, Judge Liss was much sought after as a master of ceremonies at charitable functions, a man whose self-deprecating, sometimes scatological wit and infectious good spirits were all but guaranteed to swell the attendance at any fund-raising event.

He was also a beloved ham who relished appearing in amateur musical productions in which he demonstrated his rich baritone and used to comic effect his bowling ball physique.

Reared in South Baltimore where his Russian Jewish parents operated a grocery store, Judge Liss never shrank from his heritage. Under his leadership over the last 30 years, the Baltimore Jewish community sold more than \$100 million in Israeli bonds.

A leader in his synagogue, the Beth Jacob Congregation, he frequently spoke about the responsibilities of Jewish public figures. Every year, at the University of Maryland School of Law, he moderated an uproarious debate in which the delectable qualities of two Jewish delicacies — the latke and the hamantasch — were argued.

A graduate of City College and the University of Baltimore School of Law, Judge Liss was elected to the City Council in 1955 after throwing in his lot with James H. "Jack" Pollock, then boss of West Baltimore politics.

8, judge, councilman, bay co



THE SUN/1978

Solomon Liss speaks on Jewish humor before the Chatham Club.

"He was always defensive about the Pollack machine," said Peter Angelos, a contemporary on the City Council.

Despite that association, however, Judge Liss charted an independent course, becoming one of the outspoken proponents of integration. In the 1960s, as co-chairman of the mayor's task force on civil rights, he faced down white tavern owners who complained that integration of their bars would lead to violence.

After he lost the race for City Council president in 1963, he was appointed chairman of the Maryland Public Service Commission and later was appointed to the Baltimore Supreme Bench, where he developed a

reputation as a tough judge, who nevertheless expressed his reservations about the law.

But he was never one to hide his mischievous sense of humor, even while sitting on the bench. Once, in deciding the fate of several young actors who were charged with disorderly conduct and indecent exposure, he composed a poem which he recited in court.

In 1984, when former Gov. Harry Hughes was searching for a chairman of a state commission to write guidelines for controlling development along the Chesapeake Bay shoreline, he found Judge Liss "the perfect person."

Although Judge Liss had no expe-

Commission chairman, dies in Annapolis

rience with environmental issues. Mr. Hughes said the judge had plenty of political savvy, an even hand, and no preconceived notions.

Judge Liss quickly gained the respect of the environmentalists, who lobbied for tough restrictions, and Eastern Shore property owners, who feared the commission would deprive them of their right to develop their land.

"We probably disagreed on more issues than we agreed on, but I came to respect his abilities," said Delegate Daniel M. Long, D-Somerset, who, like other Eastern Shore legislators, strongly opposed the Critical Area law.

Judge Liss nurtured compromises, commission members said, by using his sense of humor and negotiating skills to defuse anger. When two sides disagreed, he found the common ground. "He worked tirelessly for compromise. He wasn't a person who hardened positions," said Lee Epstein, an assistant attorney general who worked for the commission.

The criteria written under Judge Liss have become a model for other states.

Judge Liss is survived by his wife, the former Florence Frahm, of Baltimore, whom he married in 1963.

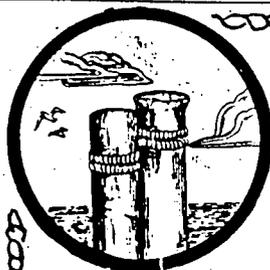
His first wife, the former Gertrude Nadich, died in 1962 after 22 years of marriage. He is survived by their three children, Linda Hirshberg of Del Mar, Calif., Debra Tyranglel of Baltimore and Jeffrey Liss of Chevy Chase. He also is survived by two stepchildren, Steve Gilden and Marcia Caplan, both of Baltimore; and 11 grandchildren.

He is also survived by a sister, Sarah Avery of New Rochelle, N.Y.

Funeral services will be held at 10 a.m. tomorrow at the Beth Jacob Congregation on Park Heights Ave-

nue. Burial will follow at the Beth Jacob Cemetery in Finksburg.

Reporter John W. Frece contributed to this article.



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THE SUN/GEORGE H. COOK

Judge Liss buried

Solomon Liss, the former Court of Special Appeals judge who chaired the Chesapeake Bay Critical Area Commission, was buried at the Beth Jacob Cemetery in Finksburg yesterday. Judge Liss, who was 73, died Tuesday in Annapolis, apparently of a heart attack.

LISS 21e
The Officers and Executive Board of PTACH wish to express their sincere condolences to Mrs. Florence Liss and her family upon the loss of her beloved husband The Honorable SOL LISS Z'L. May his memory be a blessing for the entire family and may they be comforted among the mourners of Zion and Jerusalem.

STEVEN N. STORCH
Chairman of the Board
MICHELLE JAKOBOVITS
Co-President
MINDY SPETNER
Co-President
RENEE BIENENSTOCK
Principal
MICHAEL C. HOFFMAN
Executive Director

LISS 21e
The Liberty Jewish Center Family notes with deep sorrow the passing of our dear friend and esteemed communal leader SOLOMON LISS and extends heartfelt sympathy to the family.
RABBI JACOB A. MAX

LISS 21e
The Auxiliary of Yedz Grotto deeply regrets the passing of Solomon Liss, beloved husband of our member Florence Liss
MILDRED DINKIN
President

21a

LISS 20e
On October 18, 1988 JUDGE SOLOMON beloved husband of Florence Liss (nee Frahm), beloved father of Mrs. Debra Tyrangiel of Baltimore, Mrs. Linda Hirshberg of Del Mar, Ca., Jeffrey Liss of Chevy Chase, Md., Steve Gilden of Baltimore and Mrs. Marcia Caplan of Baltimore, beloved brother of Mrs. Sarah Liss Avery of New Rochelle, N.Y. and the late Ruben Liss. Also survived by 11 grandchildren.

Services will be held at the Beth Jacob Congregation, 5713 Park Heights avenue on Thursday, October 20 at 10 A.M. Interment in the Beth Jacob Congregation Cemetery, Finksburg, Md. Please omit flowers. In mourning at 3207 Fallstaff road (21215). Arrangements by Sol Levinson and Bros.

LISS 19e
Save-A-Heart deeply mourns the passing of our beloved Honorary Member, SOL LISS. We offer our heartfelt sympathy to his family.
RICHARD S. BART
President

LISS 19e
Yedz Grotto regrets the passing of the Honorable SOLOMON LISS, Past Monarch, our esteemed Installing Officer, Advisor and Friend and extends its most sincere sympathy to his family. All members are urged to attend both his funeral and house of mourning.
ALLEN B. SPECTOR
Monarch

LISS 19e
Jacob Sandy Lodge No. 152 K. of P. regrets the passing of our Brother P.C. SOLOMON LISS. Life Member and extends sympathy to the family.
HAROLD YATT
Chancellor Commander

LISS 19e
The officers and members of the Summit Country Club are saddened at the sudden passing of our 2nd Vice President Judge SOLOMON LISS and extends deepest sympathy to his wife Florence and family.
S. PAUL STRAUSS
President

LISS 19e
The K-Nockers Club regrets the passing of our member Judge SOLOMON LISS and extends sincere sympathy to his family.
RUTH N. BROOKS
President

LISS 19e
The Maryland Committee for State of Israel Bonds notes with profound sorrow the passing of SOLOMON LISS, a pioneer in the Congregational Campaign who served with distinction as High Holy Days Chairman for over 30 years and as an Advisory Board Member. Sol Liss was an eloquent and impassioned champion of the State of Israel and its economic progress. We extend our heartfelt sympathy to his wife, Florence, and the family.
HARON DAHAN
General Chairman
MARVIN H. WEINER
Chairman-Elect
BETTY RAPHAEL
Women's General Chairman
HENRY M. ROSENBAUM
Executive Director

LISS 19e
The Golden Eagle Square and Compass Club announces with deep regret the passing of Brother SOLOMON LISS, Past President.
SOL B. SPECTOR
President

Editorial

Farewell to the father of Critical Areas Act

The people of Maryland lost one of their most dedicated public servants, and the Chesapeake Bay its best friend, when Judge Solomon Liss died Tuesday at the age of 73. Everyone who cares for the future of our state and its most precious natural resource will miss him sorely.

Judge Liss' career was distinguished by more than three decades of selfless and productive public service. He served on the Baltimore City Council (1954-62), as Chairman of the Maryland Public Service Commission (1964-68), as a circuit court judge (1968-76), and on the bench of the State Court of Special Appeals (1976-84). But he will undoubtedly be best remembered for his pioneering work as Chairman of the Chesapeake Bay Critical Areas Commission.

In July of 1984, when Judge Liss was only three months shy of a well-earned retirement, Gov. Harry Hughes, calling him "the perfect person" for the job, tapped him to head the commission destined to hammer out one of the most controversial pieces of legislation in Maryland history.

Although the respected jurist freely admitted that he had "no special expertise" on environmental issues, he also had no preconceived notions and no axe to grind. "I hope to have the wisdom of Solomon," he said when appointed. "I'm looking forward to the challenge."

And what a challenge it was! Judge Liss brought harmony and consensus to a disparate, contentious group of two dozen commission members: farmers, watermen, developers, environmentalists, foresters, rural and urban politicians, as well as people from the Eastern Shore and the western shore. A master of diplomacy, he repeatedly reconciled the conflicting agendas of his committee members and forged compromise after far-reaching compromise. "He worked tirelessly for compromise," said Assistant Attorney General Lee Epstein, who worked for the commission. "He wasn't a person who hardened positions."

It was seldom easy, and Judge Liss understood and withstood the grumbling of those who didn't get their way. "If both litigants left the courtroom dissatisfied," he said during his years on the bench, "it usually meant we did our job right."

And many a Maryland heavy hitter *did* leave the commission's hearing room dissatisfied. Ever mindful of the seriousness of his task, the judge stood firm against many a powerful adversary: Maryland Secretary of Agriculture Wayne A. Cawley Jr. and the Maryland Farm Bureau, who led the fight to exempt farmers from regulation of runoff pollution; foresters who wanted to clear cut timber right up to the shoreline; developers who saw waterfront homes and dollar signs where the commission saw endangered species and fragile ecosystems; and virtually the entire Eastern Shore legislative delegation.

But so adept at consensus building and diplomacy was Judge Liss that he could be chased down the street by an angry mob of special interests, all the while making it look as though he were leading a parade.

The judge's patience and negotiating skills made admirers out of even his enemies. "We probably disagreed on more issues than we agreed on," said longtime Critical Areas Act opponent Del. Daniel M. Long (D-Somerset). "But I came to respect his abilities."

We seldom disagreed with the man aptly described by the Associated Press as "the driving force behind state efforts to preserve undeveloped land around the Chesapeake Bay," and we can think of no one who has done more to safeguard its future. We are deeply saddened, for his sake, that he did not live long enough to witness the fruits of his labors. Yet we are gratified, for the sake of ourselves and future generations, that he lived long enough to chart a course that will keep the Bay and its shoreline viable and beautiful for years to come.

Godspeed, Solomon Liss.

Critical areas plan subject of hearing

Meeting may be residents' last chance

By CHARLES COHEN
Staff Writer

Centreville residents may have one last time to comment on the town's critical areas plan as critical areas commission representatives will hold a public hearing this Monday at 7 p.m. at the media center in Queen Anne's County Middle School.

This could be the last public hearing if the commission accepts the town's document. Several residents, most of whom belong to the Critical Areas Watch Group, have been using the hearings since last June to object to Arthur Kudner's plans for the wharf. Kudner, whose plan involves the construction of 30 townhouses and an inn along Watson Road has met continuous opposition at the hearings. The watch group claims that his development is in violation of the critical areas law.

Recognizing that uncontrolled growth has damaged the Chesapeake Bay, the critical areas law calls for towns and counties to design a plan with protective buffers and zoning areas for lands within 1,000 feet of the bay and its tributaries. At the last public hearing, before the plan was sent to the commission, Kudner's attorneys proposed a controversial amendment to modify the 1,000-foot buffer zone if the developer could prove that his plans would improve the water quality by at least 10 percent.

"We think this is a creative solution rather than a knee jerking response to the criteria," said Thomas Keatings, an attorney for Kudner.

Members of the watch group said they were surprised to learn that the town rewrote that section of the plan to include Kudner's proposal.

"I was shocked," said Elaine Rabin, a member of the group. "They appeared to be listening to what we were saying. There is no way to know that his project will improve the water quality until after it is built. Then if it didn't, he would have to tear it down."

Howard Wood, president of the Queen Anne's Conservation Society, said Kudner should comply with the critical areas law.

"If every county included an amendment for a developer's interests it would reduce the effectiveness of the plan," he said.

According to the critical areas commission, the law does provide some flexibility for the buffer especially when the protective strip falls along an intensive developed area (IDA) a classification designated for

Please see PLAN, p.16A

Plan

from page 1a

towns. A staff member, Kevin Sullivan, said that in some town centers there is not enough room to develop under the constraints of a 100 foot buffer.

"The town can request an exemption to the buffer area," said Sullivan. "They have to propose a water quality program."

The town's provision exempts a development from the buffer when it is classified IDA or a limited development area (LDA), subject to previous development activities and has improved the water quality by 10 percent.

John Chlada of the planning and zoning board, which rules on the plan, said that the amendment went through "considerable discussion."

"When you include an amendment it should be based on the entire plan not just on one location," he said.

"I think it's time for the commission to help the local towns and the consultants with the gray areas in the plan," said Centreville's consultant Tony Redman. "A lot of decisions are being made late in the process," he said referring to the commission.

Letters to the Editor

Citizens must back critical area law

I have read Mr. Richard H. Norair's letter to the editor (October 30) several times, trying to glean the main point he is wanting to make. Perhaps it was that he does not like the Critical Area law and doesn't think it will work. Further, he thinks the criteria for the critical area do not provide for shoreline erosion and runoff control where agriculture is the dominant use. Also, he says there is a simple solution; go ahead and develop the shoreline (critical area) carefully.

Your editorial covering the critical area legislation does not miss the point, as Mr. Norair has charged. The editorial pointed out the high value of the Chesapeake Bay to the people of the Eastern Shore and made clear that the treatment given the 199-foot strip along the shoreline of the Bay and its tributaries is critical to the health of the waters of the Bay. This critical area requires special attention and protection, as provided by the criteria. The editorial suggested that citizens of the Eastern Shore should actively support the law so that we can get on with corrective measures aimed at cleaning up the Bay.

No one who is intimately acquainted with the Critical Area Law and the criteria developed by the Critical Area Commission believes they are perfect, but it is the law, passed by the Maryland General Assembly. The law can be rescinded by the General Assembly and wiped off the books, but then we would have nothing. The law and the criteria for management of the critical area could be amended, but to weaken the criteria, to open the gates to satisfy the special interest of some landowners and developers would be a disastrous mistake. A huge effort has been made by the counties and municipalities adjacent to the Bay in developing their individual plans. The Talbot County plan will be a good one. Let's not dump all of that good-faith effort down the drain and

multiply the confusion and accentuate the Bay problems.

Over the months that the criteria for the critical area were being developed, many public meetings and hearings have been held. It is interesting that real estate associations, developers, land-owners and others opposed to the critical area legislation are conspicuous by their absence and one wonders why they do not participate openly. Nevertheless, these meetings have often been quite informative. For example, the development allocation in the three areas of intense development, limited development and resource conservation of the critical area in Talbot County will provide housing for an estimated 17,000 persons, amounting to more than 62 percent growth. In addition, there are 1,700 lots outside the critical area already approved for development. This shows that the Critical Area Law is not anti-growth nor anti-development, as some like to claim. Also, people should realize that the critical area criteria provide for grandfathering lots that were subdivided prior to Dec. 1, 1985 and for the issuance of variances for special situations. The variance rule could be applied in situations of high-bank erosion, which Mr. Norair was concerned about. I share his concern, realizing that the critical area criteria do not adequately address this special problem. This problem must be addressed in local plans.

On Wednesday evening, Oct. 28, there was a public meeting at the Easton High School to review the new Chesapeake Bay agreement formulated by staffs of the Governors of Maryland, Virginia and Pennsylvania and the Mayor of the District of Columbia. At that meeting was a farmer from Preston, Mr. Edward C. Fuchs. Based on his personal farming experience and on studies conducted by the scientific community, Mr. Fuchs stated that farmers are using much too much mineral fertilizer (nitrogen, phosphorus and potassium) and that the addition of phosphorus and potassium to the soils of this area produces no measurable increases in yields of

crops. His point was that farmers can do a lot to reduce the quantities of nutrients washing into the Bay by reducing or eliminating their fertilizer applications.

In the last paragraph of Mr. Norair's letter, he states that compared to the destructive forces of forest fires, volcanic eruptions, wind and wave erosion, hurricanes, earthquakes, floods, droughts and insect infestations, man's contributions to pollution are miniscule. No one can deny that those forces are highly destructive but they are generally only in a very localized area and of short duration. In contrast, is the huge amount of soil continuously eroding from America's agricultural lands miniscule? How can he ignore the destruction caused by dumping toxic chemicals into our waterways? How can he ignore the damage caused by inadequate treatment of sewage coming from our cities and towns? How can he ignore the effects of the poisonous gases that are expelled into the air by our automobiles and industrial plants? Are these man-caused problems miniscule? Think about it, Mr. Norair.

Clark E. Holscher
St. Michaels

Man's activities have harmed water quality

Richard Norair in his letter of October 30th identifies siltation and polluted runoff as the major cause of Bay pollution and faults the Critical Area bill for its approach to this problem.

The Critical Area criteria specify what each jurisdiction shall include in its plan. Some requirements relating to erosion and runoff are:

- development not permitted on slopes greater than 15 percent
- manmade impervious areas (parking lots) to be strictly limited
- woodlands (the very best preventer of runoff) to be maintained or increased by development requirements

• buffer zones to be established for buildings and agricultural operations

• cluster development techniques for new developments required or encouraged depending on how an area is mapped

Each jurisdiction may be as restrictive at it pleases, but must respect minimum standards set in the Criteria. The basic premise of the Critical Area plan is that man's activities have caused deterioration of water quality. These and other requirements are designed to reduce the intensity of these activities and thus reverse the downward trend.

Mr. Norair's recommendation (to stop erosion and runoff) is to provide a financial incentive for the land owner to install the necessary erosion control system. He does not elaborate on how this would be accomplished. Would it hinge on allowing a greater population density in the Resource Conservation Area? It can be argued that one dwelling unit per 20 acres density mandated for undeveloped areas is not the perfect formula. When the Legislature was wrestling with this problem, there was no authority who could give the definitive answer and the result was a compromise. Development-oriented individuals and interests tend to feel a greater density should be allowed; most concerned Baywatchers would like to see this and other key provisions of the legislation left alone for a substantial trial period. Tinkering at this stage might lead to unraveling of the whole mighty effort.

I entirely agree that the answer is to encourage quality development which will address problems of erosion and runoff. I believe that the County Council (which has always been supportive of the Critical Area legislation) and other county agencies have every intention of bringing about quality development which will promote the purposes of the legislation.

I must take exception to the statement that "the most harm

that comes to our planet is of a natural cause." Natural occurrences such as the retreat of the beach at Ocean City or the eroding away of Sharpes Island do not fit in with man's designs but they do no harm to the planet. "Man pollutes, nature does not" is a statement Mr. Norair says is absolutely incorrect. Pollution, the dictionary says, is contamination. Does nature contaminate? Consider Captain John Smith some 350 years ago exploring the Bay. He found it pristine, teeming with fish and all forms of life. This in spite of millenia of wind and wave, hurricanes and other cataclysms of nature. Ecologically speaking, we had better always take our cue from Mother Nature.

Carol V. Kabler
Claiborne

Oyster industry needs positive publicity

We in the oyster industry are facing disaster. Two protozoan parasites, MSX and Dermo, have devastated the population. Even with that, high prices and young oysters not yet killed should have enabled most of us to have a fair season. However, intense far reaching publicity has destroyed many markets for Maryland oysters. Prices have fallen dramatically and young-growth, less-desirable, oysters are hard to move at any price.

In my view, distorted reporting of the facts has contributed greatly to this disaster. The headlines and leadlines refer to disease and death in Maryland oyster populations. Eight paragraphs down, or as an afterthought, most stories deal with

the fact that these oysters are perfectly safe for human consumption. It is just as newsworthy, though not as sensational, that Maryland oysters are safe to eat, and in fact taste better due to increased salinities.

Disaster headlines sell newspapers and increase ratings. However, in this case, they have also made people afraid of oysters for no reason. We need stories dispelling these misconceptions if our industry is to survive.

Bill Sutton
Bozman

Letters policy

The Star-Democrat welcomes letters. Please try to keep comments brief. Letters should be typed and double-spaced, or legibly hand-written. All letters intended for publication must include the writer's name, address and telephone number. Unsigned letters will not be published. Letters should be addressed to The Star-Democrat Newsroom, P.O. Box 600, Easton, Md. 21601.

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MILLIKEN RUGS

Baltimore's former shipping piers that could be used for housing



Waterfront pressures luring builders to piers

By Brian Sullam 11-28-88

The demand for waterfront real estate for residential development in Baltimore's Inner Harbor is now so intense that builders are eyeing abandoned piers for possible housing sites. But opposition is growing to the idea of trying to turn Baltimore into another Venice or Bangkok.

Twenty years ago, no builders in their right mind would have considered putting housing on piers in Baltimore — let alone trying to sell own houses or condominiums for half a million dollars, as they do now.

The decrepit, rotting piers and

were driving people away from the harbor rather than attracting them to it.

But after the two decades of downtown redevelopment and the construction of such attractions as Harborplace, the National Aquarium, and the Maryland Science Center, Baltimore's waterfront has once again become an attraction for people — not just those who want to visit it but those who want to live on it.

The idea of luxury housing on the waterfront excites city officials. For the first time, some of the metropolitan area's most expensive housing will be constructed in the heart of

Pressure lures builders to pier sites

PIERS, from 1D *file*

the city rather than in Guilford, Roland Park, Ruxton or Stevenson.

Baltimore has 85 piers, and 25 are located in the Fells Point-Canton neighborhoods, where the development pressure is most intense.

The city has determined that only five of the existing piers in the Fells Point-Canton area are wide enough — 60 feet — for housing.

In the Fells Point-Canton area, there are two developers who currently are proposing building on piers — North Shore at the Anchorage, which wants to build 12 town houses, and Baltimore Yachting Centre, which wants to build shops with housing above them on a pier.

At Brown's Wharf, in Fells Point, developers want to build a restaurant.

In addition, the Harborview development, which is the \$600 million housing complex to be built at the former Key Highway shipyard, calls for construction of several large apartment buildings on piers.

The city has given its approval to the project's master plan that calls for pier housing, but it has not yet approved the specific designs of the buildings.

In addition, as part of the Port Covington redevelopment, CSX proposed housing on existing piers, but city officials have indicated they don't want housing in what will become an industrial park.

The prospect of luxurious waterfront condominiums built over water has also provoked a strong reaction from many residents of the targeted communities themselves.

They believe the basic nature of Baltimore's harbor will change for the worse.

They fear there will be further environmental degradation, loss of public access and transformation of the waterfront into a collection of upscale apartments, marinas and

fern bars.

Thus, city officials now face the difficult task of drawing up a waterfront development policy that would continue the revitalization of Baltimore's harbor, but also maximize public access and preserve the Chesapeake Bay.

The conflict between the two visions of the waterfront was evident last Monday night when city officials held a public meeting to hear views on the development of pier housing.

Robert Agus, an executive with Manekin Corp., tried to make the case that allowing development on the piers "will be water enhancing," because the new construction will bring to the waterfront "beautiful homes, exciting shops and restaurants."

The opposite perspective was presented by Sally Sales, a member of the Waterfront Coalition. She said the state's wetlands are being endangered and "building housing on piers is not the way to help clean water."

Several environmentalists said that development of pier housing in Baltimore will set precedents for pier housing in other — less developed — areas of the state.

Developers argued that building on Baltimore's piers would be consistent with development in other Eastern cities such as Boston, Philadelphia and Stamford, Connecticut, where successful pier housing projects have been built.

Other opponents said the transformation of the waterfront into housing and recreation would foreclose its use for other uses.

Stephens Bunker, a Fells Point resident, pointed out that his hometown of Portland, Maine, built housing on its piers a few years ago. At the time, the city's fishing industry was in a decline and the few boats still fishing just moved to other piers.

He said that Portland residents got upset over the fundamental

changes that were taking place on their waterfront and decided to put the development question to referendum. The Portland residents approved a five-year moratorium on transforming the working piers into housing.

He said the moratorium turned out to be fortuitous because the fishing industry has recovered and is providing jobs and income for Portland's residents. "Portland would not have received the benefits of a revived fishing industry, if there hadn't been a moratorium," Mr. Bunker told the meeting.

State Senator George W. Della Jr., D-47th, excoriated city officials for not making more of an effort to stop development of the waterfront. Mr. Della, who opposed the \$600 million Harborview project that is to be built at the base of Federal Hill on Bethlehem Steel's former Key Highway Shipyard and includes pier housing, said he was going to promote legislation in the General Assembly that would ban development on piers statewide.

But city officials say a flat prohibition against building on the piers could result in nothing at all being done with them.

"Those people [opponents of pier housing] don't realize that some of these piers have been rotting for 100 years, and they aren't going to be used as shipping piers again," said one city official.

Mayor Kurt L. Schmoke indicated Tuesday that his administration is prepared to allow housing on piers, but only under a number of stringent conditions — there will be a continuous promenade along the waterfront from the Inner Harbor to Canton and owners of houses on piers won't be able to drive their cars across the promenade.

"If we allow that, it will ruin the whole idea of having a public area around the waterfront," the mayor said.

Scores Arrested, Indicted In Texas Hunt-Club Probe

Arrant Violations of Waterfowl Laws Cited

By Cass Peterson
Washington Post Staff Writer

Federal wildlife officials arrested or indicted scores of hunting guides and owners of sportsmen's clubs in Texas yesterday after a three-year undercover investigation that found widespread poaching and "flagrant violations" of laws regulating the killing of waterfowl.

Justice Department officials said that 23 persons involved in commercial hunting operations in Texas were arrested in a sweep yesterday morning, and felony indictments were returned against about 50 others. More than 130 waterfowl hunters in six states, including Maryland, also will be charged with misdemeanor violations of hunting laws.

The arrests followed a probe of 41 Texas hunt clubs, conducted jointly by Justice Department officials and the U.S. Fish and Wildlife Service. Fish and Wildlife Service officials said more than 100 undercover agents documented about 1,300 violations of wildlife laws or hunting regulations at the clubs since 1985, including the illegal shooting of herons, ibises, hawks and other nongame birds.

The operation was one of the largest undertaken by the agency, which hopes to send a signal to waterfowl hunters at a time when migratory bird populations are at near-record lows. Some species are down to less than half of their long-term average population, largely because drought and development has dried up the wetlands they need to breed.

"They cannot long withstand additional losses from illegal harvest," said Fish and Wildlife Service Director Frank H. Dunkle.

The hunting clubs are essentially commercial businesses, which charge their customers \$65 to \$100 a day to hunt on leased or public land accompanied by a professional guide. Violations occurred in 92 percent of the hunts observed by undercover agents, federal officials said.

Among the violations charged in yesterday's indictments were shooting more birds than legally allowed, using a boat to herd waterfowl toward hunters, using amplified tapes to "call" birds, "baiting" ponds or fields with food to attract



ROGER J. MARZULLA

... reports "callous disregard" for law

birds, shooting birds out of season, and "wanton waste," or failing to retrieve waterfowl after shooting them.

In some cases, "the guides were openly encouraging people to violate the regulations," said Fish and Wildlife Service spokeswoman Megan Durham.

A January 1987 incident, videotaped by an undercover agent, shows a flock of geese settling onto a pond surrounded by hunters crouched behind duck blinds, Durham said. At a signal from the guide, all the hunters began shooting. According to indictments issued yesterday, the group of hunters killed more than 200 birds that day—139 more than their limit.

Agents also documented cases in which guides offered to help their customers shoot birds that were not in season or that were protected from hunting because of declining populations, Durham said.

Assistant Attorney General Roger J. Marzulla of the Justice Department's Land and Natural Resource Division said the investigation revealed "callous disregard for the laws protecting migratory waterfowl."

The hunters will face charges under the Migratory Bird Treaty Act, which protects migratory birds of all kinds, and the Lacey Act, which bars trading in protected species. Convictions could result in sentences ranging from six months to five years in prison and fines from \$5,000 to \$500,000.

Our say

Critical area waiver sets bad precedent

CAPITAL 12/14/88
FOR THE FIRST time in the 2½ years since the critical areas criteria were adopted, a waiver has been granted in the county to build on ecologically sensitive land.

That request has widened some eyes and set some hearts trembling a bit with a legitimate fear that waivers beget waivers. But in this case, Chesapeake Bay cannot take too many waivers, too many more demands on its sensitive natural resources. This is nothing like a zoning variance to allow a fence, this is a waiver to allow destruction of important tidal wetlands.

The land in question is along the South River on Persimmon Point. The developers, want to build three homes within 100 feet of a tidal pond, although according to the waiver they cannot build inside a 50-foot buffer.

Most of the leading authorities — the Critical Areas Commission and A county environmental planner — are inclined to grant a waiver, which is supposed to be given only for extreme hardship.

While it's hard to fight the experts on this one, we wonder whether they are approaching the subject of saving the bay from the proper perspective. If the objective is to save natural resources, then the philosophy should be "where can we stop actions that will hurt the wetlands." By utilizing this approach, the hardship facing the environment takes precedence over hardships facing developers.

But that, apparently, is not the objective the experts are following. Instead, it is "how much will a developer be hurt by not allowing him to destroy a wetland." In this approach, the developer's needs come ahead of the environment's.

In the case of Persimmon Point, the effects of that backward philosophy are evident. A 1987 inspection report of the site, for instance, said the surrounding soil was so sensitive the 100-foot buffer zone should be expanded. That soil easily erodes, which means it will easily pollute the basin, the South River and the bay.

Neighbors have seen ducks, herons and turtles living in the pond, and further development could scare them away. The case is strong that not only should there be no waiver, but that the ecological buffer zone should be expanded.

But the system is not geared toward saving more property than already designated in the plan. Environmentalists will be lucky to save what land has already been designated as "critical."

Now that the critical areas criteria have been implemented, waivers to eliminate buffer zones from the plan will take priority over adding areas. Anyone who can show an extreme hardship can destroy sensitive land, and help to pollute Chesapeake Bay even more.

What the system needs are more advocates for the bay, its tributaries and tidal basins. Otherwise, waivers will beget waivers. Count on it.

8.
Sarah Taylor
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The Smithsonian Project

The SUN 12/14/88

The Smithsonian Institution is taking the right steps to broaden its studies of the Chesapeake Bay by expanding its land holdings at Edgewater on the Rhode River in Anne Arundel County. This step could add considerably to the Smithsonian Environmental Research Center's growing knowledge of bay pollution and help protect a sensitive watershed that provides scientists with valuable information.

Increasing the institution's 2,600-acre preserve will not be easy. Population growth from Annapolis threatens to encircle the 8,000-acre Rhode River watershed surrounding the center. Developers lust for the land because of its waterfront acreage and easy access to Baltimore and Washington.

Federal dollars will help in the gradual purchase of property, but this may be inadequate. Land donations from private owners, long useful in expanding the center, also must be sought; so, too, must protective covenants with landowners.

The Smithsonian's goals cannot be pursued without some oversight. Among its neighbors are low-income families, many of whom can ill-afford to be relocated because of other priorities. So far, the center has agreed to meet the needs of nearby residents and no longer plans eviction of four families living on center property. Not only Congress, but Anne Arundel County officials as well, should hold the center to its promises.

The Smithsonian is the largest scientific group in the nation engaged in the study of a watershed estuarine system. It has pioneered the search for off-site pollution sources on inland creeks and

streambeds while continuing the broader study of bay water environment. The spread of suburbia should not be allowed to disrupt the institution's valuable research program on the Rhode River. Expanding the center's land would increase and protect the Smithsonian's valuable research. It would be a worthwhile investment.

KENT COUNTY NEWS, November 23, 1988 • 17A

Bag and Creel

by Joe Linduska

Talking turkey

On the afternoon of July 4, 1776, delegates to the Second Continental Congress signed the Declaration of Independence. Later that day, following dinner, they reconvened to handle a few other small matters, such as forming a government, waging a war — and creating a national seal which would give validity and substance to important matters of the new nation.

The urgency with which the last matter was viewed may be judged from the committee assigned the task. It was made up of John Adams, Benjamin Franklin and Thomas Jefferson, essentially the same group that drew up the Declaration of Independence.

The recommendations of this committee failed to impress the Congress and the development of a seal was tabled, to be forgotten for four years.

Subsequently a second, then a third committee was assigned the job. Neither of these efforts pleased the Congress and, in 1782, the Secretary to the Congress, Charles Thompson, was instructed to consider all previous proposals and submit a recommendation. His choice, very close to what we have today, featured the bald eagle.

Ben Franklin rebelled at the selection but apparently was told to "go fly a kite," since history makes record of such an event shortly thereafter.

Franklin would have preferred the turkey gobbler as a national emblem since "it was a true native of America and a bird of courage" even if a little "vain and silly." But the eagle, Franklin noted, was a "rank coward and lazy," and of "bad moral character that does not get his living honestly."

I would neither defend nor decry Franklin's views, yet I believe he had a point. Sifting fact from fancy one finds in the eagle as much vulture as bold predator and its stately appearance conceals many shoddy habits. And, as emblems go, it's badly shopworn. Long-gone Mesopotamia, 3000 years before Christ, found in the eagle a guardian divinity. It was sacred to Zeus and to ancient Rome, and an emblem to St. John, Charlemagne, Napoleon and to Peter the Great, and to numerous nations as well.

To my knowledge, no one or no place has looked to the turkey as a worthy symbol. Yet in this country it sustained our infant nation when other food sources were lacking. Estimates of its pre-settlement numbers run to 10 million, and this may have been low. In colonial times it was a meal any settlement dweller could afford. It was, in fact, symbolic of the richness of this new country. The biggest 25-pound Toms went for a quarter apiece and smaller Toms and hens at 6 to 12 cents per bird.

Back then, every day was Turkey Day and the meal was rounded out with other food stuffs also native to the New World, including: corn, white and sweet potatoes, squashes, pumpkins and several types of beans — still traditional on the Thanksgiving menu.

From this country of origin, the bird was introduced in Europe from where domesticated varieties later found their way to all parts of the world. To many palates, however, these barnyard descendents don't compare in flavor with the wild product.

Partly for this reason, but moreso for its sporting qualities, the wild stock has been established widely throughout the United States. Hunters of the bird extol its keen senses of sight and hearing, and of swift flight. Most all agree it's the most challenging game species on the continent.

The turkey has provided us with music to dance by (Turkey in the Straw), place names (Gobbler's Knob and Turkey Run), and terms of derision (the used car turned out to be a real turkey), and candor (let's talk turkey) and confusion (Gobbledegook).

Furthermore, as elections go, this year above all others, was the year of the turkey. The campaign was not waged against the backdrop of a proud, soaring eagle, but rather against that of an earth-hugging bird mindful of its destiny just a week or two away.

The speeches were lofty but only in rhetoric and vague promises. Signs of imagination and constructive purpose were not there.

There was no show of sharp talons, strong beak and proud independence. Rather there was display, preening, strutting, furtive glances, pecking in the woodland litter and a whole lot of gobbling.

Ben Franklin! Where are you?

7.

file

L. Eugene Cronin
Coastal Consultant
12 Mayo Avenue, Bay Ridge
Annapolis, MD 21403
301-267-6744

20 December 1988

Dear Sarah:

I told you that I would let you know if anything interesting happened - and it did. And here it is.

Except for the goof about "father of" the release and summary are pretty accurate. These will be recommended by the North Carolina Wildlife Federation and the North Carolina Coastal Federation to the Environmental Management Commission.

In my limited experience, this is radical. The hydrologist objects to arbitrary limits at 100 ft., 500 ft., 1000 ft. or other measures. He pointed out that the ability of the soil to assimilate most pollutants is determined by the soil type and the depth of the water table. We took off from there. At very least, this will make the agency think and justify any other approach as it makes regulations next spring.

They greatly appreciated the useful reports I presented to the Wildlife Federation on your behalf. Some of the key people know you. If you want more information, I may have it.

Thanks so very much. I hope toat this is somewhere and sometime helpful to you,

Cordially,

L. Eugene Cronin



NORTH CAROLINA WILDLIFE FEDERATION

FOR IMMEDIATE RELEASE
DECEMBER 16, 1988

CONTACT:
MICHAEL F. CORCORAN
919-833-1923

TODD MILLER
919-393-8185

SAVING OUR COASTAL WATERS: PANEL RELEASES PROTECTION RECOMMENDATIONS

North Carolina's highest quality coastal waters are facing grave threats from human activities, according to a blue ribbon panel of scientists, planners and public officials which met in Beaufort today. The panel, convened by the N.C. Wildlife Federation and the N.C. Coastal Federation, also issued a series of recommendations for the management of outstanding resource waters in the coastal region.

"North Carolina's coastal waters are its natural treasures, and they must be protected," said Dr. Eugene Cronin, chairman of the eight-member panel. "Current regulations don't seem to be doing the job in saving the best of the state's waters."

The panel also found that protection of high quality coastal waters would require an integrated program of water quality control and land use management.

Several specific recommendations were forwarded to the N.C. Environmental Management Commission, which must act on 10 coastal waters nominated for Outstanding Resource Water (ORW) status by mid-1989. They included:

- That no new point source discharges be permitted to degrade waters designated as ORWs.

- That "built-upon" density be limited to a maximum of 12% in areas adjacent to waters designated Outstanding Resource Waters.

- That only upland-basin, noncommercial marinas should be permitted on ORWs.

"We took the step of assembling this panel," said Michael F. Corcoran, Executive Vice President of the N. C. Wildlife Federation, "to assist state officials in defining the actions necessary to protect our best remaining waters. The members of the panel include distinguished scientists and public officials from across the country. We're very pleased that they agreed to serve and are satisfied that the recommendations are comprehensive and thorough."

Cronin, the panel's chairman, is an emeritus professor of estuarine biology at the University of Maryland, [is widely considered to be the "father" of Maryland's Critical Areas Program,] a central part of the efforts to rehabilitate Chesapeake Bay.

Other members of the panel include Dr. Richard T. Barber, former member of the N.C. Environmental Management Commission and now director a California marine laboratory;

*I never
said, implied
or approved
his statement!
Votter LEC*

Donald Bryan, mayor of Nags Head and president of the N.C. League of Municipalities; Dr. Raymond J. Burby, professor of city and regional planning at the University of North Carolina at Chapel Hill; Dr. John D. Costlow, former chairman of the N.C. Marine Fisheries Commission and long-time director of the Duke Marine Laboratory; Ralph Heath, hydrogeologist and former District Chief for North Carolina of the U.S. Geological Survey; Dr. Daniel Okun, professor emeritus of environmental engineering at UNC-Chapel Hill and Dr. Charles H. Peterson, professor of marine ecology at the UNC-Chapel Hill Institute of Marine Sciences.

-30-

(NOTE TO EDITORS: COPIES OF FULL TEXT OF FINDINGS AND OF RECOMMENDATIONS ARE ATTACHED)

SAVING OUR COASTAL WATERS
N.C. WILDLIFE FEDERATION
N.C. COASTAL FEDERATION

FINDINGS OF BLUE RIBBON PANEL ON COASTAL WATER PROTECTION:

1. THE HIGH WATER QUALITY AND PRODUCTIVITY OF NORTH CAROLINA'S COASTAL SOUNDS AND ESTUARIES ARE OF ENORMOUS ECONOMIC, SOCIAL AND CULTURAL VALUE TO THE REGION, STATE AND NATION.

2. POLLUTION RESULTING FROM HUMAN ACTIVITIES CONTINUES TO POSE AN IMMEDIATE AND GROWING THREAT TO THE WATER QUALITY, PRODUCTIVITY AND LIVING RESOURCES OF NORTH CAROLINA'S SOUNDS AND ESTUARIES.

3. COASTAL WATERS WITH EXCELLENT WATER QUALITY AND EXCEPTIONAL RESOURCE VALUES REQUIRE IDENTIFICATION, DESIGNATION AND PROTECTION AS OUTSTANDING RESOURCE WATERS.

4. WATERS NOMINATED BY THE N.C. ENVIRONMENTAL MANAGEMENT COMMISSION FOR DESIGNATION AS OUTSTANDING RESOURCE WATERS ARE DEMONSTRABLY HIGH QUALITY WATERS WHICH SUPPORT EXCEPTIONAL RESOURCE VALUES.

5. DEGRADATION OF THE NOMINATED OUTSTANDING RESOURCE WATERS WILL NOT BE PREVENTED BY EXISTING WATER QUALITY STANDARDS AND PROGRAMS.

6. TO ASSURE MAINTENANCE OF WATER QUALITY AND RESOURCES IN THESE WATERS, LIMITATIONS ON THE DENSITY AND TYPE OF DEVELOPMENT IN CRITICAL ZONES ADJACENT TO THE NOMINATED WATERS ARE ESSENTIAL.

7. PROTECTION OF COASTAL OUTSTANDING RESOURCE WATERS WILL REQUIRE AN INTEGRATED PROGRAM OF WATER QUALITY CONTROL AND LAND USE MANAGEMENT.

8. MINIMAL STANDARDS ARE ESSENTIAL TO PROTECT ALL NOMINATED OUTSTANDING RESOURCE WATERS, RECOGNIZING THAT ADDITIONAL STANDARDS MAY BE REQUIRED ON A CASE-BY-CASE BASIS.

DRAFT

SAVING OUR COASTAL WATERS
N.C. WILDLIFE FEDERATION
N.C. COASTAL FEDERATION

RECOMMENDATIONS:

1. That the N.C. Environmental Management Commission designate as Outstanding Resource Waters those coastal waters nominated and currently under review.

2. That the N.C. Environmental Management Commission apply and enforce vigorously its authorities and programs available to control point and non-point sources of pollution and dredge or fill activities which may adversely affect Outstanding Resource Waters.

3. That the N.C. Environmental Management Commission implement through the following minimum standards to protect those coastal waters designated as Outstanding Resource Waters:

a. That no new point source discharges shall be permitted to degrade designated Outstanding Resource Waters.

b. That three critical zones be established adjacent to waters designated Outstanding Resource Waters based on depth to the seasonally high water table:

Critical Zone A	36" or greater
Critical Zone B	12" - 36"
Critical Zone C	0" - 12"

c. That, to control pollution from stormwater runoff, development density be limited in each of the Critical Zones at the following levels:

	<u>% built upon</u>	<u>units/acre</u>
Critical Zone A	12	1
Critical Zone B	6	0.5
Critical Zone C	0	0

d. That engineered control of stormwater runoff shall not be permitted within the Critical Zones as an alternative to density limitations.

e. That a vegetated buffer shall be established landward of waters of waters designated Outstanding Resource Waters:

	<u>Buffer to ORW</u>
Critical Zone A	100 ft.
Critical Zone B	150 ft.
Critical Zone C	not applicable

- f. That non-discharging treatment systems shall be permitted only in critical zones A and B with buffers to designated Outstanding Resource Waters.

	<u>Buffer to ORW</u>
Critical Zone A	500 ft.
Critical Zone B	1000 ft.

- g. That no commercial marinas shall be permitted on waters designated Outstanding Resource Waters.

- h. That inland-basin marinas for the use of residents of a platted subdivision shall be permitted in critical zone A and not be permitted in critical zones B and C.

- i. That new dredging in areas supporting or suitable for shellfish resources or submerged aquatic vegetation shall not be permitted.

- j. That only water-dependent activities with no practical alternative upland locations or sites should be permitted in wetlands within the watershed of designated outstanding resource waters.

3. That best management practices, soil conservation plans and habitat management plans shall be applied on agricultural lands within the watershed of designated coastal Outstanding Resource Waters and the most serious sources of pollution should receive priority in allocation of available cost share funds for installation of best management practices.

4. That the Division of Marine Fisheries should fully implement and vigorously enforce fishery habitat protection regulations.

5. That extremely sensitive areas which require controls beyond these minimal standards shall be identified and that such sites shall be protected by additional regulations or targeted for public acquisition with available funds.

6. That an ORW impact Area of Environmental Concern consistent with the Critical Zones be established adjacent to designated outstanding resource waters and appropriate development standards adopted.

7. That the N.C. Environmental Management Commission

shall continue to survey and identify additional waters with excellent water quality and exceptional resource values and designate these waters as outstanding resource waters.

8. That all North Carolina (and Federal?) agencies be required to act in consistency with this set of requirements

file

Jersey Plan to Control Growth Said to Be Weakened

By ANTHONY DePALMA

Special to The New York Times

NEWARK, Dec. 23 — New Jersey's attempt to impose its first statewide comprehensive development plan has been seriously weakened, planning proponents say, by a revised draft announced this week.

In releasing the Preliminary State Development and Redevelopment Plan on Monday, the State Planning Commission increased the amount of agricultural and environmentally sensitive land that could be developed, a change sought by farmers and builders.

The commission also gave the state's 567 municipalities more discretion in accepting or rejecting the state's guidelines on how New Jersey should grow.

"The legislation that created the commission was originally drafted in ways to make it relatively weak," said Richard Roper, director of the Program for New Jersey Affairs at the Woodrow Wilson School of Public and International Affairs at Princeton. He said the plan had been further weakened because "the special interests have already done their thing."

A Denial of 'Buckling Under'

Commission members, who have been formulating the plan for two years, said that what might appear to be concessions in the latest version are refinements of earlier ideas that had been only partly formed or widely misunderstood.

"Buckling under like that hasn't happened," said Martin Bierbaum, assistant director of the Office of State Planning.

New Jersey's attempt to stop suburban sprawl, redirect development to cities and older suburbs and organize new projects into compact centers with housing, shops and jobs is one of the

A state panel has increased the land that can be developed.

most ambitious in the nation.

It comes at a time when uncoordinated growth during the state's economic boom has resulted in intense traffic congestion and environmental degradation that threaten the state's economic growth and the quality of life for residents.

Localities Retain Jurisdiction

But the diversity of the state's communities and the stubbornly held tradition of home rule, in which cities and towns make all decisions on what can be built inside their borders, meant that such large-scale initiatives were bound to face severe opposition.

Mr. Roper said Governor Kean and the Legislature did not give the planning commission powers to regulate development or supersede the localities' jurisdiction when the state planning act was passed in 1985.

The commission is to draft a plan that, when adopted in 1990, will be limited to determining state policies for building the roads, sewers and water lines that encourage new construction. The plan also will outline broad areas of the state where development is to be promoted or discouraged. But municipalities are to retain their local zoning and planning powers.

Critics of the plan insist that the state seized too much power and have demanded changes as the plan has gone through hearings and drafts.

Leading the opposition to earlier

drafts were the state's builders, who said too much land was being cut off from development.

Some of the builders' concerns have been addressed, though they still worry that the plan could hurt their chances of building houses where people will want to buy them. In the latest version of the plan, the commission states that New Jersey will gain 1.3 million residents and 1 million jobs by the year 2010 and that every area of the state will grow to some degree.

The newest version of the state plan would have counties and municipalities determine where the projected economic growth will occur. This will happen during a six-month review period, beginning Jan. 9, when all of the state's executive agencies, counties and municipalities will have a chance to compare the state's goals to their own and recommend changes.

That has swayed some municipalities, which had feared the plan would pre-empt local authority. Because "there's nothing in it now that will force a municipality to change its zoning ordinance or plan," the New Jersey League of Municipalities now supports the plan, said its executive director, Jack E. Trafford.

Towns Controlled by Developers

But the executive director of the New Jersey Conservation Foundation, David F. Moore, said the municipalities may have been given too much discretion.

"The difficulty," he said, "is that those towns that are growing rapidly tend to be dominated by those people who get something out of the development process — the developers."

The chairman of the State Planning Commission, James G. Gilbert, said he did not think special interests had gained an advantage in the plan. Mr.

Gilbert said that most municipalities would agree with the spirit of the plan and that there were ways to deal with those who did not.

"It's sensible to say to towns, 'Where do you want to put the growth?'" he said. "But that doesn't mean the commission is going to accept everything they say."

Farmers Express Concerns

Another criticism of the plan came from farmers, who feared that large agricultural protection zones in which little development could take place would hurt their property values.

The latest version of the plan reduces the size of the agricultural zones, but commission members said it was not because of the farmers' complaints.

Mr. Bierbaum of the commission staff said the first plan in April 1987 showed large swaths of agricultural and environmentally sensitive land in the northwestern and southwestern sections of the state. But he said the current map is much more detailed and is based on aerial photographs showing that most of those areas already are partly developed.

Farmers are still worried. Peter J. Furey, administrator of the New Jersey Farm Bureau, a trade organization, said the commission had set in motion "a planning process that invites the municipalities to downzone farmland," making it less valuable to farm families.

Samuel M. Hamill Jr., executive director of a central New Jersey planning group called the Middlesex Somerset Mercer Regional Council, said the state plan had been "systematically expurgated of everything specific" and now envisions "a great deal more growth in rural parts of the state where there should be a lot less."

METRO



Peggy Christie and Chris Havemeyer are among residents joining environmentalists in criticizing plans to build homes along Langford Creek in Kent County.

Erosion of Protections For Bay Shoreline Feared

Loophole Allows 575-Acre Development

By Eugene L. Meyer
Washington Post Staff Writer

CHESTERTOWN, Md.—Here in Kent County on the Eastern Shore, Maryland's effort to protect and preserve the Chesapeake Bay is having unexpected consequences.

Residents along the East Fork of Langford Creek, a pristine tributary of the bay, thought the state's new critical areas law would severely limit the number of houses that could be added to the seemingly remote shoreline.

It turns out that a developer—with state and county blessing—is locating 16 building sites along a short stretch of the creek, setting the stage for a major test of the government's commitment to preserve unspoiled shoreline

around the country's largest estuary.

"We all [backed] the critical areas act thinking it was intended to preserve a 1,000-foot buffer along the waterfront," said Chris Havemeyer, who lives across the creek from the planned development. "... It's nice to think that future generations would be able to go up the creek without there being wall-to-wall docks."

Havemeyer was partly correct. The law does allow only an average of one house for every 20 acres in the "critical area" within 1,000 feet of the shoreline. But the law doesn't say where the houses should go.

All the allowed houses can be clustered at the shoreline and the rest of the land left undeveloped.



BY LARRY FOGEL—THE WASHINGTON POST

What's more, developer Michael Marshall found he could have as many as 28 waterside lots because the land's previous owner had expanded his "critical area" to include adjacent land far from the creek.

Beyond the opposition of the neighbors across the creek, environmentalists worry that the 575-acre Langford Farms development could set a bad precedent for the critical areas program,

See LAW, C9, Col. 1

Banneker Principal Found Fatally Beaten

Sister, Nephew Discover Body in SE Home

By Patrice Gaines-Carter
Washington Post Staff Writer

Robert Steptoe, acting principal of Banneker High School in the District, was found slain in his home in the quiet Hillcrest section of the city yesterday afternoon. Steptoe, 56, died of "blunt force trauma about the head and body," according to a homicide detective.

Steptoe, whose body was discovered by his sister and a nephew at his home in the 3100 block of Westover Drive SE, had been dead for "apparently over 24 hours," the detective said. Another detective described the murder scene as "a real mess." But police would not comment further on the case.

On Westover Drive, a winding street of \$100,000 to \$250,000 brick houses, neighbors said the

principal of the District's only academically selective school spoke to passers-by but was a very private person, never participating in neighborhood activities. Members of the District's educational system described him as a disciplinarian capable of bringing out the best in his students.

Steptoe had been acting principal of Banneker for three years. He was serving his second tour in that position and was among the candidates being considered for permanent principal of the school.

D.C. School Superintendent Andrew E. Jenkins called Steptoe "a very capable principal. . . . We are very saddened by the death of Mr. Steptoe."

Linda Cropp, school board chairwoman, called Steptoe "histrionic, witty, very quick. He was a very

See STEPTOE, C8, Col. 1

District Won't Become A Ghost Town After All

Census Bureau Switches, Sees City Growth

By Lawrence Feinberg
Washington Post Staff Writer

The U.S. Census Bureau, which predicted five years ago that Washington's population would decline precipitously by the year 2000, has reversed itself and now expects the District will grow substantially in the next two decades.

"We just happened to catch the District at an unusually bad time and projected it forward on a straight line," said Larry Sink, a Census Bureau demographer, referring to the earlier projection.

In a recent report based partly on migration data from 1986 income tax returns, the bureau now projects that the city's population will stabilize at 614,000 in the 1990 census, rise to 634,000 in the year 2000, and climb to 672,000 in 2010.

A 1983 report based on trends of the 1970s had predicted that Washington's population would drop to 501,500 by 1990 and to 376,500 in 2000. The population of the District fell from 756,668 in the 1970 census to 638,432 in 1980, a decline of about 118,000 or 15.6 percent, its steepest drop in any decade.

"We've gotten some much better data recently from the . . . [Internal Revenue Service] and our 1986 estimates," Sink said. "We're using a better methodology."

The new census projections also show a faster population rise than previously predicted for Maryland and Virginia. Maryland's population will increase from 4.2 million in 1980 to 5.7 million in 2010, while Virginia will grow from 5.3 million to 7.4 million over the same period, the bureau predicted. Growth in

See POPULATION, C4, Col. 5

N.Va. Officials Hope New Spirit of Cooperation on Transportation Will Spread

By Steve Bates
Washington Post Staff Writer

The helicopter rose through the frigid January morning air to reveal a still-life tableau: Thousands of southern Fairfax County commuters, trying to navigate Rte. 1 north through Alexandria, were gridlocked by a new car pool restriction in the city.

In the copter, Alexandria Mayor James P. Moran Jr. didn't say much to Fairfax County Board Chairman

Audrey Moore and county Supervisor Gerald Hyland, who had invited him along for the ride. "It looked like a parking lot" on Richmond Highway past Beacon Mall, three miles south of the Alexandria border, Moran recalled.

The next day, Jan. 26, Moran persuaded his City Council to soften the car pool restriction from three occupants per car to two in the Rte. 1 high occupancy vehicle lane during rush hour. The action took place despite city residents' opposition

and just a few months before municipal elections.

It was a crucial bow to a sometimes testy neighboring jurisdiction and heralded a year that saw an unusual amount of cooperation on transportation matters within Northern Virginia. Many local officials predict that this spirit will spill over into other issues.

"Nobody ever thought we could get along," Moore said recently.

For just over a year, the elected leaders of the region's local govern-

ments have been meeting formally and informally, developing a better understanding of each others' problems and becoming friends in the process. Two late 1987 events jump-started this phenomenon: county board elections for four-year terms in Fairfax, Prince William and Loudoun, and Gov. Gerald L. Baliles' directive that Northern Virginia develop a "subregional" transportation plan.

Moore's triumph over Republican county board chairman John F. Her-

erty, attributed in large part to voters' anger about Fairfax traffic jams, left Democrats in the top posts in those counties plus Arlington and Alexandria. Baliles' mandate put them and other local leaders to work on a plan to deal with the region's daunting transportation challenges over the next two decades.

The most obvious result is the \$10 billion blueprint approved Dec. 16 by a group named, inelegantly, the Subregional Transportation

Task Force. The task force plan emphasizes trains, buses and a network of HOV lanes in the effort to forestall gridlock.

Local governments are \$7 billion short of the money to implement the plan, prompting pleas to state legislators that jurisdictions here must be given the power to increase several taxes locally. However, tax proposals are particularly tough to sell in an election year, and

See REGION, C5, Col. 1

INSIDE

THE DISTRICT

A Mural Issue

■ The dismantling of a colorful mural in Adams-Morgan has ruffled feelings of people involved in the project. Page C8

MARYLAND

Accepting the Homeless

■ Carroll House, a Silver Spring shelter, was under siege by neighbors in 1984. But they now accept the homeless men. Page C3

VIRGINIA

Lorton Security

■ As two escapees from Lorton Correctional Complex remained at large, police and prison officials renewed calls for tighter security at the prison. Page C8

MILLOY Page C3

Long-Beleaguered Metro Green Line Creeps to Reality

By Nell Henderson
Washington Post Staff Writer

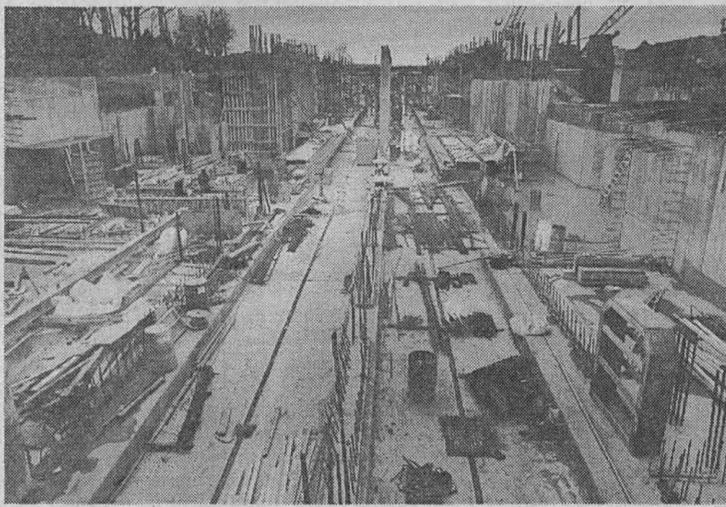
Just off Cherrywood Lane in Prince George's County, literally in the shadow of the Capital Beltway, an earthmover hums as it shoves dirt across the site of the future Metro Greenbelt station.

About eight miles away in Northeast Washington, construction workers hammer green plywood fences into place to mark the site where a lower level will be added to the Fort Totten station.

At various sites in between, concrete and steel structures are rising from the mud as Metro and its contractors dig, pour, pile-drive and spend millions of dollars to turn a long-delayed, much-debated section of the Green Line into reality.

"This is a desperately needed transit facility," said Metro board member Robert B. Ostrom, a lawyer in Prince George's County.

The 8.1-mile segment from Fort Totten to Greenbelt is scheduled to open for service by late 1993 and will run through the county's most densely populated and rapidly growing corridor, one choking on traffic, said County Executive Parris Glendening. By draining cars from the Beltway and Rte. 1, the Metro



Construction is about 40 percent complete at the Prince George's Plaza station on the Green Line.

line will improve movement through the area and focus economic development, he said.

Not everyone agrees with that assessment of the Green Line's benefits, however, and construction of Metro's only unopened line has been delayed for years by lawsuits, neighborhood controversies and international trade disputes.

The most recent suit, which seeks to block construction of the Green Line through College Park, was filed in September by College Park Airport pilots and others. A federal

judge on Monday rejected the groups' request for an injunction to halt the project.

"Any delay in the Green Line's construction will further exacerbate the county's already formidable traffic congestion and air quality problems," wrote U.S. District Judge Thomas Penfield Jackson. "The public interest favors the construction of the Green Line extension as soon as possible."

The decision not to grant an injunction did not settle the suit. If the airport groups pursue the suit, See GREEN LINE, C4, Col. 1

P.G. Taxpayers Foot Bill for Condos, Couches

By Retha Hill
Washington Post Staff Writer

When Prince George's County Council member Sue V. Mills decided to redecorate her office last year, she went to Marlo, Levitz and other area stores. Among other items, she bought a pink sofa, pink chairs, rose-colored flute lamps—even a pink fountain supporting a statue of Saint Francis.

Money for the new furniture came out of a discretionary expense account, unusual among area local legislative bodies, that gives carte blanche to Prince George's Council members to charge the county for everything from dinners on the town to flowers for constituents to rents for beachfront condominiums during Ocean City conferences.

The only requirement is that money drawn from the accounts, which total \$56,340 for each member, be used for county business. Actually, most of it goes for aides' salaries. However, council members, who also get \$42,930 in salaries themselves, are given broad discretion in deciding what constitutes county business.

"We depend on the council member to tell us if it is a business" expense, said Council See EXPENSES, C7, Col. 3

Effort to Preserve Chesapeake Bay Shoreline Faces Major Test

LAW, From C1

which is still in its infancy four years after its passage by the Maryland General Assembly.

"That's what concerns us," said Saunders C. Hillyer, director of lands programs for the Chesapeake Bay Foundation. Peggy Christie, a Langford Creek second-homeowner, asked: "Why couldn't the whole Eastern Shore go this way? What developer wouldn't be delighted to buy land that included a back cornfield and cluster development on the waterfront?"

A special panel of the Chesapeake Bay Critical Area Commission is to convene on Jan. 4 to consider these issues. "These things come up and then we say, 'Oh, oh,'" said Sarah J. Taylor, executive director of the commission. "There are things we didn't think would occur, and now we're dealing with them."

Already, two developers in Cecil County to the north have applied to increase shoreline density by adding upland acreage to the "critical area."

Defenders call this a legitimate tradeoff that keeps most of the enlarged tract in its natural state—and reduces the overall density of development. Critics call it an outrage. Property owners across the Langford Creek here have gone to court in an effort to stop what they regard as an unwarranted intrusion.

The quality of life in rural Kent County—just across the Bay Bridge about 30 minutes from Annapolis—is "the underlying reason why many have chosen to live here," said Jonathan Jones, 33, a yacht broker who is a plaintiff. "It's a little oasis tucked between metropolitan areas."

The Jones place on Langford Creek includes a couple of houses, one on the water, and four undeveloped lots for future use by other family members. Over the years, new houses appeared occasionally, but there was no building boom.

"I guess we're having 20 years of growth happening in a few months. It's hard to get used to," said Jones, who can now see bulldozers and mounds of dirt across the creek as work on the Langford Farms development roads proceeds.

Indeed, for 200 years, the population of Kent County hasn't changed much. It remains the least populous county in the state, but change is in the wind. Said county



Michael Marshall stands on the property along Langford Creek where his development is planned. Property owners across the creek oppose the development.

planner Gail Owings, "All of a sudden, we've been discovered."

The population projected for 1990 is only 16,999, but building permits are up, from 485 structures worth \$5.4 million in 1983 to 527 valued at \$16.7 million in 1987 and 509 worth \$16.8 million through September of this year.

With development pressures mounting, the county imposed a moratorium this month on new subdivisions pending a comprehensive rezoning. Immediately affected were two proposed waterfront projects with a total of 445 units, including 41 clustered along the shoreline.

The Langford Farms dispute, unaffected by the moratorium, arose from a 1987 county decision to allow shore owners with part of their property within the basic 1,000-foot "critical area" to include all of it in that category.

Among the 24 doing so was G. Van Velsor Wolf, who combined his two adjoining farms on Langford Creek. Enter Marshall, 55, a dapper Englishman and former president of Engelhard Industries, a precious metals company. In March, he signed a sales contract with Wolf for \$3.4 million. After the county approved its critical areas plan, Marshall bought the property in July.

Marshall lives in Queen Anne's County, across the Chester River on a 174-acre farm. He says he is an environmentalist who has deeded the development rights on his own property to the Maryland Environmental Trust.

As proposed, his Langford Farms development drew opposition not just from neighbors but also from the state Critical Area Commission and Department of Natural Resources. It wasn't the shoreline

clustering that bothered them but the developer's plans, among other things, to build a road across a stream.

After the state agencies filed suit, Marshall rerouted the road, agreed to build a bigger pond for waterfowl and reduced the number of waterfront piers from 18 to 11. Marshall also has imposed covenants restricting hunting.

While privately praising the changes in Marshall's plans, the neighbors are still seeking a court judgment that the critical areas law "does not permit and did not intend the aggregation of acreage outside the 1,000-foot initial planning area in order to increase development along the shoreline."

The law does encourage clustering of lots to preserve more open space but doesn't say where they should be clustered. The shore is a natural place because developers

can charge the most for waterfront lots, thereby recouping losses incurred from leaving the rest of the land undeveloped. Langford Farms lots will average 5.5 acres in size and \$300,000 in price, Marshall said.

The only requirement is that there be 100 feet between the house and the water's edge. Marshall's plan complies with that.

As the Langford Farms battle has continued, some neighbors have become increasingly ambivalent, seeing their own self-interest in the outcome possibly at odds with the greater issue of the critical areas around the bay.

Compared with other developments that blanket the land with houses behind the 1,000-foot buffer, "this one looks pretty good," said one neighbor.

The ambivalence has intensified since Marshall wrote to the plain-

DETAILS OF LAW

Under Maryland's Chesapeake Bay critical areas law, landowners are allowed to build an average of one house per 20 acres within the basic 1,000-foot "critical area" along the shoreline of the estuary and its tributaries.

The law, as approved by the General Assembly in 1984 and amended in 1986, encourages "clustering" of home sites to preserve open space. But the law does not say where the sites should be, allowing a concentration near the water.

The statute also allows for expansion of the critical area if necessary to protect water quality and wildlife habitat. But expanding the area also allows for more shoreline building lots than would otherwise be permitted.

The state Chesapeake Bay Critical Area Commission is concerned about the development consequences of expanding the critical area and is scheduled next month to consider "what parameters to consider in granting an extension of the 1,000-foot buffer," said Executive Director Sarah J. Taylor.

tiffs on Nov. 28 that if they won, he would be forced to build a development of 150 houses, the number otherwise allowed behind the 1,000-foot buffer.

"Many of [them] will be on the forward slopes in full view," he wrote. "The environment will be the greatest loser as the woods will be largely destroyed. The farmland will go and the large lake, instead of being a permanent refuge for wildfowl, will be the center of a highly developed community."

At the Critical Area Commission at least, the prevailing view is that Langford Farms offers an acceptable tradeoff. But Taylor, the executive director, says the commissioners are worried about the underlying issue.

"I don't think the cow's gotten out of the barn," Taylor said, "but I think there is concern with the barn door."

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Peggy Christie and Chris Havemeyer are among residents joining environmentalists in criticizing plans to build homes along Langford Creek in Kent County.

Erosion of Protections For Bay Shoreline Feared

Loophole Allows 575-Acre Development

By Eugene L. Meyer
Washington Post Staff Writer

CHESTERTOWN, Md.—Here in Kent County on the Eastern Shore, Maryland's effort to protect and preserve the Chesapeake Bay is having unexpected consequences.

Residents along the East Fork of Langford Creek, a pristine tributary of the bay, thought the state's new critical areas law would severely limit the number of houses that could be added to the seemingly remote shoreline.

It turns out that a developer—with state and county blessing—is locating 16 building sites along a short stretch of the creek, setting the stage for a major test of the government's commitment to preserve unspoiled shoreline

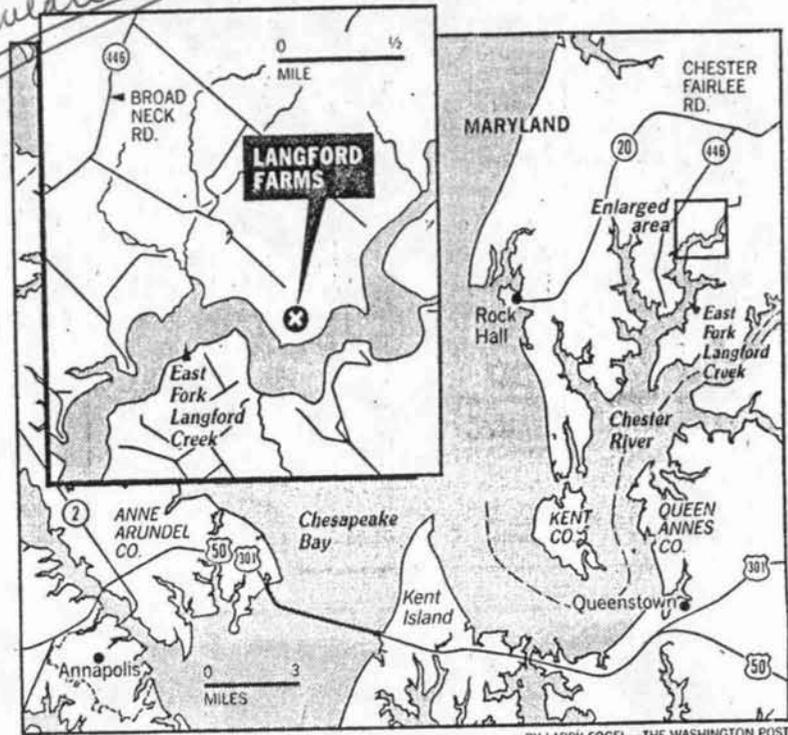
around the country's largest estuary.

"We all [backed] the critical areas act thinking it was intended to preserve a 1,000-foot buffer along the waterfront," said Chris Havemeyer, who lives across the creek from the planned development. "... It's nice to think that future generations would be able to go up the creek without there being wall-to-wall docks."

Havemeyer was partly correct. The law does allow only an average of one house for every 20 acres in the "critical area" within 1,000 feet of the shoreline. But the law doesn't say where the houses should go.

All the allowed houses can be clustered at the shoreline and the rest of the land left undeveloped.

circulate



BY LARRY FOGEL—THE WASHINGTON POST

What's more, developer Michael Marshall found he could have as many as 28 waterside lots because the land's previous owner had expanded his "critical area" to include adjacent land far from the creek.

Beyond the opposition of the neighbors across the creek, environmentalists worry that the 575-acre Langford Farms development could set a bad precedent for the critical areas program, See LAW, C9, Col. 1

street of \$100,000 to \$250,000 brick houses, neighbors said

District V A Ghost Town

Census Bureau Says

By Lawrence Feinberg
Washington Post Staff Writer

The U.S. Census Bureau, predicted five years ago that District V's population would precipitously by the year 2000 reversed itself and now expects the District will grow substantially the next two decades.

"We just happened to catch District V at an unusually bad time and projected it forward on a straight line," said Larry Feinberg, Census Bureau demographer referring to the earlier projections.

In a recent report based on migration data from 1986 tax returns, the bureau projects that the city's population stabilize at 614,000 in the year 2000, rise to 634,000 in the year 2010, and climb to 672,000 in the year 2010.

N.Va. Officials Hope New Spirit of Cooperation on Transportation

By Steve Bates
Washington Post Staff Writer

The helicopter rose through the frigid January morning air to reveal a still-life tableau: Thousands of commuters, trying to navigate Rte. 1 north through Alexandria, were gridlocked by a new car pool restriction in the city.

Audrey Moore and county Supervisor Gerald Hyland, who had invited him along for the ride. "It looked like a parking lot" on Richmond Highway past Beacon Mall, three miles south of the Alexandria border, Moran recalled.

The next day, Jan. 26, Moran persuaded his City Council to soften the car pool restriction from three occupants per car to two in the Rte.

and just a few months before municipal elections.

It was a crucial bow to a sometimes testy neighboring jurisdiction and heralded a year that saw an unusual amount of cooperation on transportation matters within Northern Virginia. Many local officials predict that this spirit will spill over into other issues.

"Nobody ever thought we could get along," Moore said recently.

ments have been meeting formally and informally, developing a better understanding of each others' problems and becoming friends in the process. Two late 1987 events jump-started this phenomenon: county board elections for four-year terms in Fairfax, Prince William and Loudoun, and Gov. Gerald L. Baliles' directive that Northern Virginia develop a "subregional" transportation plan.

city, attributed in large part to commuters' anger about Fairfax jams, left Democrats in the majority in those counties plus Loudoun and Alexandria. Baliles' date put them and other local officials to work on a plan to deal with the region's daunting transportation challenges over the next two decades.

The most obvious result of the \$10 billion blueprint approved